March 11, 1996

Public Hearing and
Planning Commission Meeting
Minutes

Planning Commission Members Present
John Adams, Vice Chair
Andrew Dixon
Lou Ellen Kirkendall
Dan Dail, Council Representative

Planning Commission Members Absent
Tom Weyrick, Chair
Benjamin K. King, Secretary
Barry J. Ream

Council Members Present
Mayor Charles Dean
Councilman Thomas Whitfield III
Councilman Fred Bennett

Staff Present
Ted Costin, Town Manager
Joe Shifflett, Director of Public Works/Zoning Administrator
Rick Carey, Administrative Assistant to the Town Manager

Visitors
Randy Murphey

Public Hearing

At 7:10 p.m., Vice Chair John Adams convened the Town of Elkton Public Hearing to discuss and receive comment on a request by Ran Mar, Inc., seeking a Special Exception Permit to allow a warehouse facility on Lot 62 located southwest of the intersection of Stuart Avenue and U. S. Rt. 340. Mr. Shifflett described the location as the storage section of the main building, facing west, of Ace Hardware. Mr. Adams entertained comments pro or con regarding the request before the Commission. Being none, Andy Dixon motioned to grant the request and it was seconded by Lou Kirkendall. The request gained unanimous approval and Chairman Adams closed the Public Hearing at 7:12 p.m.

Planning Commission Meeting

Vice Chairman Adams immediately called the Planning Commission to order. The minutes of February 12, 1996 were read and approved.

Before the Commission was an application by Cline Energy Corp., for a Lot Line Revisions and Vacation of lines on Lots 66, 67, and 68; to vacate the line between Lots 66 and 67; between 67 and 68; and revise line on east plot of 68. Mr. Adams polled each member to ascertain if he/she had visited the property. Answered in the affirmative by all, the first order was to consider the Lot Line revision as clarified by Assistant Chair Adams to a question presented by Mr. Costin. When asked by Mr. Adams for Staff recommendations, Mr. Shifflett submitted neither the line revision nor the vacation would pose a problem for the Town. Additional comments from Mr. Shifflett made it evident that the Town would have to vacate the lines to make the area one property and additional property had been obtained by Cline Energy from the Department of Transportation to revise the east end of the property. Mr. Costin advised the Chair that the property would be developed as one site.

Mr. Adams asked for questions or comments from the members regarding the application before the Commission. Being none, Mr. Dixon motioned to recommend approval to vacate the Lot Line and the Lot Line Revision. Lou Kirkendall seconded and the vote was unanimous.

Responding to a question from the Chair regarding a B2 Special Exception by Ran Mar, Inc., for a warehouse facility, Mr. Shifflett informed the members that under B2 a Special Exception must be sought to operate a separate warehouse and the request pertained to the use of an existing building. Mr. Shifflett recommended approval as the structure was basically a warehouse and storage facility before. Ms. Kirkendall motioned approval of the Special Use Permit; seconded by Mr. Dixon; and carried unanimously.

Old Business

Councilman Dail reported he had brought up before Council the issue of sideyard set backs in context of a larger reconsideration of some revisions. Council will group together several issues and revisit the sideyard set backs. Mr. Costin was in agreement with Councilman Dail's statement.

Mr. Costin individually polled the members in reference to the Cline Energy request. "Did you physically visit the site?"

Mr. Dail: "Yes."
Ms. Kirkendall: "Yes."
Mr. Adams: "Yes."
Mr. Dixon: "Yes."

Other Business

Mr. Costin told the members that he had spoken to Mr. Weyrick by telephone earlier this date. Mr. Weyrick is taking night courses at JMU, the duration of which is through December. He requested Mr. Costin to approach the Commission about changing the meeting night to Tuesday or Thursday. Mr. Costin stated he had talked to the Staff and it made no difference to them.

Responding to a question from Mr. Adams, Mr. Costin believed the by-laws would permit a meeting night change and the public would be made aware. When the Vice Chair asked for comments, Ms. Kirkendall stated she did not have a problem with being flexible, but questioned the change this late in the academic year. Mr. Dail added JMU is out by the second week of May. Mr. Dail suggested taking no action on the matter until JMU's summer schedule had been finalized in the event the class night changed. The members present agreed with Councilman Dail's observation and suggestion.

Mr. Costin announced that he had regrettably accepted his former Administrative Assistant's resignation, but was pleased to announce the promotion of Rick Carey to that position.

Ms. Kirkendall questioned Mr. Costin regarding the Comprehensive Plan. Mr. Costin stated the Plan is not moving at this time, but we are near a first draft. Mr. Costin noted Mr. Monger is putting all available time on the Zoning Ordinance update.

Mr. Adams thanked those members of Council in attendance. As there was no additional business before the Commission, Vice Chairman Adams entertained a motion for adjournment. Mr. Dixon so motioned and was seconded by Ms. Kirkendall. The meeting was adjourned at 7:30 p.m.

Thomas M Dail
Signature - Chairman

Benjamin C. Ky
Signature - Secretary