Planning Commission Minutes
October 12, 2005

Planning Commission Members Present:

Harry Armbruster	Madelyn Dixon	Wayne Printz
Jeremy Ream	Marty Shifflett	Daniel Talbot
Excused:	Wake Gooden	
Staff Present :	Dennis Donachy, Charlotte Shifflett	
Guests:	Mr. Nicely	

Call To Order:
Dan Talbot, Chairperson called the meeting to order at 7:00 pm. The agenda called for a review of September meeting minutes. Wayne Printz made a motion the minutes be accepted as written. Jeremy Ream seconded the motion.
Motion Carried: (6-0 voice vote)

Welcome:
Harry Armbruster and Marty Shifflett attended the meeting as new members and the group welcomed them. Dan thanked them for their willingness to serve.

By-Laws:
The current by-laws were adopted in November, 1995. Some of the language has been corrected to make this the first revision. Charlotte will re-print the revised By-Laws and include them in next month's packet. It was noted that they do not need to go to Council for approval.

A vote will be taken at the next meeting regarding the acceptance of the By-Laws as they currently read.

William and Patricia Bruce request submitted:
Zoning Permit #2005-98
Mr. and Mrs. Bruce submitted a request to have property at 242 S Eastside H/Way subdivided. Their property is currently zoned B 2 and will allow a single family dwelling that should meet the R 4 zoning specifications. The Bruce's were excused.

Their request is in compliance and a motion was made by Wayne Printz to approve the request for subdividing. Marty Shifflett seconded the motion.
Motion Carried: (6-0 voice vote)

With the passing of the request, several issues were brought to the member's attention by Dan Talbot, Chair Person. The current code allows the construction of single family dwellings in Business and Manufacturing. The Commission should look into the possibility of revising the Code to restrict this practice.

Mr. Donachy accepted the responsibility to look into the issue and submit alternative language

Revision to R-8
Mr. Donachy passed out a recommended change which would ***update an ordinance to amend Chapter 110 (Land Development) Section 110-609 (Planned Unit Development District R 8) Sub Section B by adding lot regulations***

It was noted at this point the difference between R 2 and R 3 zoning is set back requirements. Mr. Donachy will review R 8 to see what may be affected?
Some possibilities to check for are:
a. height b. alternative structures c, detached buildings

Elkwood Sub Division:
Mr. Nicely attended the meeting to represent the developer and attempt to answer questions. He briefed the members on the definition of R 8 as it was established originally. R 8 property cannot be subdivided without the presentation of a Master Plan. When it was first implemented it allowed the planner to set his own set backs. The next step required the Planning Commission's approval.

The probability of owners requesting accessory buildings arose? Most likely, residents will want to construct an accessory building. This issue should be addressed in preliminary planning stages.

It was noted that R 8 requires this item to be a part of the Master Plan in advance.
1) Would meet the needs of the people.
2) Control community designed to be self-sufficient

Any combination of any type may be developed in stages. The developer shall not revise over a defined percentage of his plan or he runs the risk of being requested to resubmit it starting at the very beginning!

Marty presented a motion that would include additional words in:
Addition of the following to {110-609, B:
1. B. Permitted Uses (etc)
(1) Single-family detached dwellings *with lot regulations* **(to allow accessory usage***) consistent with R-3 district standards.*
The motion was seconded by Madelyn Dixon.
Motion Carried: (6-0 voice vote)

NARRATIVE STATEMENT:
Mr. Nicely had the members review an amendment he had written relative to R 8 zoning. (*Ref inserted document)*

NARRATIVE STATEMENT

ELKWOOD

AN R-8 PLANNED UNIT DEVELOPMENT
ELKTON, VIRGINIA

September 9, 2005

The land shown on the accompanying Master Plan of Elkwood is the remaining undeveloped 266 acre portion of an original tract containing approximately 300 acres.

A Master Plan for the entire original tract was prepared in 1973-74 for the Elkwood Company. The original Master Plan provided for 540 single-family lots, served by public streets and utilities.

In 1975 a portion of the Master Plan area, containing approximately 30 acres was conveyed to British Woods Corporation, Inc. That land was platted and developed by that group as Section 1, Elkwood. Section 1 contained 69 lots ranging in size from 10,000 square feet to 33,000 square feet. The majority of the lots were approximately 11,000 square feet in area.

Section 2, Elkwood was platted in 1991 and consists of only two lots at the intersection of Persimmon and Sweetgum Streets. No new streets or utilities were required for Section 2.

All existing lots in Sections 1 & 2, Elkwood are for single-family detached dwellings, designed and developed according to the requirements of the R-3 Single Family Residential Zoning District, in effect at that time prior to the adoption of the R-8 District.

The revised Master Plan, submitted for approval by Angler Broadlands, LLC, is a continuation of the existing single-family development modified to meet the current R-8, Planned Unit Development District regulations.

The objective is to provide a total single-family community with public roads and public water and sewer services. The roads will be constructed with curb and gutter, storm drainage and sidewalks. Sidewalks will be provided on one side of the street only.

Lot sizes will range from approximately 12,000 square feet up to approximately one acre. The number of lots has been reduced to approximately 367, over 170 lots less than the original 1973-74 Master Plan. All lots will be offered for sale as development is approved.

There are no plans for multi-family housing or for any commercial uses, although a well, pump-house and water storage tank are to be provided and will become a part of the Town of Elkton water system. The sanitary sewer system will also be dedicated to the Town, and will be connected to the existing Elkton system.

Over 81 acres, more than 30 per cent of the total area, will be reserved as open space. A homeowners association will be established to own and maintain the open space.

ADDENDUM TO THE ELKWOOD NARRATIVE STATEMENT- October 12, 2005

Original Document Dated September 9, 2005

An Elkwood Property Owners Association will be established by the developers of the community under the procedure required by the State Corporation Commission.

Each lot owner will be required to be a member of the POA.

When a percentage of the lots have been sold the open space will be conveyed to the Owners Association. The POA will then have control over the uses and will be responsible for maintenance.

Until the open space is conveyed to the POA, the developer will attempt to retain the open space in its current natural state to the fullest extent possible. Easements will be established for the detention facilities, pump stations and any other utilities located in the open space prior to conveyance.

Since there are no commercial or multi-family uses planned for Elkwood, there is no plan for extensive landscaping. All areas disturbed during development will be planted with grass. Other than landscaping at the main entrance at Route 340, individual Lot owners will be responsible for the landscaping of their lots.

He passed outs Master Plans of (2) similar area Subdivisions, Crossroads Farm and Sheets project @ McGaheysville. These maps contained a final plan which is in compliance with the master plans.

A request was made by a member to discuss the issue of the flow problem. Some of the issues discussed would affect the final plan. Steve Kite attended the meeting to express concerns regarding additional run-off.

Mr. Nicely noted that after completion of a project the run-off may be no more than it was before. He gave details describing a formula used to measure run-off. Upon completion, this computerized information will determine the location of a retention pond (s).

A Master Plan drawing and outlining data was presented to each member. Dan Talbot noted that the Commission should compare the Master Plan with the Code requirements for R 8. (*Ref Pg. 110-609)*

He began his review as follows:

F. Master Plan

1) Master Plan Map. The proposed plan shall include an accurately scaled development map of the project including:

a.√	e. Add text about lighting	I √
b. option	f. √	j. √
c. √	g. √	k. √
d. power line data	h. Greens	l. √

Street names will be submitted on the final plan.

Discussion:

b. Options

1) A break-a-way gate located @ Jeremy Berry's residence 161 Sweetgum

2) Street connection shown on map as Option B

Exits?

The Rockingham County Fire Marshall requires (2) access roads in/out of the proposed subdivision. VDOT requires a distance of approximately 1,200 feet between stop lights.

d. Power line data is always entered on the final plan

e. Text will be added to show lighting

h. Extensive discussion of green areas

Some discussion was generated regarding green areas as shown on the map. After reviewing, a question was presented asking how everyone felt about more area being set aside in additional locations on the map? Of course with each new issue comes new questions such as:

1) Who would maintain an additional green space?

2) Who would be allowed to visit? Only residents or the general public?

With the discussion of the requirements covered, members were offered an opportunity to discuss any issues. Marty Shifflett noted that the plan meets the 30% green space requirement and wondered if it is fair to request the developer to move some of the specified green to other localities?

Some good comments were noted regarding the Master Plan. Dan thinks it is very impressive and well drawn; one of the best he has seen actually. Mayor Printz agreed, an in addition, he commented that "It is a credible theory and the green space looks very

good." However, his personal feelings were that he would not know how to suggest adding or moving any established green space.

Jeremy asked members, "Do you want more green space in the established yellow area. If so-where?"

Mr. Donachy wondered, "If you take out salable lots and place green spaces how would potential homeowners feel about it?"

Mayor Printz was curious if this procedure would start a precedent? Mr. Donachy noted this is a very good point.

Mr. Armbruster stated, "The future Homeowners Association should decide if a green space or small park is wanted after development." All green areas are returned to the Homeowners Association after a scheduled amount of property has been sold. Mr. Armbruster continued by stating, "After last month's discussion I would feel more comfortable with a flow through street. Nothing is worth losing a life in an emergency due to time loss attempting to get to a scene." The group, as a whole, felt there will be plenty of trees and woods left.

The Planning Commission will go on record as saying that no personal feelings of any Elkwood residents should be involved in our decision regarding egress and ingress of the proposed subdivision. This commission's responsibility is to deal with property issues only!

A member noted the (2) subdivisions will be merged together while Harry Armbruster wanted to forget the break away gate and go with the flow thru street. Marty stated,"From the Public Works prospective a flow through street would allow maintenance and emergency personnel easier access to fire hydrants and allow vehicles easier maneuverability.

Dan Talbot chose to stay with Option "B" as noted on the map. In summarizing the discussion Commissioners are aware that VDOT will want more than (1) way out.

Mayor Printz made it known he is unhappy with the volume of traffic flow at the existing intersection and pointed out that several deaths have occurred at the light already. At the last presentation several years ago the possibility of using Mt Paran as a back entrance was discussed but was not mentioned in the current plan.

Marty Shifflett made a motion to recommend that we accept the Master Plan; implementing option "B" to have a thru street.

Mayor Printz wished to make a statement at this point before a second to the motion could be made. "Council will be making their own decision but if we have an opportunity to find an alternate route that enters in the back we should consider it."

Marty pointed out, "if we go this route the developer will be required to submit a new Master Plan."

Mayor Printz replied, "Maybe we could loop around down back of the trailer parks. We need to exercise all options."

Marty reiterated if this is pursued a new plan will have to come back to the Commissioners for review and the whole process begins again.

Marty was requested to revise his motion. He proceeded with a motion to accept the Master Plan with option "B" and (3) caveats as follows:

1. A schedule showing percentage of landowners at the time the property is turned over to the Homeowners Association.
2. Master Plan data needs a note showing locations of lighting.
3. An updated plan will be sent to the Rockingham County Fire Marshall.

The motion was seconded by Dan Talbot..

Motion Carried: (5-1 voice vote)

Mayor Printz cast a negative vote. He does not support an additional entrance.

Public Hearing:

All Planning Commission members are requested to attend the joint Public Hearing with Council on October 18, 2005 @ 6:00 pm in the Council Chambers.

Comprehensive Plan

Get your changes, if any, to Mr. Donachy. He will bring the data he collects to the next meeting for review. This item will be placed on next month's agenda.

The Planning Commission was given a copy of the proposed ordinance on Adult Businesses. Please review and be ready for discussion at the next meeting. This item will be placed on the agenda.

With no further business to be discussed, the meeting was adjourned. The next meeting is scheduled for the second Wednesday of November which will be the 9th.

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Signature-Chairman Signature-Secretary