# *PLANNING COMMISSION MINUTES*

## JANUARY 20, 2009

**Attendees:**
Dan Talbot/Chair
Cole McGregor Madelyn Dixon Cathy Morrison
Charlotte Shifflett/Secretary Lauri Sigler/Attorney
Margretta Isom/Council Representative
**Excused:** Harry Armbruster/Vice Chair

The meeting was called to order by Dan Talbot who informed the members that the 60 day period ends on the Koogler permit on January 31, 2009, therefore, we needed to schedule tonight's meeting. Margretta Isom was welcomed to the group as the new Council Representative.

- Break the voting and discussion into two categories with a definition of issues to be addressed in both categories.
  - (1) **5 Acres**
    - a. Sub divide
    - b. Re Zone from R 8 to R 6
    - c. Special Exception Permit
  - (2) **11 Acres**
    - a. Sub divide
    - b. Re Zone from R 8 to R 6
    - c. Special Exception Permit
- Divide for issues per discussion and vote separately to simplify process.
- Attorney noted that no official changes are available at this time.
- The Planning Commission needs to state their position.
- The discussion could not be postponed until the February meeting. A recommendation needs to be made tonight.
- View new map dated Dec 12, 2008, by Hal Benner, to see the road that needs to be in place with 50 ft. road frontage and constructed to VDOT standards.

**Tax Credits:**

- Our decision was able to be delayed since the filing deadline was moved back. Mr. Koogler has a March deadline to file for tax credits.
  - a. Tax Credits have lost value—from .92/$1.00 to .70/$1.00 and could drop even further.
  - b. Credits offset profits for developers.
  - c. Credits will be issued August 6, 2009 with final allocations being awarded on November 6, 2009.

<u>Motion to sub-divide 5 acres of property 01/20/2009</u>
Cole McGregor made a motion to approve sub-division of a 5 acre parcel known as Phase I as further shown on plat dated December 12, 2008 by Hal Benner, that must include a minimum of 50 feet of developed public road in the area shown as access easement on the plat. Cathy Morrison seconded the motion.
**(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor**
**(Nays) Madelyn Dixon**
**Vote (4-1 voice vote) Motion carried.**

Motion to re-zone 5 acres of property from R 8 to R 6 ,01/20/2009
Cathy Morrison made a motion to approve the rezoning of proposed sub divided 5 acre parcel known as Phase I, as shown on the plat dated December 12, 2009 from R 8 to R 6. The motion was seconded by Cole McGregor
**(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon**
**(Nays) None**
**Vote (5-0 voice vote) Motion carried.**

Motion made to approve a Special Exception Permit, 01/20/2009
Cole McGregor made a motion to approve a Special Exception Permit for up to 60 units in one building for the purpose of multi-family Senior dwelling as indicated on the Site Plan dated November 24, 2008, Floor Plate dated November 24, 2008 and on the Elevation Drawing as dated November 26, 2008; allowed minor revisions as may be required by a professional engineer due to site for other unknown variations with up to 10% interior change to meet market needs. The motion was seconded by Margretta Isom.
**(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon**
**(Nays) None**
**Vote (5-0 voice vote) Motion carried**

Motion made to approve a Special Exception Permit specifying parking requirements, 01/20/2009
Cathy Morrison made a motion to approve A Special Exception Permit to allow no more than 30 of the 90 required off street parking spaces for a 60 unit for multi-family senior dwelling to be finished in a graded surface instead of the surface requirement by Town of Elkton Code as shown the Site Plan dated November 24, 2008. The motion was seconded by Madelyn Dixon.
**(Yeas) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon**
**(Nays) None**
**Vote (5-0 voice vote) Motion carried**

The next item on the agenda will be a more difficult decision. It will seek a recommendation by the Planning Commission to sub divide 10 acres as shown on the Division Survey Plat dated November 24, 2008, by Hal Benner.

With that in mind a member noted that a recent statistic shows that by the year 2020 the age group of 65 and older will double!

Motion made to approve the sub division of a 11.1 acre parcel.
Cathy Morrison made a motion to approve to sub divide 11.1 acre parcel known as Phase 2 and Phase 3 adjacent to the 5 acre parcel known as Phase I shown on plat dated December 12, 2008 by Hal Benner; with the North and North Easterly boundary line of said 11.1 acre parcel as shown on plat dated November 24, 2008 by Hal Benner. Margretta Isom, Council Representative seconded the motion.
**(Yeas) None**
**(Nays) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon**
**Vote (5-0 voice vote) Motion Failed**

Motion made to approve the rezoning of a 11.1 acre parcel from R 8 to R 6
Cole McGregor made a motion to approve the rezoning of a proposed 11.1 acre parcel as described and known as Phase 2 and Phase 3 adjacent to the 5 acre parcel known as Phase I shown on plat dated December 12, 2008 by Hal Benner; with the North and North Easterly boundary line of said 11.1 acre parcel as shown on plat dated November 24, 2008 by Hal Benner. The motion was seconded by Margretta Isom.
**(Yeas) None**
**(Nays) Dan Talbot, Cathy Morrison, Margretta Isom and Cole McGregor, and Madelyn Dixon**
**Vote (5-0 voice vote) Motion Failed**

An accurate plat does not exist at this point and the information is insufficient to make a positive vote to approve the sub division and rezoning of the acreage in Phase 2 and Phase 3 relative to Town of Elkton Code.

**Planning Commission Vacancies**
Theodore Pence and Wayne Printz have expressed an interest in filling the remaining vacancy on the Planning Commission. Due to the lack of time, this issue will be tabled and placed on next month's agenda.
**Path forward: Charlotte will place this item on the February agenda.**

**Revised Zoning Permit Application**
Cole McGregor presented each member with a copy of a revised Zoning Permit Application to be used by the Zoning Administrator. Dan suggested that each member review the suggested changes and bring any ideas to the next scheduled meeting for discussion.
**Path forward: Charlotte will place this item on the February agenda.**

With no further business the meeting was adjourned with the meeting scheduled for the first Tuesday of the month, February 3, 2009 @ 7:00pm located in the Council Chambers in the new Elkton Area Community Center at 20593 Blue & Gold Dr.

Submitted By:
Charlotte Shifflett
Administrative Secretary/Planning Commission

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Chair/Dan Talbot Secretary/Madelyn Dixon