PLANNING COMMISSION

DECEMBER 6, 2011
7 pm

Present:	Madelyn Dixon, Cole McGregor, Cathy Morrison (7:15) Goldie Helsley, Dan Talbot
Staff:	Charlotte Shifflett Attorney/ Lauri Sigler
Excused	Margretta Isom (due to illness)
Guests:	Pete Bonavita & Koogler Representatives Gene Frazier (on behalf of the Jr. Order) Wendy Hensley Randell Snow Susan Edelman

Dan Talbot opened the meeting at 7 pm and began with the Pledge of Allegiance.

Cole McGregor made a motion, seconded by Goldie Helsley, to accept the November minutes as written.
Voice Vote 3-0
Cole McGregor, Madelyn Dixon, Goldie Helsley
Motion Carried

Mr. Talbot/Chair welcomed Jason Blose to his first meeting. Mr. Blose was approved by Council to finish the term vacated by the resignation of Vic Corbo.

Pete Bonavita

Pete Bonavita spoke on behalf of Dr. Garner Downey request to rezone 10 acres <more or less> of R 2 property to R 6. This will be referred to as Elk Run Apartments. The potential purchaser is Mr. Koogler aka Mark Dana Corporation.

- This request is not for senior housing. The request falls under the term *"Affordable Housing"*. It will accept persons in lower income brackets.
- Approximately 10 acres <more or less> are under contract.
- Water retention pond, as shown on plans, is subject to change.
- Complex will consist of 6 buildings with 12 units per building for a total of 72 units.
  1 These buildings differ from Elkmont Apartments in that they will contain 2- 3 bedrooms accommodations.
- Plans call for a club house, play ground and an evergreen buffer.
- Please note the plat contains a 20 ft. easement for a sewer line. This was granted by Dr. Downey, to the town, when the last purchase was made in Sept. 2009 for additional cemetery land.
- The water will be tied into Rockingham St. lines, run up Newtown Rd and cross the property line. The plans may need to be altered since the water lines are located in the center of the road.
- When changing from R 2 to R 6 it is going to be going from low density to high density. Therefore, some special exceptions shall be required.
- A list of proffers has been submitted along with the plan.
  Ref. Exhibit I
- The representatives noted statistics show Elkton has a need for this type housing, ranks in 3rd place for the state of Virginia.

A member inquired what, if any proffers, would be offered to residents on the East side of Newtown Rd? In addition, the members questioned if this deal was the same as last time when the contract was signed before Mr. Koogler knew if he would receive the credits?

Attorney, Sigler advised the group that if the contract is not approved by January 16, 2012 Mr. Koogler will withdraw the offer.

- Cannot show need for Senior housing.
- Mr. Koogler likes the setting. This proposal is much better for Elkton than the last decision.
- A Public Hearing will be required.
- Comprehensive Plan results are above the percentages desired for apartments.
- Plans include a clubhouse which will be used for tenant's special events such as: watching T V, Library, Computer Lab, birthday parties, anniversaries, etc.
- Technical difference between Elkmont and Elk Run Apartments will be the increase in bedrooms; Elkmont has 1-2 bedrooms while the new project will have 2-3 bedrooms.
- Mr. Koogler only builds where he is wanted. He is much more apt to obtain the loan under list of places as named in statistics data.
- Do not compare *Affordable Housing* to *Section 8* which has very strict guidelines.
- Include rules as part of the proffers.
- Adjacent landowners are not too thrilled about this project.
- What is the income requirement?
- A letter from Mr. Koogler would be helpful, along with pictures, and a general description. It could include appliances, type of building façade carpet, roofing etc. This information could prove to be valuable to future plans. It may be beneficial when answering questions from residents.
- Members were concerned about protecting the cemetery borders. A buffer would need to be in place such as a chain link or a privacy fence. An evergreen buffer would also be acceptable.

Signs:

Gene Frazier spoke on behalf of the local Jr. Oder United American Mechanics (OUAM). The civic organization received a letter, advising the portable sign that sits on North /Rt 340 is in violation of Code.

- Mr. Frazier was asked why the permanent sign at the same location is not in use?
- The size of the sign may be up to 40 sq. ft.
- Banners fall under the Temporary Sign definition. A fee of $20.00 per event is charged.
- Jr. Order rents their building but fall under the non-profit status.
- Planning Commission spent over a year revising and reviewing the Sign Ordinance §110-706. In addition, *Chapter XI Administration, Enforcement and Penalties* was repealed and re-enacted by Council on April 18, 2011.
- Failure to comply may lead to a summons, either civil or criminal.
- A list was made of zoning violations, with most of them falling under the sign ordinance.
- An article ran in the Valley Banner and was intended to be informational.
- The step of the procedure was to have the Zoning Administrator mail a certified letter and give citizens an opportunity to do the right thing.
- Jr. Order may want to consider upgrading their permitted sign to have it in compliance.
- Councilman Snow would like to change the ordinance. He believes that Civic Organizations should not be charged a fee.

SIGN, PORTABLE: ***§ 110-302*** A sign constructed in a manner that it is not permanently affixed to real estate and can be moved from site to site without being disassembled, having a sign area not exceeding 32 square feet, and advertising a particular event, sale, promotion, announcement, or similar occurrence.

Fees: §86-9 Portable Sign Permit

The town shall charge a fee for a portable sign permit in the amount of $20.00.

SIGN, TEMPORARY: ***§ 110-302*** A sign, either a banner, pennant, poster, or advertising display constructed of cloth, plastic sheet, cardboard, wall board, or other nondurable material, applying to a seasonal or other brief activity, such as but not limited to summer camps, horse shows, auctions, sale of land, or community events.

Fees: *§86-10 Temporary sign permit, waiver of fee.*

a. The town shall charge a fee in the amount of $20.00 for each temporary sign permit exceeding four permits issued during a calendar year for a particular lot or adjacent lots used for a common purpose during a calendar year.

b. The Town council may by resolution waive the fee for any charitable institution or association located within the town providing services to town residents, provided that institution or association is not controlled in whole or in part by any church or sectarian society.

Sub divide Property @ 17026 E Prospect Ave.

Wendy Hensley presented a preliminary plat requesting sub-division of her lot in R 5 district

- Code requires sub-divided lots to face a 50 ft. public street. Currently, the owners enter their driveway over a 20 ft right-of-way which narrows to a 12 easement in the rear.
- Plat does not display criteria as needed to meet current codes.

Growth Maps

Each member received a copy of the proposed maps from Central Shenandoah Valley Planning District to be placed with the Comprehensive Plan. They were well received by the group. Maps included:

(AADT) Annual Average Daily Traffic--------	Transportation
	Annexation
	Area Map
FEMA----------	Flood Plain
	Historic
	Landmarks

- A Utilities Map will be included in the Comprehensive Plan but information is still needed.
- The members were given an opportunity to suggest any new maps we would like to see included.
- Charlotte and Cathy mentioned that in their recent Citizens Planning Education Classes that they were reminded to take back to their town the *Affordable Housing* issue which should be part of the Comprehensive Plan.
- Attorney Sigler shared Virginia State Code 15.2-2223. This Chapter outlines the contents of the local Comprehensive Plan. In addition, she reminded the group that when rezoning property a Traffic Impact Analysis (TIA) may be required by VDOT. This should be a part of the Newtown Rd project.

Jason Blose made a motion, seconded by Goldie Helsley, to cancel the Jan 3, 2012 Planning Commission meeting and reschedule the meeting date to January 16, 2012 for a joint public hearing.
Voice Vote = 6-0
Dan Talbot, Goldie Helsley, Cathy Morrison, Madelyn Dixon, Cole McGregor, Jason Blose
Motion Carried

Jason Blose rescinded his first motion and made the following motion, seconded by Cole McGregor. Make a motion to move the joint public hearing from January 16, 2012 back to January 10, 2012 at 6 pm. The regular meeting will immediately follow adjournment of the joint public hearing
Voice Vote = 6-0
Dan Talbot, Goldie Helsley, Cathy Morrison, Madelyn Dixon, Cole McGregor, Jason Blose
Motion Carried

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Pathforward: Charlotte will schedule an additional room for the Planning Commission meeting.

PLANNING COMMISSION

Pathforward: **Charlotte will sit down with the meter readers and attempt to map out the electrical map for Robbie Huff.**

Committee:
Lead Members:

Category	Lead member
Residential 1-4, flood hazard, Yard Sales	*Madelyn Dixon*
Residential 5-6 (includes: Townhouse & Apts.)Agriculture	*Dan Talbot*
Residential 7-8, and Conservation	*Goldie Helsley*
Business, Industrial. Telecommunications	*Cathy Morrison*
Subdivisions	*Margretta Isom*
Sigs, Parking, Definitions, Streets and Alleys	*Cole McGregor*
Zoning Map, Annexation, Home Occupations, Non-conforming Uses, Fences and Exceptions	*Jason Blose*

Zoning Permits Issued YTD

Month	*Bus*	*Res*	*Singe Family*	*(duplex) single family attached*
January	2	3	0	0
February	2	0	0	0
March	2	5	0	0
April	2	6	0	0
May	3	3	0	0
June	6	5	0	0
July	3	3	0	0
August	4	4	0	0
September	8	0	0	0
October	4	4	1	0
November	2	5	0	0
December	4	0	0	0

The next meeting is scheduled for January 10, 2012 @ 6pm for a joint public hearing in Council Chambers located in the Elkton Area Community Center at 20593 Blue & Gold Dr. Planning Commission meeting immediately following adjournment of public hearing.

Dan Talbot/Chairman

Cathy Morrison/Secretary