

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
July 02, 2014
J. Oakley Seibert Council Chambers**

With a quorum present, President Jim Rodgers called the regular meeting of the Martinsburg Planning Commission to order at 6:02 pm. The following Commissioners were present: George Reichard, Mark Palmer, Matt Coffey, Jeffrey Molenda, Reenie Raines, Scott Hamilton, Chris Ross and Jim Rodgers. Not in attendance was Yvonne Jenkins. Also in attendance were Legal Counsel Kin Sayre, City Engineer Mike Covell, City Planner Tracy Smith and Planning Secretary Linda Fitzgerald.

ROLL CALL (and microphone check)

APPROVAL OF January 08, 2014 MEETING MINUTES

Commissioner Raines made the motion to approve the April minutes as submitted. Commissioner Hamilton seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. **CASE # SP14-021. Northeast Corner of Queen Street and Moler Avenue.** Site Plan application requesting review of proposed structure and associated parking. Arthur B. Brisker, applicant.

Jim Hutzell with P.C. Digmagno's office introduced himself and stated he is representing Arthur Brisker, owner of the property on the corner of Queen Street and Moler Avenue. He stated the lease agreement with Enterprise Rent-a- Car, is up for renewal soon and they are proposing to: attach a private single-bay carwash; put in handicap spaces on the lot next to Queen Street; widen the northern part of the parking lot to 24 feet for the public to enter and exit; pave and add soft swails; add sediment erosion control in the alley; and install LED lighting at the alley way and Moler Avenue.

President Rodgers asked if there was any Storm water management on the site now, and Mr. Hutzell replied as far as he knows, there is none.

There was discussion about how people will be prevented from cutting through the lot, and Mr. Hutzell replied there will be wheel stops and a combination of simple structures in place that will prevent that.

Commissioner Coffey asked the Weis lot will still be used for the overflow parking, and Mr. Hutzell replied since Enterprise holds that agreement, he does not know.

Commissioner Ross asked if the sidewalk will be removed on the corner of the alley way on Moler Avenue, Mr. Hutzell replied yes, to maintain drainage and storm water management.

Commissioner Raines asked if the alley way is a two-way alley, and Mr. Hutzell replied, no, it is one-way and will be used only for the purpose of Enterprise employees to get in and out. There was further discussion about the traffic flow coming out of Enterprise.

City Engineer, Mike Covell, provided a staff report stating this is a simple site-plan, the storm water design review is not complete, but he feels the review can easily be handled at staff level. He went on to say he is working with PC Dimagno's office and is confident they will be able to get all required materials for the land disturbance permit that is now part of the new storm water ordinance. He went on to say everything on the site is sized correctly with features that may need minor revisions, but everything else is fairly basic.

Commissioner Coffey asked if there is a specific formula to use when determining whether to use a rain garden or retention, and Mr. Covell replied there are calculations that are used and taken into consideration to include the media used, the control of inflow and outflow, elevations across the footprint of the whole body for landscaping, capture and anticipated pollutant removal, soil retention ability and void ratio.

Commissioner Coffey commented this plan would be better aesthetically and a huge improvement over a pond, Mr. Covell agreed, but it is also higher maintenance. He went on to say every few years, there will be deeper maintenance requirements for higher retention and landscaped areas, that will include owner performed inspections that the owner will need to report back to the City. This will also be a burden and a learning curve for property operators to understand the schedule of maintenance to include possibly replacing trees, media, or different layers of soil but if done properly, it can be attractive landscaping around the building. Commissioner Coffey asked if the City felt they can keep up with the inspections, and Mr. Covell replied it will be the owner's obligation and responsibility to self-report to the City.

Commissioner Molenda made the motion to approve this request subject to final work by the staff on the remaining items for the storm water management. Commissioner Coffey seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

2. **CASE # MA14-023. 800 Foxcroft Avenue. Public Hearing. Map Amendment** requesting consideration for revisions to a portion of the previously approved concept plan for partial building renovation, redevelopment and additional pad sites to the existing Martinsburg Mall structure and land. Martinsburg Development Partners, applicant.

Eric Cornett, Chief Operating Officer of Paramount Development Corporation introduced himself and stated he is presenting this case on behalf of Martinsburg Development Partners. He stated they are proposing to redevelop the Martinsburg Mall. He then introduced Barry Rogers, Development Manager, Robert Gardner and Justin Whitman who are on-site at the property to provide management and leasing guidance. He gave a brief history of Paramount Development Corporation, each of their roles within the company and

gave an update of what they have been doing the past year since they have owned the property.

Mr. Cornett went on to say much time was spent focusing on the needs of Martinsburg and focus groups and they gained understanding about the market. He went on to say the center has been a struggling retail center for many years and they would like to change that. After Sears closed its store in 2011, the mall began to deteriorate. After much research, they determined the mall is too large, (it is 670,000 square feet on 75 acres) and there is not enough demand for the mall of that size since it was built in 1991. They tried to fill the Sears box, but proved unsuccessful, and that led them to the conclusion to demolish the Sears box.

He added for Phase 1 concept plan, they are proposing to raze the square footage, and bring a mixed use of free-standing pad sites to include restaurants, retail or service. He went on to say they will be back again in September with their Civil Engineer to present the specifics of the Site Plan phase.

President Rodgers welcomed them to Martinsburg and mentioned he feels it is a very important commercial center for Martinsburg, and this revitalization is very important.

President Rodgers opened the Public hearing at 6:36 pm; as no one came forward to speak for or against this request, the Public Hearing was closed at 6:36 pm.

Barry Rogers, Development Manager, approached the podium and placed some 11X17 concept plans on easels for display. He gave an overview of the property site to include orientation of the buildings and parking lots; signage locations and further described and explained the lot locations (concept master plan in case file). He went on to say Lot E to the north is a current outparcel that is subdivided from the rest of the property; to the west of the mall is a future expansion pad with two pieces of property; and to the south of the Bon-Ton is another outparcel, Lot G. He added there are six new boxes proposed where the Sears existed, two of which will be mixed use or restaurant/retail buildings with drive-thru access; the parking stalls have been realigned to improve traffic flow and visibility; and the dumpsters have been oriented to a 45-degree angle to assist with screening. Mr. Rogers further stated the parking spaces, post construction, will have 11 ½ parking spots per 1,000 square feet and that is based on 50,000 square feet.

President Rodgers mentioned the plan shows that the service road goes through outparcel Lot E and asked if the road will be realigned. Mr. Rogers replied the actual property lines of the property include that road, but there are no firm plans for the use of the outparcel.

There was discussion to include but not limited to: Dedicated parking; increase in traffic flow; and possible throughways.

Commissioner Molenda asked about the walkability and foot traffic and expressed the importance and need for crosswalks access into the mall. Mr. Rogers and Mr. Cornett agreed this is a very valid point and will be addressed in Phase 2. They added the uncertainties of Phase 1 will solve a lot of the issues in Phase 2.

Commissioner Coffey asked if any of the anchor tenants signed off on the proposal for Phase 1, and Mr. Rogers stated they are not finalized, but close, and when they come back in September for Phase 2, they will have more information.

Commissioner Coffee asked what are the parking use rate ratios for restaurants versus retail, and Mr. Rogers replied as a general rule, it is 5 per 1,000 square feet for retail and 10 per 1,000 square feet for restaurants, so there will be ample parking.

Commissioner Ross commented he is glad to see that something is happening at the mall property, but asked if there were any plans to straighten the road in front of where the old Sears store was. Robert Gardner, replied that area is a major concern with vehicular accidents. He went on to say research was conducted from reports from the Martinsburg Police department and in the three years since Olive Garden was built, statistics show there have been 4 accidents. Mr. Rogers added the stripes of been repainted and they can suggest straightening of that road to the engineers, but Walmart has the final say in that decision. Mr. Gardner stated hopefully the adding of the four pads will make the vehicles slow down.

City Engineer, Mike Covell, provided a staff report and mentioned concept does not mean final footprints. He added there is flexibility in this plan and as long as the Planning Commission feels comfortable and understands the process with input and guidance from staff, staff is confident that this can be looked at as a Site Plan when more details are provided. He added this is a plan for replacement with less square footage than the Sear's footprint, but it can create an effect for higher ability to attract people for multiple type uses. He then applauded the plan and added there is good dialogue among staff and the development group.

President Rodgers mentioned there was an advertisement error in the legal ad and as part of formality, he opened the Public hearing at 7:02 pm; as no one came forward to speak for or against this request, the Public Hearing was closed at 7:03 pm.

Commissioner Molenda made the motion to the approve the map amendment with the understanding that the applicant may have some variations between the precise drawings seen tonight, and when they submit a site plan, that would allow them the flexibility they need to accommodate potential tenants and this approval; the Commission understands that this is a concept plan not a site plan and there may be variations when the site plan comes back.

Mr. Covell asked if the motion can be referenced to drawing dated July 01, 2014. Commissioner Molenda accepted the amendment to reference the drawings dated July 01, 2014.

Commissioner Reichard seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

DISCUSSION ITEMS/OTHER BUSINESS:


- **Continuation of review for guiding criteria to regulate shipping containers used for storage.**

City Planner, Tracy Smith asked if this discussion item can be placed on the next meeting's agenda and that staff is not fully prepared to present any information at this time.

Commissioner Molenda moved to accept the request to hear the discussion item at another meeting when staff is ready to present it and the commission will be happy to receive it. Commissioner Coffey seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

ADJOURNMENT

Motion to adjourn by Commissioner Molenda, seconded by Commissioner Coffey at 7:05pm and approved by unanimous consent. Motion carried.


Jim Rodgers, President


Linda Fitzgerald, Planning Secretary