

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
December 4, 2013
J. Oakley Seibert Council Chambers
6:00 p.m.**

With a quorum present, Legal Counsel Kin Sayre called the regular meeting of the Martinsburg Planning Commission to order at 6:00p.m. The following Commissioners were present: George Reichard, Yvonne Jenkins (arrived at 6:04p.m.), Reenie Raines, Jeff Molenda, Charlene Elins, Mary Hayward and ex-officio member Councilman Gregg Wachtel (arrived at 6:08p.m.). Not present were Jim Rodgers and Mark Palmer. Also in attendance were Legal Counsel Kin Sayre, City Engineer/Planning Director Mike Covell, and City Planner Tracy Smith.

Commissioners Rodgers and Palmer were not present so Commissioner Hayward made the motion to nominate Jeff Molenda to be acting Chair. Commissioner Raines seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

ROLL CALL (and microphone check)

APPROVAL OF November 6, 2013 MEETING MINUTES

Commissioner Reichard made the motion to approve the November minutes as submitted. Commissioner Hayward seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. **CASE # SP13-060. 303 Medical Court.** Site Plan application requesting review of a 1,000-square-foot, single-story structure and associated parking. Dice LLC., applicant.

Ali Hadavand presented this request of a 1,000 sq. foot space for a video lottery facility.

City Engineer, Mike Covell stated this is a simple Site Plan and there were only a few comments related to verification of Storm Water Design. Mr. Covell went on to say we are comfortable with how it is proceeding.

Discussions included, but were not limited to, clarification that this is a vacant parcel; that this is a locally owned franchise business that will serve microwavable finger foods and a two-beer maximum due to formality requirements.

Mr. Covell stated this request meets the criteria; the property is located properly and it also complies with siting requirements.

Commissioner Reichard made the motion to approve this request as presented with condition to allow City staff to complete Storm Water review. Commissioner Raines seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

DISCUSSION ITEMS/OTHER BUSINESS:

1. Prentiss Point – Single-Family Sections 1 and 2: Request for bond release.

Matt Powell with Dan Ryan Builders presented this bond release request. He confirmed all surface repairs and the storm water management pond are complete per plan.

Commissioner Raines made the motion to accept the request and release the bond. Commissioner Hayward seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

2. Plan revision: CASE # SP 04-083. Prentiss Point Phase III, Sections 1 & 2 (Townhomes), and Phase IV, Sections 1 – 5 (Single Family Homes). Request for Site Plan revision requesting the modification of "open space" and walking trail amenities. Dan Ryan Builders, Inc., applicant.

Matt Powell with Dan Ryan Builders presented this plan revision which proposes to eliminate walking trails and to provide 3 lots for creation of a recreational area. He stated the objectives to clean up some old projects, and provided an overview as described in discussion letter, (See case file). There was special focus on topography and inability to construct portions of walkways. He noted through the creation of "Board of Directors" consisting of HOA (Home Owners Association) members, they would prefer to merge three vacant lots to create play areas and open space that the HOA will maintain and it will be deeded to them.

Mr. Covell added this revision was anticipated as we had some concerns for walking trails, especially the topography there. A commitment for improved green space shows intent for doing good and supports the request and he does not see a problem with the request. He also reminded the commissioners that the City does not enforce HOA covenants.

Commissioner Reichard made the motion to approve the request for the Plan Revision as detailed in the letter. Commissioner Jenkins seconded the motion that was followed by a unanimous vote of "aye". Motion carried.

3. Vacancies:

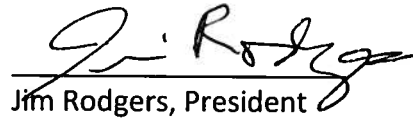
Mr. Covell mentioned that the Planning Commission will have 2 or 3 vacancies by the end of the first quarter of 2014 as terms of appointment expire. He also stated tonight is Commissioner Ellins' last meeting which creates a vacancy. Commissioners were asked to spread the word and ask any interested person contact the Planning Department for membership information.

4. Next regular meeting scheduled for January 8, 2014.

Mr. Covell mentioned this meeting will include the election of officers. No one indicated they would not be available for the January meeting.

ADJOURNMENT

Motion to adjourn by Commissioner Raines, seconded by Commissioner Reichard, at 6:32 pm and approved by unanimous consent. Motion carried.


Jim Rodgers, President


Linda Fitzgerald, Planning Secretary