

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
June 1, 2016
J. Oakley Seibert Council Chambers**

With a quorum present, Vice-President Jeff Molenda called the regular meeting of the Martinsburg Planning Commission to order at 6:04 p.m. The following Commissioners were present: Mark Palmer, George Reichard, Matt Coffey, Jeff Molenda, Scott Hamilton and ex-officio member Councilman Greg Wachtel. The following Commissioners were not present: Jim Rodgers, Reenie Raines, Yvonne Jenkins and Chris Ross. Also in attendance were Legal Counsel Kin Sayre, City Engineer/Planning Director Michael Covell, City Planner Tracy Smith and Planning Secretary Holly Hartman.

ROLL CALL (and microphone check)

APPROVAL OF May 4, 2016 MEETING MINUTES

Commissioner Coffey made the motion to approve the May minutes as presented. Commissioner Reichard seconded the motion followed by a unanimous vote of “aye”. Motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. **CASE #SD16-034. Northwest side of Apple Harvest Drive (WV 45), 0.6 miles west of the intersection with I-81 and approximately 0.1 miles east of Klee Drive. Public Hearing.** Subdivision application requesting to subdivide an unimproved parcel consisting of approximately 17.17 acres to create five parcels sized approximately: 6.68 acres; 2.69 acres; 3.11 acres; 4.63 and; 0.06 acres. Pennoni Associates, Inc., applicant.

Ron Mislowski of Pennoni Associates, and Aubrey Holmes of Smith-Packett, presented this request. Mr. Mislowski explained that the subdivision of the property allows for preparation for future development and a lot for the pump station for sewer service.

Vice-President Molenda opened the Public Hearing at 6:06 pm.

- Ursula McDonald, 116 O’Keefe Drive, spoke out of concern for the future uses of the property. She would like to know the plan for the remaining three parcels. Ms. McDonald also expressed concern about water consumption and low water pressure in The Gallery.

Mr. Mislowski responded that the property is zoned for commercial use, and will meet the zoning requirements, but at this point, there are no specific plans for the remaining three lots.

City Engineer/Planning Director, Michael Covell, stated that according to the Utility Director’s report included with the Site Plan there was not a concern over flow and pressure in that area. There was no major impact that would require further improvements.

As no one else came forward to speak for or against this project, Vice-President Molenda closed the Public Hearing at 6:09 pm.

Commissioner Coffey asked staff for the zoning allowances in the district. Mr. Covell replied that the lot meets all requirements of the subdivision and lot size requirements for the proposed business, and that it is zoned Community Business. Commissioner Coffey listed allowed uses for this specific zoning for the public, directing them to the zoning ordinance for the complete listing.

Commissioner Palmer asked if the driveway was State approved. Mr. Covell stated it will be a privately constructed access way for the development, and that the entrance is under approval by the State Division of Highways. Mr. Covell further stated that as the project meets all requirements for subdivision of lots that staff recommends approval.

Commissioner Coffey made the motion to approve the subdivision request as presented. Commissioner Hamilton seconded the motion followed by a unanimous vote of "aye". Motion carried.

2. **CASE #SD16-035. Situated at the intersection of West Commerce Street and North College Street, and to the west of 400 North Queen Street. Public Hearing.** Subdivision application requesting to subdivide an improved parcel consisting of approximately 2.36 acres into three lots sized approximately 0.85 acres, 0.10 acres, and 1.41 acres. Guy Ridler, applicant.

Dick Klein, Alpha Associates, presented this request. Mr. Klein explained the lots are shown on the plans surrounded by a thick black outline, including the lot with the old Lord & Lord building.

Vice-president Molenda asked if this is a preliminary or final hearing. Mr. Covell replied that it has been presented as a preliminary, but if it is approved with no changes, it can be signed as a final plat.

Mr. Klein stated that Mr. Ridler has a contract to buy the Lord & Lord building and he has already purchased the red brick building, which he will merge with lot number two in order to have a large enough parking lot.

Commissioner Reichard asked about the foundry building and the lot being subdivided, as it shows the property line through the middle of the building. Mr. Klein stated that this property has a lot of history behind it, and that the foundry had an addition that predated the property lines and that it is not planned to be taken down.

Vice-President Molenda opened the Public Hearing at 6:16 pm. As no one came forward to speak for or against the case, Vice-President Molenda closed the Public Hearing at 6:16 pm.

Mr. Covell stated that this is a subdivision. Staff has no knowledge of future intended uses, as there have been no officially submitted plans. Mr. Covell added that the parcels have a unique configuration but staff encourages redevelopment that respects the waterway.

Commissioner Coffey clarified that this request is for a separation of the South side of the property south of the Tuscarora. Mr. Covell replied yes.

Commissioner Reichard made the motion to approve the request as submitted. Commissioner Coffey seconded the motion followed by a unanimous vote of "aye". Motion carried.

DISCUSSION/ACTION ITEMS:

a. Comprehensive Plan. Status update by Planning Director.

Mr. Covell stated that the purpose of the discussion is to provide the commissioners with Chapter 8A, showing what the consultants will be looking at as they try to fit the update for Martinsburg's needs. The legal ad should run sometime after the election. Mr. Covell advised that staff is looking for three firm commitments from members that can be assigned to a selection process and input for what will comprise a mixture of probably two council, three commissioners and staff to start the interview process and such. Legal Counsel, Kin Sayre stated that the Chairman can name the appointments. Mr. Covell also stated that a quorum cannot be approached, so preferably only three Planning Commission members should be appointed.

Vice-President Molenda appointed himself, Commissioner George Reichard and Commissioner Mark Palmer to serve on the subcommittee for the Comprehensive Plan.

b. Discussion regarding recently adopted ordinance establishing a definition for *Public Building*.

Vice-President Molenda stated that the ordinance passed in January in regards to the definition of a public building was passed with the correct language.

OTHER BUSINESS: None

Vice-President Molenda asked if two things could be added to the July agenda. He would like to see a quick overview of the floodplain ordinance, such as a list of "do's and don'ts ". Mr. Covell advised that staff could provide an overview as it is a specialized document with an abundance of abbreviations that make it hard to interpret which can turn into a timely discussion.

Commissioner Palmer asked if the infill lots had been discussed. Mr. Covell replied no and added that it can be placed on the agenda also and fresh materials can be provided.

ADJOURNMENT:

The meeting was adjourned by unanimous consent at 6:29 p.m.

Jim Rodgers, President

Holly Hartman, Planning Secretary