

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
July 5, 2017
J. Oakley Seibert Council Chambers**

With a quorum present, President Jim Rodgers called the regular meeting of the Martinsburg Planning Commission to order at 6:00 p.m. The following Commissioners were present: Jim Rodgers, Mark Palmer, Yvonne Jenkins, Jeffrey Molenda, Reenie Raines and ex-officio member Councilman Greg Wachtel. The following Commissioners were not present: Scott Hamilton, Chris Ross and George Reichard. Also in attendance were Legal Counsel Kin Sayre, City Engineer/Planning Directors Michael Covell and Kim Petrucci and City Planner Tracy Smith.

ROLL CALL (and microphone check)

City Engineer/Planning Director Michael Covell introduced Kim Petrucci as his replacement as Planning Director.

APPROVAL OF May 3, 2017 MEETING MINUTES

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

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 1. CASE # SD 17-041. 800 Foxcroft Avenue. Public Hearing.** Application requesting subdivision of an approximate 7.38 acre improved parcel to create seven parcels. Foxcroft Development Partners, LLC., applicant.

Robert Gardner, property manager for Paramount Development Corporation, presented this request stating that they are seeking approval for the subdivision of seven parcels on the Foxcroft Avenue property.

President Rodgers opened the Public Hearing at 6:06 pm. As no one came forward to speak for or against this project, President Rodgers closed the Public Hearing at 6:06 pm.

Commissioner Molenda asked if the easement agreement was for the entire property or specifically for the parcels being subdivided. Mr. Gardner replied that the easement was for the entire property.

Mr. Covell explained the layout of the property and the easement agreement. Commissioner Molenda asked if what was shown on the diagram would be the legal property lines. Mr. Covell responded that the final approved and recorded plat would be the legal property lines. Commissioner Molenda then asked if parcels 4c-4f were the parcels that were allocated as reserved parking for Olive Garden during the Olive Garden approval. Mr. Gardner replied that it is non-exclusive overflow parking for Olive Garden and that the parking would remain after the subdivision. Commissioner Molenda asked the purpose of the subdivision. Mr. Gardner stated that the subdivision is being requested for tax purposes so that tenants could be billed for the taxes on their specific parcels. Commissioner Molenda asked if the parcels could be sold after the subdivision. Mr. Gardner replied that the lots could be sold, but the current ECR would still be effective and would have to be honored. He also added that this area was labeled as a no-build zone. President Rogers inquired if all tenants could use the parking area. Mr. Sayre replied yes, that was the original agreement, and any change in the agreement would have to be agreed upon by all tenants involved. Mr. Gardner added that changing the agreement was not the intent.

President Rogers asked for clarification on the number of subdivided parcels shown on the plat as he is only seeing six parcels. City Planner Tracy Smith explained that the seventh parcel is the residue parcel, which is a small strip of land labeled as the remainder of parcel four.

Mr. Covell stated that the subdivision meets all requirements and staff recommends approval.

Commissioner Molenda made the motion to approve the Site Plan as presented. Commissioner Jenkins seconded the motion followed by a unanimous vote of "aye". Motion carried.

DISCUSSION/ACTION ITEMS:

1. Comprehensive Plan Update. Status update by Planning Staff.

Mr. Covell stated that staff has received correspondence from The Berkley Group offering an outline of their work and the intent for the next meeting. They are preparing a rough draft of the material to present to the Planning Commission at the next working session. They are combining the old plan, new ideas, staff input, public input and the workshop data to build the new plan. Commissioner Molenda asked if all of the survey data has been compiled for input. Mr. Covell replied that they could provide that information if needed. Commissioner Molenda then asked about a report called "competitive realities" mentioned in the Garner Report that was never circulated. He would like to see this report before getting a draft of the comprehensive plan.

OTHER BUSINESS: None

ADJOURNMENT:

Commissioner Molenda made the motion to adjourn. Commissioner Raines seconded the motion followed by a unanimous vote of “aye”. Motion carried.

The meeting was adjourned at 6:32 p.m.

Jim Rodgers, President

Holly Hartman, Planning Secretary