



**City of Millersville Planning Commission
Meeting Minutes
Tuesday, June 12, 2018 5:00 pm
Commission Chambers**

- 1) **Call to Order:** Chairman Fox called the June Meeting of Planning Commission to order at 5:00 pm.
- 2) **Pledge of Allegiance:** Lead by Chairman Fox
- 3) **Roll Call:** Secretary Gregory called the roll of the Commission; a quorum was present and included the following:

Commission Present:

**Mr. Frank Fox
Mr. Larry Petty
Mr. David Gregory
Mr. Keith Bell
Mr. Lee Smith
Mr. Brent Uldrich
Mrs. Deborah Wade**

Staff Present:

**Mr. Michael Barr
Mrs. Michelle Bernard**

- 4) **Disclosure of Ex-parte Communications:** Chairman Fox asks the Commission members if anyone has anything to disclose. No comments were made.
- 5) **Approve the Minutes of the Planning Commission Meeting(s):**
 - a) **May 8, 2018**
Chairman Fox requests the Commission to approve May 8, 2018 minutes. Secretary Gregory made the motion to "approve the May 8, 2018 meeting minutes as presented". Mrs. Wade seconded the motion.
Motion carried. (6-aye, 0-nay, 1-abstained; Mr. Keith Bell as he was absent)
- 6) **Public Comments (Limited to 3 minutes per speaker for items on this agenda):**
No comments were made.
- 7) **Action Item(s):**
 - a) **Rezone 1246 Louisville Hwy (SC Map 121 parcel 062.01) from Residential R-2 to Commercial C-1:**

Mr. Barr stated that The City of Millersville is requesting to rezone this 3.98 ac parcel from Residential R-2 to Commercial C-1. This parcel is currently being utilized as City Hall and the Public Works facility. This parcel, along with most other parcels in the city, has a **Non-profit/government/religious land use overlay district NP-1** designation. Unfortunately, this Residentially zoned parcel is restricted by the following: Sec 90-216 "Municipal, county, state, or federal buildings to be located only upon commercially or industrially zoned lots with review by the planning commission." City Hall was constructed before the current zoning map was adopted in 1999, creating an existing non-conforming use. While expanding an existing non-conforming use is allowed by the Code of Ordinances, the City Commission desires this parcel to be brought into conformity for its proposed expansions.

Mr. Barr is recommending approval by the Planning Commission to amend the City's Zoning Map designation for this parcel to from Residential R-2 to Commercial C-1 by the City Commission. Mr. Bell made the motion to Rezone 1246 Louisville Hwy (SC Map 121 parcel 062.01) from Residential R-2 to Commercial C-1. Vice Chairman Petty seconded the motion. **Motion carried by Unanimous Vote (7-aye, 0-nay).**

b) Commercial Site Plan & Front Elevation & Material Review – 1246 Louisville Hwy

Mr. Barr stated that The City of Millersville is expanding its City Hall to provide better services to its residents and for the security of and the working space for its employees including a larger Commission Chamber and Court Room. The proposed two story addition adds approximately 10,000 sf to the facility. Modifications to parking and accessibility are included to provide for better functionality. This addition meets all minimum Standards and Restrictions for both its current Residential R-2 and proposed Commercial C-1 zoning designations.

The proposed addition's exterior materials and finishes will be colored cement stucco above a partial brick waist-high wall. The elevation and finishes are complimentary to the City's Community Center and Library. While these finishes meet the minimum standards of the Code of Ordinances, the Planning Commission has requested to review each commercial building for conformity.

Mr. Barr is recommending approval by the Planning Commission of the subject Commercial Site Plan and Building Elevation & Exterior Materials. Secretary Gregory made the motion to approve the Commercial Site Plan & Front Elevation & Material Review on 1246 Louisville Hwy. Mr. Uldrich seconded the motion.

Motion carried by Unanimous Vote (7-aye, 0-nay).

c) Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00) from Commercial C-1 to Residential R-4:

Mr. Barr stated that the subject parcel's owner is requesting to rezone this 1.5 ac parcel from Commercial C-1 to Residential R-4. This single parcel currently has two homes located on it. This parcel is located at the base of the "Ridge" and has very limited

access from Louisville Hwy due to roadway conditions and steep slopes. This lot along with others in this immediate area accessibility and topo, as well as visibility, information at this time to justify Commercial uses in this area. These Commercial development restrictions are unlikely to be overcome. Additionally, this area is predominately utilized as Residential with most homes being accessed from Radar Rd. There are also a number of other parcels in this area that are currently zoned Residential. The proposed Residential R-4 zoning is complementary to others in this area.

Separately, the applicant is proposing to subdivide or split the parcel in half lengthwise. This rezoning will bring these proposed lots into conformity.

Mr. Barr is recommending approval by the Planning Commission to amend the City's Zoning Map designation for this parcel to from Commercial C-1 to Residential R-4 by the City Commission. Vice Chairman Petty made the motion to Rezone 1389 & 1391 Louisville Hwy (SC Map 118 Parcel 142.00) from Commercial C-1 to Residential R-4. Secretary Gregory seconded the motion.

Motion carried by Unanimous Vote (7-aye, 0-nay).

d) Amend Code of Ordinances Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district:

Mr. Barr stated that the City has been requested to review Commercial or Business Use Classifications regarding Tattoo and Piercing activities. Currently, the only zoning district that allows these activities is Adult Entertainment as described in Section 90-332.

City Staff has discussed these business activity limitations and believe they should be allowed in Commercial districts similarly as other personal service businesses like barbers and hair salons. Other municipalities in the area allow for tattoo and piercing businesses in general commercial districts.

Mr. Barr is recommending approval by the Planning Commission to recommend approval by the City Commission to amend Chapter 90 Sections 90-8 and 90-332. Vice Chairman Petty made the motion to Amend Code of Ordinances Chapter 90 Section 90-8 Use classification system and Section 90-332 Adult entertainment district. Mr. Smith seconded the motion.

Discussion: Secretary Gregory expresses concern regarding the allowance of any type of Adult Entertainment related businesses coming into the City. Mr. Bell asks Mr. Barr for the definitions of Body Piercing Facility/Tattoo Parlors to bring back to the members for more discussion. **Motion made was withdrawn for lack of a motion. Second.**

e) Minor Subdivision Plat 1212-1228 Louisville Hwy (SC Map 121 Parcel 061.00):

Mr. Barr stated that the applicant is proposing to subdivide a 1.58 ac portion from the approximate 80 ac parent parcel. The proposed new lot currently has the commercial

strip center with parking located on it. The proposed new lot is zoned Commercial C-2 while portions of the remaining lands are a combination of Commercial C-1, Light Industrial LI-1, and Residential R-1. This resulting subdivided parcels conform to their respective zoning designations' permitted uses. However, the existing building on the proposed 1.58 ac parcel does not conform to the minimum setbacks. And depending on future occupancies, there may not be adequate parking. The City acknowledges the existing non-conformity as a "grandfathered" condition.

Mr. Barr is recommending "conditional" approval by the Planning Commission to subdivide the subject parcel into 2 parcels per the Subdivision Plat pending verification of any required easements. Surveyor needs to verify any utilities and any required easements. Mr. Bell made the motion that we approve the Minor Subdivision Plat 1212-1228 Louisville Hwy (SC Map 121 Parcel 061.00). Secretary Gregory seconded the motion. **Motion carried by Unanimous Vote (7-aye, 0-nay).**

f) Minor Subdivision Plat 7541 Darby Rd (SC Map 118 Parcel 003.05):

Mr. Barr stated the owner of the subject parcel is requesting to subdivide the 5.38 ac subject parcel into 3 parcels per the Subdivision Plat Sketch. This is an irregularly shaped lot that has limited options for maximum utilization. The proposed resulting parcels are 0.27 ac (R-5), 2.43 ac (R-3), and 2.68 (R-3) are complimentary and/or transitional in size and zoning with other parcels in this area. A Shared Access and Utility Easement is proposed to service lots 2 and 3. This easement includes a future private road to the lots.

Mr. Barr is recommending "conditional" approval by the Planning Commission to subdivide the 5.38 ac subject parcel into 3 parcels per the Subdivision Plat Sketch. Approval is conditioned on the City Commission's approval of the parcel's rezoning application and final review and acceptance of the Subdivision Plat document. The Zoning Map Amendment Ordinance has passed its First Reading.

Secretary Gregory made the motion to approve the Minor Subdivision Plat 7541 Darby Rd (SC Map 118 Parcel 003.05). Mr. Uldrich seconded the motion.

Motion carried by Unanimous Vote (7-aye, 0-nay).

8) Development Services Department Report

a) Board of Zoning Appeals Meeting Summary – June 5, 2018:

Mr. Barr stated that the last Board of Zoning Appeals action was Granting a Variance Request for Reduction of the Minimum Side Yard Setback for 100 Morningview Court RC Map 126P Group B Parcel 025.00, which was passed by a Unanimous vote.

b) Planning & Zoning Activities:

Mr. Barr stated that the Jones parcel across from Station #2 is moving forward. Mr. Barr stated that the City is still looking for a Building Inspector, City Manager as well as a new Codes Enforcer/Building Permit Tech.

9) **Commissioners Comments & General Discussion:**

Secretary Gregory asks Mr. Barr regarding M.R. Stokes and the stormwater pond, to which Mr. Barr stated he is still researching this.

10) **Public Comments (Limited to 3 minutes per speaker for only items not on this agenda):**

No comments were made.

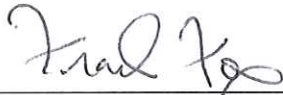
11) **Next Planning Commission Meeting is scheduled for July 10, 2018.**

12) **Adjournment:**

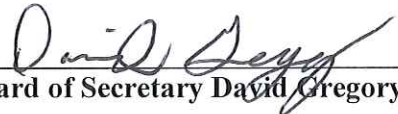
Mr. Keith Bell made the motion to adjourn, seconded by Mr. Uldrich

Motion carried by Unanimous Vote. (7-aye, 0-nay)

Meeting adjourned at 6:30pm.



Chairman Frank Fox



Board of Secretary David Gregory



Recording Secretary Michelle Bernard



Approval Date