

Morgantown Planning Commission



REGULAR MEETING PACKET

Thursday, June 11, 2020

6:30 p.m.

By Electronic Means

Planning Commissioners:

Peter DeMasters, 6th Ward
President

Carol Pyles, 7th Ward
Vice-President

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Councilor

AJ Hammond, Admin.

Development Services Department

Christopher M. Fletcher, AICP, Director

John Whitmore, AICP, Senior Planner

Planning Commission Electronic Means Meeting Announcement

Confirming Member Access:

As a preliminary matter, this is **Morgantown Planning Commission President Peter DeMasters**. Permit me to confirm that all Planning Commissioners and persons anticipated on the agenda are present and can hear me.

- Planning Commissioners, when I call your name, please respond in the affirmative.

State each members' name:

- Vice-President Carol Pyles
- Commissioner Sam Loretta
- Commissioner Tim Stranko
- Commissioner William Blosser
- Commissioner Bill Petros
- Commissioner Michael Shuman
- Council Member Ronald Dulaney
- Commissioner AJ Hammond

- Staff, when I call your name, please respond in the affirmative.

State each staff members' name:

- Chris Fletcher, Director of Development Services

Introduction to Electronic Means Meeting:

Good Evening. This meeting of the **Morgantown Planning Commission** is being conducted by electronic means consistent with the West Virginia Open Governmental Proceedings Act and the guidance of the West Virginia Ethics Commission due to the current State of Emergency given the outbreak of COVID-19.

In order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, we have been advised and directed to suspend public gatherings. In keeping with that direction, and the authority provided by the Open Governmental Proceedings Act and the Ethics Commission guidance allowing the conduct of public meetings by electronic means so long as the public is able to observe the meeting, this meeting is being conducted by remote electronic participation and in-person attendance by the public is not permitted.

This meeting will include a public comment portion concerning matters not on the agenda and public hearings for each of the cases listing on this evening's agenda. Members of the public will be permitted to comment during these portions by submitting comments in writing or by speaking during their designated time, if they have signed up to do so prior to the start of the meeting. Even if members of the public do not provide comment, participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves.

For this meeting, the **Planning Commission** is convening by **Cisco Webex video and telephone conference** as posted on the City's Website identifying how the public may join.

Please note that this meeting is being recorded, and that some attendees are participating by video conference.

Planning Commission Electronic Means Meeting Announcement

Accordingly, please be aware that other people may be able to see you and your video feed, and that you take care not to “screen share” your computer. Anything that you broadcast may be captured by the recording.

All supporting materials that have been provided members of this body are available on the City’s website with the Planning Commission meeting packet unless otherwise noted. The public is encouraged to follow along using the posted agenda.

Meeting Business Ground Rules

Before we turn to the first item on the agenda, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- Please remember to mute your phone or computer when you are not speaking.
- Please remember to wait to be recognized by the President before speaking and to speak clearly and in a way that helps generate accurate minutes.
- For any response, please wait until the President yields the floor to you and state your name before speaking.
- If Planning Commissioners wish to engage in colloquy with other members, please do so through the President, taking care to identify yourself.

The Planning Commission conducts business in the following order:

- (1) There will be a general public comment portion when anyone who wishes to address the Planning Commission may do so, but only on matters that are not on the agenda. I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time. Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker’s five (5) minutes. Public speakers must state their name and address for the record. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the general public comment portion.
- (2) We review, amend, and approve minutes of the previous meeting.
- (3) We consider any Unfinished Business from previous meetings.
- (4) We move on to New Business items. First, we introduce the item and the Planning Division representative presents the Staff Report.
- (5) Next, we ask the petitioner to make a presentation. Planning Commissioners may ask the petitioner questions at that time. To ensure an accurate record and to aid the preparation of meeting minutes, presenters and Planning Commissioners must first be recognized by the President and state your name before proceeding.

Planning Commission Electronic Means Meeting Announcement

- (6) I will then open a Public Hearing to hear testimony in support of, or in opposition to, the request. Rules regarding public testimony are as follows:
- (a) I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time.
 - (b) Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker's five (5) minutes.
 - (c) Public speakers must state their name and address for the record. All comments must be addressed to the Commission. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the public hearing.
 - (d) If there is a large number of speakers, including many who are part of groups or organizations, I may, to avoid repetitive comments, elect to ask for a representative to speak on behalf of the group or organization.
 - (e) I may elect to recognize the applicant/agent at the end of the public hearing to provide rebuttal or additional comments, which will be limited to five (5) minutes. If members of the Commission have any questions of the applicant/agent, that time will not be counted toward the applicant's/agent's five (5) minutes.
- (7) After all testimony is heard, I will declare the Public Hearing closed and no further public comment will be permitted. At that time, no one in the audience may speak again unless a Planning Commissioner asks a question. If someone is asked a question, they must first be recognized by the President and identify themselves once again before answering.
- (8) Next, the Planning Commission will discuss and take action on the application.
- (9) Because this public meeting is being conducted by remote electronic participation and to ensure accurate meeting minutes each vote taken during this meeting will be conducted by roll call vote.
- (10) Uncivil, unruly, and/or disruptive behavior at any time during this meeting is prohibited and will result in removal from this public meeting.

Thank you for your consideration and respect for these proceedings and the opinions of all meeting participants.



MORGANTOWN PLANNING COMMISSION

June 11, 2020
6:30 p.m.
By Electronic Means

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

If you need an accommodation, please contact 304-284-7431 or TDD 304-284-7512

City buildings remain partially closed to the public to protect public health during the COVID-19 pandemic. Personal attendance at this meeting will not be permitted. The public may participate in the public portions through the following Cisco Webex videoconference access methods:

Meeting Link: <https://cityofmorgantown.my.webex.com/meet/cityofmorgantown>

Meeting Number: 793 734 477

Phone: 408-418-9388

Access Code: 793 734 477

All members of the public may view the meeting on Channel 15 and by streaming hosted on the City's website at www.morgantownwv.gov. If you do not wish to speak at the meeting, please view it by these methods to conserve capacity on the videoconference.

Any person wishing to speak at the meeting may sign up by completing the form available at: <http://morgantownwv.gov/FormCenter/Public-Comment-Sign-Up-Sheet-14/Public-Comment-Form-Morgantown-Planning--73>. Another option to speak during a public comment portion is by providing their name, phone number they will use to participate, and the specific Case Number and/or General Public Comments listed on the Planning Commission's agenda on which they would like to speak by texting or calling 304-906-7843. You may sign up to speak at any time until the meeting begins. Additionally, the public may submit written comments for the public hearing portions of the meeting by sending an email to the Development Services Department at bmcdonald@morgantownwv.gov. In the email, please use the subject line "Public Comment PC 06/11/2020" and indicate in the body of the email the specific Case Number you wish to address and if you would like your comment to be read aloud during the public hearing portion for that case.

AGENDA

I. CALL TO ORDER AND ROLL CALL

II. GENERAL PUBLIC COMMENTS – concerning matters not on the agenda

III. MATTERS OF BUSINESS

A. Approval of the May 14, 2020 minutes.

IV. UNFINISHED BUSINESS: None.

V. NEW BUSINESS:

A. MNS20-04 / McLaughlin / 448 East Brockway Avenue: Request by Sandra McLaughlin for minor subdivision approval of property located at 448 East Brockway Avenue. Second Ward Tax District, Tax Map 35, Parcels 52 and 55; R-1A, Single-Family Residential District.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

John Whitmore, AICP
Senior Planner

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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AJ Hammond, City Admin.

B. TX20-03 / Administrative / Wiles Hill Gateway Overlay District:

Administrative request to amend Sections 1329.02 and 1331, and create Article 1358 WHOD, Wiles Hill Gateway Overlay District of the Planning and Zoning Code as they relate to the Wiles Hill Gateway Overlay District recommended in the Future Study Area No. 5 Plan dated October 8, 2019.

VII. OTHER BUSINESS

A. Committee Reports

- Traffic Commission
- Other Committees

B. Staff Comments

VIII. FOR THE GOOD OF THE COMMISSION

IX. ADJOURNMENT

*If you need an
accommodation,
please contact
304-284-7431 or
TDD 304-284-7512*

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MORGANTOWN PLANNING COMMISSION

MINUTES

6:30 p.m.

May 14, 2020

Council Chambers

COMMISSIONERS PRESENT: Peter DeMasters, Carol Pyles, Tim Stranko, Bill Petros, Michael Shuman, Ronald Dulaney, AJ Hammond, William Blosser

COMMISSIONERS ABSENT: Sam Loretta

STAFF PRESENT: Christopher M. Fletcher, AICP

I. **CALL TO ORDER/ROLL CALL:** DeMasters called the meeting to order at 6:30 p.m. and read the explanation of the how the Planning Commission conducts business by electronic means and rules for public comments.

II. **GENERAL PUBLIC COMMENTS:** None.

III. **MATTERS OF BUSINESS:**

A. Approval of the March 12, 2020 meeting minutes. Stranko moved to approve as presented; seconded by Shuman.

IV. **UNFINISHED BUSINESS:** None.

V. **NEW BUSINESS:**

A. **RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road:** Request by Seth Wilson of Bowles Rice, LLP, on behalf of West Virginia University Hospitals, Inc. for a Zoning Map Amendment to reclassify Seventh Ward Tax District, Tax Map 6, Parcel 76.1 and Seventh Ward Tax District, Tax Map 11, Parcel 258, from OI, Office and Institutional District to B-2, Service Business District.

Fletcher presented the Staff Report and noted the petitioner was present.

DeMasters recognized Seth Wilson, Bowles Rice LLC, representing WVU Hospitals, Inc. who also noted Alan Neptune of WVU Hospitals, Inc. was present as well. Wilson stated his client is requesting to rezone this parcel to adjust the boundaries of the existing B-2 District. WVU Hospitals, Inc. wishes to eventually build a medical office building at the site, but there are no immediate plans. In the short-term, they would use this parcel as a temporary surface parking lot. This is not permitted under the current zoning.

DeMasters asked if there were any questions. Stranko questioned the plans for the parking lot concerning screening, greenspace or other aesthetic improvements or considerations. Neptune stated that they have been working on the aesthetic improvements. Installation of a three-foot-high mound along Van Voorhis Road and Elmer Prince Drive has been completed, which has been hydroseeded,

will somewhat hide the view of parked cars. Neptune added there may be evergreen trees planted later. DeMasters asked for clarification regarding stormwater management. Neptune stated that the lot will need to be paved and stormwater management facilities will be designed and installed.

With no further comments or questions by the Planning Commission, DeMasters asked if there were any members of the public present to speak in favor of or in opposition to the petition. Fletcher confirmed there were no electronic requests to speak on this matter. There being no public comments, DeMasters asked for staff's recommendations, which was read by Fletcher.

DeMasters asked for discussion. Stranko noted he is concerned about the land use scenarios, specifically a surface parking lot that would be permitted by-right in the B-2 District.

Fletcher explained that if City Council approved the subject zoning map amendment, the property owner will be required to go through the building permit process for the surface parking lot use, which includes landscaping requirements. Fletcher reiterated that the parking area use is temporary.

Discussion ensued regarding the temporary period of the surface parking lot, the underutilization of the site, concern that the site is highly visible and serves as a gateway to the regional medical center, and the desire to ensure proper landscaping.

Fletcher noted the temporary use permit process is authorized and enforced by the City Manager, which could occur regardless of the current zoning classification of the site. Fletcher restated that the parking lot use would be required to go through the building permit process, which includes landscaping requirements.

Wilson noted the City's zoning regulations concerning temporary use appear to be more for seasonal purposes. Fletcher reiterated that the temporary use permit process is under the authority of the City Manager.

Pyles asked how many parking spaces would be provided in the temporary surface parking lot. Neptune noted between 100-125 spaces.

Fletcher noted that the ability to continue to grow WVU Hospitals, Inc. facilities is becoming more challenging with the limited available space to expand. Growth on the regional medical campus results in higher demand for employees and related parking. WVU Hospitals, Inc. has been forced to grow parking vertically with the recent addition of two parking garage facilities. Fletcher noted the subject site is of high value, will serve to meet the growth needs of the regional medical facility, and the B-2 zoning classification provides greater flexibility for site design in terms of mixed uses. Fletcher also noted that City Administration is confident the surface parking lot will not be the long-term use of the site.

Stranko moved to forward to City Council a recommendation that they adopt the request zoning classification; seconded by Pyles. Motion passed unanimously.

Fletcher stated that he would forward the City Council meeting dates coming up over the next few months where it will be on their agenda, assuming it continues to progress in a positive manner.

- B. TX20-02 / Administrative / Electric Vehicle Charging Stations:** Administratively requested zoning text amendments to add public and private electric vehicle charging station uses and standards to the Morgantown Planning and Zoning Code. Planning and Zoning Code Sections included are 1329.02 and Table 1331.05.01.

Fletcher presented the Staff Report noting the petitioner was unable to be present and asked that Staff represent him. There being no questions by the Planning Commission, DeMasters asked if there were any members of the public present to speak in favor of or in opposition to the petition. Fletcher confirmed there were no electronic requests to speak on this matter. There being no public comments, DeMasters asked for staff's recommendations, which was read by Fletcher.

Stranko motioned to approve the petition with staff recommended conditions; seconded by Hammond. Motion carried unanimously.

VI. OTHER BUSINESS

A. Committee Reports

- Traffic Commission Report: Paving projects have been altered for the year due to the significant loss of revenue resulting from the COVID-19 pandemic. Paving will be completed as available, but the majority of planned paving will be postponed.
- Other Committees: No reports.

- B. Staff Comments:** Fletcher noted staff is continuing to work with the stakeholders on Wiles Hill Gateway Overlay District recommended in the future Study Area No. 5. A workshop was held with the Planning Commission a couple months ago. Marvin Davis, City GIS Analyst, is preparing 3-D modeling of the proposed building height provisions. These will be included in the materials presented to the Planning Commission. Modeling should be completed next week and the information will be shared with the stakeholders from the neighborhood, the property owner, and hopefully to the Planning Commission in the June meeting packet.

VII. FOR THE GOOD OF THE COMMISSION: None.

VIII. ADJOURNMENT: 7:30 p.m.

MINUTES APPROVED:

COMMISSION SECRETARY:

Christopher M. Fletcher, AICP

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MORGANTOWN PLANNING COMMISSION

June 11, 2020
6:30 p.m.
City Council Chambers

STAFF REPORT

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

CASE NO: MNS20-04 / McLaughlin / 448-450 East Brockway Avenue

REQUEST and LOCATION:

Request by Sandra McLaughlin for minor subdivision approval of property located at 448 East Brockway Avenue.

TAX MAP NUMBER (s) and ZONING DESCRIPTION:

Tax District 10, Tax Map 35, Parcels 52 and 55; R-1A, Single-Family Residential District.

SURROUNDING ZONING:

R-1A, Single-Family Residential District.

BACKGROUND and ANALYSIS:

The petitioner seeks to subdivide Parcels 52 and 55 into one (1) parcel. Addendum A of this report illustrates the location of the subject site.

Parcel 52 is a legal, pre-existing nonconforming gravel parking lot associated with the adjoining principal structure. Parcel 55 includes a legal, pre-existing nonconforming "Two-Family Dwelling" use addressed as 448 and 450 East Brockway Avenue. Parcel 52 has 44.5-linear feet of lot frontage and is approximately 4,986 square feet in area. Parcel 55 has 44.4-linear feet of lot frontage and is approximately 6,050 square feet in area. The proposed parcel will have 88.9-linear feet of lot frontage and an approximate area of 11,036 square feet. This parcel will exceed the R-1A District minimum lot frontage requirement (30-feet) and minimum parcel area requirement (3,500 square feet).

STAFF RECOMMENDATION:

Staff recommends approval of the minor subdivision with the following conditions:

1. That the petitioner submits at least three (3) original final plat documents, including all access/utility easements, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature; and, that the final plat is recorded at the Monongalia County Courthouse within thirty (30) days of receiving the executed plat; or,
2. That, in accordance with Article 1363.02(B)(3) of the City's Planning and Zoning Code, the petitioner place the following covenant notation on the recorded deeds for the subject parcels and submit a certification of its recording to the Planning Division:

"For planning and zoning purposes, the lot described herein shall be considered as part and parcel of the adjacent lot owned by <Insert Owners Names> pursuant to deeds recorded at Deed Record Book No. <Insert Deed Book>, Page <Insert Deed Page> in the Office of the Clerk of the County Commission of Monongalia County. The real estate described herein shall not be considered a separate parcel of real estate for land use, development, conveyance or transfer of ownership, without having first obtained the expressed approval of the Morgantown City Planning Commission. This restriction shall be a covenant running with the land."

Development Services

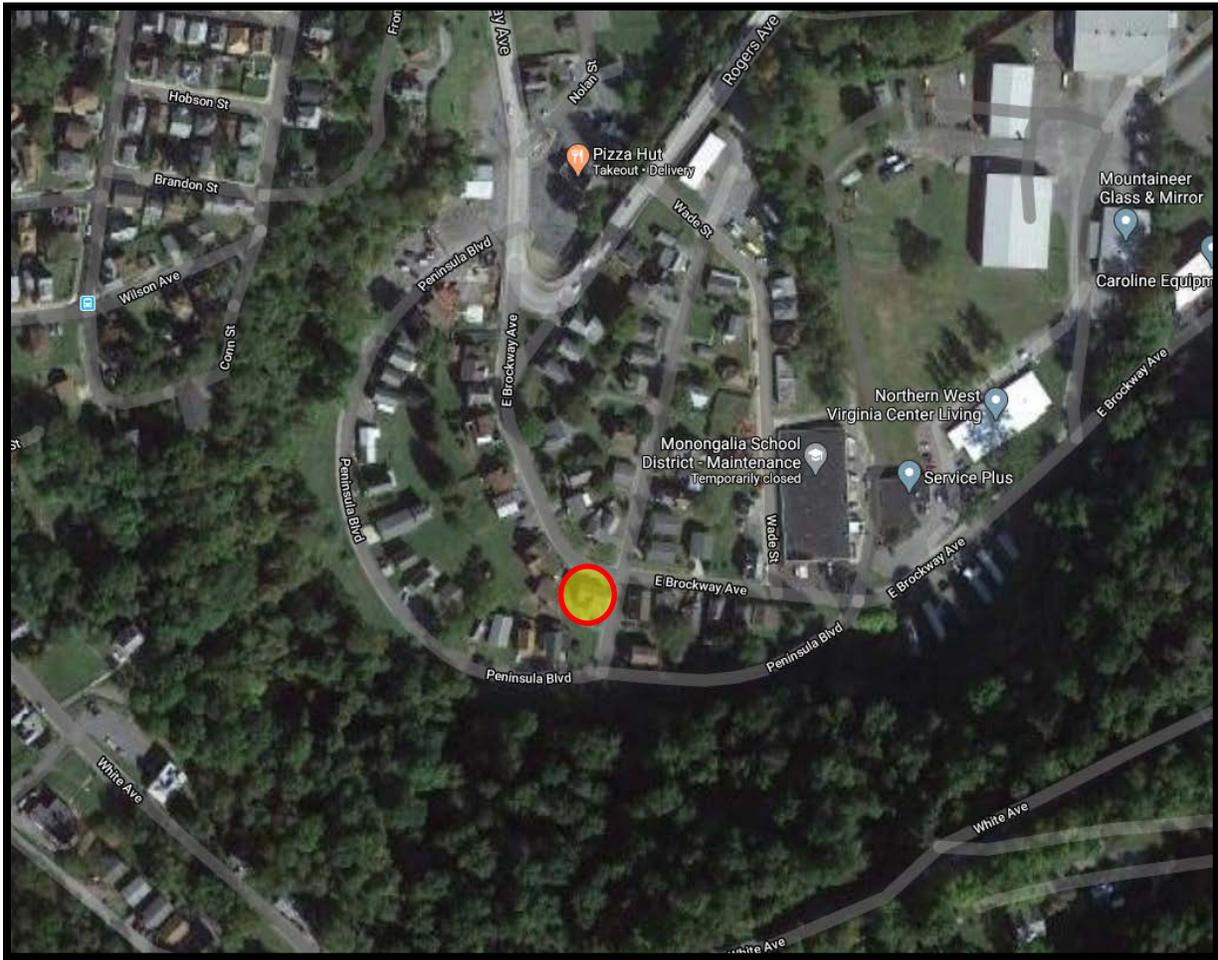
Christopher Fletcher, AICP
Director

John Whitmore, AICP
Senior Planner

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
MNS20-04 / McLaughlin / 448 East Brockway Avenue



STAFF REPORT ADDENDUM A
MNS20-04 / McLaughlin / 448 East Brockway Avenue





APPLICATION FOR MINOR SUBDIVISION

A Minor Subdivision of property includes the creation of up to four (4) parcels or the consolidation of existing parcels via survey plat or approved deeded covenants, but does not involve the extension of off-site facilities (streets, etc.) or the dedication of a portion of the site for public use.

(PLEASE TYPE OR PRINT IN BLACK INK)

FEE: \$75.00 [Z-MNS]

I. APPLICANT			
Name:	Sandra L McLaughlin	Phone:	304-322-2163
Mailing Address:	448 E Brockway Ave	Mobile:	681-209-5213
	<small>Street</small> Morgantown WV 26501 <small>City State Zip</small>	Email:	synmc@hotmail.com
II. AGENT / CONTACT INFORMATION			
Name:		Phone:	
Mailing Address:	<small>Street</small>	Mobile:	
	<small>City State Zip</small>	Email:	
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	Sandra L McLaughlin, James McLaughlin	Phone:	
Mailing Address:	<small>Street</small>	Mobile:	
	<small>City State Zip</small>	Email:	
IV. SITE			
Street Address (if assigned):	448 and 450 East Brockway Ave. Morgantown WV. 26501	Tax Map No(s):	
Zoning:	Residential	Parcel No(s):	35 0052 0000 0000 35 0035 0000 6000
Subdivision Description, including areas (sq. ft.) of proposed parcel(s):	Boundary between parcels needs erased thus consolidating lots 52 and 55.		
Are there any Variances from the Subdivision Regulations anticipated:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, to what extent is a variance necessary?			



APPLICATION FOR MINOR SUBDIVISION

V. PLAT

Preliminary Plat submission – A Minor Subdivision Application must also include one (1) preliminary plat illustrating:

- (a) Existing and proposed property boundaries, property boundary dimensions, and square footage.
- (b) A letter of service availability and approval from the Morgantown Utility Board.

Final Plat submission – Upon approval by the Planning Commission, three (3) sealed Final Plat surveys must be submitted to the Planning Office and meet the following standards:

- (a) Drawn to a scale of one inch (1") equals fifty feet (50') or larger;
- (b) Date of preparation, north arrow, and scale;
- (c) Legal description;
- (d) Applicant/owner name and address;
- (e) Existing zoning;
- (f) Legend;
- (g) Vicinity map;
- (h) Existing and proposed utility lines and easements;
- (i) Certification by a registered land surveyor, licensed in the State of West Virginia, that the dimension and bearings are accurately delineated with a seal and signature;
- (j) Location, shape, exterior dimensions of each existing building on the site(s);
- (k) Location and dimensions of paved surfaces including sidewalks and curb cuts, and of all abutting streets;
- (l) Location of springs, streams, other water bodies, and areas subject to flooding;
- (m) Floodplain designation making reference to pertinent FEMA Firm Community Panel Number;
- (n) Approval signature block allowing space for President of Morgantown Planning Commission;
- (o) Other items as deemed necessary by Planner Director or City Engineer.

Please note that all approved minor subdivision plats must be filed with the Monongalia County Tax Office within thirty (30) days of approval. Plats not filed within thirty (30) days will be considered invalid by the City of Morgantown and will require a new application.

VIII. ATTEST

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinance governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

Sandra L. McLaughlin
Type/Print Name of Applicant/Agent

Sandra L. McLaughlin
Signature of Applicant/Agent

5/11/2020
Date



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MORGANTOWN PLANNING COMMISSION

June 11, 2020
6:30 p.m.
City Council Chambers

President:

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Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

STAFF REPORT

CASE NO: TX20-03 / Administrative / Wiles Hill Gateway Overlay District

REQUEST:

Administrative request to amend Sections 1329.02 and 1331, and create Article 1358 WHOD, Wiles Hill Gateway Overlay District of the Planning and Zoning Code as recommended in the Future Study Area No. 5 – Stewart Street and Highland Avenue.

BACKGROUND:

Under Case No. RZ19-01, Mr. Gregg Metheny, on behalf of Scott Properties, sought to amend the zoning map by reclassifying 18 parcels from R-2, Single- and Two-Family Residential District to R-3, Multi-Family Residential District, the area of which is approximately 1.6 acres. Addendum A of this report provides a chronological timeline from Mr. Metheny's subject zoning map amendment petition to the culmination of the present administrative recommendation to create the "Wiles Hill Gateway Overlay District."

The Future Study Area 5 – Stewart Street and Highland Avenue – Small Area Plan Recommendations Report completed during this period and accepted by the Planning Commission on 08 OCT 2019 is made a part of the Planning Commission's record by reference and available for review at:

<http://www.morgantownwv.gov/DocumentCenter/View/3061/Small-Area-5-Recommendation-Report-FINAL-10082019>

ANALYSIS:

Immediately following the Planning Commission's 08 OCT 2019 acceptance of the Future Study Area No. 5 Small Area Plan Recommendations Report, Staff continued to collaborate with the Wiles Hill Neighborhood working group and Mr. Metheny to create the "Wiles Hill Gateway Overlay District." Staff's recommended text amendments are provided in Addendum B of this report. The following summarizes salient elements of the recommended overlay district.

Definition of Terms

The definitions of three (3) new terms are included in the recommended text amendment. "Balcony" and "Front Gathering Space" are provided to convey guidance in meeting requisite design standards for all residential construction within the overlay district. Specifically, the residential design objective is to include an area at the front of the dwelling, similar to a front porch, to promote human-scaled design and encourage resident engagement customary to traditional neighborhoods. Given the differing typologies of residential structures desired within the overlay district and significant typographic changes, achieving a front porch feature necessitated a unique land use policy approach. The overlay district also introduces "Accessory Dwelling" units in one area of the overlay district. Accordingly, a definition for this dwelling unit is included as provided for other

Development Services

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Director

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dwelling unit types in the Planning and Zoning Code. These new terms integrate with existing Planning and Zoning Code text and provide additional development guidance.

Wiles Hill Gateway Overlay District (WHOD)

The overlay district is intended to serve as a set of demonstration land use, design, and performance standards for new construction within the study area. The overlay district is divided into three (3) blocks each having unique development objectives. The legislative purpose of the overlay district includes:

- (A) Advance desired infill development and redevelopment to modestly increase residential densities in a transitional pattern;
- (B) Advance infill and redevelopment through dwelling unit diversification; and,
- (C) Promote construction of affordable workforce housing opportunities that includes a balance of owner and renter households.

The recommended zoning text amendments provide descriptions and illustrations of the boundaries for each of the three (3) blocks. Also provided are land use regulations and development design and performance standards common to three (3) blocks that compose the overlay district. Some of these elements include:

- A permitted land use table is included that is specific to land uses permitted by-right, permitted with conditional use approval, or not permitted within the overlay district. This table supersedes the permitted land use table controlling all zoning districts at Table 1331.05.01.
- Supplemental design and performance regulations are provided for uses included in the overlay district's permitted land use table. Supplement regulations of note include:
 - Maximum gross floor area for permitted nonresidential uses
 - Accessory dwelling units
 - Two-family and Townhouse dwelling units
- Zero-lot-line provisions for side-by-side two-family and townhouse dwellings to promote affordable homeownership opportunities.
- A modified method of determining building height by correlating the location of the building with the vertical distance above the centerline grade of its frontage roadway, which better reflects the elevation changes across the study area and achieves desired terracing.
- Parking and vehicular access that better reflect desired development patterns.
- Requiring the replacement of failing or functionally obsolete retaining walls with more human-scaled and visually appealing design standards.
- Landscaping and buffering requirements for rear yards adjoining Stewart Street.

Throughout the overlay district, specific requirements provide for a built environment that highlights the neighborhood entrance aspects of the area. Driveway entrances will not be permitted on Stewart Street to limit curb cuts on that collector road. Outdoor spaces both public (sidewalks and existing pedestrian paths) and private (porches, patios, decks, balconies,

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Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

etc.) are required with new development to encourage and provide for opportunities for increased community interaction.

WHOD Blocks

The overlay district is divided into Blocks “A,” “B,” and “C.” Each block is further segmented to provide optimal development outcomes given differing terrain; desired terracing of building heights to ensure practical neighborhood viewshed protection; planned pedestrian and vehicle access to dwelling units; and, essential right-of-way improvements to encourage complete street design for multiple modes of mobility and additional opportunities for residential development.

Block “A” includes parcels located south of Highland Avenue and north of portions of Wellen and Lorentz Avenues as shown in the image to the right. This block is further divided into four (4) subgroups to achieve desired development patterns including lot sizes, lot frontage width, lot coverage, building envelop orientation.



The purpose of Block “A” is to serve as a transition into the adjoining R-1A District while enabling creative building forms and moderately higher detached single-family densities that incentivize infill and redevelopment of underutilized, functionally obsolete, and/or nonconforming properties.

The goal in planning for Block “A” is to provide for a transition from the northern detached single-family dwellings and allow for slightly higher density development, that still maintains the physical form of the higher elevation properties in the neighborhood. This block allows for the inclusion of subordinate Accessory Dwelling Units to be located as part of the principal dwelling or as a separate structure. In addition to increased residential density, structures will be required to provide some enclosed/garage parking spaces. The public right-of-way is proposed to be improved with minimal on-street parking and new sidewalk construction.

Block “B” includes parcels that may support development with frontages on Lorentz Avenue as shown in the image to the right. This block group is divided into two (2) subgroups, with southern facing parcels in one subgroup and northern facing parcels in the other sub-group.



The purpose of Block “B” is to serve as a transition between Blocks “A” and “C” while enabling creative building forms and moderately higher densities than Block “A”

Development Services

Christopher Fletcher, AICP
Director

John Whitmore, AICP
Senior Planner

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



MORGANTOWN PLANNING COMMISSION

June 11, 2020
6:30 p.m.
City Council Chambers

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

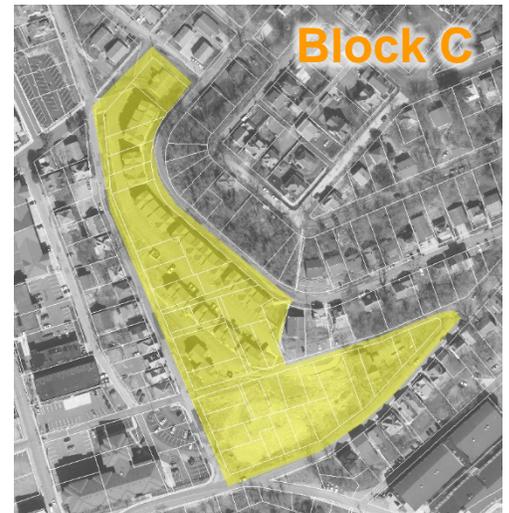
to incentivize redevelopment of existing nonconforming rental properties. Two-Family and Townhouse designs are preferred for this block.

New structures on the northern side of Lorentz Avenue will have parking accessible from Lorentz Avenue, while parking for new southern side structures will be required to be accessed from First Street. Designs will include outdoor areas located in the front of the structure as either a porch or patio feature.

Block "C" is the southernmost area of the overlay district and includes the *Jones Place* development and parcels bordered by Jones Avenue, Stewart Street, and remaining and annulled portions of First Street as shown in the image to the right.

The purpose of Block "C" is to foster development, built into the hillside, of moderately higher densities than Block "B" that provides an attractive gateway into the Wiles Hill neighborhood.

Block "C" provides for a full transition to higher density multi-family dwellings and compatible mixed-use development. Overall development is limited in height to preserve views from development located to the north. Vehicular access is limited to Jones Avenue and First Street, with site design standards to encourage terraced development, utilizing the natural topography. The area within Block "C" between First Street, Stewart Street, and Jones Avenue was the realty included in Mr. Metheny's zoning map amendment petition under Case No. RZ19-01.



STAFF RECOMMENDATION:

Staff would be inattentive if it did not acknowledge Mr. Gregg Metheny for his patience and willingness to delay Planning Commission consideration of his zoning map amendment petition [Case No. RZ19-01] and ultimate development schedule to collaborate with Wiles Hill Neighborhood residents and the City through the small area study process and the development of the recommended overlay district. Staff also recognizes the commitment of time, attention, and care by the Wiles Hill Neighborhood working group of Charlie Byrer, Zackery Cruze, Richard Dumas, Frank Scafella, and Margaret Stout. The contributions of these stakeholders over the past 18 months have ensured the presentation of a grassroots, participatory-driven set of land use and development policies ready for enactment.

Staff respectfully advises the Planning Commission to forward a favorable recommendation to City Council to amend the Planning and Zoning Code as presented in Addendum B of this Staff Report based on the information and findings presented herein.

Development Services

Christopher Fletcher, AICP
Director

John Whitmore, AICP
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STAFF REPORT ADDENDUM A

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

Chronological Timeline

Zoning Map Amendment Case No. RZ19-01

December 2018

On 07 DEC 2018, Gregg Metheny, on behalf of Scott Properties, submitted a Zoning Map Amendment petition for approximately 1.6 acres or property bounded by Jones Avenue, Stewart Street, and annulled and remaining portions of First Street. The request sought to reclassify the realty from R-2, Single and Two-Family Residential to R-3, Multi-Family Residential. Information related to that zoning map amendment petition is included in the Planning Commission's record under Case No. RZ19-01.

January 2019

A Planning Commission public hearing for that petition was held on 10 JAN 2019 and the matter was tabled based on the following two findings:

1. The Planning Commission believes it needs more holistic information given the fact the subject site is located within "Future Study Area No. 5" identified in the 2013 Comprehensive Plan Update. Please see Addendum B of the Staff Report presented to the Planning Commission for the subject zoning map amendment petition for additional information concerning "Future Study Area No. 5."
2. The Planning Commission noted it is prudent to respect the resources of the 2013 Comprehensive Plan Update and directed the Planning Division to initiate a small area study planning project for "Future Study Area No. 5", by reporting a related scope and schedule for same at the THU, 14 FEB 2019 Planning Commission meeting.

February 2019

Under an existing on-call professional planning services contract, staff met with AECOM on 06 FEB 2019 to develop a scope of work to complete the Future Study Area No. 5 Plan. The scope included two (2) community forums and stakeholder meetings to establish effective public participation for the planning process. Staff provided the Planning Commission with this and additional information at its 14 FEB 2019 hearing. The item was taken from the table and the public hearing reopened. Following opposition to the petition, the Mr. Metheny provided rebuttal and expressed a willingness for the City to complete the Future Study Area No. 5 Plan Recommendations Report prior to the Planning Commission deciding on a recommendation to City Council on Mr. Metheny's zoning map amendment petition. After discussion, the Planning Commission voted unanimously to table the petition again to explore the planning project further with Mr. Metheny.

March 2019

At the 14 MAR 2019 Planning Commission hearing, the zoning map amendment petition was removed from the table and the following motion was unanimously passed:

To postpone further consideration of RZ19-01 until the next regular business meeting following completion and acceptance of the recommendations report on Future Study Area No. 5 by the Planning Commission, with the understanding the petitioner may at any time request the Planning Commission to remove the matter from the table and proceed with consideration and recommendation action thereby safeguarding the petitioner's right to due process; provided, said request to remove the matter from the table prior to completion and acceptance of the Future Study Area No. 5 Recommendations Report must be submitted in writing by the published application

STAFF REPORT ADDENDUM A

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

Chronological Timeline

deadline for the following Planning Commission regular business meeting. The motion was seconded by Shuman and carried unanimously.

Future Study Area No. 5 – Small Area Plan

April 2019

The first community forum was held on 17 APR 2019 with 25 residents in attendance. Chris Rogers, AICP with AECOM provided a presentation examining the Future Study Area 5 zoning issues and the small area planning process. After the presentation, public comments were taken involving design and community character; housing; slope and soil stability; and, general questions regarding the process. A walking tour of the area was conducted with 15 of the forum attendees participating. During the month of May, individual stakeholder meetings were held.

June 2019

Starting in June 2019, Development Services staff began collaborating with a working group of Wiles Hill neighborhood residents that included Charlie Byrer, Zackery Cruze, Richard Dumas, Frank Scafella, and Margaret Stout. A series of meetings with the working group were held in the summer of 2019 resulting in a revised focus on the study area, moving away from the broader plan objectives typically completed for Future Study Areas. Specifically, the project focused on individual blocks within the study area containing unique characteristics and transformative development opportunities connecting the traditional neighborhood of Wiles Hill to the edge of the Sunnyside Neighborhood at Jones Avenue. This intensive analytic approach evolved into a set of overlay district principles intended to shape the design focus of the Future Study Area No. 5 Plan Recommendations Report.

September 2019

The second and final community forum was held on 18 SEP 2019 with approximately 18 attendees. The block concept and design focus were presented with general consensus achieved on moving forward with the final recommendations report and a future zoning overlay district. Staff continued to brief and work with Mr. Metheny through the Future Study Area No. 5 planning process.

October 2019

A draft recommendations report for the Future Study Area No. 5 was completed in late September 2019 and forwarded to the Planning Commission for acceptance. On 08 OCT 2019, a public hearing was held for the Future Study Area No. 5 Recommendations Report and unanimously accepted by the Planning Commission.

March 2020

The Planning Commission conducted a workshop following its March business meeting. Staff presented an update of the collaborative work with stakeholders to develop the Wiles Hill Gateway Overlay District.

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

Staff recommended revisions to the Planning and Zoning Code as the same apply to Wiles Hill Gateway Overlay District and related materials [deleted matter struck-through; new matter underlined].

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CHAPTER SEVEN - Land Use

- Art. 1331. Establishment of Zoning Districts and Zoning Map.
- Art. 1333. R-1, Single Family Residential District.
- Art. 1335. R-1A, Single Family Residential District.
- Art. 1337. R-2, Single and Two-Family Residential District.
- Art. 1339. R-3, Multi-Family Residential District.
- Art. 1341. PRO, Professional, Residential and Office District.
- Art. 1343. OI, Office and Institutional District.
- Art. 1345. B-1, Neighborhood Business District.
- Art. 1347. B-2, Service Business District.
- Art. 1349. B-4, General Business District.
- Art. 1351. Performance Standards for Buildings in the General Business (B-4) District.
- Art. 1353. B-5, Shopping Center District.
- Art. 1355. I-1, Industrial District.
- Art. 1357. PUD, Planned Unit Development District.
- Art. 1358. Wiles Hill Gateway Overlay District.
- Art. 1359. ISOD, Interstate Sign Overlay District.
- Art. 1360. Airport Overlay District.
- Art. 1361. Sunnyside Overlay Districts.
- Art. 1362. B-4NPOD, B-4 Neighborhood Preservation Overlay District.

ARTICLE 1329 Definitions

1329.02 DEFINITION OF TERMS.

For the purpose of this ordinance, the following words and phrases shall have the meaning respectively prescribed to them by this section. If not defined herein, or within other sections of this ordinance, terms used in this ordinance shall have the meanings provided in any standard dictionary or American Planning Association publication as determined by the Planning Director.

BALCONY - A raised deck or porch extending from a building wall that is not directly accessible from an exterior access point.

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

1 DWELLING, ACCESSORY – A separate, complete housekeeping unit with separate entrance,
2 kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to
3 an existing single-family structure. Also referred to as “ADUs.”

4 FRONT GATHERING SPACE – A semi-private and accessible building feature that is at least
5 twenty (20) square feet in area, located directly in front of the principal façade of a structure and
6 includes balconies, canopies, decks, porches, porticos, and stairway ending in a stoop or landing
7 abutting the building wall. A front gathering space is not a patio or plaza feature.

8 CHAPTER SEVEN - Land Use

9 Art. 1331. Establishment of Zoning Districts and Zoning Map.

10 Art. 1333. R-1, Single Family Residential District.

11 Art. 1335. R-1A, Single Family Residential District.

12 Art. 1337. R-2, Single and Two-Family Residential District.

13 Art. 1339. R-3, Multi-Family Residential District.

14 Art. 1341. PRO, Professional, Residential and Office District.

15 Art. 1343. OI, Office and Institutional District.

16 Art. 1345. B-1, Neighborhood Business District.

17 Art. 1347. B-2, Service Business District.

18 Art. 1349. B-4, General Business District.

19 Art. 1351. Performance Standards for Buildings in the General Business (B-4) District.

20 Art. 1353. B-5, Shopping Center District.

21 Art. 1355. I-1, Industrial District.

22 Art. 1357. PUD, Planned Unit Development District.

23 Art. 1358. Wiles Hill Gateway Overlay District.

24 Art. 1359. ISOD, Interstate Sign Overlay District.

25 Art. 1360. Airport Overlay District.

26 Art. 1361. Sunnyside Overlay Districts.

27 Art. 1362. B-4NPOD, B-4 Neighborhood Preservation Overlay District.

28 CHAPTER ARTICLE 1331

29 Establishment of Zoning Districts and Zoning Map

30 (B) In addition to the zoning districts listed above, portions of the City may be classified
31 according to the following overlay zoning districts:

32 **Abbreviation Description**

33 WHODWiles Hill Gateway Overlay District

34 ISODInterstate Sign Overlay District

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

1 Airport Overlay District
2 SCOD Sunnyside Central Overlay District
3 SSOD Sunnyside South Overlay District
4 BCOD Beechurst Corridor Overlay District
5 B-4NPOD B-4 Neighborhood Preservation Overlay District

ARTICLE 1358

WHOD, Wiles Hill Gateway Overlay District

8
9 **<REMAINING PORTIONS OF THIS DOCUMENT ARE NOT UNDERLINED BUT ARE**
10 **PROPOSED AS NEW PLANNING AND ZONING CODE SECTIONS>**

11 1358.01 PURPOSE.

12 The Wiles Hill Gateway Overlay District, pursuant to recommendations in the Future Study
13 Area No. 5 Plan dated October 8, 2019 shall be divided into three (3) blocks and serve as a set
14 of demonstration land use, design, and performance standards to:

- 15 (A) Advance desired infill development and redevelopment to modestly increase
16 residential densities in a transitional pattern;
- 17 (B) Advance infill and redevelopment through dwelling unit diversification; and,
- 18 (C) Promote construction of affordable workforce housing opportunities that includes a
19 balance of owner and renter households.

20 Standards provided in this Article shall supersede or supplement those provided in other parts of
21 this Ordinance where conflicts exist.

22 1358.02 BLOCKS.

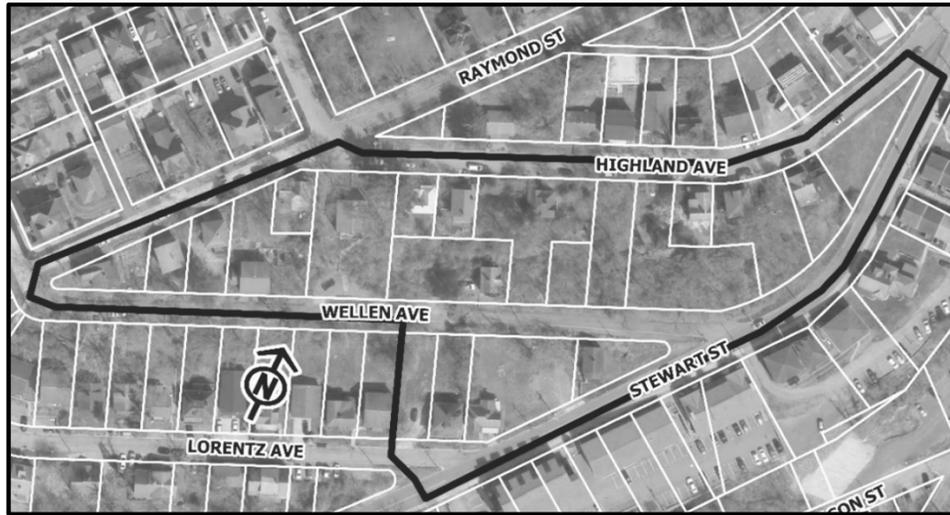
- 23 (A) WHOD Block "A" Boundary. Beginning at the intersection of Stewart Street and
24 Highland Avenue; then in a southerly direction along Stewart Street to the
25 intersection of Lorentz Avenue; then west along Lorentz Avenue to the parcel
26 boundary separating Parcels 330.1 and 331 of Monongalia County Tax Map 20 in
27 Tax District 12; then north along said parcel boundary to Wellen Avenue; then west
28 along Wellen Avenue to its intersection with Raymond Street; then in a northerly
29 direction along Raymond Street to the intersection of Highland Avenue; then east
30 along Highland Avenue to the point of beginning at the intersection of Stewart Street
31 and Highland Avenue. The Block "A" boundary is shown in Graphic 1358.02.01.
32

STAFF REPORT ADDENDUM B

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Graphic 1358.02.01 – Block “A” Boundary



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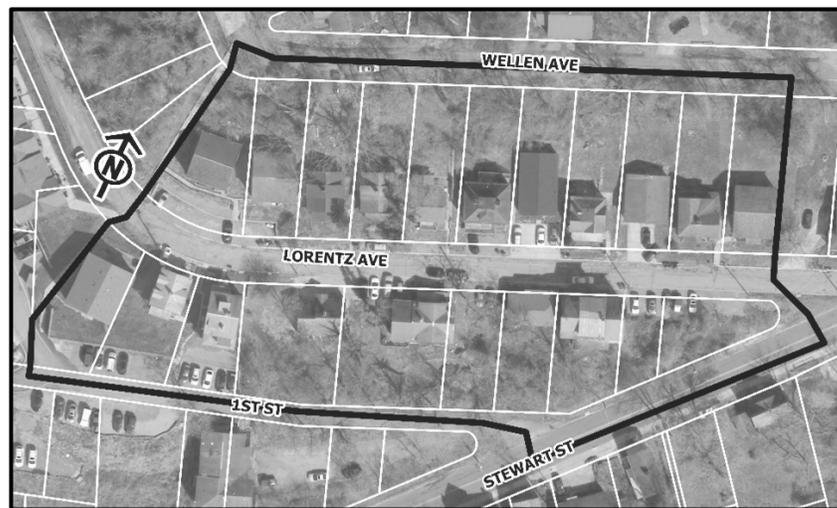
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(B) WHOD Block “B” Boundary. Beginning at the intersection of Stewart Street and Lorentz Avenue; then in a southerly direction along Stewart Street to the intersection of First Street; then west along First Street to the intersection of Old Golden Blue Lane; then north along Old Golden Blue Lane to the parcel boundary separating Parcels 256 and 257.1 of Monongalia County Tax Map 20 in Tax District 12; then north along said parcel boundary to Wellen Avenue; then east along Wellen Avenue to the parcel boundary separating Parcels 330.1 and 331 of Monongalia County Tax Map 20 in Tax District 12; then south along said parcel boundary to Lorentz Avenue; then east along Lorentz Avenue to the point of beginning at the intersection of Stewart Street and Lorentz Avenue. The Block “B” boundary is shown in Graphic 1358.02.02.

14

Graphic 1358.02.02 – Block “B” Boundary



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(C) WHOD Block “C” Boundary. Beginning at the intersection of Stewart Street and First Street; then southwest along Stewart Street to the intersection of Jones Avenue;

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

1 then north along Jones Avenue to the intersection of Overhill Street; then northeast
2 along Overhill Street to the intersection of Sharon Avenue; then southeast along
3 Sharon Avenue to the intersection of Lorentz Avenue; then southwest to southeast
4 along Lorentz Avenue to the parcel boundary separating Parcels 256 and 257.1 of
5 Monongalia County Tax Map 20 in Tax District 12; then south along said parcel
6 boundary to First Street; then northeast along First Street to the point of beginning
7 at the intersection of Stewart Street and First Street. The Block "C" boundary is
8 shown in Graphic 1358.02.03.

9 Graphic 1358.02.03 – Block "C" Boundary



11 1358.03 LAND USE REGULATIONS AND DESIGN AND PERFORMANCE 12 STANDARDS COMMON TO ALL WILES HILL GATEWAY OVERLAY DISTRICT BLOCKS.

13 The following land use regulations and development design and performance standards are held
14 in common to blocks that compose the Wiles Hill Gateway Overlay District.

15 (A) PERMITTED PRINCIPAL AND CONDITIONAL USES

16 The table and supplemental regulations of the Wiles Hill Gateway Overlay District Permitted Land
17 Uses Table are incorporated in this section and are adopted as the basic land use regulations for
18 the Wiles Hill Gateway Overlay District. The table and supplemental regulations identify the types
19 of land uses that are permitted within each of the blocks composing the overlay district and any
20 applicable conditions and limitations.

21 Determining the overlay district block in which a particular use is allowed shall be interpreted as
22 provided in Section 1331.05. However, the Wiles Hill Gateway Overlay District Permitted Land
23 Uses Table shall supersede Table 1331.05.01 Permitted Land Use.

24 A description of the supplemental regulations immediately follows the Wiles Hill Gateway Overlay
25 District Permitted Land Use Table, which shall supersede Section 1331.06 unless noted
26 otherwise.

STAFF REPORT ADDENDUM B

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1 Table 1358.03.01 – Wiles Hill Gateway Overlay District Permitted Land Uses

Uses	Block A	Block B	Block C	Supplemental Regulations
Administrative Office			A	1
Bakery, Retail			C	1
Barber Shop / Beauty Salon			C	1
Communications Equipment Building	C	C	C	
Community Center			C	
Convenience Store, Neighborhood			C	1
Day Care Facility, Class 1	P	P	P	
Day Care Facility, Class 2			C	1, 2
Dwelling, Accessory	A			3
Dwelling, Mixed Use			P	4
Dwelling, Multi-family			P	5
Dwelling, Single-family	P	P	P	
Dwelling, Townhouse		P	P	6
Dwelling, Two-Family		P	P	7
Essential Services and Equipment	P	P	P	
Group Residential Facility	P	P	P	
Group Residential Home	P	P	P	
Home Occupation, Class 1	A	A	A	8
Manufactured Homes	P	P	P	
Mixed Use Building			C	9
Personal Services Establishment			C	1
Restaurant			C	1
Snack Bar/Snack Shop			C	1
Telecommunications Class I	P	P	P	10
Wellness Center			C	1

2 (B) SUPPLEMENTAL REGULATIONS PERTAINING TO WILES HILL GATEWAY
3 OVERLAY DISTRICT PERMITTED LAND USES TABLE.

4 (1) The maximum gross floor area for permitted nonresidential use space shall
5 be 2,000 square feet and any permitted food service establishment shall not
6 exceed 500 square feet of customer seating area.

7 (2) DAY CARE FACILITIES, CLASS 2 shall observe Section 1331.06(19)
8 supplemental regulations.

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

- 1 (3) ACCESSORY DWELLING shall comply with the following provisions:
- 2 (a) An accessory dwelling shall not have more bedrooms or be permitted
3 to have occupancy greater than the principal single-family dwelling.
- 4 (b) The gross floor area of a detached accessory dwelling shall be no more
5 than fifty percent (50%) of the single-family dwelling's first floor gross
6 floor area.
- 7 (c) A detached accessory dwelling shall not be located in front of the
8 single-family dwelling's principal façade.
- 9 (d) Parcels that include a detached accessory dwelling shall not have any
10 additional accessory structures.
- 11 (e) An attached accessory dwelling shall only be permitted above a single-
12 family dwelling's attached garage.
- 13 (4) MIXED USE DWELLING shall observe Section 1331.06(20) and (26)
14 supplemental regulations.
- 15 (5) MULTI-FAMILY DWELLING shall observe Section 1331.06(35)(b)
16 supplemental regulations.
- 17 (6) For TOWNHOUSE development, the minimum lot size shall be 1,800 square
18 feet and the minimum lot frontage (lot width) shall be twenty (20) feet.
19 Townhouse dwellings shall be situated on individual lots separate from other
20 townhouse dwelling unit lots within the same townhouse building.
- 21 (7) TWO-FAMILY DWELLINGS in Block B may only be side-by-side (sharing the
22 same side vertical common or party wall) and may not be over-under (one
23 dwelling unit above another dwelling unit).
- 24 (8) HOME OCCUPATIONS shall observe Section 1331.06(2) supplemental
25 regulations.
- 26 (9) MIXED USE BUILDINGS shall observe Section 1331.06(20) supplemental
27 regulations.
- 28 (10) TELECOMMUNICATIONS FACILITIES shall observe Section 1331.06(30).
- 29 (C) SETBACK AND ENCROACHMENTS INTO SETBACKS.
- 30 (1) To promote affordable homeownership opportunities, no side building
31 setbacks are required for interior lot lines for side-by-side two-family
32 dwellings. Exterior building setbacks for side-by-side and for over-under two-
33 family dwellings shall observe side setback standards provided in the
34 applicable WHOD Block.

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- 1 (2) To promote affordable homeownership opportunities, townhouse dwellings
2 shall have zero setbacks for interior lot lines. Exterior building setbacks shall
3 observe side setback standards provided in the applicable WHOD Block.
- 4 (3) On a corner lot, the required side yard setback on the side facing a street
5 shall be one and one-half (1.5) times the normal side setback requirement.
- 6 (4) Architectural features may project into a required setback as provided below:
- 7 (a) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills,
8 pilasters, lintels, gutters or other similar features may extend into a
9 setback a distance not exceeding three (3) feet, except that such
10 features shall not extend closer than three (3) feet from the property
11 line.
- 12 (b) Uncovered stairs, landings and porches shall not extend closer than
13 three (3) feet from the property line.
- 14 (c) Open and covered, but un-enclosed front porches attached to single-
15 family dwellings may extend into the required front setback a distance
16 equal to fifty (50) percent of the setback depth. Such porches may not
17 subsequently be enclosed unless the normal setback requirements
18 within the respective WHOD Block are met.
- 19 (5) No permitted encroachment noted above shall extend to within three (3) feet
20 of an accessory structure.
- 21 (6) Fences, walls, terraces, steps or other similar features may encroach into a
22 requires setback, except as provided in Section 1363.03, Safety and Vision.
23 Such appurtenances shall not be located within access, drainage, or utility
24 easements.
- 25 (7) HVAC mechanical units may be located no closer than two (2) feet to a side
26 lot line and may not be placed in the front yard.
- 27 (D) CALCULATED BUILDING HEIGHT.
- 28 (1) Unless otherwise specified in a Wiles Hill Gateway Overlay District Block,
29 principal building height measured in feet shall be the vertical distance
30 measured from the centerline grade of the roadway from which the lot
31 frontage and building envelope orientation is established to the highest point
32 of the roof for a flat roof, to the deck line of a mansard roof, and to the mean
33 height between eaves and ridges of gable, hip, and gambrel roofs. Building
34 height calculation shall not include chimneys, spires, elevator and
35 mechanical penthouses, water tanks, radio antennas, and similar projections
36 or other exceptions provided in Section 1363.02(A), Height Exceptions.

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

1 (2) Accessory structure height measured in feet shall be the average vertical
2 distance measured from the adjoining grade to the halfway point between
3 the highest and lowest elevations of the roof type as described in Section
4 1358.03 (D)(1) above. The maximum height of an accessory structure shall
5 not exceed twenty (20) feet.

6 (E) PARKING AND LOADING STANDARDS.

7 Unless otherwise provided, all uses within the Wiles Hill Gateway Overlay District shall
8 conform to the off-street parking and loading requirements in Article 1365, Parking, Loading and
9 Internal Roadways.

10 (1) The minimum number of off-street parking spaces for residential uses shall
11 be 0.75 spaces per occupant as determined by the West Virginia State
12 Building Code as adopted and implemented by the City. The minimum
13 number of off-street parking spaces for mixed-use dwellings shall be 0.75
14 spaces per occupant as determined by the West Virginia State Building Code
15 plus required spaces for nonresidential use(s).

16 (2) The maximum number of parking spaces for an accessory dwelling unit is
17 one (1) space.

18 (3) All three (3) types of site plan reviews for new development and
19 redevelopment provided in Section 1385.04 et seq. shall provide bicycle
20 storage facilities set forth in Section 1365.06(Q) as well as the following
21 provisions.

22 (a) With the exception of single-family dwellings, all residential units shall
23 provide not less than one (1) long-term bicycle storage space.

24 (b) All townhouse principal buildings shall provide not less than one (1)
25 short-term bicycle storage space located not more than fifty (5) feet
26 from the principal building.

27 (c) One (1) long-term bicycle storage space and one (1) short-term bicycle
28 storage space shall be provided for each residential unit in a multi-
29 family building and/or in a mixed-use building.

30 (F) Retaining Walls. As a part of any new development or redevelopment, existing
31 retaining walls generally running parallel with and visible from the public right-of-
32 way shall be replaced according to the following design standards. New retaining
33 walls generally running parallel with and visible from the public right-of-way shall
34 be constructed according to the following design standards.

35 (1) New retaining wall construction shall be terraced from Stewart Street
36 vertically to its highest point. Each terraced section of retaining wall shall not
37 exceed a height of five (5) feet measured from visible base to cap stone.

STAFF REPORT ADDENDUM B

TX20-03 / Administrative / Wiles Hill Gateway Overlay District

1 (2) Permitted retaining wall materials include concrete masonry units (CMU) and
2 masonry units; provided, materials shall have a consistent natural-stone
3 appearance, preferably in the style of limestone, cobblestone, kingstone, or
4 ledgerstone. The use of flat forms shall be limited to not more than fifty
5 percent (50%) of a retaining wall's face. Retaining walls shall be earth toned
6 colors.

7 (3) Areas between terraced walls shall be appropriately landscaped to soften the
8 visual impact of larger retaining walls systems from adjoining properties and
9 public rights-of-way. Landscaping should incorporate appropriate small
10 trees, shrubs, ornamental grasses, perennials, etc. that compliments and is
11 in continuity with the Stewart Street and University Avenue public green
12 space.

13 (G) LANDSCAPING REQUIREMENTS FOR PROPERTIES ADJOINING STEWART
14 STREET PUBLIC RIGHT OF WAY

15 (1) All new development and redevelopment involving lots that have rear yards
16 adjoining Stewart Street public right-of-way shall provide a landscape buffer
17 abutting the Stewart Street public right-of-way and is ten (10) feet wide
18 planted with one (1) two inch (2") caliper small deciduous tree for every (20)
19 feet and at least three (3) shrubs of at least three (3) gallons in size clustered
20 between each two (2) trees.

21 (2) maintenance of the landscaped buffer shall be completed in accordance with
22 Sections 1367.10(C) and 1367.10(D).

23 (H) FRONT GATHERING SPACES. All residential construction shall include a front
24 gathering space except for accessory dwelling units which may include a front
25 gather space. Front gathering spaces should be covered and may not be enclosed.

26 1358.04 BLOCK "A" DEVELOPMENT STANDARDS.

27 (A) PURPOSE. The purpose of Block "A" is to serve as a transition into the adjoining
28 R-1A District while enabling creative building forms and moderately higher detached single-family
29 densities that incentivize infill and redevelopment of underutilized, functionally obsolete, and/or
30 nonconforming properties.

31 (B) LOT PROVISIONS.

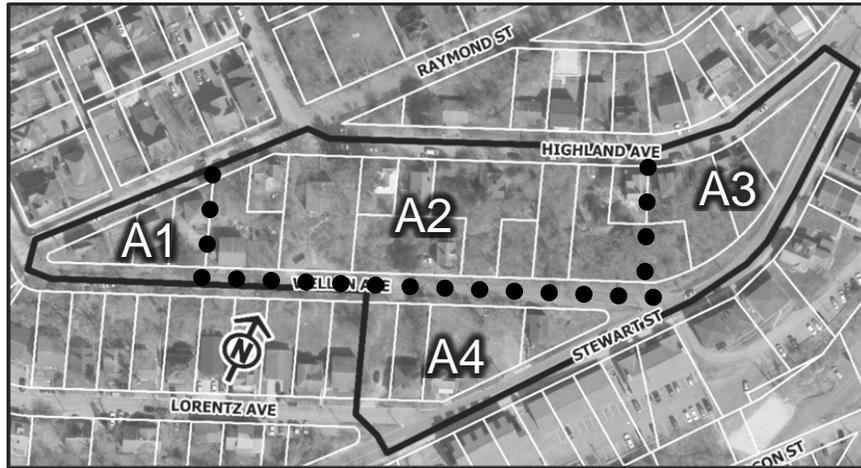
32 (1) Block "A" shall include four (4) subgroups "A1", "A2", "A3", and "A4" as
33 illustrated in Graphic 1358.04.01 for the purpose of establishing varying lot
34 provisions.
35

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1

Graphic 1358.04.01 – Block “A” Subgroups



2

3

4

(2) The following shall be the minimum lot size standard for each of the Block “A” Subgroups:

5

6

(a) Subgroup “A1” 4,200 square feet

7

(b) Subgroup “A2” 3,000 square feet

8

(c) Subgroup “A3” 4,500 square feet

9

(d) Subgroup “A4” 4,500 square feet

10

(3) The following shall be the minimum lot frontage standard for each of the Block “A” Subgroups:

11

12

(a) Subgroup “A1” 50 feet

13

(b) Subgroup “A2” 44 feet

14

(c) Subgroup “A3” 40 feet

15

(d) Subgroup “A4” 40 feet

16

(4) The following shall be the lot coverage standard for each of the Block “A” Subgroups:

17

18

(a) Subgroup “A1” 28%

19

(b) Subgroup “A2” 45%

20

(c) Subgroup “A3” 55%

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- 1 (d) Subgroup "A4" 55%
- 2 (5) New development and/or redevelopment shall have the following frontage
3 and building envelope orientation for each of the Block "A" Subgroups:
- 4 (a) Subgroup "A1" Raymond Street or Wellen Avenue, as
5 determined by the Planning Director.
- 6 (b) Subgroup "A2" Highland Avenue or Wellen Avenue, as
7 determined by the Planning Director.
- 8 (c) Subgroup "A3" Highland Avenue
- 9 (d) Subgroup "A4" Wellen Avenue
- 10 (C) SETBACKS.
- 11 (1) Minimum Front setback 5 feet
- 12 (2) Maximum Front setback 12 feet
- 13 (3) Minimum Side setback 5 feet
- 14 (4) Minimum Rear setback 5 feet
- 15 (D) BUILDING HEIGHT
- 16 (1) The maximum height of a principal building for lots with frontage on Highland
17 Avenue or Raymond Street shall be thirty (30) feet above the fronting
18 roadway centerline.
- 19 (2) The maximum height of a principal building for lots with frontage on the north
20 side Wellen Avenue shall be forty (40) feet above the fronting roadway
21 centerline.
- 22 (3) The maximum height of a principal building for lots with frontage on the south
23 side of Wellen Avenue shall be thirty (30) feet above the fronting roadway
24 centerline.
- 25 (E) PERFORMANCE STANDARDS
- 26 (1) New development and/or redevelopment approvals and permits for parcels
27 fronting Highland Avenue may not be issued until the Highland Avenue public
28 right-of-way is improved or performance guarantee secured to the
29 satisfaction of the City Engineer between its intersection with Stewart Street
30 and its intersection with Raymond Street. Improvements should
31 accommodate two lanes of traffic, a parking lane, and sidewalk as generally
32 illustrated in Graphic 1358.04.01.
33

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- 1 (6) At least one (1) of the minimum required off-street parking spaces for each
2 dwelling unit shall be located within an enclosed garage.
- 3 (7) Off-street parking spaces shall not be located completely between the front
4 façade and the public right-of-way; provided, off-street parking spaces may
5 extend past the building line.
- 6 (8) All open driveways and off-street parking spaces shall be surfaced with an
7 all-weather, dust-free concrete or asphalt prior to the issuance of a Certificate
8 of Occupancy. Driveways and off-street parking spaces shall be maintained
9 in good condition. Other surface materials and designs may be utilized when
10 specifically approved by the City Engineer, for purposes of reducing storm
11 water runoff or other environmental and aesthetic considerations, with the
12 exception of loose gravel which shall not be permitted.
- 13 (9) Curb cuts and driveway entrances shall be prohibited from Stewart Street.
- 14 (10) Principal Buildings shall be no less than twelve (12) feet wide.
- 15 (11) Residential construction may deviate from street orientation of adjacent
16 interior lot residential structures, except for structures on parcels that abut
17 Stewart Street which shall be oriented towards either Wellen Avenue or
18 Highland Avenue public roadways, whichever is closer.

19 1358.05 BLOCK "B" DEVELOPMENT STANDARDS.

- 20 (A) PURPOSE. The purpose of Block "B" is to serve as a transition between Blocks
21 "A" and "C" while enabling creative building forms and moderately higher densities
22 than Block "A" to incentivize redevelopment of existing nonconforming rental
23 properties. Two-Family and Townhouse designs are preferred for this block.
- 24 (B) LOT PROVISIONS.
- 25 (1) The minimum lot size shall be 4,700 square feet. See Section 1358.03(B)(6)
26 for minimum lot size standard for townhouse development.
- 27 (2) The minimum lot frontage shall be 40 feet. See Section 1358.03(B)(6) for
28 minimum lot frontage standard for townhouse development.
- 29 (3) New development shall have frontage and building envelope orientation
30 toward the Lorentz Avenue public right-of-way.
- 31 (4) For development north of Lorentz Avenue – Maximum lot coverage shall be
32 35 percent.
- 33 (5) For development south of Lorentz Avenue – Maximum lot coverage shall be
34 38 percent.

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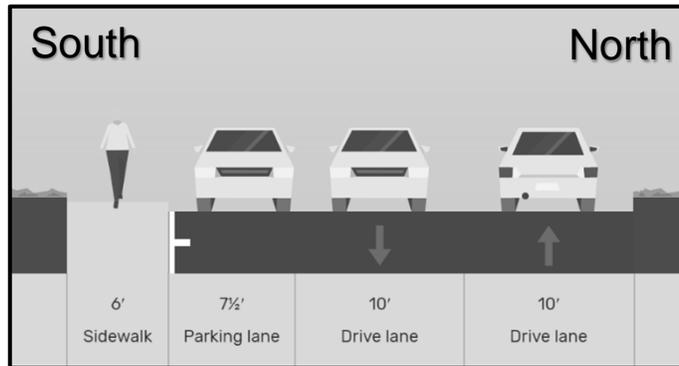
- 1 (C) SETBACKS.
- 2 (1) For development north of Lorentz Avenue, except as provided in Section
3 1358.03(C)(1) and (2):
- 4 (a) Minimum Front setback 20 feet
- 5 (b) Maximum Front setback 25 feet
- 6 (c) Minimum Side setback..... 5 feet
- 7 (d) Minimum Rear setback..... 45 feet
- 8 (2) For development south of Lorentz Avenue, except as provided in Section
9 1358.03(C)(1) and (2):
- 10 (a) Minimum Front setback 5 feet
- 11 (b) Maximum Front setback 10 feet
- 12 (c) Minimum Side setback..... 5 feet
- 13 (d) Minimum Rear setback..... 40 feet
- 14 (D) BUILDING HEIGHT
- 15 (1) The maximum height of a principal building for lots on the north side of
16 Lorentz Avenue shall be forty (40) feet above the fronting roadway centerline.
- 17 (2) The maximum height of a principal building for lots on the south side of
18 Lorentz Avenue shall be thirty (30) feet above the fronting roadway
19 centerline.
- 20 (F) PERFORMANCE STANDARDS
- 21 (1) Unless otherwise provided in Block "B", see Section 1337.07 for building
22 design standards for permitted residential development.
- 23 (2) Single-family dwelling units shall comply with supplemental regulations
24 provided in Section 1331.06(16); except, no single-family housing unit shall
25 be less than 20 feet in width.
- 26 (3) New development and/or redevelopment approvals and permits may not be
27 issued until the Lorentz Avenue public right-of-way is improved or
28 performance guarantee secured to the satisfaction of the City Engineer
29 between its intersection with Stewart Street and the pedestrian way
30 connecting Wellen Avenue to Lorentz Avenue to Old Golden Blue Way.

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1 Improvements should accommodate two lanes of traffic, a parking lane, and
2 sidewalk as generally illustrated in Graphic 1358.05.01

3 Graphic 1358.05.01 – Preferred Lorentz Avenue Roadway Cross-Section



4

5 (4) Residential dwelling unit occupancy will be determined by the West Virginia
6 State Building Code as adopted and implemented by the City.

7 (5) Sidewalks shall be constructed along the frontage of a lot upon which a use
8 is to be constructed. Sidewalks shall be at least six (6) feet wide. Sidewalk
9 construction may only be waived by the City Engineer if the planned and
10 accepted public right-of-way cross-section places the sidewalk facility on the
11 opposite side of the right-of-way from the lot upon which a use is to be
12 constructed; provided, a waiver must be accompanied by the sidewalk
13 development in lieu of fee enacted by City Council.

14 (6) Curb cuts and driveway entrances shall be prohibited from Wellen Avenue
15 and Stewart Street.

16 (7) Off-street parking spaces shall not be located between the front façade and
17 the public right-of-way for development on the south side of Lorentz Avenue.

18 (8) At least one (1) of the minimum required off-street parking spaces for each
19 dwelling unit shall be located within an enclosed garage.

20 (9) All open driveways and off-street parking spaces shall be surfaced with an
21 all-weather, dust-free concrete or asphalt prior to the issuance of a Certificate
22 of Occupancy. Driveways and off-street parking spaces shall be maintained
23 in good condition. Other surface materials and designs may be utilized when
24 specifically approved by the City Engineer, for purposes of reducing storm
25 water runoff or other environmental and aesthetic considerations, with the
26 exception of loose gravel which shall not be permitted.

27 (10) Principal Buildings shall be no less than 20 feet wide and no more than one-
28 hundred twenty (120) feet wide.

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1 1358.06 BLOCK "C" DEVELOPMENT STANDARDS.

2 (A) PURPOSE. The purpose of Block "C" is to foster development, built into the
3 hillside, of moderately higher densities than Block B that provides an attractive
4 gateway into the Wiles Hill neighborhood. The Jones Avenue and Stewart Street
5 intersection should be designed with significant terraced retaining walls and
6 landscaping features allowing development to be accessible from First Street or
7 Jones Avenue.

8 (B) LOT PROVISIONS.

9 (1) The minimum lot size shall be 4,000 square feet. See Section 1358.03(B)(6)
10 for minimum lot size standard for townhouse development.

11 (2) The minimum lot frontage shall be 35 feet. See Section 1358.03(B)(6) for
12 minimum lot frontage standard for townhouse development.

13 (3) Maximum lot coverage shall be 60 percent.

14 (4) New development shall have frontage and building envelope orientation
15 toward First Street, Jones Avenue, or Lorentz Avenue as determined by the
16 Planning Director.

17 (C) SETBACKS.

18 For development in Block "C", except as provided in Section 1358.03(C)(1) and
19 (2):

20 (1) Minimum Front setback 5 feet

21 (2) Maximum Front setback 15 feet

22 (3) Minimum Side setback 5 feet

23 (4) Minimum Rear setback 20 feet

24 (D) BUILDING HEIGHT

25 (1) The maximum height of a principal building shall not exceed the 1,090-foot
26 topographic elevation coordinate; provided,

27 (a) Principal buildings for which the frontage and building envelope
28 orientation has been determined by the Planning Director to be First
29 Street or its former linear path, the maximum principal building height
30 shall be the lesser of 1,100 feet above mean sea level or forty (40) feet
31 above the centerline grade of:

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- 1 (i) The First Street roadway; or,
- 2 (ii) The annulled portion of First Street through which a public
- 3 access and pedestrian path easement has been established.
- 4 (b) Principal buildings for which the frontage and building envelope
- 5 orientation has been determined by the Planning Director to be Jones
- 6 Avenue and located between Stewart Street and the annulled portion
- 7 of First Street through which a public access and pedestrian path
- 8 easement has been established, the maximum principal building height
- 9 shall be forty (40) feet above the adjoining grade at any point of the
- 10 front façade.
- 11 (c) Principal buildings for which the frontage and building envelope
- 12 orientation has been determined by the Planning Director to be Lorentz
- 13 Avenue, Old Golden Blue Lane, Pride Lane, or a new public or private
- 14 roadway, the maximum principal building height shall be thirty-five (35)
- 15 feet above the fronting roadway centerline.
- 16 (2) For the purpose of this section, the North American Datum 1983 State Plane
- 17 West Virginia North FIPS 4701 Feet coordinate system shall be used in
- 18 determining topographic elevation coordinates.

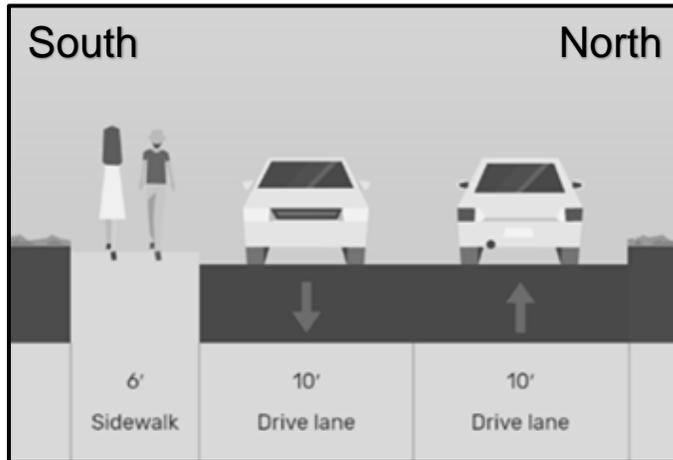
19 (E) PERFORMANCE STANDARDS

- 20 (1) Unless otherwise provided in Block "C", see Section 1337.07 for building
- 21 design standards for permitted residential development.
- 22 (2) Single-family dwelling units shall comply with supplemental regulations
- 23 provided in Section 1331.06(16); except, no single-family housing unit shall
- 24 be less than 20 feet in width.
- 25 (3) New development and/or redevelopment approvals and permits for First
- 26 Street and/or Jones Avenue frontage may not be issued until:
- 27 (a) The First Street public right-of-way is improved or performance
- 28 guarantee secured to the satisfaction of the City Engineer between its
- 29 intersection with Stewart Street and the annulled portion of First Street.
- 30 Improvements should accommodate two lanes of traffic and sidewalk
- 31 as generally illustrated in Graphic 1358.05.01.
- 32

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1 Graphic 1358.06.01 – Preferred First Street Roadway Cross-Section



3 (b) The pedestrian path between Old Golden Blue Lane and Jones Avenue
4 is improved or performance guarantee secured to the satisfaction of the
5 City Engineer.

6 (4) Building Form. Multi-family development should complement and
7 incorporate hillside slopes through terraced stacking of dwelling units as
8 generally illustrated in Graphic 1358.06.01.
9

10 Graphic 1358.02.03 – Block “C” Boundary



12 (5) Minimum Open Space. Permanent open space shall be required as an
13 integral part of townhouse and/or multi-family development. In townhouse or
14 multi-family development within “Block C,” at least ten percent (10%) of the
15 total area (measured in square feet) of “Block C”, not including the required
16 yard setbacks, shall be dedicated as open space as a part of a townhouse
17 and/or multi-family development and shall be maintained by the
18 developer/owner/homeowners association and shall be accessible to all

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1 residents of the development. Open space shall not include any impervious
2 surfaces designed, developed, and used for parking spaces. At least thirty
3 percent (30%) of the total permanent open shall be of “improved open space”
4 type. “Improved Open Space” is defined, for the purposes of this section, as
5 parks, playgrounds, plazas, landscaped green spaces, and other areas that
6 are created or modified by man.

7 (6) Vehicle Access and Parking.

8 (a) Curb cuts and driveway entrances shall be prohibited from Stewart
9 Street.

10 (b) Driveway entrances from First Street should be limited in number and
11 designed to provide common access to on-site parking spaces located
12 in the rear yard.

13 (c) At least one (1) of the minimum required off-street parking spaces for
14 each dwelling unit shall be located within an enclosed garage and/or
15 under a permanent accessory canopy structure.
16