

# MORGANTOWN PLANNING COMMISSION

## MINUTES

6:30 p.m.

May 9, 2019

Council Chambers

**COMMISSIONERS PRESENT:** Peter DeMasters, Carol Pyles, Ron Dulaney, William Blosser, Sam Loretta, Bill Petros, Michael Shuman, and Tim Stranko

**COMMISSIONERS ABSENT:** Gigi Villarreal

**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 standard explanation of the how the Planning Commission conducts business and rules for public comments.
- II. **GENERAL PUBLIC COMMENTS:** None.
- III. **MATTERS OF BUSINESS:**
  - A. Approval of the April 11, 2019 meeting minutes. Stranko moved to approve as presented; seconded by Shuman. Motion carried unanimously with DeMasters, Dulaney, and Pyles abstaining due to absence.
- IV. **UNFINISHED BUSINESS:** None.
- V. **NEW BUSINESS:**
  - A. **MNS19-06 / Berryman / Vine Street and Grant Avenue:** Request by Robert D. Berryman for minor subdivision approval of property located along Vine Street (unimproved) and Grant Avenue (unimproved); District 15, Tax Map 15, Parcel 45.1; District 12, Tax Map 15, Parcels 113 and 114.1; R-1, Single-Family Residential District and R-2, Single- and Two-Family Residential.

Petros recused himself and left Council Chambers due to his conflict of interest as one of the property owners seeking minor subdivision approval under this petition.

Fletcher presented the Staff Report.

DeMasters recognized Robert Berryman who provided further explanation of the location of the parcels and stated the land was purchased at an auction by neighbors to ensure that the land is preserved and does not change.

Stranko asked if the landowners plan to place a restrictive covenant in the change of title for the parcels. Berryman stated there he is not aware of any specific plans to place restrictions on the land other than what is recommended in the Staff Report.

DeMasters asked if it would be stated in the deed that the parcels may not be subdivided in the future. Berryman confirmed.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve MNS19-06 with Staff recommended conditions; seconded by Dulaney. Motion carried unanimously.

Petros reentered Council Chambers.

**B. MNS19-08 / Bossio / 3431 & 3435 Collins Ferry Road:** Request by Bernard V. Bossio for minor subdivision approval of property located at 3431 & 3435 Collins Ferry Road; Tax Map 53, Parcels 127 and 128; R-1, Single-Family Residential District.

Fletcher presented a combined Staff Report for Case Nos. MNS19-08 and MNS19-07.

DeMasters recognized Bernard Bossio of 449 Kiwanis Avenue who provided further explanation of the petitions.

Petros asked if the existing pool would be razed. Bossio confirmed.

Stranko asked if the setback requirements will be met with the subdivision. Bossio stated he is not sure if he will be able to meet the setbacks until building designs have been finalized and stated a variance may be necessary in the future.

Stranko referred to the Staff Report asked about the boundary to the north of the Kelly property. Bossio stated there will be a six-foot high fence surrounding the property.

DeMasters asked if he was representing the Kolankos petition. Bossio confirmed.

DeMasters asked if there were any objections to combining MNS19-08 and MNS19-07. No objections were noted.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petitions. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve MNS19-08 with Staff recommended conditions; seconded by Pyles. Motion carried unanimously.

**C. MNS19-07 / Kolanko / 1428 Western Avenue:** Request by Bernard V. Bossio, on behalf of Vincent and Delores Kolanko, for minor subdivision approval of property located at 1428 Western Avenue; Tax Map 53, Parcel 121; R-1, Single-Family Residential District.

Stranko asked for further explanation on why the surety bond is included in the MNS19-07 staff recommendation. Fletcher stated the roadway encroaches onto the Kolanko property.

Stranko moved to approve MNS19-07 with Staff recommended conditions; seconded by Dulaney. Motion carried unanimously.

- D. MNS19-09 / Adkins / Woodland Drive:** Request by Chaille Adkins for minor subdivision approval of property located along Woodland Drive; Tax Map 53, Parcel 187; R-1, Single-Family Residential District.

Fletcher presented the Staff Report.

Stranko asked if MUB has stormwater management in this area. Fletcher referred to Addendum A in the Staff Report to show where the stormwater management facility is located.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve MNS19-09 with Staff recommended conditions; seconded by Petros. Motion carried unanimously.

- E. S19-01-III / ALDI, Inc. / 1351 Earl L. Core Road:** Request by Sudath Alvis, on behalf of ALDI Inc., Saxonburg Division, for a Type III Development of Significant Impact Site Plan approval at 1351 Earl L. Core Road; Tax Map 31, Parcels 101.2 and 101.5; B-2, Service Business District and B-5, Shopping Center District, respectively.

Fletcher presented the Staff Report.

DeMasters recognized Christopher Kambar of APE Engineering and Architecture, on behalf of ALDI, Inc., who presented a Power Point presentation to give a brief history of the company and to further explain the project.

Fletcher noted there will be a cross access easement and stated the whole intersection will be reconfigured which will allow for better navigation of that area.

Stranko asked if the access road would be a City-owned street. Fletcher stated the driveway would be private access.

Fletcher stated the setback variance is largely created by the floodplain which created an opportunity for parking between the building and Earl Core Road. Fletcher noted the parking spaces could be considered as advancing traffic calming as designed.

Stranko asked if there are plans for speed bumps or any other speed-controlled measures. Kambar noted there will be pavement marked crosswalks and yield signs.

Stranko inquired about the green space along Earl Core Road. Kumba stated there will be small trees in between bushes that will be set back ten to eleven feet to prevent any visual barriers.

Kumba provided further explanation on the placement of parking, green space, lighting and landscaping.

Stranko expressed the project would be a huge environmental improvement and asked for further explanation on how the stormwater management will be contained. Kumbar provided further explanation and stated there would be detention ponds but did not know if there would be recharge into the ground.

Petros asked what the differences were in the floodplain zones listed within the Staff Report. Kumbar provided further explanation on the different floodplain zones.

Loretta asked if they had considered underground storage as opposed to a retention pond. Kumbar stated that underground storage is not considered with a parcel of this size as it is costly and comes with a lot of maintenance. Kumbar provided further explanation on the flow of the retention pond.

Stranko noted there are no windows in the illustration provided in the Staff Report. Kumbar stated there will be windows and drew attention to illustration provided in the presentation.

Dulaney noted the drawings in the packet do not match what is shown in the presentation. Fletcher recommended a condition be included that the incorrect renderings be replaced by what is illustrated in the presentation. Kumbar confirmed that the renderings submitted with the site plan application illustrate a different ALDI prototype but the renderings in the presentation are correct.

Stranko inquired if there will be windows facing Earl Core Road and not a monolithic brick wall. Kumbar confirmed.

Dulaney asked if there will be trees in addition to shrubs. Kumbar stated that smaller ornamental trees have been proposed.

Stranko asked if the sign will be lit. Kumbar confirmed and said the lighting will be internal and they will be seeking variance relief concerning signage.

Kumbar provided further explanation of the inside floor plan of the store.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve S19-01-III with Staff recommended conditions and adding a condition *"That Sheet 7 – Exterior Elevations submitted with the Type III Site Plan Application must be replaced with the correct renderings that were illustrated in the presentation provided during the 09 MAY 2019 hearing before the Planning Commission"*; seconded by Shuman. Motion carried unanimously.

- F. MNS19-02 / ALDI, Inc. / 1351 Earl L. Core Road:** Request by Sudath Alvis, on behalf of ALDI Inc., Saxonburg Division, for minor subdivision approval of property located at 1351 Earl L. Core Road; Tax Map 31, Parcels 101.2 and 101.5; B-2, Service Business District and B-5, Shopping Center District, respectively.

Fletcher presented the Staff Report.

There being no comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve MNS19-02 with Staff recommended conditions; seconded by Blosser. Motion carried unanimously.

**G. RZ19-03 / Administrative / Powell Avenue:** Administrative request for a Zoning Map Amendment to reclassify Parcels 162 through 200 (40 total parcels) of Tax Map 30, Fifth Ward Tax District from B-2, Service Business District to R-1A, Single-Family Residential District as recommended in the Small Area Plan for Future Study Area No. 16 – Powell Avenue – Final Recommendations Report and accepted by the Planning Commission on 14 FEB 2019.

Shuman recused himself and left Council Chambers due to a previous business relationship with the primary owner of the property included in the administrative zoning map amendment recommendation.

Fletcher presented the Staff Report.

There being no comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko noted the landowner expressed he would be taking away an opportunity if parcels are reclassified from B-2 to R-1A and stated the PUD is available regardless of the R-1A zoning classification. Fletcher confirmed and stated that any development approach to the property would benefit by the Planned Unit Development opportunity to address site challenges.

Stranko moved to forward a favorable recommendation for RZ19-03 to City Council as advised by Staff; seconded by Blosser. Motion carried unanimously.

Shuman reentered Council Chambers.

**H. TX19-01 / Administrative / Front-Load Garage:** Administrative request to amend Sections 1329.02, 1333.07, 1335.07, 1337.07, and 1339.07 of the Planning and Zoning Code as they relate to "Front-Load Garage".

Fletcher presented the Staff Report and provided further explanation of "Front Load Garages".

Blosser expressed this is a matter of aesthetics based on where one is standing. Fletcher referred to the proposed definition of "Front-Load Garage" and provided further explanation on where portions of a garage will be visible. Fletcher expressed it would be burdensome to not see the garage door at all given Morgantown's predominate built environment and development patterns.

Stranko stated that City Council had already enacted this text amendment and the purpose of readdressing this amendment is to make it more clear in how it is written. Fletcher confirmed.

Dulaney noted that people can still have front loaded garages but just cannot be a prominent element to the structure as far as massing. Fletcher confirmed.

Loretta asked if detached garages are exempt from this amendment. Fletcher confirmed and provided further explanation.

Petros inquired if the garage would be an issue for a split-level house. Fletcher stated the garage in a split-level house would most likely be less than 50 percent of the width of the dwelling unit and would be measured at grade level.

DeMasters referred to the illustrations in the Staff Report and asked if the width would be measured at ground level. Fletcher confirmed.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters closed the public hearing and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to forward a favorable recommendation to City Council for TX19-01 as advised by Staff; seconded by Blosser. Motion carried unanimously.

**VI. OTHER BUSINESS**

**A. Committee Reports**

- Traffic Commission Report: No report.
- Other Committees: No reports.
- Staff Comments:

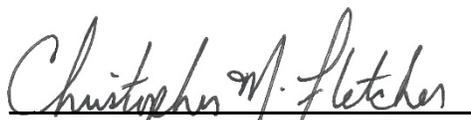
Fletcher stated that City Council is considering an extensive annexation in the future that includes several areas along the City's municipal boundary. The Planning Commission will be involved at the appropriate time to study zoning classifications.

**VII. FOR THE GOOD OF THE COMMISSION:** None.

**VIII. ADJOURNMENT:** 8:15 PM

MINUTES APPROVED: June 19, 2019

COMMISSION SECRETARY:

  
Christopher M. Fletcher, AICP