



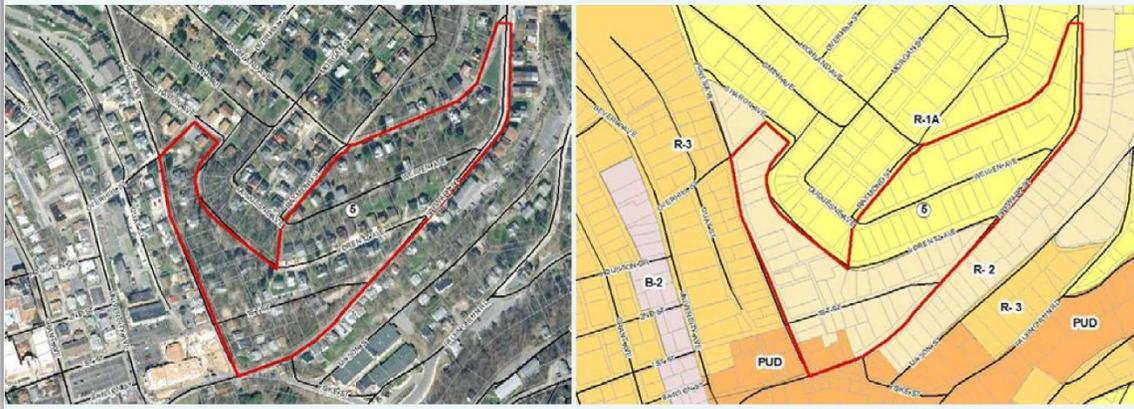
Small Area Plan
Area 5 – Stewart Street and Highland Avenue
Recommendations Report
October 8, 2019

5 R-1A, R-2 and PUD Stewart Street and Highland Avenue; adjoins the Wiles Hill / Highland Park Neighborhoods

Current single-family residential zoning does not reflect existing uses or future potential.

Considerations for future study:

- Permitting of very modest increases in density of two-family and townhouse market-rate housing.
- Provide incentives to assemble and consolidate realty.
- Discouragement of continued added density of converted single-family dwellings.
- Establish appropriate design standards.
- Improved infrastructure supporting slightly higher densities; and increase supply of on-site parking.



INTRODUCTION

Background

During the course of preparing the *2013 Comprehensive Plan Update (2013 Comp Plan)*, sixteen (16) areas were identified that could benefit from further exploration and study. Each of these areas has its own unique character that should be protected and enhanced as new development or redevelopment takes place. These areas were identified in Appendix A of the *2013 Comp Plan* as “Areas for Future Study”.

The “Areas for Future Study” are places where the existing zoning does not align with the existing land uses or the existing pattern of development. It may also be an area where the existing zoning is not compatible with or does not fully support the desired future of the area as indicated in the *2013 Comp Plan’s* Land Management Map. These areas require further land use and development study by the Planning Commission to support zoning map amendment and/or zoning text amendment recommendations to City Council that will advance the goals, objectives, strategies, and consistency principles of the *2013 Comp Plan*.

What is a Small Area Plan?

A Small Area Plan is a neighborhood-level planning process that addresses land use, transportation, and a variety of other development-related topics. For each Area for Future Study, a planning document is developed that is submitted to the Planning Commission for consideration. If accepted, the planning document is filed by the Planning Commission as an appendage to and product of the *2013 Comp Plan*. Ultimately, the principal goal of the Small Area Plan is to enhance desired new development and the quality of life in each distinct Future Study Area and its surrounding environs.

Relationship to the City of Morgantown Comprehensive Plan Update

Small Area Plans assist in implementing the goals and objectives enumerated in the *2013 Comp Plan* within the sixteen (16) identified Future Study Areas. Recognizing the unique character of the City’s different neighborhoods and/or commercial nodes, Small Area Plans provide a separate, more detailed land use planning initiative guided by the *2013 Comp Plan’s* vision, objectives, and strategies, the Conceptual Growth Framework map, and the Land Management map.

Benefits of Small Area Plans

A key benefit of the small area planning process is local stakeholder involvement in the development of each plan’s analysis and recommendations. Small Area Plans serve as a guide for land use, development patterns, environmental protection, transportation improvements, open space and other capital improvements, and identify opportunities for revitalization and, where appropriate, mixed-use development.

Benefits of Small Area Plans:

- Represent the community's vision
- Reflect property owner and resident stakeholders' input
- Provide specific recommendations at a neighborhood level
- Offer increased efficiency in the provision of public services
- Remove potential regulatory obstacles and catalyze revitalization opportunities
- Allow greater predictability in land use and development
- Enable neighborhoods to be proactive in making land use recommendations
- Identify priority neighborhood projects and possible resources for implementation
- Help to guide the public investment decisions

STUDY AREA 5 PLANNING PROCESS

Purpose of this Study

In December 2018, the owner of property bound by Stewart Street, Jones Avenue, and First Street submitted a zoning map amendment petition requesting the zoning for the property be reclassified from R-2, Single and Two-Family Residential to R-3, Multi-Family Residential.

During the Planning Commission's January 2019 hearing, several Wiles Hill neighborhood residents rose in opposition of the petition with concerns that the potential impact development patterns permitted in the R-3 District might have on the adjacent Wiles Hill neighborhood. Residents also noted that the subject property was identified in the *2013 Comp Plan* as being a part of Future Study Area No. 5, which recommended further study of future land use and development by the Planning Commission. The Planning Commission tabled the application directing staff to explore the process and timeline for a small area study planning project.

At the February 2019 commission meeting, the Planning Commission, with the consent of the property owner, postponed further consideration of the related zoning map amendment petition until the small area study planning project was completed and recommendations report submitted to the Planning Commission for review and acceptance.

The small area planning project was immediately initiated and included two community forums, stakeholder interviews, and several participatory planning meetings with a small working group representing Wiles Hill neighborhood leadership.

Special recognition and thanks to Gregg Metheny for his willingness to work with neighborhood residents and the City and to the working group of Charlie Byrer, Zack Cruze, Richard Dumas, Frank Scafella, and Margaret Stout for their time, commitment, and contributions to this planning

project. Additionally, special thanks to the Wiles Hill – Highland Park Neighborhood Association for allowing the community forums to occur during regularly association monthly meetings, which advanced greater awareness and participation in this planning project.

Planning Process

A community forum and walking tour was held at 6 p.m. on April 17, 2019 at the Wiles Hill Community Center. This event was facilitated by Chris Rogers, AICP and Ryan Mawhinney, AICP of AECOM and was well attended. Appendix A provides the postcard invitation sent to owners of property within approximately 500 feet of the study area, summary notes of the discussion, and sign-in sheet. Following the forum, AECOM interviewed stakeholders. Summary notes of AECOM's interview with Mr. Gregg Metheny are provided at the end of Appendix A.

Based on input provided during the first community forum and stakeholder interviews, AECOM and city staff continued to capture additional information concerning the study area's built environment, which are presented and further explored in the "Existing Conditions" section of this report.

In June 2019, AECOM provided city staff preliminary draft zoning scenarios. Although these draft scenarios moved policy analysis toward sectioning the study area into smaller components, it became clear that identifying and building consensus among stakeholders around key land use and development themes for the study area as a whole was remote. A more granular strategy of exploring potential zoning scenarios with neighborhood leaders was needed to take a different view and consider innovative land use and development themes.

During the month of August, City staff met with a working group of neighborhood leaders on four occasions and the working group met separately on two occasions. City staff and the working group explored several land use and development implementation strategies, which are presented and further explored in the "Recommendations" section of this report.

A second and final community forum was held at 6 p.m. on September 18, 2019 at the Wiles Hill Community Center. The event was facilitated by city staff and was also well attended. Appendix B provides the postcard invitation sent to owners of property within approximately 500 feet of the study area, the presentation, summary notes of the discussion, and sign-in sheet.

The purpose of the final community forum was to report on the progress of the planning project, particularly the collaborative work completed by City staff and the working group. Although there was some concern raised of the plan's direction to permit slightly higher residential densities transitionally across the study area between the University downtown campus and the Wiles Hill neighborhood, there appeared to be a general understanding that planning for and allowing modest increases in residential densities is necessary to spur market interest for infill and redevelopment.

Christopher Fletcher, AICP, Director of Development Services reported that the small area planning project had been completed, advised the Planning Commission of procedural steps to accept the report, and provided a presentation summarizing project activities, the final draft

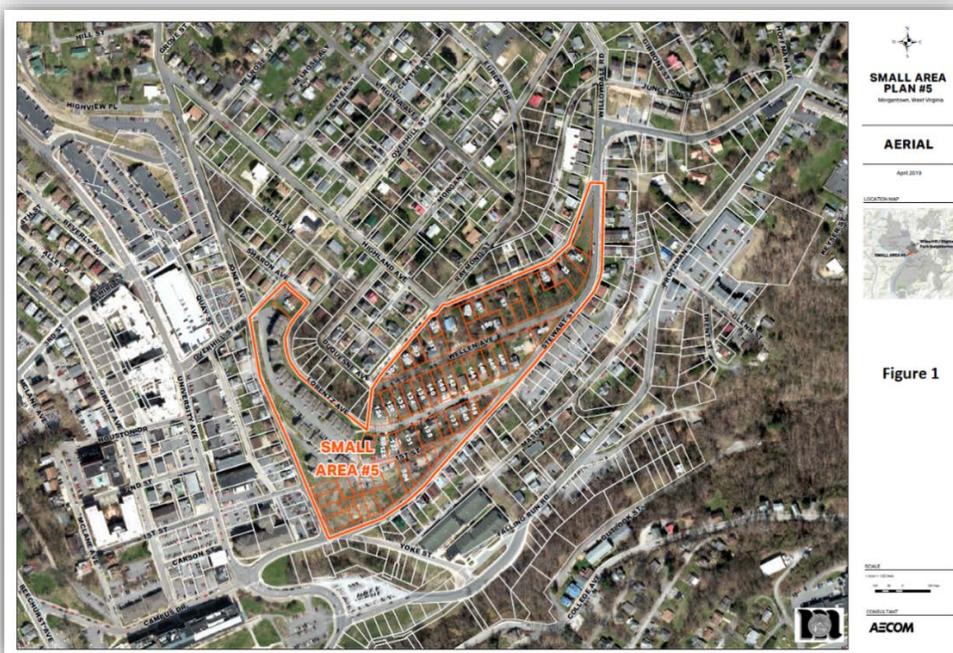
document and recommendations, and addressed questions. During the public hearing, five (5) residents rose in support of the report and its recommendations. No one rose in opposition.

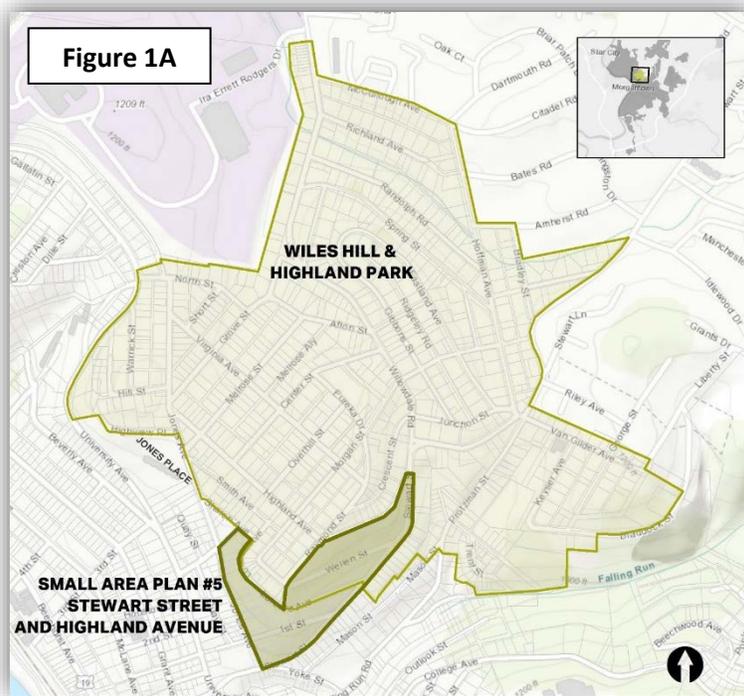
The Planning Commission voted unanimously to:

1. Accept, as submitted, the Small Area Plan and Recommendations Report for Future Study Area 5 dated 08 OCT 2019, with the understanding additional narrative would be included beginning on Page 5 of 26 summarizing Commission and public comments and Commission action.
2. File said Future Study Area 5 Recommendations Report as an appendage to and product of the *2013 Comprehensive Plan Update*, affirming the Recommendations Report advances implementation of Comp Plan Strategies Neighborhoods and Housing (NH) 1.2 and Economic Development (ED) 5.7.
3. Direct Staff to proceed with drafting zoning map and zoning text amendments as outlined in the Study Area No. 5 Recommendations Report for future consideration by the Planning Commission.

EXISTING CONDITIONS

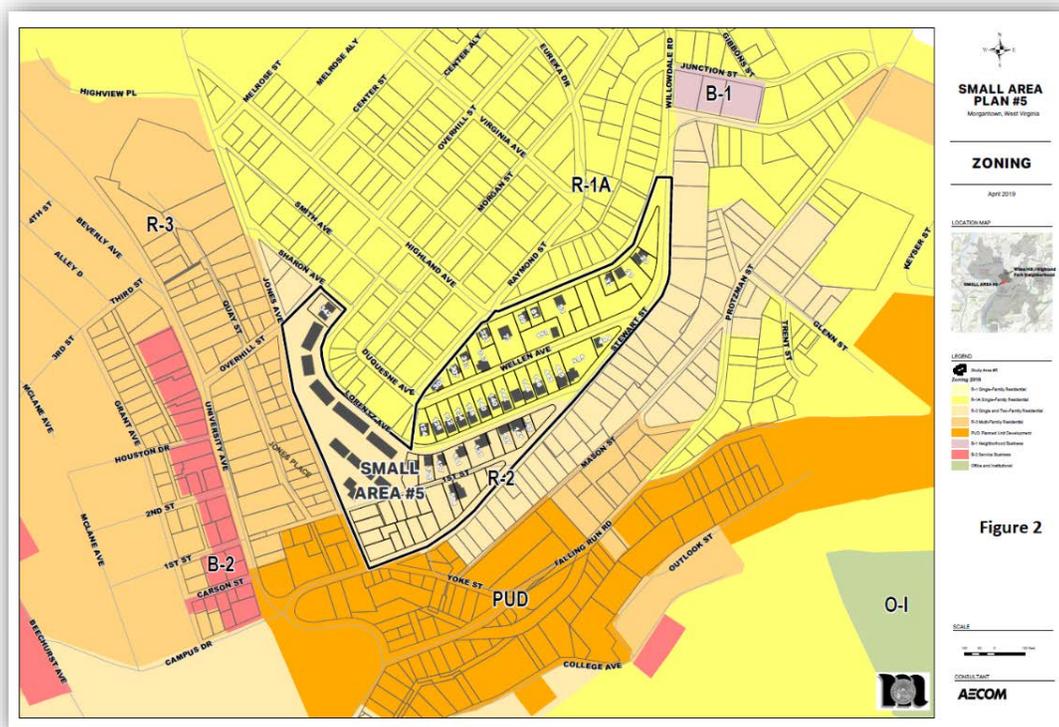
The study area has 61 parcels on 13 acres (inclusive of rights-of-way). The area is situated between the Wiles Hill neighborhood and West Virginia University's Downtown Campus. The study area is generally bordered by Stewart Street, Jones Avenue and Highland Avenue. *Figure 1* displays the planning area, as identified in the *2013 Comp Plan*. *Figure 1A* illustrates the proximity relationship between the study area and the Wiles Hill – Highland Park neighborhoods.





Current Zoning Classifications

Area 5 is equally comprised of two zoning districts: R-1A, Single-Family Residential District and R-2, Single and Two-Family Residential District. *Figure 2* shows the zoning districts located within and adjacent to the study area.



Each zoning district has a different purpose and supports different housing types, densities (dwelling units per acre), and development patterns. The purpose of the R-1A District is to:

- Provide for single family neighborhoods on smaller lots, located within convenient walking distance of other uses, and
- Preserve the desirable character of existing single-family neighborhoods, and
- Protect the single-family residential areas from change and intrusion that may cause deterioration, and
- Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents

The R-1A District helps prevent multi-unit rental encroachment and was specifically designed to preserve existing neighborhoods. The R-1A District primarily permits one (1) detached single-family dwelling per every 3,500-square foot parcel, which is a residential density of 12.4 dwelling units per acre. The small lot sizes and front yard setbacks promote compact neighborhoods where houses are near each other and the street / sidewalk. These lot standards, along with building design standards, such as encouraging “substantial front porches oriented toward the primary street frontage,” foster opportunities for community interaction.

The R-2 District is a buffer between the single-family R-1A and the higher density R-3, Multi-Family Residential District and the Planned Unit Development (PUD) District. The purpose of the R-2 District is to:

- Provide for two-family housing development and customary accessory uses at a density slightly higher than in single family neighborhoods;
- Preserve the desirable character of existing medium density family neighborhoods, and
- Protect the medium density residential areas from change and intrusion that may cause deterioration; and
- Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

The R-2 District permits single-family, two-family, and townhouse dwelling units by-right and multi-family dwelling units with conditional use approval, which affords the Board of Zoning Appeals the opportunity to consider multi-family development on a case-by-case basis and within the context of a specific site and its surrounding built and natural environment.

Although the R-2 District permits a broader spectrum of permitted housing types, maximum building envelope requirements restrict density and intensity as a bridge between the R-1A and R-3 Districts. There is no maximum density in the R-2 District and as such, other zoning constraints (e.g., adequate provision of parking, etc.) are the main factors influencing of density.

The R-3 and PUD zoning districts are located directly adjacent to the south and southwest boundaries of the study area. The R-3 and PUD zoning districts provide the highest residential densities per acre within the immediate area. All dwelling unit types are permitted by-right and are permitted to be developed with more liberal building envelope requirements. The purpose of the R-3 District is to:

- Provide for a variety of housing density and types, and customary accessory uses at a density higher than in other city neighborhoods;
- Preserve the desirable character of existing high-density residential neighborhoods; and
- Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

The purpose of the PUD is to encourage flexibility in the development of land in order to:

- Promote its most appropriate use;
- Improve the design, character and quality of new developments;
- Encourage a harmonious and appropriate mixture of uses and/or housing types;
- Facilitate the adequate and economic provision of streets, utilities and city services;
- Preserve critical natural environmental and scenic features of the site;
- Encourage and provide a mechanism for arranging improvements and sites so as to preserve desirable features; and
- Mitigate the problems which may be presented by specific site conditions.

Because each PUD District is uniquely fashioned through the PUD Outline Plan and Development Plan processes, a reasonable comparison between the PUD provisions and the residential districts is impracticable.

There are multiple structures throughout the study area classified as multi-family dwellings. Like the R-2 District, the maximum potential residential density pattern within the R-3 and PUD zoning districts cannot be measured given current standards and potential design variables but is also limited by parking and other basic zoning requirements. However, more liberal maximum building height standards in the R-3 and PUD zoning districts and vertically stacked dwelling units results in a higher residential density than the R-1A and R-2 Districts.

A full comparison of each residential district concerning the allowed uses, building and lot sizes for the R-1A, R-2, and R-3 Districts can be viewed in Appendix C, but *Table 1* provides an abridged comparison of the building envelope standards for these districts. The following table is intended to provide a simple comparative illustration as these standards are, under certain circumstances, superseded (more or less restrictive) by other provisions of the City’s Planning and Zoning Code.

Table 1: Existing Zoning Conditions

Current Zoning District	Minimum Permitted Area	Minimum Permitted Street Frontage
R-1A, Single-Family Residential District	3,500 Sq. Ft.	30 Ft.
R-2, Single and Two-Family Residential District	5,000 Sq. Ft.	40 Ft.
R-2, Multi-Family Residential District	4,000 Sq. Ft.	40 Ft.

Current Land Uses

In 2012, to support preparation of the *2013 Comp Plan*, a windshield land use survey was conducted for the entire City to establish land use classifications. In March 2019, a windshield survey / site reconnaissance of the study area was conducted to confirm land uses and building types, and to make observations of any land use changes and trends as well as other existing conditions including roads, sidewalks, setbacks/yards, building height, housing type, etc.

There is a mix of residential land uses and housing types within the study area boundary. Forty-eight (48) residential buildings exist on 62 parcels. There are 17 single-family parcels and 13 two-family parcels which contain one principle building each (occupied dwelling), and one two-family parcel which contains two separate buildings (occupied dwellings). There are 17 separate buildings on 7 multi-family residential parcels. Twenty-five (25) parcels, totaling 2 acres, are vacant. Twenty-two are vacant-residential and 2 are vacant-exempt (owned by the University or the City). The number of vacant parcels is over one-third (38.7%) of the total number of lots in the study area. *Figure 3* displays the existing land use and principal buildings in the study area.



Figure 3

Table 2 identifies the number of parcels and total land area in acres for each land use type.

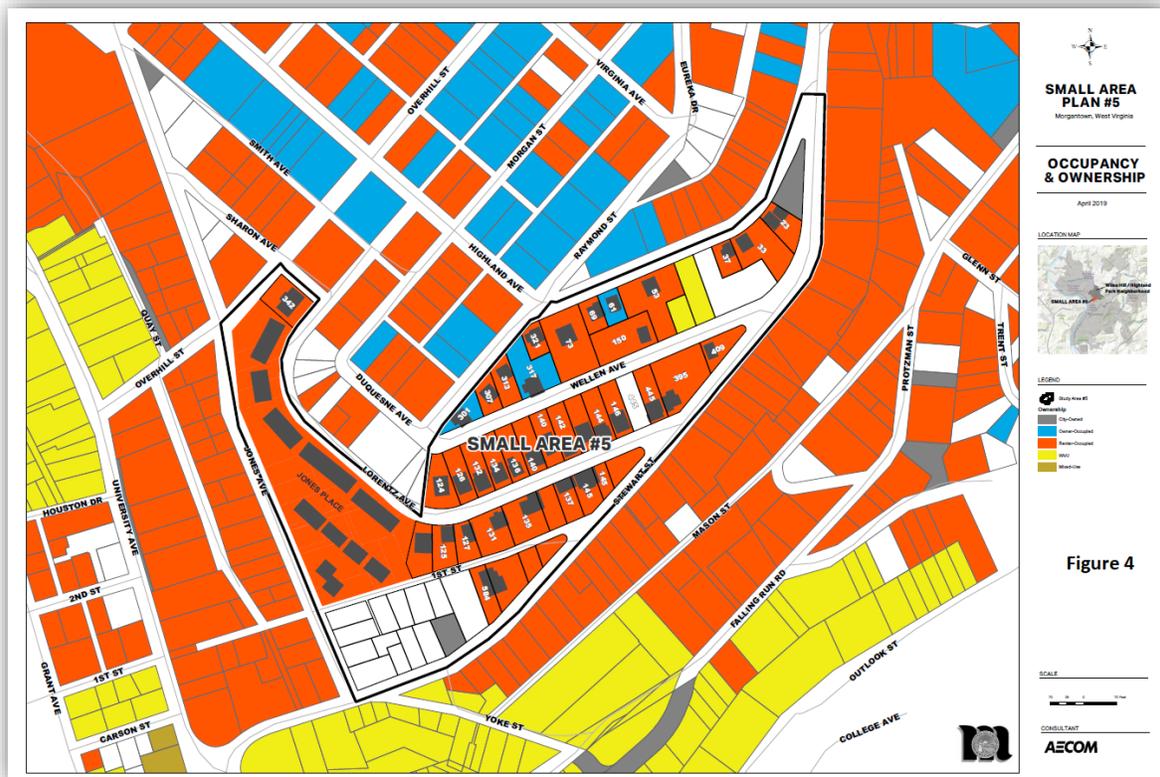
Table 2: Land Use Types

Current Land Use	No. of Parcels	Acres
Residential – Single Family	17	2.22
Residential – Two Family	14	1.87
Residential – Multi-Family	7	2.85
Vacant / Residential	22	2.05
Vacant / Exempt	3	0.36
Right-of-way*	N/A	3.50
TOTAL	62	12.84

*Right-of-way area is the remainder of the study area outside of the parcel boundaries

Tenancy / Ownership

Figure 4 illustrates ownership of occupied housing and properties. Per City’s Rental Registration Program, there were 107 renter-occupied units throughout the study area, and 3 owner-occupied units in the northern portion of the study area on Highland Avenue and Raymond Street. Per 2010 U.S. Census data, there were 2 owner-occupied housing units and 97 renter-occupied units within the census blocks that contain the study area. All but one of these renters were between 15 and 34 years old. Seventy-six were between 15 and 24 years. The median age was 22 years.



The high number of renters in this age group adjacent to the University’s downtown campus confirms a high number of student rental housing in the study area. A few comments received at

the first Community Forum were that the rental occupancy data does not tell the whole story of the occupancy conditions of the area. While the records may show a housing unit is rented, the unit could be occupied by a long-time resident or family, rented by a family member of the owner. Appendix D provides detailed data for each of the structures within the study area including building addresses, the Google Streetview image of each building, whether the building is owner- or renter-occupied, and the number of bedrooms (if known), etc.

While the study area has transitioned from owner-occupied single-family properties to various renter-occupied configurations, the adjoining Wiles Hills neighborhood remains predominantly a traditional, owner-occupied, single-family residential area. The number of owner-occupied units significantly increases north of the study area boundary within the Wiles Hill neighborhood, while the number of renter-occupied units dominates the surroundings to the east, south and west of the study area.

Development Patterns / Trends

While the zoning has remained the same since the preparation of the *2013 Comp Plan*, there have been significant changes to the building types, street layout, and character in the southern portion of the study area. In 2013, 10 residential structures were razed and removed, and 16 residential lots were consolidated for the development of *Jones Place*. In 2014, an 86-foot section of First Street was annulled and replaced with a temporarily improved pedestrian path.

As *Figure 5*, which is clipped from Google Earth 12/2003 satellite imagery, indicates at least 11 structures were included in the area bound by Stewart Street, First Street, and Jones Avenue. The subject site is located at the edge of WVU's downtown campus and is surrounded by both new and older student housing stock, at varying residential densities. All but one of these structures have been razed and removed and the site is assembled and ready for redevelopment.



With the recent construction of the *Jones Place* development and other developments at the southern and western edges of the study area and beyond, it is apparent that the built environment along and in proximity of the corridors leading to the Stewart Street and University Avenue intersection is under transition.

Throughout the planning process, there was expressed concern about the ongoing encroachment of high-density student housing within established neighborhoods, particularly the Wiles Hill neighborhood. The intent of the R-2 District is to be a buffer between the single-family R-1A

District and the higher multi-family density R-3 District. The buffer is intended to serve as a transition in both density and housing types as it permits two-family and townhouse dwelling units.

A concern is that residential development of a higher density than currently permitted in the R-2 zoning district would erode the intended buffer / transition and result in change that may cause eventual deterioration of the single-family areas. Some specific concerns heard were related to public nuisances, such as noise and litter, loss of community character, traffic and pedestrian mobility issues, and potential decline of property values. There is concern that high-density student housing developments will hinder market interest and diminish quality of life expected in the Wiles Hill neighborhood.

Some participants in the planning process stated that there is a demand for quality, affordable single-family homes and neighborhoods for workers and families in the City of Morgantown, and that the Wiles Hill neighborhood provides an opportunity to begin to bridge that gap. The study area embodies the land use divergence between the need to preserve and enhance established neighborhoods occupied by heterogenous permanent residents and the need to meet the high demand for new homogenous transient student housing.

Given the study area's central location between the Wiles Hill neighborhood and the University's downtown campus, there is a keen interest on the future of the study area in terms of incentivizing redevelopment of functionally obsolete structures to desired transitional densities and housing types.

Transportation

Street Network and Design

The transportation system serving the study area is made up of both local and highly travelled streets, along with transit stops connecting riders to the greater Morgantown region. The study area is situated along Stewart Street, which is as a minor arterial and a major collector, respectively, by West Virginia Division of Highways (WVDOH) standards. Stewart Street is a part of the city's road system and therefore maintained by the City.

Stewart Street serves as an important access corridor connecting the downtown with several neighborhoods both inside and outside the City to the north along with regional hospitals, retail, commercial, and institutional destinations. Traffic volume and periodic congestion along Stewart Street is recognized as a significant area of concern, not only for system integrity, but for quality of life, pedestrian and bicycle mobility and safety, and emergency response times.

Jones Avenue and the internal roads within the study area are also included in the City's road system. There are two private roads that serve the *Jones Place* development that are the maintenance responsibility of the property owner. The internal streets are local in nature and have inherent issues related to narrow curb-to-curb or edge-to-edge of pavement widths despite much wider platted right-of-way widths. Related issues include design capacity, emergency and trash pickup access, lack of sidewalks, and safety conditions. On-street parking congestion, resulting from significant single-family conversions to two- and multi-family occupancy and curb

cuts, has also contributed to roadway capacity challenges. Local streets within the study area were not designed, constructed, or intended to serve the residential density growth that has occurred within the study area over the last several decades.

The portion of Jones Avenue located in the study area is one-way with motor vehicle traffic being directed to Stewart Street. The City's Traffic Commission and Bicycle Board have recommended the installation of a contra-flow bicycle climbing lane starting at the Jones Avenue / Stewart Street intersection and continuing north on Jones Avenue until the roadway becomes a two-lane street at the Overhill Street intersection, that is located at the northwestern edge of the study area.

Appendix E provides illustrations and information pertaining to the platted and improved widths of the study area rights-of-way. Infill and redevelopment of any portions of the study area should be predicated on the widening of internal roads to safely improve two-way access and potentially accommodate on-street parking for visitors.

The following cross section improvements were noted during the community forums and by the working group. Additional engineering design and constructability considers are necessary as a part of a recommended capital improvement plan for the rights-of-way within the study area.

- Highland Avenue. Widen to permit two-way traffic. Include curbs and gutters. Include a five-foot wide sidewalk on the southern side of Highland Avenue from Stewart Street to Raymond Street. Include one lane of on-street permit parking.
- Wellen Avenue. Widen to permit two-way traffic. Include curbs and gutters. Include a five-foot wide sidewalk on both sides of the Wellen Avenue. Include one lane of on-street permit parking.
- Lorentz Avenue. Widen to permit two-way traffic. Include curbs and gutters. Include a five-foot wide sidewalk on the southern side of Lorentz Avenue. Include one lane of on-street permit parking.
- First Street. Widen to permit two-way traffic. Include curbs and gutters. Include a five-foot wide sidewalk on the southern side of First Street. Prohibit on-street parking.

Pedestrian Mobility

The area is within a 5- to 10-minute walk to the downtown and University campus, which helps to reduce auto dependency and mitigate traffic congestion. There is a satisfactory network of sidewalks outside of the study area, such as on Stewart Street, Jones Avenue, and University Avenue. There is also a heavily used but poorly designed pedestrian path / stairs that traverses the study area between Wellen and Jones Avenues connecting Wiles Hill neighborhood through the study area with the downtown and University campus. Photographs of the pedestrian path / stairs is provided at the end of Appendix E.

However, the study area's internal sidewalk network is inconsistent and unsatisfactory if developed. Highland Avenue and Lorentz Street have sidewalks in some places; however, they

are in disrepair, obstructed, narrow, and disconnected. The lack of a maintained and connected network hinders overall pedestrian connectivity, safety and convenience, and may discourage residents / students within and around the study area to walk.

It was noted during the outreach process that student housing within a 5- to 10-minute walk of University campuses is in relative short supply and comes at a premium. Concerns were also expressed about traffic, especially on Stewart Street which experiences significant traffic delays during peak times. It was also stated that even if residents / students can walk, most drive because of the steep hills and occasional harsh weather conditions.

A moderate increase in density would further support the need for the area to improve the pedestrian experience in terms of convenience, comfort and safety, and be less auto-dependent. Connections from and through the study area, including the Wiles Hills neighborhood, to sidewalks along Stewart Street and University Avenue can be significantly improved. Ensuring safe pedestrian-mobility will entail connecting and repairing the sidewalk network where there are clear gaps.

There is a need to conduct a more thorough sidewalk inventory to identify areas where the paths can be connected and expanded. There also is a need to continue to implement the recommendations in the Metropolitan Transportation Plan (MTP) that would contribute to the safety, comfort and convenience of all modes of transport including vehicles, bicyclists and pedestrians.

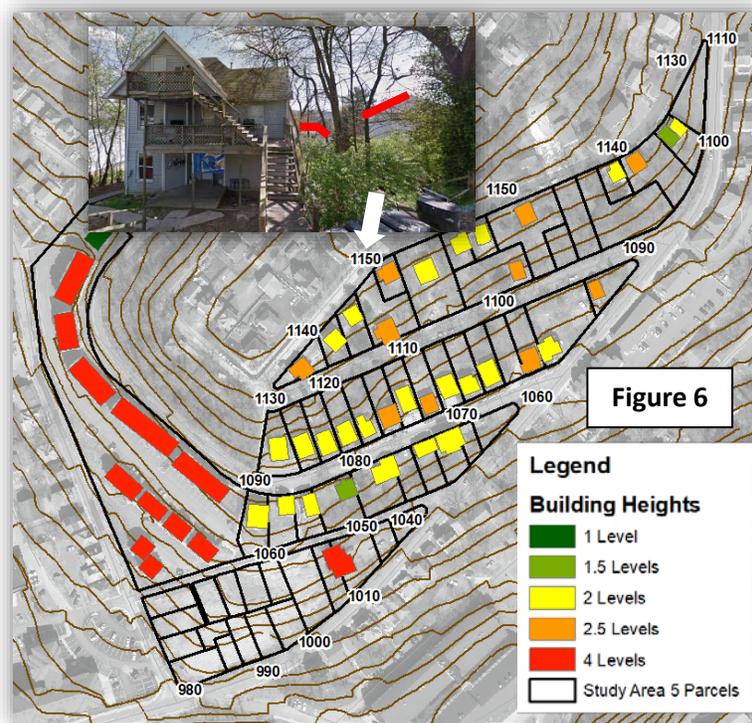
Overall, future development of the southern portion of the study area should be predicated on the completion and physical update of the internal stairs and pedestrian path that includes portions of the annulled First Street right-of-way. Some stair steps are unsafe and require complete remodeling, other areas appear to have substandard surfacing. Development coordination with the City Engineer's office will be required. Future development of remaining areas within the study area should be predicated on widening and improving internal roads to include sidewalk facilities.

Steep Slopes

An important component of the planning process and site evaluation for this study area is topography and how elevation changes may impact development and viewsheds. The study area has an overall topographical relief of 170 feet, from 980 feet at Stewart Street and Jones Avenue to 1,150 feet at Raymond Street and Highland Avenue.

The hillside lends to the site being highly visible with views of and from the downtown, University campus, and the Monongahela River. A significant increase in building heights, to accommodate higher-scaled buildings and densities, could, without special considerations, introduce viewshed impediments for those landowners and residents higher up the hill.

Figure 6 illustrates elevation changes along with general buildings heights.



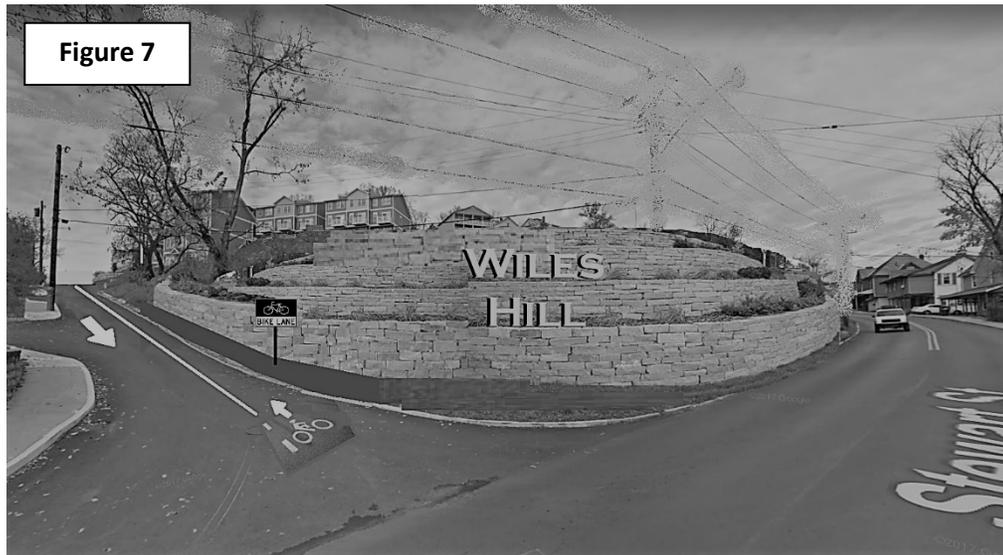
Slope and soil stability remain a significant concern of Wiles Hill residents, particularly along the Stewart Street corridor. Addressing “temporary” retaining wall measures, abandoned steps leading to razed and removed dwellings, and historic retaining walls that appear to be at the end of their life cycle would be a significant improvement to how passersby engage the neighborhood gateway and built environment.

The higher construction costs (and seemingly lower return on investment) to develop a site within the study area, including grading, foundations, infrastructure, erosion control, stormwater management, and retaining walls / reinforced slopes could preclude conventional single-family development especially in the southernmost section of the study area.

These physical impediments should be of utmost importance in assessing the future land use in the study area.

Any site development plans should be supplemented with a geotechnical investigation report that describes and evaluates the physical properties of the soil, bedrock and slope stability, and makes certain design criteria and recommendations for proposed building foundations, retaining walls and/or reinforced slope designs. Additionally, selected retaining wall systems/materials may have a detrimental impact to quality of the Wiles Hill neighborhood gateway if appropriate design and aesthetic considerations are not made.

Figure 7 is a conceptual illustration of a public/private corridor improvement that could significantly enhance the quality and character of the Wiles Hill gateway.



Any grading, cuts or fill that creates a vertical rise of one foot for each two feet of horizontal distance will require adequate provisions to prevent slides and erosion and retain the graded bank by cribbing and retaining walls. Such improvements would require the certification of a professional engineer and be approved by the City of Morgantown.

The graded road cuts and buildings of each block create leveled terraces in the slope, where each block is physically separated and distinct from each other. There is a significant grade/elevation change from properties along Stewart Street and the R-1A District of the Wiles Hill neighborhood. The southernmost section of the study area is approximately 70 feet lower than the intersection of Duquesne Avenue, Raymond Street, and Wellen Avenue.

The assembly of and redevelopment of tracts within study area blocks could serve to help create a comprehensive design approach to overall slope stability, stormwater management, and erosion control.

Redevelopment

Although some of the vacant lots may not be economically or physically feasible to be developed, the number of vacant lots represents potential for transitional infill and redevelopment, as envisioned in the *2013 Comp Plan*. The area's central location provides close proximity and convenience to the downtown, WVU's campuses and facilities, community amenities, retail, services, industries and businesses, among others.

Opportunities exist for slightly higher residential density, specifically in the southern portion of the study area at the edge of WVU's downtown campus. Opportunities also exist to develop new detached single-family dwellings to increase the affordable workforce housing supply, specifically in the northern portion of the study area identified. However, proper geotechnical, structural, and

infrastructure design and significant public facility improvements, particularly roads and sidewalks, remain critical.

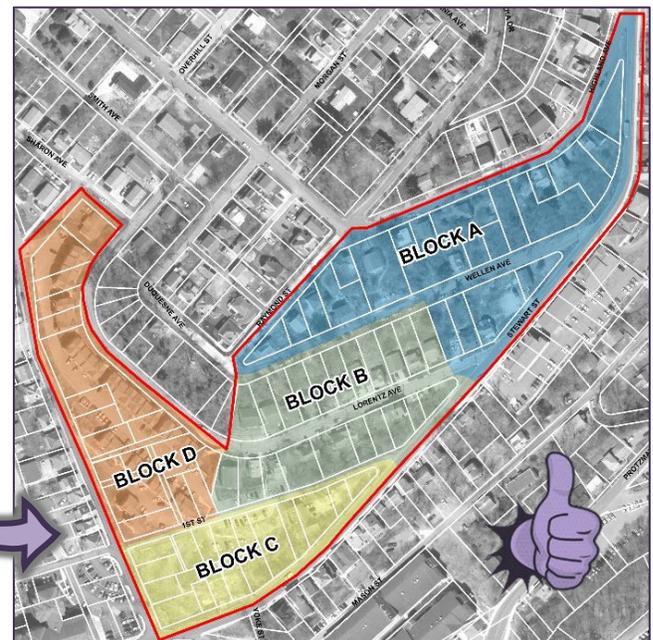
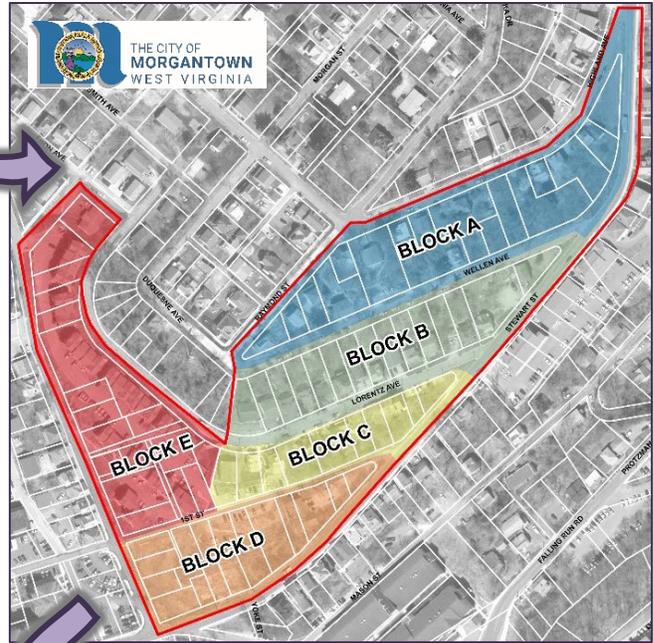
There appears to be strong market interest for new student housing products at higher residential densities within a 5- to 10-minute walk of University campuses. However, there are also 'location quotient' factors that could attract non-student and more permanent traditional neighborhood residents with greater diversity in age cohorts, income levels, marital / partner status, households with children / without children, homeowners / renters, etc.

The current zoning regulations within the study area are not incentivizing and encouraging infill development or redevelopment of deteriorating and functionally obsolete buildings and underutilized sites. Moreover, nonconforming protections under City Code and West Virginia State Code perpetuate continuation of deterioration and functional obsolescence of rental properties that continue to cash flow. Additionally, steep slopes may be hindering the study area's development potential.

RECOMMENDATIONS

AECOM provided city staff preliminary draft zoning scenarios, which are provided in Appendix F. Although these draft scenarios moved policy analysis toward sectioning the study area into smaller components, it became clear that identifying and building consensus among stakeholders around key land use and development themes for the study area as a whole was remote. A more granular strategy of exploring potential zoning scenarios with neighborhood leaders was needed to take a different view and consider innovative land use and development themes.

The graphic on the following page illustrates the progression of discussions between City staff and the working group of neighborhood leaders concerning how best to section the study area around harmonious themes.



Land Use and Development Themes – Zoning

The following themes for each delineated study area block were developed with the working group and presented and discussed during the second and final community forum. Appendix G begins to formulate contemplated provisions to guide desired infill and redevelopment within the unique land use and development thematic policy framework developed for each block. Zoning provisions included in Appendix G are incomplete as additional analysis is necessary before final overlay district recommendations can be brought to the Planning Commission in the form of a zoning text and map amendment ordinance.

Block A

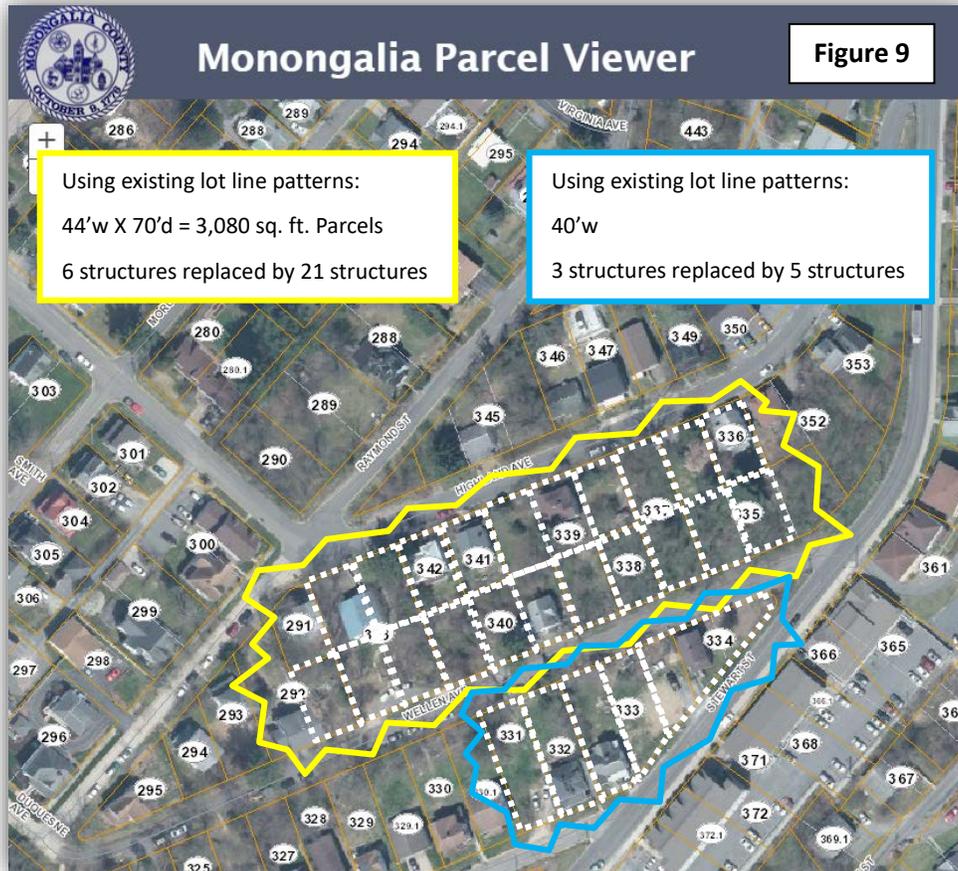
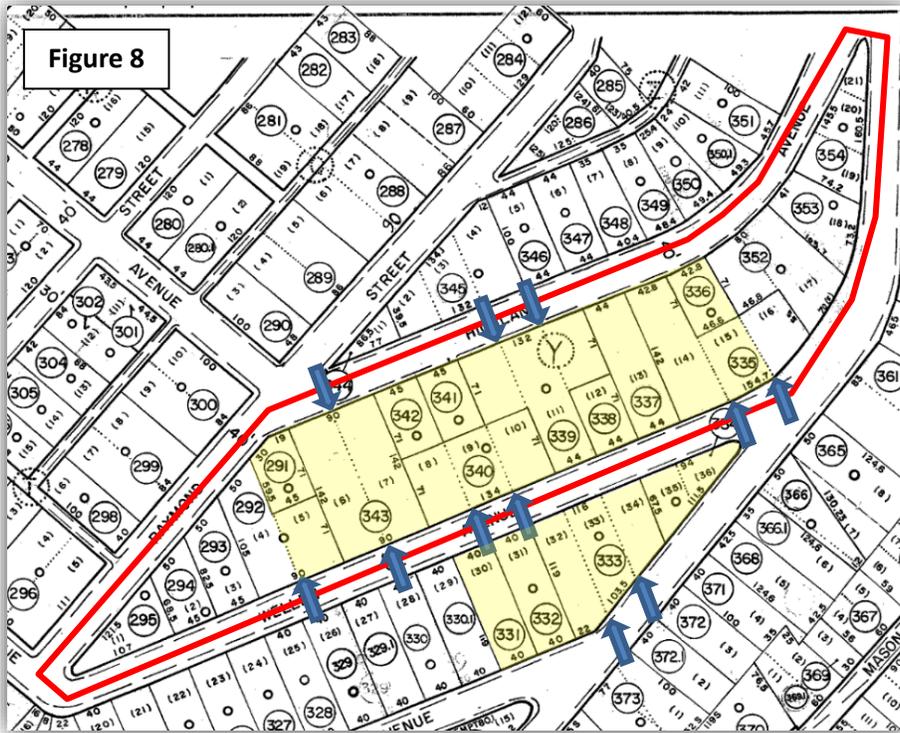
Block A is generally described as those tracts of land bound by Highland Avenue, Raymond Street, Wellen Avenue, and Stewart Street. Additionally, Block A includes Parcels 331, 332, 333, and 334, Tax Map 20, Fourth Ward Tax District that current front both Wellen Avenue and Stewart Street.

The land use and development policy theme framework recommended to guide future zoning strategy considerations include:



- Maintain the existing R-1A, Single-Family Residential zoning classification for the entire Block to preserve detached single-family development.
- Develop a “demonstration” overlay district to serve as a transition into the standard R-1A District while enabling creative building forms and moderately higher densities that incentivize infill and redevelopment of existing nonconforming rental properties. The suggested name for the recommended overlay district is “Wiles Hill Gateway Overlay District.”
- New construction must follow right-of-way improvements on Highland Avenue and Wellen Avenue to include curbs/gutters, wider lanes, potential on-street parking for visitors, and sidewalk.
- Permit smaller homes on smaller parcels to promote the clustering of new affordable workforce housing construction, with preference for homeownership.
- Permit the subdivision of land for the middle portion of Block A so that single-family detached homes can be constructed along both Highland Avenue and Wellen Avenue as the realty was originally platted.

Figure 8 illustrates existing parcel and lot configurations. *Figure 9* illustrates a very general view of what smaller buildable lots parcels might look like to promote infill and redevelopment of smaller affordable detached single-family workforce housing.



- Permit subordinate-sized “Accessory Dwelling Units” (ADUs) in both detached and attached configurations (attached in above garage only).
- Eliminate the use of stories when calculating maximum building height. Instead, use a measure of feet and/or topographic elevation coordinate, whichever is greater/less, to reasonably protect and preserve the viewshed from Wiles Hill neighborhood.
- Permit residential uses only by eliminating all non-residential uses as currently permitted either by-right or with conditional use approval.
- Require design standards like front porches facing a pedestrian-friendly sidewalk, architectural standards for rear facades immediately adjacent to Stewart Street and for retaining walls along Stewart Street, etc.
- Prohibit driveway access from Stewart Street to advance best access management practices along inside of curve of corridor.

Block B

Block B is generally described as those tracts of land between Wellen Avenue and First Street fronting on Lorentz Avenue but do not include Parcels 331, 332, 333, and 334, Tax Map 20, Fourth Ward Tax District that have been incorporated in Block A.



The land use and development policy theme framework recommended to guide future zoning strategy considerations include:

- Maintain the existing R-1A and R-2 zoning classifications.
- Develop a “demonstration” overlay district to serve as a transition between Blocks A and C while enabling creative building forms and moderately higher densities that incentivize redevelopment of existing nonconforming rental properties. The suggested name for the recommended overlay district is “Wiles Hill Gateway Overlay District.”
- New construction must follow right-of-way improvements on Lorentz Avenue and to First Street for new construction on the south side of Lorentz Avenue to include curbs/gutters, wider lanes, potential on-street parking for visitors, and sidewalk.
- Permit the development of two-family and townhouse dwelling units by-right with design standards that ensure appropriate height, scale, and massing for desired transition objectives.

- Provide subdivision and side setback provisions permitting more narrow lots for Two-Family and Townhouse development to promote fee simple homeownership.
- Eliminate the use of stories when calculating maximum building height. Instead, use a measure of feet and/or topographic elevation coordinate, whichever is greater/less, to reasonably protect and preserve the viewshed from Block A.
- Permit residential uses only by eliminating all non-residential uses as currently permitted either by-right or with conditional use approval.
- Building frontage should be required to face Lorentz Avenue.
- Require front porches to be constructed that face a pedestrian-friendly sidewalk along Lorentz Avenue.
- Provide design standards for the rear façades immediately adjacent to Stewart Street.
- Provide architectural design standards for retaining walls along Stewart Street including maximum height, appropriate materials, etc.
- Prohibit driveway access from Stewart Street to advance best access management practices along corridor.
- Properties north of Lorentz Avenue – Driveway entrances from Wellen Avenue should be prohibited to maintain “wooded” buffer.
- Properties south of Lorentz Avenue – With the exception of realty adjoining Stewart Street, driveway entrances from Lorentz Avenue should be prohibited.
- Perpetual control of the existing pedestrian stairs between Highland Avenue and Lorentz Avenue should be secured by the City.
- The design and condition of the pedestrian stairs between Lorentz Avenue and First Street needs to be improved.

Block C

Block C is generally described as those tracts of land bound by First Street, Jones Avenue, and Stewart Street. This block of land is included in the zoning map amendment petition filed in December 2018 and tabled by the Planning Commission, with the consent of the property owner, in February 2019.



The land use and development theme framework recommended to guide future zoning strategy considerations include:

- Maintain the existing R-2 zoning classification for the entire block.
- Develop a “demonstration” overlay district to serve as a transition between Block B and the Stewart Street corridor while enabling creative building forms and moderately higher densities to guide redevelopment and new construction. The suggested name for the recommended overlay district is “Wiles Hill Gateway Overlay District.”
- New construction must follow First Street right-of-way expansion and improvements to include curbs/gutters, wider lanes, and sidewalk.
- The temporary pedestrian route along the former First Street ROW connecting to Jones Avenue should be improved to an acceptable permanent condition.
- Permit the development of multi-family dwelling units by-right with design standards that ensure appropriate height, scale, and massing for desired gateway objectives, with preference toward unique terraced or cascading dwelling units to integrate hillside form, provide desired views, and promote condominium unit homeownership.
- Provide subdivision and side setback provisions permitting more narrow lots for two-family and townhouse development to promote fee simple homeownership.
- Eliminate the use of stories when calculating maximum building height. Instead, use a measure of feet and/or topographic elevation coordinate, whichever is greater/less, to reasonably protect and preserve the viewshed from Block B.
- Permit residential uses only by eliminating all non-residential uses as currently permitted either by-right or with conditional use approval; except, permit small neighborhood-scaled type retail at the corner of Jones Avenue and Stewart Street (e.g., coffee shop).
- Require building frontage along First Street and/or Jones Avenue.
- Require front porches for single-family, two-family, and townhouse units to be constructed that face a pedestrian-friendly sidewalk along First Street.
- Provide design standards for the rear facades facing Stewart Street.
- Provide architectural design standards for retaining walls along Stewart Street including maximum height, appropriate materials, etc.
- Prohibit driveway access from Stewart Street to advance best access management practices along corridor.

- Driveway entrances along First Street should be limited in number and designed to provide common access to on-site parking spaces between the building(s) and Stewart Street.
- Prohibit parking spaces in front setback along First Street.
- A percentage of required on-site parking should be garaged to avoid expansive surface parking and promote homeownership of dwelling units.
- Enhance existing landscaping, screening, and buffering requirements for surface parking areas from view of Stewart Street and Jones Avenue.
- On-site visitor parking considerations should be included.
- Prohibit satellite or off-premise parking from areas outside of Block C.
- Require a minimum percentage of passive and/or active open space for townhouse and multi-family development like currently provided in the PUD standards.

The working group expressed a strong interest in seeing a multi-family building form that utilizes the unique hillside slope of Block C to create terraced rooftop outdoor amenities and ensure views of the University's downtown campus and the Monongahela River. The working group conveyed that multi-family dwelling units stacked immediately below dwelling units above might not be as attractive to residents seeking to own their home rather than rent. The expressed preference was for a terraced building form as generally illustrated *Figure 10*. It should be noted that zoning regulations dictating this degree of building design and form obligations may be difficult to justify as advancing public necessity to protect and preserve the public health, safety, and general welfare.



Block D

Block D is generally described as the *Jones Place* development located along the annulled portion of the First Street right-of-way, Jones Avenue, the Overhill Street right-of-way, Lorentz Avenue, and the pedestrian path / stairs connecting Lorentz Avenue and First Street.



Given the fact the block has been fully redeveloped within the last decade, less focus was given to formulating a land use and development theme framework that would guide future zoning strategy considerations.

Whether to include Block D in the recommended “demonstration” overlay district that would cover Blocks A, B, and C was discussed with the working group. Ultimately, it was the consensus of the working group to either absorb Block D into Block B or provide zoning provisions for Block D that would be similar to that of Block C to guide redevelopment at the end of the *Jones Place* lifecycle. Additional consideration and final determination are necessary as the “demonstration” overlay district is formulated for future consideration by the Planning Commission.

IMPLEMENTATION

The following table identifies specific recommended tasks that should be completed to fully implement this planning study for Future Study Area No. 5.

Table 3: Implementation

Task	Category	Capital Cost	Timeframe	Responsible Agency
Develop a “Wiles Hill Gateway Overlay District”	Zoning	N/A	3 months	City of Morgantown
Planning Commission and City Council enactment of overlay district provisions (ordinance)	Zoning	N/A	3 months	City of Morgantown
Secure control through acquisition or easement of pedestrian path / stairs connecting Wellen Avenue and Lorentz Avenue	Mobility Public Safety Quality of Life	TBD	3-6 months	City of Morgantown and/or LRaPA

Task	Category	Capital Cost	Timeframe	Responsible Agency
Reconstruction of pedestrian path / stairs between Lorentz Avenue and First Street	Mobility Public Safety Quality of Life	TBD	6-12 months	City of Morgantown
Reconstruction of pedestrian path / stairs between First Street and Jones Avenue as a part of redeveloping Block C	Mobility Public Safety Quality of Life	TBD	TBD	Developer
Develop a public infrastructure Capital Improvement Plan (CIP) for right-of-way improvements to include wider drive lanes, curbs/gutters, sidewalks, lighting, etc. that fully utilizes the platted right-of-way widths	Transportation Public Safety Quality of Life	TBD	6-12 months	City of Morgantown
Road and rights-of-way improvements as provided in the to-be-developed CIP	Transportation Public Safety Quality of Life	TBD	TBD	City of Morgantown and Developers
Develop a CIP for hillside stabilization and retaining wall (re)construction along the north/west side of Stewart Street	Public Safety and Gateway Enhancement	TBD	6-12 months	City of Morgantown
Construction of an integrated, stepped and visually appealing retaining wall system along the north/west side of Stewart Street to include landscaping	Public Safety and Gateway Enhancement	TBD	TBD	City of Morgantown and Developers

APPENDIX A

Study Area 5 – Stewart Street and Highland Avenue

Recommendations Report

October 8, 2019

Community Forum No. 1 Material

Informational Postcard	Page 2
Community Forum No. 1 Meeting Summary	Page 3
Stakeholder Interview Summary	Page 10

INVITATION TO COMMUNITY FORUM LISTENING SESSION

You are receiving this postcard because you own property within or near one of the several "Future Study Areas" identified in the City's 2013 Comprehensive Plan. Specifically, "Study Area No. 5", which is highlighted in the map to the right.

The City is kicking off a neighborhood-level, grass-roots **Small Area Plan** for "Study Area No. 5." This planning project will address land use, transportation, and a variety of other topics in **YOUR BACKYARD**. Strategies developed through this planning project will advance the goals, objectives, strategies, and consistency principles of the Comprehensive Plan towards enhancing the quality of life in and around "Study Area No. 5."

JOIN US ON

Wednesday, April 17, 2019 ♦ 6 p.m.

Wiles Hill Community Center
287 Eureka Drive

This **COMMUNITY FORUM** is open to the public and all are welcome to attend and participate. There will also be a small group walking tour at the end of the forum. As a property owner and/or resident within and around Future Study Area No. 5, **you are a key stakeholder and we hope to see you on April 17th.**

Development Services Department
City of Morgantown
304-284-7431
shollar@morgantownwv.gov

**HELP PLAN
YOUR
NEIGHBORHOOD**



Development Services Department
City of Morgantown
389 Spruce Street
Morgantown, WV 26505

JOIN US ON

Wednesday, April 17, 2019
6 p.m.
Wiles Hill Community Center
287 Eureka Drive

**HELP PLAN
YOUR
NEIGHBORHOOD**

AECOM

Date: May 6, 2019

To: Mr. Chris Fletcher, AICP

From: Chris Rogers, AICP *cl*

Subject: **Small Area Plan: Public Meeting Notes**
Area 5 Public Forum #1 – April 17, 2019

Meeting Start Time: 6:00pm

Meeting End Time (at Jones Place): 8:00pm

Sign-in sheet attached (late arrivals may not have signed in).

The listening session lasted to approximately 7pm followed by the walking tour. Approximately 15 residents took part in the walking tour.

1) Presentation – Below is a summary of the slides presented at the meeting:

- **Goals**
 - Introduce Area 5 and zoning issues
 - Listening session on key issues and concerns
 - Walk the area with participants to get first hand input and insight
- **Why prepare small area plan**
 - Identified in Comprehensive Plan
 - Appendix A of 2013 Comp Plan
 - List of 2013 Comp Plan Recommendations
 - Neighborhood-level approach
 - **Benefits:**
 - Represent stakeholder and community vision
 - Provide neighborhood-scale recommendations
 - Enable proactive planning for neighborhoods
 - Guide investment for transportation, housing, environmental protection, open space, and other categories as defined through the process.
- **Small area plan process**
 - Phase One: Inventory and Analysis
 - Phase Two: Plan Development
 - Phase Three: Planning Commission Review
- **Existing Conditions**
 - Encompasses 13 acres and 61 parcels
 - Comprised of single-family, two-family, townhouses and multi-family

- 25 parcels and 2.4 acres are vacant
- 32 parcels are zoned R-1A; 30 parcels are zoned R-2
- 106 renter-occupied units; 3 owner-occupied units
- A property owner application is under review by the City to rezone area between First Avenue, Stewart Street, and Jones Avenue
- Considerations for Further Study
 - Permitting of very modest increases in density of two-family and townhouse housing
 - Provide incentives to assemble and consolidate realty
 - Discouragement of continued added density of single-family dwellings
 - Establish appropriate design standards
 - Improved infrastructure supporting slightly higher densities and increase supply of on-site parking
- Next Steps:
 - Stakeholder Interviews
 - Scenario Plan Development (3)
 - Technical Advisory Group Input
 - Community Forum #2
 - Revise Scenario Plan(s), as appropriate
 - Planning Commission Consideration

2) Public Comments – Listening Session / Area Walk – The following represents a summary of the comments received during the Listening Session as well as the Area Walk. We have taken the liberty of organizing the comments into various categories to avoid repetition and to provide a more coherent summary.

Design / Community Character:

- Concerned that an eight-story 80-foot-tall building could be built in the R-3 with a conditional use from the Board of Zoning Appeals under current zoning regulations. Concerns included impacts on community character, views, property values.
- An option could be a zoning ordinance amendment to eliminate potential increase in height in the R-3 as a conditional use.
- The area is centrally located and connected to community assets. For example, residents can walk or easily drive to the WVU's main campus, the downtown, the Law Center, football stadium, the Children's Hospital, and area industries and businesses, among others.

AECOM

- Concerned about traffic, especially on Stewart Street, which is already backed up. Noted that even if residents / students have the opportunity to walk, that most drive because of the hills and sometimes weather conditions.
- Concerned about how development will affect the community.
- Concerned about high density and student housing encroachment on established neighborhoods. Did not want Jones Place townhouse developments.
- Little off-street parking available.
- Sound (especially from parties, construction, vehicles) travel up the hill and into the neighborhood.
- Need for more strict code enforcement to address building code violations.
- The R-2 is a buffer between the higher density R-3 and PUD zones and the single-family R-1A zone.
- R1-A helps prevent multi-unit rental encroachment and was specifically designed to preserve existing communities.
- Not against redevelopment, but against rezoning and up-zoning, and the unstable geology.
- People want to be near the community center and senior center and other community amenities.
- People are moving back to the neighborhood.

Housing:

- Need affordable, workforce housing in the City, and Wiles Hill/Highland Park could be an ideal place for that.
- R-1A and R-2 may provide opportunity for workforce housing.
- Affordable means having housing available that is commensurate with their income levels.
- Chamber of Commerce has a study of housing for the Big 12 university cities.
- Wiles Hill/Highland Park is a great, diverse and affordable place neighborhood to live.
- Believe there is demand for quality single-family homes and neighborhoods, and Wiles Hill neighborhood provides the opportunity to meet that demand.
- There is concern that student housing developments will hinder the desire to move to / reside in the neighborhood.
- Also concerned that student housing developments will hinder the desire to convert former single-family homes, now two-family or multi-family rental homes, back to single-family homes.
- Believe the rental occupancy data and map do not accurately reflect the actual occupancy conditions of the area. While the records show a home is rented, the home could still be a long-time residents.
 - Examples: renter is a family member of the owner, the unit is rented by a family, or the owner resides in one unit and rents out the other unit.

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- Great place to live for workers and mixed income levels. Concern that there are many places in Morgantown that are too expensive to live.
- Not enough affordable single-family, move-in ready quality homes in the City.
- Two-family homes may be fine on Lorentz Avenue.
- New professors cannot find appropriate housing within the City.
- Zoning currently does not allow accessory units / granny flats.

Slope and soil stability:

- Very concerned about the "geography" [geology], that it is not stable to support any development.
- USDA has the area mapped as very limited for supporting structures and excavations, and very concerned that the slope and soil can not support development, especially higher density development such as townhouses and multifamily buildings.
- The Indian word Monongahela means "falling banks" because of the instability of the soil.
- Want assurance of protection of neighborhood.
- A zoning overlay could give more consideration to the unstable geology.
- AECOM staff did not know what Building Code the City used.
- Residents reported slippages during development and post-development that had to be addressed with retaining wall.

General / Procedural:

- Concerned that the planning process results have already been pre-determined by the City.
- Believe the study is not an open review of all alternatives. Believe it is already a City goal to have the property developed.
- One participant stated the process is a "fake consult" – Everybody talks and everybody listens, but the residents get burned.
- Asked if a geotechnical study to determine bearing capacity was going to be done first that would inform the planning study. AECOM stated that a geotechnical study is not within the current planning scope nor is such a detailed study typically part of a planning process.
- Concerned that 2 Community Forums is insufficient; more specifically, as scheduled, there will not be another Community Forum until after the alternative scenarios are created.
- Recommended a design charrette where the residents could offer input on the uses and design, rather than responding to scenarios conceived by the City.
- Concerned that entire planning process is flawed in its consideration of existing zoning and not existing uses.
- Ignoring data that people want single-family homes.

AECOM

- Need market analysis for housing for retirees, families, and students.

Other

- Background Information for Study Area #5 was provided to AECOM by Frank Scafella of the Wiles Hill-Highland Park Neighborhood Association:
 - “Leadership in Crisis”: presentation on the origin of R1-A zoning for Morgantown’s older residential neighborhoods.
 - “Chapter 2”: a more detailed exposition on R1-A zoning;
 - “Abandoned Wiles Hill Elementary School”: retrofitted by neighborhood-city collaboration as Senior & Community Center for more sustainable R1-A community.
 - Campus Neighborhoods Revitalization Corporation (CNRC) formed by City Council in 2001 for revitalization of WVU Campus Neighborhoods, including Wiles Hill.
 - Mission Statement: CNRC for Campus Neighborhoods.
 - Comprehensive Plan for Revitalization of Sunnyside: biggest and most blighted neighborhood of 150 acres; first to be addressed as a TIF District; over \$200 million of private sector and TIF Infrastructure funds invested to date (2017)
 - Wiles Hill request to CNRC for priority in next step of revitalization: Sunnyside pretty much completed.
 - Public Service Vita.
 - Residential Market Analysis for Sunnyside; April 8, 2015

**Small Area Plan #5 – City of Morgantown
Public Forum #1
Wiles Hill Community Center
Wednesday, April 15, 2019 6:00 PM**

Sign-In Sheet

Name	Address	Email or Phone
Barb Howe	432 Riley	bhowe@wvu.edu
Dave Harshbarger	1009 Vandalia Rd	harshbarger@d@gmail.com
Jane Lefvre	301 Raymond St	jane.LLEFVRE@mail.wvu.edu
William E. Blaiser	127 Willowdale Rd.	
Jimmie Linn	" "	
Markus Sanders	37 HIGHLAND AVE	WINDOUPE@AOL.COM
Buster Bryant	36 Highland	mothface@hotmail.com
Jenna Lowrey	56 Highland	jlow612@gmail.com
Jack Cruze	600 Jones Ave	Cruzezc@gmail.com
Sharon Wolfe	104 Hoffman Ave	
CHARLIE BYRER	420 Raymond St.	charliebyrer@gmail.com
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FRANK SCAFELLA	346 VIRGINIA AVE	FAS4@LABS.NET
PATRICIA JOHNSON	521 OVERHILL ST.	WILDHILL CLAM @GMAIL.COM
Bill Wyant	505 OVERHILL ST	william.wyant@comcast.net
NORMA WYANT	505 Overhill St	NORMAWYANT@COMCAST.NET
FRED HAGEDOEL	280 Eureka Dr.	grumps_fred@yahoo.com
Nadine Kelly	440 Overhill St.	
Joyce Harris	530 Center St	
Catherine Lozier	345 Virginia Ave	clozier@gmail.com
Lori Mueller	307 Raymond St. (rental)	lorimuel@2003@yahoo.co.

AECOM

Date: May 16, 2019
To: Mr. Chris Fletcher, AICP
From: Chris Rogers, AICP
Subject: Small Area Plan – Area 5
Stakeholder Interview Summary – Gregg Metheny – May 9, 2019

Unless otherwise noted, the comments below were made by Mr. Metheny:

Scott Properties Development:

- Briefly discussed development applications for the Scott Properties, including application history and intentions for site development
- AECOM staff made him aware that they had reviewed the history of previous applications
- AECOM staff made him aware that the Small Area Planning recommendations are not necessarily bound to existing zoning requirements
- Envisions similar style and design as Jones Place
- Due to slope, would need to build 4 story buildings, with 2 stories exposed along 1st Street
- R-2 zoning does not permit the housing types (45' in height) needed to build the number of bedrooms (~100) to make economically viable
- R-3 zoning would permit "over / under" townhouse units by-right as multi-family units
- Multi-family units currently only permitted as Conditional Use in R-2
- It is not his intention to build an 80' tall building, which was a concern expressed at the Public Forum on April 17, 2019
- Has conceptual plans showing ~45' tall townhouse type units with separate under-units for 100 bedrooms – plan indicates access directly onto Jones Avenue with parking between units fronting on 1st Street and units fronting on Stewart Street
- AECOM requested copy of plans
- Tried to accommodate needs of residents with Jones Place units' orientation to Lorentz Avenue but would be open to direct orientation to 1st Avenue with sidewalks, etc.

Soil and slope stability:

- City requires certification by professional engineer prior to issuance of building permit
- Area is mostly bedrock and the building footings would be constructed on bedrock
- Slippage that occurred during construction of Jones Place was stockpile washout
- Municipal Utility Board oversees stormwater requirements

AECOM

General:

- Agrees with community opinion that the portions of the neighborhood could be converted back to single-family
- Believes the area will experience rental vacancies as students have more options closer to campus
- Does not consider the “Scott Properties” to be part of the Wiles-Hills neighborhood
- Believes the transition between student housing area and Wiles-Hill neighborhood occurs at Wellen Avenue
- Heard community input and concerns of rezoning, and has attempted to accommodate and address concerns
- Believes site is good opportunity to be developed to meet student housing needs and that it fits and flows with the surrounding
- Believes development would be better than vacant as it will provide little benefit of greenspace because of the slope
- Does best to manage student parties at Jones Place with 24/7 staff and towing contract that has authority to tow vehicles without resident sticker
- Believes units with lesser bedrooms (1-2) goes long way to discourage large house parties

APPENDIX B

Study Area 5 – Stewart Street and Highland Avenue

Recommendations Report

October 8, 2019

Community Forum No. 2 Material

Informational Postcard

Page 2

Community Forum No.2 Meeting Summary

Page 3

INVITATION TO COMMUNITY FORUM

You are receiving this postcard because you own property within or near one of the several "Future Study Areas" identified in the City's 2013 Comprehensive Plan. Specifically, "Study Area No. 5", which is highlighted in the map to the right.

PLEASE JOIN US ON

Wednesday, September 18, 2019 ♦ 6 p.m.

Wiles Hill Community Center
287 Eureka Drive

This will be the *second and final* **COMMUNITY FORUM** for "Study Area No. 5" and is open to the public. All are welcome to attend and participate. As a property owner and/or resident within and around Future Study Area No. 5, **you are a key stakeholder** and **we hope to see you on September 18th**. Information will be presented concerning the progress of this planning project in preparation of the Morgantown Planning Commission's October meeting.

Development Services Department
City of Morgantown
304-284-7431
cfletcher@morgantownwv.gov

**HELP PLAN
YOUR
NEIGHBORHOOD**



**Small Areas Plan No. 5 – City of Morgantown
Community Forum No. 2
Wiles Hill Community Center
Wednesday, September 18, 2019**

Date.....THU, 19 SEP 2019

ToFile

FromC. Fletcher, AICP

Subject.....Small Area Plan | 2nd Community Forum Notes
Study Area No. 5
Wiles Hill Community Center

Start Time: 6:00 p.m.

End Time: 7:40 p.m.

Sign-in sheet attached (late arrivals may not have signed in). Approximately 18 attendees.

1. Presentation – Below is a summary of the slides presented at the community forum

- The progress of the small area planning project discussed starting with AECOM's work collecting existing conditions data, facilitating the first Community Forum on 17 APR 2019 and walking tour, and stakeholder interviews.
- The second and final Community Forum was targeted for August and the study area recommendations report presentation to the Planning Commission in September.
- Identifying and building consensus on key themes and issues for the study area as a whole become overcomplicated.
- City Staff asked if a small neighborhood working group could be formed to take a different view and consider different approaches.
- Mr. Gregg Metheny agreed to hold his zoning map amendment petition in abeyance to give the working group the opportunity to work through the month of August.
- City Staff thanked the neighborhood working group – Richard Dumas, Zack Cruze, Frank Scafella, Charlie Byer, Margaret Stout – for their time, commitment, and effort in meeting with staff four times and separately twice.
- Several maps were covered explaining how staff and the working group developed blocks within the study area to focus separate land use and development themes, how each block relates to adjoining blocks, and our transitions in land use and development intensity can be achieved. See map of blocks at the end of this summary.

**Small Areas Plan No. 5 – City of Morgantown
Community Forum No. 2
Wiles Hill Community Center
Wednesday, September 18, 2019**

- The objective to maintain existing base zoning classifications was discussed along with how an overlay district can be used for the study area to establish additional, stricter, and/or incentive standards and criteria to facilitate desired infill and redevelopment within each of the blocks.
- The following themes for each block was presented.
 - **Block A.** Maintain the existing R-1A zoning classification for the entire block. Utilize a “demonstration” overlay district to serve as a transition into the standard R-1A District while enabling creative building forms and moderately higher densities that incentivize infill and redevelopment of existing non-conforming rental properties. Detached single-family dwelling units are still desired but permit smaller lots and smaller homes to promote the clustering of new affordable workforce housing construction. Introduced and explained what “Accessory Dwelling Units (ADUs)” are and how and why this dwelling unit type is proposed within Block A. New detached single-family development should be attractive to homebuyers.
 - **Block B.** Maintain the existing R-1A and R-2 zoning classifications for Block B. Utilize a “demonstration” overlay district to serve as a secondary transition that enables creative building forms and moderately higher densities than Block A to incentivize redevelopment of all properties. Introduced and explained why and how permitting by-right two-family and townhouse development within Block B should incentive redevelopment to remove functionally obsolete and nonconforming structures. Overlay district provisions should serve to advance development that would be attractive to affordable workforce homebuyers.
 - **Block C.** Maintain the existing R-2 zoning classification for Block C. Utilize a “demonstration” overlay district to foster development of moderately higher densities than Block B that would provide an attractive gateway into the Wiles Hill neighborhood. Introduced and explained why and how permitting by-right multi-family development within Block C can be regulated and designed to reduce neighborhood concerns in terms of building height, bulk, and intensity. Overlay district provisions should serve to advance development that would be attractive to homebuyers. Illustrated the working group’s desired development pattern of terraced/cascading multi-family dwelling units that could integrate hillside form, provide desired views, and promote condominium unit homeownership and affordable workforce housing needs.
 - **Block D.** Explained city staff is still working on how best to include desired provisions for the recently constructed Jones Place development that could address redevelopment in the future.

**Small Areas Plan No. 5 – City of Morgantown
Community Forum No. 2
Wiles Hill Community Center
Wednesday, September 18, 2019**

2. Public Comments

- Study area streets must be widened and improved, and sidewalk constructed, either first or as a part of redevelopment or significant infill development is permitted to occur in any of the blocks. Wellen Avenue is used as an access point to Wiles Hill neighborhood during inclement weather events.
- Making sure sufficient parking is provided as a part of redevelopment and/or infill development is critical to ensure parking congestion in the Wiles Hill neighborhood is not further exacerbated.
- With the exception of portions of Block A, blue curb parking permits should not be made available to residents of Blocks B, C, or D.
- The current Wiles Hill Permit Parking District (blue curbs) need to be re-evaluated.
- Minimum parking requirements for single-family dwellings should not be reduced below current two on-site parking space requirement.
- Redevelopment and infill development will result in the loss of trees within the study area. Street trees and/or trees planted on private property should be required.
- The study area needs parks and open space if moderately increased densities are to be permitted.
- Block D zoning provisions should be the same as Block C.
- Bringing a consultant in was suggested to review contemplated overlay district provisions that will implement presented themes for each block to evaluate viability and illustrate build-out.
- Working group members present asked that illustrations of the Block A subdivision pattern and the conceptual retaining wall illustration be added to the Community Forum PowerPoint presentation that will be posted on the City's project webpage.

[\[http://www.morgantownwv.gov/193/Areas-for-Future-Study\]](http://www.morgantownwv.gov/193/Areas-for-Future-Study)

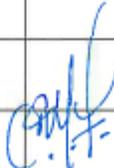
- Staff described the next steps of the planning project, which will include the preparation and presentation of a recommendations report to the Planning Commission at the October meeting scheduled for TUE, 08 OCT 2019 at 6:30 p.m. in City Council Chambers. If the Planning Commission accepts the recommendations report, work will immediately begin to development the overlay district ordinance that will provide standards and criteria to implement the themes presented during the community forum.

Small Areas Plan No. 5 – City of Morgantown
Community Forum No. 2
Wiles Hill Community Center
Wednesday, September 18, 2019



Small Areas Plan No. 5 – City of Morgantown
 Community Forum No. 2
 Wiles Hill Community Center
 Wednesday, September 18, 2019

SIGN-IN SHEET

Name	Address	Email or Phone
Richard Dumas	444 Overhill St Morgantown	ridusu@gmail.com
Carmen Bauer	460 Virginia Ave. Morgantown, WV	Carmen. bauer. 26@gmail.com
Jare Lefevre	301 Raymond St Morgantown, WV 26505	jare.lefevre @mail.wvu.edu
William E. Blosser	127 Willowdale Rd.	—
Brad Howe	432 Riley	bhowe@wvu.edu
Chris Fletcher	City of Morgantown	
Approx. 18 attendees including		
	ZACK CRUE	
	FRANK SCAPPELLA	
	MARGARET STOUT	

APPENDIX C

Study Area 5 – Stewart Street and Highland Avenue

Recommendations Report

October 8, 2019

Existing Residential Zoning District Materials

Residential Development Overview	Page 2
R-1A, Single-Family Residential District	Page 6
R-2, Single and Two-Family Residential District	Page 10
R-3, Single and Two-Family Residential District	Page 15

Residential Development Overview

Permitted Residential Uses

The following images provide the definitions within Section 1329.02 of the Planning and Zoning Code for residential land uses.

DWELLING UNIT – A single unit providing complete, independent living facilities for a single housekeeping unit. In no case shall a motor home, trailer, hotel or motel, lodging or boarding house, automobile, tent, or portable building be considered a dwelling unit. Dwelling units are contained within single-family dwellings (in which case the definition is synonymous), garage apartments, two-family dwellings, mixed-use dwellings, and multifamily dwellings. Units without self-contained sanitary facilities and kitchens (as defined herein) are not classified as dwelling units, but rather are considered to be rental rooms. See BOARDING HOUSE.

DWELLING, CONDOMINIUM – Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. Yard requirements shall apply to structures only and not individual ownership units. (Ord. 06-01. Passed 1-3-06.)

DWELLING, MIXED USE – A dwelling unit located within a mixed use building as permitted in the zoning district. (Ord. 18-24. Passed 7-10-18.)

DWELLING, MULTI-FAMILY – A freestanding building containing three (3) or more dwelling units, whether they have direct access to the outside, or access to a common building entrance. Multifamily dwellings can consist of rental apartment buildings, rental or owner occupied townhouse buildings, and rental or owner occupied condominium buildings, provided that all such freestanding buildings contain three (3) or more dwelling units.

DWELLING, SINGLE FAMILY – A freestanding building designed solely for occupancy by one family for residential purposes, as a single housekeeping unit.

DWELLING, TOWNHOUSE – Also known as a “Rowhouse.” A one-family dwelling unit, with private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation. For purposes of determining the required yard for townhouse developments, setbacks shall only apply from the perimeter of the main building to the perimeter of the parent parcel upon which the building is situated.

DWELLING, TWO-FAMILY – A freestanding building containing two (2) dwelling units, each of which has direct access to the outside.
(Ord. 06-01. Passed 1-3-06.)

The following is an excerpt from Table 1331.05.01 “Permitted Land Uses” as it pertains to residential uses permitted in the R-1A, District.

Uses	R-1A	R-2	R-3	Supplemental Regulations
Dwelling, Mixed Use		C	P	20, 26, 28
Dwelling, Multi-family		C	P	35
Dwelling, Single-family	P	P	P	16
Dwelling, Townhouse		P	P	
Dwelling, Two-family		P	P	

The following images provide supplemental regulations for residential development in the City of Morgantown 2019 Planning and Zoning Code.

- (16) All SINGLE-FAMILY DWELLING UNITS shall comply with the following design standards regardless of the zoning district in which they are located:
- (a) Principal building roofs should have a pitch that conforms to the roof pitches of adjacent homes.
 - (b) Roofing material shall be of a type that is in compliance with the West Virginia State Building Code.
 - (c) Roof overhand or eaves shall be designed for a minimum of six (6) inches as measured from the vertical side of the building and not including rain gutters, which are required.
 - (d) Single-family dwellings should be clad in one or a combination of wood siding, vinyl siding, fiber cement siding, unit masonry, manufactured masonry or other material approved by the West Virginia State Building Code.
 - (e) A perimeter enclosure is required in accordance with the West Virginia State Building Code. For manufactured housing units, all tow bars, axles and wheels shall be removed. The housing unit shall rest on a required center support and meet tie-down requirements per the West Virginia State Building Code.
 - (f) No housing unit shall be less than twenty-four (24) feet in width.

- (20) MIXED USE BUILDINGS shall comply with the following:
- (a) Minimum Building Height. Unless provided otherwise by regulations specific to a given zoning district, the minimum height of a mixed use building shall be two (2) stories.
 - (b) Floor-to-Floor Heights. All floor space provided on the ground floor of a building, regardless of use, must have a minimum floor-to-ceiling height of at least eleven (11) feet.
 - (c) Nonresidential component space shall include commercial, business, and/or office use(s) permitted in the zoning district.
 - (d) Residential amenity space includes areas utilized as common entrance, lobby, leasing, management, meeting, exercise, and the like intended principally for the comfort, convenience, amenity, and/or necessity of the mixed use dwelling unit(s). Residential amenity spaces shall be considered residential component space and may not be counted toward meeting minimum nonresidential component space requirements.
 - (e) Minimum Nonresidential Component Space. Unless provided otherwise by regulations specific to a given zoning district, a minimum net floor area (NFA) shall be dedicated to nonresidential component space to ensure that commercial land is preserved for primarily commercial purposes, which shall be calculated as at least 20 percent of the gross floor area (GFA) of the ground floor or 800 square feet, whichever is greater. Except,
 - i. Within the R-2 Districts, the maximum gross floor area of all permitted nonresidential component space within a mixed use building shall be 2,000 square feet and any permitted food service establishment shall not exceed 500 square feet of customer seating area.
 - ii. Within the R-3 District, the maximum gross floor area of all permitted nonresidential component space shall be 3,000 square feet and any permitted food service establishment shall not exceed 750 square feet of customer seating area.
 - (f) Floor area of enclosed off-street parking areas may not be counted toward meeting minimum nonresidential component space requirements.
 - (g) Minimum required nonresidential component space(s) shall be located along a principal façade of the ground floor, except that lots with topographic elevation changes may meet minimum required nonresidential component space by using at-grade floors as specified in this Section. For purposes of this Section, "topographical elevation changes" shall mean a slope in the ground surrounding the building that renders a floor above the ground floor at-grade by its direct access from the adjoining ground.
 - (h) On lots with topographic elevation changes, minimum required nonresidential component space(s) may be developed along a principal façade of an at-grade floor(s); provided, nonresidential component spaces(s) is developed along the principal façade of the ground floor level.
 - (i) Mixed use dwelling units shall not be located along a principal façade of the ground floor, except within residential districts where mixed use buildings are permitted.
 - (j) Transparency. Unless otherwise established by this ordinance within a specific zoning district, the ground floor of the principal façade of a mixed use building between three (3) feet and eight (8) feet in height shall have a minimum fenestration ratio of sixty percent (60%), comprised of clear windows that allow views of indoor nonresidential component space and/or product display areas.
 - (k) No security bars, screens or gates shall be permitted to be attached to the principal façade of a mixed use building located within a residential zoning district. (Ord. 18-24. Passed 7-10-18.)

- (26) **MIXED USE DWELLING** units shall comply with the following:
- (a) Dwelling units may be located on the ground floor, where permitted, but shall not, with the exception of a common entrance(s), have direct access to the individual dwelling unit from a principal façade.
 - (b) Dwelling units located above the ground floor shall not have direct access to the individual dwelling unit from a principal façade by way of an outdoor pedestrian walkway as generally shown in Graphic 1331.06.01.

Graphic 1331.06.01 - Outdoor Pedestrian Walkway



- (35) **MULTI-FAMILY DWELLING** units shall comply with the following:
- (a) Dwelling units may be located on the ground floor, where permitted, but shall not, with the exception of a common entrance(s), have direct access to the individual dwelling unit from a principal façade.
 - (b) Dwelling units located above the ground floor shall not have direct access to the individual dwelling unit from a principal façade by way of an outdoor pedestrian walkway as generally shown in Graphic 1331.06.01.

ARTICLE 1335
R-1A, Single Family Residential District

1335.01	Purpose.	1335.05	Encroachments into setbacks.
1335.02	Permitted principal and conditional uses.	1335.06	Building height.
1335.03	Lot provisions.	1335.07	Performance standards.
1335.04	Setbacks.		

CROSS REFERENCES

Design standards - see P. & Z. 1331.06(16)
 Non-residential uses - see P. & Z. 1331.06(29)
 Accessory uses - see P. & Z. 1331.08
 Permitted signs - see P. & Z. 1369.06

1335.01 PURPOSE.

The purpose of the Single Family Residential (R-1A) District is to:

- (A) Provide for single family neighborhoods on smaller lots, located within convenient walking distance of other uses, and
- (B) Preserve the desirable character of existing single family neighborhoods, and
- (C) Protect the single family residential areas from change and intrusion that may cause deterioration, and
- (D) Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

1335.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

1335.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 3,500 square feet.
- (B) The minimum lot frontage shall be thirty (30) feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
- (C) Maximum lot coverage shall be fifty (50) percent.

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1335.04 SETBACKS.

(A) The following setbacks shall be required for all principal structures, except as otherwise provided in Section 1363.02(B) Yard, Building Setbacks and Open Space Exceptions:

- (1) Minimum Front setback:..... 8 feet
- (2) Maximum Front setback:20 feet
- (3) Minimum Side setback:.....5 feet
- (4) Minimum Rear setback:20 feet.

(B) On a corner lot, the front lot line shall be the lot line having the shortest dimension along the street right-of-way line. The required side yard setback on the side facing a street shall be one and one-half (1.5) times the normal side setback requirement. (Amended by Ord. 06-24, Passed 07-18-2006)

1335.05 ENCROACHMENTS INTO SETBACKS.

(A) Architectural features may project into a required setback as provided below:

- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding three (3) feet, except that such features shall not extend closer than three (3) feet from the property line.
- (2) Uncovered stairs, landings and porches shall not extend closer than three (3) feet from the property line.
- (3) Open and covered, but un-enclosed front porches attached to single family dwellings may extend into the required front setback a distance equal to fifty (50) percent of the setback depth. Such porches may not subsequently be enclosed unless the normal setback requirements for the district are met.

(B) No permitted encroachment noted above shall extend to within three (3) feet of an accessory structure.

(C) Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Section 1363.03, Safety and Vision. Such appurtenances shall not be located within access, drainage, or utility easements. (Ord. 06-01. Passed 1-3-06.)

(D) HVAC mechanical units may be located no closer than two (2) feet to a side lot line and may not be placed in the front yard. (Ord. 18-24. Passed 7-10-18.)

(E) Parking shall be permitted in the front setback only on approved driveways constructed to the standards of the City Engineering Department and arranged so that no part of any vehicle parked on the driveway encroaches into the right-of-way of any street.

1335.06 BUILDING HEIGHT.

(A) The maximum height of a principal structure shall not exceed two and one-half (2.5) stories or thirty-five (35) feet, whichever is less, except as provided in Section 1363.02(A), Height Exceptions.

(B) The maximum height of an accessory structure shall not exceed eighteen (18) feet. (Ord. 06-40. Passed 11-21-06.)

1335.07 PERFORMANCE STANDARDS.

(A) All residential construction shall substantially conform in street orientation to adjacent interior lot residential structures.

(B) Building Design Standards for Single-Family Dwelling new construction, additions, and redevelopment projects.

- (1) Buildings should be clad in one or a combination of wood siding, vinyl siding, fiber cement siding, unit masonry, or manufactured masonry.
- (2) Garden walls shall not be made from concrete masonry units (CMU) unless of the split face ornamental variety designed for use in landscaping projects.
- (3) Principal building roofs should have a pitch that conforms to the roof pitches of adjacent single-family dwellings.
- (4) Dwellings should have substantial front porches oriented toward the primary street frontage. Covered, but unenclosed, front porches shall not count toward the permitted maximum lot coverage.
- (5) Garages, if attached to the dwelling, may not take up more than 65% of the width of the front façade nor extend closer to the front lot line than the primary building line of the front façade.

(C) Building Design Standards for Nonresidential new construction, additions, and redevelopment projects.

- (1) Prohibited façade materials include vinyl siding; glare producing materials; unfinished wood; wood board sheathing products; ribbed, corrugated, galvanized, and alloy-coated metal panels; and, materials designed and intended for interior use.
- (2) Prohibited façade primary materials include synthetic stucco systems, concrete masonry units (CMU), or fiber cement siding.
- (3) Permitted accent materials for façades include unit masonry, manufactured masonry, masonry detailed concrete, metal, concrete, synthetic stucco systems, concrete masonry units (CMU), and fiber cement siding.
- (4) For new construction, masonry should be used as the primary material on at least 75% of the net façade area. Manufactured masonry must appear identical to traditional unit masonry construction.
- (5) Synthetic stone may be used if it is detailed to have the appearance of authentic stone. At a building corner, the synthetic stone must wrap around the corner and, at a minimum, extend to a depth of traditional stone.
- (6) Roofing shall be consistent in material, style, pattern, and color throughout. Roofing may only be of earth toned or other muted colors. Glare producing materials and unpainted metal roofing is prohibited.
- (7) No security bars, screens or gates shall be permitted to be attached to the principal façade of a nonresidential building.
- (8) Transparency. The ground floor of the principal façade of a nonresidential building between three (3) feet and eight (8) feet in height shall have a minimum fenestration ratio of sixty percent (60%), comprised of clear windows that allow views of indoor nonresidential component space and/or product display areas.

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- (9) Civic Buildings and Churches or Places of Worship should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community.

(D) With the exception of single-family dwellings, parking areas shall be concealed along the street frontage by an architectural screen wall between three and one-half (3.5) and five (5) feet in height, and by dense landscaping along property lines not adjoining a public street. The material and finish of the architectural screen shall be consistent with the materials and finish of buildings with which it is associated or buildings in the immediate vicinity.

(E) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed unless waived by the City Engineer for single-family infill development on practicability merits. New sidewalks shall be at least five (5) feet wide. The City Engineer shall have the discretion to reduce this minimum standard to four (4) feet based on site constraints, or to conform to an existing but incomplete sidewalk along the same side of the street. (Ord. 18-24. Passed 7-10-18.)

(F) All exterior lights shall be designed, located, installed and directed in such a manner as to prevent glare from encroaching onto adjoining properties or public rights-of-way. (Ord. 18-25. Passed 8-7-18.)

ARTICLE 1337
R-2, Single and Two-Family Residential District

1337.01	Purpose.	1337.05	Encroachments into setbacks.
1337.02	Permitted principal and conditional uses.	1337.06	Building height.
1337.03	Lot provisions.	1337.07	Performance standards.
1337.04	Setbacks.		

CROSS REFERENCES

Design standards - see P. & Z. 1331.06(16)
Non-residential uses - see P. & Z. 1331.06(29)
Accessory uses - see P. & Z. 1331.08
Permitted signs - see P. & Z. 1369.06

1337.01 PURPOSE.

The purpose of the Single and Two-Family Residential (R-2) District is to:

- (A) Provide for two-family housing development and customary accessory uses at a density slightly higher than in single family neighborhoods, and
- (B) Preserve the desirable character of existing medium density family neighborhoods, and
- (C) Protect the medium density residential areas from change and intrusion that may cause deterioration, and
- (D) Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

1337.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

1337.03 LOT PROVISIONS.

(A) The minimum lot size shall be 5,000 square feet and the minimum lot frontage shall be forty (40) feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.

- (B) Maximum lot coverage shall be fifty (50) percent.

1337.04 SETBACKS.

(A) The following setbacks shall be required for all principal structures, except as otherwise provided in Section 1363.02(B) Yard, Building Setbacks and Open Space Exceptions:

- (1) Minimum Front setback:.....10 feet
- (2) Maximum Front setback:.....20 feet
- (3) Minimum Side setback:.....5 feet
- (4) Minimum Rear setback:20 feet.

(B) On a corner lot, the front lot line shall be the lot line having the shortest dimension along the right-of-way line. The required side yard setback on the side facing a street shall be one and one-half (1.5) times the normal side yard setback requirement.

1337.05 ENCROACHMENTS INTO SETBACKS.

(A) Architectural features may project into a required setback as provided below:

- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding three (3) feet, except that such features shall not extend closer than three (3) feet from the property line.
- (2) Uncovered stairs, landings and porches shall not extend closer than three (3) feet from the property line.
- (3) Open and covered, but unenclosed front porches attached to single family dwellings or two-family dwellings may extend into the required front setback a distance equal to fifty (50) percent of the setback depth. Such porches may not subsequently be enclosed unless the normal setback requirements for the district are met.

(B) No permitted encroachment noted above shall extend to within three (3) feet of an accessory structure.

(C) Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Section 1363.03, Safety and Vision. (Ord. 06-01. Passed 1-3-06.)

(D) HVAC mechanical units may be located no closer than two (2) feet to a side lot line and may not be placed in the front yard. (Ord. 18-24. Passed 7-10-18.)

(E) Parking shall be permitted in the front setback only on approved driveways constructed to the standards of the City Engineering Department and arranged so that no part of any vehicle parked on the driveway encroaches into the right-of-way of any street. (Amended by Ord. 06-24, Passed 07-18-2006)

1337.06 BUILDING HEIGHT.

(A) The maximum height of a principal structure shall not exceed two and one-half (2.5) stories or thirty-five (35) feet, whichever is less, except as provided in Section 1363.02(A), Height Exceptions.

(B) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

(C) Minimum building height for a two-family dwelling should be two (2) stories. (Ord. 06-40. Passed 11-21-06.)

1337.07 PERFORMANCE STANDARDS.

(A) All residential construction shall substantially conform in street orientation to adjacent interior lot residential structures.

(B) Building Design Standards for Single- and Two-Family Dwelling new construction, additions, and redevelopment projects.

- (1) Buildings should be clad in one or a combination of wood siding, vinyl siding, fiber cement siding, unit masonry, or manufactured masonry.
- (2) Garden walls shall not be made from concrete masonry units (CMU) unless of the split face ornamental variety designed for use in landscaping projects.
- (3) Principal building roofs should have a pitch that conforms to the roof pitches of adjacent single-family dwellings.
- (4) Two-family dwellings shall have substantial front porches oriented toward the primary street frontage. The total width of a front porch should not be less than fifty (50) percent of the width of the front façade. Covered, but unenclosed, front porches shall not count toward the permitted maximum lot coverage.
- (5) Garages, if attached to the dwelling, may not take up more than 65% of the width of the front façade nor extend closer to the front lot line than the primary building line of the front façade.

(C) Building Design Standards for Townhouse, Multi-Family, Mixed Use, and Nonresidential new construction, additions, and redevelopment projects.

- (1) Prohibited façade materials include vinyl siding; glare producing materials; unfinished wood; wood board sheathing products; ribbed, corrugated, galvanized, and alloy-coated metal panels; and, materials designed and intended for interior use.
- (2) Prohibited façade primary materials.
 - (a) For Townhouse and Multi-Dwellings, synthetic stucco systems or concrete masonry units (CMU).
 - (b) For Mixed Use and Nonresidential buildings, synthetic stucco systems, concrete masonry units (CMU), or fiber cement siding.
- (3) For new construction of Townhouse Dwellings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 50% of the net façade area of the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.
- (4) For new construction of Multi-Family, Mixed Use, and Nonresidential buildings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 75% of the net façade area of the ground floor level and the first story above the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.

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- (5) Permitted façade accent materials include unit masonry, manufactured masonry, masonry detailed concrete, smooth metal panel systems, concrete, synthetic stucco systems, concrete masonry units (CMU), and fiber cement siding.
- (6) Synthetic stone may be used if it is detailed to have the appearance of authentic stone. At a building corner, the synthetic stone must wrap around the corner and, at a minimum, extend to a depth of traditional stone.
- (7) Building Articulation. New development shall incorporate articulation techniques that divide the overall building mass into modules in order to provide a sense of human scale and reinforce, where applicable, the traditionally-scaled building pattern within the surrounding built environment.
 - (a) The following design options may be used individually, or in combination, to meet the intent of desired building articulation. Other creative building articulation strategies may also be appropriate.
 - (i) Wall Offsets.
 - (ii) Wall Projections.
 - (iii) Step Backs
 - (iv) Variations in Material.
 - (v) Base, Middle, Cap Design
 - (b) Appropriate vertical articulation techniques include:
 - (i) Wall plane offsets such as notches or varied façade setbacks.
 - (ii) Wall projections such as columns, moldings, or pilasters.
 - (iii) Vertical variations in material.
 - (c) Appropriate horizontal articulation techniques include:
 - (i) Stepping back taller building elements.
 - (ii) Belt courses, expression lines, or other techniques that provide horizontal expression.
 - (iii) Awnings, canopies, or other features that help define the ground floor of a building.
 - (iv) Varied roof forms.
 - (v) Horizontal variations in material.
 - (vi) Horizontally dividing the façade into a distinct base, middle, and cap.
- (8) Roof Form. New development shall incorporate roof forms that convey compatible mass and scale, add visual interest, and are appropriate to a building's use.
 - (a) Roofing shall be consistent in material, style, pattern, and color throughout. Roofing may only be of earth toned or other muted colors. Glare producing materials and unpainted metal roofing is prohibited.
 - (b) Appropriate techniques to create a sense of visual interest along the street include:
 - (i) Using a combination of gable, hip, and flat roof forms to provide visual interest.
 - (ii) Varying the roof profile by stepping down some parts of the façade.

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- (iii) Defining a flat roof form with a distinct parapet or cornice line to help reinforce a vertical base, middle and cap building articulation, and contribute to a sense of iconic design.
 - (iv) Using an overhang on sloped roof forms.
 - (v) Other creative roof form strategies may also be appropriate including, but not limited to, entry features, tower elements, and rounded elements.
- (9) No security bars, screens or gates shall be permitted to be attached to the principal façade of a townhouse, multi-family, mixed use, or nonresidential building.
 - (10) Transparency. The ground floor of the principal façade of mixed use and nonresidential buildings between three (3) feet and eight (8) feet in height shall have a minimum fenestration ratio of sixty percent (60%), comprised of clear windows that allow views of indoor nonresidential component space and/or product display areas.
 - (11) Civic Buildings and Churches or Places of Worship should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community.

(D) With the exception of single-family, two-family, and townhouse dwellings, surface parking areas shall be concealed along the street frontage by an architectural screen wall between three and one-half (3.5) and five (5) feet in height, and by dense landscaping along property lines not adjoining a public street. The material and finish of the architectural screen shall be consistent with the materials and finish of buildings with which it is associated or buildings in the immediate vicinity.

(E) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed unless waived by the City Engineer for single- and two-family infill development on practicability merits. New sidewalks shall be at least five (5) feet wide. The City Engineer shall have the discretion to reduce this minimum standard to four (4) feet based on site constraints, or to conform to an existing but incomplete sidewalk along the same side of the street. (Ord. 18-24. Passed 7-10-18.)

(F) All exterior lights shall be designed, located, installed, and directed in such a manner as to prevent glare from encroaching onto adjoining properties or public rights-of-way. (Ord. 18-25. Passed 8-7-18.)

ARTICLE 1339
R-3, Multi-Family Residential District

1339.01	Purpose.	1339.05	Encroachments into setbacks.
1339.02	Permitted principal and conditional uses.	1339.06	Building height.
1339.03	Lot provisions.	1339.07	Performance standards.
1339.04	Setbacks.		

CROSS REFERENCES

Design standards - see P. & Z. 1331.06(16)
Non-residential uses - see P. & Z. 1331.06(29)
Accessory uses - see P. & Z. 1331.08
Permitted signs - see P. & Z. 1369.06

1339.01 PURPOSE.

The purpose of the Multi-Family Residential (R-3) District is to:

- (A) Provide for a variety of housing density and types, and customary accessory uses at a density higher than in other city neighborhoods, and
- (B) Preserve the desirable character of existing high density residential neighborhoods, and
- (C) Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

1339.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

1339.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 4,000 square feet.
- (B) The minimum lot frontage shall be forty (40) feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.
- (C) Maximum lot coverage shall be sixty (60) percent.

2019 Replacement

1339.04 SETBACKS.

(A) The following setbacks shall be required for all principal structures, except as otherwise provided in Section 1363.02(B) Yard, Building Setbacks and Open Space Exceptions:

- (1) Minimum Front setback:.....10 feet
- (2) Maximum Front setback:.....20 feet
- (3) Minimum Side setback:.....5 feet
- (4) Minimum Rear setback:20 feet.

(B) On a corner lot, the front lot line shall be the lot line having the shortest dimension along the street right-of-way line. The required side yard setback on the side facing a street shall be one and one-half (1.5) times the normal side setback requirement. (Amended by Ord. 06-24, Passed 07-18-2006)

1339.05 ENCROACHMENTS INTO SETBACKS.

(A) Architectural features may project into a required setback as provided below:

- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding three (3) feet, except that such features shall not extend closer than three (3) feet from the property line.
- (2) Uncovered stairs, landings and porches shall not extend closer than three (3) feet from the property line. Such porches may not subsequently be enclosed unless the normal setback requirements for the district are met.
- (3) Open and covered, but un-enclosed front porches attached to single family or two-family dwellings may extend into the required front setback a distance equal to fifty (50) percent of the setback depth.

(B) No permitted encroachment noted above shall extend to within three (3) feet of an accessory structure.

(C) Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Section 1363.03, Safety and Vision. Such appurtenances shall not be located within access, drainage, or utility easements. (Ord. 06-01. Passed 1-3-06.)

(D) HVAC mechanical units may be located no closer than two (2) feet to a side lot line and may not be placed in the front yard. (Ord. 18-24. Passed 7-10-18.)

1339.06 BUILDING HEIGHT.

(A) The permitted maximum height shall be four (4) stories or fifty-five (55) feet, whichever is less, except as provided in Section 1363.02(A), Height Exceptions. A conditional use permit shall be required for buildings in excess of fifty-five (55) feet but less than eighty (80) feet.

(B) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

(C) Minimum building height for a two-family or multifamily dwelling should be two (2) stories. (Ord. 06-40. Passed 11-21-06.)

2019 Replacement

1339.07 PERFORMANCE STANDARDS.

(A) All residential construction shall substantially conform in street orientation and massing to adjacent interior lot residential structures.

(B) Building Design Standards for Single- and Two-Family Dwelling new construction, additions, and redevelopment projects.

- (1) Buildings should be clad in one or a combination of wood siding, vinyl siding, fiber cement siding, unit masonry, or manufactured masonry.
- (2) Garden walls shall not be made from concrete masonry units (CMU) unless of the split face ornamental variety designed for use in landscaping projects.
- (3) Principal building roofs should have a pitch that substantially conforms to the roof pitches of adjacent single-family dwellings.
- (4) Two-family dwellings shall have substantial front porches oriented toward the primary street frontage. The total width of a front porch should not be less than fifty (50) percent of the width of the front façade. Covered, but unenclosed, front porches shall not count toward the permitted maximum lot coverage.
- (5) Garages, if attached to the dwelling, may not take up more than 65% of the width of the front façade nor extend closer to the front lot line than the primary building line of the front façade.

(C) Building Design Standards for Townhouse, Multi-Family, Mixed Use, and Nonresidential new construction, additions, and redevelopment projects.

- (1) Prohibited façade materials include vinyl siding; glare producing materials; unfinished wood; wood board sheathing products; ribbed, corrugated, galvanized, and alloy-coated metal panels; and, materials designed and intended for interior use.
- (2) Prohibited façade primary materials.
 - (a) For Townhouse and Multi-Family Dwellings, synthetic stucco systems or concrete masonry units (CMU).
 - (b) For Mixed Use and Nonresidential buildings, synthetic stucco systems, concrete masonry units (CMU), or fiber cement siding.
- (3) For new construction of Townhouse Dwellings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 50% of the net façade area of the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.
- (4) For new construction of Multi-Family, Mixed Use, and Nonresidential buildings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 75% of the net façade area of the ground floor level and the first story above the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.
- (5) Permitted façade accent materials include unit masonry, manufactured masonry, masonry detailed concrete, smooth metal panel systems, concrete, synthetic stucco systems, concrete masonry units (CMU), and fiber cement siding.

2019 Replacement

- (6) Synthetic stone may be used if it is detailed to have the appearance of authentic stone. At a building corner, the synthetic stone must wrap around the corner and, at a minimum, extend to a depth of traditional stone.
- (7) Building Articulation. New development shall incorporate articulation techniques that divide the overall building mass into modules in order to provide a sense of human scale and reinforce, where applicable, the traditionally-scaled building pattern within the surrounding built environment.
 - (a) The following design options may be used individually, or in combination, to meet the intent of desired building articulation. Other creative building articulation strategies may also be appropriate.
 - (i) Wall Offsets.
 - (ii) Wall Projections.
 - (iii) Step Backs
 - (iv) Variations in Material.
 - (v) Base, Middle, Cap Design
 - (b) Appropriate vertical articulation techniques include:
 - (i) Wall plane offsets such as notches or varied façade setbacks.
 - (ii) Wall projections such as columns, moldings, or pilasters.
 - (iii) Vertical variations in material.
 - (c) Appropriate horizontal articulation techniques include:
 - (i) Stepping back taller building elements.
 - (ii) Belt courses, expression lines, or other techniques that provide horizontal expression.
 - (iii) Awnings, canopies, or other features that help define the ground floor of a building.
 - (iv) Varied roof forms.
 - (v) Horizontal variations in material.
 - (vi) Horizontally dividing the façade into a distinct base, middle, and cap.
- (8) Roof Form. New development shall incorporate roof forms that convey compatible mass and scale, add visual interest, and are appropriate to a building's use.
 - (a) Roofing shall be consistent in material, style, pattern, and color throughout. Roofing may only be of earth toned or other muted colors. Glare producing materials and unpainted metal roofing is prohibited.
 - (b) Appropriate techniques to create a sense of visual interest along the street include:
 - (i) Using a combination of gable, hip, and flat roof forms to provide visual interest.
 - (ii) Varying the roof profile by stepping down some parts of the façade.
 - (iii) Defining a flat roof form with a distinct parapet or cornice line to help reinforce a vertical base, middle and cap building articulation, and contribute to a sense of iconic design.

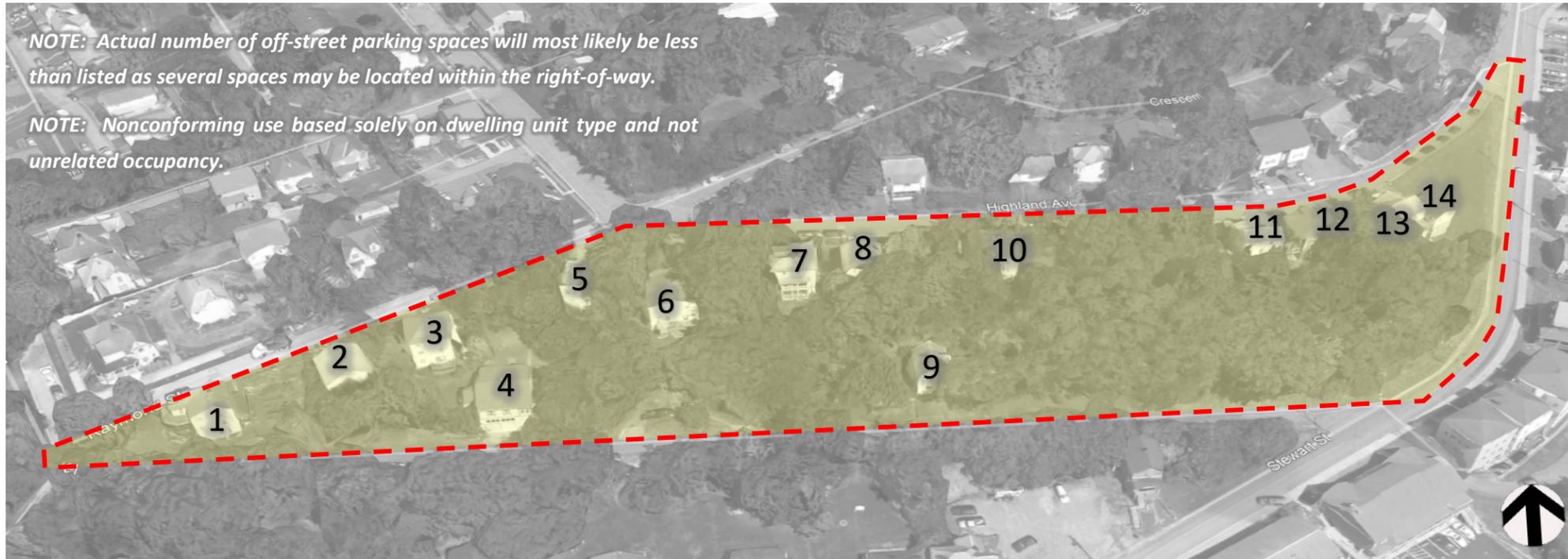
- (iv) Using an overhang on sloped roof forms.
 - (v) Other creative roof form strategies may also be appropriate including, but not limited to, entry features, tower elements, and rounded elements.
- (9) No security bars, screens or gates shall be permitted to be attached to the principal façade of a townhouse, multi-family, mixed use, or nonresidential building.
 - (10) Transparency. The ground floor of the principal façade of mixed use and nonresidential buildings between three (3) feet and eight (8) feet in height shall have a minimum fenestration ratio of sixty percent (60%), comprised of clear windows that allow views of indoor nonresidential component space and/or product display areas.
 - (11) Civic Buildings and Churches or Places of Worship should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community.

(D) With the exception of single-family, two-family, and townhouse dwellings, surface parking areas shall be concealed along the street frontage by an architectural screen wall between three and one-half (3.5) and five (5) feet in height, and by dense landscaping along property lines not adjoining a public street. The material and finish of the architectural screen shall be consistent with the materials and finish of buildings with which it is associated or buildings in the immediate vicinity.

(E) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed. New sidewalks shall be at least six (6) feet wide, or the same width as an existing but incomplete sidewalk along the same side of the street.
(Ord. 18-24. Passed 7-10-18.)

(F) All exterior lights shall be designed, located, installed and directed in such a manner as to prevent glare from encroaching onto adjoining properties or public rights-of-way.
(Ord. 18-25. Passed 8-7-18.)

Group A



Group A	
Buildings	14
Area	3.73 acs
Units Per Acre	6.17
Beds Per Acre	10.72
Percent Rental.....	71%
Percent Nonconforming Use	50%
Dwelling Units	23
Beds	40+
Parking Spaces	< 13

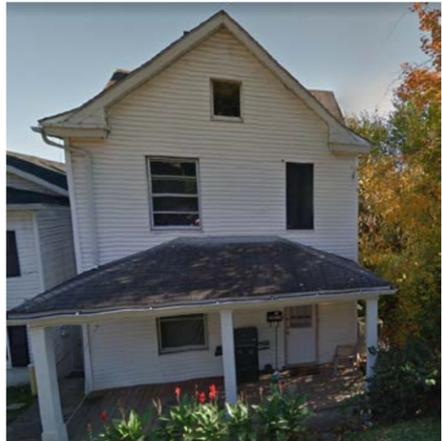
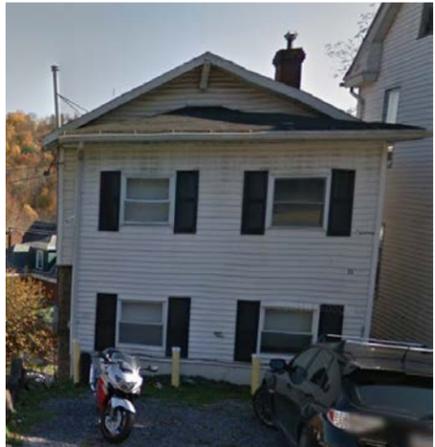
Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
A1	301 Raymond Street	1	Owner		A2	307 Raymond Street	1	Renter	
		unknown	0				3	0	

Existing Structure Data

Future Study Area No. 5 – Recommendations Report

Appendix D

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
A3	313 Raymond Street	2	Renter		A4	317 Raymond Street	1	Owner	
		3	0				unknown	2	
A5	321 Raymond Street	4	Renter		A6	73 Highland Avenue	2	Renter	
		7	0				6	4	
A7	69 Highland Avenue	2	Renter		A8	61 Highland Avenue	1	Owner	
		4	0				unknown	0	

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
A9	150 Wellen Avenue	2	Renter		A10	53 Highland Avenue	1	Owner	
		3	2				unknown	0	
A11	37 Highland Avenue	2	Renter		A12	33 Highland Avenue	2	Renter	
		5	2				4	1	
A13	25 Highland Avenue	1	Renter		A14	23 Highland Avenue	1	Renter	
		3	0				2	2	

Group B



NOTE: Actual number of off-street parking spaces will most likely be less than listed as several spaces may be located within the right-of-way.

NOTE: Nonconforming use based solely on dwelling unit type and not unrelated occupancy.

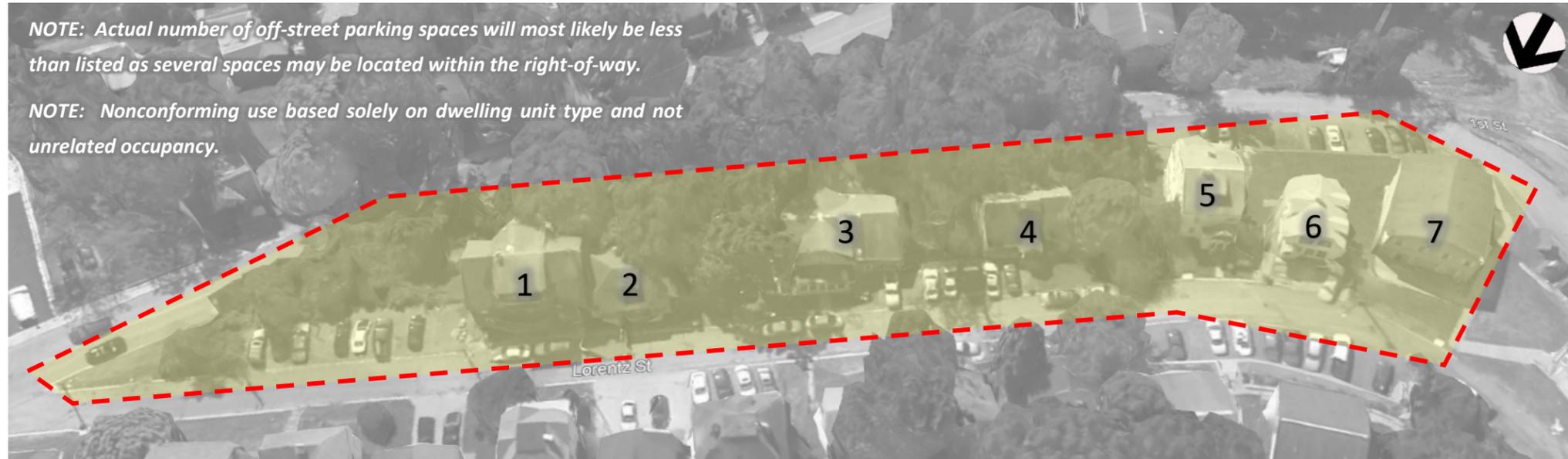
Group B	
Buildings	14
Area	2.74 acs
Units Per Acre	6.57
Beds Per Acre	16.06
Percent Rental.....	93%
Percent Nonconforming Use	29%
Dwelling Units	18
Beds.....	44+
Parking Spaces	< 22

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
B1	124 Lorentz Avenue	2	Renter		B2	126 Lorentz Avenue	2	Renter	
		3	6				3	2	

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
B3	132 Lorentz Avenue	1	Renter		B4	134 Lorentz Avenue	1	Renter	
		3	0				3	0	
B5	136 Lorentz Avenue	1	Renter		B6	140 Lorentz Avenue	1	Renter	
		3	0				5	1	
B7	140.5 Lorentz Avenue	2	Renter		B8	142 Lorentz Avenue	1	Renter	
		6	4				3	0	

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
B9	142.5 Lorentz Avenue	1	Renter		B10	144 Lorentz Avenue	1	Renter	
		3	3				3	0	
B11	146 Lorentz Avenue	2	Renter		B12	445 Lorentz Avenue	1	Owner	
		3	0				unknown	2	
B13	395 Stewart Street	1	Renter		B14	409 Stewart Street	1	Renter	
		3	1				3	3	

Group C



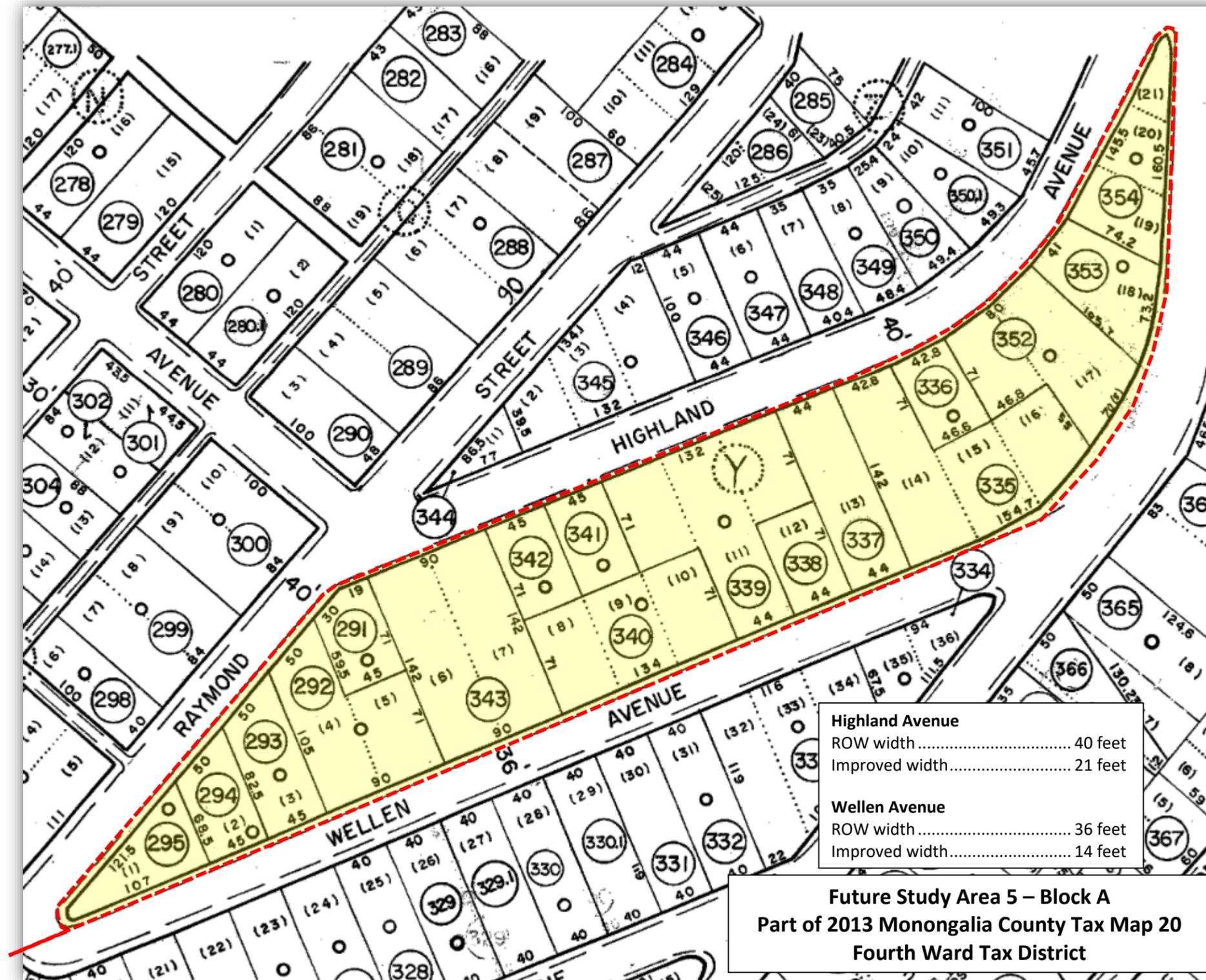
NOTE: Actual number of off-street parking spaces will most likely be less than listed as several spaces may be located within the right-of-way.

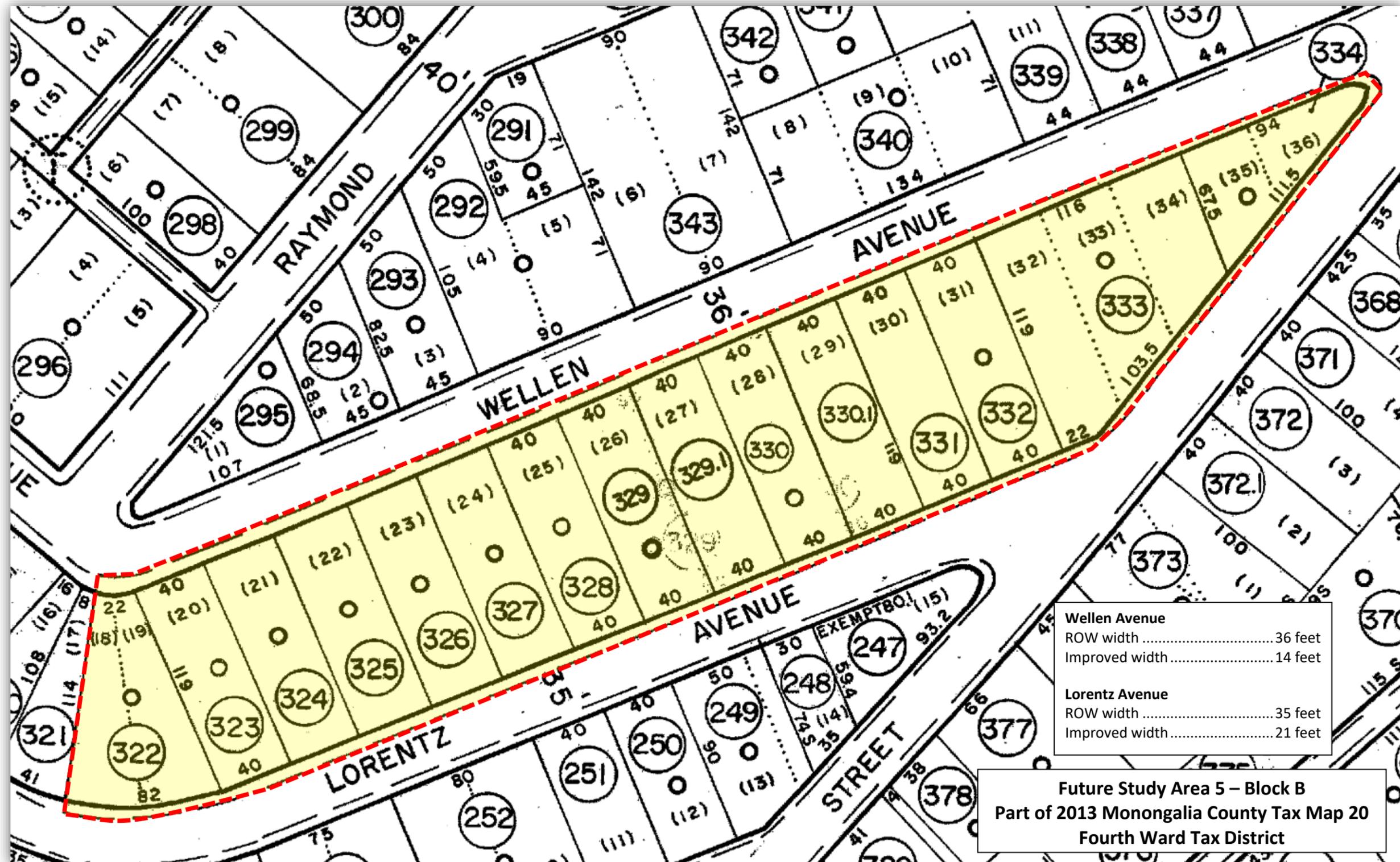
NOTE: Nonconforming use based solely on dwelling unit type and not unrelated occupancy.

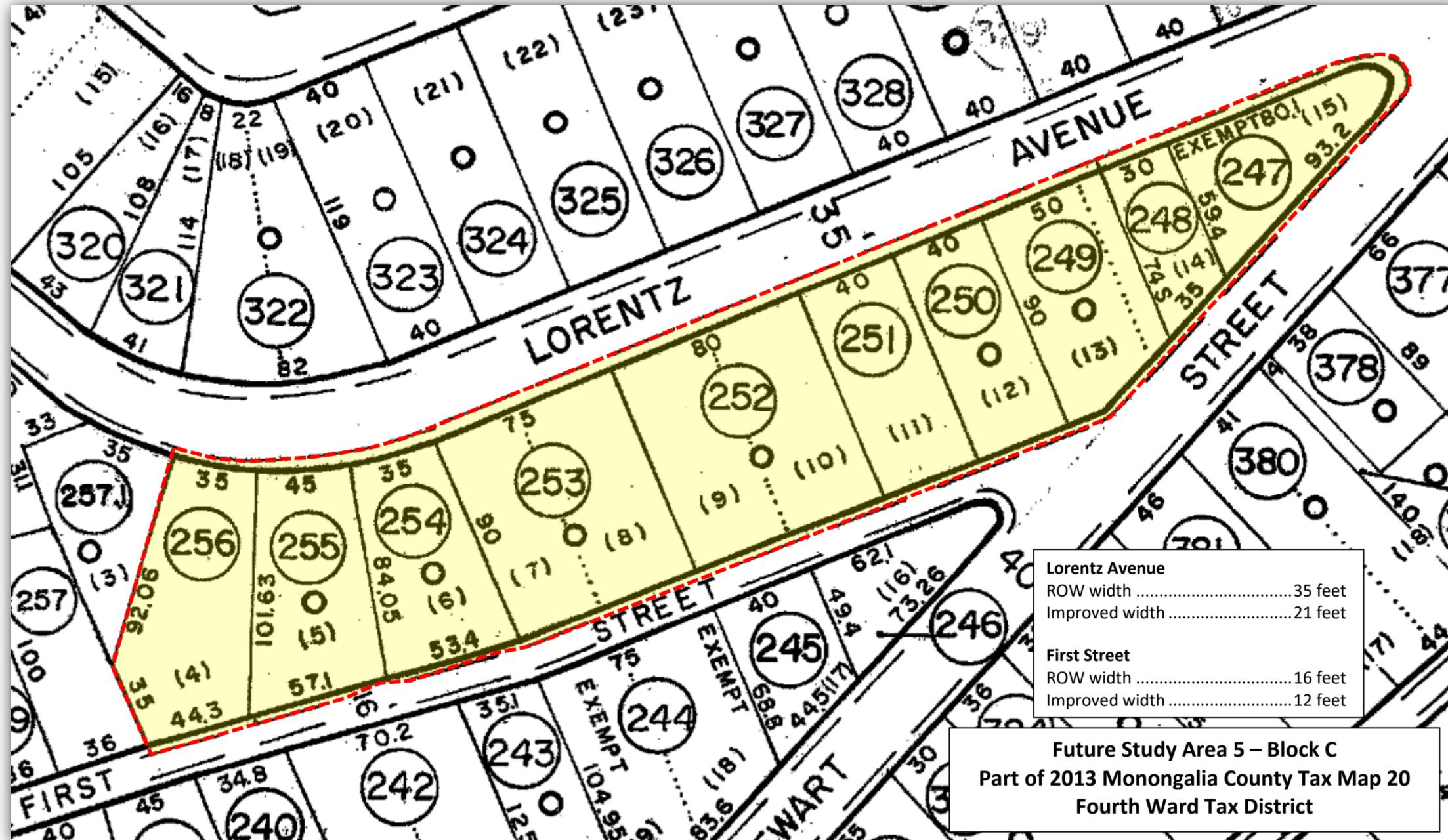
Group C	
Buildings	7
Area	1.3 acs
Units Per Acre	14.62
Beds Per Acre	25.38
Percent Rental.....	100%
Percent Nonconforming Use	43%
Dwelling Units	19
Beds	33
Parking Spaces	< 27

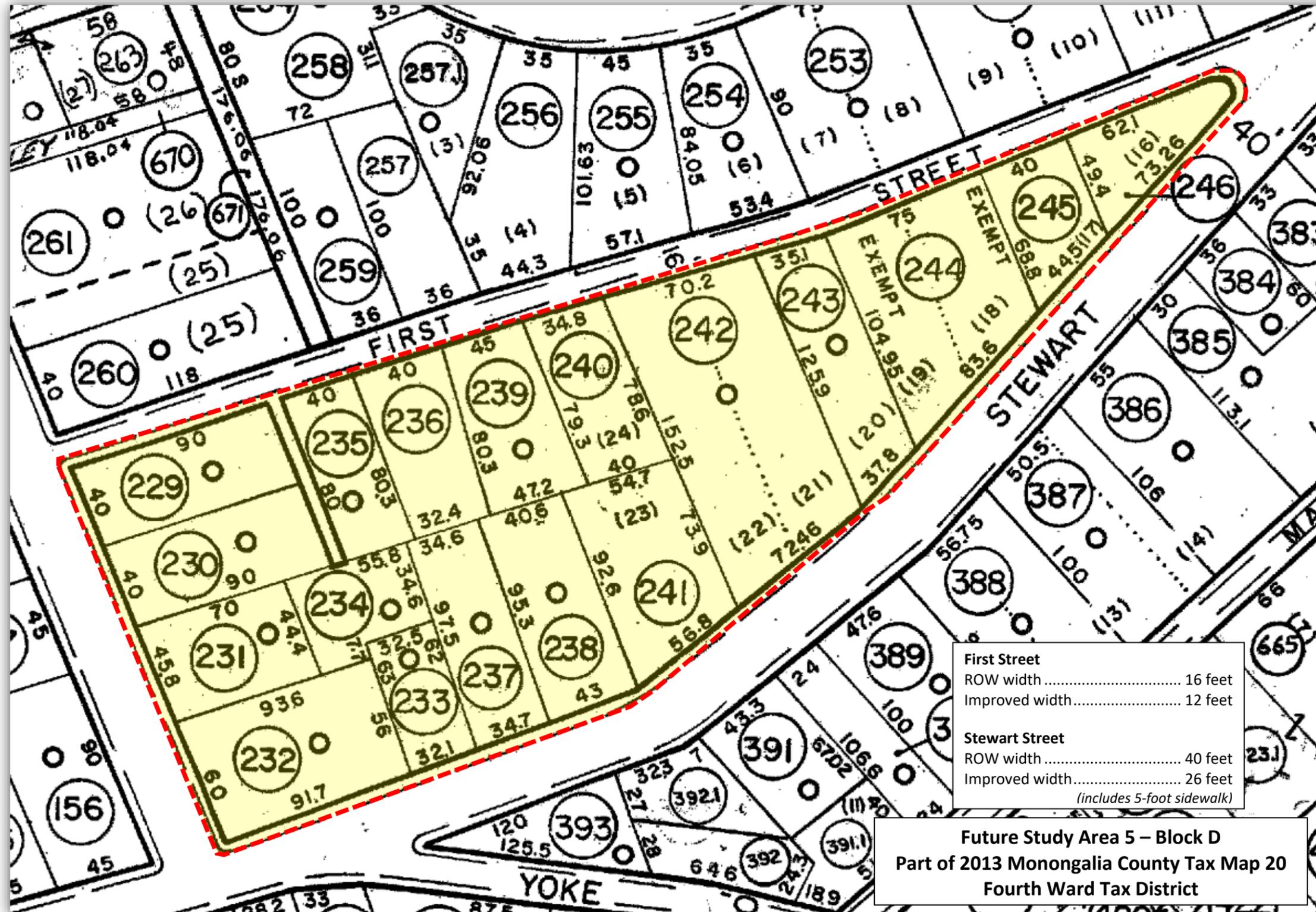
Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
C1	145 Lorentz Avenue	5	Renter		C2	137 Lorentz Avenue	2	Renter	
		5	9				3	2	
C3	135 Lorentz Avenue	2	Renter		C4	131 Lorentz Avenue	1	Renter	
		8	2				4	2	

Structure ID	Address	No. Units	Tenancy	Google Streetview	Structure ID	Address	No. Units	Tenancy	Google Streetview
		No. Beds	No. Prkng				No. Beds	No. Prkng	
C5	127 Lorentz Avenue	4	Renter		C6	125 Lorentz Avenue	3	Renter	
		5	5				4	5	
C7	567 First Street	2	Renter						
		4	2						



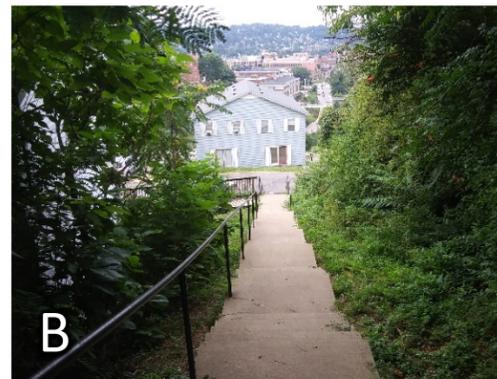
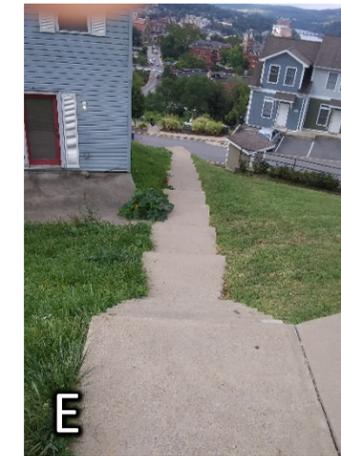






First Street	
ROW width	16 feet
Improved width	12 feet
Stewart Street	
ROW width	40 feet
Improved width	26 feet
	<i>(includes 5-foot sidewalk)</i>

Future Study Area 5 – Block D
Part of 2013 Monongalia County Tax Map 20
Fourth Ward Tax District



APPENDIX F

Study Area 5 – Stewart Street and Highland Avenue

Recommendations Report

October 8, 2019

AECOM Preliminary Draft Zoning Scenarios

AECOM

Date: June 13, 2019

To: Mr. Chris Fletcher, AICP

From: Chris Rogers, AICP

Subject: **Small Area Plan – Area 5**
Preliminary Draft Scenarios

Informed by our review of the City's Comprehensive Plan, an inventory of existing conditions, and input gathered from the Public Forum and stakeholder interviews, below please find our preliminary draft land use scenarios:

- **Scenario 1:** No change to the current zoning.

- **Scenario 2:**
 - For R-2 area between Stewart Street and 1st Street, create overlay zone to:
 - Permit townhouses, but limit to 4 units per block to minimize intensity and massing
 - Limit building height to 2.5 stories for units fronting on 1st Street
 - Increase overall permitted building height to approximately 55 feet
 - Do not permit increase in building height beyond permitted height by conditional use
 - Allow multi-family (under units) by right

 - For R-2 area between 1st Street and Lorentz Avenue, create overlay zone to:
 - Only permit single-family detached or duplex units (eliminate townhouse units as permitted use)
 - Eliminate the conditional use option for multi-family dwelling

 - For R-2 area north of Lorentz Avenue:
 - No change from R-1A

 - See attached map

- **Scenario 3:** Rezone R-2 to R-3 between Stewart Street with no revisions to the zoning regulations.

If you agree, we will discuss the merits and specifics of these scenarios with the area stakeholders and at the next Public Forum.

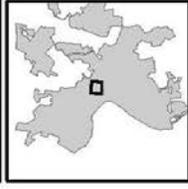
PROJECT
SMALL AREA PLAN
AREA #5

City of Morgantown, WV

SHEET TITLE

SCENARIO #2

LOCATION MAP



LEGEND

- Study Area #5
- Zoning 2016
- B-2 Service Business
- PUD Planned Unit Development
- R-1 Single-Family Residential
- R-1A Single-Family Residential
- R-2 Single & Two-Family Residential
- R-3 Multi-Family Residential



DATA SOURCES

Base Map

SCALE

1 inch = 200 feet

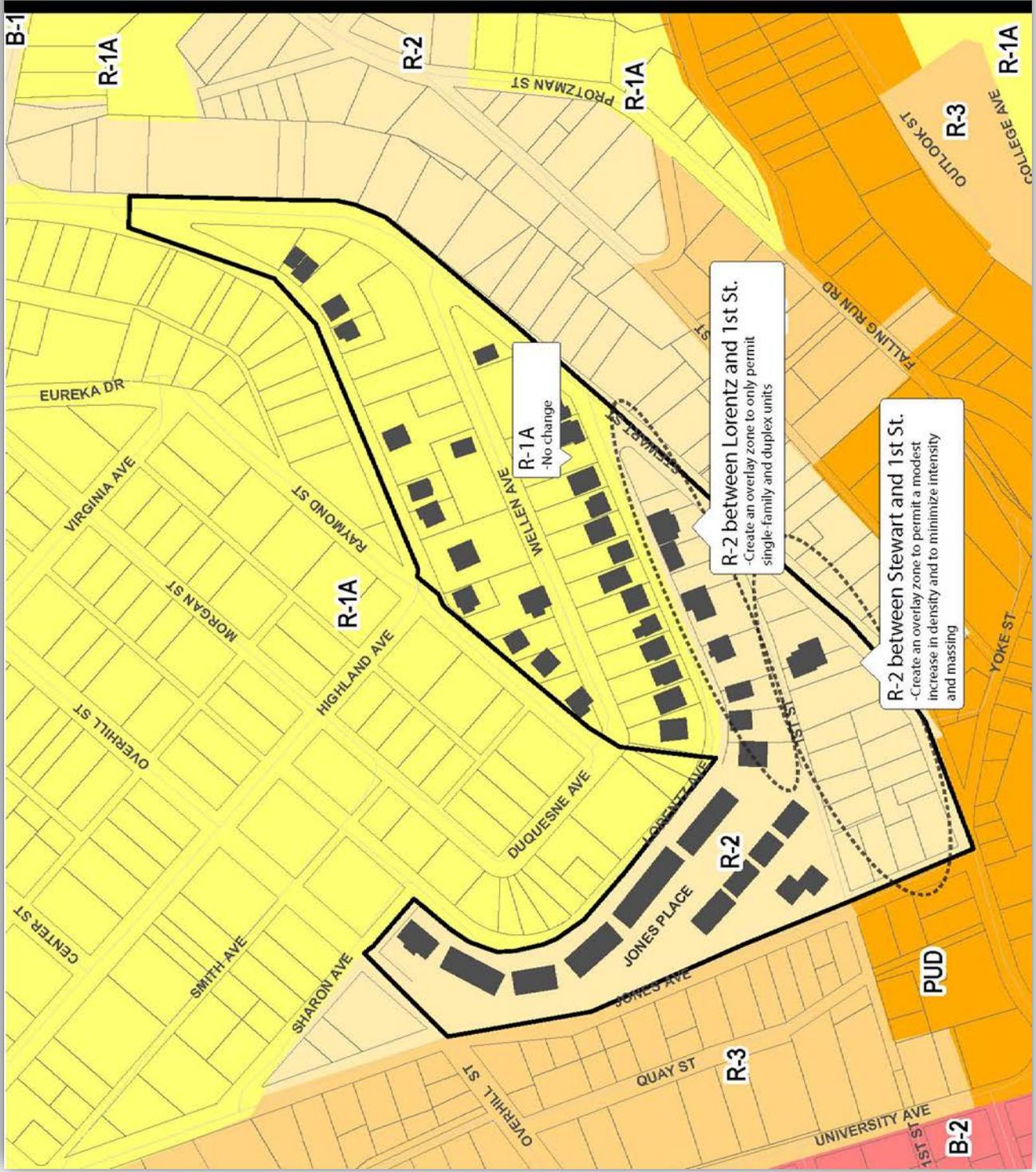
CONSULTANT

AECOM

Schubert Blvd., Suite 500
4051 Doughton Road
Newark, DE 19713
302.781.5900 (ext)
www.aecom.com

SHEET NUMBER

1 OF 1



APPENDIX G

Study Area 5 – Stewart Street and Highland Avenue

Recommendations Report

October 8, 2019

Conceptual “Wiles Hill Gateway Overlay District” Material

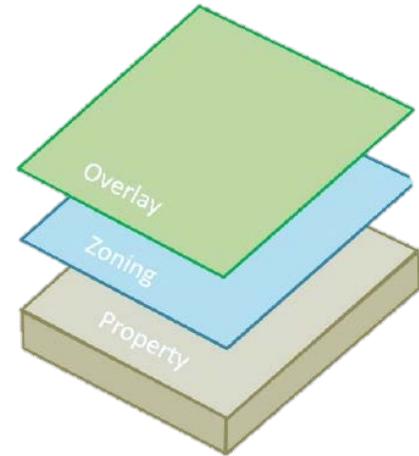
Material provided herein begins to formulate contemplated provisions to guide desired infill and redevelopment within the unique land use and development thematic policy framework developed for each block. Zoning techniques presented herein are incomplete as additional analysis is necessary before final overlay district recommendations can be brought to the Planning Commission in the form of a zoning text and map amendment ordinance. *Italicized text noted obvious areas requiring additional exploration and/or serve as policy placeholders.*

Contents

Overlay Districts	2
Wiles Hill Gateway Overlay District Concept	3
Overlay District Regulations Common to all Blocks	4
Block A – Contemplated Design and Performance Standards	6
Block B – Contemplated Design and Performance Standards	8
Block C – Contemplated Design and Performance Standards	10

Overlay Districts

Overlay districts are in many ways like any regular zoning district – they provide land use and land development regulations within a specified boundary. These districts are special zones that lie on top of existing zoning districts to modify the underlying district requirements. An overlay district may or may not match the boundaries of the underlying zoning district(s).



An overlay district is a zoning tool used to establishing additional, stricter, less restrictive, and/or incentive standards and criteria for the covered properties in addition to those of the underlying zoning district(s). It can serve as a flexible land use and land development technique to promote specific development patterns in certain areas where the underlying zoning district(s) fail to fully realize community desired outcomes.

Overlay districts are used to accomplish a variety of goals. They are usually prompted by recommendations or policies in a community's master plan or a special study. Examples of goals related to overlay regulations include water quality protection, traffic safety / access management, appearance standards, signs, historic preservation, building height, and land use. For example, an overlay district may permit greater building height or additional land uses if certain conditions are met.

Generally accepted best planning practices utilize the following steps when considering whether to create an new overlay district.

1. Establish a policy framework through a planning study or master plan update.
2. Spatially define the area of the overlay district. What is the basis for the boundaries?
3. Consider whether the same policy framework could be achieved through amendment to a zoning district or a new district.
4. Review and answer these important questions: How will the new standards guide development in a way that reflects the vision and/or policy? What will the overlay district regulate and how is it different from the underlying zoning? Will regulations be more restrictive, less restrictive or some of both? Will the overlay district be mandatory or optional?
5. Determine the approval process.
6. Prepare and adopt amendments.
7. Prepare and approve applications forms and procedures.

Overlay District Regulations Common to all Blocks

Zoning techniques presented below should be considered and understood as developing very rough concepts that might be included for

100.01 PURPOSE

The Wiles Hill Gateway Overlay District, pursuant to recommendations in the Future Study Area No. 5 Plan (Fall 2019), shall be divided into four (4) blocks and serve as a set of demonstration land use, design, and performance standards to advance desired infill development and redevelopment to modestly increase residential densities in a transitional pattern, to advance infill and redevelopment through dwelling unit diversification, and to promote construction of affordable workforce housing opportunities that includes a balance of owner and renter households. Standards provided in this Article/Section shall supersede or supplement those provided in other parts of this Ordinance where conflicts exist.

100.02 LAND USE REGULATIONS AND DESIGN AND PERFORMANCE STANDARDS COMMON TO ALL WILES HILL GATEWAY OVERLAY DISTRICT BLOCKS

The following land use regulations and development design and performance standards are held in common to blocks that compose the Wiles Hill Gateway Overlay District. See Section 1331.06 concerning supplemental regulations provided in Table XXXX.XX.XX.

100.03 PERMITTED PRINCIPAL AND CONDITIONAL USES

Wiles Hill Gateway Overlay District Permitted Land Use Table XXXX.XX.XX shall be interpreted as provided in Section 1331.05 but shall supersede Permitted Land Use Table 1331.05.01.

Uses	Block A	Block B	Block C	Block D	Supplemental Regulations
Administrative Office			A	A	TBD
Bakery, Retail			C		TBD
Barber Shop / Beauty Salon			C		TBD
Communications Equipment Building	C	C	C	C	TBD
Community Center			C		TBD
Convenience Store, Neighborhood			C		TBD
Dwelling, Accessory	A				TBD
Dwelling, Mixed Use			P		TBD
Dwelling, Multi-family			P	P	TBD
Dwelling, Single-family	P	P	P	P	TBD
Dwelling, Townhouse		P	P	P	TBD
Dwelling, Two-Family		P	P	P	TBD
Essential Services and Equipment	P	P	P	P	TBD
Group Residential Facility	P	P	P	P	TBD

Uses	Block A	Block B	Block C	Block D	Supplemental Regulations
Group Residential Home	P	P	P	P	TBD
Home Occupation, Class 1	A	A	A	A	TBD
Manufactured Homes	P	P	P	P	TBD
Mixed Use Building			C		TBD
Personal Services Establishment			C		TBD
Restaurant			C		TBD
Snack Bar/Snack Shop			C		TBD
Telecommunications Class I	P	P	P	P	TBD
Telecommunications Class II			P	P	TBD

Because “Accessory Dwelling Unit” is introduced as a permitted use in Block A, the term will need to be defined in Section 1329.02 and related design and performance standards developed (subordinate in size, permitted locations, minimum parking, etc.). The following is an example definition that could be used:

DWELLING UNIT, ACCESSORY – One (1) separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure. Accessory Dwelling Units that are attached to a single-family structure shall be separated by walls as opposed to floors. Accessory Dwelling units may be permitted above an existing single-family dwelling’s attached garage. No portion of the two structure’s living areas should be above or below one another.

100.04 Unless otherwise specified in a Wiles Hill Gateway Overlay District Block, building height measured in feet shall be the vertical distance measured from the adjoining grade of the public right-of-way from which the lot frontage and building envelope orientation is established to the highest point of the roof for a flat roof, to the deck line of a mansard roof, and to the mean height between eaves and ridges of gable, hip, and gambrel roofs. Building height calculation shall not include chimneys, spires, elevator and mechanical penthouses, water tanks, radio antennas, and similar projections or other exceptions provided in Section 1363.02(A), Height Exceptions.

100.05 Single-family, two-family, and townhouse dwelling units shall have substantial front porches oriented toward the primary street frontage. Covered, but unenclosed, front porches shall not count toward the permitted maximum lot coverage.

100.06 For parcels abutting the Stewart Street public right-of-way, the following building design standards shall apply:

(A) Provisions similar to Section 1337.07 should be included.

(B) TBD

Block A – Contemplated Design and Performance Standards

The following design and performance standards begin to formulate contemplated provisions to guide desired infill and redevelopment within Block A of the contemplated Wiles Hill Gateway Overlay District.



200.01 PURPOSE.

The purpose of Block A is to serve as a transition into the standard 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.

200.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See Wiles Hill Gateway Overlay District Permitted Land Use Table XXXX.XX.XX.

200.03 LOT PROVISIONS.

(A) The minimum lot size shall be 3,000 square feet.

(B) The minimum lot frontage shall be 25 feet.

Given the desire to provide opportunities for more narrow lots and more narrow single-family detached structures, modifications to Supplemental Regulations for single-family dwelling units provided in Section 1331.06(16) will be required (e.g., minimum dwelling unit width, etc.)

(C) New development shall have frontage and building envelope orientation toward the public right-of-way; provided, lots fronting Stewart Street shall have rear yards adjoining the Stewart Street right-of-way to ensure frontage and building envelope orientation is toward Highland Avenue or Wellen Avenue as applicable.

(D) Maximum lot coverage shall be XX percent.

200.04 SETBACKS.

See Section 1335.04 Setbacks. *Reductions in minimum side and/or rear setback standards may be necessary.*

200.05 ENCROACHMENTS INTO SETBACKS.

See Section 1335.05.

200.06 BUILDING HEIGHT

(A) The maximum height of a principal building for lots with frontage along Highland Avenue and Raymond Street shall be thirty-five (35) feet above the adjoining grade of the frontage public right-of-way.

- (B) The maximum height of a principal building for lots with frontage on the north side Wellen Avenue shall be forty-five (45) feet above the adjoining grade of the frontage public right-of-way.
- (C) The maximum height of a principal building for lots with frontage on the south side of Wellen Avenue shall be thirty-five (35) feet above the adjoining grade of the frontage public right-of-way.
- (D) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

200.07 PERFORMANCE STANDARDS

With the following exceptions or if otherwise provided within the Wiles Hill Gateway Overlay District, see Section 1335.07 (B) and (F).

- (A) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed. Sidewalks shall be at least five (5) feet wide. Sidewalk construction may only be waived by the City Engineer if the planned and accepted public right-of-way cross section places the sidewalk facility on the opposite side of the right-of-way from the lot upon which a use is to be constructed; provided, a waiver must be accompanied by the sidewalk development in lieu of fee enacted by City Council.
- (B) At least one (1) of the minimum required off-street parking spaces for each dwelling unit shall be located within an enclosed garage. *This requires additional site analysis to determine feasibility.*
- (C) Off-street parking spaces shall not be located between the front façade and the public right-of-way.
- (D) All open driveways and off-street parking spaces shall be surfaced with an all-weather, dust-free concrete or asphalt prior to the issuance of a Certificate of Occupancy. Driveways and off-street parking spaces shall be maintained in good condition. Other surface materials and designs may be utilized when specifically approved by the City Engineer, for purposes of reducing storm water runoff or other environmental and aesthetic considerations.
- (E) Curb cuts and driveway entrances shall be prohibited from Stewart Street.
- (F) INSERT ENGINEERING DESIGN STANDARDS FOR RETAINING WALLS ALONG STEWART STREET TO INCLUDE MAXIMUM HEIGHT, MATERIALS, ETC.

Block B – Contemplated Design and Performance Standards

The following design and performance standards begin to formulate contemplated provisions to guide desired infill and redevelopment within Block B of the contemplated Wiles Hill Gateway Overlay District.



300.01 PURPOSE.

The purpose of Block B is to serve as a secondary transition that enables creative building forms including two-family and townhouse dwellings at moderately higher densities than Block A to incentivize redevelopment of all properties.

300.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See Wiles Hill Gateway Overlay District Permitted Land Use Table XXXX.XX.XX.

300.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 5,000 square feet.
- (B) The minimum lot frontage shall be 50 feet.
- (C) New development shall have frontage and building envelope orientation toward the Lorentz Avenue.
- (D) Maximum lot coverage shall be XX percent.
- (E) *Insert minimum lot widths provisions for townhouse development to promote fee simple homeownership.*

300.04 SETBACKS.

See Section 1335.04 Setbacks. *Modifications to maximum front and minimum side setback standards may be necessary; particularly for townhouse development.*

300.05 ENCROACHMENTS INTO SETBACKS.

See Section 1335.05.

300.06 BUILDING HEIGHT

- (A) The maximum height of a principal building for lots with frontage on the north side of Lorentz Avenue shall be forty-five (45) feet above the adjoining grade of the frontage public right-of-way.
- (B) The maximum height of a principal building for lots with frontage on the south side of Lorentz Avenue shall be thirty-five (35) feet above the adjoining grade of the frontage public right-of-way.
- (C) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

300.07 PERFORMANCE STANDARDS

With the following exceptions or if otherwise provided within the Wiles Hill Gateway Overlay District, see Section 1337.07 (B), (C), (D) and (F). *Requires additional analysis for townhouse development.*

- (A) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed. Sidewalks shall be at least five (5) feet wide. Sidewalk construction may only be waived by the City Engineer if the planned and accepted public right-of-way cross section places the sidewalk facility on the opposite side of the right-of-way from the lot upon which a use is to be constructed; provided, a waiver must be accompanied by the sidewalk development in lieu of fee enacted by City Council.
- (B) At least one (1) of the minimum required off-street parking spaces for each dwelling unit shall be located within an enclosed garage. *This requires additional site analysis to determine feasibility.*
- (C) Off-street parking spaces shall not be located between the front façade and the public right-of-way. *This requires additional site analysis to determine feasibility.*
- (D) All open driveways and off-street parking spaces shall be surfaced with an all-weather, dust-free concrete or asphalt prior to the issuance of a Certificate of Occupancy. Driveways and off-street parking spaces shall be maintained in good condition. Other surface materials and designs may be utilized when specifically approved by the City Engineer, for purposes of reducing storm water runoff or other environmental and aesthetic considerations.
- (E) For townhouse development, a minimum of one long-term bicycle storage space shall be provided per dwelling unit.
- (F) Curb cuts and driveway entrances shall be prohibited from Stewart Street.
- (G)
- (H) INSERT ENGINEERING DESIGN STANDARDS FOR RETAINING WALLS ALONG STEWART STREET TO INCLUDE MAXIMUM HEIGHT, MATERIALS, ETC.

Block C – Contemplated Design and Performance Standards

The following design and performance standards begin to formulate contemplated provisions to guide desired infill and redevelopment within Block C of the contemplated Wiles Hill Gateway Overlay District.

400.01 PURPOSE.

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. The Jones Avenue and Stewart Street intersection should be designed with significant terraced retaining walls and landscaping features allowing development on the upper portions of Block C accessible from First Street.



400.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See Wiles Hill Gateway Overlay District Permitted Land Use Table XXXX.XX.XX.

400.03 LOT PROVISIONS.

- (A) The minimum lot size shall be X,XXX square feet.
- (B) The minimum lot frontage shall be XX feet.
- (C) New development shall have frontage and building envelope orientation toward First Street or Jones Avenue as determined by the Planning Director.
- (D) Maximum lot coverage shall be XX percent.
- (E) *Insert minimum lot widths provisions for townhouse development to promote fee simple homeownership.*

400.04 SETBACKS.

See Section 1335.04 Setbacks. *Modifications to maximum front and minimum side setback standards may be necessary; particularly for townhouse and multi-family development.*

400.05 ENCROACHMENTS INTO SETBACKS.

See Section 1335.05.

400.06 BUILDING HEIGHT.

The maximum height of a principal structure shall not exceed the 1,090-foot topographic elevation coordinate; provided,

- (A) Principal structures for which the frontage and building envelope orientation has been determined by the Planning Director to be First Street or its former linear path, the maximum building height

of a principal structure shall be the lesser of the 1,090-foot topographic elevation coordinate or forty (40) feet above the adjoining grade of:

- (1) The First Street public right-of-way; or,
 - (2) The annulled portion of First Street through which a public access and pedestrian path easement has been established.
- (B) Principal structures for which the frontage and building envelope orientation has been determined by the Planning Director to be Jones Avenue, the maximum building height of a principal structure shall be the lesser of the 1,090-foot topographic elevation coordinate or forty-five (45) feet above the adjoining grade.
- (C) For the purpose of this section, the North American Datum 1983 State Plane West Virginia North FIPS 4701 Feet coordinate system shall be used in determining topographic elevation coordinates.
- (D) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

400.07 PERFORMANCE STANDARDS

With the following exceptions or if otherwise provided within the Wiles Hill Gateway Overlay District, see Section 1337.07 (B), (C), (D) and (F). *Requires additional analysis for townhouse and multi-family development.*

- (A) Site Design. *Insert, to the extent practical and justifiable, should (guidelines) and/or shall (directives) relating to terracing the site.*
- (B) Building Form. *Insert, to the extent practical and justifiable, should (guidelines) and/or shall (directives) relating to terraced building form.*
- (C) Minimum Open Space. Permanent open space shall be required as an integral part of townhouse and/or multi-family development. In townhouse or multi-family development within "Block C," at least ten percent (10%) of the total area (measured in square feet) of "Block C", not including the required yard setbacks, shall be dedicated as open space as a part of a townhouse and/or multi-family development and shall be maintained by the developer/owner/homeowners association and shall be accessible to all residents of the development. Open space shall not include any impervious surfaces. At least thirty percent (30%) of the total permanent open shall be of "improved open space" type. "Improved Open Space" is defined, for the purposes of this section, as parks, playgrounds, plazas, landscaped green spaces, and other areas that are created or modified by man. *This requires additional site analysis to determine appropriate scale, scope, and feasibility.*
- (D) Pedestrian Path. A sidewalk shall be constructed along the south side of First Street beginning at intersection of First Street and Stewart Street and extending to and connecting with the public access and pedestrian path easement established within the annulled portion of First Street. The

sidewalk shall be at least five (5) feet wide. *Permanent improvements to the pedestrian path within the public access easement connecting First Street with Jones Avenue can be required as a condition of site plan approval for development within Block C.*

(E) Vehicle Access and Parking.

- (1) All open driveways and off-street parking spaces shall be surfaced with an all-weather, dust-free concrete or asphalt prior to the issuance of a Certificate of Occupancy. Driveways and off-street parking spaces shall be maintained in good condition. Other surface materials and designs may be utilized when specifically approved by the City Engineer, for purposes of reducing storm water runoff or other environmental and aesthetic considerations.
- (2) Curb cuts and driveway entrances shall be prohibited from Stewart Street and Jones Avenue.
- (3) Off-street parking spaces shall not be located between the front façade and the public right-of-way. *This requires additional site analysis to determine feasibility.*
- (4) Driveway entrances from First Street shall be limited in number and designed to provide common access to on-site parking spaces located in the rear yard. *This requires additional site analysis to determine feasibility.*
- (5) At least one (1) of the minimum required off-street parking spaces for each dwelling unit shall be located within an enclosed garage.
- (6) Minimum Visitor Parking. In addition to minimum on-site parking requirements for residential dwelling units...*requires additional analysis.*

(G) INSERT ENGINEERING DESIGN STANDARDS FOR RETAINING WALLS ALONG STEWART STREET AND JONES AVENUE TO INCLUDE MAXIMUM HEIGHT, MATERIALS, ETC.