

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MORGANTOWN TO ESTABLISH A B-2 SERVICE BUSINESS DISTRICT ZONING CLASSIFICATION FOR CERTAIN REALTY ANNEXED INTO THE CITY BY ORDINANCE ON MAY 21, 2013 AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WAS FULLY SET FORTH HEREIN.

Property included in this consideration is identified in the Monongalia County Assessor's records as Parcel 30, of County Tax Map 8, in the Morgan District.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning classification for Parcel 30, of County Tax Map 8, in the Morgan District as described herein and illustrated on the exhibit hereto attached and declared to be a part of this Ordinance to be read herewith as if the same was fully set forth herein is hereby classified as a B-2, Service Business District.
2. That the Official Zoning Map be accordingly changed to show said zoning classification.

This Ordinance shall be effective from the date of adoption.

FIRST READING:

Mayor

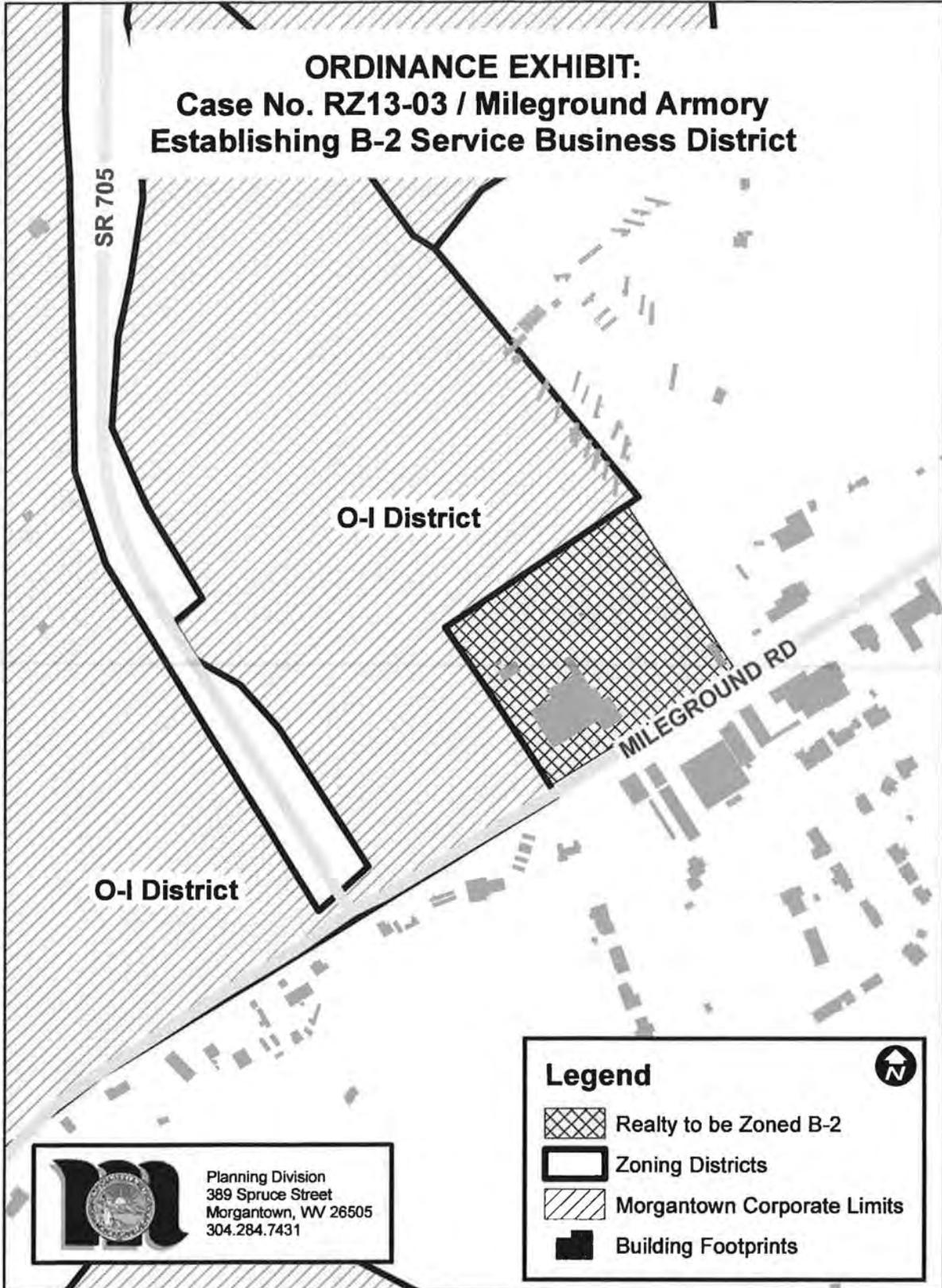
ADOPTED:

FILED:

RECORDED:

City Clerk

**ORDINANCE EXHIBIT:
Case No. RZ13-03 / Mileground Armory
Establishing B-2 Service Business District**



 Planning Division
389 Spruce Street
Morgantown, WV 26505
304.284.7431

Legend 

-  Realty to be Zoned B-2
-  Zoning Districts
-  Morgantown Corporate Limits
-  Building Footprints



MORGANTOWN PLANNING COMMISSION

July 11, 2013
6:30 PM
City Council Chambers

STAFF REPORT

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Bill Kawecky, City Council

CASE NO: RZ13-03 / Administrative / Mileground Armory

REQUEST and LOCATION:

Administratively requested Zoning Map Amendment to incorporate the Mileground Armory property, which was recently annexed into the City, by classifying same as a B-2, Service Business District.

TAX MAP NUMBER(s):

Morgan District, Tax Map 8, Parcel 30

SURROUNDING ZONING:

North and West: O-I, Office and Institutional District

BACKGROUND:

The West Virginia Army National Guard is presently constructing a state-of-the-art Readiness Center on the east side of the Morgantown Municipal Airport. The Mileground Armory facility will be closed as a part of the Guard's relocation and transition to the new facility.

As a part of the Readiness Center project and future development on the east side of the Airport, the City of Morgantown acquired the Mileground Armory facility property. On 05-Jun-2013, the City of Morgantown completed the process of annexing the Armory property into the city, the location of which is illustrated in Addendum A of this report.

West Virginia State Code 8A-7-1 provides that:

"A zoning ordinance shall cover a municipality's entire jurisdiction."

As such, municipalities must amend their respective zoning district maps to include realty that is annexed into their corporate limits.

ANALYSIS:

Zoning map amendment requests should be evaluated on their land-use merits alone. The Commission should consider the request on its merits as a land-use decision. In conducting such an analysis, the Commission should determine if the B-2, Service Business District is the appropriate zoning classification for the subject realty, weighing all possible future development and land use scenarios as permitted by the Planning and Zoning Code; particularly, Article 1347 "B-2, Service Business District" and Table 1331.05.01 "Permitted Land Uses".

**Development Services
Department**

Christopher Fletcher, AICP
Director

Planning Division

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According to Article 1347.01 of the Planning and Zoning Code, the purpose of the B-2 District is to provide areas that are appropriate for most kinds of businesses and services, particularly large space users such as department stores. Typically, B-2 Districts are located along major thoroughfares.

Addendum B of this report contains Staff's analysis identifying how the proposed zoning map amendment is aligned and concurs with the land management intent, location, and pattern and character principles of the current Comprehensive Plan.

STAFF RECOMMENDATION:

Staff advises the Commission to forward a recommendation to City Council to amend the Official Zoning District Map by classifying the Mileground Armory property that was recently annexed by the City of Morgantown as a B-2, Service Business District.

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STAFF REPORT ADDENDUM A
RZ13-03 / Administrative / Morgantown Armory





STAFF REPORT ADDENDUM B

RZ13-03 / Administrative / Mileground Armory

Concurrence with the 2013 Comprehensive Plan Update

The following narrative identifies where, in the opinion of the Planning Division, the proposed zoning map amendment proposal or development of significant impact proposal is in concurrence and/or is inconsistent with the 2013 Comprehensive Plan Update.

INTENT	Development proposals will reflect the spirit and values expressed in the Plan's principals.
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Principles for Land Management

Principal 1	Infill development and redevelopment of underutilized and/or deteriorating sites takes priority over development in green field locations at the city's edge.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
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Assigning a zoning classification to the Mileground Armory really observes the City's obligation under West Virginia State Code to enact and enforce zoning regulations across the entire jurisdiction, including new territories or tracts of land brought into the City by annexation.

The following graphic includes clips from Pages 27 and 31 of the 2013 Comprehensive Plan. The map identifies the development pattern and character of the subject property and immediate area along with the corresponding color key from the map legend. The narrative provides the general description of a "Commercial Corridor".

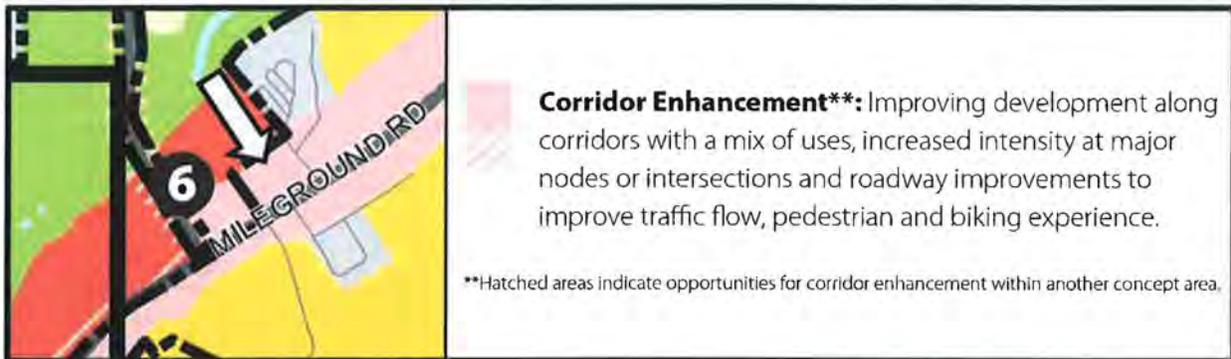
As the Pattern and Character Map illustrates, the Mileground Armory site is located within a "Commercial Corridor." Because the West Virginia Army National Guard is vacating the existing facilities and property, future uses and/or reconstruction as permitted within the B-2 District will not promote "greenfield" development but rather promote redevelopment of a functionally obsolete use and building.



Principal 6	Development that integrates mixed-uses (residential, commercial, institutional, civic, etc.) and connects with the existing urban fabric is encouraged.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>Mixed-use development patterns are permitted in the B-2 District.</i>		
Principal 7	Places will be better connected to improve the function of the street network and create more opportunities to walk, bike and access public transportation throughout the region.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The construction of sidewalks within the B-2 District is a requirement for newly constructed developments and redevelopment projects. An example of furthering this multi-modal principal within a commercial corridor is the privately-funded construction of sidewalks along Earl Core Road in the Sabraton B-2 District, which will serve to benefit the Mileground Armory property and surrounding area outside the city.</i>		
Principal 8	A broad range of housing types, price levels and occupancy types will provide desirable living options for a diverse population.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>With the exception of single- and two-family dwelling units, all housing types are permitted by-right in the B-2 District.</i>		
Principal 9	Residential development will support the formation of complete neighborhoods with diverse housing, pedestrian-scaled complete streets, integrated public spaces, connection to adjacent neighborhoods, and access to transportation alternative and basic retail needs.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Other
<i>Development design, planned uses, site layout design, and compatibility integration are functions specific to the review and approval of development plans. However, the B-2 District does include landscaping and buffering standards and promotes best access management practices that will benefit the site's development compatibility with the adjoining Eastwood Elementary School and the recently opened roundabout.</i>		
Principal 10	Parks, open space, and recreational areas are incorporated as part of future development.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Other
<i>Development design and open space integration are functions specific to the review and approval of development plans.</i>		
Principal 11	Environmentally sensitive and sustainable practices will be encouraged in future developments.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Other
<i>Development design and construction methods in relation to environmentally sensitive sustainable best practices are functions specific to the review and approval of development plans.</i>		

LOCATION Development proposals will be consistent with the Land Management Map. If the proposal applies to an area intended for growth, infill, revitalization, or redevelopment, then it should be compatible with that intent and with any specific expectations within Areas of Opportunity. If the proposal applies to an area of conservation or preservation, it should be compatible with and work to enhance the existing character of the immediate surroundings.

The following graphic is a clip from the **Land Management Map**, related map legend, and general concept area description provided in the 2013 Comprehensive Plan Update. The subject site is located within the "**Corridor Enhancement**".



See pages 38 and 39 of the Plan.

PATTERN AND CHARACTER

Development proposals in growth areas will be consistent with preferred development types. Development in areas where growth is not intended should be compatible with the relevant Character Areas description and expectations for how those areas should evolve in the future.

Classifying the subject realty as B-2, Service Business District furthers the following development types that are identified in the 2013 Comprehensive Plan Update as desired in the “Corridor Enhancement” concept area (See pages 41 to 43 of the Plan).

CONCEPT AREA	Appropriate Development Types											
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS	
■ Corridor Enhancement* * Appropriate development depends on existing context. See Development Patterns and Character (pages 26-32)			•	•	•		•	•				•

MF Multi-family Residential

Includes various forms such as apartment buildings where three or more separate residential dwelling units are contained with a structure and townhouse dwelling types. They vary considerably in form and density depending on the context – from four-story or larger buildings set close to the street in and at the edge of the downtown core and along major corridors, to smaller two- to four-story buildings with greater street setbacks in areas between the downtown core and single-family neighborhoods.



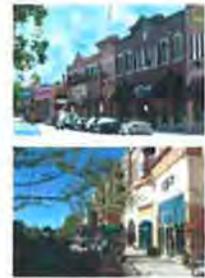
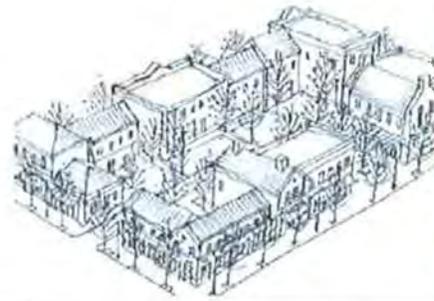
C Civic and Institutional

These sites include both public uses (government buildings, libraries, community recreation centers, police and fire stations, and schools) and semi-public or private uses (universities, churches, hospital campuses). Public uses should be strategically located and integrated with surrounding development. Civic and Institutional sites may be distinctive from surrounding buildings in their architecture or relationship to the street.



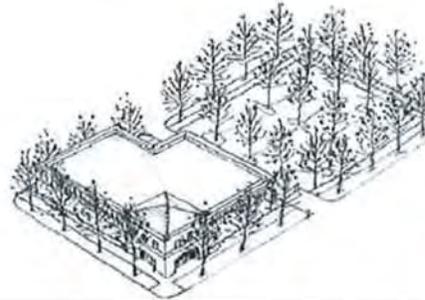
NX Neighborhood Center Mixed-Use

A mix of housing, office, commercial, and civic uses adjacent to one another or contained within the same structure (such as offices or apartments above ground-floor retail). Such uses should be compatible with and primarily serve nearby neighborhoods (within 1/2 mile). Parking should be located behind or to the side of buildings and may be shared between multiple uses.



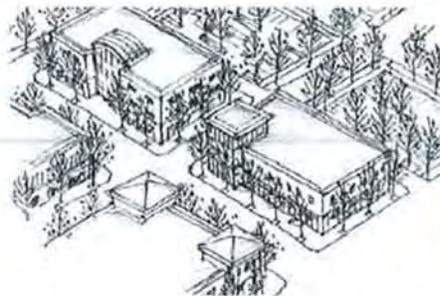
CC Community Commercial

Larger scale, primarily retail, restaurant and accommodation uses that serve the broader community. Buildings should be located close to the street with parking to the rear or side and should be well-connected to surrounding development and pedestrian infrastructure.



O Office / Research

Larger-scale 2-6 story buildings generally housing professional offices or research/development activities with single or multiple tenants. May involve multiple large-scale buildings in a campus setting, but buildings should be in a walkable configuration with shared parking typically behind or to the side. Supportive retail establishments may occupy the lower levels of a multistory building. Supportive retail uses include coffee shops, delicatessens, barbers, and bookstores among others.



OS Greenspace

Includes formal parks, recreation areas, trails, and natural open space.

