



Office of the City Clerk

# The City of Morgantown

Linda L. Tucker, CMC  
389 Spruce Street, Room 10  
Morgantown, West Virginia 26505  
(304) 284-7439 Fax: (304) 284-7525  
llittle@cityofmorgantown.org

**AGENDA**  
**MORGANTOWN CITY COUNCIL**  
**COMMITTEE OF THE WHOLE**  
**February 24, 2015**  
**7:00 p.m.**

**NOTE:** Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled:

**PUBLIC PORTION:**

**ITEMS FOR DISCUSSION:**

1. Discussion of reducing speed at intersection of 119 & 73
2. Home Rule Application Amendment
3. Zoning Map Amendment from B-1 District to B-2 District
4. Zoning Map Amendment from R-2 District to R-3 District
5. FY 2015-2016 Budget Discussion

**\*If you need an accommodation contact us at 284-7439\***

**RESOLUTION**

**WHEREAS,** *the Monongalia County Commission has requested that the City support its efforts to have the speed limit decreased in the area of the intersection of Rt. 119 and Rt. 73; and*

**WHEREAS,** *this area has been noted to be one of the most dangerous intersections in Monongalia County with an average of one accident per week; and*

**WHEREAS,** *although the roadway was annexed into the City in 2007 as part of the annexation of the Walmart property, the City of Morgantown does not control traffic speed or signals at this intersection; and*

**WHEREAS,** *the City supports the Commission's request for a reduced speed limit and a flashing yellow "caution" light;*

**NOW, THEREFORE, BE IT RESOLVED** by the City of Morgantown this \_\_\_\_\_ day of March, 2015, that the City supports the Monongalia County Commission's efforts to urge the West Virginia Department of Transportation, Division of Highways to reduce the speed limit at the intersection of U.S. Rt. 119 and Rt. 73.

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**MAYOR**

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**CITY CLERK**

# MONONGALIA COUNTY COMMISSION

243 HIGH STREET, ROOM 202  
COURTHOUSE  
MORGANTOWN, WEST VIRGINIA 26505

Eldon A. Callen, Commissioner  
Tom Bloom, Commissioner  
Edward A. Hawkins, Commissioner



Telephone: 304 291-7257

January 15, 2015

Mr. Ray Urse  
WV Department of Transportation  
Division of Highways, District Four  
P. O. Box 4220  
Clarksburg, West Virginia 26302-4220

Dear Mr. Urse:

The Monongalia County Commission asked that I contact you with a request to decrease the speed limit in the area of the intersection of RT. 119 and RT. 73.

As you are aware, this intersection is probably one of the most dangerous in Monongalia County. We are averaging at least one serious accident per week. This problem has only gotten worse during the past seven years.

We are grateful the DOH has made some improvements with stripping and traffic control sticks, but this has not resolved the problem.

The Commission would also like you to consider the installation of flashing yellow "Caution" lights in the area. This would no doubt bring greater attention to this intersection.

A copy of this letter is being sent to the City of Morgantown asking for their support since technically the roadway is within the City limits.

Any consideration you may be able to provide the residents and travelers of Monongalia County would be greatly appreciated.

Thank you.

For the Commission,

A handwritten signature in cursive script that reads "Diane DeMedici".

Diane F. DeMedici  
County Administrator  
Monongalia County Commission

Cc: Jeff Mikorski



**Development Services**  
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

## MEMORANDUM

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Date: 19 FEB 2015  
To: Jeff Mikorski, City Manager.....via email  
Linda Little, City Clerk.....via email  
RE: City Council Committee of the Whole Agenda – 24 FEB 2015  
RZ15-03 / Glenmark Holding, LLC / Greenbag Road  
Zoning Map Amendment from B-1 District to B-2 District

During its 12 FEB 2015 hearing, the Planning Commission voted to forward a recommendation to City Council to approve the above referenced Zoning Map Amendment petition.

Attached herewith are the related ordinance and Staff Report presented to the Planning Commission, which provides background, Staff analysis, and recommendations.

The following dates will keep to standard Planning and Zoning Code Map Amendment protocol:

- City Council Committee of the Whole ..... TUE, 24 FEB 2015
- City Council First Reading ..... TUE, 03 MAR 2015
- City Council Public Hearing and Second Reading ..... TUE, 07 APR 2015

Please include this item on the City Council meeting agendas noted above and include this communication and attachments in the 24 FEB Committee of the Whole meeting packet. Only the ordinance should be included in the 03 MAR and 07 APR meeting packets.

Thank you.

Attachments: Draft Ordinance  
RZ15-03 Staff Report

**ATTACHMENT 1**  
**RZ15-03 ORDINANCE**

**ORDINANCE NO.** \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ONE (1) PARCEL OF REAL ESTATE IN THE FIRST WARD OF THE CITY OF MORGANTOWN FROM B-1, NEIGHBORHOOD BUSINESS DISTRICT TO B-2, SERVICE BUSINESS DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN 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 48A of County Tax Map 15; Morgantown Corporation District.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning classification for Parcel 15 of County Tax Map 48A of the Monongalia County tax assessment 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 reclassified from B-1, Neighborhood Business District to B-2, Service Business District.
2. That the (B) Buffer District Classification established by Ordinance 98-01 adopted by the City of Morgantown on January 6, 1998, as described therein 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, shall remain in effect twenty-five (25) feet in depth with access prohibited to the abutting street, the intent of this zoning classification is to establish the area as a landscape buffer to the adjacent elementary school.
3. That the Official Zoning Map be accordingly changed to show said zoning reclassification.

This Ordinance shall be effective from the date of adoption.

FIRST READING:

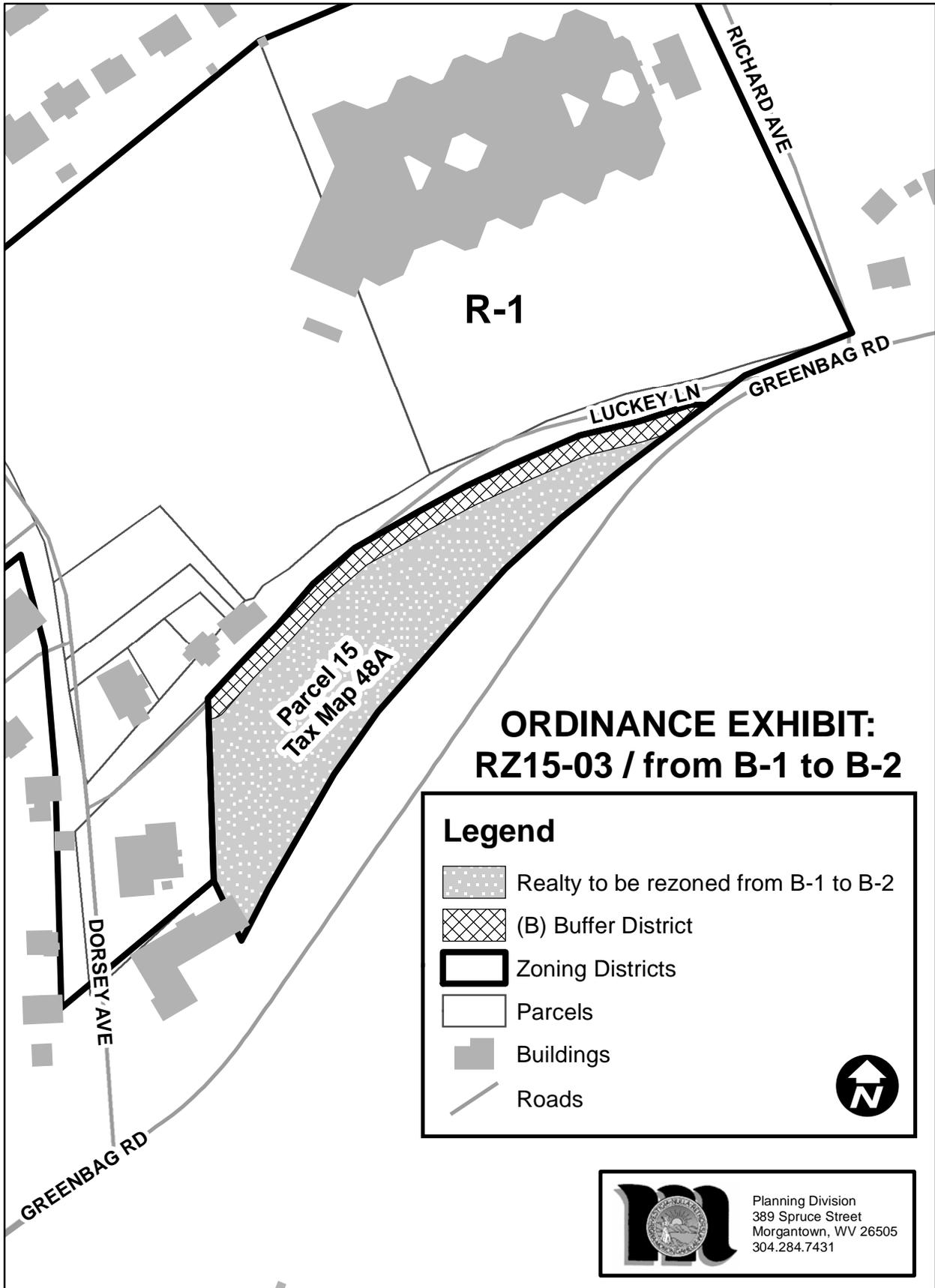
\_\_\_\_\_  
Mayor

ADOPTED:

FILED:

RECORDED:

\_\_\_\_\_  
City Clerk



**ATTACHMENT 2**  
**RZ15-03 STAFF REPORT**



## MORGANTOWN PLANNING COMMISSION

February 12, 2015  
6:30 PM  
City Council Chambers

### **Planning Commissioners:**

Sam Loretta, 1<sup>st</sup> Ward  
Tim Stranko, 2<sup>nd</sup> Ward  
William Wyant, 3<sup>rd</sup> Ward  
Bill Petros, 4<sup>th</sup> Ward  
Mike Shuman, 5<sup>th</sup> Ward  
Peter DeMasters, 6<sup>th</sup> Ward  
Carol Pyles, 7<sup>th</sup> Ward  
Ken Martis, Admin.  
Bill Kaweckki, City Council

## **STAFF REPORT**

**CASE NO:** RZ15-03 / Glenmark Holding, LLC / Greenbag Road

### **REQUEST and LOCATION:**

Request by Lisa Mardis, on behalf of Glenmark Holding, LLC, for a Zoning Map Amendment to reclassify property from B-1, Neighborhood Business District to B-2, Service Business District

### **TAX MAP NUMBER(s) and ZONING DESCRIPTION:**

Tax Map 48A, Parcel 15

### **SURROUNDING ZONING:**

R-1, Single Family Residential District

### **BACKGROUND:**

The petitioner seeks approval to reclassify the subject 2.65 acre parcel from B-1 to B-2. Addendum A of this report illustrates the location of the subject property.

The subject parcel was a part of an annexation of 64.68 acres in 1993 under Ordinance 93-39. For reasons unknown to current Staff, zoning classifications for this annexed area were not enacted until 1998 by Ordinance 98-01 (see attached ordinance).

In addition to determining the B-1 classification for the subject parcel, a twenty-five (25) foot (in depth) "Buffer District Classification" was established along the property's Luckey Lane frontage. This twenty-five foot strip prohibits access from Luckey Lane and is intended to establish a landscape buffer to Mountainview Elementary School.

In 2006, the City's zoning regulations were rewritten and the cumulative or pyramid zoning structure that was in place was largely abandoned. Cumulative zoning positions a narrowly defined residential classification at the top of its zoning scale and an open classification at the bottom allowing the number and type of permitted uses at each successive level to increase. This land use structure prevents anticipation of infrastructure and service demands, results in wastefully organized resources, and promotes a compilation of incompatible land uses in the bottom levels (e.g. single-family homes permitted in more intense commercial districts and industrial districts).

With the elimination of the cumulative structure, the several business districts were reoriented in terms of desired land use and development patterns (permitted land uses, massing, intensity, building envelopes, performance standards, parking requirements, etc.) and the B-3 District was eliminated. Today's B-1 District desires and promotes mixed uses at key neighborhood nodes and along secondary corridors connecting neighborhoods. To this point, the following is presented to compare the Planning and Zoning Code's stated purposes for today's B-1 and B-2 Districts.

### **Development Services Department**

Christopher Fletcher, AICP  
Director

### **Planning Division**

389 Spruce Street  
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Ken Martis, Admin.  
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Article 1345.01 – The purpose of the Neighborhood Business (B-1) District is to provide areas for convenient business uses, which tend to meet the daily shopping and service needs of the residents of an immediate neighborhood, and which contain pedestrian-oriented, human-scaled construction that is designed to be compatible with the surrounding neighborhood character. Because of the proximity to residential neighborhoods, high quality design is essential in order to preserve the integrity of those neighborhoods.

Article 1347.01 – The purpose of the Service Business (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.

Although historical traffic counts were not researched for Green Bag Road or Kingwood Pike, it stands to reason that average daily traffic counts have increased along these corridors since the B-1 zoning classification for the subject property that was established in 1998.

### **ANALYSIS:**

#### *Comprehensive Plan Concurrence*

As recommended in Chapter 9 “Implementation” of the 2013 Comprehensive Plan Update, Addendum B of this report identifies how the proposed development program relates to the land management intent, location, and pattern and character principles of the current Comprehensive Plan.

It should be noted that “shall” statements within the Comprehensive Plan must be understood as desired objectives and strategies that do not have the force or effect of law unless incorporated into the City’s Planning and Zoning Code.

The Plan identifies the subject site as an “Infill and Redevelopment” concept area; a “Mountain / Valley Corridor” pattern and character areas; and, a “Corridor Enhancement” concept area.

### **STAFF RECOMMENDATION:**

Zoning map amendment requests should be evaluated on their land-use merits alone. The petitioners’ development intentions are extraneous and 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”.

Staff advises the Commission to forward a recommendation to City Council to approve the requested zoning map amendment so that the zoning classification of Parcel 48A of Tax Map 15 is amended from the B-1 District to the B-2 District and that the “Buffer District Classification” established in the Ordinance 98-01 remains in effect by

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Bill Kawecky, City Council

maintaining a twenty-five foot strip along the property's Luckey Lane frontage where access from Luckey Lane is prohibited and a landscape buffer to Mountainview Elementary School is planned as a part of future development.

### **Development Services Department**

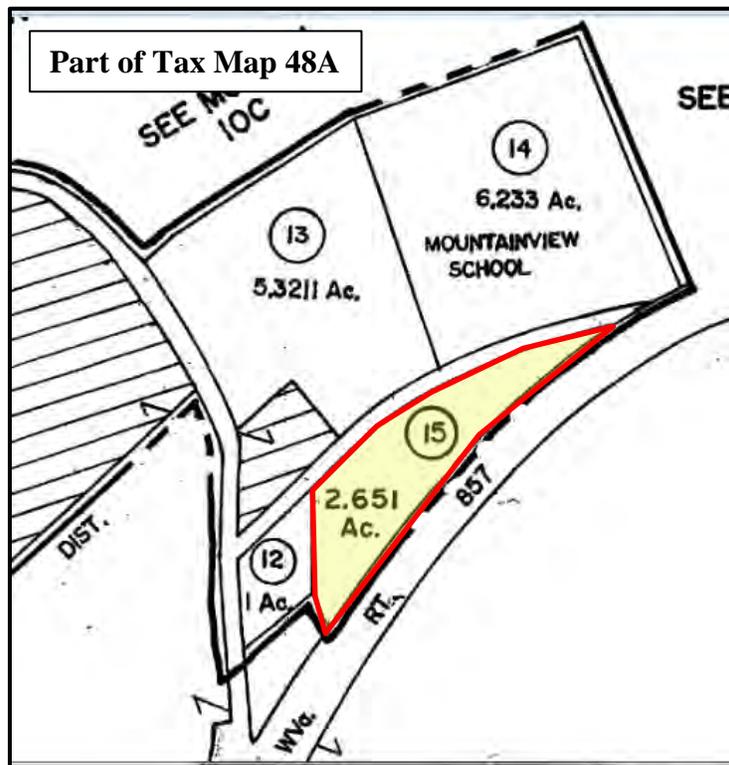
Christopher Fletcher, AICP  
Director

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**STAFF REPORT ADDENDUM A**  
**RZ15-03 / Glenmark Holding, LLC / Greenbag Road**





## STAFF REPORT ADDENDUM B

### RZ15-03 / Glenmark Holding, LLC / Greenbag Road

#### Concurrence with the 2013 Comprehensive Plan Update

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

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

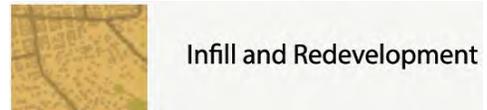
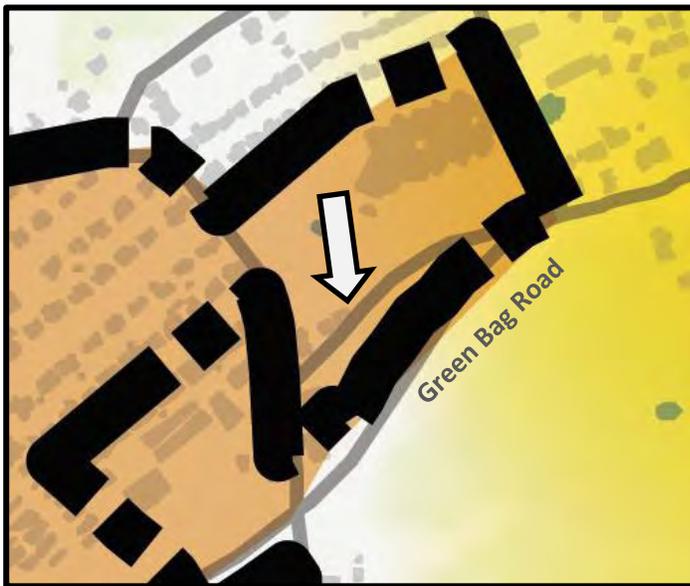
Principal 1	Infill development and redevelopment of underutilized and/or deteriorating sites takes priority over development in green field locations at the city's edge.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
	<i>Although the undeveloped site is situated at the city's edge, it is identified as an "Infill and Redevelopment" concept area and a "Corridor Enhancement" area.</i>	
Principal 2	Expansion of the urban area will occur in a contiguous pattern that favors areas already served by existing infrastructure.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
	<i>The site is situated on a main thoroughfare along which commercial and residential development has occurred but outside the city.</i>	
Principal 3	Downtown, adjacent neighborhoods and the riverfront will be the primary focus for revitalizations efforts.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Other
	<i>The site is not situated in one of the noted revitalization areas but is identified as an "Infill and Redevelopment" concept area and a "Corridor Enhancement" area.</i>	
Principal 4	Existing neighborhoods throughout the city will be maintained and/or enhanced.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
	<i>The site is not situated within a neighborhood where B-1 zoning should be preserved.</i>	
Principal 5	Quality design is emphasized for all uses to create an attractive, distinctive public and private realm and promote positive perceptions of the region.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
	<i>The site is highly visible from the well-traveled Green Bag Road.</i>	

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 residential and nonresidential uses and development patterns are more permissible in the R-3 District than the R-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 site is in close proximity to Mountain Line's Orange and Mountain Heights lines.</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>Although the petitioner's development intentions are not known and are extraneous to zoning map amendment considerations, mixed-use, multi-family, over-store, and townhouse dwelling units are permitted in the B-2 District compared to mixed-use and over-store dwellings in the B-1 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>The petitioner's development intentions are not known and are extraneous to zoning map amendment considerations</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>The planning and programming of passive and active open space requires development plans that should not be a part of zoning map amendment request considerations.</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>The developer's goals and objectives concerning sustainable design and construction techniques and industry accepted best practices are not known.</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 clipped from the **Conceptual Growth Framework Map** included on Page 19 of the 2013 Comprehensive Plan Update. The subject development site is located within the **“Infill and Redevelopment”** area.



**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.

The following graphic is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. The subject development site is located within the **“Mountain / Valley Corridor”** pattern and character area.



**Mountain / Valley Corridor.** Mountain / Valley Corridors are narrow strips of development that occur along roadways that trace ridges and valleys. They have many qualities associated with rural development such as streets that lack curb and gutter, small, one or two story buildings, and each address typically has direct driveway access to the thoroughfare. However, unlike typical rural areas where buildings are often set back far from the street, development in these corridors is often clustered in pockets that are very close to the street. Uses along these corridors tend to be eclectic, including single-family and multi-family residential, commercial, light industrial, warehousing and other uses.



The following graphic is clipped from **Map 4 – Land Management** included on Page 39 of the the 2013 Comprehensive Plan Update. The subject development site is located within the “**Corridor Enhancement**” concept area.



**Corridor Enhancement\*\*:** Improving development along corridors with a mix of uses, increased intensity at major nodes or intersections and roadway improvements to improve traffic flow, pedestrian and biking experience.

The following graphics are clipped from Pages 41 through 43 of the 2013 Comprehensive Plan Update and identify the development types desired within the “**Corridor Enhancement**” concept area.

CONCEPT AREA	Appropriate Development Types											
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS	
Corridor Enhancement*				•	•	•		•	•			•

**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 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.



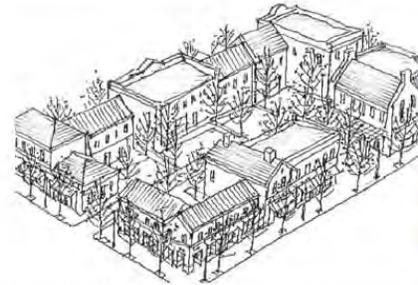
**C Civic and Institutional**

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.



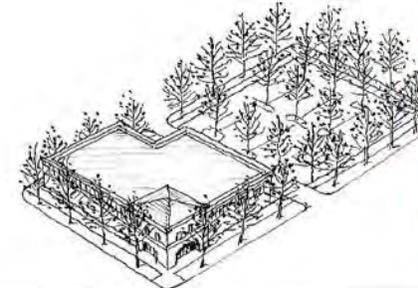
**NX Neighborhood Center Mixed-Use**

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.



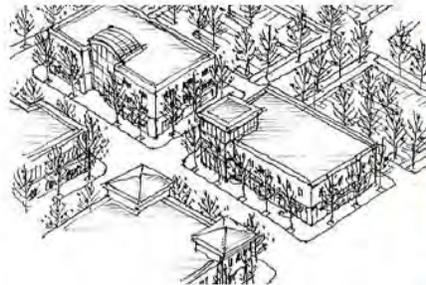
**CC Community Commercial**

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.



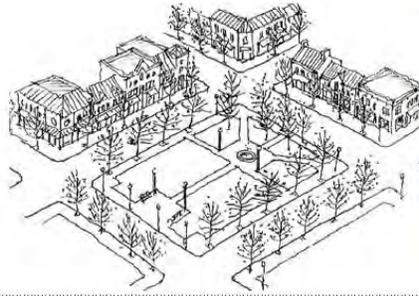
**O Office / Research**

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.



## OBJECTIVES AND STRATEGIES

### Land Management

#### **A. Goal**

Efficient and attractive use of land resources that strengthens the quality, character, and upkeep of the built environment while balancing redevelopment and strategic expansion with open space preservation.

#### ***Objective 2. Promote strategic infill and redevelopment of underutilized or functionally obsolete areas.***

LM 2.1 Identify and prioritize sites for infill and redevelopment.

LM 5.2 Permit higher density development in areas that are well-supported by existing or planned transportation infrastructure or transit services.

LM 10.7 Establish strong incentives that promote growth within Morgantown over growth in unincorporated areas through sewer, water and stormwater services, municipal revenue formulas, and service and user fees. Emphasis should be on working toward equalizing revenue formulas across jurisdictional boundaries (such as taxation and fee structures).

**AN ORDINANCE TO PROVIDE INITIAL ZONING OF PARCELS OF REAL ESTATE IN THE FIRST WARD OF THE CITY OF MORGANTOWN IN RESPONSE TO THEIR RECENT ANNEXATION INTO THE CITY OF MORGANTOWN BY AMENDING SECTION 13 OF THE ZONING ORDINANCE OF THE CITY OF MORGANTOWN TO REFLECT THE VARIOUS CLASSIFICATIONS FOR (R-1) SINGLE FAMILY RESIDENCE DISTRICT, (B-1) NEIGHBORHOOD BUSINESS DISTRICT, AND (B) BUFFER DISTRICT.**

The City of Morgantown hereby ordains:

1. That the newly annexed parcels of real estate situate in the First Ward of the City of Morgantown, as shown on the exhibit hereto attached and declared to be a part of this ordinance, are zoned as follows:
  - a. (B-1) Neighborhood Business District Classification where shown on the attached exhibit.
  - b. (B) Buffer District Classification where shown on the attached exhibit, twenty five (25) feet in depth with access prohibited to the abutting street. The intent of this zoning classification is to establish the area as a landscape buffer to the adjacent school.
  - c. (R-1) Single Family Residence District where shown on the attached exhibit.
2. That the Zoning Map be accordingly changed to show said rezoning.

This Ordinance shall be effective upon date of adoption.

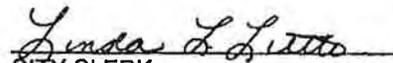
FIRST READING: December 2, 1997

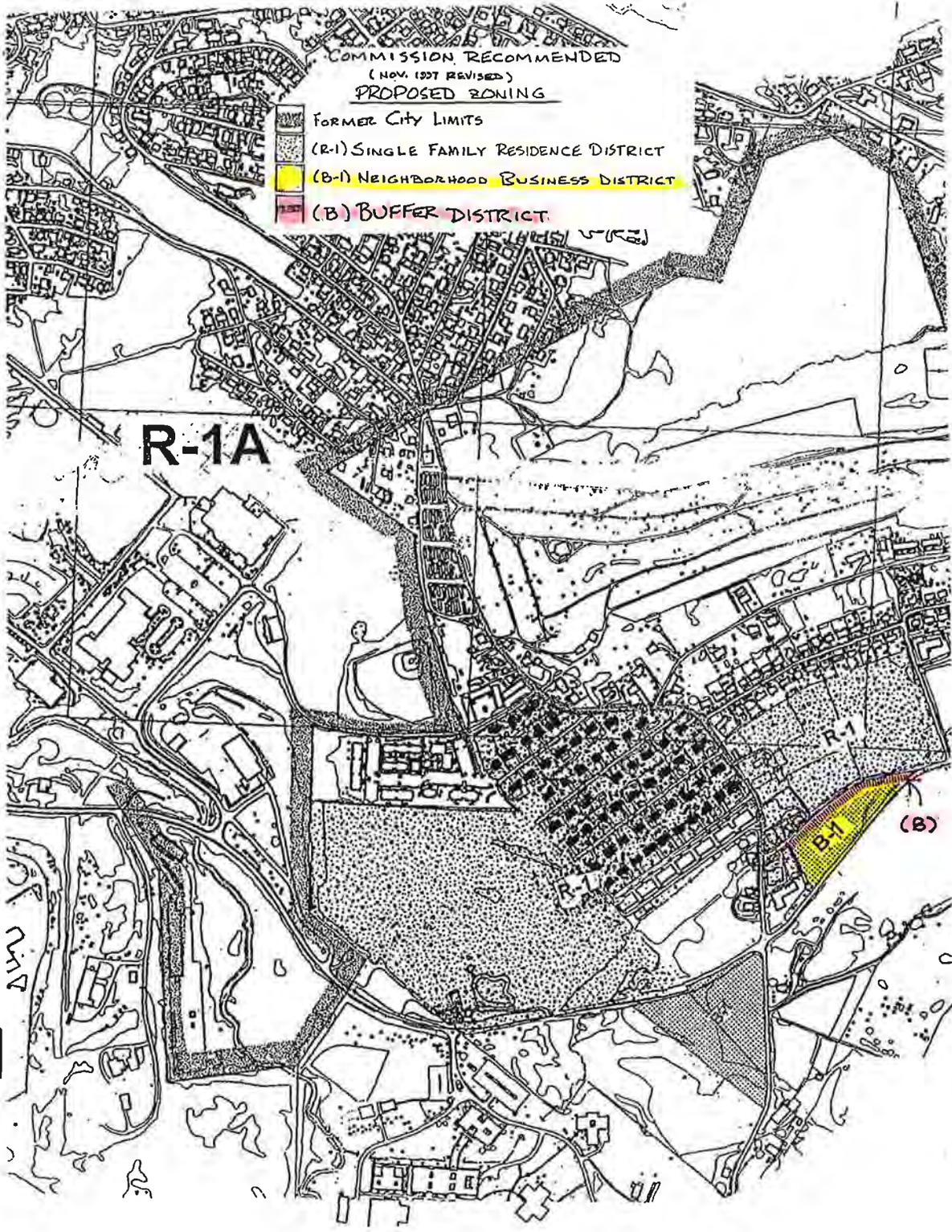
ADOPTED: January 6, 1998

FILED: January 6, 1998

RECORDED: January 7, 1998

  
MAYOR

  
CITY CLERK



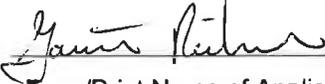


**City of Morgantown, West Virginia**  
**APPLICATION FOR**  
**FOR ZONING MAP AMENDMENT**

<b>OFFICE USE</b>	
CASE NO.	<u>R215-03</u>
RECEIVED:	_____
COMPLETE:	_____

**Zoning Map Amendment Process – See Addendum A of this Application**

(PLEASE TYPE OR PRINT IN BLACK INK)

<b>I. OWNER / APPLICANT</b>			
Name:	Margaret L. Anderson Testamentary Trust	Phone:	304-927-5910
Mailing Address:	C/O Harry F. Anderson, Trustee	Mobile:	
	Street PO Box 607 Spencer WV 25276	Email:	
	City State Zip		
<b>II. AGENT / CONTACT INFORMATION</b>			
Name:	Glenmark Holding LLC	Phone:	304-599-3369 Ext. 119
Mailing Address:	6 Canyon Rd. Suite 300	Mobile:	
	Street Morgantown, WV 26508 WV 26508	Email:	grichards@glenmarkholding.com
	City State Zip		
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact		
<b>IV. PROPERTY</b>			
Street Address (if assigned):			
Tax Map(s) #:	48A	Parcel(s) #:	15
		Size (sq. ft. or acres):	2.651Ac
Current Zoning Classification:	B-1	Proposed Zoning Classification:	B-2
Current Land Use:	Agriculture	Proposed Land Use*:	TBD/Commercial
<i>*The Planning Commission does not take proposed use into consideration. The question is asked merely for staff to determine if the proposed district allows the intended use.</i>			
<b>V. ATTEST</b>			
I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction, whether specified herein or not. I certify that I have read and examined this document and know the same to be true and correct. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.			
Glenmark Holding LLC		12/23/2014	
Type/Print Name of Applicant/Agent	Type/Print Name of Applicant/Agent	Date	

Zoning Map Amendment Fee - \$75

*ck*  
*31167*

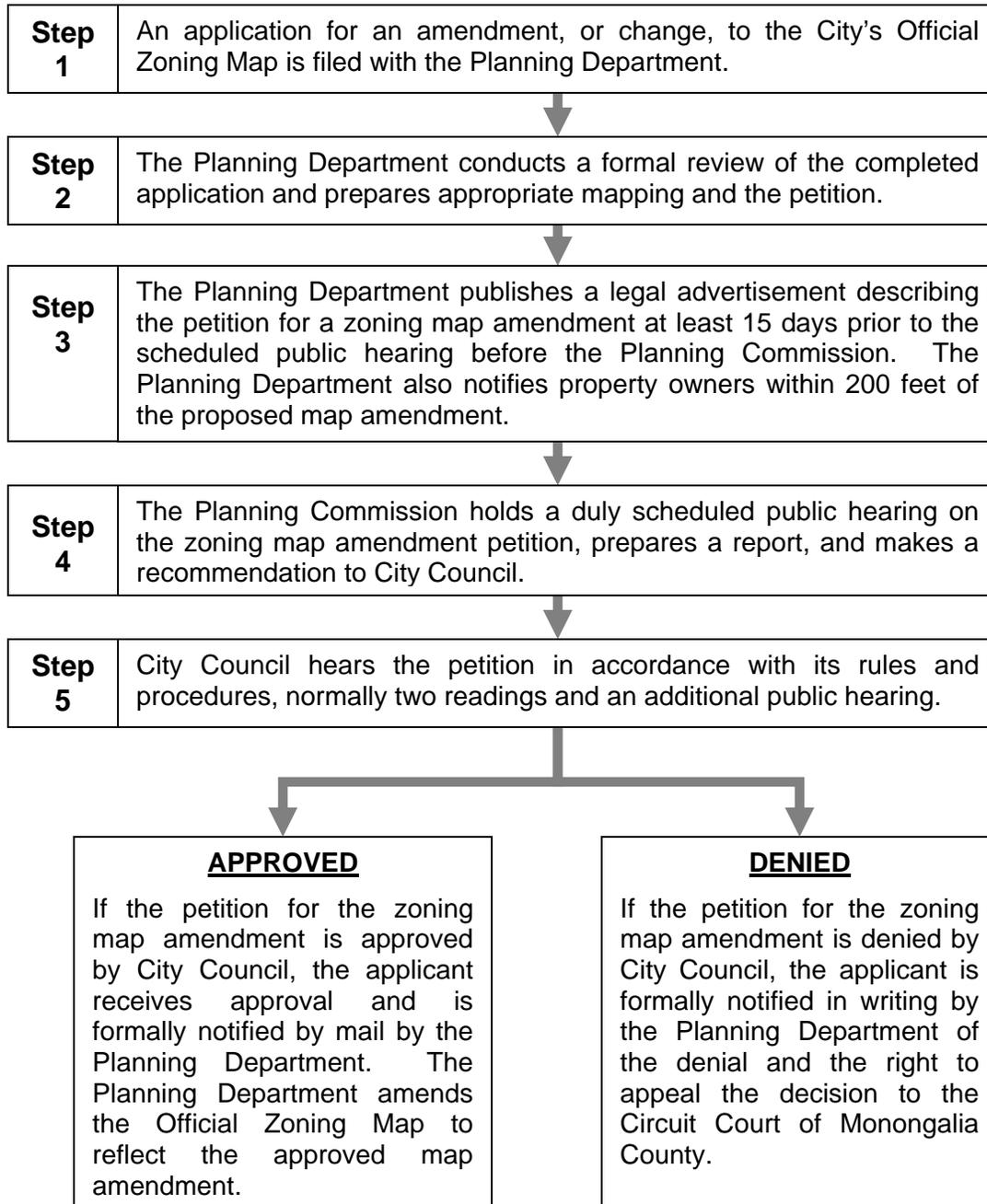
**DEC 31 2014**



City of Morgantown, West Virginia  
**APPLICATION FOR  
FOR ZONING MAP AMENDMENT**

OFFICE USE	
CASE NO.	_____
RECEIVED:	_____
COMPLETE:	_____

**ADDENDUM A - Zoning Map Amendment Process**



# Supplemental information | Glenmark Holding, LLC

## Zoning Map Amendment

**Location:** Greenbag Road, Morgantown, West Virginia.

**Tax Map/Parcel:** #48A/ #15

**Size:** 2.651 AC

**Request:** B-1, Neighborhood Business District to B-2, Service Business District

**Current Land Use:** Vacant

**Proposed Land Use:** TBD / Commercial

**Miscellaneous:** Lucky Lane is County Route 81 / 6 (as determined by the City of Morgantown, Engineering Department)

**The following information was obtained from the City of Morgantown Planning and Zoning Code**

### **B-1, Neighborhood Business District**

The purpose of the **B-1 District** is to:

- Provide for convenient business uses that meet the daily shopping and service needs of residents of an immediate neighborhood
- Provided pedestrian-oriented, human-scaled construction compatible with neighborhood character

### **B-2, Service Business District**

The purpose of the **B-2 District** is to:

- Provide areas that are appropriate for most kinds of businesses
- Typically located along major thoroughfares





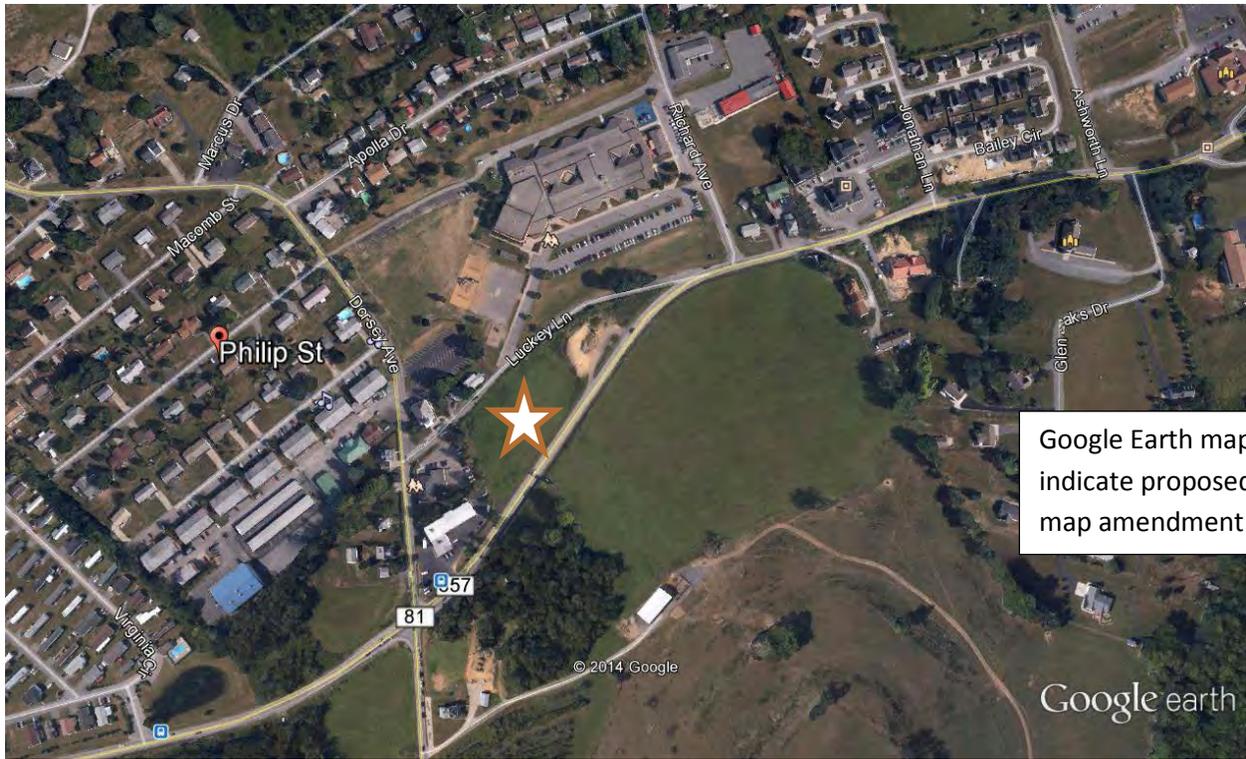
Portion of City of Morgantown Zoning Map

**Legend**

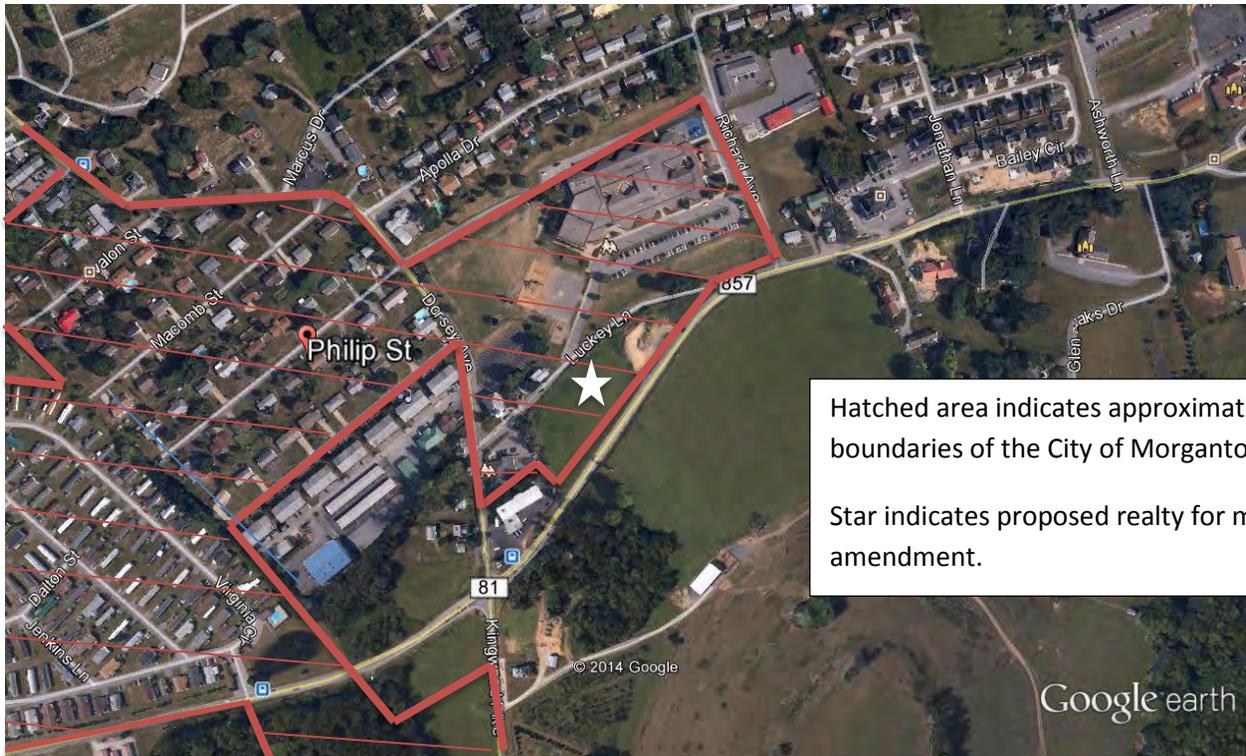
-  Morgantown Corporate Boundary
-  Morgantown Parcel Boundaries (1997)

**Zoning Districts**

-  R- 1
-  R- 1A
-  R- 2
-  R- 3
-  PRO
-  O- 1
-  B- 1
-  B- 2



Google Earth maps / Stars indicate proposed area for map amendment



Hatched area indicates approximate municipal boundaries of the City of Morgantown.  
Star indicates proposed realty for map amendment.

Information obtained from the City of Morgantown Comprehensive Plan until otherwise indicated.

**MAP 3.  
PATTERN AND CHARACTER**



- Core
- Neighborhood 1
- Neighborhood 2
- Neighborhood 3
- Neighborhood 4
- Commercial Node
- University
- Office / Institutional / Industrial Campus
- Civic Campus
- Special District
- Commercial Corridor
- Urban Corridor
- Neighborhood Corridor
- Mountain / Valley Corridor
  
- Rural
- Natural
- Park
  
- Roads
- Water Bodies
- Morgantown Boundary
- Study Area

**Mountain / Valley Corridor.** Mountain / Valley Corridors are narrow strips of development that occur along roadways that trace ridges and valleys. They have many qualities associated with rural development such as streets that lack curb and gutter, small, one or two story buildings, and each address typically has direct driveway access to the thoroughfare. However, unlike typical rural areas where buildings are often set back far from the street, development in these corridors is often clustered in pockets that are very close to the street. Uses along these corridors tend to be eclectic, including single-family and multi-family residential, commercial, light industrial, warehousing and other uses.



### **Principles for Land Management**

Eleven Principles describe the intent about “how” (character attributes) and “where” (conceptual location) growth and development in Morgantown should occur. They reflect a variety of land management themes that are mutually reinforcing, including the quality, appearance, pattern, character, and organization of development, environmental quality, efficient use of infrastructure, and expanding connectivity and mobility choices for residents. These principles should be used to help guide the city on how to use land resources in a more efficient and effective manner to foster a high quality community with a distinct sense of place.

#### **1. Infill development and redevelopment of underutilized and/or deteriorating sites takes priority over development in greenfield locations at the city’s edge.**

It is preferable to accommodate growth within the existing urban area in locations that are appropriate for and can support increased development densities. Infill and redevelopment will occur in a strategic manner that considers community needs like access to amenities, transportation service and the quality and quantity of open space.

- Areas for future development are identified for all three areas (infill, redevelopment and greenfield). Though infill and redevelopment are priorities, that does not imply that all infill or redevelopment capacity must be consumed prior to support for any greenfield development.
- When infill or redevelopment occurs it will be done with great care so as not to compromise the quality of life for existing residents as a result of inappropriate building placement or size, unreasonable traffic impact or other identifiable negative consequences.

*Infill describes the development of land in existing urban and suburban areas that is vacant but is near existing development and infrastructure.*

*Redevelopment is improving or utilizing buildings or sites that have been developed, but are not reaching their highest and best use.*

---

### **Land Management Map**

Morgantown has choices relative to how it will grow in the future. These choices and aspirations are expressed in the Land Management Principles. The Land Management Map illustrates where the Principles could be implemented, identifying areas where urban expansion (greenfield development), infill and redevelopment are appropriate and where existing areas (both developed and undeveloped) should be protected from significant change. Below are the general concepts depicted on the map. Further detail on the development intent for specific areas (numbered on the map) is described in the next section.



**Corridor Enhancement\*\*:** Improving development along corridors with a mix of uses, increased intensity at major nodes or intersections and roadway improvements to improve traffic flow, pedestrian and biking experience.



**MAP 4  
LAND MANAGEMENT**

- Preserve
- Reserve
- Limited Growth
- Neighborhood Conservation
- Downtown Enhancement
- Corridor Enhancement
- WVU Campus Development
- Neighborhood Revitalization
- Infill and Redevelopment
- Encouraged Growth
- Controlled Growth/Traditional Neighborhood Area
- Developed Areas
- Roads
- Water Bodies
- Morgantown Boundary
- Study Area

**PREFERRED DEVELOPMENT TYPES**

The matrix below indicates the development types that are generally appropriate in each concept area. These development types are described at the bottom of this page and on pages 42-43. More specific guidance for a number of areas of opportunity identified on the Land Management Map can be found on pages 44-48.

CONCEPT AREA	Appropriate Development Types										
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS
Core Enhancement			•	•	•	•					•
Corridor Enhancement*			•	•	•		•	•			•

**MF Multi-family Residential**

Includes various forms such as apartment buildings where three or more separate residential dwelling units are contained within 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.



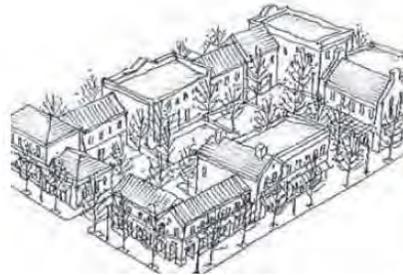
**C Civic and Institutional**

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.



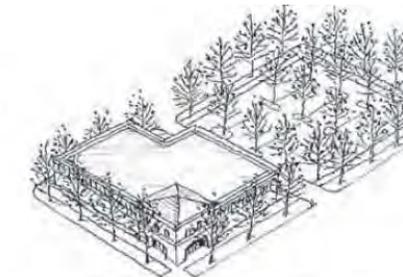
**NX Neighborhood Center Mixed-Use**

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.



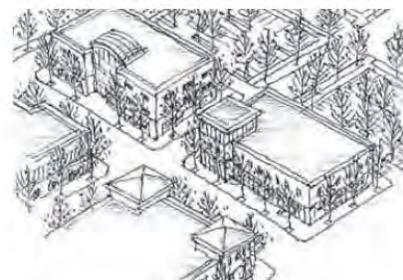
**CC Community Commercial**

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.



05 **Greenspace**

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



**LONG RANGE TRANSPORTATION PLAN  
DRAFT PROJECTS**

Comprehensive Plan - stop

Project Descriptions

MAPPED PROJECTS

<p><b>18</b></p>	<p><b>Location:</b> From Don Knotts Boulevard (US-119) to Sabraton Avenue (WV-7)</p>	<p><u>Estimated Cost</u> \$15,000,000</p>
<p><b>Greenbag Road Improvements</b></p>	<p><b>Purpose:</b> To enhance route as an attractive alternative for automobiles and especially trucks (in lieu of traveling downtown). To increase travel by pedestrians and bicyclists.</p> <p><b>Improvements:</b></p> <ul style="list-style-type: none"> <li>■ Improve intersection of Earl Core Road (WV-7) and Greenbag Road to better accommodate truck turns</li> <li>■ Improve intersections in corridor</li> <li>■ Widen roadway to a minimum of two 11-foot lanes with 4- to 5-foot paved shoulders including wider (15 feet wide) lanes on inclines for adequate bicycle overtaking width</li> <li>■ Construct sidewalks in targeted locations (focused on key sidewalk network connections)</li> <li>■ Consider bike and pedestrian safety improvements at intersection with Decker's Creek Trail</li> <li>■ Provide bus stops with shelters at key locations</li> <li>■ Strengthen pavement where needed</li> <li>■ Include truck route signage</li> </ul> <p><b>First implementation action:</b> Perform preliminary engineering study to determine most appropriate intersection configurations, pedestrian and bicycle safety and connectivity needs, locations for bicycle climbing lanes, right-of-way and cost impacts of solutions, etc.</p> <p><b>Key implementation factors:</b> Property impacts and costs related to widening of roadway/right-of-way.</p>	<p>Primary Travel Modes <u>Improved</u> Auto Bicycle Pedestrian Transit</p> <p>L RTP Goals Directly <u>Supported</u> 1,2,3,4,5,6,7</p> <p>FHWA Planning Factors <u>Supported</u> 2,4,5,6,7,8</p>
<p><b>19</b></p> <p><b>Dorsey Avenue</b></p>	<p><b>Location:</b> High Street to Greenbag Road</p> <p><b>Improvements:</b></p> <ul style="list-style-type: none"> <li>■ Complete the sidewalks on at least one side of the street</li> </ul> <p><b>First implementation action:</b> Preliminary engineering investigation of the preferred locations for sidewalk additions, impacts, and costs.</p> <p><b>Key implementation factors:</b> Acceptability of property impacts and cost feasibility.</p>	<p><u>Estimated Cost</u> \$4,000,000</p> <p>Primary Travel Modes <u>Improved</u> Pedestrian</p> <p>L RTP Goals Directly <u>Supported</u> 1,2,3,5,6,7</p> <p>FHWA Planning Factors <u>Supported</u> 2,4,5,6,8</p>



Proposed site



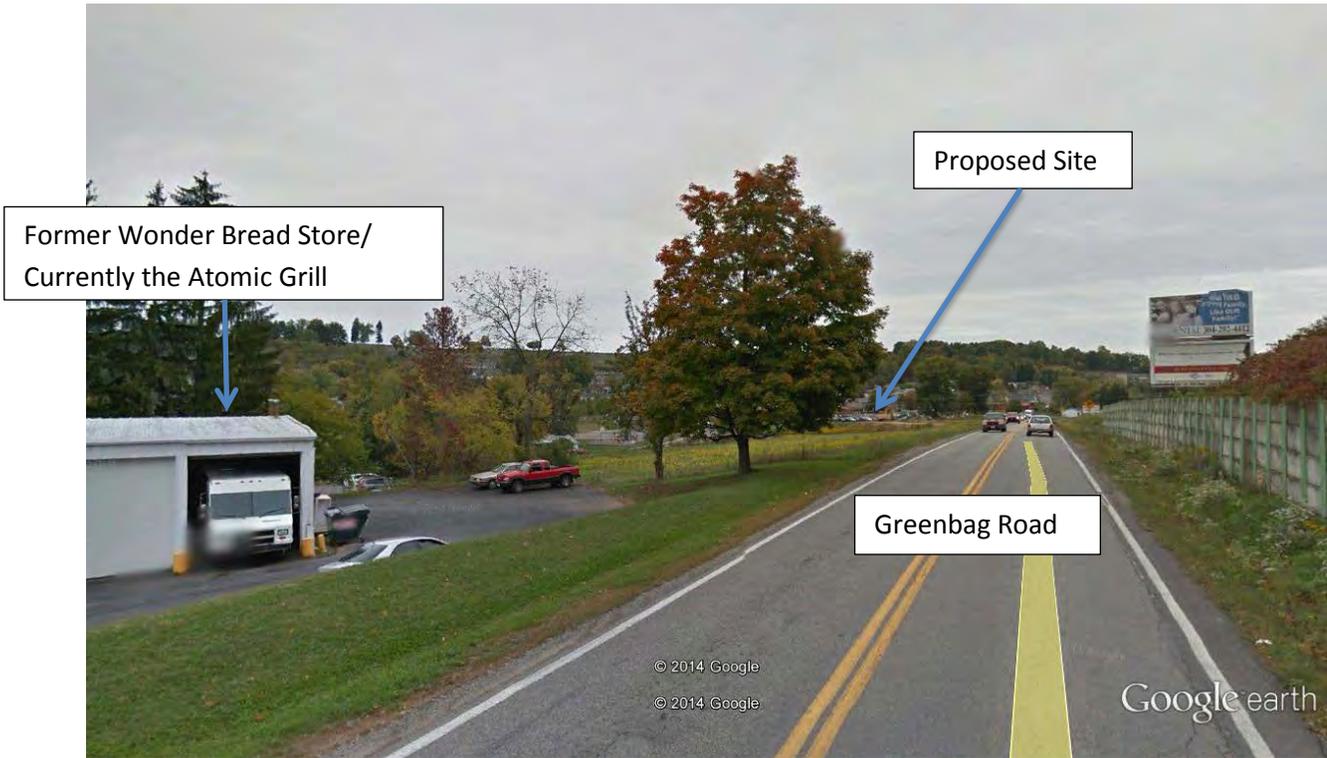
Luckey Lane



Proposed Site

Greenbag Road





Vicinity Photographs



Photograph showing commercial along Greenbag Road. Not in City Limits



Commercial

Greenbag Road

Located directly across from proposed site on Greenbag Road. Land use: agricultural. Not located in City limits

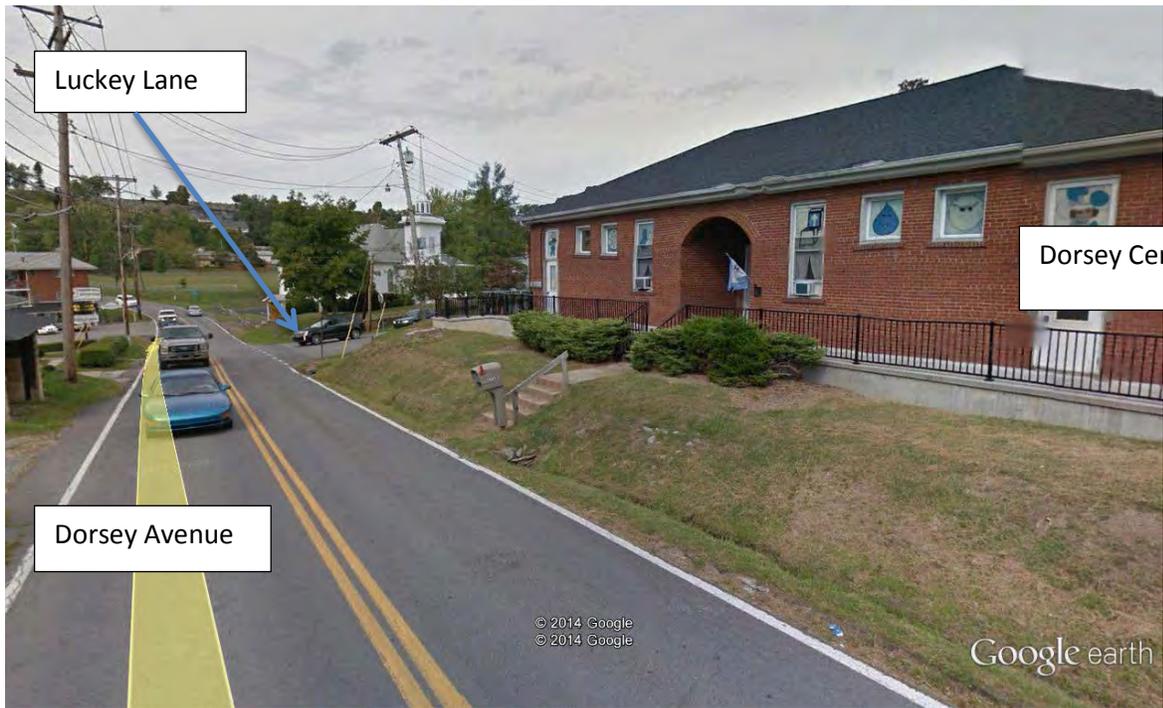


Proposed Site

Lucky Lane



Intersection of Dorsey Avenue and Luckey Lane

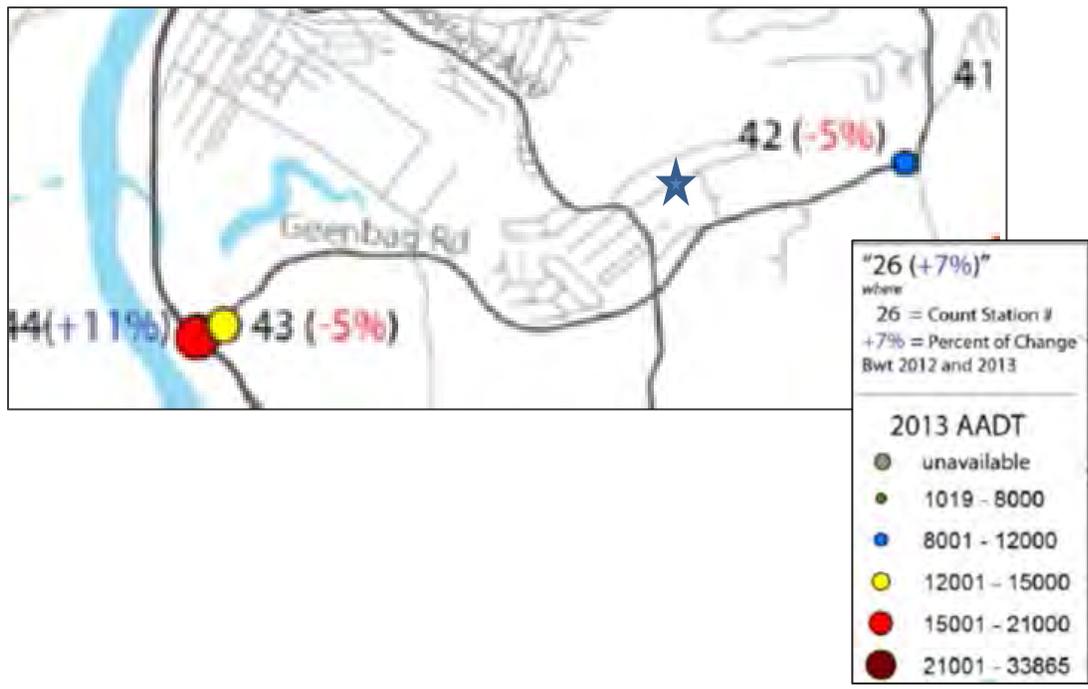


Luckey Lane

Dorsey Center

Dorsey Avenue

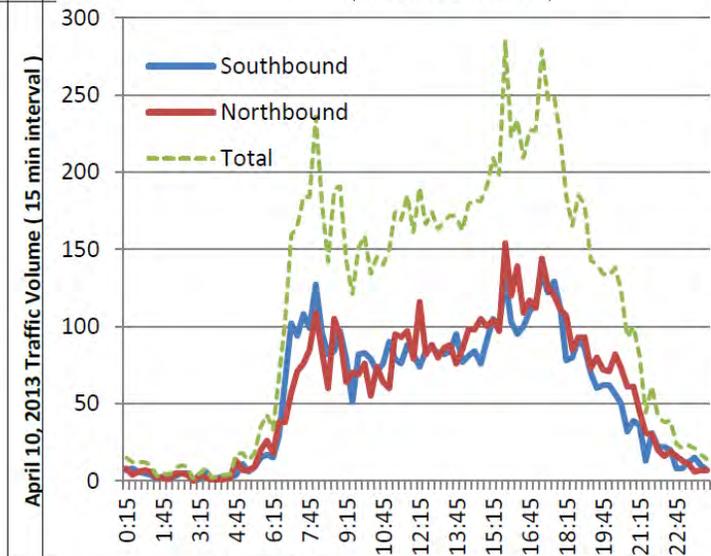
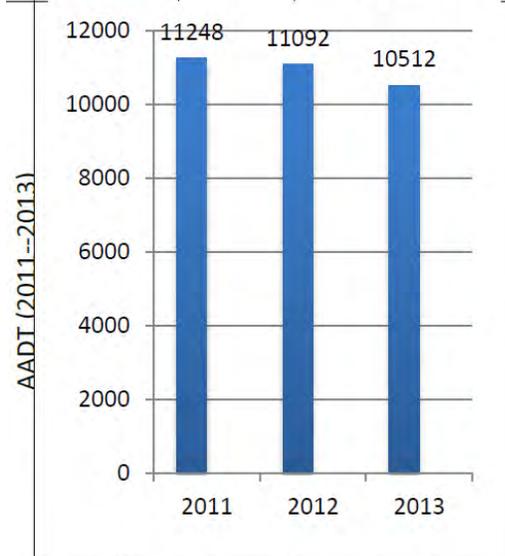
# Morgantown Monongalia MPO | 2013 Traffic Count



Continue next page



Station ID	Map ID	Road	Description	Coordinate	City
<b>3114042</b>	42	Greenbag Rd	West of Lower Aarons Creek	Lat: 39.611900 Lon: -79.932800	Mon County



AADT <sup>(1)</sup>	APR Change	Split	% Trucks	LOS <sup>(2)</sup>	AM Peak Hour		PM Peak Hour	
					Time	% of traffic	Time	% of traffic
10,512	-5.23%	49%	N/A	C	7:30-8:30	7.14	17:00-18:00	9.12

-- The highest traffic volume appears during afternoon peak hours, which begin around 15:00.

Note  
 1) 2013 traffic data is collected on April 10 and April 11.  
 2) Calculation of the Level of Service (LOS) is based on the generalized AADT table for roadway capacity developed from 2000 Highway capacity Manual.

Reporting Date: April 10-11, 2013      Source: WV DOH/Transmetric Traffic Server 6



Station ID	Map ID	Road	Description	Coordinate	City				
<b>3114043</b>	43	Greenbag Rd	North of US 119	Lat: 39.606600 Lon: -79.965700	Mon County				
AADT (2011--2013)									
		AADT <sup>(1)</sup>	APR Change			Split	% Trucks	LOS <sup>(2)</sup>	AM Peak Hour
14,119	-4.80%	50%	N/A	D	7:30-8:30	7.69	17:00-18:00	9.81	
-- APR change of this station is consistent with that of station 3114042, which is 2.1 mile north of the road.									
Note 1) 2013 traffic data is collected on April 10 and April 11. 2) Calculation of the Level of Service (LOS) is based on the generalized AADT table for roadway capacity developed from 2000 Highway capacity Manual.									
Reporting Date: April 10-11, 2013					Source: WV DOH/Transmetric Traffic Server 6				

Comparison Table of 2013 Traffic Count Data

Station ID	Map ID	AADT	APR Change	Split	LOS	AM Peak Hour		PM Peak Hour	
						Time	% of traffic	Time	% of traffic
3114041	41	22,225	+5.93%	48%	B	7:30-8:30	7.10	16:45-17:45	8.56
3114042	42	10,512	-5.23%	49%	C	7:30-8:30	7.14	17:00-18:00	9.12
3114043	43	14,119	-4.80%	50%	D	7:30-8:30	7.69	17:00-18:00	9.81



**Development Services**  
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

## MEMORANDUM

---

Date: 19 FEB 2015  
To: Jeff Mikorski, City Manager.....via email  
Linda Little, City Clerk.....via email  
RE: City Council Committee of the Whole Agenda – 24 FEB 2015  
RZ15-02 / Scott Properties, LLC  
Zoning Map Amendment from R-2 District to R-3 District

During its 12 FEB 2015 hearing, the Planning Commission voted to forward a recommendation to City Council to approve the above referenced Zoning Map Amendment petition.

Attached herewith are the related ordinance and Staff Report presented to the Planning Commission, which provides background, Staff analysis, and recommendations.

The following dates will keep to standard Planning and Zoning Code Map Amendment protocol:

- City Council Committee of the Whole ..... TUE, 24 FEB 2015
- City Council First Reading ..... TUE, 03 MAR 2015
- City Council Public Hearing and Second Reading ..... TUE, 07 APR 2015

Please include this item on the City Council meeting agendas noted above and include this communication and attachments in the 24 FEB Committee of the Whole meeting packet. Only the ordinance should be included in the 03 MAR and 07 APR meeting packets.

Thank you.

Attachments: Draft Ordinance  
RZ15-02 Staff Report

**ATTACHMENT 1**  
**RZ15-02 ORDINANCE**

**ORDINANCE NO.** \_\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF EIGHTEEN (18) PARCELS OF REAL ESTATE IN THE THIRD WARD OF THE CITY OF MORGANTOWN FROM R-2, SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT TO R-3, MULTI-FAIMLY RESIDENTIAL DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN 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 Parcels 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, and 246 of County Tax Map 20; Morgantown Corporation District.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning classification for Parcels 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, and 246 of County Tax Map 20 of the Monongalia County tax assessment 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 reclassified from R-2, Single- and Two-Family Residential District to R-3, Multi-Family Residential District.
2. That the Official Zoning Map be accordingly changed to show said zoning reclassification.

This Ordinance shall be effective from the date of adoption.

FIRST READING:

\_\_\_\_\_  
Mayor

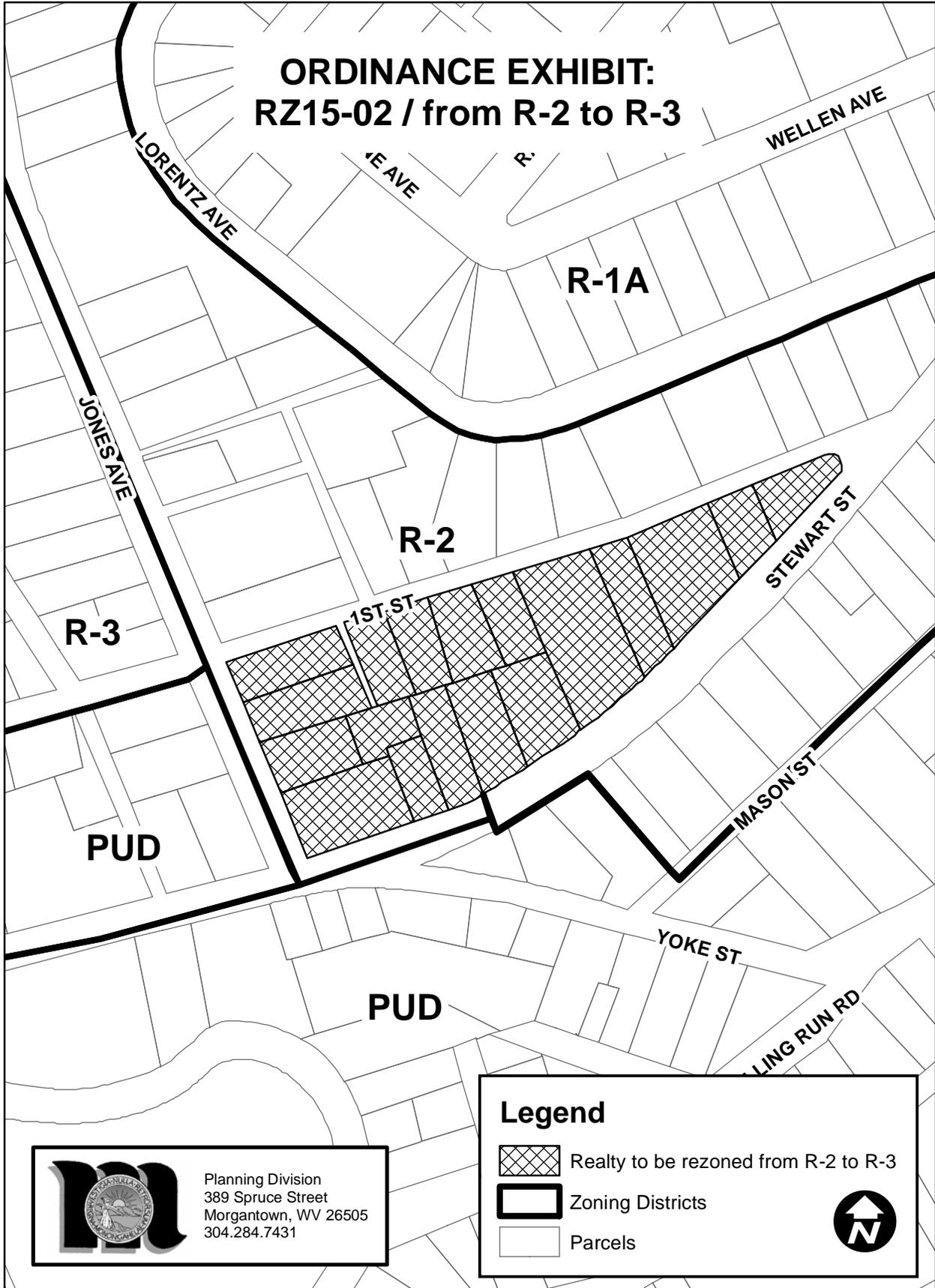
ADOPTED:

FILED:

RECORDED:

\_\_\_\_\_  
City Clerk

# ORDINANCE EXHIBIT: RZ15-02 / from R-2 to R-3



 Planning Division  
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

**Legend**

-  Realty to be rezoned from R-2 to R-3
-  Zoning Districts
-  Parcels



**ATTACHMENT 2**  
**RZ15-02 STAFF REPORT**



# MORGANTOWN PLANNING COMMISSION

February 12, 2015  
6:30 PM  
City Council Chambers

## Planning Commissioners:

Sam Loretta, 1<sup>st</sup> Ward  
Tim Stranko, 2<sup>nd</sup> Ward  
William Wyant, 3<sup>rd</sup> Ward  
Bill Petros, 4<sup>th</sup> Ward  
Mike Shuman, 5<sup>th</sup> Ward  
Peter DeMasters, 6<sup>th</sup> Ward  
Carol Pyles, 7<sup>th</sup> Ward  
Ken Martis, Admin.  
Bill Kawecky, City Council

## STAFF REPORT

**CASE NO:** RZ15-02 / Scott Properties, LLC / First Street

### **REQUEST and LOCATION:**

Request by Gregg Metheny, on behalf of Scott Properties, LLC, for a Zoning Map Amendment to reclassify property from R-2, Single- and Two-Family Residential District to R-3, Multi-Family Residential District

### **TAX MAP NUMBER(s) and ZONING DESCRIPTION:**

Tax Map 20, Parcels 229 thru and including 246

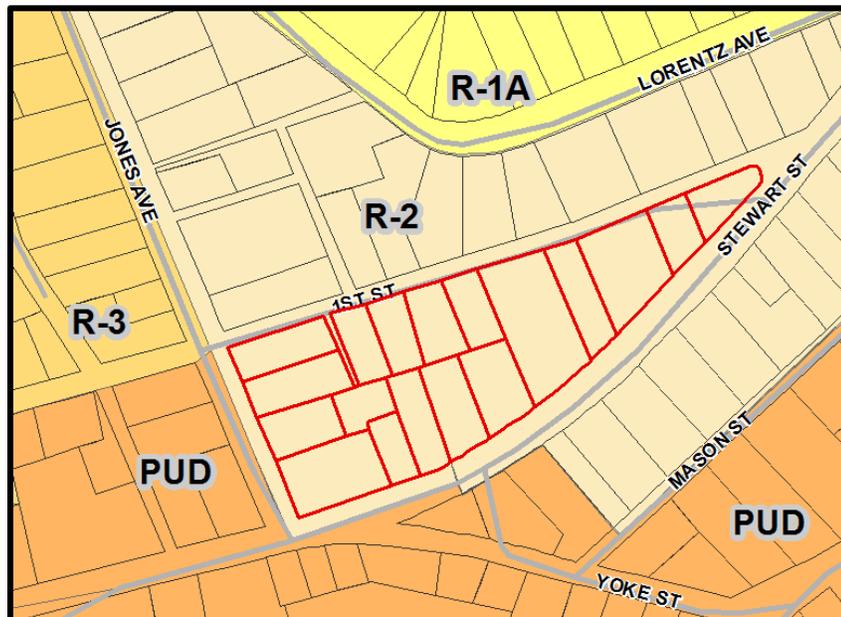
### **SURROUNDING ZONING:**

North and East: R-2, Single- and Two-Family Residential District  
South: PUD, Planned Unit Development District and R-2 District  
West: PUD and R-3, Multi-Family Residential District

### **BACKGROUND:**

The petitioner seeks approval to reclassify the subject parcels, the area of which is approximately 1.6 acres, from R-2 to R-3. Addendum A of this report illustrates the location of the subject property.

Because the subject area adjoins the R-3 District at the site's northwestern edge, the proposed zoning map amendment is considered a zoning district boundary adjustment and not "spot zoning" as the following image illustrates.



## **Development Services Department**

Christopher Fletcher, AICP  
Director

## **Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
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## MORGANTOWN PLANNING COMMISSION

February 12, 2015  
6:30 PM  
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### Planning Commissioners:

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Peter DeMasters, 6<sup>th</sup> Ward  
Carol Pyles, 7<sup>th</sup> Ward  
Ken Martis, Admin.  
Bill Kaweckki, City Council

### ANALYSIS:

According to Article 1337.01, the purpose of the 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.

According to Article 1339.01, the purpose of the 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.

### *Comprehensive Plan Concurrence*

As recommended in Chapter 9 "Implementation" of the 2013 Comprehensive Plan Update, Addendum B of this report identifies how the proposed development program relates to the land management intent, location, and pattern and character principles of the current Comprehensive Plan.

It should be noted that "shall" statements within the Comprehensive Plan must be understood as desired objectives and strategies that do not have the force or effect of law unless incorporated into the City's Planning and Zoning Code.

It appears that the proposed zoning classification change from R-2 to R-3 is in general concurrence with the Plan's principles for land management and encouraged growth objectives including:

- LM 2.1 Identify and prioritize sites for infill and redevelopment.
- LM 2.3 Develop incentives to encourage the consolidation of parcels for redevelopment.
- LM 5.2 Permit higher density development in areas that are well-supported by existing or planned transportation infrastructure or transit services.
- NH 4.1 Provide incentives to developers to encourage development of alternative housing types (i.e. higher density, live-work, mixed-use) in designated growth areas.

Staff encourages the Planning Commission to review the Comprehensive Plan for guidance as Addendum B is not intended to represent a complete comparative assessment.

### **Development Services Department**

Christopher Fletcher, AICP  
Director

### **Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



## MORGANTOWN PLANNING COMMISSION

February 12, 2015  
6:30 PM  
City Council Chambers

### Planning Commissioners:

Sam Loretta, 1<sup>st</sup> Ward  
Tim Stranko, 2<sup>nd</sup> Ward  
William Wyant, 3<sup>rd</sup> Ward  
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Peter DeMasters, 6<sup>th</sup> Ward  
Carol Pyles, 7<sup>th</sup> Ward  
Ken Martis, Admin.  
Bill Kawecky, City Council

### STAFF RECOMMENDATION:

Zoning map amendment requests should be evaluated on their land-use merits alone. The petitioners' development intentions are extraneous and 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 R-3, Multi-Family Residential 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 1339 "R-3, Multi-Family Residential District" and Table 1331.05.01 "Permitted Land Uses".

The subject site represents a unique opportunity to strategically locate slightly higher residential density at the edge of WVU's downtown campus. Further, the site is in very close proximity to the University Avenue corridor and at the western end of the Stewart Street / Willowdale Road corridor.

Because the site is well served by public transit and is within walking and biking distance of primary educational and commercial destinations, residents can access alternate modes of transport thereby reducing auto dependency and mitigating increased traffic congestion created by commuting traffic from much higher density residential development outside the City of Morgantown.

The Comprehensive Plan defines "redevelopment" as improving or utilizing sites that have been developed (are not vacant), but are not reaching their highest and best use. Given the ongoing state of deterioration of the functionally obsolete structures on and the small parcel configurations of the site, there does not appear to be an economic incentive or advantage to pursue redevelopment under the R-2 zoning classification.

Staff recommends that the Commission look to see the opportunity created through the petitioner's assembly of highly visible properties and the potential of realizing desired revitalization of an "Encouraged Growth" area located in the heart of a small blighted student housing enclave that is physically separated by terrain and distinct from the nearby R-1A District of the Wiles Hill neighborhood.

### **Development Services Department**

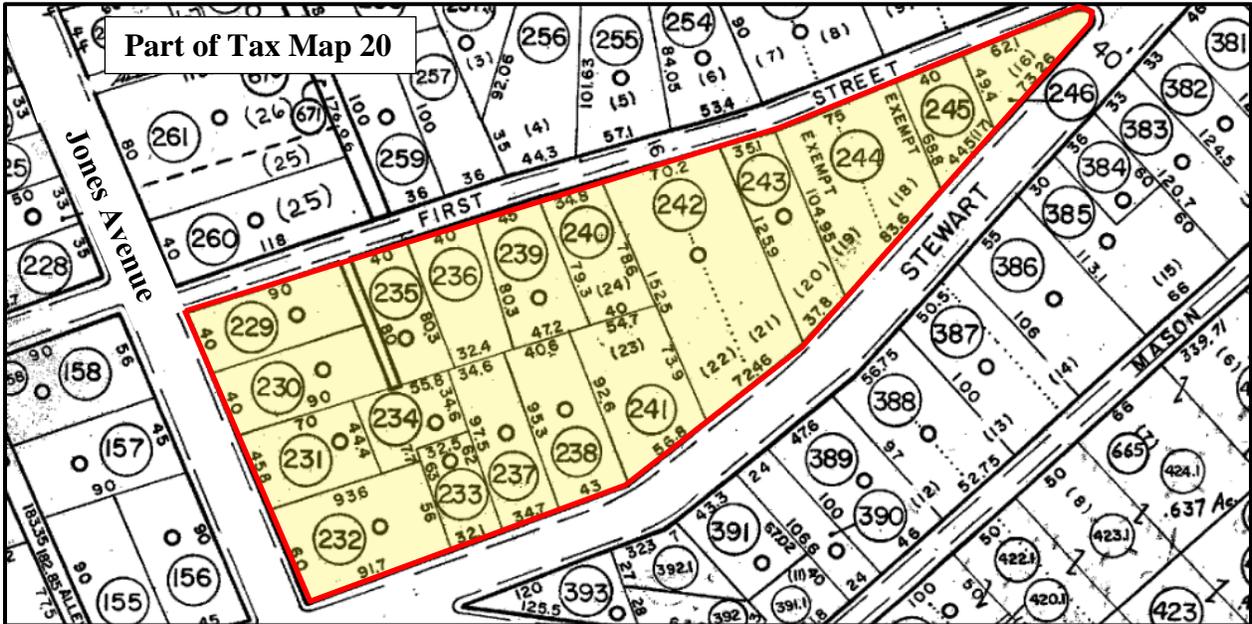
Christopher Fletcher, AICP  
Director

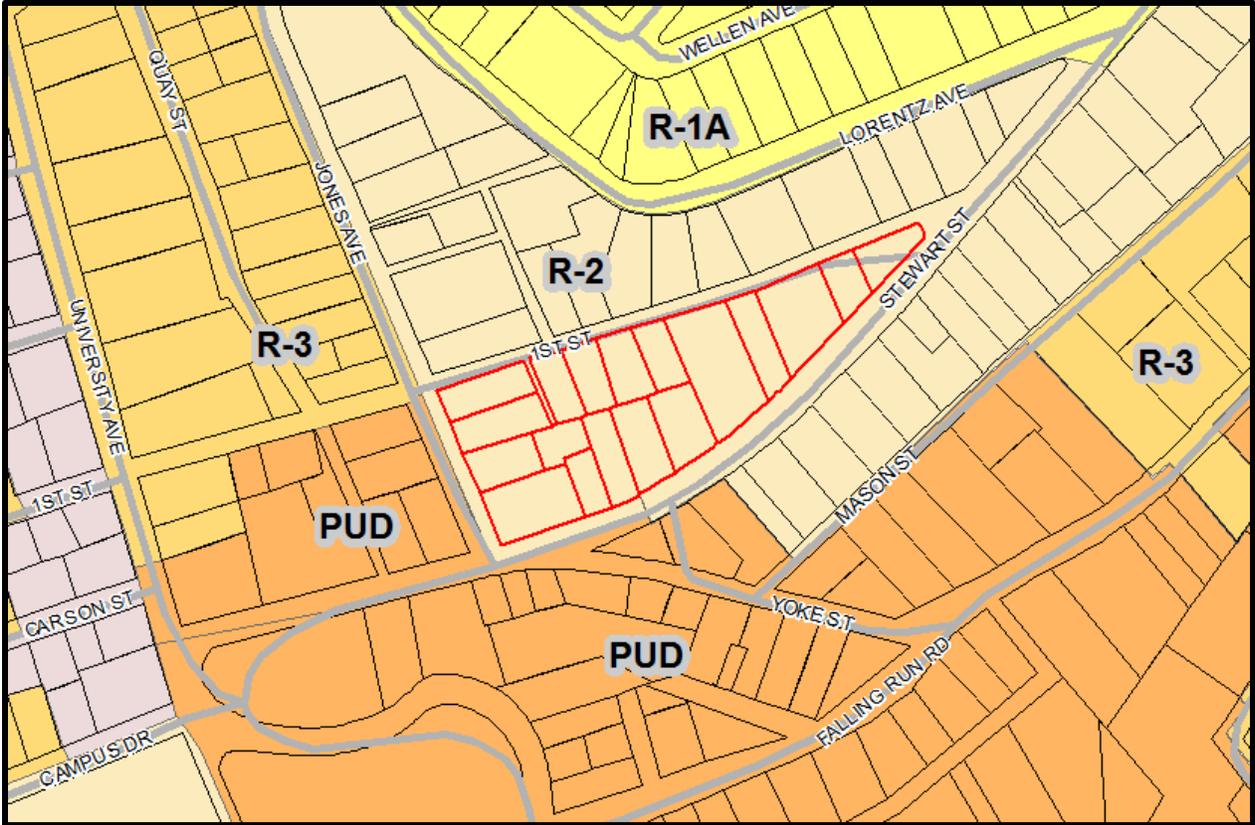
### **Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

**STAFF REPORT ADDENDUM A**  
**RZ15-02 / Scott Properties, LLC / Jones Place**







## STAFF REPORT ADDENDUM B

### RZ15-02 / Scott Properties, LLC / First Street

#### Concurrence with the 2013 Comprehensive Plan Update

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

<b>INTENT</b>	Development proposals will reflect the spirit and values expressed in the Plan's principals.
---------------	--

#### 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
<i>The existing structures within the proposed zoning classification area are deteriorating and functionally obsolete and a few have been vacant for a few years. Several of the structures are single-family structures that were converted into multiple dwelling units.</i>		
Principal 2	Expansion of the urban area will occur in a contiguous pattern that favors areas already served by existing infrastructure.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The development site is nearly surrounded by multi-family, student housing structures. New housing units within the immediate area represent residential densities that are more consistent with R-3 development patterns.</i>		
Principal 3	Downtown, adjacent neighborhoods and the riverfront will be the primary focus for revitalizations efforts.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The site is located at the edge of WVU's downtown campus and is surrounded by both new and older student housing stock.</i>		
Principal 4	Existing neighborhoods throughout the city will be maintained and/or enhanced.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>There is a physical buffer between the subject site and the Wiles Hill Neighborhood resulting from terrain – the site is approximately 70 feet lower than the intersection of Duquesne Avenue, Raymond Street, and Wellen Avenue – and the lack of roadway connection between the site and the neighborhood.</i>		

Principal 5	Quality design is emphasized for all uses to create an attractive, distinctive public and private realm and promote positive perceptions of the region.	<input checked="" type="checkbox"/> Concurrency <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The site is highly visible from the well-traveled Stewart Street corridor; the view of which is currently deteriorating and functionally obsolete converted single-family structures.</i>		
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"/> Concurrency <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>Mixed-use residential and nonresidential uses and development patterns are more permissible in the R-3 District than the R-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"/> Concurrency <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The site is located at the edge of WVU's downtown campus and easily accessible to well-served transit routes along Stewart Street and University Avenue. Connections from the site to sidewalks along Stewart Street and University Avenue can be significantly improved through R-3 District scaled development.</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"/> Concurrency <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The assembly of and redevelopment of dilapidating and functionally obsolete structures will serve to improve the quality, character, and age of the housing stock within the immediate area and at the edge of WVU's downtown campus.</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 checked="" type="checkbox"/> Concurrency <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The scale of permitted R-3 development on the site will serve to significantly improve the quality, character, attractiveness, and livability of new student housing opportunities at the edge of campus and continue the pattern of redevelopment and rebirth of the student neighborhood within the immediate area at slightly higher residential densities. Redevelopment will revitalize a deteriorating area and will provide for public infrastructure improvements including roadway enhancements, construction of sidewalks and/or pedestrian ways, stormwater management, etc.</i>		

- Principal 10 Parks, open space, and recreational areas are incorporated as part of future development.  Concurrence  
 Inconsistent  
 Other

*The planning and programming of passive and active open space requires development plans that should not be a part of zoning map amendment request considerations.*

- Principal 11 Environmentally sensitive and sustainable practices will be encouraged in future developments.  Concurrence  
 Inconsistent  
 Other

*The developer's goals and objectives concerning sustainable design and construction techniques and industry accepted best practices have not been fully developed.*

#### 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 clipped from the **Conceptual Growth Framework Map** included on Page 19 of the 2013 Comprehensive Plan Update. The subject development site is located within the “**Encouraged Growth**” area.



Encouraged Growth

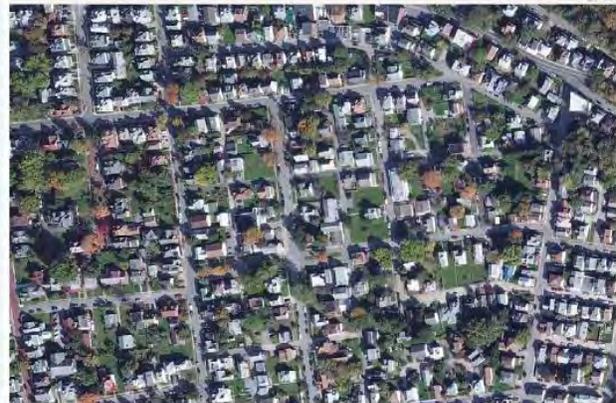
**PATTERN  
AND  
CHARACTER**

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.

The following graphic is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. The subject development site is located within the “**Neighborhood 1**” pattern and character area.



**Neighborhood 1.** Neighborhood 1 includes the oldest residential areas in the city surrounding Downtown and WVU's campus. It encompasses most of the city's historic neighborhoods as well as areas dominated by student renters. This neighborhood type has the highest density of buildings on the smallest lots. The district contains a mix of housing types ranging from older single family homes to four-six unit apartment buildings to newly constructed multi-story apartment buildings – often with multiple housing types in the same block. Small-scale commercial or civic uses are also integrated into the neighborhood fabric. The blocks are small and generally follow a grid street pattern. This is the most walkable neighborhood area.



The following graphic is clipped from **Map 4 – Land Management** included on Page 39 of the the 2013 Comprehensive Plan Update. The subject development site is located within the “**Neighborhood Revitalization**” concept area.



- Neighborhood Revitalization:** Stabilization and reinvestment in existing neighborhoods that includes improvements to public and private buildings and infrastructure, and support for infill development, adaptive reuse and redevelopment that offers a mix of residential types and supporting uses.

The following graphics are clipped from Pages 41 through 43 of the 2013 Comprehensive Plan Update and identify the development types desired within the “**Core Enhancement**” concept area.

Appropriate Development Types

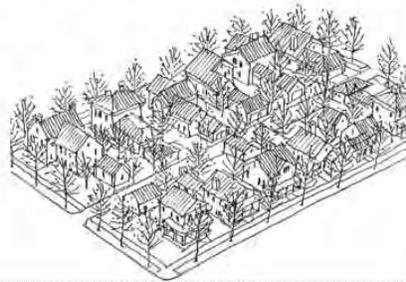
CONCEPT AREA	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS
 Neighborhood Revitalization	•	•	•	•	•						•

DEVELOPMENT TYPE DESCRIPTIONS

PATTERN AND CHARACTER EXAMPLES

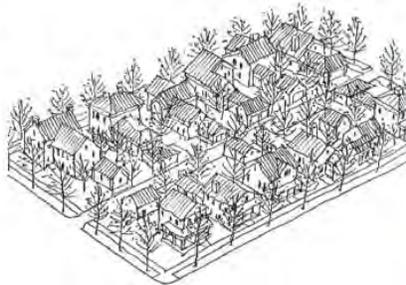
**SF Single Family Residential**

Detached 1-2.5 story residential structures each intended for one family. Densities range from six to twelve units per acre.



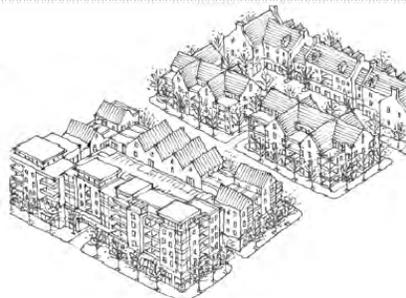
**TF Two Family Residential**

Detached structures that each contain two separate residential dwellings and townhouse dwelling types. May be built in a similar pattern as single-family structures and integrated in neighborhoods with other single-family structures and/or at the edge of single-family neighborhoods. Densities range from six to twenty units per acre.



**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.



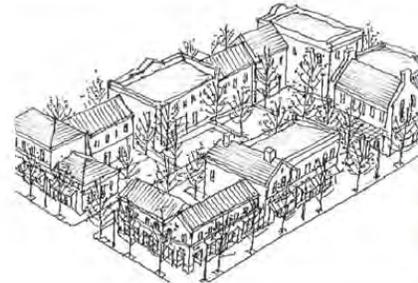
**C Civic and Institutional**

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.



**OS Greenspace**

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



**OBJECTIVES AND STRATEGIES**

**Land Management**

**A. Goal**

Efficient and attractive use of land resources that strengthens the quality, character, and upkeep of the built environment while balancing redevelopment and strategic expansion with open space preservation.

**Objective 2. Promote strategic infill and redevelopment of underutilized or functionally obsolete areas.**

LM 2.1 Identify and prioritize sites for infill and redevelopment.

LM 2.3 Develop incentives to encourage the consolidation of parcels for redevelopment.

LM 5.2 Permit higher density development in areas that are well-supported by existing or planned transportation infrastructure or transit services.

**OBJECTIVES  
AND  
STRATEGIES**

**Neighborhoods and Housing**

***A. Goal***

Attractive, well-maintained neighborhoods that offer a broad mix of desirable housing options and convenient access to services and amenities.

***Objective 4. Promote the development of a broad range of housing types and prices.***

NH 4.1 Provide incentives to developers to encourage development of alternative housing types (i.e. higher density, live-work, mixed-use) in designated growth areas.

# Appendix A

## Resource Documents

### 1. Areas for Future Study

The following table and accompanying map identify areas for future study throughout the City of Morgantown. These areas 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 Comprehensive Plan's Land Management Map. These areas require further land use and development study by the Planning Commission to enable zoning map amendment and/or zoning text amendment recommendations to City Council that will advance the goals, objectives, strategies, and consistency principles of this Comprehensive Plan Update.

5	R-1A, R-2 and PUD	Stewart Street and Highland Avenue; adjoins the Wiles Hill / Highland Park Neighborhoods	<p><b>Current single-family residential zoning does not reflect existing uses or future potential.</b></p> <p><b>Considerations for future study:</b></p> <ul style="list-style-type: none"> <li>• Permitting of very modest increases in density of two-family and townhouse market-rate housing.</li> <li>• Provide incentives to assemble and consolidate realty.</li> <li>• Discouragement of continued added density of converted single-family dwellings.</li> <li>• Establish appropriate design standards.</li> <li>• Improved infrastructure supporting slightly higher densities; and increase supply of on-site parking.</li> </ul>
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City of Morgantown, West Virginia  
**APPLICATION FOR  
 FOR ZONING MAP AMENDMENT**

OFFICE USE	
CASE NO.	R215-02
RECEIVED:	12/12/14
COMPLETE:	

Zoning Map Amendment Process – See Addendum A of this Application

(PLEASE TYPE OR PRINT IN BLACK INK)

<b>I. OWNER / APPLICANT</b>			
Name:	Scott Properties, LLC		Phone: 304-599-5011
Mailing Address:	P.O. Box 018		Mobile: 304-319-3574
	Street	Morgantown, WV 26507	Email: gmetheny@scottpropertiesllc.com
	City	State Zip	
<b>II. AGENT / CONTACT INFORMATION</b>			
Name:	Gregg Metheny		Phone: 304-599-5011
Mailing Address:	2419 Stewartstown Road		Mobile: 304-319-3574
	Street	Morgantown WV 26508	Email: gmetheny@scottpropertiesllc.com
	City	State Zip	
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
<b>IV. PROPERTY</b>			
Street Address (if assigned):	First - Jones - Stewart		
Tax Map(s) #:	20	Parcel(s) #:	229-246
		Size (sq. ft. or acres):	1.6
Current Zoning Classification:	R2	Proposed Zoning Classification:	R3
Current Land Use:	Mix Residential	Proposed Land Use*:	Multi-family
*The Planning Commission does not take proposed use into consideration. The question is asked merely for staff to determine if the proposed district allows the intended use.			
<b>V. ATTEST</b>			
I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction, whether specified herein or not. I certify that I have read and examined this document and know the same to be true and correct. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.			
Gregg S. Metheny		[Signature]	
Type/Print Name of Applicant/Agent	Type/Print Name of Applicant/Agent	Date	

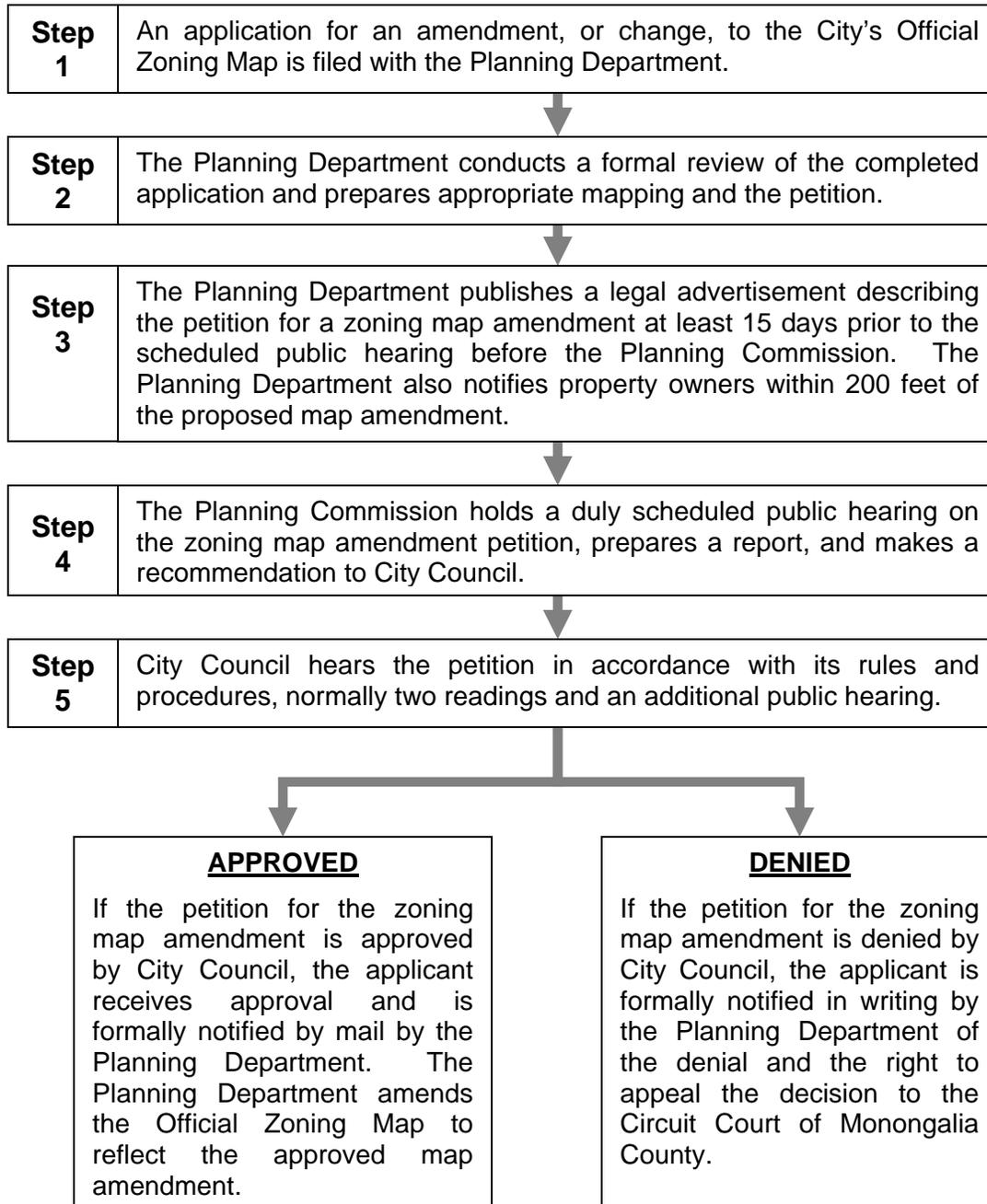
Zoning Map Amendment Fee - \$75 **CK**  
 4240



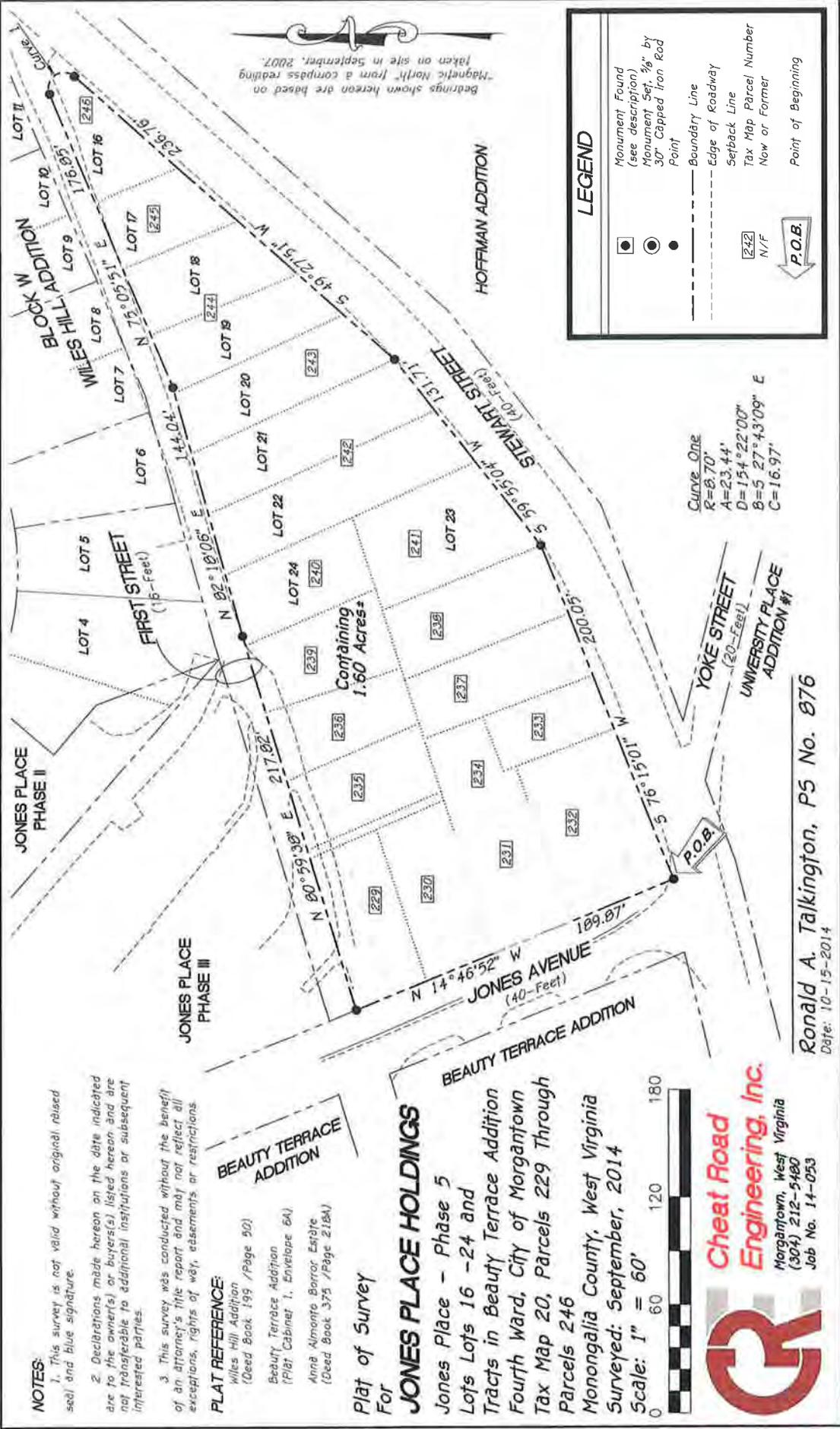
City of Morgantown, West Virginia  
**APPLICATION FOR  
FOR ZONING MAP AMENDMENT**

OFFICE USE	
CASE NO.	_____
RECEIVED:	_____
COMPLETE:	_____

**ADDENDUM A - Zoning Map Amendment Process**



20-5177



**NOTES:**  
 1. This survey is not valid without original raised seal and blue signature.  
 2. Declarations made hereon on the date indicated are to the owner(s) or buyer(s) listed hereon and are not transferable to additional institutions or subsequent interested parties.  
 3. This survey was conducted without the benefit of an attorney's title report and may not reflect all exceptions, rights of way, easements or restrictions.

**PLAT REFERENCE:**  
 Miles Hill Addition  
 (Deed Book 195 /Page 90)  
 Beauty Terrace Addition  
 (Plat Cabinet 1, Envelope 6A)  
 Anna Almonte Borror Estate  
 (Deed Book 375 /Page 218A)

**Plat of Survey**  
 For  
**JONES PLACE HOLDINGS**  
 Jones Place - Phase 5  
 Lots 16 -24 and  
 Tracts in Beauty Terrace Addition  
 Fourth Ward, City of Morgantown  
 Tax Map 20, Parcels 229 Through  
 Parcels 246  
 Monongalia County, West Virginia  
 Surveyed: September, 2014  
 Scale: 1" = 60'

0 60 120 180

**Cheat Road Engineering, Inc.**  
 Morgantown, West Virginia  
 (304) 212-5480  
 Job No. 14-053

**BEAUTY TERRACE ADDITION**  
 JONES PLACE PHASE III  
 JONES PLACE PHASE II  
 JONES AVENUE (40-Feet)  
 STEWART STREET (40-Feet)  
 YOKO STREET (20-Feet)  
 UNIVERSITY PLACE ADDITION #1  
 HOFFMAN ADDITION

Curve One  
 R=8.70'  
 A=23.44'  
 D=154°22'00"  
 B=5.27°43'09" E  
 C=16.97'

Bearings shown hereon are based on "Magnetic North" from a compass reading taken on site in September, 2007.

**LEGEND**

- Monument Found (see description)
- Monument Set, 1/8" by 30" Capped Iron Rod
- Point
- Boundary Line
- Edge of Roadway
- Setback Line
- Tax Map Parcel Number
- Now or Former
- Point of Beginning

242 N/F

P.O.B.

Ronald A. Talkington, PS No. 876  
 Date: 10-15-2014

R215-02

October 15, 2014

**DESCRIPTION OF SURVEY  
FOR  
JONES PLACE HOLDINGS  
JONES PLACE – PHASE 5**

All that certain tract or parcel of real estate, situate, lying and being in Fourth Ward, City of Morgantown, Monongalia County, West Virginia, and more particularly described as follows:

**Beginning** at a point in the northern line of Stewart Street, a 40-foot street where it intersects with the eastern line of Jones Avenue, a 40-foot street; thence leaving said Stewart Street and with Jones Avenue

**N 14°46'52" W 189.87** feet to a point in the southern line of First Street, a 16-foot street where it intersects with the eastern line of said Jones Avenue; thence leaving said Jones Avenue and with said First Street

**N 80°59'38" E 217.82** feet to a point; thence

**N 82°18'06" E 144.04** feet to a point; thence

**N 75°05'51" E 176.85** feet to a point; thence with a curve turning to the right, having a radius of 8.70 feet

**Southeasterly 23.44** feet along said curve through an angle of 154°22'00" to a point, standing in the northerly lines of said Stewart Street where it intersects with the southerly line of said First Street, said curve having a chord bearing and distance of S 27°43'09" E 16.97 feet; thence leaving said First Street and with said Stewart Street

**S 49°27'51" W 236.76** feet to a point; thence

**S 59°55'04" W 131.71** feet to a point; thence

**S 76°15'01" W 200.05** feet to the place of beginning, **containing 1.60 acres**, more or less, as surveyed in September, 2014 by Cheat Road Engineering, Inc. of Morgantown, West Virginia and shown on a plat of survey for Jones Place Holdings, dated the 15<sup>th</sup> day of October, 2014 attached hereto and made a part of this description. The meridian for all bearings in this description is based on "MAGNETIC NORTH" from a compass reading taken on site in September, 2007.

Said tract or parcel of real estate is assessed on the land books for Fourth Ward, City of Morgantown, Monongalia County, West Virginia and is more specifically shown on Tax Map 20, as Parcels 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245 and 246.

Cheat Road Engineering, Inc.

Ronald A. Talkington, PS #876