



Office of the City Clerk

The City of Morgantown

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AGENDA
MORGANTOWN CITY COUNCIL
COMMITTEE OF THE WHOLE
June 30, 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:

PRESENTATIONS:

1. Presentation of Downtown Retail Study by Patrick Bowen
2. Jamie Summerlin Marathon Update
3. Steve Stathakis Flatboat Project Coordinator
4. Update on Recycling Program

PUBLIC PORTION:

ITEMS FOR DISCUSSION:

1. Oath of Office for Councilors
2. Zoning Map Amendment from R-1-A District to R-2 District
3. Zoning Map Amendment – Glenn Ridge Apartments PUD
4. Intergovernmental Agreement with BOE for Police Officer at Morgantown High School
5. POP Shop Lease
6. Maple Avenue Easement
7. Hough Street Easement
8. Petition to annex Airport access road

If you need an accommodation contact us at 284-7439

Morgantown Retail Feasibility Study



Prepared For

**Main Street Morgantown
201 High St., Suite 2
Morgantown, West Virginia 26505**

Effective Date

December 24, 2014

Job Reference Number

14-410

Table of Contents

- Executive Summary
- I. Introduction
- II. Trade Area Delineations
- III. Demographic Profiles and Trends
- IV. Economic Analysis
- V. Retail Analysis
- VI. Stakeholder Interviews
- VII. Conclusions and Recommendations
- VIII. Retail Recruitment Strategy
 - Addendum A – Retail Survey Instrument
 - Addendum B - Sources

Executive Summary

Purpose: Bowen National Research, a nationally recognized Ohio-based real estate research firm, was retained by Main Street Morgantown in September of 2014 to conduct a retail feasibility study that evaluated the retail space within the downtown area of the City of Morgantown, West Virginia.

Work Elements: The work elements incorporated into this comprehensive report include a demographic and economic overview, including projected growth and how it will impact the future retail demand. A significant sample of downtown retail spaces (both occupied and vacant) was surveyed to determine typical lease rates, building sizes, quality, proximity to parking, and vacancy percentages. Local stakeholders were asked to complete a questionnaire about the downtown environment, and their responses were aggregated. Additionally, an analysis of competitive retail shopping centers located outside of the downtown was conducted and compared to the attributes of the downtown. Projected increases in consumer expenditures and a pipeline analysis of existing projects were evaluated to anticipate the demand for retail spaces over the next five years. The study concludes with a summary of the current retail market, prospects for future growth and recommendations to improve the competitive position of the downtown.

Study Areas: The focus of this analysis is the Primary Trade Area (PTA), or downtown Morgantown. Predefined by Main Street Morgantown (MSM), the downtown is generally bound by Willey Street to the north, Deckers Creek and Don Knotts Boulevard to the east, Donley Street to the south and the Monongahela River to the west. However, it is equally important to understand the Competitive Trade Area (CTA), which is the larger geographic area that generates the majority of consumer support for, and competition with, the PTA (downtown). We have defined the CTA to include all of eastern Monongalia County, which is generally within a 20-minute drive of the downtown. See Section III for map and justification of these trade areas.

Key Findings:

Retail Inventory

Bowen National Research cataloged an estimated 374,586 square feet of retail space, of which 8.7% is vacant. This is slightly lower than regional and national averages. However, the typical lease rate is around \$12.50 per square foot, which is substantially lower than those reported at competitive shopping centers in Morgantown and those reported on a regional and national level. The low lease rates in the downtown may be partially attributed to parking, traffic, and safety concerns expressed by area stakeholders, but are more than likely the result of an eclectic mix of buildings and spaces available. With many properties constructed near the turn of the previous century, some retail spaces are in poor condition, or have layouts that are not necessarily attractive to a wide variety of tenants' specific needs. As such, some owners may be forced to keep rates at affordable levels in order to attract tenants.

Competition from outside shopping centers is a factor, but is not believed to have had a *significant* impact on demand for space in the downtown given its 8.7% vacancy rate. The tempered impact is believed to be due to the growth in retail demand experienced during the previous decade and the relatively affordable rates offered by downtown building owners. Competitive shopping centers within the Competitive Trade Area (CTA) were generally developed in 2000 or later, and are primarily considered to offer Class A retail space. Typically, these centers are easily accessible via major highways or interstates, have ample free parking adjacent to individual tenants, offer big box retailers and have excellent visibility. These attributes have allowed competitive shopping centers to outperform the downtown in terms of vacancy rates and collected rent per square foot. When focusing on retail spaces of approximately 5,000 square feet or less, the vacancy rate at established shopping centers is only 4.1% and the typical price per square foot is \$21.50.

Future Demand

Demographic and economic growth is projected to be strong within the Morgantown region between 2014 and 2019. The Competitive Trade Area (CTA), which includes the PTA, is expected to experience a 32.6% increase in aggregate consumer spending over the next five years. This yields a potential for 804,938 square feet of additional retail space that can be supported in the larger Morgantown CTA between 2014 and 2019. Currently, there is 13,858 square feet of retail space under construction or planned within the downtown, and another 86,100 square feet of retail space under construction or planned in the greater CTA. Based on growth trends, it is expected that the downtown will be able to at least capture its current share of demand, which equates to 28,980 square feet of retail space (5,796 annually), between 2014 and 2019.

Our supply gap analysis included in Section V illustrates that the downtown is a shopping destination. In fact, the downtown PTA has a retail surplus of \$46,815,166, which results in an overall surplus factor of 76.1 (66.5 for Retail Trade and 87.6 for Food & Drink). This indicates many more persons are shopping and dining within the downtown than living there and/or local residents are spending substantially more than anticipated. As such, it is likely that there will be retail opportunities in many industries, regardless of the presence of existing businesses. After all, the retail space in the downtown PTA is estimated to have a vacancy rate of just 8.7%, which is lower than regional and national trends. The best new retail opportunities identified are listed in order as follows:

- 1) Other General Merchandise Stores, such as dollar stores
- 2) Specialty Building Material & Supply Stores, such as hardware stores
- 3) Furniture Stores
- 4) Shoe Stores
- 5) Specialty Home & Garden Supply Stores
- 6) Grocery Stores, including convenience stores
- 7) Office Supplies, Stationery & Gift Stores

Conclusions and Recommendations:

Based on a survey of downtown stakeholders, collected data, and the personal observations of our analysts, the downtown is generally a good place to do business. Many stakeholders cited the proximity to WVU, general economic stability, civic pride, high pedestrian and vehicular traffic, downtown events/activities and the overall sense of community as being strong positives for business. Despite some concerns of local stakeholders regarding parking, cleanliness, safety and undesirable characters, the 180 *traditional* retail spaces surveyed had a vacancy rate of just 8.7%. This is slightly lower than regional and national averages. Given the strong increase in consumer expenditures within the CTA, we expect the demand for retail space within the downtown will increase by 5,796 square feet annually for the next five years. This conclusion is based on “as-is” conditions within the local market. However, it is likely that even more retail space than 5,796 square feet per year could be supported if the appeal of the downtown to area consumers is improved. The following recommendations could increase the appeal of the downtown by creating a more conducive environment for retail shopping and dining:

- Pursuit of policies and government practices that encourage the development of new housing units, particularly housing that targets households with disposable incomes that are higher than the current levels within the PTA.
- Continue and expand financial incentive programs to increase the aesthetic appeal of the downtown and the viability of interior retail space. The façade grant program and the recently passed TIF District (detailed in Section IV) will allow the city to work with developers to invest directly into the public infrastructure, thereby reducing development costs and enhancing the neighborhood’s appeal. Other financial incentive programs should also be pursued and promoted, such as low-interest loans, a microloan program, a revolving loan fund, and/or an interest buy-down program. Regardless of the funding mechanism(s), the goal is to encourage private investment by offsetting costs and/or making capital available to property and business owners within the downtown. Ideally, the scope of these programs should be expanded to allow property owners and tenants the ability to renovate interior space, replace roofs, and/or update building systems. Although façades and infrastructure are the most noticeable improvements to make, higher quality tenants can be just as easily deterred by interior space that is in poor condition, has an *unnecessarily* bad layout, or space that is not properly serviced with updated HVAC, electrical, or plumbing systems.
- Collaborate with the local Continuum of Care in an effort to identify the needs of the homeless population and their service providers. Many chronically homeless individuals have mental disorders and substance abuse issues that require a Permanent Supportive Housing (PSH) solution.

- Some of the issues cited by downtown stakeholders are related to the *perception* of crime and safety, which is a common perception within many downtown markets. Based on data obtained from the FBI Uniform Crime Report and Applied Geographic Solutions, the actual crime activity in Morgantown is not considered high for a downtown area. Further, the Morgantown Police Department has dedicated significant resources to maintain safety within the downtown. Continuation of these efforts will be important in enhancing the perception of safety within downtown Morgantown. Further, many factors play into the perception of crime and safety beyond actual crimes, including the appearance of the downtown district. Therefore, efforts should be made to maintain a clean and well kept aesthetic. Finally, sustained marketing efforts that highlight positives of the downtown as a vibrant district may help to reduce the perception of crime.
- The Morgantown Monongalia Metropolitan Planning Organization issued the 2040 Long Range Transportation Plan which details several projects designed to alleviate congestion within the downtown and provide alternate routes for tractor-trailer traffic. Conveniently accessing the downtown is believed to be critical to the current and future success of retailers. As such, it will be important that downtown stakeholders provide strong participation and support to transportation projects that could benefit the downtown.
- The stakeholder interviews indicated that the location, availability and cost of parking may have a negative impact on retail demand within the downtown. Based on our cursory review, there appear to be sufficient parking spaces available within the downtown to reasonably accommodate demand on most typical days. Further, these parking spaces are located within a manageable walk of most downtown businesses and attractions, and the fees for parking are consistent with regional trends. However, the high demand for on-street metered parking may fuel the perception that parking is limited. Therefore, an increase in public awareness of the parking lots and garages may alleviate the perception of limited parking spaces in the downtown. Although a city ordinance prohibits free parking days and hours, a validation program with participating businesses may be examined in an effort to provide discounted or subsidized parking to patrons in designated zones during set time periods (typically evenings and weekends).

A more in-depth analysis of these recommendations is included in Section VII of this report.

Retail Recruitment Strategy

In conjunction with the recommendations, a formal retail recruitment strategy should be developed by MSM. Key components will be to develop formal marketing materials, identify target businesses and expand the level of detail publicized on the retail inventory. The following is a summary of key highlights. Additional details are included in Section VIII of this report.

- The marketing materials should be developed to convey that the unique features of downtown create a competitive advantage over other locations through the use of maps, facts and photos. Additionally, key data points such as demographic profiles, disposable incomes, increases in consumer expenditures, traffic counts, and daytime population figures, etc. should be incorporated.
- Identify prospective tenants through a sustained narrative with local and regional business leaders. These prospects can include existing local or regional businesses that are looking to expand or open a branch, local entrepreneurs, and national chains. As such, marketing efforts should include both local and regional outreach outside of the CTA.
- Expand upon the level of information of the retail inventory provided by Bowen National Research to track the retail mix, generate data and identify vacant space as requested by potential businesses. The inventory could ultimately be used to create an online "Site Selection Tool" that could provide an interactive and free way to search vacant spaces by buildings specs and price. The online services could also be expanded to provide an online forum for current and future tenants to network with existing business owners in the downtown via an online message board (private and semi-private), and link with available and vetted resources in the community (e.g., local banks, small business development agencies, etc.). Essentially, MSM could provide an online network of peers and downtown stakeholders that could be instantly available to a new business and leveraged for recruitment purposes.

If the preceding strategies are implemented, it is likely that the demand for downtown retail space will be greater than our original conclusions. However, these strategies are not considered necessary for the downtown to maintain its current share of the retail market.

I. Introduction

A. PURPOSE

Main Street Morgantown retained Bowen National Research in September of 2014 for the purpose of conducting a Retail Feasibility Study for the downtown area of the City of Morgantown, West Virginia.

A retail feasibility study of downtown Morgantown and the Wharf District will aide Main Street Morgantown and other interested stakeholders in determining future retail demands and strategies to facilitate that growth. Specifically, the goals of the study sought to provide the following:

- An assessment of the downtown's current retail market and conditions, including retail categories.
- An assessment of downtown retail square footage, rent-per-square foot, occupancy levels and parking availability.
- An analysis of shopping centers located outside downtown that are currently capturing retail expenditures.
- Identify retail categories within downtown that are currently over/under served. This will include recommendations for additional retail or expansion to support increased residential density.
- Develop recommendations for specific types of retail opportunities to meet the needs of those retail categories that are under served, including total square footage that can be supported, rents, parking and other amenities that would make new retail alternatives most marketable.
- Recommendations concerning the strategies or approaches that might be taken to satisfy the identified retail needs.
- Identification of specific areas of the downtown that may be most amenable to new retail development in order to provide additional focus to local redevelopment and retail efforts.

B. METHODOLOGIES

The following methods were used by Bowen National Research to collect and analyze data for this study:

Study Area Delineation

The focus of this analysis is the Primary Trade Area (PTA), or downtown Morgantown. Predefined by Main Street Morgantown (MSM), the downtown is generally bound by Willey Street to the north, Deckers Creek and Don Knotts Boulevard to the east, Donley Street to the south and the Monongahela River to the west. However, it is equally important to understand the Competitive Trade Area (CTA), which is the larger geographic area that generates the majority of consumer support for, and competition with, the PTA (downtown). We have defined the CTA to include all of eastern Monongalia County, which is generally within a 20-minute drive of the downtown. See Section III for maps and a justification of these trade areas.

Demographic Information

Demographic data for population, households, and employment was secured from ESRI, Incorporated, the 2000 and 2010 United States Census, Applied Geographic Solutions, U.S. Department of Commerce, and the American Community Survey. This data has been used in its primary form and by Bowen National Research for secondary calculations. All sources are referenced throughout the report and in Addendum B of this report.

Employment Information

Employment information was obtained and evaluated for various geographic areas that were part of this overall study. This information included data related to wages by occupation, employment by job sector, total employment, unemployment rates, identification of top employers, and identification of large-scale job expansions or contractions. Most information was obtained through the U.S. Department of Labor, Bureau of Labor Statistics. However, Bowen National Research also conducted numerous interviews with local stakeholders familiar with employment characteristics and trends of the Morgantown area.

Retail Supply & Demand

An in person evaluation of downtown Morgantown and the Wharf District produced a significant sample of 180 traditional retail spaces. Information for each space was solicited by business owners, managers, property owners and local brokers. However, many were unable or unwilling to provide some or all information. As such, Bowen National Research relied on third party data and our personal observations when warranted. The data collected was aggregated in

a database and used to produce tangible analysis regarding various aspects of the downtown retail market, such as occupancy levels, lease rates, parking availability, quality, visibility, etc.

Projected growth in retail expenditures is the best method to determine future retail demand and has been collected for the CTA based on data provided by ESRI, Dun & Bradstreet and Urban Decision Group. Bowen National Research then calculated the share of retail demand that the downtown would capture based on its current competitive position. Details of this are provided in Section V.

Stakeholder/Interviews

In October of 2014, a number of local stakeholders took part in an online survey regarding their particular business and the overall retail climate within the downtown. Questions were structured to elicit opinions on a variety of matters including current retail conditions, strengths and weaknesses of the downtown, and ways the downtown retail environment could be improved. These interviews afforded participants an opportunity to voice their opinions and provide anecdotal insights about the study's subject matter. Overall, more than 20 individual interviews were completed and evaluated. Please note that individual names and organizations have not been disclosed in order to protect the confidentiality of participants and encourage their candor. The aggregate results from these interviews are presented and evaluated in this report in Section VI, while the actual stakeholder interview questions are included in Addendum A.

C. REPORT LIMITATIONS

The intent of this report is to collect and analyze significant levels of retail data within the City of Morgantown, West Virginia. Bowen National Research relied on a variety of sources to generate this report (see Addendum B). These data sources are not always verifiable; however, Bowen National Research makes a concerted effort to assure accuracy. While this is not always possible, we believe that our efforts provide an acceptable standard margin of error. Bowen National Research is not responsible for errors or omissions in the data provided by other sources.

We have no present or prospective interest in any of the properties included in this report, and we have no personal interest or bias with respect to the parties involved. Our compensation is not contingent on an action or event resulting from the analyses, opinions, or use of this study.

II. Trade Area Delineations

For the purposes of this retail analysis, we have defined two trade areas: a Primary Trade Area (PTA) and a Competitive Trade Area (CTA). In general, a trade area is the geographic area from which a community will travel to purchase the majority of its goods and services.

The Primary Trade Area, which is the smaller of the two study areas, is the geographic area in which residents living within it would travel for inelastic goods or services. Inelastic goods or services are those which a consumer will generally buy regardless of fluctuations in price and typically include items like groceries (staples), pharmaceuticals or gasoline. Consequently, inelastic goods are often readily available and consumers will not likely travel significant distances to purchase them. Consumers searching for these items will likely frequent establishments that are available to them within proximity of their residence, or place of employment.

We have based the Primary Trade Area for downtown Morgantown on the predetermined boundaries established by the Main Street Morgantown RFP, but with some slight variations. The PTA boundaries include all businesses generally bound by Willey Street to the north, Deckers Creek and Don Knotts Boulevard to the east, Donley Street to the south and the Monongahela River to the west.

The Competitive Trade Area (CTA) is the larger of the two commercial trade areas. This is the area in which a consumer residing within the Primary Trade Area would likely be willing to travel to purchase an *elastic* good or service. This area also comprises many of the households residing outside the PTA that will periodically make purchases from retailers within the PTA. Elastic goods and services can be defined as those whose demand has an inverse relationship with price. For example, when prices decline, consumers will likely be more willing to travel a farther distance to purchase that item and its demand increases as a result. Cars, jewelry or electronics are examples of elastic goods.

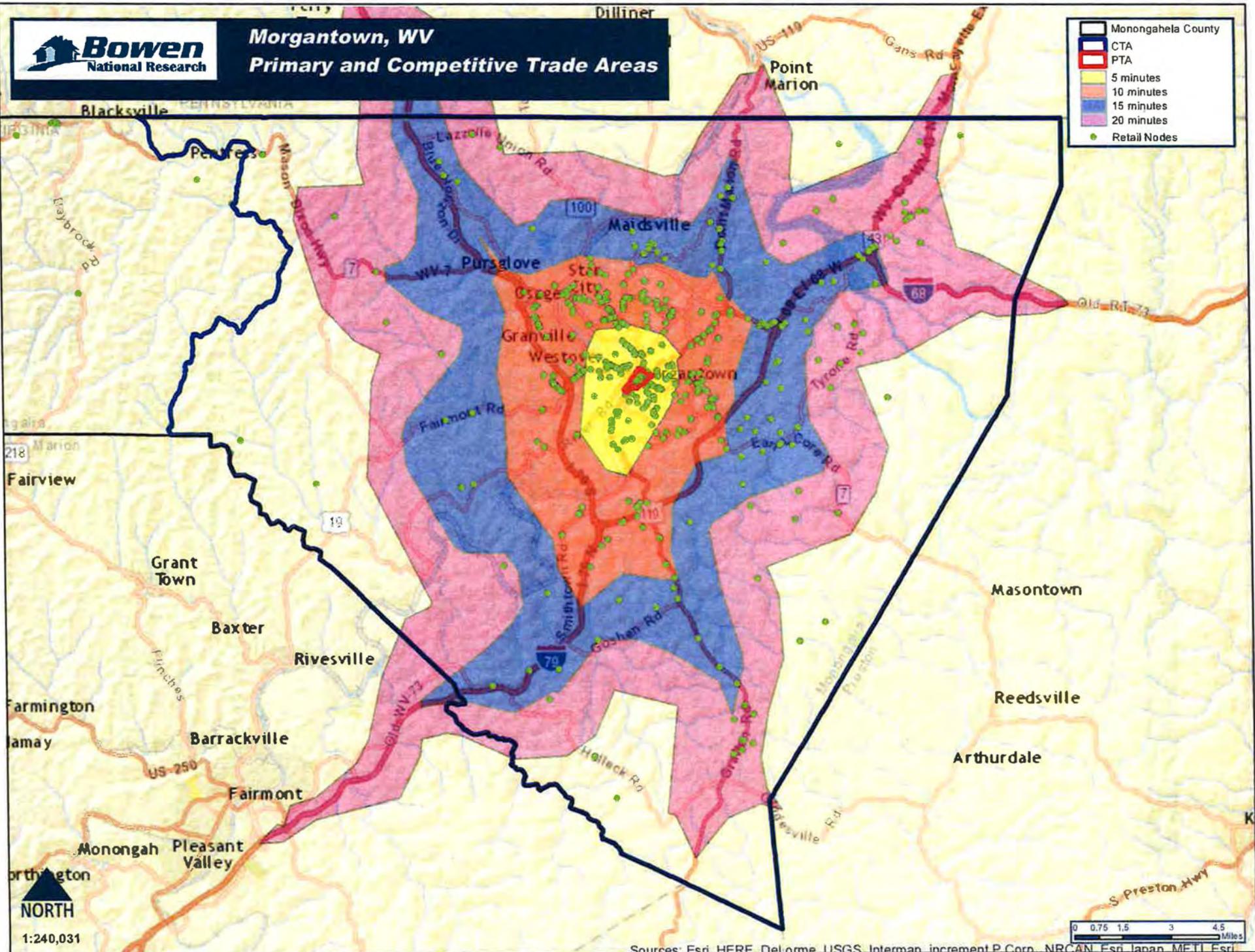
The CTA for the downtown market has been defined as the entire eastern portion of Monongalia County, less Census Tract 114.00. The selected portion of the county is the population, employment, and retail shopping base of the greater region. Further, it is well serviced by interstates and highways that allow for ease of movement. Generally, the boundaries of the CTA are within 15 to 20 minutes from the downtown. Although all major shopping centers within the CTA are located within 10 minutes of downtown, the expanded area allows for the inclusion of thousands of households that are likely pulled into Morgantown for shopping and dining opportunities, given the comparative lack of such establishments in other areas within proximity of the CTA.

Maps delineating the boundaries of the PTA and CTA, as well as drive times from the site are included on the following page and also illustrate retail concentrations.

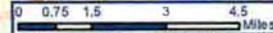


Morgantown, WV
Primary and Competitive Trade Areas

	Monongahela County
	CTA
	PTA
	5 minutes
	10 minutes
	15 minutes
	20 minutes
	Retail Nodes



NORTH
 1:240,031

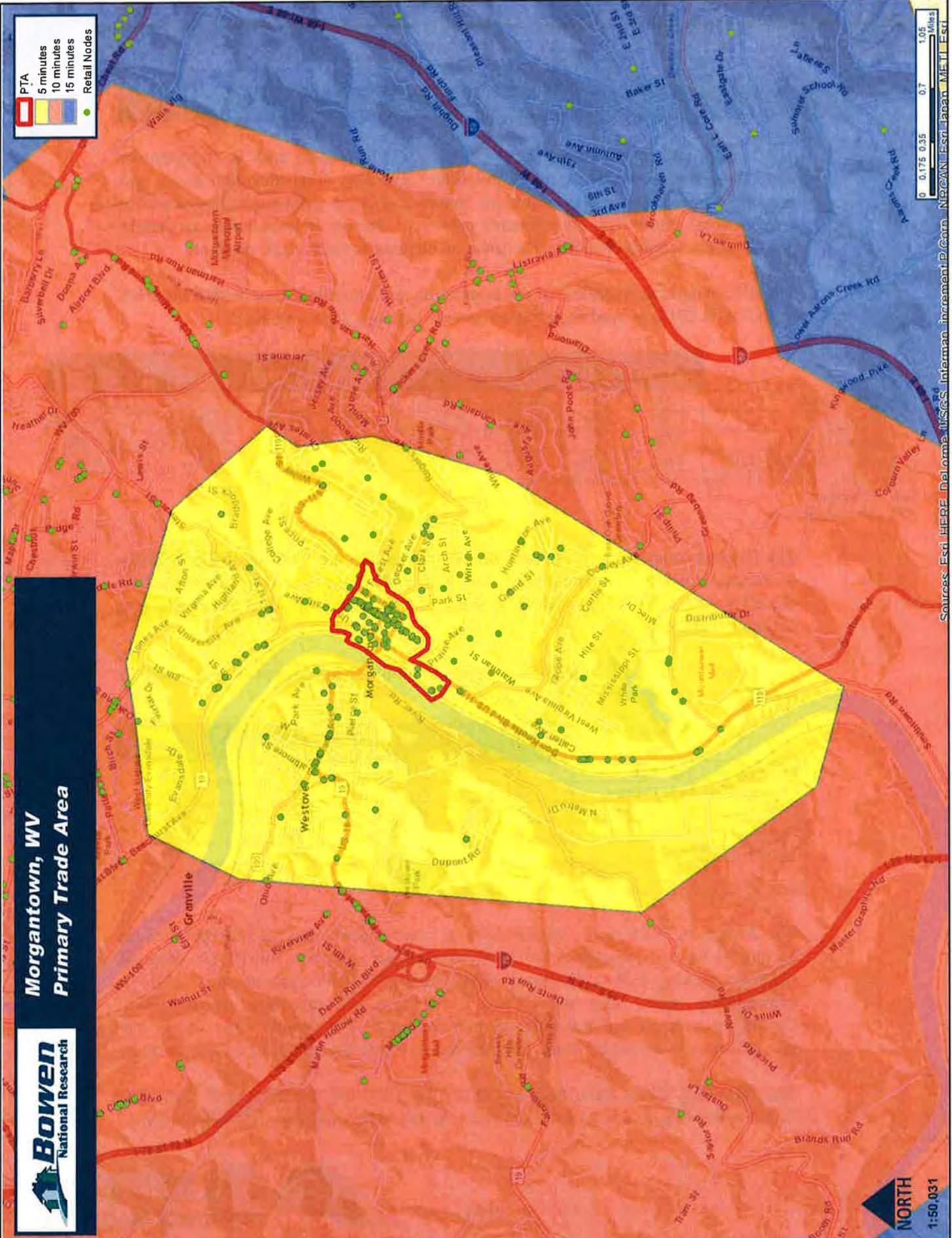


Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri, Japan, METI, Esri

Morgantown, WV Primary Trade Area



PTA
5 minutes
10 minutes
15 minutes
Retail Nodes



NORTH
1:50,031

Source: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., GEBCO, International Map of the United States, Esri

III. Demographic Profiles & Trends

The current and projected demographic base within a trade area is important to understand when considering retail potential. The age, size, education levels and income of households are all important factors that shape retail expenditures within a given area. Moreover, the projected growth or decline of households, or certain groups of households, will directly drive the demand for new retail product.

The following is an overview of the population and household base within the PTA and CTA in 2014, as well as projected growth between 2014 and 2019.

	PTA		CTA		West Virginia		U.S.	
	Pop.	H.H.	Pop.	H.H.	Pop.	H.H.	Pop.	H.H.
2014 Estimated	1,249	727	98,356	41,315	1,875,906	775,600	313,129,017	118,208,713
2019 Projected	1,357	800	106,982	45,331	1,902,231	788,581	323,986,227	122,665,498
Change 2014-2019	108	73	8,626	4,016	26,325	12,981	10,857,210	4,456,785
Percent Change 2014-2019	8.6%	10.0%	8.8%	9.7%	1.4%	1.7%	3.5%	3.8%

Source: ESRI; Urban Decision Group; Bowen National Research

Pop. - Population

H.H. - Households

The increase among population and households within the PTA and CTA is likely to increase consumer expenditures within both trade areas. Notably, growth within the PTA and CTA will occur at a substantially faster rate than statewide and national averages.

The following table illustrates the geographic mobility for current residents within the PTA and CTA.

	PTA		CTA	
	Number	Percent	Number	Percent
Same House 1 Year Ago	398	54.8%	32,155	77.8%
Moved within Same County	161	22.1%	4,264	10.3%
Different County Same State	75	10.3%	1,696	4.1%
Moved from Different State	88	12.1%	2,866	6.9%
Moved from Abroad	5	0.7%	333	0.8%
Total	727	100.0%	41,315	100.0%

Source: ESRI; Urban Decision Group; Bowen National Research

The downtown (PTA) has a higher share of new residents moving into that area on an annual basis compared to the CTA as a whole. Further, the PTA's share of residents moving from a different county within West Virginia or out of state is substantially higher than the CTA. Considering the proximity of the WVU downtown campus and the large number of renter households cited within the downtown area, the higher share of new households on an annual basis is expected.

The following tables have been generated by ESRI for the PTA and the CTA. These tables illustrate households by income, age, size, race and disposable income.



Demographic and Income Profile

Downtown Morgantown (PTA)
Area: 0.16 square miles

Summary	Census 2010	2014	2019
Population	1,174	1,249	1,357
Households	669	727	800
Families	86	93	103
Average Household Size	1.61	1.59	1.58
Owner Occupied Housing Units	65	56	62
Renter Occupied Housing Units	604	671	739
Median Age	23.4	23.5	23.7
Trends: 2014 - 2019 Annual Rate	Area	State	National
Population	1.67%	0.38%	0.73%
Households	1.93%	0.41%	0.75%
Families	2.06%	0.29%	0.66%
Owner HHs	2.06%	0.39%	0.69%
Median Household Income	0.63%	2.80%	2.74%

Households by Income	2014		2019	
	Number	Percent	Number	Percent
<\$15,000	408	56.1%	435	54.4%
\$15,000 - \$24,999	107	14.7%	103	12.9%
\$25,000 - \$34,999	53	7.3%	59	7.4%
\$35,000 - \$49,999	46	6.3%	48	6.0%
\$50,000 - \$74,999	39	5.4%	48	6.0%
\$75,000 - \$99,999	29	4.0%	42	5.3%
\$100,000 - \$149,999	29	4.0%	40	5.0%
\$150,000 - \$199,999	7	1.0%	10	1.3%
\$200,000+	10	1.4%	16	2.0%
Median Household Income	\$13,382		\$13,810	
Average Household Income	\$29,040		\$32,983	
Per Capita Income	\$15,054		\$16,901	

Population by Age	Census 2010		2014		2019	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	12	1.0%	13	1.0%	16	1.2%
5 - 9	9	0.8%	10	0.8%	11	0.8%
10 - 14	4	0.3%	4	0.3%	5	0.4%
15 - 19	97	8.3%	95	7.6%	105	7.7%
20 - 24	684	58.3%	728	58.2%	723	53.2%
25 - 34	135	11.5%	143	11.4%	174	12.8%
35 - 44	46	3.9%	47	3.8%	55	4.1%
45 - 54	46	3.9%	47	3.8%	50	3.7%
55 - 64	61	5.2%	68	5.4%	84	6.2%
65 - 74	40	3.4%	51	4.1%	72	5.3%
75 - 84	27	2.3%	30	2.4%	43	3.2%
85+	12	1.0%	15	1.2%	20	1.5%

Race and Ethnicity	Census 2010		2014		2019	
	Number	Percent	Number	Percent	Number	Percent
White Alone	1,050	89.4%	1,117	89.3%	1,207	88.9%
Black Alone	47	4.0%	52	4.2%	59	4.3%
American Indian Alone	2	0.2%	2	0.2%	2	0.1%
Asian Alone	47	4.0%	48	3.8%	49	3.6%
Pacific Islander Alone	0	0.0%	0	0.0%	0	0.0%
Some Other Race Alone	6	0.5%	6	0.5%	7	0.5%
Two or More Races	22	1.9%	26	2.1%	33	2.4%
Hispanic Origin (Any Race)	35	3.0%	39	3.1%	51	3.8%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.

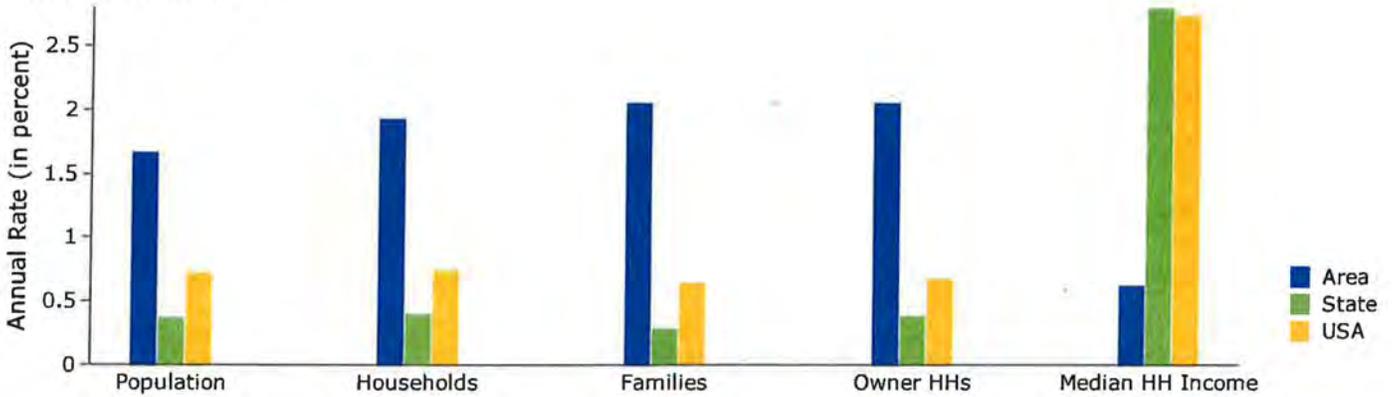


Demographic and Income Profile

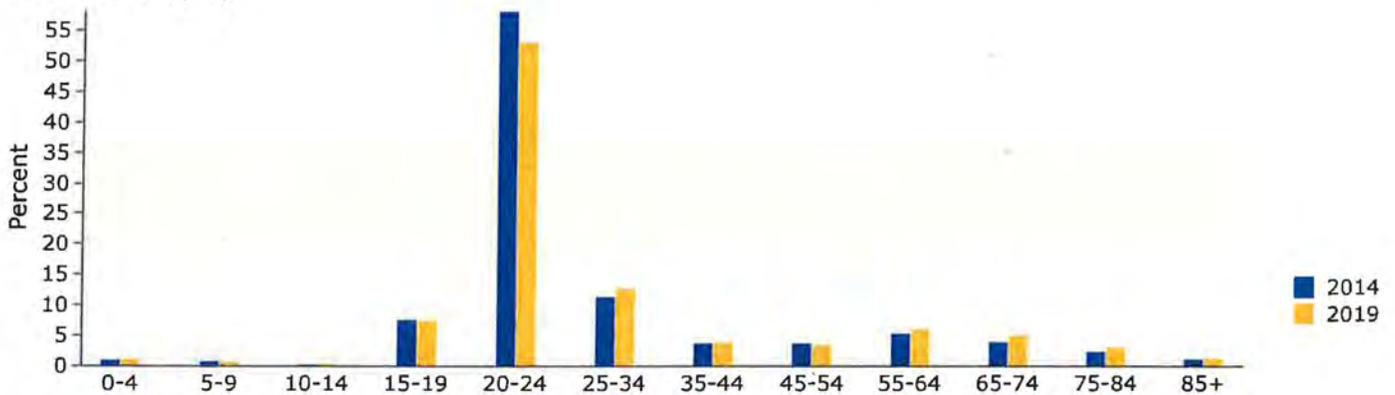
Downtown Morgantown (PTA)
Area: 0.16 square miles

2014-2019
Area, State, USA

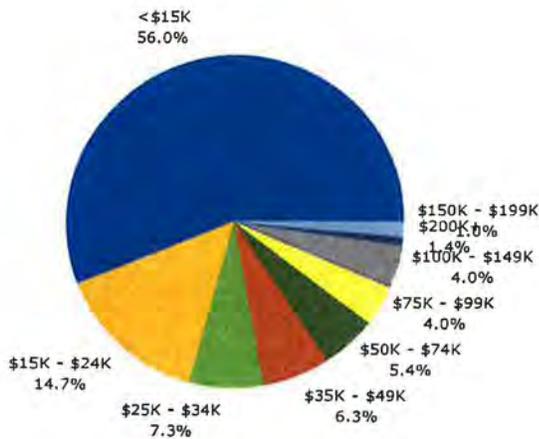
Trends 2014-2019



Population by Age



2014 Household Income



2014 Population by Race



2014 Percent Hispanic Origin: 3.1%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.



Disposable Income Profile

Downtown Morgantown - PTA
Area: 0.16 square miles

	Census 2010	2014	2019	2014-2019 Change	2014-2019 Annual Rate
Population	1,174	1,249	1,357	108	1.67%
Median Age	23.4	23.5	23.7	0.2	0.17%
Households	669	727	800	73	1.93%
Average Household Size	1.61	1.59	1.58	-0.01	-0.13%

2014 Households by Disposable Income

	Number	Percent
Total	727	100.0%
<\$15,000	419	57.6%
\$15,000-\$24,999	114	15.7%
\$25,000-\$34,999	53	7.3%
\$35,000-\$49,999	40	5.5%
\$50,000-\$74,999	46	6.3%
\$75,000-\$99,999	26	3.6%
\$100,000-\$149,999	17	2.3%
\$150,000-\$199,999	7	1.0%
\$200,000+	4	0.6%
Median Disposable Income	\$12,995	
Average Disposable Income	\$25,359	

2014 Disposable Income by Age of Householder	Number of Households						
	<25	25-34	35-44	45-54	55-64	65-74	75+
Total	425	104	28	21	52	46	49
<\$15,000	282	39	11	10	25	22	30
\$15,000-\$24,999	74	10	4	2	6	8	9
\$25,000-\$34,999	27	10	3	2	6	5	1
\$35,000-\$49,999	13	10	3	2	4	3	4
\$50,000-\$74,999	13	17	3	2	4	4	3
\$75,000-\$99,999	8	9	3	1	3	2	1
\$100,000-\$149,999	6	5	1	1	2	2	1
\$150,000-\$199,999	2	2	1	1	1	1	0
\$200,000+	1	2	0	1	0	0	0
Median Disposable Income	\$11,330	\$27,465	\$23,279	\$19,141	\$15,578	\$16,281	\$12,250
Average Disposable Income	\$18,328	\$44,128	\$38,966	\$49,786	\$31,275	\$30,904	\$20,510

Data Note: Disposable Income is after-tax household income. Disposable income forecasts are based on the Current Population Survey, U.S. Census Bureau. Detail may not sum to totals due to rounding

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.



Demographic and Income Profile

Competitive Study Area (CTA)
Area: 266.46 square miles

Summary	Census 2010	2014	2019
Population	92,360	98,356	106,982
Households	38,297	41,315	45,331
Families	18,926	20,164	21,937
Average Household Size	2.22	2.21	2.20
Owner Occupied Housing Units	20,868	20,729	22,676
Renter Occupied Housing Units	17,429	20,586	22,655
Median Age	28.9	29.6	30.9
Trends: 2014 - 2019 Annual Rate	Area	State	National
Population	1.70%	0.38%	0.73%
Households	1.87%	0.41%	0.75%
Families	1.70%	0.29%	0.66%
Owner HHs	1.81%	0.39%	0.69%
Median Household Income	3.77%	2.80%	2.74%

Households by Income

	2014		2019	
	Number	Percent	Number	Percent
<\$15,000	9,839	23.8%	10,037	22.1%
\$15,000 - \$24,999	4,992	12.1%	4,593	10.1%
\$25,000 - \$34,999	3,652	8.8%	3,881	8.6%
\$35,000 - \$49,999	4,480	10.8%	4,244	9.4%
\$50,000 - \$74,999	6,443	15.6%	6,874	15.2%
\$75,000 - \$99,999	4,646	11.2%	6,237	13.8%
\$100,000 - \$149,999	4,263	10.3%	5,328	11.8%
\$150,000 - \$199,999	1,580	3.8%	2,193	4.8%
\$200,000+	1,416	3.4%	1,940	4.3%
Median Household Income	\$41,208		\$49,583	
Average Household Income	\$62,226		\$69,301	
Per Capita Income	\$26,645		\$29,668	

Population by Age

	Census 2010		2014		2019	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	4,267	4.6%	4,292	4.4%	4,760	4.4%
5 - 9	3,952	4.3%	4,186	4.3%	4,473	4.2%
10 - 14	3,798	4.1%	4,068	4.1%	4,551	4.3%
15 - 19	9,491	10.3%	9,334	9.5%	9,960	9.3%
20 - 24	18,318	19.8%	19,161	19.5%	18,850	17.6%
25 - 34	13,973	15.1%	15,480	15.7%	16,777	15.7%
35 - 44	9,734	10.5%	10,141	10.3%	11,525	10.8%
45 - 54	10,375	11.2%	10,363	10.5%	10,610	9.9%
55 - 64	9,273	10.0%	10,411	10.6%	11,492	10.7%
65 - 74	4,922	5.3%	6,334	6.4%	8,414	7.9%
75 - 84	3,028	3.3%	3,150	3.2%	3,930	3.7%
85+	1,229	1.3%	1,436	1.5%	1,640	1.5%

Race and Ethnicity

	Census 2010		2014		2019	
	Number	Percent	Number	Percent	Number	Percent
White Alone	83,723	90.6%	88,890	90.4%	96,154	89.9%
Black Alone	3,493	3.8%	3,895	4.0%	4,466	4.2%
American Indian Alone	131	0.1%	131	0.1%	131	0.1%
Asian Alone	2,932	3.2%	2,913	3.0%	3,045	2.8%
Pacific Islander Alone	48	0.1%	61	0.1%	81	0.1%
Some Other Race Alone	362	0.4%	438	0.4%	548	0.5%
Two or More Races	1,671	1.8%	2,028	2.1%	2,557	2.4%
Hispanic Origin (Any Race)	1,679	1.8%	2,126	2.2%	2,722	2.5%

Data Note: Income is expressed in current dollars.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.

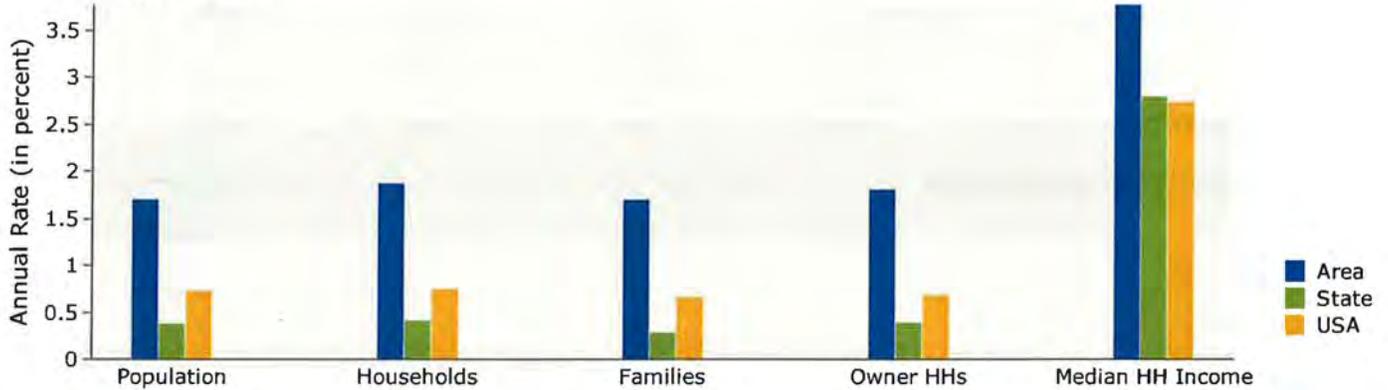


Demographic and Income Profile

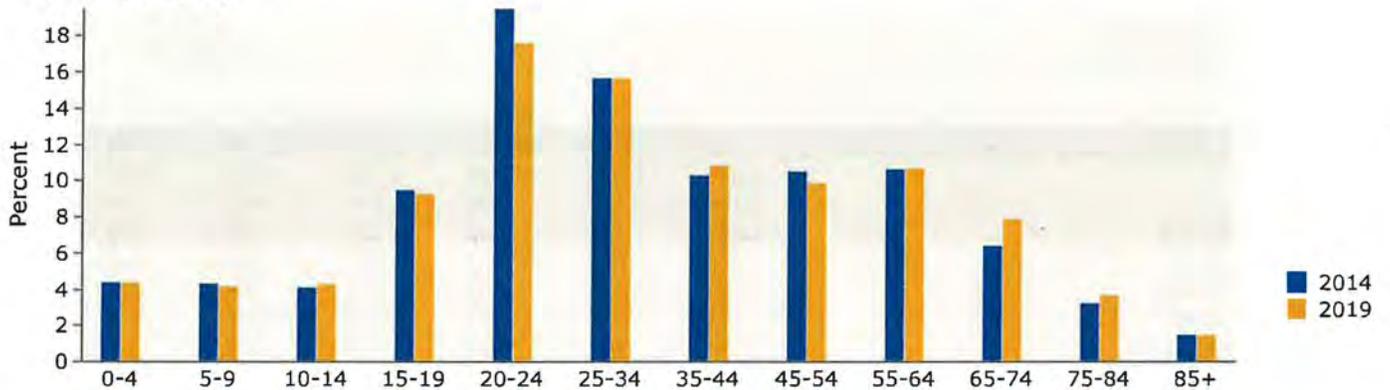
Competitive Study Area (CTA)
Area: 266.46 square miles

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Longitude: -75.5631060

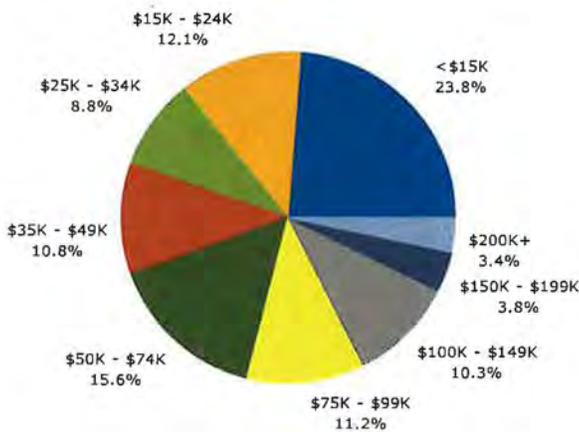
Trends 2014-2019



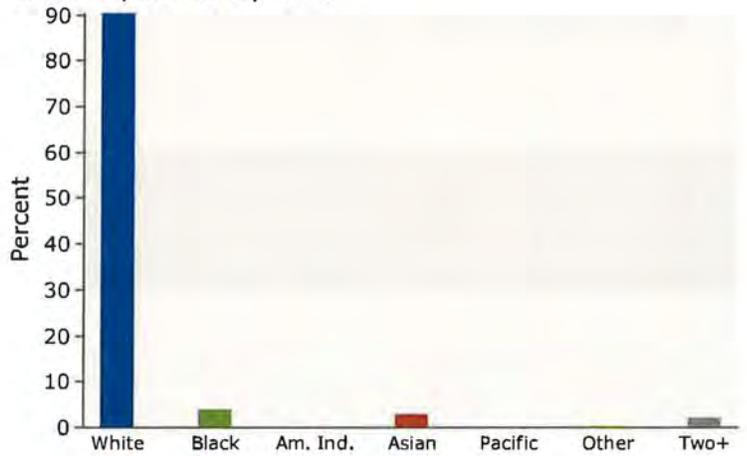
Population by Age



2014 Household Income



2014 Population by Race



2014 Percent Hispanic Origin: 2.2%

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.



Disposable Income Profile

Competitive Study Area - CTA
Area: 266.46 square miles

	Census 2010	2014	2019	2014-2019 Change	2014-2019 Annual Rate
Population	92,360	98,356	106,982	8,626	1.70%
Median Age	28.9	29.6	30.9	1.3	0.86%
Households	38,297	41,315	45,331	4,016	1.87%
Average Household Size	2.22	2.21	2.20	-0.01	-0.09%

2014 Households by Disposable Income

	Number	Percent
Total	41,311	100.0%
<\$15,000	10,603	25.7%
\$15,000-\$24,999	5,748	13.9%
\$25,000-\$34,999	4,058	9.8%
\$35,000-\$49,999	5,349	12.9%
\$50,000-\$74,999	7,440	18.0%
\$75,000-\$99,999	3,597	8.7%
\$100,000-\$149,999	3,257	7.9%
\$150,000-\$199,999	701	1.7%
\$200,000+	558	1.4%
Median Disposable Income	\$35,505	
Average Disposable Income	\$48,902	

2014 Disposable Income by Age of Householder	Number of Households						
	<25	25-34	35-44	45-54	55-64	65-74	75+
Total	8,693	8,177	5,395	5,727	6,216	3,955	3,148
<\$15,000	4,585	1,827	838	871	1,010	598	874
\$15,000-\$24,999	1,629	990	543	505	596	656	829
\$25,000-\$34,999	775	917	353	476	589	608	340
\$35,000-\$49,999	542	1,106	841	810	887	631	532
\$50,000-\$74,999	634	1,759	1,276	1,202	1,545	706	318
\$75,000-\$99,999	296	827	592	746	683	329	124
\$100,000-\$149,999	163	583	705	806	598	305	97
\$150,000-\$199,999	53	105	156	129	176	70	12
\$200,000+	16	63	91	182	132	52	22
Median Disposable Income	\$14,220	\$38,821	\$51,517	\$52,847	\$50,249	\$37,032	\$22,704
Average Disposable Income	\$24,414	\$48,770	\$62,440	\$67,716	\$61,328	\$51,359	\$34,540

Data Note: Disposable Income is after-tax household income. Disposable income forecasts are based on the Current Population Survey, U.S. Census Bureau. Detail may not sum to totals due to rounding.

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2014 and 2019.

The demographic picture of the Primary Trade Area (downtown) is uniquely different from the CTA. When compared to the CTA, the PTA is experiencing the following:

- Similar population and household growth.
- Much higher population density.
- Lower median age.
- Much higher share of renters.
- Much lower share of family households.
- Significantly lower median incomes.

These demographic differences are considered when analyzing retail market support in the PTA.

IV. Economic Analysis

A. INTRODUCTION

The support (demand) for retail uses within a given geographic area is influenced by the number of people choosing to live in and around that area. Although the number of households within Morgantown at any given time is a function of many factors, one of the primary reasons for residency is job availability. In this section, Morgantown's workforce and employment are examined. When available, the Primary Trade Area's (PTA) employment data is evaluated in detail and compared statistically with other geographic areas such as the Competitive Trade Area (CTA), the City of Morgantown, Monongalia County and the Morgantown MSA.

In Section B below, an overview of Morgantown's workforce is provided through several overall metrics: employment by industry, wages by occupation, total employment, unemployment rates and in-place employment trends. This includes an evaluation of employment by industry, employment base and growth trends, unemployment rate trends, largest employers, new and expanding employers, contracting and closing businesses, and visitors and tourism. Finally, in Section C, conclusions of economic conditions and trends are provided, along with our opinion as to how employment factors will influence current and future retail space needs within the PTA.

B. WORKFORCE ANALYSIS

Located in the North-Central West Virginia (also known as "Mountaineer Country"), the City of Morgantown is the largest city in the region (and the fourth largest in the state). It is the county seat of Monongalia County and is part of the larger Morgantown Metropolitan Statistical Area, which is comprised of Monongalia and Preston Counties.

Morgantown comprises a large and diverse employment base with the downtown and surrounding area interdependent on each other to some degree. Because the PTA and CTA are both within the City of Morgantown, they are generally influenced by similar economic factors such as taxes, government policy, and labor laws. Because of the mobility of the workforce and consumers between each study area and the reliance that each economy has with the other, it was necessary to evaluate the economies of the entire Morgantown area. The following evaluates key economic metrics within the Morgantown area. It should be noted that based on the availability of various economic data metrics, some information is presented only for the PTA, City of Morgantown, county, MSA and/or state.

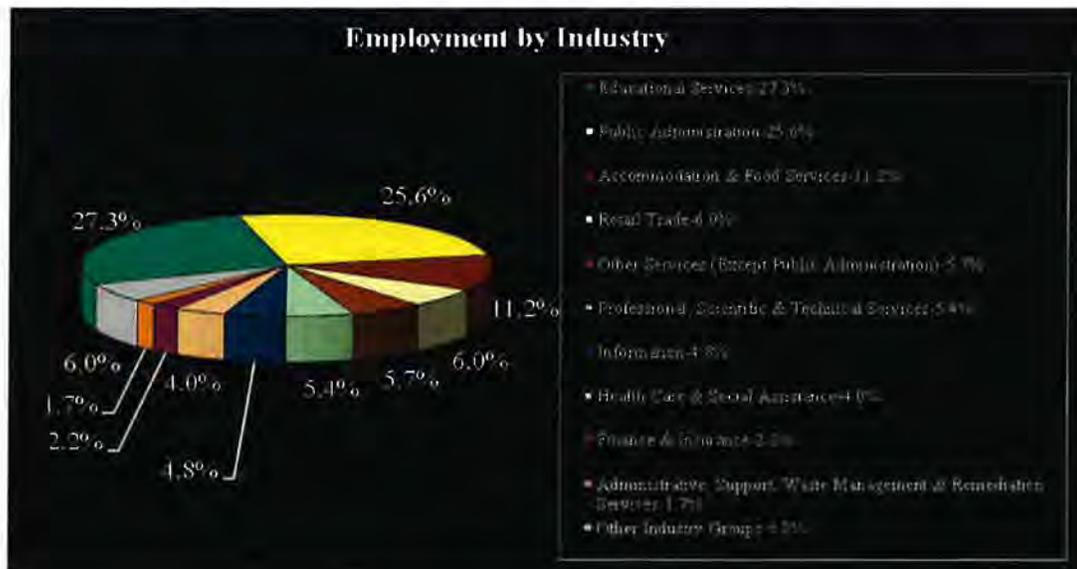
The PTA consists of downtown, which is strongly influenced by the government and education related employers in the area, most notably West Virginia University. As such, the labor force within the PTA (Downtown) is based primarily in two sectors. Educational Services and Public Administration comprise nearly two-thirds of the PTA's labor force. Employment in the Downtown Site PTA, as of 2013, was distributed as follows: and Accommodation & Food Services

NAICS Group	Establishments	Percent	Employees	Percent	E.P.E.
Agriculture, Forestry, Fishing & Hunting	1	0.2%	1	0.0%	1.0
Mining	0	0.0%	0	0.0%	0.0
Utilities	0	0.0%	23	0.5%	0.0
Construction	12	3.0%	41	0.9%	3.4
Manufacturing	9	2.2%	43	1.0%	4.8
Wholesale Trade	9	2.2%	38	0.9%	4.2
Retail Trade	52	13.0%	261	6.0%	5.0
Transportation & Warehousing	4	1.0%	29	0.7%	7.3
Information	10	2.5%	209	4.8%	20.9
Finance & Insurance	14	3.5%	97	2.2%	6.9
Real Estate & Rental & Leasing	17	4.2%	47	1.1%	2.8
Professional, Scientific & Technical Services	76	19.0%	233	5.4%	3.1
Management of Companies & Enterprises	2	0.5%	2	0.0%	1.0
Administrative, Support, Waste Management & Remediation Services	23	5.7%	76	1.7%	3.3
Educational Services	12	3.0%	1,188	27.3%	99.0
Health Care & Social Assistance	24	6.0%	176	4.0%	7.3
Arts, Entertainment & Recreation	9	2.2%	36	0.8%	4.0
Accommodation & Food Services	57	14.2%	489	11.2%	8.6
Other Services (Except Public Administration)	49	12.2%	249	5.7%	5.1
Public Administration	21	5.2%	1,116	25.6%	53.1
Total	401	100.0%	4,354	100.0%	10.9

*Source: 2010 Census; ESRI; Urban Decision Group; Bowen National Research

E.P.E. - Average Employees Per Establishment

Note: Since this survey is conducted of establishments and not of residents, some employees may not live within the Site PTA. These employees, however, are included in our labor force calculations because their places of employment are located within the Site PTA.



Typical wages by job category for the Morgantown Metropolitan Statistical Area (MSA) are compared with those of West Virginia in the following table:

Typical Wage by Occupation Type		
Occupation Type	Morgantown MSA	West Virginia
Management Occupations	\$91,720	\$78,080
Business and Financial Occupations	\$58,500	\$56,750
Computer and Mathematical Occupations	\$66,350	\$62,870
Architecture and Engineering Occupations	\$71,900	\$67,100
Community and Social Service Occupations	\$40,830	\$34,920
Art, Design, Entertainment and Sports Medicine Occupations	\$51,430	\$41,340
Healthcare Practitioners and Technical Occupations	\$59,180	\$62,210
Healthcare Support Occupations	\$25,600	\$23,610
Protective Service Occupations	\$37,600	\$31,850
Food Preparation and Serving Related Occupations	\$19,710	\$19,410
Building and Grounds Cleaning and Maintenance Occupations	\$23,170	\$22,590
Personal Care and Service Occupations	\$20,400	\$20,340
Sales and Related Occupations	\$25,760	\$27,130
Office and Administrative Support Occupations	\$30,700	\$28,740
Construction and Extraction Occupations	\$40,050	\$44,270
Installation, Maintenance and Repair Occupations	\$40,180	\$38,550
Production Occupations	\$39,240	\$35,750
Transportation and Moving Occupations	\$32,430	\$32,470

Source: U.S. Department of Labor, Bureau of Statistics

Most annual blue-collar salaries range from \$19,710 to \$51,430 within the MSA. White-collar jobs, such as those related to professional positions, management and medicine, have an average salary of \$69,530. It is important to note that most occupational types within the MSA have slightly higher typical wages than the State of West Virginia's typical wages.

Because the PTA (downtown) comprises a diverse employment base, ranging from retail trade and service industry jobs to educational and professional jobs, there is a wide range of wage levels among downtown employment.

2. EMPLOYMENT TRENDS

Excluding 2014, the employment base has increased by 4.3% over the past five years in Monongalia County, while the state of West Virginia declined by 0.2%. Total employment reflects the number of employed persons who live within the county. The following illustrates the total employment base for Monongalia County, West Virginia and the United States.

Year	Total Employment					
	Monongalia County		West Virginia		United States	
	Total Number	Percent Change	Total Number	Percent Change	Total Number	Percent Change
2004	41,801	-	746,854	-	139,967,126	-
2005	43,335	3.7%	763,696	2.3%	142,299,506	1.7%
2006	44,956	3.7%	777,210	1.8%	145,000,043	1.9%
2007	45,957	2.2%	774,412	-0.4%	146,388,369	1.0%
2008	46,771	1.8%	769,443	-0.6%	146,047,748	-0.2%
2009	47,349	1.2%	745,967	-3.1%	140,696,560	-3.7%
2010	47,364	0.0%	738,998	-0.9%	140,457,589	-0.2%
2011	47,776	0.9%	743,002	0.5%	141,727,933	0.9%
2012	48,914	2.4%	748,230	0.7%	143,566,680	1.3%
2013	49,408	1.0%	744,749	-0.5%	144,950,662	1.0%
2014*	50,418	2.0%	749,291	0.6%	146,735,092	1.2%

Source: Department of Labor; Bureau of Labor Statistics

*Through September



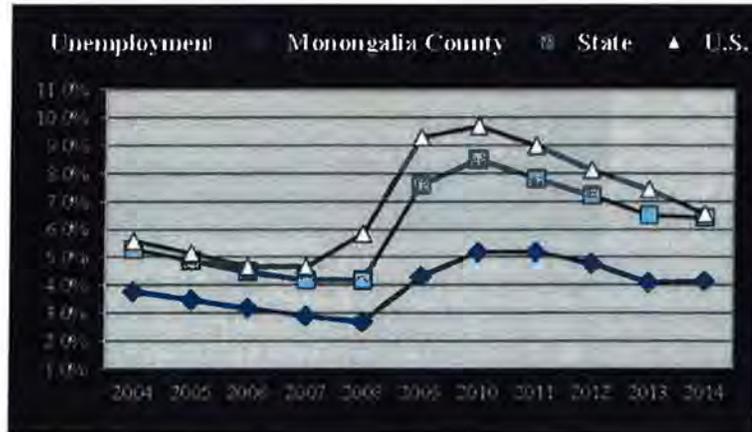
As the preceding illustrates, the Monongalia County employment base has increased by 7,607 employees since 2004. Unlike much of the nation which experienced significant declines in total employment in 2008 and 2009, Monongalia County remained relatively stable during the national recession. This is likely attributed in part, to the area's large base of government and education based employment, which are typically more stable employment sectors.

The unemployment rate in Monongalia County has ranged between 2.7% and 5.2%, well below the state and national averages since 2004. While the county's unemployment rate nearly doubled from 2.7% in 2008 to 5.2% in 2010, these rates are still well below the state and the nation. The unemployment rate declined in 2012 and again in 2013, and appears to have stabilized in 2014. Unemployment rates for Monongalia County, West Virginia and the United States are illustrated as follows:

Year	Unemployment Rate		
	Monongalia County	West Virginia	United States
2004	3.8%	5.3%	5.6%
2005	3.5%	4.9%	5.2%
2006	3.2%	4.5%	4.7%
2007	2.9%	4.2%	4.7%
2008	2.7%	4.2%	5.8%
2009	4.3%	7.6%	9.3%
2010	5.2%	8.5%	9.7%
2011	5.2%	7.8%	9.0%
2012	4.8%	7.2%	8.1%
2013	4.1%	6.5%	7.4%
2014*	4.2%	6.4%	6.5%

Source: Department of Labor, Bureau of Labor Statistics

*Through September



Based on the annual unemployment rate trends over the past few years, the county's economy appears to have improved and stabilized.

The following table illustrates the monthly unemployment rate in Monongalia County for the most recent 18-month period for which data is currently available.



The County's monthly unemployment rate over the past 18 months has been relatively low and stable, fluctuating between 3.1% and 4.8%. This is a good indication of a healthy market.

In-place employment reflects the total number of jobs within the county regardless of the employee's county of residence. The following illustrates the total in-place employment base for Monongalia County.

In-Place Employment Monongalia County			
Year	Employment	Change	Percent Change
2004	45,764	-	-
2005	46,945	1,181	2.6%
2006	48,552	1,607	3.4%
2007	47,845	-707	-1.5%
2008	49,021	1,176	2.5%
2009	49,515	494	1.0%
2010	51,635	2,120	4.3%
2011	51,946	311	0.6%
2012	53,315	1,369	2.6%
2013	53,972	657	1.2%
2014*	53,197	-775	-1.4%

Source: Department of Labor, Bureau of Labor Statistics

*Through March

Data for 2013, the most recent year that year-end figures are available, indicates in-place employment in Monongalia County to be 109.2% of the total Monongalia County employment. This means that Monongalia County has more employed persons coming to the county from other counties for work (daytime employment) than those who both live and work there.

Economic Drivers & Major Employers

Morgantown and Monongalia County are considered by many to have a "recession-resistant" economy. Local officials attribute this to the diversity of its employers. Stabilizing forces include West Virginia University, which operates three campuses (including its flagship) in Morgantown, and larger-than-average government and healthcare sectors. While economic growth in the area slowed during the nationwide downturn, there were virtually no net job losses and some sectors expanded. In fact, the construction industry, which was among the hardest hit nationally, added jobs in Monongalia County, thanks in part to the \$2 billion Longview Power Plant, which was constructed at the peak of the recession and supported an estimated 1,700 construction jobs.

More recent economic growth in the metro area has been broad in scope. The healthcare, government, retail, and natural resources and mining sectors have continued to expand and manufacturing has rebounded. In fact, according to a representative of the Morgantown Area Economic Development Partnership, Morgantown's economy is one of the best in the nation and per capita growth is among the strongest. In addition to having a diversity of employers, the Morgantown area offers a high quality of life, strong research base, and educated workforce. Furthermore, it provides direct interstate access to the north and south via I-79 and to the east via I-68. It is at the heart of the "I-79 High-Tech Corridor."

While the Morgantown metro area has seen tremendous growth, downtown Morgantown's economy has been less dynamic. Much of the region's expansion has occurred in the outlying areas of the city and county, particularly along the interstates. But unlike the suburbs, downtown has limited room for further development and as such, it remains relatively stable. Still, downtown's economy is far from being weak and is in much better shape than many other downtowns in this region of the country. In fact, it is quite vibrant, thanks to West Virginia University and its flagship campus located just north of downtown. In contrast to other urban areas that have seen some of their core industries flock to the suburbs, downtown Morgantown has retained government, banking, and retail employers. Details on consumer expenditures (both current and projected) within the downtown area, as well as for the surrounding area of Morgantown, are illustrated in the demand portion of Section V of this report.

The ten largest employers within the Morgantown area comprise a total of approximately 21,250 employees. These employers are summarized as follows:

Employer Name	Business Type	Total Employed
West Virginia University	Education	6,800
West Virginia University Hospitals	Health Care	5,800
Mylan Pharmaceuticals, Inc.	Pharmaceutical Manufacturing	2,600
Monongalia County Board of Education	Education	1,800
Monongalia (Mon) General Hospital	Health Care	1,500
Walmart Stores, Inc.	Retail/Grocery	700
WVU Medical Corporation (University Health Association)	Health Care	700
Teletch Customer Care Management (WV)	Communications	600
Kroger Company	Grocery	400
Gabriel Brothers, Inc.	Discount Retail	350
	Total	21,250

Source: Morgantown Area Economic Partnership, as of July 2013

Most of the major employers are located outside of downtown Morgantown. In fact, many are concentrated along SR-705, toward Star City on the north side of Morgantown. In downtown Morgantown, the largest employers include the Monongalia County Commission, with about 280 employees, and the City of Morgantown, with approximately 250 workers. In downtown's Wharf District, the Waterfront Place Hotel is the largest employer, with a staff of about 180.

According to the representative with the Morgantown Area Economic Partnership, the Morgantown economy is growing. According to local sources, the Morgantown area is the fastest growing county in the state of West Virginia with growth at approximately 2% per year and it is expected to continue to grow.

The Morgantown Metropolitan Statistical Area (MSA) includes both Monongalia and Preston Counties and should continue to post solid growth in jobs, income and population for the next few years. During the recent recession years of 2008-2010, the Morgantown MSA was one of the very few MSA's in the country that added population, employment and income. One of the reasons that the economy of Morgantown MSA fared much better than the rest of the country in recent years is that it is heavily weighted toward government and health care employment sectors which are growing and relatively recession resistant. As shown earlier in this section, the Morgantown area's unemployment rate has remained low.

It should be noted that there is a very large number of highly skilled and well paying government and health service jobs in the MSA. The presence of West Virginia University, two large health care systems, a number of state and federal government research facilities, two Federal Bureau of Prisons correctional facilities and the Camp Dawson military base greatly contribute to the regional specialization in these types of jobs.

A high level of construction activity will continue during the year for a wide variety of private, public and institutional projects. Some of these projects are either under construction or proposed to break ground during the year are listed below:

Monongalia County

- Work is progressing on the future home of the Monongalia County Justice Center. The county purchased the former Harley O. Staggers federal building for \$700,000 in 2011 and contracted with Massaro Corporation out of Pittsburgh to renovate the property at a cost of about \$17.2 million. The building will house the county circuit court, magistrate court and family court. The first floor will contain the prosecutor's office, the circuit clerk's office, the day report center, the probation offices, the county drug court and the county teen court. The county is looking at May or June of 2015 for the work to be completed and move approximately 150 existing employees to the southern portion of downtown. The increase in daytime workers and pedestrian traffic generated by the justice center will likely have a positive impact for local retailers in the southern portion of the downtown.
- Projects at West Virginia University include \$250 million in investments in the Evansdale Campus including new buildings for the College of Physical Activity and Sports Sciences and Student Wellness Center (120,000 square feet), a new Advanced Engineering Research building (95,000 square feet), a new Agricultural Sciences Building (207,000 square feet), an addition to the College of Law building (22,000 square feet), and a new Art Museum (20,000 square feet). Also a new downtown classroom and innovation center building will be constructed at the loop on Falling Run Road.
- West Virginia University has five major public/private sector projects underway including the 567-bed College Park Apartments mixed use housing development off North Willey Street near downtown Morgantown; a 1,300-bed University Park multi-purpose development in Evansdale; the 980-bed University Place mixed use housing development in Sunnyside; the Evansdale Crossing mixed use student union type facility; and a 3,500 seat baseball stadium near the University Town Centre that will serve as the home of the West Virginia University baseball team as well as a minor league baseball team.
- There are plans for the continued building at University Town Centre project including a new 110,000 square foot West Virginia University Health Care Outpatient Center. The developer is proceeding with a large 240-acre expansion of the Town Centre to the south and west that includes a new interchange on I-79 at mile marker 154. There are also plans for "big box" retail, restaurants and hotels to be built in the area and possibly a large office park for corporate offices and headquarters.

- West Virginia University Health Care has plans for a \$280 million capital improvement program which will include a new 10-story 114-bed tower adjacent to Ruby Memorial Hospital, an expanded emergency department, a new Rosenbaum Family House and Child Development Center, and a new Animal Research Facility.
- West Virginia University will implement a \$106 million athletics facilities master plan over the next few years that will include renovations throughout the athletic campus, including upgrades to Milan Puskar Stadium and West Virginia University Coliseum.
- There are several business parks that are thriving and filling up with occupants. There is continued build out of Morgantown Industrial Park and Cornerstone Commerce Park at exit 146 on I-79. A new West Run Business Park on a 10-acre site on West Run Road will include Mid-Atlantic Sports CARS, Metro Property Management Maintenance, Accelerated Construction Services and Premier Commercial Real Estate. The new Fort Pierpont Business Center off exit 7 on I-68 will include restaurants, offices and a hotel. Planet Fitness gym and the corporate offices for Stone Energy Corporation will locate in the Center. Triad Engineering office building and shop, CTL Engineering office building and shop, and Tiefenback North America multiuse building are all new businesses that have located in Chaplin Hill Business Park.
- In 2013, Mon General Hospital announced that they would be adding a radiation oncology center to its Zelda Stein Weiss Cancer Center. The proposed radiation oncology center will include nearly 2,200 square feet of new space for a linear accelerator vault and 4,000 square feet of renovated space for clinic and staff work spaces. The \$7 million project was to begin construction in September of 2013.

Preston County

- In October 2013, Preston Memorial Hospital held a ground breaking ceremony to kick off construction of a \$38.5 million facility in Kingwood. The approximately 83,500 square foot hospital will provide added space for expanded physician offerings in family practice, cardiology, pulmonology and orthopedics and will include 25 private rooms. It will also include an expanded emergency department, state-of-the art surgical suites and an medical office wing.
- The business parks in Preston County are expanding also with continued build outs of Northpointe Business/Industry Park and Valley Industrial Park.

- Allegheny Wood Products, which started its operations in 1973 with one sawmill, has announced that they will be expanding its facility. The company currently employs over 500 people and has six sawmills and four dry kiln facilities.
- The U.S. Bureau of Prisons recently opened a new 1,100 bed men's medium security prison. The 1,000-acre Hazelton facility can house over 3,000 inmates and employs over 900 workers.

Many of these construction projects began in June of 2011 with some completion dates of November of 2015. It is reported that the total economic impact for Monongalia County and the surrounding area is approximately \$669.4 million, including 4,675 jobs and \$23.3 million in taxes.

The only negative point that the representative from Morgantown Area Economic Partnership could add was that because of the rapid growth in the area, the infrastructure is being pushed to capacity. This representative believes that there needs to be more highways and mass transit to compliment the growth.

Infrastructure

- The City of Morgantown has initiated a commitment to extend runway 18/36 at the Morgantown Municipal Airport (MGW) from 5,199 feet in length to 6,200 feet. This substantial capital improvement is included in the 2012 Morgantown Municipal Airport Master Plan Update and is projected to result in an investment of \$30.5 million and be completed by 2020.
- The West Virginia Department of Highways has requested the Morgantown Monongalia Metropolitan Planning Organization (MMMPO) to adjust several items in the Transportation Improvement Program (TIP) and they are listed below:
 - Granville-Bertha Hill Slide Correction - move to 2015 from 2014
 - WV7/CR857 Intersection Improvement - move to 2015 from 2014
 - Monongahela Boulevard two way left turn lane - move to 2016 from 2013
 - West Run Widening Construction – increase budget to \$300,000 from \$100,000 and move to FY 2014 from previous years
 - West Run Widening Construction – increase budget to \$2,160,000 from \$1,000,000 and move to FY 2015 from previous years

As these are Administrative Adjustments to the Transportation Improvement Program, these items do not require approval by the Policy Board of the MMMPO.

- The Hartman Run Bridge in Morgantown closed in July in order to begin construction on a new bridge. The bridge was built in 1951 and was an open-spandrel concrete arch design. The estimated cost is \$5 million to replace the bridge. In August, the Monongalia County Commission offered to fund \$1 million toward rebuilding the bridge if the state took over control. The West Virginia Division of Highways (WVDOH) agreed to the proposal. WVDOH spokesman said the scheduled completion date for the bridge is the end of August 2015.
- The Morgantown Monongalia Metropolitan Planning Organization requested that the West Virginia Division of Highways construct a five-lane facility (instead of a four-lane road) along the stretch of Route 705 to Easton Hill, but one that did not allow for traffic to move down the entire length of the highway, as if the fifth-lane was a thru-lane. They want periodic median or turning at specific locations so that would provide access across the widened road. This request was being made after many business owners who are located along the roadway voiced concerns. The project has been slated to begin in 2015 but the board is requesting that it be started sooner.
- The Thales Group has been selected by the West Virginia University to modernize the transportation systems of the Personal Rapid Transit (PRT) network on the Morgantown, West Virginia campus. The Thales' solution includes its world leading Communications-Based Train Control (CBTC) system, automatic fare collection system, passenger information system, platform display signs, new central control equipment, and steering rail design equipment. Thales will also perform system integration, testing and validation, safety assurance and training for the new systems. The CBTC technology will transform the West Virginia University campus conveyance into a modern, world-class transportation system. The new PRT system will be operational in 2016, in time for the 2016-2017 academic year.
- In October, the Morgantown Monongalia Metropolitan Planning Organization (MMMPO) scheduled one of many open house meetings to discuss the Greenbag Road Corridor Plan. The purpose of the project is to provide an attractive and effective transportation corridor for all users. The Plan is to provide a safe, convenient and inviting traveling condition that supports economic development. Some of the improvements needed are: improved intersections, widening of the roadway, construction of sidewalks in targeted locations, providing bus stops with shelters at key locations, including truck route signage and strengthen the pavement where needed. The MMMPO is partnering with Monongalia County, the City of Morgantown and the Mountain Line Transit Authority on this project.

- In January of 2014, meetings were planned to discuss the plans for the West Virginia Department of Transportation (WVDOT), in cooperation with the Federal Highway Administration (FHWA), to construct a new interchange on Interstate (I) 79 between Interchange No. 155 (Star City) and Interchange No. 152 (Westover). The purpose of the new interchange on I-79 is to reduce traffic conflicts, improve safety and increase traffic capacity. The proposed new interchange will allow both freight and people to be moved efficiently and safely to and from I-79. These two above mentioned interchanges currently experience congestion during peak hours and the congestion is expected to increase as the University Town Centre development continues to progress.
- The City of Morgantown has requested permission from the Division of Highways (DOH) to install within DOH's right-of-way along the existing paved shoulder of northbound US 19 (Monongahela Boulevard) a bicycle lane, between Eighth Street and Evansdale Drive. The City has partnered with the West Virginia Department of Transportation and the West Virginia University Board of Governors on behalf of West Virginia University.
- The Walnut Street Streetscape Improvement project is scheduled for 2015. Streetscape reconstruction work will follow the design used for the High Street Streetscape Improvement projects constructed over the last several years. The portion of Walnut Street streetscape that will be reconstructed during this phase will be between High Street and Spruce Street. They will replace sidewalks, replace vaults under the roads, add landscaping, and street lighting.
- The City of Morgantown recently approved the Willey-Spruce-Brockway Tax Increment Financing (TIF) District. Tax Increment Financing funnels tax dollars back into the local district in the form of public infrastructure (right of ways, streetscape improvements, utility projects, etc.). The investment in infrastructure offsets costs for developers and generally encourages economic growth. The designated TIF District covers the portion of the downtown bound by Willey Street to the north, Spruce Street to the west, and Walnut Street to the south.
- Another downtown public space improvement project that is in the early design phase with construction anticipated in the next couple of years is the redevelopment of the plaza in front of the Public Safety Building on Spruce Street. The design concept at this point includes the erection of a commemorative statue for Morgantown pioneer/settler Zackquill Morgan statue as a "centerpiece".

- The Morgantown Monongalia Metropolitan Planning Organization (MPO) put out a Request for Qualifications to conduct complex planning task for their long range transportation plan, in particular for the recommendation related to the improvement of University Avenue from Beechurst Avenue to WV 705. University Avenue is a important two lane arterial with physical constraints limiting the ability to expand the roadway. The MPO recommends the development of operational and safety improvements for automobile traffic, transit, pedestrians and cyclists along this corridor. The MPO indentifies this project as a Tier Two Priority, a high priority need that is not recommended for immediate funding.

Also to note is the strength of the region's natural resources and mining industry. New mining operations and expansions in natural gas developments have resulted in steady growth within the sector. While much of the natural gas production associated with the Marcellus Shale has occurred outside of the metro area, many drillers and field support firms have been able to operate locally given Morgantown's proximity to major fields in northern West Virginia and Pennsylvania.

WARN (layoff notices):

According to a representative with the Morgantown Area Economic Development Partnership, there have been no noteworthy layoffs or closures in recent years. While government is among its largest sectors (with the state university, a number of state and federal research operations, two Federal Bureau of Prisons correctional facilities, and Camp Dawson military base), the effects of the nationwide sequester on local jobs have been negligible.

The Worker Adjustment and Retraining Notification Act (WARN) was enacted on August 4, 1988 and became effective on February 4, 1989. WARN offers protection to workers, their families, and communities by requiring employers to provide 60 days notice in advance of covered plant closings and covered mass layoffs. In general, employers are covered by WARN if they have 100 or more employees. This does not include employees who have worked fewer than six months in the past 12 months or employees who work an average of less than 20 hours a week. Private, for-profit employers and private, nonprofit employers are covered, as are public and quasi-public entities that operate in a commercial context and are separately organized from the regular government. Regular federal, state, and local government entities that provide public services are not covered. (Additional information about WARN is available at <http://www.doleta.gov/programs/factsht/warn.htm>.)

According to the West Virginia Department of Commerce website (www.wvcommerce.org), there have been no WARN notices reported for Morgantown/Monongalia County area from March 1, 2011 to September 26, 2014.

C. CONCLUSIONS

The Monongalia County economy is generally well-balanced, though West Virginia University is the area's largest employer and both government and education represent a large portion of the downtown area's employment base. Because WVU, government and various health care providers are the area's largest employers and these types of employers are typically resistant to economic downturns, the Monongalia County economy did not experience the degree of economic downturn as most other cities around the country. The unemployment rate reached a 10-year high of only 5.2% in 2010 and 2011, which was well below state and national averages. Since 2011, the county's employment base has grown and the unemployment rate declined in 2012 and 2013, and appears to have stabilized in 2014. These positive trends along with the anticipated growth of recently announced job expansions and investments indicate that the Monongalia County economy is growing and should continue to expand for the foreseeable future. It is expected that as the local economy improves and job growth continues, the need for retail space in Morgantown will expand. It is expected that the downtown retail market can absorb a portion of this anticipated growing demand. It should be noted that the downtown related businesses appear to be stable, and as shown in our survey of downtown retail space, the vacancy rate is relatively low and very comparable to national retail vacancy rates. With a growing economy and relatively low retail vacancy rates in the downtown area, it is anticipated that additional retail space will be needed in the future to meet this growing need. The degree of such need is addressed in the demand portion of this report.

V. Retail Analysis

This section of the report evaluates both supply and demand metrics that relate directly to retail space. Although the demographic and economic trends evaluated previously are important macro environmental trends to understand and consider in the ultimate conclusions, this section of the report focuses on the actual retail spaces existing and planned within the Primary Trade Area (PTA) and the larger Competitive Trade Area (CTA). In addition, consumer expenditures within the trade areas will be evaluated to estimate future demand and the types of retail sectors that may be underserved at the moment.

A. Downtown Morgantown PTA

Overview

The Primary Trade Area, which has been defined as downtown Morgantown, serves as a civic, cultural, educational, recreational and employment hub within the greater region. The downtown campus of West Virginia University, Deckers Creek and the Monongahela River all form distinct boundaries, while a combination of eclectic, but primarily historic buildings form its core. Downtown is home to museums, festivals, arts walks, farmers markets, theaters, government offices, major employers and serves as a transportation hub. A non-exhaustive list of important factors impacting retail trade within the downtown are listed below:

- The population base is 1,249.
- Daytime employment is over 3,100 workers.
- 12 bus lines and the Personal Rapid Transit service the downtown
- West Virginia University downtown campus currently has 12 residence halls and apartment complexes located adjacent to the downtown.
- 2013 traffic counts on highways in downtown average 18,931 per day.
- Hundreds of retailers and restaurants located within a 0.16 square mile.
- Over 500 performances, festivals and annual events.
- Over one mile of riverfront and creek side real estate, including Caperton and Deckers Creek Rails-Trails.

The preceding factors help to form a truly unique retail submarket within the greater Morgantown region with natural advantages unduplicated at competing retail centers. The following photographs are examples of existing buildings, streetscapes and natural features of the downtown.







The goal of our research within the PTA was to provide a significant sample of existing retail spaces. The collection of various data points (square footage, age, condition, visibility, rent per square foot, etc.) allow us to establish a profile of retail spaces available in the PTA. We then compare these data points to those collected at competing retail centers located outside of the downtown region. In order to provide an accurate comparison, we have limited our inventory of downtown spaces to those that are currently utilized, or could be utilized as *traditional* retail space. As such, we have omitted auto body shops, converted single-family homes, 2nd story space, funeral homes, government offices, banks, etc. However, we have included spaces that could be used for traditional retail, but that are currently serving as professional office space.

Inventory

In total, we catalogued 180 spaces located within the Primary Trade Area (PTA) that are considered to be representative of traditional retail space. Although this is not an exhaustive list, we consider it to represent a large majority of available spaces. A representative from Bowen National Research personally inspected these spaces during the week of October 20th (2014) and attempted to interview business owners, managers, brokers and or building owners to obtain specific information such as the age, square footage and lease rates of each space. However, specific information for each space was not always readily available. Therefore, our overall findings are partially based on assumptions and estimated figures derived from stakeholder interviews and our personal observations. Our overall findings are summarized in the following table:

Total Spaces	Total Leasable Area*	Total Vacant Spaces	Total Vacant Area*	Reported Annual Rent / Square Foot		
				Range	Average	Median
180	374,586	20	32,680 (8.7%)	\$4.68 - \$28.00	\$12.67	\$11.82

*Square Feet estimates based on 89 spaces that information was available for.

Overall, it is estimated that the PTA (downtown) has 374,586 square feet of retail space, or approximately 2,080 square feet per space on average. Based on our observations and estimated square footage, the retail in downtown has a vacancy rate of 8.7%. Typical lease rates average \$11.82 to \$12.67 per square foot on an annual basis.

According to the National Association of Realtors (commercial) and REIS Inc., the national vacancy rate among retail properties is approximately 10.0% and the rent per square foot is \$19.00 on average (2014 to date). Notably, the Midwest and South Atlantic regions report a slightly lower rent per square foot of \$16.00 to \$18.00, while the vacancy rates are slightly higher at 11.3% on average. The Northeast reports a lower vacancy rate of 8.75% and rents per square foot of \$21.00. Based on the macroeconomic strengths of Morgantown, its projected demographic growth and its centralized location

within all three of these regional markets, we believe the vacancy rate within the downtown is slightly lower than current averages, but the rent per square foot is considerably lower.

The following table summarizes the retail space identified and surveyed in the PTA by quality rating (also referred to as “class”). We rated properties on a scale of A (excellent) to C (poor).

Quality Rating/ Class	Number of Properties	Total Square Footage	Available Square Footages	Vacancy Rate	Average Lease Rate
A	15	30,174	8,478	28.1%	*
B	129	274,490	9,950	3.6%	\$12.48
C or Lower	36	69,922	14,252	20.4%	\$10.41
Total	180	374,586	32,680	8.7%	\$12.67

Quality Rating: A = excellent / B = good / C = fair to poor

*inappropriate sample

As the preceding table illustrates, approximately three-fourths of the identified retail space is considered B Class product, which is generally considered good product. Despite the disproportionately large amount of “B” quality product in the PTA, this product type is in high demand as evidenced by its relatively low 3.6% vacancy rate. Although the overall vacancy rate is actually lower than national and regional trends, the estimated vacancy rate for Class A and Class C space is substantially higher. However, Class A space represents 8.1% of the total square footage identified. Therefore, a relatively few number of vacant spaces will result in a misleading vacancy rate. In fact, more than half of the vacant Class A square footage reported is located within the 1st floor of Marina Tower. Class C space, however, represents over 18.5% of all surveyed space and charges an average lease rate very similar to the Class B space available. The comparable price point yet lower quality of Class C space is likely the reason for higher vacancy rates. We were only able to obtain lease rates for one (1) Class A space, which was the restaurant space available on the 1st floor of Marina Tower. Although this space is advertised at \$28 P/S/F (gross), local sources indicate “higher-end” retail space in the downtown typically goes for \$13-\$16.

Given the fact that there is a higher vacancy rate among Class A retail space than there is among Class B space appears to indicate that there is greater demand for Class B space. This is likely a function of the perception that the downtown may not be able to support Class A goods and services and/or that the lease rates for downtown Class A space are not affordable to retail owners.

The table below provides the address, building type, quality rating, visibility rating, access/parking rating, estimated square footage and lease rates (when available) for all vacant retail properties identified in the PTA. It should be noted that while some other vacant retail space may exist within the PTA, the listings below are representative of typical product.

Address	Building Type	Quality Rating	Visibility	Access/ Parking	Estimated Sq. Ft.	Lease Rate	Notes
448 Spruce Street	MU, MT	C	B	B	600	\$12.50	Very little window space fka Café Mojo/ Permits posted, but no advertising
473 High Street	MU, MT	B	B	B	1,200	unknown	fka Wild Mountain Bakery/ No advertising
461 High Street	SA	C	A	A	900	unknown	No advertising
206 High Street	MU, MT	B	B	B	1,150	unknown	No advertising
44 South High Station	MU, MT	A	A	A	2,270	unknown	Contact Unavailable
275 Spruce Street	MU, MT	C	B	B	800	unknown	fka Midnite Adult/ No advertising
218 Walnut Street	MU, MT	C	B	B	3,700	unknown	fka X-Hale Hookah Lounge/ No advertising
181 Walnut Street	MU	C	B	B	1,500	unknown	In Sales Contract/ Not Leasing
225 Fayette Street	MT	C	B	B	825	\$10.18	Highland Rental Props.
223 Fayette Street	MT	C	B	B	825	\$10.18	Highland Rental Props.
419 High Street	MU, MT	C	B	B	-	-	To be redeveloped into new, mixed-use retail and apts.
407 High Street	MU, MT	B	B	B	1,800	\$12.00	fka Slight Indulgence
227 Pleasant Street	MU, MT	C	B	B	1,310	unknown	Former antique store / No advertising
133 Pleasant Street	MU, MT	B	B	B	1,000	-	No advertising
131 Pleasant Street	MU, MT	B	B	B	1,000	-	fka Adventure's Edge / No advertising
115 Pleasant Street	MU, MT	C	B	B	500	-	Former barber shop / No advertising
180A Willey Street	MT	B	B	B	3,500	-	fka The Den / No advertising
63 Wharf Street	MU, MT	B	B	A	3,300	\$12.00- \$15.00	Setup for Medical Office, but will divide for retail
48 Donley Street	MU, MT	A	A	A	2,200- 6,600	\$28.00	Marina Tower 1 st Floor- Potential Restaurant Space (Full Service Lease)
150 Clay Street	MU, MT	A	A	A	2,100	unknown	Jackson Kelly Building 1 st Floor Restaurant/Retail No advertising

Quality Rating: A = excellent / B = good / C = fair to poor
 MU – Mixed-Use; MT – Multi-Tenant; SA – Stand-Alone

Overall, there are 20 vacant retail spaces within the PTA (downtown). These spaces represent a combined estimated 32,680 square feet of available leasable space, which yields an 8.7% vacancy rate. As stated earlier, this vacancy rate is comparable to national averages. Despite the fact that a large majority of all retail product in the PTA is located along High Street, only five of the 20 identified properties are located along High Street. As a result, it is clear the High Street retail space is in strong demand and is likely benefiting from the concentration of such space along a single corridor and the high traffic flow (both pedestrian and vehicular) along this street. Meanwhile, the remaining vacant spaces are either along streets with less traffic and less dense concentration of retail space or are located in the Wharf District.



Given the very low vacancy rate among Class B product, it appears to indicate that retailers place a greater value on location and affordability than quality. This is likely attributed, in part, to the large presence of college students living in or near the downtown who have more limited financial resources than most non-students.

A map identifying the locations of the existing retail properties within the PTA (occupied and vacant) is included on the following page.



Morgantown, WV

Existing Retail Locations

	PTA
	Retail Locations Occupancy Status
	Occupied
	Vacant



NORTH
1:7,379

Sources: Esri, HERE, DeLorme, USGS, Infomaps, increment P Corp., NRCAN, Esri Japan, METI, Esri

Planned and Proposed (PTA)

The following is a summary of projects within the development pipeline that contain an element of retail space.

Business/ Developer	Type	Address	Details
Saul Radman	Mixed-Use (Retail/Residential)	419 High Street	Approved Four Story, 1 st floor retail of 3,416 square feet, 18 one-bedroom lofts on floors two through four. No building permits issued.
Sheetz Gas Station	Mini Mart & Gas Station	1012 University Avenue	Demo Permits issued; 6,400 square foot mini mart, five fueling stations with 10 pumps, 41 parking spaces
Morgantown Beauty College	Mixed-Use (Retail/Residential)	276 Walnut Street	Renovation of Beauty College and adding 12 high-end, one-bedroom apartments. Planning Approval September 2014
Central Place	Mixed-Use (Retail/Residential)	494 Spruce Street	12 story 89 units/331 bedrooms, 4,042 square feet retail space, parking decks. Conditionally Approved but legal issues. Hopes to be completed by 2016
CVS Pharmacy	Mixed-Use (Retail/Office)	496 High Street	Renovations just begun of three story building. CVS on 1 st floor with 6,000 square feet, 2 nd & 3 rd floors BB&T Bank Offices

Two of the projects involve the renovation of existing retail space. However, three of the developments involve the new construction of 13,858 square feet of retail. Although the Sheetz minimart will be a stand alone development, the remaining retail space will be created within new mixed-use properties. These spaces are expected to be Class A retail and will likely command top of the market rents within the downtown.

B. Competitive Shopping Centers CTA

The Competitive Trade Area (CTA), which has been defined as eastern Monongalia County, is the population, healthcare, education and employment center of the greater region. Further, several interstates and major highways converge in Morgantown. Combined, these factors create strong demand for shopping opportunities. The CTA is inclusive of a geography that is generally within a 15 to 20 minute drive of downtown, but most competitive shopping centers within the CTA are located within 10 a minute drive from the downtown. Notably, most shopping centers identified have been built in the previous 15 year period, are easily accessible via major highways or interstates, have ample parking adjacent to individual retailers, and have excellent visibility.

In total, we catalogued 12 shopping centers located within the Competitive Trade Area (CTA) that are considered to be representative of retail space in the larger market area. Although this is not an exhaustive list, we consider it to represent a good sample. A representative from Bowen National Research personally inspected these spaces during the week of October 20th (2014) and attempted to interview business owners, managers, brokers and or building owners to obtain specific information such as the age, square footage and lease rates for each center. Our overall findings are summarized in the following table:

Total Spaces	Total Leasable Area*	Total Vacant Spaces	Total Vacant Area*	Annual Rent / Square Foot		
				Range	Average	Median
328	2,938,655	41	351,462 (12.0%)	\$5.00-\$26.00	\$19.00	\$20.00

*Square Feet estimates

Overall, the shopping centers within the CTA contained 2,938,655 square feet of retail space. Based on our observations and estimated square footage, the retail market among the competitive shopping centers has a vacancy rate of 12.0%. Note, however, that two shopping centers account for 269,980 vacant square feet and virtually every vacant space is 20,000 square feet or more. Further, each of these centers is older and considered undesirable. When excluded from the analysis, the vacancy rate among the 10 remaining shopping centers declines to just 4.0%. Typical lease rates are \$19.00 (average) to \$20.00 (median) per square foot on an annual basis for all properties.

Compared to the overall retail market within the PTA (downtown), the competitive shopping centers are considered to be operating at a higher occupancy rate and are able to charge significant premiums. A more detailed analysis is provided later in this section.

One-Page Profiles for each shopping center and a map of their location are located on the following pages.



Morgantown, WV Competitive Shopping Centers

■ Competitive Shopping Centers
□ PTA



1:70,183

0 0.25 0.5 1 1.5 Miles

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri

**Map ID 1 – University Town Centre
University Town Centre Drive
Granville, WV 26534**



Year Built:	2005+/-
Last Renovated:	-
Number of Floors:	1
Total Current Spaces:	30
Total Leasable Square Feet :	800,000+/-
Total Available Square Feet:	0
Overall Occupancy Rate:	100%
Typical Lease Ranges:	\$18-\$20
Typical Lease Type:	NNN

Notes: Approximately 80,000 square feet of space is divided into 18 spaces, or 4,444 per space on average. Larger retail spaces comprising the 720,000 additional spaces lease for less than \$12 per square foot.

Expansion plans include another 15,000 square feet of retail in 5-7 spaces with office on 2nd floor.

RATINGS

Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	B	A	A	A

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Planned	15,000	\$20-\$24	Construction to begin Q2-2015
2	N/A	-	-	-
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		15,000		

ADDITIONAL COMMENTS

Majority of shopping center comprised of big box retailers such as WalMart Supercenter, Sam's Club, Target, Giant Eagle, Dicks Sporting Goods, Best Buy, Barnes & Noble, and TJ Maxx. Additional phases of University Town Centre involve the creation of a new baseball facility/outdoor entertainment venue (under construction), a new WVU Healthcare Outpatient Care Center (to open Spring 2015) and a new I-79 interchange that will open up hundreds of developable acres by 2015.



**Map ID 2 – Pierpont Centre
Pierpont Road
Morgantown, WV 26508**



Year Built:	2000 +/-
Last Renovated:	-
Number of Floors:	1
Total Current Spaces:	27
Total Leasable Square Feet :	353,309
Total Available Square Feet:	0
Overall Occupancy Rate:	100%
Typical Lease Ranges:	\$9-\$19
Typical Lease Type:	NNN

Notes: Approximately 40,000 square feet of space is divided into 20 spaces, or 2,000 square feet per space on average. Smaller spaces lease for \$18-\$19 on average.

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	A	A	A	A

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	N/A	-	-	-
2	N/A	-	-	-
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-

ADDITIONAL COMMENTS

Mixed-use, Master Planned Development. Primarily large anchor tenants such as Lowes (135,000 sq. ft.), Shop n' Save (37,500 sq. ft.), Michael's (20,580 sq. ft.), Books-A-Million (11,920 sq. ft.), and Pier 1 (8,145 sq. ft.). Various hotels and stand-alone restaurants occupy the center.

**Map ID 3 – Shopper's World
100 Hornbeck Road
Morgantown, WV 26508**



Year Built:	2000 +/-
Last Renovated:	-
Number of Floors:	1
Total Current Spaces:	12
Total Leasable Square Feet :	14,400
Total Available Square Feet:	6,750
Overall Occupancy Rate:	53.1%
Typical Lease Ranges:	\$15-\$26
Typical Lease Type:	NNN
Notes: Low Visibility	

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
B	B	A	B	C

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Suites 206, 207 and 208	4,802	\$15-\$26	Price varies based on space needed and requirements of tenant
2	Suites 201 and 202	1,948	\$15-\$16	Basic finishes
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		6,750		

ADDITIONAL COMMENTS
Located adjacent to WalMart off of Interstate 68. No signage currently, but planning in next year.



**Map ID 4 – Mountaineer Mall
5000 Greenbag Road
Morgantown, WV 26501**



Year Built:	1975
Last Renovated:	Unknown
Number of Floors:	1
Total Current Spaces:	53
Total Leasable Square Feet :	667,500
Total Available Square Feet:	127,280
Overall Occupancy Rate:	80.9%
Typical Lease Ranges:	\$5-\$9
Typical Lease Type:	NNN

Notes: Limited retail, occupied space is primarily flex and used for offices.

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
C	B	A	B	B

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	AN-3	70,470	TBD	Negotiable Price based on size (10,000-70,470 sq.ft)
2	AN-5	29,027	\$5-\$7	-
3	D-20	17,783	\$7-\$9	-
4	FS-4	10,000	\$7-\$9	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		127,280		

ADDITIONAL COMMENTS

Major tenants include: Teletch; Senior Monongalians; Morgantown Early Learning Child Center; Mylan; Olli-Life Long Learning; Valley Health Systems; Social Security Office.

**Map ID 5 – University Place
University Avenue & Overhill Street
Morgantown, WV 26505**



Year Built:	2015 Est.
Last Renovated:	-
Number of Floors:	7,8
Total Current Spaces:	9
Total Leasable Square Feet :	36,566
Total Available Square Feet:	16,187
Overall Occupancy Rate:	55.7%*
Typical Lease Ranges:	\$25
Typical Lease Type:	NNN

Notes: Mixed-use student housing and retail. All units and retail space under construction. Expect completion 2015.

*Preleased

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	B	B	B	B

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Retail #1	6,773	\$25	U/C
2	Retail #2	2,296	\$25	U/C
3	Retail #3	1,953	\$25	U/C
4	Retail #4	1,971	\$25	U/C
5	Retail #5	2,240	\$25	U/C
6	Retail #6	954	\$25	U/C
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		16,187		

U/C-Under Construction

ADDITIONAL COMMENTS

Mixed-use/Retail/Student Housing to be managed by WVU. Branded as on-campus housing (940 beds). Fitness center, Laundromat and 13,041 square feet of convenience store already pre-leased. Attached parking garage.



**Map ID 6 – University Park
475 Oakland Street
Morgantown, WV 26505**



Year Built:	2015 Est.
Last Renovated:	-
Number of Floors:	4,5,9
Total Current Spaces:	Up to 10
Total Leasable Square Feet :	12,891
Total Available Square Feet:	12,891
Overall Occupancy Rate:	0.0%*
Typical Lease Ranges:	\$25
Typical Lease Type:	NNN
Notes: Mixed-use student housing/retail/and apartments; Under Construction	

*No pre-leasing to date

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	B	B	B	B

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Space #1	1,025	\$25	U/C
2	Space #2	1,044	\$25	U/C
3	Space #3	1,121	\$25	U/C
4	Space #4	1,329	\$25	U/C
5	Space #5	1,334	\$25	U/C
6	Space #6	1,339	\$25	U/C
7	Space #7	1,347	\$25	U/C
8	Space #8	1,388	\$25	U/C
9	Space #9	1,481	\$25	U/C
10	Space #10	1,483	\$25	U/C
Total Vacant		12,891		

Note: Square footage recorded is current break down, pending client needs. Contiguous space up to 4,000 square feet possible.
U/C-Under Construction

ADDITIONAL COMMENTS

Student housing managed by WVU. Mixed-use. Five structures. Two (2) freshman halls with 902 beds. Two (2) apartment buildings with 330 beds. One (1) mixed-use building with 78 apartments and 12,891 square feet of retail space.

Map ID 7 – The Gateway
Northwest of Interstate 79 and Chaplin Road
Morgantown, WV 26501



Year Built:	2014 Est.
Last Renovated:	-
Number of Floors:	2
Total Current Spaces:	Up to 5
Total Leasable Square Feet :	12,500
Total Available Square Feet:	12,500
Overall Occupancy Rate:	0.0%*
Typical Lease Ranges:	\$23-\$25
Typical Lease Type:	NNN

Note: Mixed-use, apartments 2nd floor. Expect completion in 2014. Adjacent to Triple S Harley Davidson.

*No pre-leasing to date

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	B	A	A	A

A – Above Average
 B – Average
 C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Restaurant/Bar (U/C)	6,000	\$26-\$27	Tenant will have license to sell alcohol in parking lot for Triple S events
2	Planned (U/C)	6,500	\$23-\$25	Up to 4 additional spaces
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		12,500		

ADDITIONAL COMMENTS
 The Gateway is a 55-acre development that plans to have two hotels, restaurants, gas stations, retail, and Triple S Harley Davidson (45,000 square feet retail/entertainment center). LaQuinta Hotel under construction. Candlewood Suites planned.



**Map ID 8 – Morgantown Commons
6520 Mall Road
Morgantown, WV 26501**



Year Built:	1990 +/-
Last Renovated:	-
Number of Floors:	1
Total Current Spaces:	11
Total Leasable Square Feet :	239,000
Total Available Square Feet:	142,700
Overall Occupancy Rate:	40.3%
Typical Lease Ranges:	Unknown
Typical Lease Type:	NNN
Notes:	

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
C	B	A	A	B

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Space 150	3,000	N/A	-
2	Space 155	3,100	N/A	-
3	Space 165	1,600	N/A	-
4	Former Super K	135,000	N/A	Temporarily used as Halloween Store
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		142,700		

ADDITIONAL COMMENTS

Strip center located adjacent to Morgantown Mall. Anchored by Gabriel Brothers and vacant space that was a former Super K-Mart.

Map ID 9 – Morgantown Mall
9500 Mall Road
Morgantown, WV 26501



Year Built:	1990 +/-
Last Renovated:	Unknown
Number of Floors:	1
Total Current Spaces:	85
Total Leasable Square Feet :	555,489
Total Available Square Feet:	0
Overall Occupancy Rate:	100%
Typical Lease Ranges:	Unknown
Typical Lease Type:	NNN

Notes: 50 retailers leasing approximately 140,000 square feet in spaces less than 5,000 square feet in size.

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
B	B	A	A	B

A – Above Average
 B – Average
 C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	N/A	-	-	-
2	N/A	-	-	-
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-

ADDITIONAL COMMENTS
 Anchored by Belk, JC Penney, Sears, Carmike Cinemas and Elder-Beerman. Anchor stores and food court account for approximately 415,489 square feet of leasable space.



**Map ID 10 – Pierpont Landings
6120 Mid Atlantic Drive
Morgantown, WV 26508**



Year Built:	2007
Last Renovated:	-
Number of Floors:	1,2
Total Current Spaces:	18
Total Leasable Square Feet :	40,000
Total Available Square Feet:	1,328
Overall Occupancy Rate:	96.7%
Typical Lease Ranges:	\$20-\$22
Typical Lease Type:	Modified Gross

Notes:

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	A	A	A	A

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Space 6118	1,328	\$22	Modified Gross
2	N/A	-	-	-
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		1,328		

ADDITIONAL COMMENTS

Retail/Office development without parcels, including Chrysler/Dodge car dealership, BB&T, and Mid-Atlantic Market.

**Map ID 11- Northpointe Plaza
1000-3000 Northpointe Plaza
Morgantown, WV 26505**



Year Built:	2005 +/-
Last Renovated:	-
Number of Floors:	1
Total Current Spaces:	18
Total Leasable Square Feet :	47,000
Total Available Square Feet:	5,076
Overall Occupancy Rate:	89.2%
Typical Lease Ranges:	\$18
Typical Lease Type:	NNN

Notes:

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
B	B	A	A	A

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	Space 3000	3,276	\$13.50	Flex Space – Formerly Dentist Office (Modified Gross Lease)
2	Space 3012	1,800	\$18.00	Vacant
3	N/A	-	-	-
4	N/A	-	-	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		5,076		

ADDITIONAL COMMENTS
Located off of U.S. Highway 119, across from Morgantown Municipal Airport. Three separate buildings with parking available in front of each.



**Map ID 12– Suncrest Towne Centre
1000 Suncrest Towne Centre
Morgantown, WV 26505**



Year Built:	2008
Last Renovated:	-
Number of Floors:	1,2
Total Current Spaces:	50 +/-
Total Leasable Square Feet :	160,000
Total Available Square Feet:	26,750
Overall Occupancy Rate:	83.3%
Typical Lease Ranges:	\$22-\$24
Typical Lease Type:	NNN

Notes: Majority of vacant space located within new phase (2014) at 416 Suncrest Towne Centre Drive.

RATINGS				
Quality	Neighborhood	Parking	Access (Ingress/Egress)	Visibility
A	A	A	A	A

A – Above Average
B – Average
C – Below Average

Vacant Space #	Address/Suite#	Square Feet	Annual Rent/ Square Foot	Notes
1	416 Suncrest Towne Centre Dr.	18,607	\$24	Building F; (2,300 sq. ft to 7,000 sq. ft. of space available)
2	Space 1	2,832	\$22	-
3	Space 1040	4,011	\$22	-
4	Space 490	1,300	\$24	-
5	N/A	-	-	-
6	N/A	-	-	-
7	N/A	-	-	-
8	N/A	-	-	-
9	N/A	-	-	-
10	N/A	-	-	-
Total Vacant		26,750		

ADDITIONAL COMMENTS

102-acre master-planned community. Anchored by 80,000 sq. ft. Kroger (not included in total). Non-retail uses include Class A office space that typically leases for \$22 to \$24 sq. ft. Out parcels include Tilted Kilt, WesBanco, Hilton Garden Inn, WVU Urgent Care, McDonalds, Sonic and AAMCO. Property is outside of the city limits and advertises no B & O tax.

According to the National Association of Realtors (commercial) and REIS Inc., the national vacancy rate among retail properties is approximately 10.0% and the rent per square foot is \$19.00 on average (2014 to date). Notably, the Midwest and South Atlantic regions report a slightly lower rent per square foot of \$16.00 to \$18.00, while the vacancy rates are slightly higher at 11.3% on average. The Northeast reports a lower vacancy rate of 8.75% and rents per square foot of \$21.00. Based on the macroeconomic strengths of Morgantown, its projected demographic growth and its centralized location within all three of these regional markets, we believe the competitive centers are outperforming current averages for the nation and the region.

Many of the competitive shopping centers have anchor stores, or business owners that are able to negotiate lower rates based on the size of the space and/or corporate status. As such, we have attempted to create a more relevant tool for comparing the competitive shopping centers with the downtown retail space by limiting our analysis to those spaces generally smaller than 5,000 square feet. The following is an overview of the surveyed retail spaces containing approximately 5,000 square feet or less.

Total Spaces	Total Leasable Area*	Total Vacant Spaces	Total Vacant Area*	Annual Rent / Square Foot		
				Range	Average	Median
210	583,357	37	81,482 (14.0%)	\$15-\$26	\$21	\$22

*Square Feet estimates

When limiting our analysis of the competitive shopping centers to those spaces comprised of approximately 5,000 square feet or less, the vacancy rate nearly doubles, increasing from 7.7% to 14.0%. However, it is very important to consider that 18,607 square feet were introduced in 2014 and another 41,578 square feet are still under construction. When this 60,185 square feet of space is excluded, the 523,172 square feet of remaining space has a vacancy rate of 4.1%, which is very low compared to national and regional averages. Notably, this low vacancy rate is likely supporting the lease rates per square foot, which are higher than regional and national levels.

In comparison to the downtown market, the *established* retail space at the competitive shopping centers has a significantly lower vacancy rate and is also considered to be of superior quality on average. Combined with the high volume of interstate traffic, excellent visibility and the presence of national big box retailers, competitive shopping centers are able to charge premium rents compared to the downtown. The ability of retailers within the Competitive Trade Area to pay these rents indicates that Class A product within the downtown will likely be able to achieve premiums over the Class B space identified and surveyed. However, the premiums may not be as high as those currently charged at the competitive shopping centers.

The following table provides a detailed breakdown of vacant retail space located within the 12 competitive shopping centers.



Name	Address/Suite #	Year Built/ Renovated	Quality Rating	Visibility	Access/ Parking	Vacant Square Feet	Lease Rate
Shopper's World	Suites 206-208	2000 +/-	B	C	B/A	4,802	\$15-\$26
Shopper's World	Suites 201-202	2000 +/-	B	C	B/A	1,948	\$15-\$26
University Place	Retail #1 (U/C)	2015 Est.	A	B	B/B	6,773	\$25
University Place	Retail #2 (U/C)	2015 Est.	A	B	B/B	2,296	\$25
University Place	Retail #3 (U/C)	2015 Est.	A	B	B/B	1,953	\$25
University Place	Retail #4 (U/C)	2015 Est.	A	B	B/B	1,971	\$25
University Place	Retail #5 (U/C)	2015 Est.	A	B	B/B	2,240	\$25
University Place	Retail #6 (U/C)	2015 Est.	A	B	B/B	954	\$25
University Park	Space #1 (U/C)	2015 Est.	A	B	B/B	1,025	\$25
University Park	Space #2 (U/C)	2015 Est.	A	B	B/B	1,044	\$25
University Park	Space #3 (U/C)	2015 Est.	A	B	B/B	1,121	\$25
University Park	Space #4 (U/C)	2015 Est.	A	B	B/B	1,329	\$25
University Park	Space #5 (U/C)	2015 Est.	A	B	B/B	1,334	\$25
University Park	Space #6 (U/C)	2015 Est.	A	B	B/B	1,339	\$25
University Park	Space #7 (U/C)	2015 Est.	A	B	B/B	1,347	\$25
University Park	Space #8 (U/C)	2015 Est.	A	B	B/B	1,388	\$25
University Park	Space #9 (U/C)	2015 Est.	A	B	B/B	1,481	\$25
University Park	Space #10 (U/C)	2015 Est.	A	B	B/B	1,483	\$25
The Gateway	Restaurant/Bar (U/C)	2014 Est.	A	A	A/A	6,000	\$23-\$25
The Gateway	Planned (U/C)	2014 Est.	A	A	A/A	6,500	\$23-\$25
Morgantown Commons	Space 150	1990 +/-	C	B	A/A	3,000	N/A
Morgantown Commons	Space 155	1990 +/-	C	B	A/A	3,100	N/A
Morgantown Commons	Space 165	1990 +/-	C	B	A/A	1,600	N/A
Pierpoint Landings	Space 6118	2007	A	A	A/A	1,328	\$20-\$22
Northpointe Plaza	Space 3000	2005 +/-	B	A	A/A	3,276	\$18
Northpointe Plaza	Space 3012	2005 +/-	B	A	A/A	1,800	\$18
Suncrest Towne Center	416 Suncrest Towne Center Dr. - Bldg. F	2014	A	A	A/A	18,607	\$22-\$24
Suncrest Towne Center	Space 1	2008	A	A	A/A	2,832	\$22-\$24
Suncrest Towne Center	Space 1040	2008	A	A	A/A	4,011	\$22-\$24
Suncrest Towne Center	Space 490	2008	A	A	A/A	1,300	\$22-\$24

Quality Rating: A = excellent / B = good / C = fair to poor

U/C – Under construction

N/A – Not Available

The preceding table, illustrating the vacant spaces within the competitive shopping centers, indicates that most space is Class A and leasing for \$18 to \$26 per square foot. Considering the low vacancy rate currently reported and the anticipated quality of the space, we anticipate this vacant space will likely absorb at the higher lease rates reported. However, these rates represent premiums compared to national and regional trends and may slide downward depending on relevant market factors at the time of their introduction. Notably, there is 62,500 square feet of retail space located outside of the downtown area that is under construction.

Planned and Proposed (CTA)

The following is a summary of projects within the development pipeline that contain an element of retail space.

Business/ Developer	Type	Address	Details
Saul Radman	Mixed-Use (Retail/Residential)	419 High Street	Approved Four Story, 1 st floor retail of 3,416 square feet, 18 one-bedroom lofts on floors two through four. No building permits issued
Sheetz Gas Station	Mini Mart & Gas Station	1012 University Avenue	Demo Permits issued; 6,400 square foot mini mart, five fueling stations with 10 pumps, 41 parking spaces
Morgantown Beauty College	Mixed-Use (Retail/Residential)	276 Walnut Street	Renovation of Beauty College and adding 12 high-end, one-bedroom apartments. Planning Approval September 2014
Central Place	Mixed-Use (Retail/Residential)	494 Spruce Street	12 story 89 units/331 bedrooms, 4,042 square feet retail space, parking decks. Conditionally Approved but dealing with legal issues. Hopes to be completed by 2016
CVS Pharmacy	Mixed-Use (Retail/Office)	496 High Street	Renovations just begun of three story building. CVS on 1 st floor with 6,000 square feet, 2 nd & 3 rd floors BB&T Bank Offices
Gateway Development	Mixed-Use (Retail/Residential/ Hotel/Restaurant/ Office)	North of Chaplin Hill Road and west of I-79	55 acre mix-use development, two hotels under construction, 12,500 square foot retail/restaurant under construction. Expected completion December 2014. 7 apartments on 2 nd story complete February 2015. Triple S Harley complete, four pads for sale.
Premier Place	Retail	University Town Centre	15,000 square feet retail and 15,000 square feet office. No construction until all spaces are all leased, likely spring 2015
University Place	Mixed-Use (Retail/Residential)	2161 University Place	940 bed student housing opening November 19th, Sheetz convenient store planned, 37,000 square feet 1 st floor retail under apartments and 1 st floor of parking garage under construction across the street
University Park	Mixed-Use (Retail/Residential)	475 Oakland St.	1,100 bed student housing, 13,000 square feet retail, restaurant space, currently under construction, opening fall 2015
University Town Center-Expansion	Mixed-Use (Office/Retail/ Restaurant/Hotel/ Healthcare/ Entertainment)	University Town Centre Drive	Continued building of WVU Health Care Outpatient Center, plans for "big box" retail, restaurants and hotels, and large office park for corporate offices and headquarters.
Highland Park Square	Mixed-Use (Retail/Residential)	502 Stewart Street	14,000 Square feet, 8,600 Retail, seven one-bedroom apartments, approved October 2014
Farmers Market and Outdoor Flea Market	Farmers Market and Outdoor Flea Market	350 East Brockway Avenue	Owner received permit to establish Farmers Market/Flea Market
Kroger Fueling Station	Gas Station	3100 University Avenue	Fueling Station under construction with Kiosk
Evansdale Crossing	Mixed-Use (Student Study Space/ Retail/ Restaurant)	WVU Evansdale Campus	New student union-type building at the back side of the Engineering PRT stop, will have Barnes & Noble, coffee shop complete spring 2015

Notably, 62,500 square feet of retail space is under construction within the CTA and at least 37,458 square feet of additional retail space is planned.

C. DEMAND ANALYSIS

Projections of support for additional retail space are determined through an analysis of spending patterns within the Primary Trade Area (PTA) and Competitive Trade Area (CTA). Given the relatively small geographic size of the Primary Trade Area and the amount of existing retail, it is our opinion that downtown retail support primarily originates from households living outside of the PTA, but *within* the Competitive Trade Area.

The following table illustrates consumer expenditure patterns, which includes retail goods and services, as well as food, for the PTA and CTA:

Geographical Area	Consumer Expenditures						
	Aggregate 2014	Projected Aggregate 2019	% Increase In Aggregate Spending 2014-2019	Average Spending Per Household 2014	Average Spending Per Household 2019	Average Annual Growth 2014-2019	2014 Market Index To USA
Total PTA	\$7,343,466	\$8,377,979	14.09%	\$10,060	\$10,420	0.72%	41.5
Total CTA	\$864,571,503	\$1,146,299,956	32.59%	\$20,926	\$25,287	4.17%	86.2

Note: The CTA includes the PTA.

The above table suggests the following consumer spending trends from 2014 to 2019 for the selected areas:

- Aggregate spending in the CTA is expected to increase by 32.59%, while aggregate spending in the PTA will increase by 14.09%.
- Households residing within the PTA will increase spending by just 0.72%, compared with a 4.17% increase within the CTA.
- The 2014 Market Index for the CTA, the area from which most of the retail support will originate, is 86.2, which is slightly below the national index of 100. This indicates area consumers are spending slightly less money on goods and services than the national average.

To calculate additional retail demand within the CTA, increased retail spending from 2014 to 2019 (\$281,728,453) is divided by a sales per square foot factor of \$350. This \$350 factor is derived from the Urban Land Institute *Dollars and Cents of Shopping Centers* and is an average ratio of all major retail industries (furniture & home furnishings, food & beverage, general merchandise, etc.). This yields a potential for 804,938 square feet of additional retail space that can be supported in the Morgantown CTA between 2014 and 2019.

A single site or shopping center location will not likely capture an entire base of potential support by 2019. In 2014, downtown retail sales within the PTA totaled \$56,032,929, which is 3.6% of current sales reported within the entire CTA. As such, we have concluded that the downtown market could likely capture 3.6% of the increase in demand for retail shopping. Applying this capture rate to the projected increase in the CTA's demand for retail space yields potential support for approximately 28,978 additional square feet of retail space within the downtown between 2014 and 2019. This calculation is summarized as follows:

Potential Retail Support Estimates				
Increase In Spending 2014-2019	/\$350 Sales Per S.F. = Total Potential Support (S.F.)	Multiplied by Capture Rate	Potential Square Footage of Space	Potential Annual Square Footage
\$281,728,453	/350	X 3.6%	28,978	5,796

Based on the preceding analysis of future retail expenditure data, the downtown has the potential to absorb approximately 5,796 square feet of retail space annually, between 2014 and 2019. The current retail supply within the downtown is currently 8.7% vacant, which is comparable to national averages and considered stable. However, the majority of vacant space is concentrated among Class C space. In addition, it is important to note that some of the vacant spaces within the downtown are not necessarily appealing to a wide variety of potential tenants due to their size and/or layout. Therefore, the annual absorption of 5,796 square feet is predicated on the availability of *desirable* space becoming available (appropriately sized, new or recently renovated, and a relatively universal layout).

Note that the ultimate demand for retail space in the downtown could fluctuate based on a variety of characteristics. The following is a non-exhaustive list of factors that could directly increase or decrease the demand within the downtown for retail space.

- Notable changes to the housing supply and the type of households impacted.
- Significant changes to traffic patterns.
- Extreme employment growth/ decline within the PTA.
- Desirability/ image of the downtown.

Based on the current state of the preceding factors, it is believed that new retail establishments can be supported within the Primary Trade Area. However, the types of retail establishments targeted are important in order to avoid saturation. The most effective tool we have to analyze supply and demand together is to perform a Supply/Leakage Analysis. This method uses current year consumer expenditure estimates (demand) at the retail sector level and compares it against current year sales (supply) of the same goods and services.



To perform this analysis, we have acquired the latest consumer expenditure and supply data (2014) from Environmental Systems Research Institute (ESRI). We looked at retail sales (including food and drink sales) at the macro and micro levels – specifically, we broke down retail performance at the sector level per the North American Industry Classification System (NAICS). The NAICS is the standard used by U.S. government statistical agencies in classifying business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. business economy. NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the Standard Industrial Classification (SIC) System.

Retail sales potential (demand) exceeding the total sales (supply) indicate a leakage of sales. In other words, the residents within an area are spending more on a good or service than is currently being provided for within the same area. The sales are “leaking” outside the area and are being absorbed by another market. In an unhealthy retail market, small and mid-sized purchases will leak to a market that is close to the base market being analyzed because the consumer simply needs to purchase the item(s) while minimizing the time spent in pursuit of the purchase – an example of inelastic demand. The leakage of goods and services with inelastic demands indicate an opportunity for the market to increase its supply. Larger, more expensive purchases like cars, have the potential to leak into areas well outside the base market because the consumer is willing to travel further to achieve the best price – an example of elastic demand.

A retail sales surplus exists when an amount of a good or service being provided within an area exceeds what consumers living within the area are currently spending on the same goods and services. Very little sales are leaking outside the market area because shopping within the area can easily satisfy the needs of the consumers. Shoppers coming from outside the market area are consuming the surplus.

The following Supply/Leakage Analysis looks at all retail sectors and subsectors that we found within the Secondary Market Area. The data is organized in a manner that allows for analysis within a sector. For example, the first sector is NAICS category 441, which is *Motor Vehicle and Parts Dealers*. Within this category, there are three subsectors: *Automobile Dealers* (4411), *Other Motor Vehicle Dealers* (4412) and *Auto Parts/Accessories/Tires Stores* (4413). If you were to add all three subsectors together, the resulting total should be equal to the values listed for the sector; in this case, it would be the totals for all Motor Vehicle and Parts Dealers. In addition, there is a “master” category called Retail Trade Sales (NAICS 44), which contains all the sectors that start with the number 44. The NAICS system utilizes a progressive naming convention that appends a digit for each subsector (or subcategory) – up to a total of eight possible digits. In the interest of simplicity, we will utilize the categories to the fourth digit level.

Please note that slight variations may exist due to rounding and data aggregation techniques that must be employed when using a geographic information system (GIS) to extract data from the Census Block Group geography and apply it to a non-political boundary such as a subarea.

A positive number indicates demand is exceeding supply - a leakage, which means households are looking outside the market area to have their needs met. A negative number indicates supply is exceeding demand - a surplus, which means households from outside the market area are coming into the market area to absorb the surplus OR the good or service is simply being overproduced and will eventually be corrected by the market (business will fail).

The table on the following page summarizes the retail gap and the leakage or surplus of goods and services within the Morgantown PTA.

Downtown Morgantown (PTA)

Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/ Surplus Factor	Number of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$9,217,763	\$56,032,929	-\$46,815,166	-71.7	75
Total Retail Trade	44-45	\$8,215,064	\$40,892,333	-\$32,677,269	-66.5	49
Total Food & Drink	722	\$1,002,699	\$15,140,596	-\$14,137,897	-87.6	26
Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplus Factor	Number of Businesses
Motor Vehicle & Parts Dealers	441	\$1,672,181	\$4,971,295	-\$3,299,114	-49.7	2
Automobile Dealers	4411	\$1,465,431	\$0	\$1,465,431	100.0	0
Other Motor Vehicle Dealers	4412	\$76,885	\$0	\$76,885	100.0	0
Auto Parts, Accessories & Tire Stores	4413	\$129,865	\$2,220,663	-\$2,090,798	-89.0	1
Furniture & Home Furnishings Stores	442	\$166,209	\$674,025	-\$507,816	-60.4	1
Furniture Stores	4421	\$117,197	\$0	\$117,197	100.0	0
Home Furnishings Stores	4422	\$49,012	\$0	\$49,012	100.0	0
Electronics & Appliance Stores	4431	\$166,116	\$1,366,036	-\$1,199,920	-78.3	3
Bldg Materials, Garden Equip. & Supply Stores	444	\$193,471	\$693,782	-\$500,311	-56.4	1
Bldg Material & Supplies Dealers	4441	\$148,919	\$0	\$148,919	100.0	0
Lawn & Garden Equip & Supply Stores	4442	\$44,552	\$0	\$44,552	100.0	0
Food & Beverage Stores	445	\$1,363,348	\$3,888,058	-\$2,524,710	-48.1	6
Grocery Stores	4451	\$1,286,614	\$2,192,673	-\$906,059	-26.0	4
Specialty Food Stores	4452	\$20,630	\$297,200	-\$276,570	-87.0	1
Beer, Wine & Liquor Stores	4453	\$56,104	\$1,398,185	-\$1,342,081	-92.3	1
Health & Personal Care Stores	446,4461	\$518,479	\$4,396,183	-\$3,877,704	-78.9	2
Gasoline Stations	447,4471	\$1,003,430	\$13,853,316	-\$12,849,886	-86.5	1
Clothing & Clothing Accessories Stores	448	\$489,644	\$2,745,934	-\$2,256,290	-69.7	12
Clothing Stores	4481	\$367,623	\$2,235,674	-\$1,868,051	-71.8	10
Shoe Stores	4482	\$57,646	\$0	\$57,646	100.0	0
Jewelry, Luggage & Leather Goods Stores	4483	\$64,375	\$510,260	-\$445,885	-77.6	2
Sporting Goods, Hobby, Book & Music Stores	451	\$244,302	\$4,656,224	-\$4,411,922	-90.0	9
Sporting Goods/Hobby/Musical Instr. Stores	4511	\$175,350	\$2,717,478	-\$2,542,128	-87.9	5
Book, Periodical & Music Stores	4512	\$68,953	\$1,938,747	-\$1,869,794	-93.1	4
General Merchandise Stores	452	\$1,730,877	\$752,701	\$978,176	39.4	1
Department Stores Excluding Leased Depts.	4521	\$567,385	\$752,701	-\$185,316	-14.0	1
Other General Merchandise Stores	4529	\$1,163,492	\$0	\$1,163,492	100.0	0
Miscellaneous Store Retailers	453	\$182,269	\$2,829,291	-\$2,647,022	-87.9	11
Florists	4531	\$6,995	\$381,299	-\$374,304	-96.4	1
Office Supplies, Stationery & Gift Stores	4532	\$63,571	\$293,821	-\$230,250	-64.4	2
Used Merchandise Stores	4533	\$10,289	\$71,489	-\$61,200	-74.8	1
Other Miscellaneous Store Retailers	4539	\$101,414	\$2,082,682	-\$1,981,268	-90.7	6

(Continued)

Industry Groups	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/ Surplus Factor	Number of Businesses
Non-store Retailers	454	\$484,738	\$0	\$484,738	100.0	0
Electronic Shopping & Mail-Order Houses	4541	\$438,049	\$0	\$438,049	100.0	0
Vending Machine Operators	4542	\$7,052	\$0	\$7,052	100.0	0
Direct Selling Establishments	4543	\$39,637	\$0	\$39,637	100.0	0
Food Services & Drinking Places	722	\$1,002,699	\$15,140,596	-\$14,137,897	-87.6	26
Full-Service Restaurants	7221	\$377,490	\$6,372,346	-\$5,994,856	-88.8	9
Limited-Service Eating Places	7222	\$556,407	\$6,409,778	-\$5,853,371	-84.0	7
Special Food Services	7223	\$13,889	\$877,550	-\$863,661	-96.9	3
Drinking Places - Alcoholic Beverages	7224	\$54,912	\$1,480,922	-\$1,426,010	-92.8	7

Before reaching any conclusions regarding the best potential for new retail use, it is important to consider that the Morgantown region is a shopping destination. In fact, the downtown PTA has a retail surplus of \$46,815,166, which results in an overall surplus factor of 76.1 (66.5 for Retail Trade and 87.6 for Food & Drink). This indicates many more persons are shopping and dining within the downtown than living there and/or local residents are spending substantially more than anticipated. As such, it is likely that there will be retail opportunities in many of the aforementioned industries that currently report a surplus. After all, the retail space in the downtown PTA is estimated to have a vacancy rate of just 8.7%, which is lower than regional and national trends. Therefore, the high surplus factor of 76.1 for Retail Trade and 87.6 for Food & Drink are believed to be sustainable. However, the best opportunities for new establishments will likely be within those industry segments with leakage, or those that are reporting the surpluses lower than the overall surplus factors.

As the preceding table illustrates, there are several industry groups estimated to have leakage out of the Morgantown PTA. However, automobile dealers, non-store retailers, mail-order houses and vending machine operators are not realistic *retail* users. Therefore, the preceding data tables indicate that the best new Retail Trade opportunities identified are for the following:

- 1) Other General Merchandise Stores, such as dollar stores (leakage of 100.0)
- 2) Specialty Building Material & Supply Stores, such as hardware stores (leakage of 100.0)
- 3) Furniture Stores (leakage of 100.0)
- 4) Shoe Stores (leakage of 100.0)
- 5) Specialty Home & Garden Supply Stores (leakage of 100.0)
- 6) Grocery Stores, including convenience stores (surplus of 26.0)
- 7) Office Supplies, Stationery & Gift Stores (surplus of 64.4)

The preceding industry groups all report leakages or surpluses below the overall surplus factor of 66.5 for Retail Trade. As such, these industry categories may represent the best potential for new retail establishments. However, it is important to reiterate that other retail trade categories can still be supported within the downtown, regardless of the surplus reported.

Total Food & Drink has a surplus of 87.6, which is substantially higher than the overall surplus factor. However, given the limited vacancy rate in retail space, the proximity to West Virginia University and the high number of daytime workers in the downtown, the high surplus factor does not necessarily mean new Food & Drink Establishments would not be successful. Further, additional restaurants, bars and limited-service eating places could do well without saturating the market given the projected increase in consumer expenditures anticipated between 2014 and 2019. However, the surplus factors do indicate the downtown does not lack such establishments at the moment.

VI. Stakeholder Interviews

Introduction

Associates of Bowen National Research contacted and interviewed more than twenty downtown business representatives in Morgantown, West Virginia. These representatives were from a wide range of business types, including retail goods, restaurants/bars, personal services (nail salon, tanning salon, tattoo parlors, etc.), professional services (law offices, real estate companies, etc.) and various other business types. Survey participants were asked to provide input on a variety of topics regarding Morgantown's downtown business climate. Specifically, they shared specifics regarding their business and business space and their perception of the current state of the downtown retail climate, along with its strengths and weaknesses. To conclude, survey participants were invited to comment on the best and worst attributes of the downtown, and to offer recommendations for improvement.

In an effort to encourage candid responses, stakeholders were assured that their input would remain confidential and that their names would not be disclosed. However, the respondents include 10 Business Owners, four (4) Managers, and six (6) Executives. The surveys were conducted primarily through SurveyMonkey.com and through in-person intercept surveys. A list of the survey questions can be found in Addendum A.

Summary of Downtown Retail Interviews

The following is a summary of the input gathered during the interviews.

Types of Downtown Patronage

Respondents were asked to indicate the amount of patronage that various groups provide to their business. Most respondents indicated that college students and downtown employees represent about 25% or less of their business. However, for other respondents, students and locals residing within or near downtown represented 50% or more of their business. Few respondents indicated that visitors/tourists were a significant amount of their patronage.

Why Downtown?

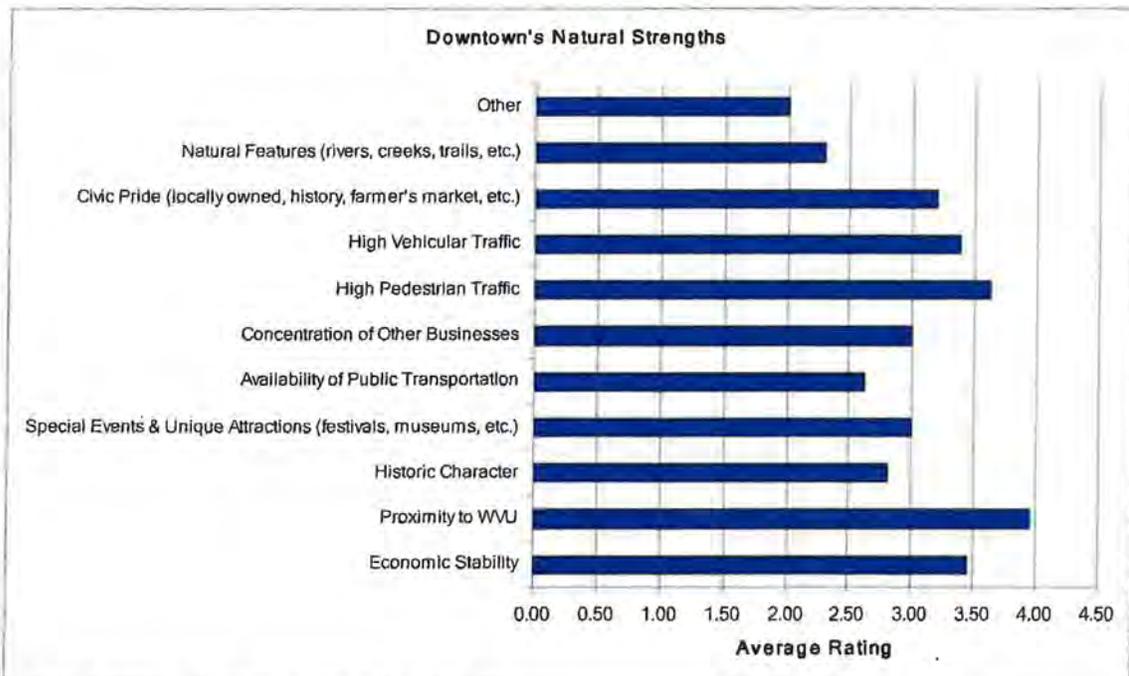
Respondents were asked to identify the primary reason for selecting Downtown Morgantown for their business. The most commonly-cited reason (by nine respondents) was the central location of the downtown and proximity to other services and WVU. In addition, five respondents cited the amount of vehicle and pedestrian traffic. Other common responses included affordable lease rates, established customer base for their business and that they already owned the building.

Downtown Leasing

Respondents were asked if their current business operates with a lease. A total of 13 respondents indicated that they do have a lease, while seven (7) indicated that they do not. The most common lease term indicated was two years or less. A few respondents indicated that their lease term was one to three years, while others indicated their lease term was four to five years. Thirteen of the respondents also indicated that their lease is based on a flat monthly amount; however, only three respondents provided that amount, which ranged from \$850 (\$4.64/sq.ft.) to \$2,000 (\$20.00/sq.ft.) per month. The majority of respondents (15) are responsible for the cost of utilities on top of their lease rate, while still more respondents are also responsible for the cost of janitorial services, repair/maintenance services, building insurance and property taxes.

The Strengths of Downtown Morgantown

Respondents were asked to rank the strengths of Downtown Morgantown as it relates to the business climate. The most common strength indicated was the proximity to WVU. Other commonly cited strengths were high pedestrian and vehicular traffic, economic stability, and civic pride. The graph below shows each of the provided strengths of the downtown and how respondents ranked them.

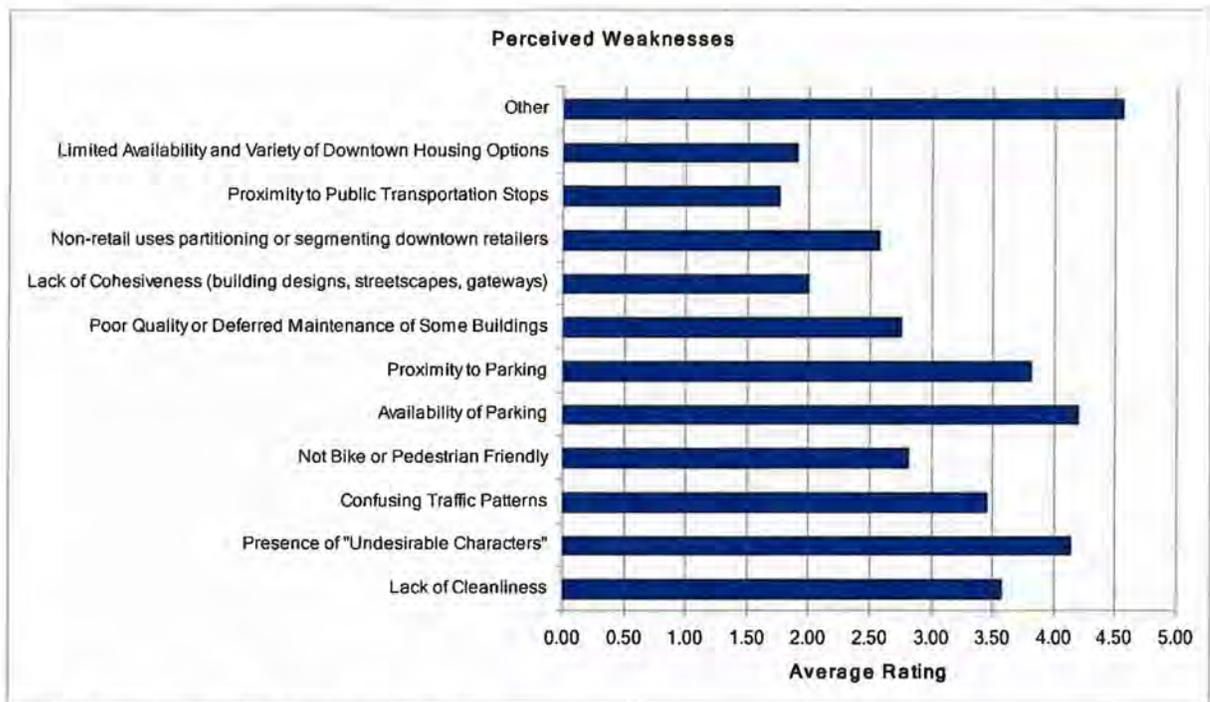


1=Not a Factor, 3=Plays a Role, and 5=Absolutely

Respondents were also asked about the most positive attributes of downtown that they were not expecting. Those who responded indicated that downtown events/activities, foot traffic and the overall sense of community were nice surprises.

The Limitations of Downtown Morgantown

Respondents were asked to rank various perceived weaknesses of the downtown. The most commonly cited weaknesses were the availability of and proximity to parking, undesirable characters (such as homeless, loiterers and inebriated individuals), and the lack of cleanliness. Multiple respondents also indicated “other” weaknesses, which they noted as the lack of safety and lighting at night, lack of signage, and the high cost of parking. The graph below shows each of the perceived weaknesses of the downtown and how respondents ranked them.



1=Not a Factor, 3=Plays a Role, and 5=Absolutely

When asked to describe the most negative attribute of the downtown that has affected their business and that they were not expecting, the most commonly provided answer was the amount of homeless persons, specifically as it related to loitering. Parking problems (amount, cost and location), as well as the perception and lack of downtown safety were also commonly provided answers.

Enhancing Morgantown's Downtown Business Climate

Respondents offered their thoughts on overcoming Downtown Morgantown's perceived limitations in order to create a more vibrant environment for future business. Many addressed parking problems and the lack of lighting as it relates to safety. Another commonly cited issue was the amount of homelessness and the loitering and panhandling of the homeless throughout the downtown. Multiple respondents also indicated that traffic congestion and business signage should also be addressed. Respondents believe that various retail stores, such as clothing, shoes, hardware, drugstore/pharmacy, and a bookstore could benefit the existing businesses downtown, while other respondents believe that more eateries, bakeries and restaurants should be considered. Some respondents also noted that the downtown area is in need of a grocery store to serve local residents.

VII. Conclusions & Recommendations

Downtown Morgantown, which has been defined as the Primary Trade Area (PTA) for the purposes of this study, is a unique retail submarket that is unduplicated in the greater region. The concentration of retail businesses, residential housing units, employers, arts & recreational opportunities, and civic establishments are unmatched at any competitive shopping centers within the area. Special events, festivals and performing arts are abundant. Major arterial corridors serving the Morgantown area and the proximity of WVU create large amounts of vehicular and pedestrian traffic. More bus lines service the downtown than any other area of the region and the Personal Rapid Transit system maintains a station in the downtown, linking it to the larger WVU campus. Further, the convergence of Deckers Creek and the Monongahela River form over 1.0 mile of riverfront or creek side real estate potential. Finally, the entire area of the downtown (including the Wharf District) is considered to be walkable, as it only encompasses 0.16 square miles.

Based on a survey of downtown stakeholders and the personal observations of our analysts, the downtown is generally a good place to do business. Many cited the proximity to WVU, general economic stability, civic pride, high pedestrian and vehicular traffic, downtown events/activities and the overall sense of community as being strong positives for business.

Despite some concerns of local stakeholders regarding parking, cleanliness, safety and undesirable characters, the 180 *traditional* retail spaces surveyed had a vacancy rate of just 8.7%. This is slightly lower than regional and national averages. However, the typical lease rate is around \$12.50 per square foot, which is substantially lower than those reported at competitive shopping centers in Morgantown and those reported on a regional and national level. The low rates in the downtown may be partially attributed to the stakeholders' concerns, but are more than likely the result of an eclectic mix of buildings and spaces available. With many properties constructed near the turn of the previous century, some retail spaces are in poor condition or have layouts that are not necessarily attractive to a wide variety of tenants. Further, the Wharf District currently lacks a critical massing of Class A space required to sustain high lease rates near those being charged at competitive shopping centers, and such space is relatively void in the downtown near High Street. As such, some owners are likely forced to keep rates at affordable levels in order to attract tenants.

Competitive shopping centers within the Competitive Trade Area (CTA) were generally developed in 2000 or later, and are primarily considered to offer Class A retail space. Typically, these centers are easily accessible via major highways or interstates, have ample free parking adjacent to individual tenants, offer big box retailers and have excellent visibility. These attributes have allowed competitive shopping centers to outperform the downtown in terms of vacancy rates and collected rent per square foot. When focusing on retail spaces of

approximately 5,000 square feet or less, the vacancy rate at established shopping centers is only 4.1% and the typical price per square foot is \$21.50. Notably, there is approximately 86,100 square feet of retail space under construction or planned outside of the downtown at these centers.

Undoubtedly, there is a contrast between the typical retail space available within the downtown (PTA) and the spaces available at the competitive shopping centers located within the greater CTA. These centers play to the perceived weaknesses of the downtown, as they are newer, high quality, provide parking that is perceived to be convenient and free, are generally perceived to be safe and are easily accessible for motorists. When considering the relatively recent introduction of these centers, it is likely that they have had some impact on the occupancy rate of retail spaces located within the downtown, as new and existing businesses now have many alternatives. However, the downtown has far more positive characteristics than negative and the retail vacancy level within the downtown is considered similar to regional and national averages. Note that no *balanced* market has a 0.0% vacancy rate.

Demographic and economic growth is projected to be strong within the Morgantown region between 2014 and 2019. The Competitive Trade Area (CTA), which includes the PTA, is expected to experience a 32.6% increase in aggregate consumer spending over the next five years. It is expected that the downtown will be able to at least capture its current share of demand, which equates to 5,796 square feet of retail space annually, between 2014 and 2019. However, the annual absorption of 5,796 square feet is predicated on the availability of *desirable* space (appropriately sized, new or recently renovated, and a relatively universal layout). At the moment, there are three new developments planned for the downtown that will create 13,858 square feet of new retail space and it is expected that these will be met with positive market support. Further, many of the vacant spaces within the downtown were concentrated among Class C properties and it is likely that owners will be able to renovate and lease a portion of this space as market forces naturally push prices higher.

Given the strong increase in demand anticipated from growing consumer expenditures within the CTA, and the current amount of retail space under construction or proposed, it is likely that even more retail space than the 5,796 per year could be supported within the downtown. However, the downtown will likely have to position itself to take advantage of the increased demand. The following set of recommendations is expected to increase the demand for retail by increasing the appeal of the downtown and creating a more conducive environment for retail shopping and dining.

- Pursuit of policies and government practices that encourage the development of new housing units, particularly housing that targets households with disposable incomes that are higher than the current levels within the PTA. New housing developments should incorporate a mixed-use design if located on a retail corridor and offer dedicated parking to residents when feasible. Medium- to high-density, mixed-use developments should be encouraged within the southern areas of the downtown and the Wharf District in order to reach *and* support a critical mass of retailers.
- Continue and expand financial incentive programs to increase the aesthetic appeal of the downtown. The façade grant program and the recently passed TIF District (detailed in Section IV) will allow the city to work with developers to invest directly into the public infrastructure, thereby reducing development costs and enhancing the neighborhood’s appeal. Other financial incentive programs should also be pursued and promoted, such as low-interest loans, a microloan program, a revolving loan fund, and/or an interest buy-down program. Regardless of the funding mechanism(s), the goal is to encourage private investment by offsetting costs and/or making capital available to property and business owners within the downtown. Ideally, the scope of these programs should be expanded to allow property owners and tenants the ability to renovate interior space, replace roofs, and/or update building systems. Although façades and infrastructure are the most noticeable improvements to make, higher quality tenants can be just as easily deterred by interior space that is in poor condition, has an *unnecessarily* bad layout, or space that is not properly serviced with updated HVAC, electrical, or plumbing systems. Representatives of Bowen National Research documented that over 18% of all downtown retail space is considered to be Class C, or in fair to poor condition. Further, even Class B space can require improvements, significant cleaning, and repairs in order to attract and retain high-quality tenants. By requiring oversight on design standards and uses, the City of Morgantown can help insure grants and low-interest capital is well invested to increase the viability of the downtown retail market.
- Collaborate with the local Continuum of Care in an effort to identify the needs of the homeless population and their service providers. Many chronically homeless individuals have mental disorders and substance abuse issues that require a Permanent Supportive Housing (PSH) solution. The United States Interagency Council on Homelessness describes Permanent Supportive Housing as “decent, safe, affordable, community-based housing that provides tenants with the rights of tenancy and links to voluntary and flexible supports and services for people with disabilities who are experiencing homelessness. Permanent supportive housing is a proven, effective means of reintegrating chronically homeless and other highly vulnerable homeless families and individuals with psychiatric disabilities or chronic health challenges into the community by addressing their basic needs for housing and providing ongoing support.” PSH projects are commonplace in many downtown markets and can

ultimately benefit the homeless, the service providers and the greater community. Often times, these projects have a limited number of residential units compared to conventional apartments and are constructed to meet strict building standards. In addition, tenancy of these facilities may be predicated on strict substance abuse policies, continuing education requirements, and/or job training programs. It is believed that the creation of an aesthetically pleasing building that could consolidate services and provide a permanent and safe nighttime residence for this special needs population would benefit most stakeholders in downtown Morgantown.

- Some of the issues cited by downtown stakeholders are related to the *perception* of crime and safety, which is a common perception within many downtown markets. Based on data obtained from the FBI Uniform Crime Report and Applied Geographic Solutions, it has been estimated that the crime risk index within the downtown is 136, which is slightly higher than the national average of 100. For comparison, the crime risk index within the Competitive Trade Area (CTA) is 72, while it is 196 in major cities throughout the United States. As such, the actual crime activity in Morgantown is not considered high for a downtown area. The figures within the downtown are primarily driven by property crime, such as petty theft, but a handful of publicized incidents can have a lasting impact on the public perception of an area. Perceived or real, the fear of crime can have a negative impact on housing and retail demand. It is our experience that most downtown business districts within the country face this perception. Efforts to combat the perception of crime include increased and sustained law enforcement activities from arrests to prosecutions. In addition, strong community involvement and coordination with law enforcement to identify chronic offenders and/or locations is key.

The Morgantown Police Department has dedicated significant resources to maintain safety within the downtown. Police perform high visibility patrols during set hours and an increased number of officers are assigned to the downtown during peak seasons and times. A downtown beat officer is assigned solely to the business district and interacts with downtown stakeholders on a daily basis. Continuation of these efforts will be important in combating the perception of safety within downtown Morgantown.

In reality, many factors play into the perception of crime and safety beyond actual crimes, including the appearance of the downtown district. Therefore, efforts should be made to maintain a clean and well kept aesthetic. Programs such as the streetscape reconstruction, façade improvement, and the TIF District will be important in improving the downtown image. In addition, efforts should be made to maintain appropriate levels of funding for street/sidewalk cleaning, graffiti removal, maintaining sufficient dumpster enclosures, etc. Finally, sustained marketing efforts that highlight positives of the downtown as a vibrant district may help to reduce the perception of crime.

- Although retail businesses typically benefit from the exposure that high traffic volume creates, traffic congestion within the downtown has been cited as an issue. Further, the presence of heavy tractor-trailer traffic creates noise and air pollution that is considered undesirable. The Morgantown Monongalia Metropolitan Planning Organization issued the 2040 Long Range Transportation Plan which details several projects designed to alleviate congestion within the downtown and provide alternate routes for tractor-trailer traffic. Specifically, the report has listed the “Downtown Morgantown Signalization and Street Changes” as a Tier 1 project. The purpose of this project is to improve multimodal safety, capacity, and the attractiveness of the downtown area. A key implementation factor cited by the 2040 LRT Plan is coordination with property owners and stakeholders.

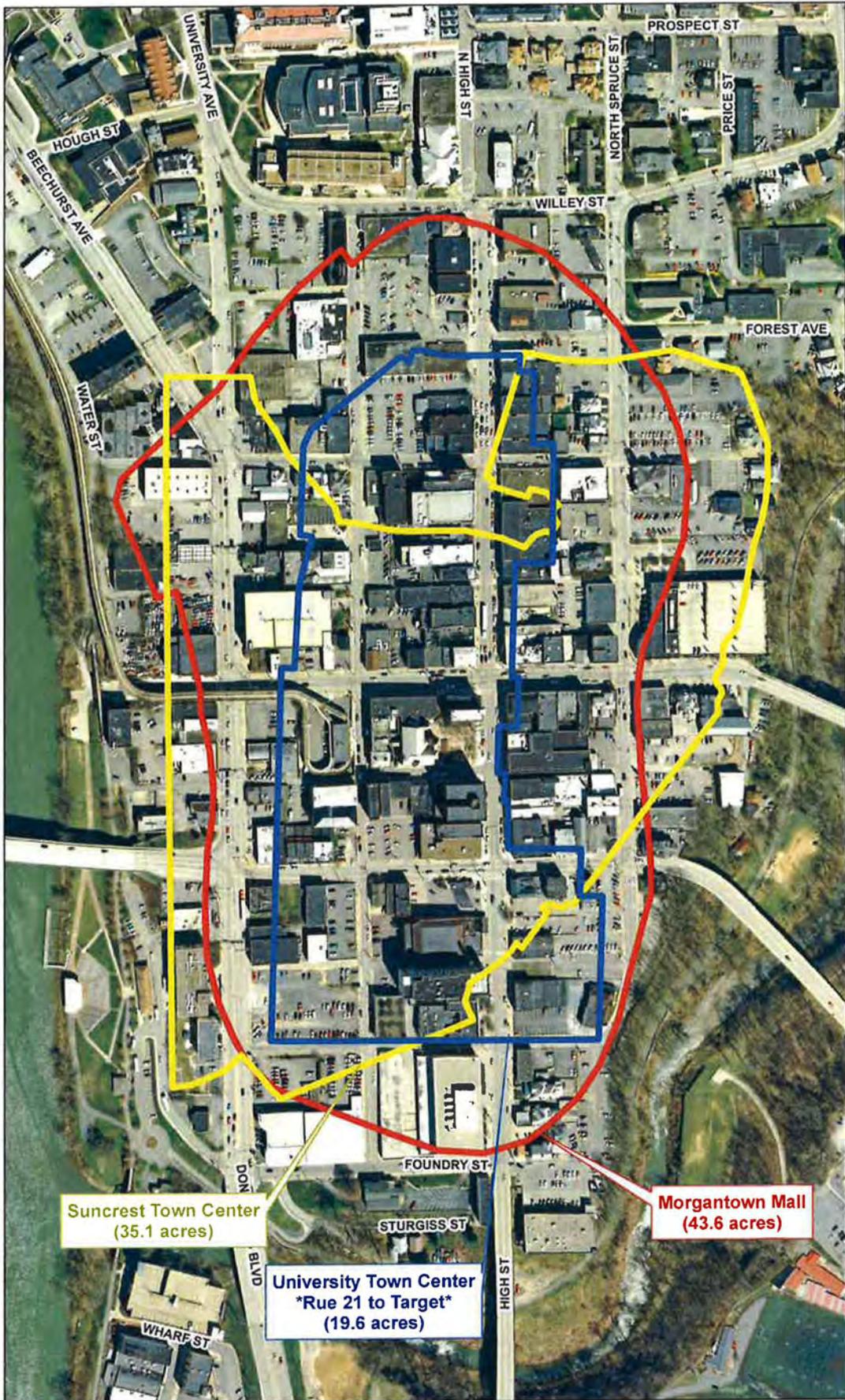
Conveniently accessing the downtown is believed to be critical to the current and future success of retailers. As such, it will be important that downtown stakeholders provide strong participation and support to transportation projects that could benefit the downtown.

- The stakeholder interviews indicated that the location, availability and cost of parking may have a negative impact on retail demand within the downtown. Similar to the perception of crime, the availability and cost of parking is an issue (perceived or real) experienced in many downtowns throughout the country. Stakeholders interviewed within Morgantown believed that the cost structure was too high (i.e., not free) and varied too much from location to location. Additionally, they believed the parking spaces are too far from the retailers (i.e., not adjacent to) and the varying time limits can create unneeded confusion and stress for shoppers. It was the opinion of these stakeholders that these factors could create an impediment for consumers compared to competitive shopping centers in the region.

Data obtained from the Morgantown Parking Authority (MPA) details that there are 2,202 *public* parking spaces in four multi-level garages, nine surface parking lots and 14 metered streets. According to a representative with MPA, the spaces within the downtown garages and lots are typically 85% occupied between 9:00 a.m. and 2:00 p.m. during the WVU school year. However, the occupancy rate drops to 50% or 60% when classes are not in session. This equates to a parking capacity buffer of 15% to 40%, which rationally indicates that there is a sufficient amount of parking available. Further, an additional garage with over 500 parking spaces is within its initial planning phase in order to meet anticipated growth. All of these spaces are accessible 24 hours a day, 365 days per year.

Representatives of Bowen National Research have confirmed that the majority of retailers, restaurants, professional offices, and community attractions are located within 0.25 miles of the parking garages and can be even closer to surface lots and metered streets.

The map and illustrations on the following pages detail the downtown market, an overlay illustrating the size of some competitive shopping centers, and the locations of different public parking options.



Morgantown Parking Authority Public Parking Inventory Map

Legend	
	2 Hour Street Meters
	10 Hour Street Meters
	2 Hour Parking Lot
	10 Hour Parking Lot
	24 Hour Parking Lot
	24 Hour Parking Structure
	WWU PRT
	Rail-Trail




 Map Prepared by:
 Morgantown Planning Department
 Morgantown Parking Authority
 09.11.2008

The preceding figures indicate parking is available a reasonable distance from most downtown retail locations. When considering the availability of sidewalks, traffic signals and other pedestrian friendly elements, these parking spaces are considered to be within a walkable proximity to most downtown businesses. However, MPA also indicated that there is a premium for on-street metered parking spaces which are those often located within the closest proximity of businesses. These spaces were said to maintain a 90% to 95% occupancy level during peak times, regardless of school being in session. Therefore, it is possible that the demand for the highly visible metered street parking is fueling a perception of parking shortages.

The cost of all parking spaces varies from \$0.50 to \$1.25 per hour. There are no reduced or free parking rates for non-commuter hours or weekends, and there is no daily cap on parking garage fees. Based on a review of the regional West Virginia cities of Charleston and Huntington, parking rates range from \$0.25 to \$1.00 per hour; however, the maximum charges for garage parking are typically capped at \$5.00 per day. These cities also offer free metered parking on nights, Sundays and holidays. These figures indicate the parking rates in Morgantown are comparable to regional trends, but no free parking times or daily caps are instituted.

Based on our cursory review, there appear to be sufficient parking spaces available within the downtown to reasonably accommodate demand on most typical days. Further, these parking spaces are located within a manageable walk of most downtown businesses and attractions. The fees for parking are consistent with regional trends. However, the demand for on-street metered parking may fuel the perception that parking is limited. Therefore, an increase in public awareness of the parking lots and garages may alleviate the perception of limited parking spaces in the downtown. Although a city ordinance prohibits free parking days and hours, a validation program with participating businesses may be examined in an effort to provide discounted or subsidized parking to patrons in designated zones during set time periods (typically evenings and weekends).

The preceding set of recommendations is not exhaustive and alone cannot dictate the performance of individual business owners or consumers; however, they are believed to address the most pressing issues (perceived or real) potentially impacting downtown retail demand.

VIII. Retail Recruitment Strategy

Based on the data collected and observations of our analysts, downtown Morgantown is considered a good place to do business. Existing tenants have selected the downtown for many reasons and it is an unduplicated retail center within the Morgantown region. The vacancy rate is slightly lower than national averages and it is expected the demand for retail space in the downtown will increase during the next five-year period. Regardless, we have prepared a general retail recruitment strategy that may further increase the demand for downtown retail space.

- *Continue to develop the downtown based on the goals and vision detailed in the 2010 Downtown Plan.*

The most effective recruitment tool is the composition of the downtown environment. The aesthetics, layout, safety, traffic flow and critical mass of businesses within the downtown are paramount to attracting new businesses. In July of 2010, a downtown plan was prepared for the City of Morgantown by Design Workshop Inc. and Community Land Use and Economics Group, LLC. The goal of the report was to articulate a shared community vision for the downtown that defined growth patterns and provided clear guidelines for future development. The report laid out hundreds of recommendations for the continuous improvement of the downtown and methods for positive and controlled growth. Based on our review of this plan, its ultimate vision of the downtown would undoubtedly create an unparalleled “shop, live, play” location within the Morgantown region that would not require active marketing. Although good progress has been made, the ideal urban environment envisioned in the downtown plan has yet to be achieved and there are real and perceived drawbacks within the downtown that have been identified in this report that are likely serving as impediments to retail growth. As such, the first step in the retail recruitment strategy is to continue improving the downtown environment in the method identified in the 2010 Downtown Plan. Specifically, it is recommended that downtown stakeholders address what has been determined to be the most immediate and short-term impediments identified in Section VII of this report.

- *Develop attractive marketing materials to convey that the downtown is unique and offers a competitive advantage over other locations.*

The materials should affirm market demand by providing data for the trade areas, including demographic trends, disposable income levels, consumer expenditure increases, vacancy rates, etc. Downtown Morgantown has unduplicated strengths, such as its proximity to WVU, unique attractions/events, sense of community, concentration of public transportation, etc. These strengths should stand out compared to competitive shopping centers and should be illustrated through maps, pictures and facts. However, statistics

commonly sought by retailers should also be provided such as pedestrian and vehicular traffic volume, major employers, daytime population and tourism visitation, current mix of downtown users: retail, service, dining, housing, office and lodging. A promotional calendar, press coverage, and a summary of financial incentives and other business assistance services should also be provided. Finally, the marketing materials should always include summary maps to tell a story, including drive time, major employers, points of interest, designated development or historic zones, business clusters, etc.

- *Identify prospective tenants that could benefit from downtown location.*

These prospects can include local entrepreneurs attempting to start a business, existing local or regional businesses that are looking to expand into a new space or open a branch, and/or national chains. As such, marketing efforts should include both local and regional outreach. Dialogue with local chamber of commerce officials, economic development representatives, civic organizations, small business development organizations and other business leaders should be conducted on a quarterly basis. MSM should research the downtown retail mix in cities with similar population levels and large universities for ideas on regional or national chains that may benefit Morgantown. As such, promotional efforts should also target nearby markets that are not included in the Competitive Trade Area, such as the Pittsburgh MSA, Wheeling, Parkersburg, Fairmont, Clarksburg, Bridgeport, etc. Through mass marketing and targeted inquiries, prospective tenants should be informed about the strengths of downtown Morgantown as a vibrant and viable retail location. If suitable locations do not exist within the downtown for targeted retailers, ascertain their requirements for future spaces or plans.

- *Detailed knowledge of the retail market should be readily available in order to assist and persuade business owners to select a downtown location.*

A robust inventory of existing and potential retail spaces should be developed and maintained to track the retail mix, generate data and identify vacant space as requested. Although Bowen National Research has inventoried a portion of the retail base, the data can be refined and even more retail spaces can be added. Key metrics to add include tax information, building owner history, sales information, zoning class, and note if the location is within a designated zone (historic, TIF, façade improvement corridor, etc.). The inventory could ultimately be used to create an online “Site Selection Tool” that could provide an interactive way to search vacant spaces by buildings specs and price. This free tool (to both tenants and landlords) could be a way to successfully build the inventory. MSM should reach out to building owners preemptively and offer to post vacancy information when needed. Offer to get inside and take photos of spaces to use online as part of the tool. Potential tenants could also submit inquiries to MSM telling them about their business needs and wants. MSM could facilitate as a matchmaker and recommend them to available resources in the community to establish a business.

- *The sense of community and its tangible benefits should be leveraged for retail recruitment and retainment purposes.*

One of largest potential strengths of any downtown is its natural and inherited position as the city's civic center, or proverbial heart. Communities rightfully want a downtown to succeed and local stakeholders will invest far more in a downtown's future than in any privately developed shopping center. It is strongly suggested that the sense of community and the tangible benefits that community can create be leveraged for retail recruitment and retainment.

Community can be defined as the "feeling of fellowship with others, as a result of sharing common attitudes, interests, and goals". MSM could facilitate the ability to market downtown as a "Turn-Key Community" that will help future and current business owners and entrepreneurs to establish themselves and grow. Essentially, MSM can provide an instant network of peers and downtown stakeholders for a local business that would be difficult to achieve at another retail location. This will help to facilitate the support structure for businesses by providing an online forum for current and future tenants to 1) confidently find a space that meets their needs, 2) network with existing business owners in the downtown via an online message board (private and semi-private), and 3) link with available and vetted resources in the community.

Online networking could be as simple as finding a competent and fairly priced contractor, or can be used as a place to solicit advice for financing, tax help, business plans, etc. There are many online tools available for small business help; however, the sheer volume of information can be overwhelming. As such, MSM could serve as a platform that helps match future and current downtown business owners with local resources adept at handling their particular challenge. Notable resources in the community include other business owners in the downtown, local banks, chamber of commerce and economic development departments, the WV Small Business Development Center, WVU Business Incubator and Brickstreet Center for Innovation and Entrepreneurship, and the Grand Central Business Center.

Even more interest may be generated by partnering with local vendors, contractors, and professionals in the area. Inform them of the forum/network that MSM is creating and invite them to participate. *Vetted* vendors could offer promotions limited to downtown business and property owners. For example, many leases require tenants to pay for repairs, but they may not have experience with such matters on a commercial scale or in the Morgantown market. The online resource can provide a valuable contractor for the business at an affordable rate and building owners get the piece of mind that the work is being done correctly. Tax preparation consultants can offer discounts to downtown businesses, or offer free presentations leading up to tax season. Local lawyers and real estate professionals could publish generic

lease agreements or other basic legal documents online for downtown users. For a reduced fee, they could tailor documents as needed. Not only does the “Turn-Key Community” engage stakeholders to help insure success of retailers, but it serves as a unique and effective recruitment and retainment tool.

- *Celebrate Success, engage with existing businesses and learn from failure.*

When new businesses are recruited to the downtown, efforts should be made to capitalize on the moment. Announcements should be made in local publications, on social media, and at local civic organizations. A grand opening should be held and all business owners and downtown stakeholders should be invited to attend. Most importantly, a detailed interview should be conducted with the new business in order to determine the key factors that brought them to the downtown.

Once a business has been recruited, annual feedback should be solicited to gauge satisfaction or dissatisfaction. Trends will inevitable emerge and strategies can be developed to maximize strengths and minimize weaknesses. Further, annual discussions with specific business owners will allow MSM to determine what businesses may be at risk of leaving, whether for another location or due to failure. Once identified, MSM can help to coordinate assistance for the at-risk business.

Inevitably, some businesses will close and others will move; however, there is opportunity in the departure. MSM should conduct exit interviews with departing tenants, similar to what many companies do with departing employees. A simple interview process that identifies primary causes for the tenant’s departure and identification of where they are moving (if applicable) could assist MSM in identifying issues and opportunities to improve future tenant retention efforts. These interviews, combined with empirical data, may be enough to convince property owners to reinvest in their buildings and attract higher-end tenants.

If the preceding strategies are implemented, it is likely that the demand for downtown retail space will be greater than our original conclusions documented in Section VII. However, these strategies are not considered necessary for the downtown to maintain its current share of the retail market.

Addendum A: Downtown Retail Interview Instrument

Morgantown Downtown Retail Survey

Bowen National Research has been retained by Main Street Morgantown to conduct a downtown retail feasibility study. Answering the following questions will provide valuable data and insight as they relate to the retail and business environment of Downtown Morgantown. *In order to provide a candid discussion, all responses will remain confidential and will be aggregated.*

Respondent Contact Information

1. Please provide your contact information.

Name	<input type="text"/>
Title	<input type="text"/>
Business Name	<input type="text"/>
Business Address	<input type="text"/>
Email Address	<input type="text"/>
Phone Number	<input type="text"/>

Typical Business Questions

2. What type of business are you?

- What type of business are you? Retail Goods
- Restaurant/Bar
- Personal Services (tanning salon, hair salon, tattoo parlor, etc.)
- Professional Services (legal, realty, etc.)
- Other (please specify)

3. Select which days of the week you are typically open?

- Sunday Monday Tuesday Wednesday Thursday Friday Saturday

4. Please provide your typical hours of operation for the days your business is open.

5. What are your *peak* days and/or hours of operation?

6. Does your business experience a peak season?

Yes

No

If yes, when is your peak season? _____

7. Please indicate the amount of patronage that each of the following groups provides to your business:

	% Represented*
Students	<input type="text"/>
Downtown Employees	<input type="text"/>
Visitors/Tourists	<input type="text"/>
Locals Residing Within or Near Downtown	<input type="text"/>
Other Local Residents	<input type="text"/>
Other	<input type="text"/>

If other, please specify type of customer: _____

*Answer Options Included: None, Less than 5%, About 25%, about 50%, About 75% and Almost All

8. What is the *primary* reason that you selected this location for your business?

Lease Rates and Other Information

9. What is the size of your business space (square footage)?

10. Does your business operate with a lease?

- Yes No

11. If you answered YES to "operating with a lease", how long is your current lease?

- Less than 6 Months
 1 Year or Less
 2 Years or Less
 3 Years or Less

Other (please specify) _____

12. Is your lease based on a flat monthly rate?

- Yes No

If yes, please provide your monthly lease rate: _____

13. If you answered NO to the previous question, is your lease based on a percentage of sales?

- Yes No

If yes, please provide the percentage and the average lease rate: _____

14. Please check all building costs below that you are required to pay in addition to your monthly lease:

- | | |
|--|--|
| <input type="checkbox"/> Utilities | <input type="checkbox"/> Repairs/Maintenance |
| <input type="checkbox"/> Property Taxes (not business taxes) | <input type="checkbox"/> Janitorial Services |
| <input type="checkbox"/> Building Insurance | |

Strengths and Weaknesses of the Downtown

15. The following is a partial list of the downtown's natural *strengths*. Please indicate the level of importance that each one has had on your business.

	1 (not a factor)	2	3 (plays a role)	4	5 (absolutely)
Economic Stability	<input type="checkbox"/>				
Proximity to WVU	<input type="checkbox"/>				
Historic Character	<input type="checkbox"/>				
Special Events & Unique Attractions (festivals, museums, etc.)	<input type="checkbox"/>				
Availability of Public Transportation	<input type="checkbox"/>				
Concentration of Other Businesses	<input type="checkbox"/>				
High Pedestrian Traffic	<input type="checkbox"/>				
High Vehicular Traffic	<input type="checkbox"/>				
Civic Pride (locally owned, history, farmer's market, etc.)	<input type="checkbox"/>				
Natural Features (rivers, creeks, trails, etc.)	<input type="checkbox"/>				
Other	<input type="checkbox"/>				

If you checked "other" above, please describe this strength:

16. What has been the most *positive* attribute of the downtown impacting your business that you were not expecting?

17. One benefit of a downtown location is that the variety of goods and services provided in one location draws patrons to the area. Is there a particular type of business missing or underserved in the downtown that could benefit all or most existing businesses?

18. The following is a partial list of the downtown's perceived *weaknesses*. Please indicate the level of impact that each has had on your business.

	1 (not a factor)	2	3 (plays a role)	4	5 (absolutely)
Lack of Cleanliness	<input type="checkbox"/>				
Presence of "Undesirable Characters"	<input type="checkbox"/>				
Confusing Traffic Patterns	<input type="checkbox"/>				
Not Bike or Pedestrian Friendly	<input type="checkbox"/>				
Availability of Parking	<input type="checkbox"/>				
Proximity to Parking	<input type="checkbox"/>				
Poor Quality or Deferred Maintenance of Some Buildings	<input type="checkbox"/>				
Lack of Cohesiveness (building designs, streetscapes, gateways)	<input type="checkbox"/>				
Non-retail uses partitioning or segmenting downtown retailers	<input type="checkbox"/>				
Proximity to Public Transportation Stops	<input type="checkbox"/>				
Limited Availability and Variety of Downtown Housing Options	<input type="checkbox"/>				
Other	<input type="checkbox"/>				

If you checked "other" above, please describe this weakness:

19. What has been the most *negative* attribute of the downtown impacting your business that you were not expecting?

20. In your opinion, what is the most important issue impacting the downtown that can be improved to draw in new businesses and consumers?

Addendum B: Sources

Bowen National Research uses various sources to gather and confirm data used in each analysis. These sources include the following:

- 2000 and 2010 U.S. Census
- American Community Survey
- ESRI Demographics
- InfoGroup
- Ribbon Demographics HISTA Data
- U.S. Department of Labor, Bureau of Labor Statistics
- Management and Brokers for each property included in the survey
- Local planning and building officials
- Urban Decision Group (UDG)
- Loopnet.com
- Various Local Stakeholders

Overview:

The City of Morgantown has been working diligently with its businesses and residents to change its 80% trash- 20% recyclables ratio into 20% trash and 80% recyclables ratio and improve the overall efficiency and effectiveness of the recycling process within city limits. With the adoption of single stream recycling and the Clean Community Project in 2012, the city has seen drastic increases in recycling rates, with only 78 tons of recycling collected total in 2012 and around 600 tons collected in 2013. Currently the city of Morgantown is using the services of Republic Waste Management Services, the second largest non-hazardous solid waste disposal service in the U.S. They provide trash disposal and single stream recycling services to the citizens, businesses, and local governments of Morgantown.

Despite the increase in volume of recycled materials and the positive feed-back about the recycling program, there are still several limitations Morgantown must overcome before its recycling goals can be reached. Recycling in commercial areas is often inhibited by a lack of space to store recyclable materials. Several of Republic's customers in Morgantown have reported witnessing Republic employees dumping the contents of their recycling totes into garbage trucks. However, in many residential areas, Republic employees have come across contamination in recycling bins and have had no choice but to take all of the contents of the contaminated recycling tote to the landfill.

Uninformed citizens are inadvertently increasing consumer costs, acting in conflict with state recycling policy, and contributing to the amount of solid waste which is filling up the region's landfills, threatening overall public health. Therefore, it is clear that comprehensive recycling education, incentive, and enforcement programs are much needed. It is the responsibility of the City to use the resources provided to them by the State to increase the overall effectiveness of the recycling program and it is the responsibility of Republic Serves to adhere to all of the conditions outlined in their contract with the City and comply with the educational obligations specified within. This report provides an overview to municipal laws and institutions which can be used to support and enforce recycling initiatives and discusses several plans of action the city can take to grow and improve its recycling program.

Preexisting Legislation and Financial Support Programs:

The State of West Virginia has promulgated legislation which supports or mandates recycling programs within municipalities. W. Va. Code, 8-13-13 (1971) give municipalities the "plenary power and authority to provide by ordinance for the installation, continuance, maintenance, or improvement" of services such as the removal of "garbage, refuse, waste, ashes, trash and any other similar matter". WV code 22-15A-18 states that in 1992, each municipality with a population of 10,000 or more was required to submit a proposal to the Solid Waste Management Board (SWMB) which outlined the a plan to "establish and commence implementation" of a "mandatory recycling program". The SWMB was to provide municipalities with "technical assistance" on this matter and aid them with the development of this new policy. By July 1st, 1995 each municipality with a population of 10,000 or more was to have successfully implemented an ordinance which required that "each person, partnership, corporation, or

City of Morgantown: Recycling Policy Overview

By: Amanda Stoner

City Council Meeting

06/30/15

other entity in the municipality shall separate at least three recyclables, as deemed appropriate by the municipality, from solid waste" and "A comprehensive public information and education program covering the importance and benefits of recycling, as well as the specific features and requirements of the recycling program."

In WV code 22-15A-1 section F the Legislature notes the importance of conserving "limited natural resources" by encouraging recycling programs and requiring "certain municipalities to implement recycling programs", authorizing "counties to adopt comprehensive recycling programs", and educating "the public concerning the benefits of recycling." In code 22-15A-1 the Legislature notes that a lack of cohesiveness in clean up and recycling programs has decreased the efficiency of such activities in municipalities and encourages coordination through the Department of Environmental Protection. In WV code 22-15A-3, which outlined the transfer of responsibilities of maintaining WV's litter control and recycling programs from the Division of Natural Resources to the Department of Environmental Protection, the legislature states that as of July, 2005 the DEP is responsible for coordinating "all industry and business organizations seeking to aid in the litter control and recycling effort", cooperating "with all local governments to accomplish coordination of local litter control and recycling efforts", and increasing "public awareness of and participation in all voluntary litter control and recycling campaigns, including citizen litter watch programs".

WV Code §22-15A-5 states that the revenue generated from the sale of recyclable goods from all state agencies must be "deposited and accounted for in the Litter Control Fund". WV Code 22-15A-6 states that county and regional solid waste authorities can use funding from the Litter Control Fund to formulate "their comprehensive litter and solid waste control plans pursuant to WV code 22C-4-8 which requires each county and regional solid waste authority to consider "Innovative incentives to promote recycling efforts" when implementing litter and solid waste control plans. In WV code 22-15A-19 the Legislature authorizes levying a recycling assessment fee of \$2.00 per ton on solid waste that is disposed of at any and all solid waste disposal facilities in the state. Fifty percent of the proceeds from this assessment fee was allocated to "assist municipalities, counties, and other interested parties in the planning and implementation of recycling programs, public education programs and recycling market procurement efforts". The DEP website states that "The funds are available to any county, municipality, public or private entity in West Virginia that is interested in planning and implementing recycling programs, related public educational programs or need assistance in recycling market efforts." Up to \$150,000 are available to municipalities like the City of Morgantown. Applications for 2016 projects are due on July 1st of 2015. This funding could be used for recycling education programs or policy enforcement.

The City of Morgantown has also promulgated legislation regarding recycling. Sub-section (a) of Morgantown's City Code 1139.16 states that "Users of the services provided by this article shall be responsible for complying with all present and future recycling laws of this State, which are hereby adopted by reference, and any resulting rules which may be established by the City Manager and/or the City's designated independent contractor for the implementation thereof." City Code 1139.99 outlines punishment for a citizen's failure to abide by these laws. "Whoever violates any provision of this article, other than Section 1139.12 or Section 1139.08, or fails, neglects or refuses to abide by and comply with the rules and regulations promulgated to effectuate the provisions of this article, shall be fined not more than five hundred dollars (\$500.00)."

Republic Contract:

The City of Morgantown and the Allied Waste Services of North America, LLC d/b/a Republic Services of West Virginia agreed to a contract in pursuant to WV Code 8-13-13 on October 12, 2012. The agreement is to last for 5 years, beginning October 12, 2012 and ending on September 30, 2017. This term can be extended for two additional 5 year periods if negotiations on extensions are completed at least six months prior to beginning of the new term. There are several notable clauses within this contract that could aid the City of Morgantown in encouraging new recycling opportunities for the Morgantown community through negotiations with Republic Services, the city's "sole contractor and Agent for the collection and disposal of residential and commercial non-hazardous waste". Even though Republic is defined as the "sole contractor", there is nothing in the contract which invalidates or prohibits existing recycling programs.

The City has the authority to terminate the Contractor's right to collect residential solid waste at any point, no matter what authorization Republic may have previously received from WV's Public Service Commission. Republic is required to "collect, transport, and dispose" of all solid waste in the City without charge to the City. Republic must have access to a landfill that "meets all applicable State and Federal requirements". If new "laws, regulations, rules, ordinances, or executive orders" were passed, the terms of this contract would be renegotiated in order to ensure that they comply with the new policy. All customer complaints regarding the waste disposal and recycling services of Republic Services should be addressed directly to Republic Services. Republic is to keep a written daily log of all filed complaints. The City of Morgantown was required to send a letter to residents which introduced and explained the recycling services offered by Republic. Republic agreed that it would NOT deposit recyclable materials collected by the recycling program in any landfill or incinerate such materials. It is to remove "all such recyclable materials from the solid waste stream. Republic agreed to work with the City to help the State of WV achieve its recycling goals.

One of the most important parts of the Republic contract stipulates that Republic shall "provide a public education program" which will describe how consumers are to use the recycling services AND the many benefits associated with recycling. The minimum requirement is that Republic's education program will include semi-annual mailings to residents using their services. All information that the City wishes to be included in this semi-annual mailing will be included. Republic is also to work with the Monongalia County Board of Education to educate students of the importance of recycling. Although a representative from Republic has promised that an educational flyer will be mailed out to customers soon, Republic has not been doing this on a semi-annual basis. In addition, Republic is not currently working with the Monongalia County Board of Education. It is important that the City continue to encourage Republic Services to disseminate educational literature to the public.

Policy Suggestions:

Given the above mentioned legislative backing and financial assistance programs, the City of Morgantown has both the legal standing and financial support to launch a public education campaign and improve upon the City's enforcement of recycling. Therefore, it might be prudent for the City Council to consider the following policy suggestions:

- 1) The City Council may want to add a new clause to City Code 1139.16 that would be similar to Chapter 8, Article 5, Section 9-733 of the City of South Portland, Maine's Code of Ordinances which states that "Acceptable solid waste and acceptable recyclable materials shall be separated and then placed and maintained in the separate containers provided by the City. Recyclable materials placed in the recycling container shall be free of any contaminants. Contaminants include, but are not limited to, liquids, non-recyclable materials, unacceptable waste, hazardous waste and infectious waste. If recyclable materials are contaminated, the responsible party shall be subject to penalties." Given that state law mandates that municipalities enact an ordinance which requires that "each person, partnership, corporation...separate at least three recyclables... from solid waste", it may be important to include this in a clause under City Code 1139.16 too. Having municipal legislation which explicitly states that consumers will be fined for contaminating their recycling bins will make enforcement easier for the City.
- 2) The City may want to consider using funds from the State's recycling grant program to launch a city-wide sticker education program. Under such a program, each resident, business, or governmental entity which is using Republic's single stream recycling services would be provided with a sticker which serves as a visual representation of what should and should not be placed in recycling bins. Customers would be required to place such stickers on recycling bins or totes to use as a reference when disposing of recyclable materials. WVU's Office of Sustainability launched a similar sticker program in 2014. They have cited a low contamination rate since they switched over to single stream recycling and credit the educational stickers on their recycling bins as a major agent of their success. A door hanger program may be used as an alternate to or supplement to the sticker program. Dr. Katherine White, the Associate Professor and Chair, Marketing and Behavioral Science Division for the Sauder School of Business at the University of British Columbia, has researched actions municipalities can take to encourage citizens to recycle, and her research team found that "urgent, negative information (loss-framed messages) worked best to get people to recycle when paired with concrete instructions for recycling" (Rigo, Marguerite. "Center for Social Innovation." *Getting People to Recycle: Research Interventions That Make a Difference*). This negative information was disseminated to the public via door hanger and it included statistics such as "If we don't recycle, we will lose over 10,000 school buses full of plastic every year to landfills".
- 3) The City can increase the volume of recycled goods and make the recycling process more efficient by rewarding citizens for positive recycling behavior. For example, Cities can sign up to participate in Coca-Cola's Recycle and Win Program. Coke's Recycle and Win website

City of Morgantown: Recycling Policy Overview

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City Council Meeting

06/30/15

states that "All residents in the selected program area are mailed a brochure with an opt-in sticker explaining the rules. If you want to participate, just place the sticker on your recycling bin and place the bin at the curb on your regular recycling day containing your recyclables. The Recycle & Win Patrol team randomly visits neighborhoods looking for winners. So, if you have the sticker on your bin and are recycling the right way you can be a winner." This program is currently being implemented in Charleston, West Virginia and recycling residents can use their recycling points to purchase groceries at their local Kroger, one of Coke's retail partners. Cities and waste haulers can develop a similar rewards program by partnering with a company called Recyclebank. In cities that have a Recyclebank program, each recycling bin is equipped with a RFID sticker and recycling trucks are equipped with a scanner, so that each time a citizen successfully recycles and their sticker is scanned, their Recyclebank account is accredited with points (which are awarded by pound of the community's averaged recycled materials). These points can be used to purchase goods and services both at local partnering business and online with other Recyclebank partners. The average Recyclebank customer can save \$10-\$15 a month on groceries through their Recyclebank points. The only caveat to this program is that recycling bins and trucks will need to be upgraded with new scales and readers. After a municipality signs a contract with Recyclebank, it will take about 90 days to organize the launch. After the implementation of a Recyclebank Program in Philadelphia, the recycling rate increased from 7% to 90% in a matter of months. The city could also consider organizing and sponsoring a "Caught Green-Handed Day" in which it would celebrate the recycling efforts of its citizens by asking business's and volunteers to hand out stickers, coupons, buttons, and free food to patrons and city residents caught recycling or preforming other sustainable activities. The city could use volunteers from environmental and community service based organizations at WVU as manpower for the "Caught-Green Handed Day" and use funds from State's Recycling Grant Program to purchase materials.

Conclusion:

To conclude, if the recycling process in Morgantown is to improve, the City and Republic Services need to work in solidarity with each other to teach the public how to recycle correctly and the many benefits of recycling, incentivize recycling for customers, and enforce state and municipal recycling policy. If these three key issues are addressed, recycling rates will increase and contamination rate will decrease, creating a cleaner, greener, and more sustainable city.



Development Services
389 Spruce Street
Morgantown, WV 26505
304.284.7431

MEMORANDUM

Date: 15 JUN 2015
To: Jeff Mikorski, City Manager via email
Linda Little, City Clerk via email
RE: City Council Committee of the Whole Agenda – 30 JUN 2015
RZ15-05 / John Rice
Zoning Map Amendment from R-1A District to R-2 District

During its 11 JUN 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, 30 JUN 2015
- City Council First Reading TUE, 07 JUL 2015
- City Council Public Hearing and Second Reading TUE, 04 AUG 2015

Please include this item on the City Council meeting agendas noted above and include this communication and attachments in the 30 JUN Committee of the Whole meeting packet. Only the ordinance should be included in the 07 JUL and 04 AUG meeting packets.

Thank you.

Digitally signed by Christopher M. Fletcher, AICP
Date: 2015.06.15 18:09:48 -04'00'

Attachments: Draft Ordinance
RZ15-05 Staff Report

ATTACHMENT 1
RZ15-05 ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF ONE (1) PARCEL OF REAL ESTATE IN THE THIRD WARD OF THE CITY OF MORGANTOWN FROM R-1A, SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2, SINGLE- AND TWO-FAMILY 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 Parcel 475 of County Tax Map 14; Morgantown Corporation District.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning designation for Parcel 475 of County Tax Map 14 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-1A, Single-Family Residential District to R-2, Single- and Two-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

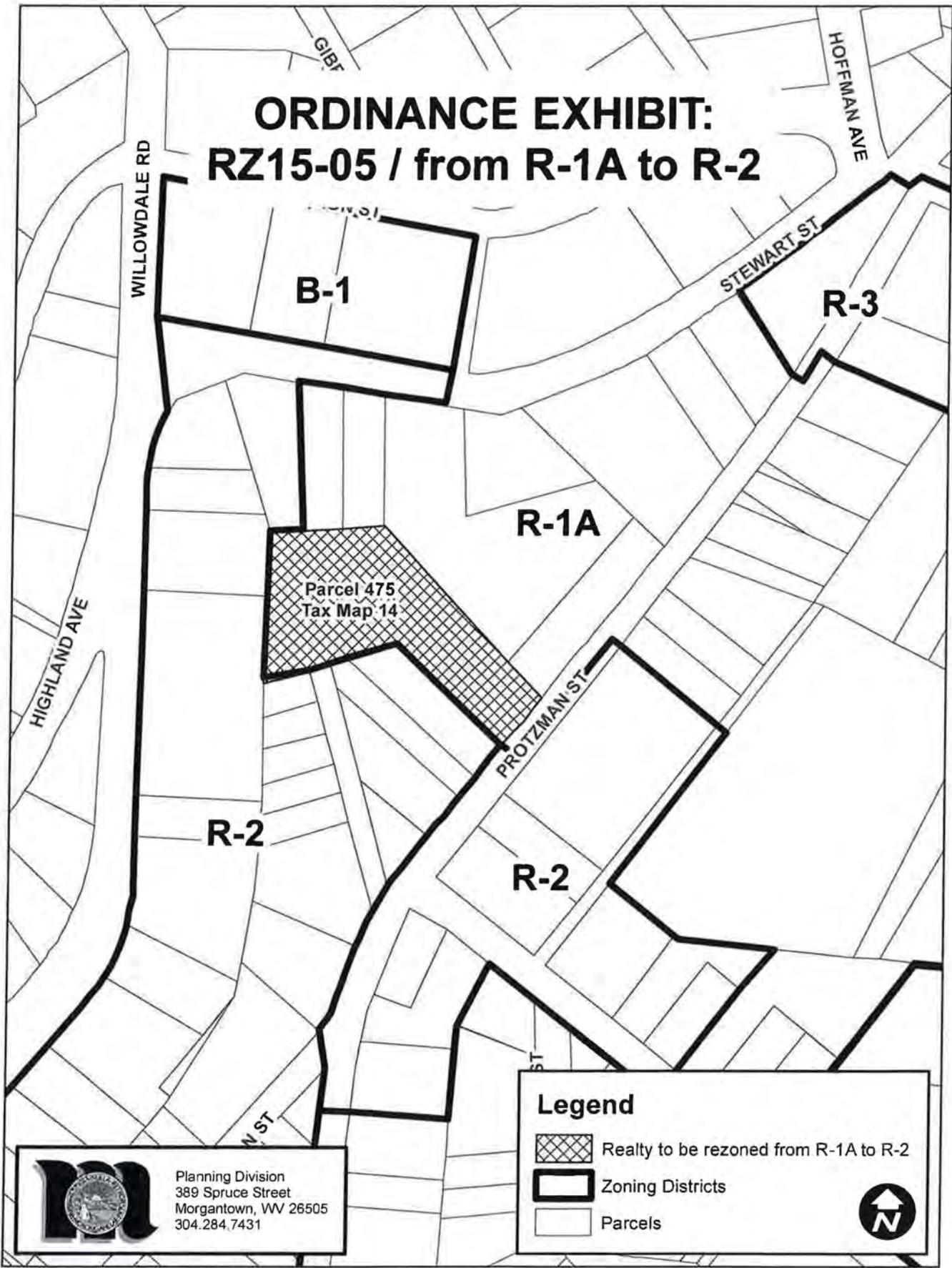
ADOPTED:

FILED:

RECORDED:

City Clerk

ORDINANCE EXHIBIT: RZ15-05 / from R-1A to R-2



 Planning Division
389 Spruce Street
Morgantown, WV 26505
304.284.7431

Legend

-  Realty to be rezoned from R-1A to R-2
-  Zoning Districts
-  Parcels



ATTACHMENT 2
RZ15-05 STAFF REPORT



MORGANTOWN PLANNING COMMISSION

June 11, 2015
6:30 PM
City Council Chambers

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Bill Kawecki, City Council

STAFF REPORT

CASE NO: RZ15-05 / Rice / 629 Protzman Street

REQUEST and LOCATION:

Request by John Rice for a Zoning Map Amendment from R-1A, Single-Family Residential District to R-2, Single- and Two-Family Residential District for property located at 629 Protzman Street.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 14, Parcel 475; R-1A, Single-Family Residential District

SURROUNDING ZONING:

North and East: R-1A, Single-Family Residential District

South and West: R-2, Single- and Two-Family Residential District

BACKGROUND:

The petitioner seeks approval to reclassify the subject property from R-1A to R-2. Addendum A of this report illustrates the location of the subject property along with surrounding zoning classifications and land uses.

Because the subject area adjoins the R-2 District at the site's western and southern sides, the proposed zoning map amendment is considered a zoning district boundary adjustment and not "spot zoning."

ANALYSIS:

According to Article 1335.01 of the Planning and Zoning Code, the purpose of the R-1A District is to:

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

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

**Development Services
Department**

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



MORGANTOWN PLANNING COMMISSION

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William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Bill Kaweckí, City Council

- (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.

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 2013 Comprehensive Plan identifies the subject parcel as a part of the "Encouraged Growth" area and the "Neighborhood Revitalization" general concept area, which provides for the:

"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."

It appears that the proposed zoning classification change from R-1A to R-2 is in general concurrence with the Plan's principles for land management and encouraged growth objectives and furthers the following plan implementation strategies:

- 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.

Additionally, the petitioner's subject property is located within an area identified in Appendix A of the 2013 Comprehensive Plan Update as "Future Study Area 4." Recommended considerations for this area includes the permitting of higher residential densities to match surrounding development.

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

June 11, 2015

6:30 PM

City Council Chambers

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Peter DeMasters, 6th Ward

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Carol Pyles, 7th Ward

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Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Bill Kawecki, 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-2, Single- and Two-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 1337 "R-2, Single- and Two-Family Residential District" and Table 1331.05.01 "Permitted Land Uses."

Additionally, Chapter 3 "Land Management" of the 2013 Comprehensive Plan Update provides that it will be consulted for any development proposal based on the following steps (see Page 33 of the Comprehensive Plan).

1. **Intent.** Development proposal will reflect the spirit and values expressed in the principles (statements of intent) on Pages 34-37.
2. **Location.** Development proposals will be consistent with the Land Management Map (Page 39). 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 with Areas of Opportunity (Pages 44-48). 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.
3. **Pattern and Character.** Development proposal in growth areas will be consistent with the preferred development types described on Pages 39-41. Development in areas where growth is not intended should be compatible with the relevant Character Area description (Pages 26-32) and expectation for how those areas should evolve in the future.

It is the opinion of the Planning Division that the zoning reclassification of the subject realty from R-1A to R-2 is supported by the intent, location, pattern and character goals and land management objectives and strategies set forth in the 2013 Comprehensive Plan Update.

As such, 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 475 of Tax Map 14 is amended from the R-1A District to the R-2 District.

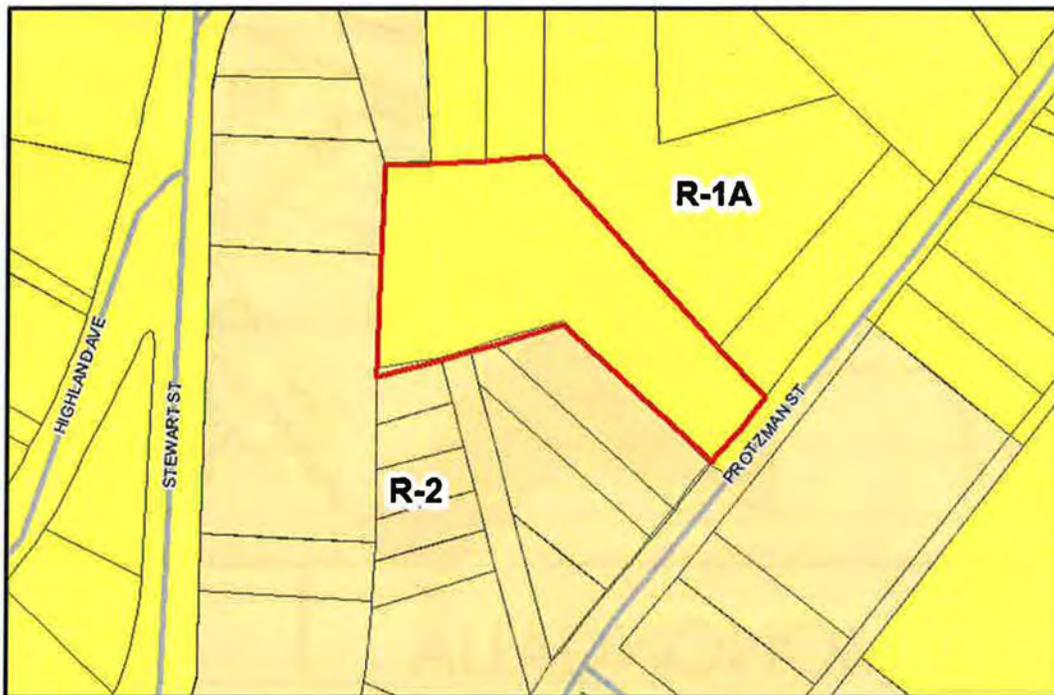
**Development Services
Department**

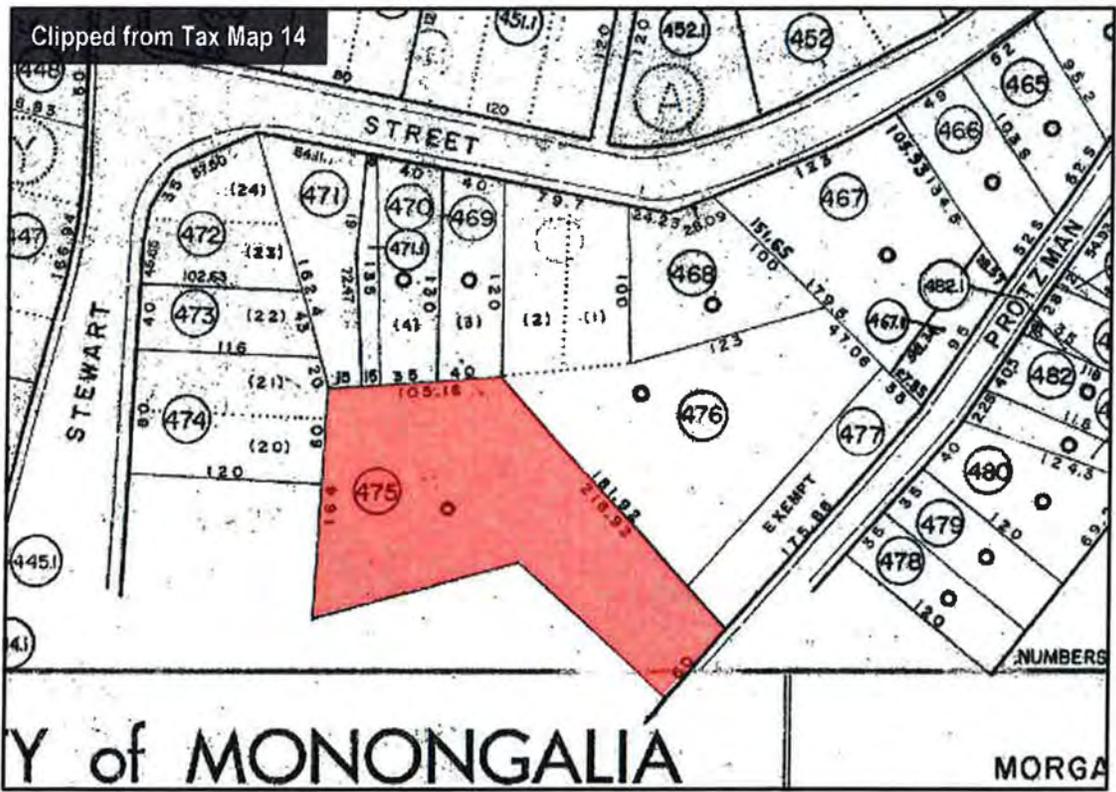
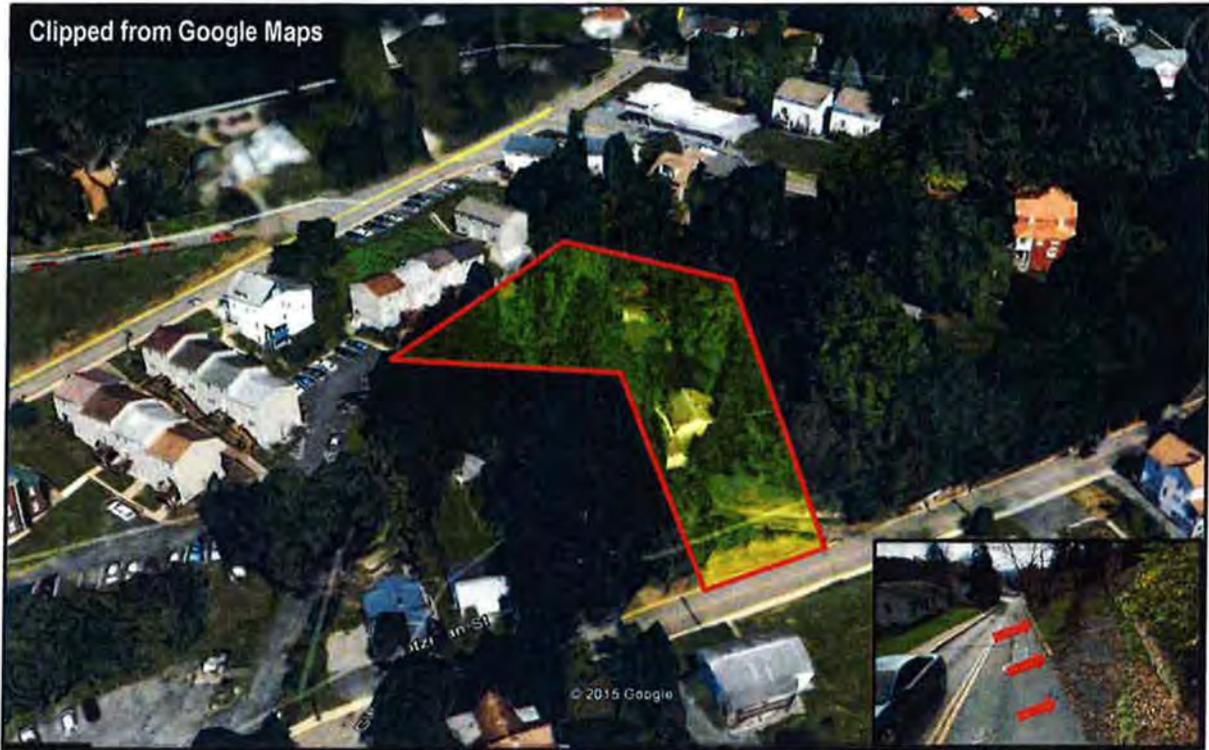
Christopher Fletcher, AICP
Director

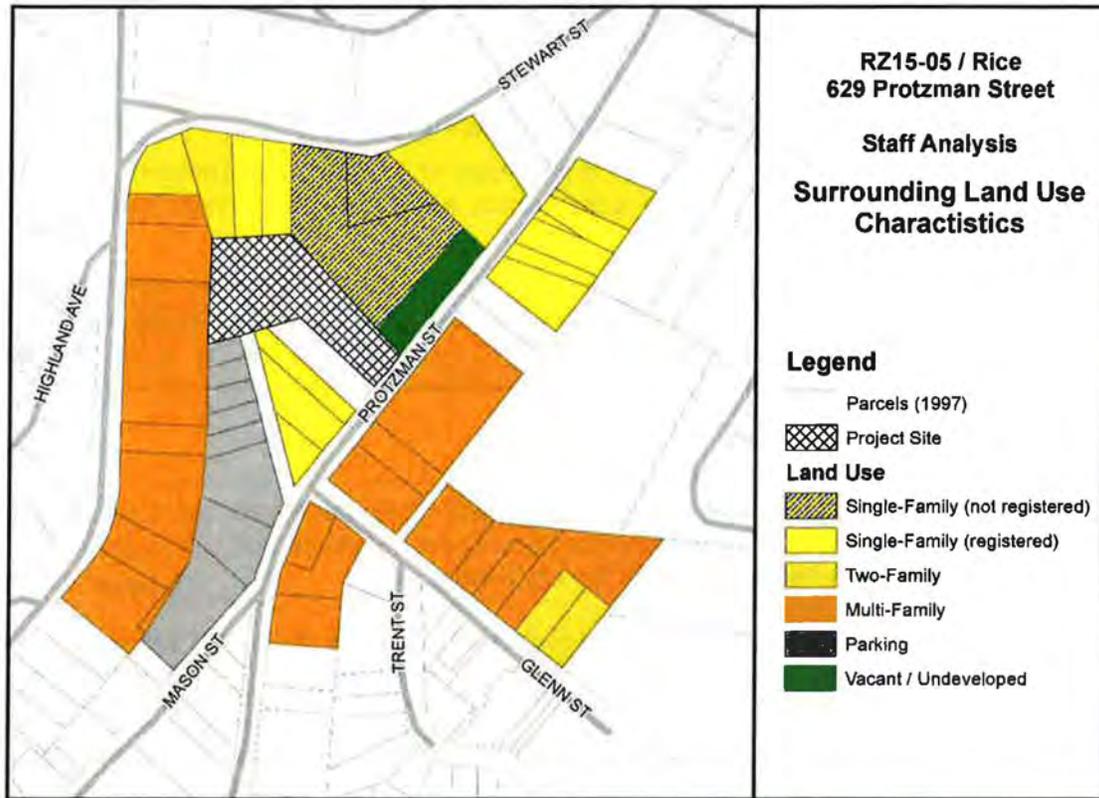
Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
RZ15-05 / Rice / 629 Protzman Street







STAFF REPORT ADDENDUM B

RZ15-05 / Rice / 629 Protzman 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.

INTENT	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
-------------	---	--

The proposed principal and accessory structures on the subject site appear to be functionally obsolete given age and surrounding uses and residential densities. The site is situated within "Encouraged Growth" and "Neighborhood Revitalization" areas.

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
-------------	---	--

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-2 development patterns.

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
-------------	--	--

The site is located at the edge of WVU's downtown campus and is surrounded by both new and older student housing stock.

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
-------------	--	--

There is a physical buffer between the subject site and the Wiles Hill – Highland Park Neighborhood resulting from terrain and surrounding higher residential densities.

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
-------------	---	--

Redevelopment of the subject site to R-2 permitted uses and densities will integrate into the surrounding R-2 built environment.

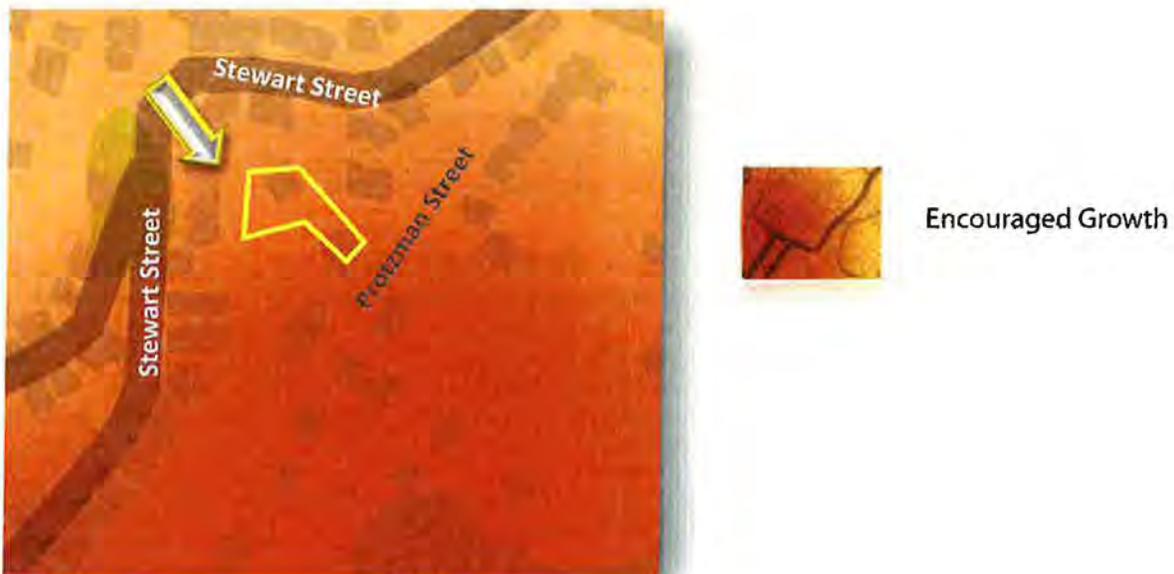
Principal 6	Development that integrates mixed-uses (residential, commercial, institutional, civic, etc.) and connects with the existing urban fabric is encouraged.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>Mixed-use development patterns do not appear desirable at the subject site given parcel geometry, topography, and limited access required for nonresidential market absorption. However, R-2 permitted redevelopment of the subject site will integrate with surrounding uses and residential densities.</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 Transit's Purple line and well served by a recently constructed public sidewalk along Protzman Street.</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, an R-2 zoning classification will serve to increase permitted land use types and diversify the housing stock within the immediate area.</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"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The scale of permitted R-2 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.	<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 plan review 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. Concurrence
 Inconsistent
 Other

The developer's goals and objectives concerning sustainable design and construction techniques and industry accepted best practices are not known.

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.

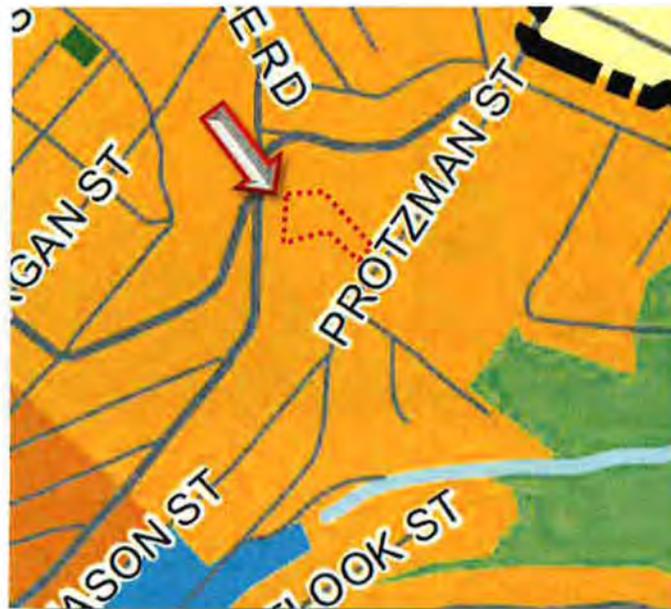
The following graphic is clipped from the **Conceptual Growth Framework Map** included on Page 19 of the 2013 Comprehensive Plan Update. The subject development site is located within the **"Infill and Redevelopment"** area.



**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.

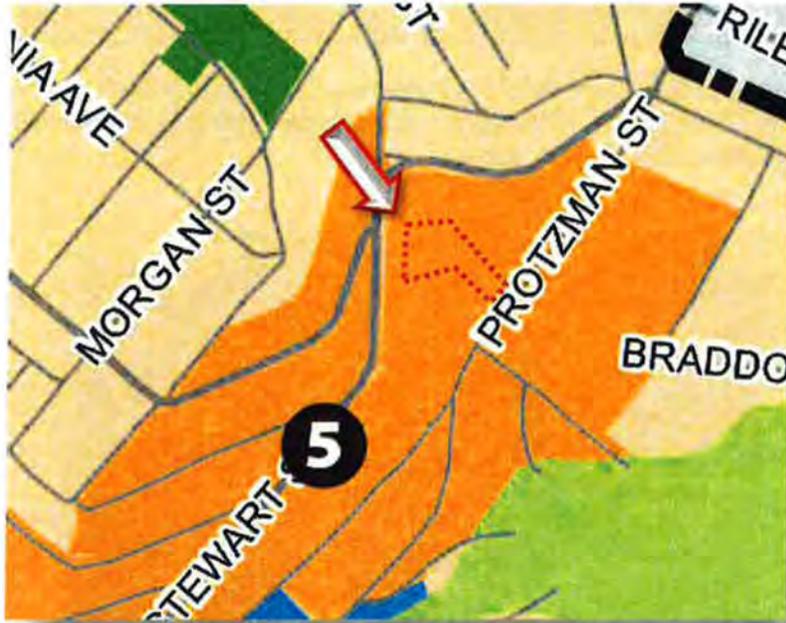
The following graphic is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. The subject development site is located within the “**Mountain / Valley Corridor**” pattern and character area.



Neighborhood 2. Neighborhood 2 is relatively lower density than neighborhood 1 with longer blocks and slightly larger lots. This district is primarily single-family residential but also includes some small-scale multi-family residential and commercial uses. The street pattern is generally a modified grid with more variety of block sizes, but still retaining a high degree of connectivity. The neighborhoods have multiple entry points with walkable access to transit, although many of these areas lack sidewalks. The multi-family buildings are either single-family structures that have been divided into multiple dwellings or small and isolated multi-unit buildings.



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.

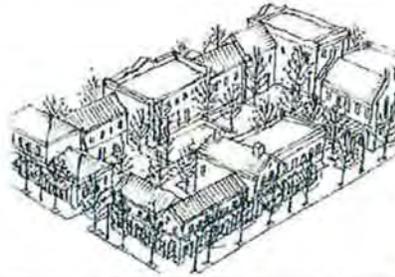
The following graphics are clipped from Pages 41 through 43 of the 2013 Comprehensive Plan Update and identify the development types desired within the "Neighborhood Revitalization" concept area.

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

DEVELOPMENT TYPE DESCRIPTIONS	PATTERN AND CHARACTER EXAMPLES	
<p>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.</p>		
<p>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.</p>		
<p>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.</p>		
<p>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.</p>		

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.

MAP NUMBER	CURRENT ZONING	GENERAL DESCRIPTION	OBSERVATIONS
4	R-1A and R-2	Protzman, Glenn, and Van Gilder Streets; adjoins the Wiles Hill / Highland Park Neighborhoods	<p><i>Current single-family residential zoning does not reflect existing uses, existing development patterns, or future potential.</i></p> <p>Considerations for future study:</p> <ul style="list-style-type: none"> • Permitting of higher densities to match surrounding development.





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

OFFICE USE	
CASE NO.	R215-05
RECEIVED:	4/21/15
COMPLETE:	

Zoning Map Amendment Process – See Addendum A of this Application

(PLEASE TYPE OR PRINT IN BLACK INK)

I. OWNER / APPLICANT			
Name:	JOHN RICE		Phone: 304-598-7368
Mailing Address:	966 VALLEY VIEW AVE		Mobile: 304-288-6393
	Street	MORGANTOWN, WV 26505	Email: OURJR3322@YAHOO.COM
	City	State Zip	
II. AGENT / CONTACT INFORMATION			
Name:	SAME		Phone:
Mailing Address:			Mobile:
	Street		Email:
	City	State Zip	
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
IV. PROPERTY			
Street Address (if assigned):	629 PROTZMAN ST		
Tax Map(s) #:	14	Parcel(s) #:	475
		Size (sq. ft. or acres):	0.556 ACRES
Current Zoning Classification:	R-1A	Proposed Zoning Classification:	R2
Current Land Use:	RES.	Proposed Land Use*:	BUILD DUPLEX
<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>			
V. ATTEST			
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.			
	JOHN RICE		
Type/Print Name of Applicant/Agent	Type/Print Name of Applicant/Agent	Date	

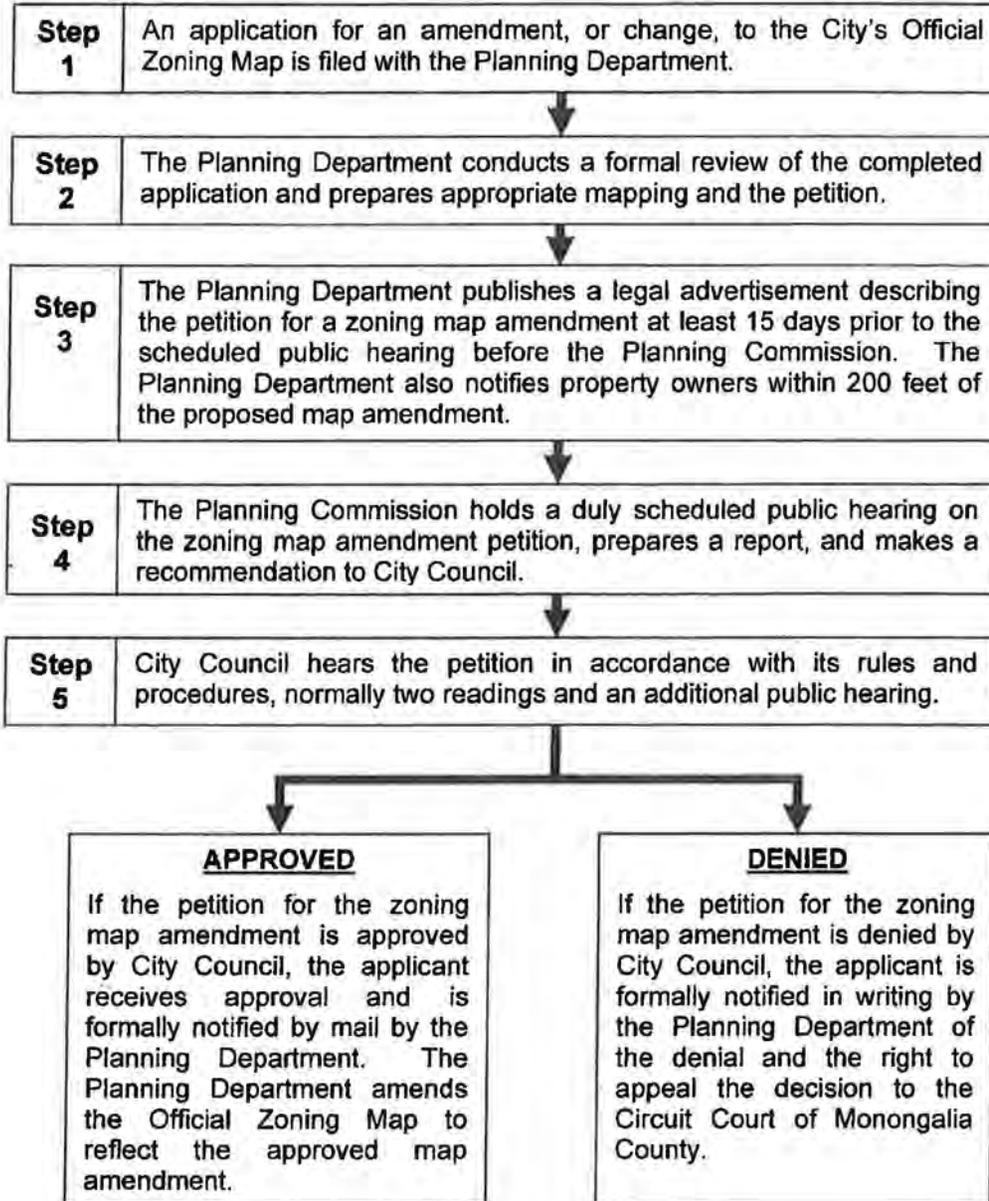
Zoning Map Amendment Fee (\$75) OK 2372

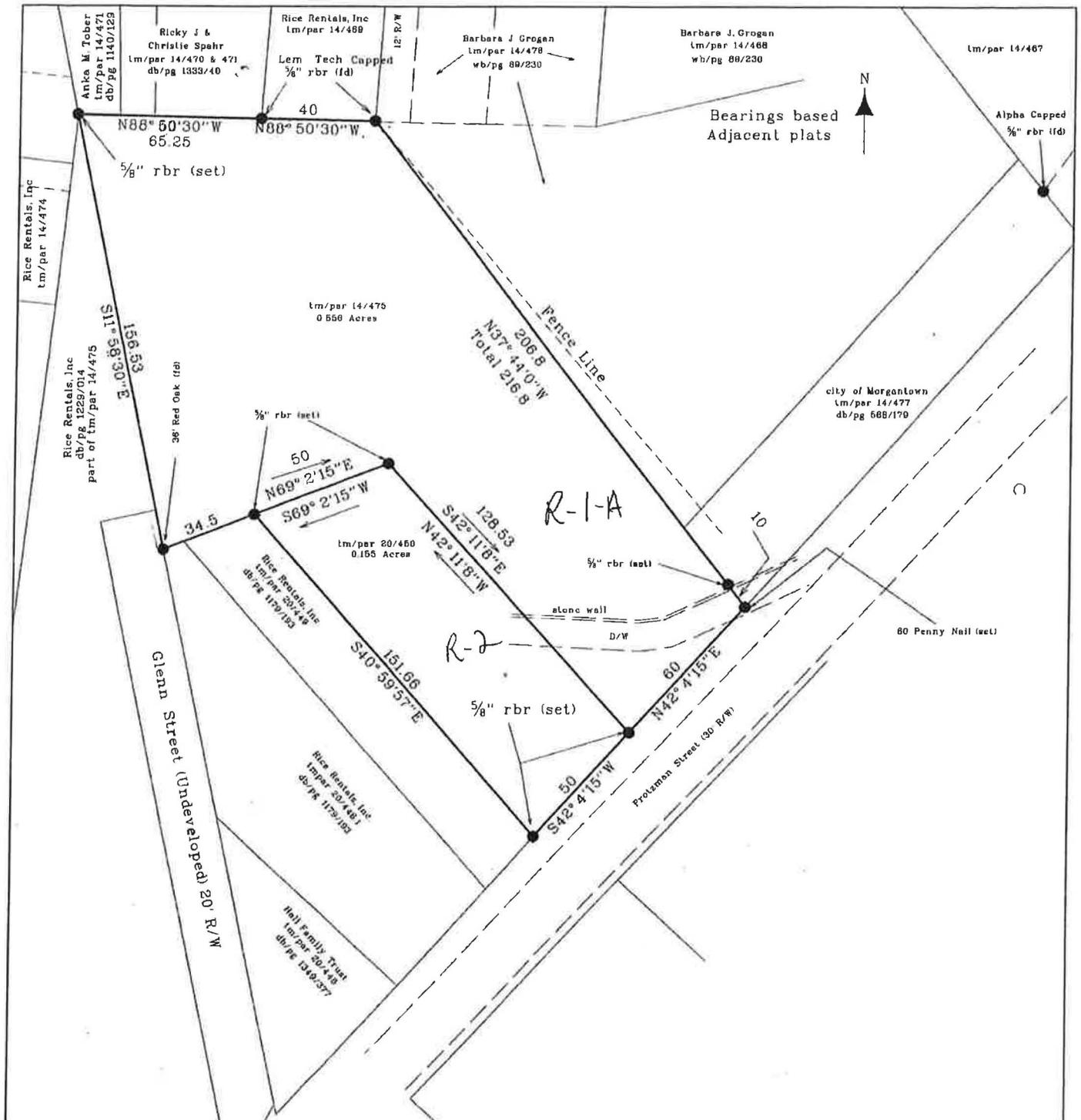


City of Morgantown, West Virginia
APPLICATION FOR
FOR ZONING MAP AMENDMENT

OFFICE USE	
CASE NO.	R215-05
RECEIVED:	_____
COMPLETE:	_____

ADDENDUM A - Zoning Map Amendment Process





PLAT OF TAX MAP 14, PARCEL 475 & TAX MAP 20, PARCEL 450
 MORGANTOWN CORP., MONONGALIA COUNTY
 WEST VIRGINIA
 DB/PG 484/284
 n/f Lillian J. & R. C. VERBOSKY
 TO BE CONVEYED TO JOHN RICE
 PLAT REFERENCES:
 DB/PG 205/208 1/2, 379/102a, 1140/131, & 1218/036,
 1405/753 & Map Cabinet 2, Env. 450A

Charles A. Lemley Jr.
 CHARLES A. LEMLEY JR.
 PS 1489

SCALE 1"=50'

304-680-2424	LEMLEY TECHNOLOGIES	Rev. 1	DATE ISSUED
LemTech	BOUNDARY SURVEY FOR JOHN RICE		DATE ISSUED 12-7-2014



Development Services

389 Spruce Street
Morgantown, WV 26505
304.284.7431

MEMORANDUM

Date: 24 JUN 2015

To: Jeff Mikorski, City Manager via email
 Linda Little, City Clerk via email

RE: City Council Committee of the Whole Agenda – 30 JUN 2015
 RZ15-06 / Glenn Ridge Apartments Planning Unit Development (PUD)
 Zoning Map Amendment from R-1A District to PUD

During its 11 JUN 2015 hearing, the Planning Commission voted to forward a recommendation to City Council to approve the above referenced Zoning Map Amendment petition for the “Glenn Ridge Apartments Planned Unit Development (PUD) Outline Plan.”

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

PLEASE NOTE additional PUD Outline Plan documents are not attached herewith given their number of pages and overall digital file size. All documents and materials that complete the “Glenn Ridge Apartments PUD Outline Plan” can be accessed at:

<http://www.morgantownwv.gov/government/commissions/planning-commission/agenda-minutes/>

Documents not attached hereto, but accessed through the above URL, include pictures of the site and general area, site plan drawings, building elevation drawings, floor plan drawings, traffic impact study, and stormwater management calculations report.

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

- City Council Committee of the Whole TUE, 30 JUN 2015
- City Council First Reading TUE, 07 JUL 2015
- City Council Public Hearing and Second Reading TUE, 04 AUG 2015

Please include this item on the City Council meeting agendas noted above and include this communication and attachments in the 30 JUN Committee of the Whole meeting packet. Only the ordinance should be included in the 07 JUL and 04 AUG meeting packets.

Thank you.

Attachments: Draft Ordinance and documents noted above

ATTACHMENT 1
RZ15-06 ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF FIVE PARCELS AND A PORTION OF ONE PARCEL OF REALTY IN THE THIRD WARD OF THE CITY OF MORGANTOWN FROM (R-1A) SINGLE-FAMILY RESIDENTIAL DISTRICT AND (R-2) SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT TO (PUD) PLANNED UNIT DEVELOPMENT 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, the total area of which is approximately 2.12 acres, is identified in the Monongalia County Assessor's tax assessment records as Parcels 478, 479, and 492 of County Tax Map 14, Morgantown Corporation, District 1; Parcels 455 and 456 of County Tax Map 20, Morgantown Corporation, District 1; and, approximately 0.02 acres of Parcel 457 of County Tax Map 20, Morgantown Corporation, District 1.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning classification for Parcels 478, 479, and 492 of County Tax Map 14, Morgantown Corporation, District 1 and Parcels 455 and 456 of County Tax Map 20, Morgantown Corporation, District 1 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 hereby reclassified from (R-1A) Single-Family Residential District to (PUD) Planned Unit Development District.
2. That the zoning classification for approximately 0.02 acres of Parcel 457 of County Tax Map 20, Morgantown Corporation, District 1 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 reclassified from (R-2) Single-and Two-Family Residential District to (PUD) Planned Unit Development District.
3. That development within said (PUD) Planned Unit Development District shall be consistent with the regulations set forth in Article 1357 "PUD, Planned Unit Development District" of the City of Morgantown's Planning and Zoning Code and the "Glenn Ridge Apartments Planned Unit Development Outline Plan," the later of which was reviewed by the Morgantown Planning Commission on June 11, 2015 and a recommendation for approval forwarded to City Council.
4. That the Official Zoning Map for the City of Morgantown be accordingly changed to show said zoning classification amendments.

This Ordinance shall be effective from date of adoption.

FIRST READING:

Mayor

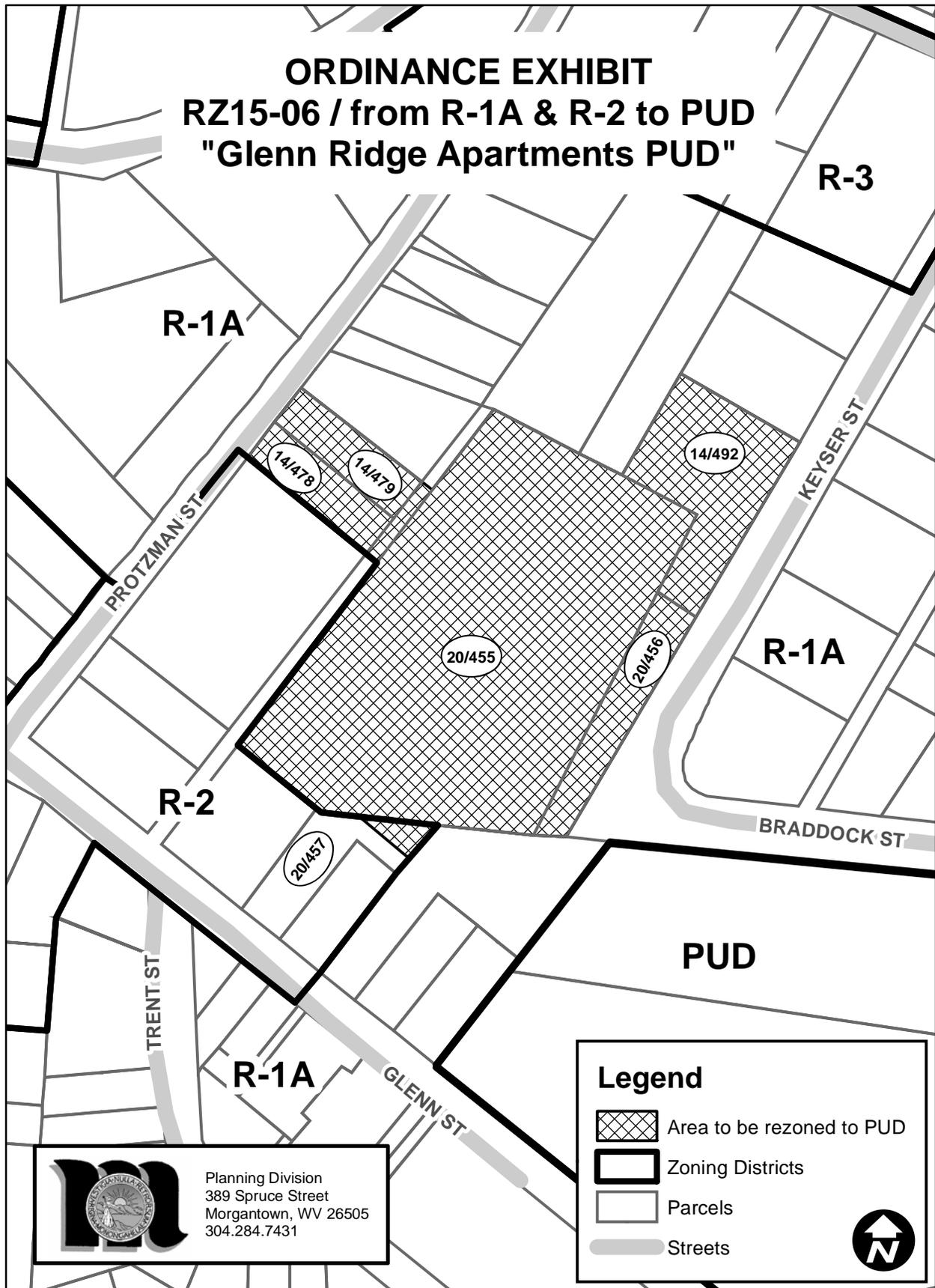
ADOPTED:

FILED:

RECORDED:

City Clerk

**ORDINANCE EXHIBIT
RZ15-06 / from R-1A & R-2 to PUD
"Glenn Ridge Apartments PUD"**



 Planning Division
389 Spruce Street
Morgantown, WV 26505
304.284.7431

Legend

-  Area to be rezoned to PUD
-  Zoning Districts
-  Parcels
-  Streets



ATTACHMENT 2
RZ15-06 STAFF REPORT



MORGANTOWN PLANNING COMMISSION

June 11, 2015
6:30 PM
City Council Chambers

Planning Commissioners:

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

STAFF REPORT

CASE NO: RZ15-06 / Stan Corp / Glenn Ridge Apartments

REQUEST and LOCATION:

Request by Marlin L. Stanczyk, Sr. of Stan Corp, on behalf of Rob Lynch, for a Zoning Map Amendment to reclassify property from R-1A, Single-Family Residential District to PUD, Planned Unit Development District.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 14, Parcels 478, 479, and 492 and Tax Map 20, Parcels 455 and 456; R-1A, Single-Family Residential District.

SURROUNDING ZONING:

North and East: R-1A, Single-Family Residential District

South and West: R-1A, Single-Family Residential District and R-2, Single- and Two-Family Residential District

BACKGROUND:

The petitioner seeks approval to reclassify the subject parcels, the area of which is approximately 2.12 acres, from R-1A to PUD. Addendum A of this report illustrates the location of the subject property in detail along with the site's relationship to surrounding zoning districts and land uses.

The "Glenn Ridge Apartments" PUD Outline Plan highlights include:

- The significant redevelopment of approximately 2.12 acres which, according to visual survey, is currently occupied by two single-family structures.
- The proposed development program includes three (3) structures ranging from four (4) to five (5) stories. Buildings "A" and "B" are closest to Protzman Street and building "C" is in the rear of the property closest to Keyser Street. Building "A" is the smallest of the three (3) buildings, listed at 18,087 square feet and four (4) stories. Building "B" is listed at 44,032 square feet and five (5) stories. Building "C" is shown at 84,604 square feet and five (5) stories. Each of the three (3) structures has first-level parking included.
- Residential – 149 one- and two-bedroom units with a maximum number of 157 occupants. Dwelling unit occupancy will be based on West Virginia Building Code standards. Apartments will be accessed from internal hallways with each building having elevator service. Building and dwelling unit design will exceed minimum Federal Fair Housing, Federal Americans with Disabilities Act (ADA), American National Standards Institute (ANSI), and West Virginia Building Code accessibility standards. A dwelling unit and bedroom composition schedule for each of the three (3) buildings can be found on Page 17 of the Outline Plan.
- Non-residential – Approximately 750 square feet of gym/exercise space will be provided in Building "C." No additional non-residential space is programmed.

Development Services Department

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
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- **Parking** – Approximately 173 total spaces will be provided in the development. Approximately 114 spaces will be provided as covered spaces beneath the three (3) buildings. Between the buildings, the Outline Plan specifies an additional 46 spaces, plus another 13 visitor spaces at the entrance to the development from Protzman Street. Minimum residential parking requirements will be based on 0.5 spaces per occupant. Eight (8) spaces are planned as accessible spaces including two van-accessible spaces.
- **Open Space** – Overall permanent open space comprises approximately 28% of the development area, which exceeds PUD requirements. Some of the open space will be in the form of natural vegetated areas along property lines and steep slopes. A large portion of open space will be improved in the form of an outdoor recreation area adjacent to Building “B.”
- **Architectural Design Detail** – The exterior façade of the buildings will be clad in a combination of stone or brick veneer and vinyl siding. Vinyl soffit, metal fascia and 30 year asphalt architectural shingles will also be utilized. The Outline Plan includes several elevations and renderings that illustrate these architectural details.
- **Pedestrian Amenities** –The Outline Plan includes the development of five-foot wide sidewalks connecting each of the buildings and providing a connection to the existing sidewalk on the east side of Protzman Street.
- **Vehicular Access** – Buildings have been designed so that vehicular circulation and building entrances are restricted to an internal center surface parking area plus the first-level parking under each of the residential structures. This design layout with proposed building masses and the center parking area should adequately buffer noise from the development into the surrounding neighborhood. Additionally, emergency response vehicle maneuvering has been modeled to ensure access.
- **Environmentally Responsible Design** – Although the petitioner does not plan to pursue certification under the U.S. Green Building Council’s LEED Certification Program, the Outline Plan states that environmentally-conscious guidelines relating to site work, water efficiency, and energy usage will be incorporated into the project. The development’s urban location, proximity to the downtown campus, access to alternative transportation modes, re-use of a previously developed site, and proposed densities and uses are in harmony with sustainable development principles. The developer also stated an interest in re-use of grey water collected on-site for landscaping maintenance.
- **Waste Management** – The proposed site plan identifies one dumpster location that appears to be strategically situated within the center parking area. The petitioner has taken the lead in working with City and waste management providers to develop single-stream recycling at this location along with normal trash pickup.
- **Traffic Impact** – A Traffic Impact Study, dated May 2015, was prepared by French Engineering, LLC and submitted to the City Engineer. The City Engineer concurs with the report’s scope, findings, conclusions, and the following statement in the report’s Executive Summary:

“It is known that in this section of Morgantown, traffic congestion with long queues and delays are prevalent during the peak hours. In this traffic study, the amount of vehicular traffic projected to be added to the street network by the proposed development is negligible, and traffic analysis demonstrates that the proposed development will not have an adverse impact on the street network. In reality, because the proposed project is adding housing units in an area that is within walking distance of the WVU Downtown Campus, the proposed development may result in a slight reduction of vehicular traffic. Given the duration of the walk to University Avenue relative to anticipated travel times (including locating parking) on this congested street

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network, it is anticipated that the overwhelming majority of peak hour trips from this development will be via pedestrian, bicycle, or transit.”

“There are no LOS-, queue-, or capacity-related issues expected at the site driveway.”

The PUD Ward Meeting was held on Tuesday, June 2 at 6:00 PM in the Wiles Hill Senior Center. Attached hereto are the sign-in sheet and Staff’s general notes from the meeting.

ANALYSIS:

PUD Process

Some commentary about the Planned Unit Development (PUD) process is in order... The PUD process consists of three procedural steps.

Step 1 is preliminary consultations with Staff.

Step 2 is the *Outline Plan Phase*, which is the issue before the Planning Commission now. During this step, the petitioner sets forth the “vision” or master plan for how the project will evolve. A significant amount of planning is necessary during this phase to establish the overall character of the development, how it interfaces with its spatial context, the types of and intensities of land uses, the amenities being offered, how the project will affect transportation and pedestrian patterns in the area, and general rules for how the buildings will look and how they will be arranged.

Equally important is what is NOT required during this phase. Such things as detailed engineering studies of stormwater control, utility services, detailed engineering drawings of road improvements, detailed site and building plans, etc. are NOT required at this stage of the process. It is simply unreasonable to expect that the petitioner commit significant resources to dotting every “i” and crossing every “t” at this point, on the *hope* that City Council reclassifies the property to allow the development to proceed. During the Outline Plan phase, Council simply decides whether or not to accept the “vision” presented, based on the reasonable levels of supporting data required. If the answer is yes, then Council merely amends the zoning map, in this case from R-1A to PUD, in order for the detailed analysis to go forward.

The attached “Glenn Ridge Apartments” PUD Outline Plan for the proposed zoning map amendment represents the land uses, development standards, and other applicable specifications of the Planning & Zoning Code that will govern the proposed PUD. If the Outline Plan is silent on a particular land use, development standard, or other specification of the Planning & Zoning Code, then the standard of the underlying district or applicable regulations will apply.

Step 3 is the *Development Plan Phase*. During this phase, the petitioner has the confidence to go forward with a detailed analysis of the project, knowing that the zoning reclassification is in place. At this point, construction plans are produced, drainage calculations are provided, detailed engineering analyses of infrastructure improvements are completed, final site and building plans are prepared, etc. Staff will compare the Development Plan components to ensure they conform to the parameters of the Outline

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Plan in terms of densities, architectural styles, land uses, open space, etc. If the Development Plan substantially complies with the Outline Plan, then building permits may be issued at the end of the review. If, however, the plans are substantially *different* from what was proposed in the Outline Plan, then the petitioner will be required to seek an amendment to the approved Outline Plan – a process that is fully vetted by the Planning Commission and provides the usual opportunities for public participation. If the Outline Plan ultimately does not work and cannot be satisfactorily amended, then the City will simply initiate a zoning map amendment to return the property back to its original classification (R-1A). The zoning ordinance also gives the Planning Commission the discretion to review or not review the PUD Development Plan for the proposed project.

Desired PUD Advantages

Addendum B of this report restates Article 1357.01 of the Planning and Zoning Code, which provides the general provisions and anticipated advantages of Planned Unit Developments. The petitioner addressed each of the nine (9) anticipated advantages in the proposed PUD Outline Plan beginning on Page 5 of 35.

Comprehensive Plan Concurrence

As recommended in Chapter 9 “Implementation” of the 2013 Comprehensive Plan Update, Addendum C 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-1A to PUD as proposed in the petitioner’s PUD Outline Plan 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.
- LM 9.1 Adopt an open space dedication requirement for major subdivisions and planned unit developments (PUDs).
- EN 6.3 Establish a program to encourage recycling participation by commercial uses, which includes two-family and multi-family residential developments under the City’s 2012 Solid Waste Contract.
- NH 3.1 Require adequate and attractive street lighting to be incorporated as part of all new multi-family residential development, major subdivisions created for residential and/or mixed-use developments, and planned unit developments.
- 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.

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

STAFF RECOMMENDATION:

City plans reviewing Departments worked closely with the petitioner's design professionals to prepare a development program and Outline Plan that highlight the project's observance of the PUD objectives and opportunities. In so doing, the proposed "Glenn Ridge Apartments" PUD Outline Plan appears to adequately address the PUD general provisions provided in Article 1357.01 of the Planning & Zoning Code (see Section 1, "Statement of Character of the Planned Unit Development" of the subject Outline Plan).

The Planning and Zoning Code provides that in their consideration of a Planned Unit Development Outline Plan, the Planning Commission and City Council shall evaluate the project in light of as many of the fourteen (14) objectives enumerated in Article 1357.05 as may be relevant to the specific proposal. Addendum D of this report restates said objectives and provides Staff's review considerations.

Based on the content of the Outline Plan, Staff advises the Planning Commission to submit an affirmative recommendation to City Council to approve the "Glenn Ridge Apartments" PUD Outline Plan and the zoning reclassification of the subject realty from R-1A to PUD with the following considerations and conditions:

1. That the "Glenn Ridge Apartments" PUD Outline Plan dated 30 APR 2015 be supplemented by the petitioner's presentation to the Planning Commission, this Staff Report, and the considerations and conditions recommended herein as the convention to be used in evaluating and approving the petitioner's Development Plan.
2. That review and approval of the petitioner's Development Plan be waived by the Planning Commission and delegated to Staff. However, should the Development Plan substantially differ from the approved Outline Plan, then the applicant must submit an Outline Plan amendment to the Planning Commission for approval.
3. That the petitioner must obtain minor subdivision approval to combine all parcels within the subject development site prior to the issuance of building permits relating to the subject Planned Unit Development
4. That the petitioner shall remove all improvements and facilities from the right-of-way and the site associated with existing structures situated within the development site (i.e. sidewalks, steps, retaining walls, driveway curb cuts, etc.). Further, should said removal affect existing improvements within the right-of-way (i.e., removal of driveway curb cut), right-of-way improvements must be made to the satisfaction of the City Engineer.
5. The Development Plan shall include final grading, erosion and stormwater, landscaping, lighting, and signage plans.

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6. That pedestrian-scaled lighting shall, to the satisfaction of the Development Services Director, be developed along all internal and public right-of-way sidewalks fronting the development site.
7. That footer, foundation, and related facilities for all retaining walls and buildings adjacent to a public right-of-way shall be designed and constructed, to the satisfaction of the City Engineer, so that any future right-of-way widening and/or improvements are safeguarded.
8. That the proposed pedestrian walkways connecting the development to Protzman Street and also designated for internal circulation, be constructed by the petitioner to the satisfaction of the Development Services Director and the City Engineer prior to occupancy. Said pedestrian walkways must consist primarily of concrete sidewalks and steps along the edge of internal roads and parking spaces. Any crosswalks within the center surface parking area shall be designed and constructed by the petitioner to the satisfaction of the City Engineer as raised crosswalks to establish a pedestrian zone and slow vehicular traffic within the development. The petitioner shall be responsible, by agreement with the City, for the perpetual maintenance, repair, and replacement of said pedestrian walkways within both the development site and related frontage public rights-of-way.
9. That the petitioner, by restrictive covenants, shall describe and guarantee by perpetual dedication the improved and natural open space and landscaping illustrated in the PUD Outline Plan, running with the land for the benefit of residents and guests of the Planned Unit Development.
10. That the petitioner, by agreement with the City, shall assume the responsibility of perpetual maintenance, repair, and replacement of all existing and proposed retaining wall systems that are a part of the subject PUD project and situated at or near the property boundaries separating the project site and public rights-of-way.
11. That the petitioner shall advise any and all successors and future project development owners of conditions 8, 9, and 10 noted above and that said conditions shall run as restrictive covenants with the subject land. Further, specific explanation of these obligations shall be included by the petitioner in any future deed transferring ownership of the subject realty.
12. That the following schedule shall serve as the "Permitted Land Use Table" for the "Glenn Ridge Apartments PUD" where "P" is a use permitted by-right, "A" is a use permitted as an accessory use, "C" is a use allowed only as a conditional use, and uses not listed below are not permitted within the subject PUD District.
 - a. Agriculture, Home.....A
 - b. Administrative Office.....A
 - c. Community GardenP
 - d. Dwelling, Multi-Family.....P

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- e. Essential Services and Equipment..... P
- f. Home Occupation, Class 1 P
- g. Home Occupation, Class 2 C
- h. Park and Recreational Services..... P
- i. Parking Lot, Private P
- j. Telecommunications, Class 1 A
- k. Telecommunications, Class 2 P

13. That advertisement signage within the subject PUD shall be restricted to the project name, logo, and/or address only; may only be a ground monument type sign; may not exceed a maximum area of 24 square feet or exceed six (6) feet in height from adjoining grade; the sign face shall be opaque and may not be internally illuminated; and, shall be made of wood, sculpted "sign foam," ornamental metals, painted aluminum panels, and/or natural or veneer brick/stone.
14. That the PUD Development Plan shall be submitted to the City not more than eighteen (18) months following City Council approval of the Outline Plan; that phased development shall, to the greatest extent practicable, follow the proposed construction schedule provided on Page 15 of 35 of the subject Outline Plan; and, that all site improvements, building construction, and right-of-way improvements shall be determined complete by the City not later than 01 AUG 2018.
15. That all agreements and restrictive covenants referenced above shall be executed by the petitioner and the City as a part of the PUD Development Plan prior to the issuance of building permits relating to the subject Planned Unit Development.
16. That the petitioner maintains adequate commercial garbage service with the City's contractor.

Enclosure(s): Addenda and exhibits noted above; petitioner's application, PUD Outline Plan, and related drawings

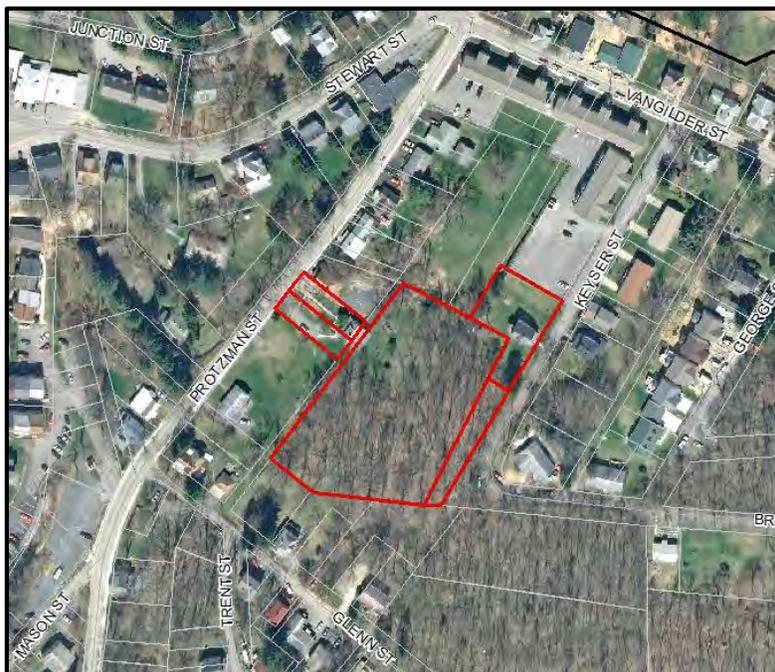
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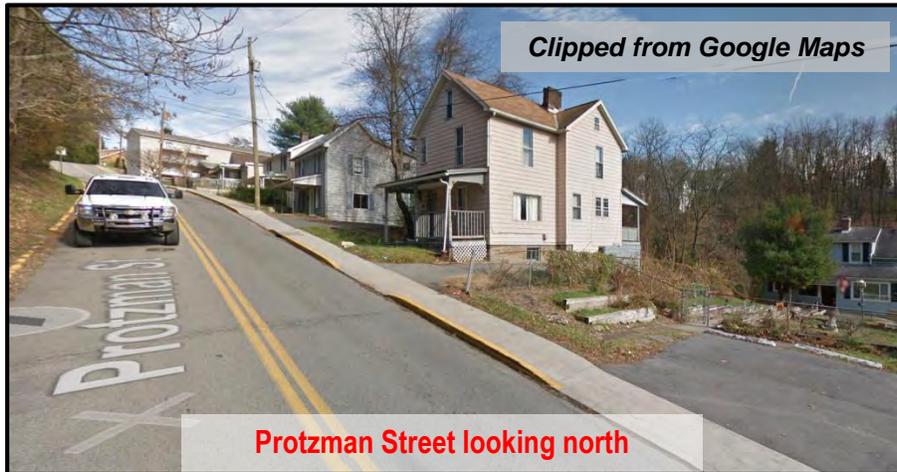
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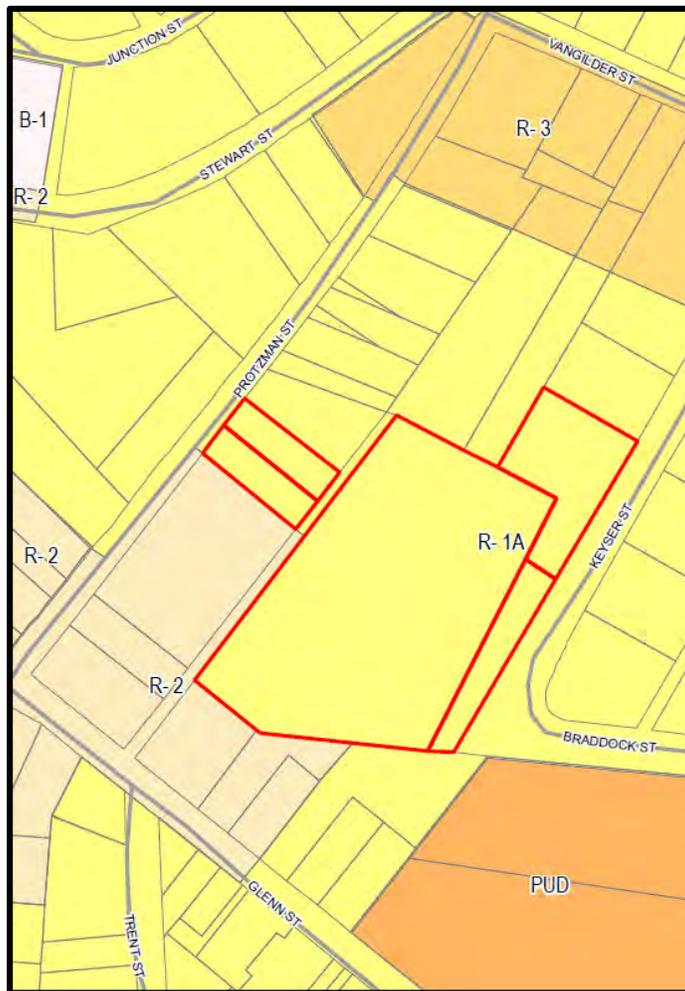
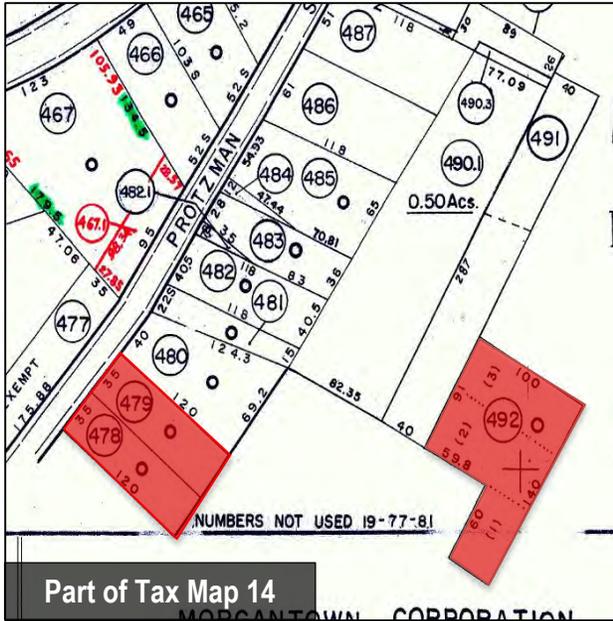
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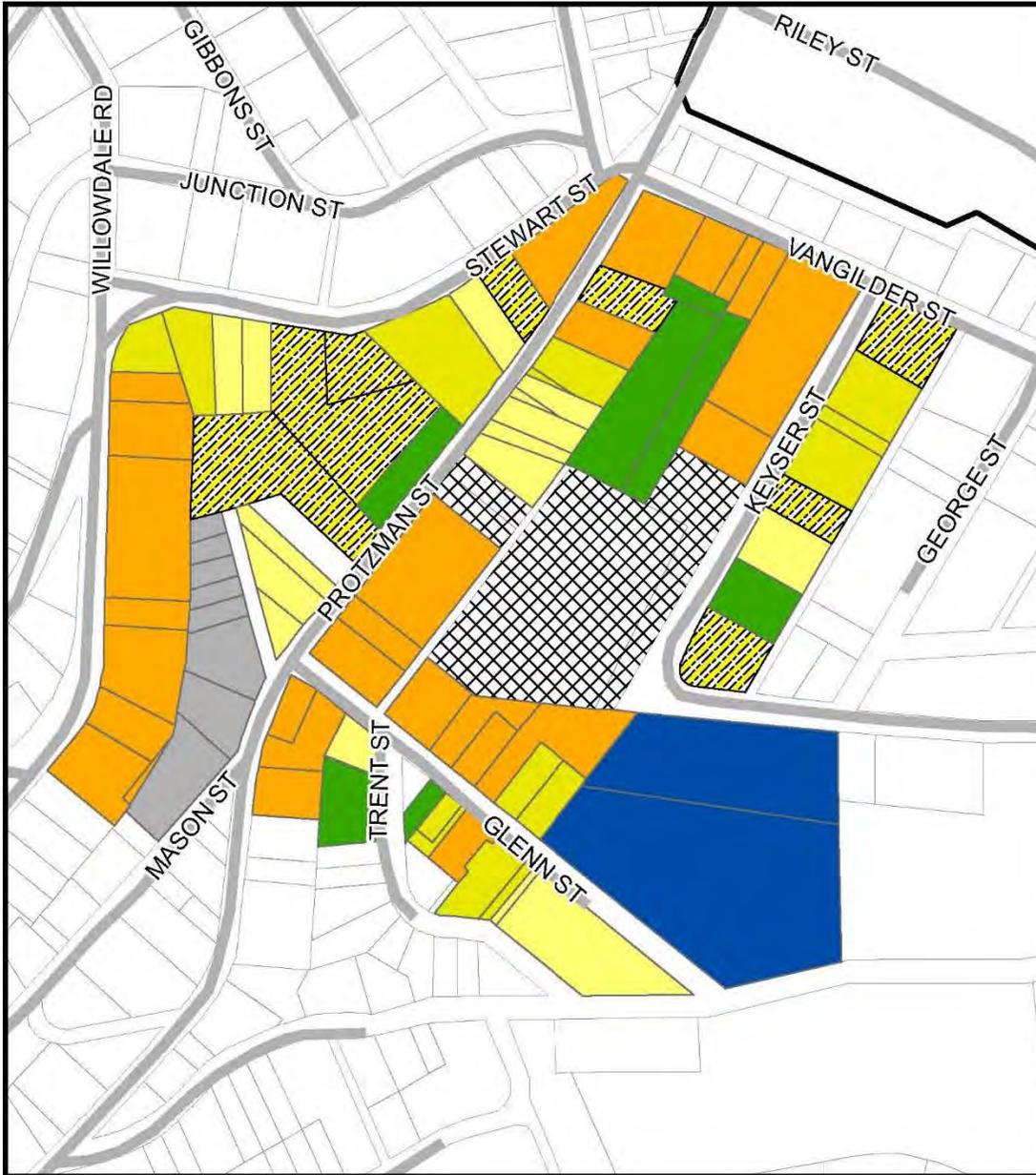
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STAFF REPORT ADDENDUM A
RZ15-06 / Stan Corp / Glenn Ridge Apartments









Glenn Ridge Apartments PUD

Staff Analysis Surrounding Land Use Characteristics

Legend

- Parcels (1997)
- PUD Project Site - 2.1 acres

Land Uses

- Single-Family (not registered)
- Single-Family (registered)
- Two-Family
- Multi-Family
- WWU owned
- Parking
- Vacant / Undeveloped

Surrounding Land Use Characteristics

Study Area (excluding project site and rights-of-ways).....	16.2 acres.....	100%
Single-Family (not registered rental)	2.3 acres.....	14%
Single-Family (registered rental)	1.9 acres.....	11.7%
Two-Family (rental).....	1.8 acres.....	11.1%
Multi-Family (rental)	5.3 acres.....	33.0%
WWU owned.....	2.6 acres.....	16.1%
Parking.....	0.9 acres.....	5.2%
Vacant / Undeveloped.....	1.4 acres.....	8.7%

STAFF REPORT ADDENDUM B

RZ15-06 / Stan Corp / Glenn Ridge Apartments

The following restates Article 1357.01 “General Provisions” for PUD, Planned Unit Development Districts.

1357.01 GENERAL PROVISIONS.

The purpose of the planned unit development is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses and/or housing types; to facilitate the adequate and economic provision of streets, utilities and city services; to preserve critical natural environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements and sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that Planned Unit Developments will offer one or more of the following advantages:

- (A) Serve to implement the goals, objectives, and strategies of The Morgantown Comprehensive Plan specific to the district or neighborhood in which the PUD is to be located;
- (B) Apply the design principles of new urbanism, neo-traditionalism, and other emerging smart growth principles, urban development patterns and best management practices;
- (C) Promote development patterns that maximize compatibility of differing adjacent land uses to avoid the necessity of extensive buffering;
- (D) Enhance the appearance of neighborhoods by conserving areas of special natural beauty, steep slopes, ecological importance, flood prone areas, and natural green spaces where appropriate, while understanding that land within urban areas is best suited for urban densities and development patterns;
- (E) Counteract poor urban design and mitigate congestion on streets;
- (F) Promote architecture that is compatible with the community vernacular, and/or the surroundings;
- (G) Promote design principles that allow differing types of land uses to coexist while preserving property values and minimizing potential negative consequences;
- (H) Promote appropriate urban densities that will help make alternative forms of transportation economically and socially feasible; and
- (I) Promote and protect the environmental integrity of the site and its surroundings by providing suitable design responses to the specific environmental constraints of the site and surrounding area.

STAFF REPORT ADDENDUM C

RZ15-06 / Stan Corp / Glenn Ridge Apartments

Concurrence with the 2013 Comprehensive Plan Update

The following narrative identifies where, in the opinion of the Planning Division, the proposed Planned Unit Development (PUD) Outline Plan 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.
---------------	--

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 PUD are older stock and have begun deteriorating. It appears that approximately 33% of the land area within the immediate area of the proposed PUD is currently multi-family dwellings and approximately 61% of the land area is occupied by registered rental units or parking serving rental 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 contiguous to multi-family, student housing structures, especially to the north, which is further away from the WVU campus. New housing units within the immediate area represent residential densities that are more consistent with R-2 and 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 within 2,000 feet 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>The site is located in the Falling Run valley well below adjacent neighborhoods and has a physical buffer from those neighborhoods due to terrain and existing streets such as Stewart Street. Both ends of this section of Protzman Street have already experienced redevelopment and this project should blend with previously built improvements.</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 proposed development will match the styles of neighboring redevelopment efforts and promote the current efforts underway near the WVU Downtown campus to provide updated rental housing for students.</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>The PUD District is designed to promote flexibility to promote the land's most appropriate use. The existing urban fabric in the immediate area is predominantly residential rental housing and this project integrates well with that pattern.</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 located at the edge of WVU's downtown campus and is accessible to the Mountain Line Transit's Purple route along Stewart Street and University Avenue. Connections from the site and utilization of sidewalks along Protzman Street to University Avenue will be significantly improved through higher density development and associated onsite pedestrian improvements.</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>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"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
<i>The scale of proposed 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 neighborhoods within the immediate area at higher residential densities consistent with the R-2 and R-3 Districts. 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. While the actual number of connections to the public realm are limited due to the site layout, the improvements listed should catalyze future investment in the immediate area.</i>		

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

The proposed development includes roughly 26,000 square feet of open space. Most of that area is included in landscaping and perimeter areas, but the development does include 3,000 square feet of recreation area adjacent to Building B; an amenity seldom realized unless development is approved through the PUD process.

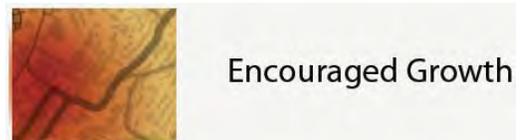
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- Principal 11 Environmentally sensitive and sustainable practices will be encouraged in future developments. Concurrence
 Inconsistent
 Other

The developer's goals and objectives concerning sustainable design and construction techniques and industry accepted best practices are not above and beyond industry accepted practices. Additional considerations have been shared with the developer for consideration.

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.

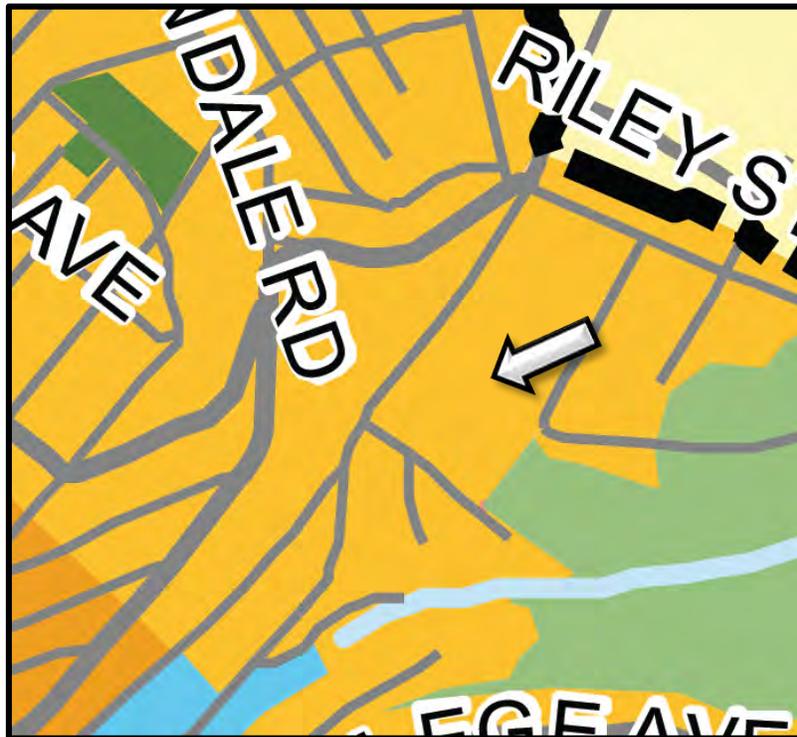
The following graphic is clipped from the **Conceptual Growth Framework Map** included on Page 19 of the 2013 Comprehensive Plan Update. The subject development site is located within the “**Encouraged Growth**” area.



**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.

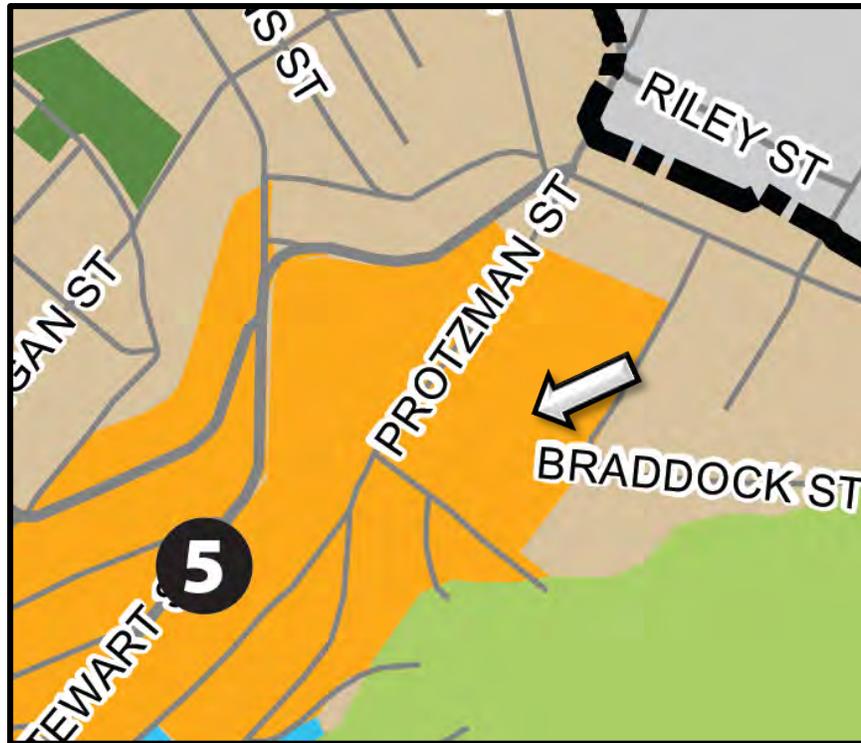
The following graphic is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. The subject development site is located within the “**Neighborhood 2**” pattern and character area.



Neighborhood 2. Neighborhood 2 is relatively lower density than neighborhood 1 with longer blocks and slightly larger lots. This district is primarily single-family residential but also includes some small-scale multi-family residential and commercial uses. The street pattern is generally a modified grid with more variety of block sizes, but still retaining a high degree of connectivity. The neighborhoods have multiple entry points with walkable access to transit, although many of these areas lack sidewalks. The multi-family buildings are either single-family structures that have been divided into multiple dwellings or small and isolated multi-unit buildings.



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 “Neighborhood Revitalization” concept area.

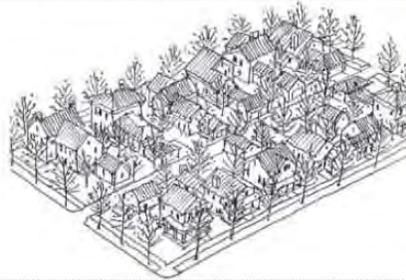
CONCEPT AREA	Appropriate Development Types											
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS	
Neighborhood Revitalization	•	•	•	•	•							•

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.



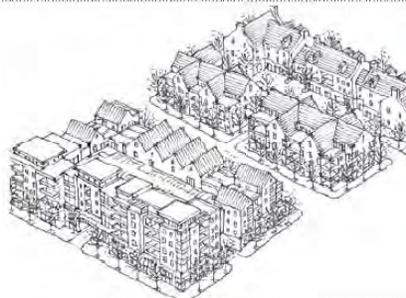
TF Two Family Residential

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.

MAP NUMBER	CURRENT ZONING	GENERAL DESCRIPTION	OBSERVATIONS
4	R-1A and R-2	Protzman, Glenn, and Van Gilder Streets; adjoins the Wiles Hill / Highland Park Neighborhoods	<p>Current single-family residential zoning does not reflect existing uses, existing development patterns, or future potential.</p> <p>Considerations for future study:</p> <ul style="list-style-type: none"> Permitting of higher densities to match surrounding development.




STAFF REPORT ADDENDUM D

RZ15-06 / Stan Corp / Glenn Ridge Apartments

The following restates Article 1357.05 “Review Considerations” for PUD, Planned Unit Development Districts. Each objective is followed by Staff’s evaluation in *italics*.

1357.05 REVIEW CONSIDERATIONS.

In their consideration of a Planned Unit Development Outline Plan, the Planning Director in his report to the Municipal Planning Commission, the Municipal Planning Commission in their recommendation to City Council, and the City Council in its decision, shall evaluate the project in light of as many of the following objectives as may be relevant to the specific proposal:

-
- (A) The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the City of Morgantown.
-

Addendum A of this Staff Report illustrates the contextual relationship between the subject PUD site and surrounding zoning districts and existing land uses. Of particular note is that approximately 33% of the land area within the immediate area of the PUD site is currently multi-family dwellings and approximately 61% of the land area is occupied by registered rental units or parking serving rental units. Addendum C of this Staff Report responds to how the proposed PUD is in concurrence with the 2013 Comprehensive Plan’s land management principles; identifies the site as being located within an “Encouraged Growth” area and a “Neighborhood Revitalization” concept area; and, identifies how the proposed PUD supports several land management goals, objectives, and strategies.

- (B) The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.
-

The proposed Outline Plan exceeds application submittal requirements and includes the majority of Development Plan submittal requirements; the purpose of which is to aid and support the Planning Commission’s delegation of Development Plan review and approval to Staff. The petitioner appears to have well addressed each of the nine (9) anticipated advantages in the Outline Plan beginning on Page 5 of 35.

- (C) The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.
-

The proposed PUD Outline Plan does not depart from subdivision regulations. The proposed PUD Outline Plan appears to follow density, dimension, bulk, use, improvements, and construction and design standards most similar to those set forth for the R-3, Multi-Family Residential District. The proposed PUD Outline Plan’s departure from the existing R-1A District development standards appears to be consistent with the Comprehensive Plan’s “Encourage Growth” and “Neighborhood Revitalization” objectives, particularly when considering existing zoning classifications and existing land uses within the immediate area.

- (D) The proposal will not be injurious to the public health, safety, and general welfare.
-

The proposed PUD appears to be consistent with the Comprehensive Plan’s land management principles, goals and objectives for the immediate area. Additionally, several plan implementation strategies are reflected in and supported by the proposed PUD Outline Plan.

-
- (E) The physical design of the Planned Unit Development and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic and promotes alternative forms of transportation, provides for and protects designated permanent open space, and furthers the amenities of urban ambience, light and air, recreation and visual enjoyment.
-

The proposed access to the site has been planned to restrict vehicular trip generation to Protzman Street thereby ensuring no additional traffic will result on Vangilder Street and Keyser Street where lower density single- and two-family dwelling units exist. The site is located at the edge of WVU's downtown campus and is accessible to the Mountain Line Transit's Purple rout along Stewart Street and University Avenue. Connections from the site and utilization of sidewalks along Protzman Street to University Avenue will be significantly improved through higher density development and onsite pedestrian improvements. The proposed Outline Plan appears to exceed minimum PUD natural and improved open space requirements and the scale and massing of the buildings appears to be consistent with adjoining and nearby multi-family development. The Outline Plan's design layout with proposed building masses and the center parking area should adequately buffer noise from the development into the surrounding neighborhood. Additionally, emergency response vehicle maneuvering has been modeled to ensure access.

- (F) The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood, and whether the proposed plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
-

Addendum A of this Staff Report illustrates the contextual relationship between the subject PUD site and surrounding zoning districts and existing land uses. Of particular note is that approximately 33% of the land area within the immediate area of the PUD site is currently multi-family dwellings and approximately 61% of the land area is occupied by registered rental units or parking serving rental units.

- (G) The desirability of the proposed plan to the City of Morgantown's physical development, tax base and economic well-being. At the discretion of the Planning Commission and City Council, special consideration in the form of increased development flexibility may be given to projects that are intended to rehabilitate or replace dilapidated areas, brownfields, or other areas of general visual or economic blight. Such special consideration shall not be granted to projects intended for construction on lands that consist of 60 percent or more previously undeveloped lands.
-

Although special consideration of increased development flexibility does not appear warranted in terms of removing blighting and/or brownfields conditions, the existing structures on the development site appear to have become functional obsolete given surrounding development patterns, deferred maintenance, and diminished market interest in new detached single-family structures on the subject site. The proposed Outline Plan appears to be consistent with the uses, massing, and scale characteristics within the immediate area.

- (H) The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
-

The traffic study found that the amount of vehicular traffic projected to be added to the street network by the proposed development is negligible and traffic analysis demonstrates that the proposed development will not have an adverse impact on the street network.

- (I) The proposal preserves significant ecological, natural, historical, and architectural resources to the extent possible.
-

No such resources on the subject site have been identified by the developer or Staff.

-
- (J) The proposal will enhance the appearance, image, function, and economic sustainability of the community at large.
-

The subject site and the proposed residential use and density appears to be consistent with the 2013 Comprehensive Plan's land management principles and "Encouraged Growth" and "Neighborhood Revitalization" objectives. It has been well reported that the University's continued enrollment growth and retention objectives result in a high level of market interest and demand for the delivery of new rental housing stock within close proximity to university campuses. Although the proposed PUD results in a reduction of R-1A District land area within the City, the subject site is strategically situated between the downtown campus, where hundreds of millions of dollars has been invested over the last several years to modernize and expand academic facilities, and the Wiles Hill – Highland Park Neighborhood, where the City has remained committed to protecting the predominantly single-family area through the creation of the R-1A District in the mid-1990's, the acquisition and transformation of the former Wiles Hill School into a senior and community center, traffic calming improvements, its partnership with the Fairmont-Morgantown Housing Authority to purchase-rehab-resell homes with owner-occupancy deed restrictions, the reduction in the number of unrelated occupants permitted within dwelling units, and the establishment of a permit parking district.

- (K) Projects which are designed to a more human scale, support multi-modal transportation options, preserve useful open space, provide significant amenities to residents, and incorporate architectural detailing, massing and scale that is consistent with historical community norms shall have a significant advantage in the review process over those that merely seek to maximize inappropriate forms of density, circumvent customary development standards, or promote a pattern of development that can be generally recognized as "urban sprawl," as defined in the definition section of the zoning ordinance. Projects that fail to achieve these objectives will likely result in a recommendation for denial by the Planning Director and/or Planning Commission.
-

The proposed PUD will not contribute to "urban sprawl." The site furthers the Comprehensive Plan's parcel consolidation and infill development objectives within "Encouraged Growth" and "Neighborhood Revitalization" areas. The proposed higher density development is in an area that is well-supported by existing transportation infrastructure and transit services. The proposed density, scale, and massing is consistent with by-right development patterns set forth in the R-3 District.

- (L) The proposal makes reasonable accommodations in housing, recreational amenities, and pedestrian facilities for individuals with disabilities.
-

The proposed development will increase the supply of housing accessible to persons with disabilities supported by accessible parking spaces.

- (M) The proposal dedicates and provides a percentage of the total number of dwelling units to be offered at sale or rental prices deemed affordable to individuals of low and moderate income, as defined by the U.S. Department of Housing and Urban Development. Generally, between 3 to 5 percent of all units should meet this goal.
-

Dedicating a percentage of the proposed units as affordable is not proposed.

- (N) For PUD's containing only residential uses, clustering of units should be utilized (and may be required by the City) in order to preserve meaningful open space and/or recreational amenities for the residents. In addition, such projects shall be required to provide a mixture of different dwelling types and sizes. Examples of dwelling types include townhouses, row houses, patio homes, zero lot line houses, single-family detached housing, apartments, duplexes, condominiums, etc.
-

Of the 49 proposed dwelling units, 8 units are two-bedroom and the rest are one-bedroom units. The configuration and geometry of the site may challenge design incorporation of various dwelling types. It should be noted the housing stock within the immediate area appears to be very diverse and includes owner-occupied single-family dwellings and for-rent single-, two-, and multi-family dwelling units.

Meeting Notes

Purpose: Glenn Ridge Apartments PUD Ward Meeting

Date: 6/2/2015

Time: 6:00 PM

Place: Wiles Hill Community Center

Prepared by: C. Fletcher, S. Hollar, C. Parsons

Stan Corp was represented by Merlin Stanczyk, David Robertson, and Stephanie Jano. City Administration was represented by Chris Fletcher and Stacy Hollar and Chet Parson, AECOM. The attendee sign-in sheet is attached hereto.

C. Fletcher opened the presentation with introductions and an explanation of the Planned Unit Development process. S. Jano presented development program details referring to several site and elevation drawings.

The following notes generally characterize the comments, questions, and/or concerns expressed by the PUD Ward Meeting attendees.

- Will the development result in an increase in traffic volume and congestion; particularly through the intersection at Protzman, Stewart, Hoffman, Vangilder.
- How will the development benefit the community.
- There is not enough visitor parking (13 spaces). Can visitors use any excess parking spaces around the development in addition to those identified along the entrance?
- There is an over emphasis on proposed bike racks as students do not ride bicycles and walk.
- How will the building be managed and what types of security will provided? Who handles maintenance on a long-term basis?
- Will transportation services be provided similar to other higher density apartments such as a shuttle to campus or other destinations?
- Stormwater management and potential problems are a concern.
- The market needs more single-family homes and less construction of multi-family housing for students; the site should stay R-1A so affordable single-family homes can be constructed.
- Land costs nears university campuses are an obstacle to constructing lower density housing for permanent residents – more focus is needed on starter homes for younger families and non-tenured faculty at WVU.
- The Wiles Hill – Highland Park Neighborhood has been overrun by students and the City is not helping to protect the neighborhoods.

- Are there any decks/patios or personal outside spaces for each of the units?
- How is it determined that this type of development is a need for the community?
- Can young professionals and other non-students live there?
- What is the likelihood that the plans as presented will change between now and construction?

Fletcher fielded several questions concerning the development and City policies, practices, and investments. Attendees were asked to view the drawings that were displayed and discuss specific questions/concerns one-on-one with Stan Corp and City representatives.

The meeting ended at approximately 7:30 PM.

Glen Ridge Apartments

PUD

6/2/15

Sign In

William Blosser

Jennie Simmons

CHET PARSONS

Jan Lefine

Larry W. Wood / Ray W. Wood

Lois Kovac

S. Shrum

Bill Kawecky

Sara Fogetta

Carol Pyles

Janessa Pyles

Mike & Enna Casazza

FRANK SCAPELLA

William Burton

~~William Burton~~

Ann Dacey

Wes Nugent

Nicole Panaccio

ATTACHMENT 3
RZ15-06 PUD Outline Plan



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

OFFICE USE	
CASE NO.	R215-06
RECEIVED:	5/1/15
COMPLETE:	

Zoning Map Amendment Process – See Addendum A of this Application

(PLEASE TYPE OR PRINT IN BLACK INK)

PAID
MAY 01 2015
BY:

I. OWNER / APPLICANT					
Name:	STAN CORP		Phone:	301-895-8067	
Mailing Address:	Street	160 Miner Hickory Road		Mobile:	514-442-0546
	City	State	Zip	Email:	STANCZYK16@GMAIL.COM

II. AGENT / CONTACT INFORMATION					
Name:	David Robertson		Phone:	301-895-8067	
Mailing Address:	Street	160 Miner Hickory Road		Mobile:	514-442-0546
	City	State	Zip	Email:	STANCZYK16@GMAIL.COM
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact				

IV. PROPERTY			
Street Address (if assigned):	TM 14, P 478, 479, 492 AND TM 20, P 455, 456 <i>Comp</i>		
Tax Map(s) #:	14, 20	Parcel(s) #:	478+479 455, 456, 492
		Size (sq. ft. or acres):	2.07 92,169
Current Zoning Classification:	R1A	Proposed Zoning Classification:	PUD
Current Land Use:	Residential/woods	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.			

V. ATTEST		
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.		
DAVID ROBERTSON		4/30/15
Type/Print Name of Applicant/Agent	Type/Print Name of Applicant/Agent	Date

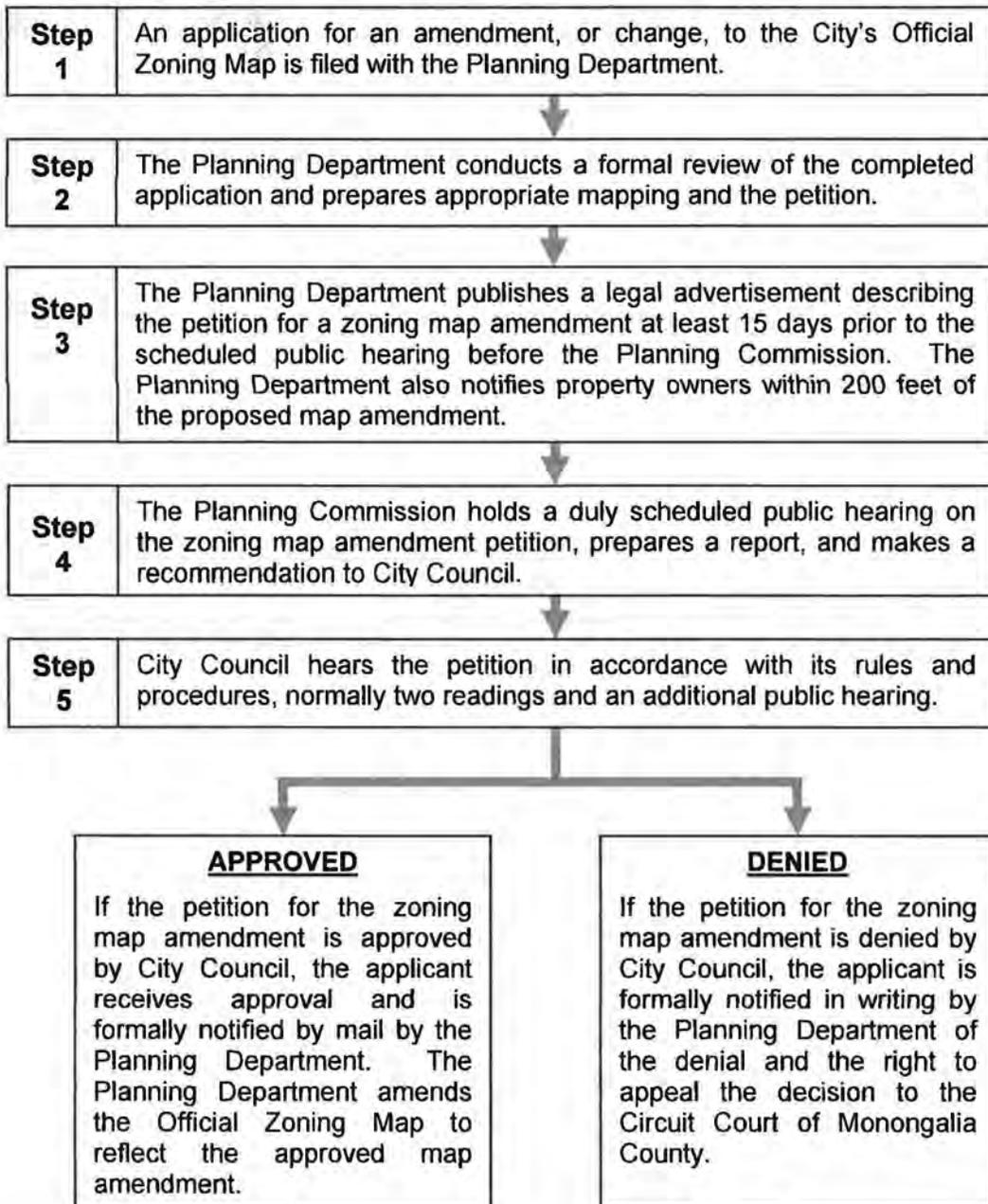
Zoning Map Amendment Fee - \$75 *CK 12195*



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

OFFICE USE	
CASE NO.	R215-06
RECEIVED:	01 MAY 15
COMPLETE:	

ADDENDUM A - Zoning Map Amendment Process



Glenn Ridge Apartments

Planned Unit Development

Outline Plan

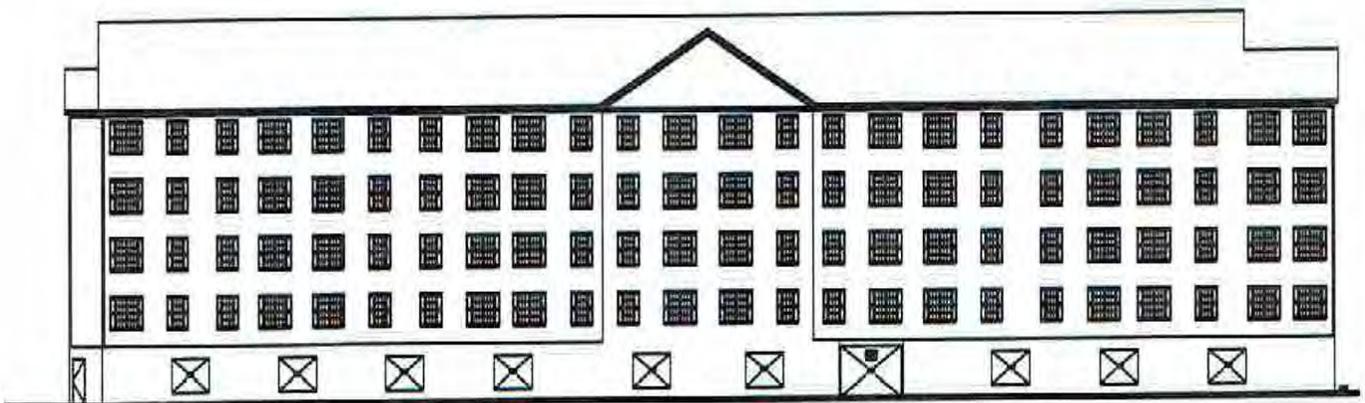
Prepared for

City of Morgantown Planning Department

Prepared by

Stan Corp

April 30, 2015



SECTION 1 - STATEMENT OF CHARACTER OF THE PLANNED UNIT DEVELOPMENT

Development Overview

The proposed Glenn Ridge Apartments consists of one four-story and two five-story residential apartment buildings. With its grand entrance from Protzman Street, it is bounded by Keyser Street on the East and Protzman Street on the West. The entrance from Protzman Street will include both ingress and egress to the entire site. The properties currently bordering Glenn Ridge Apartments on the north side of the entrance, to the northeast across Protzman Street, and on the north side of the property up to Van Gilder Street include single-family residences, multi-family residences and residential apartment buildings. Those properties across Keyser Street to the east of Glenn Ridge Apartments are single-family residences. The properties currently bordering on the south side of the property to Glenn Street, on the south side of the entrance and to the southeast across Protzman Street include single-family residences, multi-family residences and residential apartment buildings. Although some of the single-family residences in this area immediately surrounding the proposed Glenn Ridge Apartments are owner occupied, most are used as rental units.

The three buildings that will make up Glenn Ridge Apartments are proposed to maximize the size of the site while incorporating a self-contained, self-maintained driveway. The buildings will contain a total of 149 for-rent apartment units (157 beds) and Glenn Ridge Apartments will include more than adequate on-site parking. Each apartment unit will be 810 – 990 square feet and include one or two bedrooms, each with a walk-in closet; one or two full baths; kitchen; dining area; living room; and laundry/utility room. Covered parking will be available on the first level of each building with additional on-site parking provided. Occupancy rates will be based on Code. The site is currently zoned R-1A. The design and development team is seeking a Planned Unit Development (PUD) designation for this project. The site is approximately 2.12 acres which exceeds the minimum requirement for a PUD in the City of Morgantown.

Development and Design Team

STAN CORP is a construction company with their office on Main Street in Grantsville, Maryland. President Marlin L. Stanczyk Sr. and Secretary Marlin L. Stanczyk Jr. have a combined 62 years of experience in the construction business. Incorporated as a General Contractor in 1993, Stan Corp has completed over 60 commercial projects in Maryland, West Virginia, Pennsylvania, Virginia and Ohio. Their mission is to provide commercial customers with the highest level of quality construction possible and to ensure that every project is successful and meets or exceeds the expectations of their customers. They strive to provide value-added concept and construction while working with engineers and architects so their customers receive maximum benefit from their commercial construction experience. Stan Corp has the resources and experience to take any commercial project from concept to completion. Their expertise in construction as the General Contractor will ensure this entire project is completed with the highest degree of workmanship.

CHEAT ROAD ENGINEERING, INC. (CRE) is a young Civil Engineering design firm formed in November of 2012 with their main office along Business Park Drive in Morgantown, West Virginia. CRE was created with the goal of providing practical designs that meet their client's needs while maintaining compliance with applicable codes. They have been meeting these goals for their clients while providing site layout and construction management services. While CRE is a young company, their ownership and staff have extensive experience in the area of civil site design and construction.

CRE's experiences include the design of parking areas, ADA compliant ramps and walkways, working with landscape design professionals to integrate desirable low maintenance landscaping, and other design requirements related to residential and commercial development. They are involved with the design and construction of multiple commercial and residential site development projects.

Their experience enables them to generate designs that will consider environmental constraints, permitting requirements, constructability, long-term maintenance costs, and incorporate user friendly design features. Their team is experienced in all areas of project site design, including generating design and construction specifications. They will provide or coordinate engineering, recommendations, environmental services and land surveying services to include boundary and topographic mapping and final site civil engineering design services necessary to this project.

LAI ARCHITECTS have been immersed in the architecture of residential, commercial, industrial, office space, health care, hospitality, and multi-family building types for years. Growing out of a mountainous setting in the Deep Creek Lake area of Maryland, LAI Architects also practices in Morgantown, West Virginia. Employing an energetic, young and highly educated staff, no project is too large or too small to design with an artful response and rigid responsibility to quality. Architecture is a journey that leads a client by the architect's judgement, talent, will and energy. Our architecture is our design and we pour our heart, soul and passion into a project to find its character. LAI Architects strive to increase the ideal of the building through extremity of details. Through this, they find good relationships with clients and a great reputation in the constructive realm provided for by their good work.

Urban architectural conditions that arrive at the studio are welcomed with respect and care. The urban architecture of LAI Architects is constantly pushing the envelope of creating new spaces and places on the blocks of a thriving and growing City of Morgantown. With the international presence of West Virginia University, LAI Architects looks to the broad future of expanding this realm to the global spectrum of architecture. LAI Architects carefully interviews developmental clients that seek to commercially develop projects with quality over quantity. With a growing city comes a growing residential community. LAI Architects is servicing clients in a quality residential market, with extraordinary care and vision, while working closely with various consultants and engineers nationwide and utilizing a broad range of technological tools.

Advantages and Objectives of this Planned Unit Development

The following is in response to Article 1357, PUD Planned Unit Development District, of The Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement.

It is anticipated this PUD will serve to implement the goals, objectives, and strategies of The City of Morgantown Comprehensive Plan specific to the district or neighborhood in which this PUD is to be located.

This PUD will serve to implement the goals and objectives of the Morgantown Comprehensive Plan by bringing an accessible residential development to an area designated in the Morgantown Comprehensive Plan, 2013 Update. The street pattern is generally a modified grid with a variety in block sizes while retaining a high degree of connectivity. The neighborhoods have multiple entry points with walkable access to transit. Although many areas currently lack sidewalks, the existing sidewalk on the Glenn Ridge Apartments side of Protzman Street is obviously fairly new and in excellent condition. This PUD includes covered parking, elevators, an indoor gym, bike racks, an outdoor recreation area and green space which exceeds minimum requirements while encouraging alternatives to individual motorized vehicular transportation by use of newly installed sidewalks for walking, biking and to access the already established bus route that passes the entrance to Glenn Ridge Apartments.

In the report of the Crossroads regional vision process, included in Appendix B of the Morgantown Comprehensive Plan, it states that West Virginia University's (WVU) growth is a significant factor in the recent growth of this region and has a significant impact on the characteristics of Morgantown's population. The 2006 Ten-Year Master Plan reported a goal of 28,500 students on the Morgantown campus by 2010. WVU reached that goal in 2008 with 28,840 students. Between 2000 and 2010, WVU's enrollment increased 33.3 percent, from 21,987 students to 29,306. These statistics support the need for increased availability of rental housing that can be

utilized by the University's growing student population. With the close proximity of this PUD site to WVU, it is hoped to increase the viability of students walking and riding bikes as their first choice when selecting a routine mode of transportation.

While many new housing units have been constructed, demand for rental housing options has not been met and is still increasing as WVU and Morgantown continue to attract students, residents and economic investment. Up-scale, feature-filled student housing is a rapidly growing trend in campuses and college towns across the country. Today's students are accustomed to a living style of privacy, convenience and comfort. They are a sophisticated market and demand features in their housing once considered luxuries: private baths, full kitchens, separate living areas, and more. Campuses and towns are also eager to move away from the perception, and sometimes reality, of student housing as low-quality, poorly-maintained properties. Glenn Ridge Apartments will provide students with an attractive housing choice featuring familiar amenities from home and close proximity to downtown and campus.

Although the tenant population will likely be comprised of many students, the project will welcome other tenant types as well. Graduate and international students, faculty and professors, young professionals, long-term visitors, local employees, retirees and senior citizens could all find their new residence at Glenn Ridge Apartments. The buildings and apartments are designed to appeal to a broad market with ease of physical accessibility and attractive units.

It is anticipated this PUD will apply the design principles of new urbanism, neo-traditionalism, and other emerging smart growth principles, urban development patterns and best management practices.

New Urbanism, sometimes referred to as neo-traditionalism planning, can be defined as the revival of "the lost art of place making". 'Smart growth', according to Wikipedia, "is an urban planning and transportation theory that concentrates growth in compact walkable urban centers to avoid sprawl. It also advocates compact,

transit-oriented, walkable, bicycle-friendly land use . . . directed at developing sustainable communities that provide a great range of transportation and housing choices and prioritize infill and redevelopment in existing communities rather than development of 'greenfield' farmland". This PUD should indeed be making an artful or adroit place that will become home to many residents and an integral part of its Wiles Hill – Highland Park neighborhood. It will accomplish this by meeting some of the most common goals of Smart Growth and New Urbanism according to the site NewUrbanism.org:

Walkability: Glenn Ridge Apartments will be located within easy walking distance to bus stops, restaurants, downtown Morgantown and West Virginia University (WVU). The new sidewalks should further encourage walking and biking to and from the site by residents and visitors.

Connectivity: This site will be interconnected to the existing street grid for ease in traffic flow. This location is along an established bus route of the Mountain Line Transit Authority and Glenn Ridge Apartments will be pedestrian- and bicycle-friendly.

Diversity: The elevators, excess on-site parking, new sidewalks, green space and on-site gym and recreation area should make this PUD appealing to a diverse number of occupants from various social, racial and economic backgrounds.

Quality Architecture and Urban Design: Quality is a primary goal-based outcome for Stan Corp and will be so in its construction of Glenn Ridge Apartments. The architecture will be pleasing, classic, and attentive to the human scale. Its quality materials, combined with quality workmanship and well thought-out design, will keep it looking good with minimal required maintenance for years to come.

Traditional Neighborhood Structure: Glenn Ridge Apartments encourages and reinforces the traditional urban patterns of the neighborhood by providing safe,

welcoming places for pedestrians and presenting a clear, discernable front for ingress and egress by way of well-traveled Protzman Street.

Increased Density: Density allows for the most efficient use of space and easy access by the most number of users. The density of this development is compatible with the neighborhood and reinforces the efficient use of services and resources shared by the community, to create a more convenient, enjoyable living habitat for its residents.

Smart Transportation: The new sidewalks create a pedestrian-friendly design that should promote the walkable environment officially established in 2007 by the Morgantown Pedestrian Safety Board. These new sidewalks and included bike racks should encourage the residents to walk or bike as daily transportation. In addition, the site is conveniently located along the already established Route 30 West Run bus route of Mountain Line Transit Authority, where the nearest regularly scheduled stop at the intersection of Van Gilder Street & Hoffman Avenue is only 153 yards from Glenn Ridge Apartments. In addition, because the entrance to this development is along the route, residents and visitors should be able to use the flag-down system, meaning riders can catch or depart the bus anywhere along the route, as long as it is a safe place to enter or exit the bus. Installation of a permanent bus stop at the entrance to Glenn Ridge Apartments may also be researched.

Sustainability: This project should have no negative impact on the environment and will use resources efficiently. There will be a centrally located dumpster for trash and for combined recyclables for use by the residents of Glenn Ridge Apartments. As an additional element in the stormwater retention system, the process of recycling grey water may be evaluated for use in watering and maintaining the beautiful new landscaping. Each unit will include energy efficient appliances, energy saving furnaces, LED lighting and Glenn Ridge Apartments will promote more walking and biking, less driving.

Quality of Life: Glenn Ridge Apartments intends to be an enriching and uplifting place that enhances the quality of life of its residents, occupants and neighbors. It is anticipated to be a pedestrian friendly community that offers more opportunities to get to know others in the neighborhood and town, resulting in meaningful relationships with more people and a friendlier community. This PUD will facilitate residents access to recreation and services without the need for a car or someone to drive them, saving time, energy, money and worry. All of this equates for a better quality of life for the residents of Glenn Ridge Apartments.

It is anticipated that this PUD will promote development patterns that maximize compatibility of differing adjacent land uses to avoid the necessity of extensive buffering.

Glenn Ridge Apartments reinforces the continued mixture of residential uses in this neighborhood. This project incorporates practicality and should be aesthetically pleasing within the community development pattern. The site is thoughtfully planned and designed to accommodate the needs of the residents with minimal physical buffering despite the sloping landscaping in this area. This project fits as a compatible medley within the surrounding urban fabric.

It is anticipated this PUD will enhance the appearance of this neighborhood by conserving areas of special natural beauty, steep slopes, ecological importance, flood prone areas and natural green space, where appropriate, while understanding that land within urban areas is best suited for urban densities and development patterns.

This proposed development is expected to enhance the appearance of the neighborhood by maximizing the potential density of this urban site. This site is currently an underutilized area in the neighborhood with no significant ecological or architectural importance. The recent trend of the immediate neighborhood has been to become much denser than the site as it exists. This proposed PUD seeks to maximize density and establish order to the immediate urban fabric. In addition, the

site currently does not take advantage of its close proximity to West Virginia University (WVU) which is in need of more housing within walking distance to meet its growing population without adding undue stress on the already busy streets within the City of Morgantown. This PUD will further enhance the appearance of the neighborhood with its green space, which exceeds the minimum requirements, and its outdoor recreation area.

It is anticipated that this PUD will counteract poor urban design and mitigate congestion on the streets.

Glenn Ridge Apartments intends to counteract poor urban design by taking an underutilized site and maximizing its potential while adding elevator accessible residences, covered and open parking, a recreation area, an abundance of green space and new sidewalks to this neighborhood. The total amount of parking exceeds the minimum typically required. Ingress and egress will be from the grand entrance off Protzman Street to avoid creating congestion to the smaller, more single-family residential area of Keyser Street. In addition, all of the buildings are being set back further than any minimum requirements from the front property line, allowing for easier car access in and out of Glenn Ridge Apartments without increasing, slowing down or otherwise interfering with traffic flow on Protzman Street.

It is anticipated this PUD will promote architecture that is compatible with the community vernacular and/or the surroundings.

This site currently includes two single-family residential structures. Neither are of significant architectural value. Very steep topography with scraggly trees and one large, old tree (that is aging to the point limbs are falling from it and needs to be removed) make up the remainder of this site. Spindly trees are currently the only visual screens. Glenn Ridge Apartments should be a visibly pleasing and far better and higher use of the site than what currently exists. The architectural style proposed is classic and refined; distinct in its quality of design and construction, yet compatible with the neighborhood through its use of vinyl, stone and attractive streetscaping.

This development is designed to enhance the architectural design of its surrounding community.

It is anticipated this PUD will promote design principles that allow differing types of land uses to coexist while preserving property values and minimizing potential negative consequences.

Implementation of this PUD will serve the broad goals consistent in the 2013 update of The City of Morgantown Comprehensive Plan of neighborhood safety, urban vitality, enhancement of land values, long-term sustainability, access to mass transit, the buildings in a neighborhood as the primary elements with parking being necessary but secondary, and access to the network of sidewalks for increased walkability within the neighborhood, giving the residents a personal stake in the quality and well-being of the neighborhood.

Property values will be improved as Glenn Ridge Apartments will be a higher and better use of the site than the current conditions and includes a visually attractive project with above required green space adding to the natural beauty of the neighborhood. The use of this development is residential and blends well within the surrounding community. The fundamental need of having a quality product to attract desirable renters, combined with a consistent management presence, ensures Glenn Ridge Apartments will continue with excellence during occupancy and enhance the integrity of the entire neighborhood.

It is anticipated this PUD will promote appropriate urban densities that will help make alternative forms of transportation economically and socially feasible.

This site location has convenient access to transportation beyond just personal automobiles. The entrance fronts along Protzman Street which is already an established bus route (Route 30 West Run) for the Mountain Line Transit Authority. Most of these buses work on a flag down system – riders may catch or depart the bus anywhere along the route, which includes the entrance to Glenn Ridge

Apartments. It is expected many residents and visitors to this site may use public transit for its low cost, ease and convenience. The concentrated density of the project contributes to the use, viability and economy of public transportation, bicycling and walking.

It is anticipated this PUD will promote and protect the environmental integrity of the site and its surroundings by providing suitable design responses to the specific environmental constraints of the site and surrounding area.

This site is constrained by a busy urban thoroughfare (Protzman Street), steep terrain and infrequently-used side street (Keyser Street). In response to these physical surroundings, this development design appropriately addresses these constraints by arranging the entrance facing Protzman Street, strategic placement of two retaining walls, a recreation area included within the green space, pleasant landscaping expected to include mulched trees and shrubs, and pedestrian-friendly sidewalks. Vehicular traffic will only be directed to Protzman Street for site entry and exit.

The rear of the site currently appears neglected. This development will improve the visual acuity of the site by using the terrain to its best advantage for positioning of the buildings, parking, recreation area and sidewalks. The professional landscaping will improve the view for all residents, visitors, passersby and from all surrounding properties.

SECTION 2 - STATEMENT OF OWNERSHIP

The majority of the property within the proposed Glenn Ridge Apartments is currently under Purchase Agreements between current owners and Stan Corp, or its nominee Marlin L. Stanczyk Sr., as Purchaser, with included consent for Purchaser to assign purchase to Rob Lynch to take title in any name he chooses. Closing is to take place within 45 days of July 31, 2015, barring any necessary extensions requested by Purchaser. These properties are free of restrictive covenants and are to be free and clear of liens at the time of closing. There currently exists an unopened City right-of-way 12 ft. wide and approximately 100 ft. long, the extent of the parcel at that location. That area of the parcel is only planned to include landscaped green space. Tax parcel designations are: Fourth Ward of the City of Morgantown; Monongalia County; West Virginia; Tax Map 14, Parcels 478, 479 and 492; and Tax Map 20, Parcels 455 and 456. The total area of these parcels is approximately 2.1 acres.

One additional portion of a property, in a triangular shape, will be included in Glenn Ridge Apartments. It is currently owned by Tera, LLC; Rob Lynch is one of the current owners of Tera, LLC. Concurrently with the above closing, Tera, LLC, will transfer this portion of their parcel solely to Rob Lynch to take title in any name he chooses and being the same name as the above referenced parcels. The portion of this property being transferred is free of restrictive covenants and is to be free and clear of liens at the time of closing. Tax parcel designation is: Fourth Ward of the City of Morgantown; Monongalia County; West Virginia; Tax Map 20; a small, currently underutilized triangular-shaped portion of the larger triangular-shaped portion of Parcel 457. The total area of this portion of this parcel is approximately 0.02 acres.

Along with any necessary agreements and covenants which govern the use, maintenance and continued protection of the PUD and its common spaces, shared facilities and private roads, all of these properties will undergo a lot consolidation at the time of closing. The total area of these combined parcels, which will make-up all of the land within Glenn Ridge Apartments in its entirety, is approximately 2.12 acres.

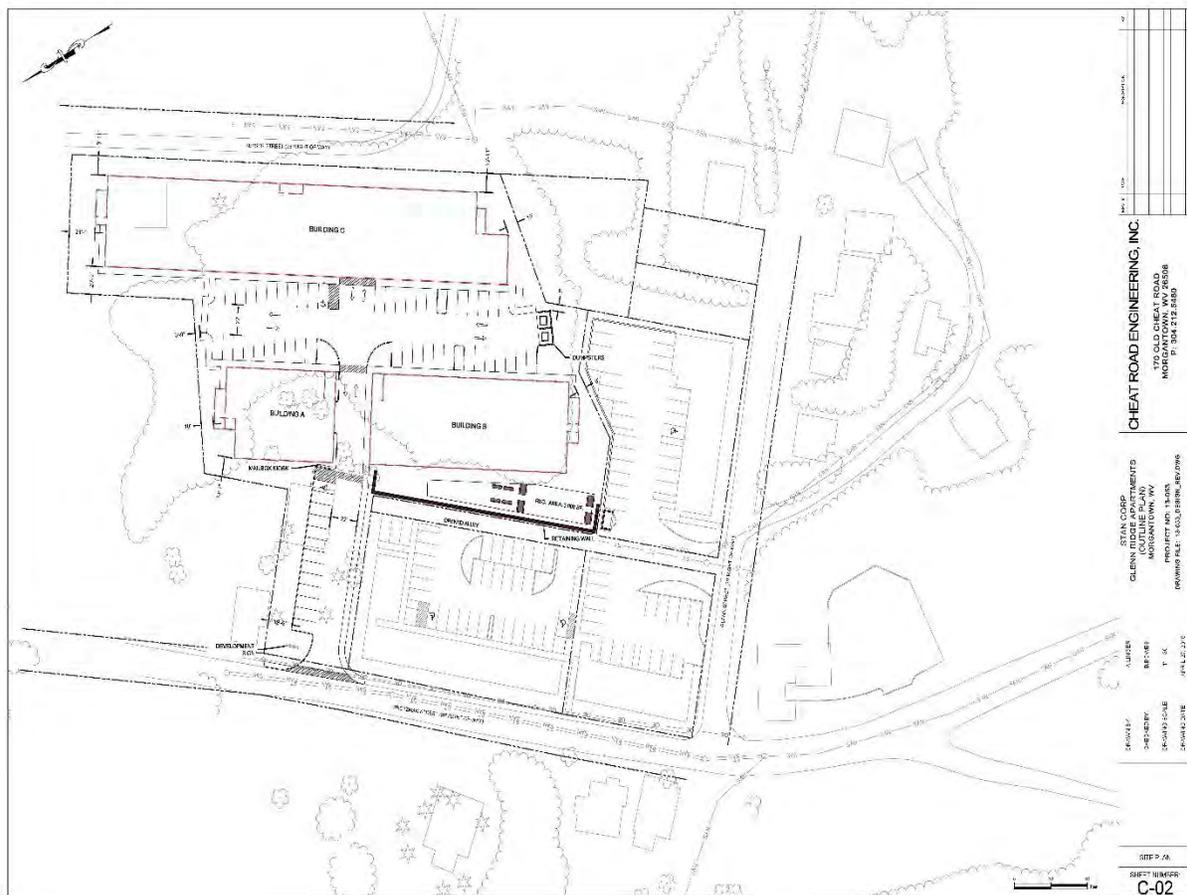
SECTION 3 - STATEMENT OF DEVELOPMENT SCHEDULING

Total construction duration is expected to be approximately 25 months, with a targeted occupancy of 87 apartments in Building C by the August 15, 2016, rental season deadline and the final 62 apartments in Building A and Building B ready for the August 15, 2017, rental season deadline.

The construction schedule will aim to complete site work during the late summer and early fall of 2015 for ease of earth moving. Guarantee of performance for the completion of all public improvements, executed at time of permit application or platting, ie bond, etc., will be provided as required by City. This will include guarantee posted prior to the commencement of each phase, specify the time for completion of improvements and be in the amount of 125% of the estimated verifiable cost of the improvements as determined by the project contractor or engineer and as approved by the City Engineer. This project will comply with all guidelines for site work and construction activity, including noise ordinances. Activity that impacts traffic or off-site areas will be coordinated to avoid West Virginia University (WVU) student move-in, sporting or other events. The General Contractor will work with the City of Morgantown and any other governing authorities to minimize traffic disruption as much as possible. Construction workers will park on-site. Construction, delivery and other vehicles will enter and exit the site from Protzman Street. As soon as the ground is moved to accommodate the layout of roads, buildings and parking, the site will be covered with shale to minimize mud and debris deposits on nearby roads.

Proposed Construction Schedule

PUD Outline Plan Submission:	May 1, 2015
Development Plan Submission:	Included in Outline Plan
Site Clearing and Demolition:	September 2015
Site Excavation and Utility Work:	August 2015
Building Construction:	September 2015
Completion/Occupancy:	
87 apartments + 1 gym unit in Building C:	August 2016
62 apartments combined in Buildings A & B:	August 2017



SECTION 4 - STATEMENT OF PROPOSED USES, DENSITIES AND INTENSITIES

The proposed Glenn Ridge Apartments is comprised of one four-story and two five-story buildings.

Proposed Building Areas

Square footage of residential floors				
Building		Level	Sq. Ft.	Total Sq. Ft.
Building A		2 nd	6,029	
" " "		3 rd	6,029	
" " "		4 th	6,029	
Bldg. A Totals		2 - 4		18,087
Building B		2 nd	11,008	
" " "		3 rd	11,008	
" " "		4 th	11,008	
" " "		5 th	11,008	
Bldg. B Totals		2 - 5		44,032
Building C		2 nd	21,151	
" " "		3 rd	21,151	
" " "		4 th	21,151	
" " "		5 th	21,151	
Bldg. C Totals		2 - 5		84,604
A+B+C Totals				146,723

Each building will consist of first level covered parking with the remainder of the levels containing for-rent apartments except for one unit in Building C intended to be a gym for use exclusively by residents of Glenn Ridge Apartments.

Glenn Ridge Apartments Outline Plan

04.30.2015

BREAKDOWN OF UNIT SIZES PER BUILDING				
BUILDING		27'x30'	33'x30'	TOTALS UNITS
Building A		18	0	18
Building B		40	4	44
Building C		*84	4	88
		(*1 is a gym)		
TOTALS		*142	8	150

This project will include one gym and a total of 149 apartment units containing 157 beds.

BREAKDOWN OF STYLE OF UNITS PER BUILDING					
BUILDING		1B/1B	2B/2B	GYM	TOTALS BEDS
Building A		18	0		18
Building B		40	4		48
Building C		83	4	1	91
TOTALS		141	8	1	157

Occupancy rates will be based on Code.

Proposed Density

- Total living area on all levels in all buildings: 146,723 sq. ft.
- Total parking area on first level in all buildings: 38,188 sq. ft.
- Gross building area: 184,911 sq. ft.
- Gross site area: 92,169 sq. ft. (÷ 43,560 sq. ft./acre = 2.12 acres)

Proposed Uses and Occupancies

This project includes all residential use. Because this development is located within walking distance, tenants are anticipated to be mostly students of West Virginia University (WVU). However, the elevators, green space, indoor gym and outdoor recreation area may make these residential units desirable to other tenant types such as faculty and professors, young professionals, long-term visitors, local employees, retirees and senior citizens.

Parking

To alleviate or prevent congestion and improve safety of the public streets, on-site parking will be provided for residents and visitors of Glenn Ridge Apartments. The parking entrance will be located off of Protzman Street. In accordance with Article 1365, Parking, Loading and Internal Roadways, of the Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement, there must be a minimum of 153 on-site parking places. There are currently a total of 173 on-site parking places per proposed plans.

On-site Parking	Covered	Uncovered	Total
Building A	16		
Building B	33		
Building C	65		
Between Buildings		46	
Entrance		13	
Totals	114	59	173

Covered parking: Covered parking, that parking enclosed in a building, will be located on the first level of each of the three buildings. There are a total of 114 covered parking spaces planned inside these three buildings.

Open parking: Uncovered, or open to the sky, resident parking will be nestled between the buildings to limit the view from both Protzman Street and Keyser Street. There are 46 planned uncovered parking spaces in this area. Visitor parking will be conveniently located at the grand entrance into Glenn Ridge Apartments, just off Protzman Street. There are 13 planned uncovered parking spaces in this area, for a total of 59 uncovered on-site parking places.

Of the total 173 planned on-site parking places, 8 of them are planned to be identified as handicapped parking places, which exceeds the City of Morgantown's zoning code requirements of 6 spaces for parking in an R-3 area of this size. Of the 8 planned handicapped parking places, 2 are planned to be van-accessible.

All of these proposed on-site parking places are to be utilized solely for the parking of passenger automobiles or light trucks, with not more than two axles, belonging to occupants and their guests. This parking is not to be used for the storage, display, sale, repair, dismantling or wrecking of any vehicle, equipment or material.

Parking dimensions: Each on-site parking space will be at least 8.5 feet in width and at least 18 feet in depth, exclusive of access drives or aisles, ramps, columns, office area or work areas. Said spaces will have adequate vertical clearance.

Although not currently planned, up to 10 percent of the total number of required parking spaces may be designed for compact cars, provided compact spaces are limited to residents only and the property owner/manager assigns and enforces such spaces accordingly. Compact spaces will be grouped together and identified as "compact cars only" with pavement stenciling and/or signage. Compact spaces will be located furthest from the building entrances to discourage use by non-compact vehicles. Each compact space will be at least 8 feet in width and at least 15 feet in

depth, exclusive of access drives or aisles, ramps, columns, office area or work areas. Said spaces will have adequate vertical clearance.

All of the parking spaces on site at Glenn Ridge Apartments will be at a parking angle of 90° and will open directly to a two-way aisle or driveway at least 20 feet wide, so as to provide safe and efficient means of vehicular access to parking spaces. Said aisles or driveway will be unobstructed and allow for the passage of emergency vehicles at all times. All on-site parking spaces and aisles will be within the property lines of Glenn Ridge Apartments and will not extend into any public right-of-way.

Parking layout and design: All on-site parking will have appropriate vehicular access to and from Protzman Street.

The entrance / exit for Glenn Ridge Apartments will be no closer than 15 feet to an adjoining residential property line or 5 feet to an adjoining non-residential property line or designed in such a manner as to least interfere with traffic movement. Where the driveway into Glenn Ridge Apartments meets the right-of-way line of Protzman Street, it will not exceed a width of 22 feet, unless a greater width is specifically approved by the City Engineer. The driveway will not be located closer than 30 feet from the nearest point of any existing intersection of two or more streets. Future connections between the parking area of Glenn Ridge Apartments and any adjoining property may be required at the discretion of the Planning Director.

All on-site parking spaces will be designed, arranged and regulated so that:

- Parking areas will be lined or designated to insure the most efficient use of the parking spaces;
- The slope of any individual parking spot will not exceed a 10 percent slope. Any individual parking space with a 5 percent average slope or greater will be provided with anchored bumper guards or wheel

- guards. Glenn Ridge Apartments plans to have anchored bumper guards or wheel guards at each on-site parking space;
- Parking spaces will be unobstructed and have access to an aisle or driveway so that any automobile may be moved without moving another and so that no maneuvering directly incidental to entering or leaving a parking space will be on any public right-of-way or walkway, unless otherwise permitted at the direction of the Planning Director; and
 - All parking spaces and maneuvering aisles will be physically separated from any wall of a building by a vertical curb, maintained planting strip, and/or other suitable barrier.

Parking spaces will include both open to the sky and enclosed in a building. Said building will be treated as any major structure and subject to all requirements thereof.

The parking area will be subject to the landscaping and screen requirements as set forth in Article 1367, Landscaping and Screening, of the Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement.

Parking surfacing and drainage: All open parking areas will be surfaced with an all-weather, dust-free concrete or asphalt material and maintained in good condition, free of weeds, dirt, trash and debris; except that a gravel surface may be used for a period not to exceed six months after the date of granting the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified herein.

Parking areas will be graded and properly drained in adherence to the guidelines set by Morgantown Utility Board (MUB). There will be no free flow of water onto either adjacent property or public sidewalks. Any runoff generated by such improved areas

Glenn Ridge Apartments Outline Plan

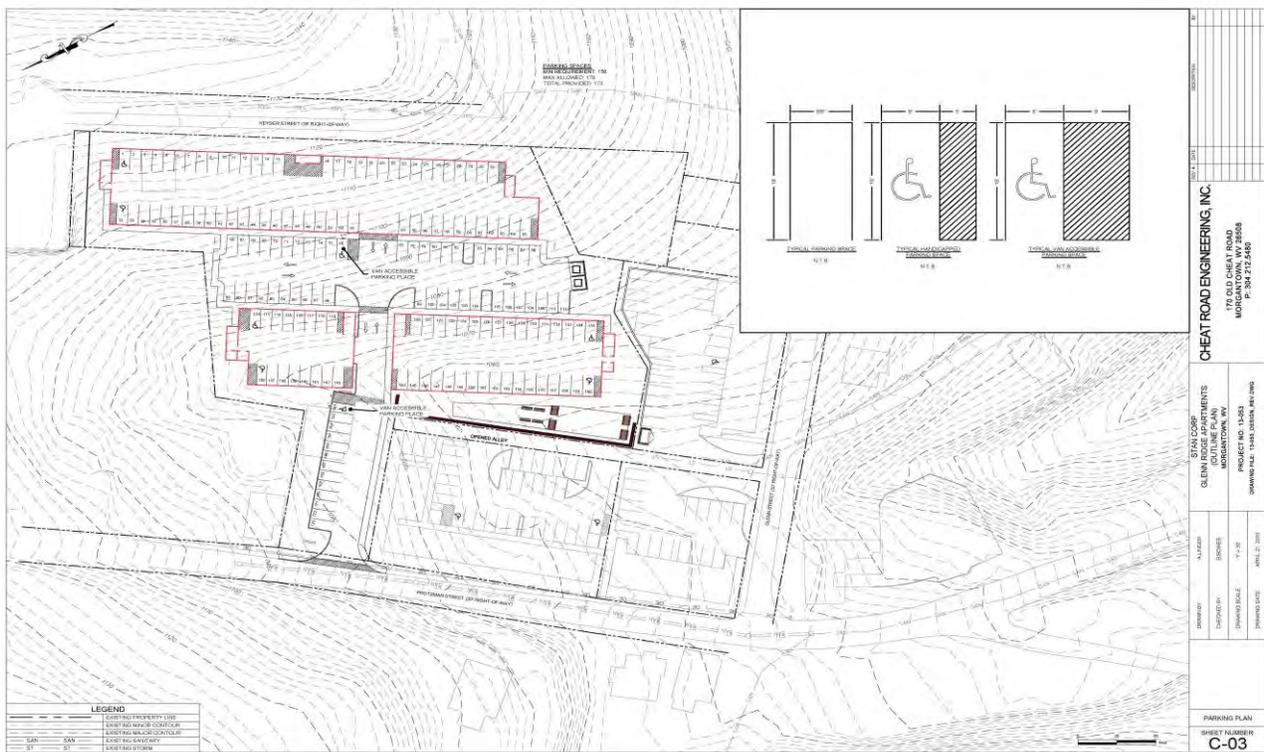
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will be disposed of in accordance with the storm water management ordinance and other City regulations.

Other surface materials and designs may be utilized when specifically approved by the City Engineer for the purposes of reducing storm water runoff or other environmental and aesthetic considerations.

A pedestrian circulation plan has been implemented and will be accessible by the extensive amounts of new sidewalks being installed. These sidewalks will connect to the existing sidewalk along Protzman Street, which is in excellent condition.

In conformity with the accessibility standards of the Americans with Disabilities Act of 1990 and Article 1365.06 of the Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement, there will be a minimum of 6 handicapped accessible parking spaces with at least 1 of these 6 designed as a van-accessible or universal-accessible parking space. Glenn Ridge Apartments currently proposes a total of 8 handicapped accessible parking spaces with 2 being van-accessible.



Exterior Amenities

The professional landscaping of the green areas will provide a welcome patch of greenery, air and light to this area of the neighborhood. The recreation area will provide an attractive place to exercise or simply stop and sit for a few minutes. Mulched trees and shrubs, part of the professional landscaping, will soften the space and enhance the welcoming atmosphere of Glenn Ridge Apartments. The tree-lined grand entrance will be visible from Protzman Street and surrounding properties. As much as is feasible, vegetation used within Glenn Ridge Apartments will be native to the area, low on water consumption, easy to maintain and will blend with the existing surrounding neighborhood. Proposed trees and shrubs to be used are Green Pillar Pin Oak trees and Blue Princess Holly, Miss Kim Lilac and Korean Spice Viburnum shrubs. The professional landscaping behind Building C will improve the view from Keyser Street and neighboring properties. Overall proposed permanent open space, including landscaped green spaces and recreation area, comprises approximately 26,359 square feet (0.61 acres), or more than 28% of the total 92,169 square feet site of Glenn Ridge Apartments. Dependent upon final landscape design, this is almost triple the minimum requirement of 10%. The recreation area alone is planned to comprise of 3,000 square feet (0.07 acres), or 33% of the minimum 10% required permanent open space. As planned, each of these percentages should surpass the minimum requirements for PUDs of 10% and 30% of the 10%, according to Article 1357.02 of the Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement.

For safety, exterior cameras will be in place. A locked and secured mailbox will be provided for each residential unit and mailboxes will be maintained in a well-lit area of Glenn Ridge Apartments. Covered and uncovered parking will include ADA parking equal to or in excess of minimum required standards.

Interior Amenities

All apartments will feature private bedrooms that can accommodate queen size beds and all bedrooms will have private bathrooms and walk-in closets. The kitchens will have wood cabinets, full-size refrigerator, electric range with oven, microwave, dishwasher and sink with garbage disposal. A clothes washer and dryer will be provided in the laundry/utility room within each apartment. Combined living/dining areas will be spacious and comfortable. Bedrooms and living spaces will be well-lit with large, operable windows. Units will have individually controlled air heating and cooling. A trash dumpster and a combined recycling dumpster will be conveniently located onsite for ease of waste disposal by residents.

Glenn Ridge Apartments will be highly secure with all exterior access doors and all elevators being key-card entry only, prohibiting visitors from entering beyond the parking areas without a resident. Panic hardware will be installed on each exterior access door for safe egress should there be any type of emergency. Each individual apartment front door will have security entry locks and deadbolt peep sites; bedroom doors will also be lockable. Interior cameras will monitor common areas for added safety. Elevator utility rooms will be provided on the parking level of each building near the elevator; two general utility rooms will be provided on each level above the parking level in each of the three buildings. All elevators and all residential units will be Fair Housing compliant. In accordance with minimum required standards, at least 8 residential units will be American with Disabilities Act (ADA) compliant (1 in Building A; 2 in Building B; 5 in Building C).

Building Construction

Glenn Ridge Apartments will be solidly built of high-quality materials of 2"x6" wood frame studding with a truss choice flooring of soundproofing Gypcrete on floor; 5/8" drywall on walls and ceiling; and wood roof trusses with 2 hour fire-rated separation walls between units. All common areas and hallways will have 1 hour fire-rated walls.

Exterior walls and ceilings will be ½ hour fire-rated construction except for top floor to attic which will also be 1 hour fire rated. These buildings will be as safe as possible against the threat of fire, with full standpipe, sprinkler and smoke alarm systems, fire-extinguishers and adequate, fire-rated means of egress.

The building façade will be vinyl and stone with vinyl soffit, metal fascia and 30 year asphalt architectural shingles. Materials will include vinyl, stone, wood framing and vinyl energy-efficient egress windows. No exterior insulation finishing systems (EIFS) will be used on these buildings. Exterior site and exterior building lighting will enhance safety. Metal halide light wall packs and HID interior fluorescent garage lights will be used in parking areas.

Constructing a quiet, acoustically-separated structure is a top priority. Party walls between units and floor/ceiling assemblies will be designed to minimize transmission of both airborne and structure-borne noise. Residential corridors will be acoustically separated from private, residential spaces. Acoustic separations will meet or exceed code minimums.

Interior finishes will be warm and welcoming, bright and clean. Each apartment unit will have carpet in bedroom areas; vinyl in laundry/utility rooms and bathrooms; and laminate in kitchens and living/dining rooms. Doors will be Masonite and cabinetry will be wood. Durable commercial grade carpet and other finishes will be used in all common areas.

Accessibility

Glenn Ridge Apartments will meet or exceed physical accessibility standards. The minimum number of required residential units will meet the more stringent ANSI Type A guidelines. All remaining units will meet the guidelines for an ANSI Type B unit. The dispersal of these units meets code requirements. An accessible route is provided throughout the site common areas, residential corridors and within

apartments. Elevator service will be provided to all levels in all three buildings. Per required minimums, at least 6 reserved accessible parking spaces, with 1 being van-accessible or universal-accessible, will be maintained. The development and management teams are committed to offering choices for truly "fair" housing and will make every effort to accommodate special needs.

Green Design

Glenn Ridge Apartments will be a development promoting health of the environment and building occupants. This project will incorporate environmentally conscience practices relating to site work, water efficiency and energy usage. During the construction process, the use of multiple dumpsters designated for specific various recyclables will be utilized if possible. The project itself has an inherently sustainable starting point in its dense, urban location and re-use of a previously underused site. Extensive existing connections to the community, nearby amenities and services, and public transit eliminate the need for new infrastructure, reducing overall negative environmental impact of the development. Stormwater will be managed to regulate quantity and discharge per Morgantown Utility Board's (MUB) guidelines and the possibility of accessing grey water stored on site for use in watering the landscaping will be evaluated.

The buildings themselves will be designed and constructed to reduce negative environmental impact. Mulched trees and shrubs native to the area will be used, if possible, with the lowest possible maintenance requirements for added enduring beauty. Water usage will be reduced inside the building through careful selection of low-flow toilets. Energy usage will be minimized through the construction of well insulated exterior walls, the installation of energy-efficient windows and energy-saving HVAC equipment and the selection of energy-efficient appliances.

All spaces will be designed to receive adequate ventilation and sleeping and living spaces will have operable energy-efficient windows offering air and daylight. Individual apartments will control their own heating and air-conditioning to suit

individual needs. Non-toxic and low-emitting paints, adhesives, sealants and coatings will be selected to promote healthy air quality. Smoking in the buildings will not be encouraged. In all, Glenn Ridge Apartments will have high-quality buildings that are healthy, attractive and safe for their occupants and the surrounding community.

SECTION 5 - FACILITIES PLAN

Cheat Road Engineering, Inc. (CRE) is responsible for surveying the existing site topography, developing overall site layout and grading, paving design, stormwater conveyance systems, site utilities and erosion and sediment control. Design improvements will be coordinated with the city engineer and the Morgantown Utility Board (MUB). Adequate truck access to the site has been achieved and communications with the Morgantown Fire Department and Republic Services will continue. Facilities will be designed to complement the proposed architecture and services provided to the residents of Glenn Ridge Apartments.

Streets, Roadways and Bikeways

With its grand entrance from Protzman Street, this proposed site is bounded by Keyser Street on the East and Protzman Street on the West. Van Gilder Street is located north of Glenn Ridge Apartments, with Glenn Street to its South. The Route 30 West End bus route of Mountain Line Transit Authority current runs along Protzman Street, past the entrance to Glenn Ridge Apartments, with the closest scheduled stop just north of the entrance at the intersection of Hoffman Avenue and Van Gilder Street. Most of Mountain Line Transit Authority's buses work on a flag-down system, you may catch or depart the bus anywhere along the route, as long as it is a safe place, which could conceivably then include the entrance to Glenn Ridge Apartments. All of these roadways are local city streets maintained by the City of Morgantown.

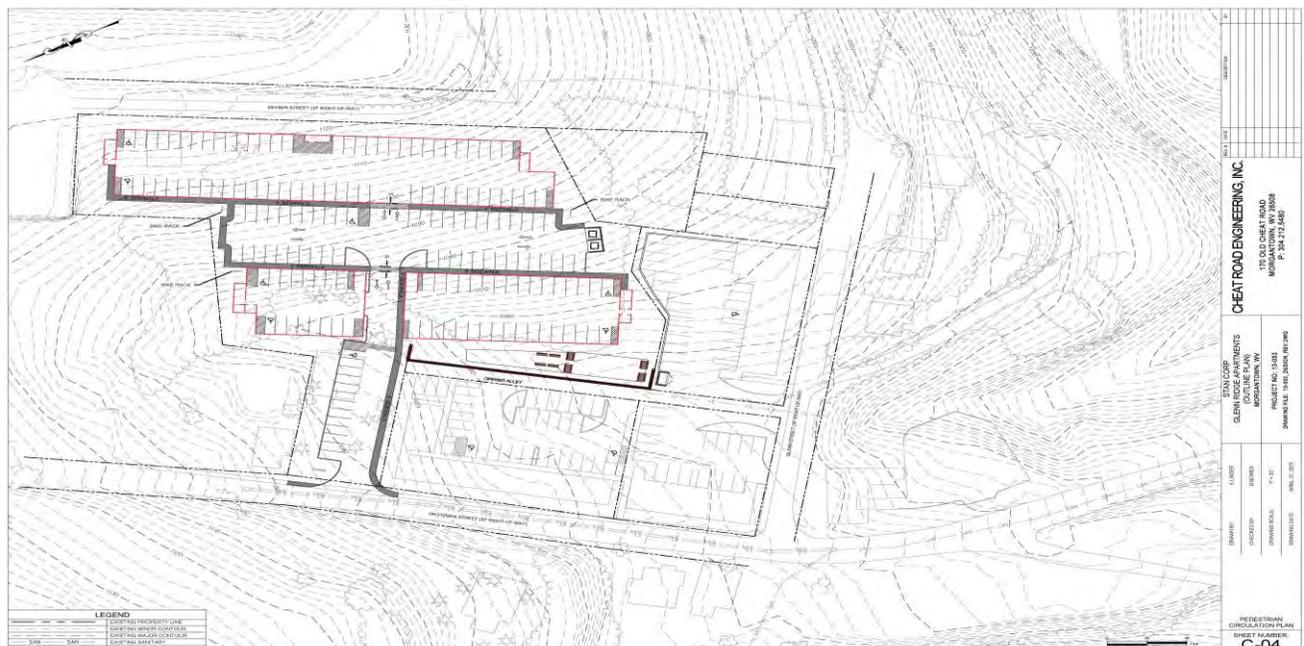
Existing street right-of-ways and the dimensions of existing pavement surfaces will not be reduced, so will allow sufficient width for vehicle and bicycle accommodations as is currently available. Construction excavation should only require access to the waterline under the East side edge of Protzman Street at the entrance into Glenn Ridge Apartments and for the joining of the entrance from Protzman into Glenn Ridge Apartments. The development team is proposing this work will be done with the coordination of the Morgantown Utility Board (MUB) and to coordinate with

lowest traffic times possible for the least interference and increased safety. Any portions of Protzman Street that are disturbed by this construction project will be repaired and/or rebuilt according to the requirements of the City of Morgantown.

Fire trucks will use Protzman Street to enter and exit Glenn Ridge Apartments and access the three buildings located on the site. Once onsite, the interior "T" shape of the interior aisle or driveway design is intended for ease in navigating by any size fire truck required. The development and design team will continue to review plans with the Morgantown Fire Department in an effort to meet their needs and provide safe emergency access to the site and buildings.

Sidewalks and Pedestrian Pathways

Currently there are no sidewalks on this site. New sidewalks will be constructed to allow accessibility and adequate safety measures and promote walking as an alternative form of transportation for the residents and visitors to Glenn Ridge Apartments. Curb cuts at crosswalks will have truncated domes and ramps for ease of access and awareness.



Water Supply System

The Morgantown Utility Board (MUB) will provide the potable water supply used by Glenn Ridge Apartments. MUB currently operates water facilities in the area to provide potable water to the area residents, businesses and fire service. This project will connect to the water line near the entrance to this project at Protzman Street.

Sanitary Sewers

The Morgantown Utility Board (MUB) will provide sanitary sewer service for Glenn Ridge Apartments. MUB currently operates two sewer systems, the primary Morgantown system should service this PUD. This project will connect to an 8 inch main line currently located at the corner of this property.

Stormwater Management

Stormwater management requirements will be met for the site by reducing the post-development runoff to pre-existing development runoff levels plus providing an additional 10% reduction. The Morgantown Utility Board (MUB) requires a 10% reduction in pre-existing runoff for redevelopment sites. The stormwater management system will be designed by Cheat Road Engineering, Inc., (CRE) per specifications provided by MUB.

Public Utilities

Any existing overhead utilities will be relocated to underground service. Gas services are not being provided as the entire project is being designed to utilize electric rather than natural gas.

CATV and high-speed wireless internet service will be available to residents of Glenn Ridge Apartments. Electric service will be individually metered per tenant. Water and sewer service will be separately metered per building.

The public utilities available are as follows:

- Electric: Mon Power
- Telephone: Frontier
- Cable: Comcast
- Gas: Dominion Hope
- Water: Morgantown Utility Board (MUB)
- Sewer: Morgantown Utility Board (MUB)

Streetscaping, Furniture and Lighting

This building site will feature attractive professional landscaping and accessories consistent with the City of Morgantown's standards and the existing precedent established in this neighborhood. Street lights will be installed along the grand entrance from Protzman Street. Picnic tables, benches or other accessories as may be used will be chosen to blend seamlessly with the building aesthetics. Trees will provide a green welcome. All vegetation will be selected carefully to be of a variety native to this area, if possible, and appropriate for this climate, urban conditions, ease of maintenance and visual appeal.

Setbacks

The following setbacks will be required for all principal structures:

Setbacks	In Feet
Minimum Front	14'
Minimum Side	8'
Minimum Rear	13'

Except the following Yard, Building Setbacks, and Open Space Exceptions as provided herein or in Section 1363.02(B) Yard, Building Setbacks and Open Space Exceptions in The Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement:

- No yard, open space or lot area required for a building or structure will, during its life, be occupied by or counted as open space for any other building or structure; and
- The following structures or facilities will be allowed to be constructed in any yard, when proper permits are obtained: driveways, curbs, sidewalks, fences, walls, hedges (subject to the regulations of Section 1363 Yard, Building Setbacks and Open Space Exceptions in The Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement), flagpoles, non-permanent landscape features, planting boxes, recreational equipment, parking spaces, uncovered decks, patios and, only if adequately screened, composting or garbage disposal equipment.

Encroachments into setbacks: Architectural features may project into a required setback, such as:

- Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding 3 feet, except that such features will not extend closer than 3 feet from the property line; and
- Uncovered stairs, landings and porches will not extend closer than 3 feet from the property line. Such porches may not subsequently be enclosed unless the normal setback requirements are met.

No permitted encroachment noted above will extend to within 3 feet of an accessory structure.

Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in section 1363.03, Safety and Vision in The City of Morgantown Comprehensive Plan, 2014 Replacement.

HVAC mechanical units may be located no closer than 5 feet to a side lot line.

Building height: Maximum permitted building height will be the actual height of Building C, proposed to be 58 feet 4 inches. The maximum height of an accessory structure will not exceed 18 feet.

Waste management

While Morgantown does not currently have a mandatory municipal recycling program, the project team is working with city officials and the municipal waste management service provider to develop a collection system for the building. Trash and combined recyclables will be collected in dumpsters in an enclosure located at the edge of the parking area between buildings, where they can be easily accessed by all residents and collection vehicles, but where its view from both Protzman and Keyser Streets will be limited. Adequate truck access was preliminarily approved at the Technical Review Team meeting on April 14, 2015. Continued contact with the municipal waste management service provider will be maintained regarding any changes. Frequency of collection will be determined by management in collaboration with the collection service.

It is our understanding that Morgantown has been trying to maintain a recycling program. It is the hope of the development, design team and management that this commitment will motivate others to join the effort.

Signage

Site and building signage within Glenn Ridge Apartments will be minimal and incorporated thoughtfully and tastefully. As the site includes multiple tenants, directional and identification signage may be important and would be designed accordingly.

Signage, lighting and design standards, size restrictions on permitted signs, prohibited signs and devices, signs exempt from regulations, etc., will be the same as permitted for R-3 in Article 1369 of The Morgantown City Code, Part Thirteen – Planning and Zoning Code, 2014 Replacement.

SECTION 6 - TRAFFIC ANALYSIS

A Traffic Impact Study was prepared by French Engineering, LLC, with their main office located in Fairchance, Pennsylvania. The analysis and report are for the following four intersections:

- Falling Run Road and University Avenue
- Protzman Street, Van Gilder Street and Stewart Street
- Stewart Street and Willowdale Road
- Stewart Street and University Avenue

as instructed by J. Damien Davis, PE, CFM, Director of Public Works and Engineering, City of Morgantown.

The report shows the traffic counts were collected on 03-02-2015 and 04-13-2015. This study determined that the new site would generate a total of 44 trips in the AM peak hour and 63 trips in the PM peak hour. Pedestrian traffic was assumed to 50% of the external trips and amounted to 22 and 31 trips in the AM and PM peaks respectively.

In summary, the amount of vehicular traffic added to the street network by the proposed development was found to be negligible and, further, that the proposed development will not have an adverse impact on the street network. It was anticipated Glenn Ridge Apartments may result in a slight reduction of vehicular traffic with the overwhelming majority of peak hour trips from this the site being pedestrian, bicycle or transit. (Full study attached in Addendums.)

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE MONONGALIA COUNTY BOARD OF EDUCATION PROVIDING FOR A PREVENTION RESOURCES OFFICER

The City of Morgantown hereby ordains that the City Manager is authorized to execute the attached agreement, which is incorporated in this Ordinance by reference, providing terms and funding for a prevention resources officer.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

AGREEMENT

This Agreement, made and entered into this _____ day of _____, 2015 by and between the City of Morgantown, West Virginia (hereinafter referred to as "City") and the Monongalia County Board of Education, West Virginia (hereinafter referred to as "Board").

WITNESSETH:

WHEREAS, the Board has established a Prevention Resources Officer Program (hereinafter referred to as "PRO Program"); and

WHEREAS, the Board agrees that the City have one police officer serve as a Prevention Resources Officer in the Monongalia County School System, Morgantown High School; and

WHEREAS, the City and the Board understand that the program is established for the purpose of assistance in the prevention of juvenile delinquency through programs specifically developed to respond to those factors and conditions which rise to delinquency; and

WHEREAS, the City and the Board realize, the PRO Program is a great benefit to school administration, students and the community as a whole.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

SECTION 1: DUTIES AND RESPONSIBILITIES OF CITY

- 1.01 The City will provide one (1) police officer as a Prevention Resource Officer, (hereinafter referred to as "PRO") to the Board for assignment at Morgantown High School.
- 1.02 The PRO will abide by County School Board Policies and Laws, as they relate to School Prevention Resource Officer. The PRO will consult and coordinate instructional activities through the principal. Activities conducted by the PRO, which are part of the regular instruction program of the school, will be under the direction of the principal. The Board will approve the content of education programs and instructional materials used by the PRO.
- 1.03 The PRO will provide to students' instruction in various aspects of law enforcement, public safety, and education as requested and supervised by teachers.
- 1.04 City will be responsible for the control and direction of all aspects of Employment of the police officer assigned to the PRO Programs.

- 1.05 City will ensure that the exercise of the law enforcement powers by the PRO is in compliance with the authority granted by the law.
- 1.06 The PRO will not function as a school disciplinarian or safety officer. It is not the responsibility of the PRO to intervene with the normal disciplinary procedures in the school. The PRO will perform the following duties:
- A. To perform law enforcement functions within the school setting.
 - B. To identify and prevent, through counseling and referral, delinquent behavior, including substance abuse.
 - C. To foster a better understanding of the law enforcement function.
 - D. To develop a better appreciation of citizens' rights, obligations and responsibilities.
 - E. To provide information about crime prevention.
 - F. To provide assistance and support for crime victims identified within the school setting.
 - G. To promote positive relations between the students and the law enforcement officer.
 - H. To enhance knowledge of the fundamental concepts and structure of the law.
 - I. To be familiar with confidentiality requirements.
 - J. Any records generated by the officer as part of his/her "PRO Program" duties shall be considered a school record subject to the Family Educational Rights and Privacy Act and related regulations (34 CFR 99.30 and 99.31).
- 1.07 The PRO will be on duty at the school during regular school hours when students are required to attend and when the required PRO Training Programs are conducted, unless police department emergency needs or law enforcement requirements prohibit.
- 1.08 The PRO will not be required to attend extracurricular activities which are held beyond his/her regular workday or require the PRO to leave his/her jurisdiction, but the PRO will have the option to attend if they choose to do so.

SECTION 2: DUTIES AND RESPONSIBILITIES OF THE BOARD

- 2.01 The Principal at Morgantown High School will be the on-site contact person for the PRO. The Superintendent of the Board will designate the Prevention Resource Office Coordinator to serve as the county liaison for the program.
- 2.02 A performance review will be performed at the end of the school year by the Principal and submitted in writing to the Police Chief.
- 2.03 The Board will furnish the City funds in the total sum of \$45,111.00 to offset the cost of salary and related benefits for the employee of the City, who will provide

the contracted service and act as PRO to the schools pursuant to the terms expressed in this Agreement.

SECTION 3: TERMS OF AGREEMENT

- 3.01 This Agreement is made for a 12-month term beginning the 1st day of July 2015 and ending the 30th day of June 2016.
- 3.02 This Agreement will continue in effect until the expiration of the term described in paragraph 3.01 or until terminated by either of the parties in accordance with the terms listed in Section four (4) below.

SECTION 4: TERMINATION

- 4.01 Either party may terminate this agreement by serving written notice upon the other party at least thirty (30) days in advance of such termination.

SECTION 5: SEVERABILITY

- 5.01 Should any part of this Agreement be declared invalid by a court of law or administrative body, such decision will not affect the remaining provisions of the Agreement and this Agreement shall be interpreted as if the invalid portion was never a part of this Agreement. If such determination of invalidity will materially affect any other rights or obligations of the parties hereunder, the parties hereto will negotiate in good faith to amend this Agreement in a manner satisfactory to the parties.

SECTION 6: ASSIGNMENT

- 6.01 No Party to the Agreement will, directly nor indirectly, assign or purport to assign this Agreement or any of the rights or obligations provided in the Agreement in whole or in part to any third party without the prior written consent of the other party.

SECTION 7: NO WAIVER

- 7.01 The failure of either party to exercise any of its rights herein contained will not preclude or prejudice it from exercising the same or any other right it may have under this Agreement, irrespective of any previous action or proceeding taken by it hereunder.

SECTION 8: COMPLETE AGREEMENT

- 8.01 This Agreement is the complete Agreement of the parties; may be amended or modified only in writing; and supersedes, cancels, and terminates any and all prior

agreements or understanding of the parties, whether written or oral, concerning the subject matter hereof.

SECTION 9: CHOICE OF LAW

9.01 This Agreement will be governed by and interpreted according to the laws of the State of West Virginia. It will be binding upon and inure to the benefit of the successors of the City and the Board.

SECTION 10: NOTICES

11.01 All notices or other communications required or permitted by the Agreement will be in writing and deemed effectively delivered upon mailing by certified mail, return receipt requested, or personal delivery to the following persons and addresses unless otherwise specified herein:

Jeff Mikorski, City Manager
City of Morgantown, WV

Date

Dr. Frank Devono, Superintendent
Monongalia County Board of Education

Date

AGREEMENT

This Agreement, made and entered into this _____ day of _____, 2015 by and between the City of Morgantown, West Virginia (hereinafter referred to as "City") and the Monongalia County Board of Education, West Virginia (hereinafter referred to as "Board").

WITNESSETH:

WHEREAS, the Board has established a Prevention Resources Officer Program (hereinafter referred to as "PRO Program"); and

WHEREAS, the Board agrees that the City have one police officer serve as a Prevention Resources Officer in the Monongalia County School System, Morgantown High School; and

WHEREAS, the City and the Board understand that the program is established for the purpose of assistance in the prevention of juvenile delinquency through programs specifically developed to respond to those factors and conditions which rise to delinquency; and

WHEREAS, the City and the Board realize, the PRO Program is a great benefit to school administration, students and the community as a whole.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

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- 1.01 The City will provide one (1) police officer as a Prevention Resource Officer, (hereinafter referred to as "PRO") to the Board for assignment at Morgantown High School.
- 1.02 The PRO will abide by County School Board Policies and Laws, as they relate to School Prevention Resource Officer. The PRO will consult and coordinate instructional activities through the principal. Activities conducted by the PRO, which are part of the regular instruction program of the school, will be under the direction of the principal. The Board will approve the content of education programs and instructional materials used by the PRO.
- 1.03 The PRO will provide to students' instruction in various aspects of law enforcement, public safety, and education as requested and supervised by teachers.
- 1.04 City will be responsible for the control and direction of all aspects of Employment of the police officer assigned to the PRO Programs.

1.05 City will ensure that the exercise of the law enforcement powers by the PRO is in compliance with the authority granted by the law.

~~1.06 City will hold harmless the Board for any injuries suffered by PRO arising under their employment with the PRO Program.~~

~~1.071.06~~ The PRO will not function as a school disciplinarian or safety officer. It is not the responsibility of the PRO to intervene with the normal disciplinary procedures in the school. ~~The PRO will perform duties to the following~~ duties:

- A. To perform law enforcement functions within the school setting.
- B. To identify and prevent, through counseling and referral, delinquent behavior, including substance abuse.
- C. To foster a better understanding of the law enforcement function.
- D. To develop a better appreciation of citizens' rights, obligations and responsibilities.
- E. To provide information about crime prevention.
- F. To provide assistance and support for crime victims identified within the school setting.
- G. To promote positive relations between the students and the law enforcement officer.
- H. To enhance knowledge of the fundamental concepts and structure of the law.
- I. To be familiar with confidentiality requirements.
- J. Any records generated by the officer as part of his/her "PRO Program" duties shall be considered as a school record subject to the Family Educational Rights and Privacy Act and related regulations (34 CFR 99.30 and 99.31).

~~1.081.07~~ The PRO will be on duty at the school during regular school hours when students are required to attend and when the required PRO Training Programs are conducted, unless police department emergency needs or law enforcement requirements prohibit.

~~1.091.08~~ The PRO will not be required to attend extracurricular activities, which are held beyond his/her regular workday nor require the PRO to leave his/her jurisdiction, but the PRO will have the option to attend if they choose to do so.

SECTION 2: DUTIES AND RESPONSIBILITIES OF THE BOARD

2.01 The Principal at Morgantown High School will be the on-site contact person for the PRO. The Superintendent of the Board will designate the Prevention Resource Office Coordinator to serve as the county liaison for the program.

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- 2.02 A performance review will be performed at the end of the school year by the Principal and submitted in writing to the Police Chief.
- 2.03 The Board will furnish the City funds in the total sum of \$45,111.00 to offset the cost of salary and related benefits for the employee of the City, who will provide the contracted service and act as PRO to the schools pursuant to the terms hereinafter-expressed in this Agreement.

SECTION 3: TERMS OF AGREEMENT

- 3.01 This Agreement ~~will be~~ made ~~of for~~ a 12-month term beginning the 1st day of July 2015 ~~through and ending~~ the 30th day of June 2016.
- 3.02 This Agreement will continue in effect until the ~~duration-expiration~~ of the terms as-described in paragraph 3.01 or until terminated by either of the parties in accordance with the terms listed in Section four (4) below.

SECTION 4: TERMINATION

- 4.01 Either party may terminate this agreement by serving written notice upon the other party at least thirty (30) days in advance of such termination.

SECTION 5: INVALID PERSONSEVERABILITY

- 5.01 Should any part of this Agreement be declared invalid by a court of law or administrative body, such decision will not affect the remaining provisions of the Agreement and this Agreement shall be interpreted as if the invalid portion was never a part of this Agreement. If such determination of invalidity will materially affect any other rights or obligations of the parties hereunder, the parties hereto will negotiate in good faith to amend this Agreement in a manner satisfactory to the parties.

SECTION 6: INDEMNIFICATION

~~6.01 The Board agrees to indemnify and hold harmless the City for any liability whatsoever arising out of negligent acts of the Boards' employees or agents in direction of the PRO in the performance of their instructional programs. The City agrees to indemnify and hold harmless the Board of any liability whatsoever arising to employment as defined by City Ordinances and West Virginia State Law. Nothing in this Agreement will affect any rights, privileges or immunities the City or Board may have.~~

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SECTION 67: ASSIGNMENT

~~67.01~~ No Party ~~of to~~ the Agreement will, ~~neither~~ directly nor indirectly, assign nor purport to assign this Agreement or any of ~~its the~~ rights or obligations provided in the Agreement in whole or in part to any third party without the prior written consent of the other party.

SECTION ~~78~~: NO WAIVER

~~78.01~~ ~~The failure of either party to enforce at any time of the provision, rights, or elections or in any way effect the validity of the Agreement.~~ The failure of either party to exercise ~~by either party in~~ any of its rights herein contained will not preclude or prejudice it from exercising the same or any other right it may have under this Agreement, irrespective of any previous action or proceeding taken by it hereunder.

SECTION ~~89~~: COMPLETE AGREEMENT

~~89.01~~ This Agreement is the complete Agreement of the parties; may be amended or modified only in writing; and supersedes, cancels, and terminates any and all prior agreements or understanding of the parties, whether written or oral, concerning the subject matter hereof.

SECTION ~~910~~: CHOICE OF LAW

~~910.01~~ This Agreement will be governed by and interpreted according to the laws of the State of West Virginia. It will be binding upon and insure to the benefit of the successors of the City and the Board.

SECTION ~~101~~: NOTICES

11.01 All notices or other communications required or permitted by the Agreement will be in writing and deemed effectively delivered upon mailing by certified mail, return receipt requested, or ~~delivered personally~~ personal delivery to the following persons and addresses unless otherwise specified herein:

Jeff Mikorski, City Manager
City of Morgantown, WV

Date

Dr. Frank Devono, Superintendent
Monongalia County Board of Education

Date

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH POPSHOPWV FOR SPACE IN THE WOODBURN SCHOOL BUILDING

The City of Morgantown hereby ordains that the City Manager is authorized to execute the attached agreement, which is incorporated in this Ordinance by reference, leasing space within the former Woodburn School to Chris Russell Drums and Percussion, LLC d/b/a POPSHOPWV.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

LEASE AGREEMENT

This agreement is made this _____ day of _____, 2015 by and between **THE CITY OF MORGANTOWN**, a municipal corporation and political subdivision of the State of West Virginia (“Lessor”), and **CHRIS RUSSELL DRUMS AND PERCUSSION, LLC**, a West Virginia limited liability company doing business as **POPSHOPWV** (“Lessee”), upon the following terms:

RECITALS

- A. Lessor is the sole owner of the premises described below.
- B. Lessee is in the business of educational services and fine arts instruction and desires to lease office space from lessor.
- C. The parties desire to enter a lease agreement defining their respective rights, duties, and liabilities relating to the premises.

In consideration of the matters described above and of the mutual benefits and obligations set forth in this lease agreement, the parties agree as follows:

SECTION ONE. DESCRIPTION OF PREMISES

- A. Lessor leases to lessee that certain space consisting of the top floor of the former Woodburn Elementary School, consisting of 4,554 square feet, more or less, located at 918 Fortney Street situated in Morgantown, Monongalia County, West Virginia.
- B. The demised premises shall be used for the purpose of educational services and fine arts instruction, and for no other purpose.
- C. In addition to the demised premises, the Lessee shall have the right to use all driveways, parking areas, sidewalks, lobbies, elevators, hallways, restrooms, and other common facilities and areas (collectively, “Common Areas”), if any, in or about the building containing the demised premises, jointly with other tenants and their respective representatives, agents, customers, guests and invitees. The Lessor will be responsible for routine maintenance of the Common Areas.

SECTION TWO. TERM OF LEASE

- A. This lease agreement shall cover a term commencing **August 1, 2015**, and extending until midnight on the day preceding the **second** anniversary of such date, provided that either of parties to this lease gives to the other, three months before the latter date, notice in writing of the party’s intention to terminate this lease on that date. Otherwise this lease will continue in force for another term of one year, and in the same manner from year to year (“Term”), including all terms and conditions in this lease, until one of parties terminates this lease by notice in writing in some ensuing year in the manner described above which notice terminates this lease at the end of year for which premises are then held.

B. Lessee shall surrender the premises to lessor immediately on termination of the lease.

SECTION THREE. DELIVERY OF POSSESSION

If, for any reason, lessor cannot deliver possession of the demised premises at the commencement of the term, this lease agreement shall not be void or voidable, nor shall lessor be liable to lessee for any loss or damage resulting from the inability to deliver possession. However, there shall be a proportionate reduction in total rent, covering the period between the commencement of the term and actual delivery of the demised premises to lessee, in the event of a late delivery by lessor.

SECTION FOUR. RENTAL

A. Lessee shall pay a total of **\$19,200.00** for the initial term of this lease agreement, payable in advance in **24** equal monthly payments of **\$800.00**, due on the **1st** day of each month for the succeeding month's rental. This sum reflects a monthly rate of **\$ 0.147** per square foot of office space. Payments shall be made to lessor at the address specified herein, and a payment shall be delinquent if not paid by the fifth day after which it is due.

B. The annual rental payment for each year beyond the initial term shall increase by an amount equal to the proportional increase in the U.S. City Average of the Consumer Price Index for All Urban Consumers (CPI-U) for all items over the twelve-month period prior to the start of the new yearly term; provided, that in no event shall the annual rental payment increase by an amount less than One Percent (1%) of the prior year annual rental payment.

C. On lessee's failure to pay the rental on a timely basis, lessor shall have the right to terminate this lease agreement, and the lease agreement will then be forfeited.

SECTION FIVE. RESTRICTIONS ON USE

Lessee shall not use or permit the demised premises, or any part of the demised premises, to be used for any purposes other than those set forth in this lease agreement. Lessee shall neither permit on the demised premises any act, sale, or storage that may be prohibited under standard forms of fire insurance policies, nor use the premises for any such purpose. In addition, no use shall be made or permitted to be made that shall result in: (1) waste on the demised premises; (2) a public or private nuisance that may disturb the quiet enjoyment of other tenants in the building; (3) improper, unlawful, or objectionable use, including sale, storage, or preparation, of food, alcoholic beverages, or materials generating an odor on the premises; or (4) noises or vibrations that may disturb other tenants. Lessee shall comply with all governmental regulations and statutes affecting the demised premises either now or in the future.

SECTION SIX. ABANDONING PREMISES OR PERSONAL PROPERTY

Lessee shall not vacate or abandon the demised premises at any time during the term of this lease agreement. If lessee does vacate or abandon the demised premises or is dispossessed by process of law, any personal property belonging to lessee and left on the demised premises shall be deemed abandoned at the option of lessor and shall become the property of lessor.

SECTION SEVEN. UTILITIES AND SERVICES

A. Lessor shall furnish and timely pay when due and payable, at no additional cost to the Lessee, the following utilities

and/or services:

(i) Utilities which are not separately metered, to be paid by the Lessor, who shall be entitled to a fifty percent (50%) reimbursement as Additional Rent from the Lessee upon Lessor's delivery of a separate invoice, providing evidence of payment made.

(ii) Custodial services in the common areas used by other tenants.

(iii) Ground maintenance, including mowing, landscaping, and parking lot maintenance.

(iv) Snow removal, to be paid by the Lessor, who shall be entitled to a fifty percent (50%) reimbursement as Additional Rent from the Lessee upon Lessor's delivery of a separate invoice, providing evidence of payment made.

B. The Lessee, at its expense, shall furnish and provide payment to the applicable company or vendor for the following utilities and/or services:

(i) Custodial Services in the demised premises.

(ii) Trash services, for which the Lessee may choose to partner with the neighboring tenants.

(iii) Telephone and internet connectivity services.

(iv) The Lessee shall have the right to rekey locks, install a key card access system, or provide any other security system for the demised premises, using such security services provider as the Lessee may choose in its sole discretion. The Lessee may remove said system at any time during the term of this lease, provided that Lessee, at its sole expense, shall repair any damage resulting from such removal and ensure that an adequate method for securing the demised premises is in place.

C. In the event that any utilities or services being provided by the Lessor are interrupted for reasons within the Lessor's control and as a result, suitability of the Premises is interrupted, the Lessee shall have the option to (i) cause the utilities or services to be reinstated and deduct the costs and expense thereof from the rents which may become due and payable thereafter to the Lessor until the Lessee is fully reimbursed for such expenditures; or (ii) immediately terminate this Lease.

SECTION EIGHT. ALTERATIONS AND MODIFICATION; REPAIRS

A. Lessee has inspected the demised premises, and they are now in a tenantable and good condition.

B. Lessee shall take good care of the demised premises and shall not alter, repair, or change the demised premises without the prior, express, and written consent of lessor.

C. All alterations, improvements, and changes that lessee may desire shall be done either by or under the direction of lessor, but at the expense of lessee and shall become the property of lessor and remain on the demised premises, except that at the option of lessor, lessee shall, at its expense, remove from the demised premises all partitions, counters, railings, and similarly installed improvements when surrendering the demised premises.

D. All damage or injury done to the demised premises by lessee or any person who may be in or on the demised premises with the consent of lessee shall be paid for by lessee.

E. Lessee shall, at the termination of this lease agreement, surrender the demised premises to lessor in as good condition and repair as reasonable and proper use of the premises will permit.

F. Lessor shall be responsible for making all routine repairs and for performing routine maintenance in the demised premises except the services and maintenance for which Lessee is responsible pursuant to **Section 7.B.** of this Agreement. Lessee shall permit lessor and lessor's agents to enter the demised premises at all reasonable times to inspect them, clean windows, perform other janitorial services, maintain the building and demised premises, make repairs, alterations, or additions to the demised premises, or any portion of the building, including the erection of scaffolding, props, or other mechanical devices, to post notices of nonliability for alterations, additions, or repairs, or to place on the premises any usual or ordinary "For Sale" signs, without any rebate of rent to lessee or damages for any loss of occupation or quiet enjoyment of the demised premises. Lessor may, at any time within ninety days prior to the expiration of this lease agreement, place on the windows and doors of the premises any usual or ordinary "To Let" or "To Lease" signs. Lessor and lessor's agents may, during the last-mentioned period, enter on the demised premises at reasonable hours and exhibit them to prospective tenants.

SECTION NINE. LIMITATION OF LIABILITY; INDEMNIFICATION

A. Lessee waives all claims against lessor for damages to goods or for injuries to persons on or about the demised premises from any cause arising at any time.

B. Lessee will indemnify lessor on account of any damage or injury to any person, or to the goods of any person, arising from the use of the demised premises by lessee, or arising from the failure of lessee to keep the demised premises in good condition as provided in this lease agreement.

C. Lessor shall not be liable to lessee for any damage by or from any act or negligence of any other occupant of the same building, or by any owner or occupant of adjoining or contiguous property.

D. Lessee agrees to pay for all damage to the building, as well as all damage or injury suffered by tenants or occupants of the building caused by the misuse or neglect of the demised premises by lessee.

E. Lessee shall defend, indemnify, and hold harmless the lessor and its representatives and employees from and against any and all liabilities, demands, suits, claims, losses, fines, or judgments arising by reason of the injury or death of any person or damage to or loss of any property, including all reasonable costs for investigation and defense thereof, (including, but not limited to, attorney fees, court costs, and expert fees), of any nature whatsoever arising out of, or incidental to, this Lease Agreement or Lessee's use or occupancy of the leased premises, or the acts or omissions of the Lessee, its officers, employees, agents, representatives, contractors, sub-contractors, licensees or invitees, regardless of where the injury, death, loss, or damage may occur unless such injury, death, loss, or damage is caused by the sole negligence of the Lessor, its employees, agents, officers, or representatives. The Lessor shall give Lessee reasonable notice of any such claims or actions. The provisions of this Article shall survive the expiration or earlier termination of this Lease Agreement.

F. In order to assure its ability to defend and hold harmless the lessor, lessee shall carry insurance in the following minimum amounts during the term of this lease, naming the lessor as an additional insured on the policy(ies):

Bodily Injury\$500,000 per occurrence

Property Damage.....\$50,000 per occurrence

G. Lessee shall provide the lessor with certification of insurance through the term of this Agreement, evidencing such coverage to be in force.

H. The Lessor agrees to notify the lessee in writing, as soon as practicable, of any claims, demands, or action arising out of an occurrence covered hereunder of which the lessor has knowledge, and to cooperate with the lessee in the investigation and defense thereof.

SECTION TEN. DESTRUCTION OF PREMISES

A. In the event of a partial destruction of the demised premises during the term of this lease agreement from any cause, lessor may, at its option, repair the demised premises.

B. Any partial destruction of the demised premises shall neither annul nor void this lease agreement, except that lessee shall be entitled to a proportionate reduction of rent while the repairs are being made, any proportionate reduction being based on the extent to which the making of repairs shall interfere with the business carried on by lessee on the demised premises. Lessor may, at lessor's option, make repairs within a reasonable time, this lease agreement continuing in full force and effect and the rent to be proportionately rebated as previously set forth in this section. If lessor elects not to make repairs, or if repairs cannot be made under the laws and regulations of the applicable governmental authorities, this lease agreement may be terminated at the option of either party.

C. In the event of any partial destruction of the demised premises which lessor may elect to repair under the terms of this section, the provisions of any statute or common law rule authorizing lessee to make the repairs and deduct the expenses from the rent are waived by lessee.

D. A total destruction of the building in which the demised premises are situated shall terminate this lease agreement.

SECTION ELEVEN. CONDEMNATION

A condemnation of the entire building or a condemnation of the portion of the demised premises occupied by lessee shall result in a termination of this lease agreement. Lessor shall receive the total of any consequential damages awarded as a result of condemnation proceedings. All future rent installments to be paid by lessee under this lease shall be terminated.

SECTION TWELVE. ASSIGNMENT AND SUBLEASE

A. Lessee shall not assign any rights or duties under this lease agreement nor sublet the demised premises or any part of the demised premises, nor allow any other person to occupy or use the demised premises without the prior, express, and written consent of lessor. A consent to one assignment, sublease, or occupation or use by any other person shall not be a consent to any subsequent assignment, sublease, or occupation or use by another person. Any assignment or subletting without consent shall be void.

B. This lease agreement shall not be assignable, as to the interest of lessee, by operation of law, without the written consent of lessor.

C. Lessor may withhold consent to an assignment or sublease of the demised premises in lessor's sole discretion.

SECTION THIRTEEN. BREACH OR DEFAULT

Lessee shall have breached this lease agreement and shall be considered in default under this lease agreement if: (1) lessee fails to pay any rent when due and does not make the delinquent payment within five days after receipt of notice from lessor; or (2) lessee fails to perform or comply with any of the covenants or conditions of this lease agreement and such failure continues for a period of ten days after receipt of notice from lessor.

SECTION FOURTEEN. LESSOR'S REMEDIES

In the event of a breach of this lease agreement as set forth in SECTION THIRTEEN above, the rights of lessor shall be as follows:

A. Lessor shall have the right to cancel and terminate this lease agreement, as well as all of the right, title, and interest of lessee under this lease agreement, by giving to lessee not less than five days' notice of the cancellation and termination. On expiration of the time fixed in the notice, this lease agreement and the right, title, and interest of lessee under this lease agreement shall terminate in the same manner and with the same force and effect, except as to lessee's liability, as if the date fixed in the notice of cancellation and termination were the end of the lease term.

B. Lessor may elect but shall not be obligated to make any payment required of lessee in this lease agreement or comply with any agreement, term, or condition required by this lease agreement to be performed by lessee. Lessor shall have the right to enter the demised premises for the purpose of correcting or remedying any such default and to remain until the default has been corrected or remedied. However, any expenditure by lessor incurred in any such correction of a default shall not be deemed to waive or release lessee's default or lessor's right to take any action as may be otherwise permissible under this lease agreement in the case of any default.

C. Lessor may reenter the demised premises immediately and remove the property and personnel of lessee, and store the property in a public warehouse or at a place selected by lessor, at the expense of lessee. After reentry lessor may terminate this lease agreement on giving five days' written notice of termination to lessee. Without the notice, reentry will not terminate this lease agreement. On termination, lessor may recover from lessee all damages proximately resulting from the breach, including the cost of recovering the demised premises and the worth of the balance of this lease agreement over the reasonable rental value of the demised premises for the remainder of the lease term, which sum shall be immediately due lessor from lessee.

After reentry, lessor may relet the demised premises or any part of the demised premises for any term without terminating this lease agreement, at the rent and on the terms as lessor may choose. Lessor may make alterations and repairs to the demised premises. The duties and liabilities of the parties if the demised premises are relet as provided in this paragraph shall be as follows:

1. In addition to lessee's liability to lessor for breach of the lease agreement, lessee shall be liable for all expenses of the reletting, for the alterations and repairs made, and for the difference between the rent received by lessor under the new lease agreement and the rent installments that are due for the same period under this lease agreement.

2. Lessor shall have the right to apply the rent received from reletting the premises (a) to reduce lessee's indebtedness to

lessor under this lease agreement, not including indebtedness for rent, (b) to expenses of the reletting and alterations and repairs made, (c) to rent due under this lease agreement, or (d) to payment of future rent under this lease agreement as it becomes due.

If the new lessee does not pay a rent installment promptly to lessor, and the rent installment has been credited in advance of payment to the indebtedness of lessee other than rent, or if rentals from the new lessee have been otherwise applied by lessor as provided for in this section, and during any rent installment period, are less than the rent payable for the corresponding installment period under this lease agreement, lessee shall pay lessor the deficiency, separately for each rent installment deficiency period and before the end of that period. Lessor may at any time after a reletting terminate this lease agreement for the breach on which lessor had based the reentry and subsequently relet the premises.

D. After reentry, lessor may procure the appointment of a receiver to take possession and collect rents and profits of the business of lessee, and, if necessary to collect the rents and profits the receiver may carry on the business of lessee and take possession of the personal property used in the business of lessee, including inventory, trade fixtures, and furnishings, and use them in the business without compensating lessee.

SECTION FIFTEEN. UNLAWFUL DETAINER AND ATTORNEYS' FEES

In case suit shall be brought for an unlawful detainer of the demised premises, for the recovery of any rent due under the provisions of this lease agreement, or for lessee's breach of any other condition contained in this lease agreement, lessee shall pay to lessor reasonable attorneys' fees that shall be fixed by the court. Any such attorneys' fee shall be deemed to have accrued on the commencement of the action and shall be paid on the successful completion of the action by lessor. Lessee shall be entitled to attorneys' fees in the same manner if judgment is rendered for lessee.

SECTION SIXTEEN. REMEDIES OF LESSOR CUMULATIVE

The remedies given to lessor in this lease agreement shall be cumulative, and the exercise of any one remedy by lessor shall not be to the exclusion of any other remedy.

SECTION SEVENTEEN. GOVERNING LAW

This lease agreement shall be governed by, construed, and enforced in accordance with the laws of the State of West Virginia.

SECTION EIGHTEEN. NO WAIVER

Waiver by lessor of any breach of any covenant or duty of lessee under this lease is not a waiver of a breach of any other covenant or duty of lessee, or of any subsequent breach of the same covenant or duty.

SECTION NINETEEN. ENTIRE AGREEMENT

This lease agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this lease agreement shall not be binding upon either party except to the extent incorporated in this lease agreement.

SECTION TWENTY. MODIFICATION OF AGREEMENT

Any modification of this lease agreement or additional obligation assumed by either party in connection with this agreement shall be binding only if evidenced in a writing signed by each party or an authorized representative of each party.

SECTION TWENTY-ONE. NOTICES

A. All notices, demands, or other writings in this lease agreement provided to be given or made or sent, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States mail, registered and postage prepaid, and addressed as follows:

If to lessor: City of Morgantown
 c/o City Manager
 389 Spruce Street
 Morgantown, WV 26505

If to lessee: Chris Russell
 1187 Lehigh Drive
 Morgantown, WV 26508

B. The address to which any notice, demand, or other writing may be given or made or sent to any party as above provided may be changed by written notice given by such party as above provided.

SECTION TWENTY-TWO. COUNTERPARTS

This lease agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

SECTION TWENTY-THREE. SECTION HEADINGS

The titles to the sections of this lease agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this lease agreement.

The parties have executed this lease agreement in Morgantown, Monongalia County, West Virginia the day and year first set forth above.

LESSOR: City of Morgantown

By _____
Jeff Mikorski
City Manager

STATE OF WEST VIRGINIA,
COUNTY OF MONONGALIA, TO-WIT:

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Jeff Mikorski, City Manager of the City of Morgantown, West Virginia.

My commission expires: _____.

Notary Public in and for
said State and County

LESSEE: Chris Russell Drums and Percussion, LLC
d/b/a POPSHOPWV

By _____
Chris Russell
Member

STATE OF WEST VIRGINIA,
COUNTY OF MONONGALIA, TO-WIT:

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Chris Russell, member of Chris Russell Drums and Percussion, LLC d/b/a POPSHOPWV.

My commission expires: _____.

Notary Public in and for
said State and County

**AN ORDINANCE AUTHORIZING A RIGHT-OF-WAY AND EASEMENT
AGREEMENT OVER PROPERTY LOCATED AT 10 MAPLE AVENUE**

The City of Morgantown hereby ordains that the City Manager is authorized to execute the attached agreement, which is incorporated in this Ordinance by reference, granting a right-of-way and easement to the owners of property located at 10 Maple Avenue for the placement of a heating element in the right-of-way.

FIRST READING:

Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:

RIGHT-OF-WAY AND EASEMENT AGREEMENT

THIS RIGHT-OF-WAY AND EASEMENT AGREEMENT, made and executed in duplicate this ____ day of _____, 2015, by and between CITY OF MORGANTOWN, West Virginia, a municipal corporation, party of the first party, GRANTOR, and WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS ON BEHALF OF WEST VIRGINIA UNIVERSITY, an agency and higher education institution of the State of West Virginia, party of the second part, GRANTEE.

WITNESSETH: That for and in consideration of the payment of One Dollar (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration hereinafter detailed, GRANTOR does now hereby bargain, sell, grant, and convey unto the GRANTEE, its contractors, licensees, lessees, sublessees, successors and/or assigns, a non-exclusive right-of-way and easement for the laying, relaying, constructing, reconstructing, placing, replacing, repairing, maintaining, and removing a water line situate, lying and being within the public right of way known as Hough Street, located in the Fourth Ward of the City of Morgantown, Monongalia County, West Virginia.

The location of said right-of-way and easement ("Easement Area") is more particularly shown upon the plat of survey entitled Construction Easement on Hough Street, dated April 29, 2015, prepared by Richard A. Colebank, WVPS #1076, of Alpha Associates, Inc., consisting of 5,277.32 square feet, more or less, attached hereto as Exhibit A, and being more particularly described as follows:

An area of land designated as being a portion of Hough Street in the Morgantown Corporation on Tax Map 26, more and particularly bounded and described as follows:

Beginning at the centerline intersection of Hough Street and University Drive thence; N 20° 19' 23" E 22.25' with the centerline of University Drive thence; S

68° 55' 38" E 25.00' to the corner of the sidewalk and concrete ramp to Colson Hall Building thence; S 18° 30' 49" W 12.59' to the corner of a brick wall and the northern right-of-way line of Hough Street thence; S 69° 40' 37" E 247.24', with the southern right-of-way of Hough Street to the centerline of University Ave. thence; N 29° 57' 17" E 10.08', to the point of beginning containing 5277.32 square feet (0.12 acres) more or less of construction easement as surveyed in April 2015 by Alpha Associates Inc.

For the consideration aforesaid, GRANTOR does now also hereby grant and convey unto the GRANTEE, its contractors, licensees, lessees, sublessees, successors and/or assigns, the right of ingress, egress, and regress to and from the Easement Area, and a temporary construction right-of-way and easement of such width as is reasonable and necessary for the purposes of laying, relaying, constructing, reconstructing, placing, replacing, repairing, maintaining, and removing the water line.

The water line shall be constructed, maintained and repaired at GRANTEE'S, or its contractors, licensees, lessees, sublessees, successors and/or assigns, sole cost and expense. All work to construct, install, maintain and/or repair the water line (the "Work") shall be subject to the following additional conditions:

(a) GRANTEE shall provide to GRANTOR copies of as-built drawings showing the exact location of said water line upon completion of Work;

(b) all Work shall be performed by GRANTEE, or its contractors, subcontractors, successors and/or assigns, as expeditiously as possible in accordance with good construction practices and so as to minimize interference with the use of the Grantor's property, including the flow of pedestrian and vehicular traffic;

(c) any surface or subsurface damage to paved areas or other improvements on the GRANTOR'S property known as Hough Street caused by GRANTEE, or its contractors, subcontractors, successors and/or assigns, in connection with the Work shall

be promptly repaired by GRANTEE to a condition equal to that existing before any such Work or actions were undertaken, or as directed by the City Engineer; and

(d) Whenever entry onto GRANTOR'S property is required for maintenance or repairs to the water line within the Easement Area, GRANTEE, or its contractors, licensees, lessees, sublessees, successors and/or assigns, shall provide the respective GRANTOR with not less than twenty-four (24) hours prior notice except when access is required in the case of emergency repairs.

This Agreement shall be binding upon the parties and their respective successors and/or assigns. The rights of way and easements granted herein shall be appurtenant to and run with the land thereby benefited and burdened.

DECLARATION OF CONSIDERATION

Under the penalties of fine and imprisonment as provided by law,, the undersigned hereby declares that the transfer involved in the document to which this Declaration is appended is a transfer to or from the State of West Virginia, or to or from any of its instrumentalities, agencies or political subdivisions, and therefore is not subject to West Virginia excise tax and is exempt under the provisions of Chapter 11, Article 22, Section 1 of the West Virginia Code, 1931, as amended.

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WITNESS the following signature and seal:

CITY OF MORGANTOWN, West Virginia,
a municipal corporation

By: _____
Jeffrey Mikorski
Its: City Manager

STATE OF WEST VIRGINIA

COUNTY OF MONONGALIA, TO-WIT:

The undersigned, a Notary Public in and for the County and State aforesaid, does hereby CERTIFY that Jeffrey Mikorski, the City Manager of City of Morgantown, West Virginia, a municipal corporation, whose name is signed to the foregoing agreement, have this day sworn to, affirmed, subscribed and acknowledged the same before me in said County, as the free act and deed of said corporation, upon authority duly granted.

Given under my hand this ____ day of _____, 2015.

My commission expires: _____.

{SEAL}

Notary Public

**AN ORDINANCE AUTHORIZING A RIGHT-OF-WAY AND EASEMENT
AGREEMENT WITH THE WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS
ON HOUGH STREET**

The City of Morgantown hereby ordains that the City Manager is authorized to execute the attached agreement, which is incorporated in this Ordinance by reference, granting a right-of-way and easement to the West Virginia University Board of Governors for placement of a water line in Hough Street within the City of Morgantown.

FIRST READING:

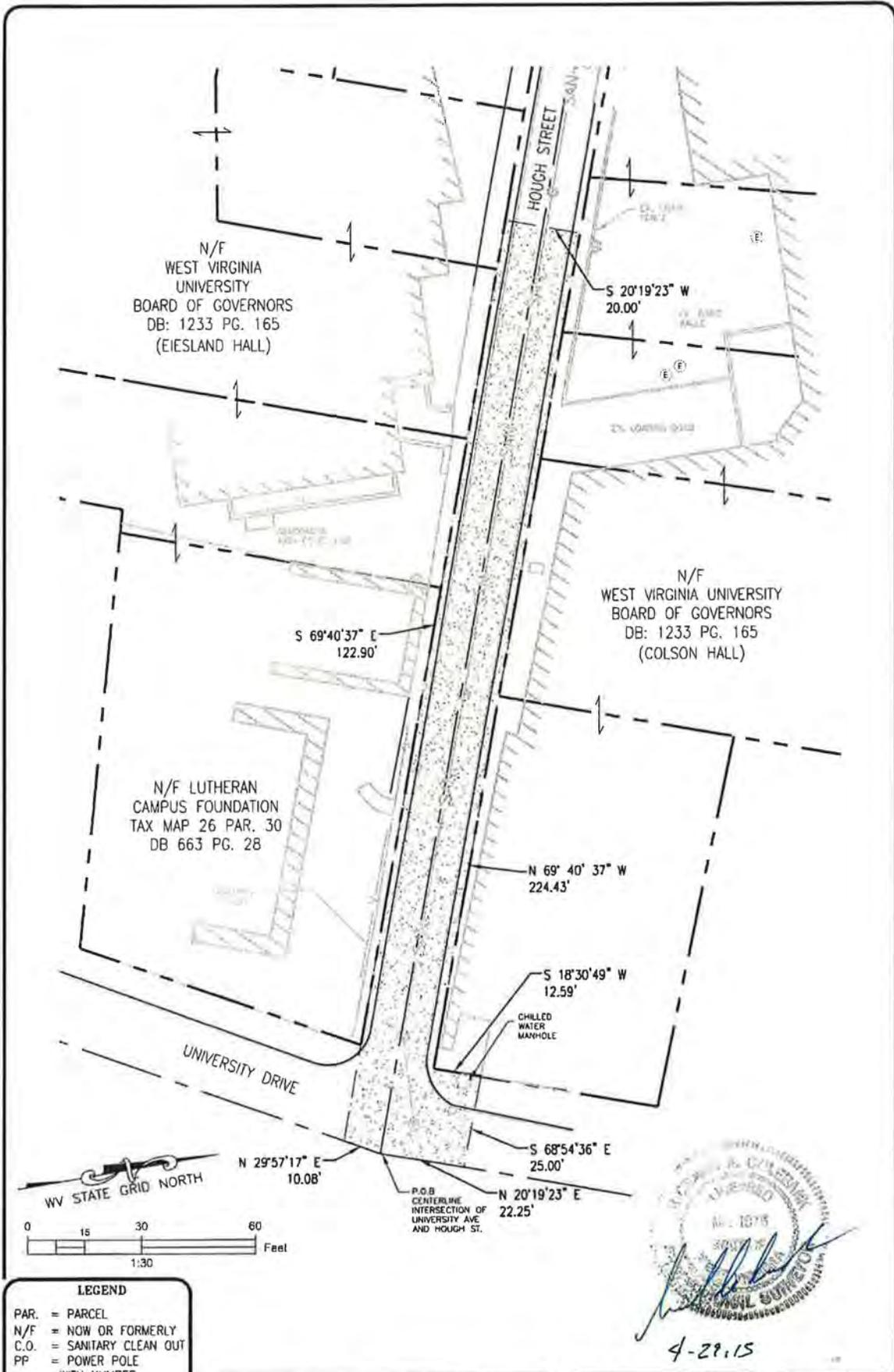
Mayor

ADOPTED:

FILED:

City Clerk

RECORDED:



LEGEND

- PAR. = PARCEL
- N/F = NOW OR FORMERLY
- C.O. = SANITARY CLEAN OUT
- PP = POWER POLE
- WITH NUMBER
- ⊙ = SANITARY MANHOLE
- ⊙ = WATER METER
- ⊙ = WATER VALVE
- = EX. BUILDING FACE

PLAT OF SURVEY
 FOR
WEST VIRGINIA UNIVERSITY
 MONOGALIA COUNTY
 THIRD WARD, MORGANTOWN DISTRICT
 MORGANTOWN WV 26501

Alpha
ASSOCIATES, INC.
 ALPHA ASSOCIATES, INC.
 209 PRAIRIE AVE.
 MORGANTOWN, WV 26501
 PHONE/FAX: 304-296-8216
 TOLLFREE: 800-640-8216
 www.thrALPHAinc.com

DRN.: BSK
 P.M.: RC P.I.C.: RC
 PROJ. NO.: 1504037.00
 DATE: 4/29/2015
 SHEET NO.:
1 OF 1

RIGHT-OF-WAY AND EASEMENT AGREEMENT

THIS RIGHT-OF-WAY AND EASEMENT AGREEMENT, made and executed in duplicate this ____ day of _____, 2015, by and between CITY OF MORGANTOWN, West Virginia, a municipal corporation, party of the first party, GRANTOR, and WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS ON BEHALF OF WEST VIRGINIA UNIVERSITY, an agency and higher education institution of the State of West Virginia, party of the second part, GRANTEE.

WITNESSETH: That for and in consideration of the payment of One Dollar (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration hereinafter detailed, GRANTOR does now hereby bargain, sell, grant, and convey unto the GRANTEE, its contractors, licensees, lessees, sublessees, successors and/or assigns, a non-exclusive right-of-way and easement for the laying, relaying, constructing, reconstructing, placing, replacing, repairing, maintaining, and removing a water line situate, lying and being within the public right of way known as Hough Street, located in the Fourth Ward of the City of Morgantown, Monongalia County, West Virginia.

The location of said right-of-way and easement (“Easement Area”) is more particularly shown upon the plat of survey entitled Construction Easement on Hough Street, dated April 29, 2015, prepared by Richard A. Colebank, WVPS #1076, of Alpha Associates, Inc., consisting of 5,277.32 square feet, more or less, attached hereto as Exhibit A, and being more particularly described as follows:

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68° 55' 38" E 25.00' to the corner of the sidewalk and concrete ramp to Colson Hall Building thence; S 18° 30' 49" W 12.59' to the corner of a brick wall and the northern right-of-way line of Hough Street thence; S 69° 40' 37" E 247.24', with the southern right-of-way of Hough Street to the centerline of University Ave. thence; N 29° 57' 17" E 10.08', to the point of beginning containing 5277.32 square feet (0.12 acres) more or less of construction easement as surveyed in April 2015 by Alpha Associates Inc.

For the consideration aforesaid, GRANTOR does now also hereby grant and convey unto the GRANTEE, its contractors, licensees, lessees, sublessees, successors and/or assigns, the right of ingress, egress, and regress to and from the Easement Area, and a temporary construction right-of-way and easement of such width as is reasonable and necessary for the purposes of laying, relaying, constructing, reconstructing, placing, replacing, repairing, maintaining, and removing the water line.

The water line shall be constructed, maintained and repaired at GRANTEE'S, or its contractors, licensees, lessees, sublessees, successors and/or assigns, sole cost and expense. All work to construct, install, maintain and/or repair the water line (the "Work") shall be subject to the following additional conditions:

(a) GRANTEE shall provide to GRANTOR copies of as-built drawings showing the exact location of said water line upon completion of Work;

(b) all Work shall be performed by GRANTEE, or its contractors, subcontractors, successors and/or assigns, as expeditiously as possible in accordance with good construction practices and so as to minimize interference with the use of the Grantor's property, including the flow of pedestrian and vehicular traffic;

(c) any surface or subsurface damage to paved areas or other improvements on the GRANTOR'S property known as Hough Street caused by GRANTEE, or its contractors, subcontractors, successors and/or assigns, in connection with the Work shall

be promptly repaired by GRANTEE to a condition equal to that existing before any such Work or actions were undertaken, or as directed by the City Engineer; and

(d) Whenever entry onto GRANTOR'S property is required for maintenance or repairs to the water line within the Easement Area, GRANTEE, or its contractors, licensees, lessees, sublessees, successors and/or assigns, shall provide the respective GRANTOR with not less than twenty-four (24) hours prior notice except when access is required in the case of emergency repairs.

This Agreement shall be binding upon the parties and their respective successors and/or assigns. The rights of way and easements granted herein shall be appurtenant to and run with the land thereby benefited and burdened.

DECLARATION OF CONSIDERATION

Under the penalties of fine and imprisonment as provided by law,, the undersigned hereby declares that the transfer involved in the document to which this Declaration is appended is a transfer to or from the State of West Virginia, or to or from any of its instrumentalities, agencies or political subdivisions, and therefore is not subject to West Virginia excise tax and is exempt under the provisions of Chapter 11, Article 22, Section 1 of the West Virginia Code, 1931, as amended.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

WITNESS the following signature and seal:

CITY OF MORGANTOWN, West Virginia,
a municipal corporation

By: _____
Jeffrey Mikorski
Its: City Manager

STATE OF WEST VIRGINIA

COUNTY OF MONONGALIA, TO-WIT:

The undersigned, a Notary Public in and for the County and State aforesaid, does hereby CERTIFY that Jeffrey Mikorski, the City Manager of City of Morgantown, West Virginia, a municipal corporation, whose name is signed to the foregoing agreement, have this day sworn to, affirmed, subscribed and acknowledged the same before me in said County, as the free act and deed of said corporation, upon authority duly granted.

Given under my hand this ____ day of _____, 2015.

My commission expires: _____.

{SEAL}

Notary Public

EXHIBIT A

