

The following graphics are clipped from Pages 76 through 80 of the 2010 Downtown Strategic Plan Update.

6.0 Downtown Strategies

6.3 1.2 Character Area 2 - University Avenue

<p>STRENGTHS</p> <ul style="list-style-type: none"> • Adjacent to the Monongahela River and its parks and amenities, West Virginia University, and the PRT. • Access to the River, Caperton Trail and Deckers Creek Trail. • On primary transportation routes into and out of downtown. • "Step down" in topography from downtown allows for taller buildings and for "tuck under" parking structures. • Urban street grid of downtown links across University Avenue in several locations. • Public transportation access and current investment in the Riverfront Park. • Some good redevelopment in repurposed buildings is currently occurring. 	<p>CHALLENGES</p> <ul style="list-style-type: none"> • University Avenue is not pedestrian friendly because of the high volume and high speed of traffic moving through intersections. • Urban street grid interrupted in some areas by new development. • Existing uses are primarily single-use facilities and do not provide for a mixed-use line corridor. • No unification in the facade of existing buildings along University Avenue.
<p>OPPORTUNITIES</p> <ul style="list-style-type: none"> • Promote vibrant mixed-use development to create gateway to the downtown and to the River. • Create overhead and on-grade pedestrian connections across University Avenue. • Utilize topography to create structured parking below and uses above. • Create "eyes on the park" by promoting residential uses within the corridor. • Promote the redevelopment of large single-use, single-story lots into mixed-use structures. 	



6.0 Downtown Strategies

VISION / DEVELOPMENT THEME

An attractive pedestrian friendly mixed-use corridor on both sides of University Avenue that balances pedestrian and automobile concerns, promotes a proper gateway image to the city, and includes a variety of uses including lodging, hospitality, institutional uses, green manufacturing, residences and office uses that take advantage of its location along the river, its adjacency to the PRT and its proximity to Western Virginia University.

ACTIONS

- 6.3.1.2a Conduct a detailed traffic and urban design study of University Avenue to balance urban design quality, pedestrians, and cars.
- 6.3.1.2b Develop incentives to enable consolidation of parcels and consistency in development theme and pattern.
- 6.3.1.2c Adopt and enforce Main Street Morgantown Urban Design Guidelines and Design Guidelines for Public Projects.
- 6.3.1.2d Create specific design guidelines for the "University Avenue Character Area".



Inspirational imagery depicting well-crafted waterfront multi-family housing.



The Downtown Morgantown Strategic Plan

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6.0 Downtown Strategies

DESIGN GUIDELINE CONSIDERATIONS

General Intent / Goals

Dense pedestrian friendly mixed-use village with mixed-use buildings organized along University Avenue, existing streets and alleys and along the river.

Planning Requirements

- Reinforce the urban quality by increasing the mass, density, and mixed-use buildings that front on well-designed pedestrian streets.
- Create a north-south pedestrian and bicycle accesses to the River at regular intervals at the ends of the alleys that extend to downtown.
- Create balance and harmony in the vertical and horizontal massing of buildings.
- Create a consistent architectural style and palette of materials.
- Areas characterized as “New Mixed-Use Development” in Figure 15 will offer retail/commercial on the ground floor and either office or residential on the upper floors.

Building Height

Maximum height as described in the B-4 Zoning District (120'). All new buildings should be a minimum of three (3) stories or 36' in height to promote a mix of uses and a continuous urban edge.

Setbacks

- Buildings should front onto University Avenue along a consistent “build to line” that allows for the expansion of the sidewalk to a twelve-foot minimum width on both sides of the University Avenue.
- Encourage buildings to be placed close to each other as allowed by building and fire codes.

Parking and Access

- As described in the B-4 Zoning District, with the addition of the City offering an option for reduced required parking amounts for downtown residential developers as described under Transportation Section 6.4.2.
- Access to parcels of land should be from extensions of the urban street and alley grid and not directly from University Avenue.

Building Placement

- Buildings should be oriented along streets and open spaces along an established “build to line” so that an urban edge is created with the buildings.
- Buildings should exhibit continuity in the design of their facades.
- Buildings that front streets and open spaces should have a well-designed and scaled first floor with human scaled elements, doors, windows, awnings, and stoops.
- Buildings should consider pedestrian scaled rhythms along the street and open space networks and provide architectural breaks or interest every 30 - 50 feet of horizontal distance.



6.0 Downtown Strategies

Materials

Materials should conform to existing B-4 standards and be consistent with the materials chosen for the existing historic buildings within the “University Avenue Character Area”. Materials, methods, treatment, and type for private projects should adhere to the Design Guidelines found under Section N of the Main Street Morgantown Urban Design Document. Materials, methods, treatments, and types for public projects should adhere to Main Street Morgantown’s Design Guidelines for Public Projects found in Sections II to V. Select materials and finishes for proposed new buildings that are compatible with historic materials and finishes found in the surrounding buildings that contribute to the special character of the historic district in terms of composition, scale, module, pattern, detail, texture, finish, color, and sheen.

Colors Palette

Warm and earth-toned colors will be encouraged predominantly. Brighter colors will be allowed but in limited accent areas.

Architectural Style

Encourage an architectural reference for the “University Avenue Character Area” that draws inspiration from historic and industrial era brick buildings as described within the Main Street Morgantown Urban and Public Projects Design Guidelines. Existing building renovations, rehabilitations, and adaptive re-uses should follow the Main Street Morgantown Urban and Public Projects Design Guidelines.



Inspirational imagery depicting pedestrian bridge over busy vehicular thoroughfare.



6.0 Downtown Strategies



Figure 15: Character area diagram for University Avenue

STAFF REPORT ADDENDUM C

V15-65 thru V15-71 / Standard at Morgantown, LLC / 1303 University Avenue

Staff recommended revisions to the petitioner's Findings of Fact responses provided herein serve only to remove narrative that is clearly inapplicable. Staff recommended revisions should not be considered or construed as supporting or opposing the merits of the petitioner's responses (deleted matter struck through; new matter underlined).

Case No. V15-65 Exceed Maximum Front Setback Standard

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased setbacks along the front of the building will not affect public health, safety or welfare, or rights of adjacent property owners or residents. In fact, it will provide for greater safety because it will allow the increase in width of the sidewalk allowing greater separation between pedestrians and vehicles. Currently at the location of proposed improvements and existing feature (Mode Roman Property) is a parking lot. Without a physical structure located adjacent to the beginning of the project allows the sidewalk to be increased in width without creating an immediate bottle neck for pedestrians.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The proposed project is located within the B-4 Zoning District, which allows for buildings to be constructed at the front property line with 0' minimum and 10' maximum setback. Allowing the building to be set back from the property line will allow greater width for pedestrian sidewalk and provide a safer walking environment by greater separation between the public and vehicles. Additionally the existing overhead utilities will be buried along the frontage of the project. The additional setback will allow the utility owners to have additional space for the maintenance of their facilities. Per conversations with the Fire Marshal, the southern end of the building has been designed to allow for additional building setback so that the fire apparatus may be parking between the building and the curb in an emergency.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The variance to allow an increased set back distance allows the plan to conform to the DOH driveway requirements and the Fire Marshal's staging location between the building and the curb.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The request for the increase of front set back will be applied within the B-4 District. The City of Morgantown is concerned with "Canyon Effect" in and around the downtown area. Allowing the increased set back will reduce the "Canyon Effect" along the proposed development site. Additionally, the variance will allow the building to be designed within the allowable 0' to 10' setback

Case No. V15-66 Encroach into Minimum Rear Setback Standard

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents because the building will be constructed entirely within the extents of the property lines. This variance is for the setback located in the back of the building. The back property line abuts against the Rails to Trails / CSX / City Right of Way. The approval of this variance will not encroach towards inhabited parcels or available real estate that can be developed in the future.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

Due to the irregular shape of the property along the back, the building would not be feasible to construct and maintain the 10% setback requirements.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

Trying to hold with the 10% setback would create several offsets and interior building corners costing more to construct ~~and reducing available income by reducing the available square footage of the building.~~ This request is for only a small area (approximately 140 feet long) located at the Northwestern Corner of the building and abutting against the City / CSX / Rails to Trails Right of Way.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The relaxation in the 10% setback ordinance will allow the developer to construct a building that is in accordance with the vision for the long term image of the City of Morgantown. The building is being constructed in a B-4 Business District and looking at redevelopment of a blighted area. ~~This building will not have any adverse effects to surrounding properties and will create a landmark for future developments to strive for.~~

Case No. V15-67 Canyon Effects

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the proposed variance waiver will not affect the public health, safety or welfare, or rights of adjacent property owners or residents, because the Developer proposes to create a project that will work in harmony with the surrounding city fabric while also providing a stimulus to the surrounding areas of vibrancy. The proposed project is set back approximately 12' off of University Avenue as well as over 20' from Walnut Street to allow for greater street activity and sun paths. It is also set back 15' from the adjacent interior property line to provide an added separation buffer between the lots. Additionally, the project will be sited away from the rear of the site to allow for an increase in the site open area adjacent to the PRT line and Monongalia River with the Developer proposing an upgraded access connection to the nearby Caperton Trail Path. The building design itself steps back at the upper levels and corner as well as insets the current sites condition and will provide a state a modern facility that will be utilized by the neighboring universities students as a residential and commercial facility.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The Developer proposes a variance relief for a new building that will add a dynamic presence to another otherwise underutilized portion of the City. The scale and configuration of the project works with the Developer's goal of providing an economically viable project that will enhance the neighborhood while also providing a platform for an increased revenue base to the City.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The project will allow the construction of a proposal that exceeds the existing criteria that limits building to three stories by proposing the design for a twelve story structure. This will enable the construction of a project that will provide a needed boost to the site and its adjacent surroundings. ~~The developer believes that the~~ approval of this development will help to alleviate an existing blight that categorizes the site as it currently exists.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The acceptance of this application for variance relief would allow the project to move forward and provide a new mixed-use development that would aid in fostering an essential link to the revitalization of this area of the city and would be an economic stimulus to future growth.

Case No. V15-68 To exceed the maximum curb cut width of a driveway at the curb line and at the right-of-way line on **University Avenue**.

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased curb cuts will not affect public health, safety or welfare, or rights of adjacent property owners or residents because the garage entrance off of University Avenue will be located approximately midway of the proposed building. The increased curb cut will allow easier maneuvers of vehicles without running over top of the curb. The extended curb width will be a benefit to vehicles wishing to travel along University Avenue by allowing vehicles to make safer and quicker maneuvers out of the way off of University Avenue.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

With the right-in-and-right-out vehicle maneuvers, lane dividers will need to be incorporated into the center of University Avenue per WVDOH recommendations. The lane dividers consist of flexible posts located along the centerline divider paint marking limiting the vehicular maneuvers to right in and right out.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

In order to provide ease of entry for vehicles, the curb radius must be increased to 18 feet off University Avenue. With the increased curb cuts vehicles can maneuver off University Avenue a little safer and quicker in turn reducing vehicle congestion on University Avenue. With a wider exist radius, vehicles can merge onto University Avenue without running into the left lane.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

~~The request for extended curb cuts will be applied within the B-4 Business District.~~ With the increased curb cut, vehicles can make safer and quicker maneuvers reducing impacts to traffic flow along University Avenue.

Case No. V15-69 To exceed the maximum curb cut width of a driveway at the curb line and at the right-of-way line on **Walnut Street**.

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased curb cuts along Walnut Street will not affect public health, safety or welfare, or rights of adjacent property owners or residents because the added curb cut length will provide for additional access to the building therefore reducing parking vehicles along Walnut Street. The increased curb cut will allow for easier maneuvers of extended wheel base service vehicles such as garbage trucks without running over top of the curb. The extended curb width will be a benefit to vehicles wishing to travel down Walnut Street by allowing the service vehicles to make safer and quicker maneuvers out of the way of Walnut Street.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

With the garbage facilities being located inside the building, the garbage trucks must be able to enter the building without running over top of the curb. In order to provide an appropriate curb radius for the tracking of the garbage truck to curb cut must be increased. A separate entrance was incorporated into the design to provide for off street parking of delivery vehicles requiring wider curb radius.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The entrance off of Walnut Street will incorporate three key components, garbage pickup, access to vehicular parking garage, and delivery vehicles. These entry points were strategically placed at a single location allowing three separate access points for accommodating the identified vehicle maneuvers. Allowing three access points will provide staging areas for the service vehicles making there necessary stops inside the building, this will allow the streets to remain open and free from obstructions. Curb radius were increased to 21 feet on the east and 25 feet on the west to provide vehicle maneuvers without running over the curbs.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

~~The request for extended curb cuts along Walnut Street will be applied within the B-4 Business District.~~ With the increased curb cut, service vehicles will be moved off the streets allowing better traffic flow and reduced street congestion.

Case No. V15-70 To exceed the maximum parking standard in a nonresidential district.

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased Maximum Parking from 485-692 will not affect public health, safety or welfare, or rights of adjacent property owners or residents because the parking area will be located within the confines of the building. In fact, the additional parking will be a benefit by providing the anticipated required parking for the residents in addition providing parking for resident visitors thereby reducing the impacts to surrounding parking areas. The parking area will be a secured area providing safety and security of its residents and visitors. With the parking area located inside the confines of the building, no visual impacts of parked vehicles will be experienced by the adjacent property owners.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The Developer anticipates the required parking demand will exceed the minimum requirement of 0.5 parking spaces per occupant. The Developer wants to insure the residents have safe and secured parking for their tenants and visitors. The Developer is concerned that by not providing ample parking, it may jeopardize the marketability of the building.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The Developer desires to provide safe and secure parking for the residents without relying on unsecured outside parking areas. With the additional inside parking provided, the residents will be able to walk safely to their apartments during inclement weather conditions and night time hours.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The parking structure will be located in the B-4 Zoning District where available parking is at a premium. Increasing the maximum allowable parking for the residents will eliminate the outsourcing of available parking should the residents exceed the maximum zoning standard of 0.5 parking spaces per occupants.

Case No. V15-71 Minimum transparency.

Finding of Fact No. 1 – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the proposed variance waiver will not affect the public health, safety or welfare, or rights of adjacent property owners or residents, because the Developer proposes to create a project that will work in harmony with the surrounding city fabric while also providing a stimulus to the surrounding areas vibrancy. The project will combine multiple parcels which currently have limited or no street front windows into a cohesive street front combining retail and residential uses. Upgraded site lighting and pedestrian access will also positively impact the health and safety of the public and neighboring properties. The project will be a noticeable upgrade to the current sites condition and will provide a modern facility that will be utilized by the neighboring university's students as a residential and commercial facility.

Finding of Fact No. 2 – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

~~The Developer proposes a variance to the 60% transparency zoning ordinance on University Ave. and Walnut Street.~~ The Developer is limited to the proposed 52% transparent area at University Avenue by a need for vehicular access and electrical transformers adjacent to the street. The remainder of the façade proposes a higher than 60% transparency. The Walnut Street frontage is limited to 11% transparency by existing site conditions as well as functional requirements of the proposed building. Walnut Street slopes steeply down to the Monongahela River which limits the glazing opportunity at this street front. Additionally, project access requirements such as parking, loading, and trash removal make up a portion of the Walnut Street front. These site and project restrictions combine to limit the University Avenue and Walnut Street transparencies.

Finding of Fact No. 3 – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

~~The Developer believes that~~ It appears the project, as designed, is a reasonable use of a steeply sloping site with limited street front access points. The project attempts to address and activate the street front with large transparent openings where the site allows along University Avenue while utilizing Walnut Street for other building requirements.

Finding of Fact No. 4 – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The project, as designed, includes at least 60% transparency in concentrated areas of street front retail and building entrances, which are interrupted by solid areas where required by site restrictions or project requirements. The goal of the design is to provide an active street front façade where possible along a highly variable street frontage. The design attempts to find the highest and best use for each of these unique conditions.



PLANNING AND ZONING CODE CONFORMITY REPORT FOR PLANS SUBMITTED FOR NOVEMBER PC AND BZA HEARINGS

Planning Division

“The Standard at Morgantown” – University Ave

The following information identifies Planning and Zoning (P&Z) Code provisions related to the above referenced development. Plans reviewed herein were prepared by the BKV Group and CTL Engineering of West Virginia, Inc, on behalf of Landmark Properties, Inc. Also identified is whether or not the subject development meets P&Z requirements.

PROPOSED DEVELOPMENT PROGRAM

- The development site is currently occupied by “McClafferty’s Irish Pub,” “Vic’s Towing and Garage,” the former “Golds Gym” building that has been converted into apartments, and the “Shell” gas station mini-mart. The development site includes the public right-of-way of Wall Street, which requires annulment approval by City Council.
- The zoning classification for the development site is B-4, General Business District.
- The development site is identified by CTL Engineering as 1.95 acres (84,942 square feet), which includes 82,155 square feet (1.88 acres) for Parcels 6 thru and including 15 of Tax Map 26A and the Wall Street right-of-way.
- The development program includes 276 dwelling units with a total of 866 occupants.
- A total of 692 parking spaces are proposed in 12 parking deck levels that are wrapped by the nonresidential and residential portions of the building.
- The following restates the square footages of programmed spaces provided in the plans reviewed herein.
 - Commercial 13,351 sf
 - Retail 8,486 sf
 - Parking 225,554 sf (692 parking spaces)
 - Housing 419,947 sf
 - TOTAL..... 667,338 sf
 - Total less parking 441,784 sf
- One (1) right-in-right-out-only driveway entrance is proposed on University Avenue between Wall Street and Fayette Street to access the parking decks. One (1) driveway entrance is proposed on Walnut Street to access the parking decks, dumpster area, and loading area.

SUMMARY OF CONFORMITY OBSERVATIONS

Planning and Zoning Code Reference	
Conformity (Y, N, TBD)	Conformity review observations; required approvals noted in bold highlighted (yellow) font.



**PLANNING AND ZONING CODE CONFORMITY REPORT
FOR PLANS SUBMITTED FOR NOVEMBER PC AND BZA HEARINGS**

Planning Division

1349.02 Permitted and Conditional Uses	
Y	"Mixed-Use Dwellings" are permitted in the B-4 District by-right. [see Addendum A for additional explanation]
TBD	The specific land uses for the commercial retail spaces at grade with University Avenue have not been determined. Land use determinations will be made once commercial retail occupants are identified.

1349.03 Lot Provisions	
Y	(A) Minimum lot size – 1,500 sf <i>The development site, which includes the Wall Street right-of-way is 1.95 acres (84,942 sf).</i>
Y	(B) Minimum lot frontage – 30 ft <i>The University Avenue frontage appears to be approximately 340 ft.</i>
Y	(C) Minimum lot depth – 50 ft <i>The lot depth varies from 152.7 ft to 248.2 ft</i>
Y	(D) Maximum lot coverage – 90%. <i>Sheet No. 3.01 identifies the proposed lot coverage as 78%.</i>

1349.04 Setbacks and Encroachments			
	Provision	Requirement	Proposed
Y	(A)(1) Minimum Front	0 ft.	4.62 ft
N V15-65	(A)(2) Maximum Front	Average depth of the nearest 2 lots on either side or 10 feet, whichever is less	<i>Sheet C-3.1 illustrates maximum front setbacks varying from 4.62 ft to 8.87 ft., which exceed the 0.26 ft setback for the Mode Roman Building.</i>
N/A	(A)(3) Exceptions to max. front	<i>Exceptions not requested.</i>	
Y	(A)(4) Minimum Side	0 ft.	5 ft (south) 13.61 ft (north)
N V15-66	(A)(5) Minimum Rear	10% of lot depth	<i>Sheet 3.01 illustrates an encroachment for a portion of the building.</i>
Y	(B) Minimum setback for accessory structures – LIFT STATION	5 ft from side & rear	5.01 ft from rear 4.25 ft from side



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1349.05 Building Height			
	Provision	Requirement	Proposed
Y	(A) Minimum Height	2 stories	10 stories (as defined by "building height in stories")
Y	(B) Maximum Height	120'	Lowest Elevation: 102' – 9 3/8" (south elevation) Highest Elevation: 134' – 4" (west elevation) Average Height = 118' – 6 11/16"
Y	(C) Maximum Height (accessory structure) – 35 ft <i>The lift station is considered an accessory structure.</i>		

1349.06 Floor Area Ratio (FAR)	
Y Note – 1	Maximum FAR is 7.0. However, area designed, constructed, and utilized to provide parking structure facilities for less than the maximum parking standard is exempt from maximum FAR standard. Maximum FAR calculation: 7.0 x 84,942 sf = 594,594 sf Proposed FAR: 667,338 sf (total) – 225,554 sf (parking) = 441,784 sf

1349.07 Maximum Residential Density	
Y	Minimum lot area per dwelling unit is 300 sf. Maximum residential density calculation: 84,942 sf / 300 sf = max. of 283 units . Proposed dwelling unit count is 276 units .

1349.08 Parking and Loading Standards	
Y	(A)(1) Residential – 0.5 parking spaces per occupant (except first 22 occupants) 866 occupants – first 22 occupants = 844 occupants 844 occupants x 0.5 = minimum of 422 parking spaces Proposed: 692 parking spaces
N/A	(A)(2) Nonresidential <i>The trip generating nonresidential use component (8,486 sf) is less than 15,000 sf and therefore exempt from providing nonresidential required parking spaces.</i>
N/A	(A)(3) Movie Theaters
N/A	(A)(4) Reduction in Minimum Required Parking
N/A	(A)(5) Fee In-Lieu-Of Parking - RESERVED



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N/A	(A)(6) "Alternate Off-Site Parking Strategies".
Y	(B) On-site surface parking must be located to the rear of the building or otherwise screened. <i>No surface parking spaces proposed in plans reviewed herein.</i>
Y	(C) Bicycle Storage – One (1) indoor, secured, sheltered bicycle storage space is required per dwelling unit that meets minimum design standards. <i>Sheet No. 6.01 illustrates storage for 276 bikes</i>
Y	(D) Loading for residential uses containing thirty (30) or more dwelling units. <i>The proposed area of the residential use component is 334,092 sf. According to Table 1365.10.01, a total of 15 loading spaces are required, one (1) of which must be designed for the retail sales uses. Because the dwelling units will be furnished, the dimensions of the residential loading spaces can be the standard 8.5 ft x 18 ft parking space. Sheet Nos. 6.01 and 6.04 illustrate the 14 residential use loading spaces.</i>

1349.09 Performance Standards	
	See comments below under Article 1351.

1349.10 Landscaping	
	See comments below under Article 1367.

1351.01 Performance Standards for Buildings in the B-4 District	
Y	(A) <u>Height exemptions for certain facilities and appurtenances.</u>
TBD	(B) <u>Private pedestrian walks, street furniture, and open space on private property.</u> <i>Consultation with and review by the City Engineer will be conducted during building permit plans review to determine appropriate public space furnishings.</i>
Y	(C) <u>Private parking facilities.</u>



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	(D) <u>Curb Cuts.</u> The following provides the minimum curb cut performance standards along with proposed conditions.	Standard	Proposed	
			University Ave. curb cut	Walnut St. curb cut
			Provision	
Y	Minimum distance of any part of driveway to the street right-of-way line of any intersecting street.	35 feet	152.5 ft	36.75 ft
Y	Minimum distance of any part of driveway to the end of a curb radius at an intersecting street.	30 feet	158.86 ft	30.15 ft
Y	Minimum distance of any part of a driveway to any other part of another driveway.	30 feet	169.26 ft	N/A
N V15-68 V15-69	Maximum width of a driveway at the curb line.	26 feet	55.77 ft	104.39 ft
N V15-68 V15-69	Maximum width of a driveway at the street right-of-way line.	22 feet	27 ft	58.75 ft
Y	(E) <u>Corner Visibility.</u> <i>See review opinion from City Engineer.</i>			
	(F) <u>Landscaping.</u> <i>See comments below under Article 1351.</i>			
N/A	(G) <u>Vacant Lots.</u>			
Y	(H) <u>Main Street Morgantown Urban Design Guidelines.</u> <i>The project's design professionals met with the Downtown Design Review Committee on 25 AUG 2015 and 29 SEP 2015.</i>			
TBD V15-67	(I) <u>Minimize Canyon Effects for Buildings Taller than Three (3) Stories.</u> Site plan applications for buildings taller than three (3) stories must include an Air Flow Analysis and a Sunlight Distribution Analysis. <i>The Sunlight Distribution Analysis is provided on Sheet Nos. 6.17 and 6.18. The Air Flow Analysis is provided on Sheet No. 6.19.</i>			
Y	(J)(1) <u>Floor-to-Floor Heights Ground-floor Space.</u> <i>Sheet Nos. 6.02, 6.03, 6.04, 7.02, and 7.03 illustrate floor-to-floor heights of at least 11 ft for the stepped ground floor non-residential spaces.</i>			
Y	(J)(2) <u>Floor Area of Ground-floor Space.</u> <i>See Addendum B for explanation.</i>			



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N V15-71	(K) <u>Transparency.</u> <i>Sheet No. 7.04 illustrates transparency between 3'-0" and 8'-0" of 52% along University Avenue and 11% along Walnut Street, which requires variance relief.</i>
Y	(L) <u>Doors and Entrances.</u>
Y	(M) <u>Solid Waste.</u> <i>Garbage storage facility design, access modeling, and a letter provided from Republic Services has been submitted.</i>

1365.04 Determination of the Number of Spaces	
N V15-70	(I) In all non-residential districts the maximum numbers of spaces provided shall not exceed 115 percent of the minimum parking requirement, except for research and development centers, where there shall be no maximum. The minimum parking requirement [see Article 1349.08(A)(1) above] is 422 spaces. 422 spaces x 1.15 = maximum of 485 parking spaces. 485 parking spaces + 14 residential loading spaces = 499 parking spaces. <i>692 parking spaces are proposed, which requires variance relief for the 193 parking spaces that exceed the maximum standard.</i>

1365.07(A)(2) Off-Site Parking Facilities within the B-4 District	
N/A	The BZA may grant conditional use approval to provide required parking spaces on a site that is within 500 feet of the principal use (with certain restrictions). Off-site parking is not proposed.

1367 Landscaping and Screening	
TBD	<i>A Preliminary Landscape Plan is provided on Sheet Nos. 4.03, 4.04, and 4.05. Review of the final Landscape Plan will be conducted during building permit application submission.</i>

1369 Signs	
TBD	<i>Because commercial retail occupants have not been identified yet, signage plans will be reviewed and approved at the time of related building permit application.</i>

1371 Lighting	
TBD	<i>A Preliminary Landscape Plan is provided on Sheet Nos. 4.01 and 4.02. Review of the final Lighting Plan will be conducted during building permit application submission.</i>



PLANNING AND ZONING CODE CONFORMITY REPORT FOR PLANS SUBMITTED FOR NOVEMBER PC AND BZA HEARINGS

Planning Division

NOTES

Note – 1As noted under Article 1365.04(l) above, 193 parking spaces are proposed in excess of the 115% maximum standard. Article 1349.06 does not permit parking in excess of the maximum parking standard to be exempted from the Maximum Floor Area Ratio (FAR) standard. As such, the following adjusted FAR calculation is required.

- The assumed area of a parking space is $(8.5' \times 18') + (8.5' \times 12') = 255$ sf per space
- 193 parking spaces x 255 sf per space = 49,215 sf
- Proposed FAR: $[667,338$ sf (total) – 225,554 sf (parking)] + 49,215 sf = 490,999 sf
- 490,999 sf is still less than the maximum FAR standard of 594,594 sf

SUMMARY OF REQUIRED APPROVALS

1. Required City Council approval:

- a. Right-of-way annulment of Wall Street between University Avenue and the CSX right-of-way.

An annulment application has been submitted and the City Engineer is awaiting requisite letters from public/private utilities.

2. Required Planning Commission approvals:

- a. S15-09-III..... Type III Site Plan – Development of Significant Impact (DSI).
- b. Minor Subdivision to combine the ten (10) parcels and the Wall Street right-of-way that compose the development site.

A minor subdivision application will be submitted for Planning Commission review following the annulment determination by City Council.

3. Required BZA approvals:

- a. V15-65..... Article 1349.04(A)(2) – variance relief to exceed the maximum front setback standard for the principal building.
- b. V15-66..... Article 1349.04(A)(5) – variance relief to encroach into the minimum rear setback standard for the principal building.
- c. V15-67..... Article 1351.01(l) – The BZA must either, 1.) Determine that the proposed building sufficiently incorporates design elements that preserve adequate light and airflow to public spaces including streets and sidewalks; or, 2.) Approve or deny variance relief from incorporating design elements that preserve adequate light and airflow to public spaces including streets and sidewalks.