

# MORGANTOWN PLANNING COMMISSION

## Minutes

**6:30 PM**

**January 13, 2011**

**Council Chambers**

**MEMBERS PRESENT:** Peter DeMasters, Sam Loretta, Bill Petros, Carol Pyles, Jennifer Selin, Michael Shuman, Tim Stranko, William Wyant

**MEMBERS ABSENT:** Ken Martis

**STAFF:** Christopher M. Fletcher, AICP

**I. CALL TO ORDER / ROLL CALL:** DeMasters called the meeting to order at 6:30 PM.

**II. 2011 LEADERSHIP ELECTION – President and Vice-President**

Stranko moved to nominate Peter DeMasters to serve as President of the Planning Commission for the 2011 calendar year; seconded by Shuman. There being no further nominations, Stranko moved to close the nominations; seconded by Petros. DeMasters was elected by acclamation.

Stranko moved to nominate Carol Pyles to serve as Vice-President of the Planning Commission for the 2011 calendar year; seconded by Selin. There being no further nominations, Stranko moved to close the nominations; seconded by Loretta. Pyles was elected by acclamation.

**III. GENERAL PUBLIC COMMENT:** DeMasters opened the public comment portion of the meeting for matters not on the agenda. There being none, DeMasters closed public comments.

**IV. MATTERS OF BUSINESS:**

**A.** Approval of the November 11, 2010 meeting minutes – Wyant moved to approve the minutes as submitted; seconded by Selin. The motion passed unanimously with Shuman and Stranko abstaining due to their absence.

**V. OLD BUSINESS:**

Fletcher stated that the Planning Department issued a Press Release on January 10, 2011, which was emailed to the Planning Commissioners, explaining the postponement of the two “OLD BUSINESS” agenda items. There being no questions by the Planning Commission, DeMasters moved on to the “NEW BUSINESS” agenda items.

**A. RZ08-05:** Request by First Presbyterian Church of Morgantown for a Planned Unit Development (PUD) Outline Plan Amendment #2 as it relates to extending the temporary parking lot use and Development Plan submission deadlines for property along Spruce Street and Forest Avenue and the old Central School site along Baird Street and Willey Street. Tax Map #26 Parcels #247, 248, 249, 260, 262, 263, and 270; Planned Unit Development District. **POSTPONED**

- B. **RZ09-02:** Request by Monongalia County Habitat for Humanity for a Planned Unit Development (PUD) Outline Plan Amendment #1 as it relates to extending the Development Plan submission deadline for property located on Jerome Street and Jersey Avenue. Tax Map #24, Parcel #41; Planned Unit Development District. **POSTPONED**

**VI. NEW BUSINESS**

- A. **TX10-05:** An administratively requested text amendment to the Planning and Zoning Code, Table 1365.04.01: Minimum Off-Street Parking Requirements as it relates to “Dwelling, Townhouse” uses.

Fletcher read the Staff Report stating that during its March 11, 2010 hearing, the Planning Commission recommended several Planning and Zoning Code text amendments relating to the definition of family and residential occupancy, which were later enacted by City Council.

In these amendments, the issue of revising residential minimum parking standards was included so that the calculation of minimum parking for certain residential dwelling types would be based on unit occupancy established in the West Virginia Building State Code rather than dwelling unit bedroom composition.

“Townhouse Dwellings” were not included in these revisions because they are generally developed as one or two bedroom units to serve the prevailing market needs of households attracted to townhouse living. However, with the change in unit occupancy from no more than three-unrelated persons to the standards established in the West Virginia State Building Code, there appears to be a new market demand for three and four bedroom townhouse units in zoning districts where townhouses are permitted.

It is the opinion of the Planning Department that the current standard of 1.5 spaces per townhouse unit may no longer adequately address townhouse parking demand, particularly for larger units.

As such, Staff recommends that Table 1365.04.01 “Minimum Off-Street Parking Requirements” be amended as follows:

Table 1365.04.01 “Minimum Off-Street Parking Requirements”

Use	Minimum Off-Street Parking Requirement
Dwelling, Townhouse	<del>1.5 spaces per unit</del> <u>1 bedroom dwelling unit – 1.5 spaces per unit; 2 or more bedroom dwelling unit – 0.75 spaces per occupant as determined by the West Virginia Building Code and adopted and implemented by the City.</u>

There being no further questions by the Commission, DeMasters opened the public hearing asking if anyone wished to speak in favor of or in opposition to the petition. There no public comments offered, DeMasters closed the public hearing and asked for Staff’s recommendation.

Fletcher stated that Staff recommends that the proposed text amendment be submitted to City Council with an affirmative recommendation to amend the City's Planning and Zoning Code accordingly.

Stranko asked Fletcher asked how 0.75 spaces per occupant as opposed to per bedroom is a useful regulatory standard; how would it be managed. Fletcher stated that the City's Building Official will determine how many residents can occupy each townhouse dwelling unit based on the standards established in the Building Code. The number of occupants under the Building Code would be used to calculate the minimum parking requirement for the development. Once the minimum parking requirement is established, the number of occupants would then be limited to the number of parking space provided. Occupancy permits would identify the number of residents which would be associated to the number of parking spaces developed.

Wyant asked if the proposed amendment established the same parking standard for a one-bedroom and two-bedroom townhouse unit. Fletcher stated that is correct because the minimum parking calculation would be rounded up. Wyant is concerned with the location of townhouse developments in relation to on-street parking and the fact that the roadway infrastructure is a half century old. Wyant stated that he believed the minimum parking standard should be set a little higher than the old one and that there should be a difference between one-bedroom townhouse units and two-bedroom townhouse units. Fletcher noted that conventional townhouse development is one- or two-bedroom townhouse units. The current requirement is a minimum of two off-street parking spaces per townhouse. The proposed standard would be the same for one- and two-bedroom townhouse units but would capture those instances when townhouse development includes units with three or more bedrooms. The proposed standard increases the number of parking spaces that would be required when the number of bedrooms within a townhouse units increase. Wyant stated that he believes then that the standard should increase for three or more bedroom units. He is concerned with the stress lodging and related parking in Morgantown has in older neighborhoods. Fletcher stated that another point that should be made is that townhouse development is only permitted in certain areas of the City including R-2, R-3, and some of the business districts. Wyant noted that there has been discussion on the Fire Department's ability to respond to certain areas of the City due to narrow streets and on-street parking with the City's roadway system.

Petros asked for clarification on the rounding up of minimum parking calculations.

Wyant asked if the rounding up for developments of multiple townhouse units would be rounded up per townhouse unit or in total. Fletcher stated in total.

Selin stated that if you have two townhouse dwelling units next to each other and they are one-bedroom dwelling units and you have 1.5 spaces per unit, then you have four spaces between the units or three spaces between the units. Fletcher stated that two townhouses together would be considered a duplex. Selin asked of the ordinance stipulated how fractions are rounded. Fletcher stated that Article 1365.04 provides an explanation of how fractions must be rounded up to the next whole number when determining minimum parking requirements.

Stranko moved to submit TX10-05 to City Council with an affirmative recommendation; Wyant seconded. The motion passed 7-1 with Shuman opposed.

- B. TX10-06:** An administratively requested text amendment to the Planning and Zoning Code, Article 1349.08 Parking and Loading Standards, as it relates to residential parking in the B-4 District.

Fletcher read the Staff Report stating that on December 13, 2007, the Planning Commission submitted several Planning and Zoning text amendments to address, among others, the minimum parking standards for residential development within the B-4 District, which were later enacted by City Council. Since enactment of said amendments, the Planning Commission requested the Planning Department to study whether or not the residential parking standard within the B-4 district resulted in unintended development design consequences.

The current standard provides that no parking is required for residential development that is below the threshold of a Development of Significant impact, which is eleven (11) or fewer dwelling units. There is no consideration for bedroom composition per dwelling unit and how various residential development scenarios could generate parking demand. In other words, the provision of parking is not required whether a residential development is eleven one-bedroom units or eleven four-bedroom units. However, the parking demand for larger and higher-occupancy residential units is arguably more than it would be for smaller, less occupied units.

It is the opinion of the Planning Department that the Planning and Zoning Code should apply a more practicable approach to calculating minimum residential parking standards within the B-4 District by recognizing that parking demand is based on the number of occupants within a residential development not simply the number of dwelling units.

As such, Staff recommends the following text amendment:

1349.08 PARKING AND LOADING STANDARDS.

- (A) Off-street parking shall be provided in accordance with Article 1365, Parking, Loading and Internal Roadways for all Developments of Significant Impact and Major Developments of Significant Impact within this district, unless otherwise restricted by Article 1362 B-4NPOD, B-4 Neighborhood Preservation Overlay District, except as follows:
- (1) Residential: Parking shall not be required for the first twenty-two (22) occupants, as determined by the West Virginia State Building Code and adopted and implemented by the City, within permitted residential development ~~which does not meet or exceed the criteria of a Development of Significant Impact or a Major Development of Significant Impact. With the exception of the first twenty-two (22) occupants,~~ the minimum number of parking spaces for permitted residential uses shall be one-half a space (0.5) per bedroom occupant, as determined by the West Virginia State Building Code and adopted and implemented by the City for these dwelling units that exceed the criteria of a Development of Significant Impact or a Major Development of Significant Impact.

Fletcher stated that the proposed revisions maintains the 0.5 space per occupant standard but excepts the first twenty-two occupants from the minimum parking requirement. The Planning Commission's interest in requesting the Planning Department to review the current standard was to provide maximum flexibility in designing residential development downtown.

Loretta asked if the minimum requirement was 0.5 spaces per occupant or per bedroom. Fletcher stated that it would be per occupant after the first twenty-two occupants.

There being no further questions by the Commission, DeMasters opened the public hearing asking if anyone wished to speak in favor of or in opposition to the petition. There no public comments offered, DeMasters closed the public hearing and asked for Staff's recommendation.

Fletcher stated that Staff recommends that the proposed text amendment be submitted to City Council with an affirmative recommendation to amend the City's Planning and Zoning Code accordingly.

Wyant asked, as the newest member of the Planning Commission, why the exception of eleven units, potentially twenty-two occupants, and twenty-two vehicles in the most densely built up area of the City is currently provided in the Planning and Zoning Code. Fletcher stated that the history of development in downtown is that there were two B-4 Districts in the downtown. There was a B-4 Pedestrian District and a B-4 Vehicular District. In the B-4 Vehicular District, which primarily included the University Avenue area, parking was required for all residential and non-residential development. Parking was not required in the B-4 Pedestrian District, which included the primary central business district. The philosophy was that the City had an active public parking program with a very large inventory. After the major zoning ordinance amendment in 2006, all parking in the B-4 District was not required for any type of development. The very large development that was proposed along University Avenue bound by Kirk Street, Moreland Street, and Chestnut Street, the "Riverview" project raised a tremendous amount of public discussion and discourse in the community and City Council responded by wanting minimum parking requirements to be reinstated in the downtown area. What the Planning Department and the Planning Commission worked on was developing a mid-point where parking would be exempt for smaller-scaled developments and required for larger-scaled developments. The threshold that was identified was the scale at which a development, whether new construction or reuse, becomes a Development of Significant Impact threshold. Developments that are eleven or fewer units or less than 15,000 square feet of commercial space and do not come to the Planning Commission for review are exempt from providing minimum parking. For projects considered Developments of Significant Impact because they have twelve or more dwelling units or have 15,000 square feet or more of commercial space, parking is required and those developments come to the Planning Commission for review and approval. The proposed amendment maintains the objective of exempting parking for smaller-scaled residential development but orients the exception threshold to the relative equivalent number of occupants rather than the number of dwelling units.

Wyant stated that the Downtown Strategic Plan discuss pursuing parking for downtown residents away from the downtown area. He asked whether or not the proposed amendment is linked to the Plan. Fletcher stated that they are linked and added that if a Development of Significant Impact or a Major Development of Significant Impact is proposed within the B-4 District, the developer has the opportunity to take advantage of the noted exceptions as well as parking reductions based on the site's proximity to the Walnut Street PRT Station, a fixed bus stop, and/or a City-owned parking lot or garage. Another parking option is that a developer could propose a satellite option provided the Planning Commission is convinced that the location of the satellite facility, ease of access, and how it functions will best serve the operations of the development.

Stranko moved to submit TX10-06 to City Council with an affirmative recommendation; Petros seconded. The motion passed unanimously.

- C. **TX10-04:** An administratively requested text amendment to the Planning and Zoning Code, Article 1329.02, "DEFINITIONS OF TERMS" and Article 1369 "SIGNS", pertaining to real estate and temporary signs. **POSTPONED**

Fletcher stated that Staff is still working on crafting a recommendation that would be acceptable to those interested and those affected and that no action was required by the Planning Commission at this time.

- D. **S11-01-III:** Request by Joe Panico, on behalf of Manhattan Place, LLC for Development of Significant Impact Site Plan approval for a hotel development on Chestnut Street. Tax Map #26A, Parcels# 79 & 80; B-4, General Business District. **POSTPONED**

Fletcher advised the Planning Commission that the petitioner was unable to attend the hearing due to travel and that he requested the matter be postponed until the February meeting. No action was required by the Planning Commission at this time.

## VII. OTHER BUSINESS

### A. Committee Reports:

1. **Traffic Commission** – Martis was not in attendance by emailed the Planning Department that there was no report this month.
2. **Green Team** – Stranko stated that new City Manager Terrance Moore met with the Green Team to introduce himself and discuss his experience and objectives relating to sustainable development and sustainable initiatives. Stranko stated that Mr. Moore's comments were very impressive concerning sustainability, low impact design, and watershed protection. Stranko noted that he believes the City's perspective on sustainability and green development will continue and perhaps increase. It was an interesting and exciting discussion.

### C. Staff Comments – None.

## VIII. FOR THE GOOD OF THE COMMISSION:

Wyant noted that he, along with other Planning Commissioners, attended the recent presentation of Dr. Martis' Geography students and was very impressed with their diligence and their presentation.

## IX. ADJOURNMENT – Meeting adjourned at 7:00 PM.

MINUTES APPROVED: February 10, 2011

COMMISSION SECRETARY:

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Christopher M. Fletcher, AICP