

MORGANTOWN PLANNING COMMISSION

Minutes

6:30 PM

April 14, 2011

Council Chambers

MEMBERS PRESENT: Peter DeMasters, Sam Loretta, Bill Petros, Michael Shuman, Tim Stranko

MEMBERS ABSENT: Ken Martis, Carol Pyles, Jennifer Selin, William Wyant

STAFF: Lisa Mardis

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

II. GENERAL PUBLIC COMMENTS: DeMasters opened the public comment portion of the meeting for matters on the agenda. There being none, he declared the public comment portion closed.

III. MATTERS OF BUSINESS: Approval of the March 10, 2011 meeting minutes: Stranko moved to approve the minutes as submitted; seconded by Loretta. The motion passed unanimously.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

A. S11-07-III / Tera, LLC / 420-424 Stewart Street: Request by Tera, LLC for Development of Significant Impact Site Plan Approval for a multi-family structure on property located at 420-424 Stewart Street. Tax Map #20, Parcels #365 and 366; R-2, Single and Two-Family Residential.

Mardis read the staff report, stating that the petitioner seeks to raze two structures and construct a multi-family housing development with related parking at 420-424 Stewart Street. Addendum A of this report illustrates the location and photographs of the subject site.

The petitioner's proposed development program details include:

- The proposed structure will contain fifteen (15) one-bedroom residential units
- Two-stories with three habitable levels
- Estimated construction cost of \$750,000
- To further integrate a design concept into the surrounding neighborhood, the applicant has agreed to increase the roof pitch to 5:12 and add four architectural dormers. To date, the petitioner has not received revised renders illustrating same but has committed to distributing said drawings at the April 14, 2011 hearing.

- The building will utilize a shared dumpster facility located at 410 Stewart Street, an adjacent property owned by the petitioner.
- A cluster mailbox unit will be placed along Stewart Street. The petitioner has confirmed in writing that the United States Postal Service will deliver mail to lower-level accessible units as needed.
- The second story will be served by a stair tower leading from the parking area on the western side; the first floor directly from the parking area.
- The parking area can be accessed by a private drive located between 410 and 404 Stewart Street, which will contain twenty (20) parking spaces located to the rear of the building.
- The petitioner is concurrently seeking Conditional Use approval on April 20, 2011 from the Board of Zoning Appeals for a "Dwelling, Multi-family" in an R-2 District.
- The applicant will be seeking approval as a part of the related Conditional Use petition to temporarily relocate approximately ten (10) parking spaces on the opposite side of Stewart Street thereby creating sufficient staging area for the construction of the project. The temporary parking area will be re-graded and seeded as a part of occupancy permitting for the proposed development.

DeMasters recognized the Petitioner, Dave Robertson, Somerset, PA, who stated he did not have much to add and that he feels the staff report adequately describes what he is trying to do.

Petros asked about the description and layout of the property.

DeMasters asked if there was sufficient turning radius for a large vehicle, such as a fire truck. Robertson answered that there is.

Stranko asked if there would be a basement to this structure, and clarified that it would be 3 stories. Robertson stated there is a basement. Stranko also asked about a lighting plan. Robertson said it would be well lit.

Mardis stated that they have not yet reviewed the lighting plan, and it has been recommended that he submit that plan for review prior to applying for the Certificate of Occupancy.

Stranko emphasized that his reason for asking about lighting is not only for safety reasons, but since the surrounding neighborhood is dense in population, it is important that the type of lighting not invade surrounding properties.

Robertston agreed and said that the lighting proposed is not so much "spotlight" type lighting, but direct lighting.

Petros asked if the current setbacks are consistent with other setbacks in the area. Mardis answered that they are, and that the applicant would not be requesting any Variances for setbacks.

Mardis also referred to a proposal before them that shows some of the challenges with the elevations, specifically the topography. She stated that they are working with the design architects to address some of these challenges, especially in relation to meeting Fair Housing standards.

Loretta referred to the Agenda and asked if the Commission shouldn't be addressing the Minor Subdivision request first. Mardis answered that it didn't matter what order and that the conditions will be listed with the Site Plan approval.

Stranko asked Robertson if he had other property in Morgantown. Robertson stated that he did, and that he feels Morgantown is a good place to develop and feels he has always been treated well.

DeMasters opened the public portion of the meeting, asking if anyone was present to speak in favor of the request. There being no comments in favor of the request, he then asked if anyone was present to speak in opposition of the request. There being no comments in opposition, DeMasters declared the public portion of the meeting closed.

Mardis read the staff recommendations, stating that Staff recommends approval with the following conditions:

1. That Conditional Use Petition CU11-05 must be approved by the Board of Zoning Appeals prior to any building permit issuance.
2. That Minor Subdivision Petition MNS11-05 must be approved by the Planning Commission and the related final plat, with related access easements, be recorded at the Monongalia County Courthouse prior to the issuance of a permanent Certificate of Occupancy.
3. The development shall meet all applicable federal Fair Housing and Americans with Disabilities Act standards as determined by the City's Chief Building Code Official.
4. That the petitioner shall incorporate, to the satisfaction of the Planning Division, all reasonable Technical Review Team recommendations in plans submitted with related building permit applications.
5. That, to the satisfaction of the Planning Division, the architectural design of the roof must be revised so that the roof is at least a 5:12 pitch and incorporate four architectural dormers.
6. That, to the satisfaction of the Planning Division, the final front façade design must incorporate architectural elements that complement the column features of the adjoining multi-family structure at 410 Stewart Street.
7. That the front façade should include brick masonry or imitation/cultured brick veneer and should include the architectural shutters illustrated on the submitted renderings.
8. That exterior stairs, steps, landings, elevated walkways, railings, and support members may not be comprised of exposed wood or treated lumber.
9. That, to the satisfaction of the Planning Division, evergreen shrubs shall be planted along the entire front of the proposed structure to screen the partially exposed level from streetscape view.
10. That the shared dumpster shall be enclosed with masonry materials at least six (6) feet in height and include an opaque gate, standard concrete access apron, and concrete bollards at the rear of the enclosure to protect same from damage.

Stranko asked if MUB had reviewed the stormwater plan. Mardis stated they had, and in fact they attended the tech review meeting. Stranko asked that the lighting plan approval be listed as a condition.

Stranko made a motion to approve S11-07, with Staff and Commission conditions; Petros seconded the motion. Motion carried unanimously.

- B. MNS11-05 / Tera, LLC / 420 and 424 Stewart Street:** Request by Dave Robertson, on behalf of Tera, LLC, for minor subdivision approval for property located at 420 and 424 Stewart Street.

Mardis read the staff report, stating that the Petitioner seeks to combine two existing parcels into one parcel with an approximate area of 12,460 sq. ft. The purpose of the subdivision is to allow the petitioner to develop a fifteen (15) unit multi-family building and related parking.

The new parcel will exceed R-2 District minimum lot area standard of 5,000 sq. ft. and minimum lot frontage standard of 40 feet. No encroachments will be created by the proposed subdivision. Addendum A of this report illustrates the location of the subject site and the proposed subdivision.

DeMasters recognized the Petitioner, Dave Robertson, Somerset, PA, and asked him if he had anything to add to the staff report. Mr. Robertson stated he did not.

DeMasters opened the public portion of the meeting, asking if anyone was present to speak in favor of the request. There being no comments in favor of the request, he then asked if anyone was present to speak in opposition of the request. There being no comments in favor or in opposition of the request, DeMasters declared the public portion of the meeting closed.

Mardis read Staff recommendations, stating that Staff recommends approval with the following conditions:

1. That, to the satisfaction of the Planning Director, the petitioner shall, by a recorded access easement running with the subject realty, maintain, protect, and preserve access across the realty at 410 Stewart Street, which consists of Parcels #366.1, 368, and 371 of Tax Map #20;
2. That the petitioner submit three (3) paper copies of the plat and subject public access easement, signed and sealed by a surveyor licensed in the State of West Virginia, of the final plat for the Planning Commission President's signature; and,
3. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the condition set forth herein.

Stranko made a motion to approve MNS11-05 with Staff conditions; Shuman seconded the motion. Motion carried unanimously.

- C. MNS11-06 / Metro Towers, LLC / 2567 University Avenue:** Request by Gary Pratt, on behalf of David Biafora and Metro Towers, LLC, for minor subdivision approval for property located at 2567 University Avenue.

Mardis read the staff report, stating that the applicant seeks to subdivide property relating to the former "Grand Central Station" site for the purpose of future development.

- Parcel number #1 will contain 2.96 acres and have 204.01 feet of frontage on Beverly Avenue and 234.35 feet of frontage on Ensign Avenue.
- Parcel #2 will contain .96 acres and have 469.83 feet of frontage on Ensign Avenue.
- Parcel #3 will contain 1.18 acres and have 447.56 feet of frontage of University Avenue and 50 feet of frontage on Sixth Street.

The new parcels exceed the O-I District minimum lot area standard of 6,000 sq. ft., minimum lot frontage standard of 60 feet, and minimum lot depth of 100 ft. No encroachments will be created by the proposed subdivision.

DeMasters asked Mardis why the applicant wishes to subdivide into three separate parcels. Mardis answered that it is for future development, so they can build on the parcels that are now empty.

Mardis clarified that parcels #2 and #3 are vacant, and that she has seen preliminary plans for parcel #2, but not #3.

Stranko mentioned the Commission had discussed this use change awhile ago and concern was expressed about access and traffic on Beechurst Avenue and asked that the Planning Department be mindful of that when development takes place.

Mardis agreed and said that anything over 11 units will come before the Planning Commission for approval.

DeMasters opened the public portion of the meeting, asking if anyone was present to speak in favor of the request. There being no comments in favor of the request, he then asked if anyone was present to speak in opposition to the request. There being no comments in opposition, DeMasters declared the public hearing portion closed.

Mardis read Staff's recommendations, stating that Staff recommends approval with the following conditions:

1. That the petitioner submit three (3) paper copies of the plat and subject public access easement, signed and sealed by a surveyor licensed in the State of West Virginia, of the final plat for the Planning Commission President's signature; and,
2. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the condition set forth above.

Petros made a motion to approve MNS11-06, with Staff recommendations; Stranko seconded motion. Motion carried unanimously.

VI. OTHER BUSINESS

A. Committee Reports: None

B. Staff Comments: Mardis referred to the request for qualifications attachment in the packet for the Comprehensive Plan Update project. She updated the Commission on the timeline for submission, review, and selection.

DeMasters asked if the proposals were going to the Project Manager (MPO) or to the Planning Department. Mardis answered that they are going to the MPO. DeMasters asked if any had been received yet, and Mardis said she was not sure, but they had already met with two firms.

Stranko asked for clarification that this would revise the City's plan, Star City, WVU, and the MPO. Mardis answered that the City would be working with Star City and the MPO, but she is not sure to what extent WVU will be involved, at this point. Westover did not wish to participate.

VII. FOR THE GOOD OF THE COMMISSION:

Stranko stated that he does not want the Commission to lose vision of a buffer area around the City. He said now may be the time to talk to the County Commission to expand upon that, since the West Run Planning was recently passed. He feels our citizens need to be protected from urban sprawl.

Petros mentioned the recent 4th Ward tour of the Evansdale and surrounding area. He expressed appreciation to City Staff for taking the time to look at issues, both positive and negative.

VIII. ADJOURNMENT – Meeting adjourned at 7:00 p.m.

MINUTES APPROVED: July 14, 2011

COMMISSION SECRETARY: _____
Christopher M. Fletcher, AICP