

# MORGANTOWN PLANNING COMMISSION

## Minutes

6:30 PM

May 12, 2011

Council Chambers

**MEMBERS PRESENT:** Peter DeMasters, Tim Stranko, Bill Petros, Michael Shuman, Ken Martis, Jennifer Selin

**MEMBERS ABSENT:** Carol Pyles, Sam Loretta, William Wyant

**STAFF:** Christopher Fletcher, AICP

- I. **CALL TO ORDER/ROLL CALL:** DeMasters called the meeting to order at 6:30 PM.
- II. **GENERAL PUBLIC COMMENTS:** DeMasters noted that there were no members of the public present to conduct the public comment portion.
- III. **MATTERS OF BUSINESS:** A motion was made by Stranko to move the approval of the April 14, 2011 meeting minutes to the end of the agenda in case Loretta arrived late to establish a quorum of the members present at the April 14<sup>th</sup> meeting; seconded by Petros. The motion carried unanimously.
- IV. **OLD BUSINESS:** None.
- V. **NEW BUSINESS:**
  - A. **TX11-01:** Request by Judy Haught for a text amendment to the Planning and Zoning Code, Table 1331.05.01, Permitted Land Uses as it relates to "Video Gaming/Lottery Establishment" uses. **WITHDRAWN**

Fletcher noted that the petitioner had withdrawn the text amendment petition and no action was required by the Planning Commission.

- B. **TX11-02:** Administratively requested text amendments to the Planning and Zoning Code, Article 1361, Sunnyside Overlay Districts. **POSTPONED.**

Fletcher advised the Planning Commission that the administratively requested text amendments have been postponed and no action was required by the Planning Commission.

- C. **MNS11-07 / Arnett / 8 Elgin Street:** Request by William and Diane Arnett for minor subdivision approval for property located at 8 Elgin Street. Tax Map #36, Parcels #659 and 660; R-1A Single-Family Residential District.

Fletcher stated that the petitioners for Agenda Items C and D under New Business have asked that Staff represent them. Fletcher read the Staff Report, stating that the petitioner seeks to subdivide two existing parcels into three parcels for the purpose of creating two additional building lots. Addendum A of this report illustrates the location of the subject property.

The petitioner's preliminary plat illustrates the following information:

- Proposed Parcel "A" will be approximately 9,834 sq. ft. in area and contains an existing single-family structure.
- Proposed Parcel "B" will be approximately 3,500 sq. ft. in area and will have approximately 46.96 feet in lot frontage on Davis Street.
- Proposed Parcel "C" will be approximately 3,500 sq. ft. in area and will have approximately 36.75 feet in lot frontage on Greenbrier Drive.

The proposed parcels exceed the R-1A District minimum lot area standard of 3,500 sq. ft. and minimum lot frontage standard of 30 feet. No encroachments will be created by the proposed subdivision.

DeMasters asked the Commission if there were any questions. There being none, DeMasters opened the public hearing portion of the meeting, asking if there was anyone present to speak in favor of the petition. There being no comments in favor of the request, DeMasters asked if anyone was present to speak in opposition to the petition. There being no comments in opposition, DeMasters declared the public hearing closed and asked for Staff's recommendations.

Fletcher stated that Staff recommends approval with the following conditions:

1. That the petitioner submit three (3) original final plat documents signed and sealed by a surveyor licensed in the State of West Virginia 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.

Stranko stated that he is in favor of granting the request, but with some regret because this lot is a nice green space area in a rather densely populated neighborhood. Stranko asked Fletcher if it was their right to do this, since they meet the lot requirements. Fletcher answered that yes, it is their right.

Martis stated that, since the lot is being subdivided, there is hope that part of it could remain a green space.

Stranko moved to approve MNS11-07, with Staff recommended conditions; seconded by Selin. The motion carried unanimously.

- D. MNS11-08/Highland Way Properties, LLC/2700 University Avenue:** Request by Allen Bell, on behalf of Highland Way Properties, LLC, for minor subdivision approval for property located at 2700 University Avenue. Tax Map #14, Parcels #2 and 5; R-3 Multi-Family Residential District.

Fletcher read the Staff Report stating that the petitioner has developed an eight-unit multi-family dwelling structure on the subject realty. One of the required elements of building permit issuance was to obtain subdivision approval combining the two existing parcels assembled for the development prior to the issuance of a certificate of occupancy. Addendum A of this report illustrates the location of the subject property.

The combined area of the two parcels will be approximately 20,300 sq. ft., which exceeds the R-3 District minimum lot size standard of 4,000 sq. ft. The lot frontage of the combined parcels will be

approximately 140 feet, which exceeds the R-3 District minimum lot frontage standard of 40 feet. No encroachments will be created by the proposed subdivision.

Fletcher further explained that the property owners were made aware when they obtained a building permit that the two parcels needed to be combined. They chose to wait until applying for the Certificate of Occupancy to pursue this request.

DeMasters opened the public hearing portion of the meeting, asking if there was anyone present to speak in favor of the request. There being no comments in favor, 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 and asked for Staff's recommendations.

Fletcher stated that Staff recommends approval with the following conditions:

1. That the petitioner submit three (3) original final plat documents signed and sealed by a surveyor licensed in the State of West Virginia 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.

Stranko moved to approve MNS11-08, with staff recommended conditions; seconded by Selin. The motion carried unanimously.

## **VI. OTHER BUSINESS:**

### **A. Committee Reports:**

Martis stated that the Traffic Commission did not meet in May, but Dr. Ron Eck conducted a walk concerning walking, biking, and traffic in the Downtown area.

Stranko reported that at the Green Team's May meeting, they discussed development of a computer model for the City's vehicle fleet and alternatives for fleet efficiency. They also talked about presenting to Council and the Administration the idea of an open-space easement, and the development of a downtown park.

### **B. Staff Comments:**

Fletcher updated the Planning Commission on the status of the joint Long-Range Transportation Plan (LRTP) and the City's Comprehensive Plan. Fletcher noted that twelve (12) consulting teams submitted their qualifications and that the selection committee was in the process of identifying the three most qualified teams for interviews.

**VII. FOR THE GOOD OF THE COMMISSION:** None.

**VIII. ADJOURNMENT:** 6:55 p.m.

MINUTES APPROVED: June 9, 2011

COMMISSION SECRETARY:

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Christopher M. Fletcher, AICP