

MORGANTOWN PLANNING COMMISSION

Minutes

6:30 PM

June 9, 2011

Council Chambers

MEMBERS PRESENT: Peter DeMasters, Carol Pyles, Tim Stranko, William Wyant, Bill Petros, Ken Martis, Jennifer Selin

MEMBERS ABSENT: Sam Loretta, Michael Shuman

STAFF: Christopher Fletcher, AICP

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

II. GENERAL PUBLIC COMMENTS: None

III. MATTERS OF BUSINESS:

Approval of the April 14, 2011 meeting minutes – Stranko moved to table the approval of the minutes due to lack of a quorum of being present of those members in attendance at the April 14, 2011 meeting; seconded by Martis. Motion carried unanimously.

Approval of the May 12, 2011 meeting minutes – Selin moved to approve the minutes as presented; seconded by Stranko. Motion carried unanimously with Pyles and Wyant abstaining due to their absence.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

A. S11-09-III / Mylan Pharmaceuticals / Mountaineer Mall: Request by Mylan Pharmaceuticals, Inc. for a Development of Significant Impact Site Plan approval for the interior build-out of the former Gabriel Brothers lease area (approx. 88,000 sq. ft.) within the Mountaineer Mall at 5005 Greenbag Road; Tax Map 48A, Parcel 2; B-5 Shopping Center District.

Fletcher read the Staff Report, stating that the petitioner seeks to renovate and convert the portion of the Mountaineer Mall that was vacated by Gabriel Brothers into office and storage/warehouse space. Because the area of the shell-space exceeds 15,000 square feet, the petitioner must obtain site plan approval for a Development of Significant Impact. Addendum A of this report illustrates the location of the project.

The proposed development program details include:

- The proposed reuse will encompass the entire shell-building previously occupied by Gabriel Brothers, which is approximately 88,000 sq. ft.

- Reuse will consist of office space, cubical work spaces, digital data storage, and storage of packaging materials (cardboard, plastic bottles and lids, etc.). Reuse will not include storage of raw materials, laboratories, or production-related operations.
- The renovated area will initially provide office and common space for approximately 50 employees but could grow to approximately 100.
- Interior access between Mylan's leased space and the Mountaineer Mall's interior space will not be provided to ensure security and comply with related building and fire code provisions necessitated by the different use types established under those respective codes.
- The current exterior roof canopy will be enclosed and the decorative brick on the support columns of same will be re-used in façade renovations.
- With the exception of the exterior roof canopy enclosure, no additions to the existing building horizontally or vertically are currently proposed.
- Minimum parking requirements for the reuse have not been calculated due to the fact that there is an abundant supply of unused parking space, particularly at this end of the Mountaineer Mall complex.
- Anticipated completion is January 2012.

It is the opinion of the Planning Division that the proposed renovation and reuse of the former Gabriel Brothers shell-space should significantly improve Mountaineer Mall's vitality and viability and take advantage of existing surplus parking.

It should also be noted that the Mylan Pharmaceuticals received similar approval in February 2010 for the reuse and interior build-out of the former Wal-Mart lease area within the Mountaineer Mall.

Scott Gyorko, applicant, 317 Stockett Road, stated that the space is currently vacant and they wish to turn it into office and storage space. The current HVAC systems will be tested to determine whether they need to be replaced.

DeMasters asked what type of offices would occupy the space. Mr. Gyorko said he was not sure.

Selin asked for clarification that first level is storage and office and second level is open warehouse and storage. Mr. Gyorko stated that was correct.

Stranko asked if he is looking at this property as a re-development in itself and raised the issue of storm water runoff. Mr. Gyorko replied that nothing will be done to the structure from the outside – no additions or anything that would affect storm water. Stranko suggested that MUB and City staff evaluate this project to make sure that the renovations would not require additional storm water requirements.

Wyant asked how the storage and warehouse space would be separated from the office space. Gyorko answered that he had met with the Fire Marshall and the spaces must be separated by a 3 hr. wall, and a high-velocity sprinkler system will be installed.

Selin asked about the possibility of converting some of the warehouse space to office space, and Mr. Gyorko stated that any additional created office space would be within what is already designated as office space and will not affect the warehouse/storage space.

Fletcher stated that Mr. Gyorko was not at the technical review meeting, but it was pointed out that it was still unclear as to whether some of the digital files would be kept upstairs or whether some office space would be created upstairs.

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

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

1. That the petitioner incorporate, to the satisfaction of the Planning Division, all reasonable Technical Review Committee recommendations prior to building permit issuance relating to the redevelopment and reuse of the subject shell-space.
2. That, to the satisfaction of the City Engineer, any modifications and/or improvements to loading dock facilities may not interfere with vehicular maneuvering within the existing parking area.
3. That signage, if erected, must conform to the regulations set forth in Article 1369 of the Planning and Zoning Code.

Stranko said he feels this is a very good re-use of a building that has gone fallow; however he still has some concerns about stormwater, but adding that as an additional recommendation may be redundant, and he would like the City Planner's opinion on that. He also asked for clarification on different uses needing different fire code requirements.

Fletcher referred to the drawing and stated that the area where where cardboard and plastic are to be stored requires a higher degree of fire suppression facilities. An additional masonry wall (3 hour wall) will be constructed to meet this requirement. Fletcher also stated, in reference to Stranko's question about stormwater management, that he agreed that an additional condition would be redundant, since MUB will be reviewing the building permit and stormwater plan accordingly. He offered to check into this and get back with the Planning Commission via email.

Wyant moved to approve S11-09-III, with recommended conditions; seconded by Selin. Motion carried unanimously.

VI. OTHER BUSINESS:

- A. Committee Reports:**
- **Traffic Commission** – None
 - **Green Team** – None

B. Staff Comments

- **Update on Comprehensive Plan Consulting Team Selection:** Fletcher stated that the selection committee would be meeting the next day with the consultant team identified as best meeting the advertised qualifications. The meeting should lead to contract and scope of work negotiations.
- **Joint Workshop with the Bicycle Board:** Fletcher stated that he met with Bicycle Advisory Board Chairman Frank Gmeindl, and of particular interest, they would like the Planning Commission to consider Planning and Zoning Code provisions relative to bicycle storage as a requirement of new multi-family development citywide in addition to the B-4 District. Fletcher stated that he recommends scheduling a workshop with the Bicycle Advisory Board to discuss related issues.

VII. FOR THE GOOD OF THE COMMISSION: None.

VIII. ADJOURNMENT: 6:55 PM

MINUTES APPROVED: July 14, 2011

COMMISSION SECRETARY: _____
Christopher M. Fletcher, AICP