

# Morgantown Planning Commission



## REGULAR MEETING PACKET

Thursday, March 12, 2020

6:30 p.m.

City Council Chambers

### Planning Commissioners:

Peter DeMasters, 6<sup>th</sup> Ward  
President

Carol Pyles, 7<sup>th</sup> Ward  
Vice-President

Sam Loretta, 1<sup>st</sup> Ward

Tim Stranko, 2<sup>nd</sup> Ward

William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

AJ Hammond, Admin.

Ronald Dulaney, City Councilor

### Development Services Department

Christopher M. Fletcher, AICP, Director

John Whitmore, AICP, Senior Planner

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# MORGANTOWN PLANNING COMMISSION

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## **AGENDA**

**I. CALL TO ORDER AND ROLL CALL**

**II. GENERAL PUBLIC COMMENTS – concerning matters not on the agenda**

**III. MATTERS OF BUSINESS**

**A.** Approval of the February 13, 2020 minutes.

**IV. UNFINISHED BUSINESS: None.**

**V. NEW BUSINESS:**

**A. RZ20-02 / DRS Architects / Ronald McDonald House / 841 Country Club Drive:** Request by Paul Cali of DRS Architects on behalf of Ronald McDonald House Charities of Morgantown, Inc. for a Zoning Map Amendment to reclassify property addressed as 841 Country Club Drive from R-1, Single-Family Residential District and R-3, Multi-Family Residential District to B-2, Service Business District. Tax District 15, Tax Map 11, Parcels 90 and 91, R-3, Multi-Family Residential District; Part of Tax Map 12, Parcel 1.1, R-1, Single-Family Residential District.

**B. MNS20-03 / Fizer / 679 Westview Avenue:** Request by David A. Fizer, Executer of Dorothy M. Fizer Estate, for minor subdivision approval of property located at 679 Westview Avenue. Tax District 15, Tax Map 54, Parcel 153, R-1, Single-Family Residential District.

**VI. OTHER BUSINESS**

**A. Committee Reports**

- Traffic Commission
- Other Committees

**B. Staff Comments**

**VII. FOR THE GOOD OF THE COMMISSION**

**VIII. ADJOURNMENT**

**WORKSHOP.** The Planning Commission will conduct a workshop immediately following the Commission's business meeting. The purpose of the workshop will be to study implementation of the Future Study Area No. 5 Recommendations Report that was accepted by the Planning Commission in October 2019. Workshops are not considered regular or special meetings and may not include the formal conduct of business, the rendering of decisions, or taking action for which the Commission is charged. Workshops are open to the public and are intended to serve as training, study, public education, etc.

*If you need an accommodation, please contact 304-284-7431 or TDD 304-284-7512*

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Director

**Planning Division**

John Whitmore, AICP  
Senior Planner

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Morgantown, WV 26505  
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## Planning Commission Pre-Meeting Announcement

Good evening and welcome to the regular/special meeting of the City of Morgantown Planning Commission. Please turn off all cell phones or other devices that may disrupt these proceedings. The Planning Commission conducts business in the following order:

- (1) There will be a general public comment portion when anyone who wishes to address the Planning Commission may do so, but only on matters that are not on the agenda. There will be a five (5) minute time limit for speakers. All recognized speakers must approach the podium, state their name and address for the record, and speak clearly into the microphone. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the general public comment portion.
- (2) We review, amend, and approve minutes of the previous meeting.
- (3) We consider any Unfinished Business from previous meetings.
- (4) We move on to New Business items. First, we introduce the item and the Planning Division representative presents the Staff Report.
- (5) Next, we ask the petitioner to make a presentation. Planning Commissioners may ask the petitioner questions at that time.
- (6) I will then open a Public Hearing to hear testimony in support of, or in opposition to, the request. Rules regarding public testimony are as follows:
  - (a) Anyone wishing to testify during the public hearing may do so once recognized. Each recognized speaker must approach the podium, state their name and address for the record, and speak clearly into the microphone.
  - (b) All comments must be addressed to the Commission. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the public hearing.
  - (c) All speakers will be limited to five (5) minutes. If members of the Commission have any questions of the speaker, that time will not be counted toward the speaker's five (5) minutes.



- (d) If there is a large number of speakers, including many who are part of groups or organizations, I may, to avoid repetitive comments, elect to ask for a representative to speak on behalf of the group or organization.
  - (e) I may elect to recognize the applicant/agent at the end of the public hearing to provide rebuttal or additional comments, which will be limited to five (5) minutes. If members of the Commission have any questions of the applicant/agent, that time will not be counted toward the applicant's/agent's five (5) minutes.
- (7) After all testimony is heard, I will declare the Public Hearing closed and no further public comment will be permitted. At that time, no one in the audience may speak again unless a Planning Commissioner asks a question. If someone is asked a question, they must come to the microphone and identify themselves once again before answering.
- (8) Next, the Planning Commission will discuss and take action on the application.
- (9) Once the vote is final, members of the audience who were present for that particular case may leave, if they wish. In order not to disrupt the meeting, people who choose to leave must go to the bottom of the stairs before carrying on a quiet discussion.
- (10) Uncivil, unruly, and/or disruptive behavior at any time during this meeting is prohibited and will result in removal from this public meeting.

Thank you for your consideration and respect for these proceedings and the opinions of all meeting participants.



# MORGANTOWN PLANNING COMMISSION

## MINUTES

6:30 p.m.

February 13, 2020

Council Chambers

**COMMISSIONERS PRESENT:** Peter DeMasters, Carol Pyles, Sam Loretta, Tim Stranko, William Blosser, Ron Dulaney, and AJ Hammond

**COMMISSIONERS ABSENT:** Bill Petros, Michael Shuman

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

I. **CALL TO ORDER/ROLL CALL:** DeMasters called the meeting to order at 6:30 p.m. and read the standard explanation of the how the Planning Commission conducts business and rules for public comments.

II. **GENERAL PUBLIC COMMENTS:** None.

III. **MATTERS OF BUSINESS:**

A. Approval of the December 12, 2019 meeting minutes. Stranko moved to approve as presented; seconded by Blosser. Motion carried unanimously with Pyles and Dulaney abstaining due to their absence.

B. Approval of the January 9, 2020 meeting minutes. Loretta noted was absent. Stranko moved to approve the minutes with Loretta's absence corrected; seconded by Dulaney. Motion carried with Loretta and Pyles abstaining due their absence.

C. 2019 Annual Report to City Council. Fletcher reviewed WV State Code regulations concerning the Planning Commission's obligation to submit an annual report to City Council. Fletcher noted the format of the report has been developed over several years with additional information requested by the Planning Commission. Fletcher asked the Planning Commission to authorize the City Manager to submit the Planning Commission's 2019 Annual Report to City Council. DeMasters noted Blosser had a perfect attendance record. Stranko moved to submit the report to City Council as presented; seconded by Hammond. The motion carried unanimously.

IV. **UNFINISHED BUSINESS:** None.

V. **NEW BUSINESS:**

A. **MNS20-01 / Adkins / 453 Civitan Street:** Request by Chaille Adkins for minor subdivision approval of property located at 453 Civitan Street. Seventh Ward Tax District, Tax Map 2, Parcel 100; R-1, Single-Family Residential District.

Fletcher presented the Staff Report and noted the petitioner was present.

DeMasters recognized Chaille Adkins, 1142 Windsor Avenue who noted he lives in Suncrest and he is that he is trying to beautify the neighborhood. He has built two (2) houses in the Suncrest and is working on a third. He stated that he feels the small variance he is asking for is not out of line. There are a lot of other lots in the area that do not really conform to the R-1 District minimum lot frontage and minimum lot area standards.

Stranko addressed the petitioner stating the Planning Commission has to apply the law, we don't have unfettered discretion. The Planning Commission has to find topographical or other conditions to the site to allow the variance. Are there any topographical or other conditions peculiar to this site that the Planning Commission can rely on to make this variance decision? Adkins stated he was not aware of anything.

DeMasters addressed the petitioner noting that Junior Avenue has a lot of nonconforming parcels. Civitan has two (2) nonconforming but there is one (1) house on that site. He asked what is across the street. Fletcher stated that there are a couple of nonconforming parcels across the street. The petitioner agreed with Fletcher. Adkins stated that in that general area and within a couple blocks around Civitan, there are nonconforming parcels and that this information was provided with his application.

DeMasters referred to another lot across that has two lots, he asked if they were combined would that a conforming lot. Fletcher confirmed it would. Fletcher pulled up the Monongalia County Parcel Viewer website on his phone to look at the parcel subdivision pattern beyond the image provided in the Staff Report. Fletcher noted that the block across the street is a triangular shaped block. Fletcher stated that he sees nine (9) houses in the block immediately to the right. Of those nine (9) homes, only two (2) appear to be on larger parcels. Seven (7) of them are appear to be on parcels that are smaller than the R-1 District standards. DeMasters stated that he only asked this because he wanted to look at the entire neighborhood.

Adkins stated that the 1315.07 Variances and Modifications says if someone can show where it creates unnecessary hardship and that he thinks the strict appearance to this creates undue hardship on the entire neighborhood to be able to grow. This house is almost derelict, and the prices of a single lot puts undue hardship on the surrounding landowners to raise their property values. If that house just sits there it is going to nothing.

DeMasters stated he understands it would provide undue hardship to the petitioner, but the Planning Commission must look to the neighborhood as a whole. DeMasters stated has a hard time saying that following the laws that we have is an undue hardship.

Adkins stated that the 7,200 square feet is an arbitrary number. He stated that getting to 7,200 square feet is a weird dimension. DeMasters stated that a 70-mph speed limit is an arbitrary number also, but it is the law.

Stranko noted City Council writes the Planning and Zoning Code, not the Planning Commission.

Blosser asked Fletcher at what point does a neighborhood go from R-1 to R-1A. Fletcher stated when Council changes the zoning classification by amending the zoning map. Fletcher noted that the R-1 District has larger lots than R-1A. R-1 is a less dense development pattern than R-1A. R-1A has smaller lots and smaller frontages. R-1A is still single-family but a denser development pattern.

Blosser noted that we are taking this neighborhood and putting two houses where one used to be. Pyles thinks the value is in the size of the lot in that neighborhood. DeMasters stated that is why people go to

Suncrest. Pyles noted that if you split it into the smaller lot, you are not following the character of the neighborhood.

There being no further comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor or in opposition to the petition. There being no comments, DeMasters closed the public comment portion and asked for staff's recommendation, which was read by Fletcher.

DeMasters asked if there was any discussion. Stranko stated that he is always trying to find a way to work with the applicant, but the Planning Commission is obliged to follow the law. Stranko stated he could not find a reason to support granting variance relief in this case and that the law is very clear.

DeMasters asked for a motion. Stranko moved to deny the application based on the fact the Planning Commission was unable to identify topographical or other conditions peculiar to the site to justify departures from the minimum lot area and minimum lot frontage standards for the R-1, Single-Family Residential District without destroying the intent of said provisions; seconded by Blosser. The motion carried unanimously.

DeMasters advised the petitioner the Planning Commission decision can be appealed as provided in the City's Planning and Zoning Code.

- B. MNS20-02 / Callen / 3423 and 3427 Collins Ferry Road:** Request by Michael Callen for minor subdivision approval of property located at 3423 and 3427 Collins Ferry Road. Seventh Ward Tax District, Tax Map 53, Parcels 125 and 126; R-1, Single-Family Residential District.

Fletcher presented the Staff Report and not the petitioner was present.

DeMasters recognized Michael Callen, 3435 Collins Ferry Road who noted that the three (3) additional lots meet the minor subdivision application. The frontage and square footage meet all R-1 zoning as confirmed as note by Fletcher in the staff report.

There being not comments or questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petitioner. There being no comments, DeMasters closed the public comment portion and asked for staff's recommendation, which was read by Fletcher.

Stranko moved to approve with staff recommended conditions; seconded by Dulaney. The motion passed unanimously.

## **VI. OTHER BUSINESS**

### **A. Committee Reports**

- Traffic Commission Report: No report.
- Other Committees: No reports.
- Staff Comments: Fletcher stated that Staff is working on the overlay district provisions for Study Area 5. Staff will be requesting a workshop to present this information. Fletcher noted a workshop environment with discussion would be more helpful before placing the matter on a future agenda. Staff will invite Mr.

Metheny and the Wiles Hill neighborhood working group to observe. Staff's objective is to schedule the workshop following the Planning Commission's March business meeting.

**VII. FOR THE GOOD OF THE COMMISSION:**

Stranko asked if the GIS coordinator has made any progress with the county regarding integrating the tax map information into the GIS plot viewer, we saw last month. Fletcher stated that there is a working group that includes several GIS stakeholders in the area including the county. Fletcher understands that the ultimate objective will be establishing a live connection between the Assessor's data with the City's web app. The web app will be launched next week. The City learned the County does not have the correct software licensing to establish the live link, but the County is working to upgrade their software. In the interim, Marvin Davis, City GIS Analyst is working with the County to include the City's zoning data on the County Assessor's parcel viewer website.

Stranko also discussed code revisions for sidewalk development which is on the City Attorney's desk. Is there any progress on that? Fletcher stated that he will check with him. Fletcher noted that he and City Engineer Damien Davis made a presentation to City Council at last month's Committee of the Whole meeting to make sure City Council was generally comfortable with the concept. Stranko also asked about the GIS Analyst progress and asked if there was money in the budget for this. Fletcher noted that it is a work in progress and that he is unsure of the budget, but that it should be presented to City Council next month.

**VIII. ADJOURNMENT: 7:02 PM**

MINUTES APPROVED:

COMMISSION SECRETARY:

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Christopher M. Fletcher, AICP

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Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

## STAFF REPORT

**CASE NO:** RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

**REQUEST and LOCATION:**

Request by Paul Cali of DRS Architects on behalf of Ronald McDonald House Charities of Morgantown, Inc. for a Zoning Map Amendment to reclassify property addressed as 841 Country Club Drive from R-1, Single-Family Residential District and R-3, Multi-Family Residential District to B-2, Service Business District.

**TAX MAP NUMBER(s) and ZONING DESCRIPTION:**

Tax District 15, Tax Map 11, Parcels 90 and 91, R-3, Multi-Family Residential District; Part of Tax Map 12, Parcel 1.1, R-1, Single-Family Residential District

**SURROUNDING ZONING:**

North: B-2, Service Business District and R-3, Multi-Family Residential District

East and South: R-1, Single-Family Residential District (WVU) and R-3, Multi-Family Residential District

West: R-3, Multi-Family Residential District

**BACKGROUND:**

The petitioner seeks to amend the zoning map by changing the zoning classification for the subject premises from R-3 and R-1 to B-2. This zoning map amendment would permit Ronald McDonald House Charities to pursue a significant addition and expansion of parking to their existing facility. Addendum A of this report identifies the location of the subject site and illustrates the existing and proposed zoning and property ownership for the subject premises and immediate area.

The land use classification for the Ronald McDonald House is "Hotel," which is not permitted in either the R-1 or R-3 zoning districts (see image below). Accordingly, this "Hotel" use is considered nonconforming and may continue until abandoned. However, nonconforming uses are not permitted to be expanded under Section 1373.05(C) of the City's Planning and Zoning Code.

**Development Services Department**

Christopher Fletcher, AICP  
Director

John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
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Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Hotel							P	P	P	P		

The premises included in the proposed zoning reclassification includes realty owned by Ronald McDonald House Charities and WVU. The zoning classification for the petitioner's realty is R-3 while the zoning classifications for the WVU realty is R-3 and R-1. Staff has confirmed with WVU that Ronald McDonald House Charities has a long-term land lease for that portion of the development site situated on WVU realty.



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According to the Ronald McDonald House’s website [<https://rmhcpgh-mgtn.org/family-services/morgantown-house/>], the facility opened in 1990, provides 16 single-family sleeping rooms, and serves 450 families who stay at the facility each year and many more through their day guest services.

WVU’s Rosenbaum Family House is situated next to the Ronald McDonald House facility and similarly provides housing services for patients receiving local medical care and their families and caregivers.

Staff believes the proposed zoning map amendment would be considered a permitted map amendment and not “spot zoning” because the subject area adjoins the B-2 zoning district. Accordingly, the proposed zoning map amendment would be a boundary adjustment of the B-2 zoning district.

**ANALYSIS:**

The subject premises are situated at the end of County Club Drive and is nearly surrounded by WVU’s medical and law school campuses and Milan Puskar Stadium. The residential neighborhood to the west and southwest accessed from University Avenue by Oakland Street, Harding Avenue, and Inglewood Boulevard is predominantly rental housing ranging from a few converted single-family homes to several townhouse, garden apartment, and low-mid apartment buildings. As illustrated in Addendum A, there is also a significant amount of surface parking along and at the end of Oakland Street.

The following image illustrates the two principal buildings at the end of Oakland Street. The Ronald McDonald House is located on the right and the garden apartment building (842 Country Club Drive) on the left is owned by JDLMP, LLC (Prete Rental).



As Addendum A illustrates, the petitioner’s proposed zoning map amendment would leave the two (2) parcels that compose the 842 Country Club Drive garden apartment site as the only R-3 classified property between Inglewood Boulevard and the end of Country Club Drive. It appears prudent to include Parcels 88 and 89 of Tax Map 11 in Tax District 15 in the area that would be reclassified to B-2.

Staff has been in contact with Robert Morgano, primary representative of JDLMP, LLC and received confirmation that they are in support of including the 842 Country Club Drive

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parcels with the Ronald McDonald House request to change the zoning classification to B-2 [see letter of supported dated 02 MAR 2020 following petitioner’s application].

Addendum B of this report provides Article 1347 “B-2, Service Business District” and Table 1331.05.01 “Permitted Land Uses” of the Planning and Zoning Code. It is included as a resource to understand the density, intensity, and land uses permitted in the B-2 District.

*Comprehensive Plan Concurrence*

As recommended in Chapter 9 “Implementation” of the 2013 Comprehensive Plan Update, Addendum C of this report identifies how the proposed zoning map amendment relates to the Comp Plan’s land management intent, location, and pattern and character principles.

It should be noted that “shall” statements within the Comp Plan must be understood as desired objectives and strategies that do not have the force or effect of law unless incorporated into the City’s Planning and Zoning Code.

The Ronald McDonald House premises and the 842 Country Club Drive garden apartment site are located within the “Infill and Redevelopment” growth framework and land management concept areas. The following image provides the description of this land management concept area.

**Infill and Redevelopment\*:** Existing developed sites or districts that are underutilized or functionally obsolete, where infill development or redevelopment that is consistent with the surrounding context is appropriate.

Although extraneous to the land use and land development considerations by the Planning Commission for this zoning map amendment, the petitioner’s desire to pursue a significant addition to the existing building and provide additional on-site parking demonstrates a desire to increase utilization of the subject premises. Additionally, including the 842 Country Club Drive site in this zoning map amendment to B-2 provides greater flexibility for the existing building and the site to be utilized differently or redeveloped if the property owner determines doing so would be advantageous.

It appears the requested zoning classification change for the Ronald McDonald House premises and the inclusion of the 842 Country Club Drive garden apartment site from R-1 and R-3, to B-2 is in concurrence with the Comp Plan’s principals for infill and redevelopment land management objectives and furthers the following plan implementation strategies:

- LM 2.1 ..... Identify and prioritize sites for infill and redevelopment.
- LM 4.3 ..... Revise zoning regulations to permit mixed-use development at appropriate scales in various zoning districts.
- LM 5.2 ..... Permit higher density development in areas that are well-supported by existing or planned transportation infrastructure or transit services.

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- NH 1.2 ..... Pursue zoning map amendments where appropriate to address potential zoning conflicts in residential areas both to preserve existing residential areas where appropriate or promote infill and redevelopment.
- NH1.3 ..... Evaluate zoning to ensure that it promotes rehabilitation or adaptive reuse of existing buildings, and context-sensitive construction of dwelling units on infill lots. [842 Country Club Drive parcels]
- ED 5.7 ..... Pursue zoning map amendments where appropriate to address potential zoning conflicts and promote non-residential infill and redevelopment in appropriate areas.

Staff encourages the Planning Commission to review the Comp Plan for guidance as Addendum C is not intended to represent a complete comparative assessment.

**STAFF RECOMMENDATION:**

Zoning map amendment requests should be evaluated on their land-use merits alone. The petitioners' development intentions are extraneous, and the Commission should consider the request on its merits as a land use decision.

In conducting such an analysis, the Commission should determine if the B-2, Service Business District is the appropriate zoning classification for the petitioner's development premises, weighing all possible future development and land use scenarios as permitted by the Planning and Zoning Code; particularly, Article 1347 "B-2, Service Business District" and Table 1331.05.01 "Permitted Land Uses."

It is the opinion of the Planning Division that the petitioner's request to reclassify the Ronald McDonald House premises, which includes realty owned by the petitioner and WVU, to B-2, Service Business District as well as including the 842 Country Club Drive parcels in this zoning map amendment is supported by the intent, location, pattern and character goals and land management objectives set forth in the 2013 Comprehensive Plan Update.

As such, Staff respectfully advises the Planning Commission to forward a recommendation to City Council as follows:

1. Reclassify Parcel 91, Tax Map 11, Tax District 15, which is owned by Ronald McDonald House Charities of Morgantown, Inc., from R-3 to B-2;
2. Reclassify Parcel 90, Tax Map 11, Tax District 15, which is owned by West Virginia Board of Governors, from R-3 to B-2;
3. Reclassify that portion of Parcel 1.1, Tax Map 12, Tax District 12, which is owned by West Virginia Board of Governors, from R-1 to B-2 as generally illustrated in the image below; and,
4. Reclassify Parcels 88 and 89, Tax Map 11, Tax District 15, which is owned by JDLMP, LLC, from R-3 to B-2.

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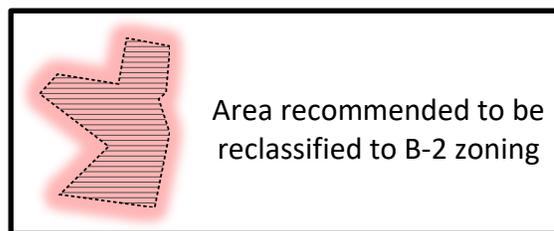
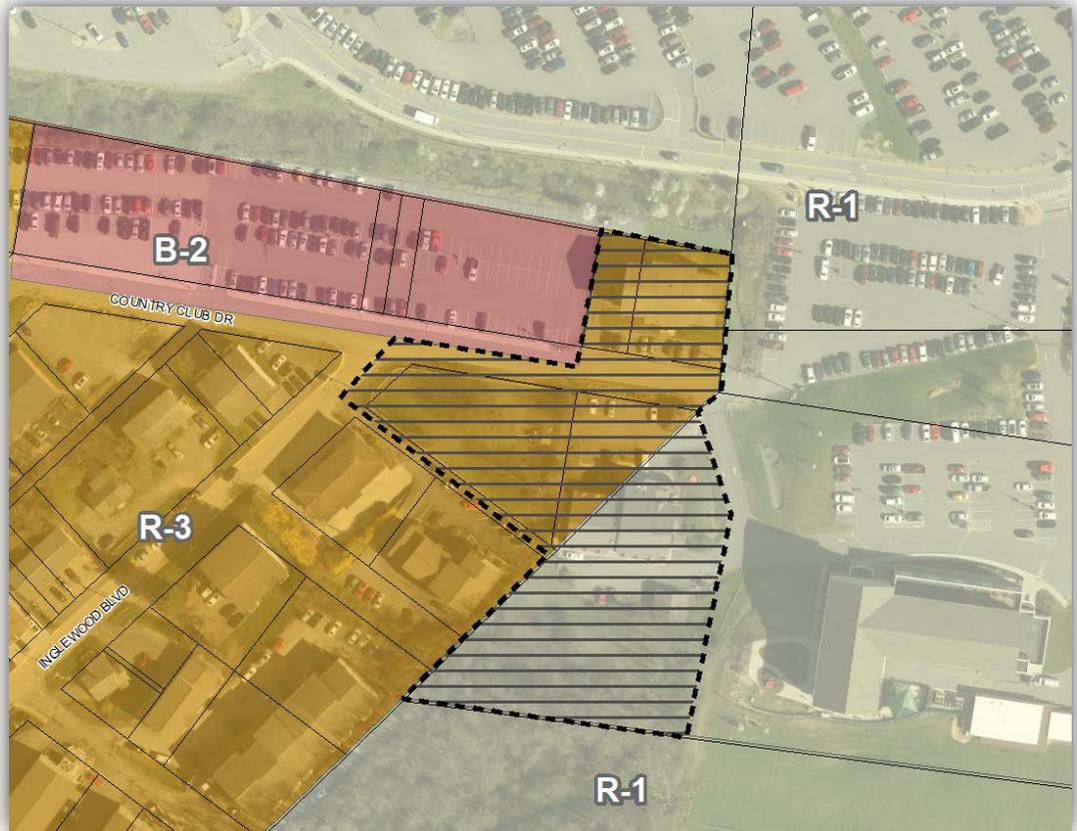
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The following image illustrates this recommendation.



**Development Services  
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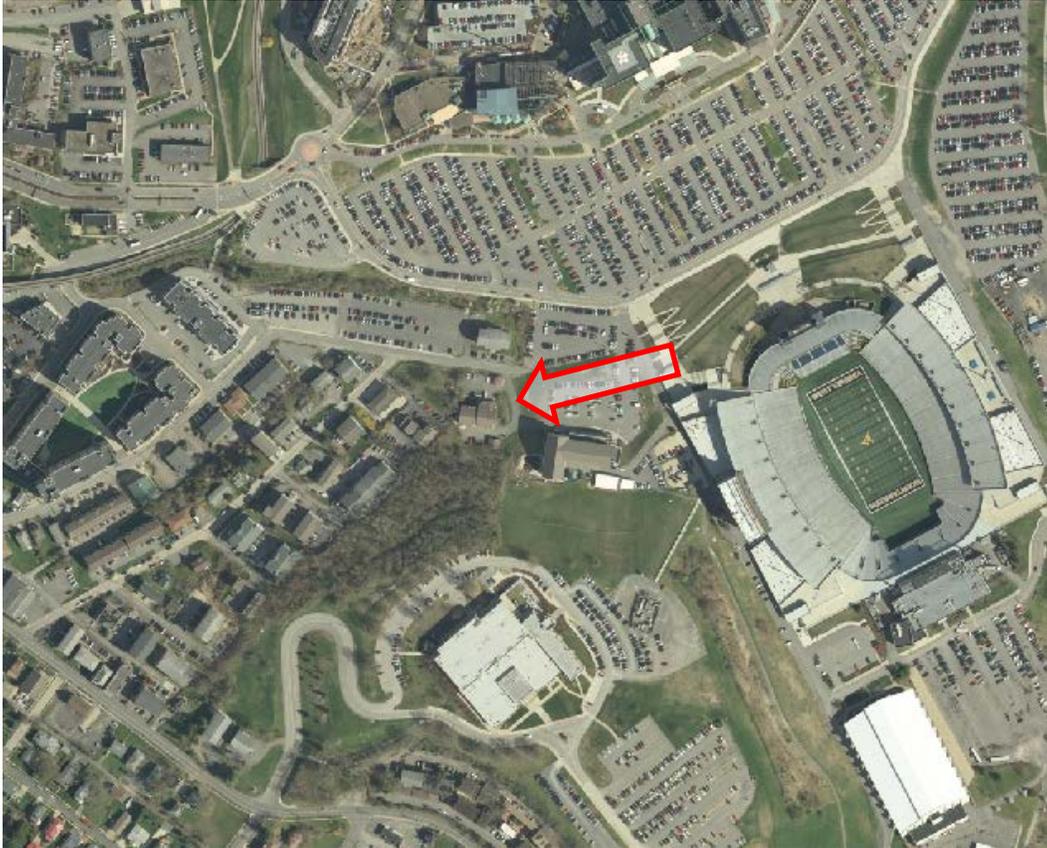
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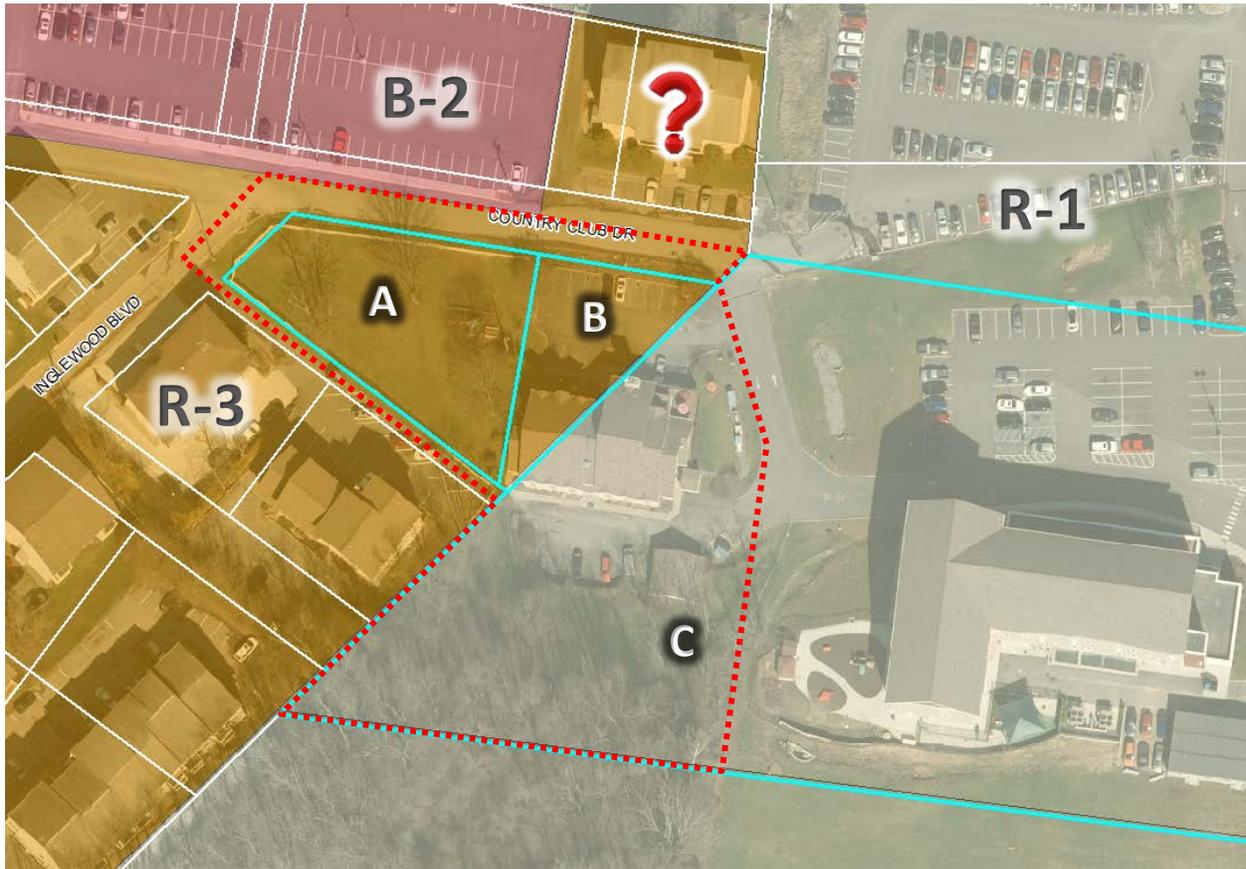
# STAFF REPORT ADDENDUM A

RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

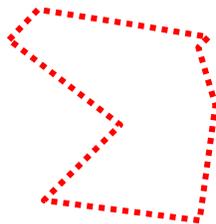


# STAFF REPORT ADDENDUM A

RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive



Parcel Label	Parcel ID	Owner of Record
<b>A</b>	Tax District 15 Tax Map 11 Parcel 91	Ronald McDonald House Charities of Morgantown, Inc.
<b>B</b>	Tax District 15 Tax Map 11 Parcel 90	WVU Board of Governors
<b>C</b>	Tax District 12 Tax Map 12 Parcel 1.1	WVU Board of Governors



Generally, the area where a zoning map amendment request from R-1 and R-3 to B-2 is requested.



Parcels 88 and 89, Tax Map 11, Tax District 15 owned by JDLMP, LLC. Including these parcels as a part of the requested zoning map amendment appears prudent.

# STAFF REPORT ADDENDUM B

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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### ARTICLE 1347 B-2, Service Business District

1347.01	Purpose.	1347.05	Building height, use and size.
1347.02	Permitted and conditional uses.	1347.06	Parking and loading standards.
1347.03	Lot provisions.	1347.07	Performance standards.
1347.04	Setbacks and encroachments.	1347.08	Landscaping.

#### CROSS REFERENCES

Group residential facility - see W. Va. Code 8A-11-2  
Outdoor kennels - see P. & Z. 1331.06(7), (24)  
Daycare facility - see P. & Z. 1331.06(19)

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#### 1347.01 PURPOSE.

The purpose of the Service Business (B-2) District is to provide areas that are appropriate for most kinds of businesses and services, particularly large space users such as department stores. Typically B-2 districts are located along major thoroughfares.

#### 1347.02 PERMITTED AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

#### 1347.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 6,000 feet.
- (B) The minimum lot frontage shall be 60 feet.
- (C) The minimum lot depth shall be 100 feet.
- (D) Maximum lot coverage shall be 60 percent.

#### 1347.04 SETBACKS AND ENCROACHMENTS.

(A) The following setbacks shall be required for all principal structures, except as otherwise provided in Section 1363.02(B) Yard, Building Setbacks and Open Space

Exceptions:

- (1) Minimum Front setback:..... 15 feet
- (2) Maximum Front setback:..... 30 feet
- (3) Minimum Side setback:..... 5 feet on one side and 20 feet on the side where any access drives are located.
- (4) Minimum Rear setback: ..... 40 feet.

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(B) The minimum setback for accessory structures on a lot shall be ten (10) feet from the rear property line and ten (10) feet from each side property line. No accessory structures are permitted within the front setback.

(C) On a corner lot, the front lot line is the one having the shortest dimension along the street right-of-way line. The required side yard setback on the side facing a street shall be one and one-half (1.5) times the normal side yard setback requirements.

#### 1347.05 BUILDING HEIGHT, USE AND SIZE.

(A) The maximum height of a principal structure shall not exceed seventy-two (72) feet, except as provided in Section 1363.02(A), Height Exceptions.

(B) The maximum height of an accessory structure shall not exceed twenty (20) feet. (Ord. 06-40. Passed 11-21-06.)

#### 1347.06 PARKING AND LOADING STANDARDS.

(A) All uses within this district shall conform to the off-street parking and loading requirements in Article 1365, Parking, Loading and Internal Roadways.

(B) No parking spaces shall be permitted between the front façade of a building and any street right-of-way.

#### 1347.07 PERFORMANCE STANDARDS.

(A) Important structures should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community. All principal structures within a development should maintain a consistent architectural style.

(B) Metal paneling may be used for wall surfaces but the area of the metal paneling should not exceed twenty (20) percent of any one wall face.

#### (C) Materials:

- (1) Walls should be clad in stone, brick, marble, stucco, approved metal paneling, and/or cast concrete.
- (2) Roofs should be clad in slate, sheet metal, corrugated metal, and/or diamond tab asphalt shingles.
- (3) The orders, if provided, should be made of wood or cast concrete.

#### (D) Techniques:

- (1) Windows should be set to the inside of the building face wall.
- (2) All primary entrance exterior doors should have rectangular recessed panels or glass.
- (3) All rooftop equipment that is enclosed should be enclosed in building material that matches the structure or is visually compatible with the structure.

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B-2. Service Business District

1347.08

(E) Playground equipment, if provided, shall be located entirely behind the principal structure and shall meet required setbacks.

(F) Sidewalks shall be constructed along the frontage of a lot upon which a use is to be constructed. New sidewalks shall be at least six (6) feet wide, or the same width as an existing but incomplete sidewalk along the same side of the street.

#### 1347.08 LANDSCAPING.

Landscaping and screening as required in Article 1367, Landscaping and Screening, shall be provided for all uses, unless otherwise noted.

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# STAFF REPORT ADDENDUM B

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

107 Establishment of Zoning Districts and Zoning Map 1331.05

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Administrative Office				C	P	C	P	P	P	P	P	29
Agricultural Activity	P										P	
Airport											C	
Amphitheater							P	P				
Animal Grooming Service		C	C	C	C	P	P	P		P		28, 29
Animal Shelter							C			C	P	
Apparel Shop						P	P	P		P	P	28
Appliance Repair Establishment		C	C	C		P	P	P		P	P	4, 28, 29
Appliance Sales Establishment							P	P		P		
Art Gallery		C	C	C		P	P	P	P	P		28, 29
Artist Studio		C	C	C	P	P	C	P	P	C		28, 29
Assembly Hall						P	P	P		P		28
Assisted Living Facility				C		C	C					
Athletic Field	C	C	C	C		C	P	P		P		
Automotive Paint Shop							P				P	4, 9, 10
Automotive Rentals							C			C		
Automotive Sales							C			C		
Automotive Supply							C			P	P	
Automotive Tire Repair/Sales							P			P	P	4, 9, 10
Automotive/Boat Repair Shop							P				P	4, 9, 10
Automobile Repair Shop, Incidental							C	C		C	P	4, 9, 10
Bakery, Retail		C	C	C		P	P	P		P		28, 29
Bakery, Wholesale							P			P	P	
Barber Shop / Beauty Salon		C	C	C	P	P	P	P		P		28, 29
Bed and Breakfast Inn			C	C		P	P	P				5, 28
Brew Pub						C	P	P		P		18
Building Materials Supplier							P			P	P	9, 10
Car Wash/Detailing							P			P	P	
Caretaker's Residence	C	C	C	C			C		C	C	P	
Cemetery	P	P	P	P			P	P				
Charitable, Fraternal or Social Organization						P	P	P	P	P		28

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### RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Churches, Places of Worship	C	C	C	C	C	C	P	P	C	P	C	12
Clinic, Medical				C		P	P	P	P	P	P	28, 29
Club or Lodge						P	P	P				28, 29
Coin-operated Cleaning/Laundry Service			A	C		P	P	P		P		28, 29
Communications Equipment Building	C	C	C	C		P	P	C	P	P	P	28
Community Center	C	C	P	P	P	P	P	P	C			28
Community Gardens	P	P	P	P		P						28
Composting Operation										P	P	3
Conference Center							P	P		P		
Consumer Fireworks Retail Sales							C			P	P	33
Consumer Fireworks Retail Sales Establishment							C			P	P	33
Consumer Fireworks Wholesale Establishment											P	34
Convenience Store, Neighborhood		C	C	C		P	P	P				28, 29
Dance or Social Club, Youth						C	P			P		
Day Care Facility, Class 1	P	P	P	P	P	P	P	P	P	P		
Day Care Facility, Class 2	C	C	C	P	P	P	P	P	P	P		19
Day Care Facility, Class 3				C	P	P	P	P	P	P		19
Department Store							P	P		P		
Distribution Center											P	
Dog Run							C			C	C	24
Dormitory				P			P	P				
Drive-in Theatre/Outdoor							P				P	
Drive-through Facility						A	A	A	A	A		25
Driving Range, Golf							C				C	
Drug Store		C	C	C		P	P	P		P		28
Dry Cleaning and Laundry Pick-up				P		P	P	P		P		28, 29
Dry Cleaning and Laundry Service						C	P	P		P		
Dwelling, Mixed Use			C	P		P	P	P	P	P		20, 26, 28
Dwelling, Multi-family			C	P			P	C	C			35
Dwelling, Single family	P	P	P	P	P							16

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## STAFF REPORT ADDENDUM B

### RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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Establishment of Zoning Districts and Zoning Map

1331.05

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Dwelling, Townhouse			P	P	P		P	P				
Dwelling, Two-family			P	P	P			C				
Electrical Repair Shop						P	P	P		P		4, 28
Emergency Shelter				C		C	C	P				
Equipment or Furniture Rental Establishment							P	P		P	P	9, 10
Essential Services and Equipment	P	P	P	P	P	P	P	P	P	P	P	28
Extractive Industry											P	31
Fairgrounds											P	
Farmer's Market						C	C	P				
Financial Services Establishment					P	P	P	P	P	P		28
Florist Shop		C	C	C		P	P	P		P		28, 29
Fraternity or Sorority House			C	P			P	C				
Funeral Home				P		P	P	P				28
Furniture Sales Establishment (Antique, New or Used)							P	P		P		4
Garden Center							P			P		
Gas Station Mini-Mart							P	P		P	P	8
Gasoline Service Station							P	P		P	P	8
Golf Course	C	C	C	P		P	P	P		P	P	28
Government Facility	P	P	P	P		P	P	P	P	P	P	28
Greenhouse, Non-Commercial	A	A	A	A							P	
Greenhouse, Commercial							P				P	
Grocery Store							P	P		P	P	
Group Residential Facility	P	P	P	P		P	P	P				28
Group Residential Home	P	P	P	P		P	P	P				28
Guest House			C	C								
Half-way House			C	C		C	C					
Hardware Store						C	P	P		P	P	
Health/Sports Club			C	C		P	P	P	P	P	P	28, 29
Heavy Machinery Sales										P	P	4, 9, 10
Helipad or Helipad								C		C	C	
Home Improvement Center							P	C		P		
Home Occupation, Class 1	A	A	A	A	A	A	A	A	A	A	A	2
Home Occupation, Class 2	C	C	C	C	C	C	C	C	C	C	C	2

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## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Hospital	C	C	C	C		C	P	C		P	C	
Hotel							P	P	P	P		
Hotel, Full-service							P	P	P	P		1
Hypermarket							P			P		
Industrial Equipment Repair Establishment											P	
Industrial Park											P	
Industrial Supplies Establishment											P	
Industry, Heavy											C	32
Industry, Light							C			C	P	9, 10
Instructional Studio		C	C	C		P	P	P		P		28, 29
Junkyard											C	17
Kennel, Commercial						C	P					7
Laboratories									P	P	P	9, 10
Laundromat			C	C		P	P	P		P		28, 29
Liquor Store							P	P		P		
Lodging or Rooming House			C	P			P					
Manufactured Homes	P	P	P	P	P							16
Manufactured Housing Sales											P	
Manufacturing, Heavy											P	32
Marina, Commercial							C	C		C	C	14
Marina, Private							C	C		C	C	14
Medical Cannabis Dispensary							P			P		
Medical Cannabis Growing Facility											P	
Medical Cannabis Processing Facility										P	P	
Marine Supplies Establishment							P			P	P	9, 10
Mixed Use Building			C	P		P	P	P	P	P		20, 26, 28
Motel							P	P		P		
Motorcycle Sales Establishment							P			P		
Movie Theater, Large							P	C		P		
Movie Theater, Small						P	P	P		P		28
Multi-Use Nonresidential Building					C	C		C	P		P	29

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## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

111 Establishment of Zoning Districts and Zoning Map 1331.05

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Newsstand		C	C	C		P	P	P	P	P		29
Nursery, Plant							P	C		C		
Nursing Home				P			P		P			
Office Building					P	C	P	P	P	P	P	
Office Equipment Repair Establishment							P	P		P	P	4, 9, 10
Office, Medical					P		P	P	P	P		
Office Park									C	P	P	
Office Supplies Establishment						P	P	P	P	P		28
Oil Change Facility							P	P		P	P	
Outdoor Flea Market						C	C	C		C		
Outdoor Storage							C			C	P	
Outdoor Storage, Seasonal							P			P	P	
Park and Recreational Services	C	C	C	P		P	P	P	P			11, 28
Parking Lot, Principal Use				C		P	P	C		P	P	
Parking Structure, Principal Use				C		P	P	C		P	P	28
Passenger Station, Motor Bus, Railroad						C	P	P		P	P	
Pawnshop						P	P	P		P		28
Penal/Correctional Institution											C	
Personal Services Establishment				C	P	P	P	P	C	P		28, 29
Personal Storage Facility							C			C	C	15
Private Club							C			P	P	18
Professional Services Establishment			C	C	P	P	P	P		P		28, 29
Recreation Facility, Commercial, Outdoor						C	P			P		11
Recreational Facility, Commercial, Indoor						C	P			P		11
Recyclable Collection Center/ Solid Waste Transfer Station											P	6
Recycling Center										P	P	
Repair, Small Engine and Motor Shop							P	P		P	P	4, 9, 10

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## STAFF REPORT ADDENDUM B

### RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

1331.05

PLANNING AND ZONING CODE

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Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Research and Development Center									C	P	P	
Restaurant				P		P	P	P	P	P		27, 28, 29
Restaurant with Drive-in							P	P	P	P		
Restaurant, Family			C	P		C	P	P	P	P		28, 29
Restaurant, Fast Food						C	P	P	P	P		22, 25, 27
Restaurant, Private Club						C	P	C		P	P	18, 27
Restaurant, Private Wine						P	P	P		P	P	
Retail Sales Establishment						P	P	P		P		28
Re-use of Closed/Vacant School or Church	C	C	C	C		C	C	C				
Salvage Yard											C	
School (K-12), Private	C	C	C	C		C	P	P		P		
Sexually Oriented Business											C	
Shooting Range, Indoor							C			C	P	
Shopping Center, Large Scale							P			P		
Shopping Center, Medium Scale							P			P		
Shopping Center, Small Scale							P			P		
Snack Bar/Snack Shop				C		P	P	P	A	P		28, 29
Sporting Goods Establishment						C	P	P		P		
Tavern						P	P	P		P	P	21, 28
Taxicab Service							P			P	P	23
Telecommunications Class I	P	P	P	P	P	P	P	P	P	P	P	30

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## STAFF REPORT ADDENDUM B

### RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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Establishment of Zoning Districts and Zoning Map

1331.05

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Telecommunications Class II			P	P		P	P	P	P	P	P	30
Telecommunications Class III						C	C	C		C	C	30
Transient Amusement Enterprise							P			P	P	
Terminal, Truck or Motor Freight											P	
University or College, Private							C	P		P		
Upholstery / Interior Decorating Service							P	P		P		4
Video Gaming / Lottery Establishment											P	13
Veterinary Clinic					C	P	P	P		P		7, 28
Warehousing / Distribution									P		P	21
Wellness Center			C	C	P	C	P	P	P	P		29
Wholesale Establishment									P	P	P	
Wrecker Service							C				P	

(Ord. 06-37. Passed 11-8-06; Ord. 06-48. Passed 12-5-06; Ord. 07-17. Passed 6-5-07; Ord. 07-19. Passed 6-5-07; Ord. 07-20. Passed 6-5-07; Ord. 07-53. Passed 11-6-07; Ord. 09-08. Passed 3-3-09; Ord. 09-16. Passed 5-5-09; Ord. 09-29. Passed 7-7-09; Ord. 11-44. Passed 11-1-11; Ord. 12-27. Passed 7-3-12; Ord. 13-32. Passed 7-2-13; Ord. 16-38. Passed 8-2-16; Ord. 16-43. Passed 9-6-16; Ord. 16-48. Passed 10-4-16; Ord. 17-27. Passed 7-5-17; Ord. 18-14. Passed 4-3-18; Ord. 18-23. Passed 7-10-18; Ord. 18-24. Passed 6-5-18; Ord. 18-29. Passed 10-16-18.)

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# STAFF REPORT ADDENDUM C

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

### Concurrence with the 2013 Comprehensive Plan Update

The following narrative identifies where, in the opinion of the Planning Division, the subject zoning map amendment petitions are in concurrence and/or are inconsistent with the 2013 Comprehensive Plan Update.

<b>INTENT</b>	Development proposals will reflect the spirit and values expressed in the Plan's principals.
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### Principles for Land Management

Principal 1	<p>Infill development and redevelopment of underutilized and/or deteriorating sites takes priority over development in green field locations at the city's edge.</p> <p><i>The subject premises are located within the Land Management Concept Area "Infill and Redevelopment." More intense residential, nonresidential, and/or mixed-use development of the subject premises appears to be consistent with the surrounding multi-family, institutional, and major athletic facility development patterns. Although extraneous, the zoning amendment would address a longstanding nonconforming "hotel" use and permit its expansion to accommodate an increase in clients anticipated with the expansion of WVU Children's Hospital. The proposed addition to the Ronald McDonald House would permit a greater utilization of the premises, which is partially owned by WVU and partially owned by Ronald McDonald House.</i></p>	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
Principal 2	<p>Expansion of the urban area will occur in a contiguous pattern that favors areas already served by existing infrastructure.</p> <p><i>The subject premises are within the urban area, at the edge of WVU's hospital campus and football stadium and appears to be well-served by existing utility and roadway infrastructure.</i></p>	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive
Principal 3	<p>Downtown, adjacent neighborhoods and the riverfront will be the primary focus for revitalizations efforts.</p> <p><i>Although the subject premises are not located within or adjacent to the central business district, it is situated adjacent to and harmonious with the medical facilities it supports.</i></p>	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
Principal 4	<p>Existing neighborhoods throughout the city will be maintained and/or enhanced.</p> <p><i>The zoning reclassification of the subject premises to B-2 will not adversely impact or present incompatible uses or development densities and intensities to residential neighborhoods.</i></p>	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive

## STAFF REPORT ADDENDUM C

### RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

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Principal 5	Quality design is emphasized for all uses to create an attractive, distinctive public and private realm and promote positive perceptions of the region.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>Site and building design are extraneous to the petitioner's zoning map amendment request.</i>	
Principal 6	Development that integrates mixed-uses (residential, commercial, institutional, civic, etc.) and connects with the existing urban fabric is encouraged.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive
	<i>Mixed-use development patterns are permitted in the B-2 District. The opportunity of more intense residential, nonresidential, and/or mixed-use development of the subject premises appears to be consistent with the surrounding multi-family, institutional, and major athletic facility development patterns.</i>	
Principal 7	Places will be better connected to improve the function of the street network and create more opportunities to walk, bike and access public transportation throughout the region.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>The map amendment would not result in any immediate street or pedestrian network improvements.</i>	
Principal 8	A broad range of housing types, price levels and occupancy types will provide desirable living options for a diverse population.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>The reclassification of that portion of the premises currently zoned R-3 to B-2 does not appear to advance more diverse housing types. Specifically, single-family and two-family dwellings would no longer be a permitted residential development. However, B-2 permitted residential development is more diverse than single- and two-family residential districts. That portion of the premises zoned R-1, which is owned by WVU, would, if privately owned, include more diverse residential development patterns under the B-2 zoning classification.</i>	
Principal 9	Residential development will support the formation of complete neighborhoods with diverse housing, pedestrian-scaled complete streets, integrated public spaces, connection to adjacent neighborhoods, and access to transportation alternative and basic retail needs.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>Site design is extraneous to the petitioner's zoning map amendment request.</i>	
Principal 10	Parks, open space, and recreational areas are incorporated as part of future development.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>Site design is extraneous to the petitioner's zoning map amendment request.</i>	

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# STAFF REPORT ADDENDUM C

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

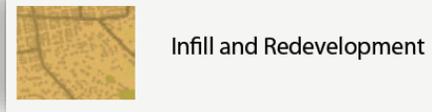
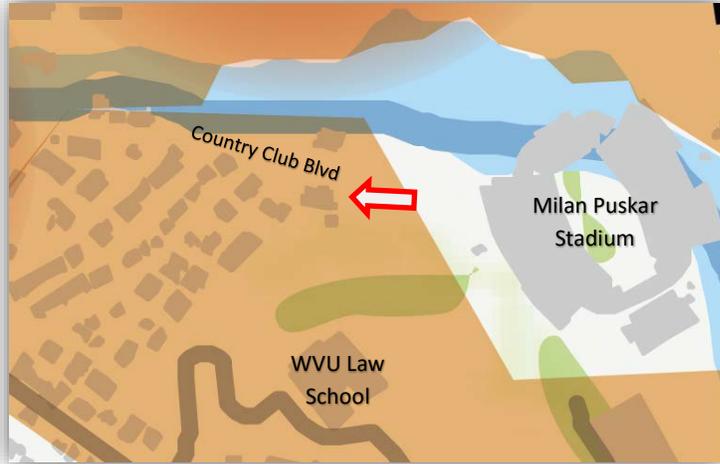
Principal 11	Environmentally sensitive and sustainable practices will be encouraged in future developments.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
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*Site design is extraneous to the petitioner's zoning map amendment request.*

### LOCATION

Development proposals will be consistent with the Land Management Map. If the proposal applies to an area intended for growth, infill, revitalization, or redevelopment, then it should be compatible with that intent and with any specific expectations within Areas of Opportunity. If the proposal applies to an area of conservation or preservation, it should be compatible with and work to enhance the existing character of the immediate surroundings.

The following graphic is clipped from the **Conceptual Growth Framework Map** included on Page 19 of the 2013 Comprehensive Plan Update. The Ronald McDonald House premises is located within an **"Infill and Redevelopment"** concept area.



# STAFF REPORT ADDENDUM C

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

### PATTERN AND CHARACTER

Development proposals in growth areas will be consistent with preferred development types. Development in areas where growth is not intended should be compatible with the relevant Character Areas description and expectations for how those areas should evolve in the future.

The graphic to the right is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. The Ronald McDonald House premises is located within the “**University**” and “**Neighborhood Corridor**” pattern and character areas.

**Neighborhood Corridor.** Neighborhood Corridors are transitional areas between neighborhoods and more intensely developed commercial or urban corridors. The development pattern reflects the lot sizes and block structure of the surrounding neighborhood, but includes a mix of building types such as small residential buildings along the street and suburban-style buildings set back behind a surface parking lot. Uses also vary and include commercial, office, and multi-family residential. Since they share a neighborhood block structure, these corridors are more walkable than a Commercial Corridor. Due to the high levels of traffic, these areas will continue to face redevelopment pressure.

**University.** This district contains the campuses of West Virginia University, including Downtown, Evansdale, Law School, Health Sciences Campus, and Athletic Department Campuses. Building size and their relationships to each other and to streets vary but the districts are generally walkable. This district does not include the University’s agricultural campuses (which are considered rural in character).



The graphic to the right is clipped from **Map 4 – Land Management** included on Page 39 of the 2013 Comprehensive Plan Update. The Ronald McDonald House premises is located within the “**Infill and Redevelopment**” and “**WVU Campus Development**” concept areas.

**Infill and Redevelopment\*:** Existing developed sites or districts that are underutilized or functionally obsolete, where infill development or redevelopment that is consistent with the surrounding context is appropriate.

\*See Map 3. Pattern and Character for existing context.

**WVU Campus Development:** Growth within WVU’s campus areas that supports the University’s functions. Development may include a mix of institutional, residential, civic and commercial uses.



# STAFF REPORT ADDENDUM C

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

The following graphics are clipped from Pages 41 through 43 of the 2013 Comprehensive Plan Update and identify the development types desired within the “Infill and Redevelopment” and/or “WVU Campus Development” concept areas. Not all development types are permitted in both concept areas.

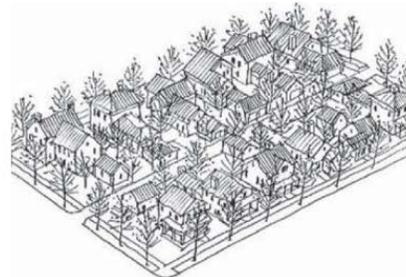
CONCEPT AREA	Appropriate Development Types											
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS	
 Core Enhancement			•	•	•	•						•
 Corridor Enhancement*			•	•	•		•	•				•
 WVU Campus Development		•	•	•	•	•			•	•		•
 Neighborhood Revitalization	•	•	•	•	•							•
 Infill and Redevelopment*			•	•	•	•			•			•
 Encouraged Growth			•	•	•	•		•	•			•
 Controlled Growth	•	•	•	•	•			•	•	•		•
 Neighborhood Conservation*	•	○	○	•								•
 Limited Growth	•			•						•		•
 Preserve												•
 Reserve												•

### DEVELOPMENT TYPE DESCRIPTIONS

### PATTERN AND CHARACTER EXAMPLES

#### TF Two Family Residential

Detached structures that each contain two separate residential dwellings and townhouse dwelling types. May be built in a similar pattern as single-family structures and integrated in neighborhoods with other single-family structures and/or at the edge of single-family neighborhoods. Densities range from six to twenty units per acre.



#### MF Multi-family Residential

Includes various forms such as apartment buildings where three or more separate residential dwelling units are contained within a structure and townhouse dwelling types. They vary considerably in form and density depending on the context – from four-story or larger buildings set close to the street and at the edge of the downtown core and along major corridors, to smaller two- to four-story buildings with greater street setbacks in areas between the downtown core and single-family neighborhoods.



#### C Civic and Institutional

These sites include both public uses (government buildings, libraries, community recreation centers, police and fire stations, and schools) and semi-public or private uses (universities, churches, hospital campuses). Public uses should be strategically located and integrated with surrounding development. Civic and Institutional sites may be distinctive from surrounding buildings in their architecture or relationship to the street.



# STAFF REPORT ADDENDUM C

## RZ20-02 / Ronald McDonald House Charities / 841 Country Club Drive

### DEVELOPMENT TYPE DESCRIPTIONS

### PATTERN AND CHARACTER EXAMPLES

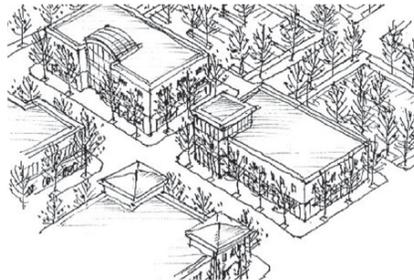
**NX Neighborhood Center Mixed-Use**

A mix of housing, office, commercial, and civic uses adjacent to one another or contained within the same structure (such as offices or apartments above ground-floor retail). Such uses should be compatible with and primarily serve nearby neighborhoods (within 1/2 mile). Parking should be located behind or to the side of buildings and may be shared between multiple uses.



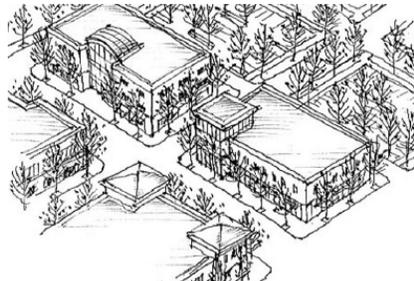
**UC Urban Center Mixed-Use**

A mix of housing, office, commercial, and civic uses located adjacent to one another or sharing the same building. Buildings are generally larger in scale than neighborhood mixed-use and contain more employment and commercial uses that serve the broader community. Buildings should be located near the street with parking provided on-street or in shared parking configurations behind or between buildings.



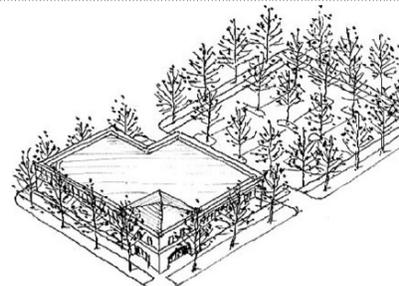
**O Office / Research**

Larger-scale 2-6 story buildings generally housing professional offices or research/development activities with single or multiple tenants. May involve multiple large-scale buildings in a campus setting, but buildings should be in a walkable configuration with shared parking typically behind or to the side. Supportive retail establishments may occupy the lower levels of a multistory building. Supportive retail uses include coffee shops, delicatessens, barbers, and bookstores among others.



**I Limited Industrial**

Typically 1-2 story large footprint buildings intended for light industrial development, clean manufacturing or warehousing activities.



**OS Greenspace**

Includes formal parks, recreation areas, trails, and natural open space.





## APPLICATION FOR ZONING MAP AMENDMENT

Fee:  Less than one acre = \$250.00  One acre or greater = \$500.00 [Z-RZ]

(PLEASE TYPE OR PRINT IN INK) CH# 21919

I. OWNER / APPLICANT						
Name:	ELEANOR REIGEL			Phone:	412-246-1106	
Mailing Address:	451 44 <sup>TH</sup> ST - PENTHOUSE FLOOR			Mobile:		
	Street					
	City	State	Zip	Email:	eleanor@rmhcpgh-mgtn.org	
	PITTSBURGH	PA	15201			
II. AGENT / CONTACT INFORMATION						
Name:	PAUL CALI (DES ARCHITECTS)			Phone:	412-391-4850	
Mailing Address:	ONE GATEWAY CENTER, 17 <sup>TH</sup> FLOOR			Mobile:		
	Street					
	City	State	Zip	Email:	pcali@drsarchitects.com	
	PITTSBURGH	PA	15222			
Mailings:	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact					
III. PROPERTY						
Street Address (if assigned):	641 COUNTRY CLUB DRIVE, MORGANTOWN, WV 26505					
Tax Map(s) #:	11/12	Parcel(s) #:	90,91/1.1	Size (sq. ft. or acres):	41,000 SAFT	
Current Zoning Classification:	Z-1,3		Proposed Zoning Classification:	B-2		
Current Land Use:	"HOTEL"		Proposed Land Use*:	"HOTEL"		
<p><i>*The Planning Commission does not take proposed use into consideration. The question is asked merely for staff to determine if the proposed district allows the intended use.</i></p>						
IV. ATTEST						
<p>I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction, whether specified herein or not. I certify that I have read and examined this document and know the same to be true and correct. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.</p>						
PAUL CALI				2-4-2020		
Type/Print Name of Applicant/Agent		Type/Print Name of Applicant/Agent		Date		

Finance Review  
 2/5/20  
 2:50 PM  
 City of Morgantown

JDLMP LLC  
PO BOX 4205  
Morgantown, WV 26505

March 2, 2020

Chris Fletcher  
Director of Development Services  
389 Spruce Street, Room 12  
Morgantown, WV 26505

Mr. Fletcher,

This email is to inform you that we are in support of changing the zoning classification of the two parcels of land we own located on Tax Map 110, district 15 parcels 88&89 associated with 842 Country Club Drive from R-3 to B-2.

Please let us know if you require anything else for us to make this happen.

Sincerely,  
Robert Morgano  
JDLMP LLC

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# MORGANTOWN PLANNING COMMISSION

December 12, 2019  
6:30 p.m.  
City Council Chambers

## STAFF REPORT

**President:**

Peter DeMasters, 6<sup>th</sup> Ward

**Vice-President:**

Carol Pyles, 7<sup>th</sup> Ward

**Planning Commissioners:**

Sam Loretta, 1<sup>st</sup> Ward

Tim Stranko, 2<sup>nd</sup> Ward

William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

**CASE NO:** MNS20-03 / Fizer / 679 Westview Avenue

**REQUEST and LOCATION:**

Request by David A. Fizer, Executer of Dorothy M. Fizer Estate, for minor subdivision approval of property located at 679 Westview Avenue.

**TAX MAP NUMBER (s) and ZONING DESCRIPTION:**

Tax District 15, Tax Map 54, Parcel 153; R-1, Single-Family Residential District.

**SURROUNDING ZONING:**

R-1, Single-Family Residential District.

**BACKGROUND and ANALYSIS:**

The petitioner seeks to subdivide Parcel 153 into two (2) parcels to create one new buildable lot. Addendum A of this report illustrates the location of the subject site.

Parcel 153 includes all of Lots 24 and 25 of the Flats Terrace Addition subdivision. According to the preliminary plat prepared by Paul D. Harbert, PS, each of the proposed parcels will have 100 feet of frontage along Westview Avenue, which exceeds the R-1 District minimum lot frontage standard of 70 feet. Each of the parcels will have a depth of 115.23 feet, resulting in an equal area of 11,516.21 square feet, which exceeds the R-1 District minimum lot area standard of 7,200 square feet.

1333.03 LOT PROVISIONS.

(A) The minimum lot size shall be 7,200 square feet.

(B) The minimum lot frontage shall be 70 feet. The frontage requirement may be waived for a parcel not fronting on an existing road if the parcel is served by a proper right-of-way.

The boundary that will separate the two proposed parcels will be located between 18.55 feet [northeast corner] feet and 19.55 feet [southeast] from the existing house, which will meet the minimum interior side setback standard of 10 feet in the R-1 District.

1333.04 SETBACKS.

(A) The following setbacks shall be required for all principal structures, except as otherwise provided in Section 1363.02(B), Yard, Building Setbacks and Open Space Exceptions:

- (1) Minimum Front setback:..... 25 feet
- (2) Maximum Front setback:..... 30 feet
- (3) Minimum Side setback:..... 10 feet
- (4) Minimum Rear setback: ..... 25 feet

A copy of the subdivision plat and metes and bounds description is attached to the petitioner's minor subdivision application.

**Development Services**

Christopher Fletcher, AICP  
Director

John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



# MORGANTOWN PLANNING COMMISSION

December 12, 2019  
6:30 p.m.  
City Council Chambers

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William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

**STAFF RECOMMENDATION:**

Staff recommends approval of the subdivision with the following conditions:

1. That the petitioner submits at least three (3) original final plat documents, including all access/utility easements, 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 recorded at the Monongalia County Courthouse within thirty (30) days of receiving the executed plat.

Enclosure: Application and accompanying exhibits

**Development Services**

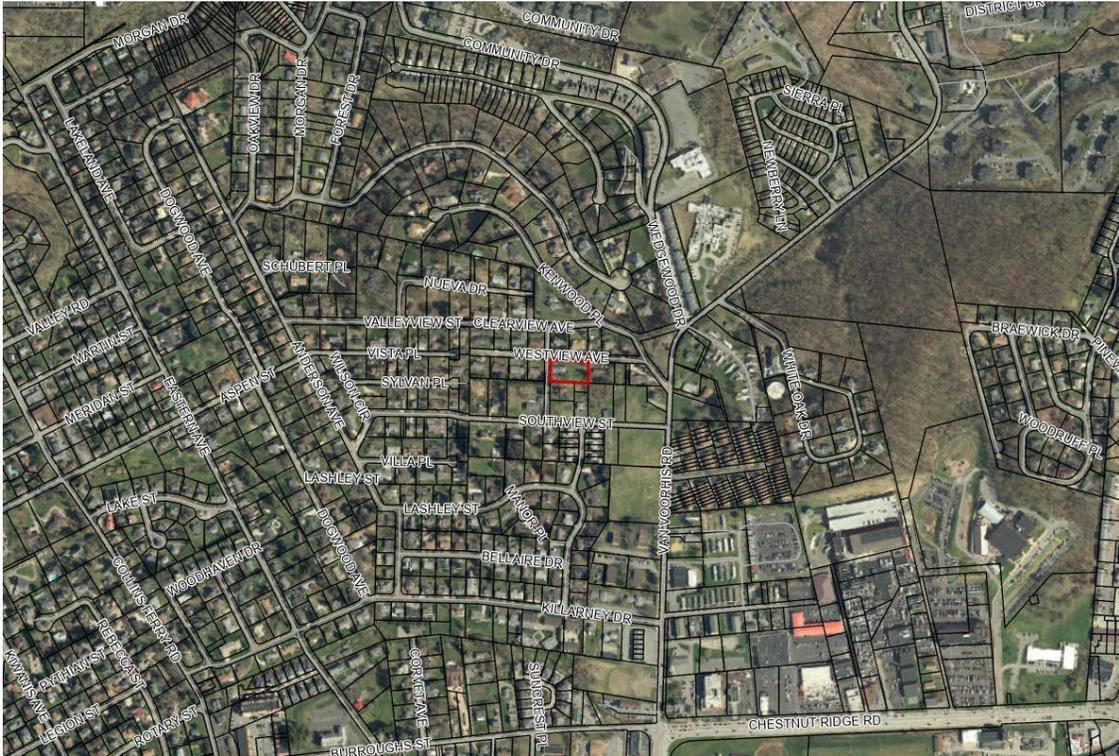
Christopher Fletcher, AICP  
Director

John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

**STAFF REPORT ADDENDUM A**  
**MNS20-03 / Fizer / 679 Westview Avenue**





OFFICE USE  
CASE NO. MNS20-03

## APPLICATION FOR MINOR SUBDIVISION

A Minor Subdivision of property includes the creation of up to four (4) parcels or the consolidation of existing parcels via survey plat or approved deeded covenants, but does not involve the extension of off-site facilities (streets, etc.) or the dedication of a portion of the site for public use.

(PLEASE TYPE OR PRINT IN BLACK INK)

FEE: \$75.00 [Z-MNS] *paid*

I. APPLICANT			
Name:	David A Fizer EX Estate of Dorothy M Fizer	Phone:	304-598-271
Mailing Address:	344 Kenmore St	Mobile:	
	Street Morgantown WV 26505	Email: fizerdave@yahoo.com	
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:	Same as above.		Phone:
Mailing Address:			Mobile:
	Street	Email:	
	City State Zip		
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	Dorothy M Fizer (Deceased)		Phone: none
Mailing Address:	679 Westview Ave		Mobile: none
	Street Morgantown WV 26505	Email: none	
	City State Zip		
IV. SITE			
Street Address (if assigned):	679 West View Ave	Tax Map No(s):	54
Zoning:	R-1	Parcel No(s):	153
Subdivision Description, including areas (sq. ft.) of proposed parcel(s):	Subdivide one parcel into two parcels. Each parcel is 100' (only Westview Ave by 115.23' deep, each parcel will consist of 11,516.21 sq ft.		
Are there any Variances from the Subdivision Regulations anticipated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, to what extent is a variance necessary?			

\$75.00  
 Z-MNS  
 2020-00014016  
 BREWSTER EF&W  
 2/21/2020 2:33:13 PM  
 Minor Subdivision Application  
 For Deposit  
 City of Morgantown

MNS 20-03

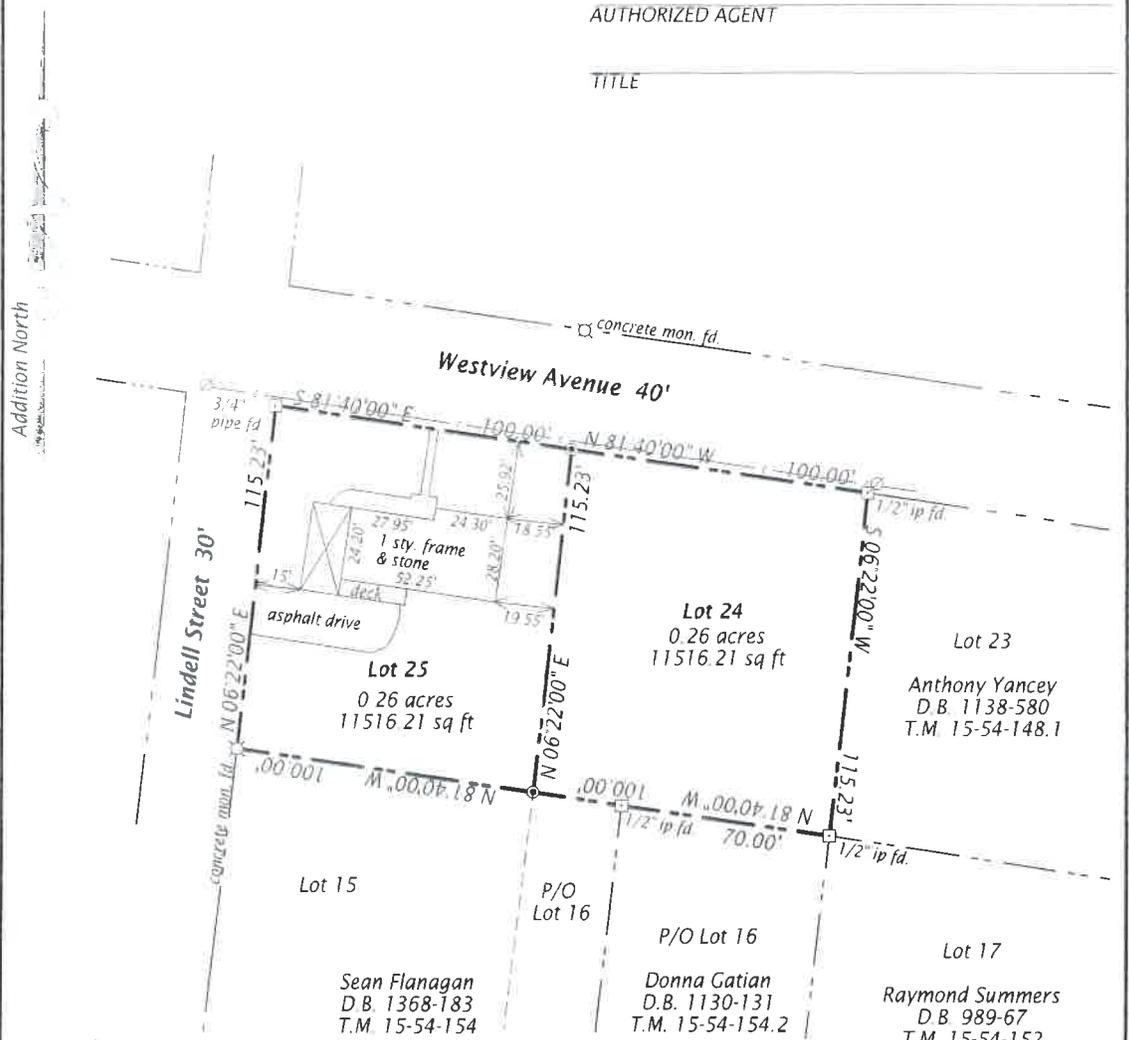
NOTE: THIS SURVEY NOT VALID WITHOUT ORIGINAL BLUE SIGNATURE THIS SURVEY DECLARATION IS MADE ON THE DATE INDICATED, TO THE OWNER OR BUYER LISTED BELOW. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS OR BUYERS.

NOTE: SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF LAWYER'S TITLE REPORT AND MAY NOT REFLECT ALL EXCEPTIONS, RIGHTS OF WAY, EASEMENTS OR RESTRICTIONS.

THIS SUBDIVISION HAS BEEN APPROVED BY THE MORGANTOWN PLANNING COMMISSION OR ASCERTAINED TO MEET THE MORGANTOWN SUBDIVISION REGULATIONS ON \_\_\_\_\_, 2020 AND IS READY FOR RECORDING BY THE MONONGALIA COUNTY CLERK OF THE COURT

AUTHORIZED AGENT \_\_\_\_\_

TITLE \_\_\_\_\_



Note: All corners 5/8" iron pins set, except where noted.  
 Deed Ref. 528-6  
 Will Book 189-663  
 Plat Ref. 589-450  
 Tax Map 15-54-153  
 Property Zoned R-1  
 Note: This property is not located in a flood zone  
 Community Panel No. 54061C0112F

Plat of Lots 24 & 25  
 Flats Terrace Addition  
 Located at 679 Westview Avenue  
 Subdivided For

**Guy R. Fizer, Jr., Randall E. Fizer & David A. Fizer**

7th Ward City of Morgantown  
 Monongalia Co. West Virginia  
 Scale 1"=50' February 20, 2020



*Paul D. Harbert* PS No. 862  
 Paul D. Harbert, PS  
 McCoy Land Surveying  
 Monongah, WV (304) 534-5562

LNS 20-03

# McCoy Land Surveying

Harbert, Inc.  
Paul D. Harbert PS  
P. O. Box 9133  
Monongah, WV 26555-9133  
Phone: (304) 534-5562  
Fax (304) 534-5568

## LEGAL DESCRIPTION

All of the following tracts or parcels of real estate being all of Lots 24 and 25 of the Flats Terrace Addition as shown on plat of record in Deed Book 589 at Page 450, lying and being in the 7<sup>th</sup> Ward, City of Morgantown, Monongalia County, West Virginia, more particularly described as follows:

### Lot 24

**Beginning** at a 1/2" iron pin found on the southern r/w limits of Westview Avenue, corner to Lots 23 and 24; thence with one line of Lot 23

**S 06°22'00" W 115.23** feet to a 1/2" iron pin found, corner to Lots 16, 17, 23 and 24; thence with line of Lot 16

**N 81°40'00" W** ( passing through a 1/2" iron pin found at **70.00** feet ) **100.00** feet to a 5/8" iron pin set, corner to Lots 15, 16, 24 and 25; thence with one line of Lot 25

**N 06°22'00" E 115.23** feet to a 5/8" iron pin set on the southern r/w limits of Westview Avenue, corner to Lots 24 and 25; thence with the southern r/w limits of Westview Avenue

**S 81°40'00" E 100.00** feet to the place of beginning, **containing 0.26 acres**, more or less.

### Lot 25

**Beginning** at a 3/4" pipe found at the southeast intersection of Lindell Street with Westview Avenue, corner to Lot 25; thence with the southern r/w limits of Westview Avenue

**S 81°40'00" E 100.00** feet to a 5/8" iron pin set, corner to Lots 24 and 25; thence with one line of Lot 24

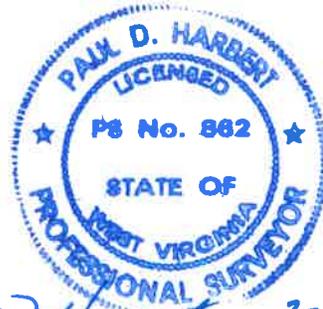
**S 06°22'00" W 115.23** feet to a 5/8" iron pin set, corner to Lots 15, 16, 24 and 25; thence with one line of Lot 15

**N 81°40'00" W 100.00** feet to a concrete monument found on the eastern r/w limits of Lindell Street, corner to Lots 15 and 25; thence with the eastern r/w limits of Lindell Street

**N 06°22'00" E 115.23** feet to the place of beginning, **containing 0.26 acres**, more or less.

The above tracts or parcels of real estate are shown on plat prepared by Paul D. Harbert, PS No. 862 of McCoy Land Surveying dated February 20, 2020 attached hereto and made part of this description.

Being the same tracts or parcels of real estate devised unto Guy R. Fizer, Jr., Randall E. Fizer and David A. Fizer by will dated 15<sup>th</sup> day of January, 2020, of record in the Office of the Clerk of the County Commission of Monongalia County, West Virginia in Will Book 189 at Page 663. Said tracts or parcels of real estate are assessed upon the land books for the 7<sup>th</sup> Ward, City of Morgantown, Monongalia County, West Virginia and are more specifically shown on Tax Map 45 as Parcel 153.



*Paul D. Harbert*      *2-20-2020*

Paul D. Harbert, PS No. 862

Date