

Morgantown Planning Commission



REGULAR MEETING PACKET

Thursday, May 14, 2020

6:30 p.m.

By Electronic Means

Planning Commissioners:

Peter DeMasters, 6th Ward
President

Carol Pyles, 7th Ward
Vice-President

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Councilor

AJ Hammond, Admin.

Development Services Department

Christopher M. Fletcher, AICP, Director

John Whitmore, AICP, Senior Planner

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MORGANTOWN PLANNING COMMISSION

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AJ Hammond, City Admin.

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

Development Services

Christopher Fletcher, AICP
Director

Planning Division

John Whitmore, AICP
Senior Planner

389 Spruce Street
Morgantown, WV 26505
304.284.7431

City buildings remain closed to the public to protect public health during the COVID-19 pandemic. Personal attendance at the meeting will not be permitted. The public may participate in the public portions by videoconference at the following Cisco Webex link is:

<https://cityofmorgantown.my.webex.com/meet/cityofmorgantown>;

or, by phone at: 408-418-9388.

The Webex meeting number (access code) is 793 734 477 for both weblink and phone access methods.

All members of the public may view the meeting on Channel 15 and by streaming hosted on the City's website at www.morgantownwv.gov. If you do not wish to speak at the meeting, please view it by these methods to conserve capacity on the videoconference.

Any person who wishes to speak at the meeting may complete the form at: <https://bit.ly/2SF7CtR> or provide their name, phone number they will use to participate, and the specific Case Number and/or General Public Comments listed on the Planning Commission's agenda on which they would like to speak by texting or calling 304-906-7843. You may sign up to speak at any time until the meeting begins. Additionally, the public may submit written comments for the public hearing portions of the meeting by sending an email to the Development Services Department at bmcdonald@morgantownwv.gov. In the email, please use the subject line "Public Comment PC 05/14/2020" and indicate in the body of the email the specific Case Number you wish to address and if you would like your comment to be read aloud during the public hearing portion for that case.

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 March 12, 2020 minutes.
- IV. **UNFINISHED BUSINESS:** None.
- V. **NEW BUSINESS:**
 - A. **RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road:**
Request by Seth Wilson of Bowles Rice, LLP, on behalf of West Virginia University Hospitals, Inc. for a Zoning Map Amendment to reclassify Seventh Ward Tax District, Tax Map 6, Parcel 76.1 and Seventh Ward Tax District, Tax Map 11, Parcel 258, from OI, Office and Institutional District to B-2, Service Business District.



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B. TX20-02 / Administrative / EV Charging Stations: Administrative request to amend Sections 1329.02 and 1331.05 of the Planning and Zoning Code as they relate to Public and Private EV Charging Station uses.

VII. OTHER BUSINESS

A. Committee Reports

- Traffic Commission
- Other Committees

B. Staff Comments

VIII. FOR THE GOOD OF THE COMMISSION

IX. ADJOURNMENT

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Planning Commission Electronic Means Meeting Announcement

Confirming Member Access:

As a preliminary matter, this is **Morgantown Planning Commission President Peter DeMasters**. Permit me to confirm that all Planning Commissioners and persons anticipated on the agenda are present and can hear me.

- Planning Commissioners, when I call your name, please respond in the affirmative.
State each members' name:
 - Vice-President Carol Pyles
 - Commissioner Sam Loretta
 - Commissioner Tim Stranko
 - Commissioner William Blosser
 - Commissioner Bill Petros
 - Commissioner Michael Shuman
 - Council Member Ronald Dulaney
 - Commissioner AJ Hammond
- Staff, when I call your name, please respond in the affirmative.
State each staff members' name:
 - Chris Fletcher, Director of Development Services
- Applicants, when I call your name, please respond in the affirmative.
State each applicants' name:
 - Seth Wilson, Bowles Rice, representing West Virginia University Hospitals, Inc.

Introduction to Electronic Means Meeting:

Good Evening. This meeting of the **Morgantown Planning Commission** is being conducted by electronic means consistent with the West Virginia Open Governmental Proceedings Act and the guidance of the West Virginia Ethics Commission due to the current State of Emergency given the outbreak of the novel coronavirus.

In order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, we have been advised and directed to suspend public gatherings. In keeping with that direction, and the authority provided by the Open Governmental Proceedings Act and the Ethics Commission guidance allowing the conduct of public meetings by electronic means so long as the public is able to observe the meeting, this meeting is being conducted by remote electronic participation and in-person attendance by the public is not permitted.

This meeting will include a public comment portion concerning matters not on the agenda and public hearings for each of the cases listing on this evening's agenda. Members of the public will be permitted to comment during these portions by submitting comments in writing or by speaking during their designated time, if they have signed up to do so prior to the start of the

Planning Commission Electronic Means Meeting Announcement

meeting. Even if members of the public do not provide comment, participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves.

For this meeting, the **Planning Commission** is convening by **Cisco Webex video and telephone conference** as posted on the City's Website identifying how the public may join.

Please note that this meeting is being recorded, and that some attendees are participating by video conference.

Accordingly, please be aware that other people may be able to see you and your video feed, and that you take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.

All supporting materials that have been provided members of this body are available on the City's website with the Planning Commission meeting packet unless otherwise noted. The public is encouraged to follow along using the posted agenda.

Meeting Business Ground Rules

Before we turn to the first item on the agenda, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- Please remember to mute your phone or computer when you are not speaking.
- Please remember to wait to be recognized by the President before speaking and to speak clearly and in a way that helps generate accurate minutes.
- For any response, please wait until the President yields the floor to you and state your name before speaking.
- If Planning Commissioners wish to engage in colloquy with other members, please do so through the President, taking care to identify yourself.

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. I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time. Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker's five (5) minutes. Public speakers must state their name and address for the record. Speakers are notified that irrelevant comments or

Planning Commission Electronic Means Meeting Announcement

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. To ensure an accurate record and to aid the preparation of meeting minutes, presenters and Planning Commissioners must first be recognized by the President and state your name before proceeding.
- (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) I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time.
 - (b) Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker's five (5) minutes.
 - (c) Public speakers must state their name and address for the record. 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.
 - (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 Commission Electronic Means Meeting Announcement

Planning Commissioner asks a question. If someone is asked a question, they must first be recognized by the President and identify themselves once again before answering.

- (8) Next, the Planning Commission will discuss and take action on the application.
- (9) Because this public meeting is being conducted by remote electronic participation and to ensure accurate meeting minutes each vote taken during this meeting will be conducted by roll call vote.
- (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.

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MORGANTOWN PLANNING COMMISSION

MINUTES

6:30 p.m.

March 12, 2020

Council Chambers

COMMISSIONERS PRESENT: Peter DeMasters, Carol Pyles, Sam Loretta, Tim Stranko, William Blosser, Bill Petros, Michael Shuman, Ronald Dulaney

COMMISSERS ABSENT: None

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 February 13, 2020 meeting minutes. Stranko moved to approve as presented; seconded by. Motion passed unanimously with Petros and Shuman abstaining due to their absence.

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.

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

Brandon Lucas, attorney for Ronald McDonald House, Paul Cali from DRS Architects, and Jamie Johnson from Allegheny Construction introduced themselves. They thanked the Planning Staff for their guidance on this project. Mr. Johnson reviewed the proposed renovations and expansions to the house including the addition of an elevator for accessibility. New guest rooms, office space etc. would be added. Guest rooms will also be upgraded. The addition to the building will add approximately eleven additional guest rooms, depending on fund raising. Additionally, parking will be expanded to accommodate this.

There being no 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 none, DeMasters asked for staff's recommendation, which was read by Fletcher.

Demasters asked for discussion. Blosser asked about the public right-of-way from Country Club Drive to Med Center Drive and wonders if the City is considering upgrading the rights-of-way in that area as well as the pedestrian walkways. Even with these upgrades there is still foot traffic area in the area from Ronald McDonald House to the Hospital. Fletcher indicated he would pass on the information to City Administration.

Stranko made a motion to recommend to City Council to approve the zoning map amendment as recommended by staff; seconded by Blosser. The motion carried unanimously.

Fletcher advised the petitioner stating that since the recommendation has been made to City Council that he will send the information on their upcoming meetings.

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.

Fletcher presented the Staff Report and noted the petitioner was unable to be present and asked that Staff represent him. There being no questions by the Planning Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. There being none, DeMasters asked for staff recommendations, which was read by Fletcher.

Stranko motioned to approve the petition with staff recommended conditions; seconded by Hammond. Motion carried unanimously.

VI. OTHER BUSINESS

A. Committee Reports

- Traffic Commission Report: No report.
- Other Committees: No reports.

B. Staff Comments: Fletcher read the announcement at the bottom of the Agenda regarding the Workshop following the meeting and recommended the business meeting be adjoined before the workshop starts.

VII. FOR THE GOOD OF THE COMMISSION: None.

VIII. ADJOURNMENT: Motion made and seconded to adjourn at approximately 6:50 p.m.

MINUTES APPROVED:

COMMISSION SECRETARY:

Christopher M. Fletcher, AICP

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Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

STAFF REPORT

CASE NO: RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

REQUEST and LOCATION:

Request by Seth Wilson of Bowles Rice, LLP, on behalf of West Virginia University Hospitals, Inc. for a Zoning Map Amendment to reclassify Seventh Ward Tax District, Tax Map 6, Parcel 76.1 and Seventh Ward Tax District, Tax Map 11, Parcel 258, from OI, Office and Institutional District to B-2, Service Business District.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Seventh Ward Tax District, Tax Map 6, Parcel 76.1 and Seventh Ward Tax District, Tax Map 11, Parcel 258, OI, Office and Institutional District.

SURROUNDING ZONING:

North and East: B-2, OI, Office and Institutional District

South: B-2, Service Business District

West: PRO, Professional, Residential, and Office District

BACKGROUND:

The petitioner seeks to amend the zoning map by changing the zoning classification for the subject premises from OI to B-2. This zoning map amendment would permit West Virginia University Hospitals, Inc. to pursue redevelopment of the former Fieldcrest Hall site, recently acquired from West Virginia University, while meeting the needs of the larger medical center campus. Addendum A of this report identifies and illustrates the location of the subject site.

The premises included in the proposed zoning reclassification is the physical land site of the former Fieldcrest Hall and the adjoining portion of Elmer Prince Drive, as further described below.

- The former Fieldcrest Hall parcel is identified as Seventh Ward Tax District, Tax Map 6, Parcel 76.1.
- The Elmer Prince Drive parcel was formally annulled by the City of Morgantown on 16 SEP 2002 and deeded to the West Virginia University Board of Governors by Quit Claim deed on 31 DEC 2002 and recorded in Monongalia County Clerk's Records Office in Deed Book 1247, Page 214. This parcel is identified as Seventh Ward Tax District, Tax Map 11, Parcel 258. Only the adjoining portion of this parcel is included in this zoning map amendment request.

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 to the south and southwest. Accordingly, the proposed zoning map amendment would be a boundary adjustment of the B-2 zoning district.

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ANALYSIS:

The subject premises are situated at the intersection of Van Voorhis Road and Elmer Prince Drive, which is the western main entrance to the West Virginia University Health Sciences Campus and Ruby Memorial Hospital. This site was most recently the location for Fieldcrest Hall, a former nursing home and later a WVU-affiliated dormitory, which has been recently razed and removed.

A review of all publicly available WVU Facilities Master Plans (2017 Facilities Master Planning Process Document, 2013 West Virginia University Robert C. Byrd Health Science Center Infrastructure Upgrade Master Plan, and 2012 West Virginia University Ten-Year Campus Master Plan) do not provide any information related to programmed use of this location. A health sciences center master plan may exist as evidenced from the West Virginia University Planning, Design, Construction and Scheduling website, but is not publicly available.

Staff understands the petitioner, in purchasing the former Fieldcrest Hall site, intends, in the long-term, to pursue mixed- or multi-use redevelopment of the site following related planning and funding. Long-term redevelopment of the site is understood to serve advancing continued growth of West Virginia University Hospitals, Inc.

The applicant seeks in the near term to develop a temporary surface parking lot, which is permitted in the B-2 District but prohibited in the OI District. The use of satellite employee parking and shuttle locations around greater Morgantown and the recent construction of surface lots and multi-deck parking garage facilities in proximity to the medical center demonstrates upward parking demand.

Addendum B of this report provides Sections 1343 "OI, Office and Institutional District," 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 both the OI and B-2 zoning districts.

Although the land development densities and intensities permitted in both zoning districts are comparable, the B-2 zoning classification provides a broader and more diverse set of permitted land uses intended along a major thoroughfare like Van Voorhis Road and Pattison Drive.

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.

Although extraneous to the land use and land development considerations by the Planning Commission for this zoning map amendment, the petitioner's desire to redevelop this site

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demonstrates an opportunity to increase utilization of the subject premises to support continued growth of the medical center.

It appears the requested zoning classification change for the 445 Van Voorhis Road premises from OI to B-2 is in concurrence with the Comp Plan’s principals for Encouraged Growth land management objectives and furthers the following plan implementation strategies:

- Land Management 2.1 Identify and prioritize sites for infill and redevelopment.
- Land Management 4.3 Revise zoning regulations to permit mixed-use development at appropriate scales in various zoning districts.
- Land Management 5.2 Permit higher density development in areas that are well-supported by existing or planned transportation infrastructure or transit services.
- Economic Development 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 445 Van Voorhis premises, which includes realty owned by West Virginia University Hospitals, Inc., to B-2, Service Business District 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 to approve the zoning map amendment as requested so that all of Seventh Ward Tax District, Tax Map 6, Parcel 76.1 and the adjoining portion of Seventh Ward Tax District, Tax Map 11, Parcel 258 is zoned B-2, Service Business District.

Development Services Department

Christopher Fletcher, AICP
Director

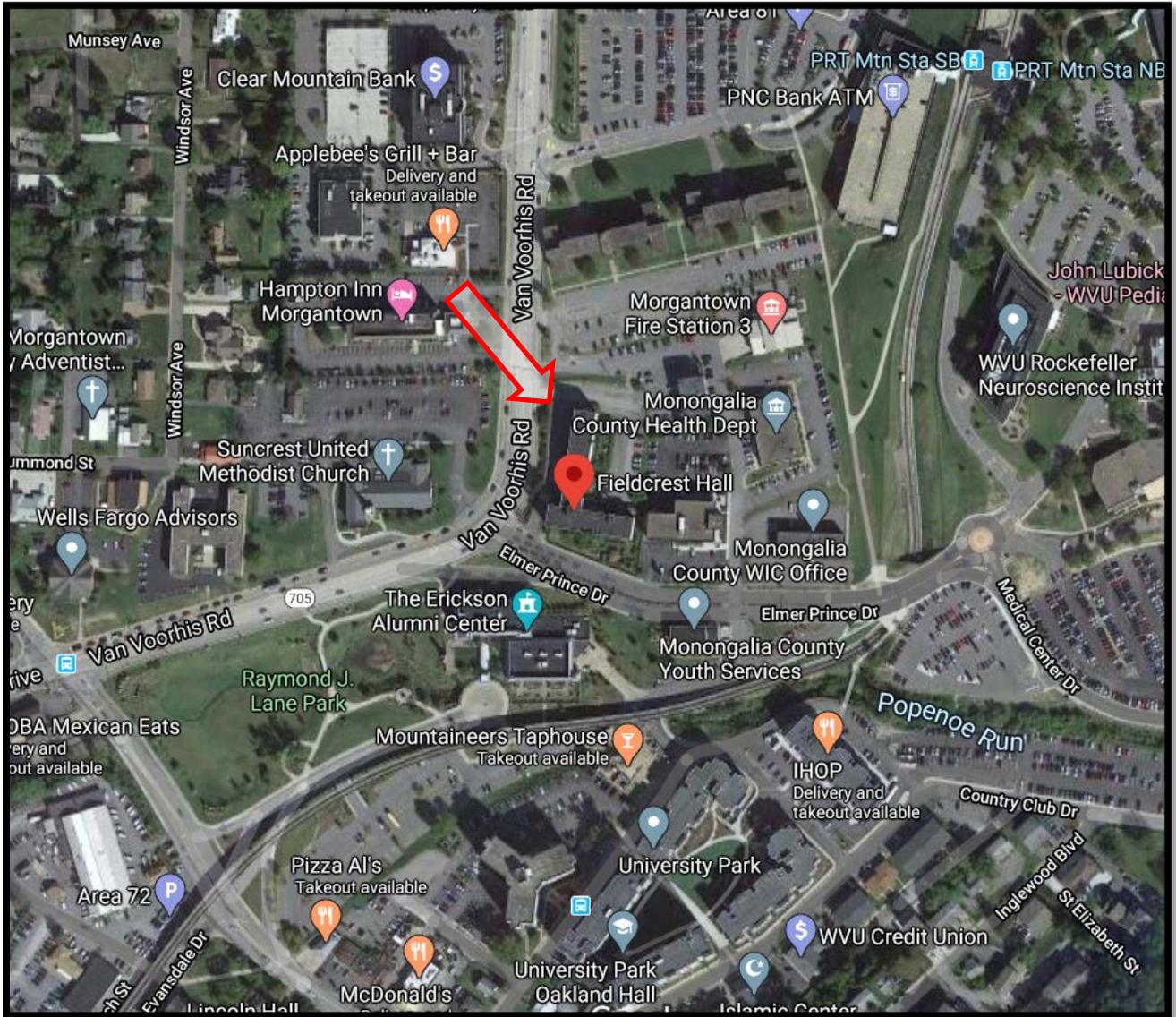
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STAFF REPORT ADDENDUM A

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road



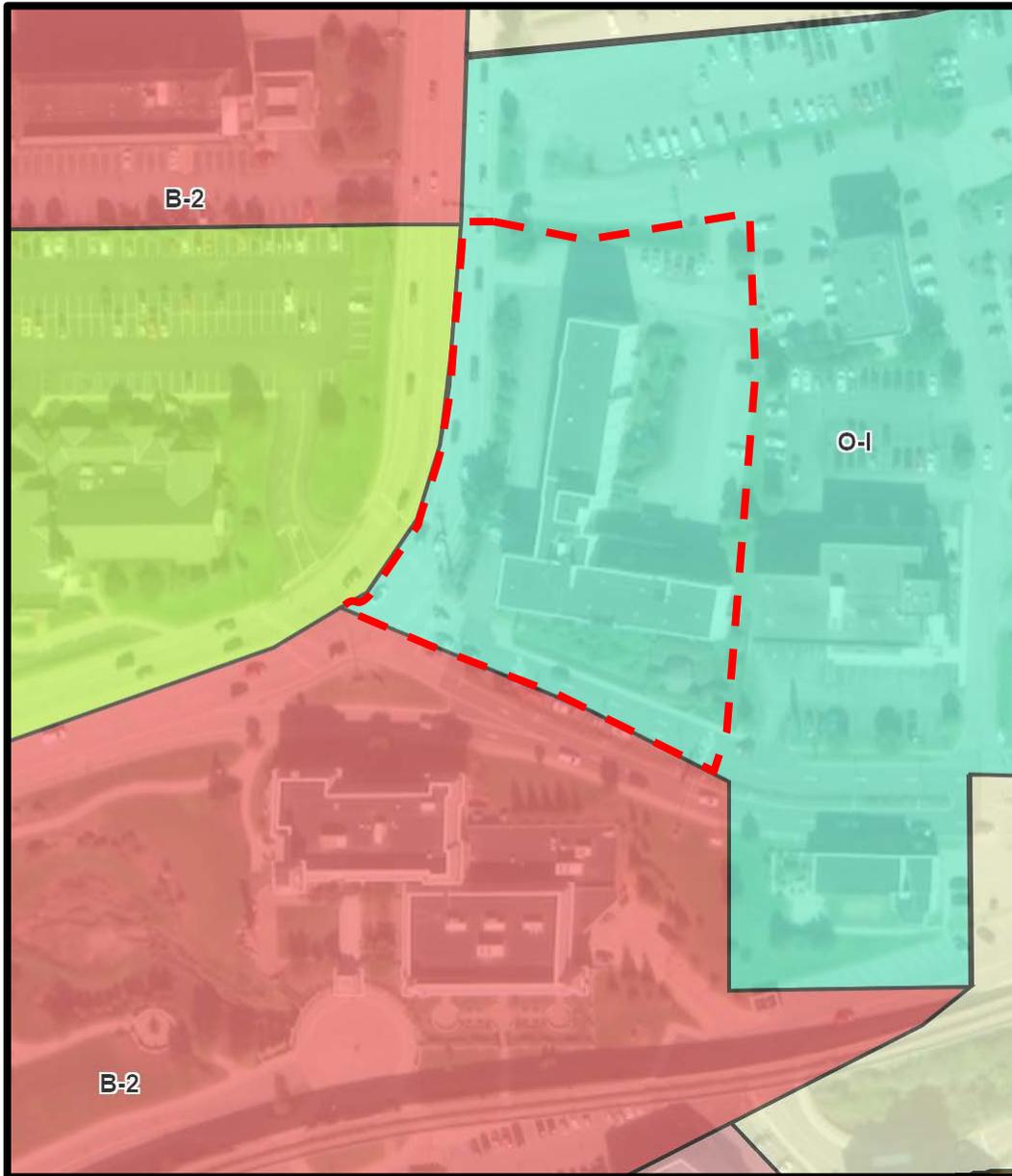
STAFF REPORT ADDENDUM A

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road



STAFF REPORT ADDENDUM A

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road



STAFF REPORT ADDENDUM B

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

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ARTICLE 1343 OI, Office and Institutional District

1343.01	Purpose.	1343.06	Parking and loading standards.
1343.02	Permitted and conditional uses.	1343.07	Performance standards.
1343.03	Lot provisions.	1343.08	Landscaping.
1343.04	Setbacks and encroachments.		
1343.05	Building height and use.		

CROSS REFERENCES

Composting operation - see P. & Z. 1331.06(3)
Day care facilities - see P. & Z. 1331.06(19)
Mixed use dwelling units - see P. & Z. 1331.06(26)

1343.01 PURPOSE.

The purpose of the Office and Institutional (OI) District is to:

- (A) Provide for office and institutional uses and customary accessory uses on appropriately-sized lots, and
- (B) Provide for a suitable environment for office and institutional uses that can be located adjacent to residential uses without undue harmful effects to such residential uses.

1343.02 PERMITTED AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

1343.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 6,000 square 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.

2019 Replacement

STAFF REPORT ADDENDUM B

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

1343.04

PLANNING AND ZONING CODE

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1343.04 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:.....25 feet
- (3) Minimum Side setback:.....30 feet
- (4) Minimum Rear setback:40 feet.

(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.

1343.05 BUILDING HEIGHT AND USE.

(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-five (25) feet. (Ord. 06-40. Passed 11-21-06.)

1343.06 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.

1343.07 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, however the area of metal paneling shall not exceed twenty (20) percent of any one wall face.

(C) Materials:

- (1) Walls shall be clad in any combination of stone, brick, marble, approved metal paneling, and/or cast concrete.
- (2) Roofs shall be clad in slate, sheet metal, corrugated metal, and/or diamond tab asphalt shingles, when visible. Flat roofs shall be exempt from this requirement.
- (3) The orders, if provided, should be made of wood or cast concrete.

(D) Configuration: Flat roof lines are allowed.

2019 Replacement

STAFF REPORT ADDENDUM B

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

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OI, Office and Institutional District

1343.08

(E) Techniques:

- (1) Windows should be set to the inside of the building face wall.
- (2) Rooftop equipment which is enclosed should be enclosed in building material that matches the structure or is visually compatible with the structure.

(F) Residential construction within this district shall follow the height and performance standards listed in Sections 1339.06 and 1339.07.

(G) 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.

1343.08 LANDSCAPING.

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

2019 Replacement

STAFF REPORT ADDENDUM B

RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

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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)

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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Establishment of Zoning Districts and Zoning Map

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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
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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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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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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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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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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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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113 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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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.

INTENT	Development proposals will reflect the spirit and values expressed in the Plan's principals.
---------------	--

Principles for Land Management

Principal 1	Infill development and redevelopment of underutilized and/or deteriorating sites takes priority over development in green field locations at the city's edge.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> Other
	<i>The subject premises is in close proximity to the multi-service regional medical center. The overall development pattern permitted with the O-1 and B-2 zoning districts are relatively comparable. However, a B-2 zoning classification includes a broader and more diverse set of permitted land uses intended along a major thoroughfare like Van Voorhis Road and Pattison Drive. Increased development demand is anticipated from the known growth occurring at Ruby Memorial Hospital and West Virginia University and as shown in the Conceptual Growth Framework map of the Comprehensive Plan.</i>	
Principal 2	Expansion of the urban area will occur in a contiguous pattern that favors areas already served by existing infrastructure.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive
	<i>The subject premises are within the urban area, within a highly traveled corridor, in close proximity to the multi-service regional medical center and appears to be well-served by existing utility and roadway infrastructure.</i>	
Principal 3	Downtown, adjacent neighborhoods and the riverfront will be the primary focus for revitalizations efforts.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>Although the subject premises is not located within or adjacent to the central business district, it is situated adjacent to and harmonious with the highly traveled commercial corridor and the multi-service regional medical facilities it will support.</i>	
Principal 4	Existing neighborhoods throughout the city will be maintained and/or enhanced.	<input checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive
	<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>	

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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 for residential, nonresidential, mixed-use and multi-use development of the subject premises appears to be consistent with the surrounding commercial and institutional 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 zoning reclassification would enable residential construction to be incorporated into this area; however, it is uncertain whether residential uses would be included in any future development plans for the purposes of the map amendment.</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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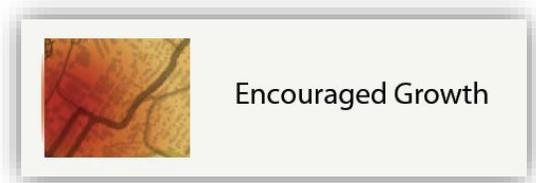
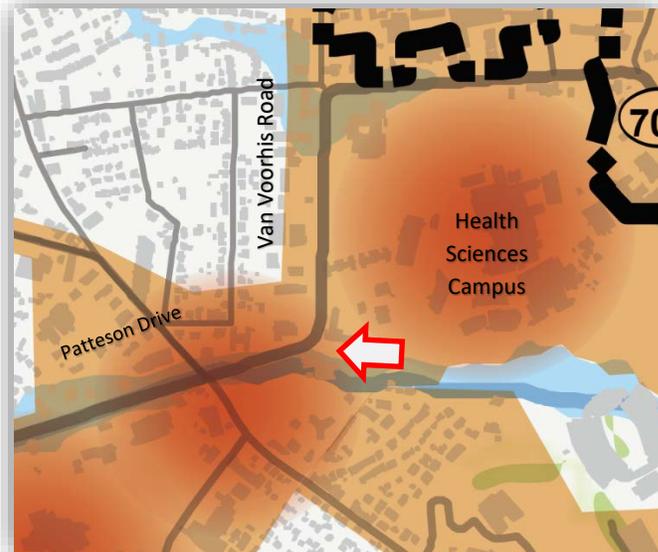
Principal 11	Environmentally sensitive and sustainable practices will be encouraged in future developments.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
--------------	--	--

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 445 Van Voorhis Road premises is located within an **"Encouraged Growth"** concept area.



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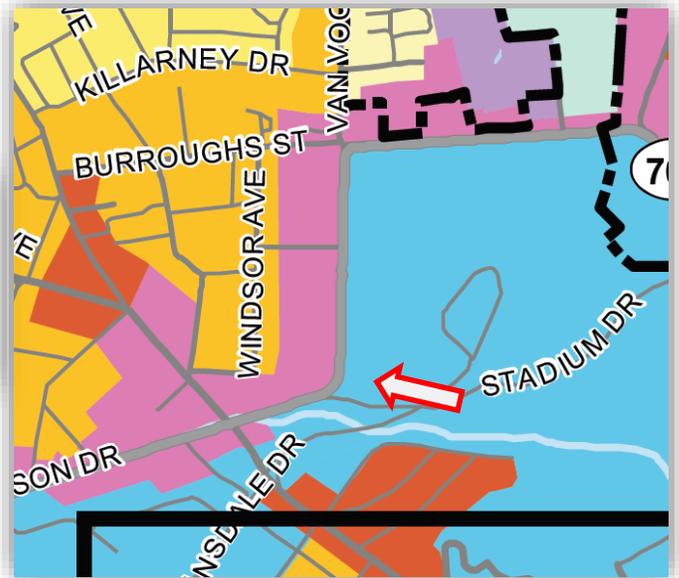
RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

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 445 Van Voorhis Road premises is located within the “**University**” pattern and character areas.

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 445 Van Voorhis Road premises is located within the “**Corridor Enhancement**” and “**WVU Campus Development**” concept areas.

Corridor Enhancement:** Improving development along corridors with a mix of uses, increased intensity at major nodes or intersections and roadway improvements to improve traffic flow, pedestrian and biking experience.

**Hatched areas indicate opportunities for corridor enhancement within another concept area.

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.



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

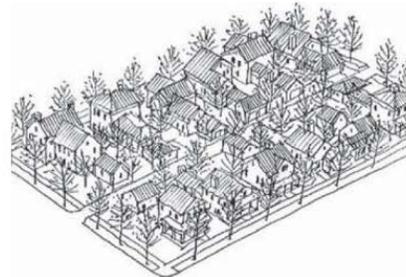
CONCEPT AREA	Appropriate Development Types										
	SF	TF	MF	C	NX	UC	CC	O	I	CD	OS
Core Enhancement			•	•	•	•					•
Corridor Enhancement*			•	•	•		•	•			•
WVU Campus Development		•	•	•	•	•		•	•		•
Neighborhood Revitalization	•	•	•	•	•						•
Infill and Redevelopment*			•	•	•	•		•			•
Encouraged Growth			•	•	•	•		•	•		•
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 with 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 in 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

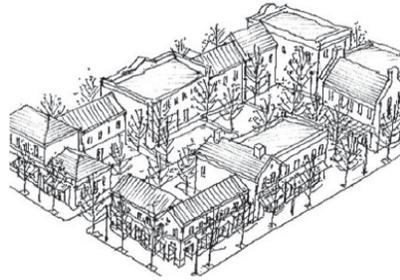
RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

DEVELOPMENT TYPE DESCRIPTIONS

PATTERN AND CHARACTER EXAMPLES

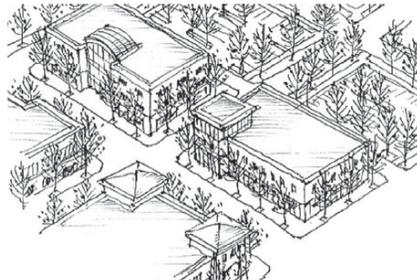
NX Neighborhood Center Mixed-Use

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.



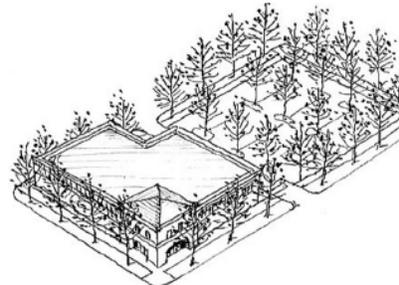
UC Urban Center Mixed-Use

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.



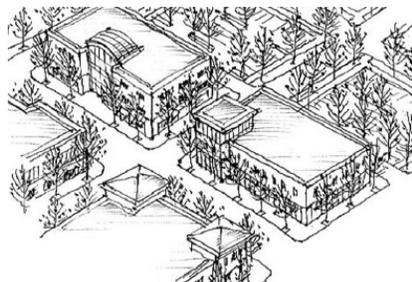
CC Community Commercial

Larger scale, primarily retail, restaurant and accommodation uses that serve the broader community. Buildings should be located close to the street with parking to the rear or side and should be well-connected to surrounding development and pedestrian infrastructure.



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.



STAFF REPORT ADDENDUM C

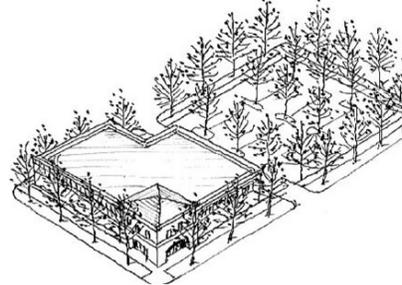
RZ20-03 / West Virginia University Hospitals, Inc. / 445 Van Voorhis Road

DEVELOPMENT TYPE DESCRIPTIONS

PATTERN AND CHARACTER EXAMPLES

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)

I. OWNER / APPLICANT			
Name:	West Virginia University Hospitals, Inc.		Phone: 304 598 4125
Mailing Address:	1 Medical Center Drive, Attn: Alan Neptune		Mobile:
	Street	Morgantown WV 26506	Email: donald.neptune@wvumedicine.org
	City	State	Zip
II. AGENT / CONTACT INFORMATION			
Name:	Seth Wilson		Phone: 304 285 2531
Mailing Address:	Bowles Rice LLP		Mobile: 304 685 5046
	Street	125 Granville Sq., Suite 400	Email: swilson@bowlesrice.com
	City	Morgantown WV 26501	
Mailings:	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact		
III. PROPERTY			
Street Address (if assigned):	445 Van Voorhis Road, 7th Ward		
Tax Map(s) #:	6	Parcel(s) #:	76.1
		Size (sq. ft. or acres):	1.59
Current Zoning Classification:	I/O	Proposed Zoning Classification:	B-2
Current Land Use:	Vacant	Proposed Land Use*:	Parking Lot/Medical Office
*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.			
IV. ATTEST			
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.			
		Seth Wilson, Bowles Rice LLP 4/10/20	
Type/Print Name of Applicant/Agent		Type/Print Name of Applicant/Agent	Date

Ethenore Rowd

Pay by Bill Type Report

Report Criteria

Merchant: City of Morgantown Finance Web	Time Zone: Eastern
Start Date: 4/11/2020 7:45:00 PM	End Date: 4/12/2020 7:45:00 PM

Grand Total			
Bill Type	Trans Count	Convenience Fee	Total Paid
Planning and Zoning	1	\$14.75	\$500.00

Payments by Bill Type

Planning and Zoning Applications



Bill Type	Transaction Date	Payment Method	Payment Account	Bill Amount	Applicant Name	Case Number	Type of Application
Planning and Zoning Applicat	04/12/20 01:47 PM	American Express Credit	4014	\$500.00	West Virginia University Hospitals, Inc.	RZ20-03	Zoning Map Amendment Application

Sunday, April 12, 2020

Page 1 of 1

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MORGANTOWN PLANNING COMMISSION

May 14, 2020
6:30 p.m.
By Electronic Means

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Blosser, 3rd Ward

Bill Petros, 4th Ward

Michael Shuman, 5th Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

STAFF REPORT

CASE NO: TX20-02 / Administrative / Electric Vehicle Charging Stations

REQUEST:

Administratively requested zoning text amendments to add public and private electric vehicle charging station uses and standards to the Morgantown Planning and Zoning Code. Planning and Zoning Code Sections included are 1329.02 and Table 1331.05.01.

BACKGROUND AND ANALYSIS:

In the late 2000s, electric vehicles (EV) grew from a niche product to a mainstream form of automotive transportation. The popularity of the *Tesla* brand and other limited manufactures of electric vehicles has only increased. Under the previous White House Administration's goal of one million electronic vehicles on the road by 2015, most manufactures provide some form of electric vehicle option, with many traditional internal combustion engine vehicle manufacturers offering more diverse electric passenger models

Development Services

Christopher Fletcher, AICP
Director

John Whitmore, AICP
Senior Planner

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



In the March 2020 edition of the American Planning Association's *Planning Magazine*, Elaine S. Povich noted in her article titled "Charging Stations Still Too Few and Far Between" that purchases of electric vehicles grew 81% from 2017 to 2018 and that trend is not expected to slow. However, she notes what could stunt growth is the lack of power



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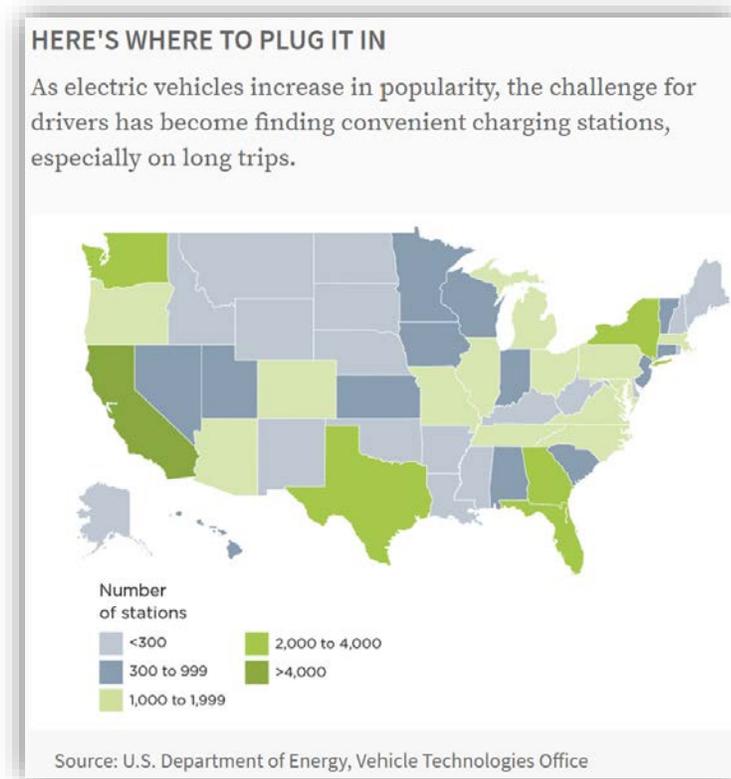
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charging stations across the country. The following image was included in her article illustrating the number of electric charging stations across the country by state.



It appears prudent for Morgantown, like many other communities across the country, to make way for EV supporting infrastructure to develop. Accordingly, steps should be taken to ensure residents and businesses know what is allowed under our Planning and Zoning Code.

In the May/June 2012 edition of the American Planning Association's *Planning Magazine*, sustainability specialist Kim Lundgren advocated in her article titled "Plug-in Stations Come to Town" that cities should include charging infrastructure requirements in their zoning and land-use regulations. Specifically, Lundgren suggested allowing level 1 and level 2 charging stations as an incidental or accessory use and allowing DC fast-charging stations in commercial or industrial zoning districts and as a conditional use in residential zoning districts. This would also require adopting EV-related definitions in the zoning regulations.

Existing technology allows for three (3) levels of electric vehicle charging. Level 1 utilizes a standard 120-volt electric outlet and Level 2 uses a 240-volt outlet. Levels 1 and 2 use alternating current, with conversion occurring to direct current into the vehicle's systems. Levels 1 and 2 generally take hours to have moderate amounts of charge for a routine commuting distance, with Level 1 charging taking in excess of 16-hours for most low-range electric vehicles to have a full recharge.

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The highest level of charging is DC charging, a method for rapid recharging that uses a system to directly input current into the electric vehicle’s battery system. DC charging allows for an approximate 30-minute charge time from low battery energy levels to approximately eighty percent (80%) electric vehicle battery capacity. Multiple firms have entered the private marketplace to provide DC charging and Level 2 charging, including *Charge Point*, *Electrify America*, and *EVgo*.

Through a partnership between *Tesla* and *Sheetz*, the City of Morgantown has the area’s first *Tesla Supercharger* location at the 21 Asturias Lane Sheetz site (Sheetz No. 604), which includes eight (8) *Tesla* brand specific charging stations available 24/7 (see image below). Additional charging stations are located throughout the community at certain automotive dealerships, hotels, and the *Black Bear Village* development in Granville.



Given the present brand specific nature of some electric vehicle charging stations, such as *Tesla’s Superchargers*, *Ford’s FordPass Charging Network*, and *GM and Porsche’s* affiliation with *Charge Point*, it is anticipated that the City will begin to experience demand for new infrastructure to support personal and commercial EV charging opportunities. Some commercial EV charging providers may also begin to work with local multi-family housing providers to accommodate tenant lower level charging needs.

To prepare for the anticipated need for electric vehicle charging station infrastructure, while providing opportunity for best practices, Staff proposes two (2) classes of electric vehicle charging stations. Appendix A of this report provides staff recommended Planning and Zoning Code text amendments detailing these charging station types and providing their specific application in relevant zoning districts.

STAFF RECOMMENDATION:

Staff advises the Planning Commission to forward a favorable recommendation to City Council to amend the Planning and Zoning Code as presented in Addendum A of this report [new matter underlined] based on the information and findings presented herein.

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STAFF REPORT ADDENDUM A

TX20-02 / Administrative / Electronic Vehicle Charging Stations

ARTICLE 1329

Definitions

1329.02 DEFINITION OF TERMS

EV CHARGING STATION, PRIVATE – A parking space that is served by electric vehicle charging station equipment that has the primary purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy source in an electric vehicle. These accessory uses may be provided to a specific dwelling unit, townhouse dwelling structure, multi-family dwelling structure, nonresidential structure, or business tenant and shall be considered a parking space for the purpose of determining or meeting minimum parking requirements.

EV CHARGING STATION, PUBLIC – A parking space that is served by electric vehicle charging station equipment that has the primary purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy source in an electric vehicle. These accessory uses are provided to the general public and shall not be included in determining or meeting minimum parking requirements.

Table 1331.05.01 Permitted Land Uses

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
<u>EV Charging Station, Private</u>	A	A	A	A	A	A	A	A	A	A	A	
<u>EV Charging Station, Public</u>			A	A	A	A	A	A	A	A	A	