



The City of Morgantown

389 Spruce Street
Morgantown, West Virginia 26505
(304) 284-7439 Fax: (304) 284-7525
www.morgantownwv.gov

Office of the City Clerk

AGENDA
MORGANTOWN CITY COUNCIL
COMMITTEE OF THE WHOLE
Tuesday, October 27, 2020
7:00 p.m.

To protect public health during the COVID-19 pandemic, personal attendance at the meeting is not permitted. This meeting will take place via WebEx at <https://cityofmorgantown.my.webex.com/meet/cityofmorgantown> using the meeting number 793 734 477. The meeting will be broadcast live on Morgantown 15 and live-streamed via the City of Morgantown website at <https://morgantownwv.viebit.com/>. The public can also listen live by calling 408-418-9388 and using the access code 793 734 477. If members of the public wish to comment on a particular issue or public hearing, they should fill out the public comment sign-up form on our website which can be found at: <http://bit.ly/MCC102720>. Additionally, the public can submit written comments via email to the City Clerk at cwade@morgantownwv.gov.

NOTE: Committee of the Whole Meetings of the Morgantown City Council are intended to provide an opportunity for the Council to receive information, ask questions, and identify policy options in an informal setting. No official action is taken at these meetings. At this Committee of the Whole Meeting the following matters are scheduled.

PRESENTATIONS:

1. Morgantown Public Library Annual Presentation – Director Sarah Palfrey
2. Fire Fee Ordinance Changes Based On Hazard Classifications– Chief Mark Caravasos

PUBLIC PORTION:

ITEMS FOR DISCUSSION:

1. Morgantown Public Library
2. Fire Fee Ordinance Changes Based On Hazard Classifications
3. Ordinance providing for Zoning Reclassification of certain parcels of real estate in the Fourth Ward
4. Ordinance amending Article 103 Establishing Wards & Boundaries
5. September 2020 General Fund Detailed Budget Report

ADJOURNMENT:

Morgantown Public Library System							
Amended Budget for FY 21 (corrections to affiliate services revenue)							
July, 2020							
REVENUES	MPL	Clinton	Cheat	Clay Battelle	Arnettsville	System Grand Total	Percentages
City of Morgantown	797,718					797,718	42.00%
WVLC Grant - Basic	357,706	24,500	53,900	34,300	19,603	490,009	26.00%
Affiliate Services	37,605					37,605	1.90%
Monongalia County	365,000	25,000	55,000	35,000	20,000	500,000	26.00%
Board of Education	29,200	2,000	4,400	2,800	1,600	40,000	2.00%
Interest Income	8,000	500	500	500	500	10,000	0.52%
Library Collections	11,000	600	2,000	325	50	13,975	0.70%
Restricted Trust Income	1,100					1,100	0.05%
Subtotal	1,607,329	52,600	115,800	72,925	41,753	1,890,407	
Fund Balance Appropriated							
TOTAL							
EXPENDITURES							
6000 Personnel Services	1,146,809	30,848	73,600	44,835	30,000	1,326,092	69.53%
6100 Library Materials	200,000	12,000	22,000	14,165	6,129	254,294	13.74%
6300 Supplies and Service	21,000	1,500	2,000	2,000	550	27,050	1.68%
6500 Equipment	52,200	1,500	1,500	1,000	3,000	59,200	3.10%
6700 Library Oper & Maint	131,320	5,000	14,300	8,675	545	159,840	8.59%
6900 Other Activities	56,000	1,752	2,400	2,250	1,529	63,931	3.35%
TOTAL	1,607,329	52,600	115,800	72,925	41,753	1,890,407	
Approved by MPLS Board of Trustees							
July 16, 2020							

Modifications to existing City ordinance 747.02

It is recommended a study be conducted to determine the feasibility of relying on county property tax records to determine the square footage and stories of a building. A recent request was made to the county assessor to provide a database of measurements that could be compared to the data currently maintained by city finance. It has become extremely burdensome and difficult to maintain an accurate city database, and there are numerous contested structures the fire department has measured multiple times to no avail. With aerial mapping and GIS, the county records are most likely more valid and accurate. A possible change to the current ordinance would be:

(c) Duty to Measure and to assign Hazard Classifications. The gross square footage of each structure shall be determined by ~~the Fire Chief~~ property tax records maintained by the Monongalia County Assessor's Office in accordance with the definition of terms in Section 747.01 and the gross square footage measurements for each structure shall then be multiplied by the rates shown above to determine the amount of the fee to be charged against the use of the fire protection service. When determining the gross square footage of each structure, the Fire Chief may rely upon plans and permit applications submitted to the City or otherwise on record with the City. On or before May 1 of each year, the Fire Chief shall deliver to the Finance Director a list of each structure within the City and the gross square footage thereof determined in accordance with this Article. Measurements and heights of government owned structures or buildings not maintained by the County Assessor's Office will be determined by Fire Department Measurements.

Hazard Assessment

The most recent change to City Ordinance 747 required the fire department to provide a means of assessing fire protections fees by hazard classifications in addition to or in conjunction with current fees. This information is to be provided by October 31, 2020 for consideration in budget year 2022. The records management software used by the Morgantown Fire Department includes a risk management program to determine and map hazard classes. Here is a brief description of the Vision program by the vendor:

VISION Risk Assessment™ is a dynamic tool that allows departments to analyze and categorize risks present in their community, compare data to other departments nationwide, and generate the Occupancy Vulnerability Assessment Profile **(OVAP) score** for all occupancies within their response area. If you've ever been rated by the ISO and there was room for improvement, this is the tool you have been looking for to simplify the process of rating every building in your community.

VISION Risk Assessment™ allows you to do the following to analyze and understand the risks in your coverage area:

- Calculate response time and plan resource deployment
- Record the location and potential impact of hazardous materials
- Determine the required fire flow needed to stop a fire at origin
- Evaluate potential medical emergencies involving mass casualties
- Utilize the power of our [Google Maps Integration](#), included for free with VISION Risk Assessment™
- View color-coded hydrants by GPM volume per NFPA 291

The calculator looks at three assessment categories: General, Life Safety, and Risks

General Assessment Information

The screenshot displays a web browser window with the URL <https://secure.emergencyreporting.com/v6/occupancies/3215492/hazards>. The page title is "Occupancy Hazards" and the breadcrumb trail is "Occupancies / BUSINESS / BUSINESS /". The main heading is "OVAP Test | 300 Spruce ST Morgantown, WV 26505". A "Go to Occupancy # 123455" button is visible. The "Hazards" tab is selected in the navigation menu. The "Occupancy Hazards" section contains a "General" sub-section with the following fields:

- Number of Employees:
- Ave. Exposure Separation (ft)*:
- Number of Floors*:
- Square Footage*:

Below these fields is the "Property Value *" section with radio button options:

- Personal/Family Loss
- Business Loss, Minor Casualty Exposure
- Moderate Economic Impact, Severe Casualty Exposure
- Severe Economic Impact to Community, Tax Base or Job Loss
- Major Loss to Community (Non-Monetary); Infrastructure, Cultural, Historical
- Nothing Selected

A "SAVE" button with a red asterisk indicating a required field is located at the top right of the form area.

Life Safety Assessment

Life Safety

Occupancy Load *

- 0 - 10 Occupants
- 11 - 50 Occupants
- 51 - 100 Occupants
- 101 - 300 Occupants
- 300+ Occupants
- Nothing Selected

Occupancy Access *

- All sides
- Three sides
- Two sides
- One side
- Extraordinary Effort
- Nothing Selected

Occupant Mobility *

- Awake
- Asleep
- Non-Ambulatory or Restrained
- Not a Factor
- Nothing Selected

Warning Alarm Systems *

- Automatic - Central
- Automatic - Local
- Manual - Central
- Manual - Local
- No Alarm System
- Not a Factor
- Nothing Selected

Exits *

- Conforming
- Non-Conforming
- Nothing Selected

Construction Type *

Risks

Regulatory Oversight *

- Highly Regulated, Mandatory Compliance
- Highly Regulated, Inspections Scheduled
- Regulated, Random Inspections
- Regulated, Voluntary Compliance
- Unregulated, Un-inspected
- Not a Factor
- Nothing Selected

Human Activity *

- No Access to Unauthorized Persons
- Controlled Access to Unauthorized Persons
- Business Activity, Sales and Retail
- Group Activity, Transient Population
- Domestic Activity, No Occupant Control
- Not a Factor
- Nothing Selected

Experience *

- Daily Events
- Weekly Events
- Monthly Events
- Annual Events
- Rare Occurrence
- Nothing Selected

Risk Assessment Information

Risks

Regulatory Oversight *

- Highly Regulated, Mandatory Compliance
- Highly Regulated, Inspections Scheduled
- Regulated, Random Inspections
- Regulated, Voluntary Compliance
- Unregulated, Un-inspected
- Not a Factor
- Nothing Selected

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- No Access to Unauthorized Persons
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- Not a Factor
- Nothing Selected

Experience *

- Daily Events
- Weekly Events
- Monthly Events
- Annual Events
- Rare Occurrence
- Nothing Selected

Capacity to Control *

- Control Within the Building of Origin
- Exposure to the Same Complex
- Major Deployment
- Extreme Resistance to Control
- Hazardous to Firefighting Activities
- Nothing Selected

Hazard Index *

- Limited Hazards
- Common Hazards (Residential Type)
- Mixed Hazards (Business Type)
- Industrial Hazards
- Hazardous to Firefighting Activities
- Nothing Selected

Fire Load *

- Non-Combustible
- Limited-Combustible
- Combustible
- Free-Burning
- Rapid Burning
- Nothing Selected

Available Water Flow *

_____ GPM

Fire Load Sprinklers; Meets NFPA requirements for design and maintenance *

- Yes
- No
- Nothing Selected

The Vision Risk Assessment program determines the OVAP score (Occupancy Vulnerability Assessment Profile) based upon the selections entered in the three major categories of hazard assessment.

OVAP Scores

- Maximum Risk >59
- Significant Risk >39
- Moderate Risk >15
- Low Risk <15

Recommended Fire Service Fee Hazard Class Factors

In addition to the standard fee determined by square footage and building stories, the following possible multipliers could be considered by city management:

<u>OVAP Score Range</u>	<u>Potential Multipliers</u>
-Maximum Risk >59	(2.0) (1.75) (1.4)
-Significant Risk >39	(1.5) (1.25) (1.2)
-Moderate Risk >15	(1.0) (1.0) (1.0)
-Low Risk <15	(.75) (.75) (.80)

Optional Assembly Hazard Factor

Where the predominate occupancy of a building or structure is for assembly use, the following multipliers are used in addition to the square footage and building stories, and OVAP Multipliers are **NOT USED**:

-Occupant load building factors for aggregate total of more than:

<u>Occupant Load</u>	<u>Multiplier</u>
-(749) (999), (2,999) (4,999)	(1.25) (1.5) (1.75) (2.0)

Current Data

- 2,748 Commercial Structures in the MFD occupancy database
- 189 One- or two-family homes where owner has requested an emergency pre-plan
- 320 OVAP scores have been completed
- 9 score low risk, 299 moderate risk, 9 Significant Risk, 3 Maximum Risk

Predicted Data

Modeling suggests the remaining building hazard scores would fall in this range:

- 2,691 Moderate Risk
- 81 Low Risk
- 81 Significant Risk
- 27 Maximum Risk

There is no way to determine the amount of additional fees that would be collected; however, the data indicates the majority of the significant and maximum risk categories would be large commercial or university buildings.

Potential Issues

Currently, fire fees are assessed upon building owners. An issue arises when we assess a mixed-use space such as a strip mall. There could potentially be a different risk score for each occupancy which would require that square footage to be assessed separately, instead of an overall fee like it currently is now. This may be confusing and burdensome to try and arrange, as building owners pay one fee for mixed use buildings. OVAP scores used for general hazard assessment planning are done on each occupancy, not necessarily the overall building. A possible average OVAP score for mixed occupancies could be a solution.

To complete the assessment of the remaining commercial structures would take approximately one year. If every single-family dwelling within the city is added to the assessment, it could possibly take an additional two years. The majority of single-family homes will score in the moderate range. A few possibilities exist:

1. Only hazard assess commercial structures
2. Delay one and two family dwelling assessments for budget year 2023
3. Make one or two family dwellings optional for the incentive of a possible lower fire service fee if the score is low risk. (What we recommend at this time)

Examples of Fee Changes for Hazard Class

(Assuming highest multiplier)

<u>Risk</u>	<u>Location</u>	<u>Score</u>	<u>Current Fee</u>	<u>Adjusted Fee</u>
Maximum	Ruby Memorial	64.0	\$163,980	\$327,960
Maximum	WVU Clark Hall	61.1	\$14,924	\$29,848
Significant	WVU Towers	41.2	\$65,439	\$130,878
Significant	Vandalia Hall	39.87	\$14,741	\$29,482
Moderate	120 Unit Apartments	37.07	\$15,405	\$15,405
Moderate	Single-Family Ash St	22.89	\$219	\$219
Low	Single Family Junior Ave	13.67	\$255	\$191
Low	Single-Family Callen Ave	14.67	\$268	\$201

Examples of Fee Changes for Assembly Class Occupancies TBD

<u>Location</u>	<u>Occupant Capacity</u>	<u>Current Fee</u>	<u>Adjusted Fee</u>
WVU Coliseum	14,000	\$24,487	\$48,974
Event Center	3,125	\$7,459	\$13,053
High St. Nightclub	944	\$1,969	\$2,455
Restaurant	246	\$673	\$673



Development Services
389 Spruce Street
Morgantown, WV 26505
304.284.7431

MEMORANDUM

Date: October 14, 2020
To: Emily Muzzarelli, Interim City Manager..... *via email*
cc: Christine Wade, City Clerk..... *via email*
Heather Carl, Deputy City Clerk..... *via email*
RE: City Council Committee of the Whole Agenda – October 27, 2020
RZ20-04 | Conlon | 424 Evans Street

During its October 8, 2020 hearing, the Planning Commission voted unanimously to forward a recommendation to City Council to approve the above referenced zoning map amendment petition, which would provide for the reclassification of 424 Evans Street from OI to R-3. The purpose of the zoning map amendment is to create a “Dwelling, Two Family” land-use.

Attached herewith are the Staff Report presented to the Planning Commission and the draft ordinance. The following dates will keep to standard P&Z Code Zoning Map Amendment protocol:

City Council Meetings

Committee of the Whole TUE, October 27, 2020 at 7 p.m.
1st Reading WED, November 4, 2020 at 7 p.m.
Public Hearing and 2nd Reading..... TUE, December 1, 2020 at 7 p.m.

Please include this item on the City Council meeting agendas noted above and include this communication and attachments, in color, in the October 27, 2020 Committee of the Whole meeting packet. Only the ordinance should be included in the November and December meeting packets.

Thank you.

RZ20-04

Kevin Conlon

424 Evans Street

DRAFT ORDINANCE

AN ORDINANCE PROVIDING FOR THE ZONING RECLASSIFICATION OF CERTAIN PARCELS OF REAL ESTATE IN THE FOURTH WARD OF THE CITY OF MORGANTOWN FROM OI, OFFICE AND INSTITUTIONAL DISTRICT TO R-3, MULTI-FAMILT RESIDENTIAL DISTRICT BY AMENDING ARTICLE 1331 OF THE PLANNING AND ZONING CODE OF THE CITY OF MORGANTOWN AS SHOWN ON THE EXHIBIT HERETO ATTACHED AND DECLARED TO BE A PART OF THIS ORDINANCE AS IF THE SAME WERE FULLY SET FORTH HEREIN.

Properties included in this ordinance are identified as Parcel 12, Tax Map 14, Tax District 12.

THE CITY OF MORGANTOWN HEREBY ORDAINS:

1. That the zoning designation for Parcel 12, Tax Map 14, Tax District 12 of the Monongalia County tax assessment as described herein and illustrated on the exhibit hereto attached and declared to be a part of this Ordinance to be read herewith as if the same were fully set forth herein is reclassified from OI, Office and Institutional District to R-3, Multi-Family Residential District.
2. That the Official Zoning Map be accordingly changed to show said zoning classifications.

This Ordinance shall be effective from the date of adoption and the Official Zoning Map shall be duly noted with the effective date of adoption.

FIRST READING:

Mayor

ADOPTED:

FILED:

RECORDED:

City Clerk

Legend

Morgantown, WV Overlay Districts Layer

- B-4 Neighborhood Preservation Overlay District
- Beechurst Corridor Overlay District
- Sunnyside Central Overlay District
- Sunnyside South Overlay District
- Wiles Hill Gateway Overlay District

Morgantown, WV Zoning

- R-1: Single Family Residential District
- R-1A: Single Family Residential District
- R-2: Single and Two Family Residential District
- R-3: Multi-Family Residential District
- PRO: Professional, Residential, and Office District
- B-1: Neighborhood Business District
- B-2: Service Business District
- B-4: General Business District
- B-5: Shopping Center District
- O-I: Office and Institutional District
- I-1: Industrial District
- PUD: Planned Unit Development District

 **424 Evans Street**
O-I, District to R-3, District



RZ20-04

Kevin Conlon

424 Evans Street

STAFF REPORT



MORGANTOWN PLANNING COMMISSION

October 8, 2020
6:30 p.m.
Council Chambers

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: RZ20-04 / Conlon / 424 Evans Street

REQUEST and LOCATION:

Request by Kevin Conlon for a Zoning Map Amendment to reclassify property addressed as 424 Evans Street from OI, Office and Institutional District to R-3, Multi-Family Residential District.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax District 12, Tax Map 14, Parcel 12; OI, Office and Institutional District.

SURROUNDING ZONING:

North, South and West: OI, Office and Institutional District

East: 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 OI to R-3. This zoning map amendment would permit the petitioner to pursue a "Dwelling, Two-Family Residential" use on-site. 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 this location is "Dwelling, Single-Family," which is not permitted in OI zoning district (see image below). Accordingly, this "Dwelling, Single-Family" use is considered nonconforming and may continue until abandoned.

Uses	R-1	R-1A	R-2	R-3	PRO	B-1	B-2	B-4	OI	B-5	I-1	Supplemental Regulations
Dwelling, Single family	P	P	P	P	P							16

Staff believes the proposed zoning map amendment would be considered a permitted map amendment and not "spot zoning" because the subject area adjoins the R-3 zoning district. Accordingly, the proposed zoning map amendment would be a boundary adjustment of the R-3 zoning district.

ANALYSIS:

The subject premises are situated at the intersection of Evans Street and unnamed alley. The property is located in a residential neighborhood that is primarily accessed from University Avenue by Evans and Dille Street and the unnamed alley. This location includes rental housing ranging from a few converted single-family homes and garden apartments to the abutting Metro Towers multi-family residential property.

**Development Services
Department**

John Whitmore, AICP
Interim Director

389 Spruce Street
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Ronald Dulaney, City Council

AJ Hammond, City Admin.

As Addendum A illustrates, the petitioner’s proposed zoning map amendment would expand the R-3, Multi-Family Residential zoning district into this residential area. The Evans Street block development is sparse with steep slopes limiting development on the southern side of the street.

Addendum B of this report provides Article 1339 “R-3, Multi-Family Residential 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 R-3, 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 site is located within the “Neighborhood Revitalization” and “Corridor Enhancement” growth frameworks and land management concept areas. The following image provides the description of these land management concept area.

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.

Neighborhood Revitalization: Stabilization and reinvestment in existing neighborhoods that includes improvements to public and private buildings and infrastructure, and support for infill development, adaptive reuse and redevelopment that offers a mix of residential types and supporting uses.

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This property and the surrounding non-conforming residential uses are identified as an Area for Study in the 2013 Comprehensive Plan Update. 424 Evans Street is located in Area No. 7. This study area encompasses all of the OI, Office and Institutional zoned properties in this location. The 2013 Comprehensive Plan Update found that the OI, District does not reflect the existing uses or development pattern and is limiting this area’s future development potential. A Small Area Plan for Area No. 7 is to consider the following:

- Zoning Reclassifications that allow for higher residential density patterns;
- Provide incentives to assemble and consolidate realty;



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- Discourage continued added density of converted single-family dwellings;
- Establish appropriate design standards;
- Improve Infrastructure supporting higher densities including sidewalks, pedestrian crossings, streetscape enhancements, public open spaces, and increased supply of on-site parking; and
- Potential expansion of the Sunnyside overlay Districts.

It appears the requested zoning classification change for 424 Evans Street from OI to R-3 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.
- 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.

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

Public comment received by September 30, 2020 is included in the meeting packet

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 R-3, Multi-Family Residential 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 1339 “R-3, Multi-Family Residential District” and Table 1331.05.01 “Permitted Land Uses.”

It is the opinion of the Development Services Department that the petitioner’s request to reclassify the property to R-3, Multi-Family Residential District is supported by the intent, location, pattern and character goals and land management objectives set forth in the 2013 Comprehensive Plan Update. However, the location is identified for further study as part of Area 7. In 2019, the Planning Commission had a similar rezoning application, where the property was located in a future study area and sought higher density Residential development opportunities with the R-3, Multi-Family Residential District.

In Case RZ19-01 / Scott Properties, LLC / Jones Avenue, the Development Services Department recommended approval of a map amendment for property located in the Area

**Development Services
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5 Future Study Area. During the public hearing and Planning Commission discussion, Development Services staff was charged with initiating the Small Area Study for Area 5 to allowing for adequate community input. The petitioner for RZ19-01 withdrew the application and the Small Area Study for Area 5 was commenced. This planning effort took approximately one-year to complete and resulted in the Future Study Area No. 5 Small Area Plan Recommendations Report and the current WHOD, Wiles Hill Overlay District.

Staff maintains that the Planning Commission should provide City Council with a positive recommendation for this specific petition but would understandably be receptive to commission guidance to initiate the Area No. 7 study in-lieu or in combination of a formal recommendation.

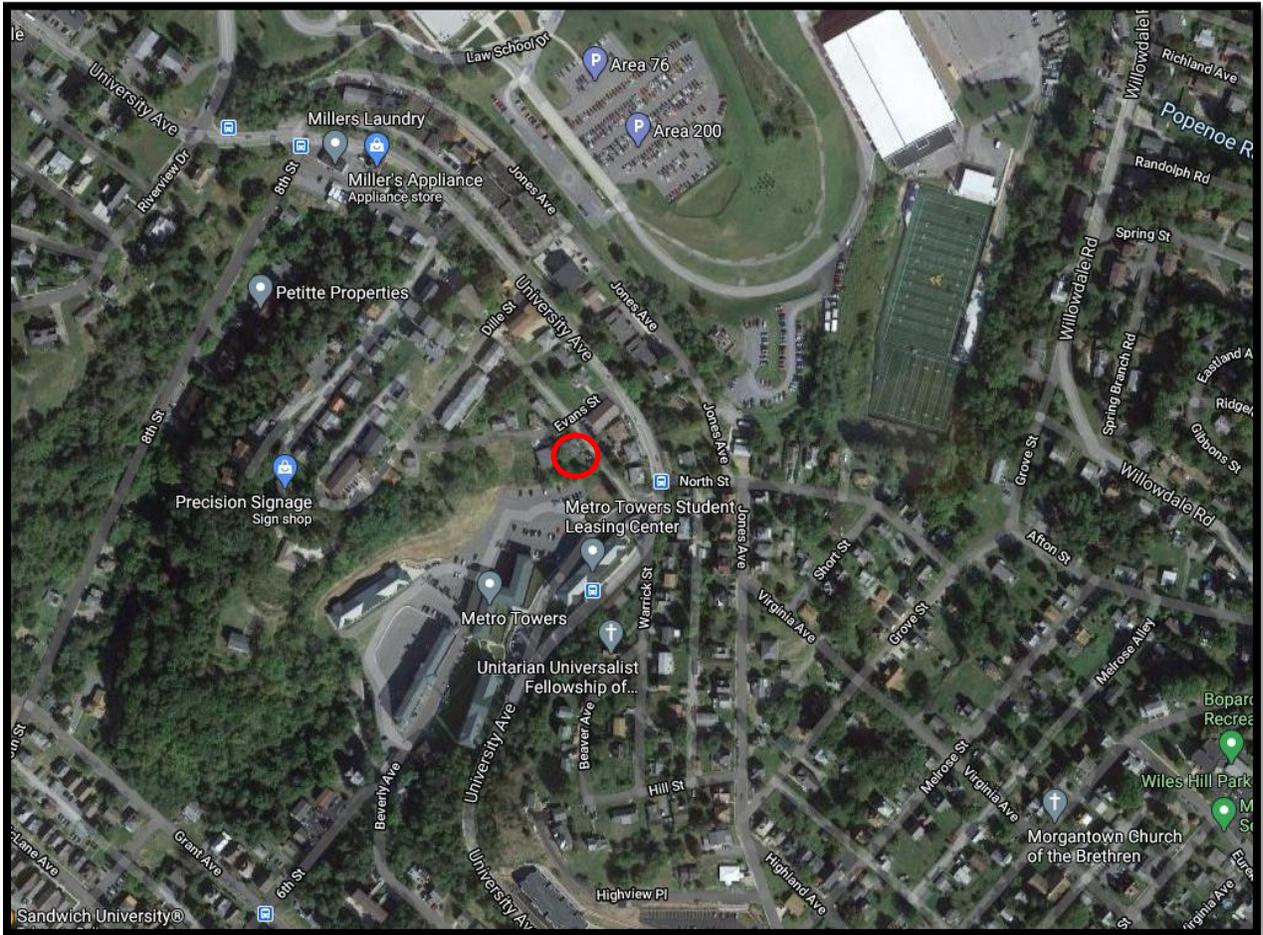
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STAFF REPORT ADDENDUM A

RZ20-04 / Conlon / 424 Evans Street



STAFF REPORT ADDENDUM A
RZ20-04 / Conlon / 424 Evans Street



STAFF REPORT ADDENDUM B

RZ20-04 / Conlon / 424 Evans Street

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ARTICLE 1339 R-3, Multi-Family Residential District

1339.01	Purpose.	1339.05	Encroachments into setbacks.
1339.02	Permitted principal and conditional uses.	1339.06	Building height.
1339.03	Lot provisions.	1339.07	Performance standards.
1339.04	Setbacks.		

CROSS REFERENCES

Design standards - see P. & Z. 1331.06(16)
Non-residential uses - see P. & Z. 1331.06(29)
Accessory uses - see P. & Z. 1331.08
Permitted signs - see P. & Z. 1369.06

1339.01 PURPOSE.

The purpose of the Multi-Family Residential (R-3) District is to:

- (A) Provide for a variety of housing density and types, and customary accessory uses at a density higher than in other city neighborhoods, and
- (B) Preserve the desirable character of existing high density residential neighborhoods, and
- (C) Provide for adequate light, ventilation, quiet, and privacy for neighborhood residents.

1339.02 PERMITTED PRINCIPAL AND CONDITIONAL USES.

See the Permitted Land Use Table 1331.05.01.

1339.03 LOT PROVISIONS.

- (A) The minimum lot size shall be 4,000 square feet.
- (B) The minimum lot frontage shall be forty (40) 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.
- (C) Maximum lot coverage shall be sixty (60) percent.

2019 Replacement

STAFF REPORT ADDENDUM B

RZ20-04 / Conlon / 424 Evans Street

1339.04

PLANNING AND ZONING CODE

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1339.04 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:.....10 feet
- (2) Maximum Front setback:.....20 feet
- (3) Minimum Side setback:.....5 feet
- (4) Minimum Rear setback:20 feet.

(B) On a corner lot, the front lot line shall be the lot line 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 setback requirement. (Amended by Ord. 06-24, Passed 07-18-2006)

1339.05 ENCROACHMENTS INTO SETBACKS.

(A) Architectural features may project into a required setback as provided below:

- (1) Fire escapes, chimneys, cornices, awnings, canopies, eaves, sills, pilasters, lintels, gutters or other similar features may extend into a setback a distance not exceeding three (3) feet, except that such features shall not extend closer than three (3) feet from the property line.
- (2) Uncovered stairs, landings and porches shall not extend closer than three (3) feet from the property line. Such porches may not subsequently be enclosed unless the normal setback requirements for the district are met.
- (3) Open and covered, but un-enclosed front porches attached to single family or two-family dwellings may extend into the required front setback a distance equal to fifty (50) percent of the setback depth.

(B) No permitted encroachment noted above shall extend to within three (3) feet of an accessory structure.

(C) Fences, walls, terraces, steps or other similar features may encroach into a required setback, except as provided in Section 1363.03, Safety and Vision. Such appurtenances shall not be located within access, drainage, or utility easements. (Ord. 06-01. Passed 1-3-06.)

(D) HVAC mechanical units may be located no closer than two (2) feet to a side lot line and may not be placed in the front yard. (Ord. 18-24. Passed 7-10-18.)

1339.06 BUILDING HEIGHT.

(A) The permitted maximum height shall be four (4) stories or fifty-five (55) feet, whichever is less, except as provided in Section 1363.02(A), Height Exceptions. A conditional use permit shall be required for buildings in excess of fifty-five (55) feet but less than eighty (80) feet.

(B) The maximum height of an accessory structure shall not exceed eighteen (18) feet.

(C) Minimum building height for a two-family or multifamily dwelling should be two (2) stories. (Ord. 06-40. Passed 11-21-06.)

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R-3, Multi-Family Residential District

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1339.07 PERFORMANCE STANDARDS.

(A) All residential construction shall substantially conform in street orientation and massing to adjacent interior lot residential structures.

(B) Building Design Standards for Single- and Two-Family Dwelling new construction, additions, and redevelopment projects.

- (1) Buildings should be clad in one or a combination of wood siding, vinyl siding, fiber cement siding, unit masonry, or manufactured masonry.
- (2) Garden walls shall not be made from concrete masonry units (CMU) unless of the split face ornamental variety designed for use in landscaping projects.
- (3) Principal building roofs should have a pitch that substantially conforms to the roof pitches of adjacent single-family dwellings.
- (4) Two-family dwellings shall have substantial front porches oriented toward the primary street frontage. The total width of a front porch should not be less than fifty (50) percent of the width of the front façade. Covered, but unenclosed, front porches shall not count toward the permitted maximum lot coverage.
- (5) Garages, if attached to the dwelling, may not take up more than 65% of the width of the front façade nor extend closer to the front lot line than the primary building line of the front façade.

(C) Building Design Standards for Townhouse, Multi-Family, Mixed Use, and Nonresidential new construction, additions, and redevelopment projects.

- (1) Prohibited façade materials include vinyl siding; glare producing materials; unfinished wood; wood board sheathing products; ribbed, corrugated, galvanized, and alloy-coated metal panels; and, materials designed and intended for interior use.
- (2) Prohibited façade primary materials.
 - (a) For Townhouse and Multi-Family Dwellings, synthetic stucco systems or concrete masonry units (CMU).
 - (b) For Mixed Use and Nonresidential buildings, synthetic stucco systems, concrete masonry units (CMU), or fiber cement siding.
- (3) For new construction of Townhouse Dwellings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 50% of the net façade area of the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.
- (4) For new construction of Multi-Family, Mixed Use, and Nonresidential buildings, masonry shall be used as the primary material on 100% of the net façade areas of exposed basement exterior walls and should be used as the primary material on at least 75% of the net façade area of the ground floor level and the first story above the ground floor level. Manufactured masonry must appear identical to traditional unit masonry construction.
- (5) Permitted façade accent materials include unit masonry, manufactured masonry, masonry detailed concrete, smooth metal panel systems, concrete, synthetic stucco systems, concrete masonry units (CMU), and fiber cement siding.

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- (6) Synthetic stone may be used if it is detailed to have the appearance of authentic stone. At a building corner, the synthetic stone must wrap around the corner and, at a minimum, extend to a depth of traditional stone.
- (7) Building Articulation. New development shall incorporate articulation techniques that divide the overall building mass into modules in order to provide a sense of human scale and reinforce, where applicable, the traditionally-scaled building pattern within the surrounding built environment.
 - (a) The following design options may be used individually, or in combination, to meet the intent of desired building articulation. Other creative building articulation strategies may also be appropriate.
 - (i) Wall Offsets.
 - (ii) Wall Projections.
 - (iii) Step Backs
 - (iv) Variations in Material.
 - (v) Base, Middle, Cap Design
 - (b) Appropriate vertical articulation techniques include:
 - (i) Wall plane offsets such as notches or varied façade setbacks.
 - (ii) Wall projections such as columns, moldings, or pilasters.
 - (iii) Vertical variations in material.
 - (c) Appropriate horizontal articulation techniques include:
 - (i) Stepping back taller building elements.
 - (ii) Belt courses, expression lines, or other techniques that provide horizontal expression.
 - (iii) Awnings, canopies, or other features that help define the ground floor of a building.
 - (iv) Varied roof forms.
 - (v) Horizontal variations in material.
 - (vi) Horizontally dividing the façade into a distinct base, middle, and cap.
- (8) Roof Form. New development shall incorporate roof forms that convey compatible mass and scale, add visual interest, and are appropriate to a building's use.
 - (a) Roofing shall be consistent in material, style, pattern, and color throughout. Roofing may only be of earth toned or other muted colors. Glare producing materials and unpainted metal roofing is prohibited.
 - (b) Appropriate techniques to create a sense of visual interest along the street include:
 - (i) Using a combination of gable, hip, and flat roof forms to provide visual interest.
 - (ii) Varying the roof profile by stepping down some parts of the façade.
 - (iii) Defining a flat roof form with a distinct parapet or cornice line to help reinforce a vertical base, middle and cap building articulation, and contribute to a sense of iconic design.

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- (iv) Using an overhang on sloped roof forms.
 - (v) Other creative roof form strategies may also be appropriate including, but not limited to, entry features, tower elements, and rounded elements.
- (9) No security bars, screens or gates shall be permitted to be attached to the principal façade of a townhouse, multi-family, mixed use, or nonresidential building.
- (10) Transparency. The ground floor of the principal façade of mixed use and nonresidential buildings between three (3) feet and eight (8) feet in height shall have a minimum fenestration ratio of sixty percent (60%), comprised of clear windows that allow views of indoor nonresidential component space and/or product display areas.
- (11) Civic Buildings and Churches or Places of Worship should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community.

(D) With the exception of single-family, two-family, and townhouse dwellings, surface parking areas shall be concealed along the street frontage by an architectural screen wall between three and one-half (3.5) and five (5) feet in height, and by dense landscaping along property lines not adjoining a public street. The material and finish of the architectural screen shall be consistent with the materials and finish of buildings with which it is associated or buildings in the immediate vicinity.

(E) 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.
(Ord. 18-24. Passed 7-10-18.)

(F) All exterior lights shall be designed, located, installed and directed in such a manner as to prevent glare from encroaching onto adjoining properties or public rights-of-way.
(Ord. 18-25. Passed 8-7-18.)

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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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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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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

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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.
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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 are located within the Land Management Concept Areas "Neighborhood Revitalization" and "Corridor Enhancement." More intense residential development of the subject premises appears to be consistent with the surrounding residential development patterns. Although extraneous, the zoning amendment would address a nonconforming residential use.</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, between the WVU Evansdale and Downtown campuses 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>The premises is located in the northern portion of the Sunnyside neighborhood.</i>	
Principal 4	Existing neighborhoods throughout the city will be maintained and/or enhanced.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
	<i>The zoning reclassification of the subject premises to R-3 may adversely impact or present incompatible uses or development densities as opportunity for increased density without new development that substantially alters the built environment is possible.</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 OI District, but no other individual parcel residential developments are permitted. The opportunity of more intense residential, nonresidential, and/or mixed-use development of the subject premises appears possible with the R-3, District and would be consistent with the surrounding 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 checked="" type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input type="checkbox"/> N/A or Inconclusive
<i>The reclassification of the premises currently zoned OI to R-3 appears to advance more diverse housing types. Specifically, single-family, two-family, townhouses, multi-family dwellings and other residential housing options would be permitted as opposed to only mixed-use dwellings in the OI, District.</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>		

STAFF REPORT ADDENDUM C

RZ20-04 / Conlon / 424 Evans Street

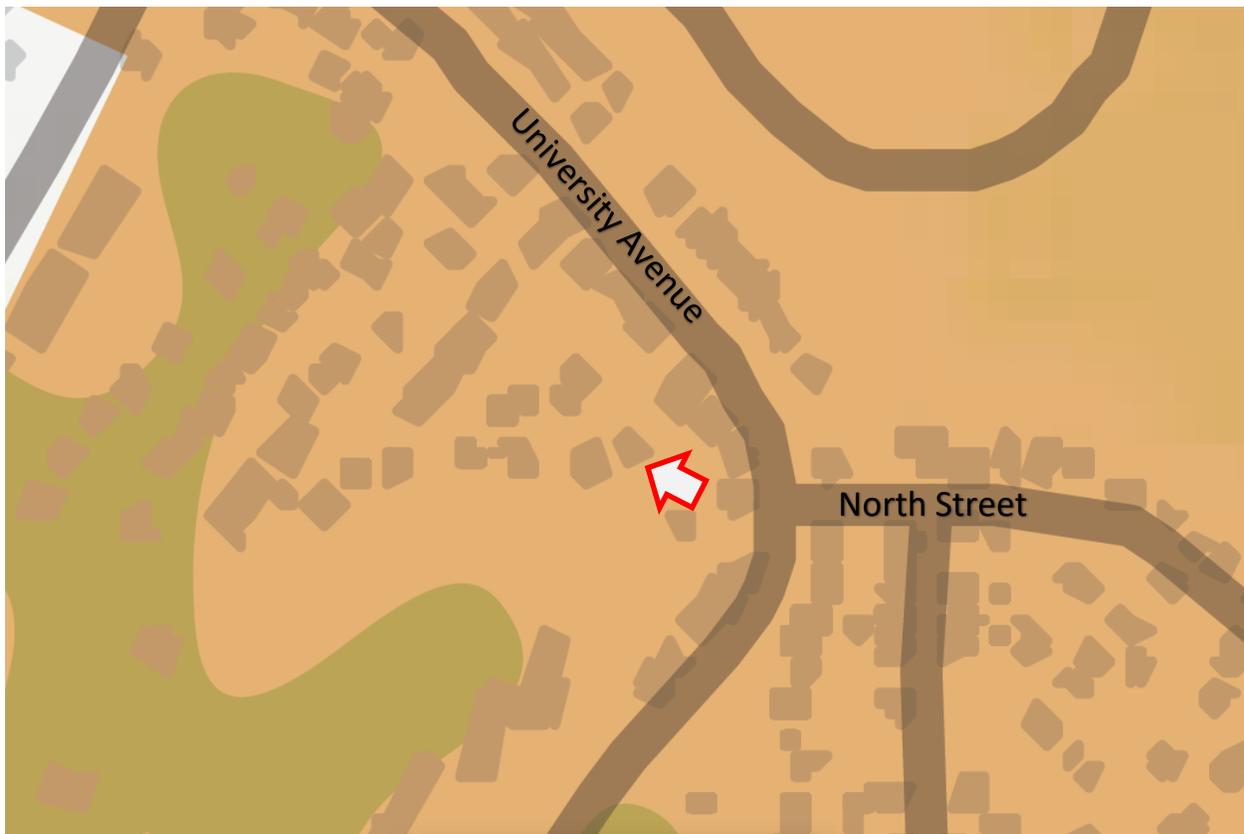
Principal 11	Environmentally sensitive and sustainable practices will be encouraged in future developments.	<input type="checkbox"/> Concurrence <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> N/A or Inconclusive
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Site design 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. 424 Evans Street is located within an “**Infill and Redevelopment**” concept area.



Infill and Redevelopment

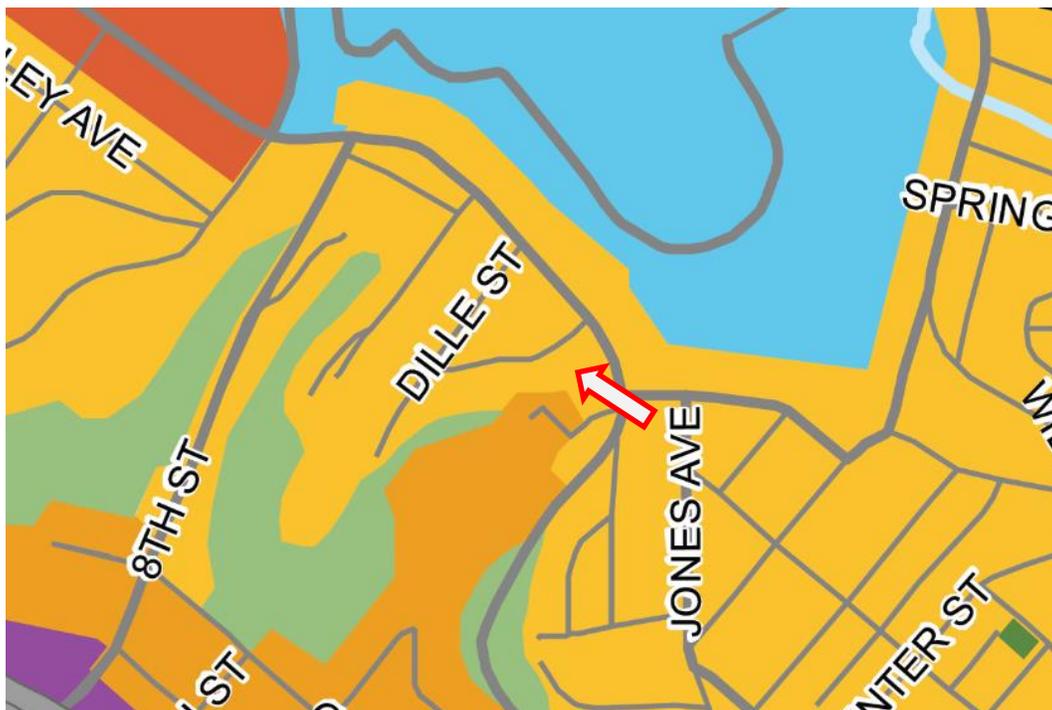
STAFF REPORT ADDENDUM C

RZ20-04 / Conlon / 424 Evans Street

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 below is clipped from **Map 3 – Pattern and Character** included on Page 27 of the 2013 Comprehensive Plan Update. 424 Evans Street is located within the “**Neighborhood 2**” pattern and character area.

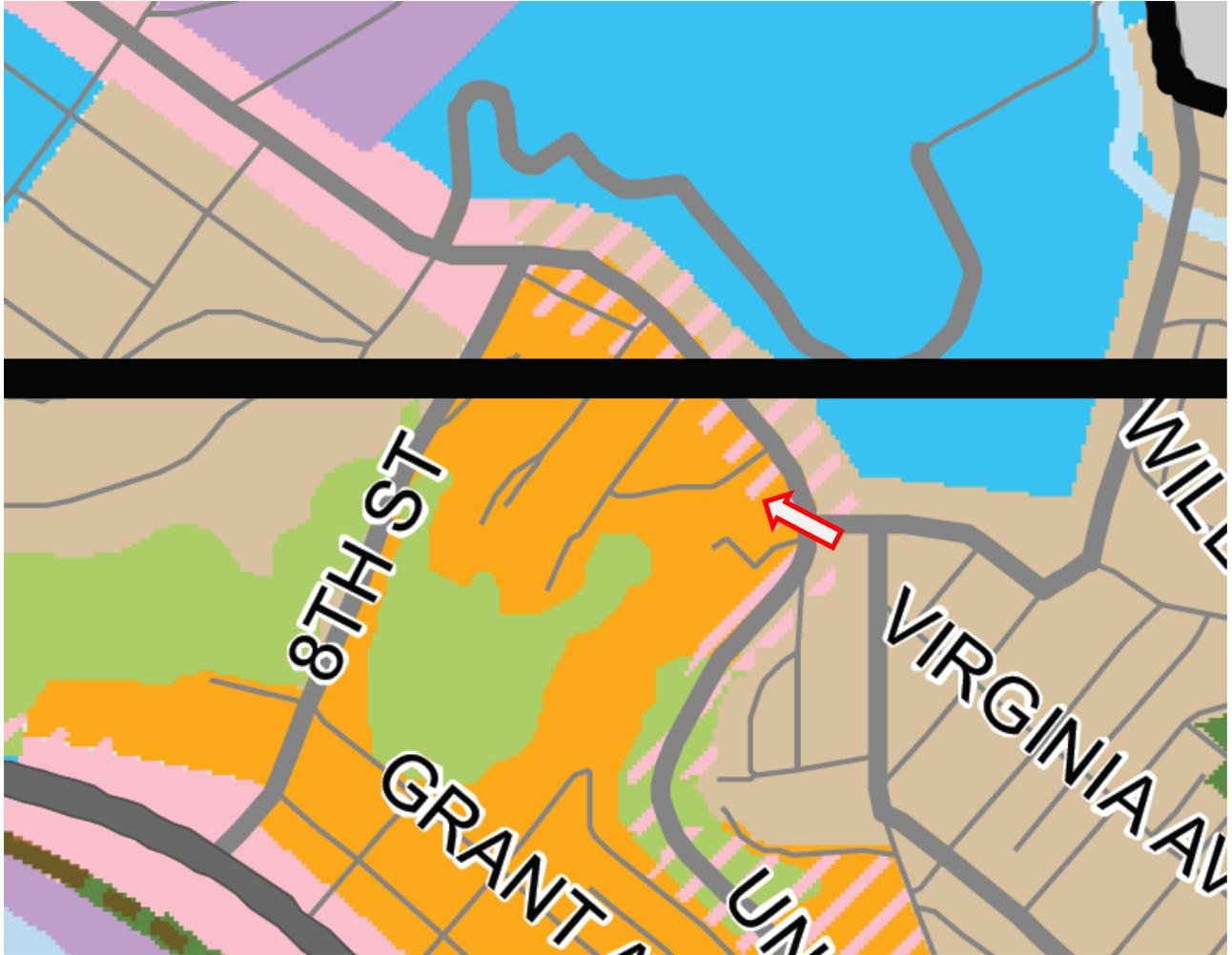


Neighborhood 2. Neighborhood 2 is relatively lower density than neighborhood 1 with longer blocks and slightly larger lots. This district is primarily single-family residential but also includes some small-scale multi-family residential and commercial uses. The street pattern is generally a modified grid with more variety of block sizes, but still retaining a high degree of connectivity. The neighborhoods have multiple entry points with walkable access to transit, although many of these areas lack sidewalks. The multi-family buildings are either single-family structures that have been divided into multiple dwellings or small and isolated multi-unit buildings.

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The graphic below is clipped from **Map 4 – Land Management** included on Page 39 of the the 2013 Comprehensive Plan Update. 424 Evans Street is located within the “**Corridor Enhancement**” and “**Neighborhood Revitalization**” 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.
-  **Neighborhood Revitalization:** Stabilization and reinvestment in existing neighborhoods that includes improvements to public and private buildings and infrastructure, and support for infill development, adaptive reuse and redevelopment that offers a mix of residential types and supporting uses.

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

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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 located within the “**Corridor Enhancement**” and “**Neighborhood Revitalization**” concept areas. Not all development types are permitted in both concept areas.

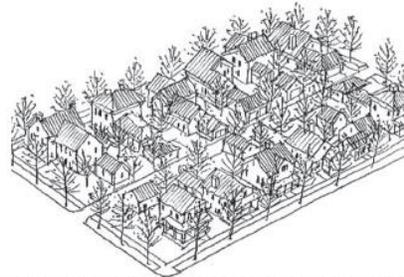
		Appropriate Development Types										
CONCEPT AREA		SF	TF	MF	C	NX	UC	CC	O	I	CD	OS
	Core Enhancement			•	•	•	•					•
	 Corridor Enhancement*			•	•	•		•	•			•
	 WVU Campus Development		•	•	•	•	•		•	•		•
	 Neighborhood Revitalization	•	•	•	•	•						•
	 Infill and Redevelopment*			•	•	•	•		•			•
	 Encouraged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

DEVELOPMENT TYPE DESCRIPTIONS

PATTERN AND CHARACTER EXAMPLES

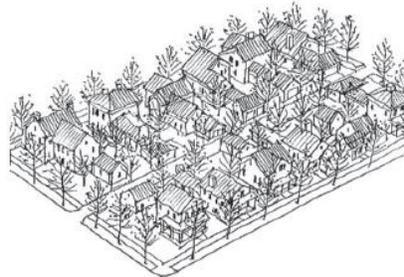
SF **Single Family Residential**

Detached 1-2.5 story residential structures each intended for one family. Densities range from six to twelve units per acre.



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.



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DEVELOPMENT TYPE DESCRIPTIONS

PATTERN AND CHARACTER EXAMPLES

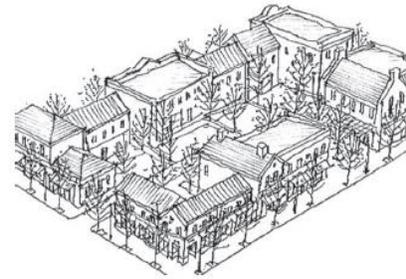
C Civic and Institutional

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.



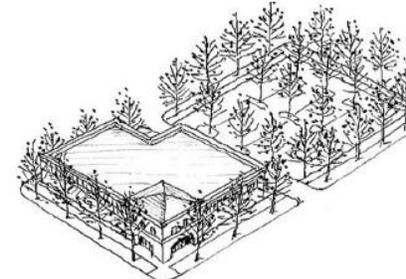
NX Neighborhood Center Mixed-Use

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.



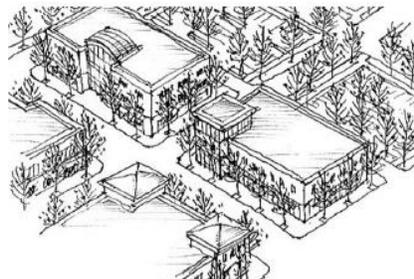
CC Community Commercial

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.



OS Greenspace

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



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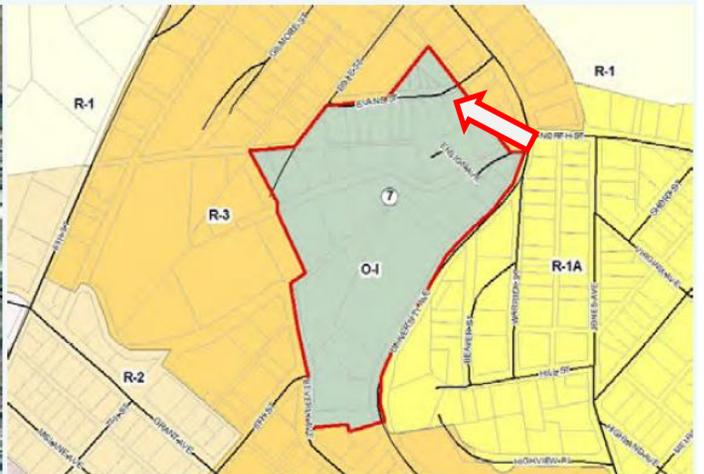
FUTURE STUDY AREAS

Future Study Areas are places where the existing zoning does not align with the existing land uses or the existing pattern of development. It may also be an area where the existing zoning is not compatible with, or does not fully support the desired future of the area as indicated in the Comprehensive Plan's Land Management Map. These areas require further land use and development study by the Planning Commission to enable zoning map amendment and/or zoning text amendment recommendations to City Council that will advance the goals, objectives, strategies, and consistency principals of the Comprehensive Plan.

7 O-1 University Avenue, Sixth Street, Dille Street ***Current office and institutional zoning does not reflect existing uses, existing development pattern, or future potential.***

Considerations for future study:

- Consider zoning reclassifications that allow for higher residential density patterns.
- Provide incentives to assemble and consolidate realty.
- Discourage continued added density of converted single-family dwellings.
- Establish appropriate design standards
- Improve infrastructure supporting higher densities including sidewalks, pedestrian crossings, streetscape enhancements; public open space; increased supply of on-site parking;
- Consider the expansion of Sunnyside Overlay Districts.





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)

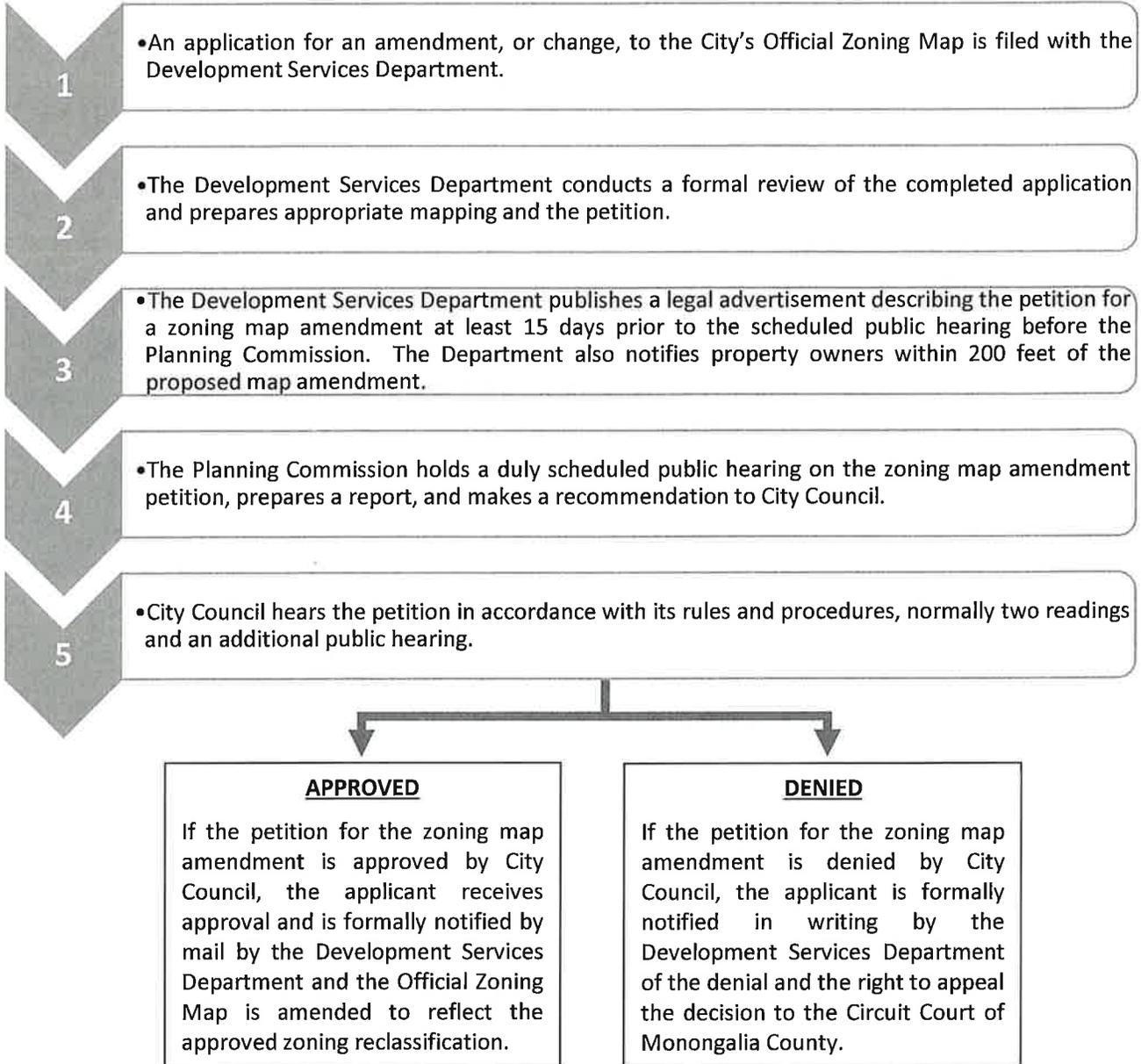
I. OWNER / APPLICANT					
Name:	Kevin Conlon			Phone:	609-713-3307
Mailing Address:	109 Ridgeley Road			Mobile:	609-713-3307
	Street	Morgantown	WV	26505	Email: Conlonpropertiesllc@gmail.com
	City	State	Zip		
II. AGENT / CONTACT INFORMATION					
Name:				Phone:	
Mailing Address:				Mobile:	
	Street			Email:	
	City	State	Zip		
Mailings:	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact				
III. PROPERTY					
Street Address (if assigned):	424 Evans Street Morgantown, WV 26505				
Tax Map(s) #:	14	Parcel(s) #:	12	Size (sq. ft. or acres):	.3520
Current Zoning Classification:	O-I		Proposed Zoning Classification:	R-3	
Current Land Use:	Single Family		Proposed Land Use*:	Duplex	
<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>					
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>					
 Kevin Conlon			08/18/2020		
Type/Print Name of Applicant/Agent			Type/Print Name of Applicant/Agent		Date

Z-RZ
2021-00007518
Kim Migeola
8/24/2020 4:58:20 PM
Zoning Map Amendment Appl
For Deposit Only
City of Morgantown



APPLICATION FOR ZONING MAP AMENDMENT

ADDENDUM A - Zoning Map Amendment Process



AN ORDINANCE AMENDING ARTICLE 103 WARDS AND BOUNDARIES

The City of Morgantown hereby ordains that Section 103.03 of the City Code is amended as follows:

103.03 WARDS DESIGNATED AND DESCRIBED.

(a) First Ward. Beginning at the intersection of S. High Street and Prairie Avenue ~~thence and proceeding~~ along Prairie Avenue in a southeasterly direction to Wilson Avenue, ~~thence and proceeding~~ southwesterly with Wilson Avenue and southeasterly with Jefferson Street to Jackson Avenue, ~~thence~~ continuing on Jefferson Street to the intersection of Logan and King Streets, ~~thence and proceeding~~ with King Street ~~and Sheldon Avenue southeasterly to the intersection of Ross Street~~ to the intersection of Grandview Avenue, and proceeding with Grandview Avenue to the intersection of Grand Street, and proceeding with Grand Street to Ross Street, ~~thence and proceeding~~ with Ross Street southeasterly to the corporation line located at the intersection of Ross Street, Dorsey Avenue and Dobbs Street, ~~thence and proceeding~~ in a basically southeasterly direction following the Corporation Line including Dorsey Avenue, which Corporation Line includes or encompasses those areas annexed commonly referred to as the Dorsey Avenue/Hartley Addition, Mountain View School property, the Eureka Pipeline property, the Mountaineer Mall, Dorsey's Knob Property, the Ramada Inn Annexation and the Walmart Annexation, to a point on the west bank of the Monongahela River, ~~thence and proceeding~~ northerly along the said bank to a point ~~opposite the mouth of Decker's Creek, thence in a south easterly direction with the center line of Decker's Creek to a point of intersection with S.~~ where the centerline of the Westover Bridge intersects the Corporation Line, and proceeding with the centerline of the Westover Bridge to the intersection with University Avenue and Pleasant Street, and proceeding southwesterly with Pleasant Street to the intersection of High Street, ~~thence and proceeding~~ in a southerly direction with High Street to the place of beginning.

(b) Second Ward. Beginning at the intersection of S. High Street and Prairie Avenue, ~~thence and proceeding~~ along Prairie Avenue in a southeasterly direction to Wilson Avenue, ~~thence and proceeding~~ southwesterly with Wilson Avenue and southeasterly with Jefferson Street to Jackson Avenue, ~~thence~~ continuing with Jefferson Street to the intersection of Logan and King Streets, ~~thence and proceeding~~ with King Street ~~and Sheldon Avenue to the intersection of Ross Street to the intersection of Grandview Avenue, and proceeding with Grandview Avenue to the intersection of Grand Street, and proceeding with Grand Street to intersection Franklin St,~~ ~~thence and proceeding~~ with Ross Street to the Corporation Line located at the intersection of Ross Street, Dorsey Avenue and Dobbs Street, ~~thence~~ northeasterly along the Corporation Line to a point near Courtney Avenue, ~~thence northwesterly to the intersection of Courtney Avenue and South Hills Drive and Harner Street, thence northwesterly with Harner Street to a point along the northerly property corner of Tax Map 36, Parcel 389, thence southwesterly along the property line common~~

~~to Tax Map 36, Parcels 389 and 390 to the Maple Avenue curve apex, thence continuing southwesterly northerly along Franklin Street to the intersection of Davis Street, and proceeding northwesterly with Davis Street to Woodland Road, continuing with Woodland Road to the intersection of Buckhannon Avenue, and proceeding northwesterly with Buckhannon Avenue to the intersection of Jackson Avenue and Maple Avenue, and proceeding with Maple Avenue to Washington Street, thence and proceeding northwesterly on Washington Street to Demain Avenue Wilson Avenue, thence southwesterly on Demain Avenue to Morris Street, thence northwesterly on Morris Street to Watts Street, thence easterly along Watts Street and proceeding easterly with Wilson Avenue to the intersection with Kingwood Street, thence and proceeding northerly on Kingwood Street to Arch Street, thence easterly on Arch Street to Dewey Street, thence southerly on Dewey Street to Elmina Street, thence easterly along Elmina Street to Overdale Street, thence northerly along Overdale Street to the intersection with Brockway Avenue, thence across and proceeding easterly westerly with Brockway Avenue to Pennsylvania Avenue, thence northwesterly on Deckers Creek Avenue, thence westerly on Deckers Creek Avenue to a point opposite Hackney Street, thence with a line in a northerly direction to Decker's Creek, thence with the center line of Decker's Creek to the intersection of Pleasant Street, thence along Pleasant Street to the intersection with University Avenue, thence along the Westover Bridge to a point on the west bank of the Monongahela River on the Corporation Line, thence south along the Corporation line to a point opposite the mouth of Decker's Creek, thence in a south easterly direction with the center line of Decker's Creek to a point of intersection with S. High Street, thence in a southerly direction the intersection of S. Walnut Street, and proceeding northwesterly along the Walnut Street Bridge to a point on the western edge of the property known as the Deckers Creek Rail-Trail, Tax Map 28, Parcel 137, and proceeding northeasterly along the property line of Tax Map 28, Parcel 137 for approximately 600 feet to the property corner common to Tax Map 29, Parcels 49 and 56, and proceeding northerly for approximately 340 feet along the property line common to Tax Map 29, Parcels, 49, 56, 50, 51, 55, 52, 54, 53, and Tax Map 26, Parcel 262 to a point on the centerline of Forest Avenue, and proceeding southeasterly along Forest Avenue to the intersection with Baird Street, and proceeding northeasterly along Baird Street for approximately 100 feet to a point adjacent to the property corner common to Tax Map 26, Parcels 249 and 270, and proceeding northwesterly along the property line common to Tax map 26, Parcels 249, 270, and 263 for approximately 290 feet to the property corner common to Tax Map, 26 Parcels, 249, 263 and 248, and proceeding northeasterly along the property line common to Tax Map 26, Parcels 263, 248, 247 and 246 for approximately 265 feet to the intersection of Willey Street and Price Street, and proceeding northeasterly with Price Street to the intersection of Cornell Avenue, and proceeding northwesterly with Cornell Ave to the intersection with College Avenue, and proceeding northeasterly with College Avenue to the intersection with Outlook Street, and proceeding along Outlook Street for approximately 150 feet to a point adjacent to the property corner common to Tax Map 20, Parcels 548 and 515, and proceeding northwesterly with the property line common to Tax Map, 20, Parcels 548 and 515 for approximately 100 feet to the property corner common to Tax Map 20, Parcels 548, 515 and 516, and proceeding northeasterly with the property line common to Tax Map 20, Parcels 515 and 516 for approximately 40 feet to the property corner common to Tax Map 20, parcels 516, 515 and 514, and proceeding northwesterly with property lines common to Tax Map 20, Parcels 516 and 514 to a point on the centerline of Falling Run Road, and proceeding westerly with Falling Run Road to the intersection with University Avenue, and proceeding northerly with University Avenue to the intersection with Campus Drive and Stewart Street, and proceeding westerly with Campus Drive to the intersection~~

with Beechurst Avenue, and proceeding southerly with Beechurst Drive approximately 140 feet to a point adjacent to the property corner common to Tax Map 20, Parcels 72 and 74, and proceeding westerly with the property lines common to Tax Map 20, Parcels 72 and 74 to a point on the west bank of the Monongahela River on the Corporation Line, and proceeding southerly with the Corporation Line along the west bank of the Monongahela River to a point on the centerline of the Westover Bridge, and proceeding southeasterly with the Westover Bridge to the intersection with University Avenue and Pleasant Street, and proceeding with Pleasant Street to the intersection with High Street, and proceeding southerly with High Street to the place of beginning.

(c) Third Ward. Beginning at a point of the intersection on the west bank of the Monongahela River where the Westover Bridge intersects the Corporation Line, thence in a northerly direction along the Monongahela River to a point opposite Fourth Street, thence across the river with Fourth Street to the intersection of McLane Avenue, thence northwesterly on McLane Avenue to Fifth Street, thence northeasterly with Fifth Street to University Avenue, thence following University Avenue northerly to the center line of North Street, thence easterly with the center line of North Street to a point 150 feet distant from University Avenue, thence northerly parallel to and 150 feet distant from University Avenue to a point approximately 250 feet from the intersection of Riverview Drive with University Avenue, thence southerly to University Avenue, thence with the center line of University Avenue to the intersection of University Avenue and Law School Drive, thence in a northerly direction along Law School Drive to a point on the boundary of the University Terrace Addition, thence in a northeasterly direction to a point, such point being a corner common to the University Terrace Addition and the University Park Addition thence with the boundary in a northeasterly direction to the point of intersection with the corporation line, thence easterly with the corporation line to Willowdale Road, thence continuing of Beechurst Avenue and Campus Drive, and proceeding southerly with Beechurst Drive approximately 140 feet to a point adjacent to the property corner common to Tax Map 20, Parcels 72 and 74, and proceeding westerly with the property lines common to Tax Map 20, Parcels 72 and 74 to a point on the west bank of the Monongahela River on the Corporation Line, and proceeding northerly with the Corporation Line along the west bank of the Monongahela River to a point opposite Eighth Street, and proceeding across the river with the centerline of Eighth Street to the intersection of Grant Avenue, and proceeding southeasterly with Grant Avenue to the intersection with Hardy Street, and proceeding northerly with Hardy Street to the intersection with the unopened right-of-way of Beverly Avenue, and proceeding along the unopened right-of-way of Beverly Avenue to the intersection of Sixth Street, and continuing with Beverly Avenue for approximately 125 feet to a point adjacent to the property corner common to Tax Map 15, Parcels 266.3 and 266.2, and proceeding easterly along the property line common to Tax Map 15, Parcels 266.3 and 266.2 to the centerline of University Avenue, and proceeding northerly with University Avenue to the intersection with North Street, and proceeding easterly with North Street approximately 150 feet to the intersection with an unnamed alley, and proceeding northerly with an unnamed alley approximately 135 feet to a point adjacent to a property corner common to Tax Map 12, Parcel 1, and Tax Map 14, Parcel 76, and proceeding easterly then northerly with the property line of Tax Map 12, Parcel 1 to a property corner common to Tax Map 12, Parcels 1, 1.1 and 3.4, and proceeding with the property line common to Tax Map 1, Parcels 1.1 and 3.4 to the Corporation Line along Willowdale Road, and proceeding with various calls following the corporation line south on Willowdale to the northern line of McCullough Avenue, thence and

proceeding easterly with the northern line of McCullough Avenue to the intersection of Dartmouth Road, Citadel Road and Hoffman Avenue, thence and proceeding southerly on the eastern line of Hoffman Avenue to the intersection of Amhurst Road, thence and proceeding easterly with the northern line of Amhurst Road to the intersection with the eastern line of Bradley Street projected across Amhurst Road, thence and proceeding southerly on Bradley Street to where the corporation line extends in an easterly direction, said line being five feet north of and parallel to the eight-inch sanitary sewer outfall from Stewart Street to a point on the western line of Stewartstown Road, thence and proceeding southwesterly along the western property line of Stewartstown Road passing Meadowbrook Road and Morgan Street to a point approximately 70 feet north of the eastern line of Van Gilder Avenue, thence and proceeding with a line approximately 70 feet distant from and parallel to Van Gilder Avenue to the northern line of Liberty Street, thence and proceeding southerly with the northern line of Liberty Street to Van Gilder Avenue where the corporation line turns in a southeasterly direction, thence following and proceeding along said corporation line to the intersection with Falling Run Road, thence and proceeding in a westerly direction on Falling Run Road to the intersection with Peck Street, thence southeasterly with Peck Street to Outlook Street, thence southwesterly on Outlook Street to College Avenue, thence southerly on College Avenue to Cornell Avenue, thence southeasterly on Cornell Avenue to North High Street, thence southerly on North High Street to the intersection of Willey Street, thence easterly on Willey Street to the intersection of Weaver and Snider Streets, thence in a southwesterly direction to the intersection of Decker's Creek, thence southwesterly along the center line of Decker's Creek to the intersection of Pleasant Street, thence along Pleasant Street to the intersection with University Avenue, thence along the Westover Bridge to the point of beginning, a point adjacent to the property corner common to Tax Map 20, Parcels 501 and 500, and proceeding southerly then westerly with the property line of Tax Map 20, Parcel 501 to a property corner common to Tax Map 20, Parcels 501, 502, 499 and 498, and proceeding westerly with the property line common to Tax Map 20, Parcels 498, 502, 497, 503, 496, 504, 495, 505, 494, 506, 493, 506.1, 492, 507.1, 491, 490, 507, 508, 509, 511, 515, 512, and 513 to a property corner common to Tax Map 20, Parcels 514 and 516, and proceeding northwesterly with property lines common to Tax Map 20, Parcels 516 and 514 to a point on the centerline of Falling Run Road, and proceeding westerly with Falling Run Road to the intersection with University Avenue, and proceeding northerly with University Avenue to the intersection with Campus Drive and Stewart Street, and proceeding westerly with Campus Drive to the intersection with Beechurst Avenue to the place of beginning.

(d) Fourth Ward. Beginning at a point on the west bank of the Monongahela River on the Corporation Line, opposite ~~Fourth Street~~, and following in a northeasterly direction across the Monongahela River to ~~Fourth Street~~, thence with ~~Fourth Street~~ to the intersection of ~~McLane Avenue~~, thence northwesterly with the center line of ~~McLane Avenue~~ to ~~Fifth Street~~, thence northeasterly with the center line of ~~Fifth Street~~ to ~~University Avenue~~, thence following the center line of ~~University Avenue~~ northerly to the center line of ~~North Street~~, thence easterly with the center line of ~~North Street~~ to a point 150 feet distant from ~~University Avenue~~, thence northerly parallel to and 150 feet distant from ~~University Avenue~~ to a point approximately 250 feet from the intersection of ~~Riverview Drive~~ with ~~University Avenue~~, thence southeasterly to ~~University Avenue~~, thence with the center line of ~~University Avenue~~ to the intersection of ~~University Avenue~~ and ~~Law School Drive~~, thence in a northerly direction along ~~Law School Drive~~ to a point on the

boundary of the University Terrace Addition, thence in a northeasterly direction to a point, such point being a corner common to the University Terrace Addition and the University Park Addition thence northeasterly with the boundary line of the University Park Addition and the West Virginia University Medical Center Tract to the Corporation Line, thence following the Corporation Line to a point where the Corporation Line intersects with the Chestnut Ridge Road, thence following the corporation line, which corporation line includes or encompasses those areas annexed commonly referred to as the North Elementary School Annexation, to the south east corner of the property known as the Euro Suites Hotel, Tax Map 56, Parcel 2, thence south to the centerline of Chestnut Ridge Road, thence westerly following Chestnut Ridge Road to the intersection with Van Voorhis Road, thence southerly and then westerly with the center line of Eighth Street, and proceeding across the river with the centerline of Eighth Street to the intersection of Grant Avenue, and proceeding southeasterly with Grant Avenue to the intersection with Hardy Street, and proceeding northerly with Hardy Street to the intersection with the unopened right-of-way of Beverly Avenue, and proceeding along the unopened right-of-way of Beverly Avenue to the intersection of Sixth Street, and continuing with Beverly Avenue for approximately 125 feet to a point adjacent to the property corner common to Tax Map 15, Parcels 266.3 and 266.2, and proceeding easterly along the property line common to Tax Map 15, Parcels 266.3 and 266.2 to the centerline of University Avenue, and proceeding northerly with University Avenue to the intersection with North Street, and proceeding easterly with North Street approximately 150 feet to the intersection with an unnamed alley, and proceeding northerly with an unnamed alley approximately 135 feet to a point adjacent to a property corner common to Tax Map 12, Parcel 1, and Tax Map 14, Parcel 76, and proceeding easterly then northerly with the property line of Tax Map 12, Parcel 1 to a property corner common to Tax Map 12, Parcels 1, 1.1 and 3.4, and proceeding with the property line common to Tax Map 12, Parcels 1.1 and 3.4 to the Corporation Line along Willowdale Road, and proceeding northerly with the Corporation Line along the West Virginia University Medical Center Tract to the intersection with Stadium Drive*, and proceeding westerly with Stadium Drive to the intersection with Elmer Prince Drive, and proceeding westerly with Elmer Prince Drive to the intersection with Van Voorhis Road, and proceeding westerly with Van Voorhis Road to the intersection of University Avenue and Patteson Drive, ~~thence and~~ proceeding with the center line of University Avenue in a northwesterly direction to the intersection with Collins Ferry Road, ~~thence northwesterly with the center line of Collins Ferry Road to Pocahontas Avenue, thence southerly with the center line of Pocahontas Avenue to the intersection of University Avenue, thence and~~ proceeding westerly on University Avenue to the intersection with the Corporation Line, ~~thence and~~ proceeding with the Corporation Line in basically a southwesterly to a point on the west bank of the Monongahela River, ~~thence and~~ proceeding with the west bank in a southeasterly direction to the place of beginning.

*Stadium Drive may be call Medical Center Drive

(e) Fifth Ward. Beginning at the intersection of the eastern Corporation Line and Falling Run Road and following Falling Run Road in a westerly direction to ~~the intersection with Peck Street, thence southwesterly with the center line of Peck Street to Outlook Street, thence southwesterly with the center line of Outlook Street to College Avenue, thence southerly on College Avenue to Cornell Avenue, thence southeasterly with the center line of Cornell Avenue to North High Street, thence southerly with the cewnter line of North High Street to the intersection of Willey Street, thence easterly on Willey Street to the intersection of Weaver and Snider Streets, thence in a~~

~~southwesterly direction to the intersection of Deckers Creek, thence in a southeasterly direction with Deckers Creek to the intersection with Rodgers Street and thence from the point at a bridge which crosses the Creek, easterly following Route No. 7, commonly known as Powell Avenue, to a point where Route No. 7 intersects with Hartman Run Road, thence with a line running northwesterly to a point in the eastern Corporation Line which is situated at the intersection of Charles Avenue, Ices Ferry Road and Hampton Avenue, thence following a point adjacent to the property corner common to Tax Map 20, Parcels 501 and 500, and proceeding southerly then westerly with the property line of Tax Map 20, Parcel 501 to a property corner common to Tax Map 20, Parcels 501, 502, 499 and 498, and proceeding westerly with the property line common to Tax Map 20, Parcels 498, 502, 497, 503, 496, 504, 495, 505, 494, 506, 493, 506.1, 492, 507.1, 491, 490, 507, 508, 509, 511, 512, 513 and 514 to a property corner common to Tax Map 20, Parcels 516, 515 and 548, and proceeding southeasterly with the property line common to Tax Map, 20, Parcels 548 and 515 for approximately 100 feet to the centerline of Outlook Street, and proceeding with Outlook Street to the intersection with College Ave, and proceeding southwestly to the intersection with Cornell Avenue, and proceeding southeasterly with Cornell Avenue to the intersection with Price Street, and proceeding with Price Street to the intersection with Willey Street, and proceeding southwestly for approximately 265 feet along the property line common to Tax Map 26, Parcels 246, 247, 248 and 263 to a point common to Tax Map 26, Parcels 248, 249 and 263, and proceeding southeasterly along the property line common to Tax map 26, Parcels 249, 263, and 270 for approximately 290 feet to the centerline of Baird Street, and proceeding southerly along Baird Street to the intersection with Forest Ave, and proceeding northwesterly along Forest Ave to a point adjacent to the property corner common to Tax Map 26, Parcel 262 and Tax Map 29, Parcel 53, and proceeding southerly along the property lines common to Tax Map 26, Parcel 262 and Tax Map 29, Parcels 53, 52, 54, 51,55,50 and 56, to a point common to Tax Map 28, Parcel 137 and Tax Map 29, Parcels 49 and 56, and proceeding easterly along the northern property line of Tax Map 28, Parcel 137 to its intersection with Deckers Creek Boulevard, and proceeding northerly along Decker Creek Boulevard to the intersection with Earl L Core Road, and proceeding easterly with Earl L Core Road to the intersection with Hartman Run Road, and proceeding northeasterly with Hartman Run Road to the intersection with the Corporation Line, and proceeding with the Corporation Line in a northeasterly northwesterly direction, which corporation line includes or encompasses those areas annexed commonly referred to as the encompasses those areas annexed commonly referred to as the West Virginia University Motor Pool Annexation,~~

West Virginia University Farms Annexation and the National Guard Armory Annexation to the place of beginning.

(f) Sixth Ward. ~~Beginning at a point in Deckers Creek which, if Hackney Street were extended, would be the beginning point for Hackney Street at the Creek, thence southeasterly following the line of Deckers Creek to the intersection with Rodgers Street and thence from the point at a bridge which crosses the Creek, easterly following Route No. 7, commonly known as Powell Avenue, to a point where Route No. 7 intersects with Hartman Run Road, thence with a line running northwesterly to a point in the eastern Corporation Line which is situated at the intersection of Charles Avenue, Ices Ferry Road and Hampton Avenue, thence following the Corporation Line, which corporation line includes or encompasses those areas annexed commonly referred to as the West Virginia University Motor Pool, to an alley being parallel to Tyson Street~~

to a point just north of Knob Street which point is a concrete monument, thence southeasterly and parallel to Knob Street to a stone monument in the ravine, thence southeasterly to a point at or about the intersection of the Corporation Line and Hartman Run Road, thence continue following the intersection of S. Walnut Street and Brockway Avenue, and proceeding northwesterly along the Walnut Street Bridge to a point on the western edge of the property known as the Deckers Creek Rail-Trail, Tax Map 28, Parcel 137, and proceeding easterly along the northern property line of Tax Map 28, Parcel 137 to its intersection with Deckers Creek Boulevard approximately 1.32 miles, and proceeding northerly along Decker Creek Boulevard to the intersection with Earl L Core Road, and proceeding easterly with Earl L Core Road to the intersection with Hartman Run Road, and proceeding northeasterly with Hartman Run Road to the intersection with the Corporation Line, and proceeding southeasterly the Corporation Line in a southeasterly direction along the northeastern property line of the Norwood Addition to the northeastern corner of same subdivision, thence following the Corporation Line in its entirety as the same outlines that area annexed by the City and commonly referred to as the Airport Annexation and the West Virginia University Farm Annexation, which line returns to the previously existing Corporation Line at a point near the northeast corner of the Norwood Addition, thence easterly along the existing Corporation Line crossing the Norwood Addition and the Sabraton Addition to a point at the corner of Route No. 7 and the Brookhaven Road, thence continuing and proceeding with the existing Corporation Line through West Sabraton and crossing the Green Bag Road to Deckers Creek, where the same is joined by Aarons Creek, thence and proceeding in a southerly and westerly direction following Aarons Creek to a point where the Corporation Line turns and follows a northeasterly course, thence continuing and proceeding with the Corporation Line to South Hills to a point near Courtney Avenue, thence northerly to the intersection of Courtney Avenue and South Hills Drive and Harner Street, thence northwesterly with Harner Street to a point along the northerly property corner of Tax Map 36, Parcel 389, thence southwestly along the property line common to Tax Map 36, Parcels 389 and 390 to Maple Avenue, thence continuing southwestly with Maple Avenue to Washington Street, thence northerly on Washington Street to Demain Avenue, thence westerly on Demain Avenue to Morris Street, thence northerly on Morris Street to Watts Street, thence along Watts Street to Kingwood Street, thence northerly on Kingwood Street to Arch Street, thence easterly on Arch Street to Dewey Street, thence southerly on Dewey Street to Elmina Street, thence easterly along Elmina Street to Overdale Street, thence northerly along Overdale Street to the intersection with Brockway Avenue, thence across Brockway Avenue to Pennsylvania Avenue, thence northwesterly on Deckers Creek Avenue, thence westerly on Deckers Creek Avenue to a point opposite Hackney Street, thence with a line in a northerly direction to Deckers Creek, and thence with the center line of Deckers Creek back to the beginning, and proceeding along the Corporation Line to the intersection of Ross Street and Dorsey Ave, and proceeding with Ross Street to Grand Street, and proceeding with Grand Street to the intersection with Franklin Street, and proceeding northerly along Franklin Street to the intersection of Davis Street, and proceeding northwesterly with Davis Street to Woodland Road, continuing with Woodland Road to the intersection of Buckhannon Avenue, and proceeding northwesterly with Buckhannon Avenue to the intersection of Jackson Avenue and Maple Avenue, and proceeding with Maple Avenue to Washington Street, and proceeding northwesterly on Washington Street to the intersection Wilson Ave, and proceeding easterly on Wilson Ave to the intersection with Kingwood Street, and proceeding northerly on Kingwood Street to the intersection with Brockway Avenue, and proceeding westerly with Brockway Avenue to the intersection of S. Walnut Street and place of beginning.

(g) Seventh Ward. Beginning at a point in the western Corporation Line west of the intersection point of Jacobs Drive and University Avenue and from the point in an easterly direction following University Avenue to its intersection with ~~Pocahontas Avenue, thence northerly on Pocahontas to its intersection with~~ Collins Ferry Road, ~~thence and proceeding~~ southeasterly on Collins Ferry Road ~~to the intersection with University Avenue, thence following~~ University Avenue to the intersection with Patteson Drive and Van Voorhis Road, ~~thence and proceeding~~ easterly ~~and then northerly~~ on Van Voorhis Road to the intersection with Chestnut Ridge Road, thence easterly on Chestnut Ridge Road to a point at or near the south east corner of Tax Map 56, Parcel 2, and thence following Elmer Prince Drive, and proceeding easterly on Elmer Prince Drive to the intersection with Stadium Drive, and proceeding easterly on Stadium to the intersection of Willowdale Road and the Corporation Line, and proceeding northerly with the Corporation Line to a point where the Corporation Line intersects with the Chestnut Ridge Road, thence following and proceeding the corporation line, which corporation line includes or encompasses those areas annexed commonly referred to as the North Elementary School Annexation, to the south east corner of the property known as the Euro Suites Hotel, Tax Map 56, Parcel 2, and proceeding with the Corporation Line as the same passes around or near the Euro Suites Hotel, Tax Map 56, Parcel 2 in first a northerly and then a westerly direction to a point where the Corporation Line intersects with Van Voorhis Road, thence and proceeding following Van Voorhis Road (or Route No. 59) northerly to a point in the Corporation Line which is situated at the intersection of Van Voorhis Road and Clearview Street, thence and proceeding northwesterly following the Corporation Line in its entirety as the same outlines that area annexed by the City and commonly referred to as the Kenwood Annexation and the Oakview Annexation to a point where it intersects with Anderson Avenue, thence and proceeding continuing northwesterly on Anderson Avenue to where the same intersects with Morgan Drive, thence and proceeding following the Corporation Line in a northerly direction to a point in the Corporation Line which is the northeastern point of the Bureau of Mines (NETL) property, thence continuing and proceeding with another line of the NETL property in a northwesterly direction to Collins Ferry Road (or Route No. 57), thence and proceeding southerly following the Corporation Line ~~and Collins Ferry Road~~ to a point just north of Lawnview Drive, thence and proceeding following the Corporation Line in basically a westerly direction to a point on the west bank of the Monongahela River and thence and proceeding southwesterly following the west bank of the Monongahela River to a point which is the most southwestern point of Precinct 27 and thence and proceeding following the Corporation Line in an easterly direction to a point situated west of the intersection of Somerset and Princeton Avenues, thence and proceeding continuing with the Corporation Line southwesterly to a point on Mansfield Avenue located south of the intersection of Mansfield Avenue and Fairfield Street to a point located south of the intersection of Fairfield Street and Plymouth Avenue, thence and proceeding following the Corporation Line in a southerly direction to the point west of the intersection of Jacobs Drive and University Avenue, the point of beginning.

This ordinance is effective upon adoption and in accordance with the terms of the City Charter.

FIRST READING: _____

SECOND READING: _____

ADOPTED: _____

FILED: _____

Mayor

City Clerk



**City of Morgantown
General Fund Schedule of Revenues and Expenditures
For the Month Ended September 30, 2020**

	Fiscal Calendar 2021				Fiscal Calendar 2020			
	Current Budget	YTD Total	MTD Total	% of Budget	Current Budget	YTD Total	MTD Total	% of Budget
REVENUES								
Business & Occupational Tax	14,561,000.00	4,438,961.11	144,049.45	30%	15,600,000.00	3,970,099.34	182,845.89	25%
Property Tax	4,699,733.00	2,007,161.27	1,766,345.88	43%	4,625,398.00	2,085,641.58	1,775,553.47	45%
Fire Protection Fees	4,146,000.00	3,994,967.27	478.22	96%	3,371,100.00	3,268,951.85	120.00	97%
Municipal Service Fees	4,000,000.00	925,863.09	166,318.83	23%	4,500,000.00	1,091,670.34	170,745.42	24%
Municipal Sales Tax	1,141,812.00	-	-	0%				
Other Taxes	3,151,000.00	768,100.13	140,958.87	24%	3,513,500.00	829,883.07	126,429.28	24%
Fines and Forfeitures	500,000.00	55,504.70	17,662.00	11%	500,000.00	87,948.05	36,675.80	18%
License and Permits	360,000.00	127,895.12	29,246.37	36%	397,000.00	161,879.12	31,804.91	41%
Intergovernmental & Grants	4,000,000.00	4,713,232.30	1,072,086.87	118%	986,600.00	(938.03)	9,277.84	0%
Interfund Charges	75,300.00	-	-	0%	66,800.00	-	-	0%
Refuse Collection	1,460,000.00	397,270.66	166,728.43	27%	1,300,000.00	392,093.44	155,916.12	30%
Miscellaneous	375,700.00	69,142.53	41,493.06	18%	467,840.00	54,630.05	12,206.19	12%
Other Charges For Services	125,000.00	33,920.00	3,947.00	27%	107,000.00	46,040.00	7,699.00	43%
Prior Year Balance	3,700,000.00	-	-	0%	3,400,000.00	-	-	0%
Grand Total	42,295,545.00	17,532,018.18	3,549,314.98	41%	38,835,238.00	11,987,898.81	2,509,273.92	31%
EXPENSES								
409 Mayor	9,022.00	2,145.96	729.11	24%	11,488.00	3,557.82	1,067.72	31%
410 Council	52,938.00	15,828.62	3,007.53	30%	53,018.00	18,121.82	5,076.65	34%
412 City Manager	894,334.00	183,485.55	53,135.48	21%	942,928.00	199,070.69	63,765.56	21%
414 Finance	1,100,092.00	256,737.05	72,314.90	23%	1,092,586.00	265,567.78	78,478.96	24%
415 City Clerk	243,419.00	49,610.24	15,072.90	20%	178,499.00	41,754.81	13,620.94	23%
416 Municipal Court	290,176.00	68,116.38	17,942.51	23%	310,613.00	76,181.66	29,404.94	25%
417 City Attorney	460,000.00	97,188.76	81,112.89	21%	985,000.00	57,353.43	11,384.50	6%
420 Engineering	377,986.00	89,996.19	29,932.73	24%	548,204.00	116,188.55	39,786.08	21%
422 Personnel	367,336.00	79,831.88	33,592.42	22%	398,710.00	71,652.85	21,197.33	18%
436 Building Inspection	1,297,993.00	315,625.74	93,168.87	24%	1,226,609.00	316,812.93	98,501.00	26%
437 Planning & Zoning	320,656.00	85,283.19	30,248.26	27%	417,800.00	79,387.43	19,404.75	19%
438 Elections	30,127.00	-	-	0%	-	-	-	0%
439 Information Technology	500,106.00	82,045.55	25,483.72	16%	365,010.00	57,856.44	18,253.07	16%
440 City Hall	760,348.00	143,186.03	52,690.97	19%	698,285.00	166,342.33	56,501.57	24%
700 Police Department	8,888,719.00	2,984,395.83	1,289,797.66	34%	8,965,781.00	3,107,751.39	666,795.76	35%
706 Fire Department	6,745,034.00	2,351,082.48	1,006,031.65	35%	6,513,470.00	2,335,838.27	497,743.67	36%
750 Street Department	2,656,257.00	694,294.04	219,654.32	26%	2,844,590.00	723,656.71	223,163.19	25%
752 Signs & Signals	770,068.00	145,295.67	54,623.92	19%	812,284.00	155,693.64	58,251.00	19%
754 Equipment Maintenance	618,331.00	166,484.33	52,375.97	27%	632,722.00	149,985.23	60,067.82	24%
950 Urban Landscape	236,498.00	58,441.16	19,747.92	25%	252,077.00	66,632.76	19,891.75	26%
707 Animal Control	31,077.00	6,337.05	2,112.35	20%	30,172.00	7,542.93	-	25%
424 Contributions	431,779.00	19,279.00	-	4%	519,279.00	94,156.29	34,907.64	18%
444 Transfers	9,792,495.00	3,702,329.37	2,853,568.84	38%	8,922,768.00	2,471,638.69	1,432,591.60	28%
699 Contingencies	3,873,554.00	-	-	0%	826,345.00	-	-	0%
800 Refuse Department	1,530,000.00	249,154.40	120,676.85	16%	1,287,000.00	239,690.21	119,853.36	19%
802 Recycling	17,200.00	3,153.76	3,153.76	18%	-	-	-	0%
Grand Total	42,295,545.00	11,849,328.23	6,130,175.53	28%	38,835,238.00	10,822,434.66	3,569,708.86	28%