

Municipal Planning Commission

Hearing and meeting: Wednesday, January 9, 2019, at 3:00 p.m., in the Conference Room of the City Service Center, 915 Quarrier Street.

Members Present

Aric Margolis, President
Reverend Braxton Broady
Teresa Moore
Chad Robinson
Jesse Forbes
Lex Williamson
Dallas Staples
Lisa Fischer-Casto
Deanna McKinney
Mary Beth Hoover

Members Absent

Margo Teeter
Christi Smith
Adam Krason
Shawn Taylor
J.D. Stricklen

Staff Present

Dan Vriendt
John Butterworth

Call to order – Aric Margolis

MR. MARGOLIS: We would like to welcome Mary Beth Hoover, our new Council Representative on the Planning Commission.

Unfinished Business:

Rezoning: Bill No. 7801 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from R-10 Mixed Use District to C-8 Village Commercial District property located at 706 Central Avenue, Charleston West District, Map 21, Parcels 417.1, Charleston, West Virginia.

MR. MARGOLIS: Is the applicant here to speak?

MS. SNYDER: My name is Mildred Snyder and I am the owner of 706 Central Avenue, Charleston, West Virginia. This is for the request for 706 to be a commercial building as there are some business entities that I would like to make available in the building that will be for the greater good of Charleston to be developed sometime this year. That is the reason I would like the building to become totally commercial.

MR. MARGOLIS: All right. Anything to add?

MS. SNYDER: No.

MR. MARGOLIS: Questions from the Commission? (No response.) Staff notes, please.

MR. BUTTERWORTH: In your packets you have Bill 7801 which was introduced by Councilwoman McKinney. You also see the zoning map with the proposed rezoning to C-8 highlighted in red. There's also a street view in there which we can pull up on the projector as well.

If you will consult your staff notes, this is a rezoning request and so the Planning Commission needs to assess basically the appropriateness of the zoning change considering all the permitted principle and conditional uses and also conformity with the Comprehensive Plan. The property is currently zoned R-10, which is Mixed Use District. It's developed as a single-story professional office-style building as you can see from the street view there.

Surrounding uses: If you'll look at that zoning map, you'll see R-10 to the north, C-8 to the west, R-10 to the south and east. The eastern parcel from the subject property is an AEP substation. Of course, utilities are permitted in, by conditional use, in the R-10, but it's been developed that way for a long time. The change from R-10 to C-8, you can see there that R-10 generally allows for multi-family housing, single-family housing, professional offices, and as conditional uses, art galleries, community centers, assisted living facilities, etc.

A change to C-8 would allow for also professional office, professional personal services, all classes of dwellings and, as a conditional use permit, shopping centers, bars, nightclubs and gambling establishments.

As far as conformity with the Comprehensive Plan, on the future land use map, which is on the second page of your staff notes, you'll see that this area is highlighted in purple which is identified as Mixed Use Corridor. To summarize Mixed Used Corridor is described as to promote quality development along Charleston's main corridors.

Recommendations and Findings:

Staff recommends **approval** for the following reasons:

- The rezoning is consistent with the future land use map which designates this property as "Mixed Use Corridor".
- The rezoning from R-10 to C-8 would allow for consistency between the development style of the property and the zoning classification.
- Rezoning to C-8 allows for continued beneficial use in pursuit of the comprehensive plan's "Mixed Use Corridor" allowing for a variety of residential and commercial uses along Central Avenue, one of Charleston's main corridors.

With that, I'll be happy to answer any questions.

MR. MARGOLIS: We're really just talking about one parcel expanding.

MR. BUTTERWORTH: This is a big minor expansion in the C-8 district to a property that's already Mixed Use in designation, yes.

MR. MARGOLIS: Any questions from the Commission? (No response.) Anybody here to speak in favor of the application? (No response.) Anybody here to speak in opposition of the application. (No response.) Hearing and seeing none, I will close the case and entertain a motion.

Motion and Vote: On motion of Chad Robinson, seconded by Dallas Staples, the Commission voted 10 to 0 to approve Bill 7801.

Approval of the December 12, 2018, Minutes: On motion of Chad Robinson, seconded by Lex Williamson, the Commission voted 10 to 0 to approve the Minutes.

Announcements:

MR. VRIENDT: I would like to add that we have three council members on the Planning Commission now because Deanna McKinney won her council seat in Ward 7 and Chad Robinson won his council seat also. We have Naomi Bays here in the audience that won At Large, and I'd like to introduce you to the new director of MOECD, Mr. Larry Malone.

MR. MARGOLIS: Welcome. I apparently was mistaken because I thought you couldn't be both on Commission and be a Council member. That's obviously false.

MR. VRIENDT: The Board of Zoning Appeals you're not allowed to be on any other city boards because they're like a quasi-judicial entity.

MS. MOORE: I'm like Aric. When we first came on Commission, we were told the only Council person was that person.

MR. VRIENDT: No. It can be open to anybody as long as they're a resident of the City of Charleston.

MR. BUTTERWORTH: I think there needs to be one Council member.

MR. MARGOLIS: There's always a requirement for the Planning Committee Chairperson to be on this, right?

MR. VRIENDT: It doesn't have to be the Chair.

MR. MARGOLIS: Will there be a representative of the new Mayor's Office?

MR. VRIENDT: There will and I don't believe that's been decided.

The only other announcement I have is that we're working with the Charleston Urban Renewal Authority to update the West Side Community Renewal Plan because it's about ten years old now. Maybe at the next meeting we could have a brief presentation on that by the consultants or by Ron Butlin and also as part of the adoption process of this West Side Community Renewal Plan that will come before this committee for a vote on consistency with the Comprehensive Plan.

MR. MARGOLIS: What's next month looking like?

MR. VRIENDT: I don't know how many of you know, but in the West Side and East End Community Renewal Plans they have some zoning requirements in there. We're going to pull all those zoning requirements out of those plans and put it back in the Zoning Ordinance and that's going to require a text amendment. Specifically, the CBD Zoning Corridor Village District, we're going to pull that out of these Urban Renewal Plans and put that in the Zoning Ordinance so it's all in one place. That's a carry over from long ago bad practices of the Urban Renewal Authority asserting zoning control in the Urban Renewal districts. So, we'll have a text amendment next month.

MR. MARGOLIS: With regard to the West Side, specifically, a lot of it's R-6 I believe and I'm getting some feedback that virtually every piece of parcel is already nonconforming because they don't meet the current sizes. If you've already got some nonconforming parcels, it makes it hard to do stuff, to develop.

MR. VRIENDT: I'd say that's not really true to a large extent.

MR. MARGOLIS: Okay.

MR. VRIENDT: When we updated the Zoning Ordinance in 2007, we made even nonconforming lots buildable by right. Before, you had to get special permission on that. We also lessened the setback requirements, so if you're matching the neighborhood, you're not required to get a variance for it. I think we need to do a better job of promoting that, that you can build on these lots by right without any variances or special meeting.

Discussion:

There was a discussion about the Kanawha City greenhouse on MacCorkle Avenue.

Adjournment.