



Municipal Planning Commission
Wednesday, October 7, 2020
3:00 p.m.

Join via internet at:

<https://us02web.zoom.us/j/82460631264?pwd=blpDZEVCVWhjczlNdE9VQkZiWnpKdz09>

Or call: 301-715-8592 or 312-626-6799 or 929-436-2866

Webinar ID: 824 6063 1264

Passcode: 308166

Agenda

1. Call to Order

2. Unfinished Business

Rezoning: Bill No. 7880 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 the R-6: Medium Density Residential to the R-4: Single Family Residential zoning district three district areas within and adjacent to the Woodbridge Subdivision, as shown on the attached maps included as Exhibits A, B, & C, Charleston, West Virginia.

3. New Business

Subdivision: Application by WV Health Right Inc. for subdivision approval for property located at 1520 Washington Street East, District 11, Tax Map 20, Parcels 135-138 & 153-159 including a request for a waiver of requirements pertaining to lot size and lot depth, Charleston West Virginia.

Rezoning: Bill No. 7884 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 the I-2: Light Industrial District to C-10: General Commercial zoning district property located at District 13, Map 19, Parcels 123 & 124, Charleston, West Virginia.

Rezoning: Bill No. 7885 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 the C-8: Village Commercial to the C-10: General Commercial zoning district property located at 1625 7th Avenue, District 12, Map 10, Parcels 288, 290-293, 298, 299, 301, & 302, Charleston, West Virginia.

Development of Significant Impact: Application by Woda Cooper Companies, Inc. for a 43-unit senior housing facility located at 1625 7th Avenue, District 12, Map 10, Parcels 288, 290-293, 296, & 298- 302, Charleston, West Virginia.

Right-of-Way Closing: Bill No. 7883 closing, abandoning, and discontinuing a portion of a public alley north of the 1500 block of Washington Street East accessed via Ruffner Avenue, District 11, Map 20, Charleston, West Virginia.

4. Minutes of the September 9, 2020, MPC meeting

5. Announcements

6. Adjournment

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

Bill No. 7880

Introduced in Council

Passed by Council

September 8, 2020

Introduced by

Referred to

Shannon Snodgrass

**Municipal Planning Commission
Planning, Streets, and Traffic**

Bill No. 7880 - A Bill 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 the R-6: Medium Density Residential to the R-4: Single Family Residential zoning district three district areas within and adjacent to the Woodbridge Subdivision, as shown on the attached maps included as Exhibits A, B, & C, Charleston, West Virginia.

Be it Ordained by the City Council of the City of Charleston, West Virginia:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from R-6: Medium Density Residential to the R-4: Single Family Residential whole of the following described parcels of land:

Those certain zoning district areas being within and adjacent to the Woodbridge Subdivision, as shown on the attached map included as Exhibits A, B, & C, Charleston, West Virginia.

2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby amended in accordance with Article 29 of this ordinance.

3. All prior ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Exhibit – A



Exhibit –B

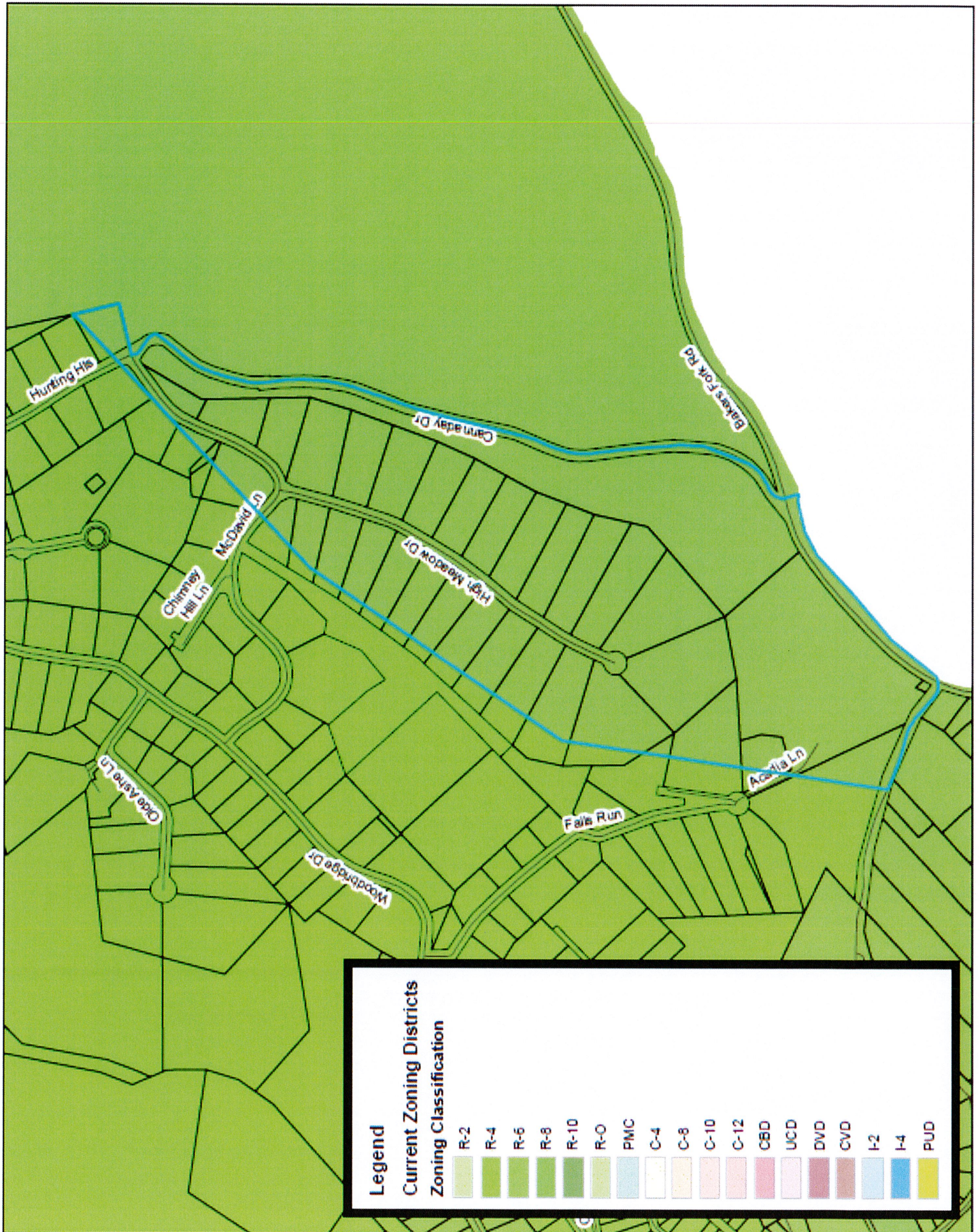
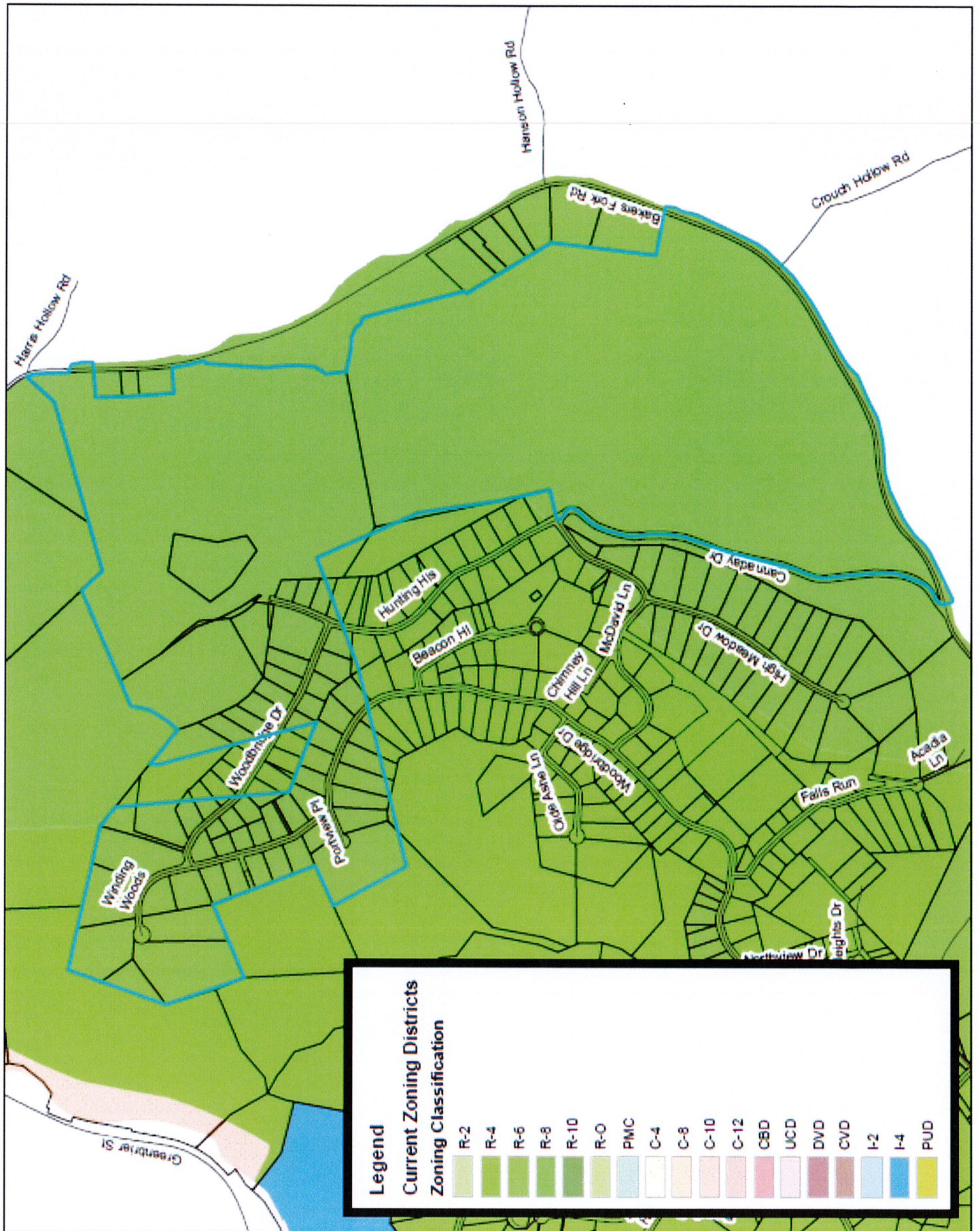


Exhibit –C



CITY OF CHARLESTON, WEST VIRGINIA
SUBDIVISION APPLICATION

☐ PRELIMINARY

☐ FINAL PLAT

☒ ADMINISTRATIVE

Filing Date: 08/14/20 Filing Fee Collected: \$ _____ Number of Lots Being Created: One (1)

Subdivision Name: N/A

Subdivision Location: Charleston, WV 25311

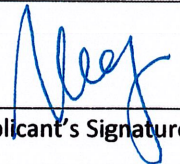
Tax Map and Parcel Number(s): See Below* Zoning District: R-6 Flood Plain Designation X

* Rear portions of residential lots 20-135 through 20-138 + Alley

	ADDRESS	PHONE	FAX AND E-MAIL
Property owner:	WV Health Right 1520 Washington St. E Charleston, WV 25311	(304) 414-5930	(304) 343-2091 Asettle@wvhealthright.org
Developer:	WV Health Right		
Licensed WV Surveyor:	Terradon Corporation 401 Jacobson Drive Poca, WV 25159	(304) 755-8291	(304) 755-2636 Dave.Brown@terradon.com
Attorney:	N/A		

For Preliminary Plats or Final Plats without preliminary approval, list (or attach) names and addresses of adjoining property owners, including across streets and alleys:

See attached "List of Owners within 250 ft"


Applicant's Signature

Rodney Pauley - ZMM

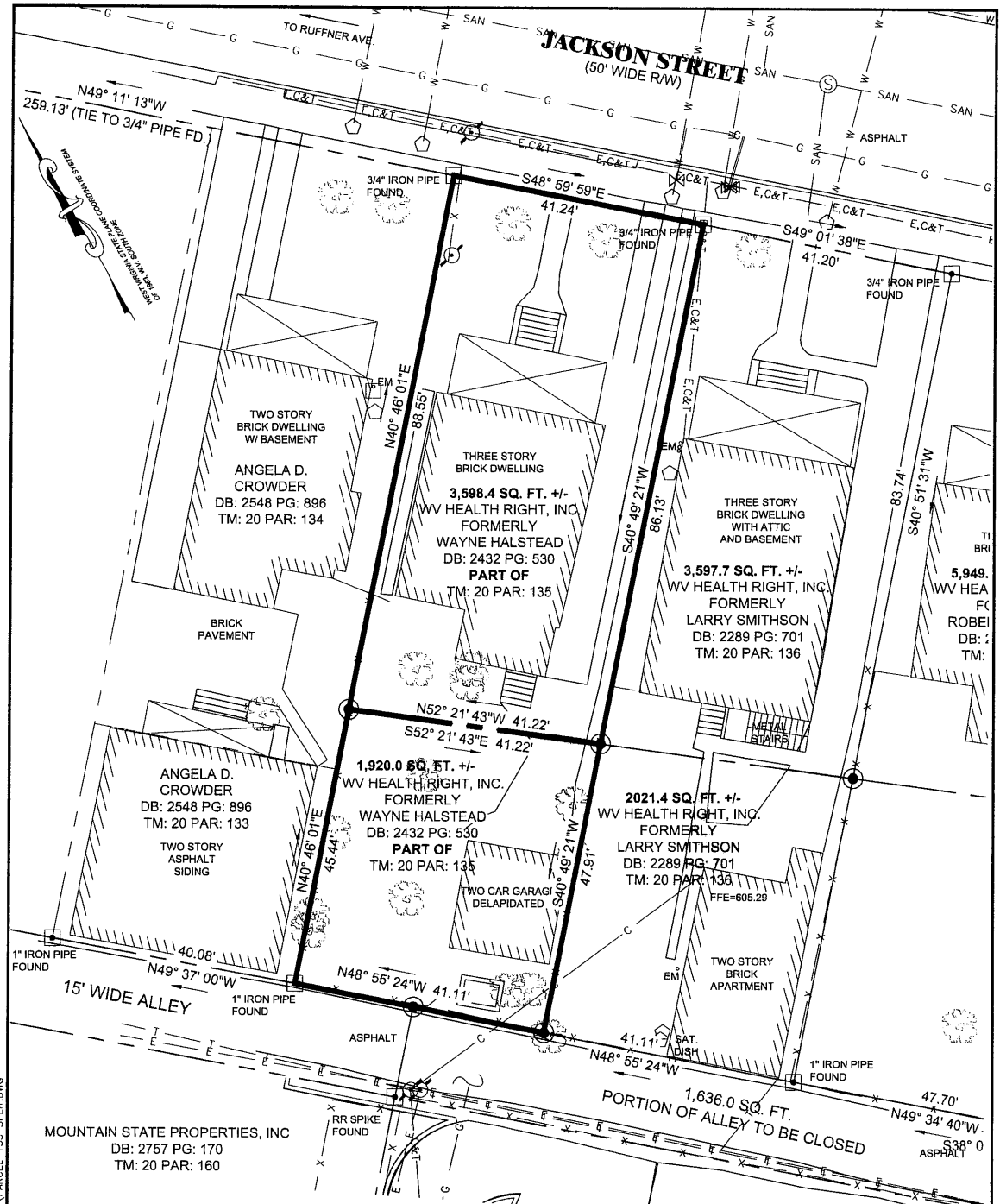
(304) 342-0159

Applicant's Phone Number

FILING INSTRUCTIONS

- ☐ **Preliminary Plat:** Eight (8) maps signed and stamped by a WV Registered Surveyor and two (2) street and sewer profiles filed at minimum of 35 working days prior to a public hearing held by the Municipal Planning Commission.
- ☐ **Final Plat (when preliminary plat has been approved):** Eight (8) plat maps signed and stamped by a WV Registered Surveyor filed at least 7 working days prior to a Municipal Planning Commission public hearing.
- ☐ **Final Plat (without previously approved preliminary plat):** Eight (8) plat maps signed and stamped by a WV Registered Surveyor filed at least 35 working days prior to a public hearing held by the Municipal Planning Commission.
- ☐ **Administrative:** Eight (8) plat maps signed and stamped by a WV Registered Surveyor. Review time 1-2 weeks.
(A checklist of the information required on plat maps for Administrative Subdivisions is on the back of this application).

Fees - \$10.00 Administrative, Preliminary \$45 + \$1 per lot, Final \$10 or \$1 per lot, Final w/o Preliminary \$45 + \$1 per lot.



NOTE: TAX MAP 20 PARCEL 135, 136, 137, AND 138 ARE IN THE PROCESS OF BEING PURCHASED BY WV HEALTH RIGHT, INC. AT THIS TIME. RECORDING INFORMATION NOT AVAILABLE AT THIS TIME

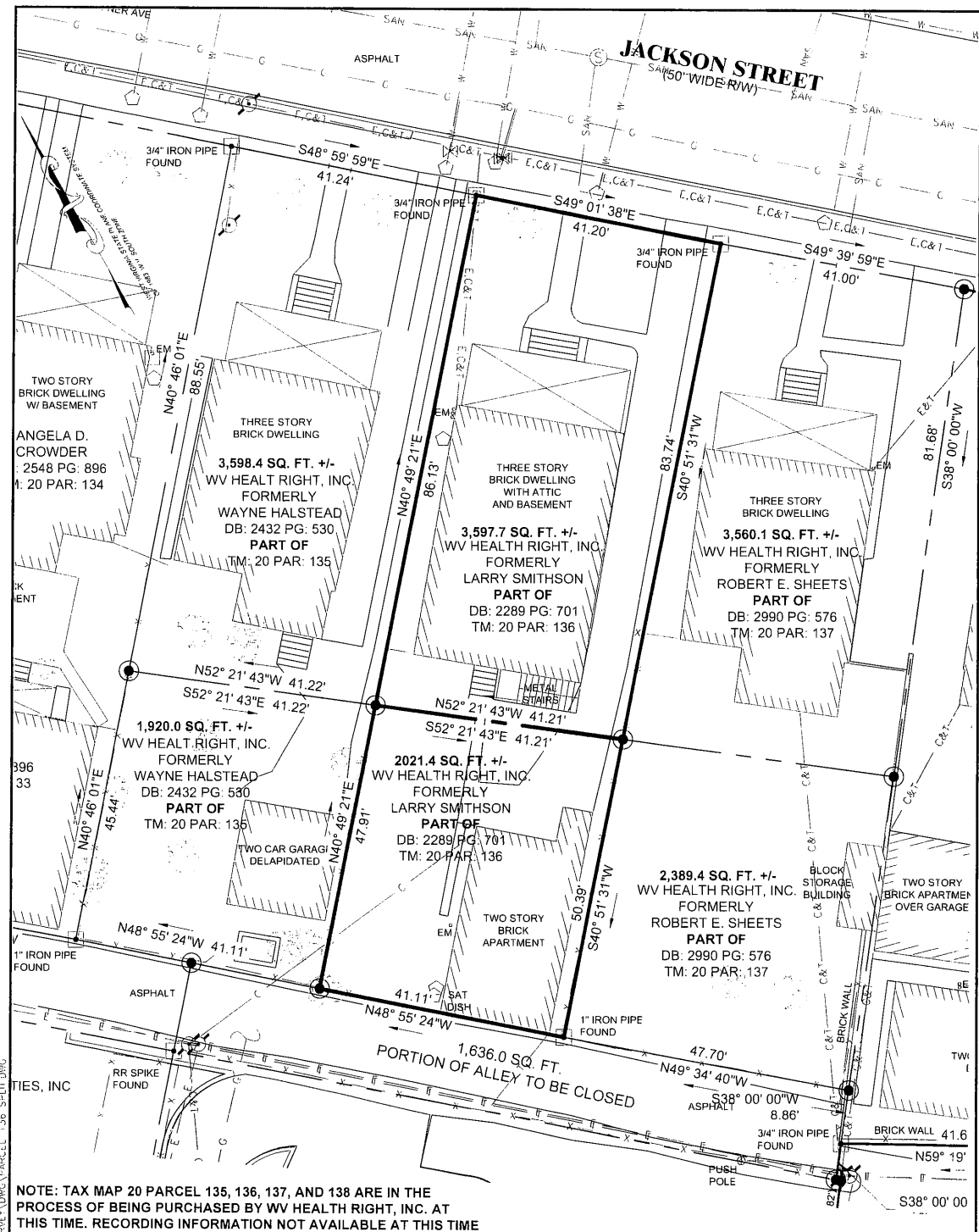
LEGEND

- SURVEYED PROPERTY LINE
- NEW DIVISION LINE
- RIGHT OF WAY
- EXISTING FENCE LINE
- 5/8" REBAR WITH CAP SET
- FOUND MONUMENTATION
- UTILITY POLE
- EXISTING TREE
- CONCRETE AREA

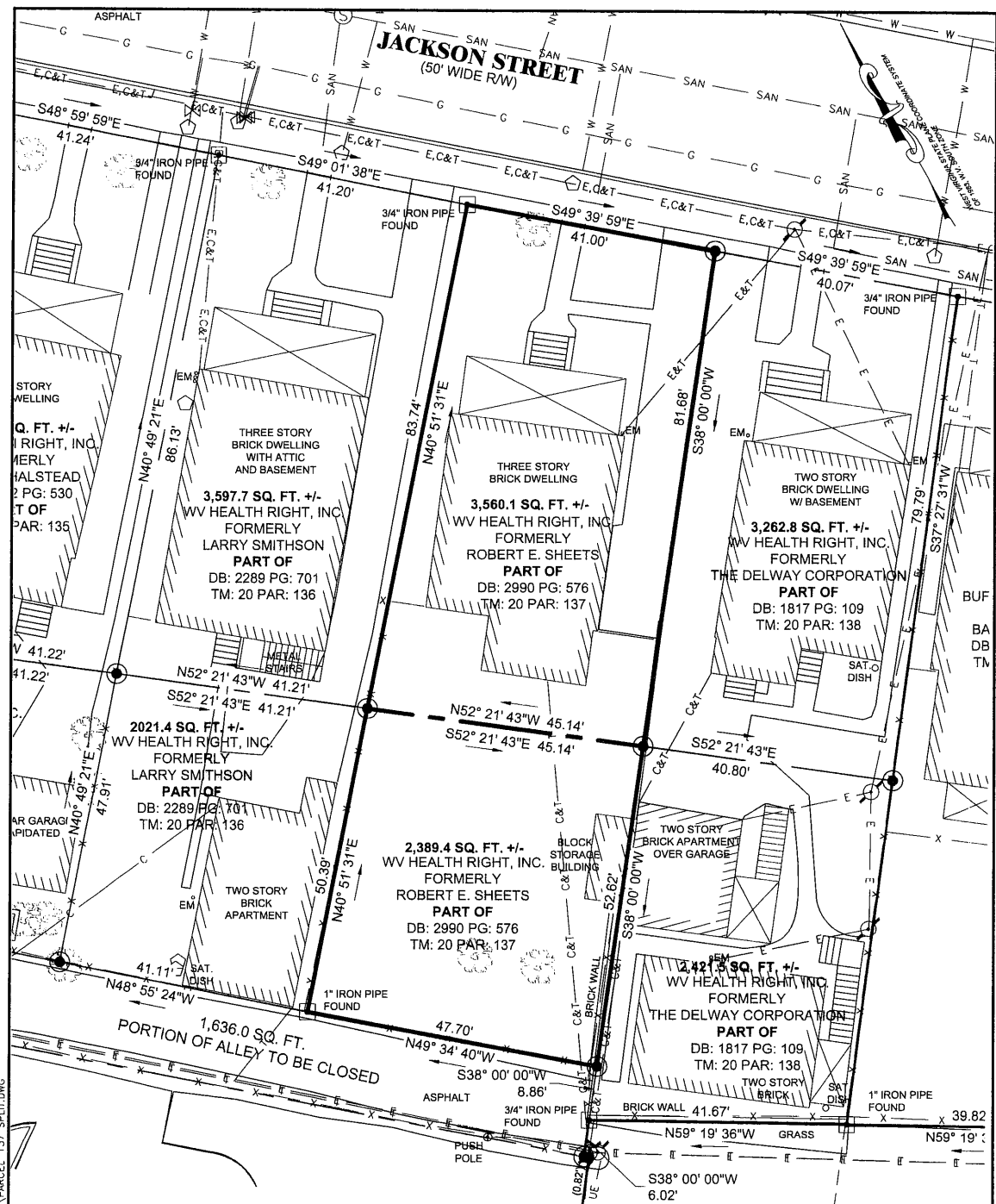
GRAPHIC SCALE



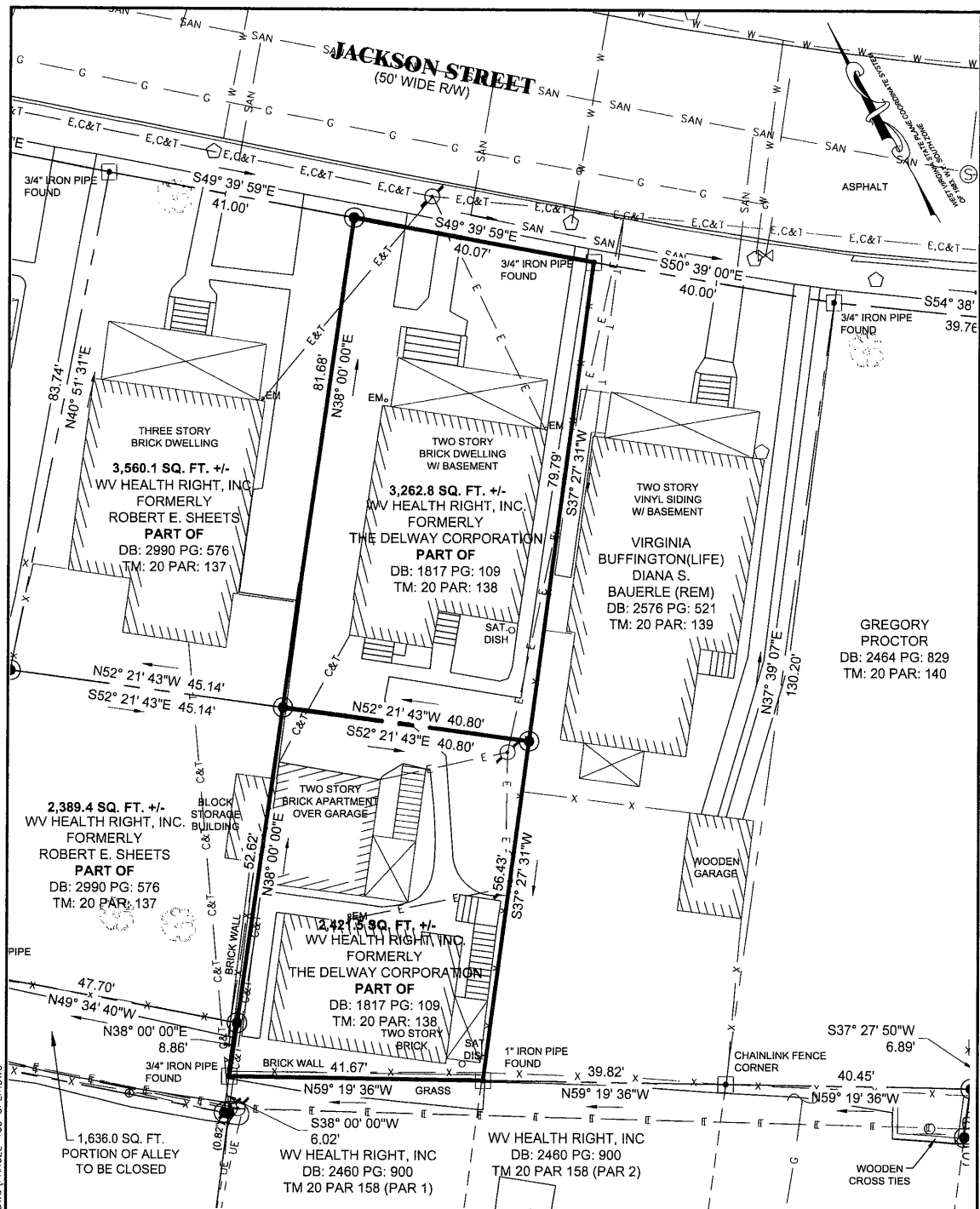
S1	DATE: 9/2/2020 4:37 PM B:\0 - HEALTH RIGHT - SURVEY\DWG\PARCEL 135 SPLIT.DWG PLOT DATE: 9/2/2020 4:37 PM B:\0 - HEALTH RIGHT - SURVEY\DWG\PARCEL 135 SPLIT.DWG	PLAT OF SURVEY SHOWING THE SUBDIVISION OF TAX MAP 20 PARCEL: 135	TERRADON Engineering - Surveying - Landscape Architecture P.O. Box 518 Niote, West Virginia 25143 (304) 755-4591 FAX 755-2636 www.terraddon.com	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">DATE</th> <th style="width: 30%;">NO.</th> <th style="width: 40%;">REVISION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	NO.	REVISION																														
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CHARLESTON EAST DISTRICT CITY OF CHARLESTON, KANAWHA COUNTY, WV																																					



S2	Plat of Survey Showing the Subdivision of Tax Map 20 Parcel 136	CHARLESTON EAST DISTRICT CITY OF CHARLESTON, KANAWHA COUNTY, WV	 Engineering - Surveying - Landscapes Architecture P.O. Box 518 Hills, West Virginia 25143 (304) 755-8191 FAX 755-2636 www.terradon.com	DATE _____	NO. _____	REVISION _____



S3	PLAT OF SURVEY SHOWING THE SUBDIVISION OF TAX MAP-20 PARCEL: 137	 TERRADON Engineering - Surveying - Landscape Architecture P.O. Box 519 Hills, West Virginia 25143 (304) 735-8291 FAX 735-2636 www.terradon.com	DATE _____	NO. _____	REVISION _____
	CHARLESTON EAST DISTRICT CITY OF CHARLESTON, KANAWHA COUNTY, WV				



NOTE: TAX MAP 20 PARCEL 135, 136, 137, AND 138 ARE IN THE PROCESS OF BEING PURCHASED BY WV HEALTH RIGHT, INC. AT THIS TIME. RECORDING INFORMATION NOT AVAILABLE AT THIS TIME

LEGEND

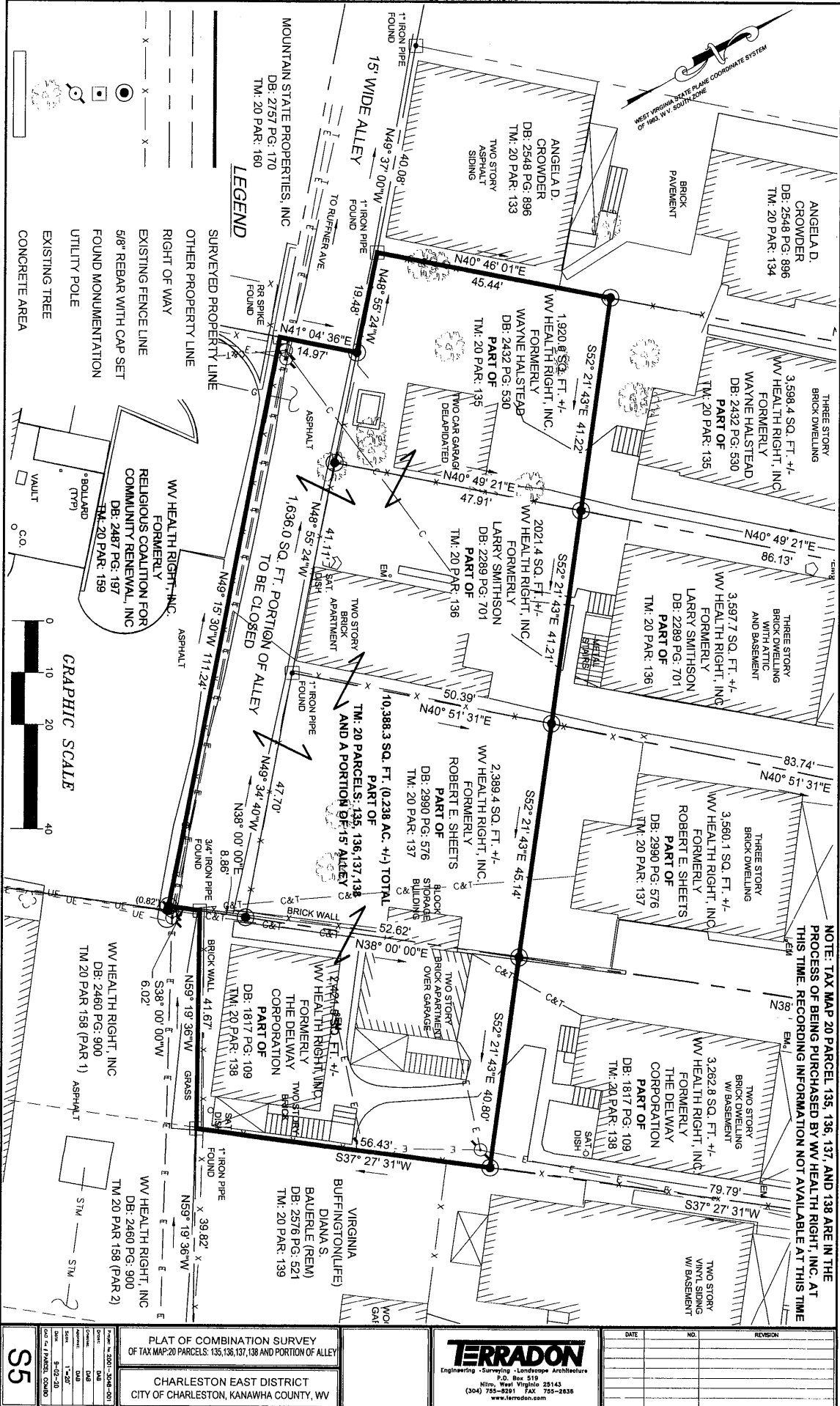
- SURVEYED PROPERTY LINE
- NEW DIVISION LINE
- RIGHT OF WAY
- EXISTING FENCE LINE
- 5/8" REBAR WITH CAP SET
- FOUND MONUMENTATION
- UTILITY POLE
- EXISTING TREE
- CONCRETE AREA

GRAPHIC SCALE



S4	PLAT OF SURVEY SHOWING THE SUBDIVISION OF TAX MAP 20 PARCEL 138	 Engineering - Surveying - Landscape Architecture P.O. Box 518 Nitro, West Virginia 25143 (304) 753-6381 FAX 753-2638 www.terraron.com	DATE	NO.	REVISION
	CHARLESTON EAST DISTRICT CITY OF CHARLESTON, KANAWHA COUNTY, WV				

PLOT DATE : 8/3/2020 1:34 PM B:\0 - HEALTH RIGHT- CHARLESTON\50-SURVEY\DWG\PARCEL 138 SPLIT.DWG



PETITION TO REZONE FROM I-2 TO C-10
3050 CHESTERFIELD AVENUE, CHARLESTON, WEST VIRGINIA

TO THE MAYOR AND COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

I.

Petitioner is the owner of the property situate at 3050 Chesterfield Avenue in Kanawha City that is subject of this rezoning request. Petitioner wishes to have the subject property rezoned from I-2 to a C-10. The subject property is a parcel of land described as follows: All of Tax Parcels Nos. 123 and 124 as shown on Kanawha City Tax Map No. 19, containing approximately 75,926 square feet, located at the corner of 31st Street and Chesterfield Avenue. The above-mentioned tax map is as of record in the Charleston Planning Department.

II.

Petitioner wishes to have the subject property rezoned from I-2 to a C-10 in order that the Petitioner can construct and develop on the site the CAMC Center for Learning and Research, a 3-story, 57,000 square-foot medical training facility that will house simulation training spaces, classrooms, conference spaces and research offices. The facility will have an outdoor seating area and surface parking, with a service drive at the rear of the building.

III.

The subject property was formerly used as a bottling facility and is zoned I-2 Light Industrial District under Article 18 of the Zoning Ordinance. Since being acquired several years ago by Petitioner, the property has been used primarily to provide parking for the staff of Petitioner's adjacent Memorial Hospital. The adjacent properties on the north side of Chesterfield Avenue to the east, north and west of the subject property are zoned C-10, General Commercial District under Article 12 of the Zoning Ordinance. Therefore, Petitioner requests that the subject land that is zoned I-2 located at 3050 Chesterfield Avenue at the corner of 31st Street and Chesterfield Avenue be rezoned to C-10. The proposed rezoning will permit the Petitioner to use the property in a manner that compliments and more effectively serves the Memorial Hospital, as well as the community, and complies with the goals and objectives of the Comprehensive Plan and the Kanawha City Revitalization Plan. The proposed rezoning of the property will not constitute spot zoning since the property abuts other properties already zoned C-10.

IV.

The sponsoring member of City Council of the Bill to Rezone the subject property is Bobby Reishman. The list of all property owners within 250 feet of the subject property to be rezoned is attached. The subject property is shown on the attached survey plat, being a parcel containing approximately 75,926 sq. ft., and being all of Kanawha City Tax Map 19, Tax Parcels 123 and 124.

The filing fee of \$125 is attached.

Attached hereto is an Application for Rezoning with plat and a Bill to accomplish the requested rezoning, as well as an electronic filing of the Bill in Word format.

Respectfully submitted this 14th day of September, 2020.

Charleston Area Medical Center, Inc.
By its Counsel

By: 

Joyce F. Ofsa, Esq.
Spilman Thomas & Battle, PLLC
300 Kanawha Boulevard, East
Charleston, WV 25301
304-340-3847

Bill No. 7884

Introduced in Council

Passed by Council

October 5, 2020

Introduced By

Referred To

Municipal Planning Commission

Bobby Reishman

Planning Streets, and Traffic Committee

Signature of Council member

A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, and the map made a part thereof, by rezoning from a I-2 district to a C-10 district, that certain strip, lots or parcels of land located at 3050 Chesterfield Avenue at the corner of 31st Street and Chesterfield Avenue, in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, owned by Charleston Area Medical Center, Inc., a West Virginia nonprofit, nonstock corporation.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA THAT:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st day of November, 2005, as amended, is hereby amended by rezoning from a I-2 district to a C-10 district the whole of the following described strip, lots or parcels of land:

All of that certain lot or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging, situate in Kanawha City, in the City of Charleston, Kanawha County, West Virginia, on the south side of the Chesapeake and Ohio Railway Company right of way, west of Mission Hollow and being more particularly bounded and described as follows:

BEGINNING at an iron pin on the north side of Chesterfield Avenue (formerly Giles-Fayette Kanawha Turnpike) at the easterly front corner of a tract of land owned by Kuhn Construction Company, Inc.; thence leaving Chesterfield Avenue and with the easterly line of said Kuhn Construction Company, Inc., N 22° 45' E 245.81 feet to an iron pin set in concrete in the southerly boundary line of the right of way of The Chesapeake and Ohio Railway Company; thence with said right of way line S 69° 56' E passing the northern corner of a parcel conveyed to The Royal Crown Bottling Company of Charleston, West Virginia, by Banks-Miller Supply Company, by deed dated September 19, 1963, and of record in the Office of the Clerk of the County Commission of Kanawha County, West Virginia, in Deed Book 1393, at page 197, at 200 feet in all 316.81 feet to a point in the westerly line of a parcel of 5,340 square feet conveyed by the said Banks-Miller Supply Company to the State Road Commission of West Virginia, by deed dated June 28, 1963, and of record in said Clerk's Office in Deed Book 1391, at page 555 which is now the westerly right of way line of 31st Street; thence with said westerly right of way line S 20° 4' W 219.5 feet to a State Road Commission monument; thence with the northerly right of way line of Chesterfield Avenue and passing the southwestern corner of the aforementioned tract acquired from Banks-Miller Supply Company at 127.85 feet, in all 329.35 feet to the place of beginning, containing in all 74,926 square feet, more or less. The property hereby insured is shown on a survey thereof dated September 24, 1976, entitled, "No. 3044 Chesterfield Avenue, Being Part of the C & O Property As Originally Sold by C. B. Early, Trustee, in the City of

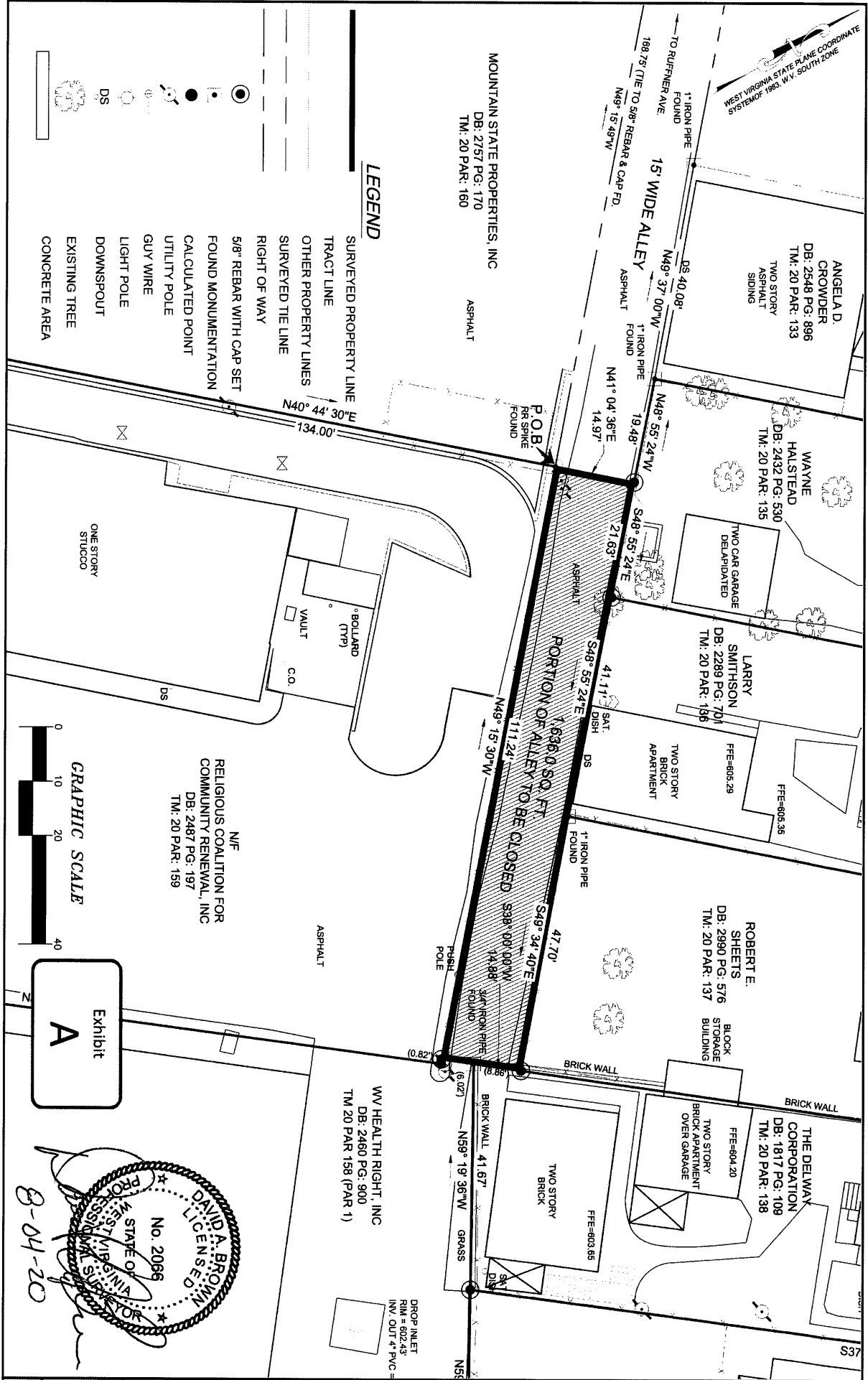
41 Charleston, Kanawha County, W. Va. Property of ROYAL CROWN BOTTLING
42 COMPANY OF CHARLESTON, WEST VIRGINIA.”
43

44 Being Tax Parcels 123 and 124 as shown on Kanawha City Tax Map No. 19. Said
45 tax map is of record in, and used as zoning map sectionals by, the City Planning
46 Office.
47

48 2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby
49 amended in accordance with Section 1 of this Ordinance.
50

51 3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are
52 hereby repealed to the extent of said inconsistency.
53

54
55
56
57 13324237
58



PLAT OF SURVEY
FOR: PROPOSED ALLEY CLOSURE

BLOCK "L" TOWN OF RUFFNER
CHARLESTON EAST DISTRICT, CHARLESTON, WV

TERRADON
Engineering - Surveying - Landscape Architecture
P.O. Box 515
Hills, West Virginia 25143
(304) 755-8281 FAX 755-2636
www.terraddon.com

DATE	MO.	REVISION

C1

DAVID A. BROWN
PROFESSIONAL SURVEYOR
STATE OF WEST VIRGINIA
No. 2066
8-04-20

WV HEALTH RIGHT, INC
DB: 2460 PG: 900
TM 20 PAR 158 (PAR 1)

Bill No. 7885

Introduced in Council

Passed by Council

October 5, 2020

Introduced By

Referred To

Mary Beth Hoover

Municipal Planning Commission

Signature of Council member

Planning Streets, and Traffic Committee

1 A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st
2 day of November, 2005, as amended, and the map made a part thereof, by rezoning from a C-8
3 district to a C-10 district, that certain strip, lots or parcels of land located at 1625 7th Avenue, in
4 Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, currently or
5 formerly owned by Mountain Mission Inc., a West Virginia nonprofit corporation.
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA THAT:
8

9 1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 21st
10 day of November, 2005, as amended, is hereby amended by rezoning from a C-8 district to a C-
11 10 district the whole of the following described strip, lots or parcels of land:
12

13 All of that certain lot or parcel of land, together with the improvements thereon and the
14 appurtenances thereunto belonging, situate in Kanawha City, in the City of Charleston, Kanawha
15 County, West Virginia, on the south side of 1600-block of 7th Avenue, west of Mission Hollow and
16 being more particularly shown on the attached EXHIBIT A and described as:
17

18 Being Tax Parcels 288, 290-293, 298, 299, 301, & 302, Charleston, West
19 Virginia as shown on Charleston West District 12, Tax Map No. 10. Said tax map
20 is of record in, and used as zoning map sectionals by, the City Planning Office.
21

22 2. The Zoning Map, attached to and made a part of said Zoning Ordinance, is hereby
23 amended in accordance with Section 1 of this Ordinance.
24

25 3. All prior ordinances, or parts of ordinances, inconsistent with this Ordinance, are
26 hereby repealed to the extent of said inconsistency.
27
28

[illegible]