



Planning, Streets and Traffic Committee
Monday, January 24, 2022, at 5:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

AGENDA

1. Call to Order

2. Unfinished Business

Street Naming: A request to name an unnamed alley running from Greendale Drive to the Railroad Avenue in compliance with the E-911 Addressing Regulations.

3. New Business

Resolution No. 584-22 – Authorizing the Director of Parking Operations and the Director of Traffic Operations to add a mobility impaired parking space at/near 178 Summers Street by removing an existing “police parking only” space and repositioning two adjacent metered parking spaces. This will accommodate one 22 feet mobility impaired metered space and two 20 feet metered spaces.

Resolution No. 593-22 - A resolution authorizing the Mayor or City Manager to enter into a memorandum of understanding with Charleston Main Streets regarding the West Side Gateway Lighting Initiative.

Bill No. 7933 - 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 R-6 district to a R-0 district, that certain lot or parcel of land located at 2922 Chesterfield Avenue in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia.

Bill No. 7940 - A Bill to establish a handicapped parking zone on northerly side of 1st Avenue from a point 136 feet west of Florida Street to a point 180 feet west of Florida Street and amending the Traffic Control Map and Traffic Control File, established by the code of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

4. Discussion

5. Approval of the Minutes of the December 13, 2021, meeting

6. Adjournment

Municipal Planning Commission

Application for Street Naming

MPC Hearing Date: Oct 6, 2021

SND No: _____

Applicant Information	Street Information
Name: <u>Bullock Properties LLC</u>	Proposed Street Name: <u>N/A Bullock Lane</u>
Address: <u>303 Washington St. W.</u>	Subdivision Name: _____
Phone: <u>Charleston, WV 25302</u>	☐ Private Street or ☒ Public Street
Agents Name, Address, Phone (If other than Applicant):	☒ New Street Naming or a ☐ Street Renaming:
	Location Description: _____

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

The following supporting documentation must be submitted with this application:

- ☐ A petition containing the signatures of at least 80% of the owners of the land abutting the subject road;
- ☒ A map which clearly delineates the street to be named;
- ☒ A filing fee of \$125.00; and
- ☐ Any additional information, including photographs, elevations, testimonials or other documentation, which may support your application

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Nusta M. Ganaa

Signature

9-15-21

Date

Street Naming: A request to name an unnamed alley running from Greendale Drive to the Railroad Avenue in compliance with the E-911 Addressing Regulations.

The request put forth by the petitioner is to name the road Bullock Lane

Councilwoman Jeanine Faegre put forth the following names as an alternative:

Jim Monroe Lane

Paul Gilmer Jr. Lane

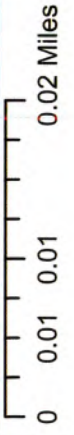
Ernie Lane

MGL Way or MGL Lane

Although there is a Monroe Street and Gilmer Street in Charleston, Metro 911 feels that Jim Monroe Lane and Paul Gilmer Jr. Lane are sufficiently different.

Naming Proposal of Alley Bullock Lane

Road Centerline



Resolution No. 584-22

Introduced in Streets and Traffic

Adopted by Streets and Traffic

Introduced by:

Mary Beth Hoover

Referred to:

n/a

Resolution No. 584-22 – Authorizing the Director of Parking Operations and the Director of Traffic Operations to add a mobility impaired parking space at/near 178 Summers Street by removing an existing “police parking only” space and repositioning two adjacent metered parking spaces. This will accommodate one 22 feet mobility impaired metered space and two 20 feet metered spaces.

Sec. 114-628. Parking spaces; erecting and relocating meters.

The director of traffic, in consultation with the director of parking, shall have authority, upon the approval of the planning/streets and traffic committee of city council, to designate all the streets where parking meters shall be permitted; and on all such streets or parts so designated or as shall be made available and designated for parking, the director of traffic, with the approval of the committee, may:

- (1) Cause parking spaces approximately 20 feet in length to be marked by lines on the curb or pavement or by other appropriate markings;
- (2) On the sidewalks adjacent to each such parking space, cause to be erected parking meters upon which the deposit of a coin will indicate the duration of the legal parking period and the time when such period has elapsed; and
- (3) Change the location of the parking space and meters on such streets where they are erected and located and cause such parking meters as located to be moved, transferred and erected on the sidewalks opposite from where such parking spaces are located.

(Code 1975, § 31-219.1; Bill No. 7815 , 5-6-2019)

Resolution No. _____ :

Introduced in Council:

February 7, 2022

Introduced by:

Deanna McKinney

Adopted by Council:

Referred to:

Planning, Streets, & Traffic

Resolution No. 593-22: Authorizing the Mayor or City Manager to enter into a Memorandum of Understanding with Charleston Main Streets, Inc., relating to the West Side Gateway Lighting Initiative, and authorizing the City to accept the final lighting improvements as City property pursuant to a capacity and maintenance plan.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized to enter into a Memorandum of Understanding with Charleston Main Streets, Inc., relating to the West Side Gateway Lighting Initiative, attached hereto as Exhibit A, and that the City is authorized to accept the final lighting improvements as City property pursuant to a capacity and maintenance plan.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLESTON AND
CHARLESTON MAIN STREETS REGARDING THE WEST SIDE GATEWAY LIGHTING INITIATIVE

This Memorandum of Understanding (“MOU”), effective on the ____ day of _____, 2022, is by and between the City of Charleston, West Virginia, a municipal corporation (hereinafter “City”) and Charleston Main Streets, Inc., a West Virginia nonprofit corporation (hereinafter “CMS”).

WHEREAS, the City is committed to upgrading and updating its infrastructure in a responsible manner as funds are available throughout the City of Charleston; and

WHEREAS, CMS is a nonprofit corporation committed to improving the Washington Street corridor from the West Virginia Capitol to Patrick Street; and

WHEREAS, the City and CMS recognize that enhanced lighting on the west side of Charleston along Washington Street between Pennsylvania Avenue and Ohio Avenue would be a benefit to the west side neighborhood, residents, and businesses, as well as to visitors and residents of the City of Charleston as a whole; and

WHEREAS, with the support of the City and other partners, CMS has created a white paper on the topic of this enhanced lighting project, which is attached hereto as Exhibit A to this MOU, and which provides an overview of the West Side Gateway Lighting Project (the “Project”); and,

WHEREAS, the City and CMS agree that implementation of the West Side Gateway Lighting Initiative is an important next step in the public investment along Washington Street West from Pennsylvania Avenue to Ohio Avenue; and

WHEREAS, the City and CMS are committed to working together on the Project and creating an ongoing maintenance plan.

NOW THEREFORE, the City and CMS hereby agree to the following:

1. The City and CMS will work cooperatively to complete the Project. The City and CMS owe a duty of good faith to each other and shall cooperate to the extent reasonably necessary to assist each other as outlined herein, provided that such cooperation shall not require the other party to incur unnecessary expense or liability.

2. CMS is raising funds to complete the Project, including by seeking private donations and grant funds. One funding source that CMS is seeking is a grant from the Appalachian Regional Commission (“ARC”), which will require a project administrator that is not CMS if the grant is awarded.

3. In support of the Project, CMS agrees to the following:

- CMS will provide, through fundraising or grants or otherwise, all funding necessary to complete the Project.
- CMS will serve as contract holder and fiscal agent for the project, including processing payments to all vendors.
- CMS will serve as project lead, including organizing all review of responses to any RFQ, RFP, or other bid related documents.
- CMS will await final written design approval from the City before any solicitations for construction services are released.
- CMS will not enter into a contract for construction services related to the Project without written approval as to the form of the contract for construction services from the City.
- CMS will collaborate with the City on a capacity and maintenance plan that includes the requirement that after the completion of the Project, the City will accept the lighting as City property and maintain the lighting moving forward.

4. In support of the Project, the City agrees to the following:

- The City will provide written support as a project partner to assist CMS in seeking funding or other support for the Project.
- The City will provide technical assistance with creating the necessary RFQ, RFP, or other bid related documents and putting the project out to bid.
- The City will provide technical assistance in reviewing any submitted solicitation responses.
- The City will provide technical assistance on the design of the Project.
- The City will provide labor necessary to remove the current City lampposts in advance of the installation of the new lighting.
- The City will serve as project administrator for the ARC grant, if awarded, to ensure federal procurement guidelines are followed, necessary environmental review is performed, and Davis Bacon wage requirements are complied with by the contractor awarded the project, including the review of

certified payroll.

- The City will collaborate with CMS on a capacity and maintenance plan that includes the requirement that after the completion of the Project, the City will accept the lighting as City property and maintain the lighting moving forward.

5. In the event of a dispute between the City and CMS regarding this MOU, the parties hereby agree that they will negotiate in good faith to reach an agreeable resolution. If the parties are unable to agree to a resolution, the parties specifically agree that they will submit to the jurisdiction of the Circuit Court of Kanawha County. All matters pertaining to this MOU (including its interpretation, application, validity, performance and breach) shall be governed by, construed and enforced in accordance with the laws of the State of West Virginia.

6. This MOU contains the entire agreement between the parties, and no oral statements or representations or prior written matter not contained in this MOU shall have any force and effect. This MOU shall not be modified in any way except by a writing executed by both parties. This MOU supersedes and revokes all previous negotiations, whether oral or in writing, between the parties or their respective representatives, agents, or any other person purporting to represent the City or CMS.

**THE CITY OF CHARLESTON,
a municipal corporation**

By _____

Its _____

Date _____

**CHARLESTON MAIN STREETS, INC.,
a West Virginia non-profit corporation.**

By _____

Its _____

Date _____

Municipal Planning Commission

Checklist for Application for Rezoning

MPC Hearing Date: 1/5/22

Bill #: 7939

Applicant Information	Property Information
Name: Contract Purchaser - Charleston Area Medical Center, Inc.	Address: 2922 Chesterfield Ave., Charleston, WV 25304
Address: 501 Morris St., Charleston, WV 25304	Tax Map and Parcel: Tax Map 19, Parcels 116
Phone: 304-388-4930	Zoning District: R-6
Agents Name, Address, Phone (If other than Applicant): Joyce F. Ofsa, Esquire Spilman Thomas & Battle, PLLC 300 Kanawha Boulevard, East Charleston, WV 25301	Property Owner and Mailing Address: (if other than applicant) Bonnie L. Holbrook 17 Cloverleaf Circle Charleston, WV 25306

IMPORTANT: This application must be typed or legibly printed and filed by the filing deadline with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a petition to rezone using the format in the sample provided; 2) a Bill sponsored by a member of Charleston City Council using the format of the sample provided; 3) a map of the area proposed for rezoning, drawn to scale; 4) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the rezoning is being sought; 5) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. In addition, you or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

PETITION

The following items shall be included in the petition which shall be filed in the format of the attached sample:

Section I

1. Statement of petitioner's identity as contract purchaser, agent or owner.
2. Property Address including Kanawha County Tax map and Parcel No.

Section II

1. Description of the use for which a rezoning is being requested and specific district being requested.

Section III

1. Applicable Sections of the Zoning Ordinance.
2. Statement of compliance with the City of Charleston Comprehensive and Neighborhood Plans.
3. If applicable, justification for a variance from the City of Charleston Comprehensive Plan and Neighborhood Plans.

Section IV

1. Statement of sponsorship of the Bill to Rezone by a member of City Council.
2. Statement of inclusion of a list of all property owners within 250 of the subject property.
3. Statement that the subject property is shown on a map of the subject property that is attached.
4. \$125.00 filing fee.

BILL

The following items shall be included in the Bill submitted along with the above petition:

1. Name of sponsoring member of City Council
2. Bill filed electronically with the Planning Department in the exact format shown on the attached sample Bill.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Jayce Ofsa
Signature

12/14/2021
Date



PUBLIC HEARING NOTICE

Public Hearing – Notice is hereby given that the City of Charleston’s Municipal Planning Commission will hold a public hearing:

DATE: January 5, 2022

TIME: 3:00 p.m.

PLACE: City Services Center, 915 Quarrier Street,
On the 1ST Floor of Municipal Parking Building

CASE DESCRIPTION

Rezoning

Bill No. 7933 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 R-6 district to a R-0 district, that certain lot or parcel of land located at 2922 Chesterfield Avenue in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia.

Public testimony for and against will be taken at the public hearing. Persons wishing to favor or object to the case described above may do so by personal appearance or representative at the hearing, or by written statement submitted to the Planning Department prior to the public hearing date listed above.

The file (including the application, plans and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1.

For more information, please call (304) 348-8105, email chad.webb@cityofcharleston.org, or visit the office. As a matter of general policy these proceedings will not be transcribed. Anyone wishing a legal transcript must provide a court reporter at their own expense.

Sincerely,

Chad Webb
City Planner

Bill No. 7939

Introduced in Council

Passed by Council

Jan 3, 2022

Introduced By

Referred To:

Bobby Reishman

**Municipal Planning Committee
Planning, Streets, and Traffic**

Bill No. 7939 - 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 R-6 district to a R-0 district, that certain lot or parcel of land located at 2922 Chesterfield Avenue in Kanawha City, in the City of Charleston, Kanawha County, State of West Virginia, purchased 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 R-6 district to a R-0 district the whole of the following described lot or parcel 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 Tax District, in the City of Charleston, Kanawha County, West Virginia, and described as all that certain real estate located in Kanawha City District, Kanawha County, West Virginia, located on Chesterfield Avenue and more particularly described as Lot No. 22, on the northerly side of Chesterfield Avenue as shown upon a map of the property of Beverly Hills Land Company made by David C. James, Civil Engineer, dated June 23, of record in the office of the Clerk of the County Commission of Kanawha County, West Virginia, in Map Book 4, at page 131, and more commonly known as 2922 Chesterfield Avenue, Charleston, WV 25304.

Being Tax Parcel 116 as shown on Kanawha City Tax Map No. 19. Said tax map is of record in, and used as zoning map sectionals by, the City Planning Office.

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

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

PETITION TO REZONE FROM R-6 TO R-0
2922 CHESTERFIELD AVENUE, CHARLESTON, WEST VIRGINIA

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

I.

Petitioner is under contract to purchase from Bonnie Holbrook that certain property situate at 2922 Chesterfield Avenue in Kanawha City which is the subject of this rezoning request. Petitioner wishes to have the subject property rezoned from R-6 to R-0. The subject property is a parcel of land described as follows: All of Tax Parcel No. 116 as shown on Kanawha City Tax Map No. 19. The above-mentioned tax map is of record in the Charleston Planning Department. The property owner is agreeable to this petition for the rezoning of the subject property.

II.

Petitioner requests to have the subject property rezoned from R-6 to R-O in order that the Petitioner can construct and develop a surface parking lot to be used primarily to provide parking for the patients and staff of Petitioner's adjacent CAMC Gastroenterology Office Building. The parking lot will be constructed upon the subject lot and two other adjacent lots owned by Petitioner that are zoned R-O (Tax Parcels 114 and 115).

III.

The subject property is being purchased for use in the construction and development of a surface parking lot which will be needed for the expansion of the CAMC Gastroenterology Office Building. The adjacent properties to the west and east of the subject property are zoned R-O, Residential Office District under Article 9 of the Zoning Ordinance. Therefore, Petitioner requests that the subject land located at 2922 Chesterfield Avenue that is zoned R-6 be rezoned to R-O. The proposed rezoning will permit the Petitioner to use the property in a manner that compliments and more effectively serves the parking needs of the CAMC Gastroenterology Office Building, 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 that are zoned R-0.

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 site plan, and being all of Kanawha City Tax Map 19, Tax Parcels 116.

The filing fee of \$125 is attached.

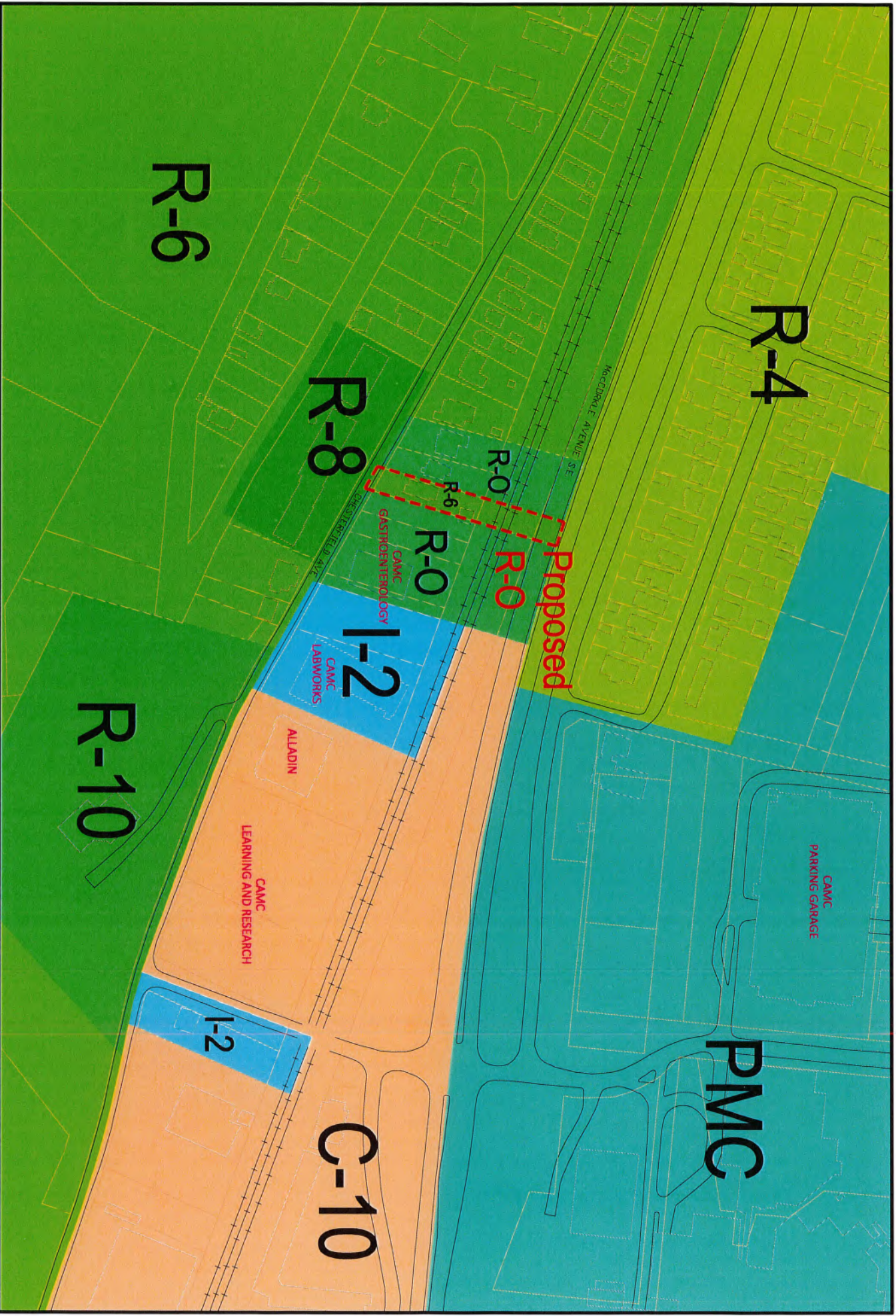
Attached hereto is an Application for Rezoning with the site plan and a Bill to accomplish the requested rezoning, as well as an electronic filing of the Bill in Word format.

Respectfully submitted this 14th day of December, 2021.

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



REZONING FROM R-6 TO R-0

1 **Bill No. 7940**

2 Passed by Council:

3 Introduced in Council

4 **December 20, 2021**

5 Introduced by:

Referred to

6 **Larry Moore**

Planning, Streets and Traffic

7
8
9 **Bill No. 7940** - A Bill to establish a handicapped parking zone on northerly side of 1st
10 Avenue from a point 136 feet west of Florida Street to a point 180 feet west of Florida
11 Street and amending the Traffic Control Map and Traffic Control File, established by the
12 code of the City of Charleston, West Virginia, two thousand and three, as amended,
13 Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to conform therewith.

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

15 Section 1. Handicapped parking zone on northerly side of 1st Avenue from a point 136
16 feet west of Florida Street to a point 180 feet west of Florida Street

17 Section 2. The Traffic Control Map and Traffic Control File, established by the code
18 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
19 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and

20 hereby are amended, to conform to this Ordinance.

21
22 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
23 repealed to the extent of said inconsistency.

