



Planning, Streets and Traffic Committee

Monday, July 25, 2022, at 5:00 p.m.

City Service Center – 915 Quarrier Street – Conference Room

AGENDA

- 1. Call to Order**
- 2. Unfinished Business**
- 3. New Business**

Text Amendment: Bill No. 7962 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding two conditional use districts for "Personal Service Establishment", a notation of a supplemental regulation to the entry "Dwelling, Accessory" in the Land Use Table of Section 3-050, and a notation of Supplemental Regulation 31 pertaining to the entry "Livestock or Poultry, Keeping of (Non-Commercial)" in the Land Use Table of Section 3-050.

Lowering the speed limit on Chappell Road to 25 mph

- 4. Discussion**

Presentation on Concept Plan for the City Center BID

- 5. Approval of the Minutes of the June 27, 2022, meeting**
- 6. Adjournment**

Bill No. 7962

Introduced in Council:

July 5, 2022

Introduced by:

Mary Beth Hoover

Adopted by Council:

Referred to:

Planning, Streets and Traffic

Municipal Planning Commission

Bill No. 7962 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding a notation to Supplemental Regulation 31 pertaining to the entry "Livestock or Poultry, Keeping of (Non-Commercial)" in the Supplemental Regulations Pertaining to Land Use Table contained of Section 3-060, two conditional use districts for "Personal Service Establishment" in the Land Use Table of Section 3-050, and a notation of a supplemental regulation to the entry "Dwelling, Accessory" in the Land Use Table of Section 3-050.

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

The Zoning Ordinance for the City of Charleston, West Virginia, effective January 1, 2006, is hereby amended as follows:

1) In Article 3, Establishment of Zoning Districts and Map:

Sec. 3-060 Supplemental Regulations Pertaining to Land Use Table

31. **Livestock or poultry**, keeping of (non-commercial) shall comply with the following (except in such instances that comply with supplemental regulation 51 as it relates to Urban Agriculture and the keeping of 6 or less hens):

a. A minimum site of one acre shall be required.

b. Use shall not constitute a nuisance due to noise or odor.

2) In Article 3, Establishment of Zoning Districts and Map:

Sec. 3-050 Permitted Land Uses

Land Use	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUD	Supp.
Personal Services Establishment					<u>C</u>	<u>C</u>	P	P	P	P	P	P	P					

3) In Article 3, Establishment of Zoning Districts and Map:

Sec. 3-050 Permitted Land Uses

Land Use	R-2	R-4	R-6	R-8	R-10	R-O	C-4	C-8	C-10	C-12	CBD	UCD	CVD	PMC	I-2	I-4	PUD	Supp.
Dwelling, Accessory	P	P	P	P	P	P												<u>54</u>



Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, July 6, 2022
3:00 P.M.

Members Present

Aric Margolis, Chair
Mary Beth Hoover
Terry Pickett
Quintie Smith
Adam Krason
JoEllen Zachs (via phone)
Alice Hypes
Shannon Ferrari
Shawn Taylor
Justin Marlow
Lisa Fischer-Casto
J.D. Stricklen, Kanawha County Representative

Members Absent

Margo Teeter
Cory Stout
Terri Allen, Mayor's Designee
Deanna McKinney

Staff Present

Dan Vriendt
Chad Webb

- 1. Call to Order – Aric Margolis**
- 2. Unfinished Business**
- 3. New Business**

Text Amendment: Bill No. 7962 – A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, adopted January 1, 2006, as amended, by adding two conditional use districts for “Personal Service Establishment”, a notation of a supplemental regulation to the entry “Dwelling Accessory” in the Land Use Table of Section 3-050, and a notation of Supplemental Regulation 31 pertaining to the entry “Livestock or Poultry, Keeping of (Non-Commercial)” in the Land Use Table of Section 3-050.

Chad Webb presented the following standard of review, staff analysis and recommendations to the Commission:

STANDARD OF REVIEW:

The amendment is a change to the zoning ordinance, which requires a legislative decision. The Commission is charged with conducting a public hearing and making a recommendation to Planning Committee with final action being at City Council. The Commission should determine if the text amendment is consistent with the goals and objectives of the Comprehensive Plan.

HISTORY:

Before you today are three minor text amendments to provide clarification on several issues:

1. The issue of keeping hens in residential districts within the city – Adding additional language to prevent a conflict between Supp. Regulation 51 (f) and Supp. Regulation 31 on the other. The former does not include a reference to the latter being a permitted use by right in all residential districts.
2. Correcting an error that omitted conditional uses for “Personal Services Establishment” in R-10 and R-O districts.
3. Correcting an error that omitted a reference to the related Supp. Regulation 54 for the land use category “Dwelling, Accessory”

ANALYSIS:

As to the first issue, Supp. Regulation 31 relates to a conditional use of the R-2, R-4, and R-6 districts while Supp. Regulation 51 relates to a permitted use of those same districts that grants the owner of that property a right to use that land as described for perpetuity. Therefore, Supp. Regulation 51 would seem to create an exception that should be noted in Supp. Regulation 31 allowing for the six hens or less permitted.

As to the second and third items, they are just clerical revisions of the land use table and require no new policy be enacted.

RECOMMENDATION AND FINDINGS:

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

1. The right granted in Supp. Regulation 51 should be preserved and the proposed clarifying addition to Supp. Regulation 31 does this while informing the reader that there is no conflict between the two regs.
2. Items 2 and 3 should be approved as they are mere clerical corrections.

Motion and Vote: On the motion of Adam Krason, seconded by Lisa Fischer-Casto, the Commission voted unanimously 11-0 to approve Text Amendment to Bill No. 7962.

Development of Significant Impact: Considering an application from Marriott for a DSI at Northgate Hotel Circle.

Chad Webb presented the following standard of review, staff analysis and recommendations to the Commission:

LOCATION: The parcel in the Northgate Development that is surrounded by Hotel Circle, Kenton Street, and the Sonesta ES Suites of Charleston.

ZONING: C-10 – General Commercial District

APPLICABLE CODE: City of Charleston Zoning Ordinance, Effective January 1, 2006, as amended.

DEVELOPMENT OF SIGNIFICANT IMPACT AND MAJOR DEVELOPMENT OF SIGNIFICANT IMPACT.

Any proposed development whose characteristics warrant a more in-depth review by the Planning Commission in order to mitigate the negative impact these characteristics may have on surrounding land uses in particular and on the surrounding neighborhood in general. Such projects could include, among other things, regional shopping centers, airports and large-scale residential developments. Any proposed residential or non-residential development which meets or exceeds any of the following criteria shall be determined to be a Development of Significant Impact and will require a complete development plan to be submitted and reviewed by planning staff and the Planning Commission:

Land Use Category	D.S.I	Major D.S.I
Hotel	40,000 square feet of gross floor area	100,000 or more square feet of gross floor area

HISTORY: Developing a 4-story Hotel with 127 Guest Rooms and 134 Parking Places. Site is being developed in the Hotel Circle area of the Northgate Business Park.

SITE PLAN SUMMARY:

The property is zoned C-10 – General Commercial District. The proposal will construct a new structure on the lot directly west of the former Residence Inn (now Sonesta ES) hotel.

The responsibility of the Municipal Planning Commission is to consider the impact of the proposed project and review the site plan to determine that the plan meet the requirements of the Zoning Ordinance and are in general compliance with the Comprehensive Plan. If the commission is satisfied that the applicant has satisfied the requirements of the Zoning Ordinance relating to DSI projects and that the project complies with the Comprehensive Plan the application should be approved. Action is final at MPC.

DEPARTMENTAL REVIEWS:

City Engineer: Approved
Traffic Engineer: Pending
Sanitary Board: Pending
Fire Department: Pending

RECOMMENDATION AND FINDINGS:

Staff recommends approval for the following reasons:

1. The Plan is in compliance with provisions of the Zoning Ordinance.
2. City infrastructure is projected to be able to support the development, pending approval.
3. The project is in compliance with the Comprehensive Plan of the City.

Motion and Vote: On the motion of Adam Krason, seconded by Quintie Smith, the Commission voted unanimously 11-0 to approve the DSI.

4. Approval of Minutes of the April 6, 2022, MPC meeting

Motion and Vote: On the motion of Adam Krason, seconded Quintie Smith, the Commission unanimously approved the minutes of the April 6, 2022 meeting.

5. Announcements

There was discussion concerning 280 Oakwood Road. Dan mentioned that the individual involved is in the process of filing for a rezoning to R-O. It should come before the Commission at the next meeting.

6. Adjournment