



Planning, Streets and Traffic Committee
Monday, October 23, 2023, at 5:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

AGENDA

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

Bill No. 8016 - A Bill to create a NO PARKING ANYTIME zone on the northerly side of Franklin Ave on the paved area of the public right-of-way northwest of the sidewalk consisting of the approximately triangular area between a point 160 feet north of Quarrier to a point 195 feet north of Quarrier, which is also 680 feet west of Greenbrier Street, then continuing to a point 645 feet west of Greenbrier Street and returning to the original point 160 feet north of Quarrier 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.

Bill No. 8017 - A Bill to establish an ALL-WAY STOP at the intersection of Virginia Avenue S.E. and 40th Street S.E. by placing a stop sign on the right-hand side of each access to the intersection 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.

Request to remove parking meters in front of the IUOE Local 132 building in the 600 block of Tennessee Avenue

Request to remove one parking meter in front of House of Hounds located in the 1100 block of Lee Street

- 4. Discussion**
- 5. Approval of the Minutes of the September 25, 2023, meeting**
- 6. Adjournment**

1 **Bill No. 8016**

2 Passed by Council:

3 Introduced in Council

4 **October 16, 2023**

5 Introduced by:

Referred to:

6 **Chelsea Steelhammer**

Planning, Streets and Traffic

7
8 **Bill No. 8016** - A Bill to create a NO PARKING ANYTIME zone on the northerly side of
9 Franklin Ave on the paved area of the public right-of-way northwest of the sidewalk
10 consisting of the approximately triangular area between a point 160 feet north of
11 Quarrier to a point 195 feet north of Quarrier, which is also 680 feet west of Greenbrier
12 Street, then continuing to a point 645 feet west of Greenbrier Street and returning to the
13 original point 160 feet north of Quarrier and amending the Traffic Control Map and
14 Traffic Control File, established by the code of the City of Charleston, West Virginia, two
15 thousand and three, as amended, Traffic Laws, Section 263, Division 2, Article 4,
16 Chapter 114, to conform therewith.

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

18 Section 1. A Bill to create a NO PARKING ANYTIME zone on the northerly side of
19 Franklin Ave on the paved area of the public right-of-way northwest of the sidewalk
20 consisting of the approximately triangular area between a point 160 feet north of
21 Quarrier to a point 195 feet north of Quarrier, which is also 680 feet west of Greenbrier
22 Street, then continuing to a point 645 feet west of Greenbrier Street and returning to the
23 original point 160 feet north of Quarrier.

24 Section 2. The Traffic Control Map and Traffic Control File, established by the code
25 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
26 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are
27 amended, to conform to this Ordinance.

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

1 **Bill No. 8017**

2 Passed by Council:

3 Introduced in Council

4 **October 16, 2023**

5 Introduced by:

Referred to:

6 **Bruce King, Chad Robinson**

Streets and Traffic

7 **And Joe Solomon**

8
9 **Bill No. 8017** - A Bill to establish an ALL-WAY STOP at the intersection of Virginia
10 Avenue S.E. and 40th Street S.E. by placing a stop sign on the right-hand side of each
11 access to the intersection and amending the Traffic Control Map and Traffic Control
12 File, established by the code of the City of Charleston, West Virginia, two thousand and
13 three, as amended, Traffic Laws, Section 263, Division 2, Article 4, Chapter 114, to
14 conform therewith.

15
16 **Be it Ordained by the Council of the City of Charleston, West Virginia:**

17 Section 1. Establish an ALL-WAY STOP at the intersection of Virginia Avenue S.E. and
18 40th Street S.E. by placing a stop sign on the right-hand side of each access to the
19 intersection.

20 Section 2. The Traffic Control Map and Traffic Control File, established by the code
21 of the City of Charleston, West Virginia, two thousand and three, as amended, Traffic
22 Laws, Section 263, Division 2, Article 4, Chapter 114, shall be and hereby are
23 amended, to conform to this Ordinance.

24
25 Section 3. All prior Ordinances, inconsistent with this Ordinance are hereby
26 repealed to the extent of said inconsistency.

From: Dan Lattanzi <lattanzi114@gmail.com>

Sent: Thursday, July 27, 2023 10:45 AM

To: Allen, Terri <terri.allen@cityofcharleston.org>; TP&T <TP&T@cityofcharleston.org>

Cc: dlattanzi@iuoe132.org

Subject: Request for Review of Parking Meters on Tennessee Ave

Hello Ms. Allen, my name is Dan Lattanzi and I am counsel for the International Union of Operating Engineers Local 132 located at 606 Tennessee Ave in Charleston, WV.

The union purchased the property located at 608 Tennessee Ave last year. We are now in the process of having the building at 608 Tennessee Ave demolished. Once the building is completely razed, we intend to turn 608 Tennessee Ave into a parking lot with no plans to build any new structure on the lot.

We are interested in having the four parking meters in front of 608 and 606 Tennessee Ave removed as part of this project. We are happy to meet with you or anyone from the city to discuss our plan for the properties.

Please let me know if I can provide you with any additional information or documentation related to the properties. I'm also happy to discuss this in more detail over the phone.

I look forward to hearing from you.

Thanks,
Dan

Dan Lattanzi
Counsel
IUOE Local 132
606 Tennessee Ave
Charleston, WV 25302
(304) 941-9222
dlattanzi@iuoe132.org

From: Allen, Terri
Sent: Monday, October 2, 2023 4:26 PM
To: Mary Beth Hoover <marybeth_hoover@yahoo.com>
Cc: Hartline, Matt <matt.hartline@cityofcharleston.org>
Subject: 1109 Lee Street

Councilwoman Hoover,

Please find attached a request for changes at the House of Hounds property located in the 1100 block of Lee Street. My understanding is that they plan to remove the deck in front of the Bark and make it employee parking.

To accomplish what they want to do, we will have to permanently remove one street parking meter at 1109-1111 Lee Street. I believe approval to remove the meter will require a vote of the committee. Would you like to add this item to the next agenda for a discussion and vote?

Terri Allen, Director
City of Charleston – Parking System
612 Washington Street, East
Charleston, WV 25301
Office: (304) 348-0739

City of Charleston
Planning Department
Zoning Permit

Applicant Information	Property Information
Applicant Name and Address: HOUSE OF HOUNDS 1111 LEE ST E CHARLESTON, WV 25301 Applicant Phone: (304) 421-4364 <i>Brannon</i>	Owner Name and Address: HOUSE OF HOUNDS 1111 LEE ST E CHARLESTON WV 25301 Owner Phone: (304) 421-4364
Flood Zone: Regs Apply	Property Address 1109 QUARRIER ST
No. Required Off-Street Parking Spaces	Parcel ID: 014.0087.0000.11
Required Minimum Setbacks Front: Left Side: Right Side: Rear:	Zoning District: C-10
Permit Number: zon-23-7960	Zoning Overlay District: <i>\$3,000</i>

Detailed Description of Project:

remove front deck to creat parking space, pending approval of building department, parking , city engineering and traffic engineering

Conditions:

remove front deck to creat parking space, pending approval of building department, parking , city engineering and traffic engineering

By signing this application, the owner of the building and the undersigned acknowledge and understand that any permit granted by the City does not modify, limit, or impact any restriction contained in a deed, homeowner's association, or other contractual document; and the owner of the building and the undersigned hereby acknowledge that they are fully responsible for reviewing all relevant deeds, homeowner's association documents, and other contractual documents that may impact the authority to complete the work contemplated by the permit application.

The undersigned applicant agrees to all above mentioned information and is required to comply by all conditions set forth on this application. If said applicant fails to comply, this permit shall be revoked and a monetary penalty will be issued by the Planning Department.

[Signature]
 Applicant Signature
[Signature]
 Zoning Official Signature and Title

8-30-23
 Date
8-30-23
 Date

IMPORTANT: The granting of approval of this zoning permit shall not be construed to be approval of any violations of the standards or provisions of the Zoning Ordinance of the City of Charleston. The issuance of a Building Permit, based upon an approved site plan, shall not prevent the Planning Director from thereafter requiring correction or modification of said site plan or preventing operation from being carried on there under when in violation of said Ordinance

Enter Title here



8/30/2023, 10:53:59 AM

Site Addresses - Current



Wards

CBD



Historic Districts - View Only

Zoning Districts

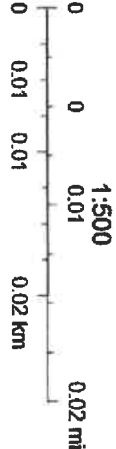
Interstate Exits (Numbers)



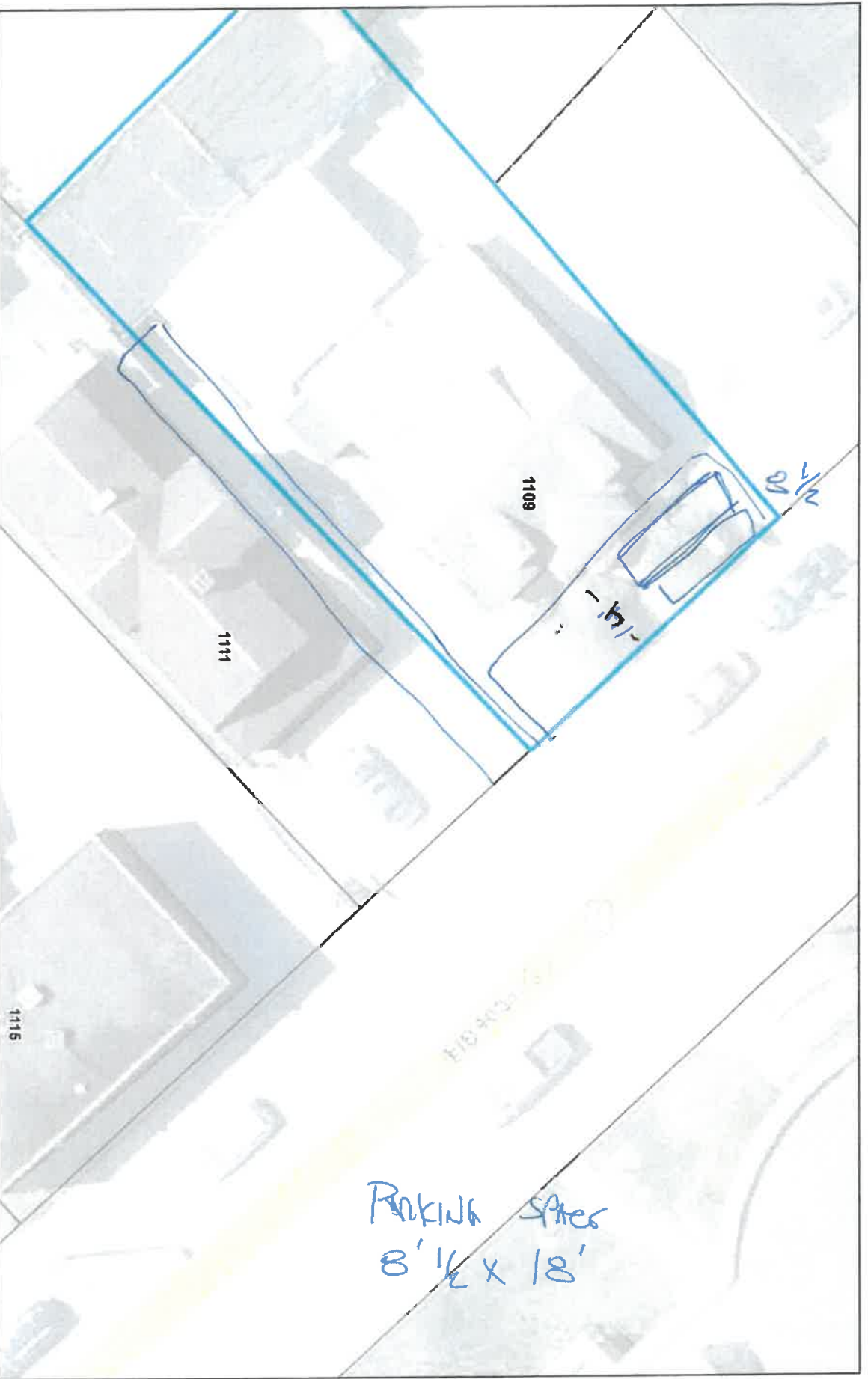
Parcels

C-10

GIS Department, City of Charleston, West Virginia, Estl., Inc.



Enter Title here



8/30/2023, 10:39:41 AM

Site Addresses - Current



Wards



Parcels



Interstate Exits (Numbers)



GIS Department, Adam Cortell, GIS Manager - GIS Department, Charleston, WV, City of Charleston, West Virginia, Esri, Inc.

Author
For Internal Use



Planning, Streets and Traffic Committee
Thursday, September 25, 2023 at 5:00 p.m.
City Service Center – 915 Quarrier Street – Conference Room

Members Present

Mary Beth Hoover, Chair
Jennifer Pharr, Vice Chairperson
Kathy Rubio
Bobby Haas
Becky Ceperley, via phone
John Gianola, via phone
Pam Burka

Staff Present

Dan Vriendt
Terri Allen
Matt Hartline
Brent Webster
Sgt. Oldham

Others Present

Perry Bryant – Bike Lane Discussion
Ryan Hough – Bike Lane Discussion

1. Call to Order

2. Unfinished Business

3. New Business

Discussion on Bike Lanes – Mary Beth asked the Committee to move this discussion to the beginning of the meeting.

Perry Bryant, a resident of the City of Charleston, introduced Ryan Hough. Mr. Hough attended the meeting to go over the community's proposal on bike lanes. Ryan has 10 years of experience in traffic engineering. He has a bachelor's degree from WVU and Civil Engineering and is doing graduate work on urban planning with the University of Florida. He is a certified engineer both in Pennsylvania and West Virginia.

Mr. Hough introduced himself to the PS&T Committee. He is a resident of Charleston and loves the city and wants to remain in Charleston. Mr. Hough presented his plan to the PS&T Committee.

Bill No. 8005 - 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 a R-6 district to a C-8 district, the parcel of land is identified as 2417 Hampshire Drive, North Charleston District, Tax Map 16, Parcel 47 in the City of Charleston, Kanawha County, State of West Virginia.

Dan addressed the committee concerning Bill No. 8005. The effected area is located in Councilman's Bobby Haas' ward. He has spoken with the neighbors and the son of the property owner, and he approves this request.

The subject area has pockets of residential properties and pockets of commercial properties. The owner would like to move his auto repair shop to this location from St. Albans. The Municipal Planning Commission recommend the request by a vote of 8-2 in favor of approving the request. In spite of it being a narrow road, it is a low traffic generating area.

APPLICABLE CODE: Charleston Zoning Ordinance, adopted January 1, 2006, Article 29.

STANDARD OF REVIEW: A rezoning is a change to the zoning map, which requires a legislative decision. Therefore, the Committee's role is to make a recommendation to City Council for final action. The Committee should determine if the request is spot zoning and if it is consistent with the Comprehensive Plan. A rezoning is considered spot zoning when all the following factors are present: A small parcel of land is singled out for special and privileged treatment; The singling out is not in the public interest but only for the benefit of the landowner; the action is not in accordance with the comprehensive plan. If a request is inconsistent with the comprehensive plan, the commission should consider if the original zoning classification was in error, or if the character of the area has changed significantly since the adoption of the comprehensive plan. Proposed uses should be treated with care, because once rezoned, any use that is permitted within the district would be permitted 'by right' with no review by the Committee.

HISTORY:

The parcel in question is currently zoned R-6. The petitioner seeks to construct a garage for a proposed auto repair shop on the property.

ANALYSIS:

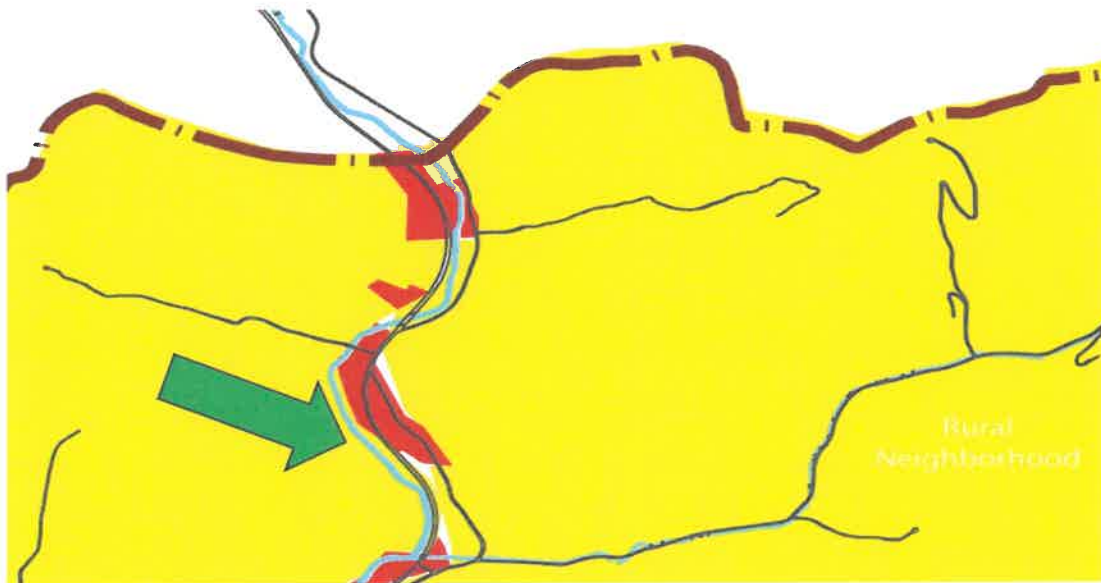
Existing Land Use and Zoning: The parcel in question is currently zoned R-8 and currently consists of an empty residential lot.

Surrounding Land Use and Zoning: The parcel currently resides in a Rural Neighborhood – as defined by the future land use plan – with pockets of Traditional Neighborhood around the main thoroughfare through the area.

Current Zoning: The current R-6 zoning allows for limited multi-family structures, single family homes, and some limited educational uses.

Proposed Zoning: The proposed C-8 zoning allows for "a village concept" that seeks to provide "a mix of residential uses adjacent to and/or above commercial uses to increase the intensity of the activity in the area." Looking at the increase in commercial uses to both the north and the south of the parcel in question, a C-8 zoning would conform to the proposed use of the land and wouldn't breach the prohibition against spot zoning by further solidifying the area's use as a village commercial corridor.

Compliance with the Comprehensive Plan: The comprehensive plan's future land use map designates this property as being part of a Rural Neighborhood. The intent in these areas is to maintain the rural character of the area while having more "flexible" standards than what's typically imposed in commercial areas and traditional neighborhoods. This expansion of the developing commercial area within a rural residential one conforms with this less restrictive intent.



Summary: Petitioner seeks to add further commercial activity to the village corridor region amongst rural neighborhoods. Such a change complies with the future land use map and the stated purpose of the proposed commercial zoning.

RECOMMENDATION AND FINDINGS:

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

1. The rezoning is a minor expansion of an existing commercial node; therefore, the request is not a spot rezoning.
2. The rezoning is consistent with the future land use map which designates the area as a rural neighborhood with relaxed development standards, therefore the request is consistent with the Comprehensive Plan; and
3. The rezoning will allow a reasonable use of land without an adverse impact on the area.

MOTION AND VOTE: A motion was made by Bobby Haas to adopt Bill No. 8005. The motion was seconded by Kathy Rubio and passed unanimously by a vote of 7-0.

Bill No. 8006 - 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 zoning the previously unzoned parcel to a R-4 district, that parcel of land

identified as 2155 Presidential Dr, which is located at Loudon District 19, Tax Map 04, Parcel 181.7 in the City of Charleston, Kanawha County, State of West Virginia.

Dan presented the request for Bill No. 8006 to the committee.

APPLICABLE CODE: Charleston Zoning Ordinance, adopted January 1, 2006, Article 29.

STANDARD OF REVIEW: A rezoning is a change to the zoning map, which requires a legislative decision. Therefore, the Committee's role is to make a recommendation to City Council for final action. The Committee should determine if the request is spot zoning and if it is consistent with the Comprehensive Plan. A rezoning is considered spot zoning when all the following factors are present: A small parcel of land is singled out for special and privileged treatment; The singling out is not in the public interest but only for the benefit of the landowner; the action is not in accordance with the comprehensive plan. If a request is inconsistent with the comprehensive plan, the commission should consider if the original zoning classification was in error, or if the character of the area has changed significantly since the adoption of the comprehensive plan. Proposed uses should be treated with care, because once rezoned, any use that is permitted within the district would be permitted 'by right' with no review by the Committee.

HISTORY:

The parcel in question was previously unincorporated and is now in the process of annexation. Therefore, it does not have a previous zoning designation.

ANALYSIS:

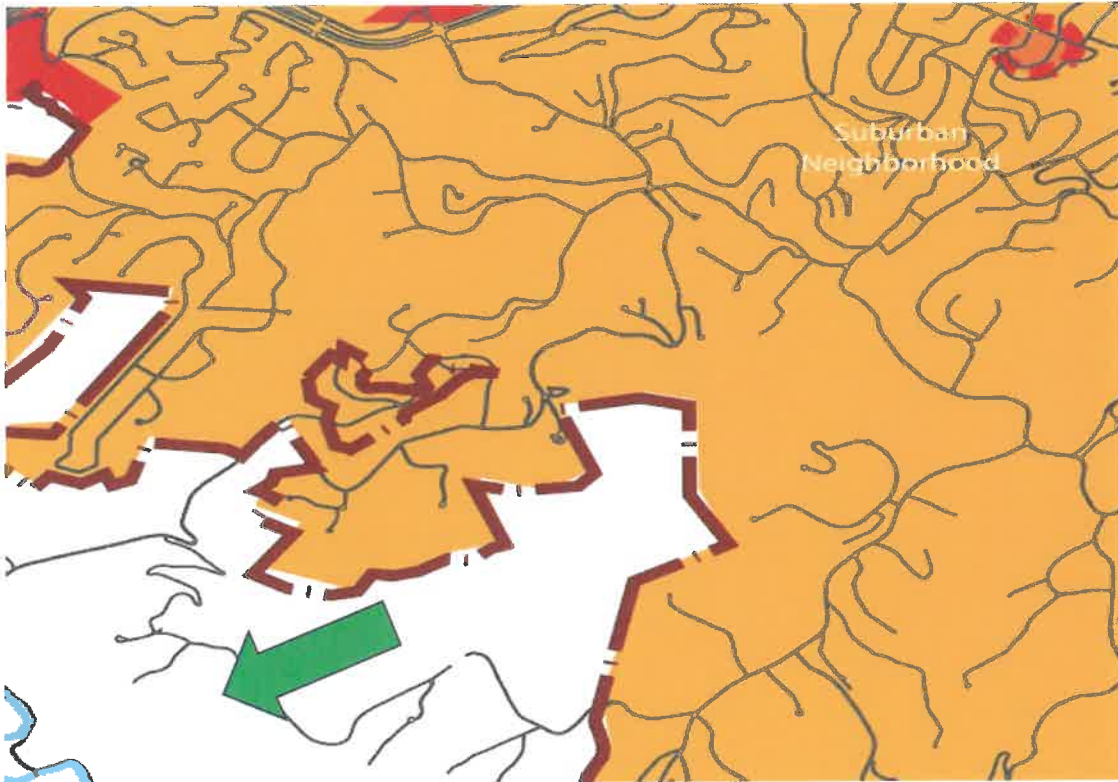
Existing Land Use and Zoning: The parcel in question is currently unzoned and consists of a single-family home.

Surrounding Land Use and Zoning: The parcel is currently a single-family home, and the proposed zoning is R-4, which would make it the same as the surrounding single-family residences.

Current Zoning: As it has just been annexed, the parcel has no current zoning.

Proposed Zoning: The proposed R-4 zoning allows for the continued focus on single-family homes and the desirability of the surrounding neighborhood.

Compliance with the Comprehensive Plan: The comprehensive plan's future land use map designates this property as being part of a Suburban Neighborhood. The intent in these areas is to preserve a predominantly contemporary single-family area with less focus on walkability and more focus on larger, non-square lots. The current residence at 2155 Presidential fully conforms with the surrounding character of the neighborhood and the intent of the Suburban Neighborhood land use.



Summary: Petitioner seeks to add this now annexed parcel into the zoning map by zoning it R-4. Such a zoning fully complies with the purpose of the zoning designation and the parcels place in the future land use map.

RECOMMENDATION AND FINDINGS:

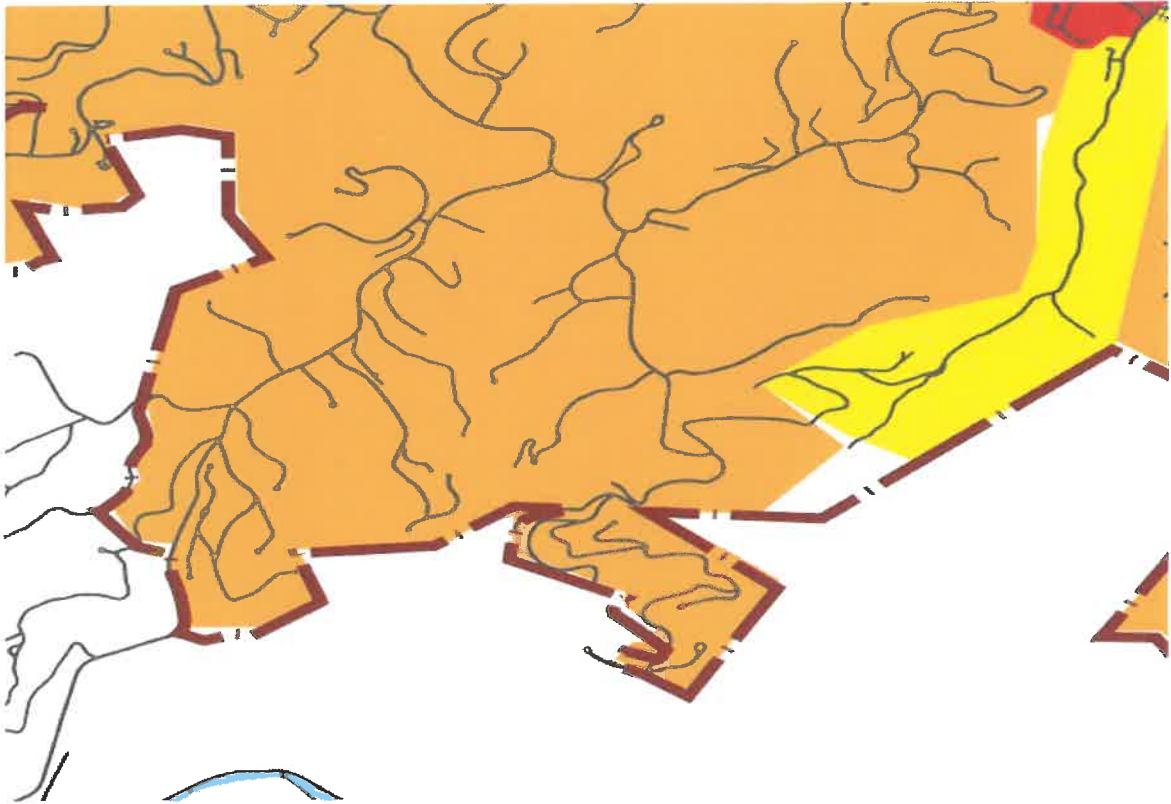
Staff recommends **approval** for the following reasons:

1. The zoning is consistent with the future land use map in that it complies with the area's designation as a suburban neighborhood with a focus on single family homes and a more modern suburban character,
2. The proposed designation is the same as rest of the neighborhood which allows the parcel to be cohesively incorporated into the existing zoning map, and
3. The rezoning avoids spot rezoning since it's a minor expansion of an existing zoning district.

MOTION AND VOTE: A motion was made by Jennifer Pharr to adopt Bill No. 8006. The motion was seconded by Pam Burka and passed unanimously by a vote of 7-0.

Bill No. 8011 - 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 zoning the previously unzoned parcels to a R-2 district, those parcels of land located at Loudon District 19, Tax Map 08, Parcels 90.15 through 90.20 in the City of Charleston, Kanawha County, State of West Virginia.

Dan presented this request to the committee. It was similar to Bill No. 8006.



Summary: Petitioner seeks to add these now annexed parcels into the zoning map by zoning it R-2. Such a zoning fully complies with the purpose of the zoning designation and the parcels place in the future land use map.

RECOMMENDATION AND FINDINGS:

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

1. The zoning is consistent with the future land use map in that it complies with the area's designation as a suburban neighborhood with a focus on single family homes and a more modern suburban character,
2. The proposed designation is the same as rest of the neighborhood which allows the parcels to be cohesively incorporated into the existing zoning map, and
3. The rezoning avoids spot rezoning since it's a minor expansion of an existing zoning district.

MOTION AND VOTE: A motion was made by Jennifer Pharr to adopt Bill No. 8011. The motion was seconded by Kathy Rubio and passed unanimously by a vote of 7-0.

Bill No. 8009 – A bill to amend the Zoning Ordinance of the City of Charleston, as amended, by updating section 3-070 relating to temporary construction fencing.

Dan presented the request for Bill No. 8009 to the committee. The bill is supported by Mary Beth Hoover. Currently, the city's Zoning Ordinance does not limit temporary fences. The bill provides for an amendment to limit temporary construction fences to 90 days along with other rules.

APPLICABLE CODE:

Charleston Zoning Ordinance, adopted November 21, 2005, Article 3, Sec. 3-070.

STANDARD OF REVIEW:

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

HISTORY:

The text amendment proposes limiting temporary construction fencing to 90 days.

“In any zoning district, temporary construction fencing may be authorized to enclose an active construction site if necessary to protect materials and equipment, to prevent unauthorized entry to the site, or to mitigate a threat to public safety. The fence shall be removed when construction activity has been completed or discontinued or the hazard has been resolved. Maximum duration: 90 days or as otherwise required by the Planning Director.”

ANALYSIS:

At the request of Council Members Chad Robinson and Mary Beth Hoover, staff was asked to draft an amendment that would limit construction fencing to a limited time frame.

The proposed change would allow for full temporary fencing around construction sites for the purpose of securing equipment left on site or for mitigating a threat to public safety. Such an accommodation would be in the best interest of both the city and the citizens involved in such construction jobs because it still limits temporary fencing from being left up permanently and provides the level of security necessary.

RECOMMENDATION AND FINDINGS:

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

1. The amendment provides aesthetics controls by limiting the application of temporary fencing.
2. The amendment allows for a reasonable application of temporary fencing; and
3. The amendment affords flexibility at the discretion of the Planning Director.

MOTION AND VOTE: A motion was made by Jennifer Pharr to adopt Bill No. 8009. The motion was seconded by Kathy Rubio and passed unanimously by a vote of 7-0.

Bill No. 8012 - A Bill to repeal Ordinance 7393 passed by Council 7/6/2009 creating a 15 Minute Parking Tow Away Zone on the westerly side of Buchanan Street from a point 98 feet south of Cresent Road to a point 120 feet south of Cresent Road 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.

Matt Hartline presented the bill to the Committee. Councilman Ferrell was approached by the owner of this property. It was formerly a hair salon. There is one space for 15-minute parking in front of the building. The owner wants to turn the former salon into an Airbnb. She wants the space removed so that it can be used for long term parking.

MOTION AND VOTE: A motion was made by Jennifer Pharr to adopt Bill No. 8012. The motion was seconded by Bobby Haas and passed unanimously by a vote of 7-0.

4. **Additional Discussion:** Becky Ceperley brought up questions concerning the bike trail discussion. She asked if the Bike Trail would remain on the agenda. Mary Beth told her it would. Beckly also asked about the sidewalk repairs. Mary Beth said she had nothing to report on it at this time.

Beth Kerns requested speed signs for specific streets in her ward.

Beth Kerns informed Mary Beth she sent her an email today about a parking situation occurring at Oakmont & Birch.

5. **Approval of the Minutes of the August 28, 2023, meeting**

MOTION AND VOTE: A motion was made by Jennifer Pharr to adopt the minutes of the August 28, 2023 meeting. The motion was seconded by Kathy Rubio and passed unanimously by a vote of 7-0.

6. **Adjournment**

MOTION AND VOTE: A motion was made by Jennifer Pharr to adjourn the meeting. The motion was seconded and passed unanimously by a vote of 7-0.