

FAIRMONT PLANNING COMMISSION

A Special Session of the Fairmont Planning Commission was held on April 5, 2016 at 7:00 p.m. at the Public Safety Building located at 500 Quincy Street.

Vice President Jamie Greene called the meeting to order at 7:00 p.m. and asked for a roll call of members.

ROLL CALL OF MEMBERS

MEMBERS PRESENT

Commissioner Weber
Commissioner Richardson
Commissioner Parker
Commissioner Pitman
Commissioner Majic
Commissioner Miller
Commissioner Greene

MEMBERS ABSENT

President Bill Oliver
Commissioner Straight

Vice President Greene asked for a motion to excuse **Commissioner Ron Straight**, our mayor, due to the death of his family.

Commissioner Weber motioned to excuse **Mayor/Commissioner Ron Straight**.

Commissioner Parker seconded the motion.

Vice President Greene requested a moment of silence.

CITY STAFF

City Manager – Robin Gomez

Recording Secretary – Maria Cipolla

PLEDGE OF ALLEGIANCE

Public Hearings for April 5, 2016

1. Fairmont Community Development Partnership (FCDP) is requesting a rezoning of the property located adjacent to Windmill Park (approximately 3.50 wooded areas) on Garrett Avenue. There are multiple lots involved. They are presently zoned General Residential and they are requesting the parcels be changed to Neighborhood Mixed Use in order to construct a 32 unit affordable housing complex.

Vice President Greene asked if there was anyone is here to speak in favor of this request.

Robin Gomez, City Manager, thanked the Commissioners for holding this special session. The applicant requested that we expedite the process going forward.

Edward Luthy, President of the Fairmont Development Partnership Board, we give our support to this project. He went on to explain the scoring process in West Virginia and the tax credits they would be received if they built low-income housing rather than single family homes.

Steve Fox, from Chaplin Construction, they build, manage and own all of our own properties. This is going to be a low-income property with 32 units. The rent will start as low as 335.00 to 535.00 for a three bedroom. A comprehensive background check on all residents. This means they verify their income, assesses, and employment status each year. It's privately funded. We have a manger onsite to make sure nobody is living there that is not on the lease, etc. He is a resident manager.

Commissioner Parker asked what the total cost of the project is expected to be.

Steve Fox stated the project will cost about 5.5 million for the total project and the owners will be a partnership between Chaplin and FCDP. Chaplin holds the controlling interest. This is not a non-profit so we will be paying taxes.

Commissioner Richardson asked if they will be making improvements to the road conditions, street lighting, widen the roads for the fire departments, etc.

Steve Fox replied that they will be putting in lighting and roads in the project area but the roads and property around their project is the City's responsibility.

Commissioner Weber asked, what about sidewalks, grocery stores, or schools for the children who will be living in there?

Steve Fox added, there will be putting in sidewalks in the development only. Everything else falls back on the City but that is why we will be paying taxes.

Commissioner Richardson said, but this is a low-income housing project. It won't be bringing in much in the way of taxes.

Commissioner Weber stated he is concerned with the amount of infer structure you are wanting the City to be responsibility for as a result of your project. This is a low-income project and we only get a small portion of the taxes that are sent to the state as it is.

Commissioner Parker added, you make a good point Dan (Commissioner Weber). The B & O taxes on the construction will be thrown back into project on the City's end.

Robin Gomez said it is a good question as to who will be putting in the sidewalks, the roads, dealing with the school buses. Could we widen the roads? We certainly could at a tremendous cost. We would have to purchase private right of ways in order to widen the streets. There are a few challenges for the City that are not exurbanite. The development out ways the challenges and other developments in the City. As long as I am here, we will make sure this property complies with code.

Commissioner Richardson, I don't want this (building right next to the houses).

Steve Fox added, we commit to tenant ownership in fifteen years. The units are limited to four people per unit.

Maria Cipolla gave Commissioner Richardson picture of the project will look like.

Commissioner Richardson expressed addition concerns about maintenance of the buildings, lighting and parking.

Commissioner Parker said, Mr. Fox, I don't want you to feel like you are being grilled here but one of the tasks this Commission has to do is develop findings and make determinations. The code sets out about seven difference elements that we have to be analyzed and accessed before we can make a recommendation to City Council. Some of the questions that may be asked of you and others are designed that we may check a box to say that we have gotten the information we needed. It is not meant to show we favor or disfavor anything just because we asking those questions. It is just so we can show on record that we have. On the other project, it does not meet the code where this property is located. Did you already look at other locations in the City that are already zoned for this type of housing?

Steve Fox said, we are always looking for property that fits what we need to build. The most important part about this property is it in need and is ready to be developed. It is also a targeted area and it scores very high for low-income tax credits. It's a competition. HUD determined the scoring.

Robin Gomez said Marion County as a whole scores well but 3 or 4 areas in Fairmont scores very well.

Steve Fox said Marion County was scored as a difficult development area by HUD. This program is not a HUD program.

Commissioner Richardson said, I would prefer to see single family homes, homes, homes, homes. You got that? Homes. That's what is out there now. We don't want projects.

Vice President Greene asked if there were any other questions for Mr. Fox (there were none). Thank you Mr. Fox. I appreciate you answering our questions.

Vice President Greene asked if there was anyone else to speak in favor of this request.

Rob Linger, Councilman for the Third District and a Board Member for the FCDP, I am for this project for a couple of reason. This is the first time I am hearing the objections so I am taking them into consideration as well. The available housing in this area is either in very poor shape, substandard lots, or just in need of a lot of work and affordable or they are very expensive. There is not a lot in between for people to come in and make a start especially younger folks, people graduating from college and such. The townhouse I grew up in was our home. There is no problem with townhouse as long as they are maintained. They can be very nice. I hadn't considered the roads, etc. That is something we would have to consider. We would have to widen roads, make sure we have room for buses, etc.

Guy Ward, works for the FCDP and the Mayor of White Hall, I live within sight of a complex they built like this. It has cause no problems or issues. New homes have gone up around it. It been there for 15 years. We have had no problems.

Mark Nicholson, from BC bank, we will be doing the finance for this project. I have financed projects for them in past and we don't have problems with them. They take care of all the properties. We want to do community reinvestment and this is a good project for the bank.

Mike Walker, with FCDP, we takes steps to make a positive outcome for the community when we build these projects. We don't have the funding or the means to do anything with this property. If we don't it, it will stay off the tax records since we are tax exempt. The City and County will grow and gain money. I think the opportunity is now for this.

Vice President Greene asked if there was anyone else to speak in favor of this request.
There were none.

Vice President Greene read to the residents the seven things we must consider when making a recommendation to City Council.

Vice President Greene asked if there was anyone else to speak against this request.

Residents, Anthony Horton, Ron Goodwin, Renee Chaney, Leroy Rally, Memory Dobbs, Jeremy Thomas, Joan Smith Wesley Dobbs, Marie Fluker, Cheryl Tate, and many others stated they only want single family dwellings and against this particular project.

Houston Richardson asked how the taxes collected on the property benefit the area and how much would it be.

Robin Gomez explained that since the property will no longer be a 501c3, they will have to pay taxes quarterly on the income produced from the rent they will be charging. The City will also collect a B&O tax on the construction of the project that is estimated to be about a 5.5 million dollar project.

Commissioner Parker motioned to close the public hearing

Commissioner Pitman seconded the motion

Motion carried 7-0

Vice President Greene thanked everyone for coming out and giving us all their comments.

Commissioner Parker motioned to recommend that the application for rezoning be denied because it is inconsistent with Section 8.10.4 of the City's Planning and Code. Therefore, we would not recommend the acceptance of the rezoning.

Commissioner Richardson seconded the motion.

Motion Carried 7-0

Commissioner Parker said, I want to layout a couple of key points. I want to thank people for coming tonight. I have been on this commission for two different terms for about 15-20 years total and this has been, by far, the most democratic demonstration that I have seen and participated in. I think it is a testimony to everybody who was here both for and against. I think the Community Development Partnership is an excellent organization. I think they tried to do the right things; the right ways. I appreciate what the partnership has done but as so many people have said, I don't think this project, at this time, at this place, works. The reason for that is not whether I think it is a good or not but because it does not meet the criteria in the Code that I mentioned at the very beginning. I want to thank Mrs. Lacey for giving me the evidence that I needed which was that the character of the area has not changed since the Comprehensive Plan was create. If anything, it is even more so, General Residential. It should stay that way. For that reason, we have the evidence we need to take a position, in my opinion, to deny the application. That is the reason I feel that way and the reason I made the motion. I think it is important that we recognize the process at work and thank you for making it work.

Commissioner Weber added, I think that when these projects come to us, we need more information. I am always trying to get more information. I want to be informed more. I want to be educated more about what is being presented. I think tonight these people did a great job of informing us tonight. But that information should have been available to us prior to this particular proposal. For example, the mine subsidence issue. I know this happens on some streets out there but I did not know it was quite as prevalent as it is. Is goes to the top of the hill. The Commission should be informed of that ahead of time. We can't make a real good decision unless we know these issues. The City has to be responsible for the sidewalks. We see people walking at night. There have never been sidewalks. I want to see Transit out there. I want to see lights out there. I want to see utilities out there that these people need. One gentleman said, the schools are far away. We closed these schools. There are no schools. What are we going to do with these children? The people that live out there have children. They need to be taking care of also. So, I think there are a lot of things we don't know as a Commission that we need to be informed of. The amount of housing and how much it cost to live there for example. This community of Jackson Addition, I have known since I was a child. I am all for individual homes. I have studied projects. If we don't educate our people about what we are doing and how we are doing it. We are going to fail. This motion that Mr. Parker made is a result of your information. You informed us. I think that our vote is that we don't want this out there either, at this time, is because of you speaking opposed to it. I congratulate everyone who spoke against the project. I have been against the project since the very beginning. I don't like these kind of places. I know that crime happens at these places. I don't think the people in Jackson Addition want that. I grew up there. I want to see Jackson Addition grow. I don't want angry residents. I want my residents happy.

Commissioner Houston said, whenever we get a proposal like this from a developing bodies that wants to bring housing in, give us data, give us information. You have to tell me what you want do, why you want to do it, when you want to do it and where you are go to do it. Not only me, (this Commission) but you have to tell the neighborhood that it is going to affect. Things will be a lot differently, maybe. I don't want no projects.

Vice President Greene asked for a motion.
Commissioner Parker motioned to deny the request.
Commissioner Weber seconded the motion.
Motion carries 7-0

Vice President Greene requested a motion to excuse **President Bill Oliver** from tonight's meeting.
Commissioner Parker motioned to excuse **President Oliver**
Commissioner Miller seconded the motion.

NEW BUSINESS

None

CITIZENS PETITION

None.

STAFF UPDATES

Robin Gomez said, I want to advise the Commission that we did appoint a Planning Developer & Director, Sandra Scaffini. Of course this will force one of your Commissioners to resign. She has agreed to begin on Monday, April 25th. We are extremely excited to have her on board. He has a wealth of knowledge, experience, and expertise. We will beginning right of the bat to provide the necessary staff support with the Comprehensive Plan and move forward. Thank you, John, for your years of service

OTHER BUSINESS

Commissioners Comments:

Commissioner Pitman said he will be coming to one more meeting before I resign. I'll say my good byes at the next meeting. I has been a feel privilege to work with everybody. Thank You.

Commissioner Weber said, I think it was really great that the Commission listened to the people and took their advice. It was very democratic. We should listen to the people and make the decisions based on what the people want not what big business wants. I think the people spoke eloquently. I want to see Fairmont grow.

ADJOURNMENT:

Vice President Greene asked for a motion to adjourn.
Commissioner Weber made a motion to adjourn.
Commissioner Richardson seconded the motion.
Motion carried 7-0