

FAIRMONT PLANNING COMMISSION

The meeting of the Fairmont Planning Commission was held October 20th, 2021 at the Public Safety Building 500 Quincy St. Fairmont WV.

Vice President Straight 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 Yann
Commissioner Richardson
Commissioner Jura
Commissioner Straight
Commissioner Wean
Commissioner Lambert

MEMBERS ABSENT

Commissioner Majic
Commissioner Richardson
Commissioner Bledsoe
President Greene

CITY STAFF

Director of Planning and Development – Shae Strait
Senior Staff Assistant –Kirstin Poluck

Vice President Straight asked for a motion to excuse Commissioners Greene, Bledsoe and Richardson. Commissioner Wean motioned to excuse the members; Commissioner Jura seconded the motion.

APPROVAL OF MINUTES from September 15th, 2021

Commissioner Yann motioned to approve the minutes; Commissioner Jura seconded the motion. All were in favor.

NEW BUSINESS / PUBLIC HEARINGS TO SET FOR October 20th, 2021

1. **PC 21-14** Monongahela Valley Association of Health Centers, Inc is petitioning to rezone property located at 1334 Locust Ave (parcels 18-19) and between 1348 and 1326 Hillside Dr. (parcels 42-49). The property along Locust Ave is currently zoned Education. The property on Hillside Dr is currently zoned General Residential. The proposed rezoning for both properties is Main Corridor Commercial.

Vice President Straight asks if there is any one here to speak in favor of the proposed request. Phillip Freeman, an architect from Thrasher Engineering is working with the MVA clinic on this request. The MVA has been in business since 1952. The area was previously zoned differently throughout its history and then in 2006 the zoning was changed unbeknownst to MVA. The clinic is hoping to use parcels 42-47 for staff parking. Also, parcels 48-49 which currently have a house owned by MVA may be used as storage one day, although there are no immediate plans for that as of now.

Kevin Crockett the COO- VP of MVA is also here to speak on behalf of the request. The MVA has recently received funding from the American Rescue Act and they are using the money to renovate interior and exterior of the facility.

The parking lot would also fall into the exterior renovations. They will be utilizing unused space inside the facility so they can expand. Once this is done, they will need to storage for the items which will be displaced due to the renovations.

Vice President Straight asked if there was anyone to here to speak against the request? There was no one, he then asked for a motion to close the public hearing. Commissioner Richardson motioned to close the public hearing. Commissioner Yann seconded the motion. All were in favor.

Commissioner Richardson arrived at the meeting at 7:08 pm. Commissioner Bledsoe arrived at the meeting at 7:09 pm.

Planning Director Shae Strait proceeds with the staff report. He went through the entirety of the property's history. He went through the deeds and transaction history of the property. These parcels were acquired in the 1950's and they were granted a rezoning at that time. A parking lot was lawfully constructed at that time. In 2006 the zoning code was repealed and replaced, during this process there were large meetings in the city at the locations which were being rezoned with the replacement zoning code. It was during this time that the property was rezoned to Main Corridor Commercial. The property would qualify for a rezoning if it was rezoned to university as that was something that was in the Comprehensive plan. Staff recommends the University district would be better used along Locust Ave. The Main Corridor Commercial district is closely related to the educational district. Main Corridor Commercial is the second most restrictive use. With these restrictions the rules that MVA would follow would ensure that the public surrounds the facility wouldn't suffer from the rezoning. Staff recommends an approval would be in line with the comprehensive plan.

Vice President Straight stated that if the rezoning happened it would open a lot of questions if the property were to be sold one day. How would this affect traffic and what if there were apartments? Commissioner Yann wanted to ensure that the boards and public would still have control as to what would be allowed. Director Shae Strait said that Yes, there would still be restrictions if the property were to be rezoned. Director Shae Strait presented a few example scenarios to the Planning Commission.

Commissioner Bledsoe wanted to make sure the neighbors were sent information regarding this evening meeting, to which Director Strait stated that we sent out mailers with all the information that was to be discussed at the Planning Commission meeting. Commissioner Yann wanted to know if signs were posted, Director Shae stated that yes signs were posted. Vice President Straight wanted to know how people were notified. Planning Director Shae Strait stated that we sent out the mailers, written notice in the newspaper and all the meeting information was put onto the city website for the public as well. Vice President Straight wanted to know how many people were notified? Planning Director Strait stated that there were 90-100 people notified.

Commissioner Richardson reviewed the last paragraph of the packet in which spot zoning was mentioned. There was a recent case in Morgantown in which the State Supreme Court ruled against Morgantown for not rezoning.

Based upon the contextual evaluation of this report, the staff recommends for the rezoning of the parcels within this petition to Main Corridor Commercial. However, this recommendation is based upon the agreement that the Planning Commission and the City Council believe that the proposed University District should also include land on the southern side of Locust Ave.

Vice President Straight asks for a motion to close the public hearing. Commissioner Richardson motioned to close the public hearing. Commissioner Jura seconded the motion. The public hearing was closed.

Ivan Madolev, who had not yet spoken, asked to speak regarding the petition. Vice President Straight stated that the public hearing was closed and the opportunity for public comment was concluded. Vice President Straight informed the citizen that they may express their support or concerns at City Council when this petition is on their agenda.

Commissioner Bledsoe made a motion to favorably forward the request based on upon the fact it was congruent with the comprehensive plan and the requirements for that district. Commissioner Wean seconded the motion.

Commissioner Yann - Yes
Commissioner Richardson - Yes
Commissioner Jura - Abstained
Commissioner Bledsoe - Yes
Commissioner Straight - Yes
Commissioner Wean - Yes
Motion Passes.

PUBLIC HEARINGS TO SET FOR October 20th,2021

Planning Director Shae Strait stated that currently we do not have any applications submitted for the next meeting.

OTHER BUSINESS

None

ADJOURNMENT

Commissioner Bledsoe motion to adjourn the meeting; Commissioner Wean seconded the motion. All were in favor. Motion approved. The meeting adjourned at 7:52