

**City of Wheeling
Planning Commission**



Site Plan Review Guide

CITY OF WHEELING



CITY COUNTY BUILDING
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PLANNING COMMISSION

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Welcome to the City of Wheeling Planning Commission. This guide was developed to assist you through the site plan review process. The purpose of the site plan review is to allow the City to review the arrangement, layout, use interrelationships and neighborhood impacts of sites intended for development or redevelopment and to ensure the aesthetic quality of such design to conform to the character of the neighborhood.

The information required by Article 12 of the Zoning Ordinance is to ensure the Commission is presented with the necessary information to perform a proper review of the development and make an informed decision. Every site plan submitted must address each of these items. Depending upon the complexity and nature of the development, some of these items may be addressed in a project summary to the Commission. Enclosed for your use while preparing a site plan please find the following:

1. Article 12 of the Zoning Ordinance (pages 156-170)
2. A site plan review checklist prepared as a condensed version of Article 12.
3. An application for zoning compliance.
4. An example of a complete site plan.

Complete site plans and applications are due in the office of Economic and Community Development Department no less than fourteen (14) days prior to the meeting in which they will be reviewed. The Planning Commission meets the second Monday of the month.

If you have *any* questions do not hesitate to contact the staff of the Planning Commission at (304) 234-3701.

The City looks forward to working with you on this project.

A handwritten signature in black ink, appearing to read "T. Connelly".

Thomas Connelly, AICP
Assistant Director

Article 12

Site Plan Review

ARTICLE 12 SITE PLAN REVIEW

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12.01 General Purpose

It is the purpose of this article to regulate site development plans in order that adequate light, air, convenience of access, and safety from fire, flood, and other danger may be secured; that congestion in the public streets may be lessened or avoided; that the public health, safety, comfort, morals, convenience, and general public welfare may be promoted; that the preservation of historic landmarks, sites, districts, and buildings be promoted; and that the objective of Article 1.03 may be accomplished. The site plan review process will allow the City of Wheeling to review the arrangement, layout, use interrelationships and neighborhood impacts of sites intended for development or redevelopment and to ensure the aesthetic quality of such design to conform with the character of the neighborhood.

12.02 Definition of Site Plan

As used in this article, the term site plan shall mean a rendering, drawing, or sketch prepared to specifications contained in this article. The site plan shall show the arrangement, layout, and design of the proposed use of a single parcel of land. Plats showing lots, blocks, or sites which are subject to subdivision review shall continue to be subject to such review and shall not be subject to review as site plans under this article.

12.03 Uses and Actions Subject to Site Plan Approval

A. All buildings, structures, or outdoor uses of land which shall be used, constructed, enlarged, altered, or moved in any zoning district shall obtain site plan approval, with the exceptions listed below in subsection B. Site plan approval shall also be required in all districts for:

- 1) Uses subject to special use permit approval and which are reviewed according to Article 10, Special Use Permits.
- 2) Any amendment of a previously approved site plan.
- 3) New parking lots or expansions of existing parking lots, with a total of ten or more parking spaces.
- 4) Any new structure or addition in a non-residential district if the lot abuts a residential district.

- 5) Any structure formerly used as a residence proposed for conversion to non-residential use.
- 6) See Section 7.02 and Section 7.03 for residential and non-residential uses in, respectively, the NWSD North Wheeling Special District and EWSD East Wheeling Special District.

B. Specifically excluded from the provisions of this article are:

- 1) One-family dwelling or two-family dwelling on a single lot and its accessory structures.
- 2) Renovations that are one hundred percent internal to an existing building or structure.
- 3) Exterior renovations to an existing building or structure that do not increase, alter or otherwise modify the outer envelope of said building or structure.
- 4) Any new construction or addition that is 4,000 square feet in floor area or less, in any C, D, I, or EMO district.
- 5) Repair and replacement of existing driveways, curb cuts, aprons, and sidewalks.
- 6) Repairs to existing swimming pools.
- 7) Open decks.
- 8) Storage sheds that conform with all zoning regulations and do not exceed one hundred square feet and/or a height of ten feet at the ridge.

C. The Economic and Community Development Director and the Planning Administrator have the authority to require an applicant to conform to the site plan review process.

12.04 Approval of Site Plans

A. The City of Wheeling Council hereby authorizes the Planning Commission to review and approve, approve with modifications, or disapprove site plans prepared to the specifications set forth in this chapter.

B. Where a special permit is required, the Planning Commission shall make the determination on the special use permit and on the site plan permit required for the special use.

12.05 Application Procedure

A. PRESUBMISSION.

Prior to a formal submission, the applicant should meet in person with the Planning Commission or a representative of the Economic and Community Development Department to discuss the proposed site plan. The intent of such a conference is to enable the applicant to inform the Economic and Community Development Department of the proposal prior to the preparation of a detailed site plan and for said Department to review the basic site design concept, advise the applicant as to potential problems and concerns and to determine generally the type of information to be shown on and submitted with the site plan.

B. SUBMISSION IN THREE STAGES.

A site plan shall be prepared by a registered architect, licensed landscape architect, licensed land surveyor, licensed engineer, or professional planner. The site plan shall be submitted to the Planning Commission for approval. The plan shall be submitted in three stages: sketch plan, preliminary plan, and final plan.

C. SIMULTANEOUS SUBMISSIONS.

Any applicant may submit and seek approval for any or all of the three plan stages simultaneously.

D. FEES.

All submissions for site plan approval shall be accompanied by a fee as established by the City Council to pay for the costs of planning, design, and engineering review. The City Council shall adopt, by resolution, and from time to time may amend, but not more than once annually, a schedule of fees payable by an applicant for applications brought before the Planning Commission for determination or action.

12.06 Required Submissions, Additional Submissions, and Exceptions

A. REQUIRED SUBMISSIONS.

The Planning Commission shall establish rules, regulations, and forms for the administrative processing of site plan applications. The Economic and Community Development Department shall administer the site plan process. The Planning Commission may request that its Zoning Sub-Committee review any and all site plan applications for the purpose of making a recommendation to the whole Commission for action. The site plan application and any related information shall be submitted to the Economic and Community Development Department, which shall forward the application to the Planning Commission for action when such application is complete. Within thirty days of receipt of the application, the Economic and Community Development Department shall determine whether said application is deficient. No application shall be accepted by the Planning Commission unless it is complete.

B. MAP SCALE.

All maps submitted must be at a scale of not less than thirty feet to the inch.

C. SUBMISSION INFORMATION.

The information to be submitted and which, in total, constitutes a site development plan shall be as follows:

- 1) Sketch plan: An optional sketch plan conference between the Economic and Community Development Department and applicant may be held to review the initial site design concept and generally to determine the extent of site plan review necessary for the intended project and the information to be required on the site plan and in accompanying reports. At the sketch plan conference, the applicant shall provide all information as required below.
 - a) Legal data:
 1. The names of all owners of record of all properties within one hundred feet of any boundary line of the subject property.
 2. Existing zoning and special district boundaries.
 3. Boundaries of the property, building or setback lines as required in this chapter and lines of existing streets and adjoining lots, as shown on the County's Official Assessment Maps and on a certified survey. Reservations, easements and areas dedicated to public use, if known, shall be shown.
 - b) General project site description:
 1. A map showing the applicant's entire property and adjacent properties and streets, at a convenient scale, including the approximate location and dimensions of all existing and proposed structures and the location of all existing structures on adjacent properties and within one hundred feet of the site boundary.

2. The name and address of the applicant and other planners, engineers, architects, surveyors and/or other professionals engaged to work on the project shall be shown. Where the applicant or owner is a corporation, the Planning Commission may require the names and addresses of all officers, directors and principal stockholders of said corporation.
- c) Application for site plan approval shall be made within six months of the sketch plan conference. In the event that the applicant takes longer than six months to make an application to the Planning Commission, the Planning Commission may require the applicant to attend a new sketch plan conference.

2) Preliminary Plan:

- a) Legal data as set forth above.
- b) Location map: The map shall show all roads within two hundred feet of the site.
- c) Existing conditions: The location of existing buildings, waterbodies, floodplains, and floodplain boundaries as determined by the Federal Emergency Management Agency, watercourses, marshes, rock outcrops, wooded areas, existing vegetative cover, and other significant existing features on the site.
- d) Development data:
 1. Title of development, date, north point, scale, name and address of record owner and of the engineer, architect, land planner or surveyor preparing the site development plan.
 2. All means of vehicular access and egress to and from the site onto public streets, and all provisions for pedestrian access and circulation.
 3. One set of preliminary plans, elevations and sections of proposed structures and roads, showing the proposed location, use, design and height of all buildings and structures, including any proposed division of buildings into units of separate occupancy and location of drives thereto and showing the proposed location of all roads, pedestrian walkways and fire lanes.
 4. The location and layout of any off-street parking or loading areas, and traffic circulation areas.
 5. The location of all proposed waterlines, valves and hydrants and sewer lines or of alternative means of water supply and sewage disposal and treatment.
 6. The proposed location, direction, power and timing of proposed outdoor lighting within the site and at the site's boundaries, if adjacent to residential development.
 7. Preliminary grading, drainage, landscaping and buffering plan in accordance with Article 9, Supplemental Regulations.
 8. The extent and amount of cut and fill for all disturbed areas, including before-and-after profiles and cross sections of typical development areas, parking lots and roads, and including an erosion and sedimentation control plan, and proposed locations of sediment sink/setting pond and interceptor swales.
 9. Proposed stormwater drainage system, including location, supporting design data and copies of computations used as a basis for the design capacities and performance of stormwater management facilities.
 10. The proposed location, size, color and illumination of proposed signs.
 11. The location of all existing and proposed site improvements, including drains, culverts, retaining walls and fences.
 12. The location of any outdoor storage for equipment and materials if any, and the location, type and design of all solid waste-related facilities, including dumpsters and recycling bins.
 13. Detailed breakdowns of all proposed floor space by type use.

14. In an industrial district, specific uses proposed, number of employees for which buildings are designed, type of power to be used for any manufacturing process, type of wastes or by-products to be produced by any manufacturing process and the proposed method of disposal of such wastes or by-products shall also be shown.
15. Location and design of all energy distribution facilities, including electrical, gas, and solar energy.
16. Lines and dimensions of all property that is offered, or to be offered, for dedication for public use, with purpose indicated thereon, and of all property that is proposed to be served by deed covenant for the common use of the property owners of the development.
17. Estimated project construction schedule.
18. Record of application for approval status of all necessary permits from federal, state, and county officials.
19. Identification of any federal, state, or county permits required for project execution.
20. Certification by the Planning Administrator to the effect that said plan meets all the specific applicable requirements of this chapter.
21. Certification by the City of Wheeling Engineer that the plans meet all the applicable standards and requirements established or approved by him/her.
22. The Planning Commission may require such additional information as it may deem necessary for a complete assessment of the project pursuant to this article.

3) Final Plan:

- a) Legal data as set forth above.
- b) Development data:
 1. One set of final plans, including site plans, floor plans, elevations and sections of proposed structures.
 2. Final grading and landscaping plan.

D. ADDITIONAL SUBMISSIONS.

Where, due to special conditions peculiar to a site or the size, nature of complexity of the proposed use or development of land or buildings, the Planning Commission finds that additional information is necessary for proper review of the site development plan, the Commission may request additional pertinent information, including:

- 1) A survey of the subject property having an error of closure not in excess of one in ten thousand and indicating all lengths in feet and decimals of a foot and all angles to the nearest ten seconds, or closer if deemed necessary by the surveyor.
- 2) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.
- 3) Existing contours with intervals of two feet or less, referred to City of Wheeling datum and showing at least one benchmark.
- 4) The location of existing water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
- 5) All proposed lots, easements and public and community areas; all proposed streets with profiles indicating grading and cross sections showing width of roadway, location and

width of sidewalk and location and size of utility lines according to the standards and specifications established or approved by the City of Wheeling Engineer.

E. WAIVER.

- 1) In appropriate circumstances, the Planning Commission may waive the provision of any items of information.
- 2) In appropriate circumstances, the Planning Commission may waive up to ten percent of the required parking spaces.
- 3) Dimensional requirements are not subject to a Planning Commission waiver. These are considered lot or yard (setback) variances and may only be granted by the Board of Zoning Appeals.

12.07 General Standards as Basis for Review

The following criteria and standards shall be used by the Planning Commission, or its zoning sub-committee, in reviewing applications for site development plan approval. They are intended to provide a framework within which the designer of the site development is free to exercise creativity, invention, and innovation while recognizing the historic, scenic, and visual quantities inherent in the City of Wheeling. The Planning Commission shall not specify or favor any particular architectural style or design or assist in the design of any of the buildings submitted for approval. Participation by the Commission shall be restricted to a reasonable, professional review, and, except as otherwise provided in the following subsections, full responsibility for design shall be retained by the applicant.

A. RELATIONSHIP OF PROPOSED DEVELOPMENT TO THE ADOPTED CITY OF WHEELING COMPREHENSIVE PLAN.

- 1) Due attention by the applicant should be given to the goals and objectives and the stated general land use policies for the City of Wheeling as set forth in the adopted City of Wheeling comprehensive plan, and this chapter and the relationship of the proposed development to the specific area of the City of Wheeling which it is located.
- 2) In the site plan and design, consideration should be given to the use of traditional building forms and layouts which are evidence of the distinctive historical development of the area and, in particular, of any specially designated or recognized scenic and historic district or properties within the vicinity of the proposed development.

B. RELATIONSHIP OF BUILDINGS TO THE SITE.

- 1) The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement and adequate parking areas.
- 2) Parking shall, wherever possible, be located to the rear or sides of buildings so as to not interfere with the landscape treatment.
- 3) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing or anticipated adjoining buildings.
- 4) Newly installed utility services and service modifications necessitated by exterior alterations or building expansion shall, to the extent practicable, be underground.

- 5) New structures shall be sited and located to take advantage of solar access insofar as practical, including the orientation of proposed buildings with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation both on and off the site and impact on solar access to adjacent uses and properties.

C. RELATIONSHIP OF BUILDINGS AND SITE TO ADJOINING AREA.

- 1) Site plans proposed for nonresidential uses adjacent to a residential district shall be reviewed with regard to the impact of the development on that district.
- 2) The Planning Commission shall encourage the use of a combination of common materials and architectural characteristics (e.g., rhythm, color, texture, form or detailing), landscaping, buffers, screens and visual interruptions to create attractive transitions between buildings of different architectural styles.
- 3) Proposed structures shall be related harmoniously to themselves, the terrain and to existing buildings and roads in the vicinity that have a visual relationship to the proposed structures. The achievement of such harmonious relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings.
- 4) Proposed structures shall be so sited as to minimize any adverse impact upon the surrounding area and particularly upon any nearby residences by reason of:
 - a. Building location, height, bulk and shadows.
 - b. Location, intensity, direction and times of use of outdoor lighting.
 - c. Likelihood of nuisances.
 - d. Other similar considerations.
- 5) Appropriate natural or artificial screening may be required to minimize any adverse impact.

D. LANDSCAPE, BUFFERING, AND SITE TREATMENT.

- 1) Where possible, natural or existing topographic patterns which contribute to the beauty and character of a development shall be preserved, by minimizing tree and soil removal. If development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- 2) Grades of walks, parking spaces, terraces and other paved areas shall provide an inviting appearance.
- 3) Landscaped treatment shall be provided to enhance architectural features, to strengthen vistas and visual corridors and to provide shade.
- 4) Unity of design shall be achieved through repetition of certain plant varieties and other materials and by coordination with adjacent developments.

- 5) Plant material shall be selected for interest in its structure, texture and color and in consideration of its ultimate growth pattern. Plants that are indigenous to the area and others that will be hardy and harmonious to the design and exhibit a good appearance shall be used.
- 6) In locations where plants may be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards or other devices.
- 7) Parking areas and traffic ways shall be enhanced with landscaped islands containing trees and tree groupings.
- 8) Screening of service yards, refuse containers and other places that tend to be unsightly shall be accomplished by use of walls, fencing or planting, or combinations of these, with all such enclosures being compatible in material, texture and color with the principal building or buildings on the site.
- 9) Landscaping shall be designed and maintained so as not to create hazardous conditions.

E. ECOLOGICAL CONSIDERATIONS.

The development shall, insofar as practicable:

- 1) Result in minimal degradation of unique or irreplaceable land types and in minimal adverse impact upon the critical areas, such as river tributaries, creeks, streams, wetlands, areas of aquifer recharge and discharge, steep slopes, highly erodible soils, areas with a high water table, mature stands of mature vegetation and extraordinary wildlife nesting, feeding or breeding grounds.
- 2) Conform to existing geological and topographic features to the end that the most appropriate use of land is encouraged.

F. SCENIC, HISTORIC, ARCHAEOLOGICAL, AND LANDMARK SITES.

Scenic, historical, archaeological and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.

G. STORM DRAINAGE.

The proposed development shall be so designed as to provide for proper surface water management through a system of controlled drainage that preserves existing drainage patterns and wetlands and enhances groundwater recharge areas and that protects other properties and existing natural and artificial drainage features from the adverse effects of flooding, erosion, and the depositing of silt, gravel, or stone. Development shall minimize flooding and erosion hazards through non-structural means, long-term structural measures, and appropriate siting of structures. Development shall protect surface waters and groundwaters from direct and indirect pollution and from overuse. All drainage plans shall be reviewed and approved by the City of Wheeling Engineer. Wherever practicable, stormwater management techniques, including on-site detention, should be employed to both address existing drainage problems, if any, and avoid an increase in either the peak volume or velocity of stormwater discharged from the project site during construction or after in its post-development condition.

H. DRIVEWAY CONNECTIONS TO PUBLIC STREETS.

All entrance and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets. All such entrances and exits shall be located and designed to:

- 1) Conform to municipal sight triangle requirements at corners.
- 2) Achieve maximum practicable distance from street intersections and from existing and proposed access connections from adjacent properties.
- 3) Minimize left-hand turns, other turning movements and backing movements.
- 4) Discourage the routing of vehicular traffic to and through local residential streets.

I. TRAFFIC EFFECTS.

The site development proposal generally shall minimize adverse traffic effects on the road networks serving the area in question.

J. PEDESTRIAN SAFETY.

Insofar as practicable, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

K. ON-SITE PARKING AND CIRCULATION.

The location, width and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles. Insofar as practicable, separate rows or aisles in parking areas shall be divided by trees, shrubbery and other landscaping devices. The location of parking areas shall not detract from the design of proposed buildings and structures or from the appearance of the existing neighboring buildings, structures and landscape. Provision shall be made for access by police, fire and emergency vehicles.

L. UTILITY SERVICES.

Electric, telephone and other wire-served utility lines and service connections shall be underground insofar as feasible and subject to state public utilities regulations. Any utility installations remaining above ground shall be located so as to have a harmonious relation to neighboring properties and to the site. Building orientation and site design shall, to the maximum extent practicable, insure that the proposed development conserves energy use.

M. DISPOSAL OF WASTES.

There shall be adequate provision for the disposal of all solid, liquid and gaseous wastes and for the avoidance of odors and other air pollutants that may be generated at the site. All applicable federal, state, county and local pollution control standards shall be observed. Facilities to handle solid waste, including compliance with recycling requirements, shall be accessible, secure and properly screened.

N. NOISE.

All applicable federal, state, and local regulations dealing with the control of outside noise that is expected to be generated at the site shall be complied with.

O. ADVERTISING FEATURES AND SIGNS.

The size, location, height, design, color, texture, lighting and materials of permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures or of the surrounding properties.

- 1) Every sign shall be wholly consistent with the requirements set forth in Article 9, Supplemental Regulations of this chapter and shall be well-proportioned in its design and in its visual relationship to buildings and surroundings.
- 2) Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.
- 3) The colors, materials and lighting of every sign shall be restrained and shall be harmonious with the building and site to which it principally relates.
- 4) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.
- 5) Identification signs of prototype design and corporation logos shall be modified as necessary by the applicant and project designer to conform to the criteria for all signs within the City of Wheeling.

P. PEDESTRIAN AND BICYCLE CIRCULATION.

- 1) Pedestrian circulation shall be separated, to the extent practicable, from motor vehicle circulation. Appropriate walkways shall be provided on the site and its approaches if deemed necessary.
- 2) Proper provision shall be made for buildings and associated site development that are accessible to and functional for physically handicapped persons, such as by provision of walks and ramps of suitable width and grade, curb cuts, signed and suitably dimensioned parking spaces and ground level building entrances as required in the West Virginia State Uniform Fire Prevention and Building Code and the Vehicle and Traffic Law.

Q. LIGHTING.

- 1) Exterior lighting shall enhance the architectural concept, the building design and the adjoining landscape. Lighting standards and building fixtures shall be of a design and size compatible with the building and adjacent areas.
- 2) The number of light standards and the intensity of lighting shall be appropriate to illuminate the location for safety and security but shall not cause glare upon adjoining properties.
- 3) Lighting standards shall not exceed twenty feet in height.

R. BUILDING DESIGN.

- 1) Building design shall make appropriate recognition of compatible building forms indigenous to the community and, in particular, of the historic character of the City of Wheeling.
- 2) Materials shall have good architectural character and shall be selected for harmony with traditional building materials. Where practical, natural materials shall be used.
- 3) Building components, such as windows, rooflines, doors, eaves and parapets, shall have well-designed proportions and relationships to one another and be compatible with the historic character of the City of Wheeling.
- 4) Mechanical equipment, such as air conditioners and satellite dishes, or other utility hardware located on roofs, the ground or buildings shall be screened from adjacent properties and public view with materials harmonious with the building, specified as to color so as to blend with their surroundings or located as not to be visible from any public way or lands.

12.08 Planning Commission Action

A. The Planning Commission shall determine if the preliminary site plan application is complete and ready for decision.

B. If the Planning Commission requires the application to be revised, the Commission shall refer the applicant back to the Economic and Community Development Department. The applicant may resubmit the site plan application to the Economic and Community Development Department for its review and advice once the application has been revised to meet the Commission's recommendations. The Economic and Community Development Department shall then forward the revised application to the Commission for decision and action. If a referred application is not received by the Economic and Community Development Department within sixty calendar days after the referral to the Economic and Community Development Department, the application shall be deemed to be withdrawn.

C. Within thirty calendar days after the revised application has been submitted to the Planning Commission, the Planning Commission shall render act by resolution. This time period may be extended upon the mutual consent of the Planning Commission and the applicant.

D. ACTION BY RESOLUTION.

- 1) The Planning Commission shall act by resolution to approve, approve with modifications, or disapprove the site plan application. All such resolutions shall be written decisions. A resolution of either approval or approval with modifications shall include authorization to the Planning Commission Chairman to stamp and sign the site plan upon the applicant's compliance with the submission requirements stated therein.
- 2) If the Planning Commission's resolution includes a requirement that modifications be incorporated in the site plan, conformance with said modifications shall be considered a condition of approval and shall be satisfied prior to signing of the site plan.
- 3) If the site plan is disapproved, the Planning Commission's resolution shall state specific reasons for such decision. In such a case, the Planning Commission may recommend

further study of the site plan and resubmission to the Planning Commission after it has been revised or redesigned.

E. Every decision of the Planning Commission with respect to a site plan shall be filed in the Economic and Community Development Department after such decision is recorded.

F. Upon approval, approval with modifications, or disapproval the Economic and Community Development Department shall mail to the applicant a copy of the written decision of the Planning Commission within five business days after such decision. A copy of the appropriate minutes may suffice for this notice.

G. Upon approval or approval with modifications, the Planning Commission shall immediately endorse a copy of the site plan and forward it to the Building Department which shall then issue the appropriate permit if the project conforms to all other applicable requirements.

H. Upon disapproval, the Planning Commission shall so inform the Building Department, which shall not issue a building permit or certificate of occupancy or of completion.

I. All mailings shall be by ordinary first-class mail to the applicant and his attorney, if any, at the address given by the applicant on the application form.

J. Specifications for all improvements shown on the site plan shall be those set forth in this local law and in other local laws, rules and regulations, or in construction specifications of the City of Wheeling.

K. Failure on the part of the Planning Commission to act shall be deemed to constitute approval, unless the time limit is extended by stipulation with the applicant.

L. SUBMISSION REQUIREMENTS FOR STAMPING.

After receiving site plan approval, with or without modifications, from the Planning Commission, the applicant shall within six calendar months submit prints and reproducible mylars (or other reproducible originals) of the site plan to the Planning Commission for stamping and signature by the Chairman. The site plan submitted for stamping shall conform strictly to the site plan approved by the Planning Commission except that it shall further incorporate any revisions or other modifications required by the Planning Commission and shall be accompanied by the following additional information:

- 1) A record of application for and approval status of all necessary permits from federal, state and county officials and agencies.
- 2) Detailed sizing and final material specification of all required improvements.
- 3) An estimated project construction schedule and, if a performance guaranty is to be provided by the applicant for all or some portion of the work, a detailed cost estimate for the installation and inspection of site improvements.

M. EFFECT OF STAMPING BY PLANNING COMMISSION.

Upon stamping and signature by the Chairman, the Planning Commission shall forward a copy of the approved site plan to the Building Department, Planning Administrator, Economic and Community Development Department, and the applicant. A building permit or certificate of occupancy, as applicable, may then be issued if the project conforms to all other applicable

requirements, including the applicant's presentation of documentation that all necessary permits and approvals from federal, state and county officials and agencies have been issued.

N. The Building Inspector shall not issue a building permit, or where no building permit may be required, a certificate of occupancy or certificate of completion for all buildings or structures and outdoor uses of land, except upon authorization of, and in conformity with, the preliminary site plan approval by the Planning Commission, as per Section 11.11E.

12.09 Expiration of Approval

Planning Commission approval of a site plan shall expire if any of the following circumstances occurs:

A. The site plan is not submitted for stamping and signature by the Chairman within six calendar months of the Planning Commission's resolution of site plan approval, with or without modifications.

B. A complete application for either a building permit or certificate of occupancy is not submitted within one calendar year of the stamping and signing of the site plan by the Chairman.

C. Work authorized under a building permit is not commenced and diligently pursued through the completion of substantial construction within thirty months of the stamping and signing of the site plan by the Chairman. Upon prior written request to the Planning Commission, including a statement of justification for the requested time extension, the time period for submission of the site plan or submission of the complete application for a building permit or certificate of occupancy may be individually extended for a maximum period of six calendar months and one calendar year, respectively, from their otherwise specified termination dates.

12.10 Waiver of Requirements

The Planning Commission shall have the authority to, when reasonable, waive any requirements for the approval, approval with modifications, or disapproval of site plans submitted for approval. Any such waiver may be exercised in the event any such requirements are found not to be requisite in the interest of public health, safety, or general welfare or inappropriate to a particular site plan.

12.11 Performance Bond, Assurances, or Other Security; Start of Construction

A. A statement shall be placed on all site plans approved by the Planning Commission to the effect that the owner(s) agree (s) to comply with the plan and all conditions noted thereon. The installation of required site improvements (all roads, paved areas, drainage, utilities, outdoor lighting, open space and recreation, landscaping and screening including planting) that are an integral part of the approved plan may be guaranteed by cash, performance bond, letter or credit, or other acceptable guaranty approved by the City Council and the City of Wheeling Solicitor. In the event that a satisfactory guaranty is not provided within ninety days of the date of the resolution, the site plan shall be null and void. A guaranty of the improvements shall be for 100 percent of the cost of improvements.

B. The said cash, performance bond or other acceptable guaranty shall be conditioned on the completion of said work set forth on the approved site plan in a manner satisfactory to the Planning Commission; and upon the proper functioning of said systems for a period of one year

from their completion. In default thereof, the said guaranty shall be forfeited; and the City of Wheeling shall use the amount thereof to complete any incomplete portion of the said work or to make sure repairs are undertaken as are necessary to assure the proper functioning of said improvements. If any amount of money remains after the City of Wheeling has completed said work, such excess money will be returned to the surety or the person putting up the required deposit. The installation of all improvements shall be under the direct supervision of a West Virginia State registered architect, landscape architect, or professional engineer.

C. To obtain a building permit, an applicant shall provide to the Building Inspector proof of acceptance of guaranty by the Planning Commission. No part of the guaranty shall be released until all of the requirements of site plan approval have been met, including the construction and completion of all site improvements, and their inspection and approval by the city.

D. The site improvements shall be fully completed in accordance with the approved plan before any new building, structure or outdoor use shown on the approved site plan is occupied or used, or any existing building shown on the approved site plan is occupied with a new use. No certificate of occupancy shall be issued until all improvements shown on the approved site plan are installed and an as-built drawing submitted to the Planning Administrator.

E. The applicant or his developer or builder may begin infrastructure construction if preliminary site plan approval has been granted and if a bond, letter of credit, cash, or other acceptable guaranty has been accepted by the City of Wheeling, as per Section 11.

12.12 Consultation with Other Agencies, Departments, and Consultants

In its review of an application for site plan approval, the Planning Commission may consult with or require the applicant to consult other City of Wheeling officials, agencies, and the Planning Commission's designated private consultants, and with representatives of county, state and federal agencies, including but not limited to the State Department of Transportation, the State Health Department, the Department of Environmental Conservation, and the Army Corps of Engineers, as needed.

12.13 Reimbursable Costs for Site Plan Review

A. COSTS.

Reasonable costs incurred by the Planning Commission for private consultation fees or other extraordinary expense in connection with the review of a proposed site plan shall be charged to the applicant. Such reimbursable costs shall be in addition to the application fee required. Maximum amounts for such reimbursable costs by project type and size shall be in accordance with the fee schedule established by the City Council. Said fee schedule shall include the requirement that an escrow account be established upon the Planning Department's receipt of the application to cover the anticipated costs for such consultant review and other expenses.

B. INSPECTION OF IMPROVEMENTS.

The Building Inspector shall be responsible for the overall inspection of site improvements, including coordination with the Planning Administrator, the designated City of Wheeling Engineer and other local officials and agencies as may be appropriate. Reasonable expenses incurred by the city for inspections by the designated City of Wheeling Engineer or other appropriate professionals shall, in addition to costs associated with site plan review, be reimbursed to the city by the applicant in accordance with the fee schedule established by the City Council.

12.14 Proposal of Site Plan by Planning Commission

The Planning Commission may, on its own initiative, propose a general or specific site plan for a particular area where site plan approval may be required in the future, using as a guide the requirements of this article.

12.15 Integration of Procedures

A. GENERAL.

There may be applications where the particular circumstances of a proposed development required compliance with other procedures in this chapter, such as special use permit review and approval or rezoning. In such cases, the Planning Commission may integrate site plan review as required by this article with the other procedural and/or submission requirements. Such integration of procedures may require, upon mutual written consent of the Planning Commission and the applicant, reasonable modification of the time schedules otherwise stated in this article or in said related regulations or requirements.

B. REZONING.

If an applicant is requesting a rezoning of the subject site, in addition to site plan approval, the Planning Commission shall require that the applicant obtain the necessary rezoning from City Council before the Planning Commission will proceed with preliminary site plan approval. The applicant is encouraged to submit a sketch plan (as per the above process) before making the rezoning application to Council

Site Plan Review Checklist

1. Legal Data:

- _____ property owners within 100'
- _____ existing zoning and special district boundaries
- _____ boundaries of property
- _____ building setback lines
- _____ lines of existing streets and adjoining lots as per county assessment maps and certified survey
- _____ reservations, easements, and areas dedicated to public use

2. General Project Site Description:

- _____ property map showing entire property, adjacent property and streets at convenient scale
- _____ approximate location and dimension of all existing and proposed structures on adjacent properties and within 100' of site boundary
- _____ name & address of applicant, planners, engineers, architects working on project

3. Preliminary & Final Plans:

- _____ location map: show all roads within 200' of the site.
- existing conditions:
 - _____ buildings
 - _____ water bodies
 - _____ floodplains
- development data:
 - _____ title
 - _____ date
 - _____ north point
 - _____ owner information
 - _____ project engineer
 - _____ vehicular / pedestrian access and circulation
 - _____ elevations, building height
 - _____ walkways & fire lanes
 - _____ location of waterlines, valves, hydrants, sewer lines
 - _____ location and direction of outdoor lighting
 - _____ grading and drainage
 - _____ landscaping plan
 - _____ cut and fill of disturbed areas (before and after profiles)
 - _____ stormwater drainage system
 - _____ location, size, color illumination of signage
 - _____ drains, culverts, walls, and fences
 - _____ outdoor storage location
 - _____ detailed breakdown of proposed floor space by use
 - _____ location and design of energy distribution facilities :electric, gas, solar
 - _____ lines and dimensions of property to be dedicated public
 - _____ construction schedule
 - _____ record of application of necessary permits from federal, state or county
 - _____ submitted on media 24" x 36", 11" x 17", and digital copy

4. Additional Submissions (due to special conditions additional information *may* be necessary)

ALTERATION, MOVING OR REPAIR OF BUILDING OR LAND

The undersigned applies for a Certificate of Zoning Compliance for the following, said certificate to be issued on the basis of the information contained within the application. The applicant hereby certifies that all information and attachments are true and correct.

1. Address of Property: _____

2. Name of Owner(s) of Property: _____

3. Name of Applicant: _____

4. Address of Applicant: _____

5. Telephone: Applicant _____ Property Owner(s) _____

6. Existing Use: _____

7. Proposed Use: Same Other

Describe: _____

8. Number of off-street parking spaces to be provided _____

9. Number of off-street loading berths to be provided _____

***** COMPLETE FOR ERECTION, ALTERATION, OR ADDITION *****

Type of Improvement:

Residential:

- New Building _____ # of existing dwelling units
- Addition _____ # of proposed dwelling units
- Alteration
- Repair Other _____

Existing Lot Size: width _____ ft. X depth _____ ft. = lot area _____ sq. ft.

Principal Building: (existing structures)

Dimensions: width _____ ft. depth _____ ft.

Total first floor area, including porches _____ sq. ft.

Yard Depth: Front Yard _____ ft. Rear Yard _____ ft. Side Yard _____ ft. Other Side Yard _____ ft.

Building Height _____ ft. Stories _____

Accessory Building(s): Detached garage, carports, sheds, etc.

Dimensions: _____ ft. X _____ ft. = _____ sq. ft.

Yard Depth: Front Yard _____ ft. Rear Yard _____ ft. Side Yard _____ ft. Other Side Yard _____ ft.

Building Height _____ ft. Stories _____

Proposed Construction: Dimensions _____ ft. X _____ ft. = _____ sq. ft.

Yard Depth: Front Yard _____ ft. Rear Yard _____ ft. Side Yard _____ ft. Other Side Yard _____ ft.

Building Height _____ ft. Stories _____

APPLICANT SIGNATURE _____ DATE _____

OWNER(S) SIGNATURE _____ DATE _____

PROPERTY PRESENTLY ZONED AS _____

1. _____ % Lot Coverage F.A.R. _____

2. Off-street parking spaces provided _____

3. Off-street parking spaces required _____

_____ Continuation of non-conforming off-street parking

_____ Spaces required by previous use

4. Property is located in 100 Year Flood Plain _____

100 Year Flood Elevation _____ feet

Requires special construction _____

5. Proposed use is permitted

Proposed use is not permitted

Proposed use is a continuation/renewal of a non-conforming use

6. Requires action by the Board of Zoning Appeals:

Proposed construction requires a variance from the Board of Zoning Appeals (reason for denial):

Proposed use requires from the Planning Commission:

Special Use Permit

Site Plan Approval

This Application for Certificate of Zoning Compliance is:

Approved

Denied

Reason for Denial _____

Certificate No. _____

Zoning Officer

Date

PROJECT NAME CONSTRUCTION DRAWINGS

ABBREVIATIONS

AC	ADDITIONAL CEMENT	IP	IRON PIPE
AGG	AGGREGATE	LF	LINEAL FEET
BLDG	BUILDING	PM	PERMANENT
BH	BENCH MARK	OC	ON CENTER
CB	CATCH BASIN	OO	OUTSIDE CURB/TOE
C	CAST IRON	PL	PLACEMENT LINE
CL	CENTERLINE	PP	POWER POLE
CP	COMPACTED PORTLAND CEMENT	P/C	POLYETHYLENE GLYCOL
CC	CLEANOUT	RCF	REINFORCED CONCRETE PIPE
CCMC	CONCRETE	R/W	RIGHT OF WAY
CV	CONCRETE VAND	SD	STORM DRAIN
DI	DROP INLET	SS	SANITARY SEWER
DIS	DIMETER	T	TELEPHONE LINE
DP	DUCTILE IRON PIPE	T/P	TYPICAL
EL	ELEVATION	UG	UNDERGROUND
EX	EXISTING	UP	UPSIDE
FM	FIRE MANDRANT	UP	UPSIDE
FL	FLOW LINE	N	NORTH
FT	FEET	W/O	WITHOUT
G	GAS	W/P	WELDED WIRE FABRIC
HW	HEAVY		

SCHEDULE OF DRAWINGS

DWG. NO.	TITLE
1	TITLE SHEET
2	SITE DRAWING
5	PROJECT DETAILS

FLOOD ZONE
ZONING

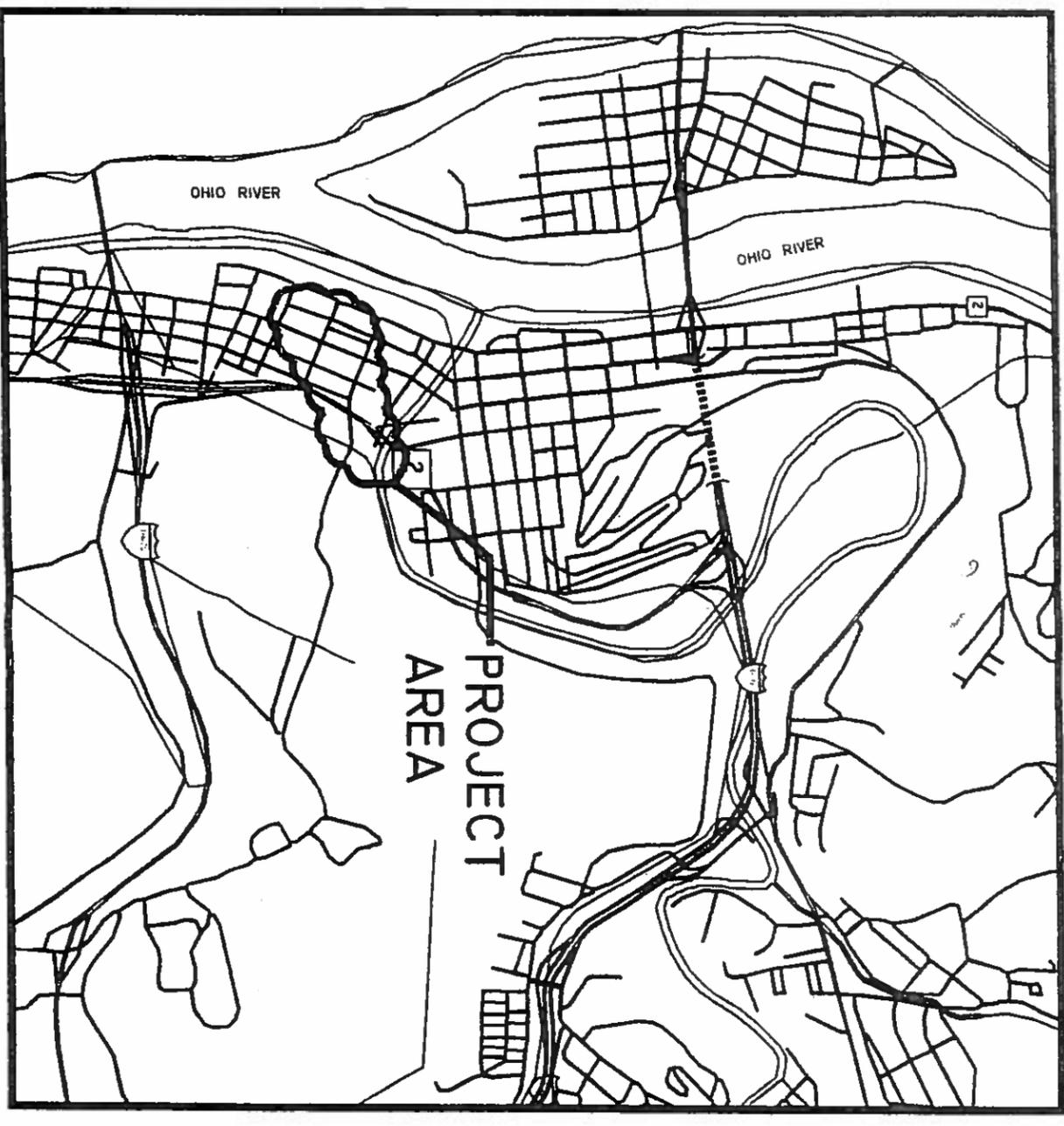
AE
C-2

LEGEND

— 120 —	EXISTING CONTOUR	— W —	WATER LINE
— 120 —	NEW CONTOUR	— O —	MANHOLE
— 30 —	STORM DRAIN	— C —	CLEANOUT
— SS —	SANITARY SEWER	— S —	STORM INLET
— T —	TELEPHONE LINE (UNBUND)	— F —	FENCE
— UE —	UNDERGROUND ELECTRIC CABLE	— C —	CONCRETE

UTILITY INDEX

COMPANY	ADDRESS	PHONE NO.
ENIZON / BELL AIR/MADE	180 CHARLING ST WHEELING	221-6382
ALLEGHENY POWER	97th & WOOD ST WHEELING	221-4238
WATER POLLUTION CONTROL	237th & MAIN ST WHEELING	221-3871
WV DOW	# DOT DRIVE WHEELING	843-1084
TEL OF WEST VIRGINIA	WHEELING	222-3000
ARP	100-482-0912	
WHEELING OPERATIONS DEPT	# AIRPORT DR/ E WHEELING	221-3516
WHEELING WATER DEPT	9 AIRPORT DR/ E WHEELING	221-3515
MISS UTILITY CO WV		800-214-4414



CITY OF WHEELING, WEST VIRGINIA

NOTE:
CONTRACTOR SHALL NOTIFY ALL UTILITIES
AND MISS UTILITY OF WV.

PROJECT NAME

TITLE SHEET

SCALE

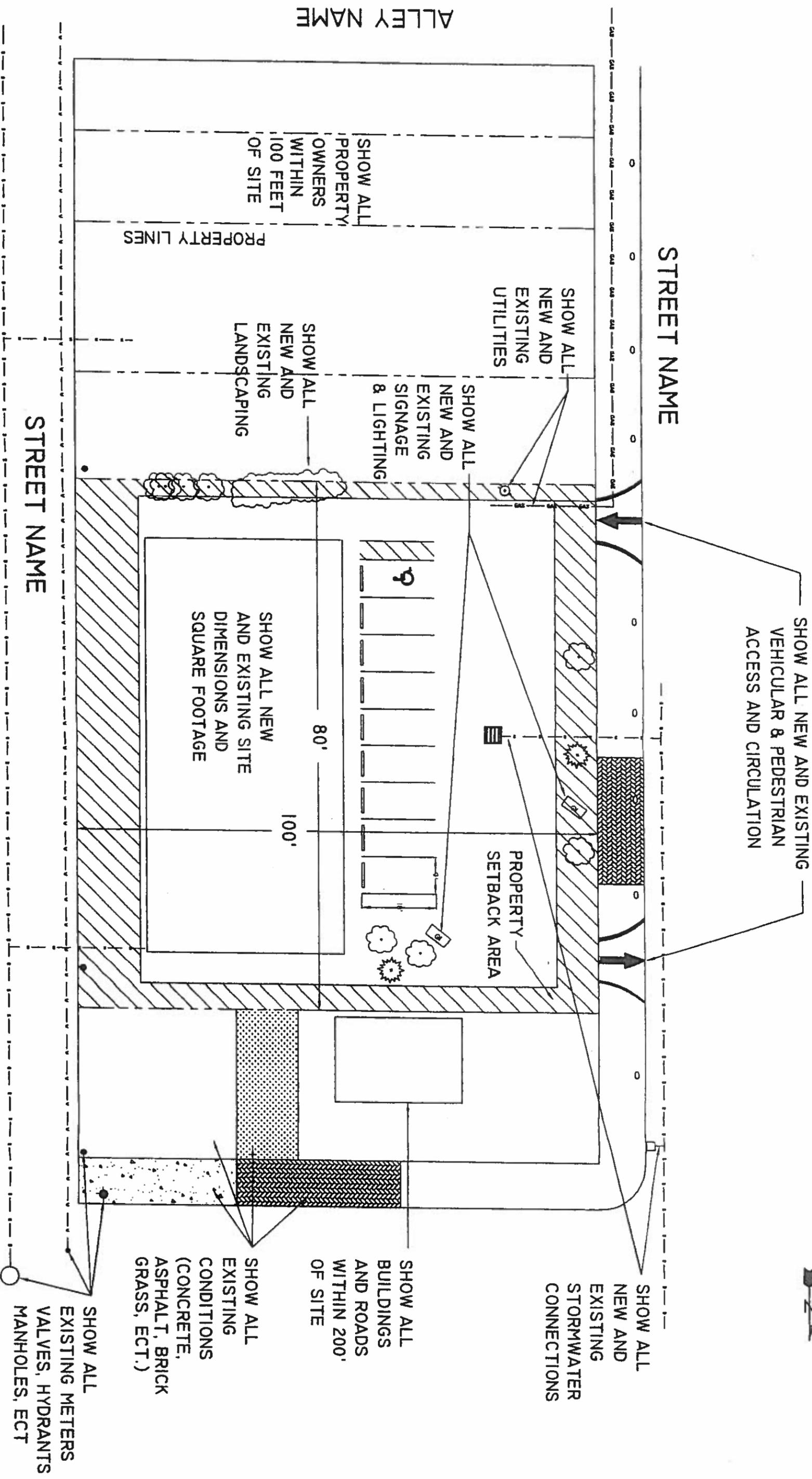
DATE

DESIGNED BY

DATE

SCALE

DATE



SHOW ALL NEW AND EXISTING
VEHICULAR & PEDESTRIAN
ACCESS AND CIRCULATION

STREET NAME

SHOW ALL
NEW AND
EXISTING
STORMWATER
CONNECTIONS

SHOW ALL
NEW AND
EXISTING
UTILITIES

SHOW ALL
NEW AND
EXISTING
SIGNAGE
& LIGHTING

PROPERTY
SETBACK AREA

SHOW ALL
BUILDINGS
AND ROADS
WITHIN 200'
OF SITE

SHOW ALL
EXISTING
CONDITIONS
(CONCRETE,
ASPHALT, BRICK
GRASS, ECT.)

SHOW ALL NEW
AND EXISTING
DIMENSIONS AND
SQUARE FOOTAGE

SHOW ALL
NEW AND
EXISTING
LANDSCAPING

SHOW ALL
PROPERTY
OWNERS
WITHIN
100 FEET
OF SITE

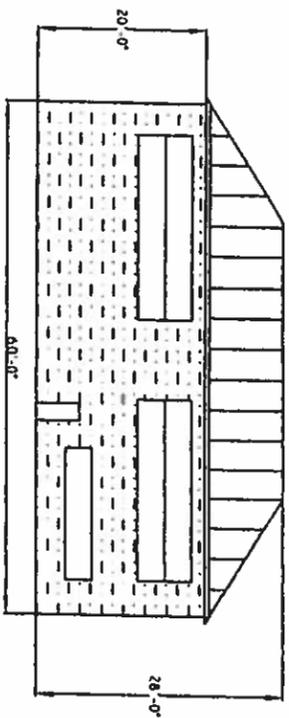
PROPERTY LINES

ALLEY NAME

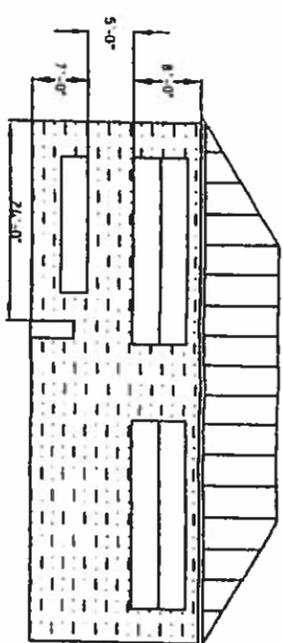
STREET NAME

SHOW ALL
EXISTING METERS
VALVES, HYDRANTS
MANHOLES, ECT

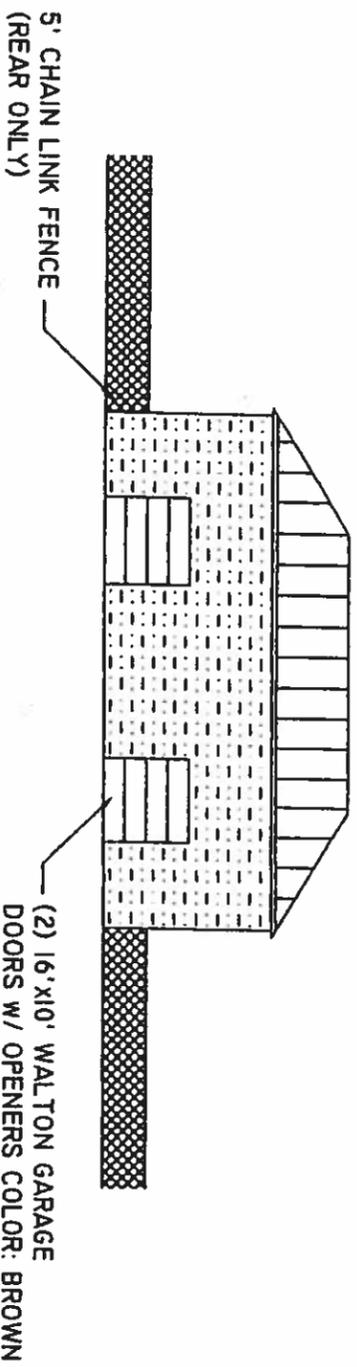
PROJECT NAME		DRAWING NAME	
SCALE	DATE	DESIGN	DATE
PROJECT ENGINEER		OWNER INFORMATION	



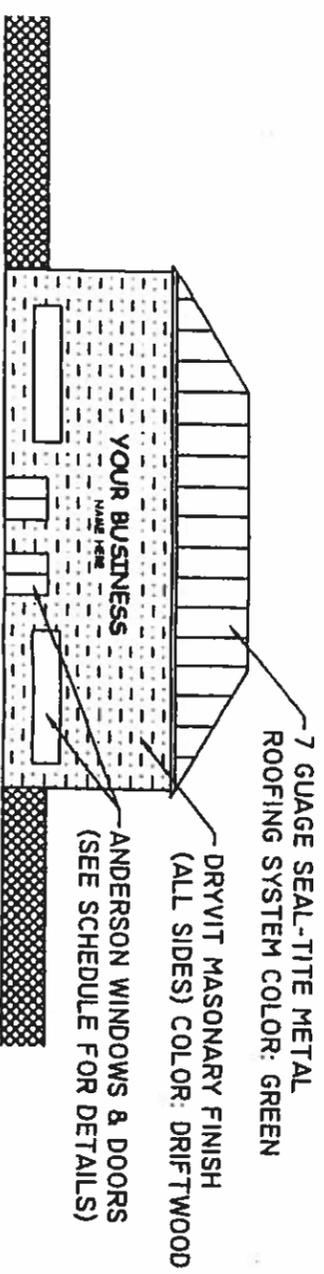
NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

PROJECT NAME	
DRAWING NAME	
SCALE	
DATE	