



# CITY OF WHEELING PLANNING COMMISSION

[www.WheelingWV.gov](http://www.WheelingWV.gov)

## STAFF REPORT

October 13, 2020

PROPERTY LOCATION: Vicinity of Bethany Pike (WV88)  
Tax Parcels: W25-50,51,52,53,54,55,58,59,60,62,62.1  
W26-90, 90.1, 90.2 W32-99.2  
W33-6.2 W27A-1

NATURE OF REQUEST: Comprehensive Plan Amendment: Special Area Plan (SAP)

APPLICANT: Michael E. Hooper, Esq. on behalf of owner, GC&P Dev., LLC

APPLICATION RESOURCES: [www.wheelingwv.gov/gcp](http://www.wheelingwv.gov/gcp)

## COMPREHENSIVE PLAN

The purpose of a comprehensive plan is to guide a governing body to accomplish a coordinated and compatible development of land and improvements within its territorial jurisdiction, in accordance with present and future needs and resources (WV Code 8A-3-1-a).

The process of citizen participation and thorough analysis is used to develop a set of strategies that establish as clearly and practically as possible the best and most appropriate future development of the area in order to preserve and enhance the unique quality of life and culture in the community and in adapting to future changes of use of an economic, physical or social nature (WV Code 8A-3-1-b).

A comprehensive plan must promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, as well as the efficiency and economy in the process of development.

The current future land use category of the development site is “Conservation Development” which is described on page 55 of the Plan and:

- Identifies areas of the city constrained by floodplains and steep slopes
- States the goal of the plan is to protect these resources and acknowledges modern engineering can sometimes open these areas up for development.
- Identifies that the Plan seeks to balance the interest of private owners to develop their property with the need to mitigate development impacts.
- Recommends land designated for conservation development be maintained in its natural state to the maximum extent possible.

The Special Area Plan concept, outlined on page 55 of the Comprehensive Plan, recognizes there may be large development projects that differ from the future land use plan, and was included to

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STAFF: THOMAS CONNELLY, AICP

not completely exclude a proposal, but allow for an opportunity for its review and consideration by way of an amendment to the future land use plan. The review processes shall:

1. Provide opportunities for the public to provide feedback on the proposal;
2. Analyze the benefits and impacts of the proposed alternative;
3. Identify how the alternative better reflects the community vision established in the plan than the original recommendations;

#### SPECIAL AREA PLAN

GC&P Development, LLC filed a Special Area Plan (SAP) application to develop property they own into a “Mixed Use Village”. The location of the proposed project is zoned R-1A Single Family Residential, which only allows one single family home per lot. In order to develop the property for any other use, including commercial, light industrial, mixed use, etc. a change in zoning is required. As outlined in West Virginia Code 8A-7-8, before amending the zoning ordinance, the governing body, with the advice from the Planning Commission, must find that the amendment is consistent with the adopted comprehensive plan. If not, then there must have been major changes of an economic, physical or social nature within the area involved that were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristic of the area. Therefore, in order for a zone change request to be successful, the Future Land Use Plan found in the Comprehensive Plan would need to be amended to be consistent with the request.

The most notable characteristic of the Special Area Plan is the planned development pad that has been proposed. The applicant contends in order for a project of this nature to be successful, a flat pad must be created. In order to achieve the creation of a 45+/- acre pad (Exhibit 4B), the existing site elevation would be reduced on average 100’ +/-, and in some areas slightly over 200’ resulting in over 9 million cubic yards of material being excavated (Maps 29C-32).

#### **1. PUBLIC INPUT:**

Public input is an important part of the comprehensive planning process and any subsequent amendment process. West Virginia State Code (8A-3-6-c) and the Comprehensive Plan (p.55) both require the process include the public. During the past 14 months, the Commission openly reviewed the application at several public meetings, made the application materials available at the City Building and on the city’s website. This included all maps, exhibits, professional studies, meeting transcripts, archived Zoom meetings, meeting minutes, staff reports, public comments, staff correspondences, etc. in order for the public to be informed so that they could submit meaningful comments and participate in a meaningful public hearing. Between August 2019 and October 2020, the Commission received nearly 400 pages of comments from over 180 people. In addition, a public hearing was held in September 2020 in order for the Commission to hear and obtain additional information on the request. The 183 email and public hearing comments resulted in 62% opposing the request and 38% supporting the request.

#### **2. BENEFITS AND IMPACT:**

The Special Area Plan process described in the Comprehensive Plan outlines the need for the Planning Commission to analyze both the benefits and impacts of the proposed alternative from the current designation as “Conservation Development”. Below is a list of potential benefits and

impacts that have been identified during the review process by the applicant, staff, industry experts, Commissioners, state offices, and the public:

### Potential Benefits

The applicant identified the following benefits of the proposal in their July 2019 correspondence to the Commission (Exhibit 5):

- a new community oriented, walkable and environmentally friendly neighborhood mixed-use village
- improved traffic flow and safety along Bethany Pike
- engineered stormwater management of the development site
- substantial increase in revenue to the city and state during the construction phase and following the project's completion

The public identified the following potential benefits in their comments:

- additional housing options
- additional jobs
- additional retail space
- additional office space
- walkable nature of the development
- complements other amenities in the area
- improvements to Bethany Pike
- increase tax revenue
- improve the community
- infuse life into the community
- help the local economy
- encourage people to stay in Wheeling

### Potential Impacts

The public raised concerns with the following potential impacts:

- environmental:
  - earth removal / quarry of 9 million cubic yards of material
    - extreme reconfiguring of land / mountains importance to residents
    - operation in middle of neighborhood
    - length of time to excavate / operate quarry
    - noise / blasting / dust / vibration / heavy truck traffic
    - unknown impact / exposure of underground mines / mine water
    - deforestation / benefits of trees on stormwater and land stability
  - concerns over 180' & 120' high walls / steepness / proximity to adjacent neighbors
  - changes to natural topography / character / beauty of area / visual benefits
  - loss of mature forest / animal & bird habitat / displaced into neighborhood
  - light pollution / loss of night/dark sky
  - irreversible
  - previous state permit issues (stormwater / timbering)
- stormwater:
  - runoff / soil erosion / mudslides / hill instability

- alteration of natural drainage patterns
- neighborhood character:
  - aesthetic impact on historic neighborhood
  - loss of peace and tranquility
  - forested hillside is the natural backdrop of neighborhood
  - observable from National Road and Interstate 70
  - unnecessary flattening, could be developed similar to surrounding areas
  - not everyone wants development patterns of nearby cities
- infrastructure:
  - who is paying for improvements to Bethany Pike
  - limited ability to widen Bethany Pike in areas
  - capacity of existing sanitary sewer
  - ability to provide water
- traffic:
  - volume
  - safety
  - congestion
  - access points
  - festival of lights
  - expansion
- safety:
  - floods
  - hill instability
  - increased traffic overall and by school / playground
  - damage to houses during blasting and ongoing due to stormwater / erosion
- health:
  - human benefits of natural environment
  - constant worry of flooding
- economy:
  - project viability / unknown market following excavation
  - uncertainty to complete project / no bonding required
  - only benefits a few, negatively impacts many
  - existing vacant commercial space in city
  - non-living wage jobs
  - retail trends away from brick & mortar
  - duplicated commercial / unnecessary project
  - sufficient commercially zoned land available
  - loss of home values in vicinity of project

In response to *geotechnical engineering* concerns raised from the public, the Commission hired an independent engineer, S&ME, Inc., to perform a geotechnical review of the proposed development (see June 8, 2020 Staff Report). Their review provided a summary of the project, field reconnaissance, and a review of the engineering and stormwater documents. Comments on specific application submittals, such as the Larson Design Group Geotechnical Report (Ex.11a), Thrasher Geotechnical Summary (Ex.11), Stormwater Management (Maps 60, 61, 80 & 80a) public emails (Set 6, batch 8, p. 159-161) were provided. Their review of the data and

field observations found the highwall designs to be optimistic, cited potential mine subsidence risk and concluded that the development is missing critical geotechnical information for an adequate design of the development.

In response to *traffic impacts* raised by the staff and the public, the Commission requested a Transportation Impact Study (TIS) be performed and reviewed by the West Virginia Department of Transportation, Division of Highways (DOH) at the first meeting (August 2019). The applicant states in their correspondence to the Commission (Exhibit 5 p. 5) that the “listed improvements are relevant, necessary to and a vital part of this Application” and that “the Development, including the Oglebay Corridor Improvement Project have been reviewed by the WVDOH, which resulted in the feasibility letter”. The DOH feasibility letter referenced in Ex.5 states, “conceptually” the “proposed access at WV 88” “appears to be feasible” and that a TIS would be required to review the full scope of the modification to the state highway system (Exhibit 6). Upon completion of the TIS, staff was informed by the applicant in June 2020 that they determined it to be premature and imprudent to have the DOH review and comment on the TIS because it required Developer’s Agreement with the WVDOH. However, WVDOH informed staff the developer would not be held to make the improvements if the final plan changed from the preliminary plan or if the developer did not proceed with a development. (See “DOH Comments Set 1-3, June 2020”) The TIS indicates the intersection of Bethany Pike/ National Road/Altenheim Avenue would be negatively impacted by the development, even with the implementation of mitigation measures (Exhibit 14).

In response to *environmental impacts* raised, the Commission requested comment from the Department of Environmental Protection (see DEP Comments Set 2). Permit types and permitted activities were discussed by Deputy Secretary Scott Mandirola during the June 8, 2020 Planning Commission meeting (see meeting transcripts), including the stormwater construction permit and quarry permit – which require public notice from the DEP.

In response to *historic preservation* impacts raised, the Commission requested comment from the State Historic Preservation Office (see State Historic Preservation Comments Set 3). The Deputy State Historic Preservation Officer advised that they are not able to provide comments until a final plan has been developed and that due to the anticipated involvement of various federal agencies that would oversee the project, a Section 106 review is expected.

In response to *infrastructure* impacts raised, the Commission requested comment from city departments (see “City of Wheeling Comments Set 4”). CT Consultants provided a review of the development’s impact on the city’s sewer and water system. The engineer determined that neither the existing water or wastewater systems has the capacity to support the development.

In response to *zoning & land use* impacts, the Planning Commission staff provides the following comments as they pertain to the proposed preliminary plan’s inconsistency with the existing zoning text, should the SAP and zoning amendment move forward. Similar comments pertaining to the proposed development’s inconsistency with site plan review were also provided to the applicant in April 2016.

- §1373.01 General Purpose
  - The general purpose of the site plan review is to regulate site development plans in order that adequate light, air, convenience of access, and safety from fire, flood, and other danger be secured; that congestion in 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 the objective of the zoning ordinance §1323.03 may be accomplished.
- §1373.03 (a) Uses and Actions Subject to Site Plan Approval
  - 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.
- §1373.07 General Standards as a Basis for Review
  - The standards are intended to provide a framework in which an applicant is free to exercise creativity, invention and innovation while recognizing the historic, scenic and visual qualities inherent in the City of Wheeling.
- §1373.07(a) Relationship of Proposed Development to the Comprehensive Plan
  - Due attention should be given to the Plan's goals and objectives and land use policies and the relationship of the proposed development to the specific area of the city in which it is located.
  - 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.
- §1373.07(c) Relationship of Buildings and Site to Adjoining Area
  - 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.
  - 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.
  - Proposed structures shall be so sited as to minimize any adverse impact upon the surrounding area and particularly upon any nearby residences by reasons of several items, including location, intensity, direction and times of use of outdoor lighting and the likelihood of nuisances.
- §1373.07 (d) Landscape, Buffering, and Site Treatment
  - 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.
- §1373.07 (e) Ecological Considerations
  - The development shall, insofar as practicable:
    - Result in minimal degradation of unique or irreplaceable land types and in minimal adverse impact upon the critical areas such as steep slopes, highly

erodible soils, mature stands of mature vegetation, and extraordinary wildlife nesting areas, feeding or breeding grounds.

- Conform to existing geological and topographic features to the end that the most appropriate use of land is encouraged.
- §1373.07(f) Scenic Historic, Archaeological and Landmark Sites
  - Scenic, historic and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.
- §1373.07 (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.
- §1373.07 (h) Driveway Connections to Public Streets
  - All such entrance and exit driveways to public streets shall be located and designed to discourage the routing of vehicular traffic to and through local residential streets.
- §1373.07 (i) Traffic Effects
  - The site development proposal generally shall minimize adverse traffic effects on the road networks serving the area in question.
- §1301 Subdivision Regulations
  - A 4.4-acre parcel of land (W33-6.2) was subdivided and transferred to the applicant in June 2015 without having been reviewed and approved by the Planning Commission as required by the city's subdivision ordinance. The northern part of this lot contains portions of the highwall.
  - The applicant has included a "residential only" use of the proposed development pad depicting approximately 251 lots (Map 50). Any future major subdivision application would similarly have to demonstrate consistency with the Comprehensive Plan (Subdivision Ordinance City Code Part 13 Chapter 1) and West Virginia State Code (8A-4-2-10). In addition, §1373.03.c of the zoning ordinance allows the staff to refer any applicant proposing to "use, construct, enlarge, alter or move" any "buildings, structures or land" through the site plan review process detailed above.

### **3. DOES THE ALTERNATIVE BETTER REFLECT THE COMMUNITY VISION ESTABLISHED IN THE PLAN THAN THE ORIGINAL?**

The Commission will need to determine if the proposed Special Area Plan better reflects the Community Vision and the Initiatives and Goals derived from the Vision found on pages 37-47 of the Plan that states: *“Wheeling will be a forward-thinking, modern, and sustainable community with a diverse economy, support for local entrepreneurs, strong community partnerships, robust neighborhood and infrastructure investments, and an emphasis on embracing the area’s unique heritage, culture and recreational opportunities.”*

Please refer to the Comprehensive Plan for the complete text pertaining to each Initiative. *A link to the Comprehensive Plan can be found on the project website provided on page one of this report.*

The following symbols have been used to indicate if staff interprets the SAP to better reflect the Community Vision:  $\checkmark$  = yes  $\emptyset$  = no  $?$  = unknown/open to interpret *n/a* = not applicable

#### **Initiative #1 Wheeling will be Modern and Sustainable**

- $\emptyset$  Targeting reinvestment and revitalization efforts in downtown and in the older, urban neighborhoods to support the establishment and growth of walkable, mixed-use neighborhoods.
- $\emptyset$  Expanding opportunities for sustainable practices including, but not limited to, urban agriculture, use of renewable resources, use of green infrastructure, emphasis on non-vehicular transportation, etc.
- $?$  Change Perception
- $\emptyset$  Focus on Downtown
- $\emptyset$  Recognize Natural Development Constraints
- n/a* Address Vacant Properties

#### **Initiative #2 – Wheeling will have a Diverse Economy by...**

- $?$  Promoting an economy built on its own assets including the expansion of the educational and medical industries, strong businesses that have chosen to locate in Wheeling, and a growing entrepreneurial base.
- $?$  Targeting business attraction efforts that will bring in jobs with livable wages.
- $?$  Developing additional opportunities to assist local entrepreneurs and small business that are looking to start-up a business and/or grow in Wheeling.
- $?$  Collaborating with local banks and financial institutions on efforts to streamline investment in the community and finance development projects.
- $\emptyset$  Capitalize on Land Availability
- $?$  Build Upon Major Industries



✓ = yes   ∅ = no   ? = unknown/open to interpret   n/a = not applicable

**Initiative #3 – Wheeling will have strong Community Partnerships by...**

- n/a Collaborating with other institutions, public service agencies, stakeholders, neighborhood organizations, and regional partners to identify the needs of the citizens and provide appropriate support to address such needs.
- n/a Engaging all of its citizens in this plan’s implementation, regardless of their age, wealth, educational level, or length of residency.
- n/a Incorporating new ideas and new people in the city’s planning efforts and in the decision-making processes.
- ? Combine Resources
- n/a Improve Communication and Coordination

**Initiative #4 – Wheeling will invest in its Neighborhoods by...**

- ✓ Ensuring that there are adequate housing options for all age groups including a wider array of housing types, affordable housing options, and an increase in choices between new and older housing stock.
- ? Providing access to recreational facilities, local and regional institutions, shopping, and public services within close proximity to all neighborhoods.
- ∅ Establishing and enforcing policies and ordinances that will provide for the long-term protection of neighborhoods without creating excessive burdens on homeowners and business owners.
- ∅ Protecting and ensuring the long-term preservation and use of historic districts and buildings.
- ✓ Increase Housing Options
- ∅ Consider Transition between Different Uses
- n/a Encourage Property Maintenance

**Initiative #5 – Wheeling will invest in its Infrastructure by...**

- ∅ Supporting all modes of transportation but focusing efforts on expansion of non-vehicular (e.g., sidewalks and trails) and mass transit options.
- ? Upgrading the local infrastructure systems, especially high-tech infrastructure, to support its residential population and promote economic development.
- ∅ Updating the city’s Capital Improvement Plan on a regular basis to establish a priority of infrastructure improvements based on community needs.
- ∅ Improve and Update the Infrastructure
- ∅ Prepare for Major Improvements
- ∅ Improve Mass Transit
- ∅ Coordinate Regional Activities and Improvements
- ∅ Discourage Truck Traffic on Local Roads

**Initiative #6 – Wheeling will embrace its Quality of Life by...**

- ? Providing excellent park and recreational facilities, quality educational facilities, access to arts and culture, and diverse entertainment opportunities.

√ = yes   ∅ = no   ? = unknown/open to interpret   n/a = not applicable

- ∅ Partnering with local preservation organizations and agencies on efforts that will protect and promote the city's heritage as a way of creating a sense of place and an economic development activity.
- ? Fostering an artistic environment that allows for local visual and performance artists to demonstrate the cultural assets of the city.
- n/a Providing quality public safety and educational services and opportunities to all of its citizens.
- ∅ Promote Historic Preservation
- ∅ Acknowledge Aging Population
- n/a Develop a Parks and Recreation Plan or Strategy
- n/a Identify Sources of Funding

The section below reviews the applicant's interpretation of how the Special Area Plan is consistent with the Community Vision and Initiatives (Exhibit 5 pg. 7-11) along with a staff analysis.

**Initiative #1 Wheeling will be Modern and Sustainable**

*See Exhibit 5 (pg. 7-8) for the applicant's position with regard to Initiative #1 cited below.*

The applicant contends that their proposal is a forward thinking, modern and sustainable approach to development. However, as they cite from the Comprehensive Plan – “as a guide for future development” “it is recommended that the best use of a tract of land be determined “by the character of the surrounding area as well as individual conditions of the site including, but not limited to the existing use of the site, natural topography, presence of flood hazard areas, traffic, surrounding use, and similar conditions.”

- *Character of the Surrounding Area, Natural Topography, Surrounding Use, Similar Conditions:* The proposed development is not consistent with the “character of the surrounding area” which remains in its natural topographic condition. The surrounding area includes the hilltop developments of Forest Hills, Barrington, Oakmont Road, North Park, Glenwood, and outside the city: Stratford Springs and Washington Farms, all of which made use of the existing topography. The vision statement places a high value on the benefits associated with the retention and conservation of community character and natural spaces, versus intrusive commercial developments into residentially zoned areas.
- The proposed traffic impact would result in negative impacts in the area, especially at the intersection of Bethany Pike and National Road, even with the implementation of mitigation measures. The proposed widening of Bethany Pike to address increased traffic will not reduce wait times at this intersection. In addition, the widening of Bethany Pike through the neighborhood could encourage an increase in vehicle speed, reduce safety and place additional commercial redevelopment pressure in this corridor.
- The latest version of the plan includes access into the Woodsdale neighborhood from Stratford Drive as well as an entrance from Waddle Run Road across from the Greggsville neighborhood. Stratford Drive is not capable of supporting traffic in excess of the few homes it currently serves. Waddle Run Road does not appear to be in a condition to support any increase in traffic associated with this development.

The applicant includes their property in the Comprehensive Plan's Implementation Strategy 15: Utilize Vacant Lots (p.79). However, Strategy 15 clearly discusses vacant urban lots, created through neglect and demolition for things like neighborhood gardens and pocket parks.

The applicant identifies the proposed construction "at first blush" running counter to any concept of emphasizing "green spaces" (Exhibit 5 p.8) Staff agrees that the terms "green" or "sustainable" should not be used to describe the proposed project. The project proposes to eliminate on average, 100' of the hill and the natural benefits associated with it, to be replaced with a perimeter nature trail and tree plantings. Staff believes that if the development were to incorporate the existing topography, vegetative cover and mature forest, it would better qualify as a "green" or "sustainable development". It is difficult to conclude that the earth movement undertaking, which may result in exposing and creating underground mine drainage issues, mine subsidence, steep rock high walls, hill stability issues, and unmitigated water runoff on the southern slope could be considered a "green strategy" or "sustainable".

The applicant indicates that the site preparation should mitigate "any possible flooding issues long affecting the Woodsdale – Edgwood area" (Exhibit 5 p.8). There are no mitigation measures proposed for the south face of the slope below the elevation of the pad's high wall. All runoff on the south slope into the neighborhood will continue unmitigated.

The site is not in the federally designated historic district; however, the site serves as the backdrop of the district. Many of Wheeling's low-lying historic districts benefit from the natural landscape surrounding them which make them desirable places to live. Residents of the adjacent Barrington, Oakmont and Stratford Springs neighborhoods, which are at an elevation above the site pad, will look down on the development are not commercial, as referenced in exhibit. Impacts raised by residents include light pollution from the parking area surrounding the mixed-use village.

**Initiative #2 Wheeling will have a diverse economy**

*See Exhibit 5 (pg. 8-10) for the applicant's position with regard to Initiative #2.*

Staff agrees having a dynamic and diverse economy is a goal to which to strive and a benefit of the Special Area Plan, however the city must consider both the benefits and impacts when determining if meeting Plan Initiative 2 outweighs other plan initiatives.

**Initiative #3 Wheeling will have strong partnerships**

*See Exhibit 5 (pg. 10) for the applicant's position with regard to Initiative #3.*

Staff does not believe Initiatives #3 applies to this proposal.

**Initiative #4 Wheeling will invest in its neighborhoods**

*See Exhibit 5 (pg. 10) for the applicant's position with regard to Initiative #4.*

Staff agrees there is a need for new and different housing types. However, the city must consider the benefits of the proposal when considering the impacts or if a more suitable approach to add

housing could be developed. Residents, including the elected official representing the neighborhood in which the property is located have voiced their opposition to the development and the impact it will have on the neighborhood.

**Initiative #5 Wheeling will invest in its Infrastructure**

See Exhibit 5 (pg. 10-11) for the applicant' position with regard to Initiative #5.

Staff agrees there is a need to update infrastructure in the city, however the city must consider both the benefits and impacts when determining if the revenue from the planned development justifies the impact. CT Consultants have determined the existing water and sewer system would not be able to support the proposed development.

**Initiative #6 Wheeling will embrace its quality of life**

See Exhibit 5 (pg. 11) for the applicant' position with regard to Initiative #6.

The applicant provides their interpretation of how the proposed development embraces Wheeling's quality of life centered on providing a healthy and desirable alternative to life in larger cities without citing any negative impacts the development could have on the quality of life. The Planning Commission must determine if the proposed development contributes to an overall improvement of the quality of life in Wheeling.

**STAFF RECOMMENDATION**

After consideration of the Special Area Plan application materials, public comments, industry expert analysis, benefits, impacts, the community vision in the Comprehensive Plan, the overall purpose of a Comprehensive Plan, and the proposed project's consistency with land development standards established in §1373.07 of the zoning ordinance, staff recommends denying the Special Area Plan application to amend the future land use plan, the request for approval of the "conceptual site plan", and the request for "final grading plan approval" (Exhibit 5). Staff believes that the impacts outweigh the benefits, that the proposal does not better reflect the community vision than the current "Conservation Development" designation, and that the fundamental nature of the project is inconsistent with significant land development standards established for the city.