



CITY OF WHEELING PLANNING COMMISSION

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STAFF REPORT

December 16, 2019

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 Development, LLC

NOVEMBER 2019 MEETING UPDATE:

Staff provided six comments in the November staff report as a follow-up to the October meeting; however, the matter remained on the table so there was no discussion or action on the application.

DECEMBER 2019 MEETING UPDATE:

The Special Area Plan process outlined on page 55 includes the requirement for the Commission to “analyze both the benefits and impacts of the proposed alternative” as well as the “identification of how the alternative better reflects the community vision established in this plan”. In order to assist in those efforts, the Commission requested the applicant provide the following information prior to scheduling a public hearing, none of which have been received:

1. A Traffic Impact Study (TIS) to the Department of Highways for their review and comment.
2. A list of all permits and review processes from state agencies with authority over the preferred development.
3. Response to the geological concerns raised in attachment Correspondence Set 6 p. 9-12 & 21-67.

The applicant provided an estimate of tax effects that the proposed preferred development could have on the City of Wheeling. (Exhibit 12)

The applicant provided 8 additional renderings (Maps 88-95).

STAFF RECOMMENDATION:

The staff recommends referring the application to the Zoning Committee to allow additional time for the applicant to provide the requested information outlined above. The alternative would be for the Planning Commission to move forward without the information and schedule a public hearing for February 3, 2020. The deadline to notify for that meeting is December 30, 2019. All information intended for public consideration during the 30-day notice period shall be submitted by January 3, 2020.

COMMISSION MEMBERS

JAMES J. MAUCK, CHAIR · MARTHA WRIGHT, VICE CHAIR · THOMAS CONNER · RUSTY JEBBIA
HOWARD MONROE · CHRISTINA SCHESSLER · WILLIAM SCHWARZ · WENDY SCATTERDAY · JEREMY WEST

STAFF: THOMAS CONNELLY, AICP

ATTACHMENTS:

December 3, 2019 DEP email exchange (Website Correspondence Set 2-2)
December 4, 2019 DOH email exchange (Website Correspondence Set 1-2)
Public Emails November 18- December 6 (Website Correspondence Set 6-6)
Exhibit 12 estimated taxes
Map #88 – Oglebay Corridor Entrance
Map #89 – Entrance Gate
Map #90 – Entrance Gate N Side View
Map #91 – Entrance Gate S Side View
Map #92 – Oglebay Corr. Overhead S View
Map #93 – Oglebay Corr. Overhead SW View
Map #94 – Oglebay Corr. E Side View
Map #95 – Project Overhead S Side View

Tom Connelly

From: Tom Connelly
Sent: Wednesday, December 4, 2019 8:54 AM
To: Johnson, Dustin C; Ward, Harold D
Cc: Vernon, John T; Wright, Clarence E
Subject: RE: [External] FW: GC&P Development-Planning Commission Invited Comments

Who makes the determination if a proposed activity is exempt from the DEP permit process outlined in State Code 22-4-29?

-Tom

From: Tom Connelly
Sent: Tuesday, December 3, 2019 4:49 PM
To: Johnson, Dustin C <Dustin.C.Johnson@wv.gov>; Ward, Harold D <Harold.D.Ward@wv.gov>
Cc: Vernon, John T <John.T.Vernon@wv.gov>; Wright, Clarence E <Clarence.E.Wright@wv.gov>
Subject: RE: [External] FW: GC&P Development-Planning Commission Invited Comments

Thank you for the information and the quick reply.

-Tom

From: Johnson, Dustin C <Dustin.C.Johnson@wv.gov>
Sent: Tuesday, December 3, 2019 4:42 PM
To: Tom Connelly <tconnelly@wheelingwv.gov>; Ward, Harold D <Harold.D.Ward@wv.gov>
Cc: Vernon, John T <John.T.Vernon@wv.gov>; Wright, Clarence E <Clarence.E.Wright@wv.gov>
Subject: Re: [External] FW: GC&P Development-Planning Commission Invited Comments

Mr. Connelly,
Neither myself nor the Philippi office permitting staff have been contacted regarding this proposal. A permit application has not been submit to us.

Thanks,
Dustin

Dustin C. Johnson

Program Manager

West Virginia Department of Environmental Protection

Division of Mining & Reclamation

601 57th St., SE

Charleston, WV 25304

(304) 926-0499 EXT 1867

dustin.c.johnson@wv.gov

From: Tom Connelly <tconnelly@wheelingwv.gov>
Sent: Tuesday, December 3, 2019 4:31 PM
To: Ward, Harold D <Harold.D.Ward@wv.gov>
Cc: Vernon, John T <John.T.Vernon@wv.gov>; Wright, Clarence E <Clarence.E.Wright@wv.gov>; Johnson, Dustin C <Dustin.C.Johnson@wv.gov>
Subject: RE: [External] FW: GC&P Development-Planning Commission Invited Comments

Hello Mr. Ward,

I'm following up to determine if there has been any communication between GC&P Development or their representatives and the DEP regarding applicable application processes and/or permitting procedures as it pertains to their intent to excavate 9 million cubic yards of material. The City's Planning Commission will be meeting again on December 16, 2019.

Thank you,
-Tom

From: Ward, Harold D <Harold.D.Ward@wv.gov>
Sent: Tuesday, September 10, 2019 2:55 PM
To: Tom Connelly <tconnelly@wheelingwv.gov>
Cc: Vernon, John T <John.T.Vernon@wv.gov>; Wright, Clarence E <Clarence.E.Wright@wv.gov>; Johnson, Dustin C <Dustin.C.Johnson@wv.gov>
Subject: RE: [External] FW: GC&P Development-Planning Commission Invited Comments

Until we see an application for a proposed activity it would be premature for me to offer any specific comment. However, I assure you that the question raised in the letter are items that would be addressed by my review staff should an application be submitted.

From: Tom Connelly <tconnelly@wheelingwv.gov>
Sent: Tuesday, September 10, 2019 2:43 PM
To: Ward, Harold D <Harold.D.Ward@wv.gov>
Subject: [External] FW: GC&P Development-Planning Commission Invited Comments

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Tom Connelly

From: Cramer, David E <David.E.Cramer@wv.gov>
Sent: Wednesday, December 4, 2019 3:29 PM
To: Tom Connelly
Subject: RE: GC&P Development, Wheeling WV

I can locate no record that I've received from the Developer since the Sept 16 letter any TIS, plans or other preliminary layouts or similar information regarding the proposed development, as it pertains to the State Highway System. I was contacted by the Developer by phone in early October suggesting a meeting with DOH, but that meeting was not scheduled or held, to my knowledge. If additional info is needed, let me know.

David E. Cramer, PE
West Virginia Department of Transportation
Commissioner's Office of Economic Development
1900 Kanawha Blvd., E
Building 5, Room 129
Charleston, WV 25305
304-414-6697
David.E.Cramer@wv.gov

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From: Tom Connelly <tconnelly@wheelingwv.gov>
Sent: Wednesday, December 4, 2019 2:25 PM
To: Cramer, David E <David.E.Cramer@wv.gov>
Subject: [External] GC&P Development, Wheeling WV

Hello Mr. Cramer,

I'm following up with Deputy Secretary / Deputy Commissioner Jimmy Wriston's September 16, 2019 correspondence to see if there has been any communication between GC&P Development or their representatives and the Division of Highways regarding the proposed access, improvements, and Traffic Impact Study related to their proposal along WV 88 in Wheeling, Ohio County. The City's Planning Commission will be meeting again on December 16, 2019 to discuss this matter.

Thank you,
-Tom

Thomas Connelly, AICP
Assistant Director
Economic & Community Development Department
City of Wheeling
1500 Chapline Street, Room 305
Wheeling, West Virginia 26003

Tom Connelly

From: Pollock, Jondavid <JPollock@wheelinghospital.org>
Sent: Monday, November 18, 2019 1:01 PM
To: Tom Connelly
Subject: GC&P Road development

Dear Mr. Connelly;

I would greatly appreciate it if you would pass my comments (from before as well as now) to the embers of the planning commission.

A patient of mine who resides in Woodsdale shared the package from the October, 2019 meeting and my comments are made from that data set.

On page 4 of the correspondence between Mr. Hooper and you, the following was stated "Developable land is a very scarce commodity in Wheeling, WV. Wherever it is feasible to find or create developable ground, the City should encourage development to preserve the health and vitality of the City, as well as to keep the City fiscally sound. Because land is such a scarce commodity, it is important that it be used well and to its full potential".

These two sentences underlie the entire premise of this development plan; to respect the peace and tranquility of a residential neighborhood in Wheeling is counterproductive to the City's fiscal health and therefore should not be respected or allowed.

Without tax payers residing in residential areas of our City, you can construct as many commercial properties as you want. What will the City's tax base then become?

As I said previously, just because it can be done does not mean that it should be done. The hills overlying Woodsdale are to be respected and enjoyed for what they are; unspoiled nature.

I invite you and any of your commission members to come to my home at 2 Heiskell Avenue now that the deciduous trees have lost their leaves so you can see what Mr. Coyne has already done to the view from my kitchen.

I currently pay about \$6500 annually in property tax for my primary home in Woodsdale. Will I be able to reduce that by some percentage (say 50%) when my view has been destroyed?

If property tax is a reflection of some innate value to my property, a commercial development destroying my view will make my house's value considerably less.

Thank you for your attention and again, please pass my words to your commission colleagues and let me know when you'd like to come to my house for a view of the hills.

Best, Jondavid Pollock, M.D., Ph.D.

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Tom Connelly

From: Ed Jepson <edjepson@gmail.com>
Sent: Monday, November 18, 2019 2:11 PM
To: Tom Connelly
Subject: GC&P Hearing

Tom,
I am unable to attend the planning commission meeting tonight, but I am opposed to their plan as presented so far.
Thanks,

Ed Jepson
2 Hazlett Court
Wheeling, WV 26003
edjepson@gmail.com

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Tom Connelly

From: Sabrina Mccarthy <sissybrother3941@gmail.com>
Sent: Thursday, December 5, 2019 2:30 PM
To: Tom Connelly
Subject: GC&P Developmwnts

To whom this may concern

I am writing to show support for this development..i am a hostess/waitress and wait on Kevin on a daily basis ..hes a very supportive person ..and seems to care abput wheeling and the people here ..i qould glasly do business at those shops and possibly rent a house ...i believe this is a great prject for wheeling....thanks, sabrina Scott

Michael D. Klug

Business Consultant 42 Romney Road, Wheeling, WV 26003

GC&P Development LLC:

Enclosed is an estimate of the various tax effects that the proposed development would have on the City of Wheeling. The estimates were based upon information obtained from GC&P Development LLC and information obtained freely over the internet. The estimate is for the current proposal for the development but may change once the final site plan for the development is approved.

The purpose of the estimate is to serve as a basis for discussion on what effects the GC&P Development would have financially on the City of Wheeling as well as the economic impact for the local area.

Sincerely,

Michael D. Klug

WV Severance Tax ----- **G&P Development One Time Economic Impact** -----
 Rate 5.00%
 Marketable materials \$ 9,760,000.00 \$16/ton min est \$20/ton max est
 \$ 9,760,000.00 \$ 12,200,000.00

Total one time Severance Tax \$ 9,760,000.00 \$ 12,200,000.00

City Business and Occupation Taxes/Permits
 Rate
 Marketable materials 1.00 Development cost estimate \$16/ton min est \$20/ton max est
 Building permits 1.00 \$ 1,952,000.00 \$ 2,440,000.00
 Development construction 1.00 \$ 600,000.00 600,000.00
 \$ 1,500,000.00 1,500,000.00

Total one time B&O/permits \$ 4,052,000.00 \$ 4,540,000.00

G&P Development Annual Economic Impact

Business and Occupation Taxes
 Rate SF rev/sf Estimated revenue City Share State Share
 Retail space 0.365 56,000 500 28,000,000.00 102,200.00 102,200.00
 Retail space 0.365 56,000 400 22,400,000.00 81,760.00 81,760.00
 Retail space 0.365 58,000 300 17,400,000.00 63,510.00 63,510.00
 Service space 0.880 219,000 500 109,500,000.00 963,600.00 963,600.00
 Subtotal B&O Taxes \$ 177,300,000.00 \$ 1,211,070.00 \$ 1,211,070.00

Property Taxes
 Rate Appraisal Property Taxes
 County 0.51080 38,086,076.00 116,726.21
 Education Bond 0.18440 38,086,076.00 42,138.43
 Education Current 0.77600 38,086,076.00 177,328.77
 Education Excess 0.87680 38,086,076.00 200,363.23
 Municipal Bond 0.01840 38,086,076.00 4,204.70
 Municipal Current 0.48160 38,086,076.00 110,053.53
 Municipal Excess 0.16320 38,086,076.00 37,293.89
 State 0.01000 38,086,076.00 2,285.16
 Subtotal Property Taxes 3,021,200 \$ 690,393.92 \$ 151,552.11 2,285.16

Hotel/Motel Tax \$ 3,148,125.00 \$ 188,887.50 \$ 94,443.75
 User fees 1,078 \$ 112,112.00 \$ 112,112.00

Sales Tax (estimate based on retail only) \$ 4,746,000.00 \$ 678,000.00 \$ 4,068,000.00

Fire Service fee
 Commercial Rate \$0.068/sf \$ 26,316.00 \$ 26,316.00
 Residential 95.00 \$ 8,360.00 \$ 8,360.00

Estimated annual benefit (doesn't include one time B&O and Severance Tax above) \$ 2,281,853.86 \$ 4,070,285.16

List of Assumptions

	Appraisal	Acres
Reisbecks	3,069,600.00	3.26
Lowes	9,974,200.00	14.35
Kroger	5,680,700.00	9.43
	18,724,500.00	27.04

692,474.11 Average appraisal per acre (used to estimate development appraisal)

	per 1000 sf	sf	jobs
Employees			
Retail	2.5	241.5	604
Office	4.17	470	474

Estimated permanent direct jobs 1,078

* Permanent/temporary indirect jobs are not included

* Temporary construction jobs 500-600

	# of rooms	est rev./room	days	
Hotel/Motel	115	75	365	\$ 3,148,125.00
Marketable stone(tons)				12,200,000
Stone		\$16 to \$20/ton		
Development acreage			55	
Development cost (estimated)		\$		150,000,000.00

The project has been estimated to also generate approximately \$1,180,000 in annual utility revenue at current prevailing rates.

As is the case with other commercial and mixed use projects that achieve density of development, it is anticipated that projected revenues will more than justify capital expenditures by service providers to install any necessary utility extensions.

Current property taxes paid are \$14,000.00.















