



# CITY OF WHEELING PLANNING COMMISSION

www.WheelingWV.gov

## STAFF REPORT

September 4, 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 Development, LLC

### SEPTEMBER 14, 2020 MEETING UPDATE:

- A discussion on several topics took place during the June 8, 2020 meeting including:
  - Scott Mandirola, WV DEP Deputy Secretary, discussed earth moving activity, permit types (stormwater and quarry) and their review processes.
  - Ben Dusina, S&ME provided a review of the geotechnical information provided by the applicant on behalf of the Commission and offered suggestions for additional information at this phase.
  - In addition to Mr. Hooper, the following representatives appeared on behalf of the applicant to discuss the Special Area Plan:
    - Mike Nestor, Ascent Consulting & Engineering
    - Zach Assaro, Ascent Consulting & Engineering
    - David Hooper, Larson Design Group
    - Melissa Southern, Stahl Schaeffer Engineering
    - Doug Grayson, GC&P Development LLC

### PUBLIC HEARING:

- The applicant has filed for a Special Area Plan, which, as described on page 55 of the Comprehensive Plan (attached), is an amendment to the Future Land Use Plan, Map 8 of the Comprehensive Plan.
- West Virginia State Code Section 8A-3-11 outlines the need for the Planning Commission to conduct a public hearing when considering an amendment to the Comprehensive Plan. 8A-3-6-d requires the Commission to request input from affected governing bodies and units of government.
- The Special Area Plan process described on page 55 outlines the need to:
  - Provide opportunities for the public to provide feedback on the Special Area Plan which has been identified as the Mixed-Use Village concept on Map 6 of application materials;
  - Analyze both the benefits and impacts of the proposed alternative from the current designation as Conservation Development
  - Identify how the alternative better reflects the community vision established in this plan than the original recommendations
    - The original recommended future land use category of this site is Conservation Development, which is described on page 55 and:

### COMMISSION MEMBERS

JAMES J. MAUCK, CHAIR · MARTHA WRIGHT, VICE CHAIR · THOMAS CONNER · RUSTY JEBBIA  
HOWARD MONROE · DAVE PALMER · CHRISTINA SCHIESSLER · WILLIAM SCHWARZ · JEREMY WEST

STAFF: THOMAS CONNELLY, AICP

- 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 Community Vision, outlined on page 37 of the Comprehensive Plan, 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.*
  - The meaning of the Community Vision is refined in the Plan's initiatives and goals found in the pages that follow the Community Vision.

STAFF RECOMMENDATION

Staff recommends:

1. Directing any questions raised as a result of the public hearing to the appropriate entity (applicant or staff) for a timely response.
2. Making the September 14, 2020 public hearing comments part of the record and be included with the application materials and record developed since August 2019 and available at [www.wheelingwv.gov/gcp](http://www.wheelingwv.gov/gcp)
3. Having the Commission review and consider all of the materials when “identifying and analyzing the Special Area Plan’s benefits and impacts”, and determining “if the Special Area Plan better reflects the original community vision”, then vote on a recommendation to City Council at the October 19, 2020 Planning Commission meeting.

## **Special Area Plans**

There are a number of areas in the city that have the potential to incorporate large development or redevelopment projects (5+ acres) that vary somewhat from the future land use plan. These areas include large tracts of land or other areas where a series of lots could be consolidated into a large parcel that significantly changes the potential for development of the site. The purpose of this plan is not to completely exclude any new development proposal for these large areas but to provide a protocol for amending the future land use plan, and possibly some of the development strategies. This approach would result in the creation of a special area plan that can supplement the recommendations of this comprehensive plan. These special areas plans need to include the following, at a minimum:

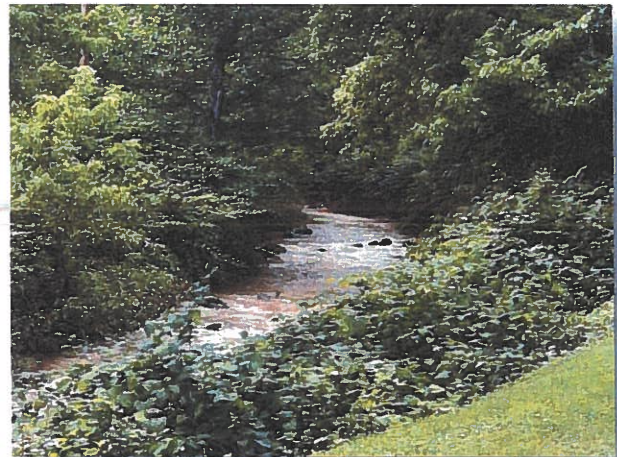
- Opportunities for the public to provide feedback on the special area plan;
- Analysis of both the benefits and impacts of the proposed alternative;
- Identification of how the alternative better reflects the community vision established in this plan than the original recommendations;
- Establishment of a revised future land use plan for the designated area; and
- Review and adoption of the special area plan by the city.

## **Future Land Uses**

The following is a description of the future land use categories identified in the future land use plan.

### **Conservation Development**

Development in these areas of the city is typically constrained by floodplains and steep slopes. While it is a goal of this plan to protect these resources, modern development techniques and special engineering can sometimes open up these areas to development where they once were deemed completely undevelopable. This plan seeks to balance the interest of private owners to develop their property with the need to mitigate the impacts of development in floodplains and on steep slopes. Land designated for conservation development on the future land use map should be maintained in its natural state to the maximum extent possible.



Should the conditions of certain properties change in the future, the city may consider reevaluating the future land use designations at a later time.