



# CITY OF WHEELING PLANNING COMMISSION

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## City of Wheeling – Planning Commission

Regular meeting of the Wheeling Planning Commission: February 15, 2019.

Commissioners present: Jebbia, Mauck, Monroe, Scatterday, Schwarz and Wright

Commissioners absent: Contraguerro and Schessler

Staff present: Connelly and Klatt

The meeting was called to order at 5:00 p.m. in the City Council Chambers by Chairman Mauck.

### **MINUTES:**

Regular Meetings: January 14, 2019. Motion to approve the minutes by Commissioner Monroe. Seconded by Commissioner Wright. All in favor.

### **COMMUNICATIONS:**

Staff reported that three correspondences were received pertaining to items on tonight's agenda. Chairman Mauck acknowledged the Commissioners having received a copy of each at tonight's meeting and requested staff to report on the correspondence during the appropriate time during tonight's review.

### **PUBLIC HEARINGS:**

#### *Home Occupation – Corey Kidd – 49 Pleasant Drive*

Ms. Kidd appeared to present her request to start an in-home bakery out of her house for weddings and other special events. She explained that there will not be a storefront and appointments would be by appointment only. She also discussed other ideas she has for tasting events. Ms. Kidd stated two neighbors have offered the use of their driveways if necessary; however, cited during the day most of the neighbors are at work and there is plenty of on-street parking. Ms. Kidd also presented photos of the interior space she intends to use for the bakery business. A discussion ensued with the Commission. Commissioner Monroe inquired into potential retail sales and the proposed classes. Staff did not believe lessons classified as retail sales.

At the public hearing, three neighbors spoke in support of the request: Robert Jones, 45 Pleasant Drive; Bethany Decker, 54 Pleasant Drive read a letter from the neighbors at 51 Pleasant Drive; Rhonda Barrow, 44 Pleasant Drive. No one spoke in opposition.

In action on the matter, Commissioner Monroe motioned to approve the Home Occupation request, citing his initial concerns; however, those weren't reflected by neighbors at the hearing. Seconded by Commissioner Wright. All were in favor with Commissioner Scatterday abstaining due to the applicant being a former client.

#### *Home Occupation – Laeken Beale – 38 Arcadia Avenue*

Ms. Beale appeared to present her request to start an in-home beauty shop in order to provide eyelash extensions and a few other services for her clients. Ms. Beale stated that she is a licensed cosmetologist in three states and previously had a storefront but scaled down her business. Commissioner Monroe confirmed Ms. Beale is the only employee and will see clients by appointment only. In response to a question from Commissioner Schwarz, Ms. Beale stated she is fairly busy and has a large client list and each appointment may range from 45 minutes to 2 hours. In response to a question from Commissioner Scatterday, she anticipates 5-7 appointments per day. Ms. Beale discussed her shared driveway, but confirmed she has the required space for parking. A discussion ensued with the Commission. The Commission acknowledged the two letters that were received in opposition to the request and placed them into the record, Doris E Tolbert of 34 Arcadia Avenue and Mike and Debby Bushon of 39 Arcadia Avenue. Staff

confirmed the business will need to be conducted as presented or the permit could be reviewed and potentially rescinded if complaints arise.

No one spoke at the public hearing. In action on the matter, Commissioner Wright motioned to approve the Home Occupation request. Seconded by Commissioner Schwarz. All were in favor.

*Special Use Permit and Site Plan Review – Good Shepherd Nursing Home – 158-158 ½ -160 Edgington Lane*

Donald Kirsch, Administrator of Good Shepherd Nursing Home appeared to present the request to develop a 39-space parking lot at 158, 158 ½ and 160 Edgington Lane. Mr. Kirsch reviewed the previously approved project and discussed how this project came to be and the institutions need. Mr. Kirsch reviewed the ingress and egress, landscaping, circulation, screening, drainage, lighting levels and ADA compliance. Discussion with the Commission ensued pertaining to these details including conversation with Commissioner Jebbia on the stormwater and entrance/exit distance to the intersection. Mr. Connelly and Commissioner Jebbia were satisfied with the level of detail of all components of the site plan. The size of the development, as it pertains to stormwater management requirements were also discussed. Commissioner Schwarz encouraged the use of pervious parking surfaces to assist with run-off concerns.

At the public hearing, four people spoke in support: Geneva Temple 241 Edgington Lane, Bob Miller 2 & 4 Storch Avenue, Clara White 10 Storch Avenue, Jim Updegraff 156 Edgington Lane. Brent Fullerton 167 South Park Street did not have a position, but had questions regarding storm run-off.

In action on the matter, Commissioner Monroe made a motion to approved the Special Use Permit. Seconded by Commissioner Jebbia. The Commissioner approved the request by a vote of 5-1 with Commissioner Scatterday voting in opposition.

In other action, Commissioner Monroe made a motion to approve the Site Plan. Seconded by Commissioner Jebbia. All in favor.

**REPORTS:**

**Standing Committees:** Zoning Committee February 4, 2019. Commissioner Monroe provided an overview of the meeting and the conclusions drawn by the Committee, including the stability of the neighborhood and concerns the zone change would have on the character of the neighborhood. Mr. Monroe reported on the action to recommend denying the zone change. Commissioner Wright clarified that although she was not present for the vote due to time constraints, she agreed with the action taken.

**Planning Staff:** none

**UNFINISHED BUSINESS:**

*Zoning Amendment Request – David R. Croft, Esquire – 1154 National Road & 2 Laurel Avenue*

Gerald Lofstead, Esq. of Spillman, Thomas and Battle and law partner with David Croft, Esquire appeared to present the amended request to rezone the property from R-1B to EMO for the purpose of constructing a bank submitted February 8, 2019. Mr. Lofstead explained Mr. Croft had another commitment that required him to leave prior to the Commission getting to this agenda item. Mr. Lofstead stated the purpose was to address the primary concerns expressed by the neighbors. Mr. Lofstead reviewed the traffic study findings, the differences between the EMO and C-2 districts, and the existing conditions of the property and some of the problems. He also reviewed the proposed development. In response to a question from Commissioner Monroe, Mr. Lofstead stated the site plan that was submitted was very preliminary. There are no intentions of going any taller than the 2 stories previously proposed. In response to a question from Commissioner Wright, staff reviewed the permitted uses in the EMO district. Commissioner Scatterday reviewed with staff other alternatives and the processes pertaining to each, including the Conditional Use permit. Commissioner Monroe stated having a preliminary site plan reflective of the concerns expressed since January 14 would be helpful. Commissioner Schwarz commented on the proposed use of Laurel Avenue and the side streets highlighting the concerns and recommended consider that issue and heavy screening moving forward.

Staff advised the Commission that the Legal Department opined on the amendment advising a new public hearing shall be had to allow comments on the amended district. Staff informed the Commission that this necessary advertising will take place to place this on the March 11, 2019 Planning Commissioner agenda. No action from the Commission was necessary.

**NEW BUSINESS:**

*Site Plan Review – Constantine “Gus” Kayafas – 20<sup>th</sup> & Market Street*

Gus Kayafas, Kayafas Architects on behalf of Bryan Fato and Straub Honda appeared to present the application to construct a 19-space parking lot as depicted on the submitted drawing including two points of access, landscaping, screening, and storm drainage plans. Commissioner Scatterday brought up the concerns raised by Councilwoman Koslik. Discussion ensued. Commissioner Scatterday objected to the proposed curb cut on 21<sup>st</sup> Street. In action on the matter, Commissioner Wright made a motion to approve the revised site plan without the curb cut. Seconded by Commissioner Scatterday. All in favor.

*Resolutions*

*WODA Group – 31<sup>st</sup> & Wood Street*

Commissioner Schwarz read the above resolution into the record. Councilwoman Monroe motioned for their approval. Seconded by Commissioner Mauck. All were in favor.

*Faith Community Church – 411-431 Kenny Street*

Commissioner Schwarz read the above resolution into the record. Councilwoman Monroe motioned for their approval. Seconded by Commissioner Mauck. All were in favor.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 7:32p.m.

Respectfully submitted,

Chairman James “Jeff” Mauck