



CITY OF WHEELING PLANNING COMMISSION

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STAFF REPORT PLANNING COMMISSION 11/8/21

Refer to 10/18/21 and 11/1/21 staff reports for additional information and attachments.

PROPERTY LOCATION: 2 Hawk Court
Tax Parcel W30A-169

NATURE OF REQUEST: Zoning Amendment (R-4 to C-1)

APPLICANT: Everette Gray, Jr.

ZONING COMMITTEE:

The Zoning Committee reviewed the application with the applicant on November 1, 2021. Mr. Gray also provided two additional letters of support on that day: Ohio River Properties, LLC the management company of Northwood Village, and the property manager of the North Park Apartments. The Committee discussed Mr. Gray's specific use of the property (convenient store) as well as the overall issue pending before the Commission, which is to rezone the property. Following that discussion, Commissioner Monroe acknowledged the staff recommendation and moved a motion to deny the zone change request based on information contained in the staff report and the request not being consistent with the Comprehensive Plan, a requirement outlined in State Code. The motion passed 2-1. Staff advised the applicant there is commercially zoned property in the North Park area that may meet his objectives.

ATTACHMENTS:

WV Code 8A-7-8
Map of Support / Opposition
Letters of Support provided at 11/1/21 meeting

COMMISSION MEMBERS

JEREMY WEST, CHAIR · THOMAS CONNER · RUSTY JEBBIA
HOWARD MONROE · DAVE PALMER · CHRISTINA SCHISSLER · WILLIAM SCHWARZ

STAFF: THOMAS CONNELLY, AICP

WEST VIRGINIA CODE: §8A-7-8

§8A-7-8. Amendments to the zoning ordinance by the governing body.

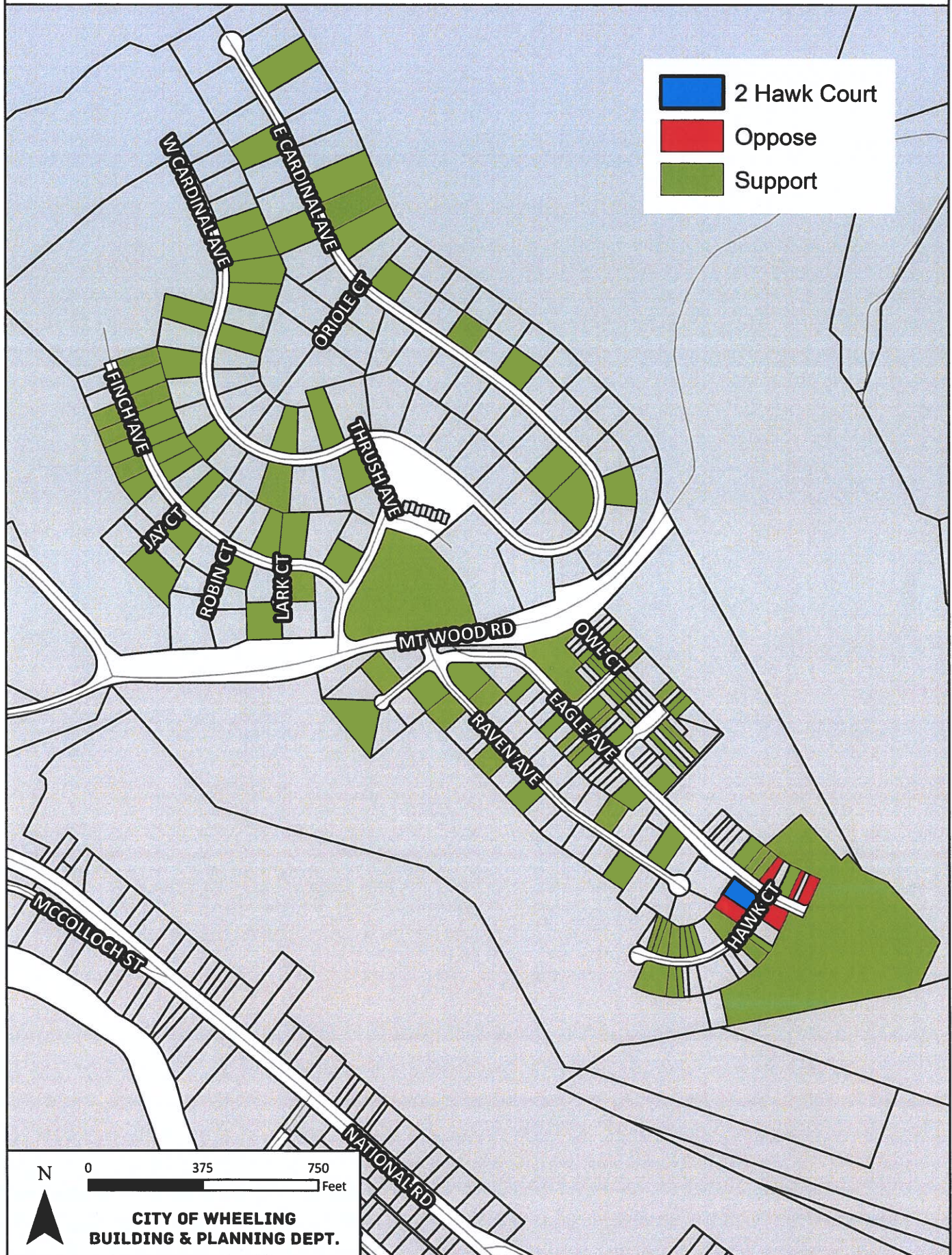
(a) Before amending the zoning ordinance, the governing body with the advice of the planning commission, must find that the amendment is consistent with the adopted comprehensive plan. If the amendment is inconsistent, then the governing body with the advice of the planning commission, must find that there have been major changes of an economic, physical or social nature within the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area.

(b) When a proposed amendment to the zoning ordinance involves a change in the zoning map classification of any parcel of land, or a change to the applicable zoning ordinance text regulations that changes the allowed dwelling unit density of any parcel of land, the governing body shall, at least thirty days prior to the enactment of the proposed amendment if there is not an election, or at least thirty days prior to an election on the proposed amendment to the zoning ordinance:

(1) Give written notice by certified mail to the landowner(s) whose property is directly involved in the proposed amendment to the zoning ordinance; and

(2) Publish notice of the proposed amendment to the zoning ordinance in a local newspaper of general circulation in the area affected by the zoning ordinance, as a Class II-0 legal advertisement, in accordance with the provisions of article three, chapter fifty-nine of this code.

Public Comment / Petition in North Park



NORTH PARK APARTMENTS

2G4 EAGLE COURT, WHEELING, WEST VIRGINIA 26003 ** PHONE (304)232-2880 FAX (304)232-3872

November 1, 2021

To whom it may concern,

Allow me to introduce myself, I am Allisha Tolarchyk, Property Manager for North Park Apartments, located at 200 Eagle Court.

I had the pleasure of speaking with Mr. Gray, during the summer months, when one of the tree's on the property fell onto his during a windstorm. Mr. Gray was nothing but understanding and cooperative during the process of me hiring a contractor to come out and remedy the situation.

During the end of September or early October, Mr. Gray contacted me and told me about wanting to build a small convenient store right here on Eagle Avenue and he wanted to my opinion on it, if I thought that this may be beneficial to my residents. I loved the idea! I think the residents of not only North Park Apartments but everyone in North Wheeling could utilize. Without going off the "hill" there is no place for one to go to pick up a quick item such as a gallon of milk or a loaf of bread.

I have spoken with Mr. Gray since then and he states he still has hopes of getting the approval to continue this dream. What a wonderful thing Mr. Gray is trying to achieve by being able to help provide a convenience for all the residents of the North Park area of Wheeling.

Please consider allowing Mr. Gray to build!

Thank you for your time.



Allisha Tolarchyk
Property Manager

North Park Apartments



OHIO RIVER



PROPERTIES, LLC

November 1, 2021

To Whom It May Concern:

I am writing today to strongly encourage the passing of Mr. Everett Gray's "On Deck Korner Store" project. As a manager of rental property consisting of 36 units in Northwood Village, this would be a great convenience to my current tenants as well as a something I would like to tell new potential renters is available to them without going off of the hill, especially in inclement weather.

I am sure there are many more people in the neighborhood that are for this project moving forward, but we at Ohio River Properties are definitely in favor of Mr. Gray's vision.

Sincerely,

Janel Evans
Manager
Ohio River Properties, LLC