



# CITY OF WHEELING PLANNING COMMISSION

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

## STAFF REPORT

PROPERTY LOCATION: 1913 Warwood Avenue

NATURE OF REQUEST: Special Use Permit

APPLICANT: Thomas Gilson

### BACKGROUND & ANALYSIS:

Thomas Gilson, doing business as “The Cheese Melt Grill & Bar” is requesting a Special Use Permit in order to open a “Restaurant with Lounge” at 1913 Warwood Avenue. The property is zoned C-1 Neighborhood Commercial. A “restaurant” is a permitted use, a “restaurant with lounge” requires the approval by the Planning Commission. A “restaurant with lounge” is defined as “an establishment for public eating in which the main purpose is the serving of food for consumption on premises and wherein a separate portion of the premises or structure may be used for the consumption of alcoholic beverages.”

The applicant has indicated that the business will be a sit-down restaurant with a full menu and video lottery room. The building will contain a kitchen, dining area, counter, restrooms, and a parlor room. The business hours will be Monday – Saturday from 9 am to 8 pm. Off-street parking is available on the south side of the building and behind the building. There is also public on-street parking in front of the building. The applicant also intends to install a bike rack.

Special Use Permits are deemed to be permitted uses, subject to the satisfaction of the conditions and general standards set forth in §1371.06 of the Zoning Ordinance and the specific standards outlined in §1371.24.

As outlined in §1371.24 of the zoning ordinance, in the C-1 Neighborhood Commercial District a “restaurant with lounge” may be permitted upon the conclusion of a public hearing and with approval of the Planning Commission. The applicant shall provide the necessary information to establish the primary function of the business as a restaurant by presenting a business plan for review to the Commission. The plan should include the following pieces of information:

- A. Food Menu
- B. Alcohol Menu
- C. Staff
- D. Operating Hours- (Kitchen to remain open while business is open)
- E. Parking Availability/Seating Capacity
- F. Presence of Video Lottery Terminals, pool tables, dartboards, karaoke machines, and other sources of entertainment.
- G. Floor Plan, and
- H. Such other information as may be required by the Commission.
- I. Annual renewal of the Special Use Permit from the Commission.

If the Special Use Permit is approved, City Council will also have to designate the site as a Development / Redevelopment site since the business will contain alcohol and video lottery and is within 1000’ of a residence in a residential zone.

### COMMISSION MEMBERS

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

STAFF: THOMAS CONNELLY, AICP

STAFF RECOMMENDATION:

The staff recommends approval of the Special Use Permit.

ATTACHMENTS:

Application for Zoning Compliance  
Application for Special Use Permit  
§1371.06 “General Standards”  
Letter to the Commission addressing §1371.24  
Floor Plan  
Exterior Photo  
Menu



**APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE FOR THE USE, ERECTION, ALTERATION, OR REPAIR OF A BUILDING OR LAND**

The undersigned applies for a Certificate of Zoning Compliance for the following, said certificate is to be issued on the basis of the information contained within the application. *The applicant hereby certifies that all information and attachments are true and correct.*

- 1. Address of Property: 1913 Warwood Ave. Wheeling, WV 26003
- 2. Name of Property Owner: Bernard Lombard
- 3. Name of Applicant: Thomas Gilson
- 4. Address of Applicant: 1050 Betty Zane Rd. Wheeling, WV 26003
- 5. Applicant Phone: 304-281-9187 Owner Phone: 304-281-4990
- 6. Existing Use: Vacant Formerly a bar
- 7. Proposed Use:  Same  Other (describe): Restaurant and lounge
- 8. Number of off-street parking spaces to be provided: 10
- 9. Number of off-street loading berths to be provided: 1

**COMPLETE THIS SECTION BELOW FOR THE ERECTION, ALTERATION, OR ADDITION OF A STRUCTURE**

**Type of Improvement:**

- New Building
- Addition
- Alteration / Repair

**Residential:**

Number of existing dwelling units: 0  
 Number of proposed dwelling units: 0

**Existing Lot Dimensions:** Width: 55 ft. x Depth: 111 ft. = lot area: 6500 sq. ft.

**Existing Principal Building:**

Dimensions: Width: 17 ft. x Depth: 70 ft. = Total first floor area, including covered porches: 1190 sq. ft.  
 Setbacks: Front: 10 ft. Rear: 15 ft. Side: 3 ft. Other Side: 3 ft. Height/Stories: 1

**Existing Accessory Building: (garage, carport, shed, pool, etc):**

Dimensions: Width: N/A ft. x Depth: \_\_\_\_\_ ft. = Total first floor area, including covered porches: \_\_\_\_\_ sq. ft.  
 Setbacks: Front: N/A ft. Rear: \_\_\_\_\_ ft. Side: \_\_\_\_\_ ft. Other Side: \_\_\_\_\_ ft. Height/Stories: \_\_\_\_\_

**Proposed Construction:**

Dimensions: Width: N/A ft. x Depth: \_\_\_\_\_ ft. = Total first floor area, including covered porches: \_\_\_\_\_ sq. ft.  
 Setbacks: Front: N/A ft. Rear: \_\_\_\_\_ ft. Side: \_\_\_\_\_ ft. Other Side: \_\_\_\_\_ ft. Height/Stories: \_\_\_\_\_

Applicant Signature:  Date: 1/18/22

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPLICATION FOR SPECIAL USE  
PLANNING COMMISSION**

The undersigned requests a Special Use Permit for the use specified below. Should this application be approved, it is understood that it shall only authorize that particular use described in this application and any conditions or safeguards required by the Commission.

1. Name of Applicant: Thomas Gilson

Mailing Address: 1050 Betty Zane Rd. Wheeling, WV 26003

Phone: 304-281-9187 Email: thecheesemelt@gmail.com

2. Location Description: \_\_\_\_\_

Address: 1913 Warwood Ave. Wheeling, WV 26003

Legal Description: Restaurant & Lounge

3. Existing Use: Vacant

4. Property Presently Zoned: C-1

5. Description of Special Use: Restaurant w/ Lounge.


a. Attach a vicinity map showing the property and plans for building, parking, traffic, etc.

b. Attach a narrative outlining the request and explain potential effects on adjacent property.

6. \$50.00 Application Fee Payable to the City of Wheeling

7. Signature of Applicant

Date

 \_\_\_\_\_

1/13/22

### **§1371.06 General Standards as Basis of Review**

The Planning Commission shall approve an application for a special use permit, subject to such reasonable conditions and restrictions as are directly related to and incidental to the proposed special use permit, if it finds that the following general standards have been met:

- 1) The proposed use is compatible with the goals of the adopted comprehensive plan.
- 2) The proposed use shall be in harmony with the appropriate and orderly development of the district, taking into consideration the location and size of the use, the nature and intensity of the operations involved in or conducted in connection with such use, the size of the site in relation to the use, the assembly of persons in connection with the use, and the location of the site with respect to streets giving access to the site.
- 3) The proposed site development shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, taking into consideration the location, nature, and height of buildings, the location, nature, and height of walls and fences, and the nature and extent of landscaping on the site.
- 4) Neighborhood character and surrounding property values shall be reasonably safeguarded.
- 5) Operations in connection with the use shall not be offensive, dangerous, destructive of property values and basic environmental characteristics, or detrimental to the public interest of the city. They shall not be more objectionable to nearby properties by reason of fumes, noise, vibration, flashing of or glare from lights, and similar nuisance conditions than the operations of any permitted use not requiring a special use permit in the district.
- 6) Parking areas shall be of adequate size for the particular use, properly located, and suitably screened at all seasons of the year from adjoining residential lots and streets or roadways. Adequate provision for safe and accessible off-street parking and loading spaces shall be provided to prevent the parking in public streets of the vehicles of persons associated with or visiting the use.
- 7) The entrance and exit drives shall be laid out so as to achieve maximum safety and efficiency. The traffic access ways shall be adequate but not excessive in number, adequate in width, grade, alignment and visibility, and sufficiently separated from street intersections and places of public assembly and meet safety considerations.
- 8) The use shall not cause undue traffic congestion or create a traffic hazard.
- 9) The general landscaping of the site shall be in character with that generally prevailing in the neighborhood. Such landscaping shall include the preservation of existing trees to the extent practicable.
- 10) The use shall be appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities and services. All proposed buildings, structures, equipment and/or material shall be readily accessible for fire and police protection.
- 11) The character and appearance of the proposed use, buildings, structures, and/or outdoor signs shall be in general harmony with the character and appearance of the surrounding neighborhood.
- 12) The use shall meet the prescribed area and bulk requirements for the district in which located or as further specified in the supplementary regulations, including such matters as minimum setback, maximum height, required off-street parking, and sign regulations.
- 13) The level of services required to support the proposed activity or use is or will be available to meet the needs of the proposed activity or use. This consideration shall include the suitability of water supply and sanitary sewage facilities, whether private or publicly provided, to accommodate the intended use.
- 14) The use shall be carried out in a manner compatible with its environmental setting and with due consideration to the protection of natural resources.
- 15) The proposed use conforms in all respects to all the regulations of this chapter and particularly to the specific supplementary regulations that may apply to such use.
- 16) The proposed use has no adverse effect on the public health, safety, and welfare.

To Wheeling Planning Commission,

The Cheese Melt Grill & Bar is requesting a special use permit in order to open a restaurant and lounge at 1913 Warwood Ave, Wheeling, WV 26003.

This location will serve as an extension of the current food truck business that was established in Wheeling in 2014.

I, Thomas Gilson, have been running around this town and the Ohio Valley for 8 years now with my food truck. We have established a solid client base as well as a stellar reputation for quality food and service. It has been my desire for several years to move into a brick and mortar and I now have the financial backing to make that happen.

We chose Warwood because it is where we live. My kids go to school there, we shop there, we support other local businesses there and are part of the community. The restaurant will be family friendly with an emphasis on the food first and foremost. That's what we are known for and what we will continue to provide. As planned, we will be able to seat around 20-30 people at any given time in the dining area. There is no room for barstools, so the bar will be standing room only. We plan to only offer beer and wine at this time. The parlor room will be located at the rear of the building, separated from everything else. We plan to include 4 gaming machines, one ticket cashing kiosk and an ATM, chairs, a small sofa and a couple hightop tables. This room will also include 2 to 3 televisions. Our food and beverage menus are attached but we plan to offer the same food we have always offered with the addition of burgers, fries, wings, soups, salads, etc. Menu items are subject to change. We will have bottled water and soda for our non-alcoholic drinks to also include coffee, milk and juice for breakfast. Our planned hours of operation at this time are 9am to 8pm Monday through Saturday. Closed on Sunday. We have no desire to stay open late and accommodate a drinking crowd. Again, we are focused more on our food than anything else.

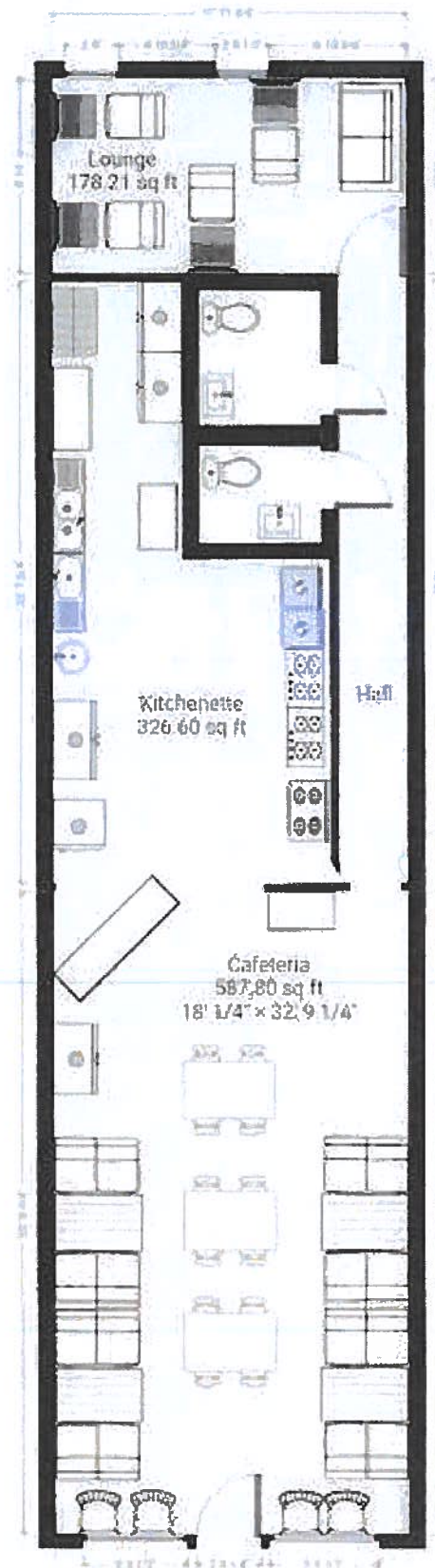
We want the community to view us as a locally owned and operated restaurant. We will have a bike rack out front for anyone using that mode of transportation (namely, my three kids who will be riding their bikes to and from school to the restaurant). Our staff will consist of three people at all times—two people in the kitchen and one on the floor. During peak hours, we will eventually work in a 4th person. At this time I have myself along with 5 other people who will be on payroll as full/part time workers (all of them residing in the Wheeling area).

As for parking, we have plenty. The land owner has spent tons of money over the past couple years purchasing and tearing down adjacent buildings in order to expand the property's parking. We have paved and/or concrete lots to the South side of the building as well as on-street parking on the North side and an additional 2-3 non-metered spots directly in front of the building.

In addition to dine-in eating we will also offer take-out as well as delivery via a third party vendor. We are in the process of putting together our marketing plan once approved. We plan to hand deliver flyers to local establishments, do a mail drop for the surrounding area as well as radio interviews and sponsored ads. Also, we will continue to utilize the social media platforms of Facebook and Instagram where we currently have an audience of over 7000 followers.

For me, this has been a long time coming. I am very excited for this opportunity to provide my talents and services to the greater Wheeling community on a much larger scale. Thank you for your time and consideration.

Best Regards,  
Thomas Gilson





## **The Cheese Melt Grill & Bar**

Hours: Monday - Saturday: 9am - 8pm

### **GET MELTY**

**Grilled Cheese:** served on butter toasted thick cut sourdough bread  
(with potato chips on the side)

#### **Specialties**

- **Beale Street:** Hot Pepper Chs, Gorgonzola Chs, Bacon, Apple, Kale \$10
- **Capicola Melt:** Gouda Chs, Italian Blend Chs, Capicola, Ham, Pepperoncini, Tomato \$10
- **Caprese Melt:** Mozzarella Chs, Tomato, Fresh Basil \$7
- **Chef's Pick:** Gouda Chs, Bacon, Apple \$8
- **Spicy Melt:** Habanero Chs, Bacon, Fresh Jalapeño \$8

#### **D.I.Y.**

**Classic Grilled w/ your choice of Cheese \$5**

- American, Cheddar, Swiss, Hot Pepper, Gouda, Gorgy, Habanero, Italian Blend
  - Bacon, Ham, Turkey, Capicola \$2 each
  - Tomato, Basil, Jalapeño, Apple, Kale, Pepperoncini, Red Onion, Baby Bellas \$1 each
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### **GET SMASHED**

**Smash Burgers** Single or Double Served on a brioche bun  
(with potato chips on the side)

#### **Specialty Smashes**

- **Spicy Smash:** Habanero Chs, Bacon, Fresh Jalapeño with Habanero Mayo \$10 / \$12
- **Shroom Smash:** Baby Swiss, Sauteed Onion and Baby Bellas, Onion Straws, Mayo \$9 / \$11
- **Gorgy Smash:** Hot Pepper Chs, Gorgonzola Chs, Bacon, Caramelized Onion, Kale \$10 / \$12

#### **D.I.Y.**

- **Classic Smash:** w/ your choice of Cheese & all the greasy goodness! \$6 / \$8
  - American, Cheddar, Swiss, Hot Pepper, Gouda, Gorgy, Habanero, Italian Blend
  - Bacon \$2
  - Tomato, Jalapeño, Romaine, Red Onion, Baby Bellas, Pepperoncini, Kale, Apple \$1 each
  - Ketchup, Mayo, Habanero Mayo, Ranch, Chipotle Ranch, BBQ, Ghost Face Killah

\*sales tax not included in price\*

Thank you for your business & patience : )

## **The Cheese Melt Grill & Bar**

**Hours: Monday - Saturday, 9am - 8pm**

### **GET FRIED**

#### **Appetizers and Sides**

- **French Fries** (small or large) **\$3 / \$6**
  - **Loaded Fries** w/ Bacon, Green Onion, Colby Jack, Sour Cream **\$10**
  - **Fried Zucchini Sticks** w/ Chipotle Ranch Dipping Sauce **\$5**
  - **Mini Chicken Tacos** w/ Fresh Salsa and Sour Cream **\$8**
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### **GET LIFTED**

#### **Deep Fried Chicken Wings Small or Large Serving** (with celery and ranch on the side)

- **Boneless Wings** **\$5 / \$9**
- **Bone-In Wings** **\$7 / \$14**

#### **Sauces (tossed or on the side)**

- Ranch (just ranch, no heat)
- Carolina BBQ (mustard base w/ a lil bit of heat)
- Buffalo (classic cayenne)
- Chipotle Ranch (big on flavor, small(ish) on heat)
- Spicy Garlic (big on flavor, big on heat)
- Ghost Face Killah (chili heads only!)

\*sales tax not included in price\*

Thank you for your business & patience : )

## **The Cheese Melt Grill & Bar**

Hours: Monday - Saturday: 9am - 8pm

### **Breakfast Menu**

served from 9 am to 11 am

#### **GET WOKE**

##### **Specialty Sandwiches**

- **B.E.T.** : American Chs, Bacon, Egg, Tomato served on butter toasted sourdough bread \$8
- **B.A.T.** : Gouda Chs, Bacon, Avocado, Tomato served on butter toasted sourdough bread \$8
- **Wake and Bake** : Habanero Chs, Spicy Italian Sausage patty, Egg, Fresh Jalapeño served on an everything Bagel \$10

##### **D.I.Y.**

*Butter Toasted Sourdough or Toasted Everything Bagel w/ your choice of Cheese \$5*

- American, Cheddar, Swiss, Hot Pepper, Gouda, Habanero
- Bacon, Maple Sausage Patty, Spicy Italian Sausage Patty, Fried Egg \$2 each
- Tomato, Jalapeño, Avocado. \$1 each

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#### **GET ROLLED**

##### **Breakfast Burritos**

**Specialty Burritos** served in a steamed 10" flour tortilla

- **Ready Roller** : American Chs, Scrambled Egg, Bacon \$6
- **Southwest Roller**: Hot Pepper Chs, Scrambled Egg, Sautéed Onion and Peppers, Bacon with sour cream and salsa on the side \$8
- **California Roller**: Gouda Chs, Scrambled Egg, Avocado, Tomato, Green Onions with chipotle sour cream on the side \$7

**D.I.Y.** served in a steamed 10" flour tortilla

- American, Cheddar, Swiss, Hot Pepper, Gouda, Habanero
- Bacon, Maple Sausage, Spicy Italian Sausage, Scrambled Egg \$2 each
- Tomato, Jalapeño, Avocado, Green Onion, Sautéed Peppers and Onions \$1 each

\*sales tax not included in price\*

Thank you for your business & patience : )

**The Cheese Melt Grill & Bar**

**Hours: Monday - Saturday: 9am - 8pm**

**Beverage Menu**

**Breakfast Drinks: \$2.75**

**Bottled Water**

**Orange Juice**

**2% Milk**

**Coffee**

**20 oz Bottled Drinks: \$2.75**

**Coke**

**Diet Coke**

**Sprite**

**Mellow Yellow**

**Iced Tea**

**Lemonade**

**12 oz Bottled Domestic Beer: \$3.50**

**Bud Light**

**Bud Heavy**

**Miller Light**

**Michelob Ultra**

**12 oz Bottled Craft Beer: \$4.50**

**Flying Dog Snake Dog IPA**

**Sierra Nevada Tropical Torpedo IPA**

**Sierra Nevada Hazy Little Thing IPA**

**Brew Dog Elvis Juice IPA**

**Draft Beer: \$5 (16oz)**

**Brewkeepers Flip Flop IPA**

**Brewkeepers Pirate Stout**

**Big Timber Double Bit IPA**

**Big Timber Seasonal**

\*sales tax not included in price\*

Thank you for your business & patience : )