

Minutes
Huntington Planning Commission
June 6, 2022

A meeting of the City of Huntington Planning Commission was held on June 6, 2022 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Gallagher* called the meeting to order.

Members Present: Brian Gallagher, Sarah Walling, Sharon Pell, Stephanie Vlahos Bryant, Carl Eastham, Holly Smith Mount

Members Absent: Sean Hornbuckle, Ursulette Ward, Gerry Holley

Staff Present: Breanna Shell, Planning Director
Ericka Hernandez, Assistant City Attorney
Patricia Usher, Zoning Officer

Ms. Walling made a motion to approve the May Minutes as presented; *Mr. Eastham* seconded the motion. All were in favor, and the Minutes were approved.

PC 22-RZ-05

A petition to rezone property to R-5 Multi-Family Residential District from R-2 Single-Family Residential District. This property is located along the north side of 4th Avenue and west of 28th Street and includes 2736, 2738, 2742, and 2746 4th Avenue.

Petitioner: JTH Rentals, LLC. 1 Official Plaza, Madison, WV

Ms. Shell presented the Staff Report.

Ms. Smith Mount – Any development that would happen here would have to come back before this Commission for approval because of the size of the development?

Ms. Shell confirmed that in addition to meeting the requirements of the district, development on this property would need to come before this Board for approval.

The petitioner was not present to present the petition.

Ms. Walling – Are there any plans for us to review to understand what the petitioner intends to do with the property?

Ms. Shell was hesitant to speak for the petitioner and explained that a rezoning does not restrict a petitioner to the type of development proposed at a rezoning hearing; if approved, all uses in the R-5 District would be allowed regardless of what is claimed as the intent prior to a rezoning approval.

She explained that there have been discussions about multi-family uses, such as condominiums, but there have not been any plans submitted for site layout as the project is contingent on a rezoning approval.

Ms. Walling requested unanimous consent to allow for the public to speak on the petition. There were no objections.

The Commissioners discussed laying over the petition.

Sarah Deeming, whose property falls within the rezoning area, has spoken with the property owner, John Handly, and the property planner, Mr. Dempsy, and claimed they spoke of building rental townhouses. She informed the Commissioners that the neighborhood is predominately elderly and school age children and is located near an elementary. She described the neighborhood as troubled by crime and lacking in support from the local police

department. She believes a large residential development will bring more traffic and the alley is too tight for two lane traffic. She does not feel an R-5 Zone would be beneficial to the area.

Ms. Walling – Do you have any idea when the Emmons School was torn down?

Ms. Deeming informed the Commissioners the Emmons Elementary building was demolished in 2000 and gave a detailed history of the ownership.

Ms. Smith Mount mused aloud information from the Staff Report that 16 homes could fit in this location and that the property has been vacant for many years.

Mr. Eastham asked Ms. Deeming if she requested to be part of the rezoning since her property is included in the rezoning proposal.

Ms. Deeming stated that she did not and reached out to the petitioner to ask why her property was included in the rezoning. She was told that 50% of the property owners in an area to be rezoned must sign off on the petition and her signature was not needed.

Mr. Gallagher explained to the members of the public that the petition would be laid over to the next meeting since the petitioner is not present to address the Commission. He assured the public that anyone who wishes to provide testimony may do so this evening with the understanding that any questions about the proposed project could not be addressed by the Commission members. He also advised them to attend the next meeting, so they may hear from the petitioner what they intend for the property if the rezoning is approved.

Angela Harshburger, 2529 3rd Ave., informed the Commissioners that the police response in Highlawn is low and questioned how adding more people would impact the already poor response by the police. She pointed out that the prevalence of flooding in the city and the quality of water, and questioned why the city would allow more housing without first addressing the problems for the existing residence. She does not believe that the city has the resources to add more people to the community.

Ms. Walling informed the public of measures being taken by the city to address the sewer and stormwater issues in the Highlawn neighborhood.

Sarah Dolan, 2739 4th Ave., echoing Ms. Harshburger's concerns for safety, crime, and infrastructure, added that the traffic in the neighborhood is an issue and questioned where all these new residents would park.

Dee Jenkins, 2717 3rd Ave., believes the alley cannot handle the amount of traffic that this property would generate. If the property were divided up for the development of single-family homes, she calculated roughly 60 additional people to the block. She told the Commissioners she believes that the current infrastructure could not handle that. She asked what would happen if the rezoning was approved and the petitioner backed out of the project.

The Commissioners confirmed the rezoning would be for the life of the property and it would not revert back to single-family district if it were to be sold after a rezoning.

Zane Parsley, 2668 Collis Ave., stated that he spoke to the property owner about his intentions and was told at the time the intent was to build townhouses, not condominiums. He described the Emmons lot as elevated 25 ft. over the houses across the road and questioned adding a 5-story building that would dwarf those homes. He told the Commissioners that Huntington is in need of quality, high-density housing. He is disappointed that the petitioner did not show up to represent their proposal and is not comfortable with the idea of a project moving forward without questions from the neighborhood being addressed. He asked for clarification on the process for this lot mentioned by staff.

Ms. Shell confirmed that due to the size of the lot, the Subdivision Regulations would apply and thus any development would have to come back before the Planning Commission to review. She also address the concerns brought by others regarding the infrastructure stating that any project for this lot would have to be reviewed by several departments, as well as the Planning Commission, where many of the infrastructure concerns would be addressed.

Linda Blough, 2741 Collis Ave., agrees with the sentiments of the other residents of the neighborhood. She told the Commissioners that Highlawn is already over 50% rental and, of those rental units, most of them are owned by uncaring property owners who do not maintain their properties. She is concerned that if the petitioner is proposing rentals over owner occupied units, a multi-family project at this location would add to the decline of the neighborhood.

Pat Jones, 2564 3rd Ave., is disappointed that the petitioner is not here to address the questions of the public and, as a City Council member, he will want those questions answered before casting a vote for the rezoning.

Anthony Scriven apologized for his tardiness and expressed his concern with infrastructure, traffic, and the petitioner's intentions. *Mr. Gallagher* confirmed that his concerns were discussed.

Ms. Smith Mount made a motion to layover the petition to the next meeting; *Mr. Eastham* seconded the motion.

Roll Call: Brian Gallagher, Yes; Sarah Walling, No; Sharon Pell, Yes; Stephanie Vlahos Bryant, Yes; Carl Eastham, Yes; Holly Smith Mount Yes.

Motion passed to layover the petition to the next meeting by a vote of 4 Yes to 1 No.

Ms. Shell informed the Commissioners the next meeting would be Tuesday, July 5, 2022.

PC 22-MS-06

A petition to subdivide an approximately 2.08 acre parcel into two 1.04 acre parcels. The property is located on the south side of 5th Avenue and west of 25th Street.

Owner: Everett Hannah Prop II, P.O. Box 277, Varney, WV

Petitioner: Jared Decker, 1000 Grand Central Mall, Vienna, WV 26105

Ms. Shell presented the Staff Report.

Jared Decker, 1000 Grand Central Mall, Vienna, WV, was present to present the petition. He informed the Commissioners that he and his company are commercial retail and office space developers. He asserted the site as it exists now is eye sore, but has bright future for commercial development. He explained the site has contamination that must be mitigated and asked that the commission approved their proposal.

Ms. Vlahos Bryant – Do you have any examples of past developments?

Mr. Decker told the Commissioners that his company has built medical facilities, fast food restaurants, hardware stores, Walmart's, retail stores, and office buildings.

M. Gallaher – What would an approval tonight give you that you need now?

Mr. Decker explained they need the survey finalized, so they could submit their remediation plan to the DEP. He told the Commissioners they will be back at a later date for a possible rezoning and site plan approval.

M. Walling made a motion to approve the subdivision; *M. Vlahos Bryant* seconded the motion. Motion passed to approve the subdivision by a vote of 5 Yes to 0 No.

PC 22-RZ-07

A petition to rezone property to I-1 Light Industrial District from C-1 Neighborhood Commercial District. This property is located north of 8th Avenue between Hal Greer Boulevard and 17th Street.

Petitioner: City of Huntington, 800 5th Ave., Huntington, WV

Ms. Shell presented the Staff Report.

Ms. Harshburger was curious about the lack of petitioner for the rezoning and asked if there was a proposal for this area. Ms. Shell confirmed that there is no petitioner and explained the rezoning, being in line with the Comprehensive Plan, would set the properties up for future developments.

Ms. Walling made a motion to forward the petition with a favorable recommendation to City Council; *Ms. Smith Mount* seconded the motion. Motion passed to forward a favorable recommendation by a vote of 5 Yes to 0 No.

Good and Welfare

Ms. Smith Mount and *Ms. Walling* expressed their pleasure to have the public present to voice their opinions and inform the Commissioners of their concerns.

Mr. Eastham expressed there is no way of knowing why the petitioner for the first item was not present, but it is important to layover the petition to provide the opportunity for the petitioner to address the questions of the Commission and the public.

The meeting adjourned at 6:42 p.m.

Date approved: 11/7/22

Chairperson: Brian J. Gallagher Prepared by: Patricia Usher, Zoning Officer
Brian Gallagher, Chair