



Agenda
Huntington Planning Commission
Monday, November 6, 2023 – 5:30pm

1. Preliminaries
2. Call to Order
3. Roll Call
4. Approval of the August 2023 Minutes
5. New Business

PC 23-RZ-11

Issue: A petition to rezone property from C-1 Commercial District to I-1 Light Industrial District. This property is located on the southwestern block at 8th Street and 8th Avenue, between 7th Street and 8th Street and 8th Avenue and 8 1/2 alley.

Petitioners:

Matt Casto, 6 Brighton Way, Huntington, WV 25705

Mike Woelfel, 604 Ridgewood Rd, Huntington, WV 25701

Huntington Wholesale Furniture Co., 740 8th Ave, Huntington WV 25701

Mountain State Homes LLC, 625 11th Avenue, Huntington, WV 25701

Robert Harrison, Mountain View Holdings LLC, 57 Edgemont Rd, Huntington, WV 25701

6. Good and Welfare
7. Other Business or Announcements
8. Adjournment

Minutes
Huntington Planning Commission
August 07, 2023

A meeting of the City of Huntington Planning Commission was held on August 07, 2023 at 5:30 p.m. in the City Hall Council Chambers. *Mr. Eastham* called the meeting to order.

Members Present: Sharon Pell, Ursulette Ward, Carl Eastham, Charles Shaw, Gerry Holley

Members Absent: Brian Gallagher, Sarah Walling, Stephanie Vlahos Bryant, Holly Smith Mount

Staff Present: Janney Lockman, City Planner
Ericka Hernandez, Assistant City Attorney

Mr. Holley made a motion to approve the July Minutes as presented; *Ms. Pell* seconded the motion. All were in favor, and the Minutes were approved.

PC 23-RZ-10

A petition to rezone property from C-1 Commercial District to I-1 Light Industrial District. This property is located on the northwestern side of the 1900 block 8th Ave. and includes all parcels between 18th and 19th Streets.

Petitioner: Quantum Properties, 707 7th St. W. Huntington, WV

Ms. Lockman presented the Staff Report.

Art Bell, 1900 8th Avenue, explained that all of the parcels owned by Richwood Industries at one point had old houses that have since been torn down. The main area of interest is the North Western portion of the properties since they own almost all but one of the lots. One of the lots abutting Richwood's lots has a verbal agreement to be sold but a sale has not gone through yet.

Vincent Cheeks, 1722 8th Avenue, Asked if the rezoning was to pass would it affect his property located at 1722 8th Avenue.

Ms. Lockman stated Mr. Cheeks' property is not within the area that is being proposed for a rezoning, therefore it would not be impacted if the rezoning is to pass.

Ms. Walling made a motion to forward 23-RZ-10 to City Council with a favorable recommendation, *Mr. Holley* seconded. All were in favor, and the motion to forward a favorable recommendation passed.

Other Business or Announcements

Ms. Lockman announced that the Planning Office has been working through the Comprehensive Plan's Community Meetings, a total of four have been completed and there are four more scheduled; the remaining meetings include Southeast Hills, Highlawn, Downtown, and West Huntington. Ms. Lockman finished her statement by inviting everyone out to the Comprehensive Plan Open House on August 31, 2023 from 4-7pm at the Huntington's Convention and Visitor's Bureau.

Mr. Holley motioned to adjourn the meeting. All were in favor, and the meeting was adjourned.

Meeting adjourned at 5:46 P.M.

Date approved: _____

Chairperson: _____ Prepared by: _____
Brian Gallagher, Chair Nate Crum, Planning Technician

City of Huntington Planning Commission

November 6, 2023

Staff Report: A petition to rezone properties from C-1 Commercial District to I-1 Industrial District.

PC 23-RZ-11

Issue: A petition to rezone property from C-1 Commercial District to I-1 Light Industrial District. This property is located on 8th Street and 8th Avenue, between 7th Street and 8th Street and 8 1/2 alley.

Petitioners: Matt Casto, 6 Brighton Way, Huntington, WV 25705

Mike Woelfel, 604 Ridgewood Rd, Huntington, WV 25701

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Mountain State Homes LLC, 625 11th Avenue, Huntington, WV 25701

Robert Harrison, Mountain View Holdings LLC, 57 Edgemont Rd, Huntington, WV 25701

Introduction

Matt Casto is the main petitioner to a request to petition to rezone properties on the 700 block of 8th Avenue from C-1 Neighborhood Commercial District to I-1 Light Industrial District.

Existing Conditions

These properties are currently zoned C-1 Neighborhood Commercial, and consist of a mix of different building and property types including:

- Three (3) two and single-family dwellings that appear to be occupied.
- One (1) vacant house

- One (1) multi-tenant building that is boarded up and before the Unsafe Building Commission
- One (1) law office
- One (1) bar/restaurant, Davis' Place Bar & Grill
- One (1) church distribution center
- One (1) large vacant lot owned by Huntington Wholesale Furniture

Proposed Conditions

The petitioner is proposing to rezone this property to I-1 Light Industrial District.

According to Article 1333, the purpose of the I-1 Light Industrial and Commercial District is to “provide an area where various light industrial activities can be accommodated without creating undesirable or incompatible situations with surrounding land uses.”

Matt Casto, owner of 701 8th Avenue, currently a vacant mixed use building is the primary petitioner for this rezoning and if the rezoning were to be approved is looking to develop his two parcels into an indoor storage unit development.

Self-storage developments is not a permissible use in a C-1 district but is a conditional use in an I-1 Light Industrial District.

The other petitioners have signed on to this petition to join their properties be rezoned to I-1 Light Industrial as well and have met the requirements of over 50% land ownership

PC 23-RZ-11 Staff Report

and land area for the area proposed. But no other use that would require the I-1 district zoning has been proposed by these other petitioners.

The I-1 Light Industrial District permits a variety of commercial and industrial uses by-right, in addition to those permitted in the C-1 District, including but not limited to:

- Craft Production Facility
- Flea Market
- Tattoo Parlor
- Distribution facilities
- Indoor Manufacturing & Production
- Warehousing

In addition, the I-1 Light Industrial District conditionally permits a number of uses that would not be permitted in a C-1 District.

Uses that are conditionally permitted must be approved through a public hearing in front of the Board of Zoning Appeals, which must consider the impact of the proposed use on surrounding properties in making a decision. The following is a list of conditional uses in an I-1 District that would not be permitted in a C-1 District:

- Cemetery
- Shelter/Mission
- Adult Use
- Bar
- Carwash
- Indoor Shooting Range
- Limited Video Lottery
- Self-Storage Development
- Self-Storage Indoors
- Barge, Motor, Rail, or Air Freight Terminal
- Crematories

- Communications Network Facility, Head, or Hub
- Junk Yard or Salvage Center
- Manufacturing or Production (Heavy or Outdoors)
- Recycling Collection Center
- Towing Services

The I-1 District allows for higher-intensity development, with higher buildings, and additional lot coverage. Please see the attached Differences in Development Requirements chart for an overview of both zoning districts.

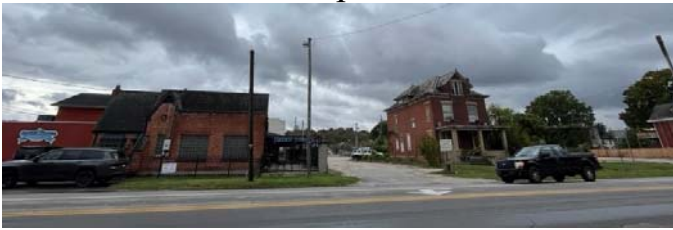
Pictures



View of the two duplexes at the corner of 7th Street and the 7/12 alley.



Intersection of 7th Street and 8th Avenue, western edge of property proposed to be rezoned.



Woelfel Law Office, Davis's Place, vacant building and lot on the eastern edge of the rezoning.

Comprehensive Plan

The Future Land Use map of the Plan2025 Comprehensive Plan designates this area as transition commercial. This designation provides a transition from residential to light industrial and commercial zones.

Characteristics include:

- Medium density and medium lots
- Limited on-site parking at times
- Buffers between primarily residential areas and higher intensity commercial and industrial uses

Relevant Factors

The relevant factors in considering a change in zoning include the following:

- (1) existing **uses** and zoning of nearby **property**;
- (2) the extent to which **property** values are diminished by the particular zoning restrictions;
- (3) the extent to which the destruction of **property** values of the plaintiffs promotes the health, safety, morals or general welfare of the public;
- (4) the relative gain to the public, as compared to the hardship imposed upon the individual **property** owner;
- (5) the suitability of the subject **property** for the zoned purposes; and
- (6) the length of time the **property** has been **vacant** as zoned, considered in the context of land development in the area in the vicinity of the **property**.

Staff Comments

The Plan 2025 Comprehensive Plan Future Land Use map classifies this property as Transition Commercial. Therefore this rezoning is not in line with the 2025 Comprehensive Plan.

Because the petition is not in line with the comprehensive plan, the Planning Commission and City Council must find that there have been substantial physical, social or economic changes that have happened since the time of the comprehensive plan adoption in 2013 in order to approve the petition.

In addition, all of the existing uses are permitted or conditionally permitted uses within the C-1 Neighborhood Commercial district zone that is in place, none of them appear to be nonconforming or inconsistent with the existing zone.

In contrast, in rezoning to an I-1 Commercial/Light Industrial district, some of the property uses become less conforming with the proposed zoning, for instance the three single and two family units become conditional uses, while other uses such as the restaurant and law office are unaffected.

In addition, the main impetus for this proposal is to allow for a new storage development which would be a conditional use. So therefore, even if the rezoning were to pass, the storage development would be a conditional use, requiring a Board of Zoning Appeals hearing to be approved.

Although the rezoning does not hinge on the petitioner to continue on their plan to move forward with a storage development,

PC 23-RZ-11 Staff Report

allowing more districts that allow for this as a conditional use should not be considered lightly.

Storage developments are becoming a use that we are seeing more and more over the years in the City of Huntington. On 8th Avenue alone and in the neighboring block include a large U-Haul storage facility at 625-639 8th Avenue, Huntington Self Storage on 8th Avenue just expanded, removing some residential units for more storage, and Tri-State Storage at 114 8th Avenue have all been added within the last ten years in this vicinity.

In addition, a quick search identified 13 self-storage locations in existence currently in Huntington. And to add to the supply, just this October Board of Zoning Appeals meeting, there was an approved proposal to add another 175 unit self-storage facility in the Westmoreland neighborhood.

Allowing the full spectrum of light industrial uses that would be permitted in this district if this rezoning were to move forward may allow for incompatible land uses in an area that is in close proximity to lower intensity commercial and residential areas. While knowing there is plenty of underutilized already zoned I-1 Light Industrial property that is available, some right across the street, on the North side of 8th Avenue. Staff found no complementary example of light industrial zones expanding onto the south side of 8th Avenue so this does not fit a larger pattern of zoning and land uses in this area.

Standard of Review & Staff Summary

In considering the factors relevant for determining if this rezoning should be approved staff summarizes as following:

- Have there been substantial physical, social or economic changes that have happened since the time of the comprehensive plan adoption in 2013 in order to approve the petition.
 - The current properties have been in operation, have had opportunities to change ownership and use over the course of the years since the Comprehensive Plan adoption and have been able to exist with their current uses.
 - All of the property that is currently zoned is in conformance with the existing zoning and is meeting the intent of the Transition Commercial district that is considered in the Plan 2025.
- Consideration of existing **uses** and zoning of nearby **property**;
 - In contrast, the Industrial zoning though common on the north side of 8th Avenue there are no instances of the industrial district zoning occurring on the south side of 8th Avenue, so this change does not seem to fit a larger pattern of zoning in a similar context across the city.
- Consideration of the relative gain to the public, as compared to the hardship imposed upon the individual **property** owner;

PC 23-RZ-11 Staff Report

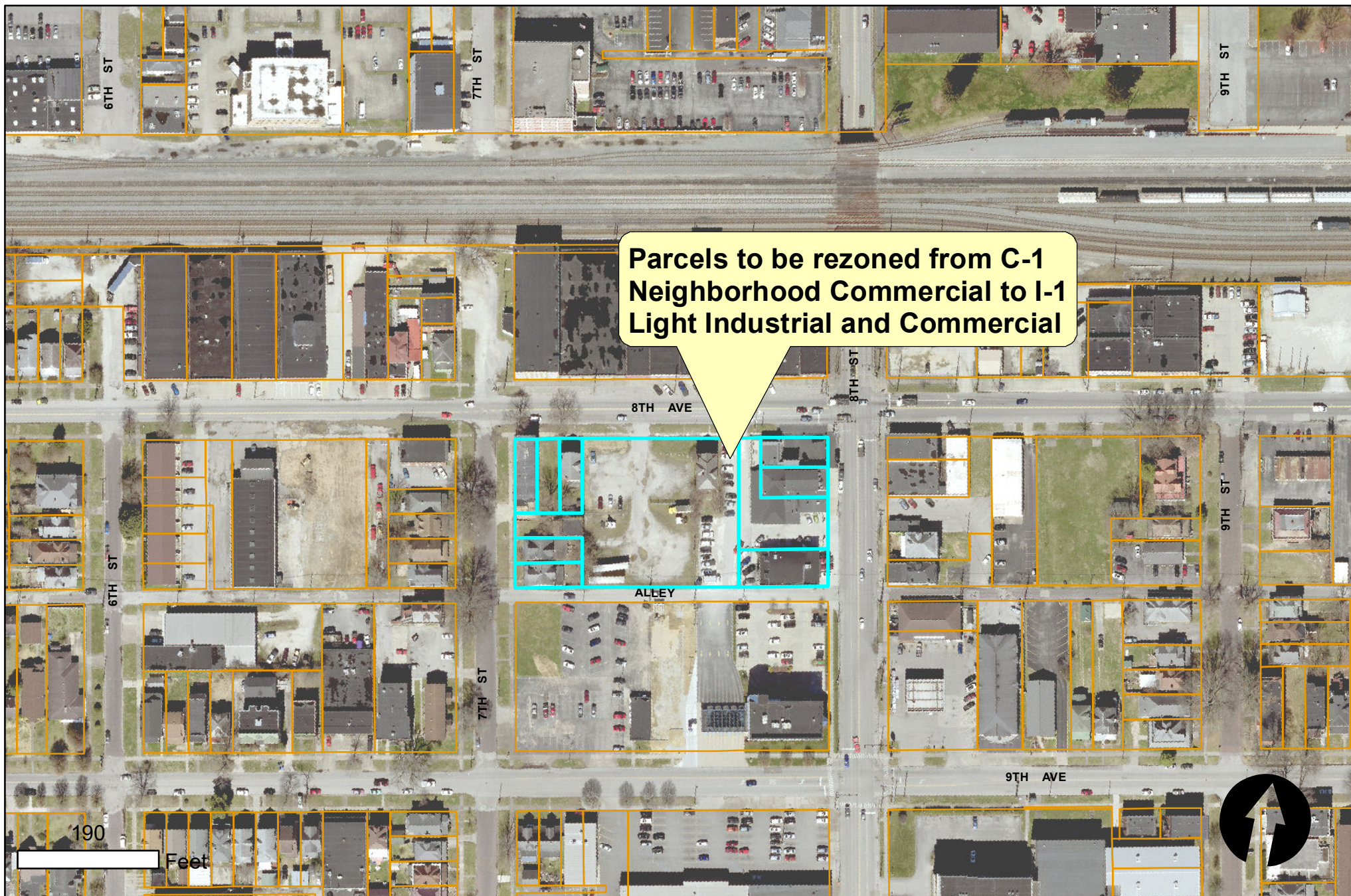
- Allowing the full spectrum of light industrial uses that would be permitted in this district may allow for incompatible land uses in an area that is in close proximity to lower intensity commercial and residential areas. While recognizing there is plenty of underutilized already zoned I-1 Light Industrial property that is available, some right across on the North side of 8th Avenue.
- In considering the suitability of the subject **property** for the zoned purposes:
 - Due to the inconsistencies with the existing uses that would exist with a change to industrial and the relatively small lot sizes of most of the parcels in this block, meeting the industrial development guidelines may be hard or impossible to accomplish without consolidation of lots or later variance requests.
- Finally, the length of time the **property** has been **vacant** as zoned, considered in the context of land development in the area in the vicinity of the **property**.
 - Finally, it is notable that the main petitioner of this area rezoning at 701 8th Avenue has been on the vacant property registration since 2021 and more recently been on the unsafe building commission agenda. There are multiple uses

that would be permitted to be allow renovation of this structure to be within the existing zoning regulations and there is evidence that some work has started but not been completed. Staff has not been presented evidence that the zoning is the hindrance to this redevelopment only that there is a potential re-use that is outside of what is currently allowed. Consideration of the time vacant may be given to whether or not this is a problem of capital for the existing property owner or the level of redevelopment need for the structure to be compliant with building codes, not a problem of zoning.

Based on the evaluation of the criteria and because this property is not in accordance with the Comprehensive Plan, Plan2025 staff recommends that this rezoning not be moved forward with a favorable recommendation.

Attachments

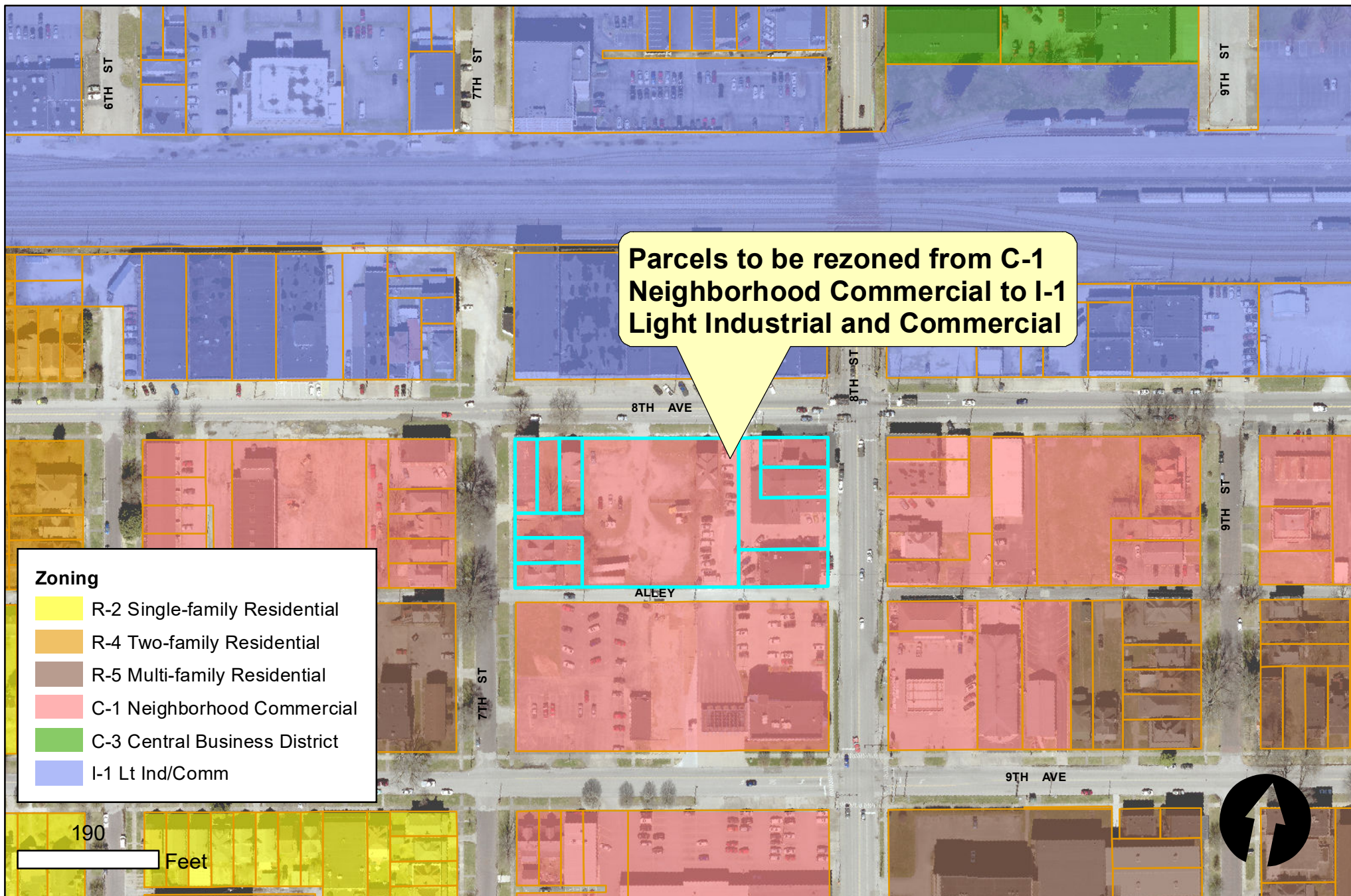
- Aerial Map
- Zoning Map
- Future Land Use Map
- Differences in Development Chart



PC-23-RZ-11

A petition to rezone property from C-1 a Commercial District to an I-1 Light Industrial District. This property is located on the southwestern block at 8th Street and 8th Avenue, between 7th Street and 8th Street and 8 1/2 alley.

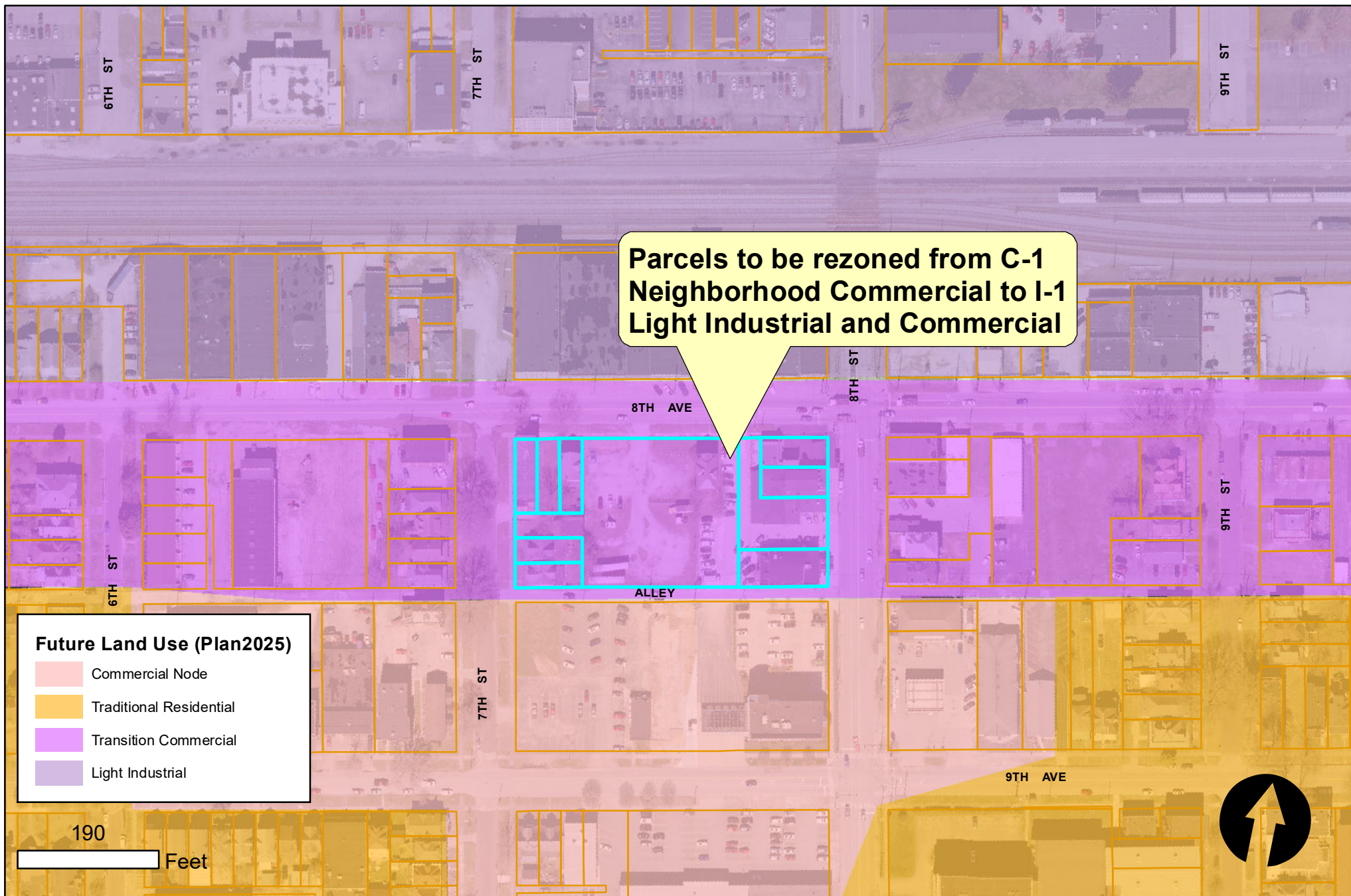




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A petition to rezone property from C-1 a Commercial District to an I-1 Light Industrial District. This property is located on the southwestern block at 8th Street and 8th Avenue, between 7th Street and 8th Street and 8 1/2 alley.



Casto Land, Inc
3338 US Route 60
Huntington, WV 25705
(304)-617-2946

September 25, 2023

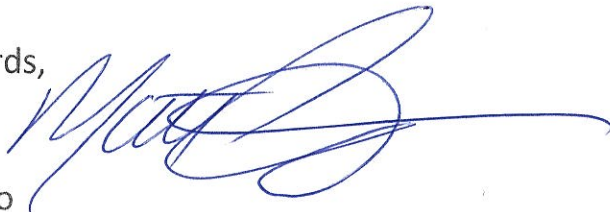
City of Huntington
Zoning and Planning Commission

701 8th Avenue is a multi story vacant building which has been empty approximately 4 years. This building is not economically viable for residential rehabilitation. We are asking the city to rezone this block from a commercial (C1) district to an industrial (I1) district block. I feel the city would benefit from repurposing this vacant multi story structure to climate controlled storage units. The proposed storage unit structure will meet all current building codes including an elevator to serve our customers needs. We have the proper green space and parking available for this project. Less than 150 feet away is another 3 story storage facility with 2 buildings located at 625 and 639 8th Avenue. Attached are signatures of virtually the entire block that share my sentiments in this matter.

Last year, I invested \$700,000 in 801-803 10th St (old Blockbuster Building) that had been vacant for many years. Now that corner is a thriving revenue generating stream for the City of Huntington.

Best regards,

Matt Casto





PLANNING & ZONING

For office use only	
Received:	Project Name:

City of Huntington
Planning & Zoning
 P.O. Box 1659 | Huntington, WV 25717
 (304) 696-5540, option 3
 planningdept@huntingtonwv.gov

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF HUNTINGTON,
 CABELL AND WAYNE COUNTIES, WEST VIRGINIA

Rezoning Petition

Applicant Name: Matt Castro / CLI INC Phone: 304-617-2946
 Mailing Address (city, state, zip): 6 Brighton Way Hunt WV 25705
 Email: MattCastro@ymail.com
 Current Zoning Classification: C-1
 Proposed Zoning Classification: I-1

PETITION OF THE PROPERTY OWNER TO THE CITY OF HUNTINGTON FOR ADOPTION OF AN ORDINANCE AMENDING THE "ZONING ORDINANCE" OF THE CITY OF HUNTINGTON, WEST VIRGINIA, DECEMBER 14, 1998, AND THE "ZONE MAP" WHICH IS A PART OF THEREOF, AS AMENDED, TO RECLASSIFY AN AREA LOCATED IN THE CITY OF HUNTINGTON.

Description of Properties:

Address: 701 8th Ave
3500 Apt Bldg
 Legal description (district, tax map, parcel number, etc)

Your petition represents that such reclassification as herein requested would be a proper zoning classification and is consistent with the surrounding circumstances of the area concerned, and that the orderly development of the City of Huntington would be served by the rezoning herein proposed.

This petition, requesting an amendment to the City of Huntington Zoning Ordinance and Official Zoning Map, shall be presented to the office of the Planning Commission duly signed by the owners of fifty percent or more of the real property area to which the petition relates. (Attach additional pages if necessary.)

[Signature]
 Signature of Applicant

9-20-23
 Date

Property Owner	Signature	Address	Phone Number
① Mike Woelfel	[Signature]	806 8th St	304 522 6249
② Huntington Wholesale Furniture Treptow	[Signature]	740 8th Ave	304.654.6665
③ Ventura Properties	[Signature]	801 7th St	304-435-8566
④ Davis' Place	[Signature]	803 8th St	304-522-9771
⑤ Joe Ger	[Signature]	813 & 817 8th	309 544 8095

*All applications to be submitted must be typed or legibly written in blue or black ink.



PLANNING & ZONING

For office use only

Received:

Project Name:

City of Huntington
Planning & Zoning
P.O. Box 1659 | Huntington, WV 25717
(304) 696-5540, option 3
planningdept@huntingtonwv.gov

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF HUNTINGTON,
CABELL AND WAYNE COUNTIES, WEST VIRGINIA

Rezoning Petition

Applicant Name: MATT CASTO Phone: 304 617 2946

Mailing Address (city, state, zip): 6 BRINGTON WAY

Email: MattCasto@Gmail.com

Current Zoning Classification: C-1

Proposed Zoning Classification: I-1

PETITION OF THE PROPERTY OWNER TO THE CITY OF HUNTINGTON FOR ADOPTION OF AN ORDINANCE AMENDING THE "ZONING ORDINANCE" OF THE CITY OF HUNTINGTON, WEST VIRGINIA, DECEMBER 14, 1998, AND THE "ZONE MAP" WHICH IS A PART OF THEREOF, AS AMENDED, TO RECLASSIFY AN AREA LOCATED IN THE CITY OF HUNTINGTON.

Description of Properties:

701 8TH AVE

Address 07 29 0493 0494

Legal description (district, tax map, parcel number, etc)

Your petition represents that such reclassification as herein requested would be a proper zoning classification and is consistent with the surrounding circumstances of the area concerned, and that the orderly development of the City of Huntington would be served by the rezoning herein proposed.

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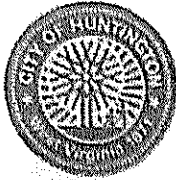
Signature of Applicant

Date

9-20-23

Property Owner	Signature	Address	Phone Number
ROBERT HARRISON	<i>Robert Harrison</i>	705 8TH AVE	304-360-2812

*All applications to be submitted must be typed or legibly written in blue or black ink.



PLANNING & ZONING

For office use only	
Received:	Project Name:

City of Huntington
Planning & Zoning
P.O. Box 1659 | Huntington, WV 25717
(204) 696-5540, option 3
planning@plz.huntingtonwv.gov

TO THE MEMBERS OF THE COUNCIL OF THE CITY OF HUNTINGTON,
CABELL AND WAYNE COUNTIES, WEST VIRGINIA

Rezoning Petition

Applicant Name: Matt Castro / CLT, INC Phone: 304-617-2946
Mailing Address (city, state, zip): 6 Brighton Way Hunt WV 25705
Email: MattCastro@clt.com
Current Zoning Classification: C-1
Proposed Zoning Classification: I-1

PETITION OF THE PROPERTY OWNER TO THE CITY OF HUNTINGTON FOR ADOPTION OF AN ORDINANCE AMENDING THE "ZONING ORDINANCE" OF THE CITY OF HUNTINGTON, WEST VIRGINIA, DECEMBER 14, 1998, AND THE "ZONE MAP" WHICH IS A PART OF THEREOF, AS AMENDED, TO RECLASSIFY AN AREA LOCATED IN THE CITY OF HUNTINGTON.

Description of Properties:

Address: 701 8th Ave
3500 Apt Bldg
Legal description (district, tax map, parcel number, etc)

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Signature of Applicant

Date

9-20-23

Property Owner	Signature	Address	Phone Number
Mike Woolf		800 8th St	304 522 6249
Mountain View		818 7th St	304-751-6258

*All applications to be submitted must be typed or legibly written in blue or black ink.

**Differences in Development Requirements:
C-1 Commercial District & I-1 Light Industrial District**

Requirement	C-1 Commercial District	I-1 Light Industrial District
Building coverage (max.)	75% commercial/mixed use; 75% multi-family dwellings	90% commercial/mixed use; 75% multi-family dwellings
Front yard (min./max.)	0'/8' commercial/mixed use; 6'/18' multi-family dwellings	0'/15' commercial/mixed use; 6'/18' multi-family dwellings
Side yard if adjoining a residential district	5'	20'
Rear yard if adjoining a residential district (min.)	15'	20' commercial/mixed use; 15' multi-family dwellings
Rear yard if not adjoining a residential district (min.)	15'	0'
Building height principal uses (max.)	3 stories/45'	5 stories/55'
Building height accessory buildings (max.)	15'	20'

This chart highlights differences between development requirements for the current zoning for this area (C-1 Neighborhood Commercial District) and the proposed zoning for this area (I-1 Light Industrial District).

For full development requirements for both zoning districts, visit:

https://www.cityofhuntington.com/assets/pdf/Huntington_Zoning_Ordinance_1998_REVISED_6-26-2023.pdf