



Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, January 4, 2023
3:00 p.m.

Agenda

- 1. Call to Order**
- 2. Unfinished Business**
- 3. New Business**

Rezoning: Bill No. 7982 – A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from a R-4 district to a C-10 district, those certain parcels of land identified as follows:

- a) 1801 Bigley Avenue (also 302 Aletha Street), Charleston, West Virginia (Charleston West, M30, P25)
- b) 1804 ODell Avenue, Charleston, West Virginia (Charleston West, M30, P26)
- c) 1803 Bigley Avenue, Charleston, West Virginia (Charleston West, M30, P27)
- d) 1804 ODell Avenue, Charleston, West Virginia (Charleston West, M30, P28)
- e) 1805 Bigley Avenue, Charleston, West Virginia (Charleston West, M30, P29)

- 4. Minutes of the December 7, 2022 MPC meeting**
- 5. Announcements**
- 6. Adjournment**

***Meetings may be recorded and broadcast via internet <https://charlestonwv.civicclerk.com>**

Bill No. 7982

Introduced in Council

Passed by Council

December 19, 2022

Introduced by

Referred to

**Honorable Adam Knauff,
Councilman**

**Municipal Planning Commission
Planning, Streets, and Traffic**

Bill No. 7982 amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from an R-4 district to a C-10 district, those certain parcel of land identified as follows:

- a) 1801 Bigley Avenue (also 320 Aletha Street), Charleston, West Virginia
(Charleston West, M30, P25)
- b) 1804 ODell Avenue, Charleston, West Virginia (Charleston West, M30, P26)
- c) 1803 Bigley Avenue, Charleston, West Virginia (Charleston West, M30, P27)
- d) 1804 ODell Avenue, Charleston, West Virginia (Charleston West, M30, P28)
- e) 1805 Bigley Avenue, Charleston, West Virginia (Charleston, West, M30, P29)

Be it Ordained by the City Council of the City of Charleston, West Virginia:

1. The Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, is hereby amended by rezoning from an R-4 district to a C-10 district the whole of the following described parcels of land:

- a) Parcel No. 25 as shown on Charleston West Tax Map No. 30. Subject parcel commonly known as "LT A BK 14 UPPER GLEN ELK" (1801 Bigley Avenue and 320 Aletha Street), Charleston, West Virginia. Said tax map is of record in the Planning Office.
- b) Parcel No. 26 as shown on Charleston West Tax Map No. 30. Subject parcel commonly known as "PT LT B BK 14 33 X 64 UPPER GLENN ADN O DELL AVE" (1804 ODell Avenue), Charleston, West Virginia. Said tax map is of record in the Planning Office.
- c) Parcel No. 27 as shown on Charleston West Tax Map No. 30. Subject parcel commonly known as "PT LT B BK14 33.3 X 61 UPPER GLEN ADN BIGLEY AVE 1803" (1803 Bigley Avenue), Charleston, West Virginia. Said tax map is of record in the Planning Office.
- d) Parcel No. 28 as shown on Charleston West Tax Map No. 30. Subject parcel commonly known as "PT LTS B-C BK 14 33 X 64 UPPER GLEN ADD O DELL AVE" (1804 ODell Avenue), Charleston, West Virginia. Said tax map is of record in the Planning Office.

38 e) Parcel No. 29 as shown on Charleston West Tax Map No. 30. Subject
39 parcel commonly known as "PT LTS B-C BK 14 GLEN ELK BIGLEY AVE
40 1805" (1805 Bigley Avenue), Charleston, West Virginia. Said tax map is
41 of record in the Planning Office.
42

43
44 2. The Zoning Map, attached to and made a part of said Zoning Ordinance,
45 is hereby amended in accordance with Article 27 of this ordinance.
46

47 3. All prior ordinances, or parts of ordinances, inconsistent with this
48 ordinance are hereby repealed to the extent of such inconsistency.

**PETITION TO REZONE FROM R-4 TO C-10
THE LAND AT
1801 BIGLEY AVENUE
320 ALETHA STREET
1804 ODELL AVENUE
1803 BIGLEY AVENUE
1805 BIGLEY AVENUE**

CHARLESTON, WEST VIRGINIA

TO THE MAYOR AND COUNCIL OF THE CITY OF CHARLESTON, WEST VIRGINIA:

I

Petitioner is the contract/purchaser of the property situate at 1801 Bigley Avenue, 320 Aletha Street, 1804 Odell Avenue, 1803 Bigley Avenue and, 1805 Bigley Avenue, Charleston, Kanawha County, West Virginia (collectively "the property").

II

Petitioner proposes to remove the blighted structures on the property and develop additional fenced storage for Sunbelt Rentals currently located at 1717 Bigley Avenue.

III

Petitioner wishes to have the property rezoned from an R-4 use to a C-10 use, said property described as follows: All of Parcel Nos. 25, 26, 27, 28 and, 29 as shown upon Charleston West Tax Map No. 30. Said property being commonly known as 1801 Bigley Avenue, 320 Aletha Street, 1804 Odell Avenue, 1803 Bigley Avenue and, 1805 Bigley Avenue, Charleston, West Virginia. The above-mentioned tax map is as of record in the Charleston Planning Department.

IV

The property is located between Bigley Avenue and I-64, across Aletha Street from Sunbelt Rentals. The entire area between Bigley Avenue and I-64 has experienced a gradual and steady decline in residential population over the years, being replaced by businesses which benefit from interstate exposure and accessibility. The development of the property for Sunbelt Rentals would be a continuation of this natural transition. Further, the development of the property would enhance the ability of Sunbelt Rentals to generate additional B & O tax revenue for the City while also eliminating non-productive and blighted structures. Sunbelt Rentals is a low-impact, neighbor-friendly, commercial business perfectly suited for this location.

V

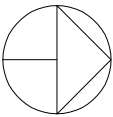
Attached hereto is a Bill to accomplish the requested rezoning, a list of property owners who own property within 250 feet of the subject property, a map of the subject property, and a \$125.00 filing fee.

Respectfully submitted this _____ day of
December, 2022.

By: _____
George M. Smith, Attorney

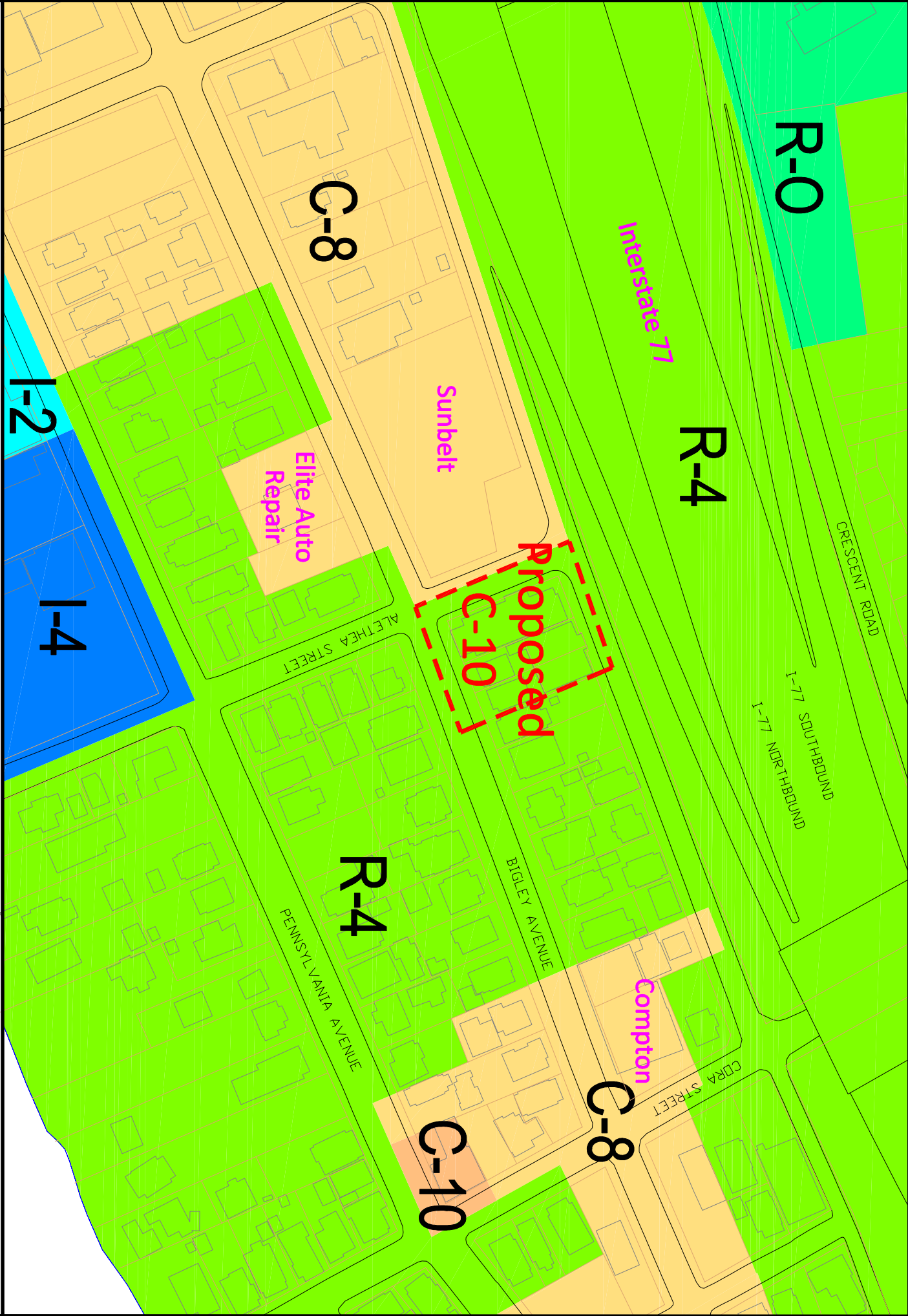
On Behalf of,
O.V. Smith & Sons of Big Chimney, Inc.
4510 Pennsylvania Avenue
Charleston, WV 25302

Phone: (304) 965 3481



REZONING FROM R-4 TO R-O

STAFF
EXHIBIT



Webb, Chad

From: postmaster@mail1.hdmedianews.com
Sent: Tuesday, December 20, 2022 10:03 AM
To: Webb, Chad
Subject: Ad Confirmation
Attachments: janicea_143019_1671548578745.png; 143019.pdf

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**NOTICE OF
PUBLIC HEARING**

The **Municipal Planning Commission of the City of Charleston, West Virginia**, will hold a public hearing at 3:00 p.m., Wednesday, January 4, 2022, on the following:

Rezoning: Bill No. 7982
- A Bill amending the Zoning Ordinance of the City of Charleston, West Virginia, enacted the 1st day of January 2006, as amended, and the map made a part thereof, by rezoning from a R-4 district to a C-10 district, those certain parcels of land identified as follows:

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e) 1805 Bigley Avenue, Charleston, West Virginia (Charleston West, M30, P29)

The files are available for your inspection online at <https://charlestonwv.civicclerk.com/>

If you have any questions or concerns, email chad.webb@cityofcharleston.org or call (304) 348-8105.

LC-143019
12-21;2022
12-21;2022



**Municipal Planning Commission
City Service Center – 915 Quarrier Street – Suite 6
Wednesday, December 7, 2022
3:00 P.M.**

Members Present

Aric Margolis, Chair
Mary Beth Hoover
Quintie Smith - by phone
Alice Hype – by phone
Lisa Fischer-Casto
Shannon Ferrari
Terri Allen, Mayor’s Designee
Deanna McKinney – by phone
J. D. Stricklen, Kanawha Co. Representative

Members Absent

Margo Teeter
Terry Pickett
JoEllen Zacks
Adam Krason
Justin Marlow
Shawn Taylor
Cory Stout

Staff Present

Dan Vriendt
Chad Webb

1. Call to Order

2. Unfinished Business - None

3. New Business

Text Amendment: Bill No. 7977 – A Bill amending the Municipal Planning Commission’s rules of procedures and policy by adding a section relating to ex parte communications. Rules and procedures may be adopted by the Municipal Planning Commission and approved by City Council pursuant to Section 8A-2-11 of the State Code, Section 90-36 of the City Code and Section 34-20 of the Zoning Ordinance.

Chad Webb addressed the MPC. Chad stated that this was formalizing a conversation that took place at the MPC’s October 5, 2022 meeting concerning the parameters of ex parte communication, since the MPC is part of the quasi-judicial body. Basically, it involves the addition of paragraph 2.2 of the Rules of Procedure and Policy, stating that MPC members shall avoid ex parte communications when the MPC is adjudicating a matter and the MPC is acting within its role. Any communication with an individual that has an interest in the outcome of the outside the quasi-judicial decision needs to be stated as a matter of record within a MPC meeting to preserve any comments or opinions concerning a decision.

Mote and Vote: Shannon Ferrari made a motion to approve Bill No. 7977. The motion was seconded by Terri Allen and passed by a vote of 8-0.

Resolution: Resolution No. 743-22 - A Resolution for the Charleston City Council to hereby adopt the updated Region 3 Hazard Mitigation Plan.

Mote and Vote: Shannon Ferrari made a motion to approve Resolution No. 743-22. The motion was seconded by Terri Allen and passed by a vote of 8-0.

4. Minutes of the October 5, 2022 MPC meeting

Mote and Vote: Shannon Ferrari made a motion to approve the minutes of the October 5, 2022 meeting. The motion was seconded by Mary Beth Hoover and passed by a vote of 8-0.

5. Announcements

6. Adjournment