



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338

Charles Town, WV 25414

File Number: Z18-01

Staff Initials: JH

Application Fee: \$ 1,200.00

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Zoning Map Amendment (Rezoning)

Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code. All Amendments to the Zoning Map require a Public Hearing to be held by the Planning Commission for the purpose of making a recommendation to the County Commission. Subsequently, all recommended map amendments require a Public Hearing before the County Commission prior to a final determination.

Property owner information

Name: Summit Point Ventures LLC; c/o Jim Bradbury
Mailing Address: 2804 Mission College Blvd., Suite 205; Santa Clara, CA 95054
Phone Number: 304-546-0733 Email: jbradbury@kanawhascales.com

Applicant contact information

Name: Summit Point Ventures LLC; c/o Jim Bradbury
Mailing Address: 2804 Mission College Blvd., Suite 205; Santa Clara, CA 95054
Phone Number: 304-546-0733 Email: jbradbury@kanawhascales.com

Applicant representative

Name: GORDON; Chad Wallen
Mailing Address: 148 S. Queen Street, Suite 201; Martinsburg, WV 25401
Phone Number: 304-725-8456 Email: cwallen@gordon.us.com

Physical property details

Physical Address: 500 Motorsports Park Circle
City: Summit Point State: WV Zip Code: 25446
Tax District: Kabletown (6) Map No: 17 Parcel No: 2.3
Parcel Size: 3.35+/- Acres Deed Book: 1092 Page No: 176

Current Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
Place Received Date Stamp Here		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Proposed Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential- Light Industrial- Commercial (RLIC)	Village (V)	Neighborhood Commercial (NC)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General Commercial (GC)	Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/ Commercial Mixed-Use (O/C)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For a Zoning Map Amendment request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

See Attached

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e., type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

See Attached

Do you request that the Planning and Zoning Staff present the petition to the Planning Commission for the purpose of setting the public hearing date?

- ☐ Yes, I request that the Planning and Zoning Staff present the petition
- ☒ No, I prefer to present the petition

Plat or Sketch Plan (provide as an attachment to this application)

The plat or sketch must be pursuant to Zoning Ordinance, Section 7.4 (b). The sketch plan shall include the entire original parcel as it appeared on the date this ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines should be superimposed on the sketch plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes and quarries shall be delineated.

Is Plat or Sketch Plan attached?



Yes



No

Original signature of all property owners is required. The information given is correct to the best of my knowledge (Please attach additional signature page if needed).

L. L. Frank
Manager, Newlin Summit 1/24/2018

Signature of Property Owner

Venture Date

Signature of Property Owner

Date

The Planning Commission is required to set a public hearing on the proposed Zoning Map Amendment within 60 days of the date upon which a complete petition is presented to the Planning Commission at a Planning Commission Meeting. A complete petition, and related fees, shall be submitted to Departments of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. Upon request, Planning and Zoning staff can present the petition to the Planning Commission on behalf of the applicant for purpose of setting the public hearing date. At the conclusion of the Planning Commission's Public Hearing, or at the next regular Planning Commission meeting, the Planning Commission shall make a recommendation to the County Commission regarding approval or disapproval of the requested Map Amendment. This recommendation shall be forwarded to the County Commission within four (4) weeks of final Planning Commission action.

The Planning Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.



Recommended



Not Recommended

The County Commission finds this request consistent/inconsistent with the Comprehensive Plan by a vote of _____ for and _____ against, this day of _____, _____, _____.



Approved



Disapproved

Final Determination/Other Comments

Zoning Map Amendment Application Addendum

Summit Point Ventures Rezoning

January 24, 2018

Owner / Applicant:

Summit Point Ventures LLC
2804 Mission College Boulevard, Suite 205
Santa Clara, CA 95054

Property Tax Identification:

Kabletown District (6), Map Number 17, Parcel 2.3

Deed Information:

Deed Book 1092, Page Number 176

Property Characteristics:

Location: Southeast corner of the Summit Point Road (Rte. 13) and Motorsports Park
Circle intersection.
Current Zoning: Rural
Current / Historic Use: Commercial
Tract Size: 3.35+/- Acres

Table of Exhibits

1. Vicinity Map
2. Aerial Overlay
3. Existing Land Use Map
4. Future Land Use Guide (Modified)
5. Concept Plan / Existing Conditions
6. WV Development Office Marketing Material

Substantiation for Request

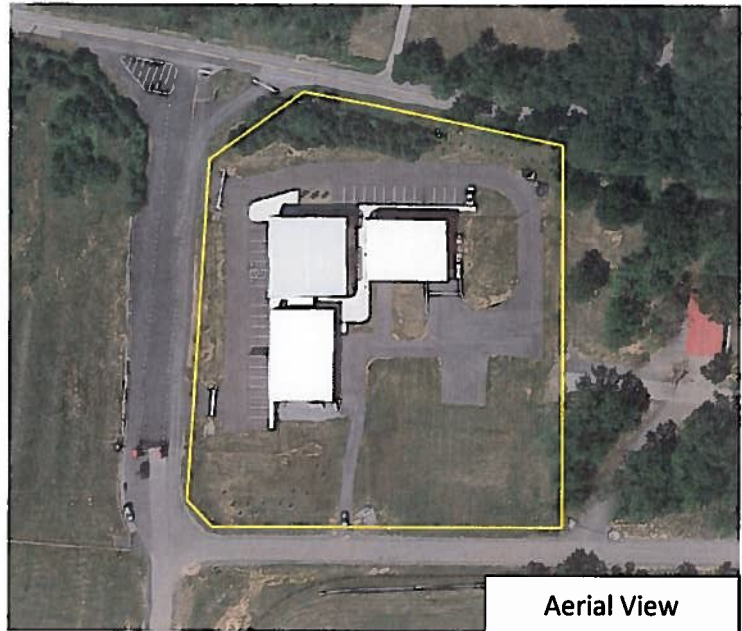
- 1. The designation as General Commercial will reflect the property's existing development.** The previous use was vacated in 2014 and the property remains idle and is currently of no benefit to Jefferson County. Discussions with potential tenants often end due to a lack of by-right commercial options for the property. The owners are requesting relief from ongoing nonconforming use status by asking the County Commission to recognize the property as a commercial entity through granting the General Commercial zoning designation.



- 2. The property was designed for a commercial use and gave consideration for potential impacts to neighboring properties.** Buffers and setbacks were specifically developed by Jefferson County to protect adjoining properties of different uses. The implementation of these buffers preserves adjacent property owner's rights and supports their general welfare. The existing design of the property includes the following commercial setbacks and buffers:
 - Zoning Ordinance Section 4.6.B.2: 75' distance requirement from any lot with a dwelling.
 - Zoning Ordinance Section 4.11.A.1: 50' or greater unscreened green space buffer.
 - Zoning Ordinance Section 4.11.B.1: 15' screened buffer.

3. **Limited use for the property under the Rural Zoning District.** Due to the property's location and existing development there is limited alternatives other than a commercial business. Previous commercial operations have demonstrated the site is a viable commercial property.

4. **The subject property was previously part of the adjacent Motorsports Park which predates the Jefferson County Zoning Ordinance.** The property was developed and subdivided from Summit Point Motorsports Park which opened in 1970. The Comprehensive Plans Existing Land Use Map recognizes the Park as a commercial use. As part of the Motorsports Park the subject property's continued commercial use predates the implementation of zoning in



Jefferson County. The implementation of zoning in Jefferson County failed to recognize this property as a distinct use which does not meet its definition of rural.

5. **No burden would be placed on existing public infrastructure with this rezoning.** The property will not require the extension of utilities and will not create additional needs on the school system or other County facilities. The property is self-contained and does not depend on public facilities to continue under the General Commercial district. The continued use as a commercial property will help contribute to the tax base in Jefferson County.

6. The property's commercial use is consistent with surrounding commercial development. Surrounding uses include Summit Point Motorsports Park, Summit Point Training Campus, and REMAC Recycling Center. Commercial setback and buffers were provided for the lone residential property located opposite Summit Point Road.



Adjacent Summit Point Training Campus



Adjacent Summit Motorsports Park

Describe your proposed use (and/or project) and describe why the Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The subject property is currently vacant and previously existed as a non-conforming use occupied by an aftermarket car engineering and design company. The building contains over 19,500 square feet of floor space which includes 10,512 sf of Office Space and 9,000 sf of Warehouse/Manufacturing Space. The conversion of this property to a residential, agricultural or most other permitted uses in the Rural District is not fiscally viable. The continued use as a commercial use is the only option for maintaining this property.

The proposed use is to allow the existing commercial structure to continue as a by-right commercial use under the General Commercial zoning district. The approval of this amendment will allow the property to be promoted as a commercial establishment and recognize its historic use. If denied, future efforts to sell or lease the property will be impaired by requiring a zoning certificate or review as a proposed nonconforming use for every potential use/tenant interested in the facility. If zoned properly as General Commercial, the facility will maintain its right to the site's previous and historic use.

The Comprehensive Plans Existing Land Use Map recognizes the Summit Point Motorsports Park as a commercial use. The property to be rezoned was originally part of the Motorsports Park and its continued commercial use predates the implementation of zoning in Jefferson County.



Rear View of the Complex

The existing development on the property does not meet the definition for a rural use as defined by both the Comprehensive Plan and Zoning Ordinance. Definitions include:

- Comprehensive Plan Appendix H: A sparsely developed area where the land is primarily used for farming and farm related activities, forestry, resource extraction, or large lot residential density.
- Comprehensive Plan Appendix G – Land Use Map Classifications: Rural / Agricultural - This land use category reflects land occupied by lots greater than five acres. Found within this classification are single family uses and working agricultural operations.
- Zoning Ordinance Section 5.7, Rural (R) District: The purpose of this district is to provide a location for low density single family residential development in conjunction with providing continued farming activities.

The area surrounding the subject property is not sparsely developed, with multiple business adjacent to the property and the Summit Point Village District located less than one-half mile to the east.

The State of West Virginia and local agencies have invested in this property to create jobs and revenue for Jefferson County. Continued support of this existing commercial infrastructure will help promote a diversified tax base and increase employment opportunities. The property maintains a tenant ready building which previously supported up to 50 employees as a commercial use. The sites adjacency to Summit Motorsports Park



Main Entrance for Office / Showroom

provides a unique opportunity for potential businesses and the surrounding area. The General Commercial zoning designation will aide in attracting a business to the property and allow for that economic growth to occur.

Describe how the Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan (the Plan).

- **Page 26 of the Plan states: “For zoning map amendments in areas outside of growth areas shown on the Future Land Use Guide, this Plan recommends that the County Commission can further determine that a requested zoning map amendment is consistent with the balance of the Plan by receiving evidence and making a finding that the zoning map amendment is for the economic well-being of Jefferson County; or by finding that there is an error or under scrutinized property on the Future Land Use Guide”. *(Page 26 of the Plan)***
 - It is clear that the Future Land Use Guide does not in itself determine if a rezoning is compatible with the Comprehensive Plan.
 - The utilization of the existing commercial building as a commercial use will support the tax base of Jefferson County and provide employment opportunities for its residents.
 - The subject property and adjacent properties to the east, south and west are recognized as commercial properties by The Plan’s Existing Land Use Map. The original allocation of a Rural zoning designation did not recognize the properties historic use and is under scrutinized on the Future Land Use Guide.
 - The Plan recognizes that development surrounding the property to be rezoned is not typical of rural/agricultural development. Both Summit Point Motorsports Park and the Summit Point Training Campus are completely or in part Vocational and/or Training Facilities for Adults. Page 236 of The Plan acknowledges this abnormality in the Future Land Use Guide by stating: “Within the Rural/Agricultural District is a permitted land use of “Vocational and/or Training Facility for Adults”. This text recognizes an existing facility, but the map depicts this use as Rural/Agricultural”.

- **“One of Jefferson County’s target industries is correlated with the presence of state and federal government facilities. Since the federal government has found success with their existing local facilities, the potential for additional federal employment opportunities to locate here is greatly enhanced.” (page 66 of the Plan).**
 - Clients served by the training facilities surrounding this property include U.S. Department of State Diplomatic Security Services, foreign governments and numerous other local and federal agencies. Granting the General Commercial zoning district will allow the subject property to market its existing facilities as an opportunity to support the areas elite training facilities.
- **The Plans Economic Development & Employment Recommendations Goals 6 / 7.5 (page 70): Create a business friendly environment in Jefferson County.**
 - Granting the General Commercial district would simplify the marketing of the property and recognized the property as a destination commercial facility within Jefferson County.
- **The Plans Economic Development & Employment Recommendations Goals 6 / 7.9.c. (page 70): Encourage the utilization of existing structures or the utilization of greyfield or brownfield sites for the development of new state and federal facilities.**
 - The sites proximity to the adjacent facilities utilized by multiple state and federal agencies provides an opportunity to build upon and/or support the missions of Summit Point Training Center and Motorsports Park. A vacant building with the constraints of a Rural zoning designation does not promote the possibility of expanding on this areas existing offerings.



- **The Plans Tourism Recommendations Goal 9.1 (page 84): Support and promote rural and recreational tourism to help achieve the County's economic goals.**
 - Summit Point Motorsports Park is a major recreational facility and tourism destination within Jefferson County. The subject property's adjacency and relationship to this facility lends itself to a business which supports this recreation and tourism destination in Summit Point.
- **The Plans Finance Recommendations Goal 24.1 (page 141): Develop policies that result in a well-balanced tax base that is not overly reliant on residential taxes, but is diversified by the presence of a robust commercial and industrial tax base.**
 - The property's existing commercial infrastructure is uniquely situated to support and benefit from the adjacent motorsports park, which has a proven history to be an economic engine within Jefferson County.



Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original ordinance was adopted.

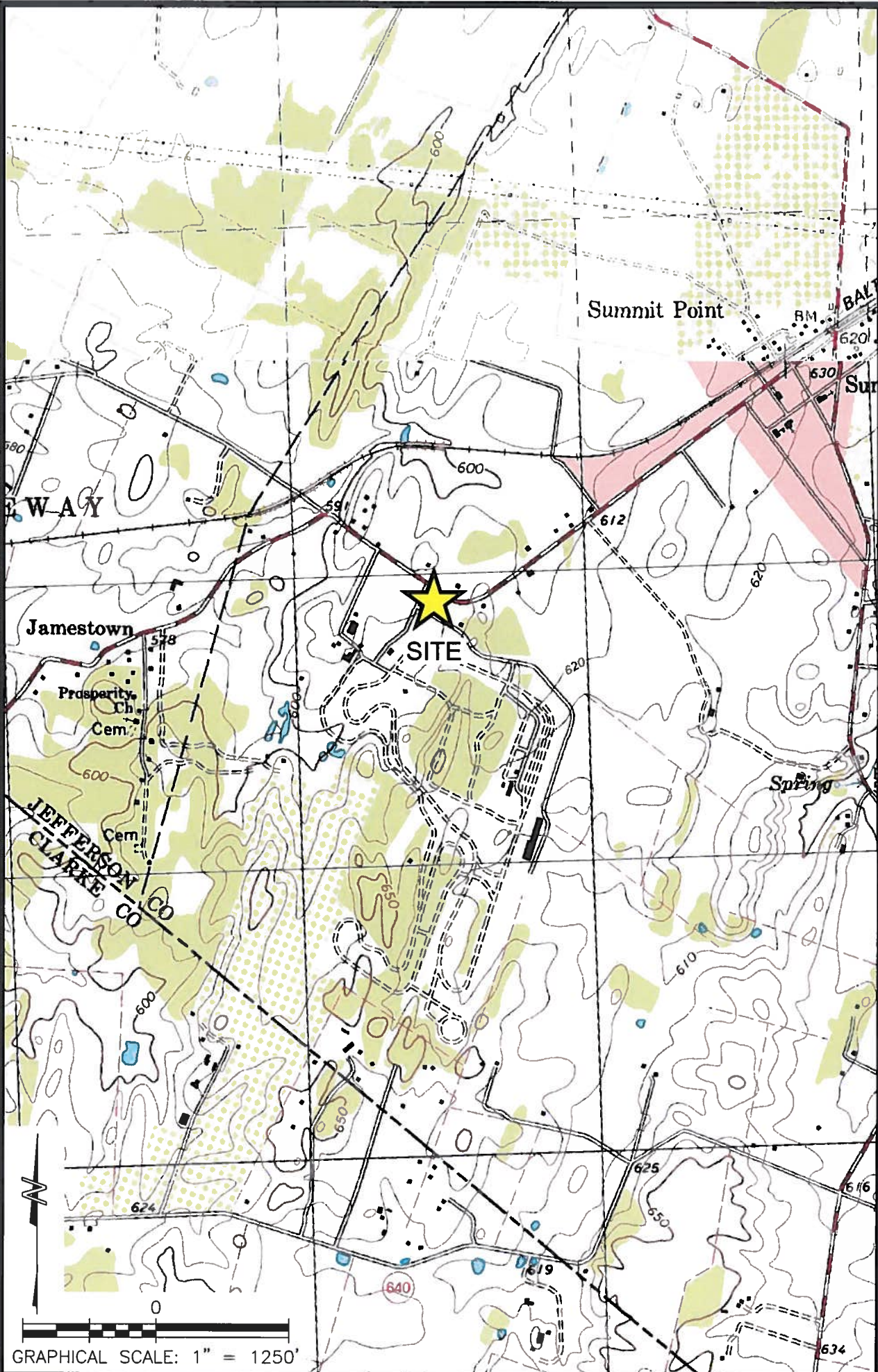
- **Transportation Characteristics - The property is served by direct access from a Major Collector (Summit Point Road / WV RTE. 13).** As with most corridors, traffic increases over time as more development occurs. The recognition of Summit Point Road as a Major Collector by the Plan recognizes this road as regional route. This Road has proven adequate for the property's previous commercial use and neighboring facilities. The adjacent Summit Point Motorsports Park regularly holds successful events ranging from hundreds to thousands of patrons, which access the facility by Summit Point Road. The number of trips which will be generated by the subject property will be marginal by comparison.
- **Transportation Characteristics - As required with any property, a change in use is will require an updated entrance permit from the West Virginia Department of Transportation (WVDOT).** A change in use for a property requires the review by the WVDOT to ensure safe and adequate access can be provided. Additional improvements would be required if the existing access were determined inadequate. Substantial change to existing traffic generation is not anticipated with a change in zoning.
- **Transportation Characteristics - Future improvements to Summit Point Road.** A 10 foot wide road improvement easement was provided along Summit Point Road as part of the site / subdivision plan. While improvements are not anticipated in the immediate future, this precaution was taken to ensure that potential improvements can be accommodated.
- **Neighborhood Characteristics – The surrounding area has evolved to provide a unique destination within the County.** Both the Summit Point Training Center campus and the expansion of training facilities within Summit Point Motorsports Park provide services for numerous federal, local and international agencies. The subject property has an opportunity to contribute to these services through its tenant ready facility.

ZONING MAP AMENDMENT EXHIBIT 1 - VICINITY MAP

01-24-2018

SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

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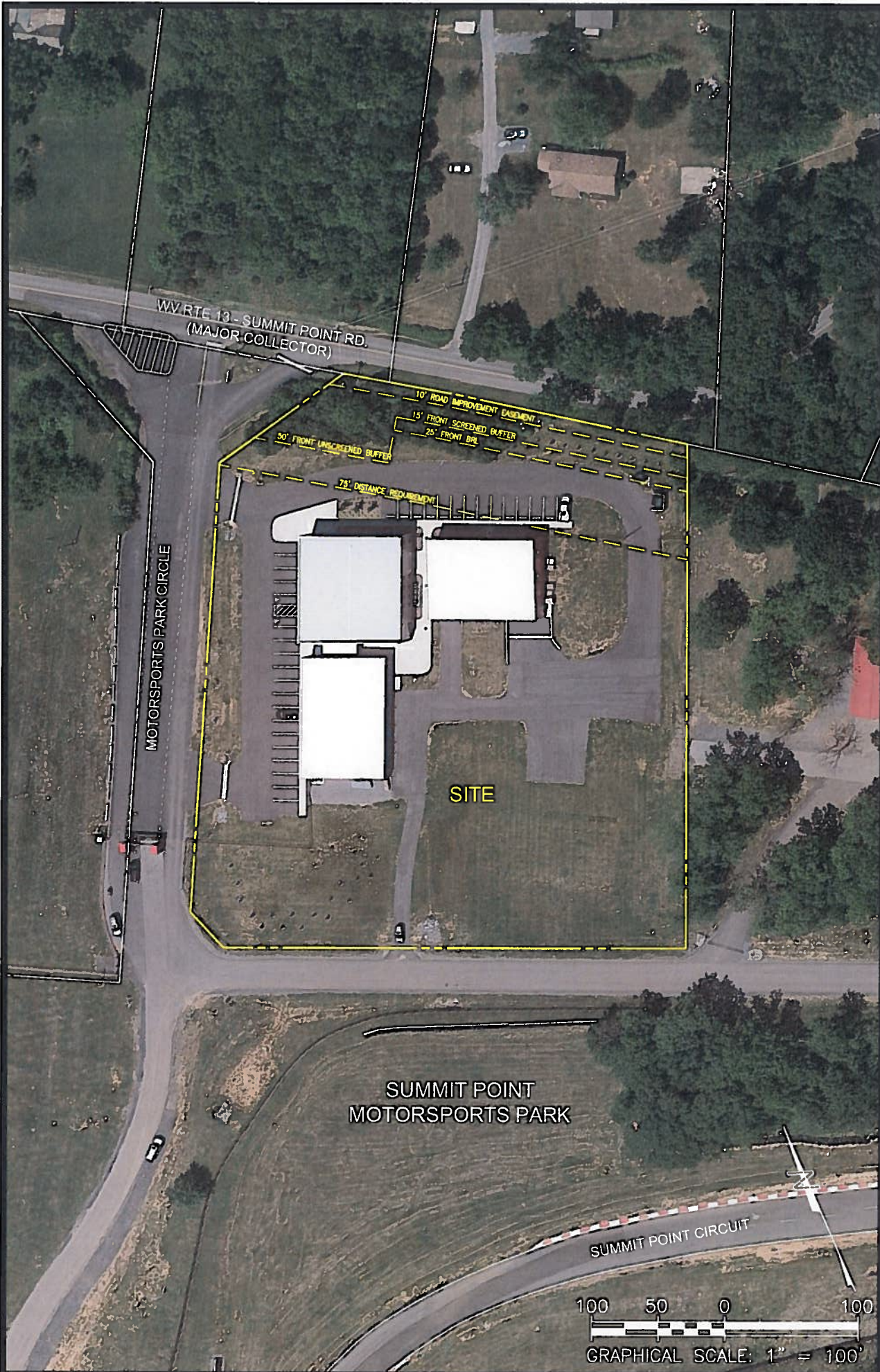


ZONING MAP AMENDMENT EXHIBIT 2 - AERIAL OVERLAY

01-24-2018











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JEFFERSON COUNTY, WV

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Jefferson County Existing Land Use

Legend

-  River Access
-  Campgrounds
-  Schools
-  Growth Management Boundary
-  Urban Growth Boundary
-  Approved Major Subdivisions
-  Incorporated Towns
-  Jefferson County Parks
-  Farmland Preservation
-  Water

Land Use Types

-  Industrial
-  Industrial Vacant
-  Commercial
-  Commercial Vacant
-  Office Building
-  Mixed Residential/ Commercial
-  High Density Residential
-  High Density Residential Vacant
-  Medium Density Residential
-  Medium Density Residential Vacant
-  Low Density Residential
-  Low Density Residential Vacant
-  Large Lot Residential
-  Large Lot Residential Vacant
-  Rural/ Agricultural
-  Golf Course
-  Public/Quasi Public Land

SITE

ZONING MAP AMENDMENT EXHIBIT 3 - EXISTING LAND USE MAP

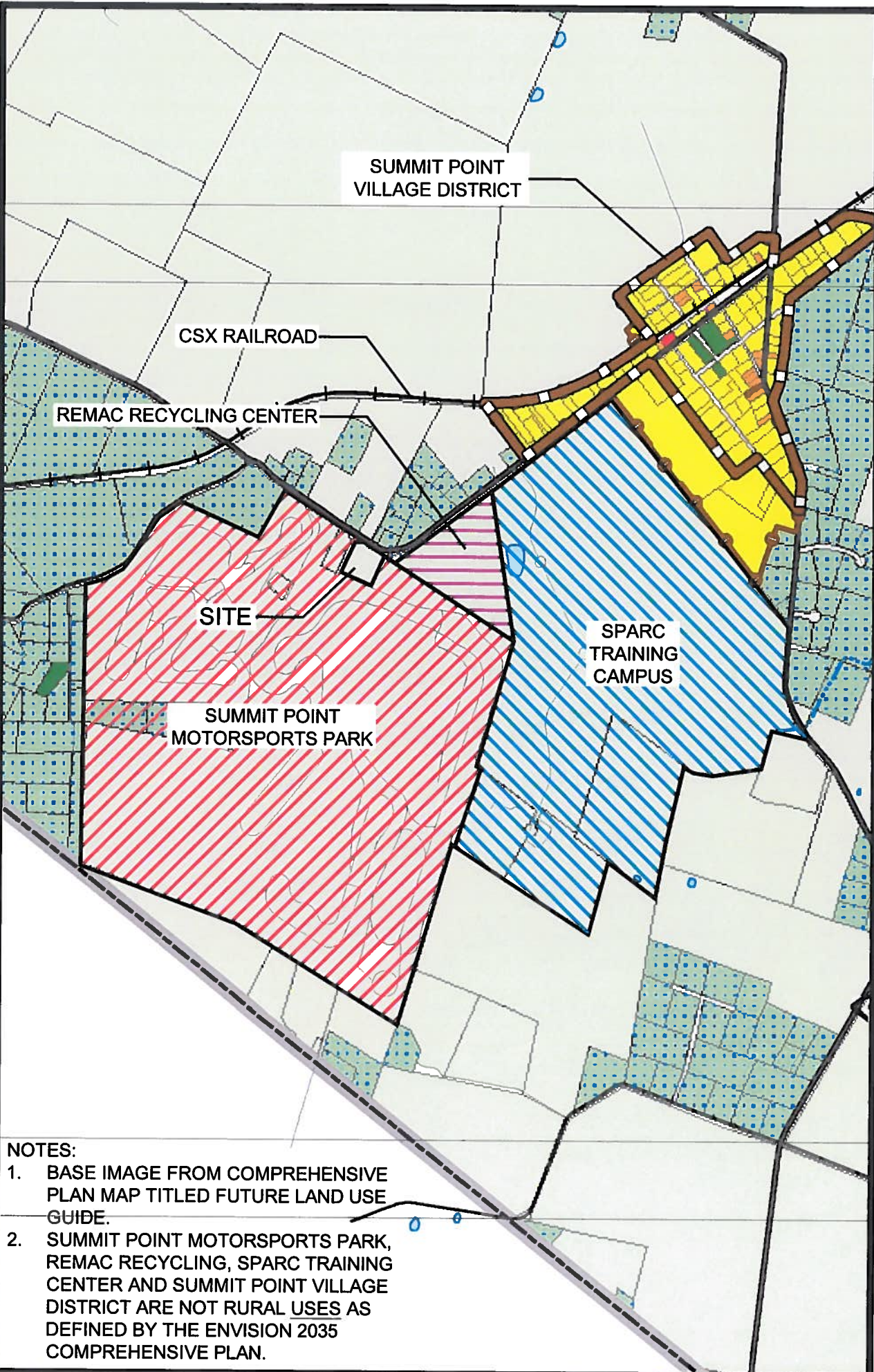
01-24-2018

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JEFFERSON COUNTY, WV

ZONING MAP AMENDMENT EXHIBIT 4 - FUTURE LAND USE GUIDE (MODIFIED)

01-24-2018

SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV



NOTES:

1. BASE IMAGE FROM COMPREHENSIVE PLAN MAP TITLED FUTURE LAND USE GUIDE.
2. SUMMIT POINT MOTORSPORTS PARK, REMAC RECYCLING, SPARC TRAINING CENTER AND SUMMIT POINT VILLAGE DISTRICT ARE NOT RURAL USES AS DEFINED BY THE ENVISION 2035 COMPREHENSIVE PLAN.

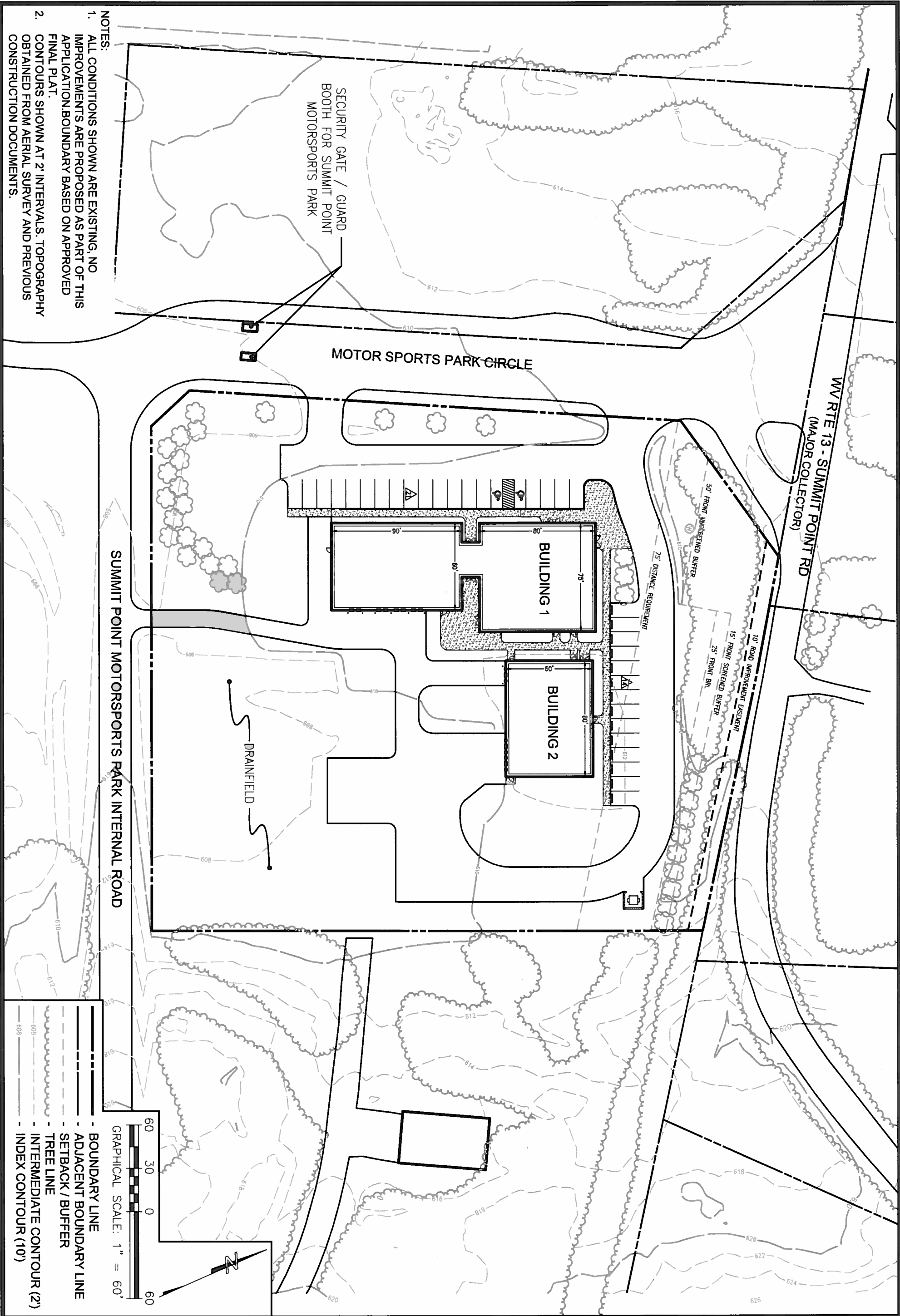


EXHIBIT 6 - WV Development Office Marketing Material



WEST VIRGINIA DEVELOPMENT OFFICE
1900 Kanawha Boulevard East
Charleston, WV 25305-0311
Toll free: (800) 982-3386
Office: (304) 558-2234 • WVDO.org

AVAILABLE SPACE STASIS ENGINEERING COMPLEX



SUMMIT POINT, WEST VIRGINIA

LOCATION

Building Address - 500 Motorsports Park Circle
Summit Point, WV 25446

Located in City Limits - No

Zoning - None

County - Jefferson

Located in Business/Industrial Park - Yes

Can the Building be Multi-Tenant - Yes

Flood Hazard Zone - Location is not within any FEMA Zone

SIZE

Total Sq. Ft. - 19,512 (Office Building: 9,312;
Warehouse Building: 4,800; Engineering Building: 5,400)

Total Available Sq. Ft. - 19,512

Total Leased Sq. Ft. - 0

Acres - 3.35

Available Manufacturing/Warehouse Sq. Ft. - 9,000

Available Office Sq. Ft. - 10,512 (9,312 in Office Building and 1,200 in Engineering Building)

CEILING HEIGHT (Measurements taken under steel beams)

Engineering Building - 11'-3" at eaves and 15'-4" at center

Warehouse Building - 15'-1" at eaves and 19'-6" at center

SPECIFICATIONS

Can the Building be Expanded - No

Number of Additional Sq. Ft. Building can be Expanded - N/A

Is There Additional Land Available - No

Number of Additional Acres - N/A

Date of Construction - Unknown

Dates of Expansion - None

Date Vacated - 2014

Floor Thickness and Composition - Reinforced concrete

Wall Composition - Metal in warehouse and office buildings, metal and cinder block in engineering building

Wall Insulation - Fiberglass with vinyl backing in warehouse and engineering buildings

Roof Composition - Metal

Roof Insulation - Fiberglass with vinyl backing in warehouse and engineering buildings

Column Spacing - Clear span in warehouse and engineering buildings

Type of Sprinkler System - None

HVAC - Trane heat pumps serves engineering and office buildings, suspended gas fired heaters serves warehouse building

Lighting - Fluorescent fixtures in engineering and office buildings, fluorescent and high bay metal halide fixtures in warehouse building

Number and Capacity of Overhead Cranes - None

Number of Truck Docks - Two in warehouse building

Number and Size of Bay Doors - One 10' wide x 14' high in warehouse building, one 10' wide x 8' high and three 10' x 10' in engineering building

Number of Parking Spaces - 34 marked spaces

Previous use of the Building - Stasis engineering - high performance auto parts



ENGINEERING/OFFICE/WAREHOUSE BUILDINGS

TRANSPORTATION

Interstate/4 Lane Highway - 7.9 miles to I-81 Interchange Exit 321
 Commercial Airport - 44.2 miles to Hagerstown Regional Airport
 Railroad - None
 Railroad Siding - None
 Navigable Waterway - None
 On-Site Barge Facility - None

UTILITIES

Electricity - Potomac Edison
 Voltage - 208
 Phase - 3

Gas - Thomas Gas (Propane)
 Size of Service Line -
 Gas Pressure -

Water - On site wells
 Size of Service Line -
 Static Pressure -
 Residual Pressure -
 Excess Capacity of Treatment Plant (GPD) -

Sewer - Septic system
 Size of Service Line -
 Excess Capacity of Treatment Plant (GPD) -

Telephone Supplier - Frontier or Comcast
 Broadband Service - Yes

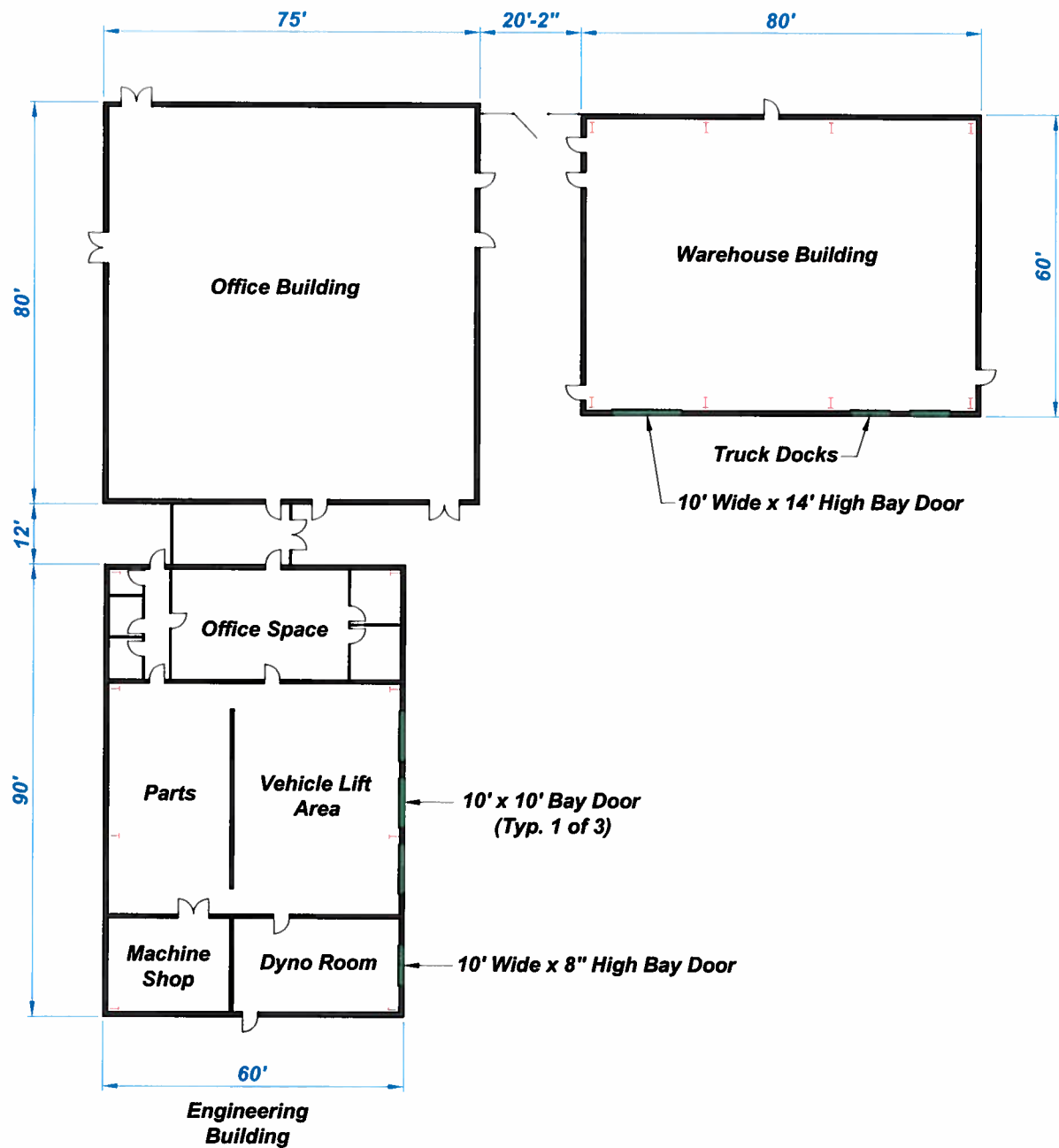
SALE/LEASE

Sale Price - \$2.5 million
 Sale Terms -
 Lease Price - \$10.00 psf for all 3 buildings or individually as follows,
 Office Building: \$12.00 psf
 Engineering Building: \$9.00 psf
 Warehouse Building: \$4.00 psf
 Lease Terms - NNN
 Available Purchase or Lease Date - Immediately

FOR FURTHER INFORMATION CONTACT

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Disclaimer: The information contained herein is from multiple sources and is provided as a convenient guide. It is deemed reliable, but is not guaranteed, and is subject to change without notice. It is your responsibility to independently confirm its accuracy and completeness.



FLOOR PLAN (NOT TO SCALE)



OFFICE BUILDING



OFFICE BUILDING SHOW ROOM



WAREHOUSE BUILDING INTERIOR



ENGINEERING BUILDING



OFFICE BUILDING 2ND FLOOR SPACE



OFFICE BUILDING 2ND FLOOR SPACE