



AGENDA
Jefferson County Planning Commission
Tuesday, April 11, 2017, 7:00 PM

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street in the City of Charles Town.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Election of Planning Commission Officers.
2. Approval of Meeting minutes:
 - March 28, 2017.
3. Citizen Communications: If you wish to comment, please sign-in to speak for issues that are not on the agenda or items that are not open for public comment. Items not open for public comment will be so noted.
4. Request for postponement.
5. **Public Workshop** for a Concept Plan for Grace Baptist Church by applicant Trustees of the Grace Baptist Church (File#S17-03). The applicant is proposing a 2 Phase Church Project. Phase I is to consist of a 6000 SF Church building on well and septic with a proposed gravel surface parking lot. Phase II will consist of the replacement of the western most parking area with a second 6000 SF Church building. The property is designated as Tax District: Middleway (07); Tax Map: 2; Parcel 2.6. Zoned: Rural; Size: 3.91 ac. Copies of the proposed Concept Plan is available at the Office of Planning and Zoning (304-728-3228).
Oral or written comments may be submitted at the hearing.
6. **Public Workshop** for a Concept Plan for Colonial Hills Phase 3A (File#17-06) by applicant KE Colonial, LLC (Formerly Mark-Colonial Hills, LLC). The applicant is proposing 61 Townhouse Units, open space and storm water management areas and the construction of associated utilities. The property is designated as Tax District: Shepherdstown (09); Tax Map: 8; Parcel 10. Zoned: Residential Growth; Size: a 7.92 acre+/- portion of the 27.15 acre parcel Copies of the proposed Concept Plan is available at the Office of Planning and Zoning (304-728-3228).
Oral or written comments may be submitted at the hearing.
7. **Public Hearing** for a waiver to be able to process a 2 (two) lot commercial subdivision Minor Nonresidential Subdivision (File#PCW17-01) to advance to Final Plat stage as a Minor Subdivision (Section 20.201B). The applicant is requesting to be able to create an approximate 1.5 acre parcel and a 2.25 acre parcel to market and sell to a commercial entity. The property is designated as Tax District: Shepherdstown (09); Tax Map: 7; Parcel 23. Zoned: Residential/Light Industrial/ Commercial; Size: 4.01acre. Copies of the application is available at the Office of Planning and Zoning (304-728-3228).

There is no public comment for the remaining items.

8. Reports from Legal Counsel and legal advice to the Planning Commission.
 - a) Active Litigation:
 - Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session.
9. Planners Memo.
 - Status on extension of vested properties.
10. President's Report.
11. Actionable Correspondence.
12. Non-Actionable Correspondence.

All files are made available for public review Monday through Friday, 9:00 AM to 5:00 PM (excluding Holidays). The Planning Commission welcomes written comments at any time. Submitting a document no later than the Thursday before a scheduled meeting will provide the Commission an advanced opportunity to review your comments prior to the meeting. Please note that documentation and exhibits submitted at a Planning Commission meeting are retained as part of the official record. Feel free to submit your comments to office of the Departments of Planning and Zoning.

Any party desiring a transcript of these proceedings will be responsible for providing a competent stenographer at their own expense. Minutes, video and/or audio recordings of past meetings, the Jefferson County Subdivision Regulations, Zoning Ordinance and Comprehensive Plan, as well as any working proposed amendments are located on the Departments page within the County's website at www.jeffersoncountywv.org. Minutes and audio recordings of older meetings that are not on the County's website are available for review in the office.

DRAFT

Jefferson County Planning Commission

March 28, 2017

The Jefferson County Planning Commission met on March 28, 2017 with the following Commission members present: Steve Stolipher, Vice President; Wade Louthan, J Ware, Mike Chapman, and Peter Onoszko. Staff members present included Jennifer Brockman, County Planner; Jonathan Saunders County Engineer; Nathan Cochran, Assistant Prosecuting Attorney; Alex Beaulieu, Zoning Administrator, and Rhonda Greenholtz, Planning Clerk.

Mr. Dickie Childs and Mr. Gary Phalen were absent with prior notification.

Mr. Gene Taylor was absent without prior notification.

Mr. Donnie Fisher informed a Planning Commission member that he would be late to the meeting.

Mr. Steve Stolipher presided over the meeting.

Mr. Stolipher called the meeting to order at 7:00 PM.

1. Notification of expiring Planning Commission member terms.

Mr. Dickie Childs informed Planning staff that he will not be reapplying for his position on the Planning Commission.

Mr. Mike Chapman informed the Planning Commission that he also would not be applying for another term.

Ms. Jennifer Brockman stated that applications needed to be submitted to the County Commission no later than Thursday, March 30, 2017 at noon to be considered at the April 6, 2017 County Commission meeting for a position on the Planning Commission.

2. Approval of the minutes from the following Planning Commission Meetings

- January 10, 2017

The minutes were approved with no objections.

3. Citizen Communications.

Ms. Sara Lambert introduced herself as the new Liaison to the Planning Commission for the Jefferson County Historic Landmarks Commission. Ms. Lambert is a Commissioner on the Historic Landmarks Commission and is currently a licensed architect located in Shepherdstown.

The Planning Commission members welcomed Ms. Lambert.

4. Request for postponement. None.

5. A Public Workshop was held for a Concept Plan for Genesis Center (PC File# S17-01) a mixed use development in the Neighborhood Commercial zoning district to be located on the east side of Route 480 (Kearneysville Pike) southwest of Morgan Grove Park. The applicant is proposing 3 commercial parcels including a restaurant, general commercial, and health care facility, all of which may include upper floor residential or offices. Additionally twelve (12) age restricted villa units are being proposed. The property is designated as Tax District: Shepherdstown (09); Tax Map: 13; Parcel 26.1 and 26.3. Zoned: Neighborhood Commercial; Size: 6.6194 Ac. (Parcel 26.1) and 2.95 Ac. (Parcel 26.3)

Ms. Jennifer Brockman gave a brief description of the role the Planning Commission plays. Ms. Brockman also gave a brief history of the site.

Mr. Fred Blackmer, spoke on behalf of the applicant, Aubrey E. & Dorothy V. Henry (owners of the property). Mr. Blackmer submitted a response to the Concept Plan checklist comments and a copy of the Submission and Completeness review to the Planning Commission. Mr. Blackmer presented an overview of the proposed Concept Plan.

The 3 acre parcel is being proposed for commercial uses within the guidelines of the Neighborhood Commercial zoning district which includes limiting the footprint of each building to 3,500 square feet. The larger parcel is designated as for single family residential under the Neighborhood Commercial zoning district and is proposed to be age restricted single family lots. The development will be served by Shepherdstown water and wastewater utilities. .

Mr. Blackmer clarified that the proposed commercial development of Parcel 26.3 depicted on the Concept Plan is a concept only and that the actual individual building uses and positioning are prospective and indicate the scale diversity of uses that may be incorporated into the final design of the development. No contract has been signed for those businesses as they are proposed commercial. Any of the three parcels would have to comply with the permitted uses in the zone. He also stated that he would like to make further comments regarding the traffic study after public comment so that he may address any concerns.

Ms. Brockman made the Planning Commission aware of the comments received from various outside agencies which are attached to the staff report.

Mr. Stolipher opened the floor to Public Comment.

Mr. Joe Spurgas thanked the exiting Planning Commission members for their service. Mr. Spurgas lives across from the old Morgans Grove Market. He spoke on specific concerns such as the condition of the site, site entrances and traffic. He would like to see a new legitimate traffic study relative to the site and proposed uses. Exiting from the Ledge-Lowe [UB1] subdivision can be very difficult. Mr. Spurgas inquired what the next step of the process is. Ms. Brockman stated that the next step would be for the applicant to submit a Preliminary Plat or Site Plan depending how they intend to move forward on the project.

Mr. Stolipher closed the Public Comment portion and permitted Mr. Blackmer to respond to the comments received.

Mr. Blackmer addressed the traffic concerns stating that the WVDOH has the final say and authority on any entrance permits and if a traffic study will be required. The staff report indicates that a traffic study be a condition of approval of the Concept Plan. Mr. Blackmer presented a copy of a portion of the Jefferson County Subdivision regulations stating that WVDOH review comments are due at the Preliminary Plat stage. Ms. Brockman clarified that the recommendation of the staff report is to accept the Concept Plan as complete provided that comments from the WV DOH regarding whether a Traffic Impact Study is required is received at the Site Plan stage. Mr. Blackmer does not want the approval of this project be clouded by a condition that is actually for a future submission. Mr. Blackmer addressed the entrance stating that entrance intended to serve the 55 and older single family residences will be at the top of the hill away from the commercial entrance and away from the Ledge-Lowe entrance.

Ms. Brockman reiterated to the Planning Commission stated that no response had been received from the WVDOH and the approval of the Site Plan will be contingent upon the approval of this agency.

Mr. Mike Chapman made a motion to accept the Concept Plan as presented. Mr. Peter Onoszko seconded the motion. A vote was taken which passed unanimously.

6. Planning Commission recommendation to the County Commission on whether the Zoning Map Amendment (Z17-01) petition by Paul J, Raco Consulting for Jefferson Reality, LLC for property located at 4843 Middleway Pike from Rural to General Commercial is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Middleway Tax District (07), Map # 19A, Parcel #'s 13, 14 & 14.1.

Ms. Brockman stated that this is the first zoning map amendment processed under revisions to Article 12 which were approved in March 2016 that brought the Zoning Map Amendment process in conformance with the relevant portions of WV Code 8A. The applicant chose to present the petition to the County Commission who have scheduled the Public Hearing for April 6, 2017 at 1:30 pm. WV Code 8A and Article 12 of the Jefferson County Zoning Ordinance require the County Commission to refer such petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted Comprehensive Plan. Therefore, no Public comment will be heard by the Planning Commission on this item as it strictly being reviewed for the purpose of recommending to the County Commission if the petition is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

Mr. Mike Shepp, representative for the applicant and applicant Jefferson Reality, LLC presented the request in a PowerPoint format. The history of the site, uses and nearby uses were presented. Mr. Shepp and applicant believe that the request to rezone the property is consistent with the *Envision Jefferson 2035 Comprehensive Plan* and are seeking a recommendation to this effect for the County Commission's information.

Ms. Brockman referred the Planning Commission to the staff report which provides an overview of the relevant sections of the *Envision Jefferson 2035 Comprehensive Plan* stated that staff finds the proposed rezoning to be consistent with the *Envision Jefferson 2035 Comprehensive Plan*. She stated that the Planning Commission is required to review this application and make a recommendation to the County Commission regarding consistency with the *Envision Jefferson 2035 Comprehensive Plan* prior to their April 6, 2016 Public Hearing.

Mr. J Ware made a motion to recommend approval to the County Commission that this request to rezone the property from Rural to General Commercial is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Mr. Mike Chapman seconded the motion. A vote was taken which carried unanimously.

7. Reports from Legal Counsel and legal advice to the Planning Commission.
 - a) Active Litigation:

- Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session.

Mr. Cochran stated no new reports on this case.

8. Planners Memo.

- Ms. Brockman provided an overview of upcoming County Commission actions and a status on the outstanding Zoning Ordinance and Subdivision Regulation Amendments.
- She reported that the County Commission had approved the major LESA/Cluster Zoning Ordinance Text Amendment (ZTA16-01) which replaced the previous nontraditional Zoning Ordinance with a traditional Zoning Ordinance at their 3/16/17 CC Meeting.
- The next scheduled Planning Commission meeting is April 11, 2017 at 7:00 PM and there are two Concept Plan Workshops on that agenda.

9. President's Report. None

10. Actionable Correspondence. None

11. Non-Actionable Correspondence. None

Mr. Stolipher motioned to adjourn the meeting at 7:45 PM with no objections.


Mr. Donnie Fisher entered the meeting.

STAFF REPORT

Jefferson County Planning Commission

April 11, 2017

Item #5 **Public Workshop:** Concept Plan for Grace Baptist Church by applicant Trustees of the Grace Baptist Church (File#S17-03). The applicant is proposing a two Phase Church Project. Phase 1 is to consist of a 6000 SF Church building on well and septic with a proposed gravel surface parking lot. Phase II will consist of the replacement of the western most parking area with a second 6000 SF Church building and the construction of an additional parking lot.

APPLICANT:	Trustees of Grace Baptist Church
OWNER:	Same as above
DEVELOPER:	Same as above
CONSULTANT:	Lisa McCauley, Allegheny Surveys, Inc.
PROPERTY LOCATION:	4272 Charles Town Road, Charles Town WV This property is located on the southerly side of Charles Town Rd. (WV 115.) Approximately 1/4 mile southeast of its intersection with Coast Guard Drive.
LEGAL DESCRIPTION & ZONING DISTRICT	<p style="text-align: center;">District: Middleway (07); Map: 2 Parcel 2.6; Size: 3.91 Ac. Zoning District: Rural (R)</p> 
SURROUNDING PROPERTIES	<p style="text-align: center;">Zoning Map Designation</p> <p>North: Residential-Light Industrial-Commercial South: Rural East: Rural West: Rural</p>
PROPOSED ACTIVITY	Phased Construction of two (2) 6,000 SF Church buildings, a gravel parking lot, dumpster pads, lead walks and storm water management pond.

STAFF REPORT

Jefferson County Planning Commission

April 11, 2017

PREVIOUS APPROVALS	
SITE PLANS	12/14/04: A Site Plan for Walls Nursery was approved on this site to include an office building and 3 greenhouses. (S04-16)
PLANNING COMMISSION VARIANCES/WAIVERS	02/19/10: Variance approved to decrease the length of the deceleration lane
BOARD OF ZONING APPEALS VARIANCES	05/19/11: Variance from Section 4.11 and 4.16 was granted to allow the removal of 159 shrubs. (ZV11-14)

Introduction and Purpose

The property upon which the Grace Baptist Church Concept Plan is proposed was the former site of Walls Nursery. It is located on the south side of Charles Town Road (WV 115/Old 9) near the Berkley County line. The proposed plan is to redevelop the 3.91 acre property for a church campus.

Summary of Request

The applicant is requesting the approval of a two (2) Phase Church Building project.

- Phase I consists of the construction of a 6,000 SF Church Building on well and septic with a proposed gravel surface parking lot, a dumpster pad, concrete leadwalk, storm water management pond, street trees and site signage.
- Phase II will include the replacement of the western most parking area with a second 6,000 SF Church Building, and concrete leadwalks. The access drive to the removed parking area is to be disconnected and shortened, the dumpster area will be moved and the parking lot will be expanded as shown on the plan.

Site Plan Category

The site development associated with this Concept Plan is governed by the Subdivision Regulations. Section 20.203 requires developments with “buildings, both new and additions to existing, where all new structures or new additions to structures located on a parcel total more than 5,000 square feet and less than 250,000 square feet of gross floor area (GFA)” to process a Concept Plan with a public workshop and then process administratively as a Minor Site Development. Additionally, the Subdivision and Land Development Regulations further defines Minor Site Developments as “those proposals that do not require the development of new infrastructure or the extension of existing off-tract infrastructure.”

Because this development proposal involves the addition of two (2) 6,000 SF Church Buildings this Concept Plan is required. The proposed development will then process as a Minor Site Development after the Concept Plan Public Workshop.

Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the current Subdivision Regulations, the Concept Plan process incorporates a sufficiency and completeness review in a single step. Upon second submission and review of the applicant’s Concept Plan, Staff found the submitted plan “sufficient” (i.e. meeting all requirements of Section 24.106 of the Jefferson County Subdivision and Land Use Regulations). These requirements, as well as the current review status for each requirement for the Grace Baptist Church application, are provided below:

STAFF REPORT

Jefferson County Planning Commission

April 11, 2017

	Description	Status
1. General Location	A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.	Provided
2. Concept Plan	In accordance with the content and formatting guidelines provided in Appendix A, <i>Plan & Plat Standards</i> .	Provided
3. Zoning Information	<ul style="list-style-type: none"> a) Zoning District in which the proposed development is located. b) Density calculations. c) Site resource map. 	Provided
4. Proposal Description	A written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.	Provided on Concept Plan
5. Traffic Impact Data	<ul style="list-style-type: none"> a) Average Daily Trip figures for the adjoining or accessible State road. b) Trip generation figures c) Nearest key intersection that will serve the proposed project as classified by the current Comprehensive Plan. d) “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project. 	Provided on Concept Plan
6. Traffic Study	A traffic study may be required only at the request and direction of the West Virginia Division of Highways. Any required traffic study or a letter from the West Virginia Division of Highways outlining the proposed improvements shall be received with the first submission of the Site Plan.	Provided on Concept Plan
7. Agency Reviews	The applicant shall distribute the concept plan to all reviewing agencies found in Section 23.203 and 23.204 no later than 7 days after the review.	Letters to required agencies provided; see below
D. Department	<p>The Department review shall include the following:</p> <ul style="list-style-type: none"> 1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the Concept Plan submission and any zoning issues the developer shall address in a Site Plan submittal. 2. Staff opinion as to whether the plan meets the Site Plan criteria of these Regulations. The Department 	Staff determined that the proposed Concept Plan has met the requirements of the Zoning Ordinance and

STAFF REPORT

Jefferson County Planning Commission

April 11, 2017

	shall review the Concept Plan for modifications that would improve the plan.	the Subdivision Regulations
E./F. WVDOH	WVDOH shall submit a letter to the Office of Planning and Zoning indicating issues and data requirements or notice that there are no issues or data requirements. If WVDOH determines that a traffic study is needed, parameters shall be provided. The review shall indicate whether a traffic impact study will be required based on analysis required in Section 24.106.B.5.	WVDOH determines if a Traffic Study is required
G. Public Service	The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.	
H. Recommended Conditions	All reviews shall contain recommended conditions for moving forward to a site plan or reasons why the plan should be denied.	See below

Concept Plan Review

1. External Agency Reviews

Comments have been received from the following agencies (see attached):

- Jefferson County Historic Landmarks Commission's (JCHLC) comments are attached and they have no objections or comments in the proposed project.
- WV DOH indicated that they will need a full set of plans to determine if any road improvements are required.
- Jefferson County GIS indicated that when the second phase building is constructed, the access will need to be named.

As of this date, no other agency review comments have been received.

2. Staff Recommendation related to Concept Plan

The Subdivision Regulations state that unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning staff is required to accept or deny the concept plan as complete. Upon accepting the application as complete, Planning staff is required to place it on the next possible Planning Commission agenda as a public workshop, which is advertised at least fourteen (14) days in advance of the meeting and posted on the property.

The Planning and Zoning Department Staff finds the Grace Baptist Church Concept Plan to be "complete" based on the information provided related to the criteria above.

Based on the Subdivision Regulations, noted above, the site plan will process as a Minor Site Plan.

STAFF REPORT

Jefferson County Planning Commission

April 11, 2017

3. Planning Commission Direction

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan before complete engineering design and cost are incurred. The Subdivision and Land Development Regulations outline the procedure:

1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan can meet the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant's presentation, staff's explanation, and the solicitation of public comment, the Planning Commission shall provide direction to the applicant as required under Concept Plan Direction outlined in the Subdivision Regulations. The Planning Commission has the option of providing this direction at the same meeting during which the Concept Plan public workshop takes place, or at a subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public workshop is closed.

Section 24.108 of the Subdivision and Land Development Regulations outlines the direction to be provided to the applicant during a Minor Site Plan Concept Plan review:

“The Planning Commission shall direct the preparation of a Site Plan subject to conditions to be addressed in the site plan application. The purpose of this review is to guide the developer so that when the site plan application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

It should be noted that the direction provided to the applicant in the Minor Site Plan Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision and Land Development Regulations or the Zoning and Land Development Ordinance in the second year shall be applicable.



JEFFERSON COUNTY, WEST VIRGINIA
DEPT OF ENGINEERING, PLANNING, & ZONING
OFFICE OF GIS/ADDRESSING

116 East Washington Street • Mason Building • Suite 201
Charles Town, WV 25414-0208
Telephone: (304) 724-6759 • FAX: (304) 724-8992
gis@jeffersoncountywv.org



From: Jessica Gormont – GIS Analyst

Date: February 21, 2017

Subject: Grace Baptist Church – Site Plan – CP

DPZ File: n/a

- 1) Charles Town Road is currently Route 115, not Route 9 as stated on the plat.
- 2) As the site plan shows only one addressable structure, there is no need for naming the access easement at this time. Note: As there is a second structure already utilizing this access, should a third addressable structure be built in the future, this will cause the easement to be named and all affected structures to be readdressed.

If you have questions or comments, please respond via phone, fax, or e-mail to:

Jessica Gormont
GIS Analyst – GIS/Addressing Office
Office: 304.724.8986
Fax: 304.724.8992
jgormont@jeffersoncountywv.org



February 22, 2017

Ms. Lisa McCauley
Allegheny Surveys, Inc.
25 Lights Addition Drive
Martinsburg, West Virginia 25404

Re: Jefferson County Concept Plan Submittal -
Grace Baptist Church

Dear Ms. McCauley,

I have reviewed the Concept Plan for the Grace Baptist Church, dated February 15, 2017, and submitted to the JCHLC February 2017 by Allegheny Surveys of Martinsburg, West Virginia. The submittal documents outline the proposed site plan and storm water management of the proposed church on Old WV Route 9 in Jefferson County, WV.

A Category III County Historic Resource is in directly adjacent to the project site, to the northwest along Old Route 9. There are no cataloged County Historic Resources from the 2007 JCHLC survey located on the development parcel described in these submittal documents.

The Jefferson County Historic Landmarks Commission has no objections or comments on the proposed Grace Baptist Church Concept Plan since there are no listed County Historic Resources on the development parcel and the proposed development does not extend beyond the current parcel boundaries.

If you have any questions or need additional information, please feel free to contact me.

A handwritten signature in black ink that reads "Martin Burke".

Martin Burke
Chair, JCHLC
P.O. Box 23
Charles Town, West Virginia 25414
304-876-3883

cc: Ms. Jennifer Brockman, Jefferson County Planning Department (via email)

Lisa McCauley

From: Wilson, Gary T <Gary.T.Wilson@wv.gov>
Sent: Tuesday, February 21, 2017 2:56 PM
To: Lisa McCauley
Subject: 17.2.21 RE: 17.2.21 RE: Grace Baptist Church (Old Rt. 9)

Sounds good. Thanks Lisa.

Gary "Todd" Wilson
Permits
WVDOH-District 5
P.O. Box 99
Burlington, WV 26710
Ofc. 304-289-2205
FAX: 304-289-5085
Email: Gary.T.Wilson@WV.gov

From: Lisa McCauley [mailto:LMcCauley@allegHENYSURVEYS.COM]
Sent: Tuesday, February 21, 2017 2:50 PM
To: Wilson, Gary T
Cc: Karen Brill
Subject: 17.2.21 RE: Grace Baptist Church (Old Rt. 9)

Thanks. Jefferson County requires that we send these concept plans, but I understand that you will need a full site plan in order to properly complete your review. I expect to send those out in approximately 1 month.

LISA MCCAULEY, P.E.

Engineering Manager
office: 304-901-2162
mobile: 540-535-8380

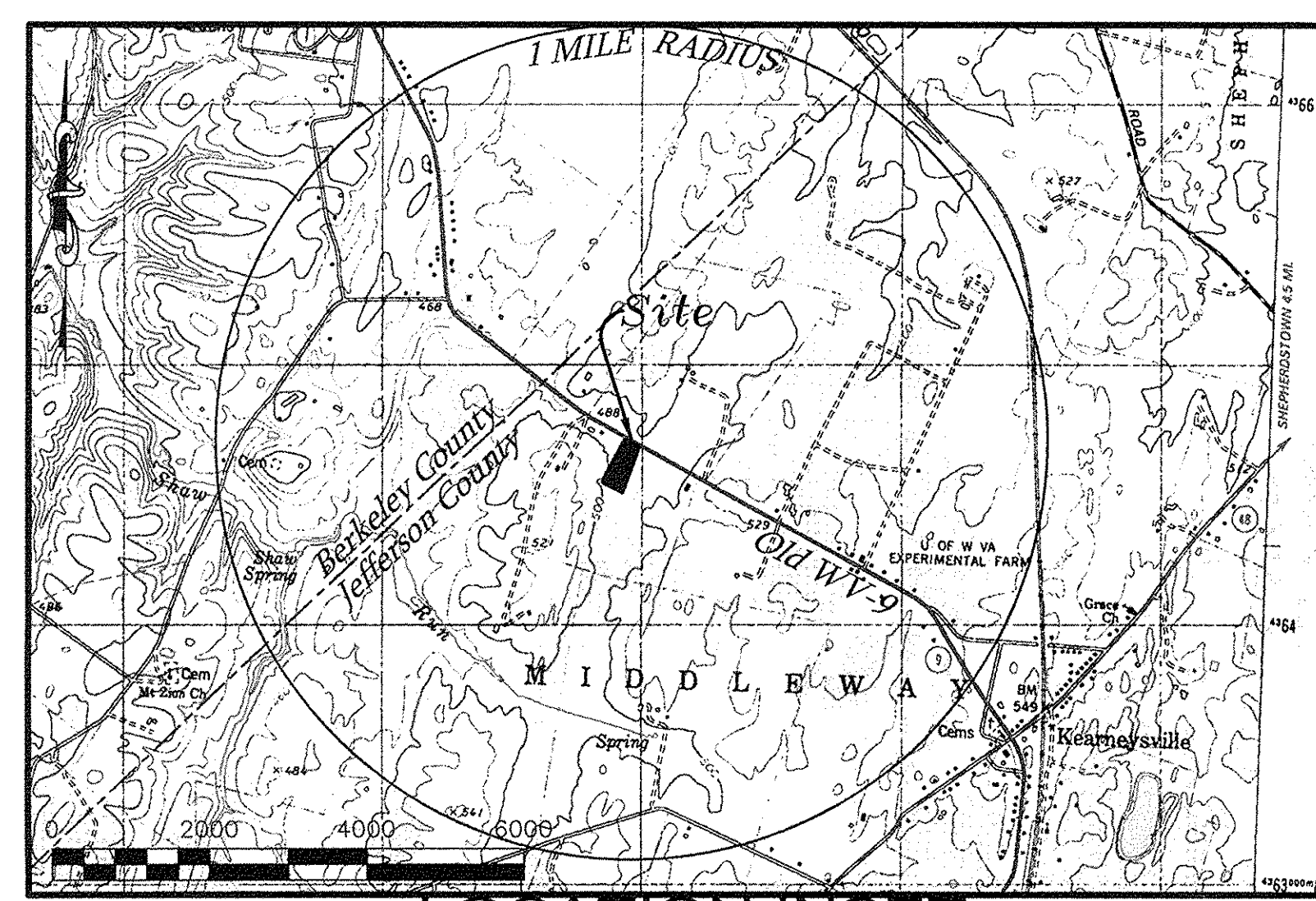
From: Wilson, Gary T [mailto:Gary.T.Wilson@wv.gov]
Sent: Tuesday, February 21, 2017 1:49 PM
To: Lisa McCauley <LMcCauley@allegHENYSURVEYS.COM>
Subject: Grace Baptist Church (Old Rt. 9)

Lisa,

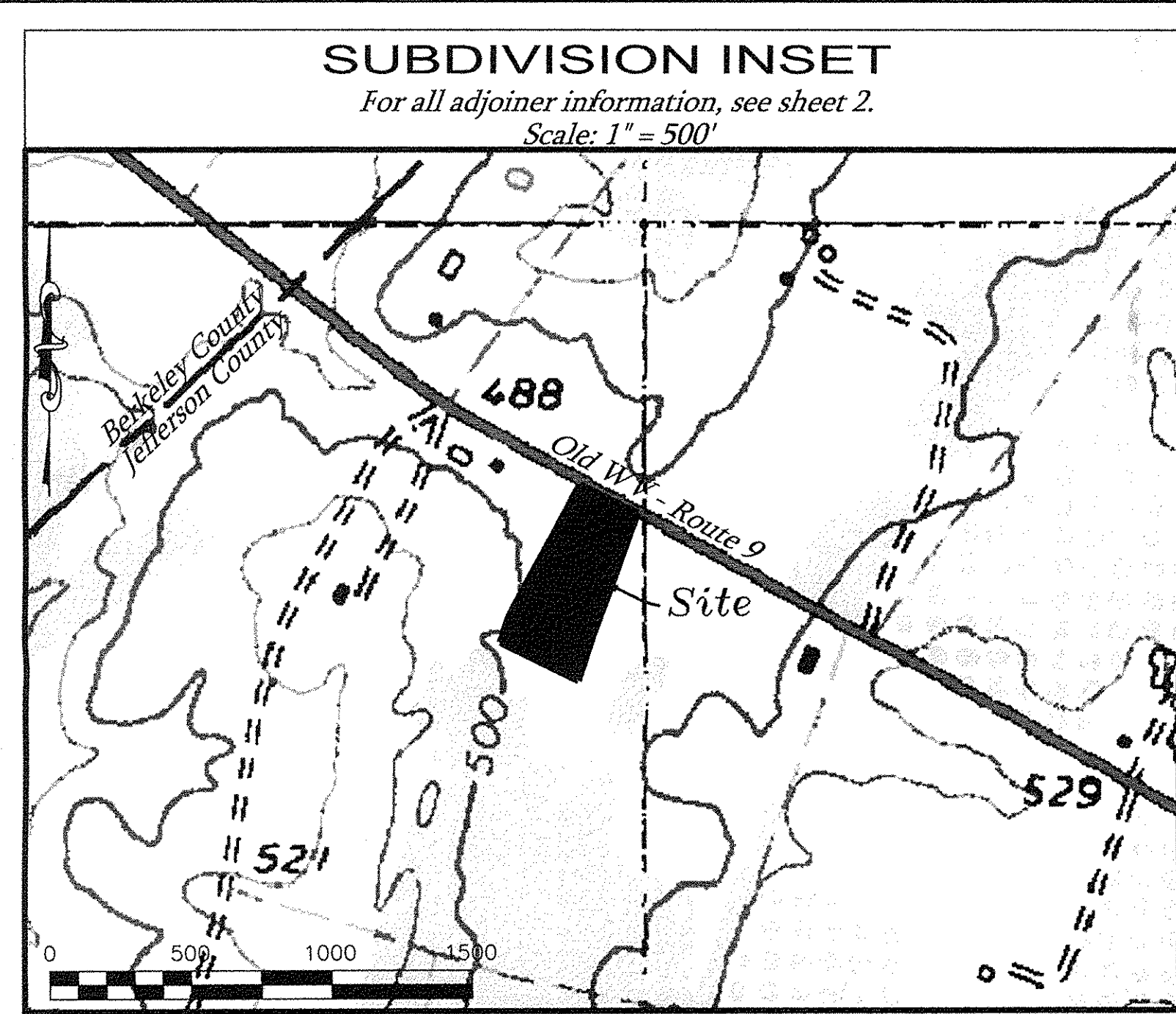
Your letter and reduced concept plan for Grace Baptist Church have been received. However, we require a full set of plans to be submitted in order to properly complete a review. Once received and the review is complete we will determine as to whether or not a bond will be required.

Gary "Todd" Wilson
Permits
WVDOH-District 5
P.O. Box 99
Burlington, WV 26710
Ofc. 304-289-2205
FAX: 304-289-5085

CONCEPT PLAN for Grace Baptist Church



LOCATION INSET
Scale: 1" = 2000'



SUBDIVISION INSET
For all adjoiner information, see sheet 2.
Scale: 1" = 500'

Jefferson County, West Virginia
Middleway District 07, Map 2, parcel 2.6, D.B. 1180, P. 75
Owned/Developed by: Trustees of the Grace Baptist Church

February 15th, 2017



Allegheny Surveys, Inc

25 Lights Addition Drive
Martinsburg, WV 25404
PHONE: 304-901-2162
FAX: 304-901-2182
WWW.ALLEGHENYSURVEYS.COM

LEGEND	
	property corner; to be set #5 rebar unless otherwise noted
	traffic direction
	existing contour: 10'
	existing contour: 2'
	design contour: as noted
	storm drainage easement
	trees
	street sign
	stop sign
	test pit
	speed limit sign
	boring hole
	light pole

Call 1-800-245-4848 "Miss Utility"
BEFORE ANY CONSTRUCTION

REVISIONS		
No.	Revisions	Date
1	Comment revisions per 1st round	3/1/2017

INDEX	
Coversheet	1
Concept Plan	2

JEFFERSON COUNTY-COMplete LIST OF WAIVERS/VARIANCES (TABLE 1.2-2)			
ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
		NONE GRANTED TO DATE	

JEFFERSON COUNTY CONSTRUCTION NOTES	
1.	Erosion & Sediment Control Measures shall be in place and inspected prior to any significant earth disturbing activities and site grading.
2.	Earth Work shall be compacted to the percentages of maximum dry density in accordance with AASHTO T99C, as shown below: a. Roadways98% b. Parking Lots for heavy trucks.....98% c. Parking Lots for passenger vehicles.....95% d. Utility line trenches.....98% e. Building Pads.....100% The above compaction requirements shall be certified by a professional engineer or a soils technician under the direction of a professional engineer, and acceptable to the County Engineer.
3.	Changes and revisions to the construction plans and specifications shall not be made unless first submitted in writing and approved by the County Engineer and any other agencies, as deemed appropriate.
4.	Work zone temporary traffic control along a public road shall be in accordance with West Virginia Division of Highway requirements and approval.
5.	Seventy-two (72) hours prior to excavation in public right-of-ways or in areas served by underground utilities, call MISS UTILITY 1-800-245-4848.

JEFFERSON COUNTY SITE WORK MILESTONE INSPECTIONS	
The developer shall request County Engineer inspections a minimum of 48 hours in advance (Call 304-728-3228). Inspections shall be requested according to the Table of Milestones shown below:	
1.	Installation of Sediment & Erosion Control Devices prior to beginning site grading.
2.	Roadway and/or parking lot subgrade proof roll prior to placing stone base.
3.	Roadway and/or parking lot stone base depth check prior to placing asphalt or concrete pavement.
4.	Water system and Sanitary sewer system inspection and approval by the public service district/utility prior to backfilling of trenches.
5.	Final inspection including but not limited to: seeding & mulching, roadway & parking lot paving, sidewalks, storm drainage and stormwater management systems, traffic control signs & pavement markings, landscaping, etc.
Note: The County Engineer may accept "third-party" inspection and certification reports in place of inspections performed by the Jefferson County Engineering Department, upon prior approval. Third-party inspection reports shall be submitted in the format specified by the County Engineer.	

MISS UTILITY - CALL TOLL FREE	
ALLEGHENY POWER (electric)	1-800-245-4848
WEST VIRGINIA DEPT. OF HIGHWAYS	1-800-255-3443
GARBAGE COLLECTION: WASTE MANAGEMENT	1-304-725-5821
TELEPHONE: FRONTIER COMMUNICATIONS	1-877-287-9257
ADELPHIA COMMUNICATIONS	1-800-921-8102
COUNTY BUILDING OFFICIAL	1-301-582-8822
AMERICAS (PROPANE)	1-304-728-3228
POLICE/FIRE/RESCUE	1-304-725-7087
	1-304-725-9111

DEVELOPER'S STATEMENT OF ACCEPTANCE	
The Developer, in signing this plat, agrees to accept and abide by all conditions, terms and specifications, provided hereon; and to complete all improvements required by the site plan.	
	3/1/17 date
Grace Baptist Church Dr. Craig Bush, Pastor 3160 Charles Town Road Kearneysville, WV 25430 304-620-7025	

OWNER'S STATEMENT OF ACCEPTANCE	
The Property Owner, in signing this plat, agrees to accept and abide by all conditions, terms and specifications, provided herein.	
	3/1/17 date
Trustees of the Grace Baptist Church c/o Dr. Craig Bush, Pastor 3160 Charles Town Road Kearneysville, WV 25430 304-620-7025	

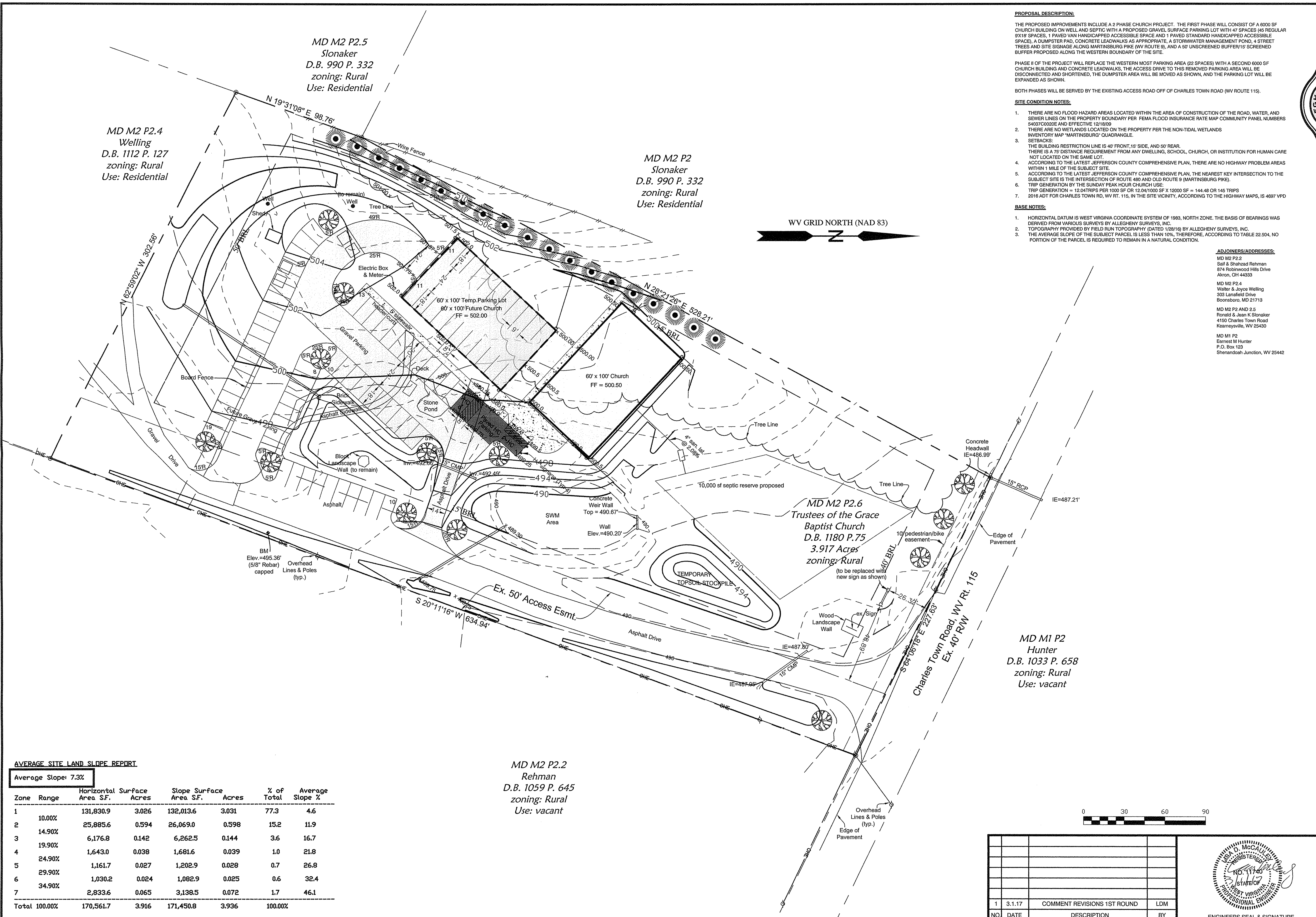
ENGINEER'S CERTIFICATION	
I hereby certify that these sealed plans reasonably meet or exceed minimum acceptable engineering standards and those state and county code provisions applicable on said date.	
Lisa D. McCauley, PE 304-901-2162 Allegheny Surveys, Inc.	

SURVEYOR'S CERTIFICATE	
The perimeter and all lot boundaries shown hereon have been established by a network of traverse control having a relative error of closure of 1 : 7,500 or better.	
Karen K. Brill, PS 304-901-2162 Allegheny Surveys, Inc.	

JEFFERSON COUNTY, WEST VIRGINIA	
<input type="checkbox"/> CONCEPT PLAN APPROVAL OF:	
BY _____	date _____
County Engineer	
BY _____	date _____
County Planner	

CONCEPT PLAN for : Grace Baptist Church	
Jefferson County, WV, Middleway District 07 Tax Map 2, Parcel 2.6, D.B. 1180, P. 75	
Property Owner: Trustees of the Grace Baptist Church 3160 Charles Town Rd, Kearneysville, WV 25430, P. 304-620-7025	
Property Developer: Trustees of the Grace Baptist Church 3160 Charles Town Rd, Kearneysville, WV 25430, P. 304-620-7025	
Engineer of Record: Allegheny Surveys, Inc., Lisa McCauley 25 Lights Addition Drive, Martinsburg, WV 25404, P. 304-901-2162	

P:\Mech_ Feb 28, 2017 4:42:28pm
 C:\Projects\2015 Proposals and Projects\29415 Grace Baptist Church\CAD\CIVIL\DESIGN\Layouts\Concept\18.2.24 Concept Planning.dwg



PROPOSAL DESCRIPTION:

THE PROPOSED IMPROVEMENTS INCLUDE A 2 PHASE CHURCH PROJECT. THE FIRST PHASE WILL CONSIST OF A 6000 SF CHURCH BUILDING ON WELL AND SEPTIC WITH A PROPOSED GRAVEL SURFACE PARKING LOT WITH 47 SPACES (45 REGULAR 9'X18' SPACES, 1 PAVED VAN HANDICAPPED ACCESSIBLE SPACE AND 1 PAVED STANDARD HANDICAPPED ACCESSIBLE SPACE), A DUMPSTER PAD, CONCRETE LEADWALKS AS APPROPRIATE, A STORMWATER MANAGEMENT POND, 4 STREET TREES AND SITE SIGNAGE ALONG MARTINSBURG PIKE (WV ROUTE 9), AND A 50' UNSCREENED BUFFER/15' SCREENED BUFFER PROPOSED ALONG THE WESTERN BOUNDARY OF THE SITE.

PHASE II OF THE PROJECT WILL REPLACE THE WESTERN MOST PARKING AREA (22 SPACES) WITH A SECOND 6000 SF CHURCH BUILDING AND CONCRETE LEADWALKS. THE ACCESS DRIVE TO THIS REMOVED PARKING AREA WILL BE DISCONNECTED AND SHORTENED, THE DUMPSTER AREA WILL BE MOVED AS SHOWN, AND THE PARKING LOT WILL BE EXPANDED AS SHOWN.

BOTH PHASES WILL BE SERVED BY THE EXISTING ACCESS ROAD OFF OF CHARLES TOWN ROAD (WV ROUTE 115).

SITE CONDITION NOTES:

- THERE ARE NO FLOOD HAZARD AREAS LOCATED WITHIN THE AREA OF CONSTRUCTION OF THE ROAD, WATER, AND SEWER LINES ON THE PROPERTY BOUNDARY PER FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBERS 54030002E AND EFFECTIVE 12/18/09
- THERE ARE NO WETLANDS LOCATED ON THE PROPERTY PER THE NON-TIDAL WETLANDS INVENTORY MAP "MARTINSBURG" QUADRANGLE.
- SETBACKS: THE BUILDING RESTRICTION LINE IS 40' FRONT, 15' SIDE, AND 50' REAR. THERE IS A 75' DISTANCE REQUIREMENT FROM ANY DWELLING, SCHOOL, CHURCH, OR INSTITUTION FOR HUMAN CARE NOT LOCATED ON THE SAME LOT.
- ACCORDING TO THE LATEST JEFFERSON COUNTY COMPREHENSIVE PLAN, THERE ARE NO HIGHWAY PROBLEM AREAS WITHIN 1 MILE OF THE SUBJECT SITE.
- ACCORDING TO THE LATEST JEFFERSON COUNTY COMPREHENSIVE PLAN, THE NEAREST KEY INTERSECTION TO THE SUBJECT SITE IS THE INTERSECTION OF ROUTE 480 AND OLD ROUTE 9 (MARTINSBURG PIKE).
- TRIP GENERATION BY THE SUNDAY PEAK HOUR CHURCH USE: TRIP GENERATION = 12.04TRIPS PER 1000 SF OR 12.04/1000 SF X 12000 SF = 144.48 OR 145 TRIPS
- 2016 ADT FOR CHARLES TOWN RD, WV RT. 115, IN THE SITE VICINITY, ACCORDING TO THE HIGHWAY MAPS, IS 4697 VPD

BASE NOTES:

- HORIZONTAL DATUM IS WEST VIRGINIA COORDINATE SYSTEM OF 1983, NORTH ZONE. THE BASIS OF BEARINGS WAS DERIVED FROM VARIOUS SURVEYS BY ALLEGHENY SURVEYS, INC.
- TOPOGRAPHY PROVIDED BY FIELD RUN TOPOGRAPHY (DATED 1/29/16) BY ALLEGHENY SURVEYS, INC.
- THE AVERAGE SLOPE OF THE SUBJECT PARCEL IS LESS THAN 10%, THEREFORE, ACCORDING TO TABLE 22.504, NO PORTION OF THE PARCEL IS REQUIRED TO REMAIN IN A NATURAL CONDITION.

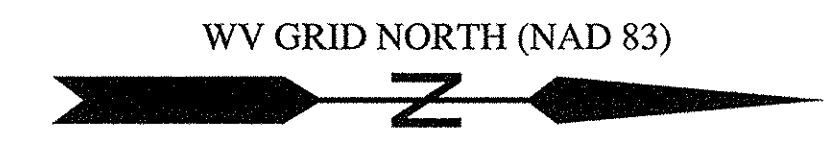
ADJOINERS/ADDRESSES:

MD M2 P2.2
 Saif & Shahzad Rehman
 874 Robinwood Hills Drive
 Akron, OH 44333

MD M2 P2.4
 Walter & Joyce Welling
 303 Lanafield Drive
 Boonsboro, MD 21713

MD M2 P2 AND 2.5
 Ronald & Jean K Slonaker
 4159 Charles Town Road
 Kearneysville, WV 25430

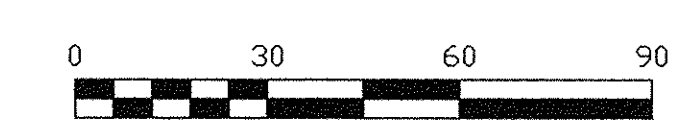
MD M1 P2
 Ernest M Hunter
 P.O. Box 123
 Shenandoah Junction, WV 25442



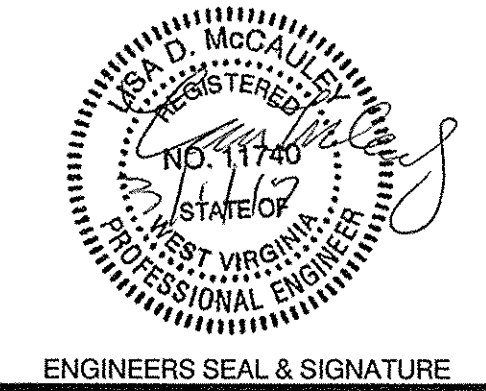
AVERAGE SITE LAND SLOPE REPORT

Average Slope: 7.3%

Zone	Range	Horizontal Surface Area S.F.	Slope Surface Area S.F.	% of Total	Average Slope %
1	10.00%	131,830.9	3,026	77.3	4.6
2	14.90%	25,885.6	0.594	15.2	11.9
3	19.90%	6,176.8	0.142	3.6	16.7
4	24.90%	1,643.0	0.038	1.0	21.8
5	29.90%	1,161.7	0.027	0.7	26.8
6	34.90%	1,030.2	0.024	0.6	32.4
7	34.90%	2,833.6	0.065	1.7	46.1
Total	100.00%	170,561.7	3.916	100.00%	



NO.	DATE	DESCRIPTION	BY
1	3.1.17	COMMENT REVISIONS 1ST ROUND	LDM



ALLEGHENY SURVEYS

25 Lights Addition Drive
Martinsburg, WV 25404
www.allegheynysurveys.com

DRAWING NO: 29415
PROJECT NO: 29415
PREPARED BY: LDM
CHECKED BY: LDM
DATE: 2/22/16

CONCEPT PLAN

GRACE BAPTIST CHURCH
MD M2 P2

Jefferson County, West Virginia

Plan Number: _____
 Drawn By: LDM
 Designed By: LDM
 Checked By: LDM
 Date: 2/22/16
 Scale: 1" = 30'
 Sheet: 1 Of 2
 File Number: 29415

51703 (BP)



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning
116 East Washington Street, P.O. Box 338
Charles Town, WV 25414

File Number: _____
Staff Initials: 7 2017
Total Fee(s): _____

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

Concept Plan Review Checklist

The Concept Plan submittal shall be on white paper and shall show in simple form the proposed project. Further details can be found in the checklist below. The Concept Plan shall be accompanied by a tract location map and a tentative list of restrictive covenants and conditions or a tentative statement of project objectives, rules, and regulations.

In order to determine sufficiency, this application and a copy of the Concept Plan must be submitted to the Jefferson County Departments of Planning and Zoning 45 days prior to the next regularly scheduled Planning Commission meeting. Please refer to Article 24 of the Subdivision Regulations for Concept Plan Requirements.

Property Owner Information

Name: Trustees of the Grace Baptist Church
Mailing Address: 3160 Charles Town Rd, Kearneysville, WV 25430
Phone Number: 304-620-7025 Email: pastor@gbcmartinsburg.com

Registered Engineer(s), Surveyor(s), or Consultant(s) Information

Name: Lisa McCaulley, Allegheny Surveys, Inc.
Mailing Address: 25 Lights Addition Drive, Martinsburg, WV 25404
Phone Number: 304-901-2162 Email: lmccaulcy@alleghenysurveys.co

Physical Property Details

Physical Address: 4272 Charles Town Road
City: Kearneysville State: WV Zip Code: _____
Tax District: Middleway (07) Map No: 2 Parcel No: 2.6
Parcel Size: 3.917 Ac Deed Book: 1180 Page No: 75

Zoning District (please check one)


Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input checked="" type="checkbox"/>	Residential-Light Industrial-Commercial (RLIC) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>	General Commercial (GC) <input type="checkbox"/>
<p>RETURNED TO <u>USA McCaulley</u> DATE <u>2/14/17</u> Place Received Date Stamp Here * vlg sent email to usg</p>		Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (O/C) <input type="checkbox"/>

[Signature] 2/14/17
Signature of Property Owner Date

Signature of Property Owner Date

Staff Report
 Jefferson County Planning Commission Meeting
 April 11, 2017

Item #6: **Public Workshop:** Concept Plan for Colonial Hills Phase 3A (File#17-06) by applicant KE Colonial, LLC. The applicant is proposing 61 Townhouse Units, open space and storm water management areas and the construction of associated roads and utilities. The property is designated as Tax District: Shepherdstown (09); Tax Map: 8; Parcel 10. Zoned: Residential Growth; Size: a 7.92 acre +/- portion of a 27.15 acre parcel.

APPLICANT:	KE Colonial Hills, LLC. (Formerly Mark-Colonial Hills, LLC)
OWNER:	Same as above
DEVELOPER:	Same as above
SURVEYOR/ENGINEER:	Gordon
PROPERTY LOCATION:	East side of Potomac Farms Drive (Alternate WV 45)
LEGAL DESCRIPTION:	<p style="text-align: center;">District: Shepherdstown (09); Map: 8; Parcel: 10 Zoning: Residential Growth</p> 
SURROUNDING PROPERTIES:	<p>North: Residential Growth South: Residential Growth East: Residential Growth West: Residential Growth</p>
LOT AREA:	7.92 acres +/- of a 27.15 acre parcel
PROPOSED ACTIVITY:	61 Townhouse units, open space, stormwater management areas and construction of associated roads and utilities

Staff Report
 Jefferson County Planning Commission Meeting
 April 11, 2017

PRIOR APPROVALS	
Community Impact Statement (Phase III)	Submitted: 02/16/2000 PC Approval: 03/14/2000 PC Extended CIS on 06/11/2002 CIS Amendment: 01/04/2008
Preliminary Plat	Phase III: 08/21/2006
Final Plat	Colonial Hills Phase III Final Plat #05-38 (35 Single-Family lots) Public Hearing: 11/14/2006 Phase III Final Plat approved 11/14/2006
Variance/Waiver History	06/11/02 – PC Approved to reopen file 03/15/07 – BZA approved variance ZV#07-08 Side Setback Variance 06/05/15 – PC Variance re: minimum road frontage reduction from 80’ to 70’

Introduction and Purpose

Phase 3A of the Colonial Hills subdivision is located east of Potomac Farms Road (Alternate WV 45) and is not yet developed. The Final Plat for Phase 3 of Colonial Hills, including 35 single family lots, was approved 11/14/2006 and bonded and recorded. Two of the 35 lots were planned for future commercial and one was planned for future apartment development, pending separate site plan approval. In January 2008, the CIS was amended to permit 55 townhomes to be developed on the lot previously slated for 108 apartments. This amended CIS required a plat to be processed within two years and is currently expired.

Phase 3A is therefore required to process as a Major Subdivision under the 2008 Subdivision Regulations, as amended, which includes processing a Major Subdivision Concept Plan, a Preliminary Plat, and a Final Plat. The Phase 3A Major Subdivision Concept Plan under consideration today shows 61 Townhomes proposed for this location.

Summary of Request

The following are key points regarding the Colonial Hills Phase 3A project for the Planning Commission’s information. This level of detail is not necessarily depicted on the Concept Plan but will be more fully addressed when the Preliminary Plat is submitted:

- The Stormwater Plan for Phase 3 included the stormwater requirement for Phase 3A and is approved and bonded. The applicant is working closely with the Shepherdstown Library (which is proposed to be located on an adjoining site) and is proposing moving the pond for Phases 3 and 3A onto the Library site to avoid two (2) large adjoining ponds. This will require a Red-Line Revision to the Phase 3 Preliminary Plat to reflect moving the pond. All stormwater plans for Colonial Hills Phases 3 and 3A fall under the old Stormwater Regulations. The Library will be required to meet new regulations, including the 1” capture.
- GIS / 911 has requested information on the timing of the completion of Lowe Drive so that there are not two (2) sections called Lowe that do not connect, for Emergency Responders.

Staff Report
 Jefferson County Planning Commission Meeting
 April 11, 2017

- The current Phase 3 Preliminary Plat shows a Pump Station located in front of what will be the Library. This Pump Station will need to be moved, which can be shown on the Phase 3A Preliminary Plat with a note that documents the change.
- Water and Sewer are being provided by the Corporation of Shepherdstown. Documentation is required with the Preliminary Plat submittal. An existing easement will be vacated with this Plat.
- The required 1,000 sq. ft. bus / mailbox cluster is proposed to be on Lowe Drive in front of the Townhouse section.
- Sidewalks, 4' in width, are required in front of the Townhouses. Potential connectivity with a possible trail on the Library site was discussed.
- Appendix B, Section 5.3 A requires all Townhouse projects to have two (2) entrances and requires access to public roads per the regulations. The Concept Plan indicates one entrance off Lowe Drive leading to a square road system. The entrances need to be discussed as a part of the Concept Plan submittal and may require a waiver.
- The applicants indicated that the units are likely to all be three (3) bedrooms with a garage. Each unit requires two (2) parking spaces plus ¼ space per bedroom.
- Landscaping for Townhouse Developments Street trees shall be planted along the townhouse subdivision streets.

Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the 2008 Subdivision Regulations, the Major Subdivision Concept Plan process incorporates a sufficiency and completeness review in a single step. Staff found the submitted Concept Plan “sufficient” (i.e. meeting all requirements of Section 24.110 of the Jefferson County Subdivision and Land Use Regulations). These requirements, as well as the current review status for each requirement for the Colonial Hills Phase 3A application, are provided below:

	Description	Status
1. General Location	A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.	Provided
2. Concept Plan	In accordance with the content and formatting guidelines provided in Appendix A, <i>Plan & Plat Standards</i> .	Provided
3. Zoning Information	a) Zoning District in which the proposed project is located. b) Density calculations. c) Site resource map.	Provided
4. Proposal Description	A written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.	Provided on Concept Plan
5. Traffic Impact Data	a) Average Daily Trip figures for the adjoining or accessible State road. b) Trip generation figures c) Nearest key intersection that will serve the proposed project.	Provided on Concept Plan Note: A traffic

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	<p>d) "Highway Problem Areas" according to the current Comprehensive Plan that falls within a one-mile radius of the project.</p> <p>e) In the event trip generation in the peak hour exceeds 100 or the limitation designated in the most current DOH Traffic Engineering Directive, a traffic study may be required which includes generators, etc. unless the WV DOH has created an agreement with the applicant regarding site access improvements. This type of study should be performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative.</p>	<p>study or letter from the WV DOH outlining improvement shall be received prior to approval of the Preliminary Plat.</p>
6. Agency Reviews	<p>The applicant shall distribute the concept plan to all reviewing agencies found in Section 23.203 and 23.204 no later than 7 days after the review.</p>	<p>Letters to required agencies provided; see responses below</p>
D. Department	<p>The Department review shall include the following:</p> <ol style="list-style-type: none"> 1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the concept plan submission. Staff shall identify conditions that would enable the plan to meet the standards. It shall also identify any other zoning issues the developer shall address in a preliminary plat submittal. 2. Staff opinion as to whether the plan meets the site development planning or subdivision criteria of these Regulations. The Department shall review the concept plan for modifications that would improve the plan. 	<p>Staff determined that the proposed Concept Plan has met the requirements of the Zoning Ordinance and the Subdivision Regulations</p>
E./F. WVDOH	<p>WVDOH approval is necessary prior to the Preliminary Plat approval. The County defers to the WV DOH requirements and approval, which shall determine whether a traffic impact study will be required during the Preliminary Plat stage.</p>	<p>Noted</p>
G. Public Service	<p>The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.</p>	
H. Recommended Conditions	<p>All reviews shall contain recommended conditions for moving forward to a Preliminary Plat or reasons why the plat should be denied.</p>	<p>See below</p>

Staff Report
Jefferson County Planning Commission Meeting
April 11, 2017

Concept Plan Review

1. External Agency Reviews

Comments have been received from the following agencies (see attached):

- Jefferson County Historic Landmarks Commission's (JCHLC) comments are attached and they have requested that the petitioner proposed unit design variety within the project in keeping with the type of housing in historic Shepherdstown.
- Office of Sheriff and Treasurer of Jefferson County comments are attached.
- WV Dept. of Environmental Protection comments are attached and they have no concerns.
- WV DOH comments are attached and they have granted a change to the existing permit by way of addendum to reflect a total of 34 single-family homes and 61 townhomes.
- Jefferson County GIS/Addressing provided input into the roads names for this development and have requested information related to when Lowe Drive will be completely connected in order to plan for adequate emergency service responses.

As of this date, no other agency review comments have been received.

2. Staff Recommendation related to Concept Plan

Section 24.110(I) of the Subdivision Regulations states that unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning Staff is required to accept or deny the concept plan as complete.

Upon accepting the application as complete, Planning staff is required to place it on the next possible Planning Commission agenda as a public workshop, which is advertised at least fourteen (14) days in advance of the meeting and posted on the property.

The Planning and Zoning Department Staff finds the Colonial Hills Phase 3A Major Subdivision Concept Plan to be “complete” based on the information provided related to the criteria above.

Based on the Subdivision Regulations, noted above, this project will process as a Major Subdivision and the next step is to process a Preliminary Plat.

3. Planning Commission Direction

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan before complete engineering design and cost are incurred. The Subdivision and Land Development Regulations outline the procedure:

1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan can meet the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant's presentation, staff's explanation, and the solicitation of public comment, the Planning Commission shall provide direction to the applicant as required under Concept Plan Direction outlined in the Subdivision Regulations. The Planning Commission has the option of

Staff Report
Jefferson County Planning Commission Meeting
April 11, 2017

providing this direction at the same meeting during which the Concept Plan public workshop takes place, or at a subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public workshop is closed.

Section 24.112 of the 2008 Subdivision and Land Development Regulations outline the direction to be provided to the applicant during a Major Subdivision Concept Plan review:

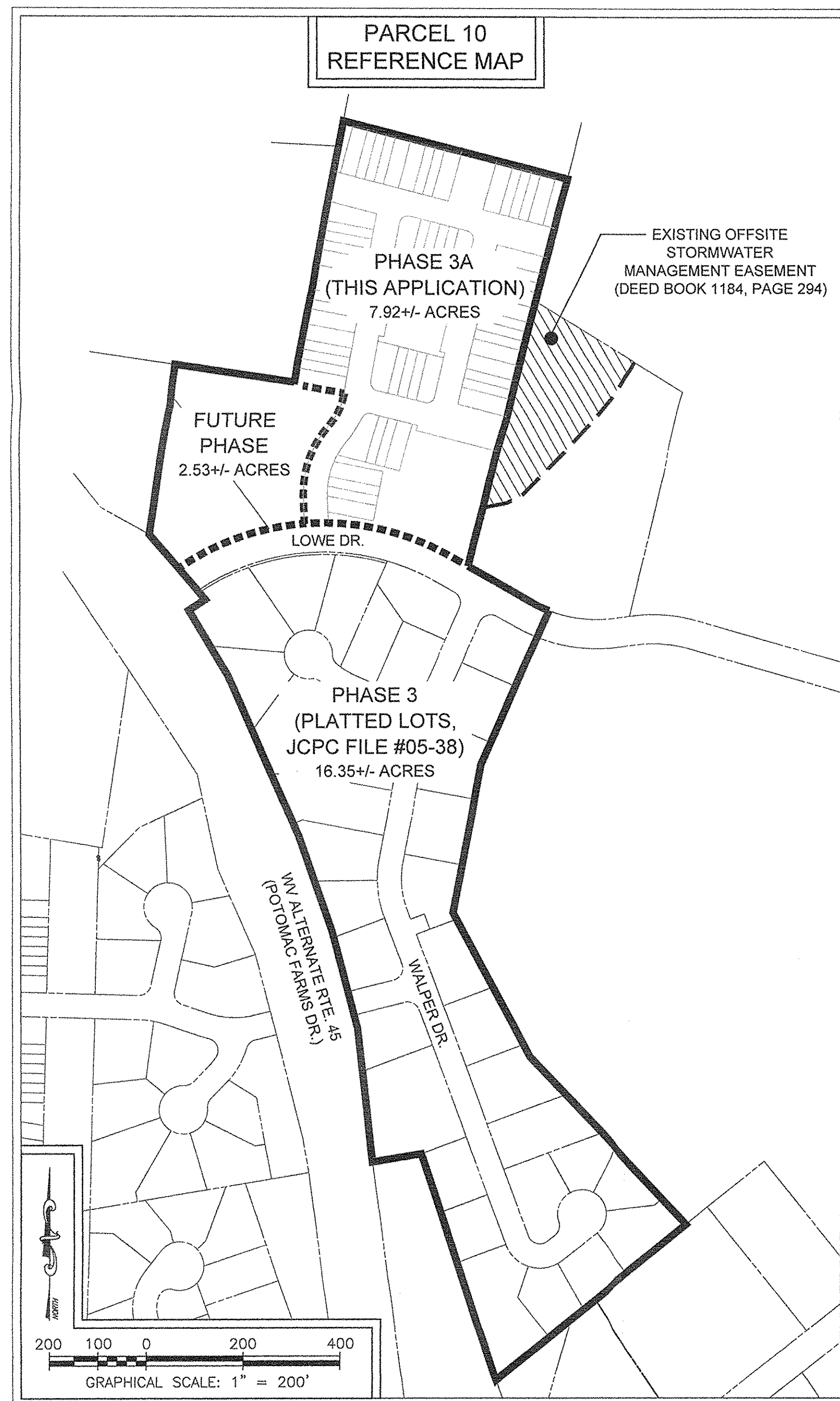
“The Planning Commission shall direct the preparation of a Preliminary Plat subject to conditions to be addressed in the preliminary plat application. The purpose of this review is to guide the developer so that when the Preliminary Plat is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

It should be noted that the direction provided to the applicant in the Major Subdivision Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision and Land Development Regulations or the Zoning and Land Development Ordinance in the second year shall be applicable.

CONCEPT PLAN FOR COLONIAL HILLS PHASE 3A

JEFFERSON COUNTY, WEST VIRGINIA SHEPHERDSTOWN DISTRICT TAX MAP 8, PARCEL 10 DEED BOOK 989, PAGE 175

OWNER / DEVELOPER
KE COLONIAL, LLC
6259 REYNOLDS MILL ROAD
SEVEN VALLEYS, PA 17360



*COLONIAL HILLS PHASE 1 & 2 HAVE BEEN CONSTRUCTED AND ARE NOT PART OF PARCEL 10.

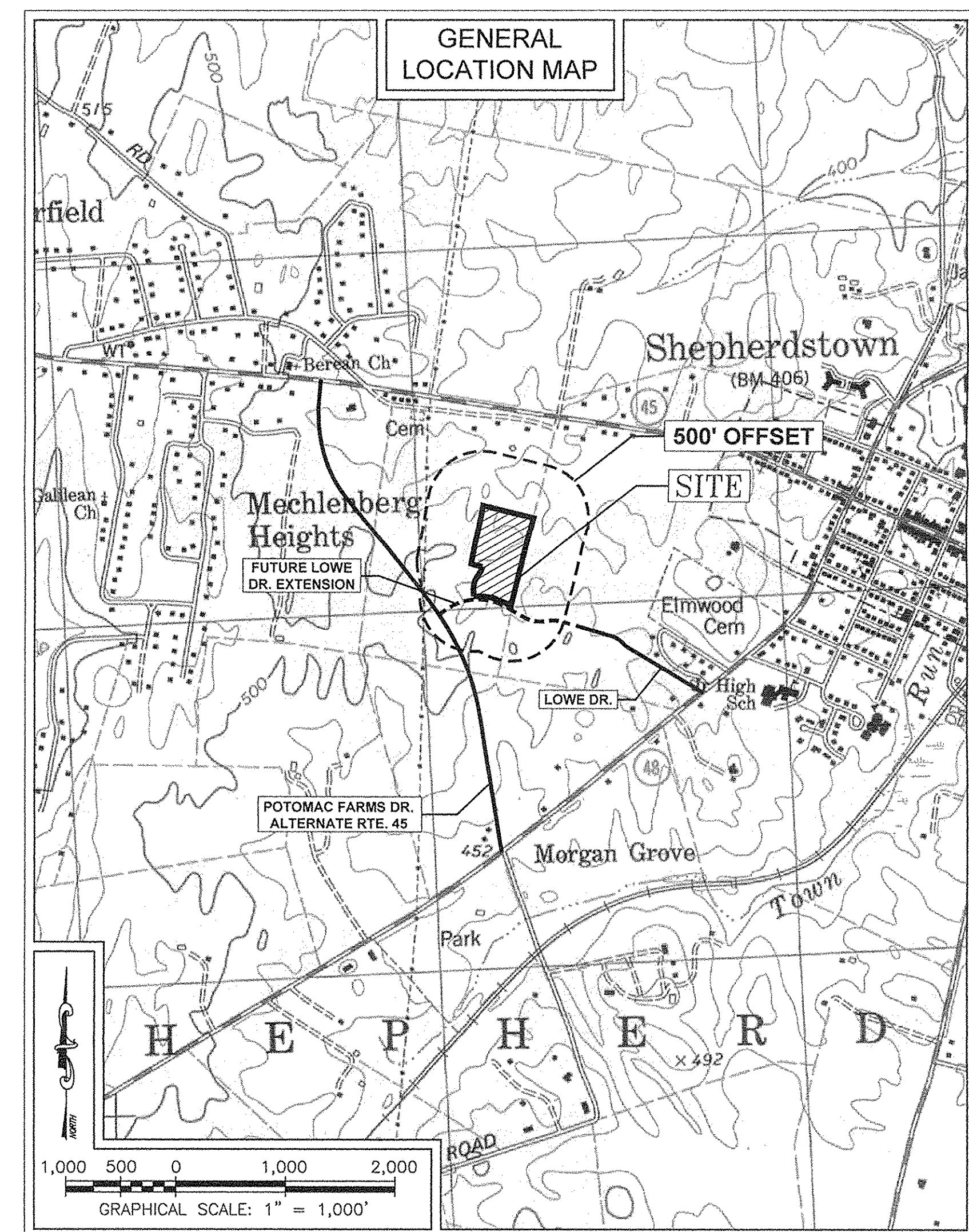
CONCEPT PLAN REVIEW CHECKLIST NOTES:

- B.1. SEE GENERAL LOCATION MAP THIS SHEET FOR AREAS WITHIN 500' OF THE SUBJECT PROPERTY. ALL LAND WITHIN 500' OF THE PROPERTY IS ZONED RESIDENTIAL GROWTH.
- B.2. A CONCEPT PLAN ON 24x36 WHITE PAPER CAN BE FOUND ON THIS SHEET.
- B.3. ZONING INFORMATION:
 a. THE SUBJECT PROPERTY IS LOCATED IN THE RESIDENTIAL GROWTH ZONING DISTRICT.
 b. DENSITY CALCULATIONS: 7.71 DWELLING UNITS PER ACRE (61 UNITS / 7.92 ACRES = 7.71 DUA)
 c. SEE SHEET 2 FOR THE PROPERTY'S "SITE RESOURCES".
 c.1. TOPOGRAPHIC INFORMATION PROVIDED PURSUANT TO PREVIOUS AIR SURVEY INFORMATION. CONTOURS SHOWN AT 2' INTERVALS.
 c.2. WOODED AREAS ARE INCLUDED ON SHEET 2. THERE ARE NO KNOWN WATERCOURSES, HILLSIDES, PROMINENT ROCK OUTCROPPINGS, SINK HOLES OR QUARRIES LOCATED IN THE AREA OF DEVELOPMENT. IT IS POSSIBLE THAT SOME OF THESE FEATURES MAY EXIST AND ARE CONCEALED BY EXISTING VEGETATION OR ARE OUTSIDE THE AREA PROPOSED FOR DEVELOPMENT. ALL STATE, FEDERAL AND LOCAL REGULATIONS WILL BE OBSERVED IF ANY UNKNOWN SITE RESOURCES ARE DISCOVERED DURING CONSTRUCTION.
 c.3. NO DEVELOPMENT WILL OCCUR WITHIN 1,000' OF THE SHENANDOAH OR POTOMAC RIVERS AND THEREFORE IS NOT SUBJECT TO THE HILLSIDE REGULATIONS FOUND UNDER SECTION 22.504 OF THE JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.
 c.4. FEMA MAP 54037C0040E DOES NOT IDENTIFY ANY FLOODPLAINS ON THE SUBJECT PROPERTY DATED 12/18/2009.
 d. SEE SHEET 2 FOR ADJACENT PROPERTY INFORMATION.
- B.4. PROPOSAL DESCRIPTION: THE SUBJECT PROPERTY IS ZONED RESIDENTIAL GROWTH. THE REQUESTED CONCEPT PLAN INCLUDES 61 TOWNHOUSE UNITS, OPEN SPACE, STORMWATER MANAGEMENT AREAS AND THE CONSTRUCTION OF ASSOCIATED UTILITIES. PART OF THE STORMWATER MANAGEMENT AREA WILL BE LOCATED ON AN ADJACENT PROPERTY THROUGH AN EXISTING EASEMENT GRANTED BY SHEPHERDSTOWN PUBLIC LIBRARY (DEED BOOK 1184, PAGE 294). THE PROPOSED STORMWATER MANAGEMENT AREA WILL BE DESIGNED TO ACCOMMODATE PHASE 3A, PHASE 3 AND THE PROPERTY ON WHICH THE EASEMENT IS LOCATED.
- B.5. TRAFFIC IMPACT DATA
 a. THE WVDOT DOES NOT PROVIDE AVERAGE DAILY TRAFFIC COUNTS FOR POTOMAC FARMS ROAD. THE WVDOT IDENTIFIES 6,723 AVERAGE DAILY TRIPS FOR ROUTE 480 NEAR ITS INTERSECTION WITH POTOMAC FARMS ROAD.
 b. TRIP GENERATION FOR TOWNHOMES BASED ON SECTION 24.119(b)5.d. OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS ARE AS FOLLOWS:
 PEAK HOUR TRIPS: 61 (TOWNHOMES) x 0.60 = 36.6
 AVERAGE DAILY TRIPS: 61 (TOWNHOMES) x 7.0 = 427.0
 c. THE NEAREST KEY INTERSECTION AS DEFINED IN THE CONCEPT PLAN CHECKLIST IS THE ROUTE 45 (MARTINSBURG PK.)/ALTERNATE ROUTE 45 (POTOMAC FARMS DR.) INTERSECTION.
 d. THERE IS ONE (1) "HIGHWAY PROBLEM AREA", AS DEFINED BY THE ENVISION JEFFERSON 2035 COMPREHENSIVE PLAN, WITHIN ONE (1) MILE RADIUS OF THE PROPERTY. IT IS IDENTIFIED AS WV ROUTE 45, LOCATED AT THE INTERSECTION WITH WV 480, WV 45 AND WV 230. THE PROBLEM IS IDENTIFIED AS "ROAD WIDTH THROUGH HISTORIC AREA LIMITS TURN MOVEMENTS".
- B.7. AGENCY REVIEWS: LETTERS WERE SENT TO THE REQUIRED REVIEW AGENCIES AS REQUIRED BY THE CONCEPT PLAN REVIEW CHECKLIST. A COPY OF THE LETTERS ARE INCLUDED AS PART OF THIS SUBMISSION.
- B.10. A LIST OF ALL ADJOINING PROPERTIES AND OWNERS ADDRESS'S ARE INCLUDED AS PART OF THIS SUBMISSION. PROPERTY OWNERS INFORMATION IS PROVIDED PURSUANT TO JEFFERSON COUNTY TAX RECORDS.
- E. A LETTER TO WVDOT HAS BEEN SENT REQUESTING THE IDENTIFICATION OF ANY ISSUES, DATA REQUIREMENTS OR NOTICE THAT THERE ARE NONE.
- F. PURSUANT TO SECTION 24.106.B.6. OF THE SUBDIVISION REGULATIONS, THE PROPOSED DEVELOPER WILL COORDINATE WITH WVDOT TO DETERMINE WHETHER A TRAFFIC STUDY WILL BE REQUIRED FOR THIS DEVELOPMENT.
- G. WATER AND SANITARY SEWER SERVICE WILL BE PROVIDED BY THE CORPORATION OF SHEPHERDSTOWN. WATER WILL BE PROVIDED THROUGH THE CONSTRUCTION OF A LINE ALONG LOWE DRIVE AND WILL CONNECT TO AN EXISTING WATER LINE ON POTOMAC FARMS DRIVE. SANITARY SEWER WILL CONNECT TO AN EXISTING LINE ON LOWE DRIVE THROUGH THE CONSTRUCTION OF A PUMP STATION AND FORCE MAIN.

Setbacks				
Use	Front	Side	Street Side	Rear
Townhouse	25'	12'	15'	20'
Parking	15'	12'	NA	15'

OPEN SPACE		
	% of Site	Area (acres)
Required	10	0.792+/- (7.92 x 0.1 = 0.792)
Provided	10	0.80+/-

Parking		
Required		
2 Spaces per Unit	61 x 2 =	122
0.25 Spaces per Bedroom	3 x 61 x 0.25 =	45.75
Total Required		167.75
Provided		
50% or Garage Spaces	61 x 0.5 =	30.5
All Driveway Spaces	61 x 1 =	61
Off-Lot Spaces		77
Total Provided		169



*ALL LAND WITHIN 500' OF THE PROPERTY IS IN THE RESIDENTIAL GROWTH ZONING DISTRICT.

RECEIVED

FEB 24 2017

SHEET INDEX
1. COVER SHEET & NOTES
2. CONCEPT PLAN

JEFFERSON COUNTY PC FILE: CP-_____

PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
SURVEY AND MAPPING
SECURITY CONSULTING

Gordon
301 N. Mildred Street, Suite 1
Charles Town, WV 25414
Phone: 304-725-8456
www.gordon.us.com

SEAL:

REVISIONS

JCDEPZ COMMENTS - 2/24/17

COVER SHEET & NOTES

**COLONIAL HILLS PHASE 3A
CONCEPT PLAN**
DISTRICT 9, MAP 8, PARCEL 10, DB. 989 PG. 175
JEFFERSON COUNTY, WEST VIRGINIA

SCALE: HORIZ: AS NOTED
VERT: NA

DATE: 01-19-2017

JOB: 2436-0202

DRAWN: CHECK:

CADD: 2436_CONCEPT.DWG

NCS: SHEET:

01 OF 02

2 For review print only

LEGEND

- PHASE 3 PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- MINOR CONTOUR LINE (5')
- MAJOR CONTOUR LINE (25')
- ~ VEGETATION LINE

EXISTING OFF-SITE STORMWATER
MANAGEMENT EASEMENT
(DB. 1184, PG. 294)

SHEPHERDSTOWN PUBLIC LIBRARY
DIST 9, TM 8 PARCEL II
DB. 1155 PG. 612
ZONE: RESIDENTIAL GROWTH
USE: VACANT / FUTURE LIBRARY

PROPOSED SANITARY
SEWER PUMP STATION

WALTZ, GAITHER L. & ETHEL L.
IN CARE OF: KEN LOWE MANAGEMENT CO.
DIST 9, TM 8 PARCEL 12
DB. 1175 PG. 44
ZONE: RESIDENTIAL GROWTH
USE: VACANT

STORMWATER
MANAGEMENT AREA

STORMWATER
MANAGEMENT AREA

OPEN SPACE
AREA B
(0.32 ACRES)

OPEN SPACE
AREA A
(0.48 ACRES)

BUS PULL-OFF AREA
(10'x100')

COLONIAL HILLS PHASE 3
(APPROVED: JCPC FILE #05-38)

KE COLONIAL, LLC
DIST 9, TM 8 PARCEL 10
DB. 989 PG. 175
ZONE: RESIDENTIAL GROWTH
USE: VACANT / RESIDENTIAL

RESIDUE
(FUTURE PHASE)
2.53+/- ACRES
KE COLONIAL, LLC
DIST 9, TM 8 PARCEL 10
DB. 989 PG. 175
ZONE: RESIDENTIAL GROWTH
USE: RESIDENTIAL / VACANT

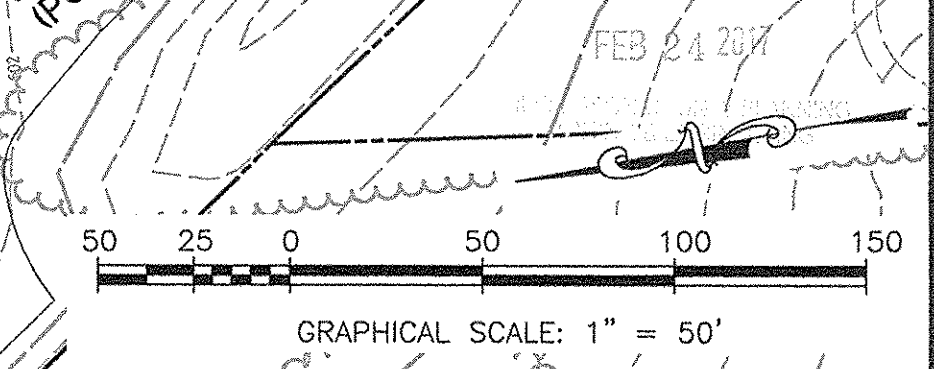
VAN EVERA III, JAMES W. ET. AL.
DIST 9, TM 8 PARCEL 14
DB. 1074 PG. 306
ZONE: RESIDENTIAL GROWTH
USE: RESIDENTIAL

VAN EVERA III, JAMES W. ET. AL.
DIST 9, TM 8 PARCEL 10.2
DB. 1074 PG. 306
ZONE: RESIDENTIAL GROWTH
USE: VACANT

LIMITS OF PHASE 3A
(THIS APPLICATION)
7.92+/- ACRES

CONCEPTUAL BUILDING
FOOTPRINT (TYP)

SHEPHERDSTOWN VOLUNTEER FIRE DEPARTMENT
DIST 9, TM 8 PARCEL 10.5
DB. 971 PG. 182
ZONE: RESIDENTIAL GROWTH
USE: FIRE DEPARTMENT



JEFFERSON COUNTY PC FILE: CP-

NOTES:
1. BUILDING FOOTPRINTS ARE CONCEPTUAL AND WILL CHANGE WITH FINAL ARCHITECTURAL DESIGN. ALL BUILDINGS WILL BE LOCATED WITHIN EACH INDIVIDUAL LOTS BUILDING SETBACKS.

PROGRAMMING AND PLANNING
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Phone: 304-725-8456
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SEAL:

NO.	REVISIONS

CONCEPT PLAN

**COLONIAL HILLS PHASE 3A
CONCEPT PLAN**

DISTRICT 9, MAP 8, PARCEL 10, DB. 989 PG. 175
JEFFERSON COUNTY, WEST VIRGINIA

SCALE: HORIZ: 1" = 50'
VERT: NA

DATE: 01-19-2017

JOB: 2436-0202

DRAWN: CHECK:

CADD: 2436_CONCEPT.DWG

NCS:
SHEET:

02 OF 02

Ryan Perks

From: Board, Larry D <Larry.D.Board@wv.gov>
Sent: Wednesday, February 22, 2017 3:46 PM
To: Ryan Perks
Subject: Colonial Hill Phase 3A Concept Plan

Ryan, I have reviewed the concept plan layout. I see no potential problems and will await the future submittal of the Storm Water Registration Application for this project.

Larry Board

Environmental Resources Specialist III
WV Dept. of Environmental Protection
Division of Water and Waste Management
601 57th St., SE
Charleston, WV 25301
phone: (304) 926-0499 x1595
fax: (304) 926-0497

Visit our [Construction Stormwater Webpage](#)

Check out our [E&S BMP Manual](#)

 **Think before you print**

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FEB 24 2017

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING



JEFFERSON COUNTY, WEST VIRGINIA
DEPT OF ENGINEERING, PLANNING, & ZONING
OFFICE OF GIS/ADDRESSING

116 East Washington Street • Mason Building • Suite 201
Charles Town, WV 25414-0208
Telephone: (304) 724-6759 • FAX: (304) 724-8992
gis@jeffersoncountywv.org



From: Jessica Gormont – GIS Analyst

Date: February 22, 2017

Subject: Colonial Hills Phase 3A – Major Subdivision – CP

DPZ File: n/a

- 1) Our office recommends one street name be used, provided the stubs (parking areas) are not going to connect to future perimeter development.
 - a. The un-used, preapproved road names for Colonial Hills are as follows (please note: our office would prefer a suffix of Circle for this road):
 - Deers Point
 - Schultz Drive
 - Cobbler Terrace
 - b. The representative at the Pre-Proposal Conference, Rick Fink, mentioned that the owner may like to choose a new road name for this section. A road name request form has been attached. Please provide our office with at least three choices (changing just the suffix doesn't count) in order of preference. As stated earlier, our office would prefer a suffix of Circle for this road.
- 2) Question: It the road going to be a one-way or two-way circle? This may affect our addressing scheme.
- 3) Question: When will Lowe Drive connect all the way through? We discourage disconnected stubs, but can adapt if planned to connect.

If you have questions or comments, please respond via phone, fax, or e-mail to:

Jessica Gormont
GIS Analyst – GIS/Addressing Office
Office: 304.724.8986
Fax: 304.724.8992
jgormont@jeffersoncountywv.org



February 22, 2017

Mr. Ryan Perks
Gordon and Associates
301 N. Mildred Street
Charles Town, West Virginia 25414

Re: Jefferson County Concept Plan Submittal
Colonial Hills Phase 3A

Dear Mr. Perks,

I have reviewed the Concept Plan for the Colonial Hills Phase 3A, dated January 19, 2017, and submitted to the JCHLC February 2017 by Gordon and Associates of Charles Town, West Virginia. The submittal documents outline the proposed site plan and stormwater management of the proposed residential development on Lowe Drive in Jefferson County, WV.

A Category II and a Category III County Historic Resource are in proximity of the project site, directly north of the parcel, along Martinsburg Pike. The site is also in close proximity to the Shepherdstown Historic District. There are no cataloged County Historic Resources from the 2007 JCHLC survey located on the development parcel described in these submittal documents.

Due to the proximity to the Shepherdstown Historic District, the Jefferson County Historic Landmarks Commission encourages the petitioner to propose unit design variety within the project, in keeping with the unique patchwork of small scale housing units currently found in the Shepherdstown Historic District. The JCHLC has no objections to the proposed Colonial Hills Phase 3A Concept Plan since there are no listed County Historic Resources on the development parcel and the proposed development does not extend beyond the current parcel boundaries.

If you have any questions or need additional information, please feel free to contact me.

Sara Lambert
Commissioner, JCHLC
P.O. Box 23
Charles Town, West Virginia 25414
707-326-6443

cc: Ms. Jennifer Brockman, Jefferson County Planning Department (via email)
Mr. Martin Burke, JCHLC Chair (via email)



Office of Sheriff and Treasurer of Jefferson County

Law Enforcement Office
102 Industrial Blvd
Kearneysville, WV 25430
304-728-3205
Fax: 304-728-3299

Tax Office
PO Box 9
Charles Town, WV 25414
304-728-3220
Fax: 304-728-4034

March 1, 2017

*JC Department of Planning and Zoning
VIA FACSIMILE and Inner Office Mail
304-728-8126*

Re: Colonial Hills Phase 3A

Dear Ms. Brockman:

This is in response to the request from Mr. Perks with William H Gordon Associates that this office furnish you with an account with respect to our ability to respond to calls for service regarding matters of law enforcement and preservation of the peace at the proposed Colonial Hills Phase 3A Townhome subdivision located east of Potomac Farms Drive and extending Lowe Drive off of Route 480 on the south side of Shepherdstown in Jefferson County, West Virginia.

The Sheriff's Office is charged with the affirmative duty of investigating criminal activity, preserving the peace, and enforcing the law. This duty extends to all corners of the county and to any community, subdivision or a business property without regard to size or location.

However, as our community continues to grow, it becomes progressively more difficult to assure timely response due to the significant increase in the number of calls for service with the staffing that is currently being provided to the Sheriff's Office. On occasion, calls for service must be handled on a priority basis where the most-serious, urgent type of events must receive priority in response and other, less serious calls for service, are responded to as quickly as manpower becomes available.

The foregoing should not be construed as an expression from this office that we are unable or unwilling to respond to calls for service in a timely manner. Given the resources and level of manpower with which we are obligated to work, our level of service is, and will continue to be responsive, timely, and efficient in carrying out our duties and responsibilities in the areas of law enforcement, criminal investigation and preservation of the peace in the Jefferson County community.

Sincerely,

*Peter H. Dougherty
Sheriff and Treasurer
Jefferson County*

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MAR 02 2017

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

Office of the District Engineer/Manager
District Five

Jim Justice
Governor

P. O. Box 99 · Burlington, West Virginia 26710-0099 · (304) 289-3521

Thomas J. Smith, P. E.
Secretary of Transportation/
Commissioner of Highways

February 21, 2017

Gordon
Attn: Ryan Perks
301 N. Mildred St, Suite 1
Charles Town, WV 25414

Ref: Permit # 5-2015-0040 – Colonial Hills Phase 3A

(Amendment)

Mr. Perks,

Your request to amend Permit # 5-2015-0040 to reflect approval for an additional 6 townhome sites to the existing permit has been received. After review, approval has been granted to change the existing permit by way of this addendum to reflect a total of 34 single-family homes and 61 townhomes. Should any additional changes be made beyond those listed the amendment will be considered void. Please keep a copy of this addendum with the permit previously issued to serve as proof of approval. Should you have any additional questions please let me know.

Gary T. Wilson
WVDOH-Permits
District 5
Gary.T.Wilson@wv.gov

RECEIVED

FEB 24 2017

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

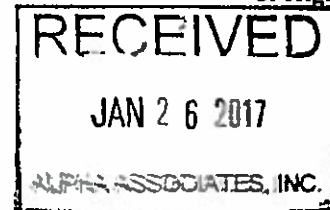
Office of the District Engineer/Manager
District Five

Jim Justice
Governor

P. O. Box 99 · Burlington, West Virginia 26710-0099 · (304) 289-3521

Gregory L. Bailey, P. E.
Acting Commissioner
of Highways

January 24, 2017



Alpha Associates
Attn: Ryan Perks
535 West King Street
Martinsburg, WV 25401

Completion Date Extension
Highway Entrance Permit 05-2015-0040

Your request to extend the completion date for the subject permit is hereby granted. The work authorized under this permit shall be completed on or before January 31, 2018. If work is not completed within the extension period, a new permit application may be required.

Please attach a copy of this letter to the original permit to serve as an addendum.

Once all work has been completed, notify this office at (304) 289-2284 so a final review can be conducted.

If you have additional questions or need further information, please contact this office.

Sincerely,

Larry Alt
Permit Reviewer

LAA/t

cc: Permit File
Jefferson County

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FEB 24 2017


WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

STAFF REPORT

Jefferson County Planning Commission Meeting

April 11, 2017

Item # 7 Public Hearing: Request for a waiver to be able to process a 2 (two) lot commercial Minor Nonresidential Subdivision (File#PCW17-01) to advance to Final Plat stage as a Minor Subdivision (Section 20.201B). The applicant is requesting to be able to create an approximate 1.5 acre parcel and a 2.25 acre Residue parcel to market and sell to a commercial entity.

APPLICANT/OWNER:	H & G Catrow Contracting, Inc.
DEVELOPER:	Same as above
CONSULTANT:	P J Raco Consulting, Inc. P.O. Box 548 Charles Town, WV 25414
PROPERTY LOCATION:	The property is located at 7174 Martinsburg Pike (Route 45), east of Venice Way
LEGAL DESCRIPTION:	<p>Tax District: Shepherdstown (09), Map: 7, Parcels: 23 (3.85 ac) and 32.1 (0.18 ac)</p> <p>Zoning: Residential/Light Industrial/Commercial</p> 
SURROUNDING PROPERTIES:	<p>Zoning Map Designation:</p> <p>North: Residential-Growth South: Residential-Growth</p> <p>East: Residential-Growth West: Residential-Growth</p>
PROPOSED ACTIVITY	To subdivide an existing lot zoned General Commercial into two lots – the request is to waive the required Major Subdivision process, advance to Final Plat, and to utilize the Minor Subdivision process.
DEVELOPMENT HISTORY:	The subject parcels are occupied by a vacant small commercial structure, a residential dwelling and a gravel lot.

STAFF REPORT

Jefferson County Planning Commission Meeting

April 11, 2017

PLANNING COMMISSION APPROVALS	09/17/15: Z15-02 County Commission approved request to rezone property from Residential Growth (RG) to General Commercial (GC)
-------------------------------------	--

Background/History of Property

The subject parcel consists of two lots totaling 4.01 acres of land that front directly onto Route 45/Martinsburg Pike. The parcel is currently the site of a vacant one-story brick workshop, and a residential dwelling that was also used as a commercial building, with a large gravel parking area. Commercial use of this property dates back to the 1950's, when the structure, currently used as a residence, was a gun shop, as well as at one point, a tavern. As these structures pre-date the adoption of Subdivision Regulations and Zoning in the County, no site plan exists for this property. In 2015, the property was rezoned to General Commercial for future commercial development.

Review of the Request

The applicant is proposing to divide Parcel 23 into two (2) non-residential lots. Lot 1 is proposed to be 1.5 acres. Lot 2 will include the existing house and workshop on approximately 2.25 acres. The applicant also intends to merge a 75' portion of the Residential Growth zoned property to the rear with the proposed Lot 1. Proposed Lots 1 and 2 will share an entrance onto Route 45. Such a division is permitted to occur under the Jefferson County Subdivision Regulations as a Major Subdivision, which requires processing a Concept Plan, a Preliminary Plat and a Final Plat. This waiver request is to permit the subdivision to "advance to Final Plat" and process under the Minor Non-Residential Subdivision provisions.

Relevant Sections of the Subdivision Regulations

Section 20.201B of the Jefferson County Subdivision Regulations details the limited provisions under which a non-residential property may be permitted to process as a Minor Subdivision. Generally, a nonresidential subdivision may only process as an administratively approved minor subdivision if it is a lot within an approved industrial park or existing major non-residential subdivision or if it is in the Rural Zoning District creating one new lot. Additionally, this Section states that lots created under this provision shall not have direct access to a state road except for those proposals utilizing the non-residential permitted uses in the Rural District. Because the 4.01 acre parcel, which is the subject of this waiver request, is neither in an industrial park or existing major non-residential subdivision nor zoned Rural, and because the parcel has direct access to a state road, approval of this waiver is required.

Processing as a Major Subdivision would require the full construction plans as a part of the Preliminary Plat. In this case, because each commercial lot will require processing as a Site Plan with full construction details to serve the proposed uses, allowing the plat to advance to Final Plat had no negative impact on ensuring high quality development. Additionally, if a proposed commercial development on one of the created lots exceeds 5,000 square feet, a Concept Plan will be required at that time.

Waiver Requirements:

The Subdivision Regulations require that in order for a waiver to be approved by the Planning Commission, the following four criteria must be met. The criteria are listed below for your review and are adequately addressed by the applicant in the application.

STAFF REPORT

Jefferson County Planning Commission Meeting

April 11, 2017

The design of the project will provide public benefit in the form of reduction in County maintenance cost, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature.

The waiver, if granted, will not adversely affect the public health, safety or welfare or the rights of adjacent property owners or residents.

The waiver, if granted, will be in keeping with the intent and purpose of these Regulations.

The waiver, if granted, will result in a project of better quality and/or character.

Staff Recommendation

Because the proposed subdivision is for a property that is zoned for commercial uses and because each lot will subsequently be required to process site plans that fully address all required infrastructure for the proposed uses on each lot, staff supports the request to allow the proposed non-residential subdivision to advance to final plat and process a Minor Non-Residential Subdivision.

Planning Department

From: JLMcDonel <JLMcDonel@cox.net>
Sent: Sunday, April 02, 2017 2:37 PM
To: Planning Department
Subject: 7174 Martinsburg Pike at Venice Way

RE: Notice to adjoining property owners of a Request for a Waiver received from H&G Contracting, Inc. for a 4.01 Ac. acre property located at 7174 Martinsburg Pike at the intersection with Venice Way. (File PCW17-01

Sirs/Madams,

I am unable to attend this meeting because I live out-of-state and cannot get away from my obligations to the Virginia Tech Carilion School of Medicine in Roanoke, Virginia. Therefore I am writing these comments regarding this petition.

I was quite surprised when I learned last year that this same property was granted a change in zoning to commercial without any apparent rationale being offered by the owner of the property for that change. I would have thought that would be the very least required to justify a zoning change of this type.

Now, the same owners are requesting that this 4 acre parcel be divided, and I presume that again no rationale is being offered, other than they would like such a change.

It is my position that if such a subdivision, into two separate lots, is to be granted, it should be with the irrevocable stipulation that there remain only ONE access to Rt 45 for both lots combined. An easement on the first of the lots should be granted to the second lot, resulting in just one access to Rt 45.

It is my understanding that my 12 acre parcel contiguous to the property in this proposal was only granted one common easement on Venice Way for access to Rt 45, rather than direct entry from the 12 acres onto Rt 45 for the very reason of limiting the number of access points to Rt 45.

If this would be required of 12 acres, it certainly should be required of 4 or less acres. There is no reasonable justification to grant two entrances onto Rt 45 just because someone wants to split a small parcel into two smaller parcels. And, there is no reason why one access to the highway, on common space between, and shared by, the two newly-formed parcels should not be satisfactory and deemed reasonable.

Therefore, I ask that the Office of Planning and Zoning not approve the request to divide this 4 acres into two smaller plots, but, if the OPZ does grant that request, that it be mandated by the OPZ that the two resultant smaller parcels share only one access, to be used by both parcels, to Rt 45.

Thank you for your consideration of this proposal.

James L. McDonel

--

Dr. James L. McDonel
1355 Hidden View Rd SW
Roanoke, VA 24015
540-597-6537



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 338
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: _____
 Staff Initials: VG
 Sketch Received:
 List of Adjoiners: _____
 Fees Paid: 700.00

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

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

Waiver Request

Note: Waivers from the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations.

Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size, and height. Identify existing buildings, structures, or land uses on the property. Sign and date the sketch. Provide a vicinity map of the area and a list of the adjoining property owner's mailing addresses.

Property Owner Information

Name: H&G Catrow Contracting Inc.
 Mailing Address: 443 Sandpiper Lane, Shepherdstown, WV 25443
 Phone Number: 304/676-8607 Email: butch@hgcatrow.com

Applicant Contact Information

Name: Butch Catrow
 Mailing Address: Same as Above
 Phone Number: _____ Email: _____

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: P.J. Raco Consulting, LLC Paul J. Raco
 Mailing Address: P.O. Box 548, Charles Town, WV 25414
 Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical Property Details

Physical Address 7174 Martinsburg Pike
 City: Shepherdstown State: WV Zip Code: 25443
 Tax District: Shepherdstown Map No: 7 Parcel No: 23
 Parcel Size: 4 +- Acres Deed Book: 1162 Page No: 280

Zoning District (please check one)

Residential Growth (RG) <input type="checkbox"/>	Industrial Commercial (IC) <input type="checkbox"/>	Rural (R) <input type="checkbox"/>	Residential-Light Industrial-Commercial (R-LI-C) <input type="checkbox"/>	Village (V) <input type="checkbox"/>	Neighborhood Commercial (NC) <input type="checkbox"/>	General Commercial (GC) <input checked="" type="checkbox"/>
--	---	------------------------------------	---	--------------------------------------	---	---

Highway Commercial (HC) <input type="checkbox"/>	Light Industrial (LI) <input type="checkbox"/>	Major Industrial (MI) <input type="checkbox"/>	Planned Neighborhood Development (PND) <input type="checkbox"/>	Office/Commercial Mixed-Use (OC) <input type="checkbox"/>
--	--	--	---	---

RECEIVED

MAR 21 2017

JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING
 Place Date Stamp Here

What Section of the Subdivision Regulations are you Requesting to Waive?

Article 20 Sections 20.1B and 20.204

Briefly Describe the Nature of Your Waiver Request:

See Attached

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

See Attached

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

See Attached

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

See Attached

Explain how the waiver, if granted, will result in a project of better quality and/or character.

See Attached

Original signature is required. The information given is correct to the best of my knowledge.

Hayden C. ...

Signature of Property Owner

3-21-17

Date

Signature of Property Owner

Date

To Be Completed By Office

_____ Date of Public Meeting/Public Hearing

_____ Official/Administrative Body

_____ Date Property to be Posted By

_____ Date Adjoiner Letters to be Mailed

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____, _____

Approved

Denied

RECEIVED

MAR 21 2017

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

H&G Catrow Contracting, Inc.
Request for Waivers
Article 20, Section 201B and Section 20.204
Two Lot Subdivision to be Treated as Minor Subdivision and Site Development
Advancement to Final Plat Stage for Administrative Processing
Jefferson County Subdivision and Site Development Ordinance
March 21, 2017

Brief Description of Request:

Currently, due to a quirk in the Subdivision Ordinance, the ordinance doesn't recognize a Minor Process for small commercial subdivisions in the commercial districts. There has been ongoing discussion on this topic and should be a topic for future amendment. This request is similar to the requests that the Bavarian Inn and the Waffle House had approved by the Planning Commission in the past several months. It is a request to advance a two-lot subdivision to the Final Plat Stage as a Minor Subdivision. The intent of a Minor Subdivision will be met because the property will be designed with a shared entrance between the two lots and approval will be sought at the WVDOH.

Also, be advised that any site plan that will be submitted for these lots for a commercial entity will still need to submit a Concept Plan to the Commission and will need to follow all of the standards of the site development ordinance, unless otherwise waived in the future.

The Staff has told the applicant's representative that they will support this waiver and advancement to final plat stage for administrative approval since there will be a concept plan submitted if a site plan advances on this property. The Applicant will seek both Health Department and Highway Department approval for the subdivision, but will make no improvements to the site until a site plan is reviewed and approved according to the Site Development Ordinance. All the Applicant is requesting is a way to subdivide to create an approximate 1.5-acre parcel to market and sale to a commercial entity.

This commercial subdivision is consistent with the Comprehensive Plan. Also, the Planning Commission recommended approval and the County Commission did approve the commercial zoning on this property just recently. Accordingly, the advancement of the subdivision to the Final Plat stage will not negatively impact anything since any site plan on these lots will still have to meet the standards of the site development ordinance for Storm Water Management, access, erosion and sediment control, parking, landscaping, etc.

If the Planning Commission approves the waiver to allow the advancement to the final plat stage, for the Subdivision to be approved administratively, the Applicants will be able to move forward in a needed swift manner when the lots are purchased by a commercial entity. This will consolidate the process without negatively impacting the standards of the ordinance, since a full site plan will still be necessary. Streamlining the process without impacting the quality of development is the goal of both Commissions and the Comprehensive Plan.

Thank you for your consideration of this matter.

RECEIVED

MAR 21 2017

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

RECEIVED

MAR 21 2017

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

H&G Catrow Contracting, Inc.
Request for Waivers
Article 20, Section 201B and Section 20.204
Two Lot Subdivision to be Treated as Minor Subdivision and Site Development
Advancement to Final Plat Stage for Administrative Processing
Jefferson County Subdivision and Site Development Ordinance
March 21, 2017

1. Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

There will be no impact on these issues as any development on this property will be privately owned and maintained. These lots will be for commercial development as anticipated by the Comprehensive Plan and the County Commission and Planning Commission who recommended and approved the Rezoning of this property to Commercial.

The request is merely for a streamlined process as anticipated in the other areas of Jefferson County for a two-lot commercial subdivision. A Streamlined Process that does not impact the standards of the ordinance will benefit the economic development of the County. This property is zoned commercial and is in the Shepherdstown Preferred Growth Area in the Jefferson County Comprehensive Plan. The Plan supports streamlined processes for commercial projects and economic development. Any development on this site will be commercial and will enhance the property taxes on the property. This increased commercial property taxes will benefit all of Jefferson County.

2. Explain how the waiver, if granted, will not adversely effect the public health, safety or welfare or the rights of adjacent property owners or residents.

The County recently adopted the Comprehensive Plan and placed this property inside the Shepherdstown Preferred Growth Area and indicated it for Commercial Development on the Future Land Use Guide. This was a recent public process in which everyone could have participated. Based on the Comprehensive Plan, this property was recommended to be rezoned to commercial by the Planning Commission and subsequently approved by the County Commission for commercial uses. Again, this was a very recent public process where the Staff, appointed and elected officials all thought this property should be commercial.

Advancing the small commercial subdivision to Final Plat Stage only streamlines the process. Any commercial entity that develops on these parcels will still have to meet the standards of the site plan ordinance. Sharing an entrance only makes sense to minimize entrance points on the highway.

Any development on the property will still have to receive all public health approvals such as health department and highway department. The property will also have to manage the Stormwater pursuant to the Full Site Plan standards. Finally, Concept plan

will still need to be presented to the Planning Commission for all development greater than 5,000 sq. ft.

3. Explain how the waiver, if granted, will be in keeping with the intent and purpose of the Ordinance.

The intent and purpose of the subdivision ordinance is to ensure that subdivisions are developed in a way that ensures that it will be a well planned product that is permitted in the correct zoning district. The Subdivision Ordinance allows two lot minor commercial subdivisions in other areas in the County including non-commercial districts. This parcel is in the Commercial District. As such, the process should already be streamlined. This zoning district is the area where the County has already determined should support commercial development. Process shouldn't be a deterrent, especially when the standards still need to be met during the Minor Site Plan Process.

The County has already determined that this property is in a suitable location for commercial uses and a streamlined process with appropriate standards will meet the intent and purpose of the ordinances

4. Explain how the waiver, if granted, will result in a project of better quality and/or character.

The property and any commercial development that will be built on the property will meet the standards that the County has already deemed necessary for a good quality development. Allowing it to be Minor for processing purposes will not result in any less of a development. The creation of two lots at this time, will not adversely affect the character or quality of this property or neighborhood. In fact, it will allow them to create economic development on property that has already been determined to be suitable for commercial development. The Staff agrees that the ordinance should be amended to allow Minor processing for smaller developments, especially in the commercial districts.

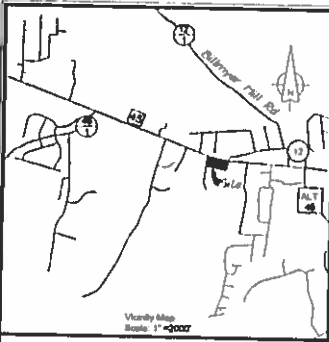
The roads, entrances, landscaping, parking, SWM, etc., will still need to be reviewed and approved when a commercial user processes a site plan on these lots. These approvals will include the County Planning and Engineering Staff, as well as, the State Highway and Health Departments. If the Planning Commission approves the waivers to allow the creation of a new property line as a Minor Subdivision to be approved administratively, the Applicants will be able to move forward in a swift manner when a buyer wants to go forward with a lot purchase.

The Commission's approval of the waivers would be greatly appreciated.

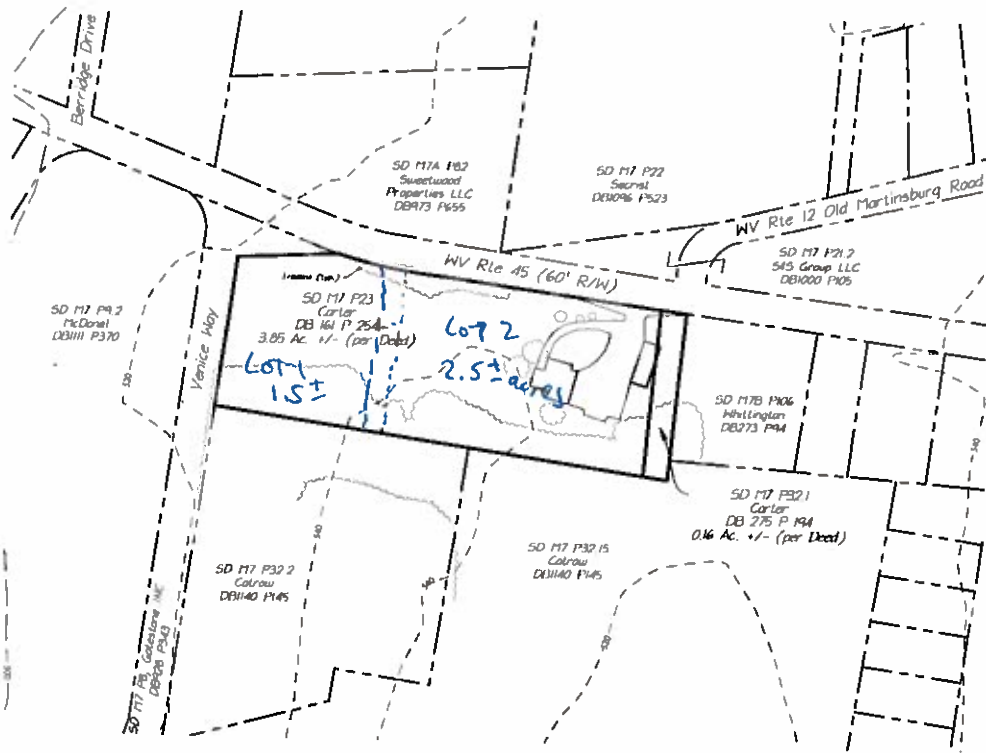
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PLANNING, ZONING AND ENGINEERING



Notes:
Contours are approximately 10' O.D.
20-foot interval

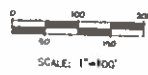


Proposed.
Ask 3/21/17

Sketch Showing

**Proposed Rezoning of
Charles M. Carter
Property**

Shepherdstown District
Jefferson County, WV
18 May 2015
Scale: 1"=100'



Jefferson County Planning, Zoning and Engineering	
Ramon Office Phone (204) 724-5038 Fax (204) 724-5010	401 S Fairfax Boulevard Suite 3 Ramon, WV 26438-1811
PARTY CHIEF	DRAWING NO.
RESEARCH	PROJECT NO. 0115
SURVEYED	PREPARED: KBB
FIELD CREW	DRAWN BY: KBB
Sheet 1 of 1	

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BK 3/21/17



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MAR 21 2017

JEFFERSON COUNTY
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H&G Catrow Contracting, Inc.
Request for Waivers
Article 20, Section 201B and Section 20.204
Two Lot Subdivision to be Treated as Minor Subdivision and Site Development
Advancement to Final Plat Stage for Administrative Processing
Jefferson County Subdivision and Site Development Ordinance
March 21, 2017

Adjoiners:

Tax Year: 2017
Parcel: 09 7A008200000000
Deeded Owner: PERTH LLC
Parcel ID: 09 7A008200000000

Tax Year: 2017

Deeded Owner: PERTH LLC

C/O:

Owner 4614 DERUSSEY
Address: PARKWAY
City: CHEVY CHASE
State: MD
Zip: 208155332

Tax Year: 2017
Parcel: 09 7002100020000
Deeded Owner: S & S GROUP LLC
Parcel ID: 09 7002100020000

Tax Year: 2017

Deeded Owner: S & S GROUP LLC

C/O:

Owner PO BOX 246
Address:
City: SHEPHERDSTOWN
State: WV
Zip: 25443

Tax Year: 2017
Parcel: 09 7000800000000
Deeded Owner: GATESTONE INC
Parcel ID: 09 7000800000000

Tax Year: 2017
Deeded Owner: GATESTONE INC
C/O:
Owner 153 VENICE WAY
Address:
City: SHEPHERDSTOWN
State: WV
Zip: 25443

Tax Year: 2017
Parcel: 09 7003200020000
Deeded Owner: CATROW HARRY F JR & LORI J
Parcel ID: 09 7003200020000

Tax Year: 2017
Deeded Owner: CATROW HARRY F JR
& LORI J
C/O:
Owner 443 SANDPIPER LN
Address:
City: SHEPHERDSTOWN
State: WV
Zip: 25443

Tax Year: 2017
Parcel: 09 7003200150000
Deeded Owner: CATROW HARRY F JR & GARNETT C
Parcel ID: 09 7003200150000

Tax Year: 2017
Deeded Owner: CATROW HARRY F JR
& GARNETT C
C/O:
Owner 443 SANDPIPER LN
Address:
City: SHEPHERDSTOWN
State: WV
Zip: 25443

Tax Year: 2017

Parcel: 09 7002200000000

Deeded Owner: SECRIST STEVEN R ET AL

Parcel ID: 09 7002200000000

Tax Year: 2017

**Deeded Owner: SECRIST STEVEN R ET
AL**

C/O:

Owner PO BOX 246

Address:

City: SHEPHERDSTOWN

State: WV

Zip: 25443

Tax Year: 2017

Parcel: 09 7003200010000

Deeded Owner: H&G CATROW CONTRACTING INC

Parcel ID: 09 7003200010000

Tax Year: 2017

**Deeded Owner: H&G CATROW
CONTRACTING INC**

C/O:

Owner 443 SANDPIPER LN

Address:

City: SHEPHERDSTOWN

State: WV

Zip: 25443



Jefferson County, West Virginia

Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting April 11, 2017

1) Upcoming County Commission Actions

a) Extension of Vested Property Rights for Properties Impacted by SB 595 (2010)

- County Commission left Public Hearing open for written comments until 4/6/17 Meeting

b) Jefferson Reality, LLC (Middleway Market, 4843 Middleway Pike) Zoning Map Amendment Request from Rural to General Commercial (Z17-01)

- County Commission Public Hearing held 4/6/17

c) LESA/Cluster Amendment (ZTA16-01)

- Amendment to replace the current nontraditional Zoning Ordinance with a traditional Zoning Ordinance – County Commission **APPROVED** 3/16/17!

2) Outstanding Zoning Ordinance and Subdivision Regulation Amendments

a) Mass Events Ordinance (ZTA 14-02):

- CC Public Hearing postponed until Summer 2016 – no action to date

3) Upcoming Zoning Ordinance and Subdivision Regulation Amendments

a) Historic Resource Demolition and Adaptive Reuse

- JCHLC working with staff on proposed language

b) Landscape Standards

- Stakeholder meeting with staff held – draft amendment in progress

c) Signage

- Including animated vs digital signs to be addressed; sign industry may need early input

d) Parking Standards

e) Subdivision Regulations Amendments

- Staff initiating amendments related to sections requiring frequent interpretations and issues, including but not limited to processing mergers/lot line adjustments; contents of minor subdivisions, etc.

4) Upcoming PC meeting

a) Next Regular Meeting: May 9, 2017

- Dollar General Concept Plan



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • (304) 558-3505

Jim Justice
Governor

Thomas J. Smith, P. E.
Secretary of Transportation/
Commissioner of Highways

March 17, 2017

The Honorable Arthur J. Auxer, III
Mayor
Corporation of Shepherdstown
104 North King Street
Post Office Box 248
Shepherdstown, West Virginia 25443-0248

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JEFFERSON COUNTY PLANNING,
ZONING & ENGINEERING

Dear Mayor Auxer:

Thank you for your letter, dated March 3, 2017, on behalf of the Shepherdstown Planning Commission (Commission), concerning traffic issues along a section of WV 45, in Jefferson County. You indicate that the Commission passed a resolution to improve traffic flow in this area. Further, you note that the Corporation of Shepherdstown recommends that only developments that help ameliorate traffic flow within this area be approved.

If the Division of Highways is asked to issue encroachment permits regarding any new developments along this section of WV 45, we will coordinate appropriately with the Corporation of Shepherdstown and with the Jefferson County Office of Planning and Zoning.

Again, thank you for writing and sharing your concerns. Should additional information be needed, please contact Mr. David E. Cramer, P. E., of our Commissioner's Office of Economic Development at, (304) 558-9211 or David.E.Cramer@wv.gov.

Best regards,

Thomas J. Smith, P. E.
Secretary of Transportation/
Commissioner of Highways

TJS:Cb

cc: Matt Mullenax, HEP MPO
John Reisenweber, Jefferson County Development Authority
✓ Jennifer M. Brockman, County Planner, Jefferson County Office of Planning and Zoning