



AGENDA

Jefferson County Planning Commission Tuesday, November 13, 2018 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. Approval of Meeting Minutes: 10/09/18.
2. 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.
3. Request for postponement.
4. **Public Workshop:** Concept Plan for Pikeview Manor (File #18-16). A proposed Major Residential Cluster Subdivision, including 6 lots and a 31 acre green space. The property is designated as Tax District: Shepherdstown (09); Tax Map: 18; Parcel 5. Zoned: Rural; Size: 43.57 acres.
5. **Public Hearing:** Waiver Request for Pikeview Manor Major Subdivision (PCW#18-15). Applicant is requesting a waiver from Section 21.103D of the Subdivision and Land Development Regulations "Access to Existing Roads" which requires all lots to have access via internal subdivision roads. The applicant is requesting a separate entrance to the green space parcel, at its current WVDOH permitted entrance, rather than accessing from the proposed street shown on the cluster plan.
6. **Public Hearing:** Waiver Request for Pikeview Manor Major Subdivision (PCW#18-16). Applicant is requesting a waiver from Sections 24.113 – 23.115 of the Subdivision and Land Development Regulations that pertains to the Major Subdivision Preliminary Plat Application and Completeness Review, Public Hearing and Approval process. The applicant is requesting to advance to the final plat for purposes of creating the green space parcel only. The applicant will process a full Major Subdivision for the balance of the cluster.
7. **Public Workshop:** Concept Plan for Martinsburg Pike ROCS (File #S18-06). A proposed gas station with a 5,600 square foot convenience store and 5 fuel islands, with a total of 10 pumps. The property is designated as Tax District: Shepherdstown (09); Tax Map: 8A; Parcel 19, 21 & 23. Zoned: Residential-Light Industrial-Commercial; Size: 3.56 acres, combined.
8. **Public Hearing:** Waiver request Shepherdstown Public Library (PCW#18-14). Applicant is requesting a waiver from Section 24.108C of the Subdivision and Land Development Regulations which states that the direction provided by the Planning Commission in the Minor Site Plan Concept Plan Public Workshop shall be applicable for a period of two years (from October 13, 2015). The applicant received a one year extension in November 2017 and is requesting an additional 1-year extension of the time requirements to prepare a site plan for the Shepherdstown Public Library project. Tax District: Shepherdstown (09); Tax Map: 8; Parcel 11. Zoned: Residential Growth; Size: 3.8 acres.

There is no public comment for the following items.

9. **Discussion and Action:** For the Planning Commission to vote to approve or deny the Magnolia Springs Preliminary Plat Application (File #18-05) as complete in accordance with Sections 24.113 and 24.114

of the Subdivision Regulation, for the purpose of scheduling a Public Hearing for this application. The property is designated as Tax District: Charles Town (02); Tax Map: 10; Parcels 8 & 8.6. Zoned: Residential Growth; Size: a 110.85 acre portion of a total of both parcels of 127.58 acres.

10. Reports from Legal Counsel and legal advice to the Planning Commission:

- Possible Legal Update for direction related to the ILP.

11. Planner's Memo.

12. President's Report.

13. Actionable Correspondence:

14. Non-Actionable Correspondence

Jefferson County Planning Commission
October 09, 2018

The Jefferson County Planning Commission met on October 09, 2018 with the following Commission members present: Donnie Fisher, President; Steve Stolipher, Vice President; Wade Louthan, Secretary; Peter Onoszko, County Commission Liaison; Jack Hefestay, Mike Shepp, J Ware and Ray Bruning. Staff members present included Jennifer Brockman, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, Assistant Prosecuting Attorney; and Rachael Burke, Planning Clerk.

Mr. Ron Thomas was absent with prior notification.

Mr. Fisher called the meeting to order at 7:01 PM.

1. The minutes from the September 11, 2018 meeting were approved, with the condition of one change reflected that, 'Mr. Bruning was absent with prior notification'. Instead of: 'without prior notification'.
2. Citizen Communications. None
3. Request for postponement. None
4. **Public Workshop: Request by applicant/owner Somerset Properties, LLC, Maritasha I, LLC, and Maritasha II, LLC. for approval of a Concept Plan for US 340 Mixed Use Development Major Subdivision (18-11). This subdivision includes 98 small lot and 112 large lot single family dwellings, 128 townhouse dwellings, 260 multiple family dwellings (26 total housing modules proposed with 10 dwelling units per module), for a total of 598 total dwelling units proposed. This subdivision also includes 8 Commercial lots. The property is designated as Tax District: Charles Town (02); Tax Map: 9; Parcel 8 & 8.11. Zoned: Residential-Light-Industrial-Commercial; Size: 134.02 acres.**

Ms. Jennifer Brockman provided an overview of the project. She explained that the total number of units was changed to 597 total units as a result of the applicant's response to first review staff comments. She explained the various zoning districts surrounding the prospected site and did a summary of the Major Subdivision Process Steps: Concept Plan, Preliminary Plat, Final Plat and explained that the Multi-Family and Commercial sections will also require Site Plans and possible additional Concept Plan Workshops.

Mr. Bob Barrack, representative for the project (Piedmont Design Group), provided a brief overview of the project as follows:

- Explained the eight commercial pads and no current site plans.
- Discussed types of homes and proposed locations, with regard to layout.
- 597 total units, including 209 single-family homes, 128 town homes and 260 apartments.
- Discussed Monte Carlos Way and Demory Farms interconnectivity, in accordance with subdivision regulations.

Ms. Jennifer Brockman stated that the property's zoning designation is Residential-Light Industrial-Commercial and that it has been zoned this since Zoning was adopted in Jefferson County. She then reviewed the agency comments that were received:

- Jefferson County Parks and Recreation requested a multi-use trail and recommended interconnectivity with other trail systems;
- Health Department had no comments;
- Department of Highways required the preparation of a Traffic Impact Study (TIS) and requested applicant to submit a scope of work for their approval;
- Office of GIS/Addressing approval of road names;
- Charles Town Utility Board will be providing water and sewer service to the development and will determine if additional pump stations are required later in the project
- City of Charles Town encouraged supporting the interconnectivity; recommends sidewalks on both sides; recommends following the city's street light and bus shelter standards; and requests a note regarding the open space in case of potential annexation.

Mr. Peter Onoszko asked about the proximity of the commercial lots.

Ms. Jennifer Brockman reviewed where they were on the Concept Plan.

Mr. Mike Shepp asked if application has a response about the trail.

Mr. Bob Barrack stated his client was open to the trail system.

Mr. Donnie Fisher asked about the sidewalk request by the city.

Mr. Bob Barrack explained the bioswale design and explained this is an efficient practice. He talked about engineering at preliminary plat stage and possible change of lot size depending on one side sidewalks vs. both.

Mr. Ray Bruning asked about the street lighting meeting the City of Charles Town standards, design and spacing.

Mr. Bob Barrack stated they would look at it.

Ms. Jennifer Brockman discussed the separate waiver requests, with

Public Hearings to be held later.

Mr. Donnie Fisher asked Ms. Brockman if the TIS would take into account the interconnecting roads.

Ms. Jennifer Brockman stated that the TIS should show how traffic will be disbursed on surrounding roads, including the connection to Keyes Ferry and Somerset at the two points shown. The DOH may require that roads be widened after so many lots are proposed or other based on other warrants. They are only concerned about state roads, not the private HOA roads.

Peter Onoszko discussed the use of Keyes Ferry to access WV 9 for commuters.

Minutes
Planning Commission
October 9, 2018

Mr. Donnie Fisher opened the floor to Public Comment. He explained the three minute allotted time to speak.

The following speakers made comments regarding concerns with road connectivity, traffic and safety regarding children and bus stops:

Phillip Marshall
Ray Love, Pastor Tri State Baptist
Chris Moody
William Isemann
Megan DiGerlando
Paul Harris, President, Windmill Crossing HOA
Eric Smith, on behalf of Lyndsey Smith (Demory Farms Homeowner)
Michelle Monteith
Thomas Yeager
Chris Ott
Jason Wyatt
Christian Batelli

Seth Rivard also spoke as a representative for the City of Charles Town, regarding the letter signed by Mayor Scott Rogers supporting the project and supporting the proposed connectivity and. Mr. Rivard also stated that the City would like for the development to utilize the city's streetlight standards for spacing and design and the city's bus shelter design. He noted the city made a similar request of the Magnolia Springs development who agreed to the Charles Town design but requested to use the County's spacing requirement. The Board of Education would also be consulted regarding the bus shelter. Mr. Rivard also had comments regarding the waiver of sidewalks and noted that the block length does not meet the County's requirements.

Mr. Donnie Fisher closed the floor to Public Comment.

Ms. Jennifer Brockman clarified that the County's Subdivision Regulations require the connectivity and the applicant made this revision to their original design based on staff comments to this effect.

Mr. Bob Barrack responded that they intend to submit the plan for the entire project and understand that the commercial lots, apartments and townhomes will also need separate site plans. Mr. Barrack also spoke about stormwater, the Keyes Ferry and Cattail Run intersections, and the existing and proposed water and sewer lines.

Mr. Ray Bruning commented on possible connection in the future and annexation by Charles Town.

The members of the Planning Commission discussed ownership and maintenance of the proposed road network.

Mr. Mike Shepp asked for clarity on the requirement that the Planning Commission provide direction for preliminary plat and whether the Plat can change.

Ms. Jennifer Brockman explained TIS may require a change in the design and staff can determine if it substantially conforms with the Concept Plan.

Mr. Mike Shepp suggested that he would support a waiver later in the process.

Mr. Nathan Cochran explained there were competing issues because state code gives authority to make roads connect. The potential issues with access have been addressed in several ways with other developments, such as Tusawilla and Locust Hill, where the new development contributes funds to the neighboring community to cover upkeep costs, etc.

Mr. Wade Louthan, Mike Shepp and Ms. Jennifer Brockman discussed how the motion should be worded and if they are accepting or approving the Concept Plan and how the conditions will be added, including staff recommendations for waivers regarding block length and width.

Mr. Mike Shepp made a motion to accept the Concept Plan and to provide direction regarding the preparation of the Preliminary Plat with a strong recommendation that the applicant address the interconnectivity issues to Demory Farms and Windmill Crossing and eliminate them if possible.

Mr. Steve Stolipher asked about adding a requirement that they conform to the Charles Town the street light standards.

Mr. Donnie Fisher re-stated the motion to accept the Concept Plan and proceed to preliminary plat with the following recommendations: resolve interconnectivity of the right of way (preferably through waiver), comply with block length and lot width of the Subdivision Regulations, and comply with the Charles Town street lighting and bus shelters design requirements.

Mr. Mike Shepp suggested that the applicant may want to bring the Concept Plan back when these issues are resolved.

Ms. Brockman suggested that after TIS is completed and approved by the WV DOH, a revised Concept Plan be necessary to reflect all of the changes required.

Mr. Steve Stolipher seconded the motion.

The Planning Commission discussed the motion and answered some questions from the audience. Mr. Nathan Cochran and Steve Stolipher explained they have no authority over the state roads as they fall under the jurisdiction of the WV DOH. Mr. Steve Stolipher clarified the Planning Commission also has no authority to deny the Concept Plan approval request, if it meets all of our standards.

A vote was taken on the motion, which was approved with a vote of 6 for and 1 against (Mr. Jack Hefestay opposed).

Ms. Brockman repeated the motion for the record, "to accept the Concept Plan and authorize the applicant to advance to preliminary plat with strong recommendation to resolve interconnectivity with Demory Farm and Windmill Crossing, preferably by getting a waiver; to address block length and lot width by compliance or a waiver; and that the Charles Town street lights and bus shelter design be used".

- 5. Public Hearing: Waiver Request for US 340 Mixed Use Development (PCW18-12). The applicant is requesting a waiver from Section 2.2.K.1.a of the Subdivision Regulations that requires curbs, gutters and sidewalks in residential conventional subdivisions**

where net residential density is greater than three dwelling units per acre of land and/or when lot frontages are 80' or less. The request is to allow open swale design for all roads other than Somerset Village Road and Sundrop Road to allow bioswales as a part of the stormwater management plan.

Ms. Brockman provided an overview of the request. She pointed out the roads that were affected by the waiver as part of the presentation and stated that Planning has deferred to Engineering for the waiver of curbs and gutters as they related to stormwater management. She stated that planning staff recommends not approving any waiver of sidewalks, due to the size of the development and the need for pedestrian integration within a mixed use community. Engineering stated that they support the waiver of curb and gutter throughout the single family portion of the development but that the commercial, apartment and townhomes lots and areas would need to be designed with curb and gutter.

Mr. Mike Shepp asked about how to get to green space without sidewalks. He also noted that the Charles Town Planner had recommended requiring sidewalks on both sides.

Mr. Seth Rivard stated that based on density, sidewalks may have to be on both sides. If became part of city later, would need to be grandfathered with one side.

Ms. Jennie Brockman advised that she would confirm the Subdivision Regulation requirements for sidewalks on one side or both sides based on the density.

Mr. Donnie Fisher opened the floor to Public Comment.

The following members of the public spoke regarding the waiver request and items pertaining to stormwater:

Seth Rivard
Jason Wyatt
Thomas Yeager

Mr. Donnie Fisher closed Public Comment.

Mr. Mike Shepp made a motion to deny the waiver of sidewalks. Mr. Wade Louthan seconded the motion, which carried unanimously.

Mr. Mike Shepp made a motion to approve the waiver of curb and gutters and allow the use of swales by the single family lots only. Steve Stolipher seconded the motion, which carried unanimously.

- 6. Public Hearing: Waiver Request for US 340 Mixed Use Development (PCW#18-13). Applicant is requesting a waiver from Section 2.3A of the Subdivision Regulations that states that generally, individual lots shall not have direct access to public roads and that lots must be served by internal subdivision roads unless otherwise approved by the Planning Commission. This request is to allow Commercial Lots 2 and 3 to have direct access to Somerset Boulevard as this road functions as a frontage road and has other commercial lots with direct or shared access in the vicinity.**

Ms. Brockman stated that the Department of Highways will also have approval authority over this request, but Planning, Zoning and Engineering recommends allowing one shared direct commercial access point for Commercial Lots 2 and 3 provided that WV DOH approves this concept.

Mr. Donnie Fisher opened the floor to Public Comment.

Mr. Yeager talked about how commercial lots could be split.

Mr. Donnie Fisher closed Public Comment.

Mr. Ray Bruning stated that the waiver is for point of access.

Mr. Mike Shepp explained the lots must be approved by the Planning Commission. If the Planning Commission follows the staff recommendation regarding an internal road, the waiver for individual lot access to external road would not be necessary.

Mr. Mike Shepp made a motion to deny the waiver of Section 2.3A regarding direct access by an individual lot. Mr. Wade Louthan seconded the motion, which carried unanimously.

7. Reports from Legal Counsel and legal advice to the Planning Commission. None.

8. Planners Memo.

Ms. Brockman discussed the status of the WV 45 gateway design text amendment and the ILP text amendment delayed decision. The next scheduled meeting is November 13, 2018 with two Concept Plans: Pikeview Manor and Martinsburg Pike ROCS gas station in Shepherdstown.

9. President's Report. None

10. Actionable Correspondence. None

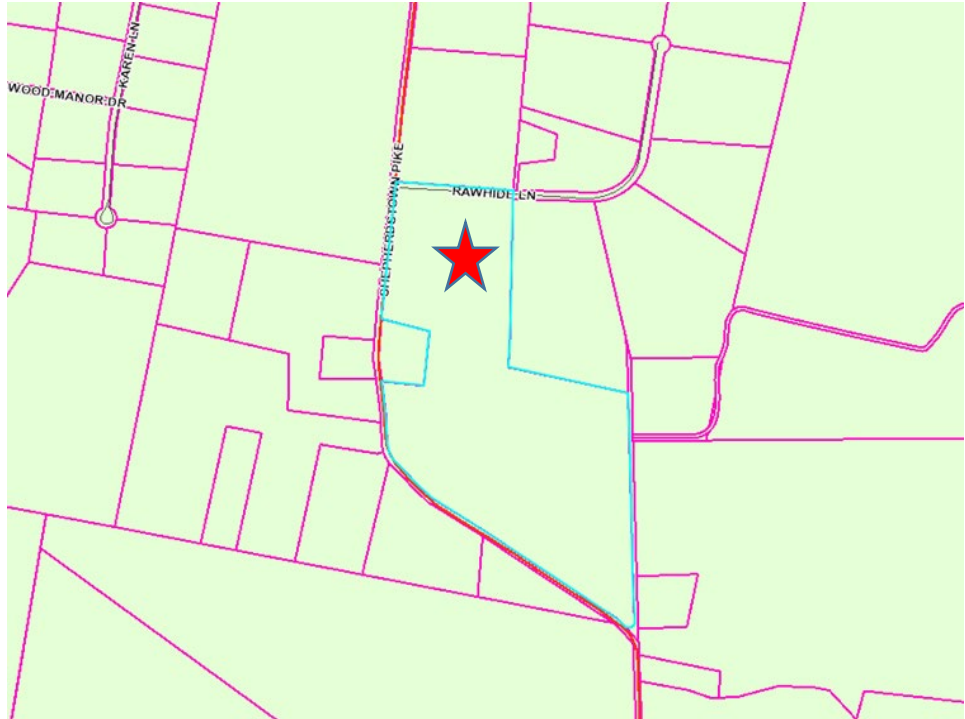
11. Non-Actionable Correspondence.

- Letter addressed to Ray Bruning regarding the Rockwool plant
- A Resolution from the Corporation of Shepherdstown opposing the Rockwool plant (from the Mayor: Arthur Auxer, III 9/12/18).

Mr. Fisher motioned to adjourn the meeting at 9:19 PM with no objections.

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Item #4: Public Workshop: Concept Plan for Pikeview Manor (File #18-16). A proposed 6 Lot Major Residential Cluster Subdivision with a 31 acre greenspace (Section 5.7D(2) of the Zoning Ordinance).

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|-------------------------|--|-----------------------------|
| APPLICANT: | R & D Investments LLC. | |
| OWNER: | Same as above | |
| DEVELOPER: | Same as above | |
| SURVEYOR/ENGINEER: | Roberts Land Surveying | |
| PROPERTY LOCATION: | At the corner of Shepherdstown Pike and Rawhide Lane | |
| LEGAL DESCRIPTION: | <p style="text-align: center;">Tax Dist.: Shepherdstown (09) Tax Map: 18; Parcel 5</p>  | |
| ZONING DISTRICT: | Rural | |
| SURROUNDING PROPERTIES: | North: Rural East: Rural | South: Rural West: Rural |
| LOT AREA: | 43.57 Acres | |
| PROPOSED ACTIVITY: | 6 Lot Major Residential Cluster Subdivision plus a 31 acre greenspace | |
| Approvals | | |
| Concept Plan | Submitted: | 09/11/2018 |
| | Staff Review Meeting: | 09/13/2018 |
| | Staff Approvals: | |
| | County Planner | 09/28/2018 |
| | County Engineer | 09/27/2018 |
| | Acting Zoning Administrator | 09/28/2018 |

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1. Summary of Request

The applicant is proposing a seven (7) Lot Major Subdivision which includes six (6) single family detached residential lots in a cluster subdivision with a 31.0 acre greenspace lot. The applicant is proposing to process under the 1 lot per 5 acre cluster provision which requires a minimum of 50% of the property to be retained as green space which contains no further development rights. The proposed name of Pikeview Manor requires approval of the GIS/Addressing Department.

2. Site Capacity and Proposed Development

In April, 2018, staff determined that the property identified as Shepherdstown District (09), Tax Map: 18, Parcel: 5 contains approximately 45.5 acres and is the residue parcel to a larger 61.92 acre parent parcel (which existed in 1988). Based on the following analysis, the 45.5 acres is able to be further subdivided as a cluster subdivision in accordance with Section 5.7D.2 of the Zoning Ordinance:

- 12 Lots were permitted to be divided under the Cluster provisions, based on the 61.92 acreage
- 2 Lots were subdivided in 1992 (PB 10, PG 81);
one (1) Lot was divided subsequent to the April meeting (PB 25, PG 695) as a Minor Subdivision
- The remaining 43.57 acres has the right to divide 9 additional lots utilizing the Cluster Provisions
- 30.96 acres is required to be retained as green space area (50% of the 1988 acreage)

The applicant has submitted a cluster development concept plan proposing 6 clustered lots averaging 2 acres in size and a 31 acre greenspace which is occupied by the existing farmhouse and farm structures. All Cluster Developments are required to process as a Major Subdivision. The applicant is also requesting a waiver to be able to divide off the greenspace by advancing to Final Plat for that lot only. The cluster lots will process as a Major Subdivision. Proposed conditions and notes related to this waiver request are found in the waiver staff report.

The six (6) Single Family lots are proposed to be a minimum of 1.5 acres in size and to front on a cul-de-sac with the proposed name of Pikeview Court. The cul-de-sac will access WV 230 (Shepherdstown Pike) approximately 400 feet south of the intersection of Rawhide Lane and Shepherdstown Pike. As the right-of-way for WV 230 (Shepherdstown Pike) is 40', a 5' highway improvement easement will be required on the Final Plat.

The proposed six (6) lots will contain individual well and septic systems. The proposed greenspace parcel currently contains a 2-story single family brick dwelling with a number of barns and outbuildings. This parcel is currently served by an onsite private well and septic system and has an existing access to Shepherdstown Pike (Route 230). A waiver from 21.203D "Access to Existing Roads" will be required to allow continued use of this separate access to the greenspace lot.

Required green space for this cluster subdivision is 30.96 acres (50% of parent tract based on 1988 acreage). The applicant is proposing a 31.00 acres. A separate storm water management area will be provided with the cluster lot portion of the subdivision.

3. Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the amended Subdivision Regulations, the Concept Plan process incorporates a sufficiency and completeness review in a single step. Staff found the submitted plan "sufficient" upon

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resubmittal (i.e. meeting all requirements of Section 24.110 of the Jefferson County Subdivision and Land Use Regulations). In addition to the Concept Plan requirements of the Subdivision Regulations, a Cluster Subdivision is required to meet the Concept Plan requirements of Section 5.7D(2)(b)(iv) and are required to process as a Major Subdivision. Some of these requirements are found in the separate supplemental information packet, with the pages referenced below. The Concept Plan requirements, as well as the current review status for each requirement for the Pikeview Manor application, are provided below:

| Required Items from Section 24.110(A-J) | Description | Staff Comments |
|--|--|---|
| B. Submission Contents | The submission shall contain the following elements: | |
| 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 (Page 1 & 2) |
| 2. Concept Plan | A Concept Plan shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, Plan & Plat Standards. | Provided |
| 3. Zoning Information | This shall include: a) Determination of the zoning district in which the proposed project is situated. b) Density calculations. c) Site resource map. | Provided based on Cluster provisions of Rural District (Page 2) |
| 4. Proposal Description | This site shall be 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 (Page 3) |
| 5. Traffic Impact Data | This shall include: 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. A “key intersection” is defined as any intersection with a primary or secondary highway 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 (Page 4) |

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| <p>Trip Generation</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 will be required which includes generators, etc. unless waived by WV DOH. This type of study should be performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative.</p> | <p>Trip generation is less than 100; approval from WVDOH required with Preliminary Plat</p> |
| <p>6. Agency Reviews</p> | <p>The reviewing agencies shall conduct reviews of the proposed concept plan. Agency comments shall be received by the Department fourteen (14) days prior to the schedule public workshop. The applicant shall distribute the concept plan to all reviewing agencies no later than 7 days after the review. Reviewing agencies are found in Section 23.203 and 23.204. Applicant shall provide copy of letters sent to outside agencies to the Departments of Planning and Zoning within 7 days of submission of Concept Plan. If any review agency fails to respond, they shall be deemed by these Regulations to have approved the plan.</p> | <p>Letters to required agencies provided; response received from WV DOH, Jefferson County Health Dept., GIS/Addressing, and JCHLC (see below)</p> |
| <p>7. Adjoining Property</p> | <p>Accurate list of all properties and owners' addresses adjoining the subject property to be notified by staff of the date of the workshop.</p> | <p>Provided</p> |
| <p>8. Other Data</p> | <p>Because this is a cluster subdivision being developed under Section 5.7D(2) of the Zoning Ordinance the Concept Plan is also required to address the following requirements:</p> | <p>See below</p> |
| | <p>(1) Soils: The cluster plan should minimize the use of the higher quality soils (class I, II and III as designated in the soils classification study) and maximize the use of steeper sloped areas, areas of poorer soils and areas which are otherwise less productive for agricultural uses.</p> | <p>All the property is in Class 2 or 3; 43% of the lot is PmC soils which are class 3e, found on hillslopes with 8-15% slopes 24.8% of the lot is Fk soils which are class 2w, found in drainageways</p> |
| | <p>(2) Surrounding land use and zoning: The cluster plan shall consider the existing land uses and zoning in the vicinity. Generally, new lots which are adjacent to existing development or residential zoning are preferred to creating an isolated cluster of new houses.</p> | <p>The Cluster is proposed adjoining the Mountain Vista Farm subdivision (on Rawhide Lane), a large lot residential development</p> |

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| 9. Other Reviews | Any other staff or agency reviews of the plans. | GIS/Addressing is required to approve subdivision and road names |
| C. Review Content | The Department and agency reviews shall address the areas indicated in D through G below and any other areas of concern to the agencies. | See below |
| 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. | Staff determined that the proposed Concept Plan met the requirements of the cluster provisions of the Zoning Ordinance and the Subdivision Regulations <u>with the conditions noted below in “Staff Recommendation”</u> |
| E. WVDOH | The WVDOH approval is necessary prior to preliminary plat approval. The County defers to the WVDOH requirements and approval. | Noted |
| F. Traffic Impact | The WVDOH shall determine whether a traffic impact study will be required during the preliminary plat stage. | Defer to WVDOH |
| 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. | Subdivision proposed to be served by well and on-site septic systems |
| H. Recommended Conditions | All reviews shall contain recommended conditions for moving forward to a preliminary plat or reasons why the plat should be denied. | DOH and Board of Health Approval Required before Preliminary Plat approval |
| I. Approval | 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 shall accept or deny the concept plan as complete. | Planning Staff accepts the Concept Plan as complete. |

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| J. Effect | Upon accepting the application as complete, Planning staff shall place it on the next possible Planning Commission agenda as a Public Workshop. Staff shall advertise the Public Workshop in a local newspaper and the applicant shall post notice on the property in accordance with the Subdivision Regulations. | The Concept Plan was scheduled for a Public Workshop consistent with this requirement. |
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4. External Agency Reviews (attached)

- WV Division of Highways (DOH) provided the attached comments stating that they have no concerns with the proposed concept at this time but will need the subdivision to be submitted prior to approval of the highway entrance permit.
- Jefferson County Health Department provided the attached comments stating that they do not have any issues with the proposed subdivision as long as well and septic requirements are met per state code.
- GIS/Addressing provided a copy of a memo requesting that applicant to submit the proposed subdivision and road names for their approval.
- Jefferson County Historic Landmarks Commission (JCHLC) provided comments about the possibility of an unmarked cemetery near the proposed subdivision area and recommends a survey be conducted to locate the boundaries of the cemetery to ensure that the subdivision will not impact any unmarked graves in light of state laws that are referenced in their letter.

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

5. Staff Recommendation related to Concept Plan

The Planning, Zoning and Engineering Staff find the Pikeview Manor Concept Plan to be “complete” based on the information provided related to the criteria above; however, the following standards will need to be addressed prior to approval of the Preliminary Plat.

- a. Section 2.3 of the Subdivision and Land Development Regulations, “Subdivision and Site Development Access Management”, Subsection A, “Subdivision Access to Public Roads” states that, “generally”, individual lots in a subdivision shall not have direct access to public roads and must be served by internal subdivision roads unless otherwise approved by the Planning Commission.

Additionally, Sec. 21.103D of the Subdivision Regulations states that “In all districts where the subdivision for residential use is to occur, lots shall only have access via internal subdivision roads, except for rural lots as provided in Section 20.201”. For these reasons, a waiver will be required prior to the approval of the Preliminary Plat to allow the residue/greenspace lot to have separate access to Shepherdstown Pike. The Planning Commission motion should include this as a condition of approval of the Concept Plan.

This waiver is also on today’s agenda for a Public Hearing.

- b. Section 5.7D(2)(b)(iii) of the Zoning and Land Development Ordinance also requires all clusters of three (3) or more lots to be served by an internal road. Generally a waiver of this standard would require a Zoning Variance approved by the Board of Zoning Appeals;

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however the Zoning Administrator has determined that if the Planning Commission waiver is approved, this variance is not required.

- c. Division of Highways and Board of Health approval are both required prior to Preliminary Plat approval.

Staff recommends approval of the Concept Plan with the conditions noted above which should be included in the Planning Commission motion.

Based on the Zoning Ordinance and Subdivision Regulations, noted above, this project will process as a Major Subdivision and the next step is to process a Preliminary Plat, which will require a Public Hearing. Upon approval of the Preliminary Plat by the Planning Commission, the Final Plat will be administratively reviewed and approved.

- a. The applicant has also expressed an interest in selling the greenspace/residue portion of the property with the existing farmhouse prior to processing the full Major Subdivision for the Cluster. This will require a waiver of the requirement that all cluster developments process as a Major Subdivision to allow the applicant to process the plat dividing off the one greenspace lot of at least 31 acres as a Final Plat without a Preliminary Plat (advanced to Final Plat). Notes shall be placed in the Final and subsequent Preliminary and Final plats explain that the 31 acre greenspace is a part of this Cluster Development.

This waiver is also on today's agenda for a Public Hearing.

6. 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 hearing takes place, or at a subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public hearing is closed.

The Subdivision and Land Development Regulations outline the direction to be provided to the applicant:

“The Planning Commission shall direct the preparation of a Preliminary Plat subject to conditions to be addressed in the 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.”

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

It should be noted that the direction provided to the applicant in the 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

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

File Number: 18-16
Staff Initials: RBB
Total Fee(s): 0

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: RFD INVESTMENTS LLC
Mailing Address: 605 BALTIMORE STREET; MARTINSBURG, WV 25401
Phone Number: 304-676-5588 Email:

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

Name: ROBERTS LAND SURVEYING
Mailing Address: 2068 FARMER ROAD; HERRINGSVILLE, WV 25427
Phone Number: 304-671-5406 Email: Miller002395@frontier.com

Physical Property Details

Physical Address: 5500 BLOCK SHEPHERDSTOWN PIKE
City: SHEPHERDSTOWN JUNCTION State: WV Zip Code: 25442
Tax District: SHEPHERDSTOWN Map No: 18 Parcel No: 5
Parcel Size: 43.5716 Deed Book: 1202 Page No: 527

Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (O/C). Rural (R) is checked.

RECEIVED

SEP 11 2018

JEFFERSON COUNTY PLANNING, ZONING AND ENGINEERING Place Received Date Stamp Here

Handwritten signature of property owner

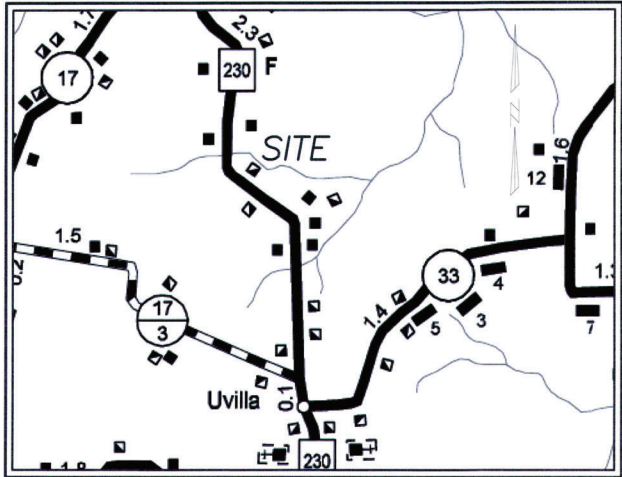
9.10.18

Signature of Property Owner

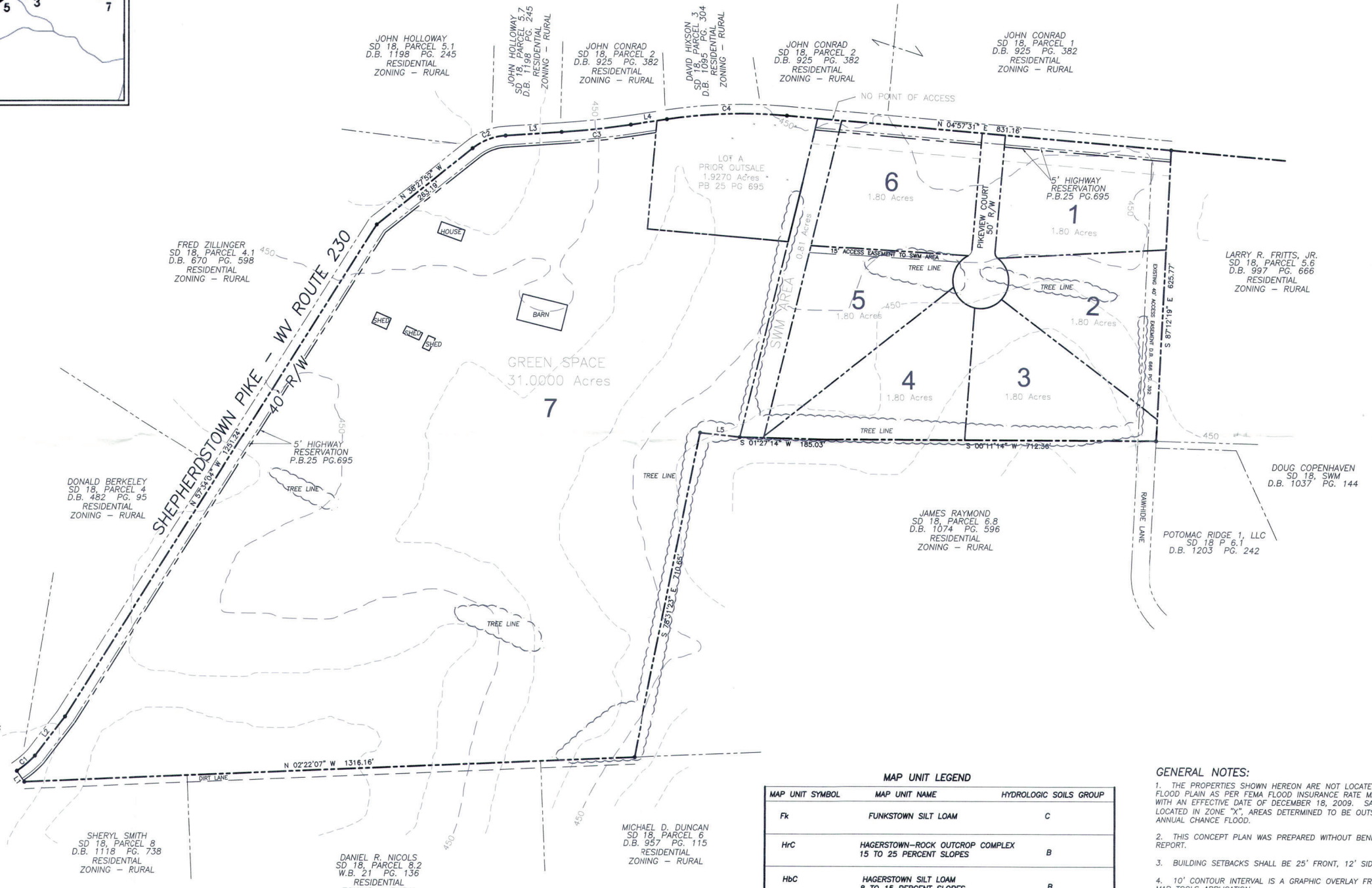
Date

Signature of Property Owner

Date



VICINITY MAP
1 INCH = 3000'



LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 55°57'15" W | 28.63' |
| L2 | N 52°30'14" W | 106.32' |
| L3 | N 03°40'30" W | 120.78' |
| L4 | N 08°34'57" W | 80.21' |
| L5 | S 06°20'24" W | 86.03' |

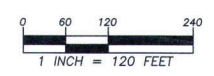
CURVE TABLE

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|----------|-------------|---------------|--------------|
| C1 | 50.15' | 232.61' | 12°21'07" | N 39°58'28" W | 50.05' |
| C2 | 77.09' | 126.96' | 34°47'18" | N 21°04'13" W | 75.91' |
| C3 | 149.91' | 1750.27' | 4°54'26" | N 06°07'43" W | 149.86' |
| C4 | 258.78' | 1095.00' | 13°32'27" | N 01°48'43" W | 258.18' |

MAP UNIT LEGEND

| MAP UNIT SYMBOL | MAP UNIT NAME | HYDROLOGIC SOILS GROUP |
|-----------------|--|------------------------|
| Fx | FUNKSTOWN SILT LOAM | C |
| HrC | HAGERSTOWN-ROCK OUTCROP COMPLEX 15 TO 25 PERCENT SLOPES | B |
| HbC | HAGERSTOWN SILT LOAM 8 TO 15 PERCENT SLOPES | B |
| PmC | POPLIMENTO SILT LOAM 8 TO 15 PERCENT SLOPES | B |
| PmB | POPLIMENTO SILT LOAM 3 TO 8 PERCENT SLOPES | B |

- GENERAL NOTES:**
1. THE PROPERTIES SHOWN HEREON ARE NOT LOCATED IN A 100 YEAR FLOOD PLAIN AS PER FEMA FLOOD INSURANCE RATE MAP 54037C 045E WITH AN EFFECTIVE DATE OF DECEMBER 18, 2009. SAID PARCEL IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.
 2. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
 3. BUILDING SETBACKS SHALL BE 25' FRONT, 12' SIDE AND 20' REAR.
 4. 10' CONTOUR INTERVAL IS A GRAPHIC OVERLAY FROM THE FEMA MAP TOOLS APPLICATION.
 5. SUBJECT PROPERTY IS CURRENTLY ZONED RURAL.
 6. SWM PARCEL SHALL BE OWNED BY THE FUTURE HOA AND WILL NOT BE A RESIDENTIAL LOT FOR HOME CONSTRUCTION.
 7. ALL AREA OF THE PROPERTY OVER 10% SLOPE SHALL BE MAINTAINED IN NATURAL CONDITION IN ACCORDANCE WITH TABLE 22504 OF THE SUBDIVISION REGULATIONS.



ROBERTS LAND SURVEYING
2068 PALMER ROAD - HEDGESVILLE, WV 25427
304.671.5406
miker002395@frontier.com

CONCEPT PLAN
PIKEVIEW MANOR
PROPERTY OF
R & D INVESTMENTS, LLC
DEED BOOK 1202 PAGE 527 ~ TAX MAP 18, PARCEL 5
SHEPHERDSTOWN DISTRICT ~ JEFFERSON COUNTY, WV

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SEP 26 2018

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

| REV. | DATE | REVISION COMMENTS |
|------|----------|-------------------|
| 01 | 09-25-18 | MSR |
| 02 | | |
| 03 | | |
| 04 | | |
| 05 | | |
| 06 | | |
| 07 | | |
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| 16 | | |
| 17 | | |
| 18 | | |
| 19 | | |
| 20 | | |

DATE: 05-01-18
DRAWN: RLW
CHECKED: MSR
SCALE: 1"=120'
DWG NO. 18-011
SHEET 1 OF 1

#2 Review Print

RECEIVED

SEP 26 2018

PIKEVIEW MANOR GENERAL LOCATION MAP

JEFFERSON COUNTY PLANNING
COMMISSION ENGINEERING



DATE: 09-10-18
 DRAWN: MSR
 CHECKED: MSR
 SCALE: N/A

ROBERTS LAND SURVEYING
 2068 PALMER ROAD - HEDGESVILLE, WV 25427
 304.671.5406
 miker002395@frontier.com

REV: 9/26/18

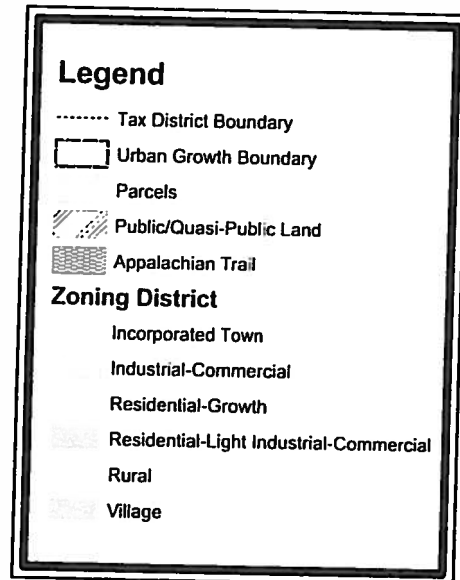
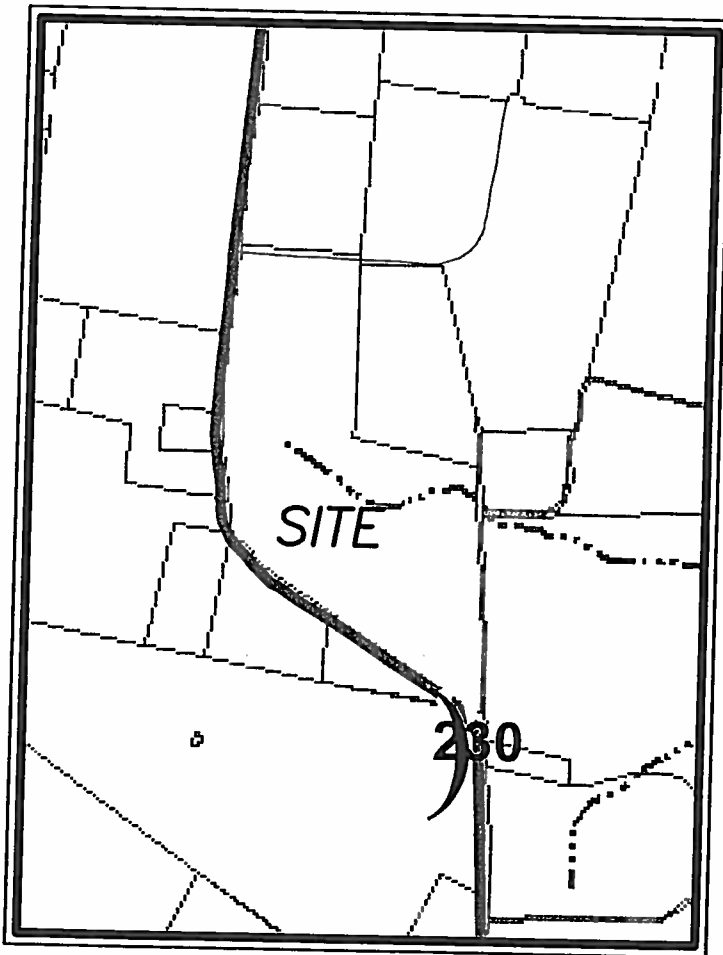
PIKEVIEW MANOR ZONING INFORMATION

a.) SUBJECT PROPERTY IS CURRENTLY ZONED "RURAL"

b.) DENSITY CALCULATIONS FOR CLUSTER DEVELOPMENT

| | |
|---|------------------------------|
| 1988 AREA | 61.92 AC. |
| 2018 AREA | 43.57 AC. PER PB 25, PG. 695 |
| 6 LOTS on 12.57 AC. | 1/2.1 AC. |
| REQUIRED GREEN SPACE (PER ZONING DETERMINATION) | 30.96 AC. |
| PROVIDED GREEN SPACE | 31.00 AC. |

c.) ZONING MAP



DATE: 09-10-18
 DRAWN: MSR
 CHECKED: MSR
 SCALE: N/A

ROBERTS LAND SURVEYING
 2068 PALMER ROAD – HEDGESVILLE, WV 25427
 304.671.5406 miker002395@frontier.com

REV. 9/26/18

PIKEVIEW MANOR PROPOSAL DESCRIPTION

THIS PROJECT PROPOSES SIX (6) SINGLE FAMILY (DETACHED) RESIDENTIAL LOTS AND A GREENSPACE PARCEL ON 43.57 ACRES (TAX MAP PARCEL 5) PER PB 25 PG 695, WHICH IS CURRENTLY ZONED "RURAL". THE SINGLE FAMILY LOTS WILL BE A MINIMUM OF 1.5 ACRES IN SIZE AND HAVE FRONTAGE ON INTERIOR CUL-DE-SAC STREET. THE INTERIOR STREETS WILL ACCESS WV ROUTE 230 (SHEPHERDSTOWN PIKE), 1.2 MILES SOUTH OF THE INTERSECTION OF WV ROUTE 230 AND WV SECONDARY ROUTE 17 (FLOWING SPRING ROAD). THE SIX SINGLE FAMILY LOTS WILL CONTAIN INDIVIDUAL ON-SITE SANITARY DRAINFIELDS AND WATER WELLS.

THE GREENSPACE PARCEL IS CURRENTLY IMPROVED BY A 2 STORY BRICK RESIDENCE AND VARIOUS BARNs AND SHEDS. THE MAXIMUM DENSITY FOR THIS CONCEPT PLAN (TAX MAP PARCEL 5) IS 1/6.22.

STORM WATER MANAGEMENT FOR THIS PROJECT SHALL BE PROVIDED ON A PERMANENT DRAINAGE EASEMENT PARCEL TO BE AT THE REAR OF LOTS, AS NEEDED. NO SWM FACILITIES SHALL BE ON INDIVIDUAL LOTS THAT THE LOT OWNER WILL NEED TO PROVIDE. THE PROPOSED SWM PARCEL SHALL BE AN HOA PARCEL AND IS NOT A BUILDABLE RESIDENTIAL LOT. STORM WATER MANAGEMENT DESIGN TO BE PROVIDED DURING THE PRELIMINARY PLAT STAGE.

WVDOH CURRENTLY MAINTAINS A 40' WIDE RIGHT OF WAY (20' ON EITHER SIDE OF THE CENTERLINE) ON WV ROUTE 230 (SHEPHERDSTOWN PIKE). A 5' RIGHT OF WAY RESERVATION WILL BE PROVIDED ALONG THE ROUTE 230 FRONTAGE.

REQUIRED GREEN SPACE FOR THE CLUSTER DEVELOPMENT IS 30.96 (PER ZONING DETERMINATION) ACRES. PROVIDED GREEN SPACE IS 31.00 ACRES.

COVENANTS AND RESTRICTIONS FOR THIS PROJECT HAVE NOT YET BEEN DETERMINED AND WILL BE SUBMITTED AS PART OF THE PRELIMINARY PLAN SUBMISSION PACKAGE.

DATE: 09-10-18
DRAWN: MSR
CHECKED: MSR
SCALE: N/A

ROBERTS LAND SURVEYING
2068 PALMER ROAD - HEDGESVILLE, WV 25427
304.671.5406 miker002395@frontier.com

Rev: 9/26/18

PIKEVIEW MANOR TRAFFIC IMPACT DATA

a.) TRAFFIC COUNT (WV ROUTE 230), PER WVDOT AT THE SITE ADT=2,103

b.) PROJECT AVERAGE DAILY TRIP DATA (SINGLE FAMILY - PEAK HOUR)

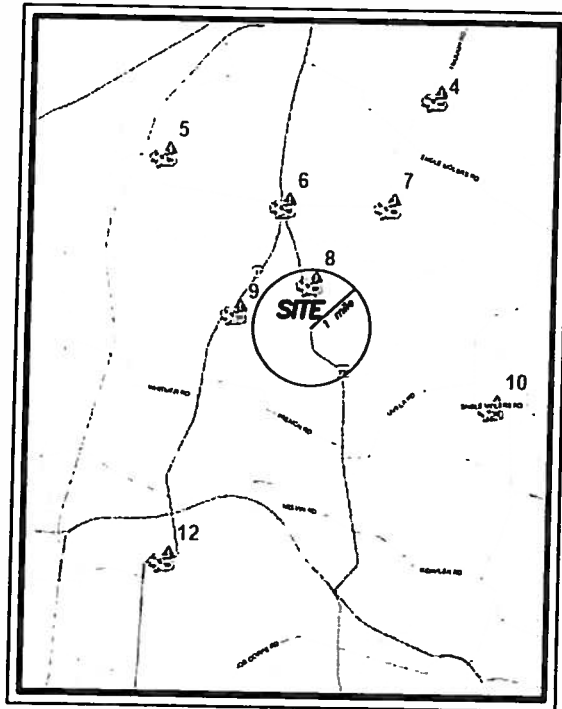
WV SEC. RT. 230 (6 LOTS)
WV SEC. RT. 230 (GREENSPACE)

ADT=48
ADT=8

c.) THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF WV ROUTE
(SHEPHERDSTOWN PIKE), 1.2 MILES SOUTH OF THE INTERSECTION OF WV ROUTE 230
AND WV SECONDARY ROUTE 17 (FLOWING SPRINGS ROAD), WHICH IS THE NEAREST "KEY
INTERSECTION".

d.) HIGHWAY PROBLEM AREA #8 IS WITHIN 1 MILE RADIUS OF SITE.

Highway Problem Areas
Jefferson County, WV



e.) TRIP GENERATION ($0.8 \times 56 = 44.8$ PEAK HOUR) IS LESS THAN 100, A TRAFFIC STUDY
IS NOT REQUIRED.

DATE: 09-10-18
DRAWN: MSR
CHECKED: MSR
SCALE: N/A

ROBERTS LAND SURVEYING
2068 PALMER ROAD - HEDGESVILLE, WV 25427
304.671.5406
miker002395@frontier.com

REV: 9/26/18

PIKEVIEW MANOR

ADJOINING PROPERTY OWNER INFORMATION

SHEPHERDSTOWN DISTRICT – TAX MAP 18

PARCELS 1 & 2
JOHN CONRAD
25 RICH VALLEY ROAD
WAYLAND, MA 01778

PARCEL SWM
DOUG COPENHAVER
12680 BACK CREEK VALLEY ROAD
HEDGESVILLE, WV 25427

PARCEL 3
DAVID HIXSON
5527 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 6.1
DOUG COPENHAVER
12680 BACK CREEK VALLEY ROAD
HEDGESVILLE, WV 25427

PARCEL 4
DONALD BERKELEY
PO BOX 1252
SHEPHERDSTOWN, WV 25443

PARCEL 6.2
CHRISTIAN C. CURTIN
353 RAWHIDE LANE
SHENANDOAH JUNCTION, WV 25442

PARCEL 4.1
FRED ZILLINGER
PO BOX 3638
SHEPHERDSTOWN, WV 25443

PARCEL 6.7
DAVID M. BRANNAN
86 HIDDEN VALLEY CIRCLE
SHEPHERDSTOWN, WV 25443

PARCEL 5.1
JOHN HOLLOWAY
5423 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 6.8
JAMES RAYMOND
164 RAWHIDE LANE
SHENANDOAH JUNCTION, WV 25442

PARCEL 5.6
LARRY FRITTS
5730 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 8
SHERYL SMITH
52 RECREATION LANE
FALLING WATERS, WV 25419

PARCEL 5.7
JOHN HOLLOWAY
5423 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 8.2
DANIEL R. NICHOLS
PO BOX 63
SHEPHERDSTOWN, WV 25443

PARCEL 8.1
DANIEL R. NICHOLS
P.O. BOX 112
SHEPHERDSTOWN, WV 25443

PARCEL 6
MICHAEL D. DUNCAN
5104 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 9
LINK FARM, LLC
17 MILE POST LANE
PITTSFORD, NY 14536

TAX MAP 20

PARCEL 9
LESLIE CROMER
4937 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

PARCEL 7
FRANCIS D. DUNCAN
5102 SHEPHERDSTOWN PIKE
SHENANDOAH JUNCTION, WV 25442

DATE: 09-10-18
DRAWN: MSR
CHECKED: MSR
SCALE: N/A

ROBERTS LAND SURVEYING
2068 PALMER ROAD – HEDGESVILLE, WV 25427
304.671.5406
miker002395@frontier.com

RSJ.: 9/26/18

SHT 5

From: [Willis, Trixie A](#)
To: [Planning Department](#)
Cc: miker002395@frontier.com
Subject: Pikeview Manor - WV 230 - 7 lot concept
Date: Monday, October 15, 2018 10:50:02 AM

WVDOH is OK with the concept of the subject project.
However, the developer will need to provide full site plan for our review.
Thanks,

Trixie Willis

Encroachment Permit Reviewer

WVDOH

District Five

P.O. Box 99

2120 Northwestern Turnpike

Burlington, WV 26710

304-289-2229

From: [Phillipson, Danielle R](#)
To: miker002395@frontier.com; [Planning Department](#)
Subject: Concept Plan for Pikeview Manor
Date: Tuesday, October 9, 2018 1:08:17 PM
Attachments: [image001.gif](#)

Good Afternoon,

The Health Department does not see any issues with the concept plan we received regarding Pikeview Manor, as long as septic and well requirements are met per state code.

Sincerely,

Danielle O'Alli EH

Jefferson County Health Department
304-728-8416 Extension 3021



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: October 3, 2018

Subject: Pikeview Manor – Major Subdivision – CP

DPZ File: 18-16

- 1) All road names must be approved through our office. Please submit a road name request form (attached) to our office, listing 3 possible choices for your road name in case your first choice is not approved. Note: Road names do not include the suffix (ex: Shepherdstown Pike and Shepherdstown Road would be considered to have the same road name). Please make sure your choices have 3 different road names.

Please review our Road Name Index to make sure your choices are not duplicates of or confusingly similar to existing road names; the RNI can be found online at this URL:

<http://www.jeffersoncountywv.org/county-government/departments/gis-addressing/addressing/road-subdivision-indexes>

Note: Upon initial review, the name “Pikeview Court” will likely be approved.

- 2) All subdivision names must also be approved through our office. Please submit a subdivision name request form (attached) to our office, listing 3 possible choices for your subdivision name in case your first choice is not approved.

Please review our Subdivision Index to make sure your choices are not duplicates of or confusingly similar to existing subdivision names; the Index can be found online at this URL:

<http://www.jeffersoncountywv.org/county-government/departments/gis-addressing/addressing/road-subdivision-indexes>

Note: Upon initial review, the name “Pikeview Manor” will likely be approved.

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



October 25, 2018

Michael Roberts
Roberts Land Surveying
2068 Palmer Road
Hedgesville, WV 25427

Re: Jefferson County Concept Plan Submittal
Pikeview Manor subdivision

Dear Mr. Roberts,

I have reviewed the Concept Plan for the Pikeview Manor Subdivision, submitted to the JCHLC by Roberts Land Surveying of Hedgesville, West Virginia on September 20, 2018. The submittal documents outline the proposed site plan and topography of the proposed residential subdivision situated East off of Shepherdstown Pike just south of Rawhide Lane in Jefferson County, West Virginia.

One Category III Historic Resource (Hendricks Farm Tenant House) is located just south of the Area of Potential Effect (APE) of the proposed subdivision. An unmarked, possible slave, cemetery is also located south of the APE. While the Hendricks Farm Tenant House is not an issue, the unmarked cemetery is of concern. Since the exact boundaries of the cemetery are unknown a survey should be undertaken to ensure the proposed subdivision will not impact the cemetery.

Because of the possibility of violating either of the two WV State burial laws ([Protection of Human Skeletal Remains, Grave Artifacts and Grave Markers \(WV Code §29-1- 8a, et seq\)](#); [Disinterment or displacement of dead body or part thereof \(WV Code §61-8-14\)](#)) the JCHLC recommends that a survey be conducted to locate the boundaries of the cemetery and ensure that the subdivision will not impact any unmarked graves. The JCHLC would like to review any surveys conducted before we will give our endorsement to this project.

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

A handwritten signature in blue ink that reads "Ben W. Horter".


Ben Horter
Commissioner, JCHLC
P.O. Box 23
Charles Town, WV 25414
703-789-5086
Benhorter1@gmail.com

Cc: Jefferson County Planning Department (via email)
Mr. Martin Burke, JCHLC Chair (via email)

Staff Report
 Jefferson County Planning Commission Meeting
 November 13, 2018

**Pikeview Manor PCW File #18-15
 (Concept Plan File #18-16)**

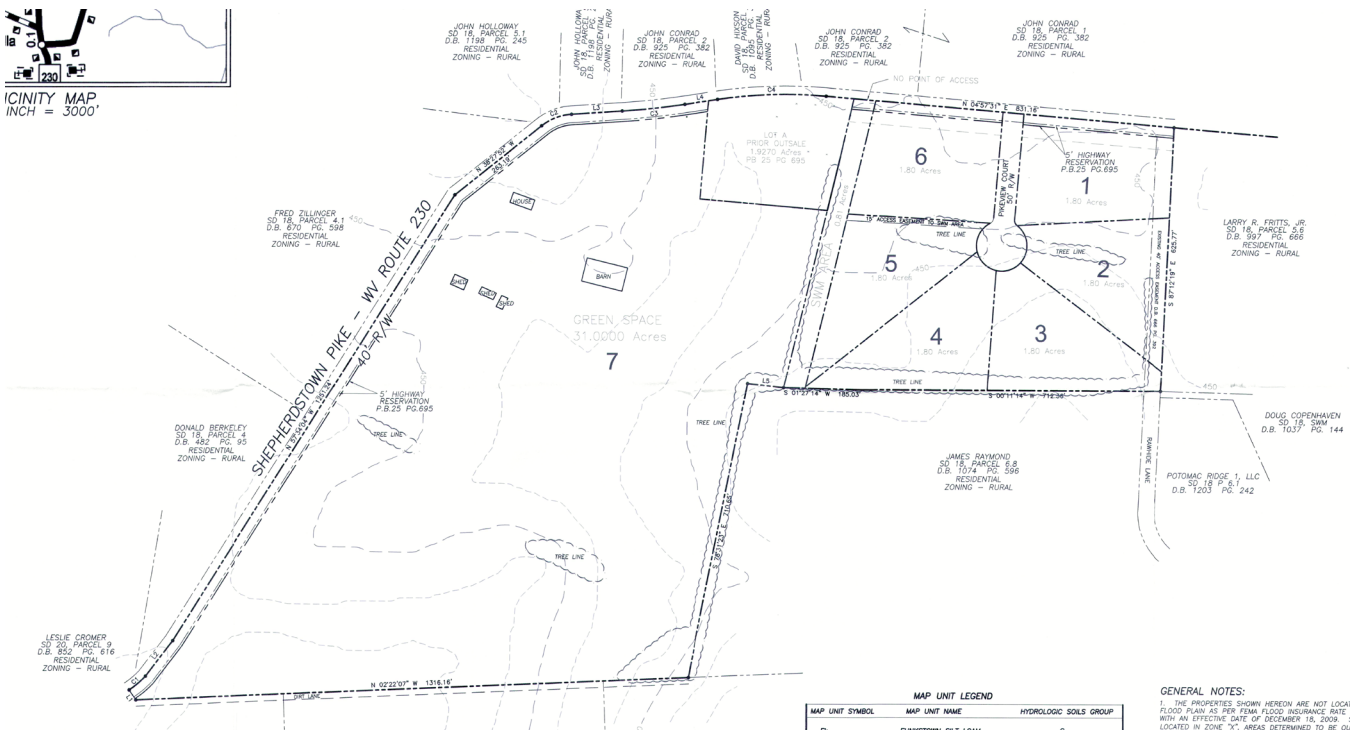
Item #5: Waiver Request for Pikeview Manor Cluster Subdivision (PCW#18-15). Applicant is requesting a waiver from Section 21.103D of the Subdivision Regulations, “Access to Existing Roads”, which requires all lots to access internal subdivision roads. The applicant is requesting a separate entrance to the green space parcel, at its current WVDOH permitted entrance, rather than accessing from the proposed street shown on the cluster plan.

| | | | | | |
|----------------------------|---|--------------|--------------|-------------|-------------|
| APPLICANT: | R&D Investments, LLC. | | | | |
| OWNER/DEVELOPER: | Same as above | | | | |
| SURVEYOR/ENGINEER: | Mike Roberts, Roberts Land Surveying | | | | |
| PROPERTY LOCATION: | 5388 Shepherdstown Road | | | | |
| LEGAL DESCRIPTION: | <p style="text-align: center;">District: Shepherdstown (09); Map: 18; Parcel: 05</p>  | | | | |
| SURROUNDING PROPERTIES: | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">North: Rural</td> <td style="width: 50%;">South: Rural</td> </tr> <tr> <td>East: Rural</td> <td>West: Rural</td> </tr> </table> | North: Rural | South: Rural | East: Rural | West: Rural |
| North: Rural | South: Rural | | | | |
| East: Rural | West: Rural | | | | |
| LOT AREA: | 43.5716 Acres | | | | |
| APPROVED ACTIVITY: | Cluster Subdivision | | | | |
| APPROVALS: | Submitted: 09/11/18 | | | | |
| Concept Plan (File #18-16) | Determined Sufficient and Complete: 09/13/18 | | | | |

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Background:

The existing 45.5 acre property is located east of Shepherdstown Pike (WV 230) just south of Rawhide Lane. The property is zoned Rural and is proposed to be developed under the Cluster Provisions of the Zoning Ordinance. The applicant has submitted a cluster development concept plan proposing 6 clustered lots averaging 2 acres in size and a 31 acre greenspace (Lot 7 below), which is occupied by the existing farmhouse and farm structures. All Cluster Developments are required to process as a Major Subdivision. The Concept Plan for this development was also on today's Planning Commission agenda and may have included comments and direction from the Planning Commission in their motion.



The Request

This waiver request (PCW#18-15) is to be permitted to waive the requirement of Section 21.103D of the Subdivision Regulations, "Access to Existing Roads". This section requires all lots to access internal subdivision roads. The applicant is requesting a separate entrance to the green space parcel (Lot 7), at its current WVDOH permitted entrance, rather than accessing from the proposed Pikeview Court shown on the cluster plan above.

Waiver Requirements

Division 24.300 of the Jefferson County Subdivision and Land Development Regulations states that waivers from the minimum standards in these Regulations, as well as process and procedural waivers, may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

- (1) That 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;
- (2) That the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) That the waiver, if granted, will be in keeping with the intent and purpose of these Regulations;
and
- (4) That the waiver if granted will result in a project of better quality and/or character.

The applicant has addressed these criteria in their application.

Staff Discussion

It should be noted that in addition to the requirements of “Subdivision Access to Public Roads” found in Section 2.3 of the Subdivision and Land Development Regulations, Section 21.103D of the Subdivision Regulations states that “In all districts where the subdivision for residential use is to occur, lots shall only have access via internal subdivision roads, except for rural lots as provided in Section 20.201”. Section 5.7D(2)(b)(iii) of the Zoning and Land Development Ordinance also requires all clusters of three (3) or more lots to be served by an internal road. Generally a waiver of this standard would require a Zoning Variance approved by the Board of Zoning Appeals; however the Zoning Administrator has determined that if the Planning Commission waiver is approved, this variance is not required.

There is a provision in Section 20.201A.2 which applies to Minor Subdivisions in the Rural Zoning District which permits lots having a minimum road frontage of 200 feet to have a single access onto an existing WV DOH right-of way or easement or a road in a major subdivision that meets county roadway design standards. Lot 7, the proposed greenspace lot, has nearly 1,800 feet of frontage on WV 230 (Shepherdstown Pike) and has an approved WV DOH entrance permit for the existing driveway. Because the Zoning Ordinance requires all Cluster developments to process as a Major Subdivision, this provision cannot be administratively applied to this lot. For these reasons, a waiver is required prior to the approval of the Preliminary Plat to allow the residue/greenspace lot to have separate access to Shepherdstown Pike.

Staff Recommendation

Staff agrees that approving this waiver request will allow the existing farmhouse and associated rural structures to retain the rural character of the property. Allowing the farmhouse to retain its historic access rather than requiring it to create a long connecting drive to the proposed Pikeview Court is in keeping with the intent of the cluster provisions and will enable the greenspace lot to exist as a farm of its own. Approval should be conditioned on receipt of an updated letter or valid permit from the WV DOH.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: PCW18-15
 Mtg Date: 11/13/18
 Date Rec'd: 10/22/18
 Fees Paid: 100-
 Staff Int: EBB
 List of Adjoiners:

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

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

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: RID INVESTMENTS, LLC
 Business Name: _____
 Mailing Address: 605 BALTIMORE STREET MARTINSBURG, WV 25401
 Phone Number: 304-676-5588 Email: _____

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: MICHAEL ROBERTS
 Business Name: ROBERTS LAND SURVEYING
 Mailing Address: 2068 PRINCE RD. HERRINGTONS, WV 25427
 Phone Number: 304-671-5406 Email: mike.002395@frontier.com

Physical Property Details

Physical Address: 5388 SHEPHERDSTOWN RUN Vacant Lot:
 Tax District: SHEPHERDSTOWN Map No: 18 Parcel No: 5
 Parcel Size: 43.5716 Deed Book: 1202 Page No: 527
 Zoning District: RURAL

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

Section 21.203D 21.103D

OCT 22 2018

Briefly Describe the Nature of Your Waiver Request:

SECTION 21.203D REQUIRES ALL LOTS TO HAVE ACCESS VIA THE INTERNAL SUBDIVISION RUDS. THE APPLICANT WISHES TO PROVIDE AN ENTRANCE TO THE ORGELSPRICE PARCEL AT ITS CURRENT WIDTH PERMITTED ENTRANCE, NOT THE PROPOSED STREET SHOWN ON THE CLUSTER PLAN.

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.

THE GREEN SPACE PARCEL (31.00 AC.) IS CURRENTLY SERVED BY AN EXISTING WE DON ENTRANCE PERMIT # 05-2018-0393.

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.

AN ENTRANCE PERMIT WAS APPROVED BEING ISSUED FOR THE SINGLE ENTRANCE FOR THE GREEN SPACE PARCEL

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

THE EXISTING SINGLE ENTRANCE FOR THE GREEN SPACE PARCEL WILL BE KEEPING WITH THE RURAL NATURE OF THE FARMETTE / GREEN SPACE PARCEL.

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

WAIVER WOULD ALLOW THE USE OF EXISTING WE DON PERMITTED ENTRANCE AND REDUCE THE DENIED LENGTH FOR THE GREEN SPACE PARCEL (APPROXIMATELY 1200')

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

Property Owner/Applicant Signature _____ Date 9/19/18

Property Owner/Applicant Signature _____ Date _____

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

Public Hearing Date _____ Date Placard Posted _____ Date Adjainers Mailed _____

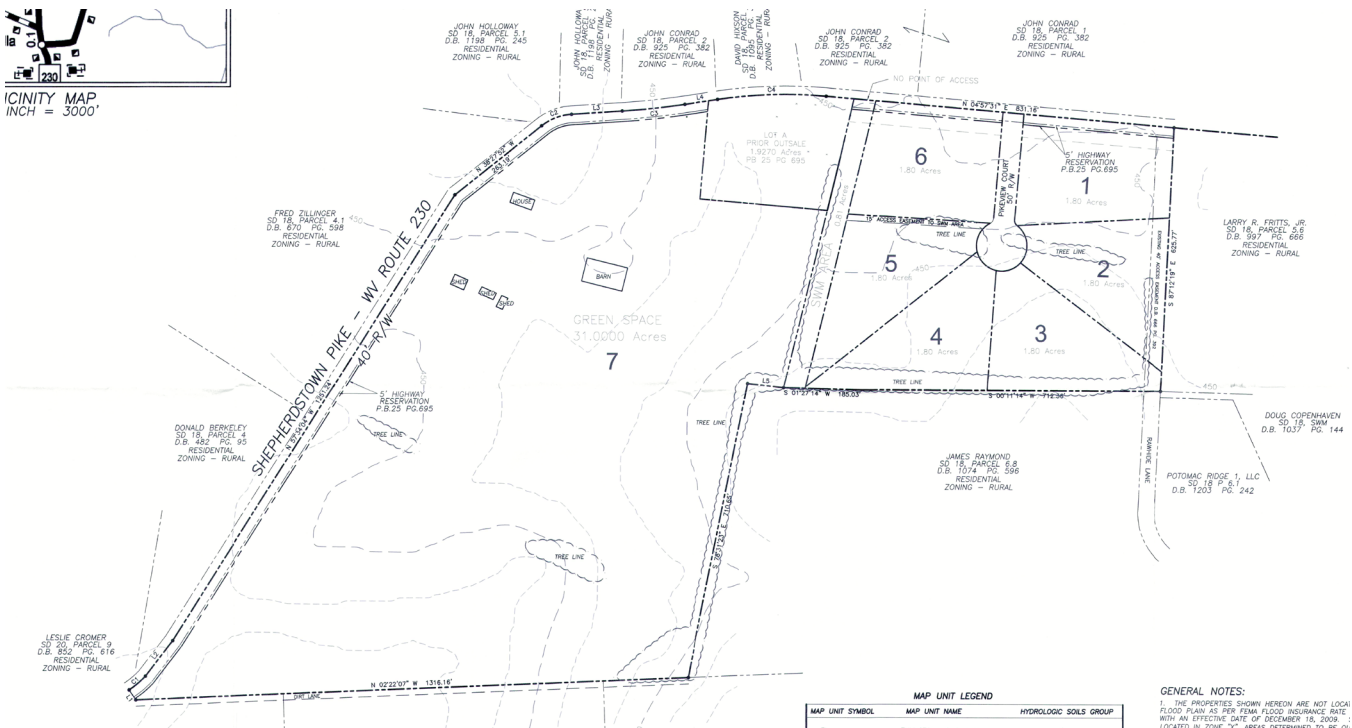
Planning Commission Determination

Approved Denied Date: ___ / ___ / ___

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Background:

The existing 45.5 acre property is located east of Shepherdstown Pike (WV 230) just south of Rawhide Lane. The property is zoned Rural and is proposed to be developed under the Cluster Provisions of the Zoning Ordinance. The applicant has submitted a cluster development concept plan proposing 6 clustered lots averaging 2 acres in size and a 31 acre greenspace (Lot 7 below) which is occupied by the existing farmhouse and farm structures. All Cluster Developments are required to process as a Major Subdivision. The Concept Plan for this development was also on today's Planning Commission agenda and may have included comments and direction from the Planning Commission in their motion.



The Request

This waiver request (PCW#18-16) is a request to waive the requirements of Sections 24.113 – 23.115 of the Subdivision and Land Development Regulations for the purpose of being able to divide off the greenspace lot only (Lot 7 above) without processing a Preliminary Plat. Because the Zoning Ordinance requires all cluster developments to process as a Major Subdivision, there is no administrative way to allow this one lot division as a Minor Subdivision. Therefore, the applicant is requesting to “advance to the final plat” for purposes of creating the green space parcel only. The applicant will process a full Major Subdivision for the balance of the cluster

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Waiver Requirements

Division 24.300 of the Jefferson County Subdivision and Land Development Regulations states that waivers from the minimum standards in these Regulations, as well as process and procedural waivers, may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) That 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;
- (2) That the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) That the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) That the waiver if granted will result in a project of better quality and/or character.

The applicant has addressed these criteria in their application.

Staff Comments and Recommendation

This waiver is only required because the Zoning Ordinance requires all Cluster developments to process as a Major Subdivision. Generally a subdivision of one lot in the Rural District would be permitted to process as a Minor Subdivision provided it met all of the development standards in the Subdivision Regulations. In this case, staff believes that it is reasonable to allow the greenspace to be divided off essentially as a minor subdivision, by allowing it to “advance to final plat” for the purpose of this division only. The approval should clearly state that the balance of the cluster development will be required to process as a Major Subdivision unless a separate waiver is applied for and approved.



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OCT 22 2018

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

Jefferson County, West Virginia
Department of Engineering, Planning and Zoning
Office of Planning and Zoning
116 E. Washington Street, 2nd Floor
P.O. Box 716
Charles Town, West Virginia 25414

File #: PCW18-16
Mtg Date: 11/13/18
Date Rec'd: 10/22/18
Fees Paid: 100
Staff Int: PBB
List of Adjoiners:

Email: planningdepartment@jeffersoncountyvva.org
zoning@jeffersoncountyvva.org

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

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: RFD INVESTMENTS, LLC
Business Name: _____
Mailing Address: 605 BALTIMORE STREET MARTINSBURG, WV 25401
Phone Number: 304-676-5588 Email: _____

Applicant Contact Information

Applicant Name: _____ Same as owner:
Business Name: _____
Mailing Address: _____
Phone Number: _____ Email: _____

Consultant Information

Name: MICHAEL ROBERTS
Business Name: ROBERTS LAND SURVEYING
Mailing Address: 2068 PRIMER ROAD HERRINGSVILLE, WV 25127
Phone Number: 304-671-5406 Email: miller00295@centier.com

Physical Property Details

Physical Address: 5388 SHEPHERDSTOWN RD. Vacant Lot:
Tax District: SHEPHERDSTOWN Map No: 18 Parcel No: 5
Parcel Size: 43.5716 AC Deed Book: 1202 Page No: 527
Zoning District: RURAL

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

SECTION 20.202 24.113-15 MR

Briefly Describe the Nature of Your Waiver Request:

SECTION 20.202 REQUIRES ALL CLUSTER SUBDIVISIONS TO BE PROCESSED AS A MAJOR SUBDIVISION. THE APPLICANT WISHES TO SUBMIT A MINOR SUBDIVISION APPLICATION TO CREATE A MINOR SUB-DIVISION WHICH WOULD SEPARATE THE PROPOSED GREEN SPACE PLOT PRIOR TO THE SUBMISSION OF A MAJOR SUBDIVISION APPLICATION. APPLICANT WISHES TO APPEAL TO FINAL PLAN FOR PURPOSES OF CREATING THE GREEN SPACE PLOT ONLY AT THIS TIME. AND UPON PROCESS A FULL MAJOR SUBDIVISION FOR THE BALANCE OF THE CLUSTER.

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.

GREEN SPACE PARCEL WILL CREATE 31.00 ACRES OF GREEN SPACE / FARMETTE WITH AN EXISTING BRICK RESIDENCE AND OUTBUILDINGS

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.

GREEN SPACE PARCEL IS CURRENTLY PROPOSED AS A CLUSTER SUBDIVISION APPLICATION - NO NEW CONSTRUCTION IS PROPOSED ON THE GREEN SPACE PARCEL

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

THIS WAIVER WOULD ALLOW THE RECORDATION OF THE GREEN SPACE PARCEL PRIOR TO THE SUBMISSION OF THE MAJOR SUBDIVISION APPLICATION, WHICH APPLICATION IS PERMITTED IN THE ORDINANCE

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

THIS WAIVER WOULD ALLOW THE GREEN SPACE PARCEL TO BECOME PERMANENT GREENSPACE AT AN EARLY DATE, PRIOR TO THE MAJOR SUBDIVISION APPLICATION.

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

Property Owner/Applicant Signature

9/19/18
Date

Property Owner/Applicant Signature

Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

Public Hearing Date

Date Placard Posted

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

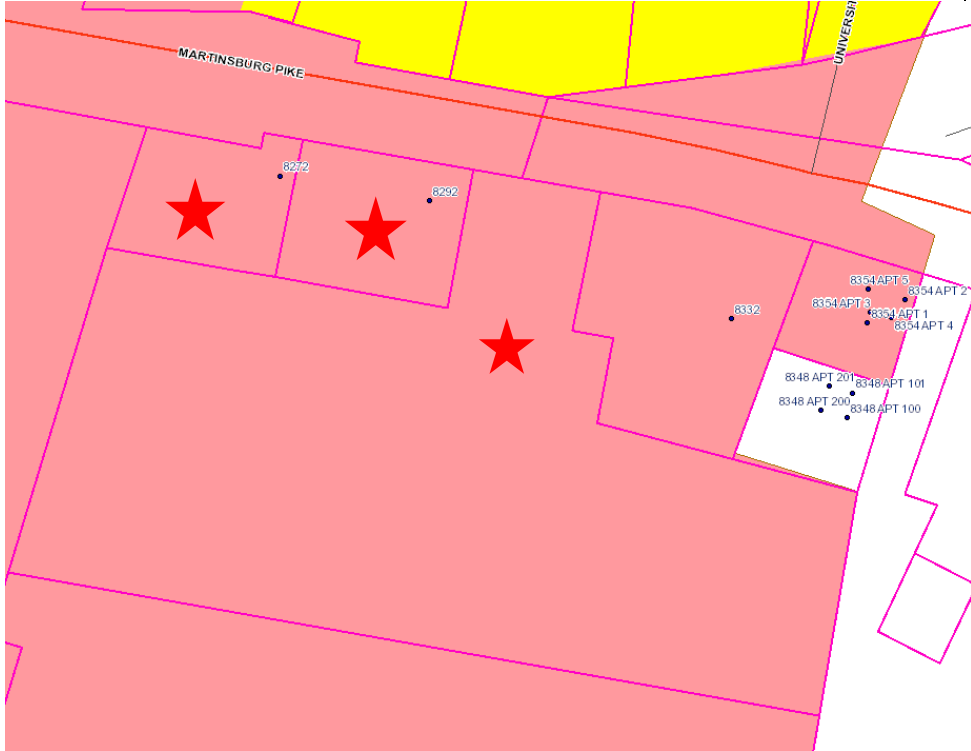
Date: ___ / ___ / ___

Staff Report

Jefferson County Planning Commission

November 13, 2018

Item #7: Public Workshop: Concept Plan for Martinsburg Pike ROCS (S18-06). A proposed gas station with a 5,600 square foot convenience store and 5 fuel islands, with a total of 10 pumps.

| | |
|-------------------------|--|
| APPLICANT: | SAB Real Estate 2 LLC |
| OWNER/DEVELOPER: | Same as above |
| SURVEYOR/ENGINEER: | Gordon (Ryan Perks) |
| PROPERTY LOCATION: | The property is located at 8297 Martinsburg Pike (Route 45), on the south side of the road west of the Sheetz Gas Station. |
| LEGAL DESCRIPTION | Shepherdstown District (09); Map: 8A; Parcels 19, 21 and 23  |
| ZONING DISTRICT: | Residential-Light Industrial-Commercial (RLIC) |
| SURROUNDING PROPERTIES: | North: Residential Growth South: RLIC East: RLIC West: RLIC |
| LOT AREA: | 3.56 acres combined |
| PROPOSED ACTIVITY: | Construction of a gas station with a 5,600 sq. ft. convenience store and 5 fuel islands, with a total of 10 pumps. |
| CONCEPT PLAN | Submitted: 09/17/2018 Sufficiency Determination: 09/21/18 & 09/24/2018 Staff Approvals: County Planner 10/16/2018 County Engineer 10/04/2018 Acting Zoning Administrator 10/16/2018 |

Staff Report

Jefferson County Planning Commission

November 13, 2018

Introduction and Summary of Request

The applicant is proposing the construction of a ROCs gas station with a 5,600 sq. ft. convenience store, 5 fuel islands with 10 fuel pumps. The proposed use meets the definition of a “gas station, large” including the associated convenience store and is a Principal Permitted Use. The Concept Plan also indicates that the applicant is proposing a drive through service window associated with the convenience store. A drive through window also requires processing a Conditional Use Permit for this use. The proposed use will require merging Parcels 19, 21 and 23, all of which are zoned RLIC, and removing the existing single family residential structures. Note that in accordance with Section 4.6B of the Zoning Ordinance, all portions of the proposed commercial use will be required to be setback 75 feet from any lot in the Residential Growth district.

The property is located on the south side of Martinsburg Pike (WV 45) just west of the existing Sheetz Gas Station and west of the University Drive access to Shepherd University. The merged property will be served by Shepherdstown water and wastewater facilities and will have a right in/right out access off of WV 45 and will share another access to the west of the proposed gas station off WV 45.

Site Plan Category

The site development associated with this Concept Plan is governed by the Subdivision Regulations. Section 20.204 requires developments that “require the development of new infrastructure or the extension of off-tract infrastructure” to process as a Major Site Development and further states that all Major Site Development shall adhere to Full Site Plan requirements. A Concept Plan is the first step in a Major Site Development.

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 proposed retail building 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 | <ul style="list-style-type: none"> a) Zoning District in which the proposed development is located. b) Density calculations. c) Site resource map d) Use designation for all adjoin and confronting parcels | Provided |

Staff Report
 Jefferson County Planning Commission
 November 13, 2018

| | | |
|--------------------------------|---|--|
| 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 in Concept Plan application |
| 5. Traffic Impact Data | <ul style="list-style-type: none"> a) Average Daily Trip (ADT) 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. | <p>Provided on the Concept Plan: WV 45: 13,254 VPD; Trip generation: 152 PM peak hour and 130 Sat midday peak hour</p> |
| 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. | A Traffic Impact Study was required by WV DOH and has been prepared; the site design reflects recommendations |
| 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 shall review the Concept Plan for modifications that would improve the plan. | Staff determined that the proposed Concept Plan meets the requirements of the Zoning Ordinance and the Subdivision Regulations; with the exception that the drive through component will require a CUP |
| 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 has already determined that a Traffic Study is required and it has already be prepared |

Staff Report
 Jefferson County Planning Commission
 November 13, 2018

| | | |
|----------------------------------|---|--|
| 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. | This project will be served by Shepherdstown public water and sewer. |
| 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 (attached)

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

- Corporation of Shepherdstown sent an e-mail confirming that they will be able to provide public water and sewer to this site. They are coordinating with the applicant regarding a potential required upgrade to the pump station.
- DOH sent an e-mail (9/25/18) stating that the Traffic Impact Study (TIS) for this site has not yet been approved but that based on the preliminary recommendations of the TIS, changes to the site plan were required related to the eastern driveway which required a concrete island to restrict traffic to right in/right out only and the radii on the driveways should be constructed to accommodate planned widening for a two-way left turn lane on WV Route 45.
- Jefferson County Health Department sent an e-mail (9/18/18) stating that the building plans should be submitted to the Health Department for plan review at the same time they are submitted to the building official and that they has no issues with the concept plan.
- The Jefferson County GIS/Addressing Office sent a Memo dated 10/4/18 stating that the western easement (shared with Seneca Crossing) has already been approved and recorded as “Maclaine Way”.
- The Jefferson County Historic Landmarks Commission (JCHLC) sent a letter (10/25/18) stating that while there are no Historic Resources located on the development parcel, the JCHLC encourages the applicant to work with the JCHLC and the Shepherdstown Historic Landmarks Commission in the hope that the design plan for the ROCs gas station will not adversely impact the architectural feel of the nearby Shepherdstown Historic District.

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 Office of Planning and Zoning Staff finds the Concept Plan for the proposed gas station and 5,600 sq. ft. convenience store and 5 fuel islands, with 10 fuel pumps to be “complete” based on the

Staff Report
Jefferson County Planning Commission
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information provided related to the criteria above; however, the following standards will need to be addressed prior to approval of the Preliminary Plat:

- a. Based on the Subdivision Regulations, noted above, the site plan will process as a Major Site Development.
- b. The drive-through component is required to process a Conditional Use Permit, which requires approval by the Board of Zoning Appeals, subject to a Public Hearing.
- c. The westernmost shared access crosses an undeveloped property with an approved Final Plat known as Seneca Crossing. This proposed shared access impacts the previously recorded Final Plan which may need to be modified or amended to reflect the proposed shared access shown on this plan set. Such modification may impact both the preliminary plat and final plat and may require processing a Concept Plan for this property to allow this access to occur.
- d. Lots 19, 21 and 23 shall be merged and the existing houses shall be demolished prior to Site Plan approval.
- e. The gas pumps are proposed to be located within a recorded 60' access easement that is the only legal access to Parcel 19.2. No structures are allowed within an easement. All properties shall have at least a 50' easement (60' for commercial). Revisions to this easement as well as the provision of a new 60' alternative easement to the rear property will have to process prior to the Site Plan approval.

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 24.121 of the Subdivision and Land Development Regulations outlines the direction to be provided to the applicant during a Major 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."

Staff Report

Jefferson County Planning Commission

November 13, 2018

It should be noted that the direction provided to the applicant in the Major 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

Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338

Charles Town, WV 25414

File Number: 518-06

Staff Initials: RBB

Total Fee(s): N/A

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: SA B Real Estate 2 LLC (Contact: Jason Roach)
Mailing Address: 333 East John Street, Martinsburg, WV 25401
Phone Number: (304) 362-9618 Email: jroach@rmroach.com

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

Name: Gordon (Contact: Ryan Perks)
Mailing Address: 148 S. Queens Street, Suite 201, Martinsburg, WV 25401
Phone Number: (304) 725-8456 Email: rperks@gordon.us.com

Physical Property Details

Physical Address: 8297 Martinsburg Pike
City: Shepherdstown State: WV Zip Code: 25443
Tax District: Shepherdstown Map No: 8A Parcel No: 19, 21, & 23
Parcel Size: 3.56 Acres Deed Book: 732 & 1059 Page No: 148 & 428

Zoning District (please check one)

Residential Growth (RG) []

Industrial Commercial (IC) []

Rural (R) []

Residential-Light Industrial-Commercial (RLIC) [x]

Village (V) []

Neighborhood Commercial (NC) []

General Commercial (GC) []

Highway Commercial (HC) []

Light Industrial (LI) []

Major Industrial (MI) []

Planned Neighborhood Development (PND) []

Office/Commercial Mixed-Use (O/C) []

RECEIVED

SEP 17 2018

JEFFERSON COUNTY PLANNING, ZONING AND DEVELOPMENT Place Received Date Stamp Here

Signature of Property Owner

Date

Signature of Property Owner

Date

CONCEPT PLAN SHOWING MARTINSBURG PIKE ROCS

JEFFERSON COUNTY FILE NUMBER: S18-06
SHEPHERDSTOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA
PART OF TAX MAP 8A - PARCELS 19, 21, AND 23
DB 1199, PG 687

OWNER/APPLICANT
SAB REAL ESTATE 2 LLC
333 EAST JOHN STREET
MARTINSBURG, WV 25401
(304) 362-9618



148 S Queen Street, Suite 201
Martinsburg, WV 25401
Phone: 304-725-8456
www.gordon.us.com

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

Sheet List Table

| Sheet Number | Cover Sheet | Sheet Title |
|--------------|-------------|--------------|
| 01 | | COVER SHEET |
| 02 | | CONCEPT PLAN |

GENERAL NOTES:

- THE PROPOSED SITE IMPROVEMENTS FOR 'MARTINSBURG PIKE ROCS' INCLUDE, BUT ARE NOT LIMITED TO, THE CONSTRUCTION OF A 5,600 SF GAS STATION WITH ATTACHED CONVENIENCE STORE BUILDING. THE PROJECT INCLUDES 5 FUEL ISLANDS AND 10 GAS PUMPS WITH A CANOPY, DRIVE AISLES AND PARKING AREAS WITH ASSOCIATED DRAINAGE STRUCTURES, SWM FACILITIES AND PUBLIC UTILITIES. 'MARTINSBURG PIKE ROCS' IS LOCATED IN JEFFERSON COUNTY, WEST VIRGINIA. THE SUBJECT PROPERTY SHOWN HEREIN IS LOCATED ON TAX MAP 8A, PARCEL 19, 21, AND 23. THE PROPERTY OWNER IS SAB REAL ESTATE 2, LLC AS RECORDED IN D.B. 1199 PG 687. THE PROPERTY IS CURRENTLY ZONED RESIDENTIAL/ LIGHT INDUSTRIAL/ COMMERCIAL AND WILL BE USED AS COMMERCIAL. THE ADJACENT PROPERTY TO THE WEST WHICH INCLUDES ACCESS IMPROVEMENTS IS OWNED BY SENECA CROSSING, LLC AS RECORDED IN D.B. 1034 PG 396.
- THE TOTAL EXISTING SITE ACREAGE FOR PARCEL 19, 21, AND 23 IS 3.56 ACRES.
- THE TOPOGRAPHIC CONTOUR INTERVAL IS TWO (2) FEET. TOPOGRAPHIC INFORMATION WAS COMPILED FROM A FIELD TOPOGRAPHIC SURVEY PREPARED BY GORDON DATED MONTH 2012. HORIZONTAL DATUM IS REFERENCED TO THE WEST VIRGINIA COORDINATE SYSTEM OF 1983, NORTH ZONE. VERTICAL DATUM IS REFERENCED TO NAVD 88.
- PERIMETER BOUNDARY INFORMATION SHOWN HEREON IS PER A MERGER AND EASEMENT PLAT SURVEY PERFORMED IN MARCH OF 2016 BY GORDON AS RECORDED IN D.B. 25 PG 549. IT HAS BEEN ESTABLISHED BY A NETWORK OF TRAVERSE CONTROL HAVING A RELATIVE ERROR OF CLOSURE OF 1:7500 OR BETTER.
- THE SUBJECT PROPERTY IS LOCATED ON F.E.M.A. MAP 54037C0040E DATED DECEMBER 18, 2009. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN AREA (ZONE A). THE PROPERTY IS IN ZONE X.
- THE CURRENT NATIONAL WETLANDS INVENTORY MAP DOES NOT SHOW WETLANDS/SENSITIVE AREAS ON THE SUBJECT PROPERTY.

GOV'T. AGENCIES/UTILITIES:

- JEFFERSON COUNTY ENGINEERING
116 E. WASHINGTON STREET
CHARLES TOWN, WV 25414
(304) 728-3257
- JEFFERSON COUNTY PLANNING
116 E. WASHINGTON STREET
CHARLES TOWN, WV 25414
(304) 728-3228
- WATER/WASTE WATER CORPORATION OF SHEPHERDSTOWN
104 NORTH KING STREET
SHEPHERDSTOWN, WV 25443
(304) 876-2312
- ELECTRIC
THE POTOMAC EDISON COMPANY
18444 NORTHWESTERN TURNPIKE
AUGUSTA, WV 26704
(800) 686-0011
- TELECOMMUNICATIONS FRONTIER COMMUNICATIONS
1108 N. MILDRED STREET
RANSON, WV 25438
(304) 728-8500
- TRANSPORTATION WEST VIRGINIA DIVISION OF HIGHWAYS, DISTRICT FIVE
2120 NORTHWESTERN TURNPIKE
BURLINGTON, WV 26710
(304) 289-2208
- OTHER MISS UTILITY
5608 MACCORKLE AVE, SW
SOUTH CHARLESTON, WV 25309
(800) 245-4848 OR 811

TRAFFIC IMPACT DATA

- A. ADT FOR ADJOINING STATE ROAD:
WV 45: 13,254 VEHICLES PER DAY
- B. TRIP GENERATION:
PM PEAK HOUR: 152 SATURDAY MIDDAY PEAK HOUR: 130
- C. NEAREST KEY INTERSECTION
LOCATION: INTERSECTION WITH WV 480, WV 45, AND WV 230
- D. HIGHWAY PROBLEM AREAS*
ROUTE: WY45
LOCATION: INTERSECTION WITH WV 480, WV 45, AND WV 230
PROBLEM: ROAD WIDTH THROUGH HISTORIC AREA LIMITS TURN MOVEMENTS

*TAKEN FROM APPROVED 2035 COMPREHENSIVE PLAN

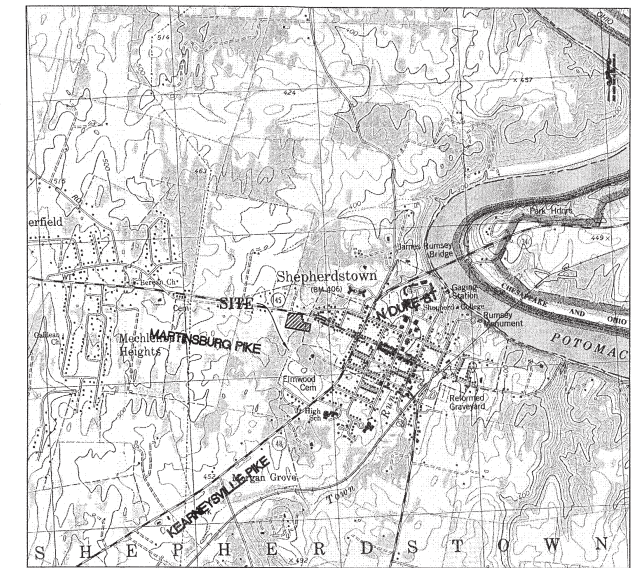
ZONING ORDINANCE SUMMARY:

- ZONING REQUIREMENTS:
CURRENT ZONE: RESIDENTIAL/ LIGHT INDUSTRIAL/COMMERCIAL DISTRICT
PROPOSED USE: COMMERCIAL
- ENVIRONMENTAL:
ENVIRONMENTAL STANDARDS CONTAINED IN SECTION 8.9.A 2 THROUGH 8 OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE WILL APPLY.
- LANDSCAPING:
IT WILL BE THE RESPONSIBILITY OF THE LANDOWNER TO REPLACE ANY TREES SHOWN IN THIS SITE PLAN THAT DIE.
- SITE LIGHTING:
SITE LIGHTING IS NOT PROPOSED FOR THIS SITE. LIGHTING SHALL BE PROVIDED FOR ALL PARKING AREAS WHICH WILL RECEIVE NIGHT USE. SUCH LIGHTING SHALL BE DIRECTED TO THE PARKING AREA AND BE SHIELDED TO PREVENT ADVERSE GLARE ON ADJACENT HIGHWAYS, STREETS AND PROPERTIES.
- USE REQUIREMENTS:

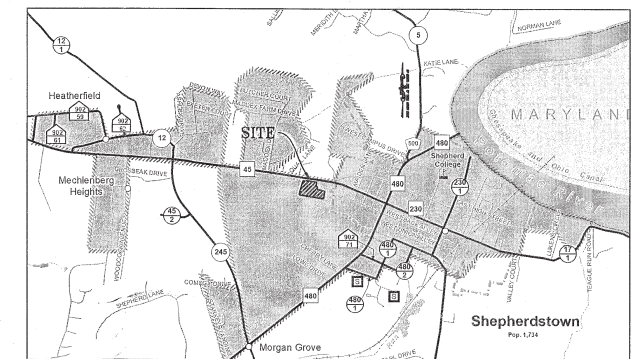
| | REQUIRED | PROVIDED |
|--|-------------------------------|-------------|
| LOT SIZE: | N/A | N/A |
| BUILDING HEIGHT: | 75' (MAX.) | APPROX. 30' |
| BUILDING SETBACK: | | |
| FRONT | 25' (MIN.) | 25' |
| SIDE | 25' (MIN.) | 25' |
| REAR | 25' (MIN.) | 25' |
| PARKING, DRIVEWAY AND INTERNAL ACCESS DRIVE SETBACK: | | |
| FRONT | 15' (MIN.) | 15' |
| SIDE | 10' (MIN.) | 10' |
| REAR | 10' (MIN.) | 10' |
| DISTANCE REQUIREMENT: | | |
| FRONT | N/A | N/A |
| SIDE | 75' | 75' |
| REAR | N/A | N/A |
| BUFFERS: | | |
| FRONT | N/A | N/A |
| SIDE | 10' | 10' |
| REAR | 10' | 10' |
| IMPERVIOUS AREA COMPUTATION: | | |
| BUILDING: | 80% (MAX) | 48% |
| PARKING/DRIVES: | 5,600 SF | 84,485 SF |
| TOTAL IMPERVIOUS AREA: | 90,462 SF | 90,462 SF |
| | 90,462 / 155,270 = 0.58 = 58% | |

PARKING TABULATIONS:

- REQUIRED: (COMMERCIAL)
1 SPACE PER 500 SQUARE FEET RETAIL FLOOR SPACE (TOTAL BUILDING SF = 5,600 SF)
TOTAL PARKING SPACES REQUIRED = 12 SPACES
- PROVIDED:
TOTAL PARKING SPACES PROVIDED = 56 SPACES (INCLUDES ADA ACCESSIBLE SPACES)
TOTAL ADA ACCESSIBLE SPACES REQUIRED = 3 (PER TABLE 208.2 OF THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN)



VICINITY MAP
SCALE: 1"=2000'



WVDOH VICINITY MAP
SCALE: 1"=2000'

CIVIL LEGEND:

| EXISTING | PROPOSED |
|-------------------------------------|-------------------------------------|
| --- BOUNDARY/RIGHT-OF-WAY LINE | --- BOUNDARY/RIGHT-OF-WAY LINE |
| --- ADJACENT BOUNDARY LINE | --- ADJACENT BOUNDARY LINE |
| --- EASEMENT LINE | --- EASEMENT LINE |
| --- ROAD CENTERLINE | --- ROAD CENTERLINE |
| --- HEADER CURB | --- HEADER CURB |
| --- CURB & GUTTER | --- CURB TRANSVERSE CURB |
| --- EDGE OF PAVEMENT | --- EDGE OF PAVEMENT |
| --- EDGE OF CONCRETE | --- EDGE OF CONCRETE |
| --- EDGE OF GRAVEL | --- EDGE OF GRAVEL |
| --- SIDEWALK | --- SIDEWALK |
| --- GUARDRAIL | --- GUARDRAIL |
| --- BOARD FENCE | --- BOARD FENCE |
| --- CHAIN LINK FENCE | --- CHAIN LINK FENCE |
| --- WIRE FENCE | --- WIRE FENCE |
| TO BE REMOVED | TO REMAIN |
| --- BUILDINGS | --- BUILDINGS |
| --- RETAINING WALL | --- RETAINING WALL |
| --- MISCELLANEOUS SIGNS | --- MISCELLANEOUS SIGNS |
| --- MAIL BOX | --- MAIL BOX |
| --- SITE LIGHT WITH POLE | --- SITE LIGHT WITH POLE |
| --- BUILDING MOUNTED LIGHT | --- BUILDING MOUNTED LIGHT |
| --- UTILITY POLE | --- UTILITY POLE |
| --- UTILITY POLE GUY WIRE | --- UTILITY POLE GUY WIRE |
| --- OVERHEAD UTILITY LINE | --- OVERHEAD UTILITY LINE |
| --- UNDERGROUND UTILITY LINE | --- UNDERGROUND UTILITY LINE |
| --- OVERHEAD COMMUNICATIONS LINE | --- OVERHEAD COMMUNICATIONS LINE |
| --- UNDERGROUND COMMUNICATIONS LINE | --- UNDERGROUND COMMUNICATIONS LINE |
| --- 8" SAN | --- 8" SAN. SEW. |
| --- SANITARY SEWER MAIN | --- SANITARY SEWER MAIN |
| --- SANITARY SEWER FORCE MAIN | --- SANITARY SEWER FORCE MAIN |
| --- SANITARY SEWER MANHOLE | --- SANITARY SEWER MANHOLE |
| --- SANITARY SEWER CLEAN-OUT | --- SANITARY SEWER CLEAN-OUT |
| --- 15" RCP | --- 15" HDPE |
| --- STORM SEWER LINE | --- STORM SEWER LINE |
| --- STORM SEWER MANHOLE | --- STORM SEWER MANHOLE |
| --- STORM SEWER GRATE INLET | --- STORM SEWER GRATE INLET |
| --- STORM SEWER CURB INLET | --- STORM SEWER CURB INLET |
| --- STORM SEWER RIP-RAP | --- STORM SEWER RIP-RAP |
| --- STORM SEWER END SECTION | --- STORM SEWER END SECTION |
| --- 8" W/M | --- 8" W/M |
| --- WATER MAIN | --- WATER MAIN |
| --- FIRE HYDRANT | --- FIRE HYDRANT |
| --- WATER VALVE | --- WATER VALVE |
| --- WATER METER | --- WATER METER |
| --- 590 | --- 590 |
| --- INDEX CONTOUR LINE | --- INDEX CONTOUR LINE |
| --- 592 | --- 592 |
| --- INTERMEDIATE CONTOUR LINE | --- INTERMEDIATE CONTOUR LINE |
| --- 543.6 | --- 543.6 |
| --- SPOT ELEVATIONS | --- SPOT ELEVATIONS |
| --- TREES/SHRUBS | --- TREES/SHRUBS |
| --- DRIP LINE OF TREES | --- DRIP LINE OF TREES |
| --- LIMITS OF CONSTRUCTION | --- LIMITS OF CONSTRUCTION |
| --- SOIL BOUNDARY | --- SOIL BOUNDARY |

| NO. | SHEET NUMBER AND REVISION DESCRIPTION | DATE |
|-----|---------------------------------------|------|
| | | |
| | | |
| | | |
| | | |

Jefferson County - Complete List of Waiver/Variations (Table 1.2-2)

| Ordinance | Section of Ordinance | Description of Waiver or Variance | Date Granted |
|-----------|----------------------|-----------------------------------|--------------|
| | | "No Waivers Granted" | |
| | | | |
| | | | |

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

Gordon
148 S Queen Street, Suite 201
Martinsburg, WV 25401
Phone: 304-725-8456
www.gordon.us.com

SEAL:

REVISIONS

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
| | | |
| | | |

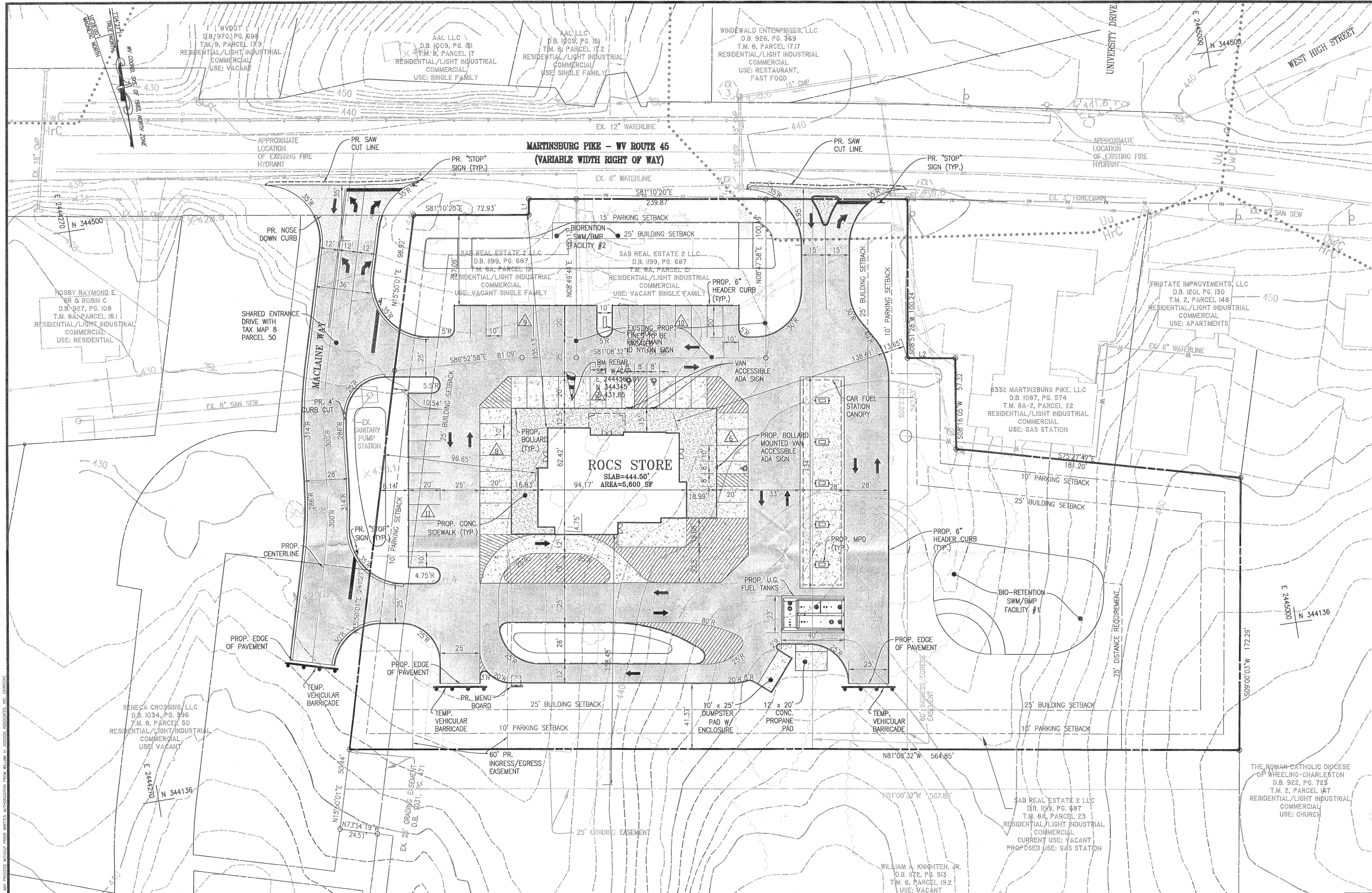
COVER SHEET

**MARTINSBURG PIKE
ROCS**

TAX MAP 8A - PARCELS 19, 21, AND 23
SHEPHERDSTOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

RECEIVED
OCT 12 2018
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

| | |
|-----------|-------------------|
| SCALE: | HORIZ: AS NOTED |
| | VERT: |
| DATE: | SEPTEMBER 1, 2018 |
| JOB: | 2756-0203 |
| DRAWN: AC | CHECK: JG |
| CADD: | C-GI-001.DWG |
| NCS: | ---- |
| SHEET: | |



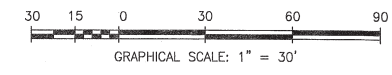
| SOIL NAME | MAPPING UNIT | ERODIBILITY | SHRINK-SWELL POTENTIAL | PERMEABILITY (IN/HR) | HSG |
|--|--------------|-------------|------------------------|----------------------|-----|
| HAGERSTOWN ROCK OUTCROP COMPLEX 8-15% SLOPES | HrC | MODERATE | MODERATE | MODERATE-0.6-2.0 | B |
| URBAN LAND UDORTMENTS | Uu | MODERATE | MODERATE | MODERATE-0.6-2.0 | D |
| URBAN LAND HAGERSTOWN COMPLEX, 0-15% SLOPES | UwC | MODERATE | MODERATE | MODERATE-0.6-2.0 | B |

SOILS INFORMATION PROVIDED BY THE USDA SOIL SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA.

LEGEND:

| | |
|--|--------------------|
| | ASPHALT PAVEMENT |
| | CONCRETE PAVEMENT |
| | DOH APRON PAVEMENT |
| | CONCRETE SIDEWALK |

- NOTES:**
- ALL RADII ARE 5' UNLESS OTHERWISE NOTED
 - CONTRACTOR SHALL CONTACT JCPSD MINIMUM 48 HOURS PRIOR TO CONNECTING TO THE LATERAL SYSTEM TO ALLOW FOR A JCPSD



Gordon
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 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 PLANNING
 SECURITY CONSULTING
 148 S. Queen Street, Suite 201
 Martinsburg, WV 25401
 Phone: 304-725-8466
 www.gordon.us.com

SEAL:

REVISIONS

| NO. | DESCRIPTION |
|-----|-------------|
| | |
| | |
| | |

CONCEPT PLAN

**MARTINSBURG PIKE
 ROCS**

TAX MAP 8A - PARCELS 19, 21, AND 23
 SHEPHERDSTOWN DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

SCALE: HORIZ: 1" = 30'
 VERT:

DATE: SEPTEMBER 1, 2018

JOB: 2756-0203

DRAWN: AC CHECK: JG

CADD: CONCEPT PLAN.DWG

NCS:

SHEET:

02 OF 03

From: [Jennifer Brockman](#)
To: [Willis, Trixie A](#)
Cc: [Jonathan Saunders](#); [Planning Department](#)
Subject: Re: Martinsburg Pike ROCS
Date: Tuesday, September 25, 2018 10:09:06 PM

Trixie

Thanks for your comments. They will be included in my staff report for the November Planning Commission meeting.

Jennie Brockman

From: Willis, Trixie A
Sent: Tuesday, September 25, 2018 2:12:37 PM
To: Jennifer Brockman
Subject: Martinsburg Pike ROCS

Comments regarding the concept plans for the ROCS in Shepherdstown dated 9/1/18 are as follows:

1. The Traffic Impact Study (TIS) for this site has not yet been approved.
2. Based on the preliminary recommendations of the TIS, a couple changes to the site plan are needed
 - a. The eastern driveway must have a concrete island to restrict traffic to right in/right out only.
 - b. The radii on the driveways should be constructed to accommodate planned widening for a two-way left turn lane on WV Route 45.

Thanks,

Trixie Willis

Encroachment Permit Reviewer

WVDOH

District Five

P.O. Box 99

2120 Northwestern Turnpike

Burlington, WV 26710

304-289-2229

From: [Frank Welch](#)
To: [Jennifer Brockman](#)
Subject: Re: Martinsburg Road ROCS (Shepherdstown) Concept Plan
Date: Sunday, November 4, 2018 10:50:30 AM

We can handle the Water and Sewer. In regards to Sewer we may have to upgrade a pump station. We are still negotiating that.

Get [Outlook for Android](#)

From: Jennifer Brockman
Sent: Wednesday, October 31, 2018 5:20:26 PM
To: Frank Welch
Cc: Jonathan Saunders; Planning Department
Subject: Martinsburg Road ROCS (Shepherdstown) Concept Plan

Frank

You should have received a copy of a Concept Plan for a proposed ROCs to the west of the Sheetz gas station in late September. Have you had an opportunity to determine if the city will be able to provide water and sewer service to this proposed development?

This Concept Plan has a Public Workshop scheduled before the Planning Commission at their 11/13/18 meeting and I am working on my staff report about the status of various approvals. They will not require formal approval until their Site Plan is submitted but the Planning Commission does need to know if there are existing water and sewer systems in place that can handle the development. If you could give me some feedback by the end of this week, it would be very helpful.

Thanks

Jennie

Jennifer M. Brockman, AICP

County Planner

116 East Washington Street - Suite 200

P.O. Box 716

Charles Town, WV 25414

Phone: 304-728-3228

Fax: 304-728-8126

From: [Phillipson, Danielle R](#)
To: [Zoning](#)
Subject: Martinsburg Pike ROCS
Date: Tuesday, September 18, 2018 1:32:29 PM
Attachments: [image001.gif](#)

Good Afternoon,

Bob has reviewed the concept plans for the Martinsburg Pike ROCS. His comments are as follows:

Please note that building plans should be submitted to the Health Department for plan review at the same time they are submitted to the building official. No issues with the concept plan.

Sincerely,

Danielle O'Alli CH

Jefferson County Health Department
304-728-8416 Extension 3021



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: October 4, 2018

Subject: ROCs (Shepherdstown) – Site Plan – CP

DPZ File: S18-06

- 1) The western easement (shared with Seneca Crossing) has already been approved and recorded as “Maclaine Way”. Please label this roadway on the plat.

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



October 25, 2018

Ryan Perks, Project Manager
Gordon Associates
148 S. Queen Street, Suite 201
Martinsburg, WV 25401

Re: Jefferson County Concept Plan Submittal
Martinsburg Pike Rocs Gas Station

Dear Mr. Perks,

I have reviewed the Concept Plan for the Martinsburg Pike Rocs Gas Station, submitted to the JCHLC by Gordon and Associates of Martinsburg, West Virginia on September 19, 2018. The submittal documents outline the proposed site plan and topography of the proposed gas station situated at 8292 Martinsburg Pike, Shepherdstown, West Virginia.

A National Register site (The Shepherdstown Historic District) is located just to the east, the Shepherdstown Civil War Battlefield is located north, and a Class II historic resource (The Leland House and barn) is located south of the Area of Potential Effect (APE) of the planned development. There are no Historic Resources located on the development parcel described in the submitted documents.

The JCHLC encourages the applicant to work with the JCHLC and the Historic Landmarks Commission of the Corporation of Shepherdstown in the hope that the design plan for the Rocs gas station will not adversely impact the architectural feel of the nearby Shepherdstown Historic District.

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

A handwritten signature in black ink that reads "Ben W. Horter".

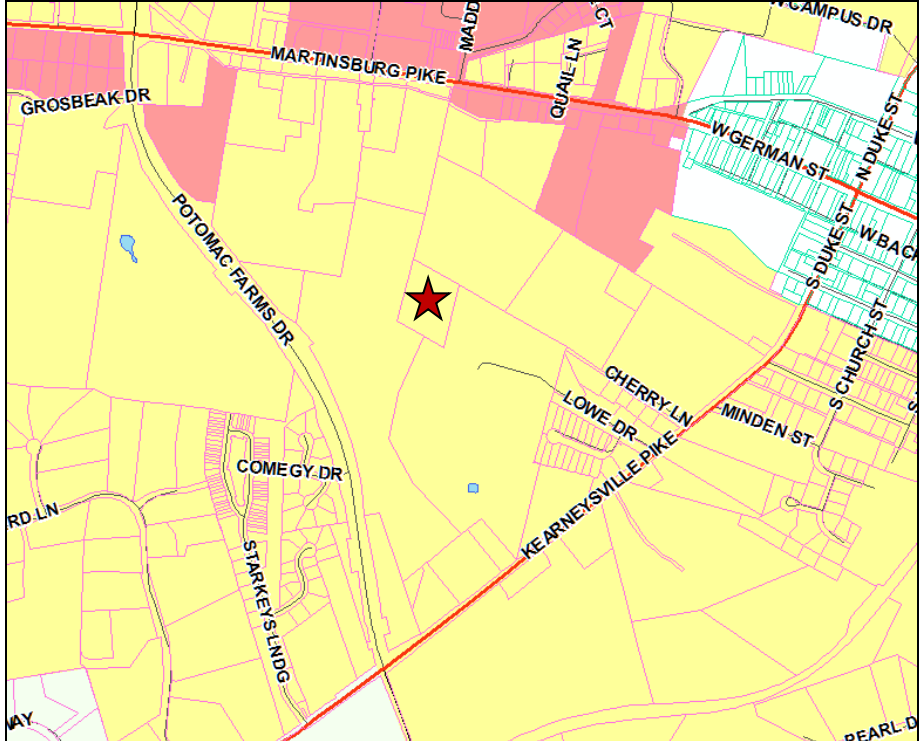
Ben Horter
Commissioner, JCHLC
P.O. Box 23
Charles Town, WV 25414
703-789-5086
Benhorter1@gmail.com

Cc: Jefferson County Planning Department (via email)
Mr. Martin Burke, JCHLC Chair (via email)
Karene Motivans, President, Historic Landmarks Commission of Shepherdstown (via email)

Staff Report
 Jefferson County Planning Commission Meeting
 November 13, 2018

**Shepherdstown Public Library PCW File 18-14
 (Concept Plan File S15-05)**

Item #8: Public Hearing: Request by applicant, Shepherdstown Public Library, for a waiver from Section 24.108.C. of the Subdivision and Land Development Regulations that requires a Site Plan be submitted within two years from receiving Concept Plan approval. The applicant is requesting an additional one year extension of the Concept Plan approval. A one year extension was previously approved on November 17, 2017.

| | |
|-----------------------------|---|
| APPLICANT: | Shepherdstown Public Library |
| OWNER/DEVELOPER: | Same as above |
| SURVEYOR/ENGINEER: | Ryan Perks, Gordon |
| PROPERTY LOCATION: | Low Drive, adjacent to the Clarion Hotel and Conference Center |
| LEGAL DESCRIPTION: | District: Shepherdstown (09); Map: 8; Parcel: 11  |
| SURROUNDING PROPERTIES: | North: Residential Growth South: Residential Growth East: Residential Growth West: Residential Growth |
| LOT AREA: | 3.8 Acre |
| APPROVED ACTIVITY: | 13,500 square foot library with associated parking. |
| APPROVALS: | |
| Concept Plan (File #S15-05) | Submitted: 08/26/15 Determined Sufficient and Complete: 09/11/15 Planning Commission Approval: 10/13/15 |
| PCW17-04 | One year extension to 10/13/18; Approved 11/14/17 |

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Background:

The existing 3.8 acre property is located on the proposed extension of Lowe Drive adjacent to the Clarion Hotel and Conference Center between Kearneysville Pike (WV 480) and Potomac Farms Road (Alternate WV 45) in the greater Shepherdstown area. The property is zoned Residential Growth and is proposed to be the site of the new Shepherdstown Library. A library (Cultural Facility) is considered a Principal Permitted Use in this zoning district.

On October 13, 2015, the Jefferson County Planning Commission held a Public Workshop regarding the Concept Plan for the proposed 13,500 square foot, two-story library structure. As noted at this meeting, this project is processing via the Minor Site Development Process, with a Concept Plan, provided the development of new infrastructure or the extension of existing off-tract infrastructure is not required. The Planning Commission provided direction to the applicant to move forward with the proposed Site Plan subject to the conditions found in the staff comments found in the October 13, 2015 Staff Report. The Planning Commission further noted that per Section 24.121(C), the direction provided to the applicant in the Concept Plan Public Workshop was applicable for a period of two years. In October 2017, the applicant requested a waiver (PCW17-04) of this time period, requesting a one year extension of time, which was approved by the Planning Commission at their November 14, 2017 meeting. The Concept Plan was now valid through October 13, 2018.

The Request

The current waiver (PCW18-14) request was submitted September 27, 2018 and is scheduled for the November 13, 2018 Planning Commission meeting. The applicant is requesting another 1-year extension, from October 13, 2018 to October 13, 2019 to prepare the Site Plan for the Shepherdstown Public Library project. Granting of this waiver will allow the Site Plan to proceed through the standard review process rather than beginning over. This will allow the project to proceed in a timely manner and will avoid duplication of effort by both the County and applicant.

Waiver Requirements

Division 24.300 of the Jefferson County Subdivision and Land Development Regulations states that waivers from the minimum standards in these Regulations, as well as process and procedural waivers, may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) That 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;
- (2) That the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) That the waiver, if granted, will be in keeping with the intent and purpose of these Regulations;
and
- (4) That the waiver if granted will result in a project of better quality and/or character.

The applicant has addressed these criteria in their application and have noted that this waiver request to extend the approval of the Concept Plan for one year is to allow the applicant to proceed through standard review process without being required to begin over again if the Concept Plan approval expires.

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Staff Comments

Staff concurs that this waiver request will not impact the design of the project and is not a request to vary any standards or requirements found in the Subdivision Regulations. It should be noted that the Library Board is working cooperatively with the adjacent property owners to ensure the extension of water, wastewater and the Lowe Drive occurs as a part of their projects, allowing the library to process as a minor development while meeting the regulation requirements. If off-site improvements become a part of this development, it will need to process as a Major Site Plan.

The purpose of the Subdivision and Land Development Regulations is to “facilitate the County Government’s review of proposals for development of land either by subdivision plat or site plan, to ensure that proposed subdivision plats or site plans meet the standards of the Jefferson County Zoning Ordinance and satisfy the legal requirements of the State and County for the subdivision and development of land, and to promote efficient and attractive development in a manner that reduces off-site impacts.” This second waiver request is not a request to vary any of the Regulations standards other than the length of time to submit the Site Plan proposed in the approved Concept Plan.

The granting of this waiver will allow the applicant to proceed with the plan as proposed in the Concept Plan stage without resubmitting those required steps. The quality and character of the project will be the same as when first proposed in the Concept Plan.

Staff Recommendation

Staff recommends granting the requested waiver to extend the submission time of the Site Plan until October 13, 2019 with the provision that any amendments to the Subdivision Regulations or the Zoning Ordinance which occur within that year that may impact the design of the proposed project be required as a part of the Site Plan submittal. This waiver is for a time extension and not a change to the site layout or a waiver of any Subdivision Regulation standards. Providing an extension of 12 months to the Library Board would provide for the continuation of this development in accordance with the Concept Plan previously reviewed and approved by the Planning Commission.



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: PCW18-14
 Staff Initials: RBB
 Sketch Received:
 List of Adjainers:
 Fees Paid: 100

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: Shepherdstown Public Library rocky marsh 2 @ gmail
 Mailing Address: PO Box 278 ROCKY.MARSH2@GMAIL.COM
 Phone Number: 304-876-2783 Email: shealinda@gmail.com

Applicant Contact Information

Name: Same as property owner
 Mailing Address: _____
 Phone Number: _____ Email: _____

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

Name: Gordon
 Mailing Address: 148 South Queen Street, Suite 201, Martinsburg, WV 25401
 Phone Number: 304-725-8456 Email: rperks@gordon.us.com

Physical Property Details

Physical Address: Lowe Drive, Shepherdstown, WV 25443
 Tax District: Shepherdstown Map No: 8 Parcel No: 10
 Parcel Size: 3.97 Deed Book: 1155 Page No: 612

Zoning District (please check one)

| | | | | | | | |
|--|--|--|---|---|--|---|--|
| Residential Growth (RG) <input checked="" 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 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"/> |

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

Section 24.108.C - Minor Site Plan Concept Plan - Direction - Effect

Briefly Describe the Nature of Your Waiver Request:

Applicant requests a 1-year extension of the time requirements to prepare a site plan for the Shepherdstown Public Library project in consideration of the direction received in the Concept Plan public workshop held October 13, 2015.

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.

The project will provide a new public library for the benefit of the County-wide community.

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.

Granting of the waiver simply allows the site plan to proceed through the standard review process rather than beginning over again. All steps in the site plan process will still be followed; therefore no adverse affect will result

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

Granting of the waiver simply allows the site plan to proceed through the standard review process rather than beginning over again. All steps in the site plan process will still be followed and input from the public workshop will be used in preparation of the site plan.

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

Granting of the waiver will allow the project to proceed in a more timely fashion and avoid duplication of effort by both the County and applicant.

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


Signature of Property Owner Date

Signature of Property Owner Date

To Be Completed By Office

_____ Date of Public Meeting/Public Hearing _____ Date Property to be Posted By
_____ Official/Administrative Body _____ Date Adjoiner Letters to be Mailed

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

Approved **Denied**

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Item #9: Discussion and Action: To approve or deny the Magnolia Springs Subdivision Preliminary Plat Application (File # 18-05) as complete in accordance with Sections 24.113 and 24.114 of the Subdivision Regulations for the purpose of scheduling a Public Hearing.

| | | |
|-------------------------|--|-------------------|
| APPLICANT: | Belvedere Family Trust C/O Walter J. III & William K. Truettner | |
| OWNER/DEVELOPER: | Same as above | |
| SURVEYOR/ENGINEER: | Gordon | |
| PROPERTY LOCATION: | West of US 340 (Berryville Pike); East of Belvedere Farm Lane | |
| LEGAL DESCRIPTION: | Tax District: Charles Town (02); Tax Map: 10; Parcels 8 & 8.6; | |
| | | |
| ZONING DISTRICT: | Residential Growth | |
| SURROUNDING PROPERTIES: | South: Residential (Charles Town) North: Commercial (Charles Town) West: Residential Growth (in County) East: vacant (Charles Town) | |
| LOT AREA: | 110.85 acre portion of a total of both parcels of 127.58 acres | |
| PROPOSED ACTIVITY: | 300 Lot Major Subdivision | |
| Approvals | | |
| Concept Plan | Submitted: | 02/21/2018 |
| | Staff Review Meeting: | 02/26/2018 |
| | County Planner Approval: | 03/05/2018 |
| | County Engineer/Zoning Administrator Approval: | 02/26/2018 |
| | Planning Commission Public Workshop & Approval: | 04/10/18 & 5/1/18 |

Introduction and Purpose

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

The applicant is proposing a 300 lot Single Family (Detached) Residential Major Subdivision with stormwater management and open space areas, associated utilities and sidewalks on 110.85 acres of this property zoned Residential Growth within the Charles Town Urban Growth Boundary.

Concept Plan Approval

The Planning Commission held a Public Workshop for the Concept Plan for the proposed Magnolia Springs Subdivision and Public Hearings for four requested Subdivision Regulations Waivers on April 10, 2018. Input from outside agencies related to the proposed Concept Plan was presented by staff and comments from numerous neighbors and interested citizens were heard. In particular, comments related to protecting the historic Belvedere House and recommendations by the City of Charles Town were accepted as proffers by the applicants.

The Planning Commission approved a motion to accept the Concept Plan as presented with agreed upon recommendations from County Staff and the City of Charles Town as stated below:

- Coordination with the BOE and City of Charles Town on the design and location of bus shelters.
- It has been acknowledged that a traffic study is underway and once feedback has been received the design of the entryways may be completed. A waiver may be needed if County standards cannot be met.
- 5 acres will be maintained around the historic house located on the property.
- An additional 10' of right-of-way along the proposed Allegheny Street will be provided.
- An additional 2' of right-of-way along proposed Belvedere Drive will be provided
- Sidewalks are to be located along one side of street in accordance with the Subdivision Regulations of Jefferson County.
- Street lighting shall be matched with the City of Charles Town lighting style but meet the County spacing requirements.
- No requirement that the open space land be given to the City if the property is annexed in the city boundary. A provision shall be added that this will be at the discretion of the HOA.
- The construction of the sidewalk along the proposed Allegheny Street and Belvedere Drive will occur up to the point where Allegheny Street is to be used by this project.

The Commission further modified the approved motion accepting the Concept Plan to clarify that if the city approved the design of Allegheny Street does not meet the County Subdivision Regulation requirements, then the City of Charles Town requirements will prevail.

The Planning Commission also revisited their action related to the Magnolia Springs Concept Plan at their May 1, 2018 meeting, particularly as it relates to the historic Belvedere House. At that meeting, the Planning Commission approved a motion to accept the proffers made by the developer to restrict adjoining lots between Road 2 and Road 8 to single story homes (to the east, north and south of the historic home) and to keep the building envelope as close to the roads as regulations allow.

Approved Waivers

At the April 10, 2018 Planning Commission, the Commission also approved the following motions related to the four requested waivers:

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

- PCW18-03 (Block length): Motion to approve a waiver from Section 21.101.A of the Subdivision Regulations that requires a block length to not exceed 6 lots; waiver to allow the block length to include no more than 12 lots.
- PCW18-04 (Lot frontage): Motion to approve a waiver from Section 21.104.A of the Subdivision Regulations that requires a minimum lot frontage width of 80'; waiver to allow for a minimum 70' lot frontage.
- PCW18-05 (Intersection spacing): Motion to approve the waiver from Section 21.306 of the Subdivision Regulations requiring intersection spacing of 300'; waiver to allow intersection spacing to be 175'.
- PCW18-06 (Curb and gutter): Motion to accept the waiver from Section 2.2.K.1.a of that requires curbs, gutters and sidewalks in residential conventional subdivisions where net residential density is greater than 3 D.U./acre and/or where lot frontages are 80' or less request; waiver of curb and gutter only; sidewalks are still required.

Summary of Request

The applicant has submitted the Preliminary Plat for Magnolia Springs for review and approval. The Planning Commission is required to deem the application complete and schedule a Public Hearing within 45 days in accordance with the following requirements of the Subdivision Regulations.

Per Sec. 24.113 of the Subdivision Regulations, a Major Subdivision Preliminary Plat requires the Office of Planning to review the submission and determine whether it is sufficient (at least 70% of the required elements are addressed) within ten (10) days of the 45 day sufficiency and completeness review. Staff determined that, pending a note reflecting the proffers/conditions of the Planning Commission motion being added to the Plat; information related to zoning boundaries; and the submittal of the Phase 1 Archaeological Report, the application was deemed sufficient. This report was submitted on August 3, 2018, which initiated the 45 day completeness review.

Engineering, Planning and Zoning Staff have now finalized the "completeness review" with the following outstanding comments. Per Section 24.113 of the Subdivision Regulations, staff has placed the Preliminary Plat and application on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. An 11" x 17" copy of the pages showing the lot layout is included in this packet. The complete file containing the Preliminary Plat and application will be at the Planning Commission meeting should any members wish to review it for completeness and confirm the staff's review.

Per Sec. 24.113(I), if the application is found complete or essentially complete, the Planning Commission shall schedule a public hearing within 45 days in accordance with Section 24.114, *Major Subdivision Preliminary Plat - Public Hearing*. If the application is incomplete, the applicant shall be notified in writing stating the reasons for denial. A motion to deem the application to be complete should include a condition that the outstanding staff comments be addressed prior to the hearing.

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

Preliminary Plat Contents and Review

The Preliminary Plat submission requirements include the following (Section 24.113(B)) and the application has been deemed sufficient and complete by staff:

- Preliminary Plat
- Density Calculation and Site Resource Map
- General Location
- Preliminary Engineering Plans
- Preliminary Landscape Plans
- Transportation Impact Study (if required by WV DOH)
- Well and Septic Systems, if required
- Feasibility of Water and Sewer Systems (from relevant PSD)
- Special Engineering
- Historic Resource Preservation (Phase I Archaeological Study)
- Proposal Description
- Stormwater Management Plan and Narrative
- Identified Concerns from Concept Plan direction or proffers

The Subdivision Regulations require the review of the submitted application and plat and plans by the Department of Engineering, Planning and Zoning as well as the WVDOH and the relevant Public Service Agency, in this case the Charles Town Utility Board. The Department is required to determine whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues and/or variances that can be identified at the Preliminary Plat submission. Additionally, the Department is required to provide a written opinion as to whether the Preliminary Plat meets the site planning criteria specified in Articles 21 and 22 of the Subdivision Regulations and whether the Concept Plan was fulfilled. The Concept Plan direction included preservation of the historic home site and viewshed by restricting some lots to single story and moving them to the front of the lots near the historic home.

The WVDOH approval/encroachment permit is required prior to final Preliminary Plat approval by the Planning Commission. The applicant has submitted the required Traffic Impact Study to the WV DOH for their review and approval, which is pending. The applicant has also been working with the WVDOH Traffic Engineer to finalize the design of the Citizen's Way extension and to determine who will be doing the construction within the DOH right-of-way from the end of the current section of the Citizen's Way where it stops at Snowberry Street to the Belvedere property line. The Preliminary Plat cannot be finalized with WV DOH approval.

The Charles Town Utility Board was required to review the preliminary engineering to determine whether water and sewer can adequately be provided for the project and whether the proposal is sufficient to handle other development in the area. A letter was received from the Charles Town Utility Board (attached) on October 24, 2018 stating that they have reviewed the revised water and sewer plans for Magnolia Springs Subdivision and find them acceptable for approval. They further asked the applicant to notify the Utility Board if there are any changes to the plans and to provide as-built drawings in accordance with the CTUB requirements.

Staff has finalized its completeness review and was not able to stamp the Preliminary Plat as approved by staff until all outstanding comments have been addressed. This staff report serves as the "written opinion" that the Preliminary Plat essentially conforms with the Zoning Ordinance requirements, generally meets the site planning criteria specified in Articles 21 and 22 of the Subdivision Regulations,

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

and fulfills the Concept Plan direction. The outstanding staff comments are attached to this report and addressing them shall be a condition of finding the Preliminary Plat “complete”.

Phase 1 Archaeological Report and State Historic Preservation Office Comments

The Phase IA Archaeological Reconnaissance Survey and Predictive Model of the Magnolia Springs Project Area, Jefferson County WV (FR #18-483-JF) prepared by Dovetail Cultural Resource Group was completed in August 2018 and is in the project file. The WV Division of Culture and History provided an overview and response to the Survey prepared by Susan Pierce, Deputy State Historic Preservation Officer (SHPO). A copy of the letter from Susan Pierce, Deputy SHPO, is attached for the Planning Commission’s information and consideration Ms. Pierce acknowledges that as there are no state or federal funds planned to be involved in this development, the SHPO has no authority to require any further study or preservation efforts. She further concurs with the recommendation of the Phase 1A Survey’s that a Phase 1B survey should be conducted and recommends that it be more detailed than recommended in the Dovetail Survey report. She further states that the SHPO believes that the proposed development will negatively impact the Belvedere House which is on the National Register of Historic Places (NRHP) and remind the applicant that the NRHP nomination for the house referenced the entire 273 acres between the house and the Shenandoah River as contributing to the historic character of the property.

Note that while Section 24.113(B)(10) of the Subdivision and Land Development Regulations require the submission of a Phase I archaeological study and a historic resources impact study and staff requires this study to be submitted to the SHPO for their review and input, there is no further requirement in the Regulations for additional response to the SHPO review. The applicant has indicated that they do not intend to perform any further recommended studies but do propose to set aside 5 acres around the historic house as a separate lot from the rest of the Magnolia Springs development.

Planning Commission Action Required

The Subdivision Regulations require that, after staff concludes the completeness review, staff shall place the preliminary plat on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. If the application is found complete or essentially complete, the Planning Commission shall schedule a public hearing within 45 days of that meeting. If the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.

Section 24.113(H) further directs the Planning Commission review of Preliminary Plat and states that if the preliminary plat and application is incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, or is otherwise impossible, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it. The Planning Commission may also accept the Preliminary Plat and application with the condition that the remaining items identified as necessary by these Regulations be completed prior to final Preliminary Plat approval.

Upon deeming the application complete, the Planning Commission shall schedule a Public Hearing to receive public comments, concerns, and inputs on the proposed preliminary subdivision plat within 45 days. The Commission’s next regular meeting on December 12, 2017 will satisfy this requirement but will not meet the 21 day notice requirement; therefore, the Planning will need to call a special for this purpose on December 18, 2018 A reduced copy of the revised complete Preliminary Plat and application will be included in the Public Hearing packet.

Staff Report
Jefferson County Planning Commission Meeting
November 13, 2018

**Outstanding Staff Comments for Review #2
November 2, 2018**

Resolving the following comments should be included as a condition of a determination of completeness for the Preliminary Plat and shall be addressed prior to stamping the Preliminary Plat as approved:

1. PC motion required an additional 2' of Right-of-Way along Belvedere Drive (4/10/18);
2. PC motion required construction of the sidewalk along the proposed Allegheny Street and Belvedere Drive up to the point where Allegheny Street is to be used by this project (4/10/18);
3. Citizen's Way is no longer shown as a Boulevard; therefore, once 30 lots are created, a second access will be required to be completed;
4. General Note #2 refers to the east and west properties incorrectly;
5. Lot 273 is a flag lot and does not meet the required 24' frontage found in Section 21.104 A of the Subdivision Regulations. The lot needs to meet this standard or a waiver shall be processed;
6. Please clarify on the Site Summary Table (Sheet 12 of 119) the acreage of the proposed active recreation areas and/or indicate on the plan set where the active recreation area is proposed [Note: that the stormwater management areas, conservation area, riparian buffer and wetlands essentially total all of the open space with not delineation of where the recreation areas will be accommodated];
7. Various places of overprinting throughout the plan set make it difficult to read all relevant information;
8. Some calls are missing and some lots do not conform with the required closure error (see 10/30/18 memo from Tori Myers);
9. Lot 235 has the incorrect side setback (should be 12');
10. The grading of the rip rap apron are shown on a slope and need to be at a 0% slope as shown in detail;
11. Need a swale detail;
12. Submit approved WV DOH Encroachment Permit;
13. Submit approved State Health Department permits;
14. Submit a copy of the utility plan set approved by the Charles Town Utility Board; and
15. Any other comments noted on the 2nd review plat set or in the comment checklist or as required to meet the standards of the County regulations.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 18-05
 Mtg. Date: _____
 Fees Paid: \$36,300 300 LOTS

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

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

Preliminary Plat Review Application/Checklist
 (See instructions on other side of this sheet)

Project Name: Magnolia Springs

Property Owner Information

Owner Name: Belvedere Farm Family Trust c/o Walter J III & William K. Truettner
 Mailing Address: P.O. Box 247 Crested Butte, CO 81224
 Phone Number: 304-901-4931 Email: hwilson@hillcrestrealty.us

Applicant Information

Applicant Name: NLP Finance, LLC c/o Hunter Wilson Same as owner:
 Business Name: _____
 Mailing Address: P.O. Box 1875 Martinsburg WV 25402
 Phone Number: _____ Email: _____

Physical Property Details

Tax District: 2 Map No: 10 Parcel No. 8 & 8.6
 Parcel Size: 110.85 acres Deed Book: 1132 Page No. 301

Applicants Engineer/Surveyor

Name: Gordon
 Mailing Address: 148 S. Queen Street, Suite 201 Martinsburg WV 25401
 Phone Number: 304-725-8456 Email: theck@gordon.us.com

Required Submittal Information

- Check for Review Fees
- Completed Application Checklist (Signed by owner)
- 2 sets of Engineered Plans
- 2 Copies of Stormwater Management Report with Narrative

FOR OFFICE USE ONLY

| | 1st Review | 2nd Review | 3rd Review | 4th Review |
|---------------------------------|-------------|--------------|------------|------------|
| Submittal Date | 08/03/18 | 10-24-18 | | |
| County Engineer | 8/29/18 | 10/21/2018 | | |
| County Planner | 8/29/18 JMB | 10/29/18 JMB | | |
| Zoning Administrator | 8/29/18 JMS | 10/29/18 JMS | | |
| Assessor's Office | 8/17/18 JM | 10/30/18 JM | | |
| GIS / Addressing | 8/31/18 J | 11/7/18 J | | |
| Returned to/Date/Staff Initials | 8/31/18 | 11/7/18 | | |

Place received stamps here:

RECEIVED

AUG 03 2018

JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING

RECEIVED

OCT 24 2018

JEFFERSON COUNTY PLANNING,
 ZONING & ENGINEERING

APPROVED FOR

County Engineer

Date

RETURNED TO
 Gordon

DATE 08/31/18

Instructions:

- This checklist serves as a quick reference guide only. The consultant/developer is responsible for reading the regulations and complying with all of the requirements of the relevant Ordinances and Regulations which are available online. Standard Engineering Details are available for purchase in the Office of Engineering. 304-725-2998.
- The checklist shall be completed by the Engineer/Surveyor and attached to the Preliminary Plat review submission. The Engineer/Surveyor shall note in the "Engineer/Surveyor" column where each item on the checklist is addressed on the Preliminary Plat.
- Place all site notes (i.e. flood plain designation, permit numbers, building setbacks, etc.) that address items on the checklist together under a "Site Information" heading so they can be easily found by the reviewer.
- For all other items on the checklist that cannot be addressed by a note under "Site Information", provide the sheet number and/or note number in the checklist column marked "Engineer/Surveyor", where the information can be found. This will allow for a quicker and more thorough review of the Site Plan on the first submission.

Return marked-up review prints and this checklist to the Office of Planning, Zoning and Engineering with each resubmittal

| Applicable Dates | |
|---|---|
| Pre-Proposal Conference (if applicable) | 2/7/18 |
| Pre-Proposal Conference Memo: | 2/13/18 |
| Concept Plan Public workshop date | 4/10/18 |
| Concept Plan approval: | 4/10/18 Reconsidered + Reapproved. 5/1/18 |
| Application Submittal date: | 8/3/18 |
| Site Inspection (if applicable): | |
| Written Determination of Sufficiency to be Mailed: | 8/13/18 e-vailed w/ conditions |
| Approval Date: | |
| Approval Expiration (5 years from date of approval) | |

Reviewing Agency Comments (Attach additional comments as needed)

Conditions of approval (attach additional comments as needed)

OFFICE OF ENGINEERING
 304-725-2998

PRELIMINARY PLAT MAGNOLIA SPRINGS SUBDIVISION (LOTS 1-300)

JEFFERSON COUNTY FILE NUMBER: 18-05
CHARLES TOWN DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

TAX MAP 10 - PARCELS 8 AND 8.6 - D.B. 1132 PG. 301

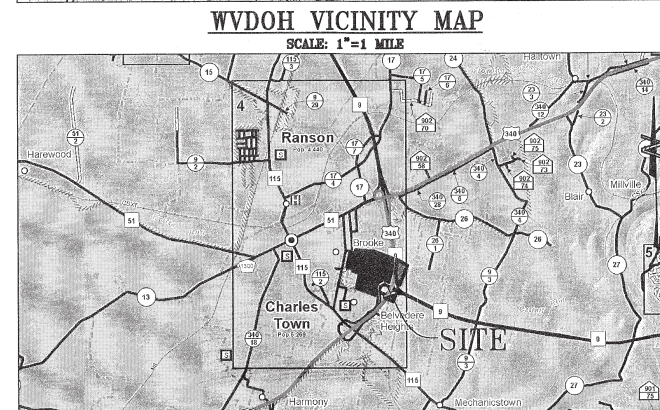
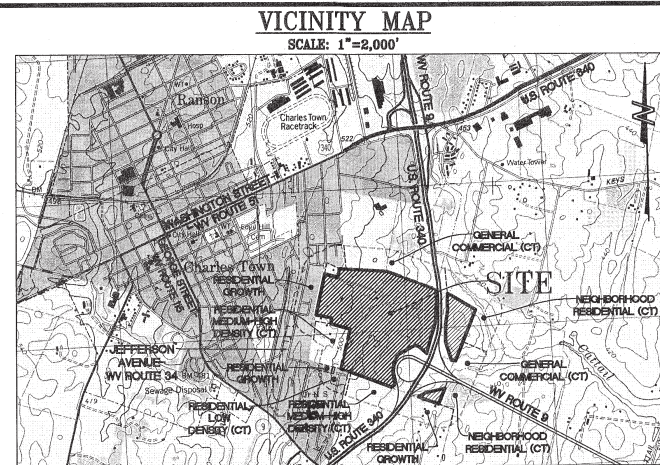
OWNER
BELVEDERE FAMILY FARM TRUST
c/o WALTER J III &
WILLIAM K TRUETNER
P.O. BOX 247
CRESTED BUTTE, CO 81224
(304) 901-4931

DEVELOPER
NLP FINANCE, LLC
c/o HUNTER WILSON
P.O. BOX 1875
MARTINSBURG, WV 25402
(304) 901-4931



148 S. Queen Street, Suite 201
Martinsburg, WV 25401
Phone: 304-725-8456
www.gordon.us.com

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



| CIVIL LEGEND: | |
|---------------------------------|---------------------------------|
| EXISTING | PROPOSED |
| BOUNDARY/RIGHT-OF-WAY LINE | BOUNDARY/RIGHT-OF-WAY LINE |
| ADJACENT BOUNDARY LINE | ADJACENT BOUNDARY LINE |
| CONCRETE MONUMENT/IRON REBAR | CONCRETE MONUMENT/IRON REBAR |
| EASEMENT LINE | EASEMENT LINE |
| ROAD CENTERLINE | ROAD CENTERLINE |
| HEADER CURB | HEADER CURB |
| CURB & GUTTER | CURB & GUTTER |
| EDGE OF PAVEMENT | EDGE OF PAVEMENT |
| EDGE OF CONCRETE | EDGE OF CONCRETE |
| EDGE OF GRAVEL | EDGE OF GRAVEL |
| SIDEWALK | SIDEWALK |
| ASPHALT TRAIL | ASPHALT TRAIL |
| WOOD CHIP TRAIL | WOOD CHIP TRAIL |
| GUARDRAIL | GUARDRAIL |
| BOARD FENCE | BOARD FENCE |
| CHAIN LINK FENCE | CHAIN LINK FENCE |
| WIRE FENCE | WIRE FENCE |
| BUILDINGS | BUILDINGS |
| RETAINING WALL | RETAINING WALL |
| MISCELLANEOUS SIGNS | MISCELLANEOUS SIGNS |
| MAIL BOX | MAIL BOX |
| STREET LIGHT WITH POLE | STREET LIGHT WITH POLE |
| BUILDING MOUNTED LIGHT | BUILDING MOUNTED LIGHT |
| UTILITY POLE | UTILITY POLE |
| UTILITY POLE GUY WIRE | UTILITY POLE GUY WIRE |
| OVERHEAD UTILITY LINE | OVERHEAD UTILITY LINE |
| UNDERGROUND UTILITY LINE | UNDERGROUND UTILITY LINE |
| OVERHEAD COMMUNICATIONS LINE | OVERHEAD COMMUNICATIONS LINE |
| UNDERGROUND COMMUNICATIONS LINE | UNDERGROUND COMMUNICATIONS LINE |
| UNDERGROUND GAS LINE | UNDERGROUND GAS LINE |
| 8" PVC SAN. SEW. | 8" SAN. SEW. |
| SANITARY SEWER MAIN | SANITARY SEWER MAIN |
| SANITARY SEWER FORCE MAIN | SANITARY SEWER FORCE MAIN |
| SANITARY SEWER MANHOLE | SANITARY SEWER MANHOLE |
| SANITARY SEWER CLEAN-OUT | SANITARY SEWER CLEAN-OUT |
| 15" HDPE | 15" HDPE |
| STORM SEWER LINE | STORM SEWER LINE |
| STORM SEWER MANHOLE | STORM SEWER MANHOLE |
| STORM SEWER DROP INLET | STORM SEWER DROP INLET |
| STORM SEWER CURB INLET | STORM SEWER CURB INLET |
| STORM SEWER RIP-RAP | STORM SEWER RIP-RAP |
| STORM SEWER END SECTION | STORM SEWER END SECTION |
| 8" W/M | 8" W/M |
| WATER MAIN | WATER MAIN |
| FIRE HYDRANT | FIRE HYDRANT |
| WATER VALVE | WATER VALVE |
| WATER METER | WATER METER |
| INDEX CONTOUR LINE | INDEX CONTOUR LINE |
| INTERMEDIATE CONTOUR LINE | INTERMEDIATE CONTOUR LINE |
| SPOT ELEVATIONS | SPOT ELEVATIONS |
| TREES/SHRUBS | TREES/SHRUBS |
| DRIP LINE OF TREES | DRIP LINE OF TREES |
| LIMITS OF CONSTRUCTION | LIMITS OF CONSTRUCTION |
| SOIL BOUNDARY | SOIL BOUNDARY |

STATEMENT OF ACCEPTANCE

THE DEVELOPER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS, AND SPECIFICATIONS PROVIDED HEREON; AND TO COMPLETE ALL THE IMPROVEMENTS REQUIRED BY THE PRELIMINARY PLAT OR SITE PLAN.

DATE

BELVEDERE FAMILY FARM TRUST
c/o WALTER J. III & WILLIAM K. TRUETNER
P.O. BOX 247
CRESTED BUTTE, CO 81224

**Jefferson County
CONSTRUCTION NOTES
(TABLE 1.2-1)**

- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE AND INSPECTED PRIOR TO PERFORMING ANY SIGNIFICANT EARTH DISTURBING ACTIVITIES AND SITE GRADING.
- EARTH WORK SHALL BE COMPACTED TO THE PERCENTAGES OF MAXIMUM DRY DENSITY IN ACCORDANCE WITH AASHTO 199C, AS SHOWN BELOW:

| | |
|--|------|
| A. ROADWAYS | 98% |
| 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.
- 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.
- WORK ZONE TEMPORARY TRAFFIC CONTROL ALONG A PUBLIC ROAD SHALL BE IN ACCORDANCE WITH WEST VIRGINIA DIVISION OF HIGHWAY REQUIREMENTS AND APPROVAL.
- 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:

- INSTALLATION OF SEDIMENT & EROSION CONTROL DEVICES PRIOR TO BEGINNING SITE GRADING.
- ROADWAY AND/OR PARKING LOT SUBGRADE PROOF ROLL PRIOR TO BEGINNING SITE GRADING.
- ROADWAY AND/OR PARKING LOT STONE BASE DEPTH CHECK PRIOR TO PLACING ASPHALT OR CONCRETE PAVEMENT.
- WATER SYSTEM AND SANITARY SEWER SYSTEM INSPECTION AND APPROVAL BY THE PUBLIC SERVICE DISTRICT/UTILITY PRIOR TO BACKFILLING OF TRENCHES.
- 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. 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.

| NO. | SHEET NUMBER AND REVISION DESCRIPTION | DATE |
|-----|--|----------|
| 1. | 13-17, 39-81 - CTUB COMMENTS | 9-25-18 |
| 2. | ALL SHEETS - JEFFERSON COUNTY COMMENTS | 10-22-18 |

**Jefferson County - Complete List of Waiver/Variations
(Table 1.2-2)**

| Ordinance | Section of Ordinance | Description of Waiver or Variance | Date Granted |
|-------------|----------------------|---|--------------|
| SUBDIVISION | 21.101.A | BLOCKS EXCEED 6 LOTS IN LENGTH | 4/10/18 |
| SUBDIVISION | 21.104.A | MINIMUM LOT FRONTAGE REDUCED TO 70' | 4/10/18 |
| SUBDIVISION | 21.306 | INTERSECTIONS PERMITTED WITHIN 175 FEET | 4/10/18 |
| SUBDIVISION | 2.2.K.1.A | OPEN DITCH SECTION IN LIEU OF CURBS & GUTTERS | 4/10/18 |

LIST OF DRAWINGS:

| SHEET NUMBER | NCS SHEET NUMBER | SHEET TITLE |
|--------------|------------------|---|
| 01 | GI-001 | COVER SHEET |
| 02 | GI-002 | GENERAL NOTES |
| 03 | GI-501 | GENERAL DETAILS |
| 04 | GI-502 | GENERAL DETAILS |
| 05 | GI-001 | EXISTING CONDITIONS |
| 06 | CD-101 | EXISTING CONDITIONS |
| 06A | CS-001 | OVERALL SITE PLAN |
| 07 | CV-101 | PRELIMINARY PLAT |
| 08 | CV-102 | PRELIMINARY PLAT |
| 09 | CV-103 | PRELIMINARY PLAT |
| 10 | CV-104 | PRELIMINARY PLAT |
| 11 | CV-105 | PRELIMINARY PLAT |
| 12 | CV-701 | PRELIMINARY PLAT DATA |
| 13 | CS-101 | SITE PLAN - UTILITY PLAN |
| 14 | CS-102 | SITE PLAN - UTILITY PLAN |
| 15 | CS-103 | SITE PLAN - UTILITY PLAN |
| 16 | CS-104 | SITE PLAN - UTILITY PLAN |
| 17 | CS-105 | SITE PLAN - UTILITY PLAN |
| 18 | CG-101 | GRADING PLAN |
| 19 | CG-102 | GRADING PLAN |
| 20 | CG-103 | GRADING PLAN |
| 21 | CG-104 | GRADING PLAN |
| 22 | CG-105 | GRADING PLAN |
| 23 | CT-201 | GATEHOUSE PLACE PLAN & PROFILE |
| 24 | CT-201 | GATEHOUSE PLACE PLAN & PROFILE |
| 25 | CT-203 | ANSLEY WAY & CLIFTON TERRACE PLAN & PROFILE |
| 26 | CT-203 | ASHCROFT DRIVE & OLANDER COURT PLAN & PROFILE |
| 27 | CT-205 | CENTERGATE PLACE PLAN & PROFILE |
| 28 | CT-207 | CENTERGATE PLACE PLAN & PROFILE |
| 29 | CT-208 | GUM SPRINGS DRIVE PLAN & PROFILE |
| 30 | CT-208 | GUM SPRINGS DRIVE PLAN & PROFILE |
| 31 | CT-210 | BELL TOWER LANE PLAN & PROFILE |
| 32 | CT-211 | SHORT GAP LANE & BRASS LANTERN WAY PLAN & PROFILE |
| 33 | CT-212 | BALLS BLUFF DRIVE PLAN & PROFILE |
| 34 | CT-213 | BALLS BLUFF DRIVE PLAN & PROFILE |
| 35 | CT-214 | BAR HARBOR TERRACE PLAN & PROFILE |
| 36 | CT-215 | SABER DRIVE PLAN & PROFILE |
| 37 | CT-216 | SABER DRIVE & HEMINGWAY TERRACE PLAN & PROFILE |
| 38 | CT-217 | CHATWELL TERRACE PLAN & PROFILE |
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| 45 | CU-207 | SANITARY SEWER PLAN & PROFILES |
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| 75 | CU-243 | WATER MAIN PLAN AND PROFILES |
| 76 | CU-244 | WATER MAIN PLAN AND PROFILES |
| 77 | CU-245 | WATER MAIN PLAN AND PROFILES |
| 78 | CU-246 | WATER MAIN PLAN AND PROFILES |
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| 103 | GC-103 | EROSION AND SEDIMENT CONTROL PHASE I |
| 104 | GC-104 | EROSION AND SEDIMENT CONTROL PHASE I |
| 105 | GC-105 | EROSION AND SEDIMENT CONTROL PHASE I |
| 106 | GC-106 | EROSION AND SEDIMENT CONTROL PHASE II |
| 107 | GC-107 | EROSION AND SEDIMENT CONTROL PHASE II |
| 108 | GC-108 | EROSION AND SEDIMENT CONTROL PHASE II |
| 109 | GC-109 | EROSION AND SEDIMENT CONTROL PHASE II |
| 110 | GC-110 | EROSION AND SEDIMENT CONTROL PHASE II |
| 111 | GC-501 | EROSION AND SEDIMENT CONTROL DETAILS |
| 112 | GC-502 | EROSION AND SEDIMENT CONTROL DETAILS |
| 113 | GC-503 | EROSION AND SEDIMENT CONTROL DETAILS |
| 114 | LP-101 | LANDSCAPE PLANTING PLAN |
| 115 | LP-102 | LANDSCAPE PLANTING PLAN |
| 116 | LP-103 | LANDSCAPE PLANTING PLAN |
| 117 | LP-104 | LANDSCAPE PLANTING PLAN |
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LIST OF APPROVALS:

CITY OF CHARLES TOWN WATER
AVAILABILITY LETTER:
DATE: AUGUST 2, 2018

CITY OF CHARLES TOWN SEWER
AVAILABILITY LETTER:
DATE: AUGUST 2, 2018

WV DEPARTMENT OF HIGHWAYS
PERMIT #:
DATE:

STATE HEALTH PERMITS
PERMIT #:
DATE:

JEFFERSON COUNTY ADDRESSING
APPROVED: MARCH 19, 2018

WV NPDES PERMIT
APPROVED:
PERMIT #:

Jefferson County, West Virginia

PRELIMINARY PLAT APPROVAL
 SITE PLAN APPROVAL

BY: _____ Date: _____
County Engineer

BY: _____ Date: _____
County Planner

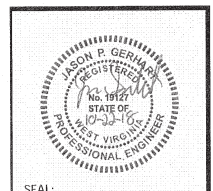
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COVER SHEET

| NO. | REVISIONS |
|-----|--|
| 1. | 09/25/2018 - CTUB COMMENTS |
| 2. | 10/22/2018 - JEFFERSON COUNTY COMMENTS |

**MAGNOLIA SPRINGS
SUBDIVISION (LOTS 1-300)**
TAX MAP 10, PARCELS 8 & 8.6, D.B. 1132, PG. 301
CHARLES TOWN TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

J.C.P.C. FILE #18-05

SCALE: HORIZ: AS NOTED
VERT: _____

DATE: AUGUST 2018

JOB: 3314-0101

DRAWN: MAC CHECK: JPG

CADD: C-GI-001.DWG

NCS: GI-001

SHEET: 01 OF 119

#2 Not Revised Print



FIRST CHARLES TOWN GROUP
 TM 15, PAR. 8.6
 D.B. 1244, PG. 482
 ZONED: GENERAL COMMERCIAL
 USE: RESIDENTIAL

N/F
 RUSSELL J. FRITTS, INC.
 TM 15, PAR. 10
 D.B. 431, PG. 745
 ZONED: NEIGHBORHOOD
 RESIDENTIAL
 USE: AGRICULTURAL

N/F
 DONALD E. JR. & TRACEE L. DILLON
 TM 15, PAR. 8.7; D.B. 1668 PG. 740
 ZONED: RESIDENTIAL LOW DENSITY
 USE: RESIDENTIAL

N/F
 GUY BARETH CHOICORCHI
 TM 109, PAR. 82; D.B. 972 PG. 84
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 LORNE A. GROVE
 TM 109, PAR. 82.1; D.B. 716 PG. 320
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 MICHAEL L. & CONNIE S. COULTER
 TM 109, PAR. 81; D.B. 636 PG. 1
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 AUSTIN M. & AMANDA S. JOLLY
 TM 102, PAR. 78.1; D.B. 824 PG. 591
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 KAREN R. WYSONG
 TM 109, PAR. 77; D.B. 9018 PG. 79
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 MATTHEW STOUTS
 TM 109, PAR. 79; D.B. 880 PG. 84
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 SALLY S. BURRS
 TM 109, PAR. 78; D.B. 988 PG. 659
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 KATRINA L. & KIRBY GARCIA
 TM 109, PAR. 76; D.B. 106 PG. 601
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 OSKARD W. & NANCY L. BARNHCKEL
 TM 109, PAR. 75.2; D.B. 75 PG. 505
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 FRED LLOYD LIFE
 TM 109, PAR. 74; D.B. 1017 PG. 622
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 DANIEL CHEW
 TM 109, PAR. 73.2; D.B. 950 PG. 509
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

N/F
 KATHLEEN A. HOLSINGER
 TM 109, PAR. 73; D.B. 963 PG. 702
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

SEE SHEET
 07 FOR PRELIMINARY PLAT,
 13 FOR SITE PLAN - UTILITY
 PLAN,
 18 FOR GRADING PLAN,

SEE SHEET
 08 FOR PRELIMINARY PLAT,
 14 FOR SITE PLAN - UTILITY
 PLAN,
 19 FOR GRADING PLAN,

SEE SHEET
 09 FOR PRELIMINARY PLAT,
 15 FOR SITE PLAN - UTILITY
 PLAN,
 20 FOR GRADING PLAN,

SEE SHEET
 10 FOR PRELIMINARY PLAT,
 16 FOR SITE PLAN - UTILITY
 PLAN,
 21 FOR GRADING PLAN,

SEE SHEET
 11 FOR PRELIMINARY PLAT,
 17 FOR SITE PLAN - UTILITY
 PLAN,
 22 FOR GRADING PLAN,

NO DEVELOPMENT
 PROPOSED AT THIS TIME
 (NO PUBLIC ACCESS)

N/F
 MARK F. LANGLET, TRUSTEE
 T.M. 15, PAR. 7.4
 D.B. 1030, PG. 343
 ZONED: NEIGHBORHOOD RESIDENTIAL
 USE: AGRICULTURAL

N/F
 WEST VIRGINIA UNIVERSITY
 HOSPITALS, INC.
 T.M. 15, PAR. 7.3
 D.B. 105, PG. 200
 ZONED: GENERAL COMMERCIAL
 USE: AGRICULTURAL

N/F
 MARK F. LANGLET, TRUSTEE
 T.M. 15, PAR. 8.1
 D.B. 1030, PG. 343
 ZONED: NEIGHBORHOOD RESIDENTIAL
 USE: AGRICULTURAL

N/F
 GUY BARETH CHOICORCHI
 TM 9, PAR. 67
 D.B. 69 PG. 432
 ZONED: GENERAL COMMERCIAL
 USE: VACANT

N/F
 BRADLEY T. RIGGLEMAN &
 KATHLEEN M. JACOBS
 T.M.P. 18, PAR. 6.15
 D.B. 103, PG. 196
 ZONED: RESIDENTIAL GROWTH
 USE: RESIDENTIAL

SECTION TWO
 OAKLAND HEIGHTS
 PLAT BOOK 7, PAGE 14

N/F
 MVB BANK INC
 TM 13, PAR. 1
 D.B. 101, PG. 649
 ZONED: RESIDENTIAL
 LOW DENSITY

N/F
 JAY H. REID, III
 & LORI A. REID
 T.M. 9, PAR. 20
 D.B. 761, PG. 640
 ZONED: RESIDENTIAL
 LOW DENSITY

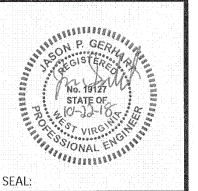
N/F
 PAULINE E. ROWE
 T.M. 9, PAR. 51
 D.B. 306 PG. 126
 ZONED: RESIDENTIAL
 LOW DENSITY

HOMEOWNER'S ASSOCIATION
 OF COUNTY GREEN, INC.
 T.M. 9, PAR. COMM
 D.B. 1547 PG. 260
 ZONED: RESIDENTIAL
 MEDIUM-HIGH DENSITY

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| 1. 09/25/2018 - CTUB COMMENTS |
| 2. 10/22/2018 - JEFFERSON COUNTY COMMENTS |

OVERALL SITE PLAN

**MAGNOLIA SPRINGS
 SUBDIVISION (LOTS 1-300)**

TAX MAP 10, PARCELS 8 & 8.6, D.B. 1192, PG. 301
 CHARLES TOWN TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

J.C.P.C. FILE #18-05

SCALE: HORIZ: 1"=150'
 VERT:

DATE: AUGUST 2018

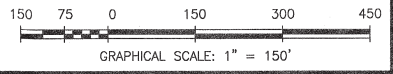
JOB: 3314-0101

DRAWN: MAC CHECK: JPC

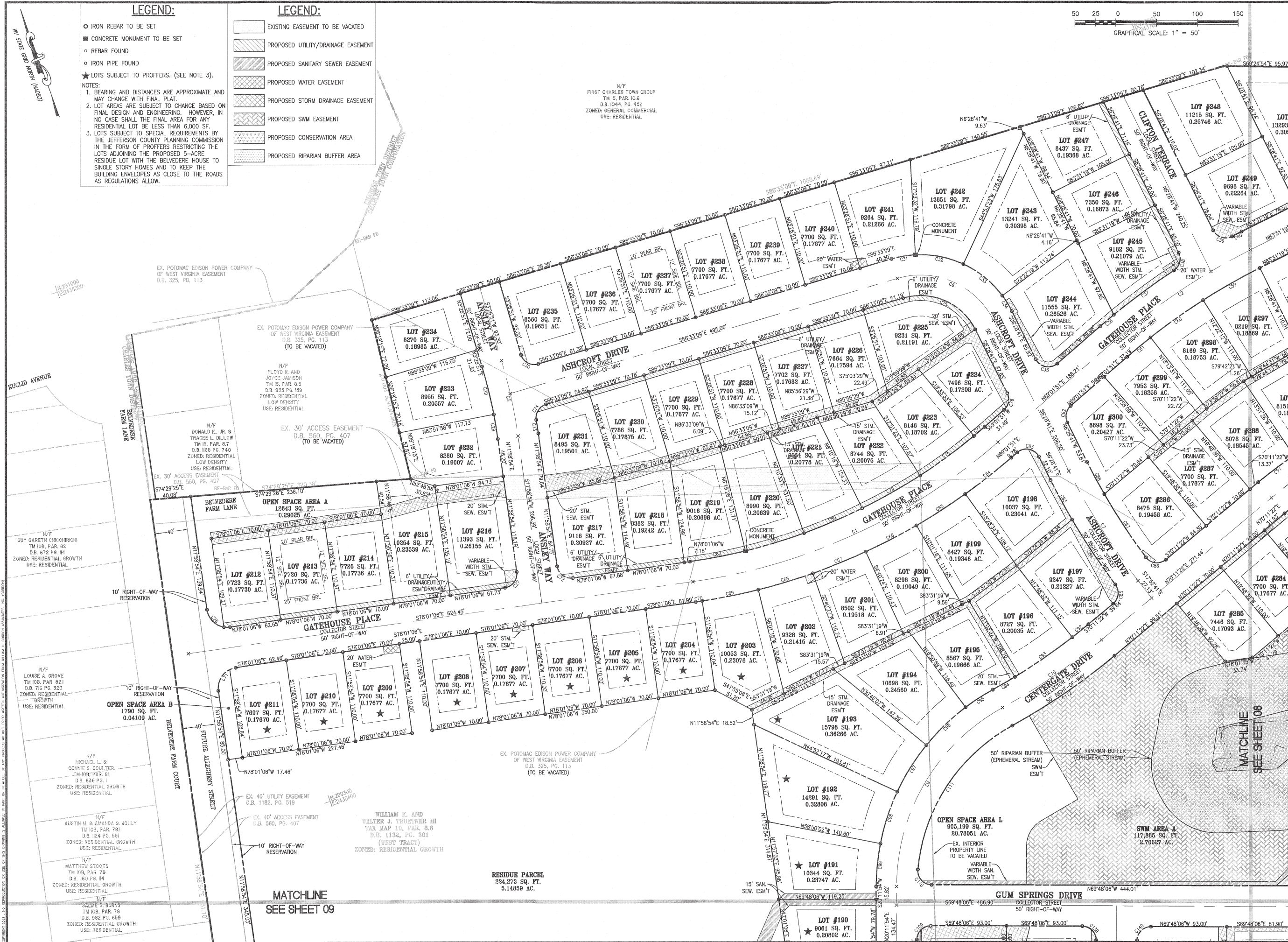
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NCS: CS-001

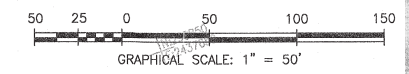
SHEET:
06 OF 119



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- LEGEND:**
- IRON REBAR TO BE SET
 - CONCRETE MONUMENT TO BE SET
 - REBAR FOUND
 - IRON PIPE FOUND
 - ★ LOTS SUBJECT TO PROFFERS. (SEE NOTE 3).
- NOTES:**
1. BEARING AND DISTANCES ARE APPROXIMATE AND MAY CHANGE WITH FINAL PLAT.
 2. LOT AREAS ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN AND ENGINEERING. HOWEVER, IN NO CASE SHALL THE FINAL AREA FOR ANY RESIDENTIAL LOT BE LESS THAN 6,000 SF.
 3. LOTS SUBJECT TO SPECIAL REQUIREMENTS BY THE JEFFERSON COUNTY PLANNING COMMISSION IN THE FORM OF PROFFERS RESTRICTING THE LOTS ADJOINING THE PROPOSED 5-ACRE RESIDUE LOT WITH THE BELVEDERE HOUSE TO SINGLE STORY HOMES AND TO KEEP THE BUILDING ENVELOPES AS CLOSE TO THE ROADS AS REGULATIONS ALLOW.
- LEGEND:**
- EXISTING EASEMENT TO BE VACATED
 - PROPOSED UTILITY/DRAINAGE EASEMENT
 - PROPOSED SANITARY SEWER EASEMENT
 - PROPOSED WATER EASEMENT
 - PROPOSED STORM DRAINAGE EASEMENT
 - PROPOSED SWM EASEMENT
 - PROPOSED CONSERVATION AREA
 - PROPOSED RIPARIAN BUFFER AREA

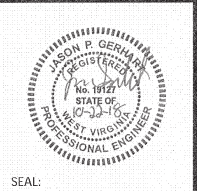


H/F
FIRST CHARLES TOWN GROUP
TM 15, PAR. 10.6
D.B. 1044, PG. 452
ZONED: GENERAL COMMERCIAL
USE: RESIDENTIAL

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| 1. 09/25/2018 - CTUB COMMENTS |
| 2. 10/22/2018 - JEFFERSON COUNTY COMMENTS |

PRELIMINARY PLAT

**MAGNOLIA SPRINGS
SUBDIVISION (LOTS 1-300)**

TAX MAP 10, PARCELS 8 & 8.6, D.B. 1192, PG. 301
CHARLES TOWN TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

J.C.P.C. FILE #18-05

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

DATE: AUGUST 2018

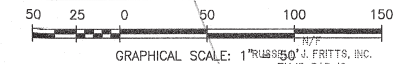
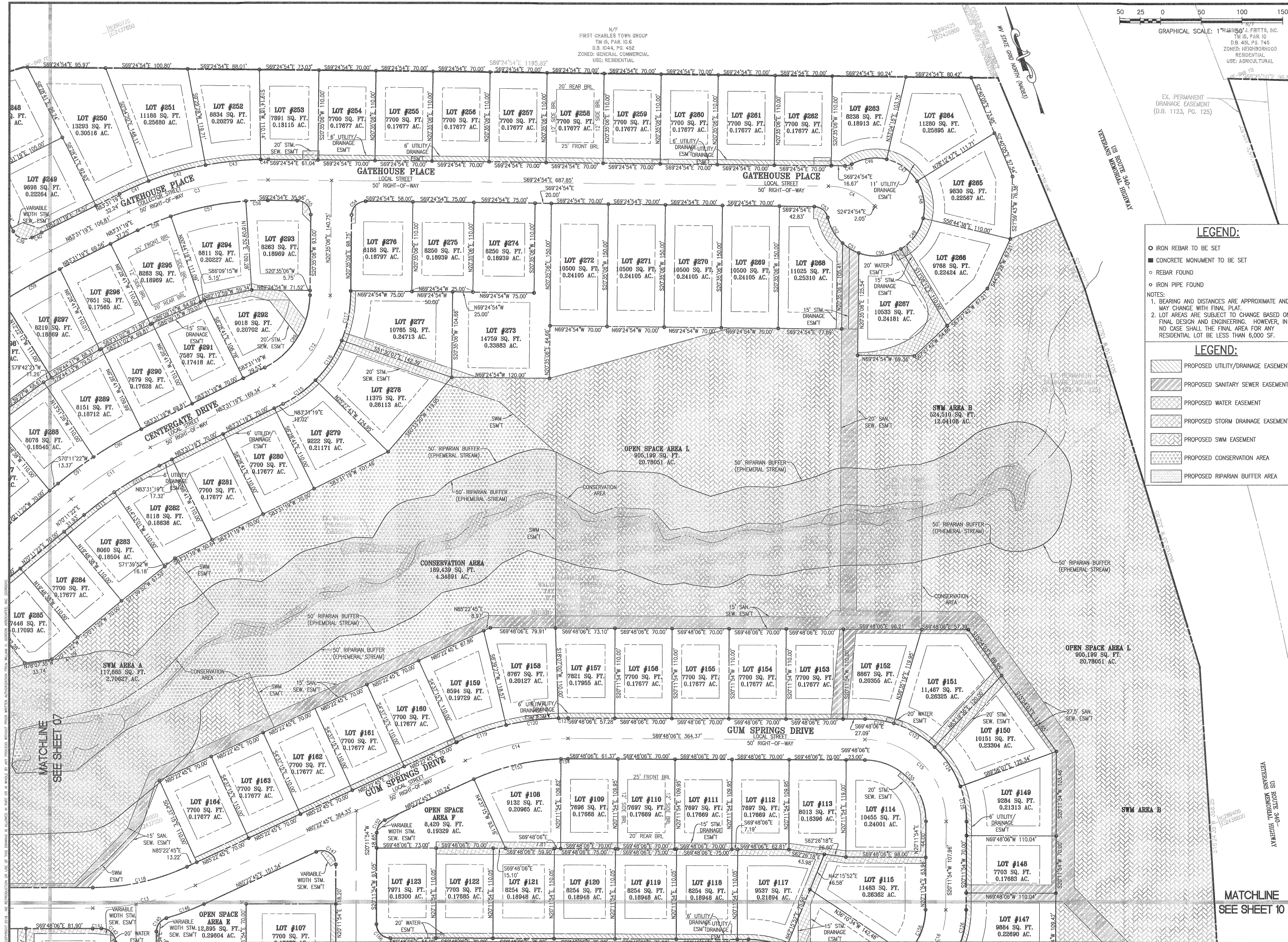
JOB: 3314-0101

DRAWN: MAC CHECK: JPC

CADD: C-CV-101.DWG

NCS: CV-101

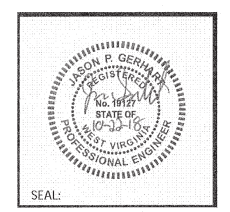
SHEET: 07 OF 119



GRAPHICAL SCALE: 1" = 50'
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 MARTINSBURG, WV 25401
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LEGEND:

- IRON REBAR TO BE SET
- CONCRETE MONUMENT TO BE SET
- REBAR FOUND
- IRON PIPE FOUND

NOTES:
 1. BEARING AND DISTANCES ARE APPROXIMATE AND MAY CHANGE WITH FINAL PLAT.
 2. LOT AREAS ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN AND ENGINEERING. HOWEVER, IN NO CASE SHALL THE FINAL AREA FOR ANY RESIDENTIAL LOT BE LESS THAN 6,000 SF.

LEGEND:

- ▨ PROPOSED UTILITY/DRAINAGE EASEMENT
- ▨ PROPOSED SANITARY SEWER EASEMENT
- ▨ PROPOSED WATER EASEMENT
- ▨ PROPOSED STORM DRAINAGE EASEMENT
- ▨ PROPOSED SWM EASEMENT
- ▨ PROPOSED CONSERVATION AREA
- ▨ PROPOSED RIPARIAN BUFFER AREA

| NO. | DATE | REVISIONS |
|-----|------------|---------------------------|
| 1. | 08/25/2018 | CIUB COMMENTS |
| 2. | 10/22/2018 | JEFFERSON COUNTY COMMENTS |

PRELIMINARY PLAT
MAGNOLIA SPRINGS
SUBDIVISION (LOTS 1-300)
 TAX MAP 10, PARCELS 8 & 86, D.B. 1152, PG. 301
 CHARLES TOWN TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA
 J.C.P.C. FILE #18-05

SCALE: HORIZ: 1" = 50'
 VERT.:
 DATE: AUGUST 2018
 JOB: 3314-0101
 DRAWN: MAC CHECK: JPC
 CADD: C-CV-101.DWG
 NCS: CV-102
 SHEET:
08 OF 119

MATCHLINE
 SEE SHEET 10

MATCHLINE
 SEE SHEET 07

1/1 F/F
 FIRST CHARLES TOWN GROUP
 TM 15, PAR. 10.6
 D.B. 1044, PG. 452
 ZONED: GENERAL COMMERCIAL
 USE: RESIDENTIAL

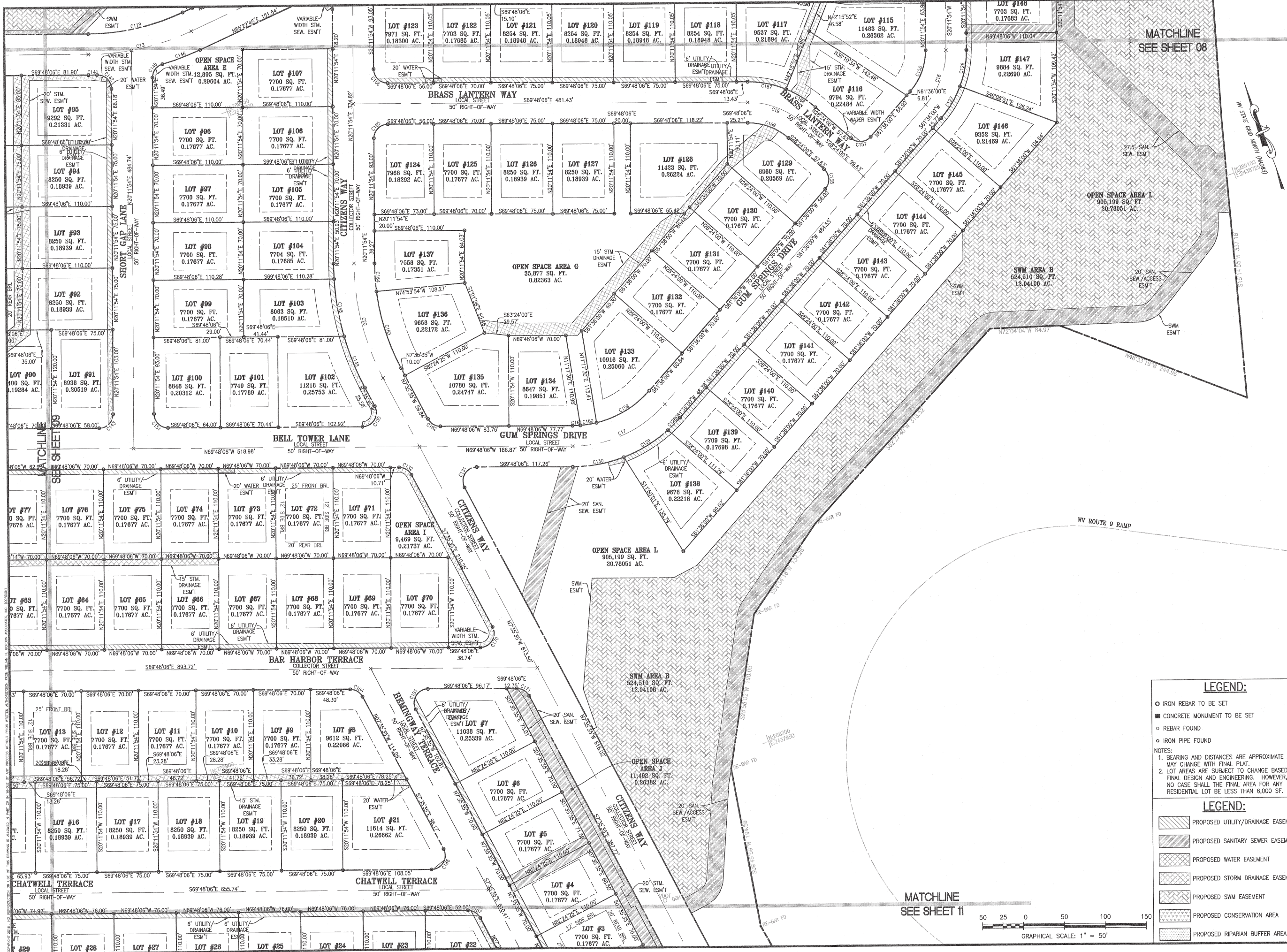
EX. PERMANENT
 DRAINAGE EASEMENT
 (D.B. 1123, PG. 125)

PERMANENT
 DRAINAGE EASEMENT
 (D.B. 1123, PG. 125)

PERMANENT
 DRAINAGE EASEMENT
 (D.B. 1123, PG. 125)

PERMANENT
 DRAINAGE EASEMENT
 (D.B. 1123, PG. 125)

PERMANENT
 DRAINAGE EASEMENT
 (D.B. 1123, PG. 125)



LEGEND:

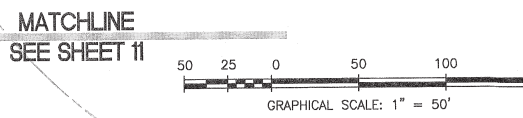
- IRON REBAR TO BE SET
- CONCRETE MONUMENT TO BE SET
- REBAR FOUND
- IRON PIPE FOUND

NOTES:

1. BEARING AND DISTANCES ARE APPROXIMATE AND MAY CHANGE WITH FINAL PLAT.
2. LOT AREAS ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN AND ENGINEERING. HOWEVER, IN NO CASE SHALL THE FINAL AREA FOR ANY RESIDENTIAL LOT BE LESS THAN 6,000 SF.

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- ▨ PROPOSED SANITARY SEWER EASEMENT
- ▨ PROPOSED WATER EASEMENT
- ▨ PROPOSED STORM DRAINAGE EASEMENT
- ▨ PROPOSED SWM EASEMENT
- ▨ PROPOSED CONSERVATION AREA
- ▨ PROPOSED RIPARIAN BUFFER AREA



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| 1. | 09/25/2018 | CTUB COMMENTS |
| 2. | 10/22/2018 | JEFFERSON COUNTY COMMENTS |

PRELIMINARY PLAT

**MAGNOLIA SPRINGS
 SUBDIVISION (LOTS 1-300)**
 TAX MAP 10, PARCELS 8 & 8.6, D.B. 1132, PG. 301
 CHARLES TOWN TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

J.C.P.C. FILE #18-05

SCALE: HORIZ: 1"=50'
 VERT.:
 DATE: AUGUST 2018
 JOB: 3314-0101
 DRAWN: MAC CHECK: JPC
 CADD: C-CV-101.DWG
 NCS: CV-104
 SHEET:
10 OF 119



October 3, 2018

D. Brad Hatch, Ph.D.
Archaeological Staff Manager
Dovetail Cultural Resource Group
11905 Bowman Drive, Suite 502
Fredericksburg, VA 22408

RE: Magnolia Springs Project, Jefferson County, West Virginia
FR# 18-483-JF-1 & 18-483-JF-2

Dear Dr. Hatch:

We have received and reviewed the report titled, Phase IA Reconnaissance Survey and Predictive Model of the Magnolia Springs Project Area, Jefferson County, West Virginia, prepared and submitted by Dovetail Cultural Resource Group for the above referenced project. As per the Jefferson County Planning Commission subdivision review process, the property owner/applicant must determine if historic resources are present on the property to be developed. Our comments may be used regarding this determination.

Also, it is our understanding that at this time no federal or state assistance is identified. However, it is possible that a National Pollutant Discharge Elimination System (NPDES) permit from the WVDEP may be needed; therefore, we reference West Virginia Code 29-1-8 which states that our office shall "review all undertakings permitted, funded, licensed or otherwise assisted, in whole or in part, by the state for the purposes of furthering the duties of the section." Should there be federal involvement, the federal agency must complete the steps outlined in 36 CFR 800. Therefore, we recommend that completion of a review process be considered at this time to avoid any unnecessary delays should state or federal involvement be initiated later.

Archaeological Resources:

According to the report, a Phase IA archaeological reconnaissance survey was conducted within the entire project area to create an archaeological predictive model for the project area. The survey revealed that the project area contains one historic building complex (a tenant dwelling and associated farm outbuildings), two previously recorded archaeological sites (46JF57 and 46JF132), one isolated find (46JF342), and is within the Charles Town Civil War battlefield area. The building complex consists of a late-nineteenth century frame dwelling and barns with an early twentieth century shed. Our records note the presence of site 46JF132, a slave cemetery associated with the National Register of Historic Places listed Belvedere, within the identified building complex. However, according to the report no surface indications of a cemetery were noted within the vicinity of the building complex during the survey.

The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

Three factors (slope, soil class, and distance to water) were taken into consideration when creating the predictive model. Known site boundaries as well as historic mapping were also incorporated into the model. Buffer zones (100-feet) were established around known structures based on historic mapping and aerial imagery to account for placement of the structures as well as associated demolished structures or features. According to the report, areas with a high potential to contain intact archaeological deposits included areas with previously identified sites, areas that were relatively flat (0-2 percent slope) containing well-drained soils, and areas in close proximity to unnamed headwaters off of Cattail Run. Low probability areas were defined as areas with bedrock outcrops at or near the surface of ground, areas on sloped terrain, and that contain very rocky soils that have a tendency to erode (i.e., Urban Land-Hagerstown Complex). No definition of moderate probability areas is provided in the report.

The predictive model results note that 50.2 acres of the project area have a high potential to contain intact archaeological deposits. These areas are concentrated in the eastern half of the project area where the extant buildings and known sites are located as well as the headwaters of Cattail Run. Whereas, 31.4 acres have a moderate potential and 14.8 acres have a low potential to contain archaeological deposits. Based upon these findings, Dovetail is recommending that a Phase IB archaeological survey be conducted. The proposed scope of work for the Phase IB includes: additional research on site 46JF132, a potential slave cemetery, to determine its actual location; a pentrometer survey to define the boundaries of the cemetery, if warranted; systematic shovel testing on 100 percent of the high probability areas, 25 percent of the moderate probability areas, and 10 percent of the low probability areas; and a systematic metal detection survey on the entire project area.

We concur with the recommendation that a Phase IB archaeological survey be conducted in the proposed Magnolia Springs project area. However, we do not concur with the sampling strategy provided for the moderate and low probability areas. Please provide clarification on why only 25 percent of the moderate probability areas and 10 percent of the low probability areas will be shovel tested. Explain the selection method on which areas will be shovel tested within the moderate and the low probability areas. Provide clarification on why the portion of project area located within the National Register of Historic Places boundaries of Belvedere is not all considered high probability given the potential for outbuildings to be present behind the main house. Provide a more detailed explanation of why the area in between sites 46JF132 and 46JF57 is classified as a low probability area given the fact that according to Figures 10 and 11 this area contains Soil Class 3 and similar slopes as areas classed moderate and high probability elsewhere in the project area. With respect to the methods for surveying the potential slave cemetery, please elaborate on the reasoning for the selection of the pentrometer survey instead of other geophysical survey methods (i.e., ground penetrating radar). We will provide further comments upon receipt of the requested information.

Architectural Resources:

Our previous comments addressed to Mr. Todd Heck dated April 5, 2018 stated that the proposed subdivision will impact Belvedere, which is listed in the National Register of Historic Places (NRHP) as NR # 8400358. Plans indicate that a five-acre area around the Belvedere House will be preserved. The

current proposal places both new roads and new house lots within the approximately 10 acres included with the house on the NRHP, thus impacting the listed resource. Outside of the NRHP listed acreage, several farm-related outbuildings exist and have not been evaluated for National Register eligibility. These buildings appear to be scheduled for demolition. We recommend that these buildings be evaluated for eligibility in association with the NRHP listed portion of the property.

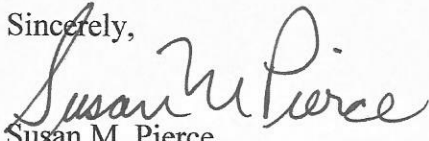
The remainder of the roads and housing lots will be within the property referenced in the nomination as a contributing viewshed of the Belvedere House. The NRHP nomination specifically mentions the 273 acres and the setting of the property noting the Belvedere mansion as "commanding a majestic, panoramic view that has remained virtually unchanged since the farm came into existence in the 18th century." It is our opinion that the subdivision will significantly alter the character of the historic setting of the property; therefore, we recommend that the overall adverse effects to Belvedere and its setting be considered.

Public Comments:

As stated earlier, it is our understanding that at this time, there is no state or federal involvement. Both levels of review require public comment. We recommend that the public be provided an adequate opportunity to comment. We understand that the Jefferson County Historic Landmark Commission has already expressed concern regarding this proposed subdivision.

We appreciate the opportunity to be of service. *If you have questions regarding our comments, please contact Carolyn M. Kender, Archaeologist, or Ernest E. Blevins, Structural Historian, at (304) 558-0240.*

Sincerely,



Susan M. Pierce

Deputy State Historic Preservation Officer

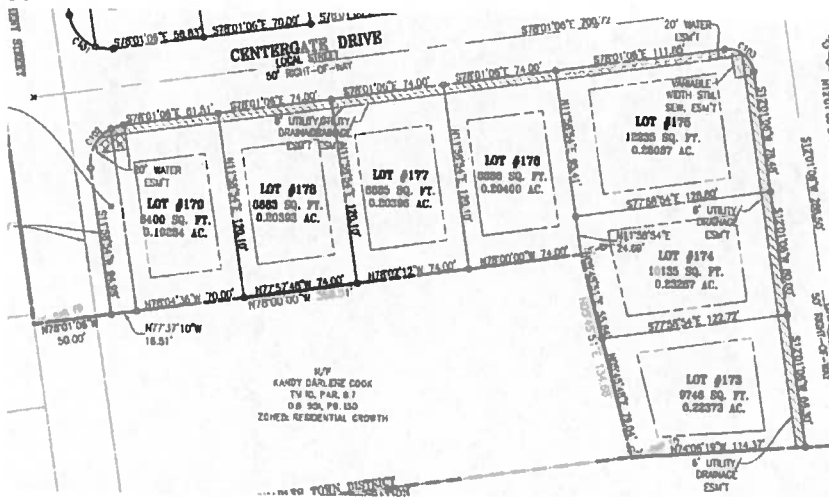
SMP/CMK/EEB

CC: Ms. Jennifer M. Brockman – Jefferson County Planner

From: Victoria Myers, Jefferson County Mapper
Sent: Tuesday, October 30, 2018
To: Jefferson County Planning and Zoning Department
CC: Jefferson County Engineering Department
Subject: Magnolia Springs Subdivision #18-05 #2

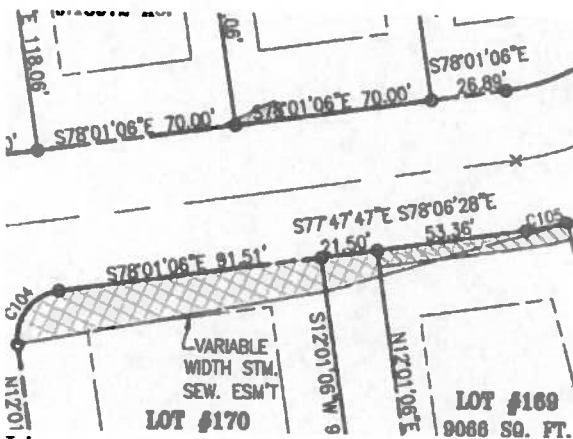
Subdivision: The line around the subdivision closes within the requirements.
 Closure Error Distance > 0.0291 Error Bearing > S 06°46'28" W
 Closure Precision > 1 in 341701.5 Total Distance Inversed > 9946.69
 Area: 4828600.7 Sq. Feet, 110.85 Acres

NOTES:



Bearing must match (lots and Exterior subdivision). From lot 177 to far edge of future Allegheny St.

Missing Dimension at the end of Olander Ct.



Lines are not parallel across Centergate Dr.

Open Space Area D missing line dimension (45')

Open space area K missing south dimension

Open Space area P west line too long

Open space area K is incorrect somewhere.

Open space area L is missing south line

Lot # Issue

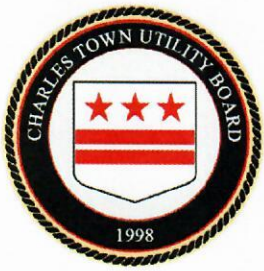
- 25 South line should be 76'
 - 39 Something is wrong here things in this block won't close
 - 40 Something is wrong here things in this block won't close
 - 41 Something is wrong here things in this block won't close
 - 42 Something is wrong here things in this block won't close
 - 43 Something is wrong here things in this block won't close
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 - 53 Something is wrong here things in this block won't close
 - 54 Something is wrong here things in this block won't close
 - 55 Something is wrong here things in this block won't close
 - 56 Something is wrong here things in this block won't close
 - 57 Something is wrong here things in this block won't close
 - 58 Something is wrong here things in this block won't close
 - 59 Something is wrong here things in this block won't close
 - 159 Rear line too long (86.75')
 - 177 Rear line does not match bearing of subdivision line.
 - 178 Rear line does not match bearing of subdivision line.
 - 267 W line does not meet circle (short)
 - 277 Small line missing from dimensions (5.75') near lot 276
-
- 1 Missing east dimension
 - 4 East line wrong if west line right
 - 5 East line wrong if west line right
 - 100 Missing Dimension between Lots 100 & 101
 - 101 Missing Dimension between Lots 101 & 102
 - 102 Missing Dimension between Lots 101 & 102
 - 104 Missing Curve dimension
 - 107 Dimension on lot 107 and Open Space Area E needs split into two dimensions, North line missing dimension
 - 147 Missing dimension on line at Gum Springs Dr (20.67')
 - 149 Missing dimension on line at Gum Springs Dr (17.30')

- 169 Line between 170 and 169 is not 21.5' measures 20'
- 170 Line between 170 and 169 is not 21.5' measures 20'
line not dimensioned between lot 179 and open space area N, Curve 102 needs to be split into two curves,
- 179 line.
- 180 Curve 101 needs to be split into two curves
- 212 No Curve on lot between S Line and C26
- 248 No dimension from found rebar to lot corner
- 268 E line goes into circle East of point (Seems 77.89' is too long)
- 299 Dimensions overlap
- 300 Dimensions overlap

There may be other issues I did not find.

“Islands” (Blocks) still do not have tie lines to other blocks. With the number of errors identified it would have helped identify the errors.

10/30/18



Charles Town

Utility Board

832 S. George Street, P.O. Box 359, Charles Town, WV 25414

Phone: (304) 725-2316 ♦ Fax: (304) 725-4313 ♦ Web: www.charlestownutilities.us

October 24, 2018

UTILITY
BOARD

Mr. Jason Gerhart
148 South Queen Street, Suite 201
Martinsburg, WV 25401

CHAIRMAN
*Daryl
Hennessy*

Re: Magnolia Springs Subdivision – Plan Approval

Dear Mr. Gerhart:

VICE
CHAIRMAN
*Pete
Kubic*

We have reviewed your revised plans and find the plan acceptable for approval.

SECRETARY
TREASURER
*Kevin
Tester*

Please notify us of any changes to these plans and provide as-built drawings upon completion in hard copy and electronic format in accordance with the CTUB Water Specifications.

If you have any questions, please contact me at (304) 724-7080.

*Michael
Slower*

Sincerely,

*Mayor, City of
Ranson
Duke Pierson*

Kristen M. Stolipher
Assistant Utility Manager

UTILITY
MANAGER
*Jane E.
Arnett*

Transportation Impact Study

Magnolia Springs

Jefferson County, West Virginia

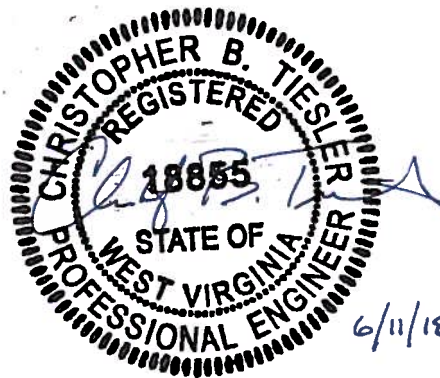
Prepared For:
Chandler's Glen, LLC
PO Box 1875
Martinsburg, West Virginia
(304) 901-4931

Prepared By:
Kittelson & Associates, Inc.
11480 Commerce Park Drive, Suite 450
Reston, Virginia 20191
(703) 885-8970

Project Manager: Amelia Martin
Project Principal: Chris Tiesler, P.E.

Project No. 22481

June 2018



EXECUTIVE SUMMARY

Chandlers Glen, LLC proposes to develop the Magnolia Springs development, located west of US-340 near Charles Town in Jefferson County, West Virginia.

A traffic operations analysis has been conducted to confirm that the transportation system can adequately support the proposed Magnolia Springs, in fulfillment of West Virginia Division of Highways (WVDOH) requirements. The scope of the project analysis was developed through collaboration with WVDOH staff in accordance with WVDOH's Traffic Engineering Directive (TED) 106-2.

Specifically, this analysis includes:

- Year 2018 existing land use and transportation system conditions within the site vicinity;
- Planned development improvements in the study area;
- Forecast year 2022 background traffic conditions during the Friday a.m. and Friday p.m. peak periods, including regional growth;
- Trip generation and distribution estimates for the proposed development;
- Forecast year 2022 total traffic conditions with full build-out of the site during the Friday a.m. and Friday p.m. peak periods;
- Conclusions and recommendations.

TRANSPORTATION IMPACT ANALYSIS FINDINGS

The results of the traffic impact analysis indicate that the proposed development can be constructed while not impacting operations on the surrounding transportation system assuming provision of mitigations specified in this report. The findings of this analysis and our recommendations are discussed below.

Existing Conditions

- The study intersections operate at acceptable levels of service during the Friday a.m. and Friday p.m. peak hours, with the exception of the Route 115 & Hillside Drive & US-340 NB Ramps intersection.
 - During the Friday a.m. peak hour, the northbound approach operates at LOS E.
 - During the Friday p.m. peak hour, the northbound approach operates at LOS F.

Year 2022 Background Traffic Conditions

- A 0.625 percent growth rate (compounded annually) was used to account for regional growth in development of year 2022 background traffic volumes.
- In-process traffic from the Jefferson Heights North development was added to background traffic to project year 2022 background traffic volumes.



- The study intersections operate at acceptable levels of service during the Friday a.m. and Friday p.m. peak hours, with the exception of the Route 115 & Hillside Drive & US-340 NB Ramps intersection.
 - During both peak hours, the northbound approach is expected to experience an increase in delay but maintain levels of service consistent with existing conditions.
 - To help mitigate increased delay at the intersection, MUTCD traffic signal warrants were evaluated. Only Warrant 3 (Peak Hour) will be met under year 2022 background conditions, which is generally a warrant reserved for special cases.
 - A single-lane roundabout was also evaluated to help mitigate the northbound approach delays. Based on these analyses, the intersection would operate acceptably with a roundabout during the Friday a.m. and p.m. peak hours.
- All forecast queues are anticipated to be accommodated with existing storage lengths.

Proposed Development Plan

- The Magnolia Springs development is anticipated to be fully built-out in year 2022.
- The current development plan consists of up to 350 single-family homes.
- Access to the site is proposed via an extension of Citizens Way to the south and a driveway off Belvedere Farm Court to the north. The following driveway distributions were assumed and confirmed during the scoping process:
 - Citizens Way (south): 80 percent
 - Belvedere Farm Court (north): 20 percent
- The proposed development would be estimated to generate approximately 259 Friday a.m. (65 in; 194 out), and 347 Friday p.m. (218 in; 129 out) net new peak hour trips. These estimates are based on data available from the *Trip Generation Manual, 10th Edition* and the number of dwelling units (Single-family Detached Housing: ITE Land Use Code 210).

Year 2022 Total Traffic Conditions

- All of the study intersections are forecast to operate at the same level-of-service during both the Friday a.m. and Friday p.m. peak periods relative to year 2022 background traffic conditions with the following exceptions:
 - Route 115 & Citizens Way & US-340 SB Ramps: The critical movements are anticipated to operate at LOS "B" during the Friday a.m. peak hour and LOS "D" during the Friday p.m. peak hour with v/c ratios of 0.45 and 0.80, respectively. Under year 2022 background conditions, the critical movements are anticipated to operate at LOS "A" during the Friday a.m. peak hour and LOS "B" during the Friday p.m. peak hour.
 - Note the intersection is still forecast to operate acceptably, so adding roadway capacity does not appear warranted as part of the development.

- Route 115 & Hillside Drive & US-340 NB Ramps: The critical northbound movement is anticipated to operate at LOS “F” during the Friday a.m. and p.m. peak hours with a v/c ratio of 0.78 and over 1.0, respectively. Under year 2022 background conditions, this approach is anticipated to operate at LOS “E” during the Friday a.m. peak hour and LOS “F” during the Friday p.m. peak hour.
 - To help mitigate increased delay at the intersection, MUTCD traffic signal warrants were evaluated. Warrant 1 (Eight-Hour Vehicular Volume), Warrant 2 (Four-Hour Vehicular Volume), and Warrant 3 (Peak Hour) are expected to be met under year 2022 total traffic conditions at the 70 and 100 percent volume thresholds.
 - With the installation of a traffic signal, the westbound left-turn 95th percentile queue is anticipated to exceed the available storage capacity during the Friday p.m. peak hour. If this improvement is implemented, the westbound left-turn lane could be extended to 250 feet of storage to accommodate queues.
 - A single-lane roundabout was also evaluated to help mitigate the northbound approach delays. Based on these analyses, the intersection would operate acceptably with a roundabout during the Friday a.m. and p.m. peak hours.
- Increases to queueing is typically less than the assumed length of one vehicle and is anticipated to have only minor impacts operations beyond conditions already noted under year 2022 background conditions. The largest disparity in queueing between year 2022 background and year 2022 total conditions is projected to occur on the northbound approach of the Route 115 & Citizens Way & US-340 SB Ramps intersection (approximately five vehicles); however, this increase can be accommodated by the existing roadway geometry and the level of service is expected to be acceptable.

RECOMMENDATIONS

WVDOH should consider the installation of a traffic signal or roundabout at the Route 115 & Hillside Drive & US-340 NB ramps intersection, which operates with deficiencies under existing and background conditions. If a traffic signal is installed, increasing the westbound left-turn lane storage to 250 feet would be beneficial but not required to achieve desirable traffic operations. Given the potential right-of-way impacts and proximity to the Route 115 overpass, signalization may be more appropriate.

As MUTCD signal warrants are expected to be met with the proposed development, any contributions made by the Applicant should not be more than proportionate to the percentage of site traffic at the intersection. No other improvements to the roadway network are recommended with the Magnolia Springs development.



Jefferson County, West Virginia

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

Email: planningdepartment@jeffersoncountywv.org

Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting November 13, 2018

- 1) **2019 Meeting and Submittal Dates** (to be distributed at the meeting)
- 2) **Zoning Ordinance Text Amendments**
 - a) **Landscape Standards**
 - Stakeholder meeting with staff held – draft amendment to be developed.
 - b) **Parking Standards**
 - c) **WV45 Gateway Design Standards (ZTA17-02)**
 - Shepherdstown Planning Commission input received 4/4/18
 - Staff to initiate effort in Fall 2018
- 2) **Subdivision Regulation Text Amendments**
 - a) **Subdivision and Land Development Regulations Amendments (STA18-01)**
 - Staff initiated effort on larger amendment including reorganization of Sub Reg. sections is underway.
- 3) **Upcoming PC meetings**
 - a) Following Regular Meeting: **December 11, 2018**
 - b) Possible Special-called Meeting for Magnolia Springs Preliminary Plat Public Hearing: **December 18, 2018?**