



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

File Number: #214-03
Staff Initials: C/C
Application Fee: \$ _____

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

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

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

Zoning Map Amendment (Rezoning)

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

Property owner information

Name: Standard Land Company, LLC
Mailing Address: PO Box 25523 Washington, DC 20027
Phone Number: 202-441-6156 Email: noah@arc.land

Applicant contact information

Name: See above
Mailing Address: _____
Phone Number: _____ Email: _____

Applicant representative

Name: Gordon/Mark Dyck
Mailing Address: 301 N. Mildred Street, Suite 1, Charles Town, WV 25414
Phone Number: 304-725-8456 Email: mdyck@gordon.us.com

Physical property details

Physical Address: East side of Millville Road (Route 27), south of the intersection with Route 340.
City: Harpers Ferry State: WV Zip Code: 25425
Tax District: Harpers Ferry Map No: 11 Parcel No: 24.1
Parcel Size: 404.69 +/- acres Deed Book: _____ Page No: _____

Current Zoning District (please check one)

Residential
Growth
(RG)



Industrial
Commercial
(IC)



Rural
(R)



Residential-
Light Industrial-
Commercial
(RLIC)



Village
(V)



Neighborhood
Commercial
(NC)



General
Commercial
(GC)



Highway
Commercial
(HC)



Light
Industrial
(LI)



Major
Industrial
(MI)



Planned
Neighborhood
Development
(PND)



Office/
Commercial
Mixed-Use
(O/C)



RECEIVED
DEC 30 2014
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Place Received Date Stamp Here

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

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

Is Plat or Sketch Plan attached?

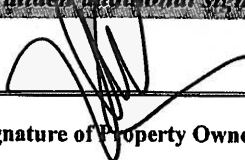


Yes



No

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



12/30/14

Signature of Property Owner

Date

Signature of Property Owner

Date

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

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



Recommended



Not Recommended

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



Approved



Disapproved

Final Determination/Other Comments

4. **Current and planned uses in the vicinity of the property recognize the Route 340 corridor as an appropriate area for development.** The properties north of this property are zoned the same as what the subject is requesting. There are numerous adjacent properties that are currently being operated as commercial and residential uses. Additionally, there are properties adjacent to this parcel that have been planned for future development as commercial, residential and recreational uses.
5. **Availability of Public Utilities.** This property currently has access to public water and sewer with unused capacity therefore there would be no additional burden on existing Utilities.

Property Tax Identification:

Map 11 Parcel 24.1

Deed information:

Deed Book 984, Page Number 501

Property Characteristics:

Location: Located on the east side of Millville Road (Route 27), ¼ mile south of the intersection of Route 340 and Millville Road.

Current Zoning: Rural/Residential Growth

Current / Historic Use: Industrial/Residential/Recreational

Tract Size: 405+/- Acres

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

The requested zoning map amendment is a unique opportunity to realize the potential of the subject property, which has unique economic development potential including significant preservation/recreation opportunities. The existing zoning is not consistent with the adjoining zoning or uses to the north of the property, which is zoned Residential/Light Industrial/Commercial and supports a variety of activities. Further, under existing zoning, approximately 320 homes could be developed on the most visible 80 acres on the northern portion of the subject, while the remaining acreage, which arguably has the most development potential, can only be developed for very low density residential. Yet this larger portion of the property includes an area that could be redeveloped without impacting the

adjoining National Park viewsheds. A previous development proposal of this nature was supported by the National Park Service, however would have been inconsistent with the existing zoning.

The applicant's goal is to obtain the Zoning Map Amendment in order to maintain flexibility in the master plan (placement and type of uses) while maintaining the economic potential of the overall property. The applicant believes that the Zoning Map Amendment will result in a unique and creative master plan for the property that will be implemented over time in a manner consistent with the surrounding area including respecting the historic viewsheds.

The applicant is requesting that the Residential/Light Industrial/Commercial Zone be granted to allow for uses that are consistent with the site location near other Residential/Light Industrial/Commercial uses and in close proximity to a four lane highway and existing public utilities. The property has a legacy heavy industrial use and the requested zoning is required if the property is to be viably redeveloped to provide employment and tax base opportunities more consistent with the information economy and recreation/tourism potential in the eastern part of the County.

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

- ***Chapter 2, Statement of Goals: Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community.***
 - **Public Utilities.** Sanitary sewer and water are provided through public utilities immediately available to the property therefore there should be no unreasonable cost to the community. The western portion of the property has a sewer main through it to an existing sewage treatment plant owned by East Jefferson Sewer Service, LLC. on a tract immediately adjacent to the subject property. Public water is on the northwest corner of the property, which is owned by Jefferson Utilities, Inc.
 - **Schools.** There are numerous schools (C.W. Shipley, Harpers Ferry Middle School) within a close proximity to this site, therefore should the property be developed with residential uses they can be provided without unreasonable cost to the community. Additionally, as with all development in Jefferson County impact fees will be collected as part of the development of the site to provide financial contributions to the County for services.
- ***Chapter 2, Statement of Goals: Encourage and support commercial, industrial, and agricultural activities to provide a diversified and sound local economy.***
 - **The historic backbone of Jefferson County is built on Industry, Commerce and Residential uses.** The property owner envisions this property being developed in a manner that will

the historic characteristics of these communities and the need to develop the property in a context sensitive fashion. The requested zone will offer more flexibility to respond to these varied demands and meet the needs of the surrounding communities.

- **The 2014 draft Comprehensive Plan identifies a preferred growth boundary immediately adjacent to this property.** While still in draft form, the location of this boundary continues to identify that this property is suitable for growth and development. Additionally, the subject property has the special designation of Quarry Redevelopment Area. Granting the requested zoning will allow for maximum flexibility in land use and the broadest possibility of creative development solutions on a portion of the property that can help pay for the costs of preserving unique features on other portions that are worthy of protection.

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

- **Increasing traffic flow on Route 340 has enabled the subject property to remain viable as a commercial use.** Route 340 has historically been a primary transportation route in Jefferson County. Traffic on Route 340 has continued to grow with population and the expanding road system in adjacent Frederick County, Maryland. As a major traffic corridor in Jefferson County, commercial and industrial uses gravitate to Route 340. This requested designation to Residential/Light Industrial/Commercial is consistent with properties with development potential being sited very close to major transportation corridors and underscores the appropriateness of this zoning request.
- **Recent installation of a traffic signal at the nearest intersection of Route 340 and Millville Road will increase the viability for commercial uses along this corridor.** Within the past year, a traffic signal was installed at the intersection of Route 340 and Millville Road, which is 1/4 mile from this property. Route 340 is a four (4) lane divided roadway. It is of sound planning practice to locate commercial uses near the areas of major traffic corridors as opposed to local roadways.
- **Neighborhood characteristics have changed since the original ordinance was adopted.** A very successful active recreation-based tourism business has flourished to the immediate north of the subject. The properties supporting this use, including planned expansion of the tourism opportunities, are zoned Residential/Light Industrial/Commercial. Granting this zoning designation on the subject would enable compatible or supporting uses on the subject. Additionally, the adjoining park land, while still being used for agriculture, is now used for passive recreation opportunities. The changes in the surrounding neighborhood and resulting demand from recreation and tourism support the requested zoning designation.

