



Agenda
Jefferson County Planning Commission
Tuesday, June 14, 2022 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,
this meeting will be held both in-person and virtually via ZOOM.**

In-Person Meeting Location: County Commission Meeting Room located in the lower level of the Charles Town Library (side entrance on Samuel Street)
200 East Washington Street, Charles Town, WV 25414

ZOOM Meeting Information: Meeting ID: 892 6497 2650
Meeting Link: <https://us02web.zoom.us/j/89264972650>
Call-In Option: 301-715-8592
Find your local number: <https://us02web.zoom.us/u/kcH5EHtm9Z>

Virtual meeting can be accessed from desktop, laptop, iPad, or from a phone. You will be prompted to download the software or install the ZOOM app.

1. Approval of Meeting Minutes: May 17, 2022 and Special Meeting May 26, 2022
 2. Request for postponement.
 3. **Public Workshop:** Concept Plan for Stonecrest (FKA Green Hill) Major Residential Subdivision consisting of 320 Single Family Lots on Flowing Springs Rd. Applicant: DR Horton-Bill Sudeck; Property Owner: Flowing Springs Road, LLC.; Property Location: Flowing Springs Rd, east of Daniels Road, Charles Town, WV; Parcel ID: 02000300090000; Size: 104.98 acres; Zoning District: Residential Growth; File: 22-11-SD.
 4. **Public Workshop:** Concept Plan for Berryville Pike Telecommunications Tower consisting of 179' Monopole Telecommunications Tower (AT&T). Applicant: New Cingular Wireless (dba AT&T Mobility); Property Owner: 340 Rainbow LLC; Property Location: 3511 Berryville Pike; Parcel ID: 06001100010002; Size: 9.31 acres; Zoning District: Industrial-Commercial; File: 21-8-SP.
 5. **Public Workshop:** Concept Plan for The Church of The Ascension site development which consists of 4 phases: Phase 1: a 10,338 sq. ft. church and 3,600 sq. ft. ancillary building for church related functions, required parking spaces, Stormwater Management facility and necessary utilities; Phase 2 (approximately 2 years): additional parking area; Phase 3 (approximately 5 years): cemetery area; Phase 4 (approximately 7-10 years): housing accommodations for church staff and/or missionaries. Applicant/Owner: Church Of The Ascension Property; Property Location: corner of Border Road and Bunkhouse Rd Kearneysville WV; Parcel ID: 07000400090000; Size: 20.49 acres; Zoning District: Rural; File: 22-3-SP.
 6. **POSTPONED- Public Hearing:** Rock Ferry Station Lot 32 Final Plat Amendment. This proposal is to modify the 300' conservation buffer area on Lot 32. Applicant: Clint Curtis; Property Owner Clint Curtis & Cassandra Maximin; Property Location: Vacant Parcel on Eagle Landing Rd Harpers Ferry, WV; Parcel ID: 06002200140032; Size: 3.26 acres; Zoning District: Rural; File: 22-4-FPA.
 7. **Public Hearing:** Request for waiver from Section 20.201B2 of the Subdivision Regulations, pertaining to the 5-year Family Transfer requirement. Applicant- Jeanine Jalil; Owner Aiman Jalil; Property Location: 229 Bethany Lane, Charles Town, WV; Parcel ID: 06002100070005; Size: 4.53 ac; Zoning District: Rural; File: 22-12-PCW.
 8. **Public Hearing:** Request for waiver from Section 20.201 of the Subdivision Regulations, requesting to process a 6-Lot Subdivision as a minor subdivision instead of as a Major Cluster Subdivision development. Applicant/Owner: Wilbert & Sharon Kidwiler; Property Location: 1044 Kidwiler Rd, Harpers Ferry, WV; Parcel ID: 04000400270000; Size: 29.93 ac; Zoning District: Rural; File: 22-13-PCW.
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9. **Reconsideration of Waiver Request 22-7-PCW based on additional information provided by the applicant:** Request for waiver of Section 20.201A.3 to waive the requirement related to the extension of off-site utilities to allow for a proposed two lot minor subdivision. Applicant: Bob Franks, Sheetz, Inc. Property Owner: Guy Chicchirichi; Property Location: NE of US 340 & Augustine Ave. Intersection, Charles Town, WV; Parcel ID: 02001600010000; Size: 4.42 ac; Zoning District: Highway Commercial (3.02ac) Rural (1.4 ac); File: 22-7-PCW.
10. **Public Hearing:** Request for waiver of Section 24.113.B.10 to waive the requirement requiring an Archaeological Study for all Major Subdivision Preliminary Plats. Applicant: Bob Franks, Sheetz, Inc. Property Owner: Guy Chicchirichi; Property Location: NE of US 340 & Augustine Ave. Intersection, Charles Town, WV; Parcel ID: 02001600010000; Size: 4.42 ac; Zoning District: Highway Commercial (3.02ac) Rural (1.4 ac); File: 22-14-PCW.
11. **Public Hearing:** Request for waiver of Appendix B, Section 2.2.C.1 related to the geometric and pavement design requirements of Table 2.2-1 Roadway Design Standards for inter-parcel subdivision roads. Applicant: Bob Franks, Sheetz, Inc. Property Owner: Guy Chicchirichi; Property Location: NE of US 340 & Augustine Ave. Intersection, Charles Town, WV; Parcel ID: 02001600010000; Size: 4.42 ac; Zoning District: Highway Commercial (3.02ac) Rural (1.4 ac); File: 22-15-PCW
12. **Public Hearing:** Request for a waiver of Section 20.102.B of the Subdivision Regulations, which requires subdivision plats to be approved by the Planning Commission, recorded, and surety posted for required improvements in accordance with these Regulations and the Comprehensive Plan, before development of the land is commenced. Applicant/Property Owner: DR Acquisitions LLC. (Kings Crossing) Property Location: West of Charles Town Road, South of St James Catholic Church; Parcel ID: 0200170022; Size: 86+ acres; Zoning District: Residential Growth. File 22-16-PCW.

There is no public comment for the following items.

13. **Discussion and Action:** For the Planning Commission to vote to approve or deny either:
 - a. The Augustine Avenue Sheetz Preliminary Plat Application as complete in accordance with Sections 24.113 and 24.114 of the Subdivision Regulations for the purpose of scheduling a Public Hearing. File: 22-17-SD (Subdivision); **OR,**
 - b. The Augustine Avenue Sheetz Major Site Plan Application as complete in accordance with Sections 24.122 and 24.123 of the Subdivision Regulations for the purpose of scheduling a Public Hearing. File: 21-4-SP (Site Plan).Applicant: Bob Franks, Sheetz, Inc. Property Owner: Guy Chicchirichi; Property Location: NE of US 340 & Augustine Ave. Intersection, Charles Town, WV Parcel ID: 02001600010000; Size: 4.41 ac; Zoning District: Highway Commercial/Rural.
 14. **Update** on Zoning Ordinance text amendment File# ZTA22-01 related to Solar Energy Facilities.
 15. **Reports from Legal Counsel**
 - a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.
 - b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021- C-46 through 50, and WV Supreme Court No.'s 21-0727, 21-0728, and 21-0731.
 16. **Planner's Memo**
 17. **President's Report**
 18. **Actionable Correspondence**
 19. **Non-Actionable Correspondence**
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