



Agenda
Jefferson County Planning Commission
Tuesday, July 12, 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: 890 0127 4806
Meeting Link: <https://us02web.zoom.us/j/89001274806>
Call-In Option: 301-715-8592
Find your local number: <https://us02web.zoom.us/u/kcrQilI7C>

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: June 14, 2022
2. Request for postponement.
3. **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.
4. **Public Hearing:** Augustine Avenue Sheetz Major Site Plan for a Gas Station, Large, including a 6,077 sq. ft. convenience store with drive-thru, 5 fueling islands with canopy, roadway, stormwater management areas and associated infrastructure. 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: 3.02 ac; Zoning District: Highway Commercial. File: 21-4-SP.

There is no public comment for the following items.

5. **Discussion and Action for a Zoning Map Amendment Request:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject properties, which are a part of the Summit Point Motorsports Park and Summit Point Training Campus, from Rural (R) to General Commercial (GC) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Owner/Applicant: Summit Point Automotive Research Center, LLC. Property Location: Multiple properties southwest of the Village of Summit Point, WV, south of Summit Point Road, including, but not limited to, properties located on Motorsports Park Circle, Shenandoah Circuit Road, Summit Point Circuit Road, Jefferson Circuit Road, Skid Pad Road, and Training Campus Road. Tax District: Kabletown (06), Map: 16, Parcels 11, 11.1, 11.2, 11.11, OSA and Map 17, Parcels: 2, 2.1, 2.2, 3.1, 5, 9. Acreage: approximately 717 acres of the total 772.45 acres. Zoning District: Rural. File: 22-3-Z.

- 6. Review and Approval:** Planning Commission's 4th Quarterly Report/FY 2022 Annual Report to the County Commission per WV Code §8A-2-11. The Planning Commission is required by State Code to make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction. *(to be distributed at the meeting)*
 - 7. Reports from Legal Counsel**
 - a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109 (also related Writ of Prohibition Supreme Court of Appeals No. 22-0469).
 - 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.
 - 8. Planner's Memo**
 - 9. President's Report**
 - a. Update related to status of Subdivision Regulations and Zoning Ordinance update.
 - 10. Actionable Correspondence**
 - 11. Non-Actionable Correspondence**
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Meeting Minutes
Jefferson County Planning Commission
June 14, 2022

The Jefferson County Planning Commission met on May 17, 2022 at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Matt Knott, Vice President; Wade Louthan, Secretary; Steve Stolipher County Commission Liaison; Jack Hefestay; Ron Thomas (via ZOOM) and Shane Roper (via ZOOM). Donnie Fisher and J. Ware were absent with notice.

Staff members present included Alexandra Beaulieu, Deputy Director and Zoning Administrator; Jennifer Brockman, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, County Attorney; and Tanya Lyons, Planning Clerk.

The Planning Commission meeting was held as a hybrid meeting. The hybrid meeting information was made available on the agenda and packet, which were posted to the County website.

Mr. Shepp called the meeting to order at 7:00 pm. and confirmed that a quorum was present.

1. Approval of the meeting minutes:

Hearing no objection, Mr. Shepp approved the May 17, 2022 and May 26, 2022 minutes as presented.

2. **Request for postponement.** Item # 6 Public Hearing Rock Ferry Station Lot 32 Final Plat Amendment was postponed at the request of the applicant for an unspecified future meeting
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.

Mr. Jason Gerhart with IFS, consultant for the applicant, presented an overview of the proposed Major Residential Subdivision.

Ms. Brockman provided an overview of the staff report and presented the staff recommendations.

Mike Shepp opened the Public Workshop.

- Julia Lam, 408 Shade Tree Lane, spoke in opposition to the Stonecrest Subdivision Concept Plan with concerns of noise, traffic and contamination of the ground water because her house and her neighbors are on well and septic.

Mr. Gerhart responded that the Stonecrest development would be on public water and sewer and that the County stormwater requirements are substantial and will control the run off. Berms and landscaping are proposed along the eastern property line between the existing subdivision and proposed new construction.

Mr. Shepp proposed to close the Public Workshop. Mr. Louthan said that there was someone else requesting to speak.

- Matt Staubs, also of Shade Tree Lane expressed concern because he owns the last lot and is the lowest point on Shade Tree Lane. He is concerned that the stormwater drainage from the proposed subdivision will negatively affect his property.

Mr. Shepp closed the Public Workshop.

Mr. Louthan asked Mr. Saunders for any input he might have about the neighbors' stormwater concerns. Mr. Saunders stated that because this stage is just the concept plan, no detailed engineering plans have been submitted or finalized yet. The full engineered design will be submitted as a part of the Preliminary Subdivision Plat and will reflect what is proposed on the Concept Plan and the requirements of the Regulations.

Mr. Gerhart responded that they will meet all requirements of the County's Subdivision and Stormwater Regulations and will also have the proposed entrances approved by the WV Division of Highways (WV DOH) which will include required drainage plans, pipes and culverts.

Mr. Hefestay asked what the plans for green space in the subdivision included.

Mr. Gerhart responded by noting a large central open space area which will include space for open fields, tot lots etc. He also noted that the open space on the east side of the property will be a grass stormwater pond with an embankment and is not planned for active recreation.

Ms. Brockman presented staff responsibilities and recommendations. She also noted that the applicant has met the County requirements and staff will ensure all requirements are met during the plat review.

Ms. Anastasia Tabb asked to speak thru the Zoom portion of the meeting, but the public workshop had already been closed.

Mr. Stolipher stated that since the Concept Plan meets the County's requirements and that the preliminary plat will be reviewed for compliance with the engineering requirements when it is submitted, he moved to approve the plan as submitted. Mr. Hefestay seconded the motion, which carried unanimously.

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.

Ms. Brockman provided an overview of the staff report and explained the role of the Concept Plan and purpose of the Public Workshop. Ms. Brockman presented the requirements of the Regulations and stated that the applicant has met all the criteria.

Mr. Doug Sampson, representing the applicant, AT&T, provided an overview of the purpose of locating the cell tower at this location. He explained that the applicant wants to bring "First Net" to the area, which was created by Congress following the 9/11 attacks. It is a dedicated for first responders only.

- Mr. Donahue spoke for SBA who owns the existing cell tower located off Wheatland Road within a half mile of the proposed new site. He stated that this tower has the room on the tower for co-location for the First Net antennas. He stated that AT&T has not contacted them regarding the use of the current tower.

Mr. Doug Sampson responded to that the existing cell tower is not sufficient enough to manage all the new equipment that First Net need to run efficiently.

Mr. Shepp closed the Public Workshop.

Mr. Thomas asked the applicant about the use of the existing vegetation as the proposed buffer and asked if a fence will also be put up.

Mr. Sampson responded and said that the mature trees will stay and they would be happy to put a fence up and shrubs which will be included on the site plan submission stage.

Mr. Stolipher moved to approve the plan as submitted. Mr. Louthan seconded the motion and it was approved unanimously.

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.

Mr. Chris Waddell, Engineer with JHA Company, spoke on behalf of the Church of the Ascension. He discussed the proposed phased build out of the church property. He stated that the property will be served by public water and private on-site sewer services. The Church anticipates Phases 1 and 2 to be completed in the near future and Phases 3 & 4 to be constructed at a later date.

Ms. Brockman provided an overview of the staff report and explained the role of the Concept Plan and purpose of the Public Workshop. Ms. Brockman presented the requirements of the Regulations and stated that the applicant has met all the criteria. Ms. Brockman also noted that no comments had been received from the WV Division of Highways (WV DOH) at this time and that they may require entrances to be moved at that time.

Mr. Shepp opened the Public Workshop and the following members of the public spoke.

- Mr. Robert Cameron, Mr. Mike Dove and Ms. Sandra Armstrong all own houses and property that access Farm House Lane along the east side of this property. They expressed concerns about the potential stormwater impact on this private road and their properties.

Mr. Chris Waddell responded that all the stormwater drainage facilities will be on the Bunkhouse Rd side of the property and Farm House Lane should not be impacted. .

Mr. Shepp closed the public hearing.

Mr. Knott motioned to approve the Concept Plan as submitted. Mr. Hefestay seconded the motion, which was approve unanimously.

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.

Mr. Shepp Item #6 has been postponed

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.

Ms. Brockman provided an overview of the applicant's request and presented the staff's recommendation.

Ms. Jalil, the applicant, had no additional comments on the application.

Mr. Shepp opened the Public Hearing.

No one spoke regarding this application.

Mr. Shepp closed the Public Hearing.

Mr. Stolipher motion to approve as submitted. Mr. Louthan seconded the motion, which was carried unanimously.

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.

Ms. Brockman provided an overview of the application and staff report, and presented the staff recommendations related to processing as a minor subdivision instead of a major subdivision

Mr. Ed Johnson, surveyor, represented the owner, Mr. Kidwiler (present), and stated that the request is for the approval of the 6th lot to be included in the minor process.

Mr. Shepp opened the Public Hearing. No one was signed up to speak.

Mr. Shepp closed the public hearing

Mr. Shepp reopened the public hearing at the request of a speaker.

- Ms. Carol Wood, Harpers Ferry, WV, asked about the impact that the approval of this request would have on the environment and asked if the existing habitat will be taken into consideration during this subdivision development.

Mr. Reese Clabaugh, realtor, spoke on behalf of the Kidwilers and the potential home builders. He stated that the builders are proposing four 2 – 2.5 acre lots and are going to work with the existing terrain. He also noted that the builders construct custom homes.

Mr. Louthan spoke and said noted that because they are building under the Cluster provisions of the Zoning Ordinance, there will also be 14 acres of green space required as well.

Mr. Shepp reclosed the public hearing.

Mr. Hefestay motioned to approve the waiver as submitted; Mr. Louthan seconded the motion.

Mr. Thomas asked the motion to be amended to include the requirement that the plat include notes that it is processing as a subdivision cluster requiring the 14.69 acres of greenspace and notes regarding the transfer of developmental rights.

Mr. Hefestay agreed to the proposed amendment; Mr. Louthan also agreed to the proposed amendment; and the motion was carried unanimously.

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.

Mr. Stolipher recused himself from Items #9, 10 and 11 due to a conflict of interest.

Ms. Brockman provided an overview of the staff report explaining why the applicant requested reconsideration of a previously heard waiver and the additional information submitted for the Commission's consideration. She stated that it was previously not clear regarding the ability to connect to water and sewer in a manner that does not require the extension offsite. The applicant submitted additional information regarding the ability to connect to utilities.

Mr. Gerhart, IFS, representing the applicant, stated that it was not conveyed correctly in the previous

Planning Commission Public Hearing but, that the applicant will be connecting to water and sewer utilities on the site once the site plan is approved and Sheetz can purchase the property. Sheetz is ready to move forward as they feel they have met the requirements.

Mr. Shepp opened the public hearing. No members of the public spoke.

Mr. Shepp closed the public hearing.

Mr. Shepp made a motion to approve the waiver request as submitted; Mr. Knott seconded the motion and it was approved unanimously.

Based on that action, Mr. Gerhart requested that items #10 and #11 be withdrawn from the agenda.

Mr. Stolipher returned to the meeting.

10. **WITHDRAWN: 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. **WITHDRAWN: 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.

Ms. Brockman provided an overview of the early grading waiver application and staff report.

Mr. Gerhart, IFS, representing the applicant, explained that the request for early grading is to allow the applicant to start over lot grading which will also allow the applicant to start receiving construction supplies on-site because of the wait and delivery schedules/times. The applicant intends to post the full Bond for the first phase to insure for both the developer and the county that this will be developed.

Mr. Saunders mentioned that the County does not have a specific guidelines for to allow early grading; however because the applicant is willing to put up the full bond to be able to start the early grading, staff is more comfortable with the request..

Mr. Shepp opened the public hearing. No public comment was received.

Mr. Shepp closed the public hearing.

Mr. Saunders stated that this is the first major residential subdivision to request early grading and that because the applicant is willing to post a full bond, the public and the county will be safe. Approval of this request will only allow erosion and sedimentation control/early grading. The staff recommendation was going to be denial, but because we have now received the DOH letter regarding approval of entrances, staff recommends to approval with the conditions in the staff report.

Mr. Stolipher made a motion to approve the waiver with the engineering staff's recommended conditions. Mr. Stolipher seconded the motion to approve the waiver with the conditions that Mr. Saunders, County Engineer presented. The motion was approved unanimously.

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.

Mr. Stolipher recused himself due to a conflict of interest.

Ms. Brockman reminded the Planning Commission that state law requires that the Planning Commission to deem either the Major Subdivision or Major Site Plan as complete for the purpose of scheduling a public hearing. Action by the Planning Commission at tonight's meeting will allow it to be placed on the July meeting with the required public notice.

Mr. Knott made a motion to deem the Major Site Plan application as complete for the purpose of scheduling a Public Hearing at the Planning Commission's July 12th meeting. Mr. Hefestay seconded the motion and it was approved unanimously

Mr. Stolipher returned to the meeting.

14. Update on Zoning Ordinance text amendment File# ZTA22-01 related to Solar Energy Facilities.

Ms. Beaulieu provided the Planning Commission with an overview of the status of the Solar Energy Facility text amendment. The County Commission Public Hearing was held on June 8, 2022 and action is expected to occur on June 16, 2022.

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.

Mr. Cochran recommended to go into Executive Session for legal counsel.

Mr. Shepp moved to go into Executive Session for the purpose of receiving legal advice from counsel regarding items a and b under Item #15 "Reports from Legal Counsel".

Mr. Stolipher seconded the motion, which carried unanimously.

Mr. Stolipher and Mr. Roper recused themselves due to a potential conflict of interest.

Mr. Shepp requested a motion to come out of executive session. Mr. Louthan made the motion; Mr. Knott seconded the motion, which carried unanimously

16. Planner's Memo- Next meeting July 12, 2022

Matt Knott stated that he would not be present at this meeting.

17. **President's Report** - None

18. **Actionable Correspondence** - None

19. **Non-Actionable Correspondence** - None

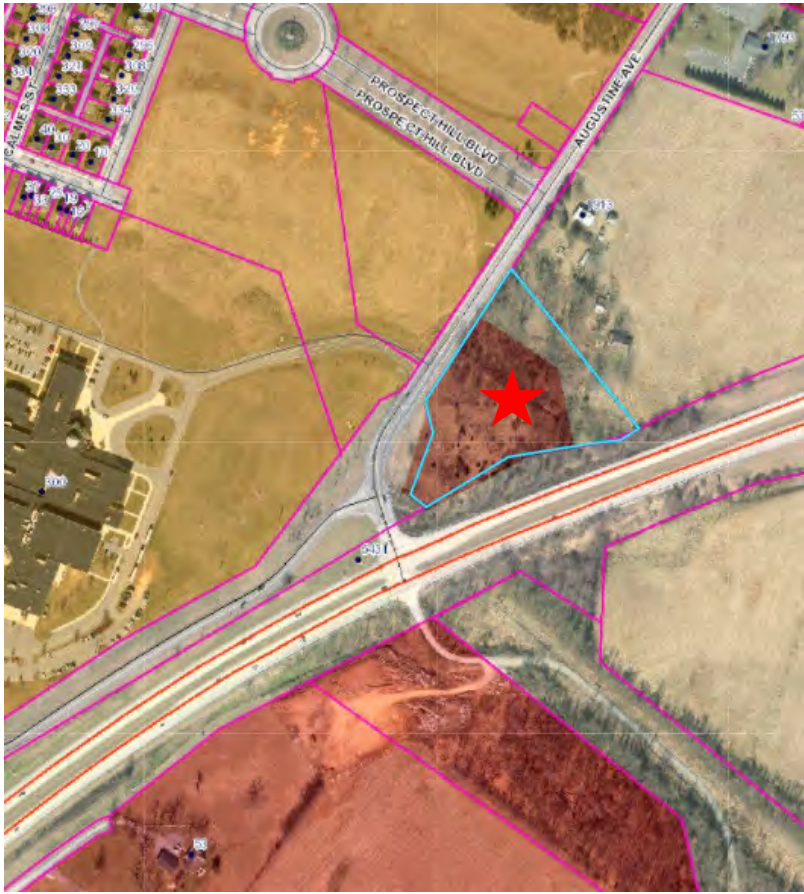
Mr. Shepp motioned to adjourn the meeting; Mr. Hefestay seconded the motion, which carried unanimously. The meeting was adjourned at 8:30pm.

These minutes were prepared by Tanya Lyons, Planning Clerk.

Staff Report
 Jefferson County Planning Commission Meeting
 July 12, 2022

Augustine Ave Sheetz Major Site Plan (File #21-4-SP)

Item #4: Public Hearing: Major Site Plan for the new Augustine Avenue Sheetz Gas Station and Store, including a 6,077 sq. ft. convenience store with drive-thru, 5 fueling islands with canopy, roadway, stormwater management areas and associated infrastructure.

Owner	Guy Chicchirichi
Applicant	Bob Franks, Sheetz, Inc.
Property Location	NE corner of Augustine Ave. & US 340 intersection south of Charles Town
Surveyor/Engineer	Integrity Federal Services, Ben Svedlow
Property Location & Information	<p>Tax District: Charles Town (02); Tax Map: 16; Parcel: 1; Parcel ID: 02001600010000; Size: 3.02 acres (pending approval of minor subdivision File #22-17-SD); Zoning: Highway Commercial</p> 
Adjacent Zoning	<p><i>North/West:</i> Incorporated Town (Neighborhood Residential); <i>South:</i> Incorporated Town (General Commercial) and County (Rural); <i>East:</i> Rural</p>
Proposed Activity:	Construction of a new Sheetz Gas Station with a 6,077 sq. ft. convenience store with drive-thru, five (5) fueling islands with canopy, roadway, stormwater management areas and associated infrastructure.
Previous Approvals	<ul style="list-style-type: none"> • 21-1-Z & 22-2-Z: two Zoning Map Amendments from Rural to Highway Commercial totaling 3.02 acres of the 4.42 acre parcel (CC approval 3/18/21 & 3/17/22) • 21-4-SP: Concept Plan for Augustine Ave Sheetz Store (PC Approved 6/8/21) • 21-22-ZV: Variance for Augustine Ave Sheetz Store to eliminate the required 60' easement along a limited access highway; and the required landscape buffer requirement along a limited access highway (BZA Approved 5/27/21)

Staff Report
 Jefferson County Planning Commission Meeting
 July 12, 2022

Augustine Ave Sheetz Major Site Plan (File #21-4-SP)

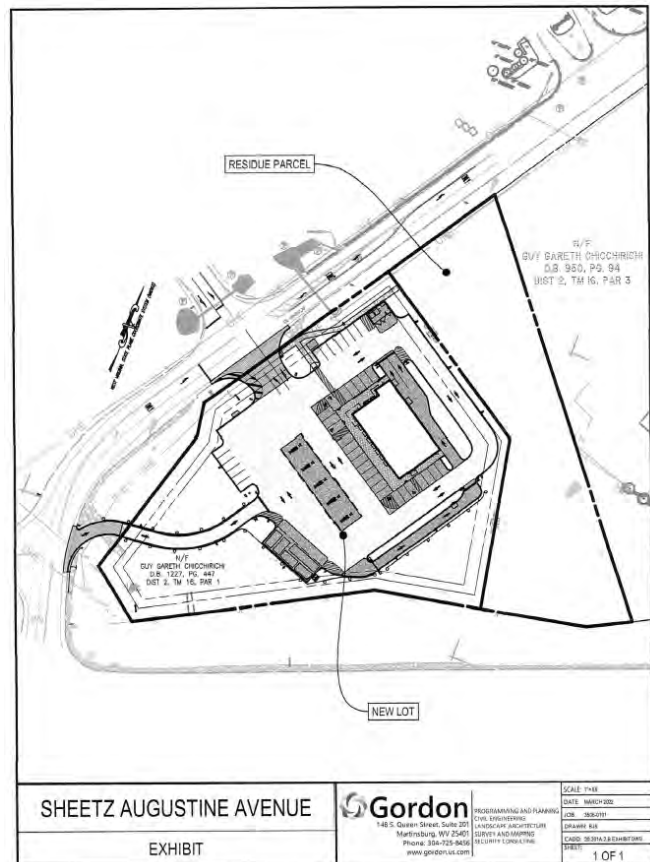
	<ul style="list-style-type: none"> • 22-6-PCW: Waiver from Section 20.201A.2.b to reduce the required road frontage from 200 feet to 161 feet for the proposed residue lot zoned Rural (PC Approved 4/12/22) • 22-7-PCW: Waiver from Section 20.201A.3 to waive the requirement related to the extension of off-site utilities for Minor Subdivisions (PC Approved after reconsideration 6/14/22)
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Introduction and Status of Concept Plan

The applicant/developer of this property, located on the northeast corner of US 340 and Augustine Avenue, across Augustine Ave from the driveway into Washington High School and generally across from the Huntfield Subdivision, is proposing the construction of a “Gas Station, Large” at this location. The project includes the construction of a new Sheetz gas station with a 6,077 sq. ft. convenience store with drive-thru, five (5) fueling islands with canopy, roadway, stormwater management areas and associated infrastructure. The proposed use meets the definition of a “Gas Station, Large”, including the convenience store with a drive through service window, and is a Principal Permitted Use in the Highway Commercial (HC) zone.

The property will be served by Charles Town Utility Board (CTUB) water and wastewater facilities and has received approval of their plans from CTUB. The property is also proposed to have a primary full access point from a proposed traffic light at the intersection of Washington Patriots Drive and Augustine Avenue and a right-in only across from Huyett Road. The applicants, in conjunction with the developers of Washington Landing Apartment complex in Charles Town, completed a Traffic Impact Study (TIS) for consideration by the WV Division of Highways (WVDOH). At this point, the TIS has been reviewed by the WVDOH and is approved, which means that the WVDOH agrees with the proposed improvements in the TIS. The WVDOH and Sheetz have not entered into any agreements related to the proposed improvements and they have not yet been initiated. A cross access easement to the residue Rural property is also being proposed with the subdivision plat.

The Public Workshop for the Concept Plan was held on June 8, 2021. There were no conditions related to the Planning Commission’s approval of the Concept Plan. During the Concept Plan review, staff noted that the Site Plan would require the subdivision of the 4.42-acre parcel to divide the portion of the property zoned Highway Commercial (HC) from the remaining portion of the property zoned Rural (R). The minor subdivision to accomplish this is currently under review pending the issuance of a WVDOH entrance permit.



Staff Report
Jefferson County Planning Commission Meeting
July 12, 2022

Augustine Ave Sheetz Major Site Plan (File #21-4-SP)

Summary of Site Plan Request

The applicant has submitted a Major Site Plan for the new Augustine Avenue Sheetz site northeast of the intersection of Augustine Avenue and US 340. In accordance with Section 24.122 of the Subdivision Regulations, the Planning Commission deemed the Augustine Avenue Sheetz Major Site Plan application complete on June 14, 2022. Staff noted that all outstanding technical comments will need to be resolved and the WVDOH permit will need to be issued prior to final approval. In accordance with Section 24.123 of the Subdivision Regulations, the Planning Commission scheduled this Public Hearing for July 12, 2022, within the required 45 days of accepting the application as complete. This hearing has been advertised as required in the Subdivision Regulations.

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 West Virginia Division of Highways (WVDOH) and the relevant Public Service Agency, in this case the Charles Town Utility Board. The Department of Engineering, Planning and Zoning Staff completed their review of the Site Plan in accordance with the requirements of Section 24.122(B) and Appendix A, Section 1.3 and forwarded the Site Plan to the Planning Commission as “sufficient” with outstanding comments to be addressed to the Planning Commission at their June 14, 2022 meeting. Since the June 14, 2022 meeting, a minor subdivision plat has been submitted and reviewed and is pending WVDOH approval. The 4th review of the Major Site Plan has been submitted and is pending final review. Upon approval of the Major Site Plan by the Planning Commission; the WVDOH approval of the Entrance Permit; Charles Town Utility Board final approval of the utility plans; and the resolving any outstanding technical comments, the Site Plan can be stamped approved by staff.

The WVDOH has informed staff that they have approved the required Traffic Impact Study (TIS) and agree with the proposed improvements in the TIS but have not initiated any of the improvements or entered in to an agreement with Sheetz regarding the financing of the improvements. Finalization of this agreement is pending the approval of the Minor Subdivision Plat creating the lot for Sheetz to purchase. Once this agreement is signed, the WVDOH will issue the Entrance Permit.

The Charles Town Utility Board (CTUB) will be providing water and wastewater service to the new Augustine Avenue Sheetz site. CTUB has confirmed that they have the capacity to provide both water and wastewater service. If bonding is not required by the CTUB, bonding for these improvements will be required by the County. Confirmation of the approval of the water and sewer plans will need to be received from CTUB prior to the Site Plan being stamped approved by staff.

Today’s Public Hearing is to receive public comment on the proposed Major Site Plan in accordance with the Subdivision Regulations and WV Code 8A. An 11” x 17” copy of the pages showing the proposed site layout is included in this packet. The complete file containing the Site Plan and application will be available digitally the Planning Commission meeting should any members wish to review.

Planning Commission Action Required

Section 24.123 of the Subdivision Regulations, “Major Site Plan Application - Public Hearing” requires that, within 45 days of accepting the application as complete, the Planning Commission shall conduct a public hearing to receive public comments, concerns, and inputs on the proposed site plan. Today’s hearing meets that requirement and has been advertised in accordance with the Subdivision Regulations. The scope of this public hearing shall be limited to whether the site plan application meets the requirements of the Subdivision Regulations and the Zoning Ordinance.

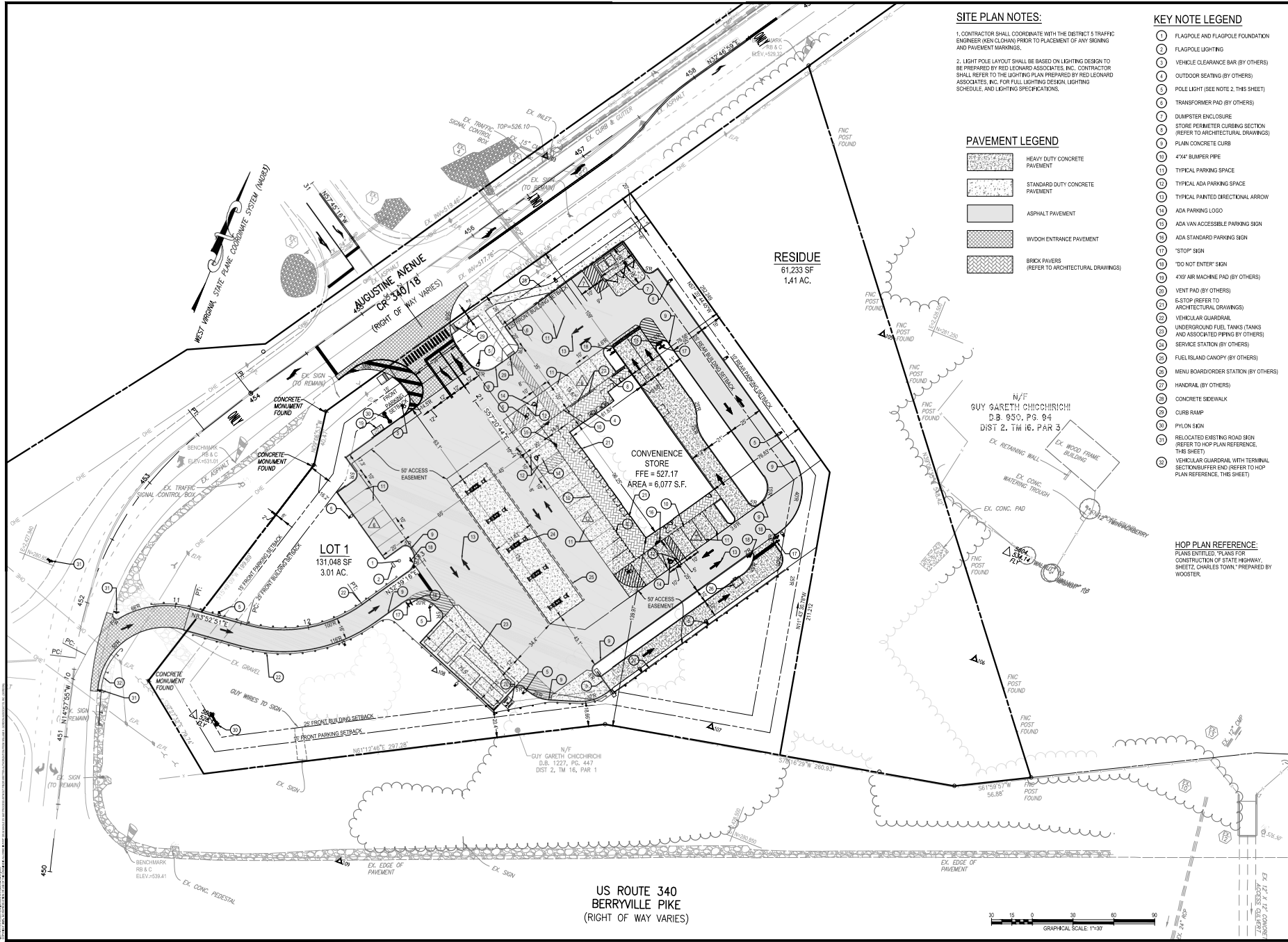
Staff Report
Jefferson County Planning Commission Meeting
July 12, 2022

Augustine Ave Sheetz Major Site Plan (File #21-4-SP)

Section 24.124 of the Subdivision Regulations, “Major Site Plan Application – Approval” states that after the close of the public hearing, the Planning Commission shall either approve the application; approve the application with conditions; deny the application; or hold the application for up to 45 days for additional information. It further states that if the site plan application is consistent with the Concept Plan application and meets all other requirements of the Subdivision Regulations and the Zoning Ordinance and has received sign-off from the agencies specified in Section 24.122(B) (13), “Other Agencies”, the Planning Commission shall approve the site plan application. Such approval should be conditioned on addressing any outstanding staff comments on the 4th review of the plan and the placement of the approved permit numbers from the WVDOH and CTUB.

ATTACHMENTS:

Sheets 6 (Existing Conditions),
10 (Site Layout), and
32 (Landscape Plan)
of 32 page Augustine Avenue Sheetz Site Plan (Submission 4)



SITE PLAN NOTES:

1. CONTRACTOR SHALL COORDINATE WITH THE DISTRICT 5 TRAFFIC ENGINEER (KEN CLOHAM) PRIOR TO PLACEMENT OF ANY SIGNING AND PAVEMENT MARKINGS.
2. LIGHT POLE LAYOUT SHALL BE BASED ON LIGHTING DESIGN TO BE PREPARED BY RED LEONARD ASSOCIATES, INC. CONTRACTOR SHALL REFER TO THE LIGHTING PLAN PREPARED BY RED LEONARD ASSOCIATES, INC. FOR FULL LIGHTING DESIGN LIGHTING SCHEDULE AND LIGHTING SPECIFICATIONS.

PAVEMENT LEGEND

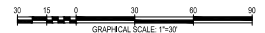
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- WOOD ENTRANCE PAVEMENT
- BRICK PAVERS (REFER TO ARCHITECTURAL DRAWINGS)

KEY NOTE LEGEND

- ① FLAGPOLE AND FLAGPOLE FOUNDATION
- ② FLAGPOLE LIGHTING
- ③ VEHICLE CLEARANCE BAR (BY OTHERS)
- ④ OUTDOOR SEATING (BY OTHERS)
- ⑤ POLE LIGHT (SEE NOTE 2, THIS SHEET)
- ⑥ TRANSFORMER PAD (BY OTHERS)
- ⑦ DUMPSTER ENCLOSURE
- ⑧ STORE PERIMETER CURBING SECTION (REFER TO ARCHITECTURAL DRAWINGS)
- ⑨ PLAIN CONCRETE CURB
- ⑩ 4"x4" BUMPER PIPE
- ⑪ TYPICAL PARKING SPACE
- ⑫ TYPICAL ADA PARKING SPACE
- ⑬ TYPICAL PAINTED DIRECTIONAL ARROW
- ⑭ ADA VAN ACCESSIBLE PARKING SIGN
- ⑮ ADA STANDARD PARKING SIGN
- ⑯ "STOP" SIGN
- ⑰ "DO NOT ENTER" SIGN
- ⑱ 4'x8' AIR MACHINE PAD (BY OTHERS)
- ⑲ VENT PAD (BY OTHERS)
- ⑳ 6-STOP (REFER TO ARCHITECTURAL DRAWINGS)
- ㉑ VEHICULAR GUARDRAIL
- ㉒ UNDERGROUND FUEL TANKS (TANKS AND ASSOCIATED PIPING BY OTHERS)
- ㉓ SERVICE STATION (BY OTHERS)
- ㉔ FUEL ISLAND CANOPY (BY OTHERS)
- ㉕ MENU BOARD/ORATOR (BY OTHERS)
- ㉖ HANDRAIL (BY OTHERS)
- ㉗ CONCRETE SIDEWALK
- ㉘ CURB RAMP
- ㉙ PYLON SIGN
- ㉚ RELOCATED EXISTING ROAD SIGN (REFER TO HOP PLAN REFERENCE, THIS SHEET)
- ㉛ VEHICULAR GUARDRAIL WITH TERMINAL SECTION/BUFFER END (REFER TO HOP PLAN REFERENCE, THIS SHEET)

HOP PLAN REFERENCE:
PLANS ENTITLED, "PLANS FOR CONSTRUCTION OF STATE HIGHWAY SHEET, CHARLES TOWN," PREPARED BY WOOSTER.

US ROUTE 340
BERRYVILLE PIKE
(RIGHT OF WAY VARIES)



PROGRAMMING AND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
148 S. MAIN STREET, SUITE 301
MARTINSBURG, WV 25401
Phone: 304-725-8456
www.gordon.us.com

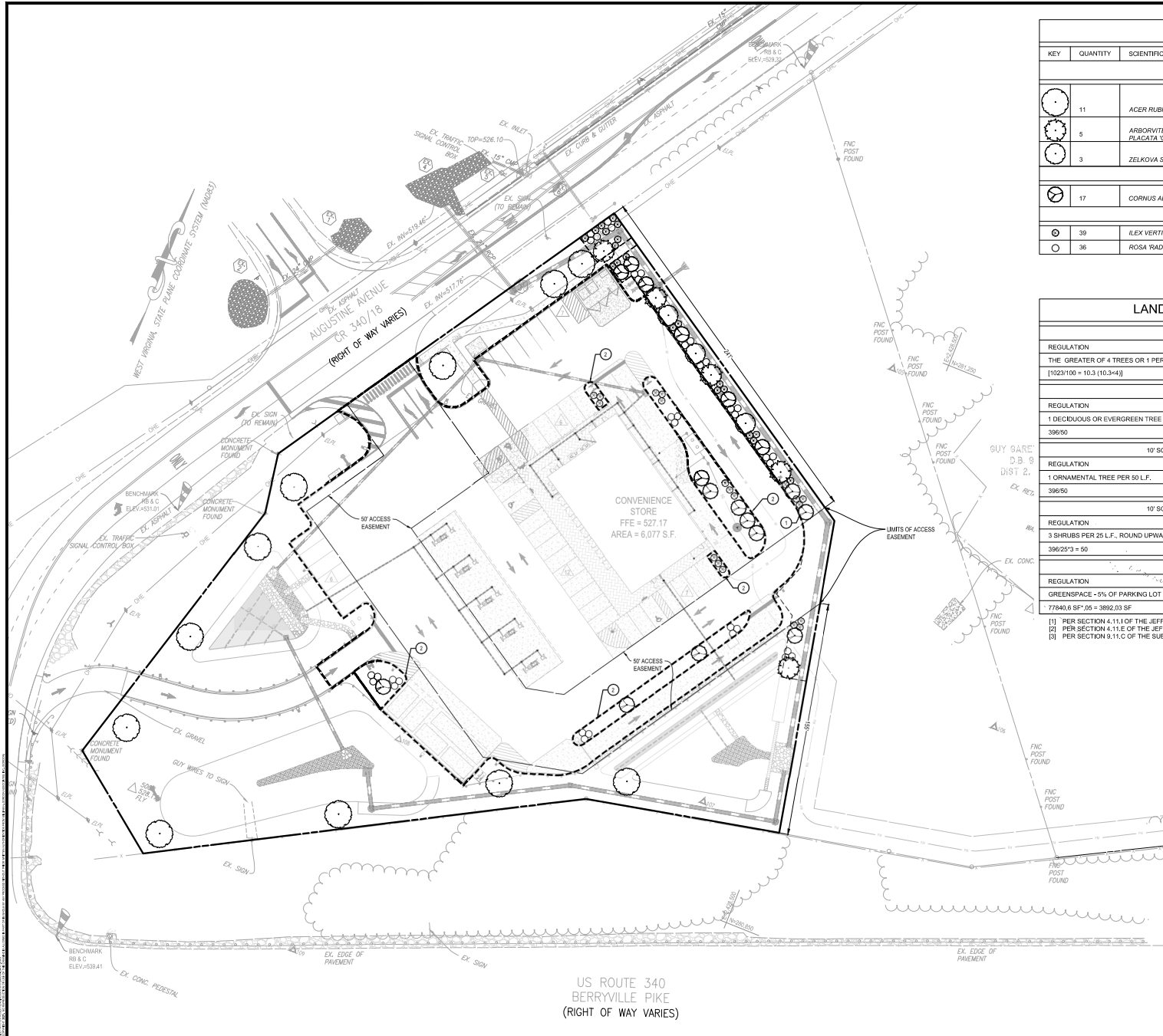
SCALE:

REV	DESCRIPTION

SITE LAYOUT PLAN
SHEETZ AUGUSTINE AVENUE
SITE PLAN
TAX MAP # 4, PARCEL A, D.B. 1227, PG. 447
CHARLES TOWN, WV DISTRICT 5
JEFFERSON COUNTY, WEST VIRGINIA

I.C. FILE #21-4-69

SCALE:	HORIZ: 1"=30'
	VERT: N/A
DATE:	OCTOBER 2021
JOB:	3506-0101
DRAWN:	DAS
CHECK:	BJS
CADD:	C-C5-101.DWG
NCS:	N/A
SHEET:	10 OF 32



US ROUTE 340
BERRYVILLE PIKE
(RIGHT OF WAY VARIES)

PLANT SCHEDULE

KEY	QUANTITY	SCIENTIFIC NAME	COMMON NAME	SIZE
TREES				
	11	ACER RUBRUM	RED MAPLE	6' HT. MIN.
	5	ARBORVITAE THUJA STANDISHII X PLACAZA 'S'	GREEN GIANT ARBORVITAE	6' HT. MIN.
	3	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE JAPANESE ZELKOVA	6' HT. MIN.
ORNAMENTAL TREES				
	17	CORNUS ALTERNIFOLIA	PAGODA DOGWOOD	4' HT. MIN.
SHRUBS				
	39	ILEX VERTICILATA 'RED SPRITE'	DWARF WINTERBERRY	#3 CONT.
	36	ROSA 'RADRASS' 'KNOCK OUT'	DOUBLE KNOCK OUT ROSE	#3 CONT.

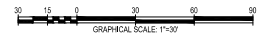
LANDSCAPE REQUIREMENTS

STREET TREES ^[1]		
REGULATION	REQUIRED	PROVIDED
THE GREATER OF 4 TREES OR 1 PER 100 L.F. [1023/100 = 10.3 (10.3-4)]	11 TREES	11 TREES
10' SCREENED SIDE AND REAR BUFFER - TREES ^[2]		
REGULATION	REQUIRED	PROVIDED
1 DECIDUOUS OR EVERGREEN TREE PER 50 L.F. 396/50	8 TREES	8 TREES
10' SCREENED SIDE AND REAR BUFFER - ORNAMENTAL TREES ^[2]		
REGULATION	REQUIRED	PROVIDED
1 ORNAMENTAL TREE PER 50 L.F. 396/50	8 TREES	9 TREES
10' SCREENED SIDE AND REAR BUFFER - SHRUBS ^[2]		
REGULATION	REQUIRED	PROVIDED
3 SHRUBS PER 25 L.F., ROUND UPWARD 396/25*3 = 50	48 SHRUBS	48 SHRUBS
GREEN SPACE ^[3]		
REGULATION	REQUIRED	PROVIDED
GREENSPACE - 5% OF PARKING LOT AREA 7784.6 SF*.05 = 3892.03 SF	3,892.03 SQ. FEET	4,122 SQ. FEET.

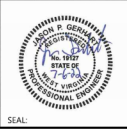
[1] PER SECTION 4.11.1 OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE
 [2] PER SECTION 4.11.1.E OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE
 [3] PER SECTION 9.11.C OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

KEY NOTE LEGEND

- PARKING LOT AREA (TYP.)
- GREEN SPACE (TYP.)



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REVISIONS

NO.	DATE	DESCRIPTION

LANDSCAPING PLAN
**SHEETZ AUGUSTINE AVENUE
 SITE PLAN**
 TAX MAP 18, PARCEL 4, E.B. 1277, PG. 447
 CHARLES TOWN, WV DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

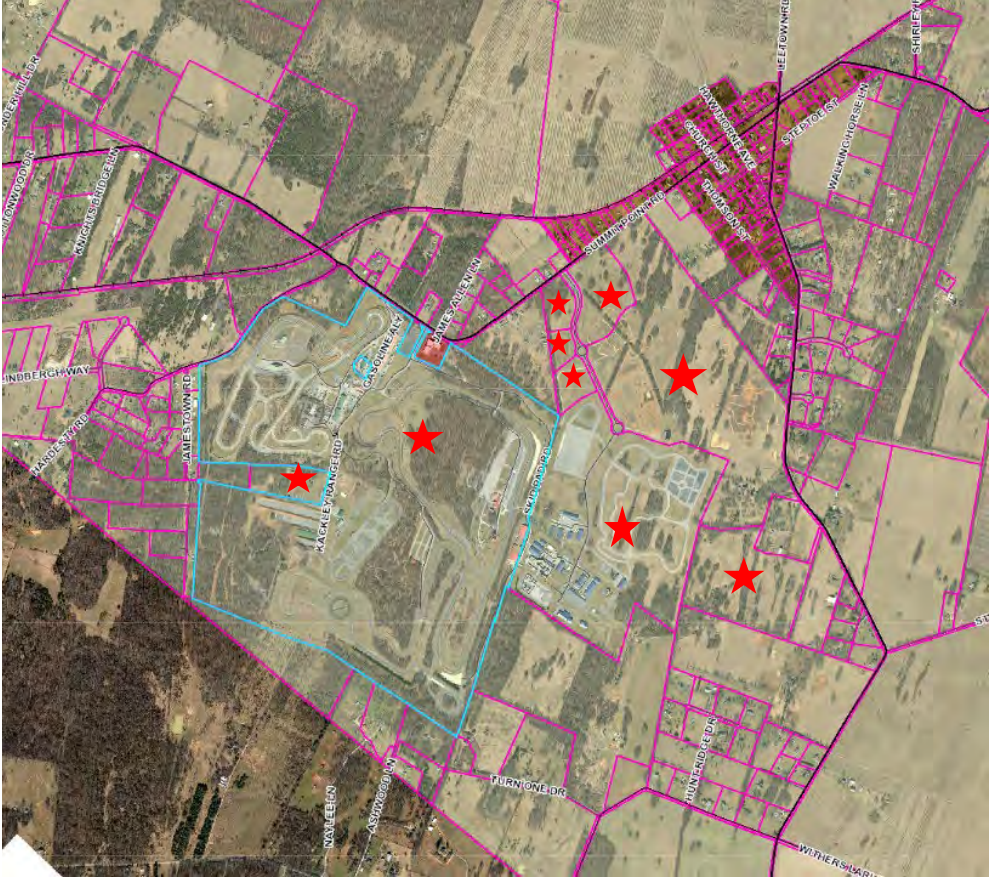
I.C. FILE #21-4-69

SCALE:	HORIZ: 1"=30'
	VERT: N/A
DATE:	OCTOBER 2021
JOB:	3506-0101
DRAWN:	DAS [CHECK: BUS]
CADD:	CLS-101.DWG
INCS:	N/A
SHEET:	32 OF 32

Staff Report
 Jefferson County Planning Commission Meeting
 July 12, 2022

SPARC Rezoning Request (22-3-Z)

Item # 5: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcel from Rural to General Commercial is consistent with the *Envision Jefferson 2035 Comprehensive Plan*.

Owner/Applicant:	Summit Point Automotive Research Center, LLC
Consultant:	Mark Dyck, Integrity Federal Services
Parcel Information:	<p>Multiple properties southwest of the Village of Summit Point, WV, south of Summit Point Road, including, but not limited to, properties located on Motorsports Park Circle, Shenandoah Circuit Road, Summit Point Circuit Road, Jefferson Circuit Road, Skid Pad Road, and Training Campus Road.</p> <p style="padding-left: 40px;">Kabletown (06), Map: 16, Parcels 11, 11.1, 11.2, 11.11, OSA and Kabletown (06), Map 17, Parcels: 2, 2.1, 2.2, 3.1, 5, 9.;</p> <p>Rezoning Area: approximately 717 acres of the total 772.45 acres; Zoning District: Rural</p> 
Adjoining Zoning:	<p style="text-align: center;">North and East: Rural, General Commercial, and Village South and West: Rural</p>
Proposed Request:	To rezone from Rural (R) to General Commercial (GC)
Planning Commission Responsibility:	To advise the County Commission whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .
Staff Finding:	Staff finds that the request is not consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i> .

Staff Report
 Jefferson County Planning Commission Meeting
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SPARC Rezoning Request (22-3-Z)

Previous Approvals:	These properties have a long history with numerous previous boundary line adjustments, site plans, zoning certificate approvals, as well as non-conforming uses (see attached)	
Subdivisions	4/22/08: SPARC Training Campus Subdivision (File 07-14)	PB25/PG216
	04/01/08: William H. Scott Inter Vivos Trust Final/Merger (File 08-02)	PB25/PG 13
	01/21/11: William H. Scott MSD, Lots 1, 2, and 3 (File 10-06)	PB25/PG 270

Applicant’s Request

The applicant’s request is to rezone a total of approximately 717 acres of the total 772.45 acres (outlined in yellow below) from Rural (R) to General Commercial (GC).

Existing Conditions

The properties included in the Zoning Map Amendment request are located in the southwest area of the County near the Virginia State line, southwest of the Village of Summit Point, WV, south of Summit Point Road. It consists of multiple parcels grouped in two primary uses:

- a. Summit Point Motorsports Park (yellow star), consisting of approximately 415 acres is a road racing and driver training facility, which opened in 1969. This facility features three road racing circuits (Summit Point Circuit, Jefferson Circuit, and Shenandoah Circuit) that are currently used for amateur automobile, motorcycle racing, and contracted government training.
- b. SPARC Training Campus (red star), approximately 339 acres, opened in 2007, intended to be developed as a campus on 16 lots for professional educational facilities with an emphasis on training personnel to secure the nations diplomats and citizens. The original intent was to include self-defense, tactical planning, marksmanship (indoor), physical conditioning, counter terrorism training and other activities associated with the defense, security & law enforcement professions. The campus was intended to include dormitories, classrooms, indoor firing ranges, administration buildings and gymnasiums.



Neighboring Uses

The properties that are a part of this Zoning Map Amendment request are located southwest of the Village of Summit Point (green star), an unincorporated community in Jefferson County. The community is located along the Baltimore and Ohio Railroad at the intersection of West Virginia Route 1 (Leetown Pike) and Summit Point Pike (WV 13) in the lower Shenandoah Valley. Summit Point is primarily occupied by single family detached houses on small lot, a public library, two churches and a limited commercial establishment. The properties in the Village itself are zoned Village. The surrounding properties are zoned Rural.

The property between the two SPARC uses (blue star), zoned Rural, is occupied by the Road Runner Wrecker Service’s salvage yard and sea container storage and shipping container rental and sale. The small property identified with the orange star, 3.35 acres, was zoned General Commercial in 2018 for an automotive research and development facility that occupied the existing structure at that time.

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SPARC Rezoning Request (22-3-Z)

Relevant Envision Jefferson 2035 Comprehensive Plan Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

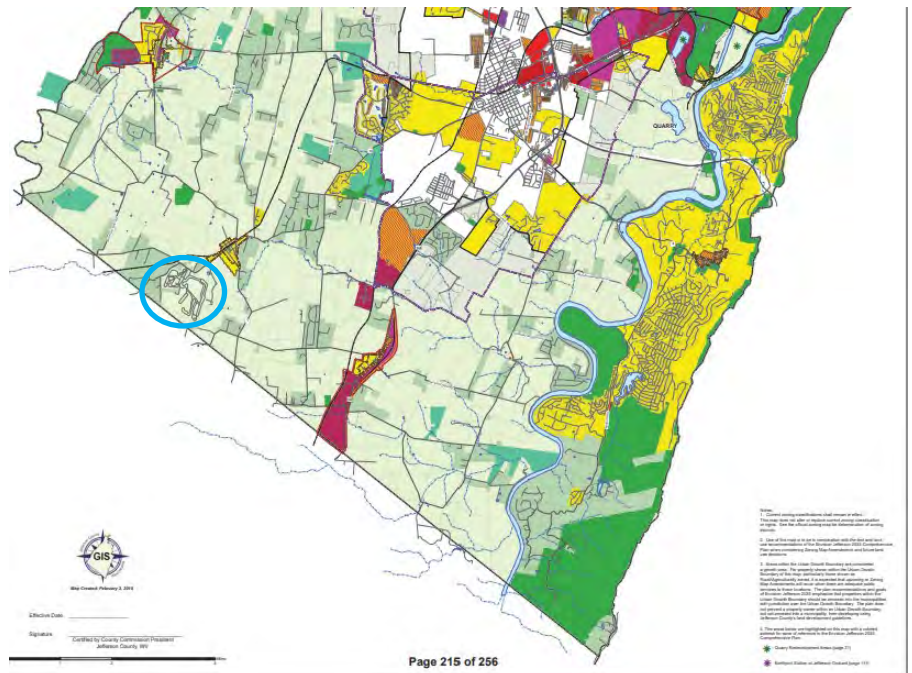
A. Land Use and Growth Management Element/ Future Land Use Guide

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17).

The land use area types include Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development. (p. 17)

The Village Recommendations Section of the *2035 Plan* includes the recommendation that the County provide land use tools that will enable expansion of the villages that will establish a continuation of village form, scale, and design, using design guideline and/or other applicable architectural and planning methods (p.45). The Plan also recommends that, within the villages themselves, and the village expansion areas

shown on the Future Land Use Guide, the form, scale, and design of new development in these areas should complement and integrate with the existing village areas. Suburban commercial strip development is not anticipated and should not be approved in these areas. Proposed commercial structures should take into account similar architecture in the area or a type of structure that would be appropriate for the area in which it is located. It encourages new development within the Village Expansion Areas to reflect the traditional grid network and encourage the interconnectivity and walkability found in traditional village areas.



The properties in question (circled in blue) are NOT located within any identified Urban Growth Boundary or Preferred Growth Area. During the *Envision Jefferson 2035 Comprehensive Plan* discussion and public input process, the existing “Vocational and/or Training Facility for Adults” permitted in the Rural Zoning District was acknowledged and the text states that it recognizes an existing training facility for adults, but a conscious decision was made to have the map depict this use as “Rural/Agricultural” (p.236). The text further states”

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SPARC Rezoning Request (22-3-Z)

“The land use activity anticipated to be conducted in this use is a specialized or accredited instructional establishment that provides on-site training or education in business, commercial, and/or trade skills. In the Rural District, this land use is required to be conducted in a campus setting, and may include classroom buildings, dormitories, cafeterias, gymnasiums (whose use is limited to the students, participants and instructors at said school or training facility), and administrative buildings.”

Additionally, the Summit Point area is identified as significant heritage tourism area which includes battlefield sites from the time of the Shenandoah Valley campaign.

The *2035 Plan* identifies Summit Point Road as a “Major Collector Road” which is defined as “Medium Speed (typically 30 to 45 MPH), relatively low-volume streets or roadways that provide circulation within and between neighborhoods. Collectors usually serve short trips and are intended for collecting trips from local streets and distributing them to the arterial network.” The General Commercial zoning district states that it is intended for “general destination business uses” which would be better served by locating on arterial streets. The *2035 Plan* also identifies numerous areas along Summit Point Road as Highway Problem Areas, including the 90 degree turn adjacent to the SPARC properties which indicates that the road system is not adequate to handle urban level development.

B. Appendix G - Land Use Map Classifications

The property that is a part of this Zoning Map Amendment request is shown on the Future Land Use Guide as Future “Rural/Agricultural”. Appendix G of the *2035 Plan* provides a detailed explanation of the Land Use Map Classifications utilized on the Existing Land Use Map and Future Land Use Guide which are intended to provide guidance to the Planning and County Commissions when considering owner-initiated zoning map amendments (rezoning requests). It further notes that while some of the land use classifications may require new zoning categories, the land uses were not intended to be a comprehensive list of possible zoning districts.

Appendix G of the *2035 Plan* states that the “Rural/Agricultural” land use category is a land use category which generally reflects “land occupied by lots greater than five acres. Found within this classification are single family uses and working agricultural operations” (p.235-236). The Plan further notes that the Rural/Agricultural area is nearly exclusively served by on-site well and septic systems. The discussion of the Rural/Agricultural land use category specifically calls out two related land use sub-categories that are encouraged or expected within this land use area. These include a provision for “Vocational and/or Training Facility for Adults” and “Agricultural based Economic Empowerment Area – allowed by CUP”. Of these, the “Vocational and/or Training Facility for Adults” specifically identifies the properties that are the subject of this rezoning request as follows:

“Vocational and/or Training Facility for Adults

Within the Rural/Agricultural District is a permitted land use of “Vocational and/or Training Facility for Adults”. This text recognizes an existing facility, but the map depicts this use as Rural/Agricultural. The land use activity anticipated to be conducted in this use is a specialized or accredited instructional establishment that provides on-site training or education in business, commercial, and/or trade skills. In the Rural District, this land use is required to be conducted in a campus setting, and may include classroom buildings, dormitories, cafeterias, gymnasiums (whose use is limited to the students, participants and instructors at said school or training facility), and administrative buildings.”

The text underlined above documents that there was no oversight during the development of the *2035 Plan*, but the existing training facilities were acknowledged and anticipated to continue under the Rural Zoning category.

Staff Report
Jefferson County Planning Commission Meeting
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SPARC Rezoning Request (22-3-Z)

Relevant Zoning Discussion

A. Current Zoning District: Rural (R)

Section 5.7 of the Zoning and Land Development Ordinance states that “the purpose of this district is to provide a location for low density single family residential development in conjunction with providing continued farming activities. This district is generally not served with public water or sewer facilities, although certain size developments processed under the cluster provision of Section 5.7D(2) may choose to do so. A primary function of the low density residential development permitted within this section is to preserve the rural character of the County and the agricultural community.”

Numerous agricultural uses are listed as permitted or conditional uses within Article 2 “Definitions” and in Appendix C of the Zoning and Land Development Ordinance. In particular, “Vocational and/or Training Facility for Adults” is listed as a Principal Permitted Use in the Rural Zoning District. This land use is defined as follows:

“A specialized or accredited instructional establishment that provides onsite training or education in business, commercial, and/or trade skills. The land use is conducted in a campus setting, and may include classroom buildings, dormitories, cafeterias, gymnasiums (whose use is limited to the students, participants and instructors at said school or training facility), and administrative buildings. Incidental instructional services in conjunction with another primary use shall not be considered a Vocational and/or Training Facility for Adults. This use does not include School, University or College. In the Rural District, the use must be conducted in a campus setting.”

In addition to these principal and conditional uses, Section 4.3 of the Zoning and Land Development Ordinance discusses non-conforming uses specific to the properties in question:

“4.3 Nonconforming Uses

Section 4.3(I): “The nonconforming use automobile racing facility located on property specifically described as Tax Map 17, Parcels 2, 2.1 and 5 in the Kabletown District is permitted to expand as herein described:

1. The commercial/competitive racing circuit as measured on January 10, 2002, 5,344 linear feet may add an additional 8,870 feet of commercial/competitive raceway surface, in accordance with (and not in addition to) the provisions of Section 4.3 of this Ordinance. The surface shall conform to a required 200-foot setback from all property lines.
2. May add dormitory lodging with food service facilities that do not contain internally lit signs.
3. May add automobile related research and development facilities.
4. May add other automobile related facilities only for vehicles that are used on-site, including, but not limited to warehousing, parts, supplies and service.”

Since this provision was adopted, the expansion provisions under 4.3(I)(1) have been constructed.

B. Proposed Zoning District: General Commercial (GC)

Section 5.12 of the Zoning and Land Development Ordinance states that “the purpose of this district is to provide for general destination business uses, which provide a broad range of commercial products and services necessary for large regions. The uses in this district may be characterized by medium-to-large buildings (including retail stores of up to 100,000 square feet of gross floor area for an individual building as per the definition of Retail Store, Large in this ordinance), more intensive

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SPARC Rezoning Request (22-3-Z)

commercial activity, and more vehicular traffic than would be permitted for uses in the NC district.”
(complete description attached)

The breadth of the potential uses that could be developed in the GC zone is not compatible with the nearby village zoning district or the surrounding rural zoning district properties and not consistent with the *Envision Jefferson 2035 Comprehensive Plan* recommendations.

Staff Discussion and Recommendation

This property has been zoned Rural since zoning went into to effect in 1988 due to the lack of existing urban infrastructure in the area. This zoning category was utilized even though at least 50% of these properties had been developed as racetracks and related facilities since 1969. Section 4.13(I) if the Zoning Ordinance was drafted to include a special discussion in the non-conforming use section related to the motorsports park that discussed future expansion and uses permitted, including limiting the linear feet of expansion of the racetracks themselves and detailing the types of relevant and related nonconforming uses that could occur on this property. The property has remained Rural over the years and the property has developed utilizing the non-conforming provisions (motorsports park) and has also expanded to include additional principal permitted uses such as a school which was later redefined as a “Vocational/Training Facility for Adults”. The expansion of the principal permitted uses in the Rural District has also opened up a variety of options for use of the property.

A rezoning from Rural to General Commercial would allow almost any Commercial Use listed in Appendix C to locate to the property as a Principal Permitted Use, including drive-through restaurants, gas stations, limited manufacturing facilities, and medium-to-large buildings, including retail stores of up to 100,000 sq. ft. of GFA floor area for an individual building with no evaluation regarding compatibility with the neighboring uses. The road serving these properties has numerous highway problem areas identified in the *2035 Plan* and no public water or sewer is available in this area.

In the current Rural district, many of these principal permitted uses in the General Commercial zoning district can also be approved through the Conditional Use Permit process in the Rural district, subject to a Public Hearing before the Board of Zoning Appeals, which would permit the proposed uses to be evaluated to ensure they are developed in a manner compatible with adjoining uses.

Based on these recommendations of the *2035 Plan* Future Land Use Map/Guide, staff finds that the proposed General Commercial (GC) rezoning request for the properties included in this application is **NOT consistent** with the *Envision Jefferson 2035 Comprehensive Plan*.

Planning Commission Action

Article 12 of the Zoning Ordinance, in accordance with State Code, requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted *Comprehensive Plan*. Such recommendation will be required to be sent to the County Commission prior to the County Commission’s public hearing which shall be held within 60 days of the date the petition is presented.

The petition was presented to the County Commission on June 2, 2022 and the required Public Hearing has been scheduled on July 21, 2022. Therefore, the Planning Commission is required to review this application and make a recommendation to the County Commission prior to this meeting.

Attachments:

- Section 5.12: General Commercial (GC) District
- History/Previous Approvals for these Properties

Staff Report
Jefferson County Planning Commission Meeting
July 12, 2022

SPARC Rezoning Request (22-3-Z)

ATTACHMENTS:

Section 5.12 General Commercial (GC) District

A. Purpose.

The purpose of this district is to provide for general destination business uses, which provide a broad range of commercial products and services necessary for large regions. The uses in this district may be characterized by medium-to-large buildings (including retail stores of up to 100,000 square feet of gross floor area for an individual building as per the definition of Retail Store, Large in this ordinance), more intensive commercial activity, and more vehicular traffic than would be permitted for uses in the NC district.

B. Location. This zoning category is intended for use on properties:

1. In the Growth Area as shown in the most recently adopted Comprehensive Plan, if the plan does not include a future land use map; or
2. In locations where the appropriate land use category is designated on the future land use map (and related text) in the most recently adopted Comprehensive Plan.

C. Permitted Uses

1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.
2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.

D. Site Development Standards

1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance.
2. A development that complies with all requirements of Section 5.11E may be developed in accordance with the requirements of Section 5.11D(2-6) and the front setback requirements for the Neighborhood Commercial District as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards.

E. Additional Requirements

1. Commercial and Industrial uses are subject to the requirements for such uses in Article 8.

Staff Report
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 July 12, 2022

SPARC Rezoning Request (22-3-Z)

			Paved Turnaround 937 sf Total Impervious: 63,444 sf 09/30/13: Redline Revision add connex boxes 04/30/13: Redline Revision to add covered area
05/20/14	S13-03	Summit Point Tactical Training Center, Phase 4	Bldgs: 112,381 sf Private driveway and storage areas: 924,275 sf Sidewalks: 11,034 sf Concrete aprons: 10,097 sf Gravel drives: 83,578 sf Total: 1,141,365 *Six merger areas increasing acreage from 13.55 to 138.9. Includes: 5 classrooms; 2 training bldgs; dining hall; garage; wash bay & office space; fueling station; watch tower; 3 training areas.

SITE PLANS (including related variances & redline revisions):

Summit Point Motorsports Park (District: Kabletown; Map: 17; Parcel: 2)

Approval	File #	Development	Description
12/13/94	S94-10	Summit Point Raceway	Registration Building
08/13/96	S96-13	Summit Point Raceway Apple Chapel	Pavilion to be used for worship services
03/25/97	S97-05	Summit Point Raceway	Tech Inspection Bldg
07/14/98	S98-05	BSR Range Complex	3 Pole Bldgs/Shooting House/Range House PC approved the following variances: Sec. 11.2.c.2 revised internal access widths & Sec. 11.2.b.6 for a concrete apron. Sec. 11.2.j.1 for paved interior roads & Sec. 11.2.c.2.a to reduce internal drives. from processing a site plan based on whole site.
04/11/00	S00-04	Summit Point Raceway	Shower/Bathroom Facility
10/23/01	S01-10	Summit Point Raceway	Storage Building: 480 sf
06/11/02	S02-01	Summit Point Raceway Shenandoah Circuit	Race Control Bldg: 6,400 sf Race Track: 362/720 sf Registration Bldg: 1,058 sf Gasoline Alley Bldg: 39,360 sf Concession Kiosk: 2,162 sf
02/08/05	S04-12	SPARC	School Vehicle Maintenance Buildings x 9600 sf
05/12/10	S10-01	SPARC	Driveway Relocation
03/22/11	S10-07	Summit Point Raceway/ Global Tower Partners	195' monopole, Colocation Telecommunications Tower 07/07/11: Redline revision to shift tower location 100'
02/11/11	S10-08	STASIS - SPARC	Bldg 1: 11,688 sf w/ future 2,100 sf expansion. Bldg 2: 4,800 sf w/ future 3,000 sf expansion. allow rough grading prior to site plan approval. elimination of sidewalks.
05/10/13	S13-02	Jefferson Circuit	Expansion of existing Jefferson Circuit
10/06/17	S17-10	SPARC Staging Area	Summit Point Motorsports Park Staging Area
12/18/17	S17-11	SPARC Range Extension	Extension of an existing range 12/14/17: Eliminate the required landscape buffer (ZV17-20). 02/22/18: Eliminate the required landscape buffer for temp trailers (ZV18-02).

Staff Report
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 July 12, 2022

SPARC Rezoning Request (22-3-Z)

			02/27/18: Redline Revision to add temporary trailers
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ZONING CERTIFICATES

11/19/09	ZC09-08	SPARC	Seasonal Use Permit to hold WKA events on Washington Circuit at the Summit Point Raceway.
12/11/13	ZC13-50	Summit Point Raceway Assoc., Inc. dba BSR	Federal Firearms Licensing to include affiliated transfer of firearms and ammunitions sales, on premises, as it relates to existing Firearms Training Facility. Not a "store front" gun shop. No guns sold to the general public.
05/31/13	ZC13-14	SPARC	Vocational and /or Training Facility for adults. Extension of the Jefferson Circuit and additional skid pad for continued use as a Government, Corporate, Educational and Automotive Club Training/Testing Facility.

ZONING VARIANCES

09/26/19	19-22-ZV	SPARC	Variance to reduce the front setback for a sign at the west entrance.
09/26/19	19-23-ZV	SPARC	Variance to allow a sign at the east entrance to be located within a ROW.



JEFFERSON COUNTY, WEST VIRGINIA
Departments of Planning and Zoning

116 East Washington Street, P.O. Box 338
Charles Town, WV 25414

File Number: 22-3-Z
Staff Initials: JH
Application Fee: \$36,850

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

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

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

Zoning Map Amendment (Rezoning)

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

Property owner information

Name: Summit Point Automotive Research Center, LLC
Mailing Address: PO Box 190; Summit Point WV 25446
Phone Number: 304-725-6512 Email: jeff.johnson@xatorcorp.com

Applicant contact information

Name: Summit Point Automotive Research Center, LLC
Mailing Address: PO Box 190; Summit Point WV 25446
Phone Number: 304-725-6512 Email: jeff.johnson@xatorcorp.com

Applicant representative

Name: Integrity Federal Services; Mark Dyck
Mailing Address: 148 S. Queen Street, Suite 201; Martinsburg, WV 25401
Phone Number: 304-725-8456 Email: mdyck@ifs-ae.com

Physical property details

Physical Address: Motorsports Park Circle
City: Summit Point State: WV Zip Code: 25446
Tax District: Kabletown (06) Map No: 16 & 17 Parcel No: See Attached
Parcel Size: 772.45 Deed Book: See Attached Page No: See Attached

Current 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

MAY 25 2022

JEFFERSON COUNTY PLANNING ZONING & ENGINEERING

Proposed Zoning District (please check one)

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

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

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

See Attached

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

See Attached

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

See Attached

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

Yes, I request that the Planning and Zoning Staff present the petition

No, I prefer to present the petition

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

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

Is Plat or Sketch Plan attached?

Yes No

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



13 MAY 22

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

SPARC CAMPUS REZONING

REZONING APPLICATION

**JEFFERSON COUNTY
WEST VIRGINIA**

APRIL 2022

**Prepared By:
INTEGRITY FEDERAL SERVICES**

**Prepared For:
SPARC, LLC**

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Part 2 Property Information

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Exhibit 3 – Sketch Plan

Exhibit 4 – Existing Land Use Map

Exhibit 5 – Future Land Use Map

Exhibit 6 – Transportation and Utilities

Exhibit 7 – BLA Exhibit

Part 1 – Executive Summary

The Summit Point Training Facility is a Jefferson County success story. The continued growth and expansion of this facility have allowed the business to thrive. This facility is recognized nationally as a critical training center for government personnel and regionally as a destination for motor sport enthusiasts.

This rezoning application represents the future for the facility. It seeks to address the three major business focuses of the facility – Training, Tourism/Motorsports, Recreation

EXISTING OPERATIONS

Training

SPTF maintains many government clients and is always seeking partnerships with others. These organizations often seek to develop training facilities specific to their idiosyncratic needs in the especially desirable location at Summit Point. This area affords our customers premier training facilities that are adaptable, discreet and capable – just far enough from Washington DC, but not too far away. These customers often seek partners that are willing and able to expand upon initial training requests. It is very common that these customers generate high student throughput who patronize local eateries and hotels. SPTF maintains relationships with local establishments to meet these needs, and proudly refers all customers to these partners. The Summit Point Training Facility employs over one hundred people, many of whom are local residents.

The specific training our customers seek include driver training, firearms training and emergency medical training. Often, once a customer contracts to train at SPTF, they remain and seek to expand. Department of State, Customs and Border Protection, the U.S. Secret Service, and the U.S. Marshals are all examples of organizations that began with a small training request, and grew to encompass large swaths of the training area. Commercial zoning will allow for much more agility to facilitate the needs of our National Security infrastructure where often time



Racetrack and support buildings



Training buildings and tactical scenarios



Outdoor shooting ranges and skid track

Part 1 – Executive Summary

sensitivity is critical to mission success, and the safety of American citizens.

Tourism and Motorsports

Separate and apart from training, SPTF is also a commercial motorsports venue, that we call the Summit Point Motorsports Park. The opportunity for Summit Point Motorsports Park to be more versatile in our motorsports offerings will have an immediate and positive effect on our county. Additional events will attract more out-of-state visitors. Many of our events are multi-day and lend themselves to increased spending in Jefferson County. To demonstrate this, recently we hosted a group from the Sports Car Club of America. Of their 70 participants, 68 were out-of-state residents. This was a two-day event, yet many of them arrived a day early and almost all brought additional family and friends. The Summit Point web page and social media accounts encourage these visitors to stay, shop and eat locally, and, similarly to our training operation, we provided a list of lodging opportunities that are here in the county.

Our motorsports events also create unique 'Business to Business' opportunities. Many companies around the country and world create client hospitality events and product release experiences at facilities just like Summit Point. A more versatile offering will allow us to expand on these relationships.

Many of our events are covered by national and international media. This exposure for our region will only grow as we too are allowed to grow.

Recreation

Finally, there is a recreational aspect to our location. Training is not reserved for only government clients. We have a full curriculum of firearms, driving and emergency medical training available to the public, all listed on our website. These offerings pull a different type of customer to our county, some even come from out-of-state. Furthermore, our current efforts to develop our Bill Scott Visitors Center will create a hub of motorsports history, chronicling the rich history

of racing in Summit Point, and West Virginia as a whole.

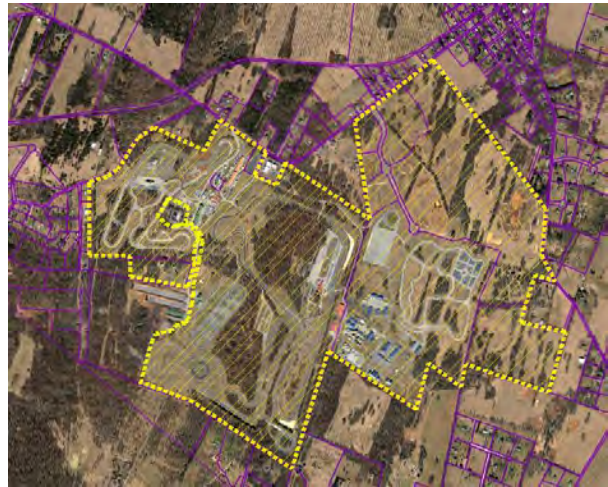
REQUESTED MAP AMENDMENTS

All properties are owned by Summit Point Automotive Research Center LLC.

The following parcels are included in the zoning map amendment from Rural to General Commercial.

Map 16 – Parcels 11, 11.1, 11.2, 11.11, OSA

Map 17 - Parcels 2, 2.1, 2.2, 3.1, 5, 9



Land included in the application.

There are currently several outdoor shooting ranges on Map 17, Parcel 2. Outdoor shooting ranges are not a permitted use in the General Commercial zone. To prevent these existing facilities from becoming non-conforming a boundary line adjustment will be submitted. The boundary line adjustment will increase the size of parcel 3 so that it will include the shooting ranges, the merger adjustment will add 56.3+/- acres to Parcel 3 from Parcel 2



Proposed boundary line adjustment for Parcel 3

Part 2 – Property Information and History

11 parcels are included in the zoning map amendment, all parcels are located in the Kabletown District. The total acreage of these parcels (after the merger) is approximately 717 acres.

Remapping of all parcels listed below from Rural to General Commercial is requested.

Map/Parcel 17/2
Deed Book/Page: 1096/472

Map/Parcel 17/2.1
Deed Book/Page: 1105/26

Map/Parcel 17/2.2
Deed Book/Page: 1096/472

Map/Parcel 17/3.1
Deed Book/Page: 1096/472

Map/Parcel 17/5
Deed Book/Page: 1145/559

Map/Parcel 17/9
Deed Book/Page: 1204/24

Map/Parcel 16/11
Deed Book/Page: 1118/401

Map/Parcel 16/11.1
Deed Book/Page: 1096/472

Map/Parcel 16/11.2
Deed Book/Page: 1096/472

Map/Parcel 16/11.11
Deed Book/Page: 1096/472

Map/Parcel 16/OSA
Deed Book/Page: 1096/472

All parcels except for Map/Parcel 16/17.9 are part of the current operations and were either historically part of the racing facility of part of the Community Impact Statement and Preliminary Plat approved in 2007.

The property has a long history that predates the adoption of zoning in Jefferson County.

Current uses on the property are permitted in the Rural District and include:

- Automobile racing
- Adult training facilities
- Shooting ranges
- Driver courses

There are dozens of buildings on the property that support the above uses. The expansion of the facilities on the property have been ongoing for the last 15 years with a steady flow of development related to the adult training facilities use.

In 2019 the site lost a major tenant, the Department of States Foreign Affairs Security Training Center was uprooted from West Virginia and moved to Blackstone Virginia. This decision by the Federal government resulted in a difficult time for the company. Faced with the challenge of downsizing the facility or finding ways to expand and find new tenants SPARC worked closely with Jefferson County and the State of West Virginia.

This collaboration has led to new opportunities, some of which are directly aligned with Jefferson County's objective to be the eastern tourism gateway for the State.

The challenge for the facility has always related to its ability to foster small commercial enterprises within the parameters of the Jefferson County Zoning Ordinance.

Part 3 Proposed Uses

DESCRIBE WHY THE ZONING MAP AMENDMENT IS NECESSARY FOR THE PROPOSED USE

The Applicant is requesting the zoning map amendments due to the limitations in the Rural zone and the opportunities found in the General Commercial zone that would support the future success of SPARC.

GENERAL COMMERCIAL USES

The requested zoning amendment would allow small commercial uses that would support the training/motorsports/recreational uses on site. These small opportunities will allow the facility to compete with similar venues across the United States who do not face the same restrictions on commercial use.

A possible example of a proposed use would be the development of custom garages storage of car collections and owner amenities during motorsports events. These units could be offered as long-term leases or sales to individuals or clubs to attract more motorsports participants and spectators.

Specialty automotive parts vendors would be able to sell their merchandise from small storefronts and a greater level of services would be provided at the site. These types of spaces would increase tourism dollars spend in the County and have major secondary benefits to hotels restaurants and other business in Jefferson County.

The following is a list of commercial uses that would be permitted by right:

- Art galleries
 - Automobile repair, sales and services
 - Automobile parts stores
 - Restaurants
 - Brewpub
 - Convenience store
 - Gas Station
 - Non-Profit Commercial Uses
 - Professional Office
 - Retail Sales
-
- Commercial storage
 - Electric Vehicle charging station

- Convention facility
- Special event facility

RURAL USES

Outdoor firing ranges will no longer be a permitted use on any lands rezoned under this map amendment.

Part 4 Supporting Information

HOW IS THE ZONING MAP AMENDMENT CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN

The Comprehensive Plan is a tool to be used in the evaluation of zoning map amendments. The following citation provides specific direction as it relates to State Code.

According to Chapter 8A of the West Virginia State Code, as amended, the County Commission can approve any zoning ordinance map or text amendment by finding that the request is consistent with the Comprehensive Plan.

For zoning map amendments in areas outside of growth areas shown on the Future Land Use Guide, this Plan recommends that the County Commission can further determine that a requested zoning map amendment is consistent with the balance of the Plan by receiving evidence and making a finding that the zoning map amendment is:

- *by finding that there is an error or under scrutinized property on the Future Land Use Guide*
- *for the economic well-being of Jefferson County*
- *a change in the neighborhood; or any other circumstance that may have been missed when considering the Future Land Use Guide*
- *that environmental impacts have been considered.*

Future Land Use Guide - Under Scrutinized/Error

The Jefferson County Comprehensive Plan is not consistent as it relates to the subject property. The Existing Land Use Map (Exhibit 4) shows the majority of the site as general commercial. This designation in the Comprehensive Plan would have supported its inclusion in the future Preferred Growth Boundaries.

The Future Land Use Map shows the property as agricultural. Given the existence of the racetrack and government training facility during the preparation of the Comprehensive Plan and the support of the facility by Jefferson County it appears that this area was not mapped correctly.

For the subject property the Comprehensive Plan fails to address the existing uses or future potential of the site. The proposed amendment consists entirely of areas shown as general commercial and lands immediately adjacent to these areas.

Economic Well Being

The continued growth and expansion of SPARC is an important consideration as it relates to the economic well being of Jefferson County. The facility has injected millions of dollars into the local economy and has helped establish Jefferson County as a tourism destination and a preferred location for government training. The rezoning of the property to General Commercial will benefit the economic wellbeing of Jefferson County.

Goals and Objectives

The following Goals and Objectives found in the comprehensive plan strongly support the proposed zoning map amendment.

Goal #1 - Objective #1: Recognize the existing vested rights, development entitlements, and permitted density levels on properties in Jefferson County.

The Comprehensive Plan recognizes the importance of existing vested rights. The map amendment will not significantly change the character, density level or nature of the property. It will strongly support the vested rights and the evolution of business enterprises.

It will also correctly reflect the information shown on the Existing Land Use Map which designates the property as a general commercial use.

Goal #1 - Objective #8: Encourage the adaptive reuse of existing buildings and previously used sites within Jefferson County, paying particular attention to brownfield and grey field sites.

The map amendment will support the adaptive reuse of the existing buildings on the property. This is a site that is historic and the current zoning restriction make it difficult for existing structures to contribute to their maximum capability.

Part 4 Supporting Information

Goal #6: Encourage the Growth of Jefferson County’s Economy and Enable the Creation of High Quality Jobs within the County.

The zoning map amendment will both protect existing jobs in Jefferson County and enable the creation of new jobs.

Goal #6 - Objective #1: In coordination with the Jefferson County Development Authority (JCDA) and other agencies, work to build and expand existing local businesses and to enable the start-up of new businesses within Jefferson County.

The facility has always been supported by the Jefferson County Development Authority. The JCDA recognizes the importance of this facility and its ability play a role in a diverse economy.

Goal #6 - Objective #5: Provide opportunities to engage local employers with the existing local workforce to enable county residents to work locally.

The map amendment will allow a significant local employer to expand their workforce which is largely comprised of Jefferson County residents.

Goal #6 - Objective #8: Work with the state’s congressional delegation, federal agencies, and state elected officials to identify opportunities for relocation or expansion of federal or state facilities within Jefferson County.

The facility has always been supported by the state’s congressional delegation, federal agencies and state elected officials. These entities strongly lobbied for the project to be the location of the permanent home for the Foreign Affairs Security Training Center. This facility would have resulted in a major expansion of the uses on the property. These entities continue to support the operations at SPARC.

Goal #8: Retain, Strengthen, and Enable the Growth of Jefferson County’s Rural, Cultural and Artisan Economies.

Commercial uses on the site will strengthen and grow Jefferson County’s Rural economy.

Goal #14 - Objective #6: Encourage the adaptive reuse of existing historic buildings within Jefferson County for a variety of purposes.

Established in 1969 the facility has passed the threshold of 50 years of existence and can be recognized by Jefferson County as a historically significant site. The above Objective recognizes the importance of our historic areas and supports an adaptive reuse of this campus.

DISCUSS ANY CHANGES OF THE TRANSPORTATION CHARACTERISTICS AND NEIGHBORHOOD CHARACTERISTICS FROM WHEN THE ORIGINAL ORDINANCE WAS ADOPTED.

Transportation Characteristics

There have been no major changes in the transportation characteristics of the area. The designation of Summit Point Road as a Major Collector by the Comprehensive Plan recognizes this road as regional route. Summit Point Motorsports Park regularly holds successful events ranging from hundreds to thousands of patrons, which access the facility by Summit Point Road. The number of trips which will be generated by the subject property with a map amendment will be limited.

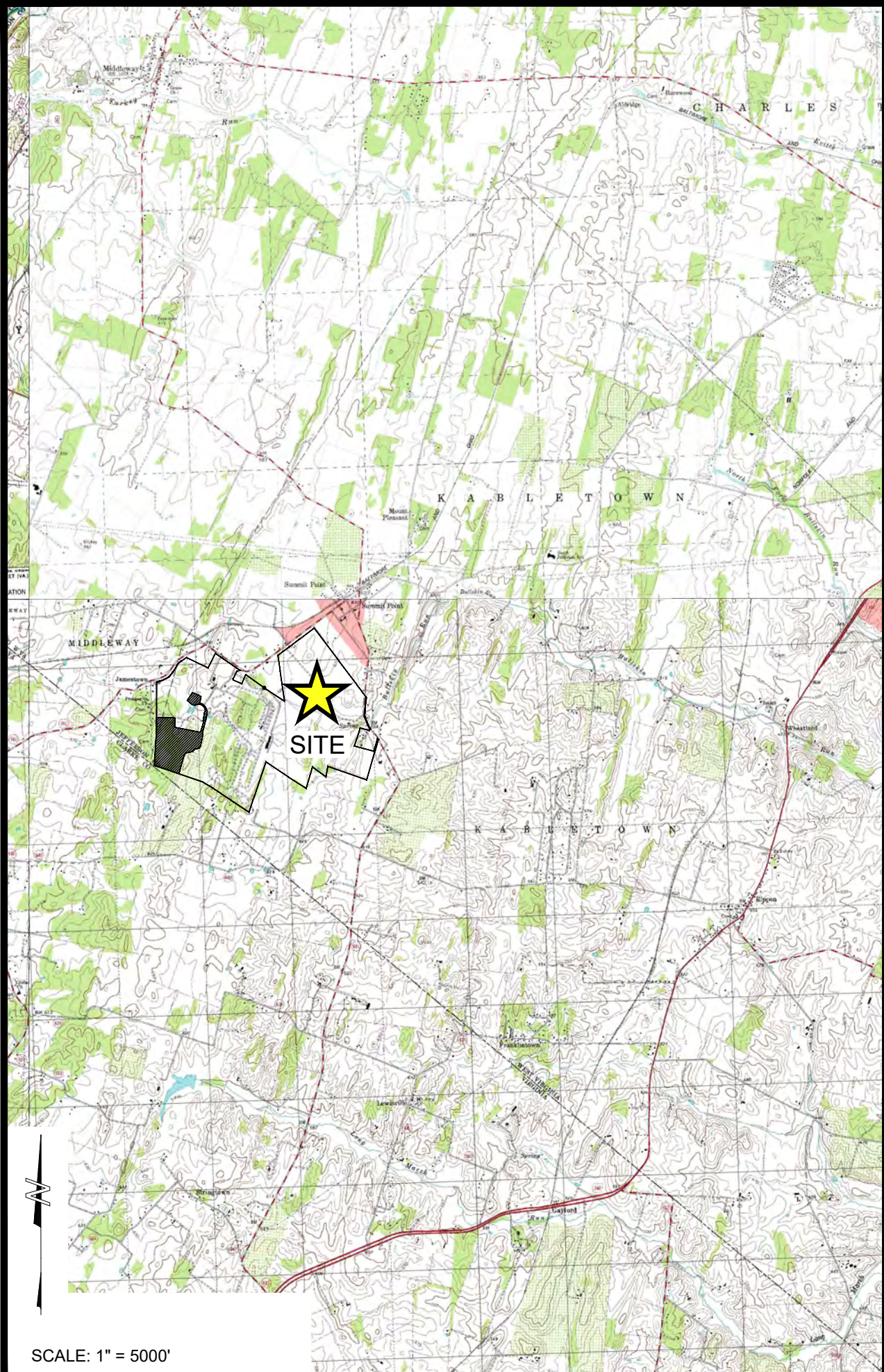
Neighborhood Characteristics –

The surrounding area has evolved to provide a unique destination within the County. Both the Summit Point Training Center campus and the expansion of training facilities within Summit Point Motorsports Park provide services for numerous federal, local and international agencies. The proposed Zoning Map Amendment will not have a significant impact on the neighborhood characteristics

ZONING MAP AMENDMENT
EXHIBIT 1 - VICINITY MAP

02-22-2022

SPARC
JEFFERSON COUNTY, WV

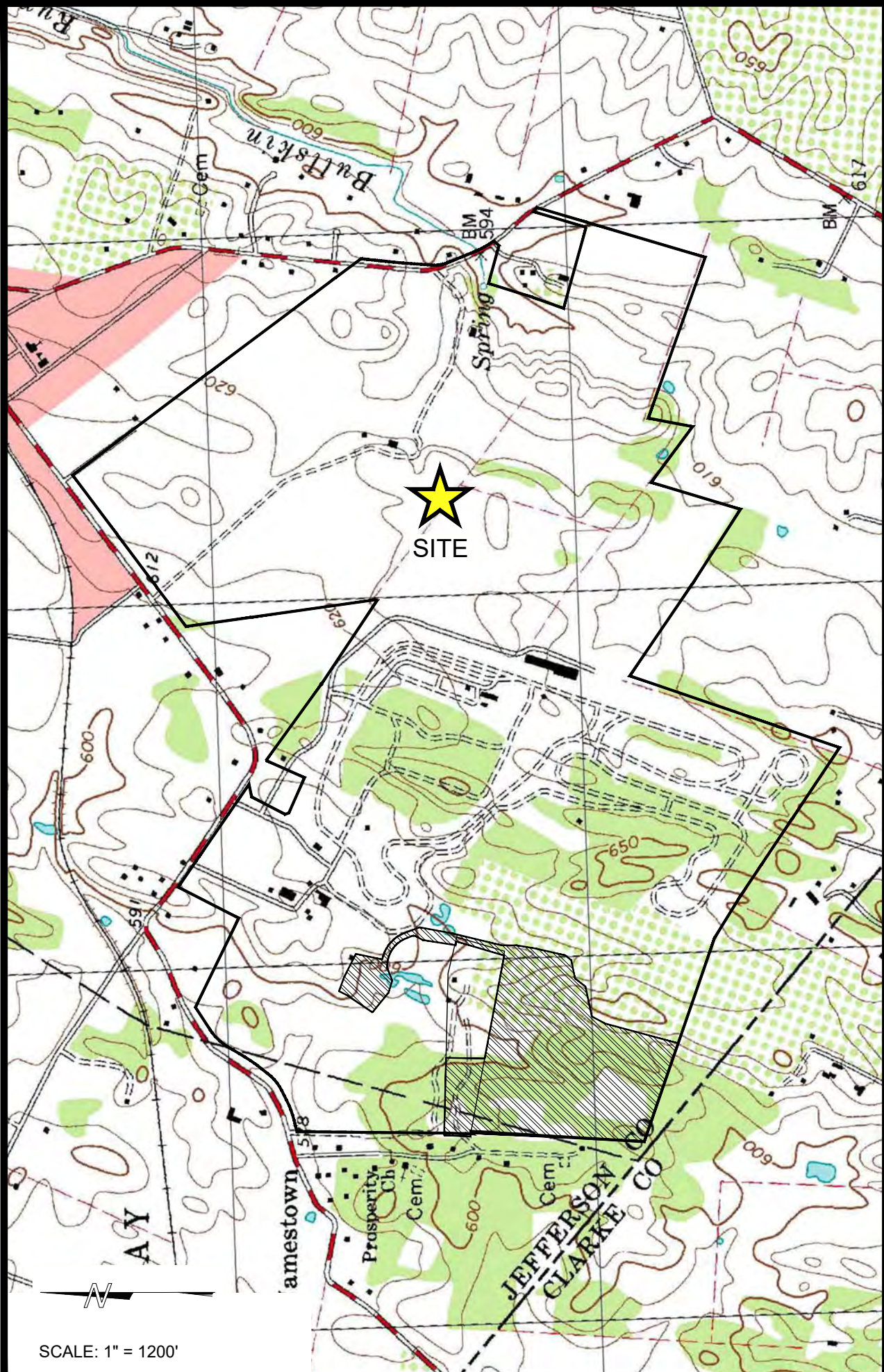


SCALE: 1" = 5000'

ZONING MAP AMENDMENT
EXHIBIT 2 - EXISTING CONDITIONS

02-22-2022

SPARC
JEFFERSON COUNTY, WV



SCALE: 1" = 1200'

ZONING MAP AMENDMENT
EXHIBIT 3 - SKETCH MAP

02-22-2022

SPARC
JEFFERSON COUNTY, WV



SCALE: 1" = 1200'

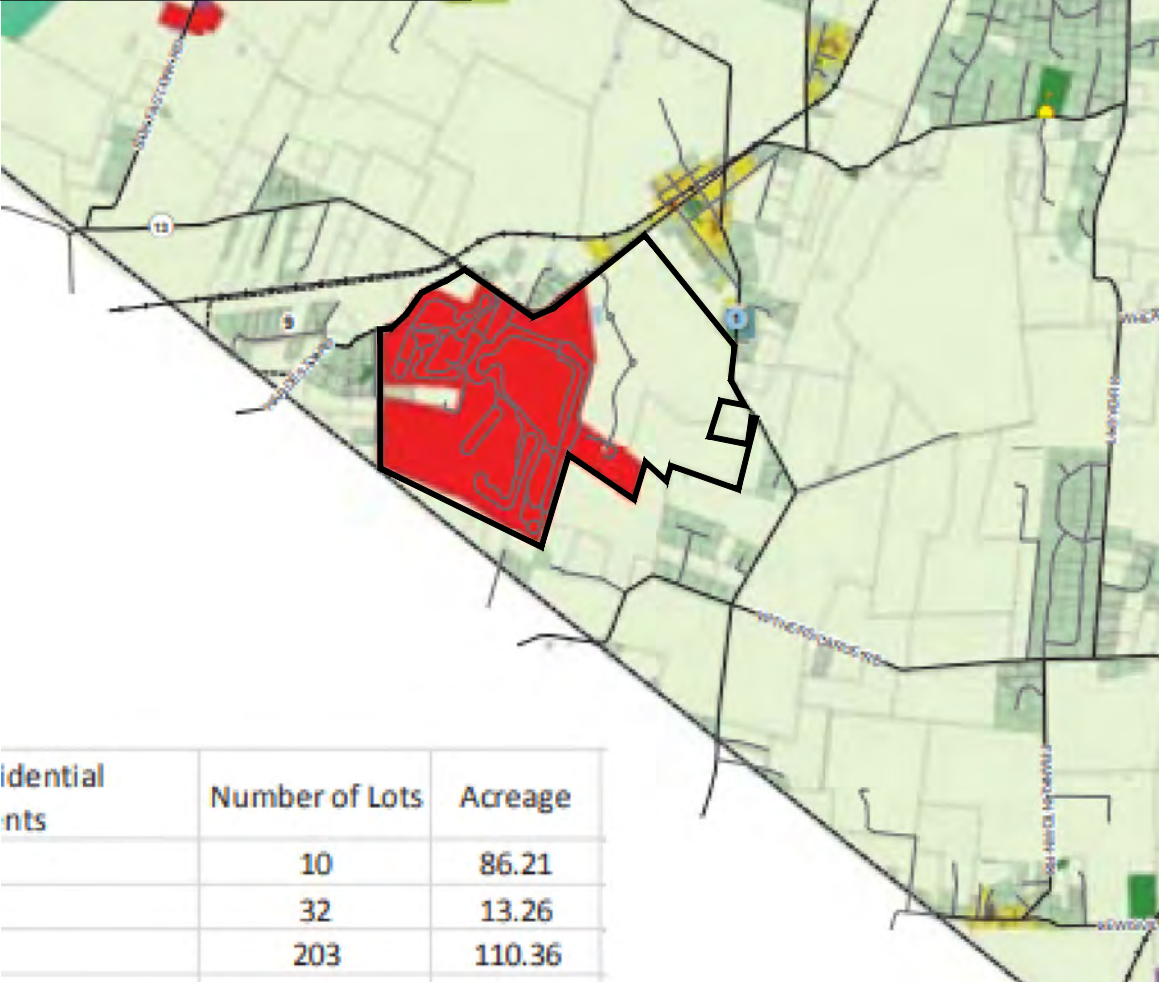
**ZONING MAP AMENDMENT
EXHIBIT 4 - EXISTING LAND USE MAP**

01-24-2018

**SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV**

Land Use Classification

- Rural/Agriculture
- Rural/Agriculture For Possible Urban Development
- Agricultural Economic Empowerment Area
- Large Lot Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- General Commercial
- Neighborhood Commercial
- Regional Commercial
- Industrial
- Office















idential nts	Number of Lots	Acreage
	10	86.21
	32	13.26
	203	110.36

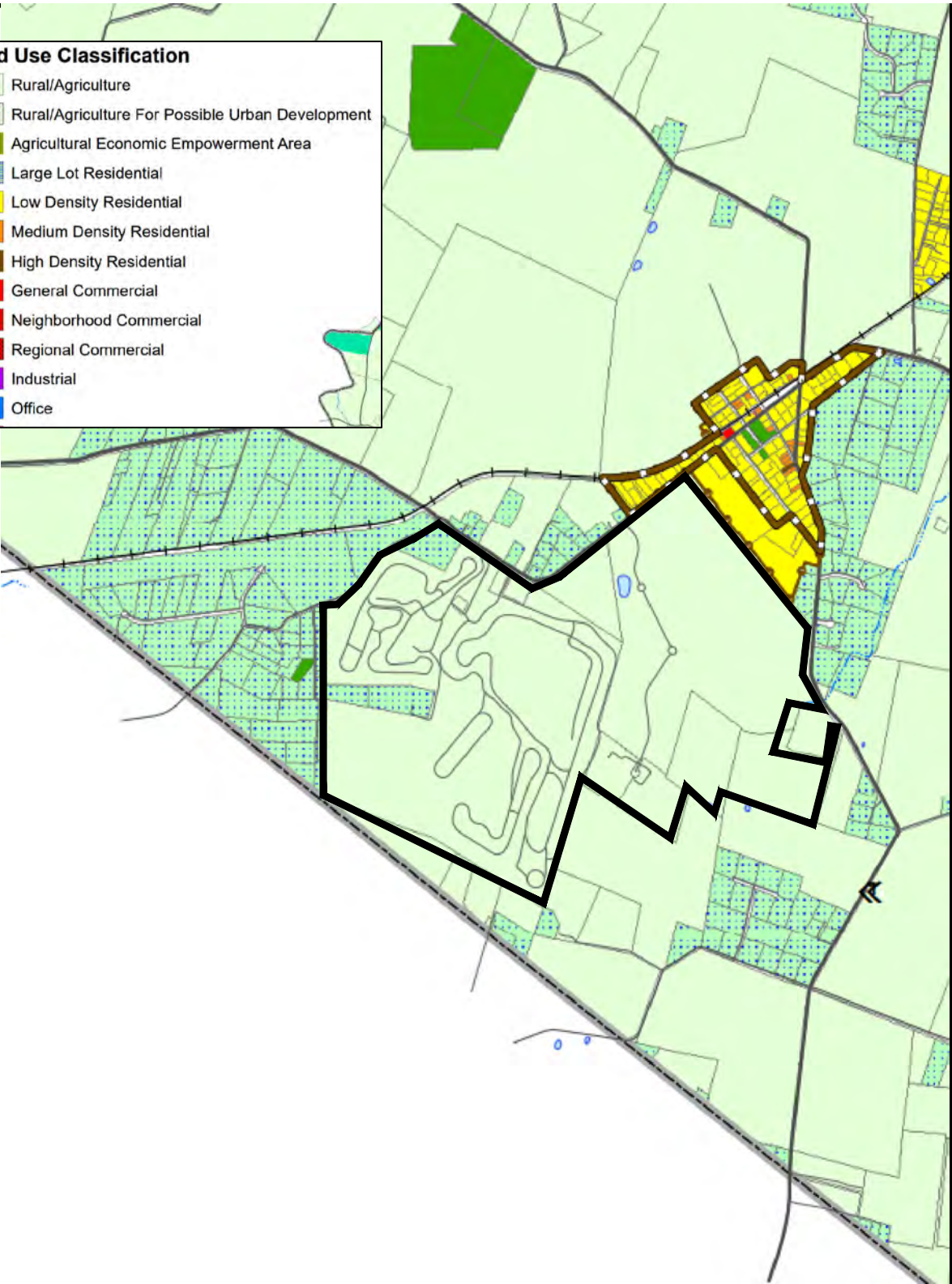
THE IMAGE ABOVE HAS BEEN TAKEN FROM THE EXISTING LAND USE MAP IN THE JEFFERSON COUNTY COMPREHENSIVE PLAN. IT SHOWS THE MAJORITY OF THE SITE BEING CLASSIFIED AS COMMERCIAL.

ZONING MAP AMENDMENT EXHIBIT 5 - FUTURE LAND USE MAP

01-24-2018

SUMMIT POINT VENTURES
JEFFERSON COUNTY, WV

Land Use Classification	
	Rural/Agriculture
	Rural/Agriculture For Possible Urban Development
	Agricultural Economic Empowerment Area
	Large Lot Residential
	Low Density Residential
	Medium Density Residential
	High Density Residential
	General Commercial
	Neighborhood Commercial
	Regional Commercial
	Industrial
	Office



THE IMAGE ABOVE HAS BEEN TAKEN FROM THE EXISTING LAND USE MAP IN THE JEFFERSON COUNTY COMPREHENSIVE PLAN. IT SHOWS THE MAJORITY OF THE SITE BEING CLASSIFIED AS COMMERCIAL.



TRANSPORTATION

1. THE PROPERTY IS ACCESSED FROM SUMMIT POINT ROAD.
2. NO IMPACT TO PEAK VOLUME TRAFFIC IS ANTICIPATED.
3. SOME INCREASE TO AVERAGE VOLUMEN MAY BE EXPERIENCED.

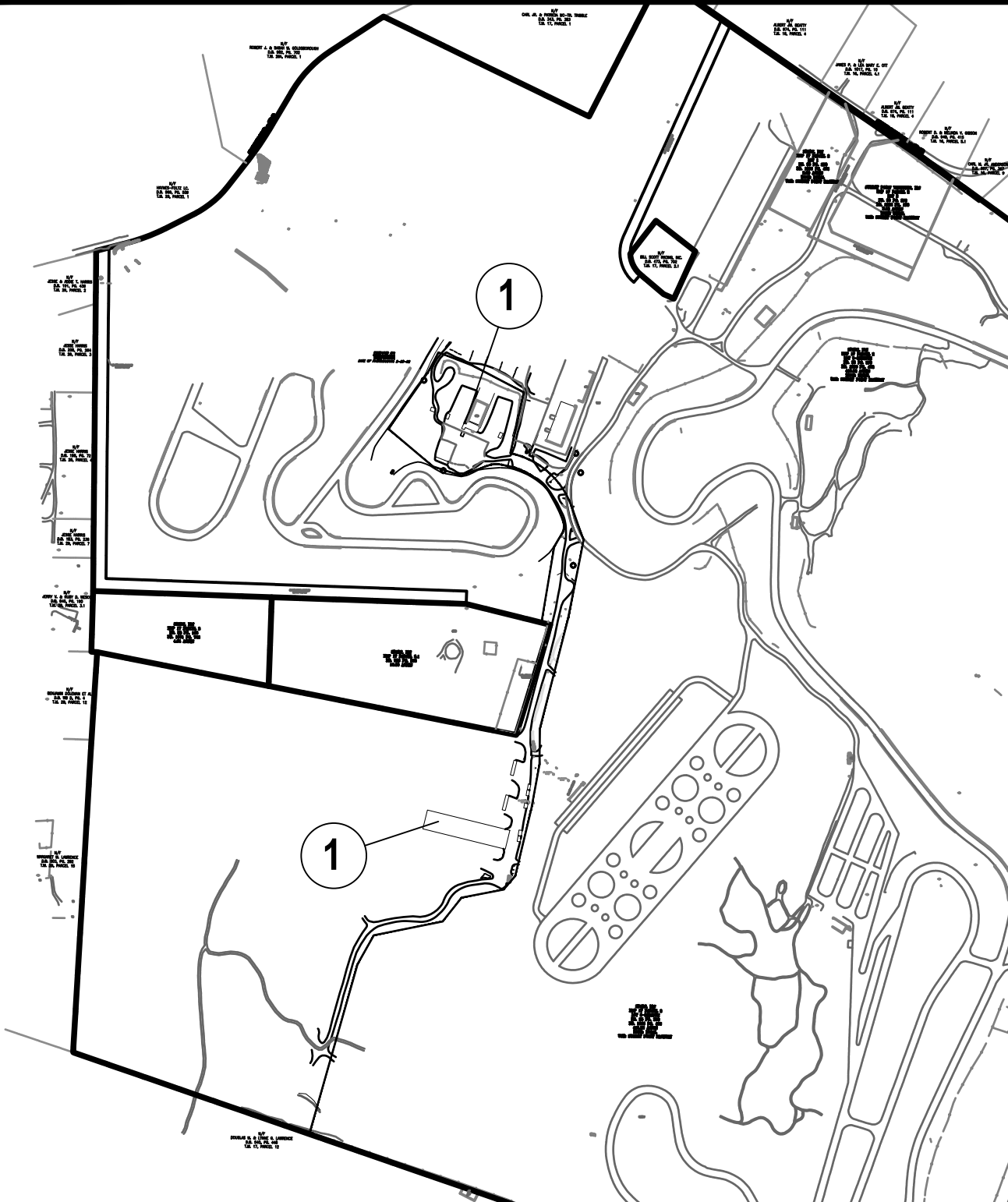
UTILITIES

1. THE REZONING WILL NOT REQUIRE THE EXTENSION OF PUBLIC UTILITIES.

**ZONING MAP AMENDMENT
EXHIBIT 6 - TRANSPORTATION AND UTILITIES**

01-24-2018

SPARC
JEFFERSON COUNTY, WV



ZONING MAP AMENDMENT EXHIBIT 7 - BLA SURVEY

01-24-2018

BOUNDARY LINE ADJUSTMENT

1. A PROPOSED BOUNDARY LINE ADJUSTMENT (MERGER) IS PROPOSED SO THAT EXISTING SHOOTING RANGES REMAIN WITHIN THE RURAL ZONING DISTRICT.

1 EXISTING SHOOTING RANGE LOCATION

SPARC
JEFFERSON COUNTY, WV



Jefferson County, West Virginia
Department of Engineering, Planning, and Zoning
Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum
Planning Commission Meeting
July 12, 2022

1) Status of Engineering, Planning and Zoning County Offices Contact Information

The Department of Engineering, Planning and Zoning Mason Building is open to the public.

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) Upcoming PC meetings

Next Regular meeting: **August 9, 2022**

- Public Workshop for Solar Energy Facility Concept Plan for the Blake Solar Project, proposing an 80MW solar electric generating facility to be located on approximately 516 acres (PC File #22-7-SP).
- Public Workshop for Miller Station Apartments Concept Plan to consist of 7 Multi-Family Garden Style Apartments with 216 units, associated parking spaces, SWM facilities, and signage (PC File #22-6-SP).