

Jefferson County Planning Commission
February 25, 2014

The Jefferson County Planning Commission met on February 25, 2014, with the following Commission members present: Stephen Stolipher, President; Daniel Hayes, Vice President; Gene Taylor, Secretary; Dale Manuel, Bill McLeod, Wade Louthan, Darlene Truman, and Gary Phalen. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, County Planner; Jonathan Saunders, County Engineer; Stephen Groh, Assistant County Prosecuting Attorney; and Alexandra Beaulieu, Planning Clerk.

Mr. P. Taylor was absent with notice.

Mr. Stolipher called the meeting to order at 7:08 PM.

1. Citizen Communications. None.
2. Request for postponement. None.
3. Public Workshop: Concept Plan Review for River Riders, Inc. (PC File #S13-07). This property is located at 408 Alstadts Hill Road in Harpers Ferry. This project consists of expanding the existing facility to incorporate an all-inclusive family adventure center. The property is located in Tax District: Harpers Ferry (04); Tax Map: 7; Parcel: 10.1; Tax Map: 9; Parcels: 61, 62, 63, 63.1, 66.1, 69, 70, 71, 74, & 75; Zoned: Residential-Light Industrial-Commercial. Lots under negotiation for purchase: Tax Map: 7; Parcel: 10; Tax Map: 9; Parcels: 72 & 73 Zoned: R-LI-C. Total acreage: 45.15 acres.

Mr. Seth Rivard provided a PowerPoint presentation reviewing the River Riders, Inc. Concept Plan. Mr. Rivard stated that the proposed project was to expand the existing facility to incorporate an All-Inclusive Family Adventure Center including additional adventure related activities, as well as expanding existing lodging, dining, meeting, and storage facilities. Mr. Rivard stated that the Concept Plan request included lifting the single family restriction from Parcel 66.1, Tax Map 9 of the Harpers Ferry District, a lot created on March 31, 1994 as part of a minor residential subdivision. He stated that the Final Plat included the Single Family restriction and that this type of note on Final Plats supersedes zoning classification; therefore, the uses as proposed by River Riders would not be permissible on the property, even though it is zoned Residential-Light Industrial-Commercial. Mr. Rivard stated that staff recommended that the applicant plant a minimum of one (1) coniferous tree per fifty (50) linear feet (total of eight (8) trees) between the expanded vacation rental properties on Alstadts Hill Road and the parking lot.

Mr. Mike Shepp with Appalachian Surveys represented the applicant. Mr. Shepp stated the concept plan included the proposed expansion of existing permitted uses. He listed several of the existing permitted uses including office space, maintenance facilities, parking, a snack bar, an outdoor adventure course, and activities associated with river rafting and outfitting. Mr. Shepp stated that the proposed uses would include: lodging comprised of vacation rentals, cabins, RV sites, and tent camping; additional parking for staff and additional seasonal parking; new zip lines, a paint ball area; an activity center which would include dining, meeting, and entertainment spaces; additional parking; a warehouse for equipment storage and repair; pavilions; a bathhouse; tubing and zorb runs; a climbing, descent, and observation tower; and an outdoor amphitheater and stage. He added that there would be new traffic patterns as the result of a new entrance and parking area off Alstadts Hill Road.

Mr. Shepp stated that the single family restriction was placed on parcel 66.1 under previous requirements included in the minor subdivision process (prior to zoning and site plan requirements). He stated that the restriction previously would have been lifted under the Community Impact

Statement process (CIS), which is not in place today; therefore, the Public Workshop under the Concept Plan would be the current process in which to remove the Single Family Restriction.

Mr. Stolipher opened the floor for public comment.

Mr. Paul Rosa spoke on behalf of the Harpers Ferry Conservancy. He expressed concern for the height of the observation tower and requested that the parking lot be rotated to be less visible from 340. Mr. Rosa also expressed concerns for an increase in traffic. He stated that the conservancy was in favor of the project.

Ms. Jane Rutherford from Bakerton inquired as to whether the project would open future development at the Bakerton site.

Dr. Jim Gibson stated he was an adjoining property owner. Dr. Gibson spoke favorably of the project.

Mr. Stolipher stated no one else had signed up to speak. Mr. Hayes motioned to close public comment. Ms. Truman seconded the motion, which carried unanimously.

Mr. Hayes motioned to move staff's recommendation as written with the exception of item 4 which stated, "Any additional recommendations of the Planning Commission based on public input and the requirements of the Regulations." Mr. Phalen seconded the motion, which carried unanimously.

Mr. Stolipher called a recess at 7:55 PM. The meeting began again at 8:00 PM.

4. Discussion and possible recommendation regarding the proposed text amendment to Section 4.11 of the Zoning and Land Development Ordinance regarding landscaping between similar non-residential uses.

Mr. Rivard provided a PowerPoint presentation of the proposed text amendment regarding landscaping between similar non-residential uses.

Mr. Manuel motioned to recommend Staff's proposal. Mr. Louthan seconded the motion. The motion failed with a vote three (3) for (Dale Manuel, Wade Louthan, and Gene Taylor) and five (5) against.

Mr. Hayes moved to recommend JCDA's proposal. Mr. Phalen seconded the motion.

Mr. Manuel made a subsidiary motion to amend JCDA's proposal to include the following statement: "These requirements shall be required on both sides of a property line for adjoining properties". Ms. Truman seconded the motion as amended. The motion passed with a vote seven (7) for and one (1) against (Daniel Hayes).

5. Review and approve revised letter to the Division of Highways regarding US 340 South alignments for the Planning Commission President's signature.

Mr. Manuel motioned to approve the letter as presented. Ms. Truman seconded the motion, which carried unanimously.

6. Reports from Legal Counsel and legal advice to the Planning Commission. None.
7. Director's Report.

Ms. Jennie Brockman provided the Director's Report. She reviewed important dates relevant to the Comprehensive Plan. Ms. Brockman reviewed the proposed Zoning Text Amendment as

recommended by the County Commission regarding the creation of a Mass Event Ordinance. She noted that the text amendment would be on the March 11 Agenda to schedule a Public Hearing for April.

8. Planning Commission Exchange and Liaison Reports:

- County Commission Meeting: Mr. Dale Manuel stated that the County Commission has been working on cutting the current FY 2014 budget by \$3.9 million as well as drafting the required FY 2015 budget incorporating those cuts for the next year. He noted that discussion is taking place regarding an increase in permit fees and 911 fees.
- Parks and Recreation Meeting: Mr. Gene Taylor stated the Park has proposed a Veterans Memorial Open Air Pavilion with restroom.
- Jefferson County Development Authority Meeting: Ms. Jennie Brockman stated that the JCDA received a grant to hire a small business coach. She noted that the Coast Guard building was making progress. Ms. Brockman stated that potential businesses are looking to relocate from Berkeley County to the Bur Industrial Park.

9. President's Report.

Mr. Stolipher stated that he would like to schedule a round table discussion to include the general public and development community. He would like it to be during the day and requested that staff schedule a day when the room would be available.

10. Actionable Correspondence. None.

11. Non-Actionable Correspondence. None.

Mr. Hayes motioned to adjourn the meeting at 8:48 PM. Ms. Truman seconded the motion, which carried unanimously.