

Jefferson County Planning Commission  
April 8, 2014

The Jefferson County Planning Commission met on April 8, 2014, with the following Commission members present: Stephen Stolipher, President; Gene Taylor, Secretary; Dale Manuel, Gary Phalen, Darlene Truman, Wade Louthan, Dick Childs, Donnie Fisher, and Mike Chapman. Staff members present included Jennie 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. Stolipher called the meeting to order at 6:59 PM.

1. Election of Vice President.

Mr. Stolipher nominated Mr. Louthan. Mr. Phalen seconded the motion, which carried unanimously.

2. Approval of the minutes from March 11, 2014 Planning Commission Meetings.

Mr. Taylor motioned to approve the minutes from March 11, 2014. Mr. Louthan seconded the motion, which carried unanimously.

3. Citizen Communications.

Mr. McCleod expressed gratitude for the opportunity to serve on the Planning Commission.

4. Request for postponement. None.

5. Public Hearing: Request by applicant River Riders, Inc. (File #PCW14-01) to be represented by Appalachian Surveys for a waiver from the following sections of the Jefferson County Subdivision and Land Development Regulations: Appendix B, Section 2.5, subsections: A, C, D, E, G, H, I, J, K, L, M, N, and O (Off-Street Parking); Section 9.4, Subsections A and C; and Section 9.5 (Parking Standards). The property is located at 408 Alstadts Hill Road in Harpers Ferry and designated as 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, and 75. Lots under negotiation for purchase: Tax Map: 7; Parcel: 10; Tax Map: 9; Parcels 72 & 73. Total acreage: ~ 43.57 acres / 45.15 acres.

Mr. Mike Shepp with Appalachian Surveys represented the applicant. Mr. Shepp provided an overview of the request. He stated that the waiver request applied only to the area labeled "seasonal parking" on the concept plan and added that the parking area would only be used as overflow parking during peak business times. Mr. Shepp compared the parking area to that of the parking used for the fair. He noted that handicap parking would be designated by the main facility in the paved lots and that staff would be directing traffic to the overflow parking. Mr. Shepp stated that due to the nature of the business, the overflow parking area would likely not be utilized during inclement weather and therefore, concerns for mud and general wear as the result of inclement weather would not be an issue.

Mr. Seth Rivard provided an overview of the staff report. He stated that staff had concerns regarding parking delineation, noting that the concept plan did not state how the applicant intended to mark the spaces, nor did the waiver application. He also noted that per Section 11.1B

of the Jefferson County Zoning and Land Development Ordinance, the applicant will be required to submit a document to the Zoning Administrator with the Site Plan providing justification for their determination of the amount of parking they believe is required to meet their seasonal and outdoor recreation parking needs. It is expected that all indoor attractions, office space, and dining areas will meet the required paved parking per Section 11.1A of the Zoning and Land Development Ordinance.

Mr. Jonathan Saunders provided an overview of the engineering report. Mr. Saunders stated that the engineering department recommended approval of the request for a waiver from Section 9.5 which requires paving. He stated that engineering did have concerns regarding parking space delineation and noted that the applicant did not include a description or plan for how the parking area would be delineated. Mr. Saunders stated that the engineering department affirmed Planning staff's requirement of a two-year monitoring period.

The Planning Commission discussed the waiver request at length. Mr. Gene Taylor inquired as to how the applicant intended to delineate spaces. Mr. Shepp stated that the applicant would delineate parking in a way comparable to the fair or the Arts and Crafts Festival with orange cones and staff directing traffic. Mr. Shepp added that once the site plan is submitted, the designated parking spaces scale would be shown.

Mr. Phalen motioned to amend the language of item two in the draft motion provided in the Planning Commission packet such that it reads: "A site plan, either for this parking area only or as a part of the full site plan for the proposed development, shall be submitted *prior to the construction of any improvements...*" (italics denote proposed changes).

Mike Chapman seconded the motion, which carried unanimously.

Mr. Phalen motioned to strike the requirements for a two year monitoring period as listed in item five of the draft motion provided in the Planning Commission packet.

Ms. Truman seconded the motion. The motion passed with seven for, and two opposed (Mr. Manuel and Mr. Taylor).

Mr. Manuel made a subsidiary motion to include the two year monitoring period requirement with the standard as recommended by engineering to monitor for 75% grass coverage.

Mr. Taylor seconded the motion. The motion failed with three for (Mr. Manuel, Mr. Taylor, and Mr. Fisher) and six opposed.

Mr. Childs motioned to approve the draft motion included in the Planning Commission packet as amended (attached). Ms. Truman seconded the motion, which carried unanimously.

6. Petition by Hoy Shingleton, Trustee on behalf of Pearl Perkins, Beneficiary; and adjoining property owners Eric and Stacy Lindberg, to the Planning Commission for the purpose of scheduling a public hearing within 60 days regarding a Zoning Map Amendment request for two (2) parcels. The properties are currently zoned Rural and the applicants are requesting Residential-Light Industrial-Commercial zoning. The properties are located off of Charles Town Road in Kearneysville (16 Hospice Lane and 4115 Charles Town Road, respectively). The properties are designated as Tax District: Middleway (07); Tax Map: 1; Parcels: 1.2 and 1.1; Size: 16.67 acres and 7 acres. *Requested date: June 10, 2014.*

Staff noted that the applicant has waived the 60 day requirement and requested that the Hearing be scheduled on June 10, 2014. Mr. Manuel moved to schedule the Public Hearing for the referenced properties on June 10, 2014. Mr. Phalen seconded the motion, which carried unanimously.

7. Reports from Legal Counsel and legal advice to the Planning Commission. None.
8. Director's Report.
  - Update on 2014 Comprehensive Plan.  
Ms. Brockman reviewed upcoming dates related to the Comprehensive Plan.
9. Planning Commission Exchange and Liaison Reports: None.
10. President's Report. None.
11. Actionable Correspondence. None.
12. Non-Actionable Correspondence.
  - Letter from Dr. Swami Nathan RE: Comprehensive Plan
  - Letter from Robert Aitcheson RE: Mass Event Ordinance
13. Signing of approved Motions from previous Planning Commission meetings. None.

Ms. Truman motioned to adjourn the meeting at 8:07 PM. Mr. Manuel seconded the motion, which carried unanimously.