CITY OF CHARLES TOWN
CITY COUNCIL
AGENDA • AUGUST 5, 2024

Regular Session **COUNCIL CHAMBERS** **7:00 PM**
101 E Washington Street, Charles Town, WV 25414

CALL TO ORDER

1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

: **2024-784:** City Council Meeting Minutes - July 25, 2024
CityCouncilMeetingMinutes_15Jul2024_Draft_rmt.pdf

3. PUBLIC COMMENT

4. WARD REPORTS

5. MAYOR'S REPORT

6. COMMITTEE REPORTS

: **2024-756:** Ordinance Committee Meeting - July 18, 2024
Ordinance Meeting Minutes 7_18_24.pdf

: **2024-757:** Finance Committee Meeting - July 25, 2024
FinanceCommitteeReport_25Jul2024.pdf

: **2024-758:** Board of Parks and Recreation Meeting - July 25, 2024

7. CITY MANAGER REPORT

: City Manager's Report - August 5, 2024
City Manager Report - August 5, 2024.pdf

: **2024-819:** Property Acquisition - Possible Executive Session

8. POLICE CHIEF REPORT

9. UNFINISHED BUSINESS

: **2024-753:** *ZMA2024-02* - Second Reading and Consideration of an Ordinance to Amend the Zoning Map by Rezoning 1.3 Acres of Land on Willow Spring Drive from General Commercial to Neighborhood Commercial.
1. Staff Report.pdf
2. Application.pdf
3. Approved Sketch Plan.pdf
4. Draft Deed.pdf
5. Ordinance.pdf

10. NEW BUSINESS

: **2024-746: Public Hearing** - Possible Traffic Pattern Changes to Park Street and Portions of Higgs Blvd. and Maple Ave.

: **2024-745: Public Hearing**: *BR2024-06* - Bond Release request for St. James Church
1. Staff Report.pdf
2. Application.pdf
3. Soccer Field Status.pdf

: **2024-822:** Bond Release Request for St. James Church

: **2024-747: Public Hearing**: *BR2024-07* - Bond Release Requests for Norborne-Glebe Phases 7 & 8
1. Staff Report.pdf
2. Application.pdf
3. As-Built Plans.pdf
4. KH Review.pdf
5. KH Review Process.pdf

: **2024-820:** Bond Release Requests for Norborne-Glebe Phases 7 & 8

: **2024-748: Public Hearing**: *BR2024-08* - Bond Release Requests for Norborne-Glebe Phase 6
1. Staff Report.pdf
2. Application.pdf
3. As-Built Plans.pdf
4. KH Review.pdf
5. KH Review Process.pdf

: **2024-821:** Bond Release Requests for Norborne-Glebe Phase 6

: **2024-749: Public Hearing**: *BR2024-09* - Bond Release Request for Huyett Road Self Storage
1. Staff Report.pdf
2. Application.pdf
3. As-Built Plans.pdf
4. As-Built Plans - Landscaping.pdf
5. KH Review.pdf
6. KH Process.pdf

: **2024-823:** Bond Release Request for Huyett Road Self Storage

: **2024-759:** *BR2024-10*: Bond Initiation for Hillside Townhouse Development
1. Staff Report.pdf
2. Application.pdf
3.Cost Sheet.pdf
4. KH Review.pdf

: **2024-778:** *TXA2023-09* - First Reading and Consideration of an Ordinance to Amend the Zoning Ordinance, Article 1322 Zoning District Provisions, Section 1322.04 Rules for Interpretation of Uses, Table 1322.04 Zoning District Use Table in Regard to Permitted Uses in the Neighborhood Residential Zoning District
1. Report.pdf

2. Draft Ordinance.pdf

: **2024-750:** *TXA2024-04* - First Reading and Consideration of an Ordinance to Amend the Subdivision and Land Development Ordinance, Article 1332 Subdivision and Land Development Application and Approval Requirements, Section 1332.03, Subdivision and Land Development Application Submission and Review Procedures to Permit Public Participation for Preliminary Plans
1. Report.pdf
2. Draft Ordinance.pdf

: **2024-754:** Discussion on Spending Plan for the Coal Severance Fund
FY25 Coal Severance Revision 1.pdf
FY 2020 Coal Severance Budget.pdf

: **2024-814:** FY2025 Capital Budget Discussion and Approval
FY2025 Capital Budget Council Version.xlsx

: **2024-755:** Appointment to the Ordinance Committee

: **2024-777:** First Reading and Consideration of an Amendment to the Codified Ordinance of the City of Charles Town, West Virginia with Regard to Part 3 Traffic Code, Chapter 7 Parking, Article 365 Charles Town Parking District.
Ord. 2022-013 Article 365 Charles Town Parking District Redline Version 7-18.pdf
New parking zones.pdf

: **2024-788:** Letter to the WV Alcohol Beverage Control Administration - Abolitionist Ale Works' Beer Garden
2024AboBeerGardenCTCarShow.pdf

: **2024-794:** Letter to the WV Alcohol Beverage Control Administration for Happy Retreat Beer and Music Festival
2024FriendsOfHappyRetreat.pdf

: **2024-789:** Charles Town Utility Board Manager Briefing
CTUB Project Updates.pdf

: **2024-790:** Council Special Session Discussion - Charles Town Utility Board of Directors Vacancy.

: **2024-816:** Historic Overlay District Discussion

: **2024-817:** Approval of the City of Charles Town Building Code of Appeals Board - Rules and Regulations of Procedure
BCAB Rules and Regulations signed copy.pdf
BCAB Appeals Policy REDLINE.docx

: **2024-818:** B&O Tax Discussion - Possible Executive Session

11. REFERRALS TO COMMITTEES/COMMISSIONS

12. APPROVAL OF BILLS

: **2024-825:** Payment of Bills - August 5, 2024
GENERAL FUND COUNCIL REPORT 2024 08 01.pdf
PARKS N REC COUNCIL REPORT 2024 08 01.pdf

BUILDING COMM COUNCIL REPORT 2024 08 01.pdf

13. ADJOURNMENT

14. INFORMATION ONLY - NEXT REGULAR COUNCIL MEETING - August 19, 2024, at 7:00PM

: **2024-785:** Letter from Jefferson County Community Ministries
JCCM Letter.pdf

: **2024-786:** Letter of Appreciation to Georgia Brenneke
Letter of Appreciation.pdf

: **2024-787:** FY25 General Fund Revision #1 Worksheet and Resolution and FY25 Coal Severance Revision #1 Worksheet and Resolution
FY25 GenFund Revision #1 State Worksheet.pdf
FY25 General Fund Revision #1 Resolution.pdf
FY25 Coal Severance Revision #1 State Worksheet.pdf
FY25 Coal Severance Revision #1 Resolution.pdf

: **2024-791:** Ms. Andie Sugrue City Council Oath of Office
Andie Sugrue 7-15-24.pdf

: **2024-792:** Mr. Alden Roth Board of Parks and Recreation Oath of Office
Aden Roth 7-15-24.pdf

: **2024-793:** Charles Town Utility Board Meeting Minutes - July 10, 2024
2024.07.10 UB MINUTES.pdf

: **2024-815:** Charles Town Police Department Monthly May and June Statistics
May 2024.pdf
June 2024.pdf

: **2024-824:** Letter from the Boys and Girls Club of the Eastern Panhandle
Letter from the Boys and Girls Club.pdf

15. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at:

https://www.charlestownwv.us/government/agendas-and-minutes/

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-784: City Council Meeting Minutes - July 25, 2024

ATTACHMENTS:

- CityCouncilMeetingMinutes_15Jul2024_Draft_rmt.pdf

CITY OF CHARLES TOWN

CITY COUNCIL

MINUTES • July 15, 2024

Regular Meeting **Council Chambers** **7:00 PM**

101 East Washington Street, Charles Town, WV 25414

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bob Trainor	Mayor	Present	
James Kratovil	Councilmember	Present	
Elizabeth Ricketts	Councilmember	Present	
Jeff Hynes	Councilmember	Present	
Kevin Tester	Councilmember	Present	
Julie Philabaum	Councilmember	Present	
Priscilla Rodd	Councilmember	Present	
Micheal George	Councilmember	Present	
Andie Sugrue	Councilmember	Present	

Ms. Alissa Meeks, Community Development Director; Ms. Cindy Rezmer, Operations Director; Ms. Lori Nice, Finance Director; Ms. Liz Cook; Business Development/ Downtown Coordinator; Mr. James Newman, City Planner; and Chief Chris Kutcher, Charles Town Police Department (CTPD) were also in attendance.

1. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

2024-733: City Council Meeting Minutes - July 1, 2024

There being no additions, corrections, or changes to the Council workshop or meeting minutes of July 1. 2024, Mayor Trainor declared the minutes approved.

3. PUBLIC COMMENT

Mr. Michael Tolbert expressed his concern regarding the possibility of a plan to relocate Jefferson County government offices out of downtown Charles Town. He pointed out several options for keeping those offices in the downtown area. He also commented on the poor condition of the United States Postal Service building on Washington St. and urged the City to take appropriate action.

4. WARD REPORTS

Ward #1

2024-744: Councilmember Elizabeth Rickett's Ward Report

Ms. Ricketts provided a written ward report and reviewed it with the Council.

Mr. Kratovil had nothing to report.

Ward #2

Mr. Hynes had nothing to report.

Mr. Tester had nothing to report.

Ward #3

Ms. Philabaum had nothing to report.

Ms. Rodd had nothing to report.

Ward #4.

Mr. George reported that certain streets in the Greenfield neighborhood are still in need of repair.

Ms. Sugrue had nothing to report.

5. MAYOR'S REPORT

Mayor Trainor read into the record a letter from the Boys and Girls Club of the Eastern Panhandle thanking the City for their donation of $2,500. Mayor Trainor also presented the City's summer intern, Ms. Georgia Brenneke, a Letter of Appreciation for her assistance to Charles Town this summer.

2024-727: Oath of Office - Ms. Andie Sugrue - Ward 4 Councilmember

Mayor Trainor administered the oath of office to newly appointed Ward 4 Councilmember, Ms. Andie Sugrue.

6. COMMITTEE REPORTS

2024-731: Personnel Committee Meeting - July 8, 2024

Mr. George reviewed the Personnel Committee report with the Council.

2024-732: Finance Committee Meeting - July 10, 2024

Mayor Trainor reviewed the Finance Committee report with the Council.

7. CITY MANAGER REPORT

2024-741: City Manager Report - July 15, 2024

Ms. Alissa Meeks reviewed the City Manager's report with the Council.

2024-726: Eastern Panhandle Home Consortium Council of WV Membership Discussion

Ms. Meeks reported that Mr. Nissel has requested that Jefferson County solicit candidates to fill the open position on the Eastern Panhandle HOME Consortium of West Virginia council.

8. POLICE CHIEF REPORT

Chief Kutcher reviewed the May and June monthly Charles Town Police Department (CTPD) statistic reports with the Council.

9. UNFINISHED BUSINESS

2024-739: Public Hearing on the Second Reading and Consideration of an Amendment to the Codified Ordinances of the City of Charles Town, West Virginia with Regard to Part 1 Administrative Code Article 104 Wards, Election Therein

Mr. Kratovil moved to open the public hearing. Mr. George seconded the motion, and there were no objections.

Staff announced that no one had signed up for the public hearing.

Mr. Kratovil moved to close the public hearing. Mr. Tester seconded the motion, and there were no objections.

2024-695: Second Reading and Consideration of an Amendment to the Codified Ordinances of the City of Charles Town, West Virginia with Regard to Part 1 Administrative Code Article 104 Wards, Elections Therein

Mr. Kratovil moved to approve the second reading of Article 104 Wards, Elections Therein. Ms. Rodd seconded the motion, and it passed by a 5-3 vote.

RESULT:	**APPROVED [5-3]**
MOVER:	James Kratovil
SECONDER:	Priscilla Rodd
AYES:	Kratovil, Ricketts, Tester, Rodd, Sugrue
NAYS:	Hynes, Philabaum, George

2024-738: Public Hearing on the Second Reading and Consideration of a Zoning Map Amendment to 1.3 Acres of Land on Willow Spring Drive.

Mr. Kratovil moved to open the public hearing. Mr. Tester seconded the motion, and there were no objections.

Staff announced that no one had signed up for the public hearing.

Mr. Kratovil moved to close the public hearing. Mr. Hynes seconded the motion, and there were no objections.

2024-729: ZMA2024-02: Second Reading and Consideration of a Zoning Map Amendment to 1.3 Acres of Land on Willow Spring Drive.

Mayor Trainor advised Council that the City had received legal advice concerning this agenda item and recommended Council enter into executive session to discuss.

Mr. Hynes moved to enter into executive session. Mr. Tester seconded the motion, and there were no objections.

Mayor Trainor declared the Council in executive session.

Mayor Trainor declared the Council out of executive session.

Mr. Kratovil moved to amend agenda item #2024-729 as follows:

From: ZMA2024-02: Second Reading and Consideration of a Zoning Map Amendment to 1.3 Acres of Land on Willow Spring Drive.

To: First Reading and Consideration of an Ordinance to Amend the Zoning Map by Rezoning 1.3 Acres of Land on Willow Spring Drive from General Commercial to Neighborhood Commercial.

Mr. Hynes seconded the motion and is passed by unanimous vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Kratovil
SECONDER:	Jeff Hynes
AYES:	Kratovil, Ricketts, Hynes, Tester, Philabaum, Rodd, George, Sugrue

Mr. Hynes moved to approve the First Reading and Consideration of an Ordinance to Amend the Zoning Map by Rezoning 1.3 Acres of Land on Willow Spring Drive from General Commercial to Neighborhood Commercial. Mr. Kratovil seconded the motion, and it passed by a 7-1 vote.

RESULT:	**APPROVED [7-1]**
MOVER:	Jeff Hynes
SECONDER:	James Kratovil
AYES:	Kratovil, Hynes, Tester, Philabaum, Rodd, George, Sugrue
NAYS:	Ricketts

10. NEW BUSINESS

2024-681: FY2025 Coal Severance Fund Revision #1

Mr. George moved to approve the FY2025 Coal Severance Fund Revision #1. Mr. Hynes seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Micheal George
SECONDER:	Jeff Hynes
AYES:	Kratovil, Ricketts, Hynes, Tester, Philabaum, Rodd, George, Sugrue

After the voting, Mr. Hynes requested that an agenda item be added to a future Council meeting to discuss spending plans for the Coal Severance funds.

2024-736: FY2025 General Fund Revision #1

Mr. Kratovil moved to approve the FY2025 General Fund Revision #1. Mr. George seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Kratovil
SECONDER:	Micheal George
AYES:	Kratovil, Ricketts, Hynes, Tester, Philabaum, Rodd, George, Sugrue

2024-716: Discussion on the Roles and Responsibilities of the Community Resource Officer

Mayor Trainor reviewed with the Council, the perceived roles and responsibilities of a CTPD Community Resource Officer as outlined in the City of Charles Town West Virginia Police Department Workload-Based Staffing Evaluation report of March 2022 and as authorized by Council on May 2, 2022.

Background: In FY2023 the CTPD received a U.S. Department of Justice – Community Oriented Policing Services (DOJ – COPS) grant to offset some of the costs of hiring a Community Resource Officer (CRO) for the first 3-years.

Chief Kutcher reported that he expects to fill the CTPD CRO position sometime in FY2025.

2024-728: VFW Outdoor Dining Letter

Mr. Kratovil moved to authorize the Mayor to sign a letter of consent, addressed to the WV Alcohol Beverage Control Administration, for an outdoor dining space at 116 E. Liberty St. for a period of July 16 2024 through June 30, 2025. Mr. Tester seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Kratovil
SECONDER:	Kevin Tester
AYES:	Kratovil, Ricketts, Hynes, Tester, Philabaum, Rodd, George, Sugrue

2024-735: Charles Town Board of Parks and Recreation Application for Term Ending December 31, 2026.

Mr. Kratovil moved to appoint Mr. Alden Roth for the vacant seat on the Board of Parks and Recreation for the term ending December 31, 2026. Mr. Hynes seconded the motion, and it passed by unanimous vote.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	James Kratovil
SECONDER:	Jeff Hynes
AYES:	Kratovil, Ricketts, Hynes, Tester, Philabaum, Rodd, George, Sugrue

Mayor Trainor administered the oath of office to Mr. Roth.

2024-737: Possible Executive Session - City Manager Annual Review Process

Mr. George, as Chairman of the Personnel Committee, reported that an executive session would not be needed for this agenda item.

Mr. George requested that Councilmembers provide input for the City Manager's annual review by completing an Employee Performance Evaluation form and forward it to him by August 5, 2024.

11. REFERRALS TO COMMITTEES/COMMISSIONS

There were no referrals to committees or commissions.

12. APPROVAL OF BILLS

2024-743: Payment of Bills - July 15, 2024

Mr. Kratovil moved to approve payment of the bills. Hearing no objections, Mayor Trainor declared the bills approved for payment.

13. ADJOURNMENT

Mayor Trainor asked if there was any other business to come before the Council.

Ms. Ricketts reported that the Infrastructure Committee meeting scheduled for July 22, 2024, has been cancelled.

Mr. Tester invited Ms. Sugrue to attend the Ordinance Committee meeting on July 8, 2024. An agenda item will be added to the August 5, 2024, Council meeting agenda for appointment to the Ordinance Committee.

Mayor Trainor adjourned the meeting at 8:13PM.

14. INFORMATION ONLY - NEXT MEETING August 5, 2024, at 7:00PM

2024-730: Infrastructure Committee Meeting Report - June 24, 2024

2024-734: Charles Town Utility Board Meeting Minutes - May 22, 2024

15. NOTICE: The Public May View the Meeting Live by Clicking on the Event Link at: https://www.charlestownwv.us/government/agendas-and-minutes/

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-756: Ordinance Committee Meeting - July 18, 2024

ATTACHMENTS:

- Ordinance Meeting Minutes 7_18_24.pdf

City of Charles Town Ordinance Committee Report - July 18, 2024

Call to Order:
18:03

Committee Members In Attendance:

Councilmembers Kevin Tester and Julie Philabaum.

Also in attendance: Councilmember Andie Sugrue

Agenda / Discussions:

New Business

Appointment of new Ordinance Committee Chair
Brief Discussion between current Committee members Councilmembers Philabaum and Tester as well as new Councilmember Sugrue was included as a likely new committee member for her thoughts as well.

. Councilmember Philabaum nominated Councilmember Tester for the Chair, second and accepted by Councilmember Tester and unanimous vote. Councilmember Tester is the new Chair of the Ordinance Committee

Unfinished Business

2024 - 611: Parking - Article 365
We further reviewed the suggestions made by the Parking Committee, as well as the votes from the April 16, 2024 City Council meeting, after continued discussion and some minor modifications to what was presented to the Council Previously as possible changes, we are moving forward for consideration by Council.

- ***Recommendation to City Council:***
  - *On Aug 5th Agenda for 1st Reading, Red Line Version to be included in the packet*

Adjournment:
18:50

Next Meeting:
TBD

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-757: Finance Committee Meeting - July 25, 2024

ATTACHMENTS:

- FinanceCommitteeReport_25Jul2024.pdf

City of Charles Town Finance Committee Report
25 July 2024 Meeting

Drafted by: Bob Trainor - Chairman

Call to Order ooa 2:30PM

1. **Persons present:** Finance Committee Members Ms. Julie Philabaum, Mr. Jeff Hynes, and Mr. Bob Trainor; City Manager, Mr. John Nissel; Community Development Director, Ms. Alissa Meeks; Financial Director, Ms. Lori Nice; Operations Director, Ms. Cindy Rezmer; Maintenance Director, Mr. Jim Wyson; and Charles Town Police Department Chief, Chris Kutcher

2. **Unfinished Business**

2024-771: FY2025 Capital Budget Discussion

Staff reviewed, with the Committee, the City's proposed FY2025 Capital Budget. The Committee provided input for the Budget to staff.

Recommendations to the City Council: Review, provide input, and consider approving the City's FY2025 Capital Budget.

2024-773: B&O Tax Waiver Request

The Committee did not remove these requests from the table.

Recommendations to the City Council: None at this time, information only.

3. **New Business**

2024-774: B&O Tax Waiver Requests

The Committee tabled this agenda item until the 7 Aug 2024 Finance Committee meeting.

Recommendations to the City Council: None at this time, information only.

2024-775: Article 745 – Business and Occupancy Tax – Possible Revisions

The Committee tabled this agenda item until the 7 Aug 2024 Finance Committee meeting.

Recommendations to the City Council: None at this time, information only.

2024-719: Article 741 – Municipal License Tax – Possible Revisions

The Committee tabled this agenda item until the 7 Aug 2024 Finance Committee meeting.

Recommendations to the City Council: None at this time, information only.

4. **Finance Director's Report**

Delivered as part of agenda item 2024-771

5. **Chairman's Report**

None

6. **Tabled Items**

B&O Tax Waiver Requests

Charles Town Pharmacy; 2) Deez Donutz WV LLC (FN Flatbreads); 3) Carly Smith (Farmers Market Vendor; 4) Alfredo's Mediterranean; 5) Amaya Ent; 6) Go Metro; 7) Chris Mayo; 8) Newman's Lawn Care. In addition, the new requests in agenda item 2024-774

Article 745 – Business and Occupancy Tax – Possible Revisions

Article 741 – Municipal License Tax – Possible Revisions

7. **Pending Items**
8. **The meeting was adjourned ooa 5:45PM**
9. **Next Scheduled Finance Committee meeting is 7 August 2024 at 10:00AM.**

2024-758: Board of Parks and Recreation Meeting - July 25, 2024

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

City Manager's Report - August 5, 2024

ATTACHMENTS:

- City Manager Report - August 5, 2024.pdf

City of Charles Town
101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

City Manager's Report

August 5th 2024

- The **Revive! Commercial Grant Program** has officially Launched. Applications are due Sept 25th. More information can be found on our website on the Grants Page. The City of Charles Town Revive! commercial grant program encourages the redevelopment of older commercial buildings as vibrant commercial spaces. It is inspired by the objectives identified in the Historically Hip Charles Town 2040 Comprehensive Plan which states that "Charles Town will be the heart of the Jefferson County region and will serve as the center for community and economic development. The Downtown will be a strong center for business and serve as a regional destination for arts, culture, entertainment, and learning." This grant is for indoor renovations of commercial spaces.
- **Leadership Jefferson**. I want to congratulate Alissa Meeks for successfully graduating from Leadership Jefferson.
- **Eastern Panhandle Home Consortium:** The County Commission approved at their August 1st, 2024 meeting to advertise the Board vacancy position on the Eastern Panhandle Home Consortium. This is a three-year appointment. Information regarding this position can be found on the Jefferson County Commission official website.
- **North George Street Paving DOH:** DOH has informed us that milling and paving will commence along North George Street to the railroad tracks sometime this Fall. Work will be done in the evening hours. Once we get an update from DOH we will post it on our website and social media site. We will also inform our partners at the County and business owners who will be affected.
- **A SharePoint site** has been created and will be designed as an internal "website" for Charles Town employees. It will serve as a resource that will centrally house everything from day-to-day processes, helpful contacts, information on benefits and will also have links to other external sites that are important to employees like PEIA healthcare and HireLevel pay stubs and tax forms. There is no additional cost for the site as it is already included in our Microsoft licenses.
- **Tennis/Swim Update:** The total amount of children registered this summer was 117. The camp was such a success that we are going to continue with a Fall program. The total number of participants for the swim program was 267 with a waiting list of 126.
- **Trout Unlimited program, Ryan Cooper.** Trout Unlimited is working in conjunction with the Potomac Conservancy which has a grant to plant riparian buffers in Berkeley and Jefferson Counties along various waterways. This program will encompass both public and private property and will pay for the trees and provide labor to achieve the goals. Aaron Amore met with Ryan Cooper along with myself and we walked Evitts Run Park to identify areas for riparian planting. We also walked Willingham Knolls and identified planting areas. It appears we will be

approved for the riparian plantings to take place sometime this Fall or Winter but before the end of the year. All trees and labor are part of the grant and there is no cost or labor required on the part of the City. Mr. Amore presented this plan at the Parks and Recreation meeting on July 25, 2024 and a motion was passed authorizing the City Manager to sign an MOU with Trout Unlimited to permit the planting as proposed. We will be looking for volunteers to assist us with brush and small shrub and tree clearing to prep the site for planting.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-819: Property Acquisition - Possible Executive Session

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-753: *ZMA2024-02* - Second Reading and Consideration of an Ordinance to Amend the Zoning Map by Rezoning 1.3 Acres of Land on Willow Spring Drive from General Commercial to Neighborhood Commercial.

Proposed Motion: Approve the Second Reading and Consideration of an Ordinance to Amend the Zoning Map by Rezoning 1.3 Acres of Land on Willow Spring Drive from General Commercial to Neighborhood Commercial.

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. Approved Sketch Plan.pdf
- 4. Draft Deed.pdf
- 5. Ordinance.pdf

Zoning Map Amendment

ZMA2024-02

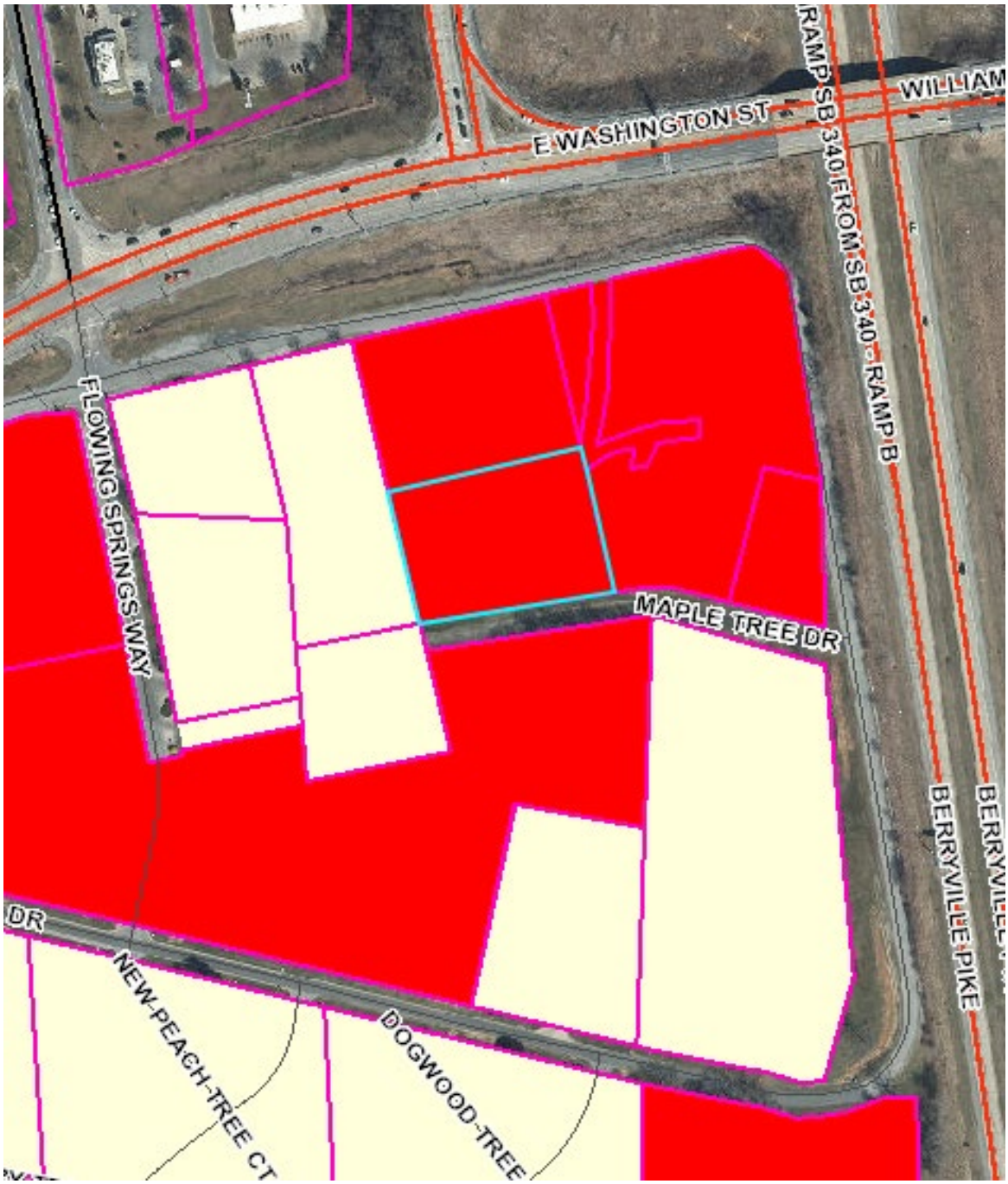
Date: For the August 5, 2024 City Council meeting
Applicant: Chris Hill on behalf of Tri-State Improvements LLC
Property Owner: FIRST CHARLES TOWN GROUP INC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Rezoning from General Commercial to Neighborhood Commercial
Property Location: Maple Tree Drive
Current Zoning: General Commercial



PROJECT OVERVIEW

A request to rezone approximately 1.31 acres of land from General Commercial to Neighborhood Commercial.

ZONING MAP



KEY

Red – General Commercial

Manilla – Subject to Jefferson County Zoning

PURPOSE

The proposed rezoning area is 1.31 acres. The purpose of the rezoning is to develop the parcel with a mixed-use structure with commercial units on the ground floor and residential units on the second and third floors. General Commercial does not permit residential uses, while Neighborhood Commercial permits both commercial and residential uses.

CRITERIA

For a rezoning to be approved, two criteria must be met. City Council must find either that:

1. *The amendment is consistent with the City's Comprehensive Plan,*

   The Comprehensive Plan describes this area as being for *Mixed Use Commercial*. The intent of the proposed Neighborhood Commercial zoning district is:

   "The purpose of the NC District is to provide for necessary Commercial Uses of a convenient nature within residential areas. The regulations which apply within the NC District are designed to ***encourage the formation and continuance*** *of a* ***stable, healthy and compatible environment*** *for* ***Uses*** *that are located so as to* ***provide nearby residential areas with convenient shopping and service facilities****;* ***reduce*** *traffic* ***congestion*** *and* ***avoid the development of "strip" business****. The residential character of the area surrounding NC District shall be of primary consideration."*

   The purpose of the *Mixed Use Commercial* land use in the 2040 Comprehensive Plan is:

   "Mixed Use Commercial Future Land Use plans provide for ***necessary commercial uses of a convenient nature within residential areas****. These plans encourage the formation and continuance of* ***stable, healthy, and compatible environments*** *that are located to* ***provide nearby residential*** *areas with convenient* ***shopping and service facilities****, reduce traffic* ***congestion****, and* ***avoid the development of strip malls****. The non-descript "anywhere USA" look and feel of strip malls are not desired.*

   This is similar with the Old Town Mixed Use (see page 72) which anticipates buildings pulled up to the front of the street and is a much more pedestrian centric environment. Compatibility and integration with residential character of the area surrounding the mixed use commercial zone shall be of primary consideration. ***The City prefers vertical mixed use commercial development*** *over horizontal mixed use development. However, in situations where horizontal mixed use development is proposed, greater attention to multimodal connectivity and accessibility will be imperative."*

   The proposed use of the property and the proposed rezoning are in conformance with the Comprehensive Plan, which calls for:

A. Vertical mixed use, which the applicant proposes to build.
B. Commercial uses of a convenient nature within residential areas, which is met with a mixed-use project.
C. Reduction in traffic congestion by providing residential uses within walking distance of commercial uses.

2. *Or that the amendment is not consistent with the Comprehensive Plan but that there have been major changes of an economic, physical, or social nature within the area involved that were not anticipated when the Comprehensive Plan was adopted and that such major changes have substantially altered the basic characteristics of the area.*

   The proposed rezoning amendment is in conformance with the Comprehensive Plan.

SPOT ZONING

The following information was provided by the City Attorney:

Spot zoning. (Black's Law Dictionary 1934)

Zoning of a particular piece of land without regard for the zoning of the larger area surrounding the land. Spot zoning can be illegal if it is inconsistent with a comprehensive zoning plan, the zoning surrounding the area, or the public health, safety, or general welfare.

Spot zoning gives advantages to the owner of a rezoned parcel that are not shared by others in the vicinity and is thus discriminatory. A critical factor in spot zoning is whether the public will benefit from the re-zoning. If the re-zoning would solely serve the landowner's interests, it should be considered an arbitrary, capricious, and unreasonable exercise of the legislative power and be deemed illegal spot zoning. However, if the purpose is to further the welfare of the public as part of the overall zoning plan, it should not be considered illegal even though the landowner may simultaneously benefit.

Contract zoning. (Black's Law Dictionary 1960)

1. Zoning according to an agreement, by which the landowner agrees to certain restrictions or conditions in exchange for more favorable zoning treatment.

This type of contract zoning is usually considered an illegal abandonment of the government's police power, because by private agreement, the government has committed itself to a particular type of zoning.

2. Rezoning of property to a less restrictive classification subject to the landowner's agreement to observe specified limitations on the use and physical development of the property that are not imposed on other property in the zone.

This device is frequently used when property is located in a more restrictive zone that borders on a less restrictive zone. In some cases, despite the fact that a landowner had previously

entered an agreement with a governmental body to obtain its desired re-zoning, the landowner subsequently challenged the agreement as illegally entered on the basis of contract zoning. The courts found the agreements unlawful and declared the imposed conditions unenforceable against the landowner

PLANNING COMMISSION

The Planning Commission held a public hearing for this item at their May 28, 2024 meeting. There was no public comment. The Commission discussed potential impacts and potential uses of the site. Following discussion, the Commission voted unanimously to recommend approval subject to the condition that "*Council should place conditions on the amount of commercial and residential space*".

CITY COUNCIL

Council held a first read of this item at their June 17, 2024 meeting. Based on legal guidance, Council tabled this item to the July 1st meeting.

At their meeting on July 1, Council moved to approve the first read subject to:

1. The applicant must follow the Planning Commission review process for their plan of development.
2. The deed covenant restrictions must be signed and recorded by the property owner.

The applicant stated they had restrictive covenant that would run with the property limiting the residential use of the parcel to apartments located over commercial uses.

Council held another hearing on July 15th, with a new Ordinance and proceeded to have a first read again along with a public hearing. There were no public comments. Council approved the first read.

CONCLUSION

Applicant proposes to rezone 1.31 acres of General Commercial zoned property to Neighborhood Commercial. The application is in conformance with the 2040 Comprehensive Plan, and combined with the applicant's proposed development, will result in the active use of a vacant parcel.

RECOMMENDATION

Approval of second read of the proposed Ordinance, which is SUBJECT TO and EFFECTIVE ONLY UPON the occurrence of both:

(i) the due execution, acknowledgment, and recordation of a deed in form and content identical to the Sample Deed, subject only to completion of dates therein and execution and acknowledgment thereof;

(ii) the City Planning Commission's final approval of a land development plan and/or plat for development of the Subject Parcel;

Petition No._____

RECEIVED
APR 09 2024
BY: VG

PETITION FOR ZONING AMENDMENT

Fee: $400

Zoning amendment petitions shall provide the following information:

1. Date 04/09/2024
2. APPLICANT'S NAME* Mr. Chris Hill; Tri-State Improvements, LLC
   Address: PO Box 1 Kearneysville, WV 25430
   Telephone Number (304) 2064791
   Email Address chris@tristatewv.com
3. PROPERTY OWNER'S NAME First Charles Town Group
   Address: PO Box 183, Charles Town, WV 25414
   Telephone Number (304) 725 8250
   Email Address Maria@fctwv.com
4. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)
   Property Address: 669 Willow Springs Drive
   Tax Map # and Parcel(s): Charles Town Corporation T.M. 15 parcel 9.26 9.27
   Deed Book and Page: Plat Book 20 Page 92
   Property Area in Square Feet or Acres: 63,011 SF and 56,904 SF

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

5. PROVIDE SCALED MAP, TO BE ATTACHED, OF THE PROPERTY CLEARLY SHOWING THE PROPERTY'S LOCATION AND PROPERTY AREA IN SQUARE FEET AND/OR ACRES:

See attached; sketch plan application

6. DESCRIPTION OF APPLICANT'S INTEREST IN THE PROPERTY:

Running concurrently to front parcels play center renovation, to construct a new mixed-use commercial and residential building with commercial rental space on the ground floor and apartments on floors 2 and 3

7. DESCRIPTION OF THE EXISTING (OR FORMER) USE(S) OF THE PROPERTY AND CURRENT ZONING:

Current zoning is General Commercial for this vacant lot

8. DESCRIPTION OF THE PROPOSED USE(S) OF THE PROPERTY AND REQUESTED ZONING DISTRICT:

Proposing to rezone to Neighborhood Commercial to allow for construction of new mixed use commercial and residential building, allowing for (5) new commercial storefront, 1 with drive-thru

9. DESCRIBE HOW THE ZONING MAP AMENDMENT WILL BE CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN:

This re-zoning will keep the commercial desire of the area and support the renovation of the current vacant steel building into a new play entertainment facility by allowing the construction apartments above the commercial storefronts, helping to support the revenue needed to develop the project

10. TIME SCHEDULE FOR DEVELOPMENT: (AS APPLICABLE)

As soon as final approvals are received.

11. PARCEL HISTORY (List all pending or previously approved applications on the subject parcels inventoried above, including previous site plan applications if this application is a site plan amendment)

Application No.	Project Name and Phase	Status	Approval Date

NOTES

Additional exhibits may be required by the Zoning Administrator such as a lot location survey or site plan showing existing and if applicable, proposed structures, easements, watercourses, curb cuts and description of the uses of adjacent property that are necessary to describe existing or proposed conditions.

Any desire to amend or withdraw this petition must be submitted in writing to the Zoning Administrator. Also, if ownership of any part of or all of the real property subject to the petition shall change during the pendency of the petition, the Petitioner shall be required to immediately advise the Zoning Administrator in writing.

APPLICANT'S CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Section 1321.12 and relevant provisions of the Charles Town Zoning Ordinance outlining the Zoning Amendment procedures.

Signature of Applicant _____ Date 4/8/24

Signature of Owner(s) (If different than Applicant)
Maria B. Wear Sec/Treas Date 4/9/2024

Please submit an original completed petition to the following:

Zoning Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

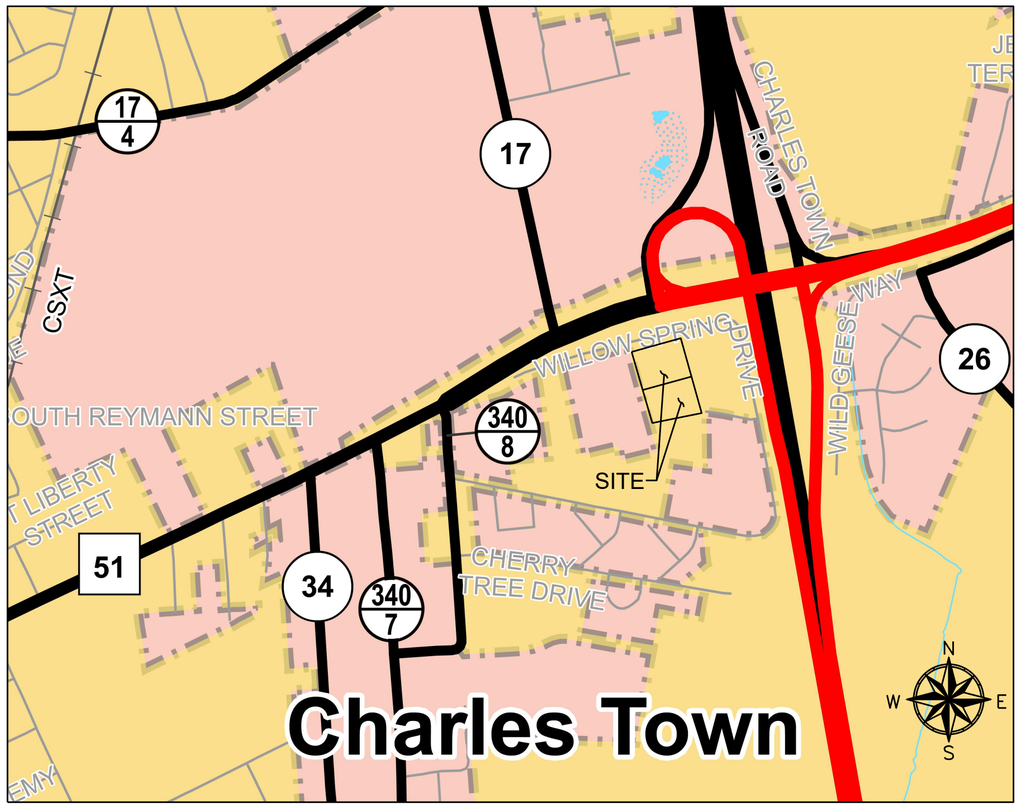
FOR CITY USE ONLY

Application Number:_____ Date Petition Received: 04/09/24

Fee: $ 400 Check No. 3011 Receipt No._____

City Council Approval:_____ Date:_____

Comments:_____



VICINITY MAP

SCALE: 1" = 600'

SKETCH PLAN

FOR

TRI-STATE IMPROVEMENTS, LLC

INDOOR PLAYGROUND BUILDING RENOVATION & NEW MULTI-PURPOSE BUILDING

ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
TOLLFREE: 877-264-0051
www.thinkALPHAfirst.com

SITE INFORMATION

1. THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OR EXEMPTIONS NOT SHOWN HEREON.
2. THE CURRENT ZONING OF THE VACANT REAR PROPERTY IS GENERAL COMMERCIAL. THE PROPOSED ZONING IS NEIGHBORHOOD COMMERCIAL.
3. THE PROPOSED USE OF THE SITE IS TO RENOVATE THE EXISTING VACANT BUILDING INTO AN INDOOR PLAYGROUND AND BUILD A NEW MULTIPURPOSE COMMERCIAL AND RESIDENTIAL BUILDING WITH COMMERCIAL RENTAL SPACES ON THE GROUND LEVEL FLOOR AND APARTMENTS ON FLOORS 2 AND 3.
4. EXISTING BUILDING IS CURRENTLY 21' TALL WITH A PLANNED 2ND FLOOR. IT WILL BE INCREASED TO 33'. THE NEW MIXED USE BUILDING ON THE REAR LOT WILL BE 44' TALL.
5. SOURCE OF BOUNDARY INFORMATION: PLAT FOUND IN PLAT CABINET 20 PAGE 92.
6. THERE ARE NO KNOWN COVENANTS ON THESE PROPERTIES.
7. PROPERTY ADDRESS: 669 WILLOW SPRINGS DRIVE, CHARLES TOWN, WV 25414.
8. WATER UTILITY SERVICES WILL BE PROVIDED BY CTUB.
9. SANITARY SEWER SERVICES WILL BE PROVIDED BY CTUB.
10. CONTOUR DATA AND BOUNDARY INFORMATION WERE GENERATED FROM LIDAR DATA AVAILABLE FROM THE WV GIS CLEARING HOUSE HOSTED BY WVU.EDU
11. THIS PROPERTY IS LOCATED ON FEMA MAP PANEL 54037C0137E, EFFECTIVE DATE 12/18/2009, AND IS DESIGNATED AS ZONE "X", AN AREA TO BE DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOOD PLAIN.
12. THE SOILS ON THE SITE ARE AS FOLLOWS:
    Ub - URBAN LAND
    Uu - URBAN LAND - UDORTHENTS
    UwC - URBAN LAND-HAGERSTOWN COMPLEX, 0 TO 15 PERCENT SLOPES
13. THERE ARE NO WETLANDS ON THE SITE PER THE US FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY.
14. KNOWN EASEMENTS ARE SHOWN HEREON.
15. PROJECT LIMITS ARE NOT WITHIN 500' OF A STREAM.
16. NO RIGHT OF WAYS ARE PROPOSED WITH THIS PROJECT.
17. ALL PROPOSED UTILITY LINES SHALL BE UNDERGROUND.
18. CONTACT WVDOH A MINIMUM OF 24 HOURS PRIOR TO ANY WORK WITHIN THE WVDOH RIGHT OF WAY. (681)-320-2039
19. COORDINATE ALL UTILITY WORK WITHIN THE WVDOH RIGHT OF WAY WITH TOM CALDWELL. (681)-320-2040
20. THERE ARE NO FUTURE EASEMENTS OR RIGHTS OF WAYS TO CONNECT TO ADJOINING PROPERTIES.

ZONING ORDINANCE SUMMARY - NEIGHBORHOOD COMMERCIAL, PAR. 9.26 :

1. PROPOSED USE:
   PROPOSED BUILDING WILL BE MULTI-PURPOSE COMMERCIAL AND RESIDENTIAL WITH 5 - 2,300 SF COMMERCIAL SPACES AT GROUND LEVEL AND 12 RESIDENTIAL APARTMENTS ON FLOORS 2 AND 3.
2. LANDSCAPING:
   - IT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER/ DEVELOPER TO REPLACE ANY TREES THAT DIE. ALL LANDSCAPING SHALL BE MAINTAINED BY THE PROPERTY OWNER/ DEVELOPER.
3. SITE LIGHTING WILL BE PROVIDED.
4. USE REQUIREMENTS:

	REQUIRED	PROVIDED
MINIMUM LOT SIZE:	6,000 SF	56,904 SF
MAXIMUM LOT SIZE:	20,000 SF ±	56,904 SF
MAXIMUM DENSITY	NO REQUIREMENT	N/A
MINIMUM LOT WIDTH:	NO REQUIREMENT	
MAXIMUM STORIES:	3	3
MAXIMUM LOT COVERAGE (RESIDENTIAL)	80% (MAX)	76%
MAXIMUM LOT COVERAGE (COMMERCIAL)	90% (MAX)	76%
BUILDING SETBACKS		
FRONT:	5' (MIN)	5'
SIDE:	10' (MIN) (20' COMMERCIAL)	20'
REAR:	15' (MIN)	15'

5. PARKING TABULATIONS:
   - RESIDENTIAL APARTMENTS: 1.5 SPACES PER UNIT X 20 UNITS = 30 SPACES
   - PET SUPPLY STORE: 4.1 SPACES PER 1,000 SF = 48 SPACES (RETAIL EXAMPLE)

   TOTAL REQUIRED = 78

   TOTAL PROVIDED = 114 SPACES
   114 X 4% = 4.56 - 5 HANDICAP SPACES REQUIRED
   TOTAL HANDICAP PROVIDED = 6

ZONING ORDINANCE SUMMARY - GENERAL COMMERCIAL, PAR. 9.27:

1. PROPOSED USE:
   EXISTING VACANT BUILDING WILL BE REMODELED INTO AN INDOOR PLAYGROUND FACILITY
2. LANDSCAPING:
   - IT WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER/ DEVELOPER TO REPLACE ANY TREES THAT DIE. ALL LANDSCAPING SHALL BE MAINTAINED BY THE PROPERTY OWNER/ DEVELOPER.
3. SITE LIGHTING WILL BE PROVIDED.
4. USE REQUIREMENTS:

	REQUIRED	PROVIDED
MINIMUM LOT SIZE:	NO REQUIREMENT	63,011 SF
MAXIMUM LOT SIZE:	NO REQUIREMENT	63,011 SF
MAXIMUM DENSITY	NO REQUIREMENT	N/A
MINIMUM LOT WIDTH:	NO REQUIREMENT	
MAXIMUM STORIES:	5	2
MAXIMUM LOT COVERAGE (COMMERCIAL)	90% (MAX)	63%
BUILDING SETBACKS:		
FRONT:	40' (MIN) (EX. BLDG IS GRANDFATHER)	40'
SIDE:	10' (MIN) (25' COMMERCIAL)	10'
REAR:	30' (MIN)	30'

5. PARKING TABULATIONS:
   - RECREATIONAL COMMUNITY CENTER: 3 SPACES PER 1,000 SF X 12,000 SF = 36 SPACES (INDOOR PLAYGROUND)

   TOTAL REQUIRED = 36

   TOTAL PROVIDED = 114 SPACES
   114 X 4% = 4.56 - 5 HANDICAP SPACES REQUIRED
   TOTAL HANDICAP PROVIDED = 6

SKETCH PLAN
FOR
TRI-STATE IMPROVEMENTS, LLC
INDOOR PLAYGROUND BUILDING RENOVATION & NEW MULTI-PURPOSE BUILDING

CHARLES TOWN CORP. T.M. 15 PARS. 9.26 & 9.27 P.B. 20 PG. 92
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER:
TRI-STATE IMPROVEMENTS, LLC

ADDRESS:
PO BOX 1
KEARNEYSVILLE, WV 25430

PHONE:
410-206-4791

ATTN:
CHRIS HILL

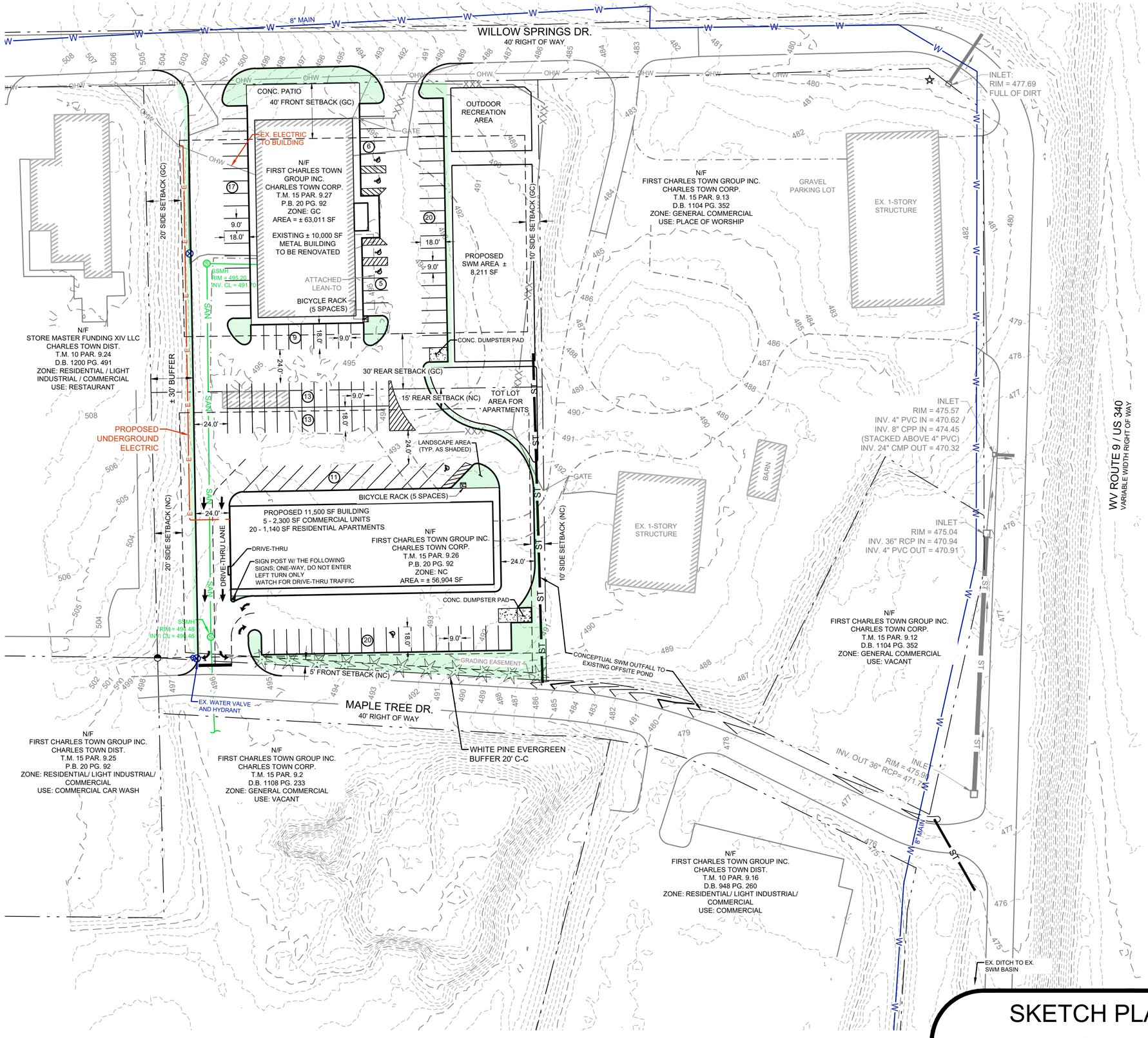
PROJ. NO.:	2401013.00
DATE:	4/8/2024
REVISION 1:	4/29/2024

SHEET NO.:

1 OF 2

COPYRIGHT 2024 ALPHA ASSOCIATES, INC.
ALL RIGHTS RESERVED

z:\projects\2024_jobs\2401013000\drawings\civil\current\construction\sk-1.dwg 4/29/2024



ALPHA ASSOCIATES, INC.
535 W. KING STREET
MARTINSBURG, WV 25401
PHONE: 304-264-0051
TOLLFREE: 877-264-0051
www.thinkALPHAfirst.com

LEGEND

- T.M. — TAX MAP NUMBER
- PAR. — PARCEL NUMBER
- D.B. — DEED BOOK
- PG. — PAGE NUMBER
- N/F — NOW OR FORMERLY
- SURVEY CONTROL POINT
- 5/8" REBAR WITH CAP FOUND
- CONCRETE MONUMENT
- REBAR FOUND
- IRON PIPE FOUND
- RAILROAD SPIKE SET
- POINT
- UTILITY POLE
- SANITARY MANHOLE
- STORM MANHOLE
- TELEPHONE MANHOLE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SANITARY CLEAN-OUT
- SIGN
- PROPERTY LINE
- ADJOINER LINE
- BUILDING OUTLINE
- EDGE OF GRAVEL
- 5' CONTOUR INTERVAL
- 1' CONTOUR INTERVAL
- CHAIN-LINK FENCE
- SANITARY SEWER LINE
- WATER LINE
- STORM SEWER LINE
- OVER HEAD WIRES
- BUILDING SETBACK LINE
- LANDSCAPE AREA

0 25 50 100 Feet
1" = 50'

SKETCH PLAN

FOR

TRI-STATE IMPROVEMENTS, LLC

INDOOR PLAYGROUND BUILDING RENOVATION & NEW MULTI-PURPOSE BUILDING

CHARLES TOWN CORP. T.M. 15 PARS. 9.26 & 9.27 P.B. 20 PG. 92
JEFFERSON COUNTY, WEST VIRGINIA

OWNER/DEVELOPER:
TRI-STATE IMPROVEMENTS, LLC

ADDRESS:
PO BOX 1
KEARNEYSVILLE, WV 25430

PHONE:
410-206-4791

ATTN:
CHRIS HILL

PROJ. NO.:	2401013.00
DATE:	4/8/2024
REVISION 1:	4/29/2024

SHEET NO.:

2 OF 2

COPYRIGHT 2024 ALPHA ASSOCIATES, INC.
ALL RIGHTS RESERVED

z:\projects\2024_jobs\2401013\00\drawings\civil\current\construction\sk-2.dwg 4/29/2024

THIS DEED made this _____ day of _____, 2024, by and between FIRST CHARLES TOWN GROUP, INC., a West Virginia Corporation, hereinafter referred to as GRANTOR; and TRI-STATE INVESTMENT PROPERTIES LLC, a West Virginia Limited Liability Company, authorized to do business in West Virginia, hereinafter referred to as GRANTEE.

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the said Grantor does hereby grant and convey, with covenants of general warranty, in fee simple, unto the said Grantee, all that certain lot or parcel of real property, with improvements thereon and appurtenances thereunto belonging, situate in the Corporation of Charles Town, Jefferson County, West Virginia, and being more particularly bounded and described as set forth in Exhibit A ("the Property").

THIS CONVEYANCE IS MADE SUBJECT, HOWEVER, to the following:

1. Use Restriction: Except as expressly permitted by the following subsection 1(a), no portion of the Property shall be used for any residential use or uses whatsoever, including, without limitation: (i) single-family detached housing, residential condominium, townhouse, senior adult housing – attached, congregate care facility, assisted living, or continuing care retirement community, as such terms are used and defined in the Institute of Traffic Engineers (ITE) Trip Generation Manual and Parking Generation Manual; (ii) adult day care center or child care center; (iii) any type of dwelling, including, without limitation, duplex dwelling, single-family detached dwelling, townhouse dwelling, two-family dwelling, or dwelling unit, as such terms are used and defined in the Charles Town Zoning Ordinance; and (iv) any other use reasonably determined to be a residential use by the Charles Town Zoning Administrator utilizing rules and methods consistent with those specified in Sections 1321.06(B), 1321.08(D)(12), and 1322.04 of the Charles Town Zoning Ordinance for making determinations under such ordinance.

DRAFT

(a) Exception: Notwithstanding the foregoing section 1, the sole and exclusive residential uses for which the Property may be used is apartments (as such term is used in the above-referenced ITE manuals) and/or a multi-familty dwelling (as such is used and defined in the Charles Town Zoning Ordinance), in both cases with such use limited to floors above the ground floor of the subject structure.

2. Perpetual Restriction: The above use restriction is intended and shall be in effect perpetually unless modified or terminated as specified below.

3. Runs with the Land: The above use restriction shall run with the land and be binding upon the Grantee and its representatives, tenants, successors, and assigns. Any person hereafter owning any interest in the Property shall be obligated to inform any intended transferee of any interest in the Property of this use restriction and include a clear and specific reference to this Deed, including the date, parties, and public record information, in any instrument effecting a transfer of such interest.

4. Enforceability: The above use restriction shall inure to the benefit of the Grantor, the City of Charles Town, West Virginia, and its City Council and Planning Commission, and any person who then owns real property abutting the Property that was, as of the record date of this deed, within the city limits of the City of Charles Town and classified within the General Commercial (GC) District under the Charles Town Zoning Ordinance (the "Other Beneficiaries"). The above use restriction is intended to and shall be enforceable by any one or more of the Grantee, the City, whether in its own name or that of its City Council or Planning Commission, or any combination thereof, or any of the Other Beneficiaries, and any of the same shall be deemed to have standing to bring a judicial proceeding seeking enforcement in the Circuit Court of Jefferson County, West Virginia.

5. Modification: The above use restriction may not be modified, waived, or amended except by a written instrument executed by the City of Charles Town and each of the Other Beneficiaries. Any such modification shall not be

DRAFT

effective unless and until recorded in the Office of the Clerk of the County Commission of Jefferson County.

DECLARATION OF CONSIDERATION OR VALUE

Under penalties of fine and imprisonment, as provided by law, the undersigned hereby declare that the value of the real estate conveyed by the document to which this declaration is appended was $_____ and that the Grantor is a West Virginia entity.

WITNESS the following signature and seal:

FIRST CHARLES TOWN GROUP, INC.

BY:_____**(SEAL)**
Its President

STATE OF WEST VIRGINIA
COUNTY OF JEFFERSON, to wit:

I, _____, a Notary Public within and for said County and State, do hereby certify that PETER L. CHAKMAKIAN, PRESIDENT, whose name is signed to the writing above, bearing date the _____ day of _____, 2024, for FIRST CHARLES TOWN GROUP, INC., has this day in my said County, before me, acknowledged the said writing to be the act and deed of said Corporation.

Given under my hand this _____ day of _____, 2024.

My commission expires:

_____ _____
(Affix Notary Seal) Notary Public

DRAFT

WITNESS the following signature and seal:

TRI-STATE INVESTMENT PROPERTIES LLC

BY:_____**(SEAL)**
Its Manager

STATE OF WEST VIRGINIA

COUNTY OF JEFFERSON, to wit:

I, _____, a Notary Public within and for said County and State, do hereby certify that CHRISTOPHER J. HILL, MANAGER, whose name is signed to the writing above, bearing date the _____ day of _____, 2024, for TRI-STATE INVESTMENT PROPERTIES LLC, has this day in my said County, before me, acknowledged the said writing to be the act and deed of said Corporation.

Given under my hand this _____ day of _____, 2024.

My commission expires:

_____ _____
(Affix Notary Seal) Notary Public

THIS INSTRUMENT PREPARED BY: Peter L. Chakmakian, Attorney at Law, P.O. Box 547, Charles Town, West Virginia 25414

DRAFT

EXHIBIT A – DESCRIPTION OF PROPERTY

All that certain parcel of real property, with improvements thereon and appurtenances thereunto belonging situate in the Corporation of Charles Town, Jefferson County, West Virginia, more particularly described as follows:

Being all of Lot 2, as more particularly designated and described upon a plat entitled "Final Plat Showing Lots 1-3 & 4 (Residue), Willow Spring Commercial Subdivision" prepared by Dewberry/Appalachian Survey, dated February 2003, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 20 at page 92-92C, to which plat reference is made for a more particular description.

DRAFT

CITY OF CHARLES TOWN
WEST VIRGINIA

AN ORDINANCE AMENDING, CHANGING, AND MODIFYING THE ZONING DISTRICT BOUNDARIES REFLECTED ON THE CITY'S ZONING MAP SO THAT A CERTAIN 1.306 ACRE, MORE OR LESS, TRACT OF LAND LOCATED ON MAPLE TREE DRIVE BE CLASSIFIED WITHIN THE NEIGHBORHOOD COMMERCIAL (NC) DISTRICT, SUBJECT TO AND EFFECTIVE ONLY UPON THE OCCURRENCE OF BOTH: (i) THE IMPOSITION OF A CERTAIN RESTRICTIVE COVENANT UPON SUCH TRACT BY A DULY EXECUTED, ACKNOWLEDGED, AND RECORDED DEED; AND (ii) THE CITY PLANNING COMMISSION'S FINAL APPROVAL OF A LAND DEVELOPMENT PLAN AND/OR PLAT FOR DEVELOPMENT OF SUCH TRACT.

WHEREAS, First Charles Town Group, Inc. (the "Owner") is the owner of a certain tract of land containing 1.306 acres, more or less, located on Maple Tree Drive, in Charles Town Corporation District, Jefferson County, West Virginia, as shown and described by metes and bounds as Lot 2 on that Final Plat showing Lots 1-3 & 4 (Residue), Willow Spring Commercial Subdivision prepared by Dewberry/Appalachian Survey, dated February 2003, and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia, in Plat Book 20, pages 92-92C (the "Subject Parcel");

WHEREAS, Tri-State Improvements, LLC (the "Applicant") intends to purchase the Subject Parcel from the Owner for the purposes of developing thereon a multi-use structure with commercial units on the ground floor and residential apartments on the second and third floors;

WHEREAS, the Subject Parcel is currently classified in the General Commercial (GC) District, in which residential uses are not permitted;

WHEREAS, the Applicant has requested amendment of the City's Zoning Map so that the Subject Parcel is instead classified in the Neighborhood Commercial (NC) District, in which residential uses are permitted by right;

WHEREAS, pursuant to Sections 1321.12(A) and 1321.12(D) of the City's Zoning Ordinance, the City Planning Commission, after conducting a public hearing on the matter, advised that the requested amendment is in conformance and consistent with the City's Comprehensive Plan and recommended amendment of the City's Zoning Map as requested, subject to City Council placing conditions on the amounts of commercial and residential space permitted upon the Subject Parcel;

WHEREAS, both the City Planning Commission and City Council expressed concerns that the requested amendment would (i) permit, by right, residential uses upon the Subject Parcel beyond the intended use for residential apartments and (ii) not require use of a portion of the Subject Parcel for commercial uses, which circumstances could result in outcomes inconsistent with the nature of neighboring parcels and otherwise inappropriate;

WHEREAS, to address such concerns, the Applicant proposed to place a restrictive covenant upon the Subject Parcel to limit any residential use of the Subject Parcel to residential apartments on floors above the ground floor of any structure and prohibit any other residential use of the Subject Parcel; and

WHEREAS, the Applicant presented to City Council at its regular meeting held on July 15, 2024, a draft deed from the Owner to the Applicant containing the proposed restrictive covenant (the "Sample Deed");

NOW, CITY COUNCIL FINDS AND DECLARES, that notice required under the City's Zoning Ordinance regarding the proposed amendment was duly given;

FURTHER FINDS AND DECLARES, that notice required under the City's Zoning Ordinance regarding a public hearing before City Council on the proposed amendment was duly given and such public hearing was duly held at a regular meeting of City Council held on July 15, 2024;

FURTHER FINDS AND DECLARES, that the requested amendment is consistent with the City's Comprehensive Plan provided that use of the Subject Parcel is restricted by a duly recorded restrictive covenant as proposed by the Applicant;

FURTHER FINDS AND DECLARES, that the Sample Deed contains a restrictive covenant that restricts use of the Subject Parcel as necessary for the requested amendment to be consistent with the City's Comprehensive Plan; and

FURTHER FINDS AND DECLARES, that the proposed amendment will benefit and promote the general welfare of the public by adding to the stock of available apartments within the City, as well as providing commercial space;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that the Zoning District boundaries reflected on the City's Zoning Map be amended, changed, and modified so that the Subject Parcel described above be classified within the Neighborhood Commercial (NC) district, and not within the General Commercial (GC) District, SUBJECT TO and EFFECTIVE ONLY UPON the occurrence of both: (i) the due execution, acknowledgment, and recordation of a deed in form and content identical to the Sample Deed, subject only to completion of dates therein and execution and acknowledgment thereof; and (ii) the City Planning Commission's final approval of a land development plan and/or plat for development of the Subject Parcel; and

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that, because the amendment, change, and modification of the City's Zoning Map provided for herein shall not be in force or effect unless and until both of items (i) and (ii) in the preceding paragraph have occurred, the Applicant shall be responsible for bringing to the attention of City Council that both of such items have occurred promptly after that is the case, and City Council shall, after

confirming the occurrence of both of such items to its satisfaction, then adopt a resolution acknowledging the occurrence of such items and that the amendment, change, and modification of the City's Zoning Map provided for herein is then in force and effect.

This Ordinance shall take effect upon enactment.

First Reading: _____, 2024

Public Hearing: _____, 2024

Passed on Second Reading: _____, 2024

Enacted this _____ day of _____, 2024

CITY OF CHARLES TOWN

_____
Robert M. Trainor
Mayor

Attest:

_____
John Nissel
City Clerk

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-746: Public Hearing - Possible Traffic Pattern Changes to Park Street and Portions of Higgs Blvd. and Maple Ave.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-745: Public Hearing: *BR2024-06* - Bond Release request for St. James Church

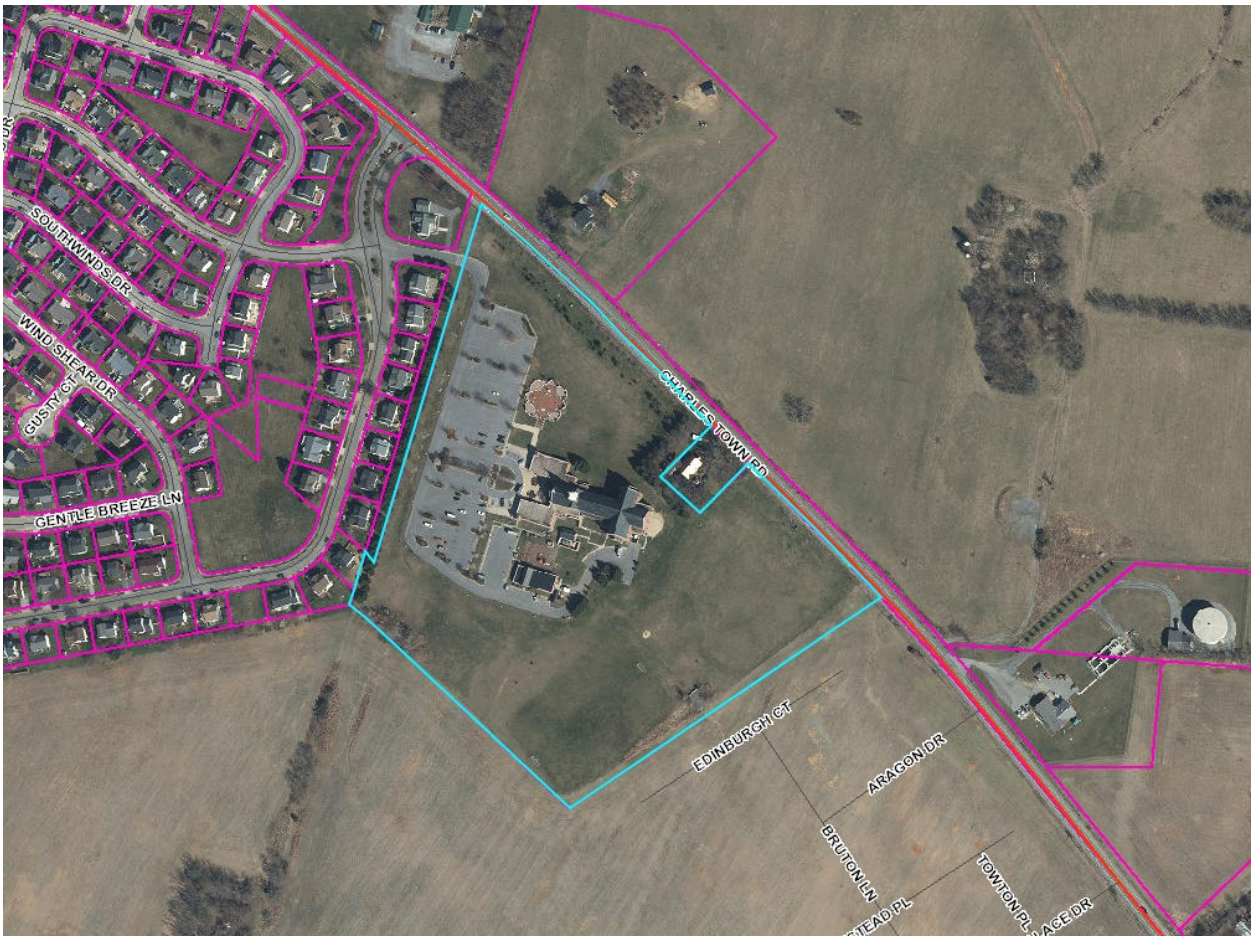
ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. Soccer Field Status.pdf

Bond Release Request
BR2024-06

Date: For the August 5, 2024 City Council meeting
Applicant: Reverend Galvin on behalf of St. James the Greater Catholic Church
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Bond release for performance and land disturbance bonds

Site



BACKGROUND
The applicant had a performance and land disturbance bond for creation of a soccer field in the amount of $7,500, with the bond signed off by the City on December 29, 2021. The applicant has not performed any work on the soccer field, and desires to have the bond released.

BOND COMMITTEE
The Bond Committee reviewed this item at their June 11, 2024 meeting. The Committee recommended approval of the bond release request.

PLANNING COMMISSION
The Planning Commission held a public hearing on this item at their June 24, 2024 meeting. There was one member of the public who spoke and asked about the location of the proposed work, which was shown to him by the applicant's representative.

The Commission voted unanimously to recommend **approval** of the bond release request.

RECOMMENDATION
As no work has been performed, the bond release request should be **approved.**

Bond Request No._____

BOND REQUEST AND REDUCTION

To assist the Subdivision Administrator in the review of a Bond Request Application, the Applicant must utilize this form to supply the City with the information prescribed under Article 1335 and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Bond Request Application as required by Ordinance Article 1335.

1. DATE May 2., 20 24

2. APPLICATION TYPE ☐ Bond | Initiation ☐ Bond | Reduction

☐ Bond | Reallocation ☒ Bond | Release**

3. PROJECT NAME Saint James Soccer Field

Address 49 Crossweind Drive, Charles Town, WV 25414

4. APPLICANT'S NAME* Rev. Mr. David Calvin, Saint James

Address 49 Crossweinds Drive, Charls Town, WV 25414

Telephone Number (304) 725-5558 Fax Number (304) 728-9039

Email Address communications@stjameswv.org

5. PROPERTY OWNER'S NAME Saint James Catholic Church

Address 49 Crossweinds Drive Charles Town, WV 25414

Telephone Number (304) 725-5558 Fax Number (304) 728-9039

Email Address communications@stjameswv.org

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

**Requires a Public Hearing and landscaping surety for one year after release

Bond Request No._____

6. DESCRIPTION OF REQUETED INITIATION, REDUCTION, OR RELEASE:

The proposed construction of soccer field was not completed. Project was canceled before any work ~~started~~. Property was not disturbed or altered in any way.

7. A) CURRENT BOND AMOUNT $7,500.00

B) PROPOSED BOND AMOUNT N/A

8. PARCEL INVENTORY: (List all parcels that are part of this application): N/A

Tax Map No.	Parcel No.	Deed Book	Page No.	Zoning District

9. PARCEL HISTORY: (List all pending or previously approved applications on the subject parcels inventoried above, including previous plat applications if this application is an amendment) N/A

Application No.	Project Name and Phase	Status	Approval Date

10. BOND RELEASE ATTACHMENTS.

The following shall be included with this request:

A. To the extent not previously submitted pursuant to bond reduction request, copies of inspection and test reports if work was inspected and tested by a third-party inspector.

B. Certification that all bonded Improvements, other than Improvements accepted by West Virginia Department of Highways (WVDOH), have been completed in accordance with the approved plans, profiles, and specifications and the requirements of any applicable manual. For Improvements to be accepted for maintenance by WVDOH, such Certification shall state that the Improvements have been installed and inspected in accordance with WVDOH's requirements.

C. A copy of the City-approved As-Built Drawings as required for facilities within public rights-of-way or Easements submitted pursuant to Section 1332.10 of this Ordinance.

Date of As-Builts N/A Prepared By N/A

D. A letter from a Professional Engineer or Professional Land Surveyor certifying that property corners and Monuments have been set as required under this Ordinance.

E. Documentation of acceptance by WVDOH for public roadways and rights-of-way, or a maintenance and indemnification agreement and bond approved by the Planning Commission for public roadways that have been completed in accordance with WVDOH standards but which, due to factors other than their quality of construction, are not eligible for acceptance by WVDOH.

F. For private roadways, a letter of acceptance by the entity responsible for maintenance and a Latent Defects Indemnification Agreement and Bond in accordance with this Section.

G. Private Roadway Maintenance Bonds. Before a Performance Agreement and surety for private roadway construction shall be released, a Latent Defects Indemnification Agreement and Bond shall be provided by the applicant/Developer and approved by the Planning Commission. The guarantee provided by such Agreement and Bond must be for a period of two (2) years following the date of performance bond release, and must be in an amount equal to no less than 5% of the original performance bond estimate in accordance with Section 1335.07 (F) of the Subdivision Ordinance.

H. Landscaping Surety. Surety is required to ensure the landscaping shown on the Major S/LD plans is maintained for one (1) year. The one (1) year shall start from the date at which the surety for the site has been released, with the exception of this landscaping surety. The landscaping surety amount shall not be less than $5,000.00 or 10% of the total landscaping cost for the project, which every is greater.

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant

Rev. Mr. David Galvin Date May 3, 2024

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Check No._____

Receipt No._____

Site Inspection Date:_____ Inspector:_____

Subdivision Administrator Approval:_____ Date:_____

Engineer Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

City Council Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

From: Ana Bone
To: James Newman
Subject: Re: Soccer Fields Bond
Date: Tuesday, June 18, 2024 9:02:42 PM

The plan was to add another field to the existing one but across from the building that's next to the playground. The project got canceled and we never even start it. The need was no longer there. The field you see was installed back in the early 2010s.

Ana

Get Outlook for iOS

From: James Newman <JNewman@charlestownwv.us>
Sent: Tuesday, June 18, 2024 8:33:50 PM
To: Ana Bone <abone@stjameswv.org>
Subject: Soccer Fields Bond

Hi Ana,

I see there are soccer fields at St. James, but the bond request states no work was done. Were those goals purchased and just set up in a field, or was work done to complete the soccer fields? Just trying to figure out what's going on.

James Newman
City Planner, Zoning/Subdivision Administrator, AICP
City of Charles Town, WV
304-724-3251

Disclaimer: This email does NOT constitute a zoning or subdivision determination. To obtain an official determination, please contact the Zoning Administrator.

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning. Beware - This email comes from outside the City of Charles Town.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-822: Bond Release Request for St. James Church

Proposed Motion: Approve the bond release request for St. James Church's Performance and Land Disturbance Bond in the amount of $7,500.00.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-747: Public Hearing: *BR2024-07* - Bond Release Requests for Norborne-Glebe Phases 7 & 8

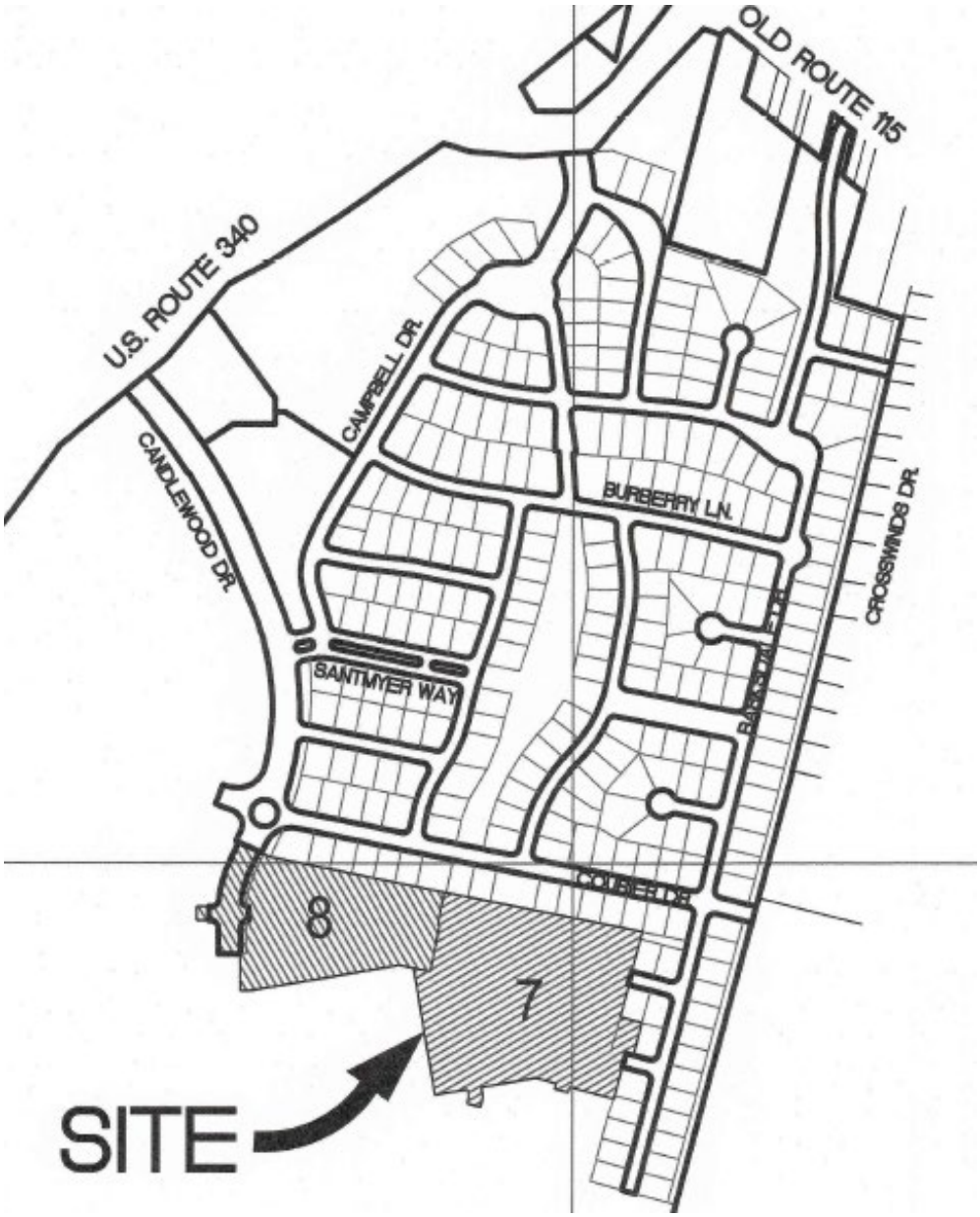
ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. As-Built Plans.pdf
- 4. KH Review.pdf
- 5. KH Review Process.pdf

Bond Release Request
BR2024-07

Date: For the August 5, 2024 City Council Meeting
Applicant: Arcadia Land Inc.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: A bond release of $941,816.77

Norborne Glebe Phases 7 & 8



BACKGROUND
The applicant is requesting a bond release of the **performance and land disturbance bonds.** The Final Plat was approved by the City on in November 2021.

Performance Bond for **both Phases**: $605,245.32
Land Disturbance Bond for **both Phases**: $336,571.45

Upon review of the request the City Engineer, Kimley-Horn, has determined that the bond release request is a reasonable based on the completion of the project. Staff has seen no evidence of land subsidence or other issues in these phases.

PLANNING COMMISSION
The Planning Commission reviewed this item at a public hearing on June 24, 2024. There were no public comments. The Commission voted unanimously to recommend approval of the bond release request subject to provision of a checklist by Kimley-Horn showing the bonded items were installed.

Kimley-Horn provided staff with a report on how they manage their bond release reviews, which involves multiple checks, an on-site visit, and is not simply broken down into a spreadsheet or checklist. A copy of that document is included as an attachment.

BOND COMMITTEE
The Bond Committee reviewed this item at their June 11, 2024 meeting. The Committee recommended approval of the bond release request. Staff completed a site visit later that day to confirm no issues with the development.

RECOMMENDATION
Approval.

Bond Request No._____

BOND REQUEST AND REDUCTION

To assist the Subdivision Administrator in the review of a Bond Request Application, the Applicant must utilize this form to supply the City with the information prescribed under Article 1335 and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Bond Request Application as required by Ordinance Article 1335.

1. DATE May 20, 2024

2. APPLICATION TYPE ☐ Bond | Initiation ☐ Bond | Reduction

☐ Bond | Reallocation ☒ Bond | Release**

3. PROJECT NAME Norborne Glebe Phase 7&8

Address Corner of Candlewood Drive and Tamarack Drive

4. APPLICANT'S NAME* Arcadia Land, Inc. Gary Endler

Address 108 N George Street 2nd Floor Charles Town WV 25414

Telephone Number ( ) 443-286-2786 Fax Number ( )

Email Address gendler@arcadiacompanies.com

5. PROPERTY OWNER'S NAME Same as Applicant

Address _____

Telephone Number ( ) _____ Fax Number ( ) _____

Email Address _____

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

**Requires a Public Hearing and landscaping surety for one year after release

Bond Request No._____

6. DESCRIPTION OF REQUETED INITIATION, REDUCTION, OR RELEASE:

Requesting Bond Amount Release for the Land Disturbance Bond and Performance Bond for Phases 7&8, Norborne Glebe Subdivision

7. A) CURRENT BOND AMOUNT PD # 027623300216 $ 605,245.00
LD B# 027623300207 $ 336,571.00

B) PROPOSED BOND AMOUNT PB = $0.00 LDB = $0.00

8. PARCEL INVENTORY: (List all parcels that are part of this application):

Tax Map No.	Parcel No.	Deed Book	Page No.	Zoning District
3-12-209		1173	85	NR
3-12-212				
3-12-215				

9. PARCEL HISTORY: (List all pending or previously approved applications on the subject parcels inventoried above, including previous plat applications if this application is an amendment)

Application No.	Project Name and Phase	Status	Approval Date
SLD-2017-05	Norborne Glebe Phase 7&8	Approved	January 20,2019

10. BOND RELEASE ATTACHMENTS.

The following shall be included with this request:

A. To the extent not previously submitted pursuant to bond reduction request, copies of inspection and test reports if work was inspected and tested by a third-party inspector.

B. Certification that all bonded Improvements, other than Improvements accepted by West Virginia Department of Highways (WVDOH), have been completed in accordance with the approved plans, profiles, and specifications and the requirements of any applicable manual. For Improvements to be accepted for maintenance by WVDOH, such Certification shall state that the Improvements have been installed and inspected in accordance with WVDOH's requirements.

C. A copy of the City-approved As-Built Drawings as required for facilities within public rights-of-way or Easements submitted pursuant to Section 1332.10 of this Ordinance.

Date of As-Builts 1/12/23 Prepared By MORRIS RITCHIE ASSOCIATES

D. A letter from a Professional Engineer or Professional Land Surveyor certifying that property corners and Monuments have been set as required under this Ordinance.

E. Documentation of acceptance by WVDOH for public roadways and rights-of-way, or a maintenance and indemnification agreement and bond approved by the Planning Commission for public roadways that have been completed in accordance with WVDOH standards but which, due to factors other than their quality of construction, are not eligible for acceptance by WVDOH.

F. For private roadways, a letter of acceptance by the entity responsible for maintenance and a Latent Defects Indemnification Agreement and Bond in accordance with this Section.

G. Private Roadway Maintenance Bonds. Before a Performance Agreement and surety for private roadway construction shall be released, a Latent Defects Indemnification Agreement and Bond shall be provided by the applicant/Developer and approved by the Planning Commission. The guarantee provided by such Agreement and Bond must be for a period of two (2) years following the date of performance bond release, and must be in an amount equal to no less than 5% of the original performance bond estimate in accordance with Section 1335.07 (F) of the Subdivision Ordinance.

H. Landscaping Surety. Surety is required to ensure the landscaping shown on the Major S/LD plans is maintained for one (1) year. The one (1) year shall start from the date at which the surety for the site has been released, with the exception of this landscaping surety. The landscaping surety amount shall not be less than $5,000.00 or 10% of the total landscaping cost for the project, which every is greater.

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant

_____ Date 5/22/2024

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Check No._____

Receipt No._____

Site Inspection Date:_____ Inspector:_____

Subdivision Administrator Approval:_____ Date:_____

Engineer Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

City Council Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

NORBORNE GLEBE

PHASE 7 AND PHASE 8

PRELIMINARY SUBDIVISION / LAND DEVELOPMENT PLAT

MAJOR SLD 2017-05

CITY OF CHARLES TOWN

JEFFERSON COUNTY, WEST VIRGINIA

ZONED NEIGHBORHOOD RESIDENTIAL (NR)

Plan Revisions

Date	Comment
09/14/2017	Revised Per C.T.U.B. Comments
09/28/2017	Revised Per J.C.P.S.D. Comments
01/25/2018	Revised Per City of Charles Town Comments
02/16/2018	Revised Per Portion of the "Client Review" Comments
08/06/2018	Revised Per Client Bid Clarification
08/09/2018	Revised Per Client Bid Clarification
10/01/2018	Revised Per City of Charles Town Comments
11/09/2018	Revised Per Agency Comments
11/26/2018	Waiver Approvals

Charles Town – Complete List of Waivers/Variances

Ordinance	Section of Ordinance	Description of Waiver or Variance	Date Granted
SLDO-CTWV	Appendix A	Typical Road Section	11/26/18
SLDO-CTWV	1333.09	Sidewalk Width & Separation	11/26/18
SLDO-CTWV	1333.02 (Q)5	Street Grades	11/26/18

"This property is not (is) in an area designated as a special flood area, as shown on Community Map/panel Number 540066/0138, Effective date 12/18/2009."

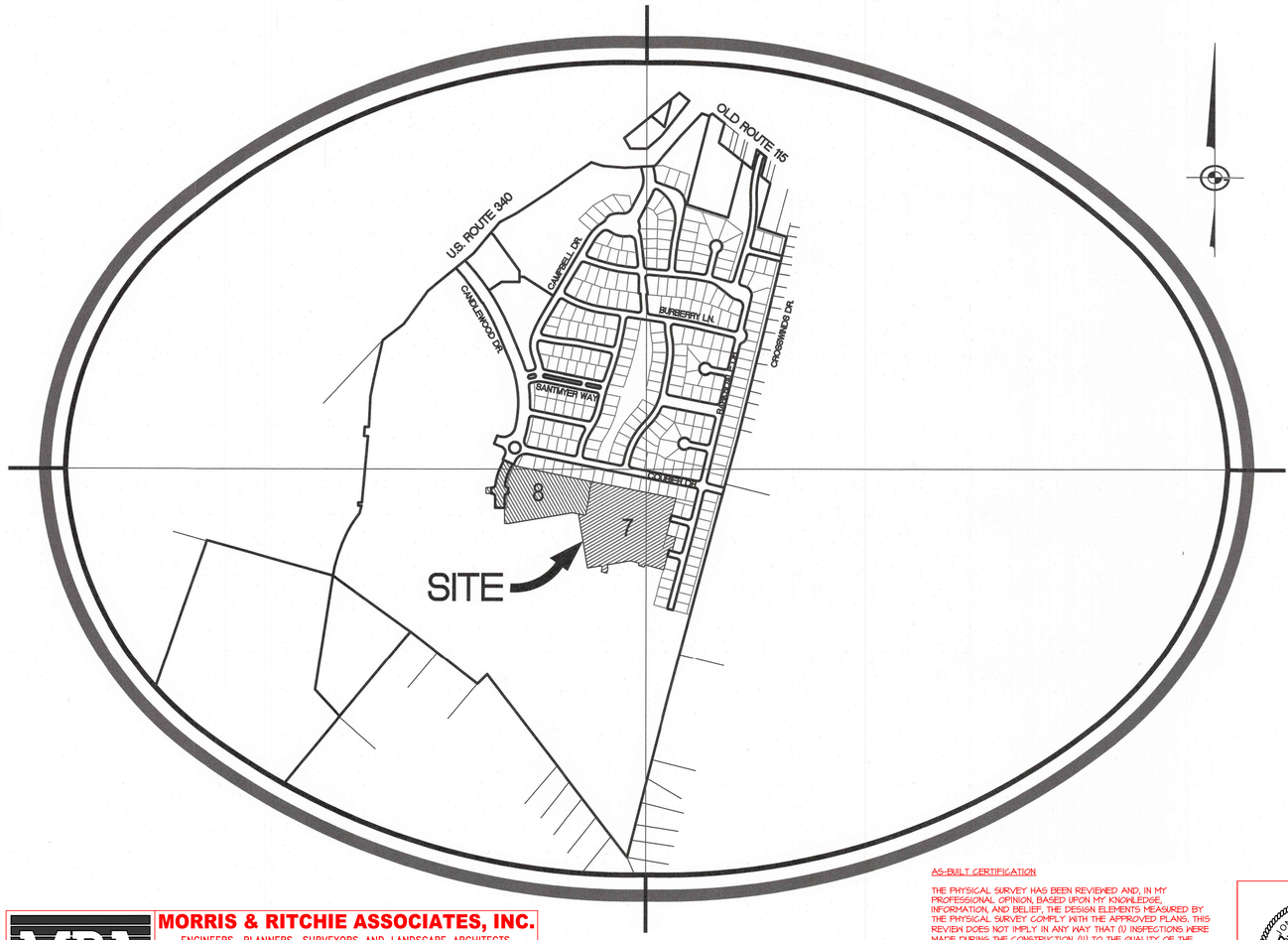
CALL "MISS UTILITY"

WEST VIRGINIA UTILITY PROTECTION SERVICE AT 811 OR 1-800-245-4848, 48 HOURS PRIOR TO THE START OF WORK. EXCAVATORS MUST NOTIFY ALL PUBLIC UTILITY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATING OR BLASTING AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL COUNTY REQUIREMENTS, WEST VIRGINIA CODE AND REGULATIONS.

UTILITY NOTICE REQUIRED

Contractors shall notify all public utility operators who maintain underground utility lines in the area of proposed excavating or blasting at least two (2) working days, but not more than ten (10) working days, prior to commencement of excavation or demolition. Names and telephone numbers of the operators of underground utility lines appear below. These numbers shall also be used to serve in an emergency condition

Water:	Charles Town Utility Board 832 S. George Street Charles Town, WV 25414 (304) 725-2316
Sewer:	Jefferson County Public Service District 340 Edmond Road Kearneysville, WV 25430 (304) 725-4647
Power:	Potomac Edison P.O.Box 3615 Akron, OH 44309 (800) 686-0011
Phone:	Frontier Communications 1108 N. Mildred Street Ranson, WV 25438 (304) 728-8500



VICINITY MAP

SCALE: 1" = 600'

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2021 Morris & Ritchie Associates, Inc.

DEVELOPER
ARCADIA LAND, INC.
1602 VILLAGE MARKET BOULEVARD SUITE 235
LEESBURG, VIRGINIA 20175
(703) 840-4585

OWNER
ARCADIA LAND, INC.
1602 VILLAGE MARKET BOULEVARD SUITE 235
LEESBURG, VIRGINIA 20175
(703) 840-4585

Sheet List Table

	Sheet Number	Sheet Title
1	1	Cover Sheet
	2	General Notes and Legend
	3	Phasing Map And Adjacent Owner Information
	4	Phase I Erosion & Sediment Control Plan
	5	Phase II Erosion & Sediment Control Plan
	6	Phase II Erosion & Sediment Control Plan
	7	Erosion & Sediment Control Plan Narrative
	8	Erosion & Sediment Control Plan Details
	9	Overall Road & Utility Plan
	10	Road & Utility Plan
	11	Road & Utility Plan
	12	Road & Utility Plan
	13	Overall Grading Plan
2	14	Grading Plan
3	15	Grading Plan
4	16	Grading Plan
5	17	Grading Plan
	18	Preliminary Plat
	19	Preliminary Plat
	20	Preliminary Plat
6	21	Tamarack Drive Profile
7	22	Cabots Run Profile
8	23	Solstice Way Profile
9	24	Legacy Drive Profile
10	25	Storm Sewer Profiles
11	26	Storm Sewer Profiles
12	27	Storm Sewer Profiles
	28	Storm Details
	29	Storm Details
	30	Storm Details
	31	Storm Details
	32	Storm & Sanitary Sewer Computaions
	33	Road Details
	34	JCPSD Details
	35	JCPSD Details
	36	Charles Town Utility Board Details
	37	Lighting Details
	38	Phase 7 Landscape Plan
	39	Phase 8 Landscape Plan

GREENWAY ENGINEERING INC.
151 WOODY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

"This Preliminary Plan and Plat was approved by the City of Charles Town, on the _____ day of _____, 20_____, subject to any conditions specified hereon.

All expenses incurred with respect to improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures and all other improvements that may be required shall be the responsibility of the subdivider and not the City.

_____ _____
Secretary of the Planning Commision Date

"The developer, in signing this plat/plan, agrees to abide by all conditions, terms and specifications provided heron; and to complete all the improvements required by the Preliminary Plat and Plan or site plan."

ARCADIA LAND, INC. 11/29/2018 Date
1602 VILLAGE MARKET BLVD., STE. 235
LEESBURG, VA 20176

"The Engineer and/or Surveyor, in signing this plat/plan, attests to the best of his or her knowledge, is plan is complete and accurate."

RANDY L. KEPLER, P.E. 28 Nov. 2018 Date
GREENWAY ENGINEERING INC.

AS-BUILT CERTIFICATION

THE PHYSICAL SURVEY HAS BEEN REVIEWED AND, IN MY PROFESSIONAL OPINION, BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THE DESIGN ELEMENTS MEASURED BY THE PHYSICAL SURVEY COMPLY WITH THE APPROVED PLANS. THIS REVIEW DOES NOT IMPLY IN ANY WAY THAT (I) INSPECTIONS WERE MADE DURING THE CONSTRUCTION, (II) TO THE QUALITY OF THE WORK, OR (III) TO ANY ELEMENT OR STRUCTURE NOT VISIBLE OR DEPICTED ON THE PHYSICAL SURVEY.

JON K. ERICKSON LVPS#2502 FEBRUARY 14, 2024

JON K. ERICKSON LICENSED NOTARY STATE OF VIRGINIA PROFESSIONAL SURVEYOR 2/19/24

APPROVALS

PRELIMINARY PLAT APPROVAL	DATE
PLANNING COMMISSION	DATE
ZONING ADMINISTRATOR	DATE

THESE PLANS ARE IN CONFORMANCE WITH CITY OF CHARLES TOWN STANDARDS AND ORDINANCES. ANY DEVIATION OR CHANGE IN THESE PLANS SHALL BE APPROVED BY THE ZONING ADMINISTRATOR PRIOR TO CONSTRUCTION

RECORD DRAWING

SHEET 1 OF 12

COVER SHEET

NORBORNE GLEBE

PHASE 7 AND PHASE 8

CITY OF CHARLES TOWN

JEFFERSON COUNTY, WEST VIRGINIA

RANDY L. KEPLER LICENSED PROFESSIONAL ENGINEER STATE OF WEST VIRGINIA

DATE: 06/09/2017

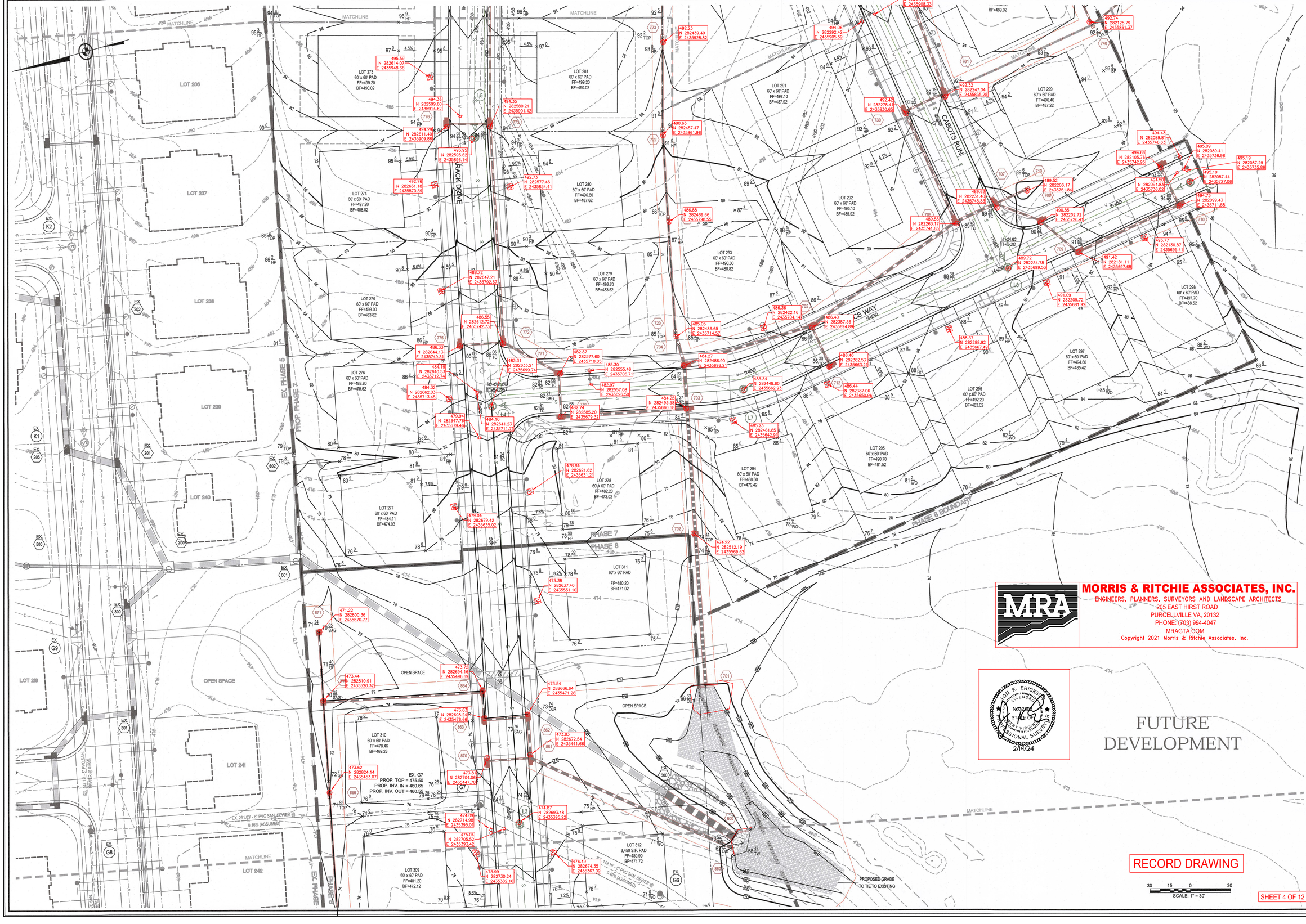
SCALE: N/A

DESIGNED BY: EJG/RLK

FILE NO. 4542A

SHEET 1 OF 39

15-01



GREENWAY ENGINEERING INC.
151 KENNEDY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
5	08/06/2018
6	08/09/2018
7	10/1/2018
8	11/9/2018

RANDY L KEPLEY
REGISTERED
STATE OF VIRGINIA
PROFESSIONAL ENGINEER

GRADING PLAN

NORBORNE GLEBE

PHASE 7 AND PHASE 8

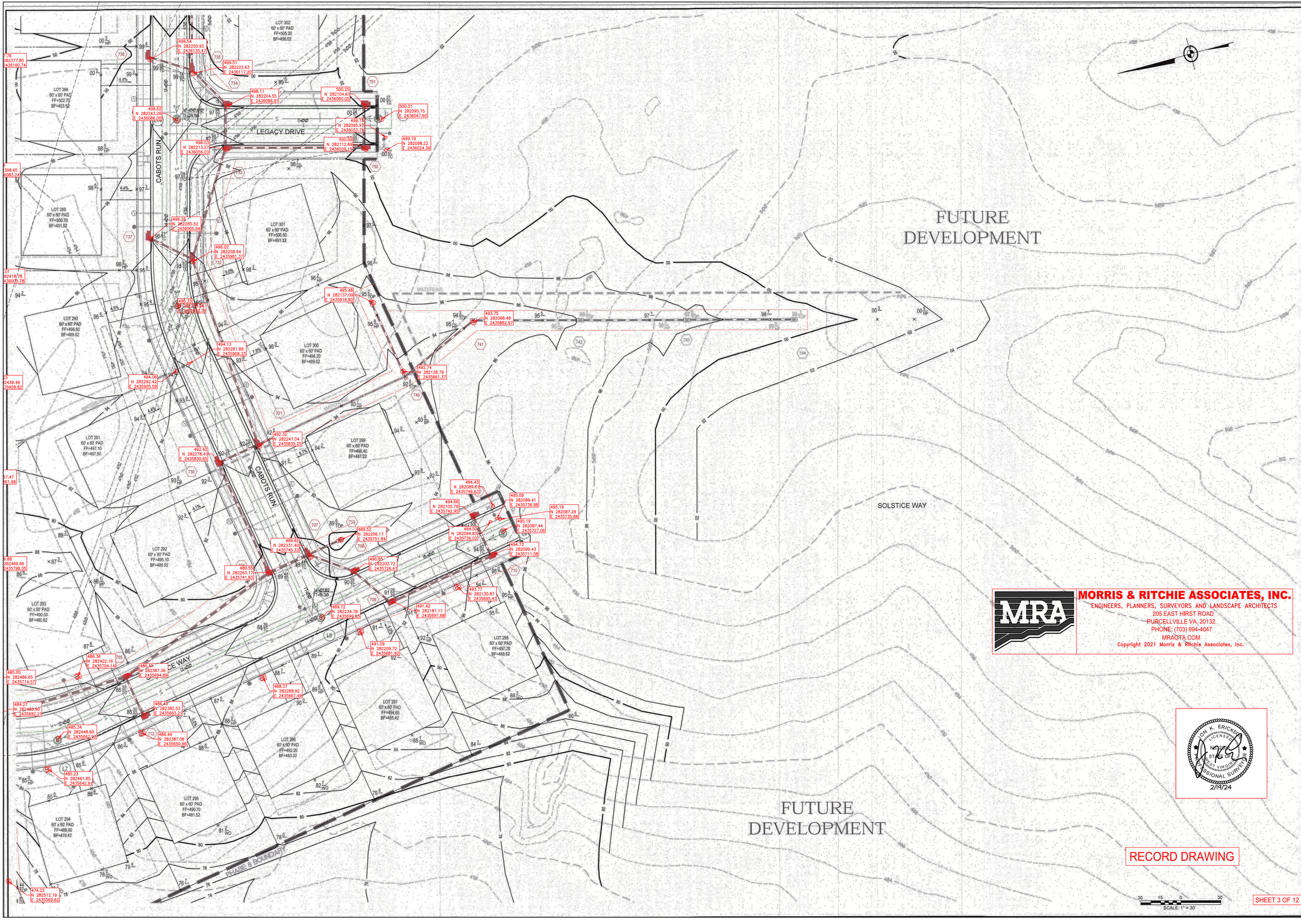
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.

JON K. ERICKSON
LICENSED
NO. 022
STATE OF
WEST VIRGINIA
PROFESSIONAL SURVEYOR
2/19/24

DATE:	06/09/2017
SCALE:	1" = 30'
DESIGNED BY:	EJG/RLK
FILE NO.	4542A
SHEET	16 OF 39
	15-01

SHEET 4 OF 12



GREENWAY ENGINEERING INC.
151 INDUSTRY HILL LANE
LUNENBURG, VIRGINIA 22602
T. (540) 662-4185
www.greenway-eng.com

GREENWAY ENGINEERING

Rev. No.	Date
5	08/06/2018
6	08/09/2018
7	11/09/2018

RANDY L. KERLEY
LICENSED
STATE OF VIRGINIA
PROFESSIONAL ENGINEER

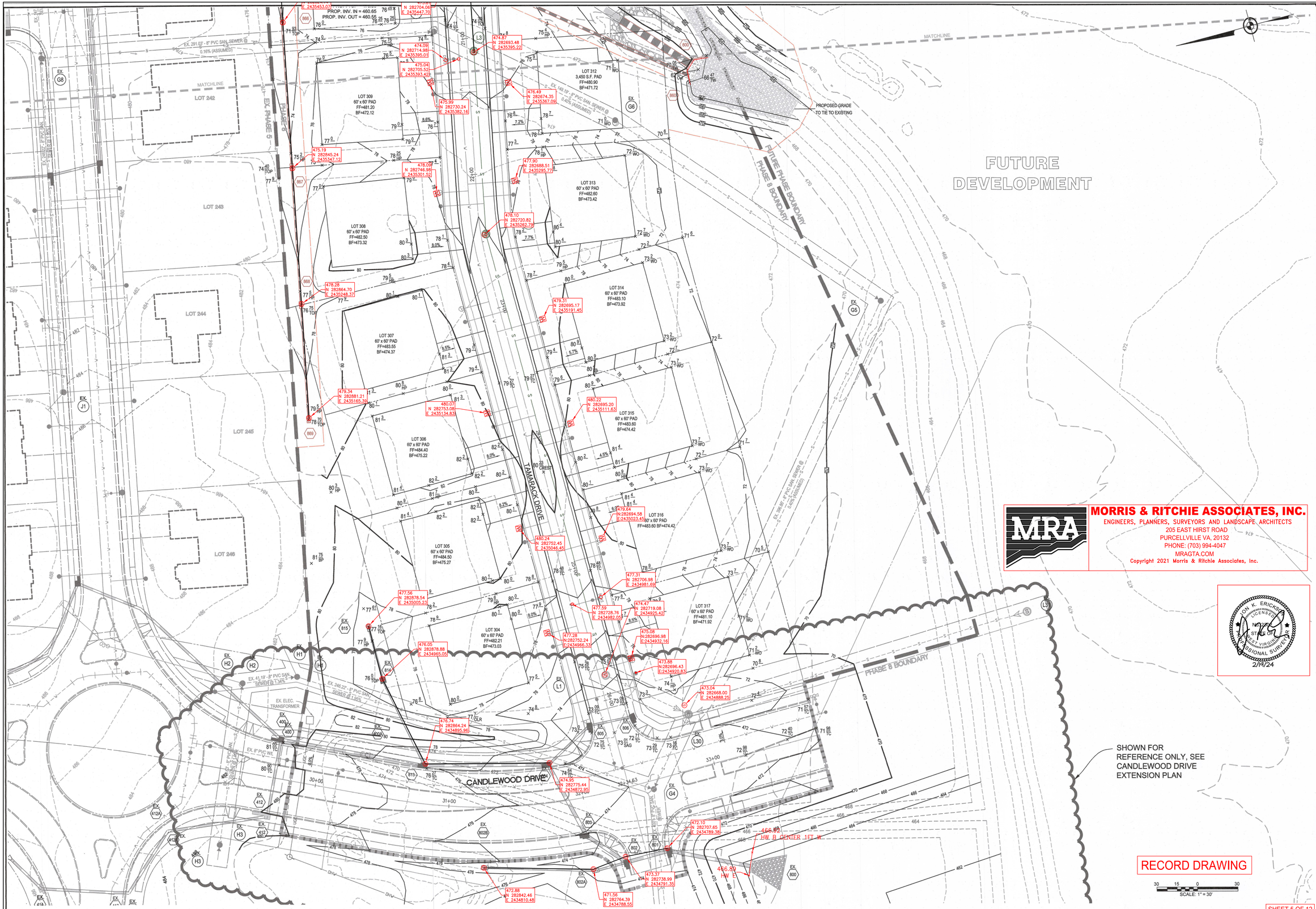
JON K. ERICKSON
LICENSED
STATE OF VIRGINIA
PROFESSIONAL SURVEYOR
2/14/24

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.

RECORD DRAWING

GRADING PLAN
NORBORNE GLEBE
PHASE 7 AND PHASE 8
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 06/09/2017
SCALE: 1" = 30'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 15 OF 39
15-01



GREENWAY ENGINEERING INC.
154 ROLLING HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
7	10/01/2018
8	11/09/2018

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2021 Morris & Ritchie Associates, Inc.

JOHN K. ERICKSON — LICENSED — No. 2302 — STATE OF WEST VIRGINIA — PROFESSIONAL SURVEYOR
2/9/24

RECORD DRAWING

30 15 0 30
SCALE: 1" = 30'

GRADING PLAN
NORBORNE GLEBE
PHASE 7 AND PHASE 8
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 06/09/2017
SCALE: 1" = 30'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 17 OF 39
15-01

SHEET 5 OF 12

EXISTING DEVELOPMENT

FUTURE DEVELOPMENT

EX. PHASE 6
PROP. PHASE 7

BARKSDALE DRIVE

TAMARACK DRIVE

CABOTS RUN

LEGACY DRIVE

MATCHLINE

RECORD DRAWING

GREENWAY ENGINEERING INC.
151 INDUSTRY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING
EST. 1997

Rev. No.	Date
5	08/06/2018
6	08/09/2018
7	11/09/2018

ANDY L. KEPLEY
LICENSED
REGISTERED
STATE OF VIRGINIA
PROFESSIONAL ENGINEER

JASON L. ERICKSON
LICENSED
NO. 2681
STATE OF VIRGINIA
PROFESSIONAL SURVEYOR
2/14/24

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2021 Morris & Ritchie Associates, Inc.

NORBORNE GLEBE

PHASE 7 AND PHASE 8

GRADING PLAN

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

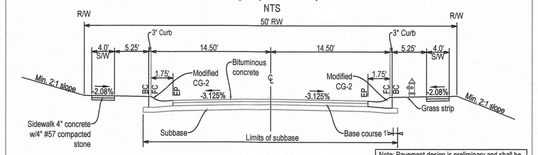
DATE: 06/09/2017
SCALE: 1" = 30'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 14 OF 39
15-01

SCALE: 1" = 30'

TAMARACK DRIVE

Typical Road Section - Tamarack Drive

Neighborhood Street
Design Speed = 25 mph
NTS



Note: Pavement design is preliminary and shall be adjusted upon establishing actual CBR values.

PRELIMINARY PAVEMENT DESIGN
SURFACE: 2" SM-9.5A
INTERMEDIATE: 3" IM-19.0
BASE: 6" 21-B Aggregate
SUBBASE: Compacted Subgrade

Profile Notes

- 11+90=BEGIN CONSTRUCTION
- REMOVE TEMP. CUL-DE-SAC
- 12+87.20=TEMP. CUL-DE-SAC EP @C.L.
- EX. FIRE HYD.
- Ex. 8" PVC W/L
- 42" Min. Bury
- 8" PVC W/L
- Extend 18" HDPE 26 L.F. to Str.# 774
- Ex. 281.07' - 18" HDPE @ 0.53%
- 32.83' - 15" HDPE @ 1.68%
- 18" Min.
- 10 Yr. HGL
- 238.41' - 18" HDPE @ 2.85%
- EX. GRADE
- PROP. GRADE
- 2.2
- 5.2
- FIRE HYD.
- +14+81 LFH Assembly
- 328.27' - 8" PVC @ 3.63%
- 238.40' - 18" HDPE @ 2.26%
- 32.83' - 15" HDPE @ 3.20%
- 18" Min.
- 10 Yr. HGL
- 162.71' - 18" HDPE @ 4.81%
- 32.83' - 15" HDPE @ 3.20%
- 18" Min.
- 46.84' - 18" HDPE @ 3.84%
- 199.49' - 8" PVC @ 2.51%
- 162.17' PVC @ 4.78% 8"
- 42" Min. Bury
- 3.0
- 8" PVC W/L
- Ex. 323.88' - 66" Smooth Aluminum @ 0.53%
- 20.49' - 18" RCP CL. III @ 1.02%
- 118.58' - 18" HDPE @ 1.00%
- 8" MIN.
- 32.83' - 15" RCP CL. III @ 3.32%
- 135.22' PVC @ 3.5% 8"
- 32.83' - 24" RCP CL. III @ 0.52%
- 119.54' - 24" HDPE @ 1.32%
- 135.22' PVC @ 3.5% 8"
- 10 Yr. HGL
- 30.51' - 24" RCP CL. III @ 0.52%
- 310.62' - 8" PVC @ 1.48%
- 310.43' PVC @ 0.56% 8"
- 8" Concrete Encasement
- +19+11 LFH Assembly
- 134.63' - 8" PVC @ 0.55%
- 135.22' PVC @ 3.5% 8"
- 337.18' - 8" PVC @ 0.52%
- 337.38' PVC @ 0.33% 8"
- 67.74' - 8" PVC @ 0.38%
- 60.65' 4" D.I.P. @ 0.40%
- 1.23
- 6.01
- 3.85
- 9" Conc. Encasement (See Std. Det.# W-12 Sh.# 35)
- 8" PVC W/L
- FIRE HYD.
- Ex. Storm Sewer Installed Per Candlewood Dr. Plans
- Remove Ex. End Cap
- 32.83' - 15" RCP CL. III @ 1.01%
- 18" Min.
- Ex. WL Installed Per Candlewood Dr. Plans
- 42.01' - 15" RCP CL. III @ 1.00%
- Vert. Bends as Necessary
- +25+11 LFH Assembly
- +51.29=1 - 8"x8" TEE W/
- 2 - 8" G.V.'s
- 42" Min. Bury
- 3.0

Structures

- L6
- 777
- 774
- EX. 810
- TOP = 499.71
- TOP = 499.71
- 499.92
- 499.74
- 776
- 773
- TOP = 494.16
- TOP = 494.16
- 494.29
- 494.35
- 494.16
- L5
- Rim = 493.95
- 493.95
- 775
- 772
- TOP = 486.20
- TOP = 486.20
- 486.33
- 486.55
- C.L. INTX. SOLSTICE WAY = 17+494.05, 484.14
- L4
- 483.31
- Rim = 483.65
- 863
- 862
- 870
- 861
- TOP = 473.74
- TOP = 473.74
- 473.63
- 473.54
- 473.81
- 473.83
- 864
- TOP = 473.24
- 473.72
- L3
- Rim = 474.61
- 478.87
- L2
- Rim = 478.05
- 478.10
- L1
- Ex. Rim = 474.46
- 474.47
- EX. 805
- EX. 806
- L30
- EX. Rim = 473.22
- EX. G4
- EX. Rim = 473.54
- C.L. INTX. CANDLEWOOD DR. = 26+65.97, 474.00

Storm Sewer Runs

- +89 = Remove & Relocate Ex. FH Assembly
- 19+70.99 = STD. MH
  INV. OUT = 491.11 491.11
  491.11 491.11 18" 491.11
- 3+28 = 40' - 4" LAT. @ 2.08%
  PH7 LOT 269 - INV. @ C/O = 492.94
- 3+28 = 52' - 4" LAT. @ 2.08%
  PH7 LOT 285 - INV. @ C/O = 492.78
- 2+81 = 22' - 4" LAT. @ 2.08%
  PH7 - LOT 284 - INV. @ C/O = 491.13
- 2+57 = 32' - 4" LAT. @ 2.08%
  PH7 - LOT 270 - INV. @ C/O = 491.16
- 2+01 = 22' - 4" LAT. @ 7.92%
  PH7 LOT 283 - INV. @ C/O = 489.50
- 1+98 = 32' - 4" LAT. @ 7.56%
  PH7 - LOT 271 - INV. @ C/O = 490.00
- 1+21 = 22' - 4" LAT. @ 7.91%
  PH7 - LOT 282 - INV. @ C/O = 486.60
- 1+16 = 32' - 4" LAT. @ 7.55%
  PH7 - LOT 272 - INV. @ C/O = 487.10
- 0+41 = 22' - 4" LAT. @ 8.01%
  PH7 - LOT 281 - INV. @ C/O = 483.71
- 0+38 = 32' - 4" LAT. @ 7.75%
  PH7 LOT 273 - INV. @ C/O = 484.25
- 1+58 = 32' - 4" LAT. @ 7.85%
  PH7 - LOT 274 - INV. @ C/O = 477.25
- 1+53 = 22' - 4" LAT. @ 7.87%
  PH7 - LOT 280 - INV. @ C/O = 476.39
- 0+78 = 32' - 4" LAT. @ 8.00%
  PH7 - LOT 275 - INV. @ C/O = 475.25
- 0+63 = 22' - 4" LAT. @ 7.84%
  PH7 - LOT 279 - INV. @ C/O = 474.00
- +88 = 8" x 8" TEE W/ 2-8" G.V.'s
- 3+63 = 32' - 4" LAT. @ 7.91%
  PH7 - LOT 276 - INV. @ C/O = 468.50
- 2+37 = 22' - 4" LAT. @ 7.91%
  PH7 - LOT 278 - INV. @ C/O = 466.70
- 2+29 = 32' - 4" LAT. @ 7.87%
  PH7 - LOT 277 - INV. @ C/O = 467.35
- 1+54 = 22' - 4" LAT. @ 7.83%
  PH8 - LOT 311 - INV. @ C/O = 465.45
- 0+52 = 32' - 4" LAT. @ 7.90%
  PH8 - LOT 310 - INV. @ C/O = 464.75
- 1+00 = 22' - 4" LAT. @ 7.91%
  PH8 - LOT 312 - INV. @ C/O = 462.80
- 0+72 = 22' - 4" LAT. @ 7.83%
  PH8 - LOT 313 - INV. @ C/O = 462.40
- 0+72 = 32' - 4" LAT. @ 7.87%
  PH8 - LOT 308 - INV. @ C/O = 463.15
- 1+11 = 32' - 4" LAT. @ 8.00%
  PH8 - LOT 305 - INV. @ C/O = 461.70
- 0+87 = 22' - 4" LAT. @ 7.87%
  PH8 - LOT 316 - INV. @ C/O = 460.75
- 2+79 = 32' - 4" LAT. @ 7.94%
  PH8 - LOT 307 - INV. @ C/O = 462.55
- 2+55 = 22' - 4" LAT. @ 8.01%
  PH8 - LOT 314 - INV. @ C/O = 461.65
- 1+99 = 32' - 4" LAT. @ 7.98%
  PH8 - LOT 306 - INV. @ C/O = 462.15
- 1+75 = 22' - 4" LAT. @ 7.92%
  PH8 - LOT 315 - INV. @ C/O = 461.20
- 0+31 = 32' - 4" LAT. @ 7.87%
  PH8 - LOT 304 - INV. @ C/O = 461.25
- 0+46 = 11' - 4" LAT. @ 7.80%
  PH8 - LOT 317 - INV. @ C/O = 460.15
- 28+26.10 = EX. DOG HOUSE MH
  INV. IN = 457.38 (8")
  INV. IN = 457.38 (8")
  INV. IN = 457.38 (8")
  INV. OUT = 457.36 (8")
- 26+72.38 = EX. SAN. MH
  INV. IN = 457.10 (8")
  INV. IN = 457.10 (8")
  INV. OUT = 457.02 (8")
- 25+92.32 = EX. SAN. MH
  INV. IN = 457.62 (8")
  INV. OUT = 457.62 (8") 457.62 457.62 8" 457.62
- 457.47
- 457.37
- 17+70.67 = "DOG HOUSE MH
  INV. IN = 466.70 (8")
  INV. IN = 466.69 (8")
  INV. OUT = 466.40 (8") 463.59 463.43 463.61 463.43
- 22+44.72 = STD. MH
  INV. IN = 458.75 (8")
  INV. OUT = 458.66 (8") 458.65 458.55
- 13+50.96 = TYPE E, L=6'
  INV. OUT = 495.90 (15") 494.72
- 13+50.96 = TYPE E, L=6'
  INV. IN = 487.20 (18") 486.95 487.56
  INV. IN = 494.45 (15") 492.39
  INV. OUT = 494.90 (18") 492.32
- 15+89.37 = TYPE E, L=6'
  INV. OUT = 488.90 (15") 488.52
- 15+89.37 = TYPE E, L=6'
  INV. IN = 487.20 (18") 486.95 487.15
  INV. IN = 487.45 (15") 487.15 486.90
  INV. OUT = 487.90 (18") 486.90
- 15+89.40 = Inside Drop MH
  INV. IN = 476.70 (8")
  INV. OUT = 475.00 (8")
- 17+52.55 = TYPE E, L=6'
  INV. OUT = 488.90 (15") 480.52
- 17+52.55 = TYPE E, L=6'
  INV. IN = 479.20 (18") 479.15
  INV. IN = 479.45 (15") 479.43
  INV. OUT = 479.90 (18") 479.05
- 17+99.05 = Inside Drop MH
  INV. IN = 470.00 (8")
  INV. IN = 470.00 (8")
  INV. OUT = 465.30 (8") 465.23
- 20+10.10 = TYPE E ON GRADE L=6'
  INV. IN = 465.41 18"
  INV. OUT = 465.41 (18")
- 20+30.59 = TYPE E SAG L=6'
  INV. IN = 465.20 18"
  INV. OUT = 465.20 (21")
- 20+30.59 = TYPE E SAG L=6'
  INV. IN = 465.03 21"
  INV. OUT = 466.85 (24")
- 20+61.10 = TYPE E ON GRADE L=6'
  INV. OUT = 468.85 (15")
- 20+61.10 = TYPE E ON GRADE L=6'
  INV. IN = 464.87 24"
  INV. OUT = 464.87 (24")

Profile Curve Data

- PVC = 15+50.00
  PVI = 16+00.00
  PVT = 16+50.00
  VC = 100'
- PVC = 17+75.00
  PVI = 18+00.00
  PVT = 18+25.00
  VC = 50'
- PVC = 19+75.00
  PVI = 20+00.00
  PVT = 20+25.00
  VC = 300'
  SAG = 20+30.59
  ELEV. = 473.76'
- PVC = 21+25.00
  PVI = 21+50.00
  PVT = 21+75.00
  VC = 50'
- PVC = 21+75.00
  PVI = 22+00.00
  PVT = 22+25.00
  VC = 50'
- PVC = 24+00.00
  PVI = 24+75.00
  PVT = 25+50.00
  VC = 150'
  CREST = 24+25.50
  ELEV. = 480.23'
- PVC = 25+61.30
  PVI = 26+16.30
  PVT = 26+41.30
  VC = 50'
  SAG = 26+24.65
  ELEV. = 473.01'

Axis Labels

- EXISTING C.L. ELEVATION: 502.16, 502.16, 500.85, 499.22, 498.24, 498.18, 498.03, 498.00, 496.01, 493.84, 491.91, 490.14, 486.00, 483.43, 478.41, 475.98, 473.52, 472.00, 470.78, 472.46, 474.19, 476.00, 476.12, 475.62, 474.66, 474.60, 474.26, 473.73, 473.15, 472.35, 470.94
- PROPOSED C.L. ELEVATION: 502.16, 501.04, 499.92, 498.81, 497.69, 496.58, 495.46, 493.98, 491.74, 489.14, 486.53, 483.75, 480.07, 477.06, 475.01, 473.94, 473.83, 472.69, 476.39, 477.62, 478.23, 478.85, 479.46, 480.08, 476.49, 478.89, 476.49, 473.56, 473.52
- CUT / FILL @ C.L.: C0.00, F0.19, F1.70, F0.57, C0.48, C1.46, C2.54, C2.03, C2.10, C1.77, F0.53, F0.33, F0.33, F1.66, F1.08, F1.50, F1.94, F3.05, F2.23, F2.21, F1.82, F2.11, F3.23, F4.80, F5.48, F5.83, F5.17, F3.34, F1.20, F2.58
- C.L. STATION: 12+50, 13+00, 13+50, 14+00, 14+50, 15+00, 15+50, 16+00, 16+50, 17+00, 17+50, 18+00, 18+50, 19+00, 19+50, 20+00, 20+50, 21+00, 21+50, 22+00, 22+50, 23+00, 23+50, 24+00, 24+50, 25+00, 25+50, 26+00, 26+50
- Elevation: 515, 510, 505, 500, 495, 490, 485, 480, 475, 470, 465, 460, 455, 450, 445, 440, 435, 430
- 11+50, 12+00, 12+50, 13+00, 13+50, 14+00, 14+50, 15+00, 15+50, 16+00, 16+50, 17+00, 17+50, 18+00, 18+50, 19+00, 19+50, 20+00, 20+50, 21+00, 21+50, 22+00, 22+50, 23+00, 23+50, 24+00, 24+50, 25+00, 25+50

50 25 0 50

RECORD DRAWING

SHEET 6 OF 12

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2024 Morris & Ritchie Associates, Inc.

GREENWAY ENGINEERING INC.
151 WORTHINGTON HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

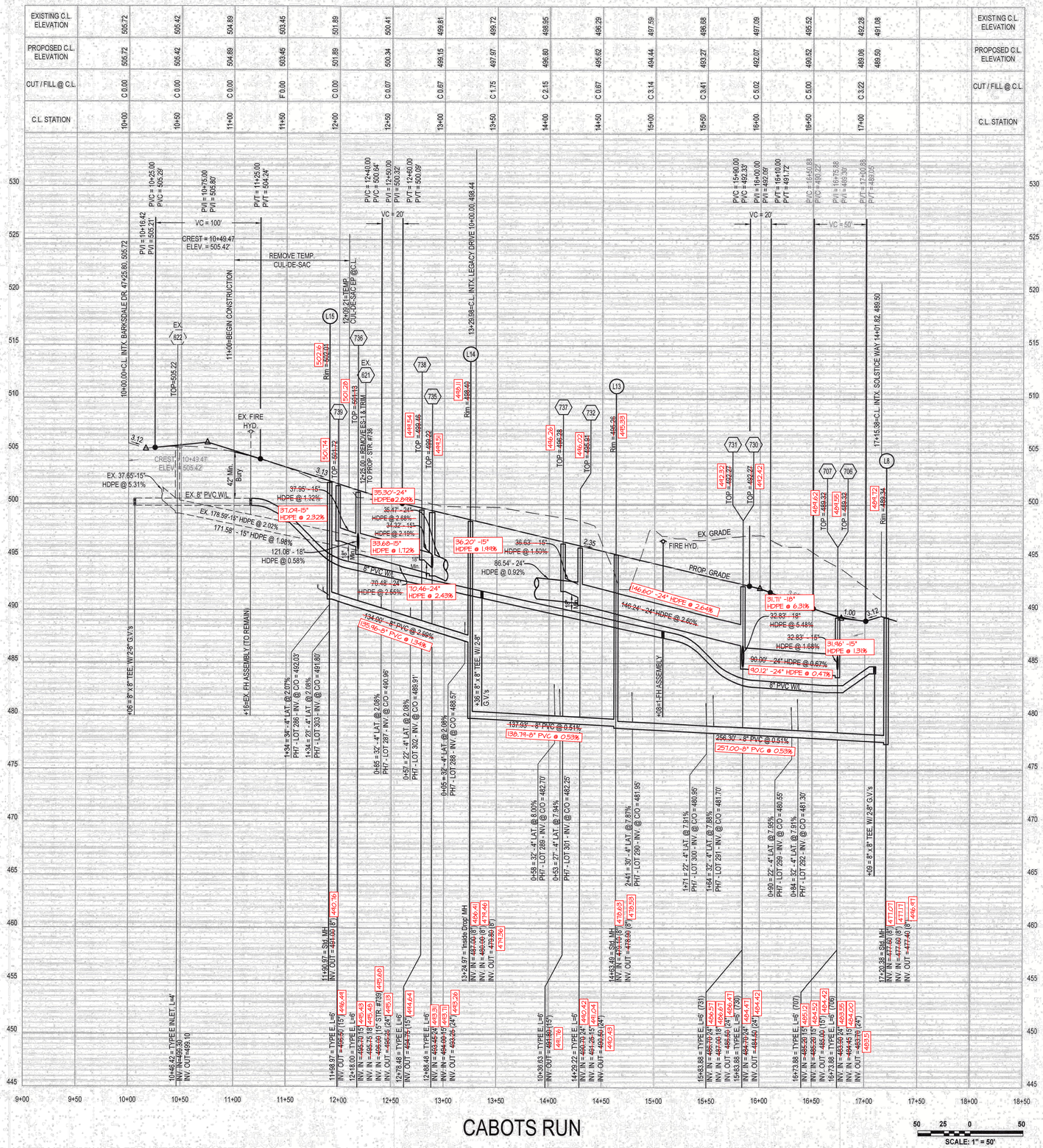
GREENWAY ENGINEERING

Rev. No.	Date
1	11/09/2018

TAMARACK DRIVE PROFILE
NORBORNE GLEBE
PHASE 7 AND PHASE 8
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

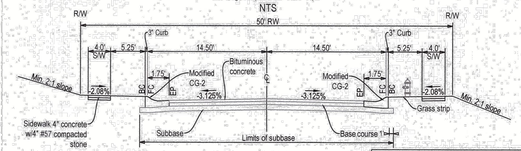
DATE: 06/09/2017
SCALE: H: 1" = 50'
V: 1" = 5'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 21 OF 39
15-01

2/14/24



Typical Road Section - Cabots Run

Neighborhood Street
Design Speed = 25 mph



Note: Pavement design is preliminary and shall be adjusted upon establishing actual CBR values.

PRELIMINARY PAVEMENT DESIGN

SURFACE: 2" SM-9.5A
INTERMEDIATE: 3" IM-19.0
BASE: 6" 21-B Aggregate
SUBBASE: Compacted Subgrade

GREENWAY ENGINEERING INC.
151 SANDY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
1	11/09/2018

CABOTS RUN PROFILE

NORBORNE GLEBE

PHASE 7 AND PHASE 8

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.

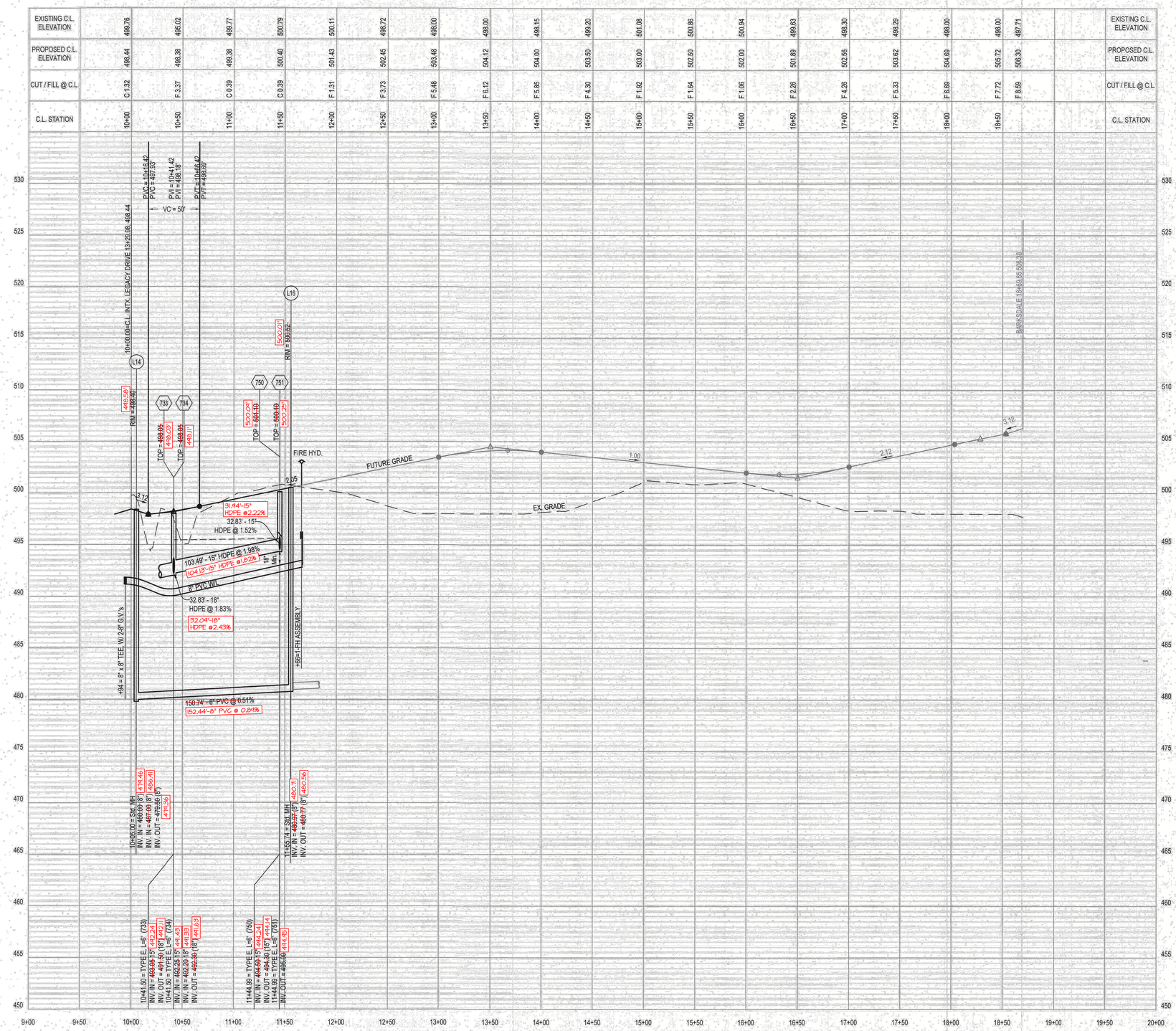
JON K. ERICKSON LICENSED PROFESSIONAL ENGINEER STATE OF WEST VIRGINIA 2/14/24

DATE:	06/09/2017
SCALE:	H: 1" = 50' V: 1" = 5'
DESIGNED BY:	EJG/RLK
FILE NO.	4542A
SHEET	22 OF 39
	15-01

RECORD DRAWING

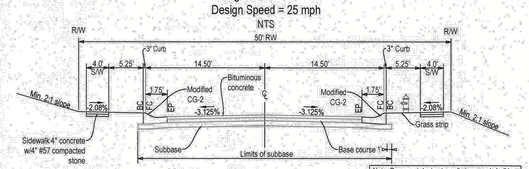
SHEET 7 OF 12

| | | |



Typical Road Section - Legacy Drive

Neighborhood Street
Design Speed = 25 mph
NTS



GREENWAY ENGINEERING INC.
15 HANDY HILL LANE
CHESTER, VIRGINIA 22602
T. (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
5	08/06/2018
6	11/09/2018



LEGACY DRIVE PROFILE

NORBORNE GLEBE

PHASE 7 AND PHASE 8

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

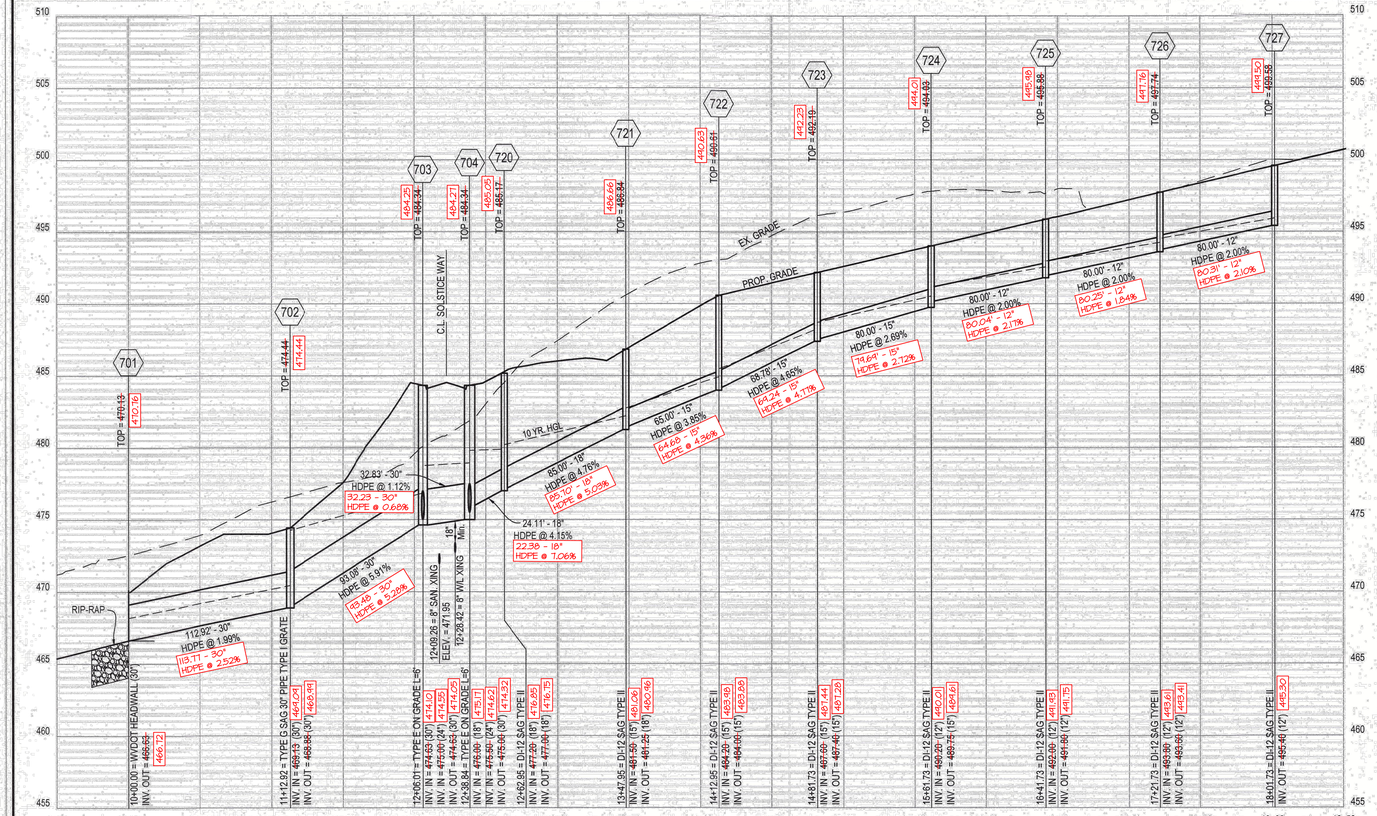
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.



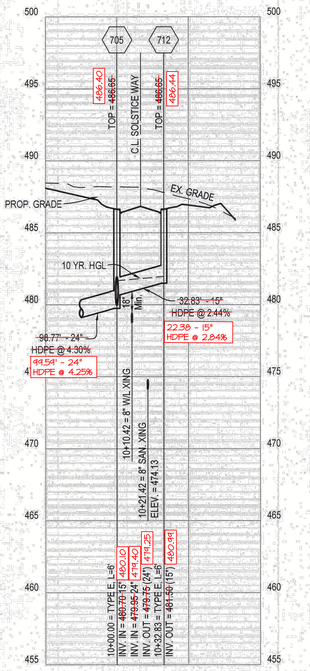
RECORD DRAWING

DATE:	06/09/2017
SCALE:	H: 1" = 50' V: 1" = 5'
DESIGNED BY:	EJG/RLK
FILE NO.	4542A
SHEET	24 OF 39
	15-01

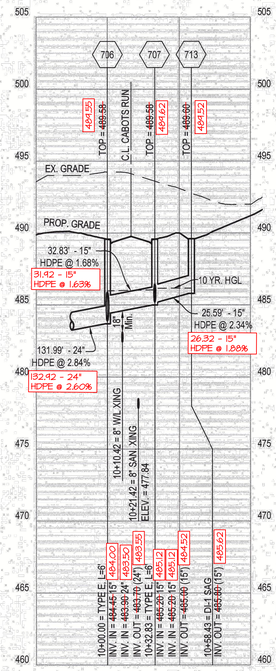
SHEET 9 OF 12



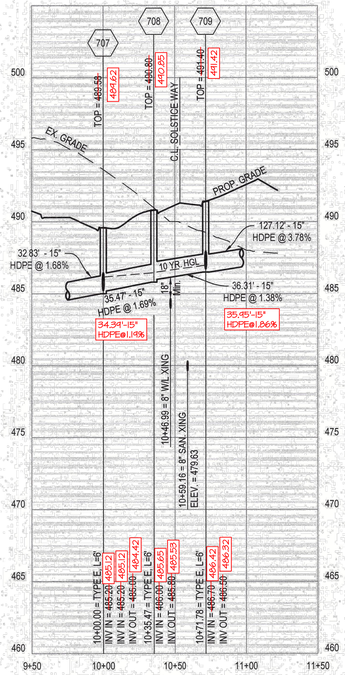
STORM SEWER 701 - 727



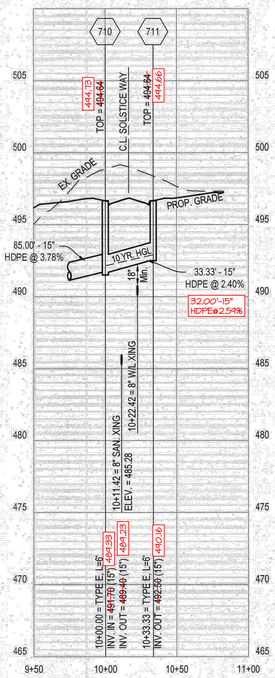
STORM SEWER 705 - 712



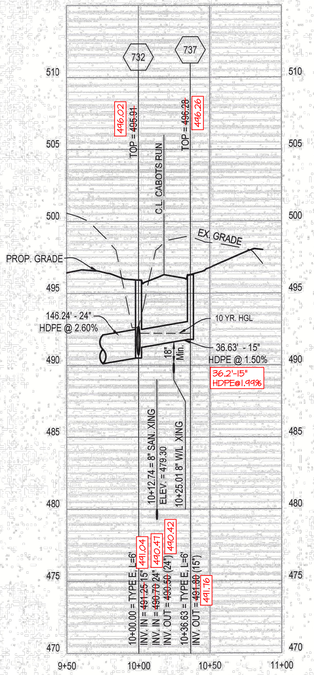
STORM SEWER 706 - 713



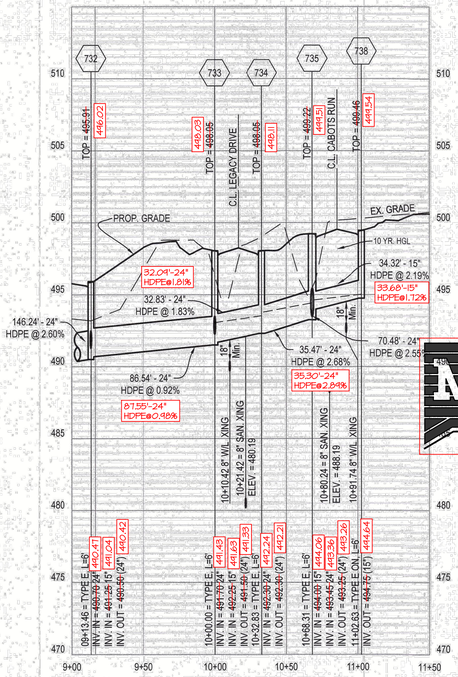
STORM SEWER 707 - 709



STORM SEWER 710 - 711



STORM SEWER 732 - 737



STORM SEWER 732 - 738

GREENWAY ENGINEERING INC.
151 WEST HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
6	08/09/2018
7	11/09/2018

JODY L. KERN
LICENSED PROFESSIONAL ENGINEER
No. 22
STATE OF VIRGINIA
PROFESSIONAL ENGINEER
2/19/24

STORM SEWER PROFILES
NORBORNE GLEBE
PHASE 7 AND PHASE 8
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

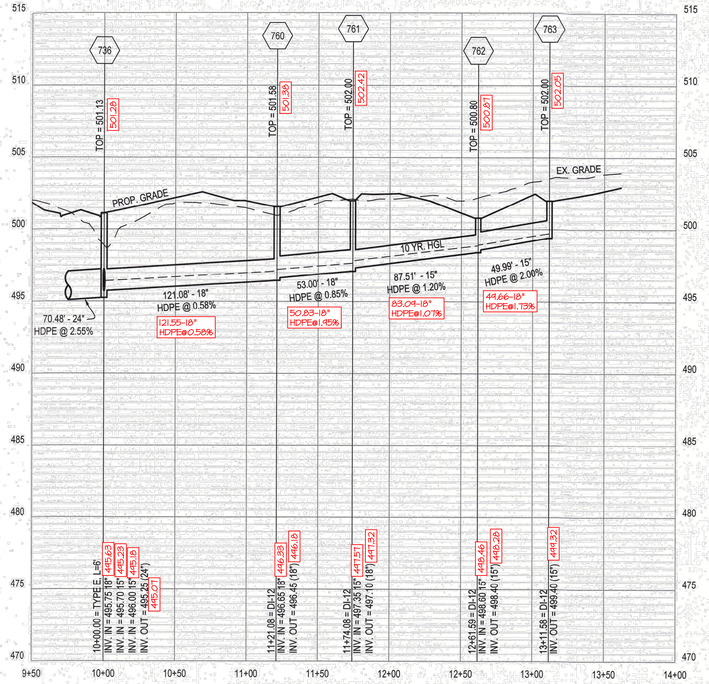
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.

JOHN K. ERICKSON
LICENSED PROFESSIONAL ENGINEER
No. 22
STATE OF VIRGINIA
PROFESSIONAL ENGINEER
2/19/24

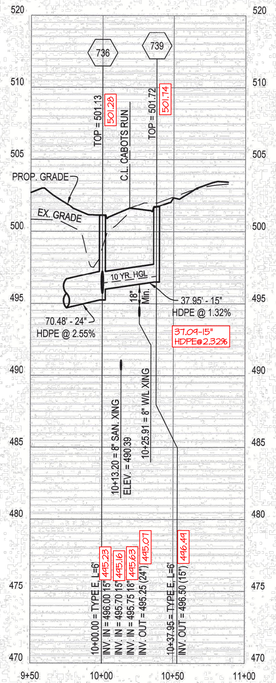
RECORD DRAWING

SCALE: 1" = 50'

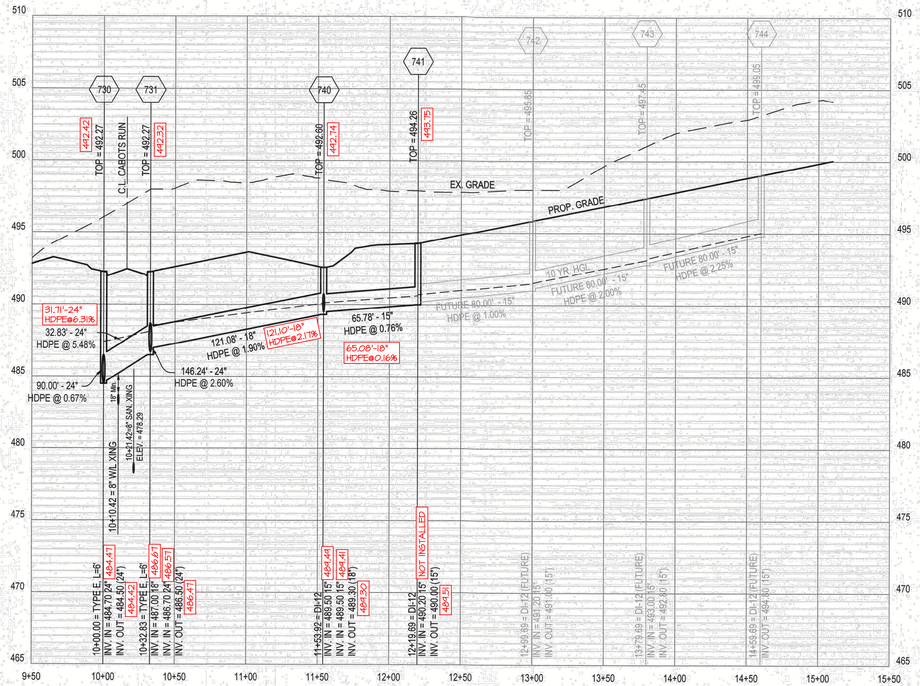
DATE: 06/09/2017
SCALE: H: 1" = 50' V: 1" = 5'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 25 OF 39
15-01



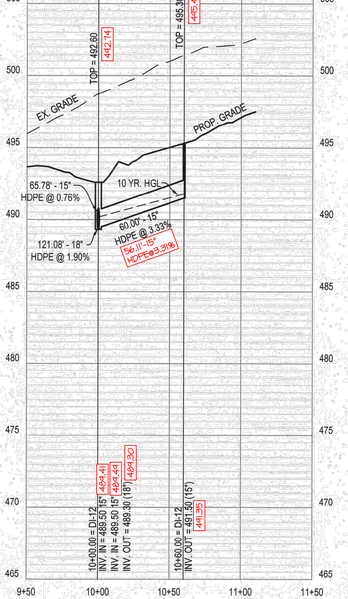
STORM SEWER 736 - 763



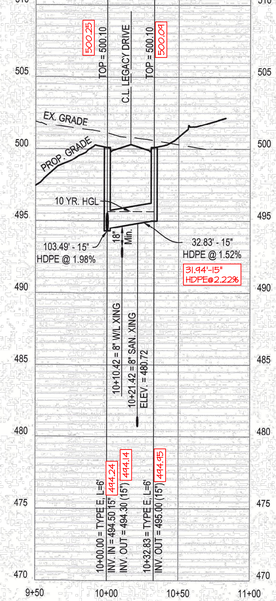
STORM SEWER 736 - 739



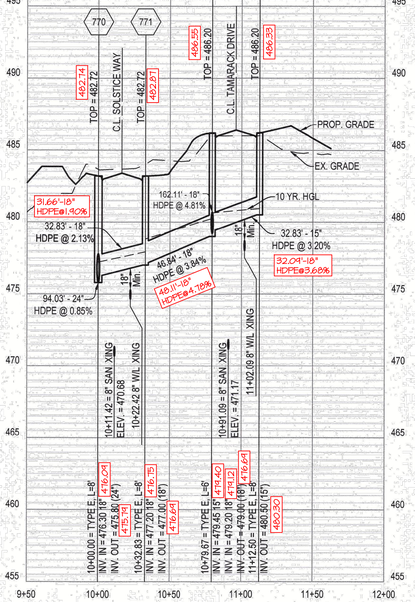
STORM SEWER 7[illegible]



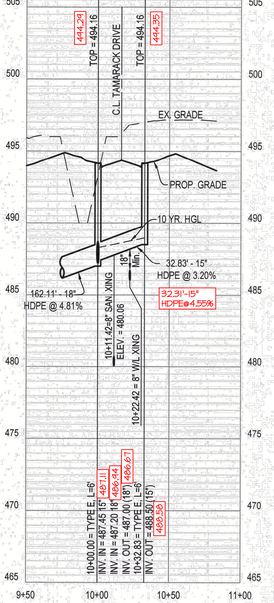
STORM SEWER 740 - 745



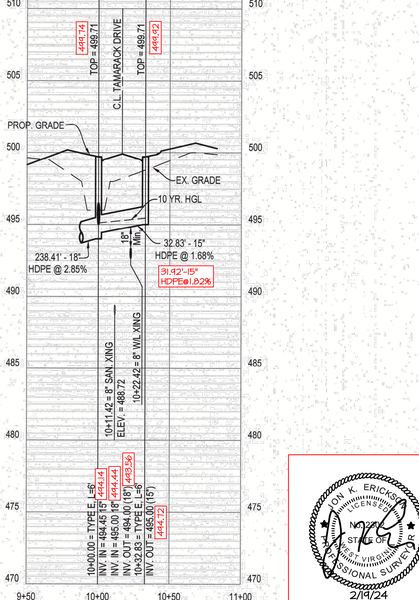
STORM SEWER 750 - 751



STORM SEWER 770 - 775



STORM SEWER 773 - 776



STORM SEWER 774 - 777

RECORD DRAWING

50 25 0 50
SCALE: 1" = 50'

SHEET 11 OF 12

GREENWAY ENGINEERING INC.
154 SANDY HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

Rev. No.	Date
5	08/06/2018
6	08/06/2018
7	11/09/2018

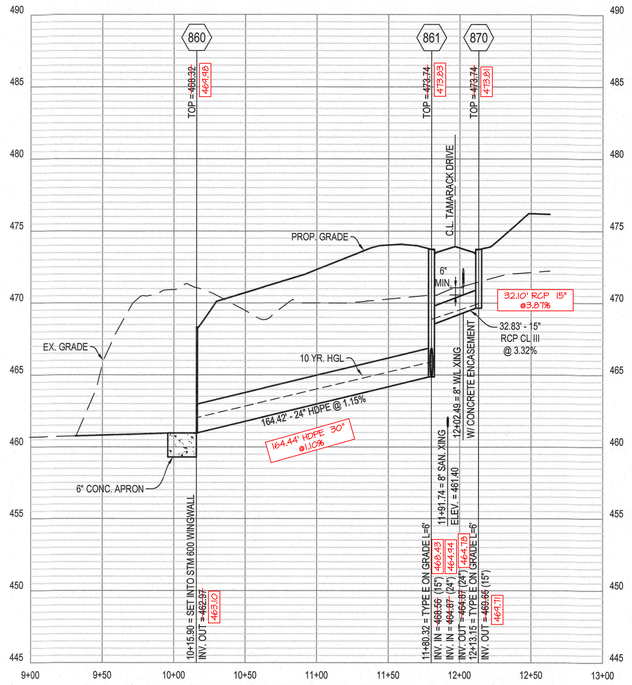
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM
Copyright 2021 Morris & Ritchie Associates, Inc.

ANDY L. KEPLEY
LICENSED
17223
STATE OF VIRGINIA
PROFESSIONAL ENGINEER
2/19/24

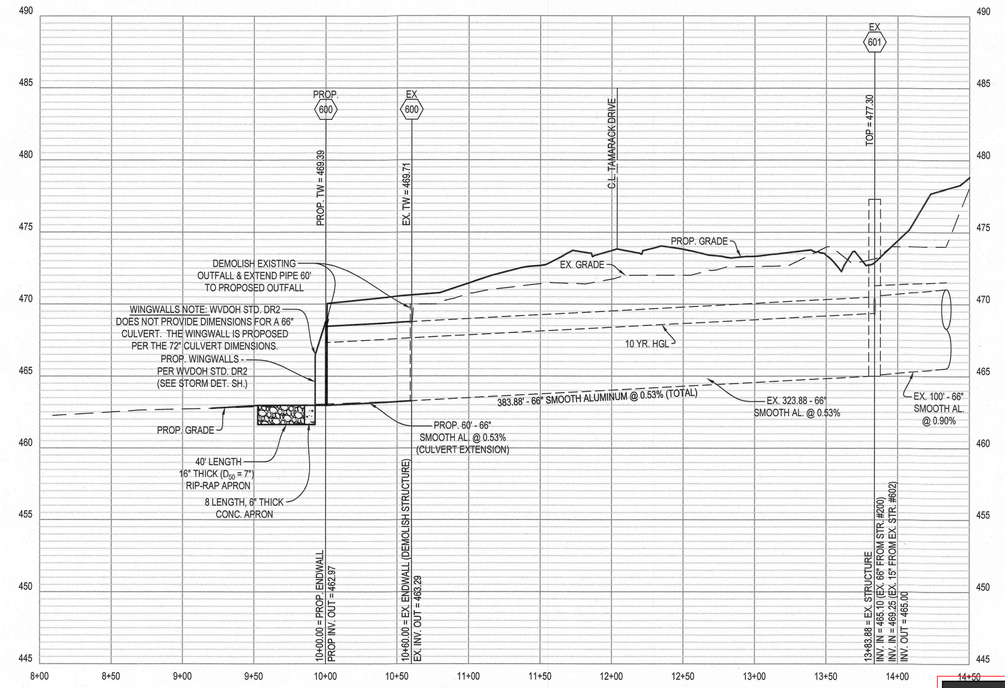
STORM SEWER PROFILES
NORBORNE GLEBE
PHASE 7 AND PHASE 8
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DONALD K. ERICKSON
LICENSED
STATE OF
WEST VIRGINIA
PROFESSIONAL SURVEYOR
2/19/24

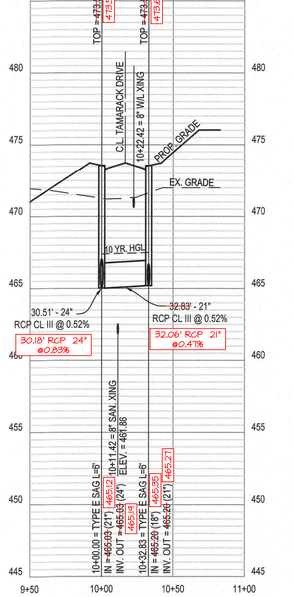
DATE: 06/09/2017
SCALE: H: 1" = 50'
V: 1" = 5'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 26 OF 39
15-01



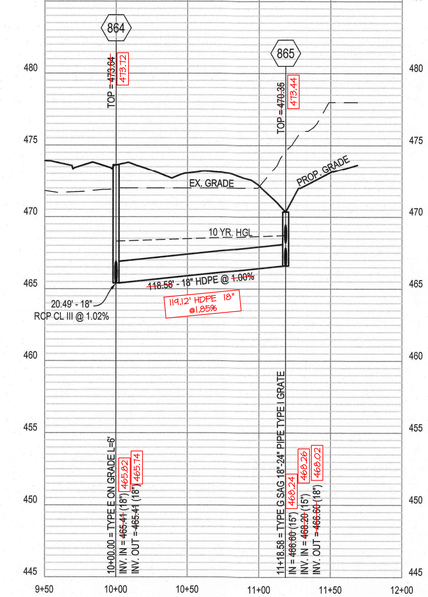
STORM SEWER 860 - 870



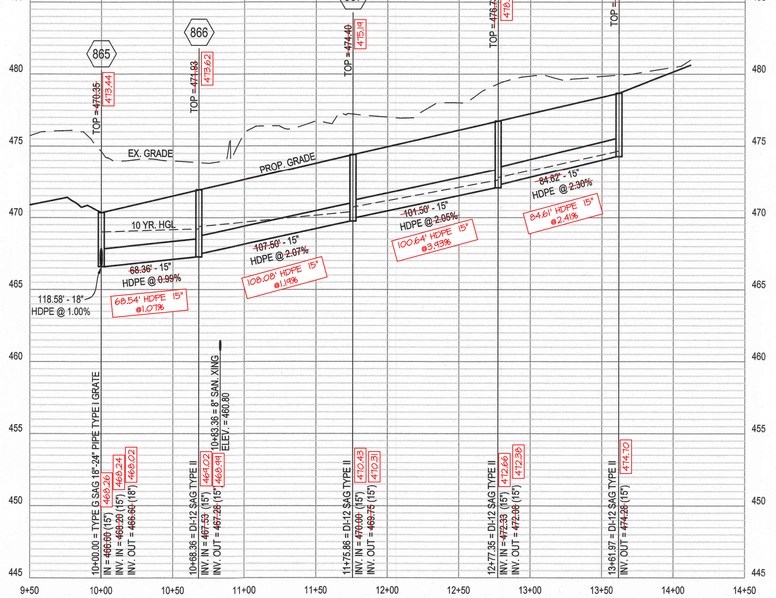
STORM SEWER PROP. 600 - EX. 601



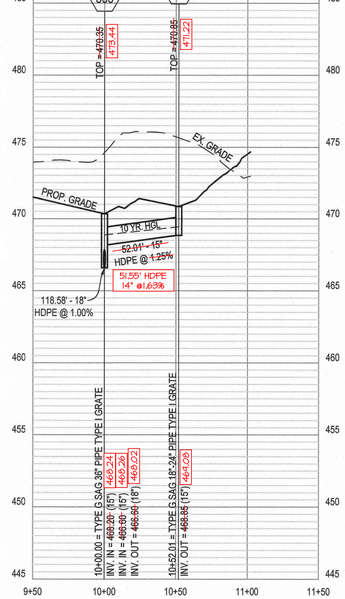
STORM SEWER 862 - 863



STORM SEWER 864 - 865



STORM SEWER 865 - 869



STORM SEWER 865 - 871

50 25 0 50

RECORD DRAWING

SHEET 12 OF 12

GREENWAY ENGINEERING INC.
151 WEST HILL LANE
WINCHESTER, VIRGINIA 22602
T: (540) 662-4185
www.GreenwayEng.com

GREENWAY ENGINEERING

JON K. ERICKSON LICENSED STATE OF WEST VIRGINIA PROFESSIONAL SURVEYOR
2/9/24

Rev. No.	Date
1	10/01/2018
2	11/09/2018

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
205 EAST HIRST ROAD
PURCELLVILLE VA, 20132
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2021 Morris & Ritchie Associates, Inc.

ANDY L. KERLEY LICENSED STATE OF WEST VIRGINIA PROFESSIONAL ENGINEER

STORM SEWER PROFILES

NORBORNE GLEBE

PHASE 7 AND PHASE 8

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 06/09/2017

SCALE: H: 1" = 50'
V: 1" = 5'

DESIGNED BY: EJG/RLK

FILE NO. 4542A

SHEET 27 OF 39

15-01

Kimley»Horn

Memorandum

To: Mr. Gary Endler
Arcadia Land, Inc.
108 N George St, 2nd Floor
Charles Town, WV 25414

From: Mark Phillips, P.E.

Through: Mr. James Newman, AICP
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

Date: May 31, 2024

Subject: Norborne Glebe Phases 6, 7, and 8 Bond Release Review

This memorandum summarizes our review of the Bond Release request for the Norborne Glebe Residential Phases 6, 7, and 8 (dated May 20, 2024 prepared by H2 Land Company.) for a Phase 6 Bond Release of $167,787.52 for Performance, and $216,291.13 for Land Development and a Phase 7 &8 Bond Release of Performance Bond release of $605,245.00 and Land development release of $336,571.00. Using the Final Subdivision/Land Development Plat, site visit observations, and the As-Built plans by Morris Ritchie and Associates, and the respective bond release application, we have no comments.

Note that the Bond Release review does not constitute a formal inspection of work or quality review. Only an observation of visible quantities and available information from As-Built data.

Thank you for the opportunity to review this Bond Release request. In the meantime, please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.

Mark Phillips, P.E.
Project Manager
Associate

Kimley»Horn

Memorandum

To: James Newman
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

From: Mark Phillips, P.E.

Date: July 3, 2024

Subject: Bond Reduction Check List

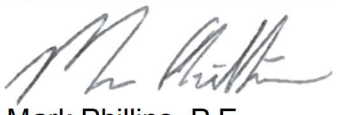
This memorandum summarizes the Kimley-Horn Bond Reduction Application review process. Kimley-Horn notes with the new excel version of the Bond Estimate form required at initiation the review process will be more easily tracked and traced through the progression of construction and bond release.

Kimley-Horn's typical review process for Bond Reduction Requests is outlined in the following steps:

1. Kimley-Horn reviews the materials provided by the City, typically this consists of the As-Built plans along with a PDF of the bond reduction request.
2. Kimley-Horn reviews the submitted bond reduction request quantities by placing them in the Charles Town quantities spreadsheet. The quantities and pricing calculation is then checked for quality to ensure they match up with the bond reduction request.
3. Once the bond reduction spreadsheet calculations are confirmed Kimley-Horn reviews the bond reduction quantities are reviewed against the quantities shown on the final construction drawings and as-builts.
4. Kimley-Horn then reviews all other submitted documents provided to ensure their validity in relation to the bond reduction request.
5. Lastly, Kimley-Horn conducts a site visit to observe the current construction conditions in relation to what is depicted on the As-Built and requested on the bond reduction. It should be noted that the site visit is for observational purposes only and Kimley-Horn can only observe what is physically visible. Elements such as water line, sanitary sewer, storm sewer etc.. that is not visible cannot be observed and the As-Builts are utilized for quantity confirmations. Kimley-Horn utilizes the site visit to confirm any questions that arise when comparing the As-Builts to the Final Plans and Bond Reduction Request.
6. Once all steps are complete Kimley-Horn prepares a review memorandum summarizing the findings of the review.

Please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.



Mark Phillips, P.E.
Project Manager
Associate

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-820: Bond Release Requests for Norborne-Glebe Phases 7 & 8

Proposed Motion: Approve the bond release request for Norborne-Glebe Phases 7 & 8 Performance Bond in the amount of $605,245.32 and the Land Disturbance Bond in the amount of $336,571.45.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-748: Public Hearing: *BR2024-08* - Bond Release Requests for Norborne-Glebe Phase 6

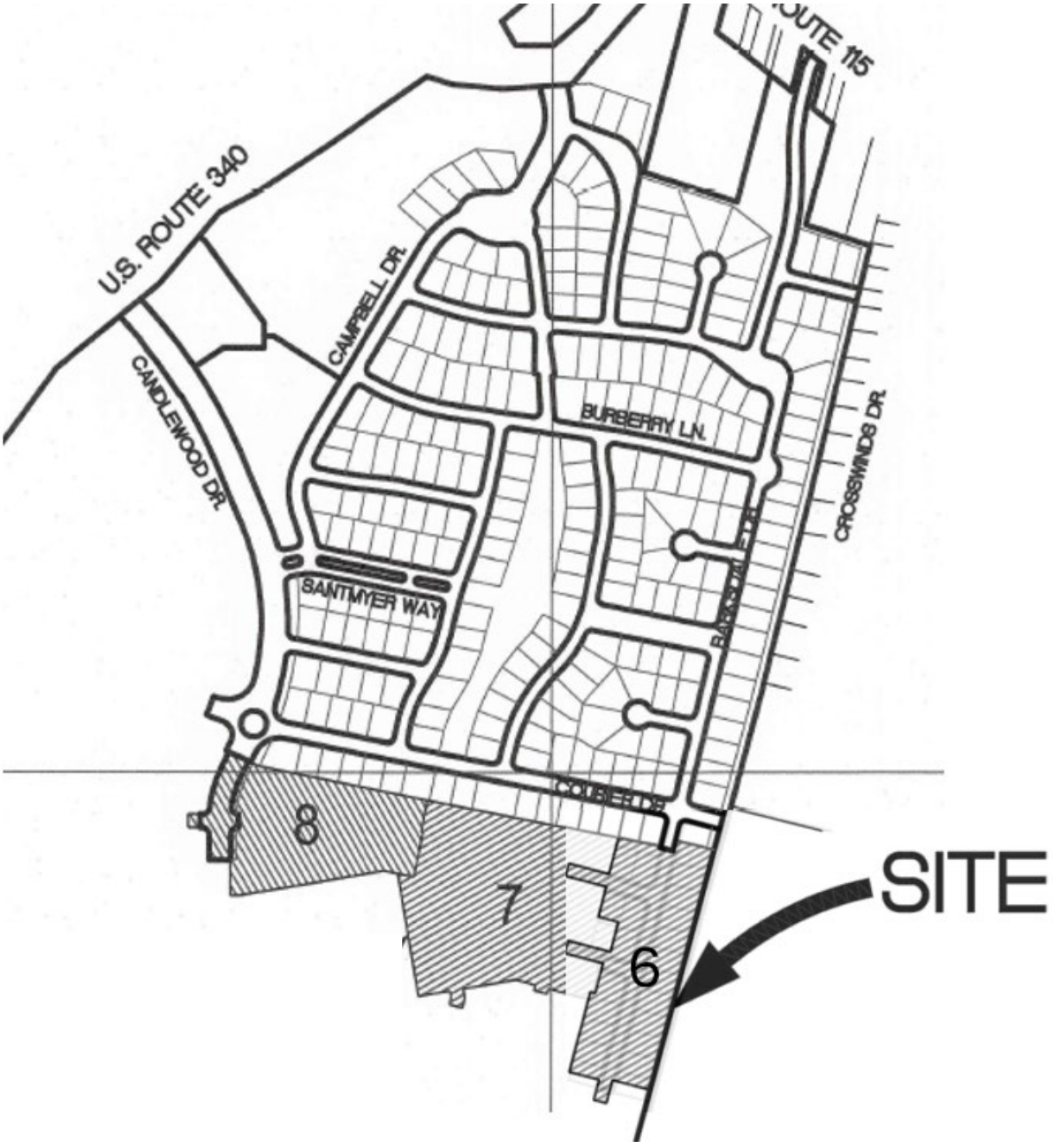
ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. As-Built Plans.pdf
- 4. KH Review.pdf
- 5. KH Review Process.pdf

Bond Release Request
BR2024-08

Date: For the August 5, 2024 City Council Meeting
Applicant: Arcadia Land Inc.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: A bond release of $384,078.65

Norborne Glebe Phase 6



BACKGROUND
The applicant is requesting a bond release of the **performance and land disturbance bonds.** The Final Plat was approved by the City on in November 2021.

Performance Bond: $167,787.52
Land Disturbance Bond: $216,291.13

Upon review of the request the City Engineer, Kimley-Horn, has determined that the bond release request is a reasonable based on the completion of the project. Staff has seen no evidence of land subsidence or other issues in these phases.

BOND COMMITTEE
The Bond Committee reviewed this item at their June 11, 2024 meeting. The Committee recommended approval of the bond release request. Staff completed a site visit later that day to confirm no issues with the development.

PLANNING COMMISSION
The Planning Commission held a public hearing on this item at their June 24, 2024 meeting. There were two members of the public who spoke with questions about potential developmental impacts on their properties. Those properties, located in the Eastland subdivision to the south of Norborne-Glebe, are not directly impact by this project but may be impacted by future phases of development of Norborne Glebe. Those impacts are not affected by the release of this bond.

The Commission voted unanimously to recommend approval of the bond release request subject to provision of a checklist by Kimley-Horn showing the bonded items were installed. Kimley-Horn provided staff with a report on how they manage their bond release reviews, which involves multiple checks, an on-site visit, and is not simply broken down into a spreadsheet or checklist. A copy of that document is included as an attachment.

RECOMMENDATION
Approval.

Bond Request No._____

BOND REQUEST AND REDUCTION

To assist the Subdivision Administrator in the review of a Bond Request Application, the Applicant must utilize this form to supply the City with the information prescribed under Article 1335 and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Bond Request Application as required by Ordinance Article 1335.

1. DATE May 20, 2024

2. APPLICATION TYPE ☐ Bond | Initiation ☐ Bond | Reduction

☐ Bond | Reallocation ☒ Bond | Release**

3. PROJECT NAME Norborne Glebe Subdivision-Phase 6

Address N/A

4. APPLICANT'S NAME* Arcadia Land, Inc, Attn: Gary Endler

Address 108 N. George Street-2nd Floor Charles Town, WV 254141

Telephone Number ( ) 703-771-8000 Fax Number (

Email Address gendeler@arcadiacompanies.com

5. PROPERTY OWNER'S NAME Arcadia Land, Inc, Attn: Gary Endler

Address 108 N George Street-2nd Floor Charles Town, WV 25414

Telephone Number ( ) 703-771-8000 Fax Number (

Email Address gendeler@arcadiacompanies.com

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

**Requires a Public Hearing and landscaping surety for one year after release

Bond Request No._____

6. DESCRIPTION OF REQUETED INITIATION, REDUCTION, OR RELEASE:

Requesting Bond Amount Release for the Land Disturbance Bond and Performance Bond for Phase 6, Norborne Glebe Subdivision

PB # 02762303002 14 $ 167,787.52

7. A) CURRENT BOND AMOUNT LDB # 02762330026 $ 216,291.13

B) PROPOSED BOND AMOUNT PB=$0.00 LDB=$0.00 release

8. PARCEL INVENTORY: (List all parcels that are part of this application):

Tax Map No.	Parcel No.	Deed Book	Page No.	Zoning District
Phase 6	3-12-209.4	1173	85	NR

9. PARCEL HISTORY: (List all pending or previously approved applications on the subject parcels inventoried above, including previous plat applications if this application is an amendment)

Application No.	Project Name and Phase	Status	Approval Date

10. BOND RELEASE ATTACHMENTS.

The following shall be included with this request:

A. To the extent not previously submitted pursuant to bond reduction request, copies of inspection and test reports if work was inspected and tested by a third-party inspector.

B. Certification that all bonded Improvements, other than Improvements accepted by West Virginia Department of Highways (WVDOH), have been completed in accordance with the approved plans, profiles, and specifications and the requirements of any applicable manual. For Improvements to be accepted for maintenance by WVDOH, such Certification shall state that the Improvements have been installed and inspected in accordance with WVDOH's requirements.

C. A copy of the City-approved As-Built Drawings as required for facilities within public rights-of-way or Easements submitted pursuant to Section 1332.10 of this Ordinance.

Date of As-Builts 1/12/23 Prepared By MORRIS RUTHIE ASSOCIATES

D. A letter from a Professional Engineer or Professional Land Surveyor certifying that property corners and Monuments have been set as required under this Ordinance.

E. Documentation of acceptance by WVDOH for public roadways and rights-of-way, or a maintenance and indemnification agreement and bond approved by the Planning Commission for public roadways that have been completed in accordance with WVDOH standards but which, due to factors other than their quality of construction, are not eligible for acceptance by WVDOH.

F. For private roadways, a letter of acceptance by the entity responsible for maintenance and a Latent Defects Indemnification Agreement and Bond in accordance with this Section.

G. Private Roadway Maintenance Bonds. Before a Performance Agreement and surety for private roadway construction shall be released, a Latent Defects Indemnification Agreement and Bond shall be provided by the applicant/Developer and approved by the Planning Commission. The guarantee provided by such Agreement and Bond must be for a period of two (2) years following the date of performance bond release, and must be in an amount equal to no less than 5% of the original performance bond estimate in accordance with Section 1335.07 (F) of the Subdivision Ordinance.

H. Landscaping Surety. Surety is required to ensure the landscaping shown on the Major S/LD plans is maintained for one (1) year. The one (1) year shall start from the date at which the surety for the site has been released, with the exception of this landscaping surety. The landscaping surety amount shall not be less than $5,000.00 or 10% of the total landscaping cost for the project, which every is greater.

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant _____ Date 5/22/2024

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Check No._____

Receipt No._____

Site Inspection Date:_____ Inspector:_____

Subdivision Administrator Approval:_____ Date:_____

Engineer Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

City Council Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

NORBORNE GLEBE

PRELIMINARY SUBDIVISION/LAND DEVELOPMENT PLAT
MAJOR SLD 2013-01

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA
ZONED NEIGHBORHOOD RESIDENTIAL (NR)

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 722-9455
Fax: (540) 722-9528
www.greenwayeng.com
Engineers, Surveyors & Environmental Services
Founded in 1971

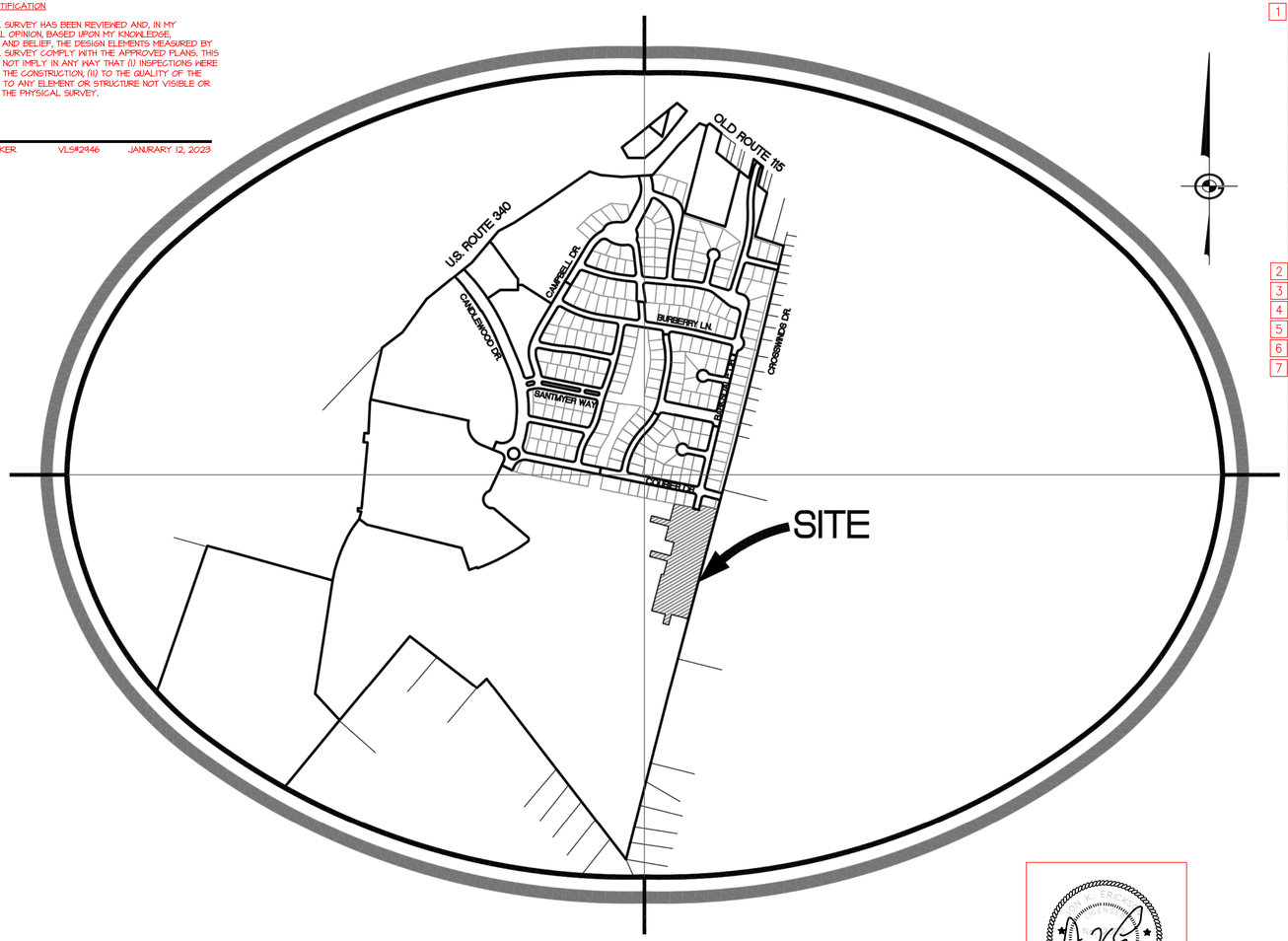
Plan Revisions

Date	Comment
12/18/2013	Per JCPSD Comments
12/20/2013	Per Charles Town Planning Department
12/20/2013	Per Chester Engineers
06/02/2014	Revised Per Comments
08/06/2018	Client Bid Clarification
08/09/2018	Client Bid Clarification

AS-BUILT CERTIFICATION

THE PHYSICAL SURVEY HAS BEEN REVIEWED AND, IN MY PROFESSIONAL OPINION, BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF, THE DESIGN ELEMENTS MEASURED BY THE PHYSICAL SURVEY COMPLY WITH THE APPROVED PLANS. THIS REVIEW DOES NOT IMPLY IN ANY WAY THAT (I) INSPECTIONS WERE MADE DURING THE CONSTRUCTION, (II) TO THE QUALITY OF THE WORK, OR (III) TO ANY ELEMENT OR STRUCTURE NOT VISIBLE OR DEPICTED ON THE PHYSICAL SURVEY.

JASON S DECKER VLS#2446 JANURARY 12, 2023



VICINITY MAP
SCALE: 1" = 600'

Sheet Index

	Sheet #	Sheet Title	Rev.	Rev. Date
1	1	Cover Sheet	3	08/09/2018
	~~2~~	~~General Notes and Legend~~	~~1~~	~~12/20/2013~~
	~~3~~	~~Adjacent Owner Information~~	~~2~~	~~08/06/2018~~
	~~4~~	~~Product Composite~~		
	~~5~~	~~Phase I & II Erosion & Sediment Control Plan~~	~~1~~	~~06/02/2014~~
	~~6~~	~~Erosion & Sediment Control Plan Narrative~~	~~2~~	~~06/02/2014~~
	~~7~~	~~Erosion & Sediment Control Plan Details~~		
	~~8~~	~~Overall Grading Plan~~	~~2~~	~~08/06/2018~~
	~~9~~	~~Grading Plan~~	~~2~~	~~08/06/2018~~
	~~10~~	~~Grading Plan~~	~~1~~	~~08/06/2018~~
	~~11~~	~~Grading Plan~~		
	~~12~~	~~Preliminary Plat~~	~~2~~	~~08/06/2018~~
	~~13~~	~~Preliminary Plat~~	~~2~~	~~08/06/2018~~
2	~~14~~	Road & Utility Plan	4	08/06/2018
3	~~15~~	Road & Utility Plan	3	08/06/2018
4	~~16~~	Barksdale Drive Profile	3	08/09/2018
5	~~17~~	Road A Profile	3	08/09/2018
6	~~18~~	Road B Profile	4	08/09/2018
7	~~19~~	Storm Sewer Profiles	2	08/09/2018
	~~20~~	~~Storm & Sanitary Sewer Computaions~~	~~2~~	~~08/06/2018~~
	~~21~~	~~Storm Details~~		
	~~22~~	~~Storm Details~~		
	~~23~~	~~Storm Details~~		
	~~24~~	~~Road Details~~		
	~~25~~	~~JCPSD Details~~	~~1~~	~~08/06/2018~~
	~~26~~	~~JCPSD Details 2~~		
	~~27~~	~~City of Charles Town Water Details~~		
	~~28~~	~~Lighting Details~~		

CALL "MISS UTILITY"

WEST VIRGINIA UTILITY PROTECTION SERVICE AT 811 OR 1-800-245-4848, 48 HOURS PRIOR TO THE START OF WORK. EXCAVATORS MUST NOTIFY ALL PUBLIC UTILITY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATING OR BLASTING AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL COUNTY REQUIREMENTS, WEST VIRGINIA CODE AND REGULATIONS.

UTILITY NOTICE REQUIRED

Contractors shall notify all public utility operators who maintain underground utility lines in the area of proposed excavating or blasting at least two (2) working days, but not more than ten (10) working days, prior to commencement of excavation or demolition. Names and telephone numbers of the operators of underground utility lines appear below. These numbers shall also be used to serve in an emergency condition

Water:	Charles Town Utility Board 832 S. George Street Charles Town, WV 25414 (304) 725-2316
Sewer:	Jefferson County Public Service District 340 Edmond Road Kearneysville, WV 25430 (304) 725-4647
Power:	Potomac Edison P.O.Box 3615 Akron, OH 44309 (800) 686-0011
Phone:	Frontier Communications 1108 N. Mildred Street Ranson, WV 25438 (304) 728-8500



DEVELOPER
ARCADIA COMMUNITIES, INC.
1602 VILLAGE MARKET BOULEVARD SUITE 235
LEESBURG, VIRGINIA 20176
(703) 840-4585

OWNER
ARCADIA COMMUNITIES, INC.
1602 VILLAGE MARKET BOULEVARD SUITE 235
LEESBURG, VIRGINIA 20176
(703) 840-4585

SITE AS-BUILT

OWNERS CERTIFICATE

The foregoing Subdivision of the land of
ARCADIA COMMUNITIES, INC.
is with the free consent and in accordance with the desires of the undersigned owners, properties and trustees if any.

_____ DATE

_____ DATE

APPROVALS

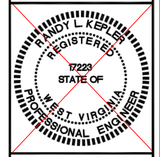
PRELIMINARY PLAT APPROVAL _____ DATE

PLANNING COMMISSION _____ DATE

ZONING ADMINISTRATOR _____ DATE

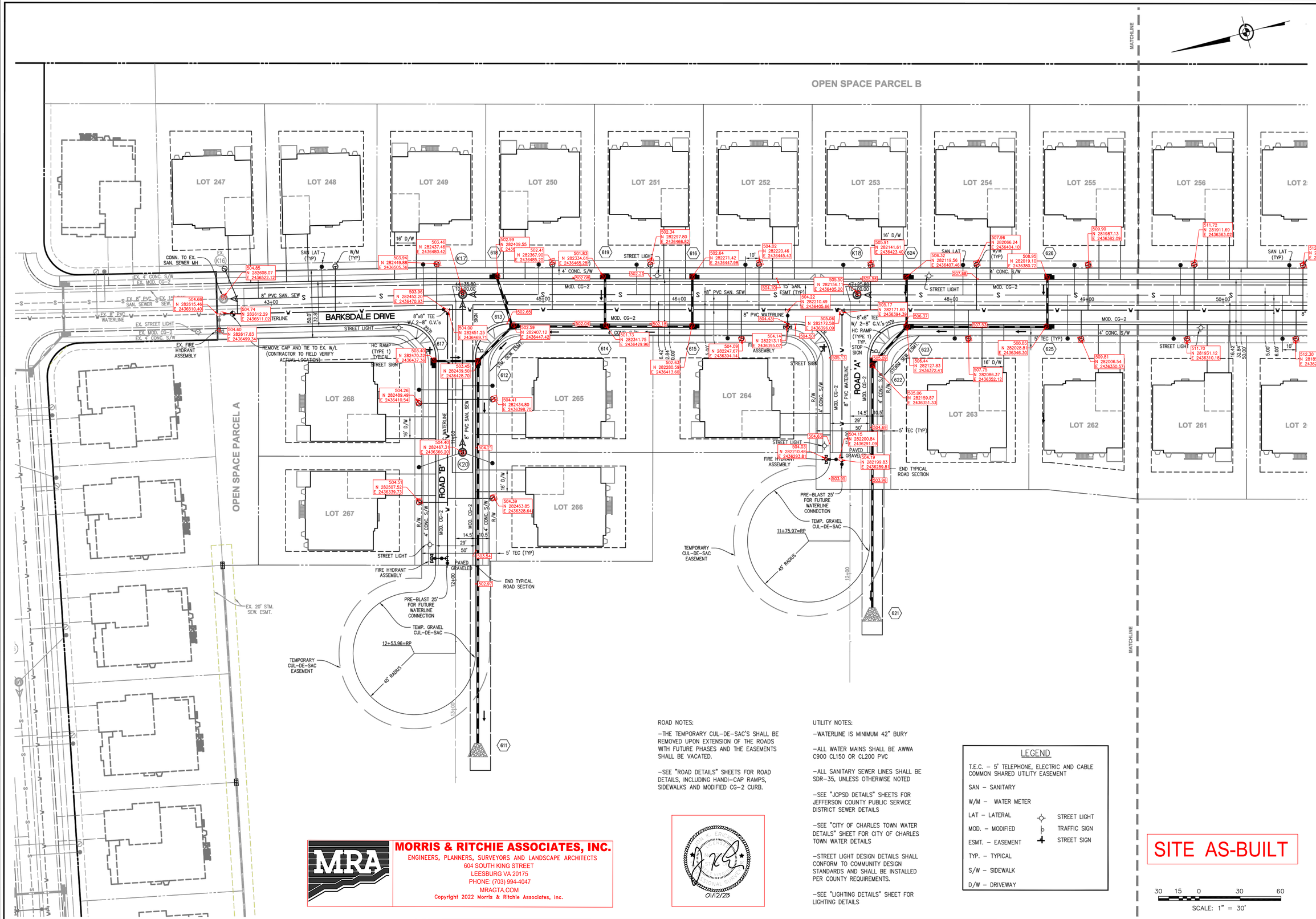
THESE PLANS ARE IN CONFORMANCE WITH CITY OF CHARLES TOWN STANDARDS AND ORDINANCES. ANY DEVIATION OR CHANGE IN THESE PLANS SHALL BE APPROVED BY THE ZONING ADMINISTRATOR PRIOR TO CONSTRUCTION

COVER SHEET
NORBORNE GLEBE
PHASE 6
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA



DATE: 10/28/2013
SCALE: N/A
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 1 OF 28
13-25

SHEET 1 OF 7



ROAD NOTES:

–THE TEMPORARY CUL–DE–SAC'S SHALL BE REMOVED UPON EXTENSION OF THE ROADS WITH FUTURE PHASES AND THE EASEMENTS SHALL BE VACATED.

–SEE "ROAD DETAILS" SHEETS FOR ROAD DETAILS, INCLUDING HANDI–CAP RAMPS, SIDEWALKS AND MODIFIED CG–2 CURB.

UTILITY NOTES:

–WATERLINE IS MINIMUM 42" BURY

–ALL WATER MAINS SHALL BE AWWA C900 CL150 OR CL200 PVC

–ALL SANITARY SEWER LINES SHALL BE SDR–35, UNLESS OTHERWISE NOTED

–SEE "JCPSD DETAILS" SHEETS FOR JEFFERSON COUNTY PUBLIC SERVICE DISTRICT SEWER DETAILS

–SEE "CITY OF CHARLES TOWN WATER DETAILS" SHEET FOR CITY OF CHARLES TOWN WATER DETAILS

–STREET LIGHT DESIGN DETAILS SHALL CONFORM TO COMMUNITY DESIGN STANDARDS AND SHALL BE INSTALLED PER COUNTY REQUIREMENTS.

–SEE "LIGHTING DETAILS" SHEET FOR LIGHTING DETAILS

LEGEND

T.E.C. – 5' TELEPHONE, ELECTRIC AND CABLE COMMON SHARED UTILITY EASEMENT

SAN – SANITARY

W/M – WATER METER

LAT – LATERAL

MOD. – MODIFIED

ESMT. – EASEMENT

TYP. – TYPICAL

S/W – SIDEWALK

D/W – DRIVEWAY

STREET LIGHT

TRAFFIC SIGN

STREET SIGN

SITE AS-BUILT

30 15 0 30 60

SCALE: 1" = 30'

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

01/12/23

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone (540) 723-4455
Fax (540) 723-9238
www.greenwayeng.com
Engineers, Surveyors & Environmental Services Founded in 1971

REV. NO.	Date
1	12/18/2013
2	12/20/2013
3	12/20/2013
4	08/06/2018

RANDY L. KEPLER REGISTERED 17223 STATE OF WEST VIRGINIA PROFESSIONAL ENGINEER

ROAD & UTILITY PLAN

NORBORNE GLEBE

PHASE 6

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 10/28/2013

SCALE: 1" = 30'

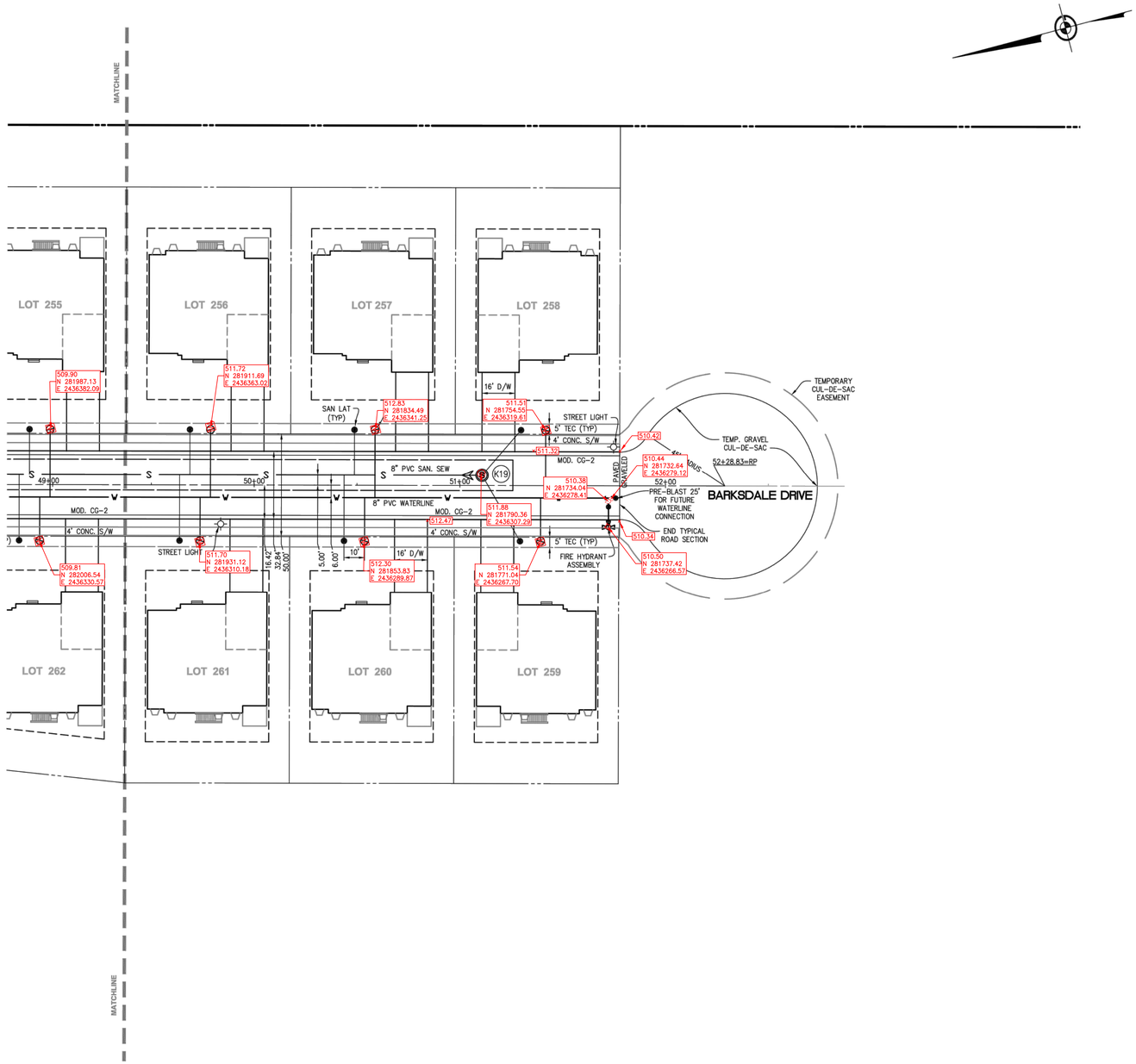
DESIGNED BY: EJG/RLK

FILE NO. 4542A

SHEET 14 OF 28

13–25

SHEET 2 OF 7



ROAD NOTES:

-THE TEMPORARY CUL-DE-SAC'S SHALL BE REMOVED UPON EXTENSION OF THE ROADS WITH FUTURE PHASES AND THE EASEMENTS SHALL BE VACATED.

-SEE "ROAD DETAILS" SHEETS FOR ROAD DETAILS, INCLUDING HANDI-CAP RAMPS, SIDEWALKS AND MODIFIED CG-2 CURB.

UTILITY NOTES:

-WATERLINE IS MINIMUM 42" BURY

-ALL WATER MAINS SHALL BE AWWA C900 CL150 OR CL200 PVC

-ALL SANITARY SEWER LINES SHALL BE SDR-35, UNLESS OTHERWISE NOTED

-SEE "JCPSD DETAILS" SHEETS FOR JEFFERSON COUNTY PUBLIC SERVICE DISTRICT SEWER DETAILS

-SEE "CITY OF CHARLES TOWN WATER DETAILS" SHEET FOR CITY OF CHARLES TOWN WATER DETAILS

-STREET LIGHT DESIGN DETAILS SHALL CONFORM TO COMMUNITY DESIGN STANDARDS AND SHALL BE INSTALLED PER COUNTY REQUIREMENTS.

-SEE "LIGHTING DETAILS" SHEET FOR LIGHTING DETAILS

LEGEND

T.E.C. – 5' TELEPHONE, ELECTRIC AND CABLE COMMON SHARED UTILITY EASEMENT

SAN – SANITARY

W/M – WATER METER

LAT – LATERAL

MOD. – MODIFIED

ESMT. – EASEMENT

TYP. – TYPICAL

S/W – SIDEWALK

D/W – DRIVEWAY

STREET LIGHT

TRAFFIC SIGN

STREET SIGN

XXX TRAFFIC COUNT

SITE AS-BUILT

30 15 0 30 60

SCALE: 1" = 30'

01/12/23

MRA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 665-4185
Fax: (540) 722-9824
www.greenwayeng.com
Engineers, Surveyors & Environmental Services
Founded in 1971

Rev. No.	Date
1	12/18/2013
2	12/20/2013
3	08/06/2018

RANDY L. KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER

ROAD & UTILITY PLAN

NORBORNE GLEBE

PHASE 6

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 10/28/2013

SCALE: 1" = 30'

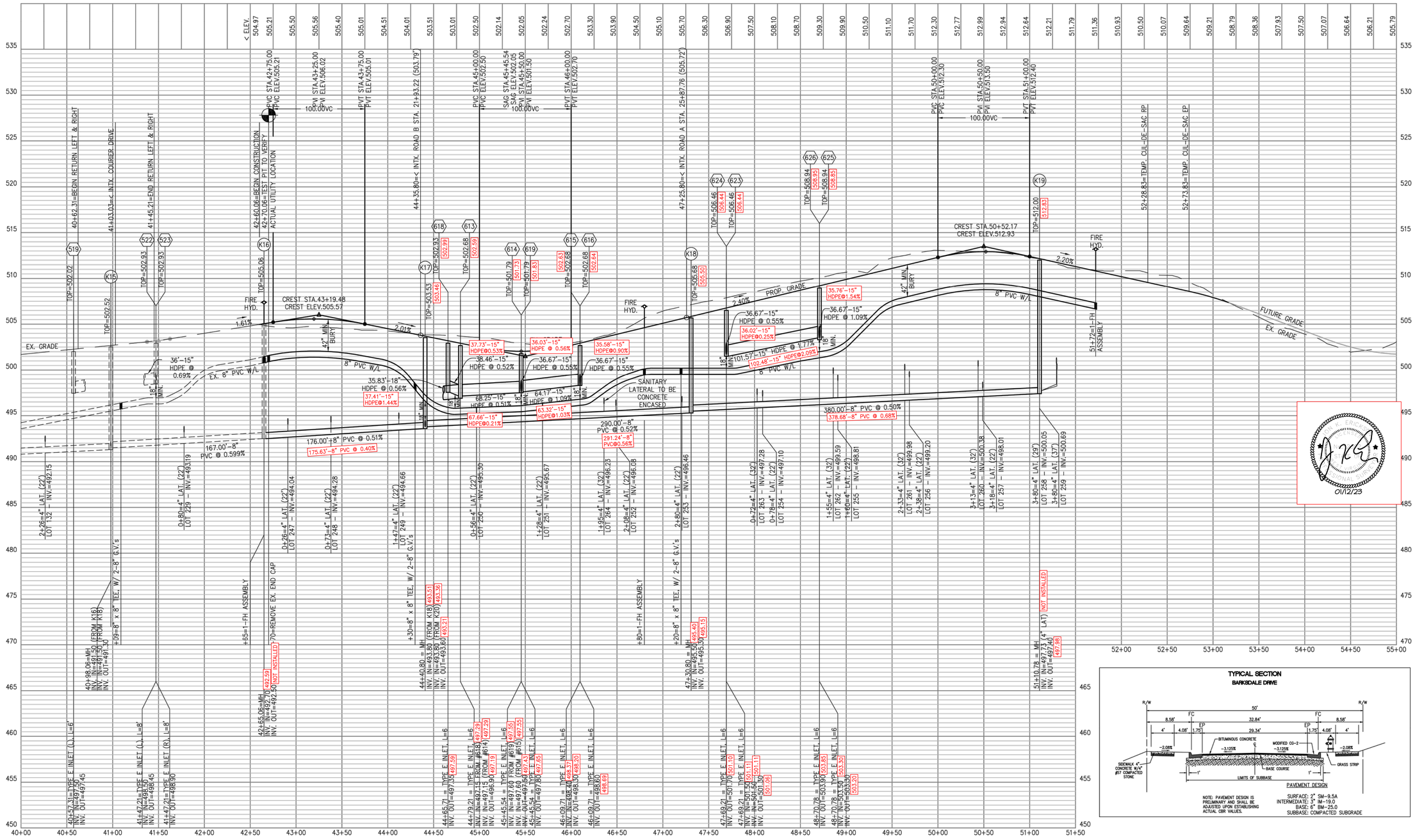
DESIGNED BY: EJG/RLK

FILE NO. 4542A

SHEET 15 OF 28

13-25

SHEET 3 OF 7



BARKSDALE DRIVE

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

SITE AS-BUILT

50 25 0 50 100
SCALE: 1" = 50'

GREENWAY ENGINEERING, INC.
151 Woods Hill Lane
Winchester, Virginia 22602
Telephone: (540) 722-1435
Fax: (540) 722-9528
www.greenwayeng.com
Engineers, Surveyors & Environmental Services Founded in 1971

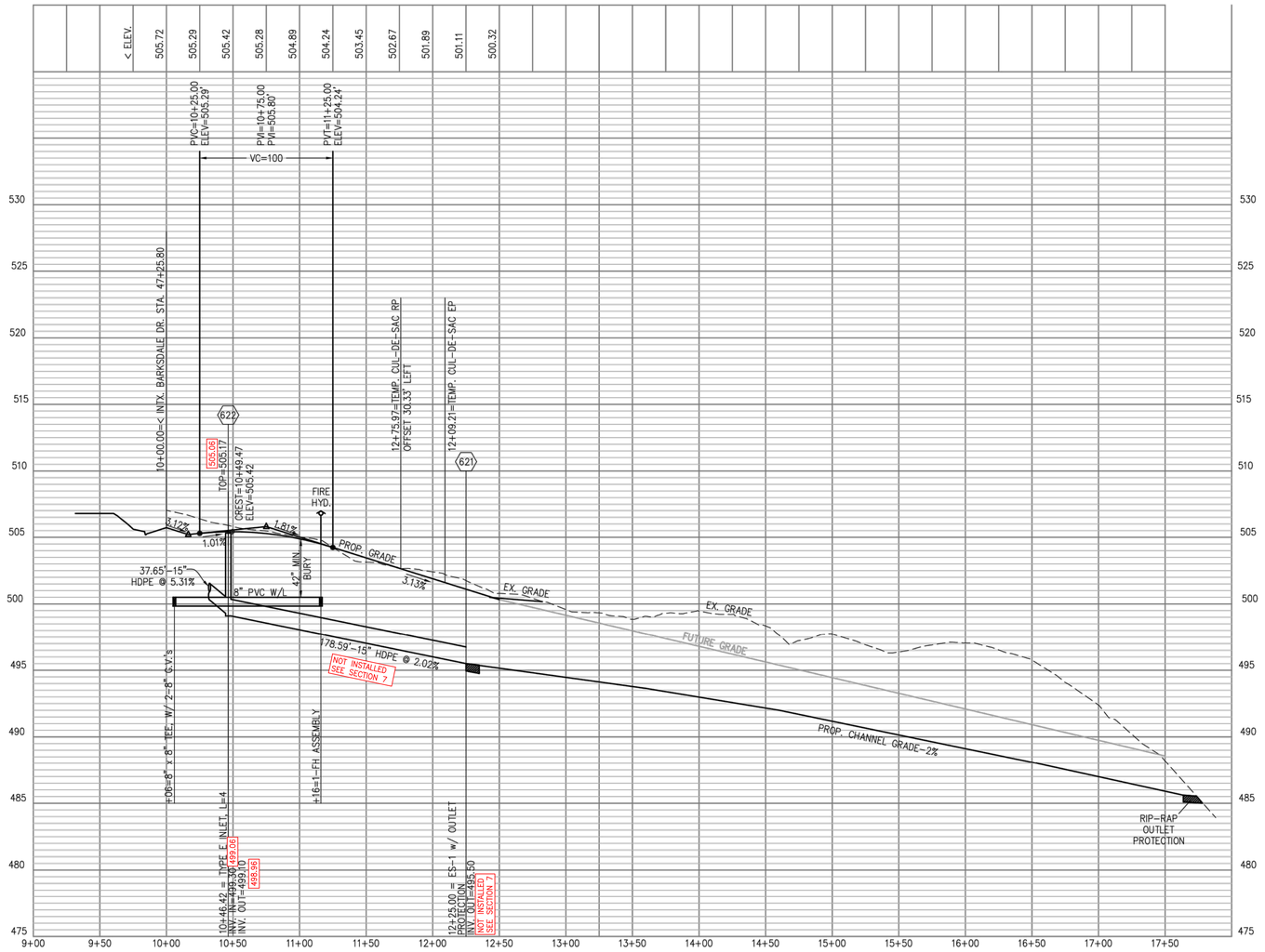
Rev. No.	Date
1	12/20/2013
2	08/06/2018
3	08/09/2018

RANDY L KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER
01/12/23

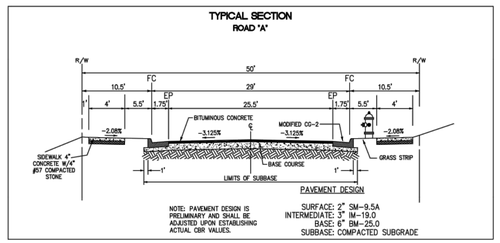
BARKSDALE DRIVE PROFILE
NORBORNE GLEBE
PHASE 6
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

DATE: 10/28/2013
SCALE: H: 1" = 50'
V: 1" = 5'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 16 OF 28
13-25

SHEET 4 OF 7



ROAD "A"







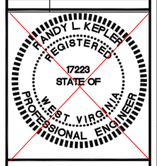
SITE AS-BUILT

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

GREENWAY ENGINEERING, INC.
151 Wentb Hill Lane
Winchester, Virginia 22602
Telephone: (540) 722-1435
Fax: (540) 722-9528
www.greenwayeng.com
Engineers, Surveyors & Environmental Services
Founded in 1971

Rev. No.	Date
1	12/20/2013
2	6/2/2014
3	08/09/2018



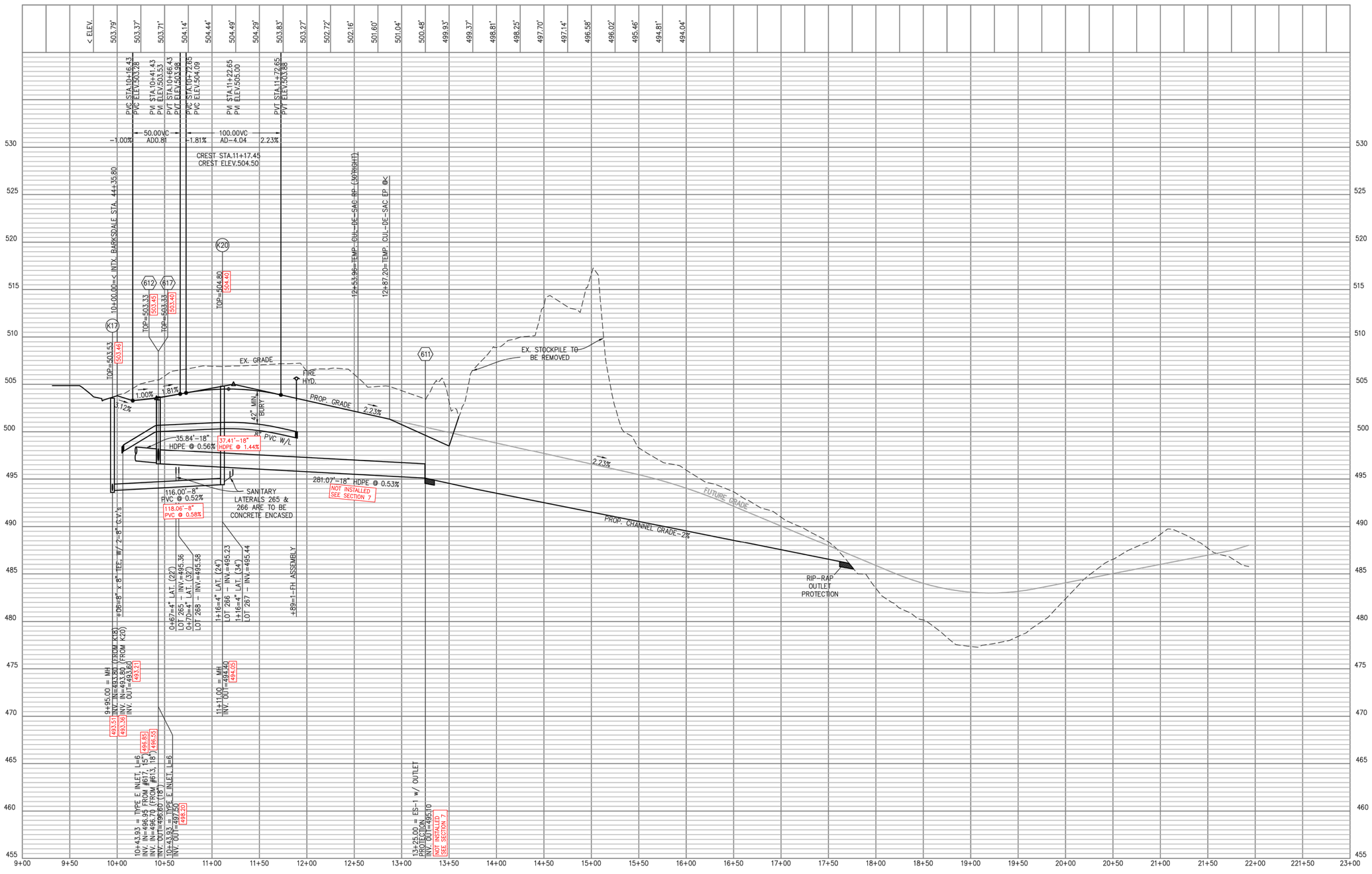
ROAD A PROFILE

NORBORNE GLEBE

PHASE 6

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

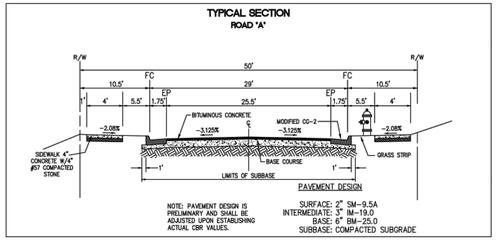
DATE:	10/28/2013
SCALE:	H: 1" = 50' V: 1" = 5'
DESIGNED BY:	EJG/RLK
FILE NO.	4542A
SHEET	17 OF 28
	13-25



ROAD "B"

50 25 0 50 100

SCALE: 1" = 50'



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

SITE AS-BUILT

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 723-4263
Fax: (540) 723-9526
www.greenwayeng.com
Engineers, Surveyors & Environmental Services
Founded in 1971

Rev. No.	Date
1	12/20/2013
2	6/2/2014
3	08/06/2018
4	08/09/2018

RANDY L KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER

ROAD B PROFILE

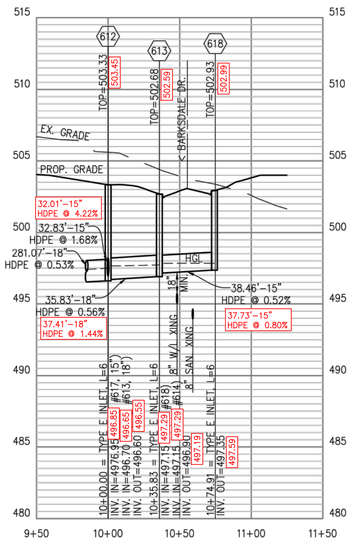
NORBORNE GLEBE

PHASE 6

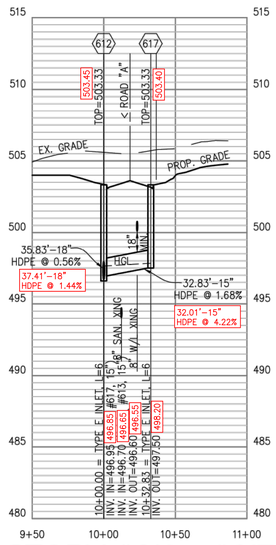
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

01/12/23

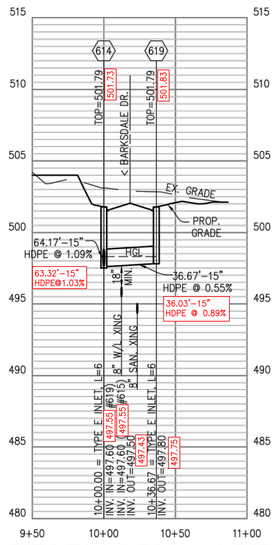
DATE: 10/28/2013
SCALE: H: 1" = 50'
V: 1" = 5'
DESIGNED BY: EJG/RLK
FILE NO. 4542A
SHEET 18 OF 28
13-25



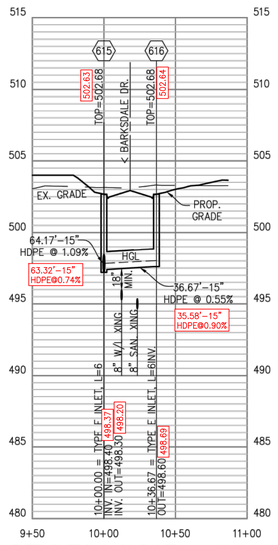
STORM #612 - #618



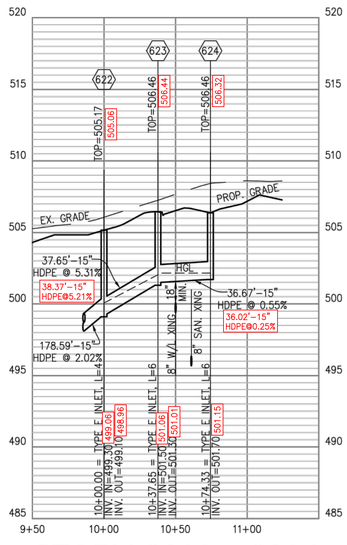
STORM #612 - #617



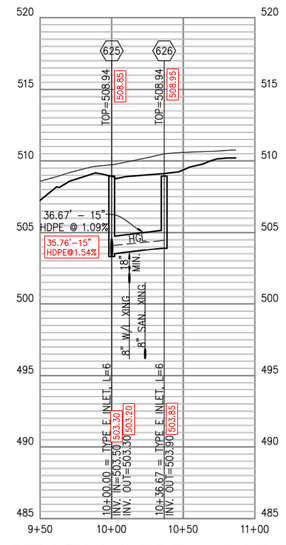
STORM #614 - #619



STORM #615 - #616



STORM #622 - #624



STORM #625 - #626

50 25 0 50 100

SCALE: 1" = 50'

GREENWAY ENGINEERING, INC.
151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 722-9165
Fax: (540) 722-9236
www.greenwayeng.com
Engineers, Surveyors & Environmental Services
Founded in 1971

Rev. No.	Date
1	12/20/2013
2	08/09/2018

RANDY L KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER

01/12/23

STORM SEWER PROFILES

NORBORNE GLEBE

PHASE 6

CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET
LEESBURG VA 20175
PHONE: (703) 994-4047
MRAGTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

SITE AS-BUILT

DATE: 10/28/2013

SCALE: H: 1" = 50'
V: 1" = 5'

DESIGNED BY: EJG/RLK

FILE NO. 4542A

SHEET 19 OF 28

13-25

Kimley»Horn

Memorandum

To: Mr. Gary Endler
Arcadia Land, Inc.
108 N George St, 2nd Floor
Charles Town, WV 25414

From: Mark Phillips, P.E.

Through: Mr. James Newman, AICP
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

Date: May 31, 2024

Subject: Norborne Glebe Phases 6, 7, and 8 Bond Release Review

This memorandum summarizes our review of the Bond Release request for the Norborne Glebe Residential Phases 6, 7, and 8 (dated May 20, 2024 prepared by H2 Land Company.) for a Phase 6 Bond Release of $167,787.52 for Performance, and $216,291.13 for Land Development and a Phase 7 &8 Bond Release of Performance Bond release of $605,245.00 and Land development release of $336,571.00. Using the Final Subdivision/Land Development Plat, site visit observations, and the As-Built plans by Morris Ritchie and Associates, and the respective bond release application, we have no comments.

Note that the Bond Release review does not constitute a formal inspection of work or quality review. Only an observation of visible quantities and available information from As-Built data.

Thank you for the opportunity to review this Bond Release request. In the meantime, please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.

Mark Phillips, P.E.
Project Manager
Associate

Kimley»Horn

Memorandum

To: James Newman
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

From: Mark Phillips, P.E.

Date: July 3, 2024

Subject: Bond Reduction Check List

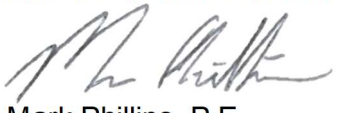
This memorandum summarizes the Kimley-Horn Bond Reduction Application review process. Kimley-Horn notes with the new excel version of the Bond Estimate form required at initiation the review process will be more easily tracked and traced through the progression of construction and bond release.

Kimley-Horn's typical review process for Bond Reduction Requests is outlined in the following steps:

1. Kimley-Horn reviews the materials provided by the City, typically this consists of the As-Built plans along with a PDF of the bond reduction request.
2. Kimley-Horn reviews the submitted bond reduction request quantities by placing them in the Charles Town quantities spreadsheet. The quantities and pricing calculation is then checked for quality to ensure they match up with the bond reduction request.
3. Once the bond reduction spreadsheet calculations are confirmed Kimley-Horn reviews the bond reduction quantities are reviewed against the quantities shown on the final construction drawings and as-builts.
4. Kimley-Horn then reviews all other submitted documents provided to ensure their validity in relation to the bond reduction request.
5. Lastly, Kimley-Horn conducts a site visit to observe the current construction conditions in relation to what is depicted on the As-Built and requested on the bond reduction. It should be noted that the site visit is for observational purposes only and Kimley-Horn can only observe what is physically visible. Elements such as water line, sanitary sewer, storm sewer etc.. that is not visible cannot be observed and the As-Builts are utilized for quantity confirmations. Kimley-Horn utilizes the site visit to confirm any questions that arise when comparing the As-Builts to the Final Plans and Bond Reduction Request.
6. Once all steps are complete Kimley-Horn prepares a review memorandum summarizing the findings of the review.

Please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.



Mark Phillips, *P.E.*
Project Manager
Associate

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-821: Bond Release Requests for Norborne-Glebe Phase 6

Proposed Motion: Approve the bond release request for Norborne-Glebe Phase 6 Performance Bond in the amount of $167,787.52 and the Land Disturbance Bond in the amount of $216,291.13.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-749: Public Hearing: *BR2024-09* - Bond Release Request for Huyett Road Self Storage

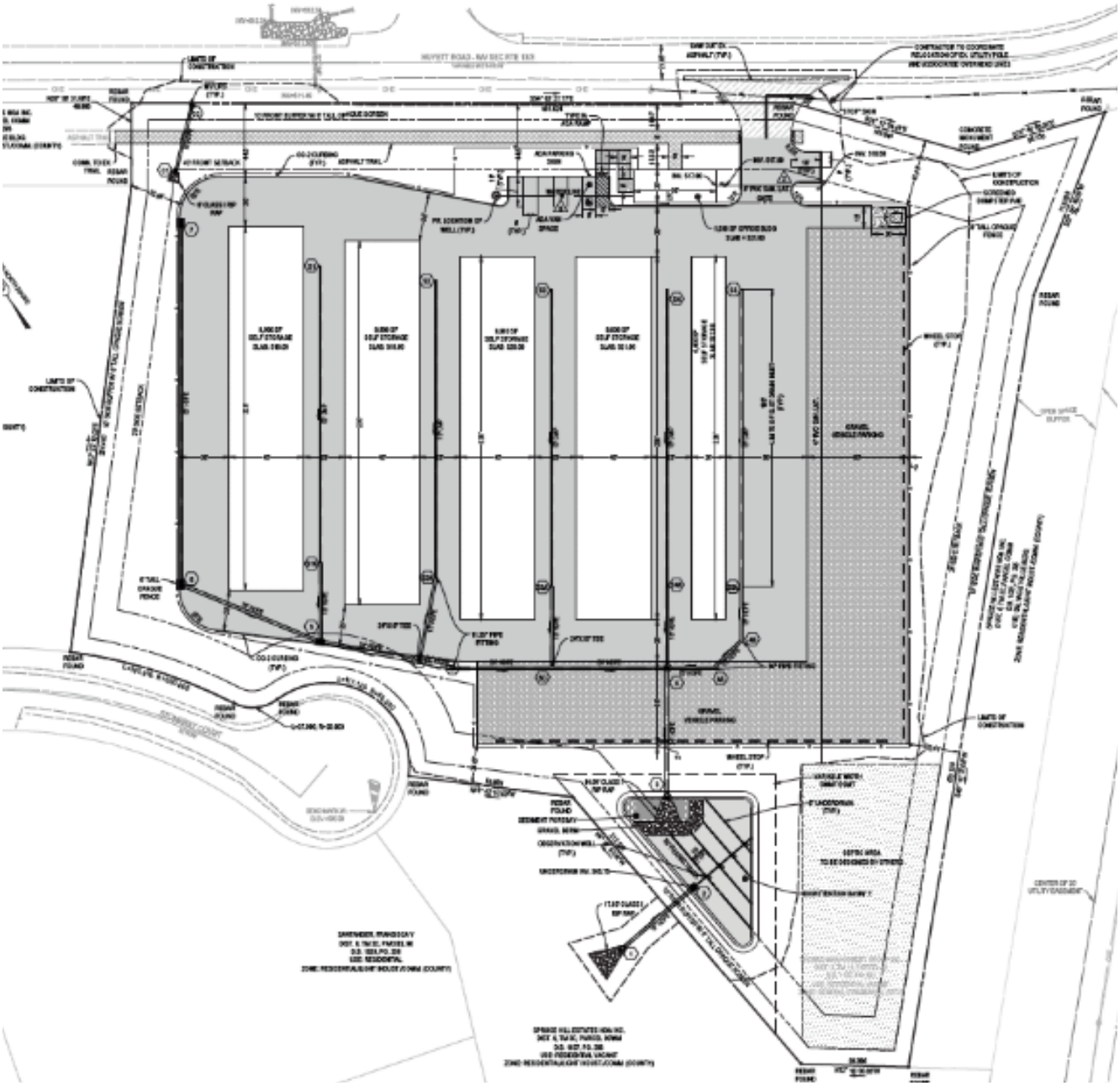
ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. As-Built Plans.pdf
- 4. As-Built Plans - Landscaping.pdf
- 5. KH Review.pdf
- 6. KH Process.pdf

Bond Release Request
BR2024-09

Date: For the August 5, 2024 City Council Meeting
Applicant: MDHI Charles Town LLC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: A bond release of $1,492,269.65

Huyett Road Storage Facility



BACKGROUND
The applicant is requesting a bond release of the **performance and land disturbance bonds.** The Final Plat was approved by the City in June 2023. The combined bond value is $1,492,269.65

Upon review of the request the City Engineer, Kimley-Horn, has determined that the bond release request is a reasonable based on the completion of the project.

BOND COMMITTEE
The Bond Committee reviewed this item at their June 11, 2024 meeting. The Committee recommended approval of the bond release request. Staff completed a site visit later that day to confirm no issues with the development.

PLANNING COMMISSION
The Planning Commission held a public hearing for this item at their June 24, 2024 meeting. There were no public comments. The Commission voted unanimously to recommend approval of the bond release request subject to provision of a checklist by Kimley-Horn showing the bonded items were installed. Kimley-Horn provided staff with a report on how they manage their bond release reviews, which involves multiple checks, an on-site visit, and is not simply broken down into a spreadsheet or checklist. A copy of that document is included as an attachment.

RECOMMENDATION
Approval of the bond release request.

Bond Request No._____

BOND REQUEST AND REDUCTION

To assist the Subdivision Administrator in the review of a Bond Request Application, the Applicant must utilize this form to supply the City with the information prescribed under Article 1335 and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Bond Request Application as required by Ordinance Article 1335.

1. DATE April 15, 20 24

2. APPLICATION TYPE ☐ Bond | Initiation ☐ Bond | Reduction

☐ Bond | Reallocation ☒ Bond | Release**

3. PROJECT NAME Huyett Road Storage

Address 2380 Huyett Road, Charles Town, WV 25414

4. APPLICANT'S NAME* MDHI Charles Town LLC

Address 786 Spruce Hill Way, Charles Town, WV 25414

Telephone Number (609)414-3702 Fax Number (___)

Email Address andrew@matadorinvestmentgroup.com

5. PROPERTY OWNER'S NAME SAME AS APPLICANT

Address _____

Telephone Number (___) Fax Number (___)

Email Address _____

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

**Requires a Public Hearing and landscaping surety for one year after release

Bond Request No._____

6. DESCRIPTION OF REQUETED INITIATION, REDUCTION, OR RELEASE:

Request to release bond for constructed self storage development on 5.5 +/- acres per Site Plan #2202-05.

7. A) CURRENT BOND AMOUNT $1,492,269.65

B) PROPOSED BOND AMOUNT $0

8. PARCEL INVENTORY: (List all parcels that are part of this application):

Tax Map No.	Parcel No.	Deed Book	Page No.	Zoning District
11	10	1102	631	General Commercial

9. PARCEL HISTORY: (List all pending or previously approved applications on the subject parcels inventoried above, including previous plat applications if this application is an amendment)

Application No.	Project Name and Phase	Status	Approval Date
Site Plan #2202-05	Huyett Road Storage	Approved by Planning Commission	3/27/2023
Bond Establishment	Huyett Road Storage	Approved by Planning Commission	5/22/2023

10. BOND RELEASE ATTACHMENTS.

The following shall be included with this request:

A. To the extent not previously submitted pursuant to bond reduction request, copies of inspection and test reports if work was inspected and tested by a third-party inspector.

B. Certification that all bonded Improvements, other than Improvements accepted by West Virginia Department of Highways (WVDOH), have been completed in accordance with the approved plans, profiles, and specifications and the requirements of any applicable manual. For Improvements to be accepted for maintenance by WVDOH, such Certification shall state that the Improvements have been installed and inspected in accordance with WVDOH's requirements.

C. A copy of the City-approved As-Built Drawings as required for facilities within public rights-of-way or Easements submitted pursuant to Section 1332.10 of this Ordinance.

Date of As-Builts _____ Prepared By IMEG Corp.

D. A letter from a Professional Engineer or Professional Land Surveyor certifying that property corners and Monuments have been set as required under this Ordinance.

E. Documentation of acceptance by WVDOH for public roadways and rights-of-way, or a maintenance and indemnification agreement and bond approved by the Planning Commission for public roadways that have been completed in accordance with WVDOH standards but which, due to factors other than their quality of construction, are not eligible for acceptance by WVDOH.

F. For private roadways, a letter of acceptance by the entity responsible for maintenance and a Latent Defects Indemnification Agreement and Bond in accordance with this Section.

G. Private Roadway Maintenance Bonds. Before a Performance Agreement and surety for private roadway construction shall be released, a Latent Defects Indemnification Agreement and Bond shall be provided by the applicant/Developer and approved by the Planning Commission. The guarantee provided by such Agreement and Bond must be for a period of two (2) years following the date of performance bond release, and must be in an amount equal to no less than 5% of the original performance bond estimate in accordance with Section 1335.07 (F) of the Subdivision Ordinance.

H. Landscaping Surety. Surety is required to ensure the landscaping shown on the Major S/LD plans is maintained for one (1) year. The one (1) year shall start from the date at which the surety for the site has been released, with the exception of this landscaping surety. The landscaping surety amount shall not be less than $5,000.00 or 10% of the total landscaping cost for the project, which every is greater.

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant _____ Date 5-15-24

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Check No._____

Receipt No._____

Site Inspection Date:_____ Inspector:_____

Subdivision Administrator Approval:_____ Date:_____

Engineer Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

City Council Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

FINAL SUBDIVISION/LAND DEVELOPMENT PLAT
HUYETT ROAD STORAGE

SITE PLAN REFERENCE NUMBER: #2022-05
CITY OF CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA
TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457

CIVIL LEGEND:

EXISTING		PROPOSED
	BOUNDARY/RIGHT-OF-WAY LINE	
	ADJACENT BOUNDARY LINE	
VON EX. VCH, MON EX. CC, IRF, RSET	CONCRETE MONUMENT/IRON REBAR	CC-TBS, TBS
	EASEMENT LINE	
	ROAD CENTERLINE	
	HEADER CURB	
	CURB & GUTTER	CURB, TRANS., REVERSE CURB
	EDGE OF PAVEMENT	
	EDGE OF CONCRETE	
	EDGE OF GRAVEL	
	SIDEWALK	
	GUARDRAIL	
	BOARD FENCE	
	CHAIN LINK FENCE	
	WIRE FENCE	
TO BE REMOVED, TO REMAIN	BUILDINGS	
	RETAINING WALL	
	MISCELLANEOUS SIGNS	
	MAIL BOX	MB
	SITE LIGHT WITH POLE	
	BUILDING MOUNTED LIGHT	
	UTILITY POLE	
	UTILITY POLE GUY WIRE	
OHE	OVERHEAD UTILITY LINE	OHE
UGL	UNDERGROUND UTILITY LINE	UGL
OHC	OVERHEAD COMMUNICATIONS LINE	OHC
UGC	UNDERGROUND COMMUNICATIONS LINE	UGC
G	UNDERGROUND GAS LINE	G
8" PVC SAN. SEW.	SANITARY SEWER MAIN	C3, 8" PVC SAN. SEW.
FM	SANITARY SEWER FORCE MAIN	FM
	SANITARY SEWER MANHOLE	
	SANITARY SEWER CLEAN-OUT	
15" HDPE	STORM SEWER LINE	15" HDPE
	STORM SEWER MANHOLE	
	STORM SEWER DROP INLET	
	STORM SEWER CURB INLET	
	STORM SEWER RIP-RAP	
	STORM SEWER END SECTION	
8" W/M	WATER MAIN	8" W/M
	FIRE HYDRANT	
	WATER VALVE	
	WATER METER	
590	INDEX CONTOUR LINE	590
592	INTERMEDIATE CONTOUR LINE	592
543.6	SPOT ELEVATIONS	+45 GS, +45 TC, +45 INV
	TREES/SHRUBS	
	DRIP LINE OF TREES	
	LIMITS OF CONSTRUCTION	
HbB, HgC	SOIL BOUNDARY	

Know what's **below.** **Call** before you dig.

REVISIONS:

NO.	SHEET NUMBER AND REVISION DESCRIPTION	DATE
1	ALL SHEETS PER CITY COMMENTS	03/15/2023
2	ALL SHEETS REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION	04/07/2023
3	SHEETS 01 & 11 REVISED PER CITY COMMENTS	04/27/2023
4	FINAL SIGNATURE SET	06/12/2023

OWNER & APPLICANT
MDHI CHARLES TOWN LLC
786 SPRUCE HILL WAY
CHARLES TOWN, WV 25414
(609)414-3702

INTEGRITY FEDERAL SERVICES
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
148 S. Queen Street, Suite 201 • Phone: 304-725-8456
Martinsburg, WV 25401 • www.ifs-ae.com

Sheet List Table	
Sheet Number	Sheet Title
01	COVER SHEET
02	GENERAL NOTES
03	SITE DETAILS
04	EROSION & SEDIMENT CONTROL NARRATIVE
05	EROSION & SEDIMENT CONTROL NARRATIVE
06	EROSION & SEDIMENT CONTROL PLAN PHASE I
07	EROSION & SEDIMENT CONTROL PLAN PHASE II
08	EROSION & SEDIMENT CONTROL DETAILS
09	EROSION & SEDIMENT CONTROL DETAILS AND COMPUTATIONS
10	EXISTING CONDITIONS AND DEMOLITION PLAN
11	PRELIMINARY PLAT
12	SITE LAYOUT AND UTILITY PLAN
13	GRADING PLAN
14	UTILITY DETAILS
15	STORM SEWER PROFILES
16	STORM SEWER PROFILES
17	STORM SEWER DETAILS
18	STORM SEWER DETAILS
19	STORM SEWER DETAILS
20	STORM SEWER COMPUTATIONS
21	STORMWATER MANAGEMENT DETAILS AND COMPUTATIONS
22	WATER QUALITY DRAINAGE AREA
23	WVDOH TRAFFIC CONTROL AND GRADING PLAN
24	SIGHT DISTANCE PLAN AND PROFILE
25	LANDSCAPE PLAN

THIS PHYSICAL SURVEY HAS BEEN REVIEWED, AND IN MY PROFESSIONAL OPINION, BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF, THE DESIGN ELEMENTS MEASURED BY THE PHYSICAL SURVEY COMPLY WITH THE APPROVED PLANS. THIS REVIEW DOES NOT IMPLY IN ANY WAY THAT (1) INSPECTIONS WERE MADE DURING THE CONSTRUCTION (2) TO THE QUALITY OF WORK, OR (3) TO ANY ELEMENT OR STRUCTURE NOT VISIBLE OR DEPICTED ON THE PHYSICAL SURVEY.

QUANTITATIVE CERTIFICATION ONLY. THIS SURVEY WILL NOT PROVIDE QUALITATIVE EVALUATION OF CONSTRUCTION OR DESIGN OF THE FACILITIES INSTALLED.

JEFFREY S. SMITH, LICENSED PROFESSIONAL SURVEYOR

AS-BUILT

THE FOLLOWING ITEMS APPEAR TO BE IN CONFORMANCE WITH THE APPROVED SITE PLAN: CURB AND GUTTER, SIDEWALKS AND TRAILS, SITE DRAINAGE, PAVEMENT. NO CERTIFICATION IS PROVIDED HEREON TO ITEMS NOT VISIBLE OR ACCESSIBLE AT THE TIME OF SURVEY.

AS-BUILTS PREPARED BY
IMEG
9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110
PH: 703.393.9887
www.imegcorp.com
christopher consultants, ltd. now IMEG Corp.

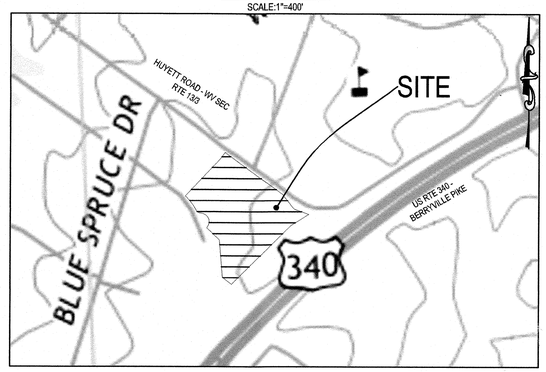
AS-BUILT SHEET INDEX
1. COVER SHEET
2. SITE PLAN
3. GRADING PLAN
4. STORM SEWER PROFILES
5. STORM SEWER PROFILES
6. CONSTRUCTION NOTES

IMEG CORP CERTIFIES TO THE AS-BUILT INFORMATION SHOWN IN BOXES, FIELD LOCATED BETWEEN THE DATES OF 02-23-2024 AND 03-01-2024

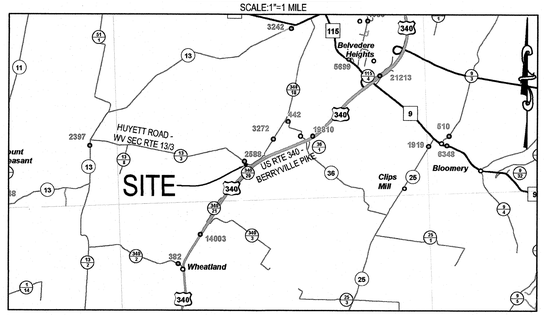
COMPLETE LIST OF WAIVERS/VARIANCES

ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
NONE GRANTED			

VICINITY MAP
SCALE:1"=400'



WVDOH VICINITY MAP
SCALE:1"=1 MILE



RECEIVED
JUN 15 2023
BY:_____

Site Density	
Gross Density (Acres)	5.492
Net Buildable Land Area (Acres)	5.010
Max Density Requirement	N/A
Total Developed Area (Acres)	3.550

Developed Area Breakdown

Area	Square Feet	Acres
Total Area	239,241.55	5.49
Buildings	45,000.00	1.03
WVDOH Entrance	720.43	0.02
Drive Aisles/Parking	93,542.57	2.15
Sidewalk	384.41	0.01
Asphalt Trail	3,129.96	0.07
Stormwater Management Areas*	11,677.80	0.27
Total Developed Area	154,455.17	3.55
Percentage Developed	64.56%	

*Areas not within the above criteria.

ZO Table 1322.10, GC District Bulk and Area Regulations

Regulation	Required	Proposed
Maximum Density	No Requirement	N/A
Minimum Lot Size	No Requirement	N/A
Minimum Lot Width	No Requirement	N/A
Minimum Front Yard Setback	40'	40' min.
Minimum Side Yard Setback	10' (25' where adjoining a residential district)	25' min.
Minimum Rear Yard Setback	30'	30' min.
Maximum Lot Coverage	90%	64.56%
Minimum Required Open Space	No Requirement	N/A
Maximum Buiding Height	55'	55' MAX
Maximum Stories	5 stories	1 story

SLDO Table 1333.23(J) Minimum Off-Street Parking Space Requirements

Regulation	Required	Proposed
General Office Building	2.84 Vehicles per 1,000 SF GFA	8 Parking Spaces (1 ADA Van Space)

APPROVAL BLOCK

THIS FINAL PLAN AND PLAT WAS APPROVED BY THE CITY OF CHARLES TOWN, ON THE ____ DAY OF _____, 20___, SUBJECT TO ANY CONDITIONS SPECIFIED HEREON.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE IN THE RESPONSIBILITY OF THE SUBDIVIDER AND NO THE CITY.

SECRETARY OF THE PLANNING COMMISSION — DATE: 6/21/23

STATEMENT OF ACCEPTANCE:

THE OWNER/DEVELOPER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS, AND SPECIFICATIONS PROVIDED HEREON; AND TO COMPLETE ALL THE IMPROVEMENTS REQUIRED BY THE SITE PLAN.

MDHI CHARLES TOWN LLC
786 SPRUCE HILL WAY
CHARLES TOWN, WV 25414

DATE: 6-15-23

STATEMENT OF ACCURACY

THE ENGINEER AND/OR SURVEYOR, IN SIGNING THIS PLAT,/PLAN, ATTESTS TO THE BEST OF HIS/HER KNOWLEDGE, THAT THIS PLAN IS COMPLETE AND ACCURATE.

ENGINEER — DATE: 6-12-23

LIST OF APPROVALS:

CHARLES TOWN UTILITY BOARD AVAILABILITY LETTER (WATER):
DATED: N/A

CHARLES TOWN UTILITY BOARD AVAILABILITY LETTER (SEWER):
DATED: N/A

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS:
PERMIT # 05-2023-0367
DATED: 06/09/2023

JEFFERSON COUNTY GIS/ADDRESSING:
APPROVED: N/A

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION:
WV/NPDES PERMIT # : WVR112065

INTEGRITY FEDERAL SERVICES
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
148 S. Queen Street, Suite 201 • Phone: 304-725-8456
Martinsburg, WV 25401 • www.ifs-ae.com

JASON P. GERHART, REGISTERED PROFESSIONAL ENGINEER, NO. 027 STATE OF WEST VIRGINIA
SEAL:

REVISIONS

1. 03/15/2023	ALL SHEETS PER CITY COMMENTS
2. 04/07/2023	ALL REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION
3. 04/27/2023	REVISED PER CITY COMMENTS
4. 06/12/2023	FINAL SIGNATURE SET

AS-BUILT
COVER SHEET

HUYETT ROAD STORAGE
SITE PLAN
TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457
CHARLES TOWN CORP. (3) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

C.T. FILE #2022-05

SCALE:	HORIZ.: AS NOTED VERT.: N/A
DATE:	FEBRUARY 3, 2023
JOB:	5022-0101
DRAWN: CTW	CHECK: BJS
CADD:	C-GI-001.DWG
NCS:	N/A
SHEET:	SHEET 1

FILE PATH: Z:\IFS\SITES\5022-0101 HUYETT ROAD STORAGE\DWG\C-GI-001.DWG
LOGIN NAME: BJS PLOTTED ON: 6/13/2023 8:43:08 AM BY: BJS XREF'S ATTACHED: C-GI-001.DWG, C-GI-002.DWG, C-GI-003.DWG, C-GI-004.DWG, C-GI-005.DWG, C-GI-006.DWG, C-GI-007.DWG, C-GI-008.DWG, C-GI-009.DWG, C-GI-010.DWG, C-GI-011.DWG, C-GI-012.DWG, C-GI-013.DWG, C-GI-014.DWG, C-GI-015.DWG, C-GI-016.DWG, C-GI-017.DWG, C-GI-018.DWG, C-GI-019.DWG, C-GI-020.DWG, C-GI-021.DWG, C-GI-022.DWG, C-GI-023.DWG, C-GI-024.DWG, C-GI-025.DWG, C-GI-026.DWG, C-GI-027.DWG, C-GI-028.DWG, C-GI-029.DWG, C-GI-030.DWG, C-GI-031.DWG, C-GI-032.DWG, C-GI-033.DWG, C-GI-034.DWG, C-GI-035.DWG, C-GI-036.DWG, C-GI-037.DWG, C-GI-038.DWG, C-GI-039.DWG, C-GI-040.DWG, C-GI-041.DWG, C-GI-042.DWG, C-GI-043.DWG, C-GI-044.DWG, C-GI-045.DWG, C-GI-046.DWG, C-GI-047.DWG, C-GI-048.DWG, C-GI-049.DWG, C-GI-050.DWG, C-GI-051.DWG, C-GI-052.DWG, C-GI-053.DWG, C-GI-054.DWG, C-GI-055.DWG, C-GI-056.DWG, C-GI-057.DWG, C-GI-058.DWG, C-GI-059.DWG, C-GI-060.DWG, C-GI-061.DWG, C-GI-062.DWG, C-GI-063.DWG, C-GI-064.DWG, C-GI-065.DWG, C-GI-066.DWG, C-GI-067.DWG, C-GI-068.DWG, C-GI-069.DWG, C-GI-070.DWG, C-GI-071.DWG, C-GI-072.DWG, C-GI-073.DWG, C-GI-074.DWG, C-GI-075.DWG, C-GI-076.DWG, C-GI-077.DWG, C-GI-078.DWG, C-GI-079.DWG, C-GI-080.DWG, C-GI-081.DWG, C-GI-082.DWG, C-GI-083.DWG, C-GI-084.DWG, C-GI-085.DWG, C-GI-086.DWG, C-GI-087.DWG, C-GI-088.DWG, C-GI-089.DWG, C-GI-090.DWG, C-GI-091.DWG, C-GI-092.DWG, C-GI-093.DWG, C-GI-094.DWG, C-GI-095.DWG, C-GI-096.DWG, C-GI-097.DWG, C-GI-098.DWG, C-GI-099.DWG, C-GI-100.DWG, C-GI-101.DWG, C-GI-102.DWG, C-GI-103.DWG, C-GI-104.DWG, C-GI-105.DWG, C-GI-106.DWG, C-GI-107.DWG, C-GI-108.DWG, C-GI-109.DWG, C-GI-110.DWG, C-GI-111.DWG, C-GI-112.DWG, C-GI-113.DWG, C-GI-114.DWG, C-GI-115.DWG, C-GI-116.DWG, C-GI-117.DWG, C-GI-118.DWG, C-GI-119.DWG, C-GI-120.DWG, C-GI-121.DWG, C-GI-122.DWG, C-GI-123.DWG, C-GI-124.DWG, C-GI-125.DWG, C-GI-126.DWG, C-GI-127.DWG, C-GI-128.DWG, C-GI-129.DWG, C-GI-130.DWG, C-GI-131.DWG, C-GI-132.DWG, C-GI-133.DWG, C-GI-134.DWG, C-GI-135.DWG, C-GI-136.DWG, C-GI-137.DWG, C-GI-138.DWG, C-GI-139.DWG, C-GI-140.DWG, C-GI-141.DWG, C-GI-142.DWG, C-GI-143.DWG, C-GI-144.DWG, C-GI-145.DWG, C-GI-146.DWG, C-GI-147.DWG, C-GI-148.DWG, C-GI-149.DWG, C-GI-150.DWG, C-GI-151.DWG, C-GI-152.DWG, C-GI-153.DWG, C-GI-154.DWG, C-GI-155.DWG, C-GI-156.DWG, C-GI-157.DWG, C-GI-158.DWG, C-GI-159.DWG, C-GI-160.DWG, C-GI-161.DWG, C-GI-162.DWG, C-GI-163.DWG, C-GI-164.DWG, C-GI-165.DWG, C-GI-166.DWG, C-GI-167.DWG, C-GI-168.DWG, C-GI-169.DWG, C-GI-170.DWG, C-GI-171.DWG, C-GI-172.DWG, C-GI-173.DWG, C-GI-174.DWG, C-GI-175.DWG, C-GI-176.DWG, C-GI-177.DWG, C-GI-178.DWG, C-GI-179.DWG, C-GI-180.DWG, C-GI-181.DWG, C-GI-182.DWG, C-GI-183.DWG, C-GI-184.DWG, C-GI-185.DWG, C-GI-186.DWG, C-GI-187.DWG, C-GI-188.DWG, C-GI-189.DWG, C-GI-190.DWG, C-GI-191.DWG, C-GI-192.DWG, C-GI-193.DWG, C-GI-194.DWG, C-GI-195.DWG, C-GI-196.DWG, C-GI-197.DWG, C-GI-198.DWG, C-GI-199.DWG, C-GI-200.DWG, C-GI-201.DWG, C-GI-202.DWG, C-GI-203.DWG, C-GI-204.DWG, C-GI-205.DWG, C-GI-206.DWG, C-GI-207.DWG, C-GI-208.DWG, C-GI-209.DWG, C-GI-210.DWG, C-GI-211.DWG, C-GI-212.DWG, C-GI-213.DWG, C-GI-214.DWG, C-GI-215.DWG, C-GI-216.DWG, C-GI-217.DWG, C-GI-218.DWG, C-GI-219.DWG, C-GI-220.DWG, C-GI-221.DWG, C-GI-222.DWG, C-GI-223.DWG, C-GI-224.DWG, C-GI-225.DWG, C-GI-226.DWG, C-GI-227.DWG, C-GI-228.DWG, C-GI-229.DWG, C-GI-230.DWG, C-GI-231.DWG, C-GI-232.DWG, C-GI-233.DWG, C-GI-234.DWG, C-GI-235.DWG, C-GI-236.DWG, C-GI-237.DWG, C-GI-238.DWG, C-GI-239.DWG, C-GI-240.DWG, C-GI-241.DWG, C-GI-242.DWG, C-GI-243.DWG, C-GI-244.DWG, C-GI-245.DWG, C-GI-246.DWG, C-GI-247.DWG, C-GI-248.DWG, C-GI-249.DWG, C-GI-250.DWG, C-GI-251.DWG, C-GI-252.DWG, C-GI-253.DWG, C-GI-254.DWG, C-GI-255.DWG, C-GI-256.DWG, C-GI-257.DWG, C-GI-258.DWG, C-GI-259.DWG, C-GI-260.DWG, C-GI-261.DWG, C-GI-262.DWG, C-GI-263.DWG, C-GI-264.DWG, C-GI-265.DWG, C-GI-266.DWG, C-GI-267.DWG, C-GI-268.DWG, C-GI-269.DWG, C-GI-270.DWG, C-GI-271.DWG, C-GI-272.DWG, C-GI-273.DWG, C-GI-274.DWG, C-GI-275.DWG, C-GI-276.DWG, C-GI-277.DWG, C-GI-278.DWG, C-GI-279.DWG, C-GI-280.DWG, C-GI-281.DWG, C-GI-282.DWG, C-GI-283.DWG, C-GI-284.DWG, C-GI-285.DWG, C-GI-286.DWG, C-GI-287.DWG, C-GI-288.DWG, C-GI-289.DWG, C-GI-290.DWG, C-GI-291.DWG, C-GI-292.DWG, C-GI-293.DWG, C-GI-294.DWG, C-GI-295.DWG, C-GI-296.DWG, C-GI-297.DWG, C-GI-298.DWG, C-GI-299.DWG, C-GI-300.DWG, C-GI-301.DWG, C-GI-302.DWG, C-GI-303.DWG, C-GI-304.DWG, C-GI-305.DWG, C-GI-306.DWG, C-GI-307.DWG, C-GI-308.DWG, C-GI-309.DWG, C-GI-310.DWG, C-GI-311.DWG, C-GI-312.DWG, C-GI-313.DWG, C-GI-314.DWG, C-GI-315.DWG, C-GI-316.DWG, C-GI-317.DWG, C-GI-318.DWG, C-GI-319.DWG, C-GI-320.DWG, C-GI-321.DWG, C-GI-322.DWG, C-GI-323.DWG, C-GI-324.DWG, C-GI-325.DWG, C-GI-326.DWG, C-GI-327.DWG, C-GI-328.DWG, C-GI-329.DWG, C-GI-330.DWG, C-GI-331.DWG, C-GI-332.DWG, C-GI-333.DWG, C-GI-334.DWG, C-GI-335.DWG, C-GI-336.DWG, C-GI-337.DWG, C-GI-338.DWG, C-GI-339.DWG, C-GI-340.DWG, C-GI-341.DWG, C-GI-342.DWG, C-GI-343.DWG, C-GI-344.DWG, C-GI-345.DWG, C-GI-346.DWG, C-GI-347.DWG, C-GI-348.DWG, C-GI-349.DWG, C-GI-350.DWG, C-GI-351.DWG, C-GI-352.DWG, C-GI-353.DWG, C-GI-354.DWG, C-GI-355.DWG, C-GI-356.DWG, C-GI-357.DWG, C-GI-358.DWG, C-GI-359.DWG, C-GI-360.DWG, C-GI-361.DWG, C-GI-362.DWG, C-GI-363.DWG, C-GI-364.DWG, C-GI-365.DWG, C-GI-366.DWG, C-GI-367.DWG, C-GI-368.DWG, C-GI-369.DWG, C-GI-370.DWG, C-GI-371.DWG, C-GI-372.DWG, C-GI-373.DWG, C-GI-374.DWG, C-GI-375.DWG, C-GI-376.DWG, C-GI-377.DWG, C-GI-378.DWG, C-GI-379.DWG, C-GI-380.DWG, C-GI-381.DWG, C-GI-382.DWG, C-GI-383.DWG, C-GI-384.DWG, C-GI-385.DWG, C-GI-386.DWG, C-GI-387.DWG, C-GI-388.DWG, C-GI-389.DWG, C-GI-390.DWG, C-GI-391.DWG, C-GI-392.DWG, C-GI-393.DWG, C-GI-394.DWG, C-GI-395.DWG, C-GI-396.DWG, C-GI-397.DWG, C-GI-398.DWG, C-GI-399.DWG, C-GI-400.DWG, C-GI-401.DWG, C-GI-402.DWG, C-GI-403.DWG, C-GI-404.DWG, C-GI-405.DWG, C-GI-406.DWG, C-GI-407.DWG, C-GI-408.DWG, C-GI-409.DWG, C-GI-410.DWG, C-GI-411.DWG, C-GI-412.DWG, C-GI-413.DWG, C-GI-414.DWG, C-GI-415.DWG, C-GI-416.DWG, C-GI-417.DWG, C-GI-418.DWG, C-GI-419.DWG, C-GI-420.DWG, C-GI-421.DWG, C-GI-422.DWG, C-GI-423.DWG, C-GI-424.DWG, C-GI-425.DWG, C-GI-426.DWG, C-GI-427.DWG, C-GI-428.DWG, C-GI-429.DWG, C-GI-430.DWG, C-GI-431.DWG, C-GI-432.DWG, C-GI-433.DWG, C-GI-434.DWG, C-GI-435.DWG, C-GI-436.DWG, C-GI-437.DWG, C-GI-438.DWG, C-GI-439.DWG, C-GI-440.DWG, C-GI-441.DWG, C-GI-442.DWG, C-GI-443.DWG, C-GI-444.DWG, C-GI-445.DWG, C-GI-446.DWG, C-GI-447.DWG, C-GI-448.DWG, C-GI-449.DWG, C-GI-450.DWG, C-GI-451.DWG, C-GI-452.DWG, C-GI-453.DWG, C-GI-454.DWG, C-GI-455.DWG, C-GI-456.DWG, C-GI-457.DWG, C-GI-458.DWG, C-GI-459.DWG, C-GI-460.DWG, C-GI-461.DWG, C-GI-462.DWG, C-GI-463.DWG, C-GI-464.DWG, C-GI-465.DWG, C-GI-466.DWG, C-GI-467.DWG, C-GI-468.DWG, C-GI-469.DWG, C-GI-470.DWG, C-GI-471.DWG, C-GI-472.DWG, C-GI-473.DWG, C-GI-474.DWG, C-GI-475.DWG, C-GI-476.DWG, C-GI-477.DWG, C-GI-478.DWG, C-GI-479.DWG, C-GI-480.DWG, C-GI-481.DWG, C-GI-482.DWG, C-GI-483.DWG, C-GI-484.DWG, C-GI-485.DWG, C-GI-486.DWG, C-GI-487.DWG, C-GI-488.DWG, C-GI-489.DWG, C-GI-490.DWG, C-GI-491.DWG, C-GI-492.DWG, C-GI-493.DWG, C-GI-494.DWG, C-GI-495.DWG, C-GI-496.DWG, C-GI-497.DWG, C-GI-498.DWG, C-GI-499.DWG, C-GI-500.DWG

INTEGRITY FEDERAL SERVICES
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
1606 Queen Street, Suite 201 • Martinsburg, WV 25401
Phone: 304-725-8430 • www.ifs-se.com

JASON P. GERMAN — LICENSED PROFESSIONAL ENGINEER — STATE OF WEST VIRGINIA
SEAL:

REVISIONS
1. 03/15/2023 - ALL SHEETS PER CITY COMMENTS
2. 04/07/2023 - ALL REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION
4. 06/12/2023 - FINAL SIGNATURE SET

AS-BUILT

SITE LAYOUT AND UTILITY PLAN

HUYETT ROAD STORAGE
SITE PLAN

TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457
CHARLES TOWN CORP (3) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

C.T. FILE #2022-05

IMEG CORP CERTIFIES TO THE AS-BUILT INFORMATION SHOWN IN BOXES, FIELD LOCATED BETWEEN THE DATES OF 02-23-2024 AND 03-01-2024

STEVEN S. SMITH — LICENSED PROFESSIONAL SURVEYOR — STATE OF WEST VIRGINIA — 3/15/24

AS-BUILT

AS-BUILTS PREPARED BY

IMEG

9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110

PH: 703.393.9887
www.imegcorp.com

christopher consultants, ltd. now IMEG Corp.

SCALE:	HORIZ.: 1"=30' VERT.: N/A
DATE:	FEBRUARY 3, 2023
JOB:	5022-0101
DRAWN: CTW	CHECK: BJS
CADD: C-CS-101.DWG	
NCS:	N/A
SHEET:	SHEET 2

UTILITY PLAN LEGEND:

- SANITARY LINE & CLEANOUT
- STORM SEWER MAIN
- STORM SEWER CURB INLET / DROP INLET / MANHOLE
- STORM SEWER OUTFALL & END SECTION W/ OUTLET PROTECTION
- W — WATER MAIN
- WATER VALVE / TEE WITH VALVES / HORIZONTAL BEND

SITE PLAN LEGEND:

- ASPHALT TRAIL
- K-1 ASPHALT PAVEMENT
- WVDOH ENTRANCE PAVEMENT
- GRAVEL PAVEMENT
- CONCRETE SIDEWALK

NOTES:
1. ALL DIMENSIONS SHOWN ARE MEASURED TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. ALL RADII SHOWN ARE 5' UNLESS OTHERWISE NOTED.

	COORDINATE TABLE		
STR.	NORTHING	EASTING	ELEV.
C1	280,376.27	2,426,360.82	511.12
C2	280,348.01	2,426,326.52	510.53
1	279,811.05	2,426,273.53	500.27
2	279,814.50	2,426,328.40	510.02
3	279,865.10	2,426,344.21	507.70
4	279,931.37	2,426,394.77	519.20
5	280,067.62	2,426,232.41	516.74
6	280,144.75	2,426,184.62	515.54
7	280,322.52	2,426,313.53	515.49
S5	280,091.12	2,426,564.82	520.07
S5A	279,945.21	2,426,459.08	520.06
S4	280,116.90	2,426,527.93	519.86
S4A	279,971.02	2,426,422.26	519.75
S3	280,158.99	2,426,471.68	518.75
S3A	280,013.13	2,426,366.00	518.72
S2	280,204.37	2,426,418.09	517.79
S2A	280,058.53	2,426,312.17	517.76
S1	280,252.21	2,426,366.20	516.76
S1A	280,106.50	2,426,260.44	516.75
WELL	280,216.47	2,426,519.52	520.43
CO1	280,151.45	2,426,591.37	521.59
CO2	279,815.57	2,426,339.05	508.89
CO3	279,816.50	2,426,349.08	509.01
CO4	279,817.19	2,426,358.84	509.06
CO5	279,817.76	2,426,369.43	509.21
CO6	279,814.75	2,426,428.84	519.50
CO7	279,780.88	2,426,406.56	519.15

GRAPHICAL SCALE: 1"=30'

FILE PATH: G:\PROJECTS\HUYETT ROAD STORAGE\DWG\AS-BUILT\HUYETT ROAD STORAGE\DWG\AS-BUILT.DWG
COPYRIGHT 2023 - ALL REPRODUCTIONS OR USE OF THIS DRAWING IN WHOLE OR IN PART BY ANY PERSON OR ENTITY WITHOUT THE EXPRESS, WRITTEN PERMISSION AND CONSENT OF INTEGRITY FEDERAL SERVICES IS PROHIBITED.

ABBREVIATIONS:
- GS = GROUND SPOT
- TC = TOP OF CURB
- TOP = TOP OF STRUCTURE
- INV = INVERT OF STRUCTURE
- SWM = STORMWATER MANAGEMENT

HUYETT ROAD - WV SEC RTE 13/3
VARIABLE WIDTH ROW

LIMITS OF CONSTRUCTION

SPRUCE HILL ESTATES HOA INC.
DIST. 6, TM 3C, PARCEL COMM
D.B. 1037, PG. 295
USE: SALVAGE VALUE BLDG.
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

TIE TO EX. ASPHALT TRAIL

TIE TO EX.

WV STATE GRID NORTH (NAD83)

ESPANA, ROSA
DIST. 6, TM 3C, PARCEL 98
D.B. 1007, PG. 365
USE: RESIDENTIAL
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

LIMITS OF CONSTRUCTION

9,900 SF SELF STORAGE SLAB: 518.00

9,900 SF SELF STORAGE SLAB: 519.00

9,900 SF SELF STORAGE SLAB: 520.00

9,900 SF SELF STORAGE SLAB: 521.00

4,400 SF SELF STORAGE SLAB: 522.00

SEE GRADING AREA DETAIL, THIS SHEET

1,000 SF OFFICE BLDG SLAB = 521.80

LIMITS OF CONSTRUCTION

OPEN SPACE BUFFER

FRONTAGE ROAD RESERVATION

4' WIRE FENCE

SPRUCE HILL ESTATES HOA INC.
DIST. 6, TM 3C, PARCEL COMM
D.B. 1037, PG. 295
USE: SALVAGE VALUE BLDG.
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

US RTE 340 - BERRYVILLE PIKE
(CBS ROW VARIES)
CONTROLLED ACCESS ROW VARIES

STONEWAY COURT
50' ROW

LAING, KARIN & JAMES P
DIST. 6, TM 3C, PARCEL 95
D.B. 1086, PG. 189
USE: RESIDENTIAL
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

BENCHMARK #1:
ELEV.=506.98

SANTANDER, FRANSISCA V
DIST. 6, TM 3C, PARCEL 96
D.B. 1020, PG. 258
USE: RESIDENTIAL
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

SPRUCE HILL ESTATES HOA INC.
DIST. 6, TM 3C, PARCEL OSWM
D.B. 1037, PG. 295
USE: RESIDENTIAL VACANT
ZONE: RESIDENTIAL/LIGHT INDUST./COMM. (COUNTY)

MDM CHARLES TOWN LLC
DIST. 6, TM 11, PARCEL 10
D.B. 1299, PG. 457
USE: RESIDENTIAL VACANT
ZONE: GENERAL COMMERCIAL (CITY)

CENTER OF 20' UTILITY EASEMENT

LIMITS OF CONSTRUCTION

GRADING AREA DETAIL
520.02
520.27
520.41
520.87
521.16
519.69
519.70
519.54
519.68
520.92
520.50
519.90
520.57

GRADING AREA DETAIL
GRAPHICAL SCALE: 1"=10'

GRAPHICAL SCALE: 1"=30'

IMEG CORP CERTIFIES TO THE AS-BUILT INFORMATION SHOWN IN BOXES, FIELD LOCATED BETWEEN THE DATES OF 02-23-2024 AND 03-__-2024

JEFFREY S SMITH
LICENSED
STATE OF WEST VIRGINIA
PROFESSIONAL SURVEYOR
3/15/24

AS-BUILT

AS-BUILTS PREPARED BY

IMEG

9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110

PH: 703.393.9887
www.imegcorp.com

christopher consultants, ltd. now IMEG Corp.

INTEGRITY
FEDERAL SERVICES
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
105 S. Queen Street, Suite 201 • Phone: 304-725-8435
Martinsburg, WV 25401 • www.ifs-se.com

JASON P. GERVE
REGISTERED
PROFESSIONAL ENGINEER
STATE OF WEST VIRGINIA

SEAL:

REVISIONS
1. 03/15/2023 - ALL SHEETS PER CITY COMMENTS
2. 04/07/2023 - ALL REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION
4. 06/12/2023 - FINAL SIGNATURE SET

AS-BUILT
GRADING PLAN

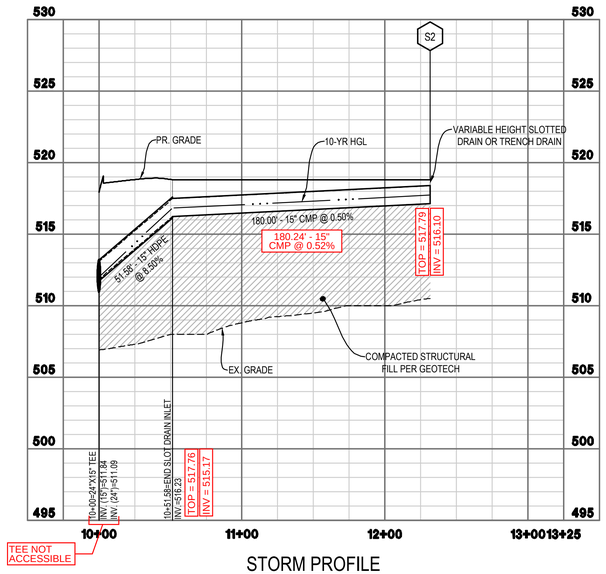
HUYETT ROAD STORAGE SITE PLAN

TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457
CHARLES TOWN CORP (3) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

C.T. FILE #2022-05

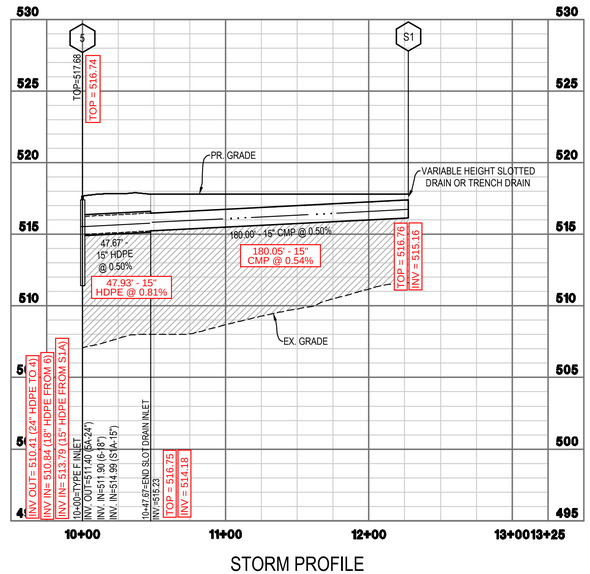
SCALE:	HORIZ.: AS NOTED VERT.: N/A
DATE:	FEBRUARY 3, 2023
JOB:	5022-0101
DRAWN: CTW	CHECK: BJS
CADD:	C-CG-101.DWG
NCS:	N/A
SHEET:	SHEET 3

FILE PATH: G:\PROJECTS\BERKELEY\2022\5101 HUYETT ROAD STORAGE\DRAWINGS\CG\101.DWG
COPYRIGHT 2023 - THE REPRODUCTION OR USE OF THIS DRAWING IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS INCLUDING INFORMATION STORAGE AND RETRIEVAL SYSTEMS WITHOUT THE PERMISSION IN WRITING FROM INTEGRITY FEDERAL SERVICES IS PROHIBITED.



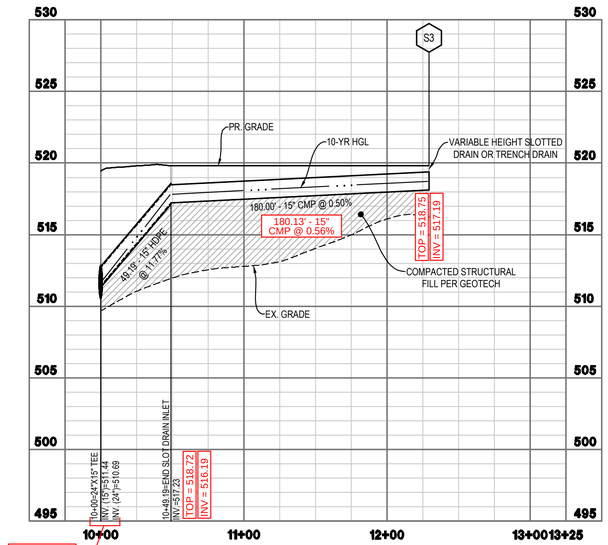
STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



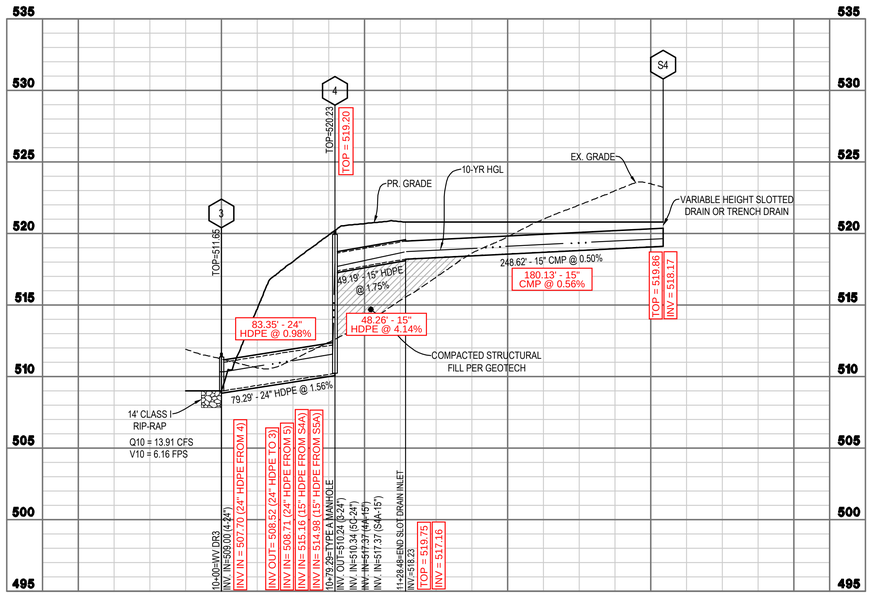
STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



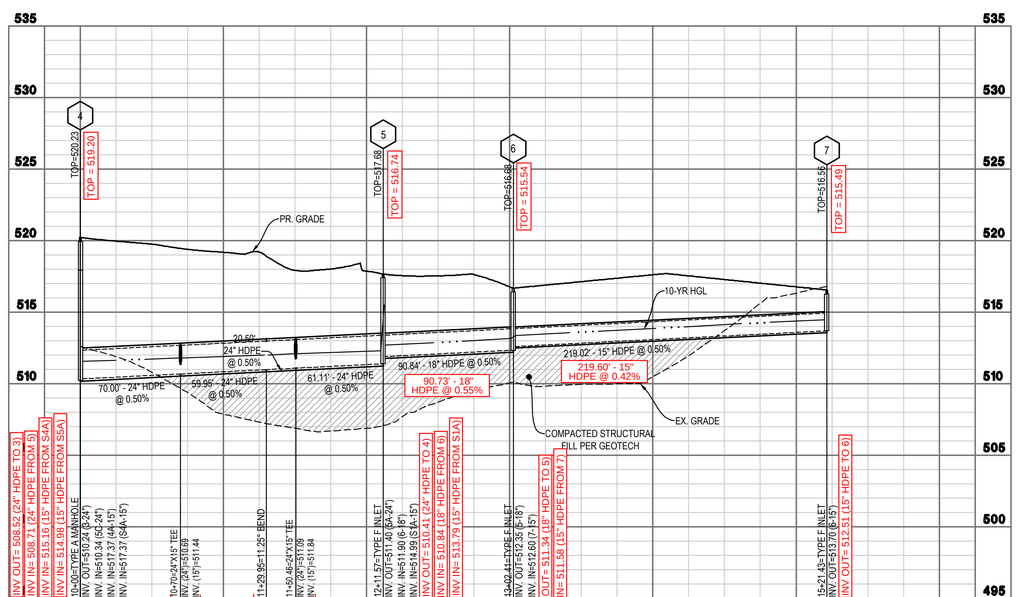
STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



BEND AND TEES NOT ACCESSIBLE

STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'

IMEG CORP CERTIFIES TO THE AS-BUILT INFORMATION SHOWN IN BOXES, FIELD LOCATED BETWEEN THE DATES OF 02-23-2024 AND 03-01-2024

JEFFREY S. SMITH — LICENSED PROFESSIONAL SURVEYOR — STATE OF WEST VIRGINIA — 15/24

AS-BUILT

AS-BUILTS PREPARED BY

IMEG

9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110

PH: 703.393.9887
www.imegcorp.com

christopher consultants, ltd. now IMEG Corp.

0 2.5 5 10 15
VERTICAL SCALE: 1"=5'

50 25 0 50 100 150
GRAPHICAL SCALE: 1"=50'

INTEGRITY FEDERAL SERVICES

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING

1405 Queen Street, Suite 201 • Martinsburg, WV 25401 • Phone: 304-725-8430 • www.ifs-se.com

JASON P. GERMAN — LICENSED PROFESSIONAL ENGINEER — STATE OF WEST VIRGINIA

SEAL:

REVISIONS

1. 03/15/2023 - ALL SHEETS PER CITY COMMENTS
2. 04/07/2023 - ALL REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION
4. 06/12/2023 - FINAL SIGNATURE SET

AS-BUILT

STORM SEWER PROFILES

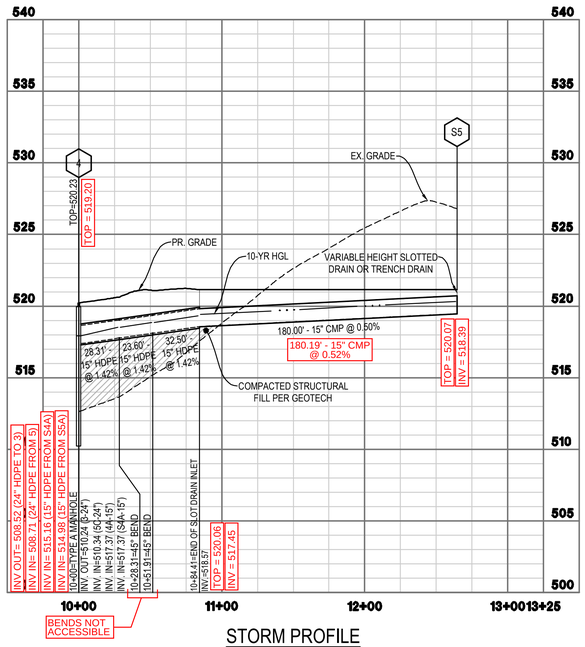
HUYETT ROAD STORAGE SITE PLAN

TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457
CHARLES TOWN CORP (3) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

C.T. FILE #2022-05

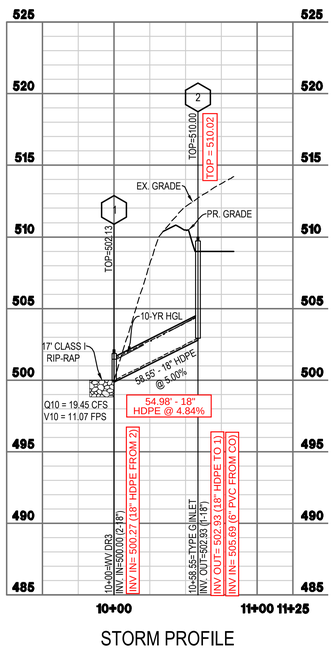
SCALE:	HORIZ.: 1"=50' VERT.: 1"=5'
DATE:	FEBRUARY 3, 2023
JOB:	5022-0101
DRAWN: CTW	CHECK: BJS
CADD:	C-CU-261.DWG
NCS:	N/A
SHEET:	SHEET 4

F:\M-N-S (PROJECTS\2022\5022-0101 HUYETT ROAD STORAGE\DWG\PLANS\C-CU-261.DWG
Plotted on: 2023-06-12 14:55:37 by: CTW
THESE PLANS AND DESIGNS ARE THE PROPERTY OF INTEGRITY FEDERAL SERVICES, INC. AND ARE NOT TO BE USED IN WHOLE OR IN PART, IN ANY PROCESS, WITHOUT WRITTEN AUTHORIZATION FROM INTEGRITY FEDERAL SERVICES, INC.



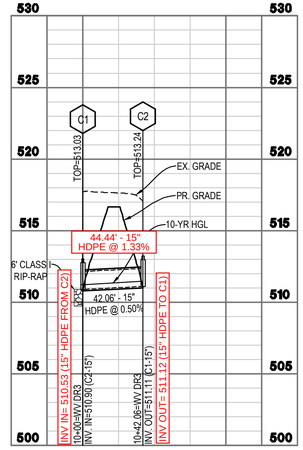
STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



STORM PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'



CULVERT PROFILE

SCALE:
HORIZONTAL: 1" = 50'
VERTICAL: 1" = 5'

IMEG CORP CERTIFIES TO THE AS-BUILT INFORMATION SHOWN IN BOXES, FIELD LOCATED BETWEEN THE DATES OF 02-23-2024 AND 03-01-2024

JEFFREY S. SMITH
LICENSED
No. 21524
PROFESSIONAL SURVEYOR

AS-BUILT

AS-BUILTS PREPARED BY

IMEG

9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110

PH: 703.393.9887
www.imegcorp.com

christopher consultants, ltd. now IMEG Corp.

0 2.5 5 10 15
VERTICAL SCALE: 1"=5'

50 25 0 50 100 150
GRAPHICAL SCALE: 1"=50'

INTEGRITY
FEDERAL SERVICES
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
1405 Queen Street, Suite 201 • Phone: 304-725-8435
Martinsburg, WV 25401 • www.ifs-se.com

JASON P. GERMAN
LICENSED
No. 21524
PROFESSIONAL ENGINEER
ST VIRGINIA

SEAL:

REVISIONS

1. 03/15/2023 - ALL SHEETS PER CITY COMMENTS	
2. 04/07/2023 - ALL REVISED FOR FINAL SUBDIVISION/LAND DEVELOPMENT PLAT SUBMISSION	
4. 06/12/2023 - FINAL SIGNATURE SET	

AS-BUILT

STORM SEWER PROFILES

HUYETT ROAD STORAGE
SITE PLAN

TAX MAP 11, PARCEL 10; D.B. 1299, PG. 457
CHARLES TOWN CORP (3) TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

C.T. FILE #2022-05

SCALE:	HORIZ.: 1"=50' VERT.: 1"=5'
DATE:	FEBRUARY 3, 2023
JOB:	5022-0101
DRAWN: CTW	CHECK: BJS
CADD: C-CU-261.DWG	
NCS:	N/A
SHEET:	SHEET 5

FILE PATH: Z:\PROJECTS\CIVIL\5022-0101 HUYETT ROAD STORAGE\REVISE\REVISE_MISC\C-CU-261.DWG
Copyright 2023, All Rights Reserved. This drawing is the property of IMEG Corp. The drawing is not to be used for any work on any other project, for any additions to this project, or for the completion of this project by others, except by agreement in writing and with appropriate compensation to IMEG Corp. and with the inclusion of this copyright notice.

CONSTRUCTION NOTES AS PER KUBIC CONSTRUCTION ON 02/21/2024:

1. Added a garage on the West side of the Office building, so the final sidewalk access to the front of the office in the field from the West side to the North side.
2. Proposed fence front gate location as well as garage door access forced Office building to shift 3' toward Huyett Road (North) to allow for gate clearance and controls.
3. Final as-built elevations will reflect 1' - lower than approved plan elevations to eliminate a change order to the owner to import more fill over the entire site. Curb and tie in elevations had to be field adjusted as well as final grading slopes due to the elevation adjustment.
4. Eliminated asphalt paving and installed gravel paving in advance of a future storage building East of Building #5.
5. Contractor shifted well location to behind Office parking curb to allow for future access outside the paved area. Final septic tank/pump system field location was noted on final septic inspection approved by Jefferson County Health Department.

IMEG
PH: 703.393.9887
www.imegcorp.com
9301 INNOVATION DRIVE
SUITE 150
MANASSAS, VA 20110
christopher consultants, ltd. now IMEG Corp.

AS-BUILT CONSTRUCTION NOTES

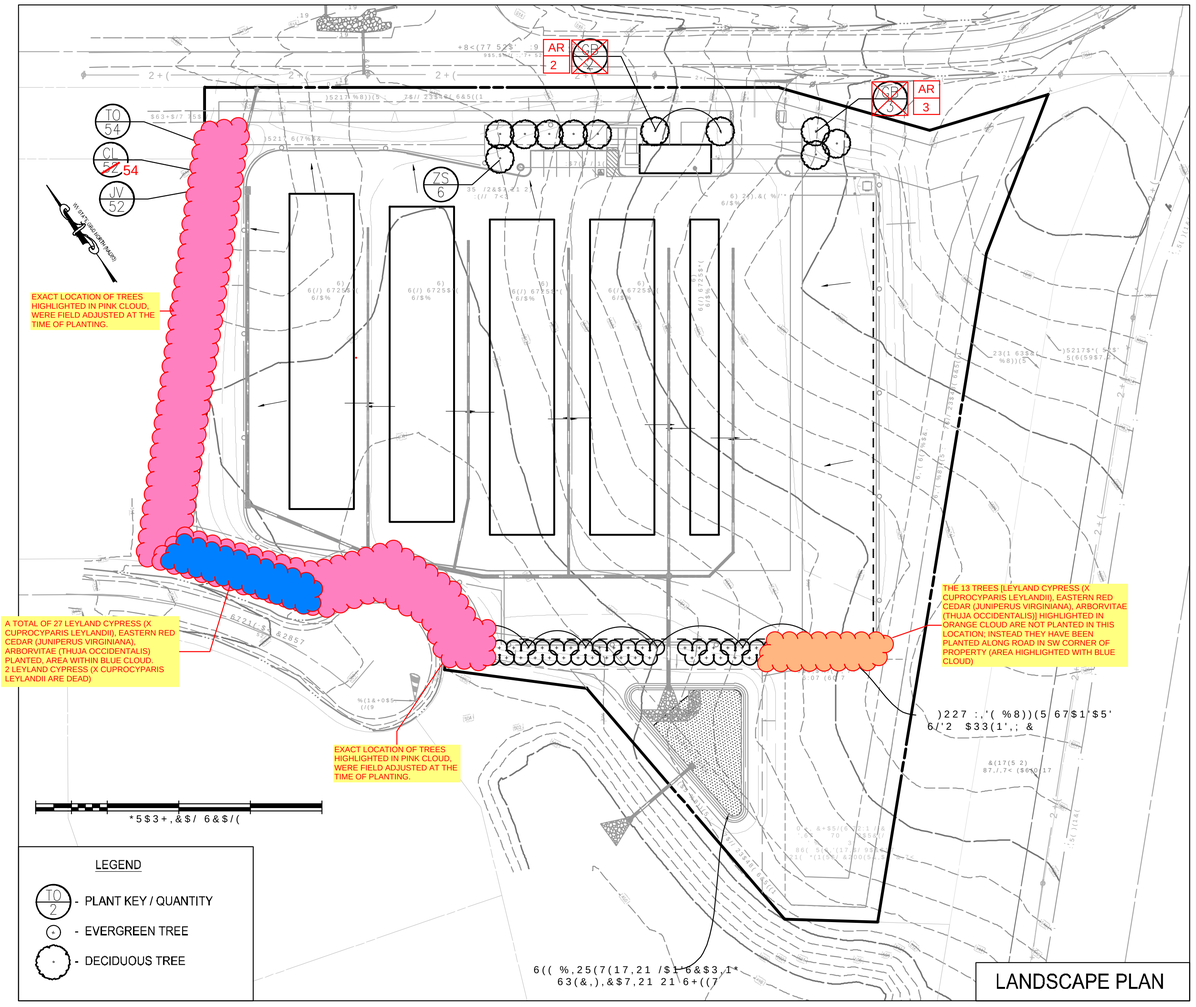
HUYETT ROAD STORAGE
SITE PLAN

CHARLES TOWN CORP (3) TAX DISTRICT

JEFFERSON COUNTY, VIRGINIA

PROJECT: 24000873.00
DRAWING NO.: 113312
SCALE: N/A
DATE: 03/07/2024
DRAWN: EAS
CHECKED: MB/JSS
SHEET No.
6

P:\Projects\24000873.00\001\SURVEY\SAs-built\113312\06 - Construction Notes.dwg, 3/21/2024 12:31:25 AM, 1:1



PLANT SCHEDULE					
TREES					
Key	Botanical Name	Common Name	Container	Size (Min.)	Quantity
CL	x Cuprocyparis leylandii	Leyland Cypress	B&B	6' Height	~~52~~ 54
JV	Juniperus virginiana	Eastern Red Cedar	B&B	6' Height	52
TO	Thuja occidentalis 'Nigra'	Nigra American Arborvitae	B&B	6' Height	54
GB	Ginkgo biloba 'Autumn Gold'	Maidenhair Tree	B&B	2" Caliper	~~5~~ 0
ZS	Zelkova serrata 'Green Vase'	Japanese Zelkova	B&B	2" Caliper	6
AR	ACER RUBRUM	RED MAPLE		2" CAL	5

LANDSCAPE AS-BUILT NOTES:

AS BUILT PLAN PREPARED BY COLIN McCANN, LANDSCAPE ARCHITECT, BASED ON FIELD OBSERVATION ON 5/8/24 BY QUINN NOLAN, CERTIFIED ARBORIST.

PLANTINGS MEET OR EXCEED QUANTITIES REQUIRED BY SITE PLAN

TREES WERE FIELD ADJUSTED AT TIME OF PLANTING. MAJORITY OF TREES PLANTED CLOSER TOT HE FENCE INSTEAD OF CLOSER TO THE PROPERTY LINE AS SHOWN IN PLAN. PLANTINGS ARE STILL IN SAME GENERAL VICINITY AND BETWEEN THE FENCE AND THE ROAD, SO THERE SHOULD BE NO NEED FOR ADJUSTMENT.

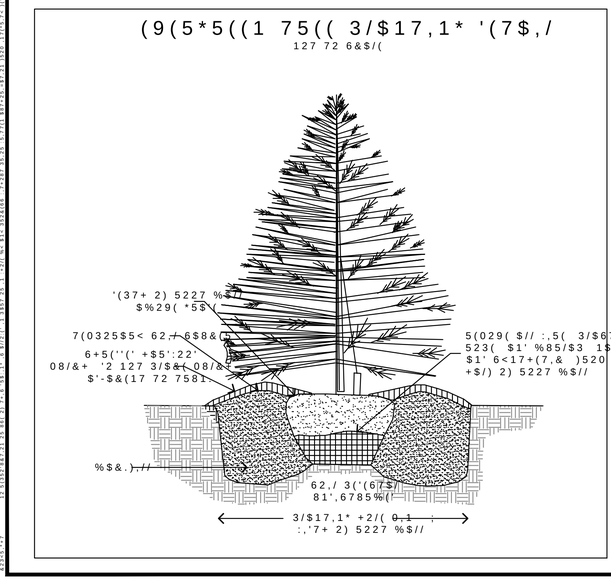
LOTS OF TRASH IN PLANTING AREA AND ON LANDSCAPE TREES. TAGS, FLAGGING, AND PLASTIC BAGS NOT REMOVED FROM TREES AFTER PLANTING.

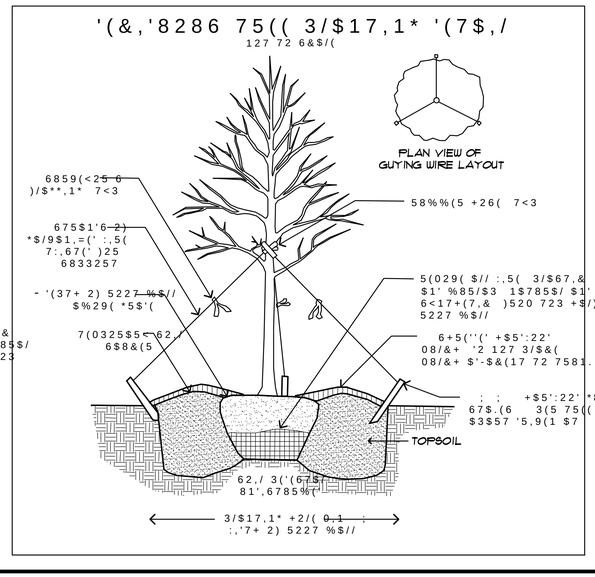
VARIOUS PLANTINGS ARE MISSING PROPER STAKING

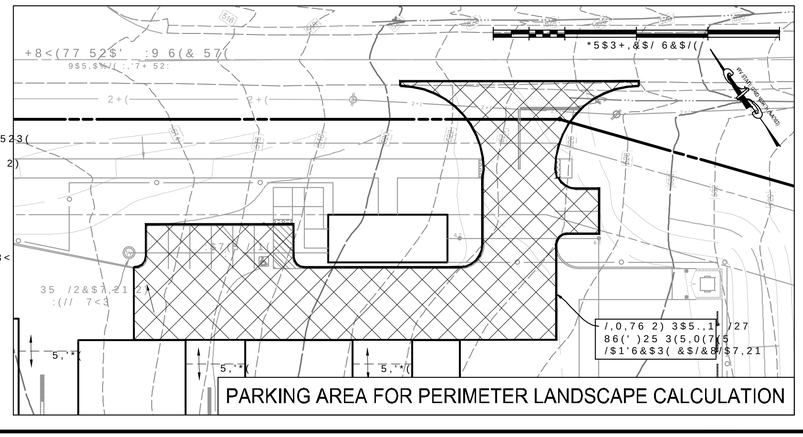
GINKGO TREES HAVE BEEN SWITCHED TO RED MAPLE DUE TO AVAILABILITY, THIS IS AN ACCEPTABLE EQUAL SUBSTITUTE.

AS-BUILT PLAN CERTIFICATION:	

LANDSCAPE REQUIREMENTS		
SECTION 1333.16(A)1.		
REQUIREMENT: NO MORE THAN 40% OF ANY ONE TYPE SPECIE OF TREE SHALL BE PERMITTED.		
TREE	PROVIDED	PERCENTAGE (ROUNDED UP)
Thuja occidentalis 'Nigra'	54	32
x Cuprocyparis leylandii	~~52~~ 54	31
Juniperus virginiana	52	31
ACER RUBRUM ' OCTOBER GLORY' Ginkgo biloba 'Autumn Gold'	5	3
Zelkova serrata 'Green Vase'	6	4
TOTAL	~~165~~ 171	100
SECTION 1333.16(A)3.a.		
PERIMETER PARKING LOT LANDSCAPING		
REQUIREMENT: ONE TREE SHALL BE PROVIDED FOR EVERY 2,000 SQUARE FEET OF IMPERVIOUS AREA FOR THE FIRST 100,000 SQUARE FEET. THEREAFTER, ONE TREE FOR EVERY 5,000 SQUARE FEET OF IMPERVIOUS AREA OVER 100,000 SQUARE FEET.		
IMPERVIOUS AREA:	10,015 SQUARE FEET	
TREES REQUIRED	11	
TREES PROVIDED	11	







,17(*5,7<
)(('(5$/ 6(59,&(6
&,9,/ (1*,1(5,1*B/$1'6&$3($5&+,7(&785 3/$11,1*
6 4XHHQ 6WUHHW 3XLWH
0DUWLQVEXUJ 3$ ZZZ LIV DH FRP
127(6
38568$17 72 /$1' '(9(/230(17 25',1$1&(2) 7+(&,7< 2) &+$5/(6 72:1 :9 68%',9,6,21 2)
%8)(5,1* $1' 6&((1,1* ,6 5(48,5(')25 0$-25 /$1' '(9(/230(176
63(&,(6 /,67(' $5(35(/,0,1$5< $1' 0$< &+$1*(' %(7:((1 3/$11,1* %'(6 6+$// %(
6(((''
$// /$1'6&$3(3/$17 0$7(5,$/6 6+$// &21)250 72 7+(/$7(67 9(56,21 2) 7+($0(5,&$1
672&. $16, = 3/$17 0$7(5,$/6 6+$// %(2) 67$1'$5' 48$/,7< 25 %(77(5 75$(6 1$0($1' 7<3(2) 7+(
63(&,(6 25 9$5,(7<
7+(&2175$&725 6+$// &203/< :,7+ 7+(/$1'6&$3(63(&,),&$7,216 *8,'(/,6(W((($ $237(' %< 7+(
/$1'6&$3(&2175$&7256 $662&,$7,21)25 3/$17,1* %(' 35(3$55$7,21 $1' 62,/ 0,; 8,2 72 $1' 352&(66(6
7+((:,67,* 81'(5*5281' 87,/,7,(6 6+2:1 +(5(21 $5(%$6(' 8321 9,/$%(/(,1)250$7,21 &2175$&725
6+$// %(5(63216,%(/( )25 &$7,21 2) $// 87,/,7,(6 (;&(3 72 '(7(50,1(7+((;$&7 /2&$7,21 2) $// 87,/,7,(6 (;&(3 25(1$0(:25 $1' ,6 5(63216,%(/( )25 $1< '$0*(6 :+,&+ 2&&85 %< +,6)$,/85(72 /2&$7(25 $1((15 7+(6(
81'(5*5281' 87,/,7,(6
,7 6+$// %(7+(5(63216,%(/,7< 2) 7+(&2175$&725 72 9(5,)<),(/' &21',7,216 35 25 /2&$7,216 $5(127 ,1 &21)250$1&(:,7(*5,7<)(('(5$/ 6(59,&(6 ,17(5*5(7<
,7 6+$// %(7+(5(63216,%(/,7< 2) 7+(/$1'6&$3(&2175$&725 72 (1685(7+$7 $// 7<3(6 2) $1< 81'(5*5281' 87,/,7<
7+(/$1'6&$3(&2175$&725 ,6 5(63216,%(/( )25 9$/8$7,1* ,'9,'8$/ 75((6)25 6 $%,/7< $ 7+(7,0((2) 3/$17,1* %$6(' 21 7+,6 (9$/8$7,21 75((6 6+$// %(67$.(' $1' *8<(' $6 1(&(66$5< 72 (1685(7+$7 7<3(6 5(0$1,1 $1 835,*+7 326,7,21 67$.(6 $5(72 %(5(029(' %< 2:1(5 $)7(5 21(*52:,1* 6($621
$// 3/$17 0$7(5,$/ 72 %(,163(&7(' %< 2:1(5 25 2:1(56 5(35(6(17$7,9(35,25 72 ,167$//$7,21 3/$176 7+67 $5('$0*(' 25 '2 127 &21)250 72 7+(5(48,5(' 63(&,),&$7,21 6+$// %(5(-(&7('
$// 3/$17,1* %'(6 $'-$&(17 72 785) $5(56 6+$// +$9($ 63$'(('(
(;,67,* 75((6 72 %(6$9(' :+(5(9(5 35$&7,&$/
AS BUILT
/$1'6&$3(3/$1
+8<(77 52$' 672 6,7(3/$1
7$;:0$3 3$5&/(' %' ,675,&7
&+5/(6 72:1&253 :(67 9,5*,1$
6&$/(
+25,=$6 127(
9(57 1 $
'$7(5/14/24
-2%
'55:1 CM : &+(&CM 6
&$'' 3
1&6 1 $
6+((7
2)
109

Kimley»Horn

Memorandum

To: Mr. Chris Weitnauer, PE
Integrity Federal Services
148 S Queen St, Suite 201
Martinsburg, WV 25401

From: Mark Phillips, P.E.

Through: Mr. James Newman, AICP
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

Date: June 4, 2024

Subject: Huyett Road Storage Bond Release Review

This memorandum summarizes our review of the Bond Release request for the Huyett Road Storage Facility bond release application (dated April 15, 2024 prepared by Integrity Federal Services.) for a Performance Bond release of $1,492,269.65. Using the Final Subdivision/Land Development Plat dated September 20, 2022, site visit observations, the As-Built plans dated, May 15, 2024, and the respective bond release application, we have no comments.

Thank you for the opportunity to review this Bond Release request. In the meantime, please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.

Mark Phillips, P.E.
Project Manager
Associate

Kimley»Horn

Memorandum

To: James Newman
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

From: Mark Phillips, P.E.

Date: July 3, 2024

Subject: Bond Reduction Check List

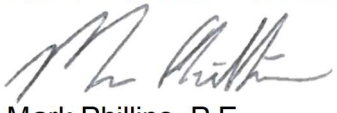
This memorandum summarizes the Kimley-Horn Bond Reduction Application review process. Kimley-Horn notes with the new excel version of the Bond Estimate form required at initiation the review process will be more easily tracked and traced through the progression of construction and bond release.

Kimley-Horn's typical review process for Bond Reduction Requests is outlined in the following steps:

1. Kimley-Horn reviews the materials provided by the City, typically this consists of the As-Built plans along with a PDF of the bond reduction request.
2. Kimley-Horn reviews the submitted bond reduction request quantities by placing them in the Charles Town quantities spreadsheet. The quantities and pricing calculation is then checked for quality to ensure they match up with the bond reduction request.
3. Once the bond reduction spreadsheet calculations are confirmed Kimley-Horn reviews the bond reduction quantities are reviewed against the quantities shown on the final construction drawings and as-builts.
4. Kimley-Horn then reviews all other submitted documents provided to ensure their validity in relation to the bond reduction request.
5. Lastly, Kimley-Horn conducts a site visit to observe the current construction conditions in relation to what is depicted on the As-Built and requested on the bond reduction. It should be noted that the site visit is for observational purposes only and Kimley-Horn can only observe what is physically visible. Elements such as water line, sanitary sewer, storm sewer etc.. that is not visible cannot be observed and the As-Builts are utilized for quantity confirmations. Kimley-Horn utilizes the site visit to confirm any questions that arise when comparing the As-Builts to the Final Plans and Bond Reduction Request.
6. Once all steps are complete Kimley-Horn prepares a review memorandum summarizing the findings of the review.

Please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.



Mark Phillips, *P.E.*
Project Manager
Associate

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-823: Bond Release Request for Huyett Road Self Storage

Proposed Motion: Approve the bond release request for the Huyett Road Self Storage Performance and Land Disturbance Bond in the amount of $1,492,269.65.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-759: *BR2024-10*: Bond Initiation for Hillside Townhouse Development

Proposed Motion: **Recommended Motion:** Approve the initiation of a Performance and Land Disturbance Bond in the amount of $1,898,142.16.

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3.Cost Sheet.pdf
- 4. KH Review.pdf

Bond Initiation Request
BR2024-10

Date: For the August 5, 2024 City Council Meeting
Applicant: MDHI Charles Town LLC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: A bond initiation of $1,898,142.16

Hillside Townhomes Location



BACKGROUND
The applicant is requesting a bond initiation of the **performance and land disturbance bonds.** The Preliminary Plans were approved by the Planning Commission on April 22, 2024. The combined bond value is $1,898,142.16

Upon review of the request the City Engineer, Kimley-Horn, has determined that the bond initiation request is a reasonable. While new bonding amounts were approved by City Council on May 6, 2024, the applicant filed their request on April 17, 2024, and therefore falls under the previous bond estimate amounts used by the City.

BOND COMMITTEE

The Bond Committee reviewed this item at their June 11, 2024 meeting. The Committee recommended approval of the bond initiation request.

PLANNING COMMISSION

The Planning Commission held a public hearing on this request at their July 22, 2024 meeting. The Commission unanimously voted to recommend approval of the bond initiation request.

STAFF RECOMMENDATION

The City Engineer and City Staff have reviewed the bond initiation request and recommends the bond request be **approved**.

Bond Request No._____

BOND REQUEST AND REDUCTION

To assist the Subdivision Administrator in the review of a Bond Request Application, the Applicant must utilize this form to supply the City with the information prescribed under Article 1335 and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Bond Request Application as required by Ordinance Article 1335.

1. DATE April 17, 2024

2. APPLICATION TYPE ☒ Bond | Initiation ☐ Bond | Reduction

☐ Bond | Reallocation ☐ Bond | Release**

3. PROJECT NAME HILLSIDE

Address HILLSIDE DR CHARLES TOWN, WEST VIRGINIA

4. APPLICANT'S NAME* IMEG Consulting Corp

Address 4601 Forbes Blvd, Suite 140, Lanham, MD 20706

Telephone Number (240) 401-7360 / 240-296-1568 Fax Number (___)

Email Address sylke.s.knuppel@imegcorp.com

5. PROPERTY OWNER'S NAME HILLSIDE INVESTMENT LLC

Address 175 JOHN J THOMAS WAY, CHARLES TOWN, WV 25414

Telephone Number (304) 283-2601 Fax Number (304) 728-8546

Email Address johnthomas1602@comcast.net

*Applicants include: Property owner(s), Engineer(s), Surveyor(s), or Consultant(s)

**Requires a Public Hearing and landscaping surety for one year after release

Bond Request No._____

6. DESCRIPTION OF REQUETED INITIATION, REDUCTION, OR RELEASE:

For construction of proposed right of way improvements and storm water management as shown on the Hillside Preliminary Subdivision/Land Development Plat.

7. A) CURRENT BOND AMOUNT $0

B) PROPOSED BOND AMOUNT $1,898,142.16

8. PARCEL INVENTORY: (List all parcels that are part of this application):

Tax Map No.	Parcel No.	Deed Book	Page No.	Zoning District
MAP 9	PARCEL 67	691	432	R-15

9. PARCEL HISTORY: (List all pending or previously approved applications on the subject parcels inventoried above, including previous plat applications if this application is an amendment)

Application No.	Project Name and Phase	Status	Approval Date
None			

10. BOND RELEASE ATTACHMENTS.

The following shall be included with this request:

A. To the extent not previously submitted pursuant to bond reduction request, copies of inspection and test reports if work was inspected and tested by a third-party inspector.

B. Certification that all bonded Improvements, other than Improvements accepted by West Virginia Department of Highways (WVDOH), have been completed in accordance with the approved plans, profiles, and specifications and the requirements of any applicable manual. For Improvements to be accepted for maintenance by WVDOH, such Certification shall state that the Improvements have been installed and inspected in accordance with WVDOH's requirements.

C. A copy of the City-approved As-Built Drawings as required for facilities within public rights-of-way or Easements submitted pursuant to Section 1332.10 of this Ordinance.

Date of As-Builts _____ Prepared By _____

D. A letter from a Professional Engineer or Professional Land Surveyor certifying that property corners and Monuments have been set as required under this Ordinance.

E. Documentation of acceptance by WVDOH for public roadways and rights-of-way, or a maintenance and indemnification agreement and bond approved by the Planning Commission for public roadways that have been completed in accordance with WVDOH standards but which, due to factors other than their quality of construction, are not eligible for acceptance by WVDOH.

F. For private roadways, a letter of acceptance by the entity responsible for maintenance and a Latent Defects Indemnification Agreement and Bond in accordance with this Section.

G. Private Roadway Maintenance Bonds. Before a Performance Agreement and surety for private roadway construction shall be released, a Latent Defects Indemnification Agreement and Bond shall be provided by the applicant/Developer and approved by the Planning Commission. The guarantee provided by such Agreement and Bond must be for a period of two (2) years following the date of performance bond release, and must be in an amount equal to no less than 5% of the original performance bond estimate in accordance with Section 1335.07 (F) of the Subdivision Ordinance.

H. Landscaping Surety. Surety is required to ensure the landscaping shown on the Major S/LD plans is maintained for one (1) year. The one (1) year shall start from the date at which the surety for the site has been released, with the exception of this landscaping surety. The landscaping surety amount shall not be less than $5,000.00 or 10% of the total landscaping cost for the project, which every is greater.

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant



_____ Date 4/18/2024

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Check No._____

Receipt No._____

Site Inspection Date:_____ Inspector:_____

Subdivision Administrator Approval:_____ Date:_____

Engineer Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

City Council Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

Bond Request No._____

APPLICANT CERTIFICATION

I certify that, to the best of my knowledge, the submitted information and statements are true and correct. I also certify that I have received and read Article 1335 of the S/LD Ordinance.

Signature of Applicant

_____ Date 4-19-24

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application, 1 digital copy and 1 paper copy of the As-Built Plans (if applicable) to the following:

Subdivision Administrator
City of Charles Town
101 E. Washington Street
Charles Town, WV 25414

Please also send a copy of the completed Application as well as the As-Builts to the following:

Hatch/Chester Engineers
Attn: Elizabeth Adamowicz
705 Quince Orchard Road, Suite 310
Gaithersburg, MD 20878

CITY OF CHARLES TOWN

PUBLIC IMPROVEMENT BOND UNIT COST LIST AND BOND REDUCTION FORM

This form shall be used to calculate the amount of the bond required to guarantee public improvements to be constructed under the approved Final S/LD Application. This form shall also be used in calculating the amount of bond reductions to be approved by the Planning Commission.

Note: No bond shall be reduced until completion of at least thirty (30) percent of the physical Improvements secured by the bond.

PROJECT NAME:	Hillside
PREPARED BY:	Sylke Knuppel
DATE OF SUBMISSION	4/16/2024

BOND ESTIMATE						BOND REDUCTION		City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION	QUANTITY	EXTENSION	%COMPLETE	% Approved
MOBILIZATION GENERAL								
Mobilization	LS	$6,250.00	1	$6,250.00				
Field Office	EA	$3,000.00						
Job Sign	EA	$1,150.00						
SURVEYING								
Steel Pipe Property Corner Marker Incl. Survey	EA	$275.00						
R.O.W. MONUMENTS SURVEYED IN PLACE								
RM -- 1	EA	$825.00						
RM -- 2	EA	$575.00						
EARTHWORK EXCAVATION								
Regular Bulk used as Fill	CY	$3.86	17746	$68,499.56				
Rock, Rip	CY	$17.30						
Rock, Blast	CY	$38.48						
BORROW MATERIAL								
Buy, Load, Haul 10 Mi. Select Material	CY	$28.90						
Fill and Compaction of On-site Borrow	CY	$5.95	4393	$26,138.35				
UNSUITABLE MATERIAL								
Load and Haul, 20 mi R/T	CY	$21.95						
Dump Charge	CY	$37.50						
Site Grading	SY	$0.75						
CLEAR & GRUB								
Light	AC	$6,675.00	3.11	$20,759.25				
Moderate	AC	$9,750.00						

BOND ESTIMATE						BOND REDUCTION		City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION	QUANTITY	EXTENSION	%COMPLETE	% Approved
Heavy	AC	$12,250.00						
Very Heavy	AC	$14,250.00						
LANDSCAPING								
Seeding	SY	$0.77	3630	$2,795.10				
Sodding	SY	$3.64						
PLANTING SHRUBS								
18”	EA	$40.00						
24”	EA	$70.00						
TREES								
6’ – 8’ (1-2 in. Caliper)	EA	$400.00	95	$38,000.00				
8’ – 10’ (2.5-3 in. Caliper)	EA	$700.00						
Tree Protection	LF	$9.00						
MISCELLANEOUS SITE IMPROVEMENTS								
RETAINING WALLS								
Timber Wall (Less Than 6 ft)	LF	$325.00						
Dry Rubble RW-1 (H=6')	LF	$450.00						
Mortared Rubble RW-1A (H=6')	LF	$535.00						
Concrete Gravity RW-2 (H=6')	LF	$339.00						
Concrete Gravity RW-3 (H=6')	LF	$378.00						
FENCING								
Std. Fence (H=5') FR-5	LF	$9.31						
Farm Fence (H=5') FR-3A	LF	$10.90						
Chain Link Fence (H=6')FR 2-B	LF	$14.52						
Board Fence (H=6')	LF	$19.35						

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
TOT LOTS									
Tot Lot	EA	$16,495.00							
STORM DRAINAGE									
STORM SEWER									
NOTE: All pipe unit prices include trench, excavation, bedding, pipe, & backfill									
Rock Excavation for All Pipe Types									
Less than 1,500 CY (Blasting)	CY	$110.00							
More than 1,500 CY (Blasting)	CY	$90.00							
Less than 1,500 CY (Hoe Ram)	CY	$135.00							
More than 1,500 CY (Hoe Ram)	CY	$110.00							
Trench De-watering									
Trench De-watering	LF	$2.95							
RCP CLASS III ROUND T & G W/MASTIC									
12" Pipe (RCP III)									
0' – 8' Cut	LF	$44.50							
8' – 14' Cut	LF	$62.50							
Add cost for Class IV	LF	$0.85							
O-Ring	LF	$5.50							
15" Pipe (RCP III)									
0' – 10' Cut	LF	$49.75							
10' – 16'	LF	$77.50							
Add Cost for Class IV	LF	$0.95							
O-Ring	LF	$5.50							
18" Pipe (RCP III)									
0' – 10' Cut	LF	$50.00							
10' – 16' Cut	LF	$80.00							

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Add Cost for Class IV	LF	$2.00							
O-Ring	LF	$7.00							
21" Pipe (RCP III)									
0' – 10' Cut	LF	$57.50							
10' – 16' Cut	LF	$87.50							
Add Cost for Class IV	LF	$2.75							
O-Ring	LF	$13.00							
24" Pipe (RCP III)									
0' – 10' Cut	LF	$67.50							
10' – 16' Cut	LF	$95.00							
Add Cost for Class IV	LF	$3.15							
O-Ring	LF	$14.00							
27" Pipe (RCP III)									
0' – 10' Cut	LF	$60.00							
10' – 16' Cut	LF	$95.00							
Add Cost for Class IV	LF	$4.00							
O-Ring	LF	$15.00							
30" Pipe (RCP III)									
0' – 10' Cut	LF	$82.50							
10' – 16' Cut	LF	$125.00							
Add Cost for Class IV	LF	$6.00							
O-Ring	LF	$17.25							
33" Pipe (RCP III)									
0' – 12' Cut	LF	$115.00							
10' – 18' Cut	LF	$160.00							
Add Cost for Class IV	LF	$6.50							
O-Ring	LF	$21.95							
36" Pipe (RCP III)									
0' – 12' Cut	LF	$120.00							

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
12' – 18' Cut	LF	$175.00							
Add Cost for Class IV	LF	$7.75							
O-Ring	LF	$22.75							
42" Pipe (RCP III)									
0' – 12' Cut	LF	$140.00							
12' – 18' Cut	LF	$200.00							
Add Cost for Class IV	LF	$12.00							
O-Ring	LF	$35.45							
48" Pipe (RCP III)									

0' – 12' Cut	LF	$155.00							
12' – 18' Cut	LF	$215.00							
Add Cost for Class IV	LF	$12.50							
O-Ring	LF	$43.35							
54" Pipe (RCP III)									
0' – 12' Cut	LF	$190.00							
12' – 18' Cut	LF	$275.00							
Add Cost for Class IV	LF	$18.75							
O-Ring	LF	$44.45							
60" Pipe (RCP III)									
0' – 12' Cut	LF	$225.00							
12' – 18' Cut	LF	$335.00							
Add Cost for Class IV	LF	$22.50							
O-Ring	LF	$48.65							
ELLIPTICAL PIPE – RCP CLASS III									
23" X 14" (18" Equiv-RCP III									
0' – 10' Cut	LF	$75.00							
10' – 16' Cut	LF	$110.00							
Add Cost for Class IV	LF	$16.45							
O-Ring	LF	$43.35							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
30" X 19" (24" Equiv-RCP III)									
0' – 10' Cut	LF	$90.00							
10' – 16' Cut	LF	$130.00							
Add Cost for Class IV	LF	$5.95							
O-Ring	LF	$43.35							
38" X 24" (30" Equiv-RCP III)									
0' – 10' Cut	LF	$120.00							
10' – 16' Cut	LF	$167.50							
Add Cost for Class IV	LF	$8.45							
O-Ring	LF	$51.35							
45" X 29" (36" Equiv-RCP III)									
0' – 10' Cut	LF	$165.00							
10' – 16' Cut	LF	$235.00							
Add Cost for Class IV	LF	$11.35							
O-Ring	LF	$53.35							
53" X 34" (42" Equiv-RCP III)									
0' – 12' Cut	LF	$210.00							
10' – 18' Cut	LF	$300.00							
Add Cost for Class IV	LF	$15.35							
O-Ring	LF	$58.95							
60" X 38" (48" Equiv-RCP III)									
0' – 12' Cut	LF	$255.00							
10' – 18' Cut	LF	$375.00							
Add Cost for Class IV	LF	$18.35							
O-Ring	LF	$69.95							
HDPE PIPE									
8" Pipe									
0'-8' Cut	LF	$28.65							
8'-14' Cut	LF	$43.15							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
12" Pipe									
0'-8' Cut	LF	$38.95							
8'-14' Cut	LF	$57.75							
15" Pipe									
0'-8' Cut	LF	$50.25	1904.13	$95,682.53					
8'-16' Cut	LF	$74.85	144.34	$10,803.85					
18" Pipe									
0'-8' Cut	LF	$66.00	421.37	$27,810.42					
8'-16' Cut	LF	$98.55	292.80	$28,855.44					
24" Pipe									
0'-8' Cut	LF	$76.90	14.22	$1,093.52					
8'-16' Cut	LF	$115.25	91.29	$10,521.17					
30" Pipe									
0'-8' Cut	LF	$91.33							
8'-16' Cut	LF	$137.27							
36" Pipe									
0'-8' Cut	LF	$101.68							
8'-16' Cut	LF	$152.33	962.73	$146,652.66					
42" Pipe									
0'-8' Cut	LF	$113.99							
8'-16' Cut	LF	$171.00							

48" Pipe									
0'-8' Cut	LF	$129.55							
8'-16' Cut	LF	$195.66							
STORM STRUCTURES									
END SECTIONS									
End Section (ES-1), Concrete Pipe Size									
15"	EA	$485.00							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
18"	EA	$565.00							
21"	EA	$645.00							
24"	EA	$755.00							
27"	EA	$1,065.00							
30"	EA	$1,195.00							
36"	EA	$1,765.00							
42"	EA	$1,795.00							
48"	EA	$2,135.00							
54"	EA	$2,795.00							
60"	EA	$3,455.00							
ENDWALLS									
EW-1(Pre-cast) Round Pipe Size									
15"	EA	$800.00							
18"	EA	$1,337.00							
24"	EA	$2,021.00							
30"	EA	$2,133.00							
36"	EA	$2,366.00							
EW-1 Cast in Place [Round Pipe Size]									
15"	EA	$852.00							
18"	EA	$1,053.00							
24"	EA	$1,495.00							
30"	EA	$2,144.00							
36"	EA	$2,383.00							
EW-1A (Pre-Cast) Elliptical Pipe Size									
23" X 14" (18")	EA	$695.00							
30" X 19" (24")	EA	$969.00							
38" X 24" (30")	EA	$1,165.00							
45" X 29" (36")	EA	$1,445.00							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
53" X 34" (42")	EA	$1,840.00							
EW-1A (Cast in Place) Elliptical Pipe Size									
23" X 14" (18")	EA	$667.00							
30" X 19" (24")	EA	$939.00							
38" X 24" (30")	EA	$1,247.00							
45" X 29" (36")	EA	$1,618.00							
53" X 34" (42")	EA	$2,109.00							
EW-2 (PreCast) Round Pipe Size									
42"	EA	$5,445.00	1	$5,445.00					
48"	EA	$5,695.00	1	$5,695.00					
54"	EA	$6,660.00							
60"	EA	$7,140.00							
72"	EA	$7,990.00							
84"	EA	$9,490.00							
EW-2 (Cast in Place) Round Pipe Size									
42"	EA	$4,723.00							
48"	EA	$6,039.00							
54"	EA	$6,972.00							
60"	EA	$8,179.00							
72"	EA	$10,713.00							
84"	EA	$12,288.00							
(EW-6PC) [Double Pipe] Pipe Size									
2-15"	EA	$999.00							
2-18"	EA	$1,235.00							
2-24"	EA	$1,510.00							
2-30"	EA	$2,165.00							
2-36"	EA	$2,647.00							
MANHOLES									
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Standard Brick Manhole Std Frame & Cover (MH-1)									
6' Depth	EA	$3,750.00							
Depth below 6'	VF	$163.00							

Standard Precast Manhole Std Frame & Cover (MH-2)									
6' Depth	EA	$3,100.00	9	$27,900.00					
Depth below 6'	VF	$177.00	44	$7,788.00					
Additional Cost (Amounts in parentheses to be added to the above unit costs)									
Watertight Fr/Cover (Add 110)	EA	$579.00							
Heavy Duty Fr/Cover (Add 82)	EA	$599.00							
DROP INLETS									
Cast in Place 48"									
Drop Inlet (DI-1) 12" – 24" Pipe0-10 VF	EA	$3,697.00							
Drop Inlet (DI-1A) 12" – 24" Pipe 10-20 VF	EA	$5,593.00							
Drop Inlet (DI-2) 12" – 24" Pipe 0-10 VF, 10' throat	EA	$6,911.00							
Drop Inlet (DI-2A) 12" – 24" Pipe 10-20 VF, 10' throat	EA	$8,833.00							
CURB DROP INLETS									
Curb Drop Inlet (DI-3A)									
12"-30" Pipe (Invert Depth (H) =0'-8') Inlet Length 2'-6"	EA	$4,088.00							
Curb Drop Inlet (DI-3AA)									
12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length 2'-6"	EA	$5,357.00							
Curb Drop Inlet (DI-3B & DI-12) 12"-30" Pipe (Invert Depth (H) =0'-8') Inlet Length									
4'	EA	$4,279.00							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
6'	EA	$4,573.00	5	$22,865.00					
8'	EA	$4,889.00	2	$9,778.00					
10'	EA	$5,052.00	1	$5,052.00					
12'	EA	$5,227.00							
16'	EA	$5,543.00							
20'	EA	$5,859.00							
Curb Drop Inlet (DI-3BB) 12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length									
4'	EA	$4,276.00							
6'	EA	$4,848.00	7	$33,936.00					
8'	EA	$5,429.00	2	$10,858.00					
10'	EA	$5,732.00							
12'	EA	$6,011.00							
16'	EA	$6,296.00							
20'	EA	$6,599.00							
Curb Drop Inlet (DI-3C) 12"-30" Pipe (Invert Depth (H) =0'-8') Inlet Length									
6'	EA	$4,013.00	4	$16,052.00					
8'	EA	$4,588.00							
10'	EA	$4,893.00							
12'	EA	$5,178.00							
16'	EA	$5,766.00	1	$5,766.00					
20'	EA	$6,339.00							
Curb Drop Inlet (DI-3CC) 12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length									
6'	EA	$4,746.00							
8'	EA	$5,293.00							
10'	EA	$5,627.00							
12'	EA	$5,988.00							
16'	EA	$6,772.00							
20'	EA	$7,465.00							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Curb Drop Inlet (DI-3D)									
12"-30" Pipe (Invert Depth (H) =0'-8') Inlet Length 2'-6"	EA	$3,633.00							
Curb Drop Inlet (DI-3DD)									
12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length 2'-6"	EA	$4,367.00							
Curb Drop Inlet (DI-3E) 12"-30" Pipe (Invert Depth (H) =0'-8') Inlet Length									
4'	EA	$4,093.00							
8'	EA	$4,756.00							
10'	EA	$5,724.00							
12'	EA	$5,833.00							
16'	EA	$6,072.00							
20'	EA	$6,709.00							
Curb Drop Inlet (DI-3EE) 12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length									
6'	EA	$7,562.00							
8'	EA	$7,869.00							

10'	EA	$7,999.00							
12'	EA	$8,166.00							
16'	EA	$8,471.00							
20'	EA	$8,767.00							
Curb Drop Inlet (DI-3F) 12"-30" Pipe Inlet Length (Invert Depth (H)=0'-8')									
6'	EA	$3,765.00							
8'	EA	$4,419.00							
10'	EA	$4,749.00							
12'	EA	$5,085.00							
16'	EA	$5,742.00							
20'	EA	$6,395.00							
Curb Drop Inlet (DI-3FF) 12"-30" Pipe (Invert Depth (H) =8'-20') Inlet Length									
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
6'	EA	$8,077.00							
8'	EA	$8,288.00							
10'	EA	$8,480.00							
12'	EA	$8,669.00							
16'	EA	$9,047.00							
20'	EA	$9,446.00							
Curb Drop Inlet (DI-4A) 36"–48" Pipe (Invert Depth (H)=0'-8') Inlet Length									
4'	EA	$4,868.00							
Curb Drop Inlet (DI-4AA) 36"–48" Pipe (Invert Depth (H)=0'-8') Inlet Length									
4'	EA	$6,817.00							
Curb Drop Inlet (DI-4B) 36"-48" Pipe (Invert Depth (H) =0'-8') Inlet Length									
6'	EA	$5,172.00							
8'	EA	$5,499.00							
10'	EA	$5,698.00							
12'	EA	$5,870.00							
16'	EA	$6,221.00							
20'	EA	$6,571.00							
Curb Drop Inlet (DI-4BB) 36"-48" Pipe (Invert Depth (H) =8'-20') Inlet Length									
6'	EA	$10,292.00							
8'	EA	$10,643.00							
10'	EA	$10,810.00							
12'	EA	$10,974.00							
16'	EA	$11,309.00							
20'	EA	$11,669.00							
Curb Drop Inlet (DI-4C) 36"-48" Pipe (Invert Depth (H) =0'-8') Inlet Length									
8'	EA	$5,612.00							
10'	EA	$5,794.00							
12'	EA	$5,968.00							
16'	EA	$6,315.00							
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
20'	EA	$6,657.00							
Curb Drop Inlet (DI-4CC) 36"-48" Pipe (Invert Depth (H) =8'-20') Inlet Length									
8'	EA	$13,371.00							
10'	EA	$13,693.00							
12'	EA	$14,097.00							
16'	EA	$14,712.00							
20'	EA	$15,365.00							
Curb Drop Inlet (DI-4D)									
36"-48" Pipe (Invert Depth (H) =0'-8') Inlet Length 4'	EA	$4,933.00							
Curb Drop Inlet (DI-4DD)									
36"-48" Pipe (Invert Depth (H) =8'-16') Inlet Length 4'	EA	$9,455.00							
Curb Drop Inlet (DI-4E) 36"-48" Pipe (Invert Depth (H) =0'-8') Inlet Length									
6'	EA	$5,267.00							
8'	EA	$5,605.00							
10'	EA	$5,896.00							
12'	EA	$6,233.00							
16'	EA	$6,996.00							
20'	EA	$7,695.00							
Curb Drop Inlet (DI-4EE) 36"-48" Pipe (Invert Depth (H) =8'-16') Inlet Length									
6'	EA	$9,165.00							
8'	EA	$9,495.00							
10'	EA	$9,839.00							
12'	EA	$10,167.00							
16'	EA	$10,838.00							
20'	EA	$11,483.00							
Curb Drop Inlet (DI-4F) 36"-48" Pipe Inlet Length (Invert Depth (H)=0'-8')									

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
8'	EA	$5,877.00							
10'	EA	$6,209.00							
12'	EA	$6,568.00							
16'	EA	$7,259.00							
20'	EA	$7,963.00							
Curb Drop Inlet (DI-4FF) 36"-48" Pipe (Invert Depth (H) =8'-16') Inlet Length									
8'	EA	$8,866.00							
10'	EA	$9,147.00							
12'	EA	$9,435.00							
16'	EA	$9,997.00							
20'	EA	$10,584.00							
Median Drop Inlets - CIP									
Median Drop Inlet **(DI-6A)** 12"-24" Pipe Inlet (H=8')	EA	$4,205.00							
Median Drop Inlet **(DI-6B)** 12"-24" Pipe Inlet (H=8')	EA	$4,267.00							
Median Drop Inlet **(DI-6C)** 30"-48" Pipe Inlet (H=10')	EA	$5,589.00							
Median Drop Inlet **(DI-6D)** 30"-48" Pipe Inlet (H=10')	EA	$5,692.00							
Median Drop Inlet **(DI-7)** Type III Top 12"-42" Pipe Inlet (H=10')	EA	$5,748.00	16	$91,968.00					
Median Drop Inlet **(DI-7A)** Type III Top 12"-42" Pipe Inlet (H=10')	EA	$6,338.00							
Median Drop Inlet **(DI-7B)** Type III Top 12"-42" Pipe Inlet (H=10')	EA	$6,797.00							

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
MISCELLANEOUS INLETS									
Ditch Drop Inlet, **(DI-5)** Type III Tip 12"-42" Pipe Inlet (H=8')	EA	$5,226.00							
Standard Yard Inlet **(YI-1)** 12"-48" Pipe (Invert Depth (H)=0'-8') Inlet Length 4'(No Aprons)	EA	$4,749.00							
Add Yard Inlet Apron	THROAT	$255.00							
Standard Yard Inlet **(YI-3)** 12"-48" Pipe (Invert Depth (H)=0'-8') Inlet Length 4'(No Aprons)	EA	$5,127.00							
Add Yard Inlet Apron	THROAT	$255.00							
CULVERTS									
Single Box Culvert (BC-1A) Fills to 25'									
4' X 4'	LF	$336.00							
5' x 5"	LF	$410.00							
6' X 6'	LF	$498.00							
8' X 8'	LF	$699.00							
10' X 10'	LF	$845.00							
Double Box Culvert (BC-2b) Fills to 25'									
4' X 4'	LF	$566.00							
5' x 5"	LF	$705.00							
6' X 6'	LF	$854.00							
8' X 8'	LF	$1,148.00							
10' X 10'	LF	$1,411.00							
Oversized Single Box Culvert (BBC-1) Fills to 25'									

BOND ESTIMATE						BOND REDUCTION			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
12' X 6'	LF	$1,026.00							
12' X 8'	LF	$1,144.00							
12' X 10'	LF	$1,239.00							
12' X 12'	LF	$1,348.00							
Triple Box Culvert (BC-3B) Fills to 25'									
4' X 4'	LF	$779.00							
5' x 5"	LF	$965.00							
6' X 6'	LF	$1,211.00							
8' X 8'	LF	$1,633.00							

10' X 10'	LF	$2,488.00							
Quadruple Box Culvert (BC-4B) Fills to 25'									
4' X 4'	LF	$987.00							
5' x 5"	LF	$1,225.00							
6' X 6'	LF	$1,523.00							
8' X 8'	LF	$1,497.00							
10' X 10'	LF	$2,835.00							
Standard Wing for Box Culvert (1 Side Only) Height of Box									
4'	EA	$675.00							
5'	EA	$995.00							
6'	EA	$1,337.00							
8'	EA	$2,489.00							
10'	EA	$3,315.00							
Standard Wing for Oversized Box Culvert(BBC-W) Height of Box									
6'	EA	$1,351.00							
8'	EA	$2,189.00							
10'	EA	$3,269.00							
12'	EA	$4,763.00							
MISCELLANEOUS STORM									
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Connection to Existing Structure									
15"-36" Pipe	EA	$735.00							
42"- 60" Pipe	EA	$1,125.00							
Casing Pipe, Bore and Jack (3/8" wall)									
22" ID (6"-8" Carrier Pipe)	LF	$411.00							
24" ID (10" Carrier Pipe)	LF	$451.00							
30" ID (12" Carrier Pipe)	LF	$569.00							
Plug Pipe									
6" –12" Pipe	EA	$142.00							
15"-36" Pipe	EA	$323.00							
42"- 60" Pipe	EA	$522.00							
Pavement Edge Pipe									
Standard Pipe Underdrain	LF	$19.00							
Riprap									
Dry, Class I, 18"	SY	$47.87							
Dry, Class II, 18"	SY	$51.46	39	$2,006.94					
Grouted, Class I, 18"	SY	$69.97							
Filter Fabric									
Class I	SY	$3.50							
Class II	SY	$3.00							
Class III	SY	$2.25							
Gabions (No excavation)									
Mattress	CY	$130.00							
Revetment	CY	$164.33							
Wall	CY	$212.25							
Paved Ditch (4" Thick)									
Concrete (Non-reinforced)	SY	$62.00							
Bituminous Concrete(4")	SY	$30.00							
Sodded Ditch									
BOND ESTIMATE						**BOND REDUCTION**			**City Use Only**
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Sodded Ditch (Incl Fine Grading)	SY	$9.86							
STREET CONSTRUCTION									
ROADS AND PARKING									
Soil Stabilization	**Inches**								
Cement 6%	SY/Inch Depth	$2.70							
Depth (in Inches):									
Lime 6%	SY/Inch Depth	$1.89							
Depth (in Inches):									
Subbase, Aggregated Material									
Base Type I	SY/Inch Depth	$1.75	49630	$86,852.50					
Depth (in Inches):									
Bituminous Concrete									
Base Course	SY/Inch Depth	$5.59	14180	$79,266.20					
Depth (in Inches):									
Intermediate Course	SY/Inch Depth	$5.49							
Depth (in Inches):									

Top Course	SY/Inch Depth	$5.49	7090	$38,924.10					
Depth (in Inches):									
Prime Coat	SY	$1.10							
Tack Coat	SY	$1.10							
Driveway Restoration									
4" Concrete & 4" Gravel	SY	$79.95							
BOND ESTIMATE						**BOND REDUCTION**			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
2" S-5 & 7 6" Gravel	SY	$31.96							
Shoulders, Type I									
Aggregated Base, 4"	SY	$11.50							
Concrete Curbing									
Curb & Gutter CG6 & CG7	LF	$22.50	5661	$127,372.50					
Curb Cut, CG-12 Detectable Surf.	EA	$569.00							
Entrances/Driveways									
Commercial Entrance CG-11	SY	$52.88							
Commercial Entrance CG-13	SY	$64.67							
Residential Driveway Apron	SY	$51.79	902	$46,714.58					
Guardrails									
Std. Blocked-out W beam (GR2)	LF	$42.50							
Std. W beam, Weak Post GR8	LF	$28.50							
Terminal, GR-6 (L=12'-6")	EA	$2,929.00							
Terminal, GR-7 (L=6'-3")	EA	$2,659.00							
Type I, GR-8 Terminal (L=25')	EA	$1,399.00							
Type II, GR-8 Terminal (L=13'-6")	EA	$695.00							
Terminal, MB-4 (L=37'-6")	EA	$3,495.00							
Type I, MB-5 Terminal (L=27'-1)	EA	$2,925.00							
Type II, MB-5 Terminal (L=13'-6)	EA	$1,675.00							
Miscellaneous									
Trash enclosure - Brick 6' high	LF	$325.00							
Reinforced Concrete Pad 6" to 8"	SY	$62.00							
Striping 4" width (VDOT Type	LF	$2.25							
BOND ESTIMATE						**BOND REDUCTION**			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
B)									
Concrete Wheel Stops	EA	$70.00							
Parking Lot Striping	EA	$50.00							
Sign Island	EA	$850.00							
Traffic Barricade	LF	$43.45							
Street Name Signs	EA	$435.00							
Traffic Control Signs	EA	$375.00	6	$2,250.00					
Street Light (pole, bracket, light)	EA	$4,285.00	30	$128,550.00					
SIDEWALKS AND TRAILS									
Sidewalk									
Concrete 4" w/WWF, No base	SY	$45.23	2450	$110,813.50					
Bitum. Conc, 2" w/4" Base	SY	$30.00							
4" Conc, No Reinf., No Base	SY	$41.00							
HANDRAIL									
Handrail 3 Rail 1-1/4" #4 Finish	LF	$96.50							
Wood Chip Trail									
Trails(Incl Excavation & Grading) Wood chip, 4' wide	SY	$17.69							
Bituminous Trail									
6' to 10' wide	SY	$49.25							
CRITICAL SLOPE STABILIZATION									
Paved Flume	SY	$67.00							
Stmwtr Conc Channel-Excav	SY	$7.75							
ADD Grass Lined-seeded	SY	$5.37							
ADD Grass Lined-sodded	SY	$10.89							
Outlet Protection									
Non-grouted Riprap 18"	SY	$52.00							
Concrete 4"	SY	$53.50							
BOND ESTIMATE						**BOND REDUCTION**			City Use Only
ITEM	UNIT	UNIT COST	QUANTITY	EXTENSION		QUANTITY	EXTENSION	%COMPLETE	% Approved
Level Spreader	SY	$4.44							
Struc Streambank Protection									
Non-grouted Riprap 18"	SY	$58.00							

Gabions	CY	$147.00						
Vegetative Erosion Control								
Sodding incl Fertilizing – Banks	SY	$7.77						
Sodding incl Fertilizing – Flat	SY	$5.36						
Seeding incl Fertilizing	SY	$2.44						
Soding W/Soil Treat & Watering	SY	$3.25						
Seeding W/Soil Treat & Watering	SY	$6.46						
Straw Mulch w/Tack	SY	$1.40						
Jute Mesh	SY	$1.77						
SPECIAL ITEMS								
FEMA Processing LOMR/CLOMR	EA	$7,500.00						
As Built (Record Drawings)	EA	$9,500.00	1	$9,500.00				
SWM/BMP POND	LS	See Note 1	1	$300,000.00				
SIGNALIZATION	LS	See Note 2						
Subtotal				$1,659,215.17				
					TOTAL ESTIMATE OF COMPLETED WORK:			

TOTAL:	$1,659,215.17
+ 10% CONTINGENCIES:	$165,921.52
GRAND TOTAL:	$1,825,136.69
+ 4% INFLATION FACTOR:	$73,005.47
	$1,898,142.16

Kimley»Horn

Memorandum

To: Sylke Knuppel
Christopher Consultants now IMEG
4601 Forbes Boulevard #140
Lanham, MD 20706

From: Mark Phillips, P.E.

Through: James Newman
City of Charles Town
101 E Washington Street
Charles Town, WV 25414

Date: June 28, 2024

Subject: Hillside Bond Initiation Review

This memorandum summarizes our review of the Bond Initiation for the Hillside Development (dated June 19, 2024, prepared by IMEG Consulting Group) for a proposed 128 Townhouses on approximately 13.71 acres. The site is currently zoned Residential Medium-High (R-15) per the City of Charles Town Zoning Ordinance dated June 18, 2012 (Rev. July 6, 2020). This application proposes a by-right development of approximately 13.71 acres of property.

Kimley-Horn's review of this application is limited to the Bond Initiation Application, comment responses and quantities provided. Based on our review, we have no comments.

Thank you for the opportunity to review this Bond Initiation. Please feel free to contact us at 703-870-3631 should you have any questions.

KIMLEY-HORN & ASSOCIATES, INC.



Mark Phillips, P.E.
Project Manager, Associate

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-778: *TXA2023-09* - First Reading and Consideration of an Ordinance to Amend the Zoning Ordinance, Article 1322 Zoning District Provisions, Section 1322.04 Rules for Interpretation of Uses, Table 1322.04 Zoning District Use Table in Regard to Permitted Uses in the Neighborhood Residential Zoning District

Proposed Motion: Approve the First Reading and Consideration of an Ordinance to Amend the Zoning Ordinance, Article 1322 Zoning District Provisions, Section 1322.04 Rules for Interpretation of Uses, Table 1322.04 Zoning District Use Table in Regard to Permitted Uses in the Neighborhood Residential Zoning District

ATTACHMENTS:

- 1. Report.pdf
- 2. Draft Ordinance.pdf

TXA2023-09

Neighborhood Residential Use Mix

Date: For the August 5, 2024 City Council meeting
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.

ISSUE

While the NR zoning district allows for some recreational uses by-right (such as parks, tennis courts, gym), the only retail use permitted is a convenience store open 15-16 hours/day. That is the sole commercial use allowed at all, either by-right or with a special exception. Additionally, the only office use allowed at all is a government office building. The requirement for Neighborhood Commercial (NC) uses does not specify that such uses must be commercial in nature, and must be corrected.

CITY COUNCIL

On September 5, 2023, City Council unanimously voted to refer this item to the Planning Commission for discussion and eventual public hearing.

PLANNING COMMISSION

The Commission reviewed this item at their October 23, 203 work session. The Commission requested staff modify the language about NC Use requirements in NR zoning, and requested some modifications to permitted uses.

The Commission reviewed this item at their November 27, 2023 meeting. The Commission discussed removal of reference to Neighborhood Commercial, and to simplify by stating that the required 10% to be *non-residential* uses. They asked staff to provide a comparison of the R15, NR, NC Districts.

The Commission reviewed this item at their January 30, 2024 meeting. The Commission asked staff to prepare a matrix of uses with definitions and status in the NR district.

The Commission reviewed this item at their March 25, 2024 meeting. The Commission reviewed the staff-proposed changes and made suggestions.

The Commission reviewed this item at their April 22, 2024 meeting. The Commission reviewed the staff-proposed changes and made suggestions.

The Commission reviewed this item at their May 28 2024 meeting. The Commission recommended staff bring this item to a public hearing.

The Commission held a public hearing on this item at their July 22, 2024 meeting. There were no comments from the public. The Commission unanimously voted to recommend approval, subject to the clarification of language about permitted accessory uses..

NEIGHBORHOOD RESIDENTIAL

Purpose: The purpose of the NR District is to provide for a mix of housing types and related services and Uses, including Commercial Uses and office services. It is the intent of the zoning classification to allow mixed development on undeveloped land and, where applicable as may be further described in this Ordinance, the Redevelopment of specific parcels within the City. The NR District applies to parcels or tracts larger than five (5) acres. The intent is to create a cohesive pattern of primarily residential development that allows a mix of Uses, including neighborhood servicing Commercial and office Uses and/or Commercial and office Uses that complement the primarily residential character of the neighborhood.

POTENTIAL USES

Proposed use changes are based on the intent of the district.

NOTE: Uses not defined in our Code take their definitions from the Institute of Transportation Engineers manual (per City Code regulations) **unless otherwise specified**.

Red Text in the *NR* column is the staff proposed use permission level: P = permitted by-right, S= Special Use Permit required, blank = not permitted at all. PA=Permitted accessory use, SA = Special Exception accessory use.

TABLE 1322.04, Zoning District Use Table

ITE CODE	USE	NR
090	Park-and-Ride Lot Not defined. Proposed definition: PARK AND RIDE LOT – Park and ride lots, with bus or other public or shared transportation service areas used for the transfer of people between private vehicles and buses or other public or shared transportation. They usually contain a bus shelter, a parking lot and circulation area for buses or other public or shared transportation, as well as circulation areas for private motor vehicles. In addition to park and ride, passengers may also be dropped off. Note: Definition slightly modified from the ITE definition, to include passenger/shared transportation, to broaden the category beyond just buses and private cars.	
210	Single-Family Detached Housing DWELLING, SINGLE-FAMILY DETACHED – A Building containing only a Dwelling Unit surrounded by Yards or other open area on the same Lot and not occupied by more than one single Family.	P
*	Duplex DWELLING, DUPLEX – A Building located on two Lots and containing two individual Dwelling Units that are attached, but on separate Lots.	P

	Go to next page	
*	Dwelling, Two Family DWELLING, TWO-FAMILY – A Building located on one Lot containing not more than two Dwelling Units, arranged one above the other or side-by-side.	P
220	~~Apartment~~ Multi-Family Dwelling DWELLING, MULTI-FAMILY – A Building containing three or more Dwelling Units. Note: Apartment not defined. Propose replacing with Multi-family.	P
230	Residential Condominium/Townhouse DWELLING, TOWNHOUSE – One of a series of three or more attached Dwelling Units separated from one another by continuous vertical party walls without openings from Basement floor to roof, with each Dwelling Unit occupied by only one single Family.	P
240	Mobile Home Park MOBILE HOME PARK – A Lot or tract of land used or intended to accommodate Mobile Homes for residential purposes with adequate public or community water and sewerage service meeting Health Department standards. A Mobile Home Park does not include Mobile Home sales lots, on which unoccupied Mobile Homes are parked for inspection or sale, and does not include parks for the temporary parking for camping or recreational purposes of Travel Trailers or Motor Homes or sales lots for the same. See the Charles Town Subdivision and Land Development Ordinance for additional information and requirements regarding Mobile Home Parks.	
251	Senior Adult Housing – Detached Not defined in our Code: SENIOR ADULT HOUSING, DETACHED – Senior adult detached housing consists of detached independent living developments, including retirement communities, age-restricted housing, and active adult communities. These developments may include amenities such as gold courses, swimming pools, security,	P
252	Senior Adult Housing – Attached Not defined in our Code: SENIOR ADULT HOUSING, ATTACHED – Senior adult housing consists of attached independent living developments, including retirement communities, age-restricted housing, and active adult communities. These developments may include limited social or recreational services. However, they generally lack centralized dining and on-site medical care facilities. Residents in these communities live independently, are typically active (requiring little to no medical supervision) and may or may not be retired.	P
253	Congregate Care Facility Not defined in our Code: CONGREGATE CARE FACILITY – Independent living developments that provide centralized amenities such as dining, housekeeping, transportation, and organized social/recreational activities. Limited medical services (such as nursing and dental care) may or may not be provided. The residents may contract additional medical or	S

	personal services.	
254	Assisted Living Not defined in our Code: ASSISTED LIVING – These complexes are residential settings that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. They commonly have separate living quarters for residents, and services include dining, housekeeping, social and physical activities, medication administration, and transportation.	S
255	Continuing Care Retirement Community Not defined in our Code: CONTINUING CARE RETIREMENT COMMUNITY – A complex that provides multiple elements of senior adult living. These combine aspects of independent living with increased care, as lifestyle needs change with time. Housing options may include various combinations of senor adult housing-detached and senior adult housing-attached, congregate care, assisted living and skilled nursing care – aimed at allowing the residents to live in one community as their medical needs change. The communities may also contain special services such as medical, dining, recreational, and some limited supporting retail facilities. These communities are usually self-contained villages.	S
*	Adult Day Care Center ADULT DAY CARE CENTER – A facility that provides non-medical care for seven (7) or more adult persons on a less than 24-hour basis and that is duly licensed by the State of West Virginia and approved to operate as an adult day care center by all appropriate authorities.	S
*	Child Care Center CHILD CARE CENTER – A private home-based establishment enrolling six (6) or fewer children where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed by the State of West Virginia and approved to operate as such an establishment.	S
*	Detached Garage or carport, provided it does not exceed 500 sq. feet.	PA
	Guest Quarters Not defined in our Code. Proposed definition is from Fredericksburg VA GUEST QUARTERS -A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot	PA
	Group Home GROUP HOME – A facility that: 1. Provides residential services and supervision for individuals who are developmentally disabled or behaviorally disabled; 2. Is occupied as a residence by not more than eight (8) individuals who are developmentally disabled and not more than three (3) supervisors, or is	

	occupied as a residence by not more than twelve (12) individuals who are behaviorally disabled and not more than three (3) supervisors; 3. Is licensed by the West Virginia Department of Health and Human Resources; 4. Complies with the State Fire Code for residential facilities.	
*	Home Occupation, Minor HOME OCCUPATION – A business, profession, occupation, or trade conducted for financial gain or profit and located entirely within a residential Dwelling, or within a detached Residential Garage. Such Use is accessory, incidental, and secondary to the Use of the Dwelling for residential purposes and does not change the residential purposes and does not change the residential character or appearance of the Dwelling or detached Residential Garage.	PA
*	Home Occupation, Major HOME OCCUPATION – A business, profession, occupation, or trade conducted for financial gain or profit and located entirely within a residential Dwelling, or within a detached Residential Garage. Such Use is accessory, incidental, and secondary to the Use of the Dwelling for residential purposes and does not change the residential purposes and does not change the residential character or appearance of the Dwelling or detached Residential Garage.	SA
*	Swimming Pool (Private) SWIMMING POOL – Any Structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, aboveground, and on-ground Swimming Pools, hot tubs, and spas.	PA
310	Hotel Not defined in our Code: HOTEL- A place of lodging that provides sleeping accommodations and supporting facilities such as restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, limited recreational facilities (pool, fitness room), and/or other retail and service shops.	
311	All Suites Hotel Not defined in our Code: HOTEL, ALL SUITES – A place of lodging that provides sleeping accommodations, a small restaurant and lounge, and small amounts of meeting space. Each suite includes a sitting room and separate bedroom; limited kitchen facilities are provided within the suite.	
312	Business Hotel Not defined in our Code: HOTEL, BUSINESS – A place of lodging aimed towards business travelers. These hotels provide sleeping accommodations and other limited facilities, such as a breakfast buffet bar and afternoon beverage bar (no lunch or dinner is served and no meeting facilities are provided). Each unit is a single large room. Business hotels provide very few or none of the supporting facilities provided at a hotel or all suite hotel, and are usually	

	smaller in size. Generally located in a suburban area.	
320	Motel Not defined in our Code: MOTEL – A place of lodging that provides sleeping accommodations and often a restaurant. Motels generally offer free on-site parking and provide little or no meeting space and few (if any) supporting facilities	
*	Bed and Breakfast Inns BED AND BREAKFAST INN – Any Owner-occupied residential Dwelling, or Accessory Structure which is part of the owner occupied property, in which rooms are rented to paying guests on an overnight basis with not more than one (1) meal served daily, the entire service to be included in one (1) stated price. Such facility is not a Home Occupation for purposes of this Ordinance.	SA

411	City Park Not defined in our Code. Staff drafted: CITY PARK: Parkland owned and operated by the City.	P
412	County Park Not defined in our Code. Staff drafted: COUNTY PARK – Parkland owned and operated by Jefferson County, West Virginia.	P
413	State Park Not defined in our Code. Staff drafted: STATE PARK – Parkland owned and operated by the State of West Virginia.	P
416	Campground/Recreational Vehicle Park Not defined in our Code: CAMPGROUND/RECREATIONAL VEHICLE PARK - Recreational sites that accommodate campers, trailers, tents, and recreational vehicles on a transient basis. They provide a variety of facilities, often including restrooms with showers, recreational facilities (such as a swimming pool), laundromat facilities, and a convenience store.	
430	Golf Course Not defined in our Code: GOLF COURSE – A recreational location offering 9, 18, 27, and 36 hole courses, or a similar configuration. Some sites may also have driving ranges, and clubhouses with a pro shop, restaurant, lounge, and banquet facilities. Includes municipal golf courses. Does not include miniature golf.	S
431	Miniature Golf Course Not defined in our Code: MINIATURE GOLF COURSE – Consists of one or more individual putting courses. They may include limited game rooms or refreshment services. This is a stand-alone facility and not part of a larger recreational facility	S
432	Golf Driving Range Not defined in our Code: GOLF DRIVING RANGE – Outdoor facilities containing driving tees for golfers to practice.	S

	These facilities may also provide individual or group lessons. May include a pro-shop and/or refreshment facilities.	
433	Batting Cages Not defined in our Code: BATTING CAGES – Recreational facilities which consist of one or more individual batting cages. They may contain game rooms and/or refreshment services.	S
438	Billiard Hall Not defined in our Code. Definition taken from Merriam-Webster and modified: BILLIARD HALL – A facility used to play billiards, also known as a poolhall. Generally provides dining or refreshment facilities	S
435	Multipurpose Recreational Facility Not defined in our Code: MULTIPURPOSE RECREATIONAL FACILITY – A facility containing two or more of the following uses combined at one site: miniature golf, batting cages, video arcades, bumper cars/vehicles, go-carts, golf driving ranges, and similar recreational facilities. Refreshment areas may also be provided	S
437	Bowling Alley Not defined in our Code: BOWLING ALLEY – A recreational facility that includes bowling lanes. A small lounge, restaurant and/or snack bar, video games, and billiards table may also be available.	S
440	Adult Cabaret (Adult Uses) ADULT ENTERTAINMENT CABARET – A public or private establishment that is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers.	
441	Live Theater Modified from existing *Theater* definition. THEATER, LIVE – A Building or part of a Building devoted to showing live dramatic, musical, or other performances.	
443/444	Movie Theater Not defined in our Code: THEATER, MOVIE – A facility with a screen or multiple screens up to a maximum of nine (9), audience seating, a lobby, and refreshment stand. Not used for live performances.	
445	Multiplex Movie Theater Not defined in our Code: THEATER, MULTIPLEX MOVIE- A facility with a minimum of ten (10) screens, audience seating, a lobby, and a refreshment stand. Generally has one or more of the following amenities: digital sound, tiered stadium seating, moveable/expandable walls.	
460	Arena Not defined in our Code: ARENA – Large indoor structures in which spectator events are held. These events vary from	

	professional sports to events such as concerts, shows, or religious services.	
464	Roller Skating Rink Not defined in our Code. Definition taken from Merriam-Webster and modified: RINK, ROLLER SKATING – An enclosure for roller skating. May feature a refreshment area.	
465	Ice Skating Rink Not defined in our Code: RINK, ICE SKATING – Standalone facilities use for ice-skating oriented sports and entertainment. May contain spectator areas, refreshments areas, locker rooms, and arcades.	
473	Casino/Video Lottery Establishment Not defined in our Code. This definition is from ITE and modified to include dining facilities. The ITE definition did not cover full-service casinos. CASINO/VIDEO LOTTERY ESTABLISHMENT – Establishment that provides electronic or manually-controlled slot machines, games of chance, and/or games of skill. These facilities exist for the primary purpose of deriving revenue from gaming operations. May include dinning and refreshment facilities, as well as lodging, and conference spaces.	
480	Amusement Park Not defined in our Code: AMUSEMENT PARK – A recreational facility that contains rides, entertainment, and refreshment stands.	
488	Soccer Complex Not defined in our Code: SOCCER COMPLEX – Outdoor facility used for non-professional soccer games. They may consist of multiple fields. Ancillary amenities include stadium seating, and other recreational activities, such as a fitness trail, ball court, and playground.	S
490	Tennis Courts Not defined in our Code: TENNIS COURT – Indoor or outdoor facilities specifically designed for playing tennis. May be public or private. Generally does not include ancillary uses besides seating.	P
491	Racquet/Tennis Club Not defined in our Code: RACQUET/TENNIS CLUB – Privately owned facilities that primarily cater to racquet sports (tennis, racquetball, or squash – indoor or outdoor). The land use may also provide ancillary facilities, such as swimming pools, saunas, weight rooms, snack bars, retail stores, and/or a clubhouse. These facilities are membership clubs that allow access to the general public for a fee.	S
492	Health/Fitness Club Not defined in our Code: HEALTH/FITNESS CLUB – A privately owned facility that primarily focuses on individual fitness or training. Typically they provide exercise classes; weightlifting, fitness, and gymnastics equipment, spas, locker rooms, and refreshment areas. Ancillary features may include saunas, swimming	P

	pools, racquet sport facilities, handball courts, and limited retail. These facilities are membership clubs that may allow access to the general public for a fee.	
493	Athletic Club Not defined in our Code: ATHLETIC CLUB – Privately owned facilities that offer comprehensive athletic facilities. These clubs typically have one or more of the following: tennis, racquetball, squash, handball, basketball, and volleyball courts; swimming pools, whirlpools, saunas, spas, exercise rooms, and/or weight rooms. They may offer a diversity of competitive team sports activities, as well as social facilities. They facilities are membership facilities that may allow access to the general public for a fee.	P
495	Recreational Community Center Not defined in our Code: RECREATIONAL COMMUNITY CENTER – Stand-alone public facilities similar to an athletic club. These facilities often include classes and clubs for adults and children; a daycare/nursery school; meeting rooms; swimming pools, whirlpools, saunas; tennis racquetballs, handball, basketball, and/or volleyball courts; outdoor and indoor recreation areas; athletic fields; weightlifting and gymnastics equipment; and a refreshment area. A fee may be charged.	S
*	Swimming Pool Facility Not defined in our Code or in ITE. Staff crafted proposed definition: SWIMMING POOL FACILITY – A swimming pool open to the public for free, a fee, or to a fee paying membership. May contain refreshment facilities.	S
520	Elementary School Not defined in our Code: SCHOOL, ELEMENTARY – Educational facility typically serving students from kindergarten through to fifth or sixth grade. Generally includes bus parking, as well as outdoor recreational fields and play areas. Include both private and public facilities.	
522	Middle School/Junior High School Not defined in our Code: SCHOOL, MIDDLE/JUNIOR HIGH – Educational facility serving students who have graduated from elementary school but not yet in high school. Generally includes bus parking, as well as outdoor recreational fields and play areas. Include both private and public facilities.	

530	High School Not defined in our Code: SCHOOL, HIGH – Educational facility serving students who have graduated from middle/junior high school. Generally includes bus parking, as well as outdoor recreational fields and play areas. Include both private and public facilities.	
534/536	Private School (K-12) Not defined in our Code: SCHOOL, PRIVATE – Educational facility that primarily educates kindergarten through eighth grade. They may offer pre-kindergarten classes, as well	

	as extended daycare. Generally includes bus parking, as well as outdoor recreational fields and play areas.	
540	Junior/Community College Not defined in our Code: COLLEGE, JUNIOR/COMMUNITY – Educational facility which offers two-year junior, community, or some technical colleges. Educational programs may exceed two years for certain programs.	
550	University/College Not defined in our Code: COLLEGE/UNIVERSITY – Educational facility offering four-year educational programs. Generally offers a variety of undergraduate, graduate, and postgraduate educational programs.	
*	Technical and Vocational School Not defined in our Code or ITE. Definition from Fredericksburg VA: SCHOOL, TRADE/TECHINCIAL/VOCATIONAL- A facility primarily teaching a usable skill that prepares a person for a job in a trade and meeting any licensing requirements of the State, including barber, cosmetology, mechanical, plumbing, electrical, carpentry, and auto-mechanic trades.	
*	Professional and Management Development Training Center Not defined in our Code or ITE. Definition from N. American Industry Classification System: PROFESSIONAL AND MANAGEMENT DEVELOPMENT TRAINING CENTER - Establishments primarily engaged in offering an array of short duration courses and seminars for management and professional development. Training for career development may be provided directly to individuals through employers' training programs and courses that are customized or modified to meet the special needs of their customers. Common types of services within this sector include: continuing Education (classes, seminars, and conferences), professional development training, quality assurance training, and management development training.	
560/561	Church/Synagogue CHURCH – A Religious Institution.	S
565	Day Care Center DAY CARE CENTER – A private establishment enrolling more than six (6) children where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed by the State of West Virginia and approved to operate as such an establishment.	~~SA~~ P
566	Cemetery CEMETERY -A place used for the permanent internment of dead human bodies or the cremated remains thereof. A Cemetery may be a burial park for earth internments, a mausoleum for vault or crypt internments, a columbarium for cinerary internments, or a combination of one or more thereof.	
571	Prison Not defined in our Code: PRISON – A building or buildings where persons convicted of a crime or who are awaiting trial are confined. May include limited recreational facilities, as well as work areas, dining areas, and office spaces.	

	Go to next page	
580	Museum Not defined in our Code MUSEUM – A facility offering exhibitions, displays, shows, and/or demonstrations of historical, scientific, artistic, or other cultural significance.	P
*	Cultural Center CULTURAL CENTER – A use providing for display, performance, or enjoyment of heritage, history, or the arts. This use allows for the combination of the uses as follows, but is not limited to: museums, art performances, corporate retreats, art galleries, historic interpretation/reenactment, cultural activities, weddings, or interpretive sites, but does not include commercially-operated businesses.	~~S~~ P
590	Library Not defined in our Code LIBRARY – Either a public or private facility with shelved books, reading rooms, and sometimes meeting rooms.	P
591	Lodge/Fraternal Organization LODGE/FRATERNAL ORGANIZATION: A private clubhouse with dining and drinking facilities, recreational and entertainment areas, and meeting rooms.	S
610	Hospital HOSPITAL – A licensed and West Virginia accredited institution rendering medical, surgical or convalescent care at least partially on an inpatient basis, including Nursing Homes, homes for the aged and sanatoriums, and treatment centers that serve human patients at least partially on an inpatient basis and partially by outpatient services, particularly emergency care.	
612	(Outpatient) Surgery Center OUTPATIENT SURGEY CENTER – A healthcare facility that provides surgical care without providing overnight accommodations.	
620	Nursing Home NURSING HOME – This item includes rest homes, nursing homes, convalescent homes for children and homes providing chronic and convalescent care; a place that has obtained the necessary licensing requirements in West Virginia which is devoted primarily to the maintenance and operation of facilities for the treatment and care of four (4) or more persons suffering from illness, diseases, deformities or injuries not requiring extensive and/or intensive care that is normally provided in a general Hospital or other specialized Hospital.	
630	Clinic CLINIC – An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists, social workers, or veterinarians and where patients are not usually lodged overnight.	

640	Animal Hospital/Veterinary Clinic ANIMAL HOSPITAL – A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.	S
*	Medical / Dental Lab Not defined in our Code or ITE. Definition from Fredericksburg VA: MEDICAL/DENTAL LAB - A room or group of rooms used for conducting the affairs of a businesses engaged in offering or providing medical, dental, or other health-related diagnostic services to clients both on-site and in separate locations.	S
*	Heliport Not defined in our Code or ITE. Definition from Fredericksburg VA: HELIPORT - An area, either on ground level or elevated on a structure, licensed or approved for repetitive helicopter landings and takeoffs on the same parcel of land. The term heliport includes accessory uses and structures such as parking, waiting room, fueling, and maintenance equipment	
710	General Office Building Not defined in our Code OFFICE BUILDING, GENERAL – A building generally housing multiple tenants. It is a location where affairs of businesses, commercial, or industrial organizations, or professional persons or firms are conducted. May include ancillary businesses such as dining or retail.	
714	Corporate Headquarters Building Not defined in our Code, and such a use seems like it can be subsumed into another Office category use.	
715	Single Tenant Building Not defined in our Code OFFICE BUILDING, SINGLE-TENANT – A building containing the offices of a single business or company. Generally contains offices, meeting rooms, and storage facilities. May have ancillary support services such as a cafeteria, gym facilities, and/or a daycare.	P
720	Medical-Dental Office Building Not defined in our Code, and this use seems like it can be subsumed into the *Medical/Dental Lab* use.	P
730	Government Office Building Not defined in our Code OFFICE BUILDING, GOVERNMENT – A individual building containing government offices. May be local, state, or federal offices.	P
732	United States Post Office Not defined in our Code UNITED STATES POST OFFICE – A federal post office building. Generally contains service windows, post office boxes, and sorting and distribution facilities.	P

733	Government Office Complex Not defined in our Code OFFICE COMPLEX, GOVERNMENT – A series of government office buildings connected by pedestrian walkways. May be local, state, or federal offices.	
735	Judicial Complex Not defined in our Code or ITE. Staff crafted definition: JUDICIAL COMPLEX – An office building or series of office buildings used for judicial proceedings. May include offices, meeting rooms, trial hearing rooms, and detention facilities.	
750	Office Park Not defined in our Code OFFICE PARK – Usually a planned development featuring general office buildings and support services, such as banks, restaurants, and service stations, arranged in a campus-like atmosphere. The development is focused on offices and ancillary service industry businesses.	
760	Research and Development Center RESEARCH AND DEVELOPMENT CENTER – A Building or Buildings, for which an overall Schematic Plan has been approved by the Planning Commission, designed with Open Space and compatible with the adjacent community, to be used for the inquiry and investigation of sources and limited to the basic and applied research phase of the inquiry; not including however, any manufacturing, industrial operations or pilot plant involving machines or operations normally associated with production or assembly lines or the production of goods in quantity above that needed for product testing and evaluation.	
770	Business Park Not defined in our Code BUSINESS PARK – Consists of a group of buildings used for flex-type or incubator businesses. Generally one or two story buildings served by a common roadway system. The tenant space is flexible and may be used for a variety of uses. The rear of the building is usually used as a service entrance. May include office space, retail and wholesale stores, warehousing, restaurants, light-industrial, and scientific research businesses. Average mixture of uses is 30% commercial/office, and 70% industrial/warehouse.	
812	Building Materials and Lumber Store Not defined in our Code BUILDING MATERIALS AND LUMBER STORE – A free-standing building that sells hardware, building materials, and lumber. Generally less than 30,000 sq. ft. May feature an outdoor storage yard.	
813	Free-Standing Discount Superstore Not defined in our Code DISCOUNT SUPERSTORE, FREE-STANDING – This type of store offer a wide arrange of products and services, and has centralized cashiering. It also has a full-service grocery department. May have ancillary support operations, such as gasoline sales, a garden center, and automotive services. Generally open every day, with long operating	

	hours. May be part of a larger retail complex.	
814	Specialty Retail Center Not defined in our Code. Proposed definition taken from Wikipedia: RETAIL CENTER, SPECIALTY - A specialty store is a shop/store that carries a deep assortment of brands, styles, or models within a relatively narrow category of goods. Furniture stores, florists, sporting goods stores, and bookstores are all specialty	P
815	Free-Standing Discount Store Not defined in our Code DISCOUNT STORE, FREE-STANDING – This type of store offer a wide arrange of products and services, and has centralized cashiering. It does not have a full-service grocery department. May have ancillary support operations, such as gasoline sales, a garden center, and automotive services. Generally open every day, with long operating hours. May be part of a larger retail complex.	P
816	Hardware/Paint Store Not defined in our Code. ITE definition is simply "Generally a free-standing store". This proposed definition is Staff created: HARDWARE/PAINT STORE – A store offering hardware, paint, and other home improvement goods. Generally has a more limited selection of good compared to a building materials and lumber	P
817	Nursery/Garden Center Not defined in our Code. NURSERY/GARDEN CENTER – A free standing building with an outside storage area for planting or landscaping stock. Primarily serves the general public. May have a greenhouse on-site, offices, storage, shipping facilities, and may offer landscaping services.	S
818	Nursery (Wholesale) Not defined in our Code. NURSERY (WHOLESALE) - A free standing building with an outside storage area for planting or landscaping stock. Primarily serves contractors and suppliers. May have a greenhouse on-site, offices, storage, shipping facilities, and may offer landscaping services.	
820	Shopping Center Not defined in our Code. SHOPPING CENTER – An integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. Generally provides on-site parking.	
823	Factory Outlet Center Not defined in our Code. FACTORY OUTLET CENTER – A shopping center that primarily houses factory outlet stores.	

841	Automobile Sales Not defined in our Code. AUTOMOBILE SALES – A dealership, typically located along major arterial streets characterized by abundant commercial development. Leasing and used car sales may also be areas of focus. May offer services and sale of parts.	
843	Automobile Parts Sales Not defined in our Code. AUTOMOBILE PARTS SALES – Facility focused on the sale of automobile parts for maintenance and repair. Material sold may include oil and batteries, and a wide array of automobile parts.	
848	Tire Store Not defined in our Code. TIRE STORE – A business focused on the sale of automobile tires. May offer services such as tire installation and repair. May offer automotive maintenance and repair services. Generally does not have large storage or warehouse areas.	
849	Tire Superstore Not defined in our Code. TIRE SUPERSTORE – Warehouse-style facility focused on selling and installing automobile tires. May offer automotive maintenance and repair services, such as wheel alignment and shock and brake service. Generally has a significant storage area. General bodywork and mechanical repairs are not performed.	
850	Supermarket Not defined in our Code. SUPERMARKET – Free-standing retail store selling an assortment of food, food preparation and wrapping materials, and household goods. They may contain a deli, a bakery, a pharmacy, and other customary services. May be open 24 hours.	S
851	Convenience Market (Open 24 Hours) Not defined in our Code. CONVENIENCE MARKET (24 HOURS) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. Does not sell or dispense gasoline. Open 24 hours.	
852	Convenience Market (Open 15 – 16 Hours) Not defined in our Code. CONVENIENCE MARKET (15-16 HOURS) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. Does not sell or dispense gasoline. Generally open no more than 16 hours a day.	P
853	Convenience Market with Gasoline Pumps Not defined in our Code. CONVENIENCE MARKET (WITH GASOLINE SALES) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. May be open 24 hours. Has gasoline and other automotive fuel dispensers.	

854	Discount Supermarket Not defined in our Code. SUPERMARKET, DISCOUNT – A free-standing retail store selling an assortment of food (often in bulk), food preparation and wrapping materials, and household goods, at discounted prices.	P
857	*Go to next page* Discount Club Not defined in our Code. DISCOUNT CLUB - A discount store or warehouse where shoppers pay a membership fee in order to take advantage of discounted prices on a wide variety of items such as food, clothing, tires and appliances; many items are sold in large quantities or bulk. Some site include on-site fueling pumps.	
859	Liquor Store (including Beer Distributor) Not defined in our Code. Definition taken from Martinsburg: LIQUOR STORE (Including Beer Distributor): Any established licensed and permitted under the West Virginia Alcohol and Beverage Control Administration to sell alcoholic beverages, including beer, wine, and liquor	S
860	Wholesale Market Not defined in our Code. WHOLESALE MARKET –Use with large storage and distribution areas for receiving goods and shipping these goods to places such as grocery stores and restaurants. Generally, these markets are characterized by little drive-in business; truck deliveries and pick-up take place at all hours of the day	
861	Sporting Goods Superstore Not defined in our Code. SUPERSTORE, SPORTING GOODS – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of athletic and out-door oriented merchandise. These stores typically maintain long store hours, and are generally open every day of the week	
862	Home Improvement Superstore Not defined in our Code. SUPERSTORE, HOME IMPROVEMENT – Free-standing facility that specializes in the sale of home improvement merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week. May have a garden center	
863	Electronics Superstore Not defined in our Code. SUPERSTORE, ELECTRONICS - Free-standing facility that specializes in the sale of electronics merchandise, and may also offer major home appliances. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week.	
864	Toy/Children's Superstore Not defined in our Code. SUPERSTORE, CHILDRENS GOODS/TOYS - Free-standing facility that specializes in the sale of toys and other child-oriented merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are	

	generally open every day of the week.	
865	Baby Superstore Not defined in our Code. SUPERSTORE, BABY GOODS - Free-standing facility that specializes in the sale of toys and other baby-oriented merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week.	
866	Pet Supply Superstore Not defined in our Code. SUPERSTORE, PET SUPPLY – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of pets and pet oriented merchandise. These stores typically maintain long store hours, and are generally open every day of the week. May have a shelter, and may offer training classes.	
867	Office Supply Superstore Not defined in our Code. SUPERSTORE, OFFICE SUPPLY – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of office merchandise, such as desks, paper, ink, and printers. These stores typically maintain long store hours, and are generally open every day of the week. They may offer services such as labeling, shipping, administrative support, and internet based services.	
868	Book Superstore Not defined in our Code. SUPERSTORE, BOOK – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of books, magazines, periodicals, and other printed goods. These stores typically maintain long store hours, and are generally open every day of the week. They may also have sale of audio/visual goods and toys. They may also have a café.	
869	Discount Home Furnishings Superstore Not defined in our Code. SUPERSTORE, DISCOUNT HOME FURNISHING – Free-standing facility which generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week. They typically exceed 100,000 sq. ft. in area, and offer an extensive variety of home furnishings and accessories. They may offer ancillary services such as dining facilities or children play area.	
870	Apparel Store Not defined in our Code or in ITE. Definition crafted by staff. APPAREL STORE – A facility specializing in textile sales. May offer a wide range of clothing, or specialize in certain items, such as outdoor apparel.	P
		P

879	Arts and Crafts Store Not defined in our Code. ARTS AND CRAFTS STORE – A facility that sells art, art supplies, hobby supplies, framing, décor, and seasonal merchandise. May also offer art and craft classes.	
880	*Go to next page* Pharmacy/Drugstore without Drive-Through Window Not defined in our Code. PHARMACY/DRUGSTORE – Retail facility that primarily sells prescription and non-prescription drugs. They may also sell cosmetics, stationary, personal care products, a limited food selection, and general merchandise. They may offer some medical services.	P
881	Pharmacy/Drugstore with Drive- Through Window Not defined in our Code. PHARMACY/DRUGSTORE – Retail facility that primarily sells prescription and non-prescription drugs. They may also sell cosmetics, stationary, personal care products, a limited food selection, and general merchandise. They may offer some medical services.	S
890	Furniture Store Not defined in our Code. FURNITURE STORE – A full-service retail store that specializes in the sale of furniture, and often also carpeting. May include a large storage facility.	
892	Carpet Store Not defined in our Code or in ITE. Definition crafted by staff. CARPET STORE – A retail store specializing in the sale of carpeting, rugs, and other flooring material. May have a large storage	
896	Video Rental Store Not defined in our Code. VIDEO RENTAL STORE – A retail store specializing in the sale or rental of motion-picture goods (such as DVD, Blu-ray, and other home video goods). May also offer video games for rental or sale.	
*	Art Gallery ART GALLERY – A Structure, or part thereof, devoted to the exhibition of visual works of fine art. Art galleries generally include accessory services, such as sale or purchase of displayed works, custom framing or encasement of art works and services related to art appraisal, display, preservation or restoration.	P
*	Gift shops and Boutiques Not defined in our Code or in ITE. Definition crafted by staff. BOUTIQUE/GIFT SHOP – A retail shop specializing in a limited and specialized line of goods. Has a small building footprint. May be a free-standing use or located within a larger commercial use/structure.	P
*	Farmers Market Not defined in our Code. FARMERS MARKET – A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls	

	or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items.	
*	Florist Not defined in our Code or in ITE. Definition crafted by staff. FLORIST – A facility that specializes in selling flowers, and may create arrangements of flowers. May also sell gardening supplies.	P
*	*Go to next page* Photo / Camera Store Not defined in our Code or in ITE. Definition crafted by staff. PHOTO/CAMERA STORE – A facility specializing in the sale of cameras and camera equipment. May offer picture and portraiture services, and offer classes.	P
911	Walk-in Bank Not defined in our Code. BANK, WALK-IN – Generally a free-standing structure that provides financial services and products. These facilities generally have a parking lot, and do not have drive-through teller services, though they may contain a non-drive-through automatic teller machine.	P
912	Drive-in Bank Not defined in our Code. BANK, DRIVE-IN – Generally a free-standing structure that provides financial services and products. These facilities generally have a parking lot, and do offer drive-through teller services, including automated teller machines.	S
918	Hair Salon Not defined in our Code. HAIR SALON – Facility offering cosmetic and beauty services, such as hair cutting and styling, skin and nail care, and massage therapy. May also contain spa facilities.	P
931	Quality Restaurant Not defined in our Code. RESTAURANT, QUALITY – Full-service eating establishment, with typical customer duration stay of an hour or more. Generally does not offer breakfast service, and may not offer lunch service. Does offer dinner service. Reservations are generally required. May have lounge or bar facilities.	P
932	High-Turnover (Sit-Down) Restaurant Not defined in our Code. RESTAURANT, HIGH-TURNOVER/SIT DOWN – Full service eating establishments, with typical customer duration stay of an hour. Generally offers lunch and dinner service, may also offer breakfast service. May be open 24 hours a day. Typically reservations are not required.	
933	Fast-Food Restaurant w/o Drive-Through Window RESTAURANT, FAST-FOOD – An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to- consume state for consumption either within the Restaurant Building or off premises.	

934	Fast-Food Restaurant with Drive-Through Window RESTAURANT, FAST-FOOD – An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to- consume state for consumption either within the Restaurant Building or off premises.	
935	Fast-Food Restaurant with Drive-Through Window and No Indoor Seating RESTAURANT, FAST-FOOD – An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to- consume state for consumption either within the Restaurant Building or off premises.	
936	Coffee/Donut Shop w/o Drive- Through Window Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	P
937	Coffee/Donut Shop with Drive- Through Window Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	S
938	Coffee/Donut Shop with Drive- Through Window and No Indoor Seating Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	S
939	Bread/Donut/Bagel Shop w/o Drive-Through Window Not defined in our Code. BREAD/DOUGHNUT/BAGEL SHOP – Facility specialized in the sale of breads, doughnuts, and bagels as primary products. May offer beverages and limited sale of other foods. Indoor seating may be available, and table service may be provided.	P
940	Bread/Donut/Bagel Shop with Drive-Through Window Not defined in our Code. BREAD/DOUGHNUT/BAGEL SHOP – Facility specialized in the sale of breads, doughnuts, and bagels as primary products. May offer beverages and limited sale of other foods. Indoor seating may be available, and table service may be provided.	S
941	Quick Lube Vehicle Shop Not defined in our Code. QUICK LUBE VEHICLE SHOP – A business where the primary activity is to perform oil change services for vehicles. May also offer ancillary services such as preventative maintenance. Vehicle repair is generally not performed.	
942	Automobile Care Center Not defined in our Code. AUTOMOBILE CARE CENTER – A center which houses numerous	

	businesses that provided automobile-related services. These service may include repair and servicing, upholstering, and stereo installation.	
943	*Go to next page* Automobile Parts and Service Center Not defined in our Code. AUTOMOBILE PARTS AND SERVICE CENTER - Facility focused on the sale of automobile parts for maintenance and repair, and also provide a full array of auto repair services. Material sold may include oil and batteries, and a wide array of automobile parts.	
944	Gasoline/Service Station Not defined in our Code. GASOLINE/SERVICE STATION – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. Sale of goods is limited or non-existent. Does not have a car wash facility.	
945	Gasoline/Service Station with Convenience Market Not defined in our Code. GASOLINE/SERVICE STATION WITH CONVENIENCE MARKET – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. May sell a limited selection of food, beverages, and consumer goods. Does not have a car wash facility.	P
946	Gasoline/Service Station with Convenience Market and Car Wash Not defined in our Code. GASOLINE/SERVICE STATION WITH CONVENIENCE MARKET AND CAR WASH – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. May sell a limited selection of food, beverages, and consumer goods. Does have a car wash facility.	
947	Self-Service Car Wash CAR WASH – A Structure containing facilities for both hand and automatic washing of automobiles, which facilities may include the use of a chain conveyor or other method of moving the cars along, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.	
948	Automated Car Wash CAR WASH – A Structure containing facilities for both hand and automatic washing of automobiles, which facilities may include the use of a chain conveyor or other method of moving the cars along, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.	
960	DRY CLEANERS Not defined in our Code or ITE. Definition from Fredericksburg VA: DRY CLEANERS– A facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in water or volatile solvents	S

*	Funeral Home/Crematory FUNERAL HOME – A Building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.	
*	*Go to next page* Kennel KENNEL – Any Building or Structure and/or land used, designed, or arranged for housing, boarding, breeding, or care of more than three adult dogs or cats kept or bred for hunting, sale, exhibition, or domestic use or other domestic animals for profit, but not including those animals raised for agricultural purposes.	
*	Tattoo Parlor Not defined in our Code or ITE. Definition from Martinsburg TATTOO PARLOR- Establishments primarily in the business of applying lettering, art, and other images with permanent and semi-permanent inks, paints, pigments, or piercings to the body of patrons	P
*	Self-Storage Facility Not defined in our Code or ITE. Definition from Martinsburg SELF-STORAGE FACILITY - Any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such facility for the purpose of storing and removing personal property	
*	Outdoor Café Not defined in our Code or ITE. Definition from NACTO: OUTDOOR CAFÉ - An open-air seating area on a public sidewalk provided by a restaurant located on the adjoining property, where restaurant patrons can eat or drink	
*	Parking Facility Not defined in our Code or in ITE. Definition crafted by staff. PARKING FACILITY – A facility where vehicles are kept for storage. Available for the public for free or for a fee	~~PA~~
*	Wireless Telecommunication Facilities Not defined in our Code or ITE. Definition from Fredericksburg VA: WIRELESS TELECOMMUNICATION FACILITIES - Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including but not limited to equipment associated with wireless services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul; and radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration	S
*	Essential Utilities and Equipment ESSENTIAL UTILITIES AND EQUIPMENT – This term comprises underground or overhead electrical, gas, communications not regulated by the Federal Communications Commission, water and sewage systems, including poles, towers or pole structures, wires, lines, mains, drains, pumping stations, sewers, conduits, cables, fire alarm boxes, public telephone structures, police call boxes, traffic signals, hydrants, regulating and measuring devices and the	P

		structures in which they are housed, and other similar equipment accessories in connections therewith. It does not include Buildings, yards, stations used for storage, repair or processing of equipment or material, and does not include Buildings, yards, stations, or substations for transforming, boosting or switching purposes, where such facilities are constructed on the ground.	

CRITERIA

Before amending the zoning ordinance, the governing body with the advice of the planning commission, must find:

1. **That the amendment is consistent with the adopted comprehensive plan, or;**

   Meets the Vision Statement by:
   1. "*Promoting access to jobs and livelihoods*".
   2. "*Stimulating…business development and growth*".

   Key Themes and Goals met:
   -**Growth and Land Use**: The City of Charles Town will strategically plan for and promote sustainable and well-designed growth and development throughout its Urban Growth Boundary while maintaining a vibrant, walkable, and mixed-use Downtown that serves as the City's image center and core of civic life.

   -**Vibrancy, Sustainability, and Livability**: The City of Charles Town will promote and encourage economic development activities that capitalize on community assets, support the needs of present and future residents, and strive to ensure a sustainable and diverse economic base.

2. **If the amendment is inconsistent, then the governing body with the advice of the planning commission, must find that there have been major changes of an economic, physical or social nature within the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area.**

   Not applicable, first criterion is met.

RECOMMENDATION

Approval of the first read.

CITY OF CHARLES TOWN
WEST VIRGINIA

AN ORDINANCE AMENDING, CHANGING, AND MODIFYING THE ZONING ORDINANCE SO THAT ARTICLE 1322 SHALL BE MODIFIED REGARDING PERMITTED USES IN THE NEIGHBORHOOD RESIDENTIAL ZONING DISTRICT

WHEREAS, the purpose of the Neighborhood Residential Zoning District is to provide for a mix of housing types and related services and Uses, including Commercial Uses and office services. It is the intent of the zoning classification to allow mixed development on undeveloped land and the Redevelopment of specific parcels within the City. The intent is to create a cohesive pattern of primarily residential development that allows a mix of Uses, including neighborhood servicing Commercial and office Uses and/or Commercial and office Uses that complement the primarily residential character of the neighborhood;

WHEREAS, The Neighborhood Residential District must contain a mix of Uses compatible with surrounding Uses, particularly existing residential neighborhoods adjoining the proposed development or Redevelopment;

WHEREAS, the City's 2040 Comprehensive Plan Objective 4.1 Strategy 4.1.2 calls for the City to "*Continuously examine and where appropriate implement Best Management Practices for land use planning concepts*";

WHEREAS, pursuant to Sections 1321.12 of the City's Zoning Ordinance, the proposed amendment is being made pursuant to a public hearing;

WHEREAS, the City's Planning Commission also held a public hearing for this request on their meeting on July 22, 2024, and recommended approval of the proposed changes;

NOW, CITY COUNCIL FINDS AND DECLARES, that notice required under the City's Zoning Ordinance regarding the proposed amendment was duly given;

FURTHER FINDS AND DECLARES, that notice required under the City's Zoning Ordinance regarding a public hearing before City Council on the proposed amendment was duly given and such public hearing was duly held at a regular meeting of City Council held on August 19, 2024;

FURTHER FINDS AND DECLARES, that the requested amendment is consistent with the City's Comprehensive Plan,

FURTHER FINDS AND DECLARES, that the proposed amendment will benefit and promote the general welfare of the public by allowing commercial development in specifically designated areas;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that the Zoning Ordinance be amended, changed, and modified so that additional commercial uses are permitted in the Neighborhood Residential Zoning District.

This Ordinance shall take effect upon enactment.

First Reading: _____, 2024

Public Hearing: _____, 2024

Passed on Second Reading: _____, 2024

Enacted this _____ day of _____, 2024

CITY OF CHARLES TOWN

_____
Robert M. Trainor
Mayor

Attest:

_____
John Nissel
City Clerk

DRAFT

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-750: *TXA2024-04* - First Reading and Consideration of an Ordinance to Amend the Subdivision and Land Development Ordinance, Article 1332 Subdivision and Land Development Application and Approval Requirements, Section 1332.03, Subdivision and Land Development Application Submission and Review Procedures to Permit Public Participation for Preliminary Plans

Proposed Motion: **Recommended Motion:**

ATTACHMENTS:

- 1. Report.pdf
- 2. Draft Ordinance.pdf

TXA2024-04

Preliminary Plan Public Participation

Date: For the August 5, 2024 City Council meeting
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.

ISSUE

There are three phases a major subdivision/land development must go through. The first is a sketch plan, which is open to public comment at the Planning Commission. The second phase, a preliminary plan, is much more detailed, but not subject to public comment at the Planning Commission. The final phase is the final plan, which is reviewed and approved/denied administratively.

As the City continues to see large scale development, especially residential, it is imperative that the public be able to provide participate in the planning process. The purpose of this text amendment is to open the preliminary plan phase of development to public comment. Generally the level of detail the public is interested in is not available at the sketch plan phase; once provided at the preliminary plan phase the public has no means to provide comment in an open forum.

PRELIMINARY PLAN

Per Subdivision Ordinance Section 1332.03.C.3.A, "*The Preliminary Plan and Plat is a site plan, including supporting data, indicating a proposed site layout design or subdivision design, prepared by, as necessary, a West Virginia registered civil engineer, land surveyor, landscape architect, architect, or land planner.*"

Per Subdivision Ordinance Section 1332.03.C.3.E.2. "*The Preliminary Plan and Plat Application shall be scheduled before the Planning Commission for a workshop approval. No notice requirements shall apply, other than standard agenda notice period. Approval by the Planning Commission is not a Public Hearing and is for the benefit of the Planning Commission to ensure the Preliminary Plat and Plan is in substantial compliance with the Sketch Plan.*"

STATE CODE REQUIREMENTS

State Code Section 8A-5-8 governs the procedures for a hearing on a major subdivisions/land development. It lays out the requirements for a determination of completeness followed by a public hearing, which the City does through the sketch plan public hearing process. It makes no reference to preliminary plans.

EXISTING LANGUAGE

Table 1332.03 – Application and Review Procedures

Stage	Minor Subdivisions/ Land Developments	Major Subdivisions/ Land Developments	Party Authorized To Approve	Public Hearing?
Pre-submission Consultation Meeting	Required	Required	Not Applicable	No
Sketch Plan Submission	Not Applicable	Required	Planning Commission	Yes
Preliminary Plan & Plat Approval	Not Applicable	Required[1]	Planning Commission	NO. PC Workshop
Final Plan & Plat Approval	Required	Required	Staff	No
Guarantee of Surety	Not Applicable	Required	Planning Commission	Yes

[1] Preliminary Plan & Plat approval may be combined with Final Plan & Plat approval as specified in Section 1332.01(A)(3)(a) and (3)(c).

…

Section 1332.03.C.3.E.2. "At the next available Planning Commission agenda for the Planning Commission, the Preliminary Plan and Plat Application shall be scheduled before the Planning Commission for a workshop approval. No notice requirements shall apply, other than standard agenda notice period. Approval by the Planning Commission is not a Public Hearing and is for the benefit of the Planning Commission to ensure the Preliminary Plat and Plan is in substantial compliance with the Sketch Plan."

PLANNING COMMISSION

The Commission discussed this item at their April 22, 2024 meeting and recommend staff proceed with a public hearing with the proposed changes.

The Commission held a public hearing on June 24, 2024. There were no public comments. The Commission voted unanimously to recommend **approval**.

PROPOSED LANGUAGE

The proposed text amendment is in red below:

Table 1332.03 – Application and Review Procedures

Stage	Minor Subdivisions/ Land Developments	Major Subdivisions/ Land Developments	Party Authorized To Approve	Public Hearing?
Pre-submission Consultation Meeting	Required	Required	Not Applicable	No
Sketch Plan Submission	Not Applicable	Required	Planning Commission	Yes
Preliminary Plan & Plat Approval	Not Applicable	Required[1]	Planning Commission	Yes
Final Plan & Plat Approval	Required	Required	Staff	No
Guarantee of Surety	Not Applicable	Required	Planning Commission	Yes

[1] Preliminary Plan & Plat approval may be combined with Final Plan & Plat approval as specified in Section 1332.01(A)(3)(a) and (3)(c).

…
(Proposed Redlined text)

Section 1332.03.C.3.E.2. "At the next available Planning Commission agenda for the Planning Commission, the Preliminary Plan and Plat Application shall be scheduled before the Planning Commission ~~for a workshop~~ to vote on the subject application. ~~No notice requirements shall apply, other than standard agenda notice period~~. Approval by the Planning Commission is ~~not a Public Hearing and is for the benefit of the Planning Commission~~ to ensure the Preliminary Plat and Plan is in substantial compliance with the Sketch Plan."

(a) The Planning Commission must publish a public notice of the public hearing and meeting in a local newspaper of general circulation in the City of Charles Town at least 14 calendar days prior to the scheduled public hearing, a notice posted on the property (by the applicant), and letters sent to the adjacent property owners. Adjacent Property owners are identified as properties within 100 feet of the proposed development. Adjacent Property owners include properties across a right-of-way or easement.

Proposed Clean text version, with additions in red only

Section 1332.03.C.3.E.2. "At the next available Planning Commission agenda for the Planning Commission, the Preliminary Plan and Plat Application shall be scheduled before the Planning Commission to vote on the subject application. Approval by the Planning Commission is to ensure the Preliminary Plat and Plan is in substantial compliance with the Sketch Plan."

(a) The Planning Commission must publish a public notice of the public hearing and meeting in a local newspaper of general circulation in the City of Charles Town at least 14 calendar days prior to the scheduled public hearing, a notice posted on the property (by the applicant), and letters sent to the adjacent property owners. Adjacent Property owners are identified as properties within 100 feet of the proposed development. Adjacent Property owners include properties across a right-of-way or easement.

CITY OF CHARLES TOWN
WEST VIRGINIA

AN ORDINANCE AMENDING, CHANGING, AND MODIFYING THE SUBDVISION AND LAND DEVLEOPMENT ORDINANCE SO THAT ARTICLE 1332 SHALL BE MODIFIED TO PERMIT PUBLIC COMMENT FOR PRELIMINARY PLANS.

WHEREAS, the City desires to permit additional public review and comment on proposed development,

WHEREAS, the City's 2040 Comprehensive Plan Objective 4.1 Strategy 4.1.2 calls for the City to "*Continuously examine and where appropriate implement Best Management Practices for land use planning concepts*";

WHEREAS, City is better served by allowing additional public input on potential development plans;

WHEREAS, pursuant to Sections 1331.12(C) City's Subdivision and Land Development Ordinance, the proposed amendment is being made pursuant to a public hearing;

WHEREAS, the City's Planning Commission also held a public hearing for this request on their meeting on June 24, 2024, and recommended approval of the proposed changes;

NOW, CITY COUNCIL FINDS AND DECLARES, that notice required under the City's Subdivision and Land Development Ordinance regarding the proposed amendment was duly given;

FURTHER FINDS AND DECLARES, that notice required under the City's Subdivision Ordinance regarding a public hearing before City Council on the proposed amendment was duly given and such public hearing was duly held at a regular meeting of City Council held on August 19, 2024;

FURTHER FINDS AND DECLARES, that the requested amendment is consistent with the City's Comprehensive Plan,

FURTHER FINDS AND DECLARES, that the proposed amendment will benefit and promote the general welfare of the public by allowing additional comment on proposed development plans

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLES TOWN, that the Subdivision and Land Development Ordinance be amended, changed, and modified so that preliminary plans be subject to public hearing notice requirements for public comment and shall provide for public comment.

This Ordinance shall take effect upon enactment.

DRAFT

First Reading: _____, 2024

Public Hearing: _____, 2024

Passed on Second Reading: _____, 2024

Enacted this _____ day of _____, 2024

CITY OF CHARLES TOWN

_____
Robert M. Trainor
Mayor

Attest:

_____
John Nissel
City Clerk

DRAFT

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-754: Discussion on Spending Plan for the Coal Severance Fund

ATTACHMENTS:

- FY25 Coal Severance Revision 1.pdf
- FY 2020 Coal Severance Budget.pdf

the city of Charles Town, WV

FY25 COAL SEVERANCE BUDGET REVISION #1
City Council Meeting - July 15, 2024

DEPARTMENT LINE ITEMS	*FY 2025 ORIGINAL BUDGET*	*FY 2025 REVISION #1*	*FY 2025 CURRENT BUDGET*	*FY 2025 NOTES & EXPLANATIONS*
REVENUES				
Carryover	$ 170,702	$ (14,910)	$ 155,792	Carryover reduced because actual carryover as of June 30, 2024 was less than the amount budgeted for FY 2025.
Coal Severance	$ 30,000	$ (10,000)	$ 20,000	
Interest			$ -	
Total Revenues	**$ 200,702**	**$ (24,910)**	**$ 175,792**	

DEPARTMENT LINE ITEMS	*FY 2025 ORIGINAL BUDGET*	*FY 2025 REVISION #1*	*FY 2025 CURRENT BUDGET*	*FY 2025 NOTES & EXPLANATIONS*
EXPENSES				
Parks and Recreation				
Parks and Recreation - Capital	$ 200,702	$ (24,910)	$ 175,792	Reduced to balance the budget due to reduction of carryover in the revenues.
Total Parks and Recreation	**$ 200,702**	**$ (24,910)**	**$ 175,792**	

the city of Charles Town, WV

FY 20 COAL SEVERANCE BUDGET
Revised: February 28, 2019

REVENUES	FY 17 ACTUAL	FY18 ACTUAL	FY19 APPROVED	FY 20 PROPOSED	% CHANGE FY 19 - 20	
Carryover	$ -	$ -	$ 15,000	$ 44,100	194.0%	Cash in bank account as of 1-31-19.
Coal Severance	$ -	$ 14,122	$ 14,000	$ 15,000	7.1%	Collections slightly ahead of projections for FY19.
Total Revenues	**$ -**	**$ 14,122**	**$ 29,000**	**$ 59,100**	**103.8%**	

DEPARTMENT LINE ITEMS	FY 17	FY 18	FY 19	FY 20	FY 19-20	FY 19-20	NOTES AND EXPLANATIONS
Parks and Recreation	**Actual**	**Actual**	**Approved**	**Proposed**	**Difference**	**% Change**	**Notes and Explanations**
Parks and Recreation - Capital	$ -	$ -	$ 29,000	$ 59,100	$ 30,100	103.8%	Begin saving funds for new pool/splash pad or other parks amenity.
Total Parks and Recreation	**$ -**	**$ -**	**$ 29,000**	**$ 59,100**	**$ 30,100**	**103.8%**	

Surplus or Deficit	$ -	$ 14,122	$ -	$ -	-	-	

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-814: FY2025 Capital Budget Discussion and Approval

Proposed Motion: Approve the FY2025 Capital Budget

ATTACHMENTS:

- FY2025 Capital Budget Council Version.xlsx

the city of Charles Town WV

FY 2025 Capital Reserve Budget

Approved : XX XXX XX

CAPITAL BUDGET REVENUES

REVENUES	*STAFF PRIORITY*	*COUNCIL PRIORITY*	*STAFF TIME*	*APPROXIMATE START TIME*	*LENGTH OF PROJECT*	*FY 2024 BUDGET*	*FY 2024 ACTUAL*	*FY 2025 REEQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*ENCUMBERED*	*COUNCIL APPROVED*	*NOTES*
Capital Reserve Carryover						$ 299,928	$ 299,928	$ 4,881,215	$ 4,881,215			Carryover balance from FY2024 Capital Reserve - Improvement Budget.
36800 Contributions from GF ($659,452 Revenue/Loss & $3,055,000 Pool)								$ 3,714,452	$ 3,714,452			Contributions from GF - $659,452 from Revenue/Loss and $3,055.000 from FY24 Carryover disignated for JMP Pool.
33000 Developer Fees						$ 100,000	$ 191,822	$ 100,000	$ 100,000			Estimated based on FY2024 receipts
36800 Contributios from GF - Lottery / Gaming Revenue						$ 557,680	$ 1,463,977	$ 850,000	$ 850,000			All lottery/gaming revenue remitted to Charles Town gets XFRD to Capital Reserve from GenFund.
38000 Interest on Bank Accounts & Other Sources						$ 35,000	$ 69,767	$ 60,000	$ 60,000			Reveue from 3 diferent interest bearing checking accounts.
TOTAL REVENUES						$ 992,608	$ 2,025,494	$ 9,605,667	$ 9,605,667	$ -	$ -	

CAPITAL BUDGET EXPENSES

EXPENDITURES	*STAFF PRIORITY*	*COUNCIL PRIORITY*	*STAFF TIME*	*APPROXIMATE START TIME*	*LENGTH OF PROJECT*	*FY 2024 BUDGET*	*FY 2024 ACTUAL*	*FY 2025 REEQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*ENCUMBERED*	*COUNCIL APPROVED*	*NOTES*
975 GENERAL GOVERNMENT												
975-23 General Government Professional Services - Capital Improvement Plan	1		4	24-Oct	6 MONTHS			$ 125,000	$ 125,000			Outsourcing costs to create a rigorous 5 year revolving capital improvement plan for all areas of the City.
975-23 General Government Professional Services - Zoning & Subdivision Ordinance Overhaul	1		P&Z COMMITTEE & 2 STAFF	24-Oct	30 MONTHS			$ 150,000	$ 150,000	$ 100,000		Outsourcing costs to update this ordinance. It has not been updated since 2012 - This is a 2 year plan for a total of $250,000.
975-58 General Government Capital Outlay - Chairs for Staff	3		1	24-Sep	1 MONTH			$ 25,000	$ 10,000			20 chairs for staff.
975-58 General Government Capital Outlay - Rouss Hall Landlord buy back								$ 140,000	$ 140,000			
975-59 General Government Capital Outlay Technology - Computer Replacement	1		1	24-Aug	ONGOING			$ 25,000	$ 25,000			Computer replacement program for all General Government departments.
975-59 GG Capital Outlay Technology - GovTech Software	1		6	24-Sep	12 MONTHS			$ 100,000	$ 100,000			Centralized Finance/Permitting/Zoning/Grants/Bond Tracking Software. This software will replace GoGov, MyGov, PSI, and Incode (except for the court module). Having a centralized software will improve efficiency and reduce duplication of work. This software takes a year to implement.
975-59 General Government Capital Outlay Technology - Data Center Centralization	1		1	24-Aug	3 MONTH			$ 120,000	$ 120,000			
975-59 General Governement Capital Outlay Technology - Payroll & Human Resource Onboarding Services Implementation Cost								$ 11,000	0			
975-59 General Government Capital Outlay Technology - Zoom Room Equipment Upgrade	1		1	24-Sep	1 MONTH			$ 5,790	$ 5,790			
TOTAL GENERAL GOVERNMENT						$ -	$ -	$ 701,790	$ 675,790	$ 100,000	$ -	
976 PUBLIC SAFETY												
975-60 General Government Capital Outlay Technology Police Department - Computer Replacement	1		1	24-Aug	1 MONTH			$ 64,000	$ 58,000			20 computers with greater than 8gb of memory are needed to view body camera footage.
976-59 Public Safety Capital Outlay Vehicles - Police Cars	1		1	24-Aug	1 - 3 MONTHS			$ 113,300	$ 113,300			PD requests 2 vehicles per rotation schedule based on vehicle lifespan of 7 years.
976-60 Public Safety Capital Outlay Equipment - Officer Equipment	2		1	24-Aug	2 MONTHS	$ 108,112	$ 75,201	$ 62,500	$ 57,000			Funding requested: $3723 for 18 Monadnock batons and pouches and $53,107 for 18 tasers.
976-60 Public Safety Capital Outlay Equipment - Traffic Safety Equipment	2		1	24-Aug	2 MONTHS			$ 44,700	$ 44,700			Funding requested: $37,610 for 2 trailerable traffic signs; $1200 for 20 portable barricades; $2660 for 10 temporary signs and holders; $3230 for 100 traffic cones with lettering. This equipment will be jointly used with the maintancence department.
976-62 Public Safety - Parking Meters	3		1	24-Sep	2 MONTHS	$ 5,000	$ 5,011	$ 5,100	$ 5,100			Routine replacement of a portion of the parking meters (24) in the downtown parking district.
TOTAL PUBLIC SAFETY						$ 113,112	$ 80,212	$ 289,600	$ 278,100	$ -	$ -	

EXPENDITURES	STAFF PRIORITY	COUNCIL PRIORITY	STAFF TIME	APPROXIMATE START TIME	LENGTH OF PROJECT	FY 2024 BUDGET	FY 2024 ACTUAL	FY 2025 REEQUESTED	FINANCE COMMITTEE RECOMMENDED	ENCUMBERED	COUNCIL APPROVED	NOTES
977 STREETS & TRANSPORTATION												
977-57- Streets & Transportation Capital Outlay Buildings - Charles Washington Hall masonary tuck point repair	2		1	25-Mar	1 MONTH			$ 12,000	$ 12,000			Brick wall on George Street side is deteriorating.
977-57 Streets & Transportation Capital Outlay Buildings - Replace City Hall rooftop AC units	1		2	24-Nov	5 MONTHS			$ 25,000	$ 25,000			
977-57 Streets & Transportation Capital Outlay Buildings - City Hall interior repair/maintenance	1		4	24-Dec	4 MONTHS			$ 40,000	$ 60,500			Funds requested to paint interior of City Hall, replace flooring, and replace appliances in first floor kitchen. Includes a 10% contingency.
977-57 Streets & Transportation Capital Outlay Buildings - City Hall roof replacement	2		2	24-Nov	5 MONTHS			$ 128,000	$ 128,000			City Hall roof is over 20 years old and is failing.
977-57 Streets & Transportation Capital Outlay Buildings - City Hall masonary tuck point repair	2		2	24-Nov	5 MONTHS			$ 35,000	$ 35,000			Flues and chimneys on City Hall roof have not been addressed for many years.
977-57 Streets & Transportation Capital Outlay Buildings - Firehouse Gallery floor replacement	2		2	24-Oct	1 MONTH			$ 15,000	$ -			Entire floor needs replaced because replacing tiles with like style tiles is challenging.
977-57 Streets & Transportation Capital Outlay Buildings - Maintenance office air conditioner	2		1	24-Aug	1 MONTH			$ 7,000	$ 7,000			The current window unit does not keep up with the heat.
977-57 Streets & Transportation Capital Outlay Buildings - New maintenance equipment building	2		3	24-Nov	12 MONTHS			$ 150,000	$ 150,000			Current building is maxed out on space.
977-57 Streets & Transportation Capital Outlay Buildings - New/repair maintenance yard	1		2	24-Nov	5 MONTHS			$ 300,000	$ 80,000			Maintenance yard study. Current maintence yard is in poor condition and needs replaced or renovated. This is a placeholder to get this project going.
977-57 Streets & Transportation Capital Outlay Buildings - Rouss Hall roof repair	2		2	25-Mar	1 MONTH			$ 40,000	$ -			Rouss Hall roof is rusted. A low odor roof coating will protect the roof for another 10 years.
977-58 Streets & Transportation Capital Outlay Other Improvements - Paving Path from bridge to road by the skate park	2		1	25-Mar	1 MONTH			$ 5,000	$ 5,000			Connect the existing path on one side of the bridge to the other side.
977-58 Streets & Transportation Capital Outlay Other Improvements - Happy Retreat & Stake Park Bridge			3	24-Nov	12 MONTHS			$ 100,000	$ 100,000			
977-58 Streets & Transportation Capital Outlay Other Improvements - ADA sidewalks & stormwater drain for Lawrence/Congress			2	24-Sep	6 MONTHS			$ 273,000	$ 60,000			Stormwater repair and ADA sidewalks for the Lawrence & Congress intersection. Expected grant funding from State Carbon Reduction Funding.
977-58 Streets & Transportation Capital Outlay Other Improvements - West End connector			2	24-Sep	3 MONTHS			$ 180,000	$ -			Design and fund construction documents of Mordington Ave sidewalk from S George St to S West St. - pending grant.
977-58 Streets & Transportation Capital Outlay Other Improvements - Flower planters	2		2	24-Sep	1 MONTH			$ 5,000	$ 5,000	$ 5,000		2 year plan to install flower planters on Washington Street.
977-58 Streets & Transportation Capital Outlay Other Improvements - Potter's Field	1		2	24-Oct	12 MONTHS			$ 115,000	$ 115,000			Installation of Interpretative signs, fencing, monument and landscaping.
977-59 Streets & Transportation Capital Outlay Equipment - Bucket Truck	2		1	24-Aug	15 MONTHS			$ 200,000	$ 37,000	$ 153,000		Current bucket truck cannot safely reach the required heights for maintenance tasks. The cost of a new truck is approximately $170,000. The truck will be ordered in FY25 and received in FY26. This also includes a $20,000 allowance for purchase of Ranson's used truck to use in the interim. Epected expenditures in FY25 will be $20,000 used truck and $17,000 deposit for new truck. Leaving a FY26 encumberance of $153,000.
977-59 Streets & Transportation Capital Outlay Equipment - Street line striper	1		1	24-Aug	1 MONTH			$ 5,000	$ 5,000			Current striper constantly needs repaired.
977-59 Streets & Transportation Capital Outlay Equipment - Utility Vehicle	2		2	24-Aug	1 MONTH			$ 25,000	$ 25,000			Beneficial for events and watering flowers.
977-61 Streets & Transportation Capital Outlay Stormwater Improvements - Basic Stormwater Improvements	1					$ 25,000		$ 25,000	$ -			ACKNOWLEDGED IMPROVEMENT LOCATIONS - Install new sidewalk drain in 200 block of W. Washington (design completed - JW project); design improvements for 100 block of Shutter St; 400 block of S. Samuel, and culvert at 4th and Hunter
977-61 Streets & Transportation Capital Outlay Stormwater Improvements - Charles Street Flooding	3					$ 50,000	$ -	$ 50,000	$ -			Engineering costs to determine Charles Street flooding mitigation.
977-61 Streets & Transportation Capital Outlay Stormwater Improvements - Green Infrastructure Master Plan	1		4	24-Sep	24 MONTHS			$ 204,000	$ 204,000			This funding is a 2 year plan to cover 6 study areas and 3 area reviews each year.
TOTAL STREETS & TRANSPORTATION						$ 75,000	$ -	$ 1,939,000	$ 1,053,500	$ 158,000	$ -	

EXPENDITURES	*STAFF PRIORITY*	*COUNCIL PRIORITY*	*STAFF TIME*	*APPROXIMATE START TIME*	*LENGTH OF PROJECT*	*FY 2024 BUDGET*	*FY 2024 ACTUAL*	*FY 2025 REEQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*ENCUMBERED*	*COUNCIL APPROVED*	*NOTES*
979 CULTURE & RECREATION												
979-56 Culture & Recreation Land - Depot Park Land Acquisition	3		2	ONGOING	12 MONTHS	$ 360,000		$ 500,000	$ 500,000			Place holder for possible land acquisition from APUS for the Depot Park initiative.
979-58 Culture & Recreation Other Improvements - Evitts Run Park Security Boundary	1		2	24-Dec	4 MONTHS	$ 45,000	$ -	$ 13,500	$ 13,500			Install perimeter fence along Evitts Run to improve lack of security of City asset and protect park users.
979-58 Culture & Recreation Other Improvements - Happy Retreat Ash Tree removal			5	24-Aug	1 MONTH			$ 5,000	GF			These trees are a safety hazzard.
979-58 Culture & Recreation Other Improvements - JMP Basketball Courts & Evits Run Resurfacing, Evits Run basketball court fence replacement, & 4 basketball hoops			3	24-Sep	3 MONTHS			$ 60,000	$ 60,000			
979-58 Culture & Recreation Other Improvements - Safety Lighting	1		3	25-Jan	5 MONTHS			$ 100,000	$ 10,000			
979-58 Culture & Recreation Other Improvements - JMP Tennis Court ground penetrating radar			3	24-Dec	5 MONTHS			$ 75,000	$ 20,000			
979-58 Culture & Recreation Other Improvements - Skate Park	3		2	24-Oct	3 MONTHS			$ 65,000	$ -			Purchase and installation of mobile pump track. Finance Committee recommends including in CIP plan.
979-58 Culture & Recreation Other Improvements - Skate Park Mural and benches						$ 40,000		$ 25,000	$ 25,000			
979-58 Culture & Recreation Other Improvements - Arts & Culture - Historical Signs			3	25-Mar	6 MONTHS			$ 25,000	$ -			Finance Committee recommends including in CIP plan.
979-58 Culture & Recreation Other Improvements - Wayfinding signage - 3-year program	2		3	24-Aug	12 MONTHS	$ 100,000	$ 2,600	$ 97,400	$ 97,400	$ 100,000		CDD REQUEST $100K for wayfinding signage implementation phase 1 cost (3 years of phases) (request related to 2023 CTNOW ARPA Request)
979-59 Culture & Recreation Equipment - JMP Slide			2	24-Oct	10 MONTHS			$ 14,200	$ 14,200			
TOTAL CULTURE AND RECREATION						$ 545,000	$ 2,600	$ 980,100	$ 740,100	$ 100,000	$ -	
Contingencies								$ 518,279	$ 1,043,608			
Encumberances for Subsequent Years									$ 4,777,277			Grant related projects FY2026 estimated at $4,419,277 less expected grant funding + $358,000 multi-year non grant related capital projects.
Transfer to Grant Projects									$ 1,037,292			
TOTAL EXPENSES						$ 733,112	$ 82,812	$ 4,428,769	$ 9,605,667	$ 358,000	$ -	
REVENUES OVER EXPENSES						$ 259,496	$ 1,942,682	$ 5,176,898	$ -		$ -	

REPAVING BUDGET

REVENUES	*FY 2024 BUDGET*	*FY 2024 ACTUAL*	*FY 2025 REEQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*COUNCL APPROVED*	*NOTES*
Repaving Carryover			$ 1,472,865	$ 1,472,865		Carryover balance from FY2024 Repaving Funds
36877 Contributions from GF - Repaving Fees	$ 130,000	$ 120,367	$ 130,000	$ 130,000		Street Fees source = $4.10 fee, collected by the Charles Town Utility Board and remitted to the City of Charles Town for Capital Reserve Fund - Street Paving
TOTAL REVENUES	$ 130,000	$ 120,367	$ 1,602,865	$ 1,602,865	$ -	
EXPENDITURES	*FY 2024 BUDGET*	*FY 2024 ACTUAL*	*FY 2025 REEQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*COUNCL APPROVED*	*NOTES*
977-60 Streets & Transportation Capital Outlay Street Paving	$ 130,000		$ 300,000	$ 300,000		12 Jan 2023 Infrastructure Comm report identified 23 streets for repaving/repairs. Due to large scope and delays in the Request for Bid process, Finance Committee recommends caping FY2024 paving/repairs expenses at $300K.; $130K FY24 income; $170K from paving reserves
977-60 Streets & Transportation Capital Outlay Street Paving - Paving Contingency			$ 1,302,865	$ 1,302,865		This contingency represents past income collected by CTUB earmarked for street paving.
TOTAL EXPENSES	$ 130,000	$ -	$ 1,602,865	$ 1,602,865	$ -	
REVENUES OVER EXPENSES	$ -	$ 120,367	$ -	$ -	$ -	

GRANT PROJECTS BUDGET

	FY 2024 BUDGET	*FY 2024 ACTUAL*	*FY 2025 REQUESTED*	*FINANCE COMMITTEE RECOMMENDED*	*ENCUMBERED*	*COUNCL APPROVED*	*NOTES*
COPS GRANT							
Capital Reserve Carryover			$ 7,344	$ 7,344			City expense of equipment purchase after application of grant funds.
36501 Federal Grant Revenue - COPS Grant	$ 400,000	$ 184,880	$ 71,706	$ 71,706			PD Equipment Grant of $400K - $143,414 remaining balance for FY26 & FY27
TOTAL REVENUES	$ 400,000	$ 184,880	$ 79,050	$ 79,050	$ -	$ -	
976-59 Public Safety Capital Outlay Vehicles - Police Vehicle Upfit Costs			$ 79,050	$ 79,050			Funding requested: $79,050 for vehicle upfit equipment. $71,706 covered under DOJ COPS Equipment Grant. Note: $143,413 remaining balance for FY26 & FY27.
TOTAL EXPENSES	$ -	$ -	$ 79,050	$ 79,050	$ -	$ -	
COPS GRANT REVENUES OVER EXPENSES	$ 400,000	$ 184,880	$ -	$ -	$ -	$ -	

AUGUSTINE AVENUE							
Capital Reserve Carryover			$ 74,000	$ 74,000	$ 426,000		$350,000 Capito Earmark match & $76,443 Liberty reallocation match. $41,378 expense to the City after receiving grant funds.
36600 State Grant Revenue - 2023 WVDOH TAP-II grant Augustine Avenue Trail Construction - (Reallocation from Liberty)			$ 305,774				76,443.50 Match Phase I Construction
36600 State Grant Grant Revenue - WVDOH TAP-II grant Augustine Avenue Trail Construction - Phase I	$ 560,000	$ 6,127	$ 560,000				Design grant expected to be complete by close of FY25; will include FY24 TAP grant on construction once award details concrete and City commits to project in FY24 ($560K grant with $140K match)
36501 Federal Grant Revenue - CDS - Senator Capito Grant Augustine Avenue Trail Construction	$ 1,400,000	$ -	$ 1,400,000				Trail Completion
TOTAL REVENUES	$ 1,960,000	$ 6,127	$ 2,339,774	$ 74,000	$ 426,000	$ -	
979-58 Culture & Recreation Other Improvements - Augustine Avenue Trail Construction - Construction Phase I	$ 140,000	$ 140,000	$ 633,595	$ 74,000			Construction - Phase 1 (Total cost = $773,595 Grant = $560,000 - Funded through WVDOT; City Match = $140,000. Paid in FY24). Anticipate construction begin FY24. An additional $1,700,000 estimated for project completion - CDS Grant = $1,400,000; City Match = $350,000, likely in FY 2025
979-58 Culture & Recreation Other Improvements - Augustine Avenue Trail Construction - Construction Phase II & III Encumberance for FY26 & FY27.			$ 1,750,000		$ 426,000		CDS Grant = $1,400,000; City Match = $350,000, likely in FY 2026.
TOTAL EXPENSES	$ 140,000	$ 140,000	$ 2,383,595	$ 74,000	$ 426,000	$ -	
AUGUSTINE AVENUE REVENUES OVER EXPENSES	$ 1,820,000	$ (133,873)	$ (43,821)	$ -	$ -	$ -	

	FY 2024 BUDGET	FY 2024 ACTUAL	FY 2025 REQUESTED	FINANCE COMMITTEE RECOMMENDED	ENCUMBERED	COUNCL APPROVED	NOTES
LIBERTY STREET FLOODING MITIGATION							
Capital Reserve Carryover			$ 305,774	$ 305,774			FEMA match = $305,774
TOTAL REVENUES	$ -	$ -	$ 305,774	$ 305,774		$ -	
977-61 Streets & Transportation Capital Outlay Stormwater Improvements - Liberty Street Flooding Mitigation - Phase I	$ 305,774	$ 25,319	$ 305,774	$ 305,774			$750,000 Est Construction Cost - FEMA Match = $305,774; Chesapeake Match = 0.00
TOTAL EXPENSES	$ 305,774	$ 25,319	$ 305,774	$ 305,774	$ -	$ -	
LIBERTY STREET FLOODING REVENUES OVER EXPENSES	$ (305,774)	$ (25,319)	$ -	$ -	$ -	$ -	

	FY 2024 BUDGET	FY 2024 ACTUAL	FY 2025 REQUESTED	FINANCE COMMITTEE RECOMMENDED	ENCUMBERED	COUNCL APPROVED	NOTES
JEFFERSON MEMORIAL POOL							
Capital Reserve Carryover			$ 928,999	$ 650,174			
Transfer from Capital			$ 3,714,452		$ 3,993,277		Transfer from Capital Carryover
TOTAL REVENUES	$ -	$ -	$ 4,643,451	$ 650,174	$ 3,993,277	$ -	
979-58 Culture & Recreation Other Improvements - JMP Pool House Renovation	$ 250,000		$ 500,000	$ 250,000			Land & Water Conservation Grant for Pool House renovation = $250,00; City Match = $250,000 Total Pool renovation estimated at $4,893.451.
979-58 Culture & Recreation Other Improvements - JMP Pool Upgrade Encumbrance for FY26	$ 100,000	$ 2,593	$ 4,393,451	$ 400,174	$ 3,993,277		In support of identified LWCF grant funding expected to be required for FY2024. A FY2024 Congressional Directed Grant Funding request for $1,600,695 pends.
TOTAL EXPENSES	$ 350,000	$ 2,593	$ 4,893,451	$ 650,174	$ 3,993,277	$ -	
JEFFERSON MEMORIAL POOL REVENUES OVER EXPENSES	$ (350,000)	$ (2,593)	$ (250,000)	$ -	$ -	$ -	

Charles Town Grant Assisted Projects

Updated: 2-Aug-24

		Estimates
FY2025 Funding Requirements	$	1,037,292
FY2026 Funding Requirements	$	4,419,277

Actual Project Cost	$	519,889
George Street Sidewalk	$	769,391
Project Est	$	669,036
15% Project Manage & Contin	$	100,355

		Grant	Required Match	Total	Actual Cost	Additional City Cost	Total City Cost	Total Paid	Balance
Design	City	$ -	$ -	$ 30,000	$ 30,000	$ -	$ 30,000	$ 30,000	$ 489,889
Construction	TAP - Region 9	$ 511,229	$ 127,807	$ 639,036	$ 489,889	$ (25,561)	$ 102,246	$ 102,246	$ 387,643
	Grant Funding	$ -	$ -	$ -	$ -	$ -		$ 489,889	$ -
		$ 511,229	$ 127,807	$ 669,036	$ 519,889	$ (25,561)	$ 132,246	$ 519,889	

Augustine Ave Trail		$ 2,595,421									
Design		$ 145,421									
Phase I & II		$ 700,000									
Phase III		$ 1,750,000									
			Grant	Required Match	Total	Actual Cost	Additional City Cost	Total City Cost	Total Paid	Balance	
Design	TAP I		$ 116,337	$ 29,084	$ 145,421	$ 145,421	$ -	$ 29,084	$ 145,421	$ 2,450,000	
Phase I & II Construction	TAP II		$ 560,000	$ 140,000	$ 700,000	$ 774,000	$ 74,000	$ 214,000	$ 774,000	$ 1,676,000	
III Design & Construction	Sen Capito Earmark		$ 1,400,000	$ 350,000	$ 1,750,000	$ -			$ -	$ 1,676,000	
			$ 2,076,337	$ 519,084	$ 2,595,421	$ 919,421	$ 74,000	$ 243,084	$ 919,421		
								20.9%			

Charles Town Expenditures

Before FY2023	$ 145,421	
FY2023	$ 161,322	
FY2024	$ 140,000	
FY2025 (est)	$ 74,000	Cap Reserve
FY2026 (est)	$ 426,000	Cap Reserve
Total	$ 946,743	

Project Funding Status

Total Project Pending	$ 1,676,000
Est Charles Town Share	$ 500,000
	$ 1,176,000
Est Grant Funding	$ 1,400,000

Actual Project Cost		$ 1,019,178 as of 2 Aug 2024									
Liberty Street Flooding Mitigation		$ 973,743									
Project Est		$ 846,733									
15% Project Manage & Contin		$ 127,010									
			Grant	Required Match	Total	Actual Cost	Additional City Cost	Total City Cost	Total Paid	Balance	
Design	DEP Grant		$ 102,559	$ 63,400	$ 165,959	$ 165,959	$ -	$ 63,400	$ 165,959	$ 853,219	
Construction	CDS _ Capito	FEMA	$ 375,000	$ 305,774	$ 680,774	$ -	$ -	$ 305,774	$ -	$ 853,219	
Construction	Chesapeake Bay Foundation	Green Streets	$ 172,445	$ -	$ 172,445	$ -	$ -	$ -	$ -	$ 853,219	
	Totals		$ 650,004	$ 369,174	$ 1,019,178	$ 165,959	$ -	$ 369,174	$ 165,959		
								11.8%			

Charles Town Expenditures

Before FY2023	$ 63,400	
FY2025 (est)	$ 305,774	Cap Reserve

Project Funding Status

Total Project Pending	$ 853,219
Est Charles Town Share	$ 305,774
	$ 547,445

Est Grant Funding	$	547,455

Memorial Pool	$	4,893,451										
Design												
Pool House	$	1,398,901										
Pool Construction	$	3,494,550										
				Grant	Required Match	Total	Actual Cost	Additional City Cost	Total City Cost	Total Paid		Balance
Pool House												
Design (on Going)	City						$ 2,592					
Pool House	LWCF Grant		$	250,000	$ 250,000	$ 500,000				$ -	$	4,893,451
Pool												
Pool	LWCF Grant	PENDING	$	1,600,695	$ 1,600,695	$ 3,201,390				$ -	$	4,893,451
			$	1,850,695	$ 1,850,695	$ 3,701,390	$ 2,592	$ -	$ -	$ -		

Charles Town Expenditures

FY2024	$	2,592	
FY2025 (est)	$	650,174	Cap Reserve
LWCF Grant	$	250,000	
FY2026 (est)	$	3,993,277	Cap Reserve
	$	4,893,451	

Project Funding Status

Total Project Pending	$	4,893,451
Est Charles Town Share	$	1,600,695
Charles Town Share	$	250,000
Est Grant Funding	$	1,600,695
LWCF Grant Funding	$	250,000
	$	3,701,390
	$	1,192,061

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Appointment
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-755: Appointment to the Ordinance Committee

Due to the resignation of Councilmember Twyford, a new councilmember needs to be appointed to the Ordinance Committee.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Ordinance
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-777: First Reading and Consideration of an Amendment to the Codified Ordinance of the City of Charles Town, West Virginia with Regard to Part 3 Traffic Code, Chapter 7 Parking, Article 365 Charles Town Parking District.

Proposed Motion: Approve the First Reading and Consideration of an Amendment to the Codified Ordinance of the City of Charles Town, West Virginia with Regard to Part 3 Traffic Code, Chapter 7 Parking, Article 365 Charles Town Parking District.

ATTACHMENTS:

- Ord. 2022-013 Article 365 Charles Town Parking District Redline Version 7-18.pdf
- New parking zones.pdf

ARTICLE 365
Charles Town Parking District

365.01 Parking District established.

365.02 Parking district zones.

365.03 Parking fee rates and parking permits.

365.04 Days and hours of operation.

365.045 December exceptions.

365.05 Manner of parking.

365.055 Ten minute take away parking.

365.06 Parking and permit violations.

365.07 Tampering/slugs.

365.08 Commercial vehicles.

365.09 Purpose and use of revenue.

365.10 Disposition of parking meter revenue.

365.11 Authority of law enforcement and parking enforcement officers; parking citations.

365.12 Immobilization device (booting).

365.13 Other violations.

365.14 Accessible parking.

365.15 Severability.

365.99 Penalty.

CROSS REFERENCES

Registered owner prima-facie liable for unlawful parking - see TRAF. 361.12

365.01 PARKING DISTRICT ESTABLISHED.

The Charles Town parking district is bounded by the outside corners of:

(a) N West Street and W North Street

(b) E North Street and N Mildred Street

(c) S Mildred Street and E Congress Street

(d) W Congress Street and S West Street (Ord. 2022-013. Passed 12-5-22.)

365.02 PARKING DISTRICT ZONES.

The following zones are established within the Charles Town parking district:

(a) On-Street Metered Parking Zone. The parking meter zone is established on both sides of the following streets:

(1) Liberty Street - 200 block W Liberty Street through 100 block E Liberty Street

(2) Congress Street - 200 block W Congress Street through 100 block E Congress Street

(3) Lawrence Street-100 block S Lawrence Street through 100 block N Lawrence Street

(4) Charles Street -100 block S Charles Street through 200 block N Charles Street

(5) George Street - 200 block N George Street

(6) Samuel Street -100 block S Samuel Street through ~~200~~ 100 block N Samuel Street

(b) Off-Street Permit/Metered Parking Lot Zones.

(1) Charles Street Lot - metered, applicable mobile pay app, or City parking permit - corner of W Congress and S Charles Streets

(2) Lawrence Street (American Legion) Lot 1 - metered, applicable mobile pay app, or City parking permit - corner of W Congress and S Lawrence Streets.

(3) Lawrence Street (American Legion) Lot 2 - metered, applicable mobile pay app, or City parking permit - Lawrence Street, North of Lawrence Street Lot 1. Note: This lot is leased to the City of Charles Town and as such may not always be administered by the City.

(4) Liberty Street Lot - applicable mobile pay app or City parking permit- adjacent to North 100 block of W Liberty Street

(c) On-Street Two (2) Hour Free Parking Zone.

(1) Washington Street - 300 block W Washington Street through the 100 block E Washington Street.

(2) George Street - 100 block S George Street through 100 block of N George Street

(d) On-Street Non-Meter Parking Zone.

(1) North Street

(2) Liberty Street - 300 block W Liberty & 200 block E Liberty

(3) Congress Street - 300 block W Congress

(4) West Street

(5) Lawrence Street - 200 block N Lawrence

(6) Mildred Street

365.03 PARKING FEE RATES AND PARKING PERMITS.

(a) The parking fee rate during days and times specified in Section 365.04(a) shall be twenty-five cents ($.25) per sixty (60) minutes or any fraction thereof for a vehicle parked in the zones specified in Section 365.02(a) and (b).

(b) Annual parking permits, available through the City Treasurer, are valid for the duration of the Fiscal Year (July 1 through June 30) in which they were issued.

(1) Annual parking permit fee shall be $180.00

(2) The fee for annual parking permits issued after July shall be prorated as follows:

A. August - $164.00

B. September - $149.00

C. October - $134.00

D. November - $119.00

E. December - $104.00

F. January - $89.00

G. February - $73.00

H. March - $60.00

I. April through June - $44.00

(3) The number of annual parking permits issued each year, including those parking permits issued to residents as cited in this Section, shall not exceed 180.

(4) Parking permits are valid at on-street metered parking spaces cited in Section 365.02(a), except at meters ~~with a parking time limit of less than eight (8) hours~~ that are not Daily Twelve (12) hour parking; and at all off-street parking spaces cited in Section 365.02(b) that are operated by the City.

(5) Parking permits do not negate the two (2) or four (4) hour limit in the parking zone cited in section 365.02(c).

(c) The City may issue residential annual parking permits for homeowner-occupants and residents whose confirmed address is within the parking zones cited in Section 365.02(a), (b), or (c) and where an alternate parking space, of which the City does not charge a parking fee, is not reasonable available or accessible. The aforementioned parking permits will be available through the City Treasurer and are valid for the duration of the Fiscal Year (July 1 through June 30) in which they were issued.

(1) Persons who reside in the parking zone, but who do not own the property in which they reside and where an alternate parking space, of which the City does not charge a parking fee, is not reasonably available or accessible, as verified by City staff, are eligible to purchase a maximum of one (1) residential annual parking permit per residence, for a fee of ninety dollars ($90.00).

(2) Owner-occupied properties located within the parking zone in which at least one resident is the property owner and where an alternate parking space, of which the City does not charge a parking fee, is not reasonably available or accessible, as verified by City, are eligible for:

A. Maximum of one (1) no-cost residential annual parking permit; and

B. Maximum of one (1) residential annual parking permit per residence, for a fee of ninety dollars ($90.00).

C. Since there is a maximum number of available parking passes per paragraph (f) of this Section, no-cost residential annual parking permits will be reserved yearly until the first Monday in August, at such time, if not claimed, will be released into the pool of available parking permits.

(3) The fee for residential annual parking permits issued after July 31 shall be prorated as follows:

A. August - $82.00

B. September - $74.00

C. October - $67.00

D. November - $59.00

E. December - $52.00

F. January - $44.00

G. February - $37.00

H. March - $30.00

I. April through June - $22.00

(4) Additional parking permits, beyond those referenced in subsections 365.03(c)(1) and (2) may be available for purchase at the rates specified in subsection 365.03(b).

(d) Juror parking permits, issued by the Jefferson County Circuit Court, are only valid at eight (8) hour meters or designated City parking lots (Section 365.02(b)) and only for the dates of active jury duty service, as noted on the permit.

(e) Parking permits are valid only when they are conspicuously displayed at the front windshield of the parked vehicle, so as to be viewed from outside the aforementioned vehicle.

(f) The total number of Annual Parking Permits cited in Section 365.03, issued each year shall not exceed 180. All permits, other than those specified in Section 365.03(c)(2)A. and (c)(2)C., are issued on a first come-first served basis.

365.04 DAYS AND HOURS OF OPERATION.

(a) Parking rates in Section 365.03 apply to parking zones specified in Sections 365.02(a) through (c) are in effect on all weekdays between the hours of ~~8~~6:00 a.m. to ~~5~~6:00 p.m., excluding legal holidays cited in West Virginia State Code §2-2-1, City-wide election or voting day(s), or as amended or modified from time to time by the City Council.

(b) Parking lots designated in Section 365.02(b) are open twenty-four (24)-hours a day; rates apply as cited in Section 365.04(a).

365.045 ~~DECEMBER~~ HOLIDAY EXCEPTIONS.

To encourage visitors and promote economic opportunity for our small businesses, from ~~December 1~~Thanksgiving ~~through December 31~~to New Years Day each year, the City will waive the paid portion of the parking program at all ~~two~~four-hour and daily (12) hour street-metered parking spaces as described herein.

(a) All ~~two~~ four (~~2~~4)-hour street-metered parking spaces will retain their ~~two~~four(~~2~~4)-hour parking time limit, with the paid portion waived. The ~~two~~four-hour ~~l~~limits will be noted on the meter covers; and will be monitored and enforced.

(b) All spaces in the municipal lots on Charles, Lawrence, and Liberty Streets~~, as well as all eight (8)-hour street-metered parking spaces,~~ will retain their full functionality as paid parking and/or permit parking spaces.

(c) All free two (2)-hour and four (4)-hour with Handicapp placard parking spaces along Washington and George Streets, all painted curb restrictions, all handicap parking spaces, all loading zones, and any other restricted parking zones will continue to be monitored and enforced pursuant to this article.

365.05 MANNER OF PARKING.

(a) Whenever a parking meter space is designated, any vehicle parked in such space shall be parked so that the foremost part of such vehicle shall be nearest the parking meter; or in the case of a double meter on a single pole the rearmost part of the vehicle as appropriate.

(b) When any vehicle is parked in a metered parking space, the operator thereof shall be responsible for:

(1) Depositing the appropriate United States coin(s) in the parking meter associated with that space or;

(2) Paying the appropriate parking fee using an applicable mobile pay app, or;

(3) Displaying in the front window a valid parking permit pursuant to Sections 365.03.

(c) Vehicle operators who have parked a vehicle in either one of the four (4) or two (2)-hour only parking space, whether paid or free, are required to completely move the aforementioned vehicle from that parking space before four (2) or two (2)-hours have elapsed.

365.055 TEN MINUTE TAKE AWAY PARKING

(a) Within the parking district established in Section 365.01, the City may establish designated parking spaces for ten (10) minute take away parking. Ten (10) minute take away parking is defined as a dedicated space for short-term customer parking to pick up goods or services that have been pre- ordered from a downtown commercial business.

(b) The City may designate up to fifteen (15) spaces for ten (10) minute take away parking.

(c) The City Manager will designate the location of the ten (10) minute take away parking spaces with special attention given to geographic distribution, which will be reviewed annually. Designated spaces will be identified with City-approved signage and other markings.

(d) The designated parking spaces will be used exclusively for ten (10) minute take away parking between the hours of 8:00 a.m. and 8:00 p.m. daily and available for general parking at all other times.

(e) Any vehicle parked in a designated ten (10) minute take away parking space is limited to using the space for no more than ten (10) minutes. Any violation of this time restriction shall constitute a violation of Section 361.99 (a)(1)F. and the vehicle owner will be subject to the fines therein.

365.06 PARKING AND PERMIT VIOLATIONS.

(a) A vehicle parked in a space within parking zones cited in Section 365.02(a), (b)(l), (b)(2), and (b)(3) for longer than the time allotted at the parking meter within the time period cited in Section 365.04 shall constitute a violation of this article; except those vehicles parked in metered spaces with ~~an~~ a ~~eight~~ Daily (~~8~~12) hours or greater time limit displaying a valid parking permit.

(b) A vehicle parked in a space within a parking zone cited in Section 365.02(c) - two (2)-hour free parking - for longer than two (2) hours (four 4 hours with a handicap placard) within the time period cited in Section 365.04 shall constitute a violation of this article.

(c) A vehicle parked in any space in the Liberty Street parking lot (Section 365.02(b)(4)) within the time period cited in Section 365.04 that fails to display a valid parking permit or pay for parking via a mobile pay app shall constitute a violation of this article.

(d) A parking permit is not a valid payment option at any metered spaces ~~with a meter time limit of less than~~not marked as "Daily" ~~eight~~ twelve (~~8~~12) hours within the time period cited in Section 365.04. Any vehicle parked in a metered space, with a meter time limit of less than ~~eight~~ twelve (~~8~~12) hours within the time period cited in Section 365.04 and has not paid the meter as specified in section 365.05(a) or (b) shall constitute a violation of this article.

(e) A vehicle otherwise failing to follow the provisions of Section 365.05 of this article shall constitute a violation of this article.

365.07 TAMPERING/SLUGS.

No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter; or deposit or cause to be deposited in any parking meter, any slug, device or metallic substance, or any other substitute, for a coin of the United States.

365.08 COMMERCIAL VEHICLES.

(a) Commercial/delivery trucks or vehicles parking during the hours pursuant to Section 365.04 may park, for a period of time not to exceed fifteen (15) minutes, in any vacant metered parking space within the parking district cited in Section 365.01, for onloading and offloading only, without paying the appropriate parking fee cited in Section 365.03. Any vehicle under this section parked in a metered parking space in excess of fifteen (15) minutes without paying the appropriate parking fee cited in Section 365.03 shall constitute a violation of this article.

(b) Loading/unloading zone violations within the designated parking district are subject to the rules and procedures as cited in Article 361 - Parking Generally - of the Charles Town Codified Code.

(c) Commercial vehicle as used in this section shall mean any motor vehicle, truck, bus, tractor- trailer, or other tandem vehicle licensed or used for the transportation of property and/or people, delivery of goods, wares, merchandise, or any other commercial-related service.

365.09 PURPOSE AND USE OF REVENUE.

Revenue and penalties received from parking meters, permits, and violations are hereby levied and assessed as fees to provide for the proper operation, enforcement, and maintenance of the parking program within the Charles Town parking district, described in Section 365.01.

365.10 DISPOSITION OF PARKING METER REVENUE.

All parking meter revenue and penalties will be deposited in such bank, and to the credit of such account, as prescribed by ordinance or resolution of the City of Charles Town City Council.

365.11 AUTHORITY OF LAW ENFORCEMENT AND PARKING ENFORCEMENT OFFICERS; PARKING CITATIONS.

(a) It shall be the duty of law enforcement and parking enforcement officers acting in accordance with West Virginia Codes §8-14-3, §8-14-5a to report:

(1) The state registration number of vehicles parked in violation of the provisions of this article.

(2) Any other facts, a knowledge of which is necessary for a thorough understanding of the circumstances surrounding a violation.

(b) Law enforcement and parking enforcement officers shall attach the citation to the vehicle in violation of this article, which shall serve as a notice to the vehicle's owner/operator of the violation.

(c) The owner/operator shall, within five (5) days of the date noted on the citation, pay the fine in the amount of ten dollars ($10.00) by:

(1) Paying it directly to the City of Charles Town cashier during regular office hours;

(2) Depositing a check, cash, or money order in the designated drop box located at the entrance of the City Municipal Building, or;

(3) Paying on-line through the City's website address, or;

(4) Paying via the U.S. Postal Service (U.S. Mail) or other delivery service directly to the City of Charles Town. The City will recognize the post date of a valid payment to determine late payment penalties.

(d) Failure of such owner/operator to submit payment within five (5) days of the date and time noted on the citation shall render the owner/operator liable for a late fee penalty of an additional twenty dollars ($20.00), for a total fine and penalty amount of thirty dollars ($30.00) for satisfaction of such violation. If such violation(s) continues to remain unpaid for thirty (30) days, a Notice of Delinquent Parking Citation will be mailed to the owner of such vehicle in violation requiring the owner/operator to pay an additional penalty of thirty dollars ($30.00) for a total fine amount of sixty dollars ($60.00), which includes the fine amount of the original citation, for the satisfaction of such violation.

365.12 IMMOBILIZATION DEVICE (BOOTING).

(a) The owner/operator of any vehicle that has accumulated three (3) or more unpaid parking violations will receive written notice advising them that they will have twenty days (20) to settle all outstanding tickets and applicable fines and penalties. Failure to comply will result in an immobilization device (boot), which is a wheel restraint that immobilizes the vehicle, being affixed to the aforementioned vehicle.

(b) Whenever a vehicle is immobilized by this method, a written notice will be conspicuously affixed to the vehicle notifying the owner/operator that the vehicle has been immobilized for the violation of unpaid parking citations and that the vehicle is subject to impoundment at the owner's expense per Section 361.04 of the Charles Town Codified Code.

(c) In addition to the payment in full of all unpaid parking citations, fines and penalties, the owner/operator of any vehicle, which has been immobilized shall pay an additional fee of fifty dollars ($50.00) for the removal of the boot from the vehicle.

(d) It shall be unlawful for any unauthorized person to attempt to remove the booting device or move any vehicle immobilized prior to obtaining such release.

365.13 OTHER VIOLATIONS.

Other parking violations within the designated parking district are subject to the rules and procedures as cited in Article 361- Parking Generally - of the Charles Town Codified Code.

365.14 ACCESSIBLE PARKING.

(a) Accessible parking within the Parking District shall conform with Article 361 - Parking Generally- of the Charles Town Codified Code.

(b) Parking rates cited in Section 365.03 apply in parking zones cited in Section 365.02.

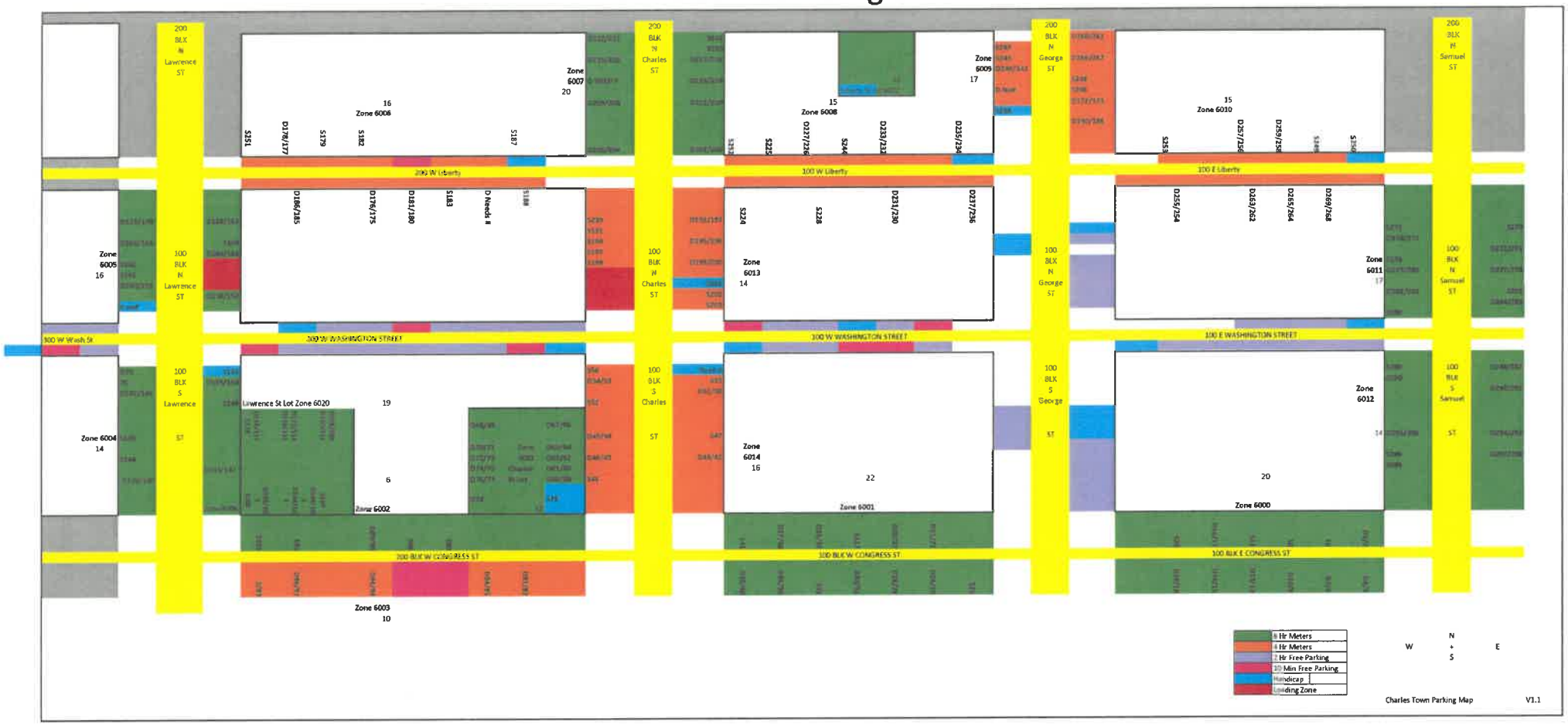
365.15 SEVERABILITY.

The provisions of this article shall be liberally construed.to accomplish its objective and purposes. If any provision of this article is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not otherwise affect or invalidate the other provisions hereto, all of which are hereby declared, and shall be construed, to be separate and severable.

365.99 PENALTY.

Refer to Article 361- Parking Generally- of the Charles Town Codified Code for any violation penalties not specifically cited in this Article.

Charles Town Parking District



Meters (not including parking lots Charles & Lawrence)		
8hr	139	133
4Hr	88	94
2hr free parking spots	90	
Parking lots		
Liberty	55	App\Permit
Charles	22	8Hr
Lawrence	19	8Hr
Total city parking spaces	413	

Permits given out so far this year	180	
Max allowed permits	180	
Available permit spots	235	229
Spots available after permits	55	49
Handicap spots	19	21
10 Min pickup spots	13	(4 at Wright Denny)

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-788: Letter to the WV Alcohol Beverage Control Administration - Abolitionist Ale Works' Beer Garden

Proposed Motion: Authorize the Mayor to sign the letter of request for a one-day permit allowing Abolitionist Ale Works' to host an outdoor beer garden at this year's Charles Town Car Show on August 31, 2024.

ATTACHMENTS:

- 2024AboBeerGardenCTCarShow.pdf

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

MAYOR
Robert M. Trainor

CITY COUNCIL
Elizabeth Ricketts
James Kratovil
Jeff Hynes
Kevin Tester
Julie Philabaum
Priscilla Rodd
Michael George
Andi Sugrue

CITY MANAGER
John Nissel

August 6, 2024

WV Alcohol Beverage Control Administration
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

To Whom It May Concern,

I am writing on behalf of the City of Charles Town to ask that the WV Alcohol Beverage Control Administration approve the Abolitionist Ale Works' request for a one-day permit to host an outdoor beer garden at this year's Charles Town Car Show. The festival takes place in downtown Charles Town and is a major event in the region every year. This event is scheduled for August 31, 2024 and the city agrees to suspend all open container laws an related ordinances in the specified area of the beer garden.

If you have any questions regarding this event or our support for the application from Abolitionist Ale Works, please do not hesitate to contact our Downtown Coordinator, Liz Cook. She can be reached by phone at 304-270-0174, or ecook@charlestownwv.us.

Thank you for your assistance with this request.

Sincerely,

Robert M. Trainor
Mayor

c: Liz Cook, Business Development and Downtown Coordinator
Josh Vance, Abolitionist Ale Works

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-794: Letter to the WV Alcohol Beverage Control Administration for Happy Retreat Beer and Music Festival

Proposed Motion: Authorize the Mayor to sign the letter of request for a Fairs and Festivals one-day permit on September 7, 2024, for Friends of Happy Retreat.

ATTACHMENTS:

- 2024FriendsOfHappyRetreat.pdf

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 ♦ Web: www.charlestownwv.us

MAYOR
Robert M. Trainor

CITY COUNCIL
Elizabeth Ricketts
James Kratovil
Jeff Hynes
Kevin Tester
Julie Philabaum
Priscilla Rodd
Michael George
Andie Sugrue

CITY MANAGER
John Nissel

August 6, 2024

WV Alcohol Beverage Control Administration
900 Pennsylvania Avenue, 4th Floor
Charleston, WV 25302

To Whom It May Concern,

I am writing on behalf of the City of Charles Town to ask that the WV Alcohol Beverage Control Administration approve the request from the Friends of Happy Retreat for a Fairs and Festivals one-day permit. This event is scheduled for September 7, 2024 and the city agrees to suspend all open container laws an related ordinances at 600 Mordington Avenue, Charles Town, WV.

If you have any questions regarding this event or our support for the application from The Friends of Happy Retreat, please do not hesitate to contact our Downtown Coordinator, Liz Cook. She can be reached by phone at 304-270-0174, or ecook@charlestownwv.us.

Thank you for your assistance with this request.

Sincerely,

Robert M. Trainor
Mayor

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-789: Charles Town Utility Board Manager Briefing

Utility Manager Ms. Kristen Stolipher will speak on the following items:

- Renewal and Replacement Project
- Collection System Project
- Lead and Copper Rule Compliance
- Upcoming Water Projects

ATTACHMENTS:
- CTUB Project Updates.pdf

CTUB Project Updates

August 5, 2024

Renewal and Replacement Project

1. Total Contract amount $10,857,207.99
2. Balance to finish $1,665.978.04
   a. 89.1% complete
   b. $299,525.43 remaining in contingency
3. See attached summary for detailed updates on work completed and items remaining.
4. Facility tour to be scheduled upon completion of paving and site clean-up, anticipated Fall 2024.
5. Substantial Completion estimated November 2024.
6. On-schedule and within engineers estimate of cost.

Collection System Project

1. Final easement acquisition and permits anticipated by August 19th
2. Project advertisement for bid September 2024
3. Bid Opening October 2024
4. Start Construction December 2024
5. Current Engineer's Estimate of Construction Cost: $5,317,100 *
   a. * Estimate does not include upgrades to the Flowing Springs Pump Station. The Board has evaluated alternatives to the current design upgrade and determined that there is a more cost-effective approach. CTUB will evaluate the upgrade to the Flowing Springs Pump Station in 2025.
6. Project includes the following improvements to the sanitary sewer collection and pumping system:
   a. Burr East Pump Station
   b. Moose Lodge Pump Station
   c. Jett's Farm Pump Station
   d. Forrest Street Pump Station demolition

e. 11th Avenue Pump Station demolition
f. Lakeland Place (new pump station)
g. Evitt's Run Gravity Collector line (2,000' new install)

7. Funding includes:

$2,844,984.00 CWSRF loan (0.25% + 0.25% admin, 40 yr)

$216,016.00 CWSRF loan (2.75% + 0.25% admin, 20 yr) (* may not be utilized in favor of utilizing internal R&R and CIF funds)

$500,000.00 Green infrastructure principal forgiveness grant

$910,000 Capacity Improvement Fees

$745,000.00 Renewal and Replacement Funds

Lead and Copper Rule Revision Compliance

1. Compliance with EPA Lead and Copper Rule Revision (LCRR) required by October 16, 2024.
2. CTUB has evaluated over 90 miles of watermain and 6,196 public and private service lines. The remaining 830 public and private service lines will be completed by September 15th.
3. There are currently 1,724 galvanized private service lines and 4,472 non-lead lines. Galvanized lines will need to be replaced by the property owner in accordance with EPA guidelines set after the October deadline.
4. No lead service lines or goosenecks have been identified within the system to date.

Upcoming Water Projects

1. Water Model Update –In-progress
2. Water Capital project outline for Public Bond issue finalized in Fall 2024. CTUB will present projects to City Council for approval of pursuit of public bond issue (no rate increase anticipated). These are renewal and replacement as well as growth related projects that have been anticipated for several years.
3. 2025 – Capacity Improvement Fee assessment once the Water Model and necessary project outline is finalized.
4. Water Treatment Plant Capacity Preliminary Engineering Report to be evaluated in 2025.

Upcoming Sewer Projects

1. Preliminary Engineering report for Wastewater Treatment Expansion – In-progress
2. North Street- Liberty Street-Charles Street- George Street Sewer Improvement project – Renewal and Replacement of aging lines
3. Greenfield Forcemain and Pump Station upgrade (Capacity Improvement) Project – In-progress will be to bid within 2 months.
4. 2025 Sewer Capacity Improvement Fee assessment with completion of PER for Wastewater Plant Expansion
5. Job Corps Pump Station Upgrade

Upcoming Miscellaneous Projects

1. Software Upgrade of Utility Billing, Accounting and Asset Management Software. Will increase ability for tracking and managing projects as well as assets and maintenance.

The following is a detailed description of items completed in reference to Phase II of the CAP along with photograph documentation of new completed work:

i. Piping, Electrical and Ultraviolet (UV) Systems Demolition and Replacement Work

The existing UV bulbs, ballasts, mounting frames, power distribution centers, piping, instrumentation, wiring and conduit have been demolished. The two (2) new UV units have been installed along with the new power supply unit and new UV control panel. All conduit, wiring and instrumentation has been complete and the new UV units have been started up and successfully tested. The new UV units are currently being utilized.

ii. Electrical Building Work

The new Electrical Building walls, doors and roof are complete including insulation. Interior drywall is complete and has been primed and finish painted. The acoustical tile ceiling grid and panels have been installed along with the lights. The HVAC and plumbing systems have been installed. Backfilling, grading and concrete sidewalks are complete. The new SBR Control Panel, main disconnect, panel L, transformer XL, MCC1, Switchboard 1, circuit breakers and remote I/O panel No. 1 have been installed inside the new Electrical Building. All underground ductbanks have been installed to and from the new Electrical Building. Wire is currently being pulled and terminated at the electrical devices.



MCC1, Switchboard 1, SBR Control Panel and Remote I/O Panel

iii. New Sludge Handling Building Construction and Equipment Installation Work

The new Sludge Handling Building concrete foundation, underground piping, floor, walls and roof have been completed. All concrete equipment pads and curbs have been poured. The concrete masonry unit (CMU) work including the Exterior Insulated Finish System (E.I.F.S.) is complete. The walls have been painted and the floor coating system is complete. The man door and overhead door have been installed. The walls and ceiling have been insulated and the vinyl ceilings have been installed. The crane/hoist beams have been installed. The new Centrifuge, In-Line Grinder, Digested Sludge Feed Pump, Conveyor, Polymer Bulk Tank and Polymer Feed System have been installed. All ductile iron and PVC piping, instrumentation and valves have been installed and painted. The potable waterline including all plumbing valves and appurtenances have been installed including eyewash and sink. All HVAC exhaust fans, louvers, and heaters have been installed. The covered sludge storage area, including roof is complete. All aluminum gutters and downspouts have been installed. All stormwater piping relocation work near the building is complete. All ductbanks to and from the new Sludge Handling Building are complete. All internal building conduit and wiring is complete including new panels, lights and switches. Wiring to the instrumentation and equipment is ongoing.



Polymer Bulk Tank, Feed System and Plumbing



Covered Sludge Storage Area and Conveyor

iv. FRP Shelter Work

All ductbanks to and from the new FRP Shelter have been installed. The concrete pad has been poured and the bollards installed. The fiberglass structure has been installed including all walls, door, interior lighting, heater and AC unit. Panel H2 and L2, transformer 2, remote I/O panel No. 2, backup float control panels, influent pump VFDs and effluent pump starters have been installed inside the shelter. Wiring is currently being pulled and terminated to the panels and transformer.



New Influent and Effluent Pump VFDs and Starters



Panels, Transformer 2 and Remote I/O Panel 2

v. Equipment Replacement Work

The new precast concrete influent metering vault has been installed and backfilled. All underground and interior vault mechanical piping and ductbanks have been complete including installation of the new magnetic flow meter, painting and miscellaneous metals installation.



New Influent Meter Vault, Bypass Fitting and Ductbanks

vi. Phase II Miscellaneous Work

The new concrete digester blower pad and sidewalks have been poured and the two (2) new blowers have been installed along with all welded stainless steel piping and supports. The new digester fine bubble membrane diffusers have been installed inside the tank. The new tank telescoping valve and actuator have been installed. The new digester mixing system has been installed including air compressor, receiver tank and all associated piping, valves and appurtenances, control panel and mixing system valve manifold. All ductbanks to and from the digester equipment have been installed. Wires are currently being pulled and terminated at the devices and equipment.

Phase II Work Not Completed

The existing influent pumps, valves and related instrumentation have not yet been replaced. This work can not be performed until the utility company transfers primary power to the new transformer. This work is scheduled to take place in the month of July 2024. Also, the new Automatic Transfer Switch needs installed so that the plant will have backup power to the new equipment. The new Automatic Transfer Switch is currently scheduled to ship to the site on September 30, 2024.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Appointment
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-790: Council Special Session Discussion - Charles Town Utility Board of Directors Vacancy.

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-816: Historic Overlay District Discussion

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Contract
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-817: Approval of the City of Charles Town Building Code of Appeals Board - Rules and Regulations of Procedure

Proposed Motion: Approve the City of Charles Town Building Code of Appeals Board - Rules and Regulations of Procedure.

ATTACHMENTS:

- BCAB Rules and Regulations signed copy.pdf
- BCAB Appeals Policy REDLINE.docx

City of Charles Town
Building Code Appeals Board

Rules and Regulations of Procedure

Authority

This publication provides information and operating guidelines for the City of Charles Town "City" Building Code Appeals Board "BCAB."

The BCAB shall be subject to and governed by *Appendix B – Board of Appeals* to the International Building Code, 2018 Edition, which is incorporated in the State Building Code set forth at Series 4 of Title 87 of the West Virginia Code of State Rules and adopted by the City of Charles Town by Article 1705 of its Codified Ordinances ("Article 1705), except to the extent contrary to express provisions of these Rules and Regulations.

Effective Date

The Rules and Regulations contained herein become effective when they have been approved by the BCAB at its first regularly scheduled meeting.

Distribution of Copies

Copies of these Rules and Regulations shall be available for distribution to the public. A copy of these Rules and Regulations shall be posted on the City's website and available at the time an application for appeal is submitted. Each new member of the Board shall have the Rules and Regulations discussed during the time the BCAB appointment is made.

Amendments

Amendments to these Rules and Regulations may be adopted from time to time by the BCAB and shall become effective on the date of BCAB approval. Copies of amendments to these Rules and Regulations shall be posted and replaced in the prior version within thirty (30) days of passage.

Purpose of the Building Code Appeals Board

The purpose of these Rules and Regulations are:

1. To give security to the appointed members of the BCAB;

2. To provide for a complete, all-inclusive and non-discriminatory system for the public to appeal decisions of the Code Official the appellant deems are inaccurately interpreted based on the State Building Code;

3. To provide an efficient, professional and competent BCAB to serve the City of Charles Town;

4. To ensure when reviewing a code modification request or conducting an inspection, the Code Officials and their representatives ensure the spirit and intent of the applicable codes and laws are observed and that public health, safety and welfare are assured; and

5. When a plan review or inspection fails, a code modification request is denied, a notice of violation is issued or the Code Official applies a particular code section in a manner with which you do not agree, you can appeal to the BCAB.

Defined Terms

As used in these Rules and Regulations, the term or phrase:

1. "Appointment" means the date on which each Building Code Appeals Board Member is appointed by City Council to serve a specified Board term limit.

2. "BCAB" means the City of Charles Town Building Code Appeals Board.

3. "Code Official" shall mean City Code Official or City Building Official who is appointed by the City Manager, or designee, who meets the qualifications of a "Code Official" set forth in the Certification/Continuing Education Standards and is duly certified as such thereunder.

4. "Code of West Virginia" or "Code" means the West Virginia State Building Code.

5. "Council" means Charles Town City Council.

6. "Inspections" shall mean the visual and/or physical observation and examination by the Code Official of a required site or phase to determine compliance with State Building Code and International Code Compliance. All inspections required under the State Building Code shall be conducted on behalf of the City only by the City Code Official or any other individual who is authorized by the City Code Official to perform the relevant category of inspection on behalf of the City and who is duly certified (or otherwise permitted to act) as an "Inspector" in such category pursuant to the Certification/Continuing Education Standards.

7. Any such other individual shall be under the authority of the City Code Official and shall issue documentation regarding an inspection to the City Code Official for further action.

8. "Member" or "Board Member" means any person appointed by Charles Town City Council to serve a respective term limit on the Building Code Appeals Board.

9. "Presiding Officer" means any member of the BCAB designated to conduct and officiate the hearing.

Organization of the BCAB

The BCAB consists of five (5) members, with up to three alternates, appointed by the City of Charles Town City Council who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the City.

The Board is comprised of West Virginia Registered Professional Architects, Engineers, and/or West Virginia Licensed General Building Contractors, Electrical, Piping, Plumbing, Mechanical, or Fire Protection Contractors with superintendent level experience. The City Code Official shall be an ex-officio member but shall have no vote on any matter before the Board.

Any person directly affected by a decision of the Code Official or a notice or order issued under Article 1705 shall have the right to appeal to the BCAB, provided that a written application for appeal is timely filed. Any application for appeal shall be based on a claim that the true intent of Article 1705 has been incorrectly interpreted, the provisions of Article 1705 do not fully apply, or the requirements of Article 1705 are adequately satisfied by other means.

The Board shall annually select one of its members to serve as chairperson.

It shall be the duty of the Chairperson of the Board to preside over meetings of the Board and to generally act as a spokesman for the Board. The Chair shall also cause a complete record of Board actions and activities to be kept.

Vacancies: Vacancies within the Board shall be filled in the same manner as original appointments. All vacancies shall be posted for advertisement consistent with the publication and notification requirements of all City boards and committees.

Members of the Board may be removed by the Director of Community Development subject to the approval of the City Council or as otherwise provided by state law, for inefficiency, neglect of duty, or malfeasance in appointment.

Quorum/Postponed Hearing: In order to conduct a meeting or hearing, a quorum of the Board members must be present. A majority of the voting members of the Board shall constitute a quorum. No action of the Board shall be official unless authorized by a majority of the voting members present at the subject meeting or hearing.

Notwithstanding the foregoing, when five (5) members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing, but such request may only be made at the commencement of the hearing.

Meetings: The Board shall meet upon the notice from the chairperson within twenty (20) days of the filing of an appeal or at stated periodic meetings. At least three (3) business days prior to any meeting, the Board shall post notice of the meeting via the City's website and public notice of the meeting and make available an agenda describing all matters requiring official action of the Board; provided that, in the case of an emergency meeting called to address an unexpected event that requires immediate attention as permitted by Code, notice need not be posted three (3) business

days prior and the Board shall instead post notice of the emergency meeting as soon as practicable after it is called.

Notice of a meeting shall state the date, time, and place of the meeting, and, in the case of notice of a special meeting, the purpose of the meeting, and, in the case of notice of an emergency meeting, the facts and circumstances of the emergency.

All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard. The Board may hold an executive session during any meeting consistent with the *Open Governmental Meetings Act*. Meetings may be held by telephone conference or other electronic means by which all person participating may hear and communicate with each other.

All Appeal withdrawals, continuances, or waiver requests must be submitted by application and submitted to the Building Official.

Records of the Board

The Board shall cause minutes of its own proceedings, records of its examinations, recommendations of applicants for the Board received by the Board, the Code Official, or City Council, and any other records of the Board's official acts to be kept as official records of the Board.

All such records, to include audio recordings, shall be kept and preserved by the Board for a period not less than three (3) years. With the exception of minutes of executive sessions, recommendations and renderings of the Board shall be open to public inspection.

The City Code Official, or his/her designee, shall be ex-officio Clerk of the Board and shall supply to the Board such clerical services as Minutes and stenographic services as may be required by the Board.

All hearings of the Board shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

All Board meetings shall be electronically recorded to help document and reflect the most accurate Minutes of the Board's official actions and decisions.

How to File an Appeal

1. Appeals can be filed by a building owner, the owner's agent or any person involved in the design, construction or maintenance of the building.

2. Submit a written application for appeal by mail or in person at:

Charles Town City Hall
101 E Washington Street Charles Town, WV 25414
Attention: Building Code Appeals Board
or mail:

3. All administrative appeals from actions of the City Code Official must be filed within **twenty (20) days** of service of notice, order, decision, or determination to be appealed and will follow the procedures set forth in the respective codes and standards incorporated in the State Building Code and Article 1705 where not inconsistent with this Section.

4. Submission of a $350 Appeal fee (refundable only if the BCAB rules in favor of appellant) is required at the time the application for appeal is submitted.

Board Hearing Process

All appealed hearings shall be conducted before the BCAB. The Chair of the Board, at a hearing, shall be designated by the Board. In the absence of the Chair, the Chair may designate another member to conduct official meetings.

The date, time, and place of each hearing shall be determined by the BCAB or the Chair, and efforts to consider the schedules of those involved will be made. Regardless of circumstances, a Board hearing shall occur within twenty (20) days of receipt of the appeals application unless continuance to a later date is agreed by all parties concerned. The Board chairperson will coordinate the scheduling of all appeals within the parameters set forth in this document.

1. Unless otherwise specified in these Rules and Regulations, no Board hearing shall be conducted under these rules or otherwise unless the parties to the proceeding shall have been given written notice thereof at least five (5) days prior to the hearing. Written notice shall be given by (a) personal delivery to the subject party, or (b) deposit of the same in the United State Mail, postage paid, certified mail, addressed to the last known address of the subject party, and shall be considered when so given.

2. Each written notice of the hearing shall contain the date, time and place of the hearing and a short and plain statement of matters which are to be the subject of or asserted at the hearing.

3. The date, time and place of each Board hearing shall be determined by the Board or Chair.

4. Notice of the date, time, and place of the hearing shall be posted at City Hall.

5. All hearings of the Board are open to the public except as determined by means of Executive Action.

6. The Board will hear testimony and argument from the appellant, the Code Official, their representative(s) or any person whose interests may be affected by the matter on appeal.

7. At hearings held pursuant to these Rules and Regulations, any party may represent himself/herself or be represented by an attorney at law admitted to practice in the State of West Virginia.

8. The BCAB may continue a hearing at another time and/or date once such hearing has been started; however, the BCAB shall announce the date and hour of continuance of such hearing while in session. Furthermore, the Chair may call for a continuance if a quorum is not present for a hearing. The date and hour shall be agreed to by all parties and announced while in session.

9. The Board shall have prepared and preserved a written record of all testimony and evidence given at a hearing as contained within Board meeting minutes. The BCAB shall keep minutes of proceedings and have made and preserved for at least three (3) years an audio recording of all testimony and evidence given at a hearing.

10. The presiding officer at a hearing (the "Presiding Officer") shall be designated by the BCAB and may be the chairman of the BCAB, one of the members of the BCAB, or such other person as the BCAB may designate. The Presiding officer at every hearing may conduct generally the hearing, and in connection therewith:

    a. Administer oaths and affirmations;
    b. Rule on offers of proof and receive evidence;
    c. Dispose of procedural requests or other matters;
    d. Hold conferences for the settlement or simplification of the issues with the consent of the parties;
    e. Take any other action in connection with such hearing authorized by law; and
    f. Request the submission of proposed findings of fact, conclusions of law and orders and decisions. Such proposals, if submitted, shall be served upon all parties.

11. With regard to each of the duties and powers enumerated above, decisions by the Chair shall be subject to review by the Board.

12. The appellant and/or the appellant's representative should attend the meeting. Failure to show up at the hearing does not postpone or cancel the appeal.

13. Parties entitled to an evidentiary hearing may waive such right in writing, but unless all parties file timely waivers, a hearing will be conducted. Parties waiving such hearing need not appear. Any party who desires to submit written pleadings, comments or information in lieu of an evidentiary presentation may submit such documents to the Presiding Officer for consideration by the BCAB. Waivers must be unequivocal and request the BCAB to decide the matter at issue on the pleadings and written record in the case, including any stipulations the parties might enter. When a hearing is waived, the written record in the case shall be submitted to the BCAB for decision.

14. Following completion of the proceedings provided for herein, the BCAB shall consider the testimony and arguments, deliberate, and render a written decision containing findings of fact and conclusions of law. No decision of the Code Official shall be reversed or modified except by concurring vote of a majority of the voting members of the BCAB.

15. In all cases, final orders and decisions, setting forth findings of fact and conclusions of law, shall be entered by the Board. In no case shall the Chair enter a final order or decision.

16. A certified copy of the decision of the BCAB will be furnished to the appellant and the Code Official. Once a decision has been made, unless further appealed, the appellant and Code Official must take immediate action in accordance with the BCAB's decision.

Appealing the Decision of the Board

1. The appellant may further appeal the decision of the BCAB by Writ of Certiorari to the Circuit Court of Jefferson County. All appeals to Circuit Court must be filed within thirty (30) days of the BCAB's decision.

2. Appeals from the Appeals Board to the Circuit Court shall be based on, and limited to, a claim that the true intent of Article 1705 and/or the State Building Code has been incorrectly interpreted, the provisions of Article 1705 and/or the State Building Code do not fully apply, or the requirements of Article 1705 and/or State Building Code are adequately satisfied by other means.

3. All requested Circuit Court appeals are held at the discretion of the Circuit Court of Jefferson County.

Jefferson County Circuit Court
119 North George Street
Charles Town, West Virginia 25414

4. The Code Official may appeal the Board's decision to the Circuit Court of Jefferson County.

Anti-Discrimination Provisions

No applicant for Board appointment or applicant filing an appeal shall be discriminated against on the basis of any class or characteristic protected by applicable law of the United States, the State of West Virginia, or the City of Charles Town, as such law may be amended from time to time, including, without limitation, *Article 154 – Equal Opportunity* of the Codified Ordinances of the City of Charles Town, which protected classes and characteristics include, without limitation, race, religion, color, national origin, ancestry, sex, age, blindness, disability, genetic information, familial status, veteran status, sexual orientation, gender identity, or religious or political opinions or affiliations. [§8-14-18]

The foregoing Rules and Regulations of the Building Code Appeals Board of the City of Charles Town, West Virginia were duly prescribed by the Building Code Appeals Board of the City of Charles Town, West Virginia by action of the Members at a meeting duly called and legally held on the _____ day of October 2023.

Chair of BCAB

Clerk, BCAB

City of Charles Town
Building Code Appeals Board

Rules and Regulations of Procedure

Authority

This publication provides information and operating guidelines for the City of Charles Town "City" Building Code Appeals Board "BCAB."

The BCAB shall be subject to and governed by *Appendix B – Board of Appeals* to the International Building Code, 2018 Edition, which is incorporated in the State Building Code set forth at Series 4 of Title 87 of the West Virginia Code of State Rules and adopted by the City of Charles Town by Article 1705 of its Codified Ordinances ("Article 1705), except to the extent contrary to express provisions of these Rules and Regulations.

Effective Date

The Rules and Regulations contained herein become effective when they have been approved by the BCAB at its first regularly scheduled meeting.

Distribution of Copies

Copies of these Rules and Regulations shall be available for distribution to the public. A copy of these Rules and Regulations shall be posted on the City's website and available at the time an application for appeal is submitted. Each new member of the Board shall have the Rules and Regulations discussed during the time the BCAB appointment is made.

Amendments

Amendments to these Rules and Regulations may be adopted from time to time by the BCAB and shall become effective on the date of BCAB approval. Copies of amendments to these Rules and Regulations shall be posted and replaced in the prior version within thirty (30) days of passage.

Purpose of the Building Code Appeals Board

The purpose of these Rules and Regulations are:

1. To give security to the appointed members of the BCAB;

2. To provide for a complete, all-inclusive and non-discriminatory system for the public to appeal decisions of the Code Official the appellant deems are inaccurately interpreted based on the State Building Code;

3. To provide an efficient, professional and competent BCAB to serve the City of Charles Town;

4. To ensure when reviewing a code modification request or conducting an inspection, the Code Officials and their representatives ensure the spirit and intent of the applicable codes and laws are observed and that public health, safety and welfare are assured; and

5. When a plan review or inspection fails, a code modification request is denied, a notice of violation is issued or the Code Official applies a particular code section in a manner with which you do not agree, you can appeal to the BCAB.

Defined Terms

As used in these Rules and Regulations, the term or phrase:

1. "Appointment" means the date on which each Building Code Appeals Board Member is appointed by City Council to serve a specified Board term limit.

2. "BCAB" means the City of Charles Town Building Code Appeals Board.

3. "Code Official" shall mean City Code Official or City Building Official who is appointed by the City Manager, or designee, who meets the qualifications of a "Code Official" set forth in the Certification/Continuing Education Standards and is duly certified as such thereunder.

4. "Code of West Virginia" or "Code" means the West Virginia State Building Code.

5. "Council" means Charles Town City Council.

6. "Inspections" shall mean the visual and/or physical observation and examination by the Code Official of a required site or phase to determine compliance with State Building Code and International Code Compliance. All inspections required under the State Building Code shall be conducted on behalf of the City only by the City Code Official or any other individual who is authorized by the City Code Official to perform the relevant category of inspection on behalf of the City and who is duly certified (or otherwise permitted to act) as an "Inspector" in such category pursuant to the Certification/Continuing Education Standards.

7. Any such other individual shall be under the authority of the City Code Official and shall issue documentation regarding an inspection to the City Code Official for further action.

8. "Member" or "Board Member" means any person appointed by Charles Town City Council to serve a respective term limit on the Building Code Appeals Board.

9. "Presiding Officer" means any member of the BCAB designated to conduct and officiate the hearing.

Organization of the BCAB

The BCAB consists of five (5) members, with up to three alternates, appointed by the City of Charles Town City Council who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the City.

The Board is comprised of West Virginia Registered Professional Architects, Engineers, and/or West Virginia Licensed General Building Contractors, Electrical, Piping, Plumbing, Mechanical, or Fire Protection Contractors with superintendent level experience. The City Code Official shall be an ex-officio member but shall have no vote on any matter before the Board.

Any person directly affected by a decision of the Code Official or a notice or order issued under Article 1705 shall have the right to appeal to the BCAB, provided that a written application for appeal is timely filed. Any application for appeal shall be based on a claim that the true intent of Article 1705 has been incorrectly interpreted, the provisions of Article 1705 do not fully apply, or the requirements of Article 1705 are adequately satisfied by other means.

The Board shall annually select one of its members to serve as chairperson.

It shall be the duty of the Chairperson of the Board to preside over meetings of the Board and to generally act as a spokesman for the Board. The Chair shall also cause a complete record of Board actions and activities to be kept.

Vacancies: Vacancies within the Board shall be filled in the same manner as original appointments. All vacancies shall be posted for advertisement consistent with the publication and notification requirements of all City boards and committees.

Members of the Board may be removed by the Director of Community Development subject to the approval of the City Council or as otherwise provided by state law, for inefficiency, neglect of duty, or malfeasance in appointment.

Quorum/Postponed Hearing: In order to conduct a meeting or hearing, a quorum of the Board members must be present. A majority of the voting members of the Board shall constitute a quorum. No action of the Board shall be official unless authorized by a majority of the voting members present at the subject meeting or hearing.

Notwithstanding the foregoing, when five (5) members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing, but such request may only be made at the commencement of the hearing.

Meetings: The Board shall meet upon the notice from the chairperson within twenty (20) days of the filing of an appeal or at stated periodic meetings. At least three (3) business days prior to any meeting, the Board shall post notice of the meeting via the City's website and public notice of the meeting and make available an agenda describing all matters requiring official action of the Board; provided that, in the case of an emergency meeting called to address an unexpected event that requires immediate attention as permitted by Code, notice need not be posted three (3) business

days prior and the Board shall instead post notice of the emergency meeting as soon as practicable after it is called.

Notice of a meeting shall state the date, time, and place of the meeting, and, in the case of notice of a special meeting, the purpose of the meeting, and, in the case of notice of an emergency meeting, the facts and circumstances of the emergency.

All hearings before the Board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard. The Board may hold an executive session during any meeting consistent with the *Open Governmental Meetings Act*. Meetings may be held by telephone conference or other electronic means by which all person participating may hear and communicate with each other.

All Appeal withdrawals, continuances, or waiver requests must be submitted by application and submitted to the Building Official.

Records of the Board

The Board shall cause minutes of its own proceedings, records of its examinations, recommendations of applicants for the Board received by the Board, the Code Official, or City Council, and any other records of the Board's official acts to be kept as official records of the Board.

All such records, to include audio recordings, shall be kept and preserved by the Board for a period not less than three (3) years. With the exception of minutes of executive sessions, recommendations and renderings of the Board shall be open to public inspection.

The City Code Official, or his/her designee, shall be ex-officio Clerk of the Board and shall supply to the Board such clerical services as Minutes and stenographic services as may be required by the Board.

All hearings of the Board shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

All Board meetings shall be electronically recorded to help document and reflect the most accurate Minutes of the Board's official actions and decisions.

How to File an Appeal

1. Appeals can be filed by a building owner, the owner's agent or any person involved in the design, construction or maintenance of the building.

2. Submit a written application for appeal by mail or in person at:

Charles Town City Hall
101 E Washington Street Charles Town, WV 25414
Attention: Building Code Appeals Board
or mail:

3. All administrative appeals from actions of the City Code Official must be filed within **twenty (20) days** of service of notice, order, decision, or determination to be appealed and will follow the procedures set forth in the respective codes and standards incorporated in the State Building Code and Article 1705 where not inconsistent with this Section.

4. Submission of a $200 Appeal fee (refundable only if the BCAB rules in favor of appellant) is required at the time the application for appeal is submitted. Fee should be consistent with the Jefferson County Appeals Court fee.

Board Hearing Process

All appealed hearings shall be conducted before the BCAB. The Chair of the Board, at a hearing, shall be designated by the Board. In the absence of the Chair, the Chair may designate another member to conduct official meetings.

The date, time, and place of each hearing shall be determined by the BCAB or the Chair, and efforts to consider the schedules of those involved will be made. Regardless of circumstances, a Board hearing shall occur within twenty (20) days of receipt of the appeals application unless continuance to a later date is agreed by all parties concerned. The Board chairperson will coordinate the scheduling of all appeals within the parameters set forth in this document.

1. Unless otherwise specified in these Rules and Regulations, no Board hearing shall be conducted under these rules or otherwise unless the parties to the proceeding shall have been given written notice thereof at least five (5) days prior to the hearing. Written notice shall be given by (a) personal delivery to the subject party, or (b) deposit of the same in the United State Mail, postage paid, certified mail, addressed to the last known address of the subject party, and shall be considered when so given.

2. Each written notice of the hearing shall contain the date, time and place of the hearing and a short and plain statement of matters which are to be the subject of or asserted at the hearing.

3. The date, time and place of each Board hearing shall be determined by the Board or Chair.

4. Notice of the date, time, and place of the hearing shall be posted at City Hall.

5. All hearings of the Board are open to the public except as determined by means of Executive Action.

6. The Board will hear testimony and argument from the appellant, the Code Official, their representative(s) or any person whose interests may be affected by the matter on appeal.

7. At hearings held pursuant to these Rules and Regulations, any party may represent himself/herself or be represented by an attorney at law admitted to practice in the State of West Virginia.

8. The BCAB may continue a hearing at another time and/or date once such hearing has been started; however, the BCAB shall announce the date and hour of continuance of such hearing while in session. Furthermore, the Chair may call for a continuance if a quorum is not present for a hearing. The date and hour shall be agreed to by all parties and announced while in session.

9. The Board shall have prepared and preserved a written record of all testimony and evidence given at a hearing as contained within Board meeting minutes. The BCAB shall keep minutes of proceedings and have made and preserved for at least three (3) years an audio recording of all testimony and evidence given at a hearing.

10. The presiding officer at a hearing (the "Presiding Officer") shall be designated by the BCAB and may be the chairman of the BCAB, one of the members of the BCAB, or such other person as the BCAB may designate. The Presiding officer at every hearing may conduct generally the hearing, and in connection therewith:

    a. Administer oaths and affirmations;
    b. Rule on offers of proof and receive evidence;
    c. Dispose of procedural requests or other matters;
    d. Hold conferences for the settlement or simplification of the issues with the consent of the parties;
    e. Take any other action in connection with such hearing authorized by law; and
    f. Request the submission of proposed findings of fact, conclusions of law and orders and decisions. Such proposals, if submitted, shall be served upon all parties.

11. With regard to each of the duties and powers enumerated above, decisions by the Chair shall be subject to review by the Board.

12. The appellant and/or the appellant's representative should attend the meeting. Failure to show up at the hearing does not postpone or cancel the appeal.

13. Parties entitled to an evidentiary hearing may waive such right in writing, but unless all parties file timely waivers, a hearing will be conducted. Parties waiving such hearing need not appear. Any party who desires to submit written pleadings, comments or information in lieu of an evidentiary presentation may submit such documents to the Presiding Officer for consideration by the BCAB. Waivers must be unequivocal and request the BCAB to decide the matter at issue on the pleadings and written record in the case, including any stipulations the parties might enter. When a hearing is waived, the written record in the case shall be submitted to the BCAB for decision.

14. Following completion of the proceedings provided for herein, the BCAB shall consider the testimony and arguments, deliberate, and render a written decision containing findings of fact and conclusions of law. No decision of the Code Official shall be reversed or modified except by concurring vote of a majority of the voting members of the BCAB.

15. In all cases, final orders and decisions, setting forth findings of fact and conclusions of law, shall be entered by the Board. In no case shall the Chair enter a final order or decision.

16. A certified copy of the decision of the BCAB will be furnished to the appellant and the Code Official. Once a decision has been made, unless further appealed, the appellant and Code Official must take immediate action in accordance with the BCAB's decision.

Appealing the Decision of the Board

1. The appellant may further appeal the decision of the BCAB by Writ of Certiorari to the Circuit Court of Jefferson County. All appeals to Circuit Court must be filed within thirty (30) days of the BCAB's decision.

2. Appeals from the Appeals Board to the Circuit Court shall be based on, and limited to, a claim that the true intent of Article 1705 and/or the State Building Code has been incorrectly interpreted, the provisions of Article 1705 and/or the State Building Code do not fully apply, or the requirements of Article 1705 and/or State Building Code are adequately satisfied by other means.

3. All requested Circuit Court appeals are held at the discretion of the Circuit Court of Jefferson County.

Jefferson County Circuit Court
119 North George Street
Charles Town, West Virginia 25414

4. The Code Official may appeal the Board's decision to the Circuit Court of Jefferson County.

Anti-Discrimination Provisions

No applicant for Board appointment or applicant filing an appeal shall be discriminated against on the basis of any class or characteristic protected by applicable law of the United States, the State of West Virginia, or the City of Charles Town, as such law may be amended from time to time, including, without limitation, *Article 154 – Equal Opportunity* of the Codified Ordinances of the City of Charles Town, which protected classes and characteristics include, without limitation, race, religion, color, national origin, ancestry, sex, age, blindness, disability, genetic information, familial status, veteran status, sexual orientation, gender identity, or religious or political opinions or affiliations. [§8-14-18]

The foregoing Rules and Regulations of the Building Code Appeals Board of the City of Charles Town, West Virginia were duly prescribed by the Building Code Appeals Board of the City of Charles Town, West Virginia by action of the Members at a meeting duly called and legally held on the _____ day of July 2024.

_____ _____
Chair of BCAB Clerk, BCAB

The foregoing Rules and Regulations of the Building Code Appeals Board of the City of Charles Town, West Virginia were duly approved by the City Council of the City of Charles Town by resolution at a meeting duly called and legally held on the _____ day of _____, 2024.

_____
Charles Town City Clerk

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-818: B&O Tax Discussion - Possible Executive Session

ATTACHMENTS:

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-825: Payment of Bills - August 5, 2024

ATTACHMENTS:

- GENERAL FUND COUNCIL REPORT 2024 08 01.pdf
- PARKS N REC COUNCIL REPORT 2024 08 01.pdf
- BUILDING COMM COUNCIL REPORT 2024 08 01.pdf

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
10-42 TACTICAL LLC	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	105.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	30.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	111.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	99.98
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	79.95
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	36.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	25.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	119.98
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	20.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	139.98
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	10.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	199.98
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	24.00
	8/01/24	PD UNIFORMS	GENERAL FUND	POLICE DEPARTMENT	20.69
				TOTAL:	1,021.56
APPLE VALLEY TIRE LLC	8/01/24	TIRE CHANGES FOR SWEEPER T	GENERAL FUND	STREETS & HIGHWAYS	908.41
				TOTAL:	908.41
BRITTNI CONSTANS	8/01/24	NIGHT OUT EVENT	GENERAL FUND	POLICE DEPARTMENT	300.00
				TOTAL:	300.00
CINTAS	8/01/24	LAUNDRY BAGS	GENERAL FUND	STREETS & HIGHWAYS	219.44
				TOTAL:	219.44
CITY OF CHARLES TOWN PETTY CASH	8/01/24	COINS FOR FRONT OFFICE REG	GENERAL FUND	TREASURER'S OFFICE	35.00
				TOTAL:	35.00
COMCAST CORPORATION	8/01/24	CITY HALL INTERNET SERV7/9	GENERAL FUND	CITY HALL	292.37
				TOTAL:	292.37
CREAMERS AUTO SERVICE CENTER, LLC	8/01/24	CAR#21 OIL/BRAKE&ROTO REPL	GENERAL FUND	POLICE DEPARTMENT	872.39
	8/01/24	CAR#11 LABOR&PARTS TRASMIS	GENERAL FUND	POLICE DEPARTMENT	1,425.74
	8/01/24	CAR#9 OIL/MOUNT4 TIRES/ALI	GENERAL FUND	POLICE DEPARTMENT	266.07
	8/01/24	CAR#17 SERVICE A/C SYSTEM	GENERAL FUND	POLICE DEPARTMENT	181.56
	8/01/24	CAR#5 OIL/ROTOR REPLACE&BR	GENERAL FUND	POLICE DEPARTMENT	785.44
	8/01/24	CAR#27 4 WHEEL ALIGNMENT	GENERAL FUND	POLICE DEPARTMENT	83.95
				TOTAL:	3,615.15
CHARLES TOWN UTILITY BOARD	8/01/24	EVITTS RUN WATER SER 6/15-	GENERAL FUND	NON-DEPARTMENTAL	103.67
	8/01/24	JMP POOL WATER 6/15-7/15	GENERAL FUND	NON-DEPARTMENTAL	1,138.92
	8/01/24	ROUSS HALL WATER SERV6/15-	GENERAL FUND	CITY HALL	100.67
	8/01/24	CITY HALL WATER SER 6/15-	GENERAL FUND	CITY HALL	97.59
	8/01/24	PD WATER SERV 6/15-7/15	GENERAL FUND	POLICE DEPARTMENT	327.06
	8/01/24	PD WATER DELIVERY 6/24/202	GENERAL FUND	POLICE DEPARTMENT	89.43

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				TOTAL:	70.44
GARY ENGLEBERT	8/01/24	REIMB FOR BOARDING MATERIA	GENERAL FUND	ENFORCEMENT AGENCY	79.03
				TOTAL:	79.03
GRANICUS	8/01/24	DATA MIGRATION-MEDIA MAMAG	GENERAL FUND	CITY HALL	6,000.00
				TOTAL:	6,000.00
J.C. KUNKLE & ASSOCIATES, A.C., INC.	8/01/24	REVIEW OF CW HALL LANDLORD	GENERAL FUND	TREASURER'S OFFICE	1,350.00
				TOTAL:	1,350.00
JEFFERSON PUBLISHING COMPANY, INC.	8/01/24	7/3 NPH SLD TRACTOR SUPPLY	GENERAL FUND	PLANNING & ZONING	38.78
				TOTAL:	38.78
JOHNSON CONTROLS SECURITY SOLUTIONS	8/01/24	108 N GEORGE ALARM 8/1-10/	GENERAL FUND	STREETS & HIGHWAYS	358.77
				TOTAL:	358.77
KENT PARSONS FORD, INC	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	184.95-
	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	16.00-
	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	16.00-
	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	16.00
	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	16.00
	8/01/24	TRUCK#10 MAINTNANCE	GENERAL FUND	POLICE DEPARTMENT	229.95
				TOTAL:	45.00
KIMLEY-HORN AND ASSOCIATES, INC.	8/01/24	6/24 PLANNING & SITE REVIE	GENERAL FUND	PLANNING & ZONING	1,625.48
				TOTAL:	1,625.48
MCKINNEY'S AUTO REPAIR & TOWING	8/01/24	CAR#28 OIL & FILTER CHANGE	GENERAL FUND	POLICE DEPARTMENT	24.11
	8/01/24	CAR#28 OIL & FILTER CHANGE	GENERAL FUND	POLICE DEPARTMENT	109.44
				TOTAL:	133.55
MCP INSPECTIONS	8/01/24	4/27-6/28 INSPECTION SERVI	GENERAL FUND	BUILDING INSPECTION	4,800.00
				TOTAL:	4,800.00
PANSCH INVESTIGATIONS LLC	8/01/24	NEW HIRE PRE EMPLOY POLY E	GENERAL FUND	POLICE DEPARTMENT	325.00
				TOTAL:	325.00
PITNEY BOWES	8/01/24	POSTAGE REFILL 6/8 & 6/27	GENERAL FUND	CITY HALL	318.67
				TOTAL:	318.67
DONALD B RICE TIRE CO INC	8/01/24	CAR#9 (4) CABLE ENFORCER	GENERAL FUND	POLICE DEPARTMENT	583.76
				TOTAL:	583.76
SHENANDOAH SALES AND SERVICE INC.	8/01/24	SWEEPER BEARING BLOWER BEL	GENERAL FUND	STREETS & HIGHWAYS	658.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	8/01/24	CH/MAINTNANCE SUPPLIES	GENERAL FUND	STREETS & HIGHWAYS	147.32
				TOTAL:	350.26
SUSTAINABLE STRATEGIES DC	8/01/24	JULY 2024 BASE RETAINER-GR	GENERAL FUND	CITY HALL	2,400.00
				TOTAL:	2,400.00
THE JOURNAL,MARTINSBURG	8/01/24	PD POLICE RECRUITMENT AD J	GENERAL FUND	POLICE DEPARTMENT	587.50
				TOTAL:	587.50
TK ELEVATOR CORPORATION	8/01/24	12/31/23 AMMENDED B&O OVER	GENERAL FUND	TREASURER'S OFFICE	286.49
				TOTAL:	286.49
USI INSURANCE SERVICES, LLC	8/01/24	8/1/24-8/1/25 CYBER PREMIU	GENERAL FUND	CITY HALL	3,770.00
				TOTAL:	3,770.00
VISUAL COMPUTER SOLUTIONS, INC	8/01/24	TIMESHEET SOFTWARE	GENERAL FUND	CITY HALL	2,220.00
				TOTAL:	2,220.00
WV CONSOLIDATED PUBLIC RETIREMENT BOAR	8/01/24	MONTHLY RENALTY CH MAY	GENERAL FUND	CITY HALL	50.00
	8/01/24	MONTHLY PENALTY PD APR	GENERAL FUND	POLICE DEPARTMENT	50.00
	8/01/24	MONTHLY PENALTY PD MAY	GENERAL FUND	POLICE DEPARTMENT	50.00
				TOTAL:	150.00

========== FUND TOTALS ==========

001	GENERAL FUND	38,437.82
	GRAND TOTAL:	38,437.82

TOTAL PAGES: 3

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-City of Charles Town
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 8/01/2024 THRU 8/01/2024

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
AC & T CO., INC	8/01/24	JMP PORTA POTTY SERVICE	PARKS & REC	PARKS & REC	289.00
				TOTAL:	289.00

========== FUND TOTALS ==========

207	PARKS & REC	289.00
	GRAND TOTAL:	289.00

TOTAL PAGES: 1

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 03-CT BOARD OF P&R
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 8/01/2024 THRU 8/01/2024

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
BANK OF CHARLES TOWN	8/01/24	AUG 2024 BCT LOAN	BUILDING COMMISSIO	661 MUNI ANNEX BLDG	5,751.93
	8/01/24	AUG 2024 BCT LOAN	BUILDING COMMISSIO	LOAN INTRST-661 MUNI A	4,639.05
				TOTAL:	10,390.98
BREWER & COMPANY OF WV, INC	8/01/24	CH QUARTLY SPRINKLER INSPE	BUILDING COMMISSIO	CHARLES WASHINGTON HAL	467.50
				TOTAL:	467.50

========== FUND TOTALS ==========

400	BUILDING COMMISSION	10,858.48
	GRAND TOTAL:	10,858.48

TOTAL PAGES: 1

APPROVED BY: _____

APPROVED BY: _____

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 02-CT BUILDING COMMISSION
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 8/01/2024 THRU 8/01/2024

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: Check Date
SEQUENCE: By Vendor Sort
DESCRIPTION: Item
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT
SIGNATURE LINES: 2

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-785: Letter from Jefferson County Community Ministries

ATTACHMENTS:

- JCCM Letter.pdf

Jefferson County Community Ministries

Bob Trainor, Mayor
City Council Members
101 E Washington Street
Charles Town, WV 25414

June 25, 2024

Dear Mayor and Members of the Charles Town City Council

I am writing to express my sincere appreciation for your support of helping our neighbors.

When I became the Executive Director JCCM was having approximately 1,800 client interactions per year. We are now beyond 4,500. We are seeing 1,750 unique families. JCCM clients suffer from addictions, mental illness, hunger, lack of clothing, and homelessness among other issues.

As our client interaction has grown, so also have our partnerships. We now have over 70 different community organizations or partners including WVU medicine, Jefferson County Health Department, Shenandoah Community Health, and many more.

We are humbly grateful for the many ways you have assisted us as we strive to help those in our community. Your generous partnership allows JCCM to help those less fortunate move towards being self-sufficient as well as preventing homelessness to the best of our ability.

It truly takes a village. Thank you for being a part of our village.

Respectfully

Keith A Lowry
Executive Director

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-786: Letter of Appreciation to Georgia Brenneke

ATTACHMENTS:

- Letter of Appreciation.pdf

July 15, 2024

Letter of Appreciation

It is an honor and pleasure to present this Letter of Appreciation to Ms. Georgia Brenneke for her work and dedication to the City of Charles Town during her employment as an invaluable intern serving the City's Community Development department since June 2024.

Ms. Brenneke, a resident of Charles Town, has consistently demonstrated an untiring passion towards showcasing our community as a prosperous and wholesome "Historically Hip" city in which to live and work.

Throughout her internship, Georgia has significantly contributed to the Community Development Division and all of City Hall by her many activities, including: inventorying City's bonds; drafting various meeting minutes, public notice letters, and zoning enforcement initiatives; digitizing a plethora of the City's paper documents; conducting a wide variety of research-related tasks; and contributed to many of the City's committees. She also played key role in supporting Charles Town's West Virginia Days celebration. In addition to her clerical prowess, Georgia has an infectious positive attitude and always presents a bright and joyous countenance; I can't remember a time when she was not smiling.

The City of Charles Town is fortunate and grateful for Georgia's willingness to serve the City as an intern this summer and hope that this experience serves her well in her future endeavors.

Georgia, you have been a tremendous asset to Charles Town and we wish you the best as you continue your studies at Hollins University.

Fair winds and following seas!

Robert M. Trainor
Mayor

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-787: FY25 General Fund Revision #1 Worksheet and Resolution and FY25 Coal Severance Revision #1 Worksheet and Resolution

ATTACHMENTS:

- FY25 GenFund Revision #1 State Worksheet.pdf
- FY25 General Fund Revision #1 Resolution.pdf
- FY25 Coal Severance Revision #1 State Worksheet.pdf
- FY25 Coal Severance Revision #1 Resolution.pdf

LGSD BR (Ver. 2020)

Ora Ash, Deputy State Auditor
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26301
Phone: 627-2415 ext. 5114
Fax: 304-340-5090
Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
Fiscal Year Ending: FY25
Fund: 1
Revision Number: 1
Pages: 1 of 2

City of Charles Town
GOVERNMENT ENTITY

Person To Contact Regarding Request:
Name: Lori Nice
Phone: 304-724-3257
Fax:
Email: lnice@charlestownwv.us

101 E. Washington Street
STREET OR PO BOX

Charles Town — CITY
25414 — ZIP CODE

Municipality
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
299	Unassigned Fund Balance	1,200,000	3,524,453		4,724,453
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) 3,524,453

Explanation for Account # 378, Municipal Specific:

Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
412	City Manager's Office	256,770	2,600		259,370
413	Treasurer's Office	400,800	2,200		403,000
415	City Clerk	93,254	1,100		94,354
417	City Attorney	225,000	4,000		229,000
425	Enforcement Agency	152,794	1,500		154,294
436	Building Inspection	124,431	5,000		129,431
437	Planning & Zoning	410,125	550		410,675
440	City Hall	726,504	34,500		761,004
571	Parking	78,414	2,200		80,614
699	Contingencies*	254,996	95,004		350,000

NET INCREASE/(DECREASE) Expenditures 3,524,453

APPROVED BY THE STATE AUDITOR

BY:
Deputy State Auditor, Local Government Services Division **Date**

Robert M Tramer — AUTHORIZED SIGNATURE OF ENTITY

15 July 2024 — APPROVAL DATE

EXPENDITURES (CONT'D)

City of Charles Town

LGSD: BR City of Charles Town

CONTROL NUMBER:

FY25	1	1
FY	FUND	REV#

BUDGET REVISION REQUEST-SUPPLEMENT

ACCOUNT NUMBER	ACCOUNT CATEGORY	PREVIOUSLY APPROVED AMOUNT	INCREASE	DECREASE	REVISED AMOUNT
700	Police Department	2,757,898	16,200		2,774,098
750	Streets and Highways	622,191	38,080		660,271
903	Fair Associations/Festivals	62,100	3,200		65,300
698	Transfers/Reimb. (Audit Findings)	1,759,452	3,318,319		5,077,771
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	NET INCREASE/(DECREASE) Expenditures (this page)				3,375,799

RESOLUTION - GENERAL FUND

At a regular session of the municipal council, held July 15, 2024, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) of the City of Charles Town for the General Fund. The following resolution was offered:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the municipal council does hereby direct the General Fund budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on General Fund Budget Revision #1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by James Kratovil, and duly seconded by Michael George the vote thereon was as follows:

Elizabeth Ricketts	Yes or No or Absent
James Kratovil	Yes or No or Absent
Jeff Hynes	Yes or No or Absent
Kevin Tester	Yes or No or Absent
Julie Philabaum	Yes or No or Absent
Priscilla Rodd	Yes or No or Absent
Micheal George	Yes or No or Absent
Andie Sugrue	Yes or No or Absent

WHEREUPON, the Presiding Officer, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the City Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

LGSD BR (Ver. 2020)

Ora Ash, Deputy State Auditor
West Virginia State Auditor's Office
200 West Main Street
Clarksburg, WV 26301
Phone: 627-2415 ext. 5114
Fax: 304-340-5090
Email: lgs@wvsao.gov

REQUEST FOR REVISION TO APPROVED BUDGET

Subject to approval of the state auditor, the governing body requests that the budget be revised prior to the expenditure or obligation of funds for which no appropriation or insufficient appropriation currently exists. (§ 11-8-26a)

CONTROL NUMBER
Fiscal Year Ending: FY25
Fund: 2
Revision Number: 1
Pages: 1 of 1

City of Charles Town
GOVERNMENT ENTITY

Person To Contact Regarding Request:
Name: Lori Nice
Phone: 304-724-3257
Fax: 304-725-1014
Email: lnice@charlestownwv.us

101 E. Washington Street
STREET OR PO BOX

Charles Town — CITY
25414 — ZIP CODE

Municipality
Government Type

REVENUES: (net each acct.)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
298	Assigned Fund Balance	170,702		14,910	155,792
310	Coal Severance Tax	30,000		10,000	20,000
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Revenues (ALL PAGES) -24,910

Explanation for Account # 378, Municipal Specific:

Explanation for Account # 369, Contributions from Other Funds:

EXPENDITURES: (net each account category)

(WV CODE 7-1-9)

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUSLY APPROVED AMOUNT	(INCREASE)	(DECREASE)	REVISED AMOUNT
979	Culture and Recreation	200,702		24,910	175,792
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				
	#N/A				

NET INCREASE/(DECREASE) Expenditures -24,910

APPROVED BY THE STATE AUDITOR

BY:
Deputy State Auditor, Local Government Services Division **Date**

Robert Ty Thomas — AUTHORIZED SIGNATURE OF ENTITY

15 July 2024 — APPROVAL DATE

RESOLUTION - COAL SEVERANCE

At a regular session of the municipal council, held July 1, 2024, the following order was made and entered:

SUBJECT: The revision of the Levy Estimate (Budget) of the City of Charles Town for the Coal Severance Fund. The following resolution was offered.:

RESOLVED: That subject to approval of the State Auditor as ex officio chief inspector of public offices, the municipal council does hereby direct the Coal Severance budget be revised PRIOR TO THE EXPENDITURE OR OBLIGATION OF FUNDS FOR WHICH NO APPROPRIATION OR INSUFFICIENT APPROPRIATION CURRENTLY EXISTS, as shown on Coal Severance Fund Budget Revision #1, a copy of which is entered as part of this record.

The adoption of the foregoing resolution having been moved by Michael George and duly seconded by Kevin Tester the vote thereon was as follows:

Elizabeth Ricketts	Yes or No or Absent
James Kratovil	Yes or No or Absent
Jeff Hynes	Yes or No or Absent
Kevin Tester	Yes or No or Absent
Julie Philabaum	Yes or No or Absent
Priscilla Rodd	Yes or No or Absent
Micheal George	Yes or No or Absent
Andie Sugrue	Yes or No or Absent

WHEREUPON, the Presiding Officer, declared said resolution duly adopted, and it is therefore ADJUDGED and ORDERED that said resolution be, and the same is, hereby adopted as so stated above, and the City Clerk is authorized to fix his signature on the attached "Request for Revision to Approved Budget" to be sent to the State Auditor for approval.

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-791: Ms. Andie Sugrue City Council Oath of Office

ATTACHMENTS:

- Andie Sugrue 7-15-24.pdf

CITY OF CHARLES TOWN, WEST VIRGINIA
CITY COUNCIL MEMBER OATH OF OFFICE

I, **ANDIE SUGRUE,** do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia.

I, **ANDIE SUGRUE,** do solemnly swear that I will faithfully discharge and perform the duties of the position of City Council Member to the best of my skill, judgment, and according to law.

Andie Sugrue
City Council Member

The above oath was taken and subscribed before Robert M. Trainor, Mayor of the City of Charles Town, on this 15th day of July 2024.

Robert M. Trainor
Mayor

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-792: Mr. Alden Roth Board of Parks and Recreation Oath of Office

ATTACHMENTS:
- Aden Roth 7-15-24.pdf

CITY OF CHARLES TOWN, WEST VIRGINIA
BOARD OF PARKS AND RECREATION MEMBER
OATH OF OFFICE

I, **ALDEN ROTH,** do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia.

I, **ALDEN ROTH,** do solemnly swear that I will faithfully discharge and perform the duties of Board of Parks and Recreation Commissioner to the best of my skill, ability, and judgment and according to law.

Alden Roth

The above oath was taken and subscribed before Robert M. Trainor, Mayor of the City of Charles Town, on this 15th day of July 2024.

Robert M. Trainor
Mayor

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-793: Charles Town Utility Board Meeting Minutes - July 10, 2024

ATTACHMENTS:
- 2024.07.10 UB MINUTES.pdf

Charles Town Utility Board
Regular Board Meeting
July 10, 2024

The Charles Town Utility Board held a regular meeting on July 10, 2024 at 4:00 P.M. Members of the Board present were John Nissel, Chairman; Duke Pierson, Vice Chairman; Tommy Stocks, Treasurer; and Heidi Parker, Board Member. Also present were Kristen Stolipher, Utility Manager; April Shultz, Assistant Utility Manager; Robert Rodecker, Legal Counsel and Kelvin Upson, Jefferson County Commission Liaison.

CALL TO ORDER

The Chairman called the meeting to order at 4:00 P.M.

APPROVAL OF MINUTES

Approval of June 26, 2024 Regular Meeting Minutes

The Chairman called for changes or corrections to the June 26, 2024 regular meeting minutes.

Action: **Motion made by Mr. Stocks, second by Mr. Pierson, the Board unanimously approved the June 26, 2024 minutes as presented.**

PUBLIC COMMENT

Public comment was received from Jacquelyn Milliron and Christine Stadig.

NEW BUSINESS

Gwin Dobson Foreman

i. Renewal and Replacement Project Resolution No. 21 – Contractor Pay Application No. 21

Mrs. Stolipher included the contractor application for Payment No. 21 in the amount of $457,557.81 for work completed. The Board provided discussions. Chris Eckenrode was available for questions.

Action: **Motion made by Mr. Pierson, second by Mrs. Parker, the Board unanimously approved Resolution No. 21.**

ii. Asbury Church Sewer Main Replacement Task Order

Mrs. Stolipher presented the task order for the design, permit and bid of the gravity sewer line replacement for the Asbury Church vicinity for an estimated fee, not to exceed, $49,000.00. Aging infrastructure in the block of W. North Street, N. Charles Street, W. Liberty Street and George Street has caused constant issues at the Asbury Church which needs to be addressed. The Board provided discussions. Chris Eckenrode was available for questions.

Action: **Motion made by Mr. Pierson, second by Mrs. Parker, the Board unanimously approved the GDF Task Order for the Asbury Church sewer main replacement.**

iii. Wastewater System Analysis

Mrs. Stolipher provided the task order to evaluate the existing wastewater treatment and collection system and provide recommendations for future improvements to keep up with developmental growth for an estimated fee, not to exceed, $55,000.00. GDF will perform a detailed assessment of the facilities, capacity, O&M costs, and wastewater plant expansion

options in the form of a Preliminary Engineering Report. Mrs. Stolipher mentioned the Sewer Strategic Plan detailed plant expansions and/or new plant needs to be done in year 2030-2031. The Board provided discussions and suggested it may be time for staff to go out to bid for engineers using the 5G process as it has been five years since this has occurred.

Action: **Motion made by Mr. Stocks, second by Mr. Pierson, the Board unanimously approved the task order by GDF for a wastewater system analysis.**

iv. Flowing Springs Pump Station Discussion – Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) – To consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.

Action: **This item was moved to the end of the meeting.**

Advanced Rehabilitation Technology – Manhole Lining

Mrs. Stolipher briefed the Board on the proposal received from Advanced Rehabilitation Technology to prep and line 23 manholes throughout the system totaling $67,900.00. In 2020, RK&K prepared a report to address deteriorating manholes in the system, ranking by severity. Mrs. Stolipher mentioned some of those manholes were addressed in 2022. The Board provided discussions.

Action: **Motion made by Mr. Pierson, second by Mr. Stocks, the Board unanimously approved the proposal from Advanced Rehabilitation Technology.**

MANAGER REPORTS

Utility Manager Report

Mrs. Stolipher provided she is waiting for the approval confirmation for the grant to evaluate the water and sewer at the Summit Point Raceway. She also mentioned hydrant painting and lead and copper inventory is ongoing and provided updates on the various sewer projects.

Action: **No action required by the Board.**

Chairman Report

The Chairman mentioned the City is advertising for the vacant CTUB board position and have received no applications to date.

Action: **No action required by the Board.**

APPROVAL OF BILLS

July 10, 2024

Action: **Motion made by Mr. Pierson, second by Mr. Stocks, the Board unanimously approved the payment of the bills.**

EXECUTIVE SESSION

Flowing Springs Pump Station Discussion – Possible Executive Session Under: WV State Code Section §6-9A-4(b)(9) – To consider matters involving or affecting the purchase, sale or lease of

property, advance 1 construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision and involving contract matters.
Prior to the Board convening into Executive Session, there was a question from the audience as the reasoning for going into executive session for that agenda item. Mr. Rodecker explained there may be discussion on a potential acquisition price that could be hindered if discussed in public session.

Action: **Motion by Mr. Pierson, second by Mr. Stocks, the Board unanimously approved convening into Executive Session at 4:32 P.M. to discuss the Flowing Springs pump station.**

Action: **Motion made by Mr. Pierson, second by Mr. Stocks, the Board unanimously approved returning to public session. Executive session was declared over at 5:01 P.M.**

The Board recommended Mrs. Stolipher explore other options for the Flowing Springs component of the Collection System Project as a bid alternate.

ADJOURNMENT

There being no further business at this time, the Board adjourned the meeting.

Action: **Motion by Mr. Pierson, second by Mr. Stocks, the Board unanimously adjourned the meeting at 5:02 P.M.**

INFORMATION ONLY

The next meeting is scheduled for Wednesday, July 24, 2024 at 4:00 P.M. at 661 S. George Street.

John Nissel
Chairman

Ashley Stottlemyer
Secretary

City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-815: Charles Town Police Department Monthly May and June Statistics

ATTACHMENTS:

- May 2024.pdf
- June 2024.pdf

Charles Town Police Department
Monthly Stat Report

May 2024

911 Hangup	1	Missing Person	
Abandoned Vehicle	6	Motorist Assist	2
Abuse/Neglect		MVA w/ Entrapment	
Alarm	15	MVA Hit and Run	3
Animal Complaint		MVA No Injury	15
Assault	2	MVA Into Structure	
ATV Complaint	3	MVA w/ Injury	2
BOLO		Nuisance	
Breaking and Entering	2	Open Door	1
Breaking and Entering Veh		Out of Car (Investigation/Mtg/Court)	6
Building Check	50	Panhandling	4
Burglary		Overdose	
Capias Recall by Court	5	Overdose-Death	
Capias Service	7	Parking Complaint	3
Civil Matter		Public Assist (In Person Contact)	21
Court/Bailiff Duty	3	Public Service (Phone Contact)	80
Court Order Violation		Pursuit	
Destruction of Property	3	Reckless Driver	
Directed Patrol	252	Road Patrol	6
Disabled Vehicle	5	Sexual Assault	
Disturbance	24	Special Event/Detail	3
Domestic Battery		Stolen Tag	1
Drug Activity	8	Suspicious Activity	6
DUI	2	Suspicious Mail	
EMS Assist	8	Suspicious Person	2
Fingerprinting	8	Suspicious Vehicle	10
Fire Assist	3	Terrorist Threats	
Fireworks Complaint	2	Theft	7
Follow Up	17	Threats	1
Foot Patrol	20	Traffic Hazzard	4
FPO Service	1	Trespassing	3
Fraud	1	Unattended Death	
Harassment	1	VIN Verification	1
Hardcopy Check	3	Walk In	1
Illegal Burn		Warrant Service	9
Injured Animal	1	Welfare Check	19
Intoxicated Person	2	Wildlife Complaint	2
Juvenile Complaint	3	**Total calls of service**	**670**

Assists/Back-Ups:	Ranson	**18**	Sheriffs Dept.	**37**	
	Harpers Ferry		State Police	**7**	
	Shepherdstown		Other (not including CTPD)	**2**	
			Total Assists	**64**	

	Male	Female	Caucasian	African American	Hispanic	Asian	Other/ Unknown	Total
Defendants:	24	9	18	13	2			**33**
Total Charges	46	18	40	22	2			**64**
Citations:								**293**
- Moving								**119**
- Nonmoving								**161**
- Criminal								**13**
- S Ticket (Parking)								**0**
Stops	162	92	191	37	21	2	3	**254**
Warnings:								**115**
Stops	68	47	88	13	6	0	8	**115**
Total	**254**	148	**297**	**63**	**29**	**2**	**11**	
Incident Report								**62**
Parking								
- Citations								**205**
-Warnings								**25**

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

May 2024

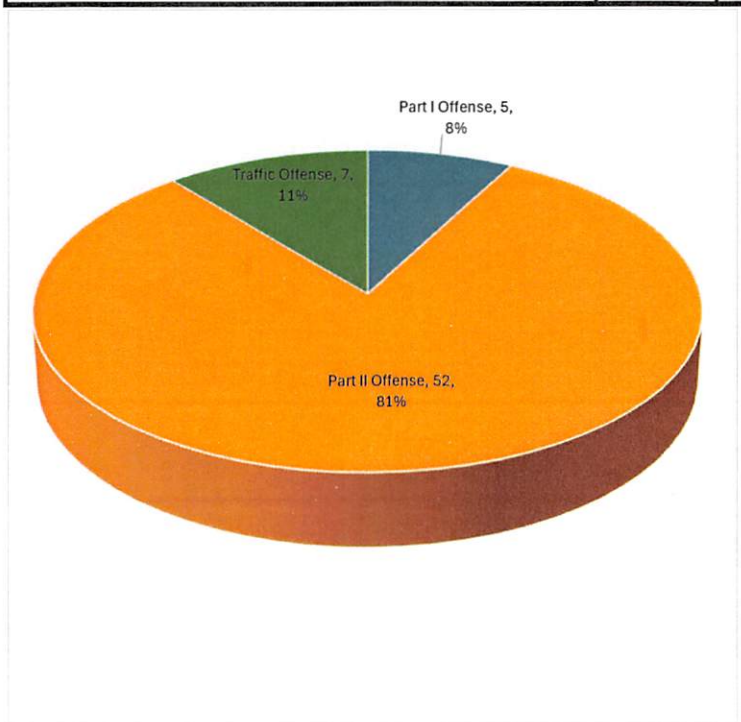
	Male	Female	Caucasian	African American	Hispanic	Asian	Unknown
PART I OFFENSE							
Burglary (Daytime)							
Burglary (Nighttime)							
Grand Larceny							
Malicious Assault							
Malicious Wounding							
Attempted Murder 1st Degree							
Murder 1st Degree							
Petit Larceny	4	1	5				
Robbery - Attempted							
Robbery							
Robbery 2nd Degree							
Sexual Assault 1st Degree							
Shoplifting							
Shoplifting 2nd Offense							
Shoplifting 3rd Offense							
Strangulation							
TOTAL	4	1	5	0	0	0	0
PART II OFFENSE							
Assault	1		1				
Assault on an Officer							
Attempted to Defeat Drug/Alcohol Screening Test							
Battery	2	2	3	1			
Bond Violation		1	1				
Breaking and Entering							
Capias Served	2	4	1	4	1		
Child Abuse Resulting in Injury							
Child Neglect Creating Risk of Injury							
Computer Fraud							
Conspiracy							
Conspiracy to Distribute MDMA							
Conspiracy to Breaking and Entering							
Conspiracy to Possess w/Intent to Deliver Cocaine							
Conspiracy to Possess w/Intent to Deliver Heroin							
Conspiracy to Possess w/Intent to Deliver Methamphetamine							
Conspiracy to Commit Petit Larceny	1	1	2				
Destruction of Property	2		2				
Disorderly Conduct	1		1				
Disruption of School							
Distribution of Schedule I Controlled Substance	1				1		
Disturbing the Peace							
Domestic Assault							
Domestic Battery							
Domestic Battery 2nd Offense							
Domestic Battery 3rd Offense							
Driving Revoked for DUI	1			1			
Driving Revoked for DUI 2nd	1		1				
Driving Revoked for DUI 3rd							
Driving Revoked Non DUI Admin							
DUI							
DUI 2nd							
DUI 3rd							
DUI Aggravated	2		1	1			
DUI Causing Bodily Injury							
DUI - Drugs							

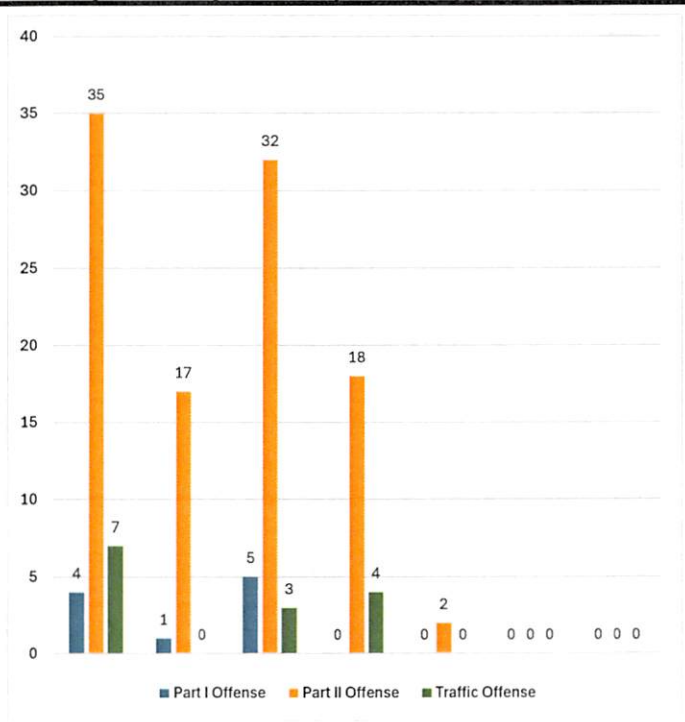
Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

DUI - Drugs 3rd Offense							
DUI w/ Minor							
Embezzlement							
Failure to Register Dog		2		2			
Failure to Vaccinate Dog		2		2			
False Reporting of an Emergency							
Felon in Possession of Firearm							
Fingerprint Refusal	1		1				
Fleeing on Foot							
Fleeing in Vehicle							
Forgery							
Fraudulent Use of Access Device	7		7				
Fugitive From Justice		1	1				
Incest							
Interfering with Emergency Communication							
Interlock Violation							
Leash Law Violation		2		2			
Non-Consensual Disclosure of Private Intimate Images							
Obstructing an Officer	2	2	3	1			
Obtain Money, Property, Services by False Pretense							
Open Container							
Open Container in Vehicle							
Pedestrian in Roadway							
Pimping							
Possession Deadly Weapon by Minor							
Possession of Alcohol Under 21							
Possession of Controlled Substance (Schedule IV)							
Possession of Gabapentin							
Possession of Heroin							
Possession of Marijuana	5		3	2			
Possession of Methamphetamine							
Possession of Psilocybin Mushrooms (Schedule I CDS)							
Possession of Stolen Property							
Possession of Vape Product under 18							
Possession w/ Intent to Deliver Cocaine							
Possession w/ Intent to Deliver Heroin							
Possession w/ Intent to Deliver Methamphetamine							
Possession w/ Intent to Deliver MDMA (Molly)							
Probation Violation							
Prohibited Person in Poss of Firearm	1		1				
Prostitution							
Prostitution 2nd Offense							
Providing Alcohol to Under 21							
Public Intoxication	2		2				
Reckless Driving							
Resisting Arrest							
Sexual Abuse 1st Degree							
Sexual Assault 2nd Degree	1			1			
Sexual Assault3rd Degree	1			1			
Threats of Terroristic Acts							
Transfer Receive Stolen Property	1		1				
Trespassing							
Unlawful Possession/Transport into WV Fentanyl							
Underage Possession of Firearm (Federal Warrant)							
Uttering							
Wanton Endangerment							
TOTAL	**35**	**17**	**32**	**18**	**2**	**0**	**0**

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

TRAFFIC OFFENSE							
Cell Phone Violation							
Child Safety Restraint Violation							
Defective Equipment							
Driving Suspended	1		1				
Driving Suspended 2nd Offense							
Driving Suspended 3rd Offense	1			1			
Driving Too Fast for Conditions							
Exp/No MVI							
Expired/No Operators	1			1			
Expired/No Registration	1		1				
Fail to Keep Right							
Fail to Maintain Control							
Fail to Obey Traffic Control Device							
Fail to Obtain WV Operators							
Fail to Report Accident							
Failure to Update Address on License							
Following to Closely							
Improper Passing	1			1			
Improper Registration							
Leaving the Scene of Accident							
Left of Center							
No Insurance/No Proof of Insurance	1		1				
No Motorcycle Endorsement							
No Parking Violation							
No Seatbelt							
Passing on Right							
Red Light Violation							
Speeding	1			1			
Stopping on Highway							
TOTAL	7	0	3	4	0	0	0
TOTAL CHARGES	**46**	**18**	**40**	**22**	**2**	**0**	**0**





Charles Town Police Department

Total Traffic Citation Report, by Violation

Violation	Description	Total
17A-3-16	Expired Registration	93
17A-9-2	No Or Expired Registration	22
17A-9-3	Improper Registration	1
17B-2-1	No Operators	4
17B-2-12	Expired Operators	1
17B-2-1a(b)	Failure To Obtain WV Operator's	2
17B-4-3(a)	Driving Suspended/2nd/3rd	1
17B-4-3(b)	Driving Revoked For DUI/2nd/3rd	2
17B-4-3a	Driving Suspended or Revoked	10
17B-4-4	Permitting No Operators	1
17C-12-5	Stop Sign Violation	1
17C-14-15	Use Handheld Communication Device	1
17C-16-9	No Or Expired MVI	38
17C-3-4	Fail To Obey Traffic Control Device	5
17C-3-5	Fail To Obey Traffic Light	8
17C-5-2(f)	Aggravated DUI >.15	2
17C-6-1a	Failure To Maintain Control	3
17C-6-1b	Speeding	65
17C-7-4	Passing On Right-Off Road	1
17C-7-5	Passing On Left Unsafely	1
17C-7-8	One Way And Traffic Island Violation	1
17C-7-9	Improper Lane Change	1
17C-9-1	Fail Yield At Intersection	4
17C-9-3	Fail To Yield-Thru Highway	3
17C-9-4	Fail To Yield From Private Road	1
17D-2A-3	No Insurance	6
17D-2A-4	No Proof Of Insurance	3
CTPD171.07	Failure To Appear For Trial (CAPIAS)	6
CTPD333.03	Hazardous Driving	1
CTPD531.03	Possession Of Marijuana <15gms	4
CTPD533.02(b)	Trespass; Structure Or Conveyance	1
Report Totals		**293**

Report Includes:
All dates of issue between `00:00:00 05/01/24` and `23:59:59 05/31/24`, All agencies matching `CTPD`, All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

Charles Town Police Department

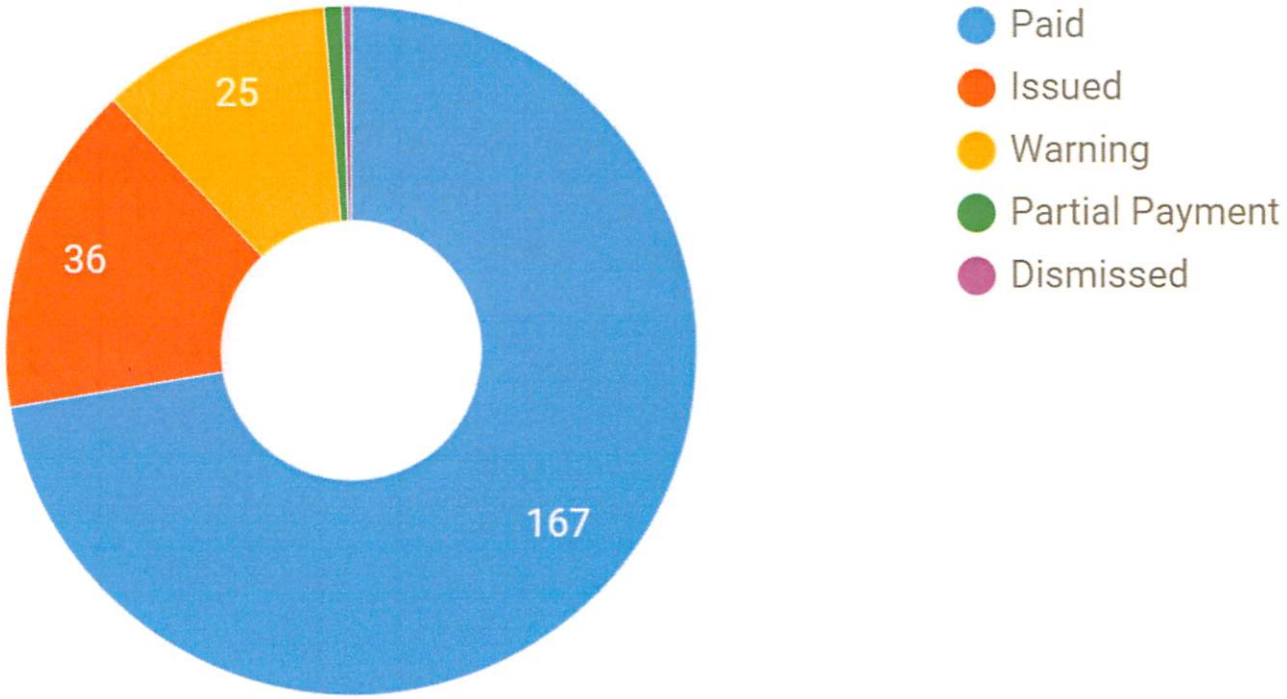
Total Traffic Warning Report, by Violation

Violation	Description	Total
17A-3-15	Improper Display Of Registration	19
17A-3-16	Expired Registration	24
17A-9-2	No Or Expired Registration	2
17B-2-12	Expired Operators	1
17C-14-15	Use Handheld Communication Device	1
17C-15-1	Unsafe-Improperly Equipped Vehicle	7
17C-16-9	No Or Expired MVI	1
17C-3-4	Fail To Obey Traffic Control Device	7
17C-3-5	Fail To Obey Traffic Light	4
17C-6-1a	Failure To Maintain Control	2
17C-6-1b	Speeding	41
17C-7-4	Passing On Right-Off Road	2
17C-7-6	Left of Center	1
17C-7-8	One Way And Traffic Island Violation	1
17C-9-1	Fail Yield At Intersection	1
CTPD545.10(b)	Fireworks Prohibited	1

Report Totals: **115**

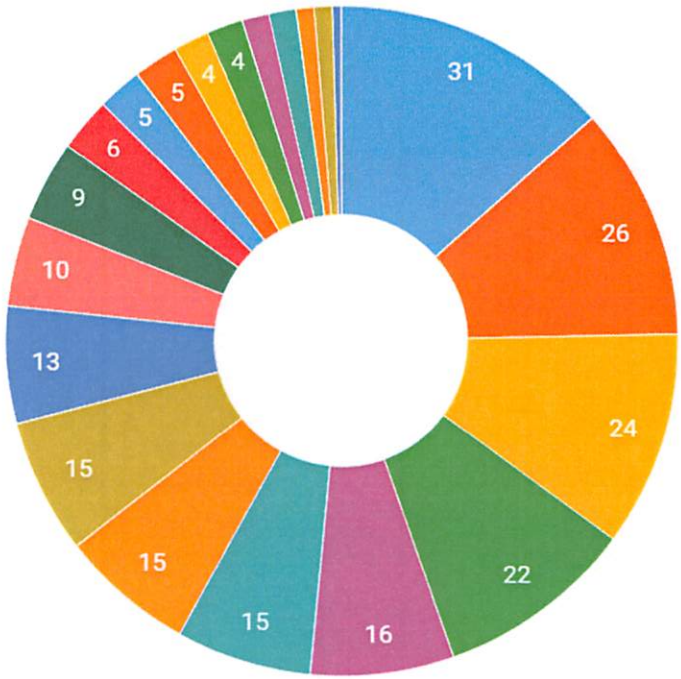
Report Includes:
All dates between `00:00:00 05/01/24` and `23:59:59 05/31/24`, All agencies matching `CTPD`, All issuing officers, All areas, All violations

City of Charles Town - Tickets By Status (May. 2024)



Data as of 7/12/2024, 12:00:00 AM

City of Charles Town - Tickets By Location (May. 2024)

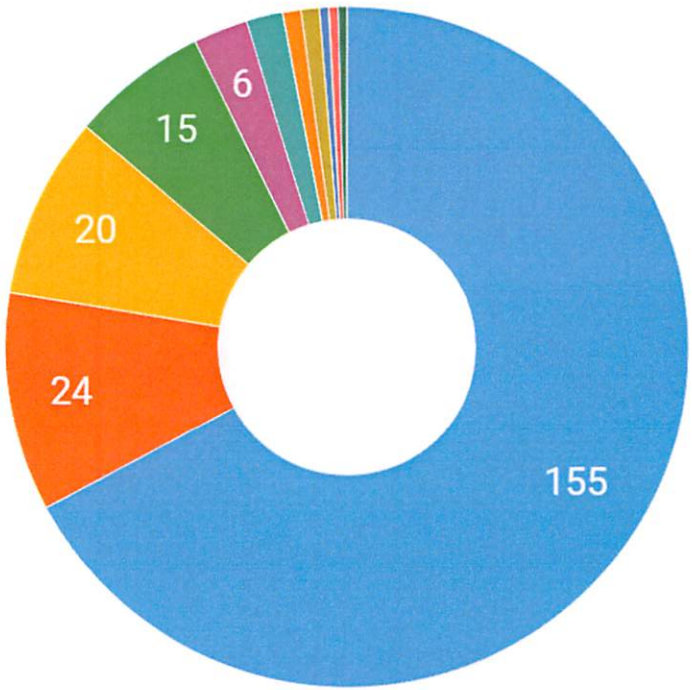


- 100 BLOCK NORTH CHARLES STREET
- 100 BLOCK SOUTH CHARLES STREET
- 100 BLOCK WEST LIBERTY STREET
- 100 BLOCK EAST LIBERTY STREET
- 200 BLOCK NORTH GEORGE STREET
- LIBERTY STREET PARKING LOT
- 100 BLOCK WEST WASHINGTON STREET
- 200 BLOCK WEST LIBERTY STREET
- 200 BLOCK WEST WASHINGTON STREET
- CHARLES STREET PARKING LOT
- 100 BLOCK EAST WASHINGTON STREET
- LAWRENCE STREET PARKING LOT
- 100 BLOCK EAST CONGRESS STREET
- 100 BLOCK NORTH LAWRENCE STREET
- 100 BLOCK NORTH GEORGE STREET
- 200 BLOCK WEST CONGRESS STREET

▲ 1/2 ▼

Data as of 7/12/2024, 12:00:00 AM

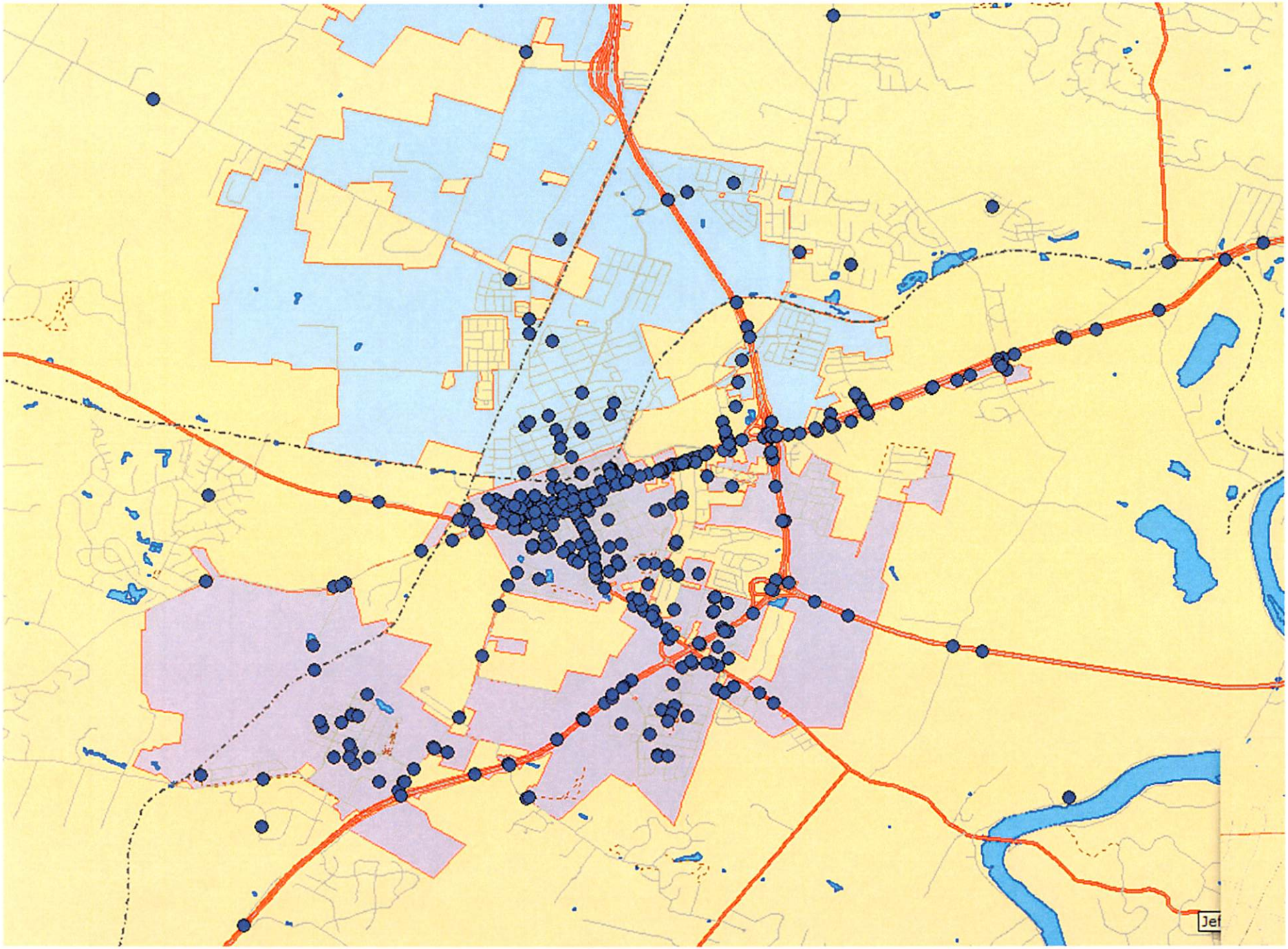
City of Charles Town - Tickets By Violation (May. 2024)



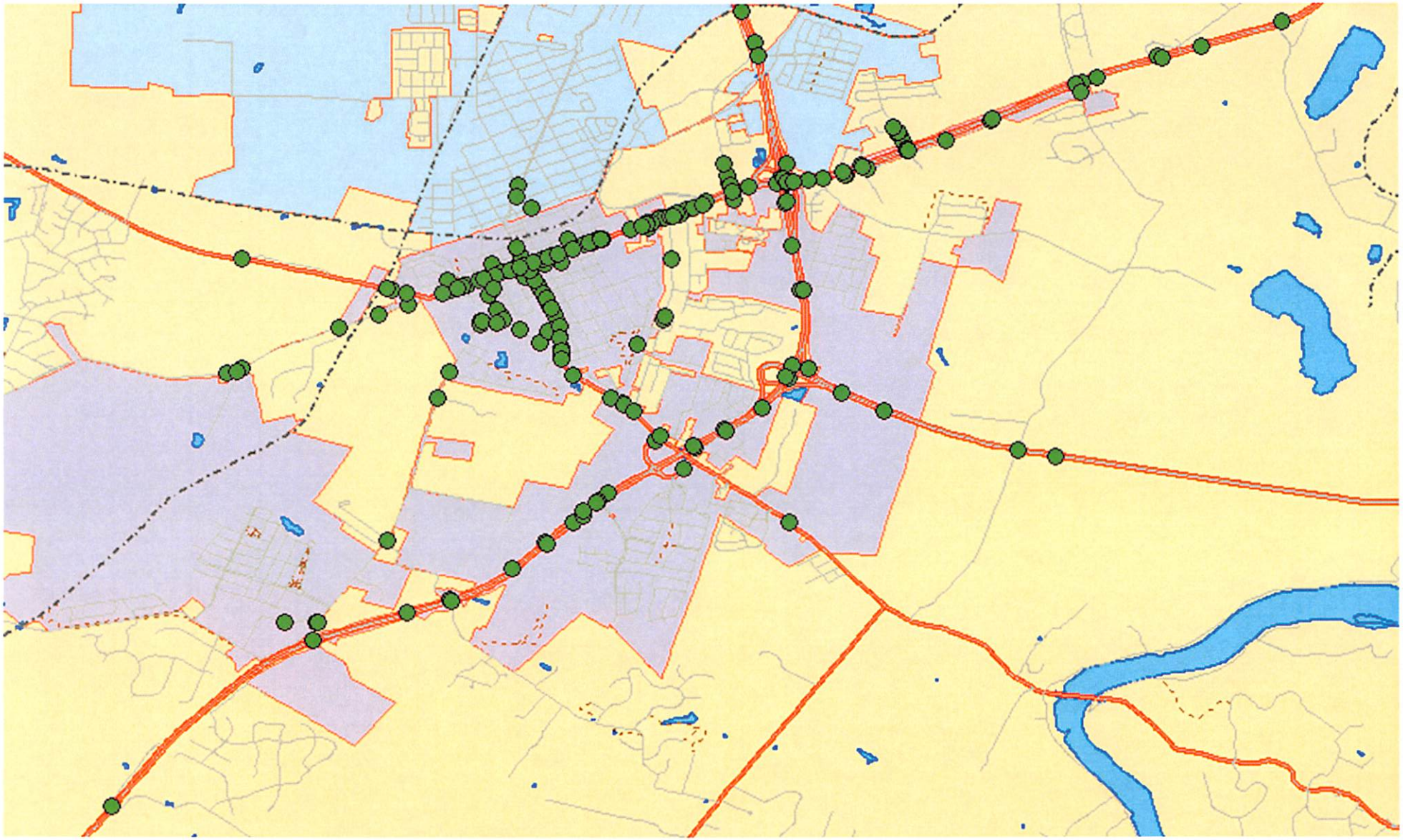
- Expired Meter
- Accessible Parking Violation
- Exceed 2 Hour Free Parking
- Permit Parking Only/Pay by App Vi...
- Yellow/Red Painted Curbs or Stree...
- Left wheel more than 18" from left...
- Loading/Unloading Zone Violation
- Right wheel more than 18" from rig...
- Parking Permit Violation
- Immobilization Device (Booting) F...
- Improper Manner of Parking

Data as of 7/12/2024, 12:00:00 AM

May 2024 – All CTPD Calls



May 2024 – All CTPD Traffic Stops



Charles Town Police Department
Monthly Stat Report

June 2024

911 Hangup	3	Missing Person	
Abandoned Vehicle	9	Motorist Assist	8
Abuse/Neglect		MVA w/ Entrapment	
Alarm	19	MVA Hit and Run	
Animal Complaint		MVA No Injury	19
Assault	2	MVA Into Structure	
ATV Complaint		MVA w/ Injury	1
BOLO	5	Nuisance	
Breaking and Entering		Open Door	
Breaking and Entering Veh	6	Out of Car (Investigation/Mtg/Court)	1
Building Check	48	Panhandling	1
Burglary		Overdose	2
Capias Recall by Court	9	Overdose-Death	
Capias Service	6	Parking Complaint	6
Civil Matter		Public Assist (In Person Contact)	16
Court/Bailiff Duty	4	Public Service (Phone Contact)	74
Destruction of Property	1	Pursuit	1
Directed Patrol	252	Reckless Driver	1
Disabled Vehicle	11	Road Patrol	7
Disturbance	23	Sexual Assault	
Dog Locked in Vehicle	2	Special Event/Detail	2
Domestic Battery	2	Stolen Vehicle	3
Drug Activity	6	Suspicious Activity	13
DUI	3	Suspicious Mail	
EMS Assist	9	Suspicious Person	4
Fingerprinting	5	Suspicious Vehicle	7
Fire Assist	1	Terrorist Threats	
Fireworks Complaint	3	Theft	2
Follow Up	22	Threats	
Foot Patrol	24	Traffic Hazzard	6
Found Property	5	Trespassing	6
Fraud	1	Unattended Death	
Harassment	1	Vehicle Fire	
Hardcopy Check	2	Warrant Service	3
Illegal Burn		Welfare Check	24
Injured Animal	1	Wildlife Complaint	1
Intoxicated Person	2	Wires Down	1
Juvenile Complaint		**Total calls of service**	**696**

Assists/Back-Ups:	Ranson	**15**		Sheriffs Dept.	**21**
	Harpers Ferry			State Police	**2**
	Shepherdstown			Other (not including CTPD)	**4**
				Total Assists	**42**

	Male	Female	Caucasian	African American	Hispanic	Asian	Other/ Unknown	Total
Defendants:	11	9	16	2	0	0	2	**20**
Total Charges	21	30	39	8	0	0	4	**51**
Citations:								**294**
- Moving								**149**
- Nonmoving								**140**
- Criminal								**2**
- S Ticket (Parking)								**3**
Stops	145	108	200	27	21	2	3	**253**
Warnings:								**115**
Stops	62	54	88	15	6	1	6	**116**
Total	**218**	171	**304**	**44**	**27**	**3**	**11**	
Incident Report								**53**
Parking								
- Citations								**31**
-Warnings								**6**

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

June 2024

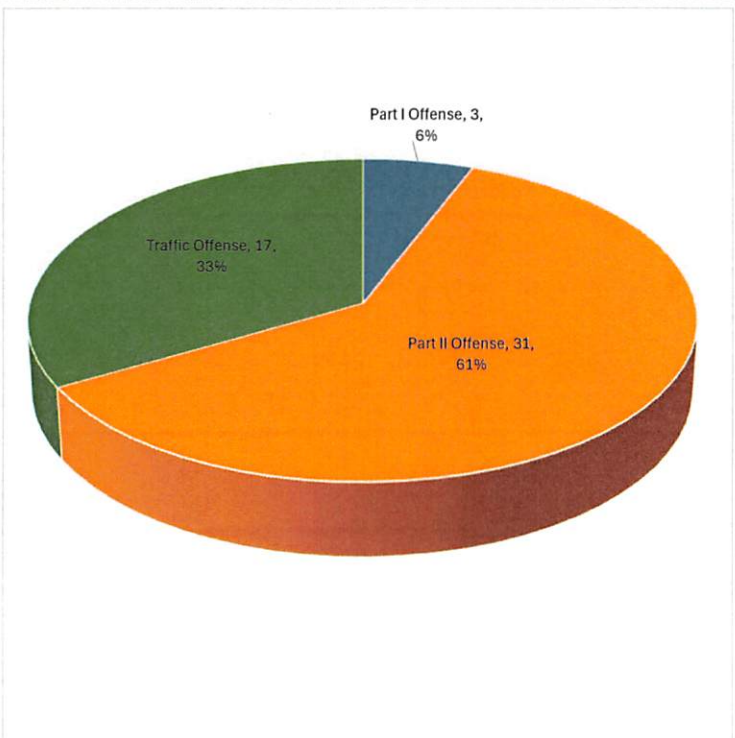
	Male	Female	Caucasian	African American	Hispanic	Asian	Unknown
PART I OFFENSE							
Burglary (Daytime)							
Burglary (Nighttime)							
Grand Larceny							
Malicious Assault							
Malicious Wounding							
Attempted Murder 1st Degree	1			1			
Murder 1st Degree							
Petit Larceny	1		1				
Robbery - Attempted							
Robbery							
Robbery 2nd Degree							
Sexual Assault 1st Degree							
Shoplifting							
Shoplifting 2nd Offense							
Shoplifting 3rd Offense							
Strangulation	1		1				
TOTAL	3	0	2	1	0	0	0
PART II OFFENSE							
Assault							
Assault on an Officer							
Attempted to Defeat Drug/Alcohol Screening Test							
Bond Violation							
Brandishing a Firearm							
Breaking and Entering							
Capias Served	2	1	3				
Child Abuse Resulting in Injury							
Child Neglect Creating Risk of Injury							
Computer Fraud							
Conspiracy	1			1			
Conspiracy to Distribute MDMA							
Conspiracy to Breaking and Entering							
Conspiracy to Possess w/Intent to Deliver Cocaine							
Conspiracy to Possess w/Intent to Deliver Heroin							
Conspiracy to Possess w/Intent to Deliver Methamphetamine							
Conspiracy to Commit Petit Larceny							
Destruction of Property							
Disorderly Conduct							
Disruption of School							
Distribution of Crack Cocaine							
Disturbing the Peace							
Domestic Assault							
Domestic Battery	1	1	2				
Domestic Battery 2nd Offense							
Domestic Battery 3rd Offense							
Driving Revoked for DUI	2	2	3	1			
Driving Revoked for DUI 2nd							
Driving Revoked for DUI 3rd							
Driving Revoked Non DUI Admin							
DUI	1						1
DUI 2nd		1	1				
DUI 3rd							
DUI Aggravated							
DUI Causing Bodily Injury							
DUI - Drugs							

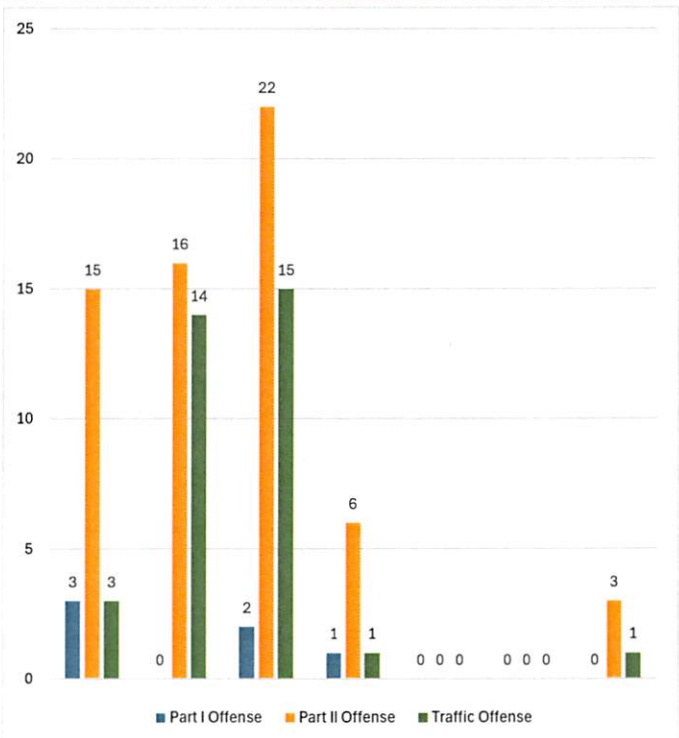
Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

DUI - Drugs 3rd Offense							
DUI w/ Minor		1	1				
Embezzlement							
Failure to Register for Child Abuse Registry							
False Alarm of Fire							
False Reporting of an Emergency							
Felon in Possession of Firearm							
Fingerprint Refusal		1	1				
Fleeing on Foot							
Fleeing in Vehicle w/ Reckless Indifference		1	1				
Forgery							
Fraudulent Schemes							
Fugitive From Justice							
Incest							
Interfering with Emergency Communication							
Interlock Violation							
Littering							
Non-Consensual Disclosure of Private Intimate Images							
Obstructing an Officer		1	1				
Obtain Money, Property, Services by False Pretense							
Open Container							
Open Container in Vehicle							
Pedestrian in Roadway							
Pimping							
Possession Deadly Weapon by Minor							
Possession of Alcohol Under 21							
Possession of Cocaine		1	1				
Possession of Fentanyl	1		1				
Possession of Heroin							
Possession of Marijuana	1		1				
Possession of Methamphetamine							
Possession of Oxycodone		1	1				
Possession of Xanax		1	1				
Possession of Vape Product under 18							
Possession w/ Intent to Deliver Cocaine							
Possession w/ Intent to Deliver Heroin							
Possession w/ Intent to Deliver Methamphetamine							
Possession w/ Intent to Deliver MDMA (Molly)							
Probation Revocation	1	1	2				
Prohibited Person in Poss of Firearm							
Prostitution							
Prostitution 2nd Offense							
Providing Alcohol to Under 21							
Public Intoxication	1	2	1				2
Reckless Driving		1	1				
Resisting Arrest							
Sexual Abuse 1st Degree							
Sexual Assault 2nd Degree							
Threats of Terroristic Acts							
Transfer Receive Stolen Property							
Trespassing							
Unlawful Possession/Transport into WV Fentanyl							
Underage Possession of Firearm (Federal Warrant)							
Uttering							
Wanton Endangerment	4			4			
TOTAL	**15**	**16**	**22**	**6**	**0**	**0**	**3**

Charles Town Police Department
Monthly Stat Report
Charges by Offense/Gender/Race

TRAFFIC OFFENSE							
Cell Phone Violation							
Child Safety Restraint Violation							
Defective Equipment							
Driving Suspended	1	2	2	1			
Driving Suspended 2nd Offense							
Driving Suspended 3rd Offense							
Driving Too Fast for Conditions							
Exp/No MVI		1	1				
Expired/No Operators							
Expired/No Registration	1	4	5				
Fail to Keep Right							
Fail to Maintain Control							
Fail to Obey Stop Sign		1	1				
Fail to Obtain WV Operators							
Fail to Report Accident							
Failure to Update Address on License							
Following to Closely							
Improper Backing							
Improper Registration		1	1				
Leaving the Scene of Accident							
Left of Center							
No Insurance/No Proof of Insurance		2	2				
No Motorcycle Endorsement							
No Parking Violation							
No Seatbelt							
Passing on Right		1	1				
Red Light Violation							
Speeding	1	2	2				1
Stopping on Highway							
TOTAL	3	14	15	1	0	0	1
TOTAL CHARGES	**21**	**30**	**39**	**8**	**0**	**0**	**4**





Charles Town Police Department

Total Traffic Citation Report, by Violation

Violation	Description	Total
17A-3-16	Expired Registration	80
17A-9-2	No Or Expired Registration	32
17A-9-3	Improper Registration	1
17B-2-1	No Operators	2
17B-2-12	Expired Operators	2
17B-2-7b	Motorcycle Endorsement	1
17B-4-3(a)	Driving Suspended/2nd/3rd	1
17B-4-3(b)	Driving Revoked For DUI/2nd/3rd	4
17B-4-3a	Driving Suspended or Revoked	8
17C-05-02(l)	DUI (d)(e)(f)(g)(h) or (j) (2nd Offense)	1
17C-12-5	Stop Sign Violation	2
17C-13-3	Parking Violation	2
17C-14-15	Use Handheld Communication Device	2
17C-15-49	Seatbelts Required	1
17C-16-9	No Or Expired MVI	25
17C-3-4	Fail To Obey Traffic Control Device	4
17C-3-5	Fail To Obey Traffic Light	12
17C-3-5(c)	Right on Red	2
17C-5-2(e)	Basic DUI <.15	1
17C-5-2(k)	DUI W/Minor Under 16	1
17C-5-3	Reckless Driving	1
17C-6-1a	Failure To Maintain Control	3
17C-6-1b	Speeding	83
17C-7-4	Passing On Right-Off Road	2
17C-7-7	No Passing Zone	1
17C-7-9	Improper Lane Change	3
17C-8-8	Improper Stopping/Turning/Signaling	1
17C-9-1	Fail Yield At Intersection	2
17D-2A-3	No Insurance	6
17D-2A-4	No Proof Of Insurance	4
61-5-17(f)	Fleeing Vehicle (Reckless)	1
CTPD171.07	Failure To Appear For Trial (CAPIAS)	1
CTPD361.04(a)	Parking Time Limit (Business Dist)	1
CTPD531.03	Possession Of Marijuana <15gms	1
Report Totals		**294**

Report Includes:

All dates of issue between `00:00:00 06/01/24` and `23:59:59 06/30/24`, All agencies matching `CTPD`, All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

Charles Town Police Department

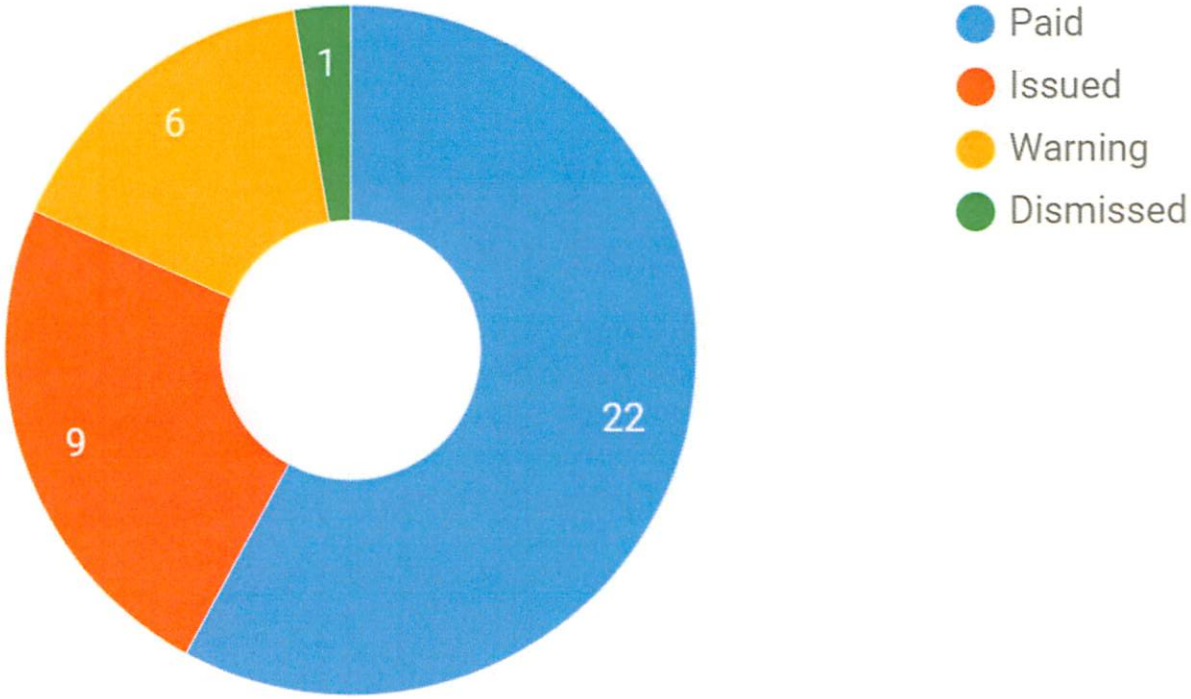
Total Traffic Warning Report, by Violation

Violation	Description	Total
17A-3-15	Improper Display Of Registration	12
17A-3-16	Expired Registration	38
17A-9-2	No Or Expired Registration	4
17B-2-1a(b)	Failure To Obtain WV Operator's	1
17C-14-14	Littering From Motor Vehicle	1
17C-14-15	Use Handheld Communication Device	2
17C-15-1	Unsafe-Improperly Equipped Vehicle	2
17C-16-9	No Or Expired MVI	2
17C-3-4	Fail To Obey Traffic Control Device	9
17C-3-5	Fail To Obey Traffic Light	4
17C-3-5(c)	Right on Red	2
17C-6-1a	Failure To Maintain Control	5
17C-6-1b	Speeding	27
17C-7-1	Fail to Keep Right	1
17C-7-3	Improper Passing/Audible Signal	1
17C-7-4	Passing On Right-Off Road	2
17C-9-5	Fail To Yield-Emergency Vehicle	1
CTPD545.10(b)	Fireworks Prohibited	1

Report Totals: **115**

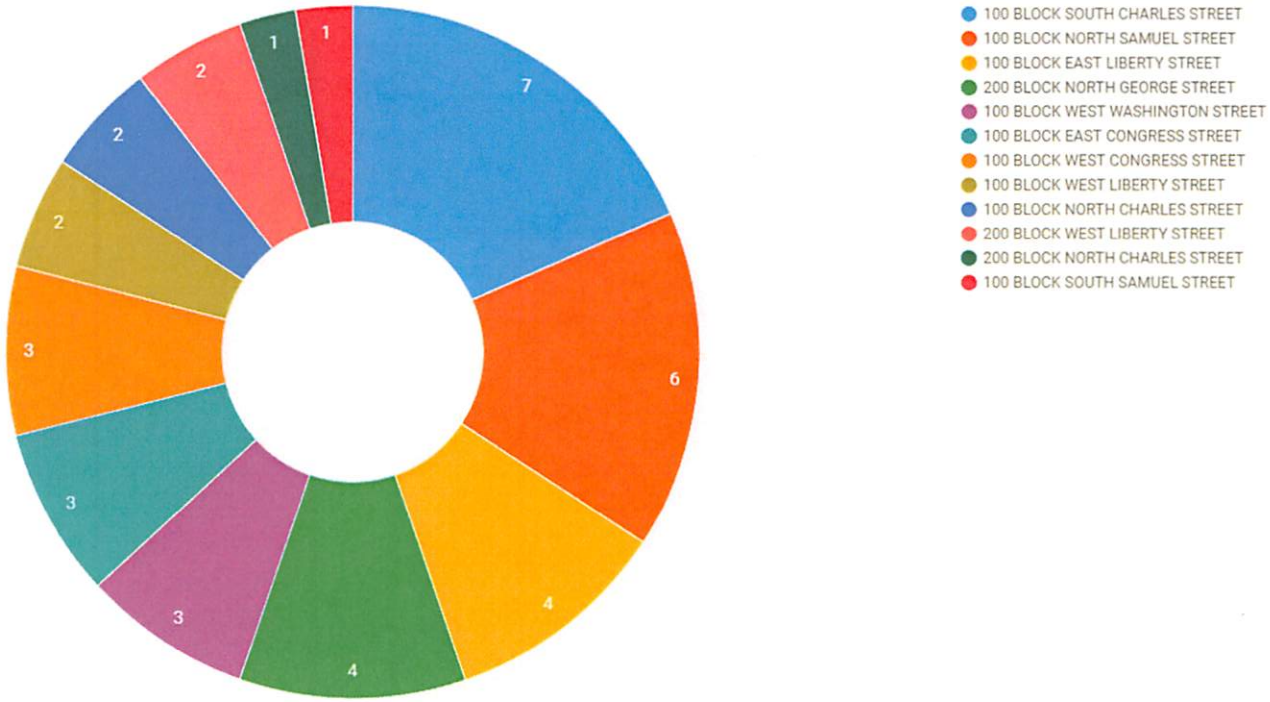
Report Includes:
All dates between `00:00:00 06/01/24` and `23:59:59 06/30/24`, All agencies matching `CTPD`, All issuing officers, All areas, All violations

City of Charles Town - Tickets By Status (Jun. 2024)



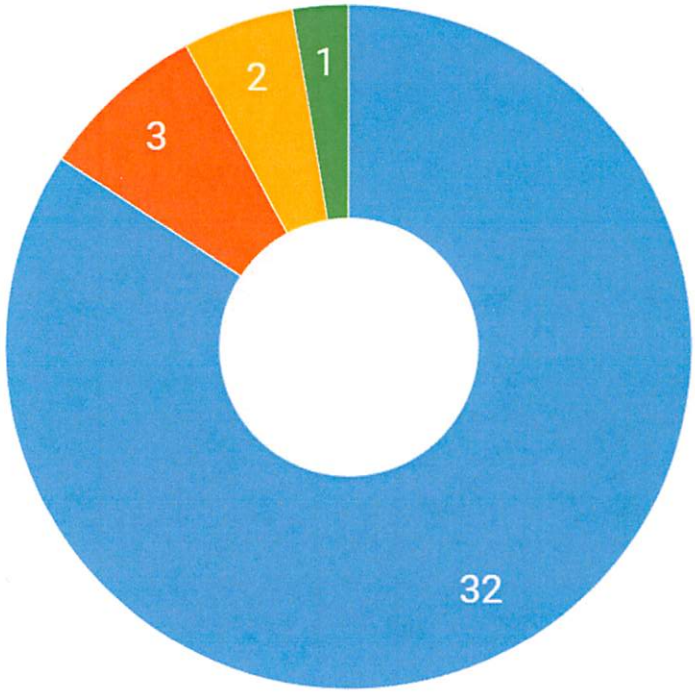
Data as of 7/12/2024, 12:00:00 AM

City of Charles Town - Tickets By Location (Jun. 2024)



Data as of 7/12/2024, 12:00:00 AM

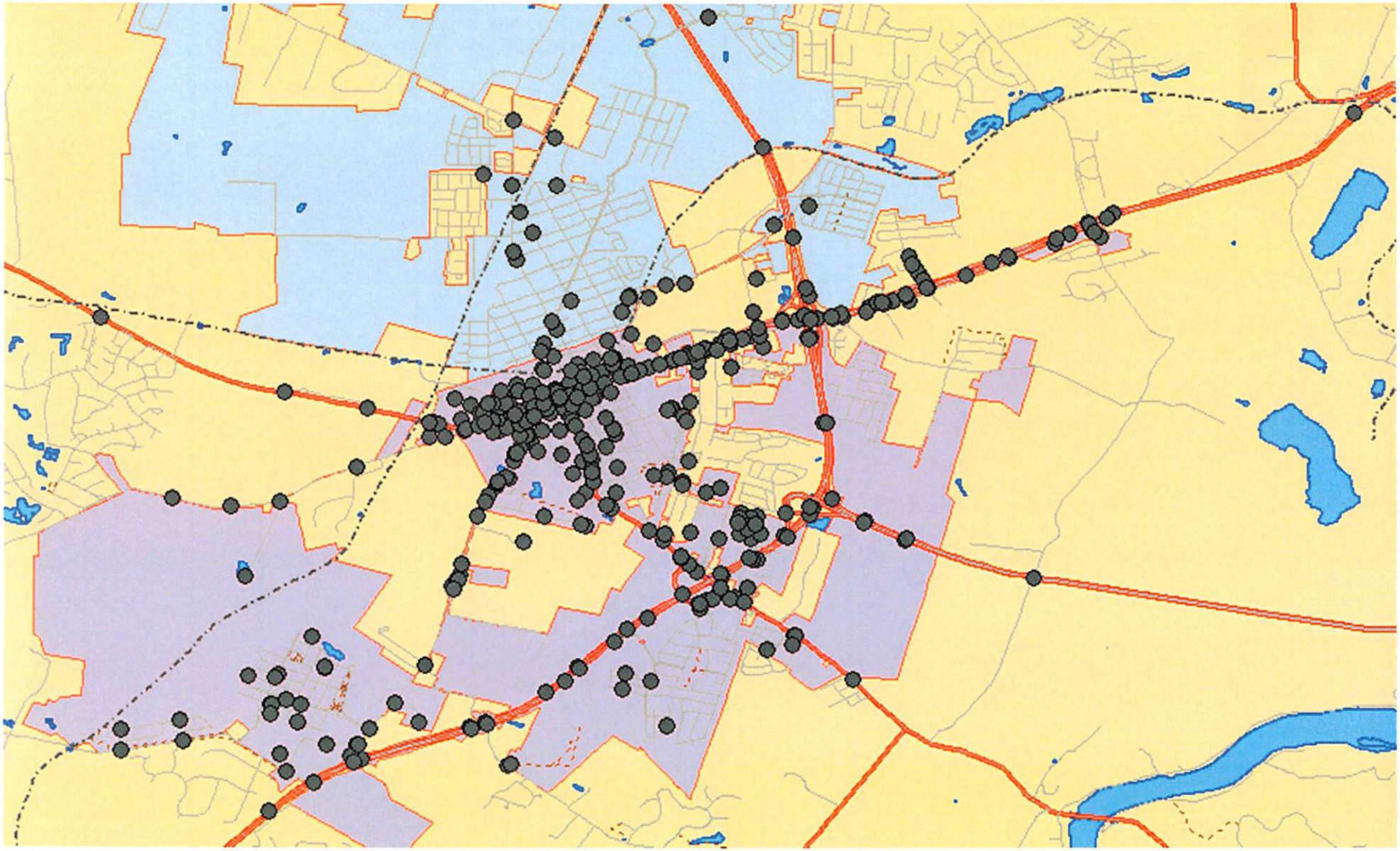
City of Charles Town - Tickets By Violation (Jun. 2024)



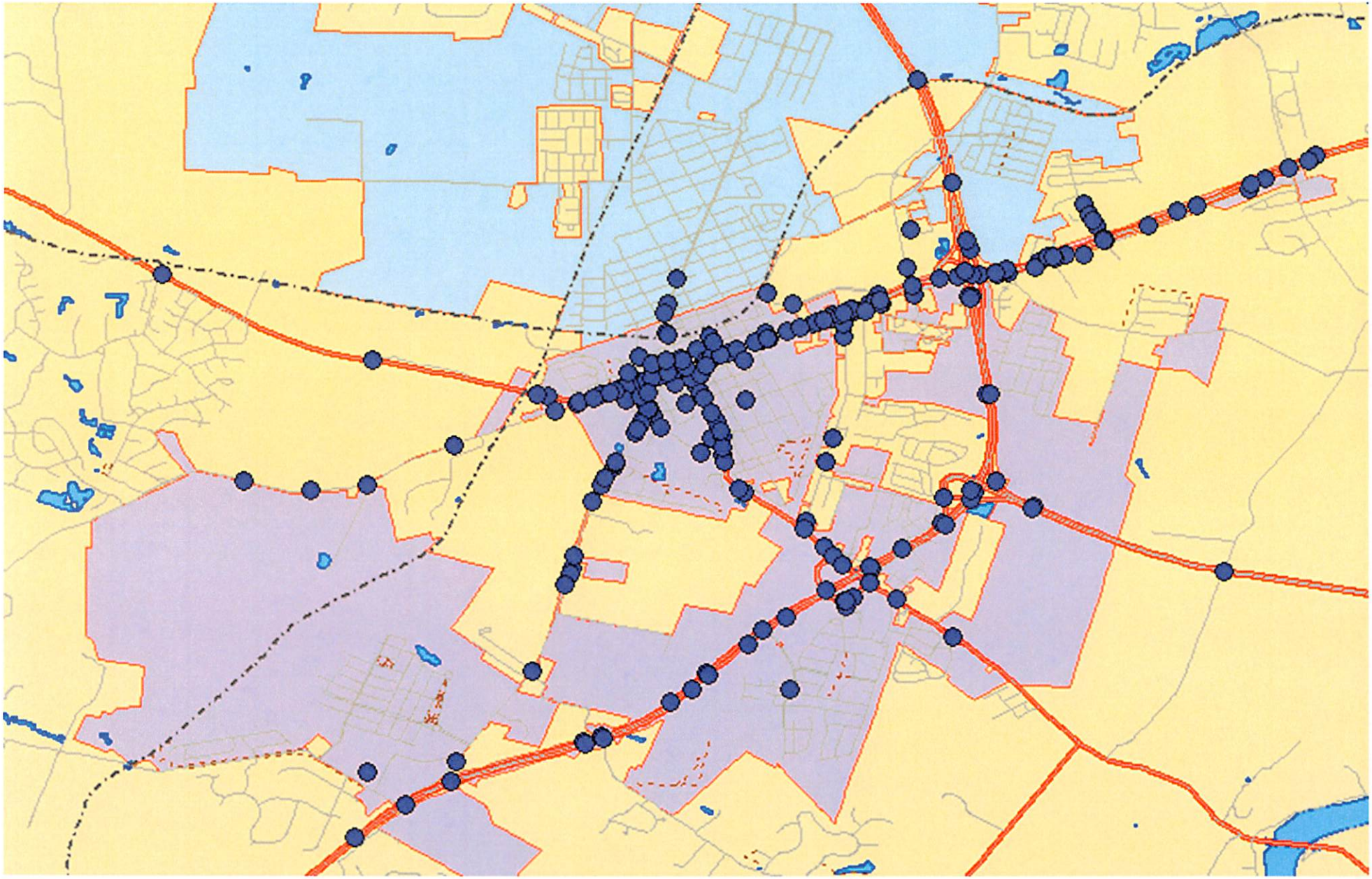
- Expired Meter
- Exceed 2 Hour Free Parking
- Accessible Parking Violation
- Loading/Unloading Zone Violation

Data as of 7/12/2024, 12:00:00 AM

June 2024 – All CTPD Calls



June 2024 – All CTPD Traffic Stops



City Council
101 East Washington Street
Charles Town, WV 25414

Meeting: 08/05/24
Department: City Council
Category: Information Only
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

2024-824: Letter from the Boys and Girls Club of the Eastern Panhandle

ATTACHMENTS:

- Letter from the Boys and Girls Club.pdf

BOYS & GIRLS CLUB
OF THE EASTERN PANHANDLE

Corporate Office
PO Box 1184, Martinsburg, WV 25402
P: (304) 263-1832 **F:** (304) 263-1833
www.bgcepwv.net

Wednesday, June 19, 2024

City of Charles Town
PO Box 14
Charles Town, WV 25414

Dear City of Charles Town

Thank you for your donation of $ 2,500 (check 322514 dated February 16, 2024 from the proceeds of your 2023 car show.

Thanks to organizations like yours, hundreds of children and their families will benefit from life changing programs, provided by caring, professional staff every day after school. Your commitment to the Eastern Panhandle's most disadvantaged youth ensures that they have access to character-building, educational, and recreational programs.

Your gift allows the Club to provide a place where youth have the chance to set and achieve goals, make friends, have fun, and learn about themselves and the larger world they live in. With the help of supporters like you, the Boys & Girls Clubs of the Eastern Panhandle will continue to offer impactful programs that improve academic success, character & citizenship and promote healthy lifestyles.

Support from people like you helps fulfill the dream of a brighter tomorrow for more youth in our community.

Sincerely,

Stacie Rohn
Chief Executive Officer

No goods or services were provided in association with this contribution.
Boys & Girls Club of the Eastern Panhandle, tax ID number 20-2257657, is a 501(c)3 organization as determined by the Internal Revenue Service. Your gift is tax-deductible.

GREAT FUTURES START HERE.