CITY OF CHARLES TOWN
PLANNING COMMISSION
AGENDA • APRIL 24, 2023

Committee Meeting **CITY HALL** **7:00 PM**
101 E Washington Street, Charles Town, WV 25414

1. CALL TO ORDER

2. APPROVAL OF MINUTES

2.1 : Minutes of March 27, 2023
Draft March 27 2023 Planning Commission Minutes.docx

3. UNFINISHED BUSINESS

3.1 : SLD2022-04 Hillside Sketch Plan
1. Staff Report.pdf
2. Revised Plans.pdf

4. NEW BUSINESS

4.1 : TXA2023-01 - Text Amendment regarding Mobile Food Vendors - Public Hearing
1. Staff Report.pdf

4.2 : TXA 2023-02 Text Amendment regarding Buffer Standards - Public Hearing
1. Staff Report.pdf

4.3 : TXA2023-03 Text Amendment regarding Driveway Standards - Public Hearing
1. Staff Report.pdf

4.4 : TXA2023-04 Text Amendment regarding Townhouse Standards - Public Hearing
1. Staff Report.pdf

4.5 : SLD2022-06 Norborne-Glebe Phases 10B,11,12, and 13 Sketch Plan - Public Hearing
1. Staff Report.pdf
2. Plans.pdf
3. Application.pdf

4.6 : SLD2023-02 Westover Dental - Sketch Plan - Public Hearing
1. Staff Report.pdf
2. Plans.pdf
3. Application.pdf
4. Recorded Merger Deed.pdf

4.7 : SLD2023-03 Alla Willa Drive Casino Sketch Plan - Public Hearing
1. Staff Report.pdf
2. Plans.pdf
3. Application.pdf
4. Narrative.pdf

4.8 : SLD2023-04 Fairview - Completeness Review

1. Staff Report.pdf
2. Plans.pdf
3. Application.pdf
4. Resolution 2005-15 Conditions of Annexation.pdf

5. ADJOURNMENT

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

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

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Minutes of March 27, 2023

ATTACHMENTS:

- Draft March 27 2023 Planning Commission Minutes.docx

CITY OF CHARLES TOWN

PLANNING COMMISSION MEETING

MINUTES • March 27, 2023

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

101 East Washington Street, Charles Town, WV 25414

1) CALL TO ORDER

Present: Ann Paonessa
Angie Cummings
Jessica Derr
Jeff Hynes

Absent: Kevin Long

Meeting started at 7:00 pm. Kevin Long was not in attendance. Angie Cummings arrived at 7:20 pm.

2) APPROVAL OF MINUTES

No minutes to approve.

3) UNFINISHED BUSINESS

No unfinished business.

4) NEW BUSINESS

4.1 SLD2022-04 Hillside Sketch Plan & Waiver - Public Hearing

Staff presentation. Applicant spoke.

Motion to open public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Public comments: Six residents of the Hillside Community spoke of their concerns with traffic and the need for a round-about (to assist with the dangerous and accident-prone intersection leaving the community), overcrowding of schools, sidewalks, lack of visitor parking spots, storm water mgmt. and responsible use of the land.

Motion to close public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Electric meter request waiver. Motion to approve.

RESULT:	**APPROVED**
MOVER:	Jessica Derr
SECONDER:	Jeff Hynes
AYES:	Ann Paonessa, Jessica Derr, Jeff Hynes

Motion to approve sketch plan by Hynes with conditions: Must be in conformance with coder requirements for buffers, net buildable area, and not to exceed house units / 128 units. Second by Derr with amendments to require traffic impact study. Following discussion, Derr withdrew second to Hynes motion. Motion dies.

New motion to table action to April 24.

RESULT:	**APPROVED**
MOVER:	Jessica Derr
SECONDER:	Angie Cummings
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr
	NAYS: Jeff Hynes

4.2 WAV2023-01 Norborne Glebe Waiver Request - Public Hearing

Staff presentation. Applicant spoke.

Motion to open public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jessica Derr
SECONDER:	Jeff Hynes
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Public comments: An engineer spoke regarding a waiver shouldn't be required and that it should be the same as previously allowed throughout the city. Would be a drastic change with new interpretation. Second speaker asked about the waiver and what it would do to the community. No homes at T intersection. She mentioned she needing to find who she needed to talk to and it seems this wasn't the topic she thought.

Motion to close public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jessica Derr
SECONDER:	Jeff Hynes
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Condition that waiver applies to T-intersection within specified developmental phases.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

4.3 SLD2023-01 Flowing Springs Subdivision - Public Hearing

Staff Presentation. Applicant spoke.

Motion to open public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

No public comment.

Motion to close public hearing.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Motion to approve Flowing Springs Subdivision.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

4.4 SLD2022-01 Stone Spring Subdivision - PC Workshop Discussion

Staff presentation. Applicant spoke. PC discussion.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Jessica Derr, Jeff Hynes
	NAYS: Angie Cummings

4.5 SLD2022-05 Huyett Rd Storage Facility - PC Workshop Discussion

Staff presentation. Applicant spoke. PC discussion.

RESULT:	**APPROVED**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Jessica Derr, Jeff Hynes
	NAYS: Angie Cummings

4.6 BR - Norborne Glebe Phase 14B Bond Reduction - PC Technical Review

Staff presentation. PC discussion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

4.7 SLD2023-02 Westover Holdings Land Development - PC Technical Review

Staff presentation. PC discussion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Angie Cummings
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

4.8 SLD2023-03 Ali Hadavand Casino - PC Technical Review

Staff presentation. PC discussion.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jessica Derr
SECONDER:	Jeff Hynes
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

4.9 Election of Officers:

-Chair

-Co-Chair

-Secretary

Chair - Nominated Ann Paonessa.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Vice Chair - Nominated Jessica Derr.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Angie Cummings
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

Secretary - Nominated Angie Cummings.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Jeff Hynes
SECONDER:	Jessica Derr
AYES:	Ann Paonessa, Angie Cummings, Jessica Derr, Jeff Hynes

5) ADJOURNMENT

Meeting adjourned by Ann Paonessa.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

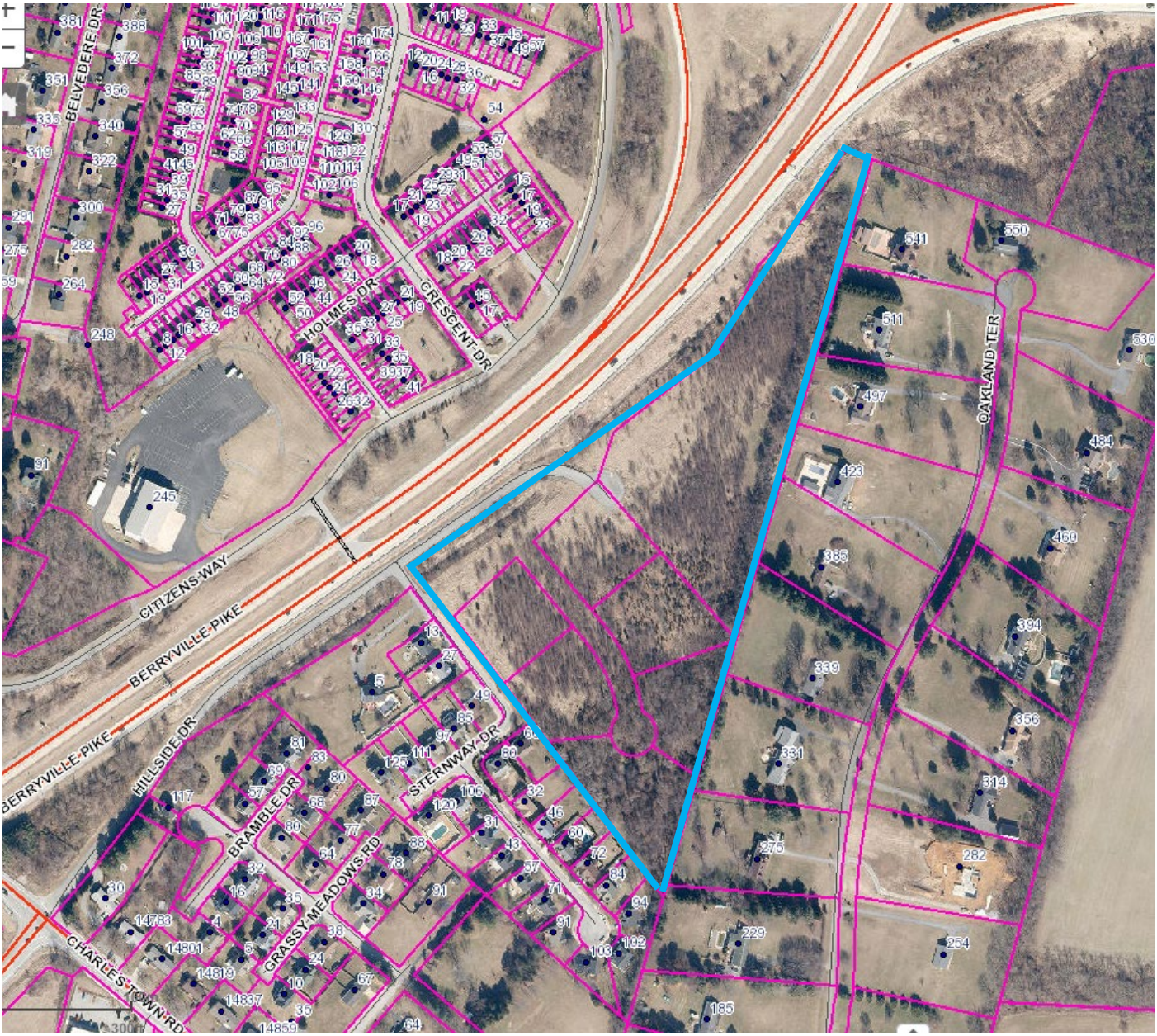
SLD2022-04 Hillside Sketch Plan

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Revised Plans.pdf

Sketch Plan Report
SLD2022-04/200185, 200406

Date: For the April 24th, 2023 Planning Commission meeting
Applicant: Christopher Consultants Ltd.
Property Owner: Hillside Investments LLC.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Major Subdivision and Land Development, waiver for electric meter location.
Property Location: Located on Hillside Drive. Property roughly outlined in **blue** below.
Current Zoning: Residential Medium-High Density (R-15).



PROJECT OVERVIEW
The development of 13.71 acres into 128 townhouses.

SKETCH PLAN COMPLETENESS
The sketch plan was deemed complete by the Planning Commission on February 27th, 2023.

PLANNING COMMISSION MEETING – MARCH 27, 2023
The Planning Commission discussed this item at their March 27th meeting. There was public comment, with questions focused on the impact of additional vehicle traffic, and impact on schools. The Commission discussed the item, and granted approval of the electric meter location waiver. The Commission closed the public hearing and tabled action to the April 24th, 2023 meeting.

ZONING REVIEW
The properties are zoned residential Medium-High Density (R-15).

Density
Maximum density is 15 units per acre. Proposed density is 13.2 units an acre.

Open Space
10% of the property must be open space. Open Space is partly defined in Code as land "*intended for the use and enjoyment of the residents living within the development*." Proposed active open space is a playground, and has proposed a bus shelter for school students, to be located adjacent to the entrance on Sternway Drive.

10% of the site is listed as being open space. In a townhouse Development, open space for the Subdivision/Land Development must at least equal 30 percent of the Net Buildable Land Area of the Subdivision/Land Development. 30% of the net buildable area is 126,802 sq. ft. 10% of the site is 42,267 sq. ft. The plans only describe meeting the 10% requirement.

Additionally, section 1333.17 requires that some open space be dedicated to the City, or a fee-in-lieu-of be paid. No land has been proposed to be dedicated to the City, nor has any fee been proposed or paid.

Parking
Required parking for townhomes is 1.8 spaces per unit, which would total 230 spaces. Applicant is proposing 276 spaces.

Street Connections

The City's Engineering firm, Kimley-Horn, had no comments about street connections or road design. Both Hillside and Sternway Drives are shown as local roads on the *2040 Comprehensive Plan*.

Interior sidewalks connections between are shown. Proposed sidewalks within the development would connect to existing sidewalks on Sternway Drive. There is no existing sidewalk along Hillside Drive, and no sidewalks are proposed along the current extent of Hillside Drive.

Landscaping

Street trees are required for every 50 feet of street frontage. Up to 10 % of these trees may be planted in open space rather than along the street.
The site is wooded. Preservation of existing trees may grant credits, as outlined in table 1333.16:

Table 1333.16 – Tree Credits.

Tree Category	Tree Credit
Existing Tree 1" to 6" Diameter Breast Height (DBH)	1 tree unit per tree retained
Existing Tree 7" to 19" DBH	2 tree units per tree retained
Existing Tree > 20" DBH	3 tree units per tree retained
New or Replacement Tree, Large Species (At maturity more than 40 feet tall)	1 tree unit per tree planted

Buffers

Opaque screening of at least 6 ft. in height is required between townhomes and single family detached dwelling units. Opaque screening shall consist of a wall, fence, landscaped earth berm, planted vegetation, existing vegetation, or a combination thereof and shall be intended to prevent visibility and reduce noise.

A buffer is shown between the homes on adjacent Edaw Drive and proposed townhomes, and one is also shown between the homes on adjacent Oakland Terrace and proposed townhomes.

Stormwater

Stormwater control facilities are not required to be shown on a sketch plan; they are required on a preliminary and final plan. The City's Engineering firm, Kimley-Horn, had no comments at this stage about stormwater control facilities.

Utilities

A waiver was approved regarding the location of electric meters on townhomes. The waiver was approved on March 27th, 2023 by the Planning Commission.

In regards to water and sewer connections, the Charles Town Utility Board has reviewed the plans, and made a routine request for additional information, such as water and sewer line profiles, additional pipe design details, and technical review criteria, such as requiring a 10 ft. separation between water and sewage pipes.

TOWNHOUSE DEVELOPMENT STANDARDS

Section 1333.20 of the Subdivision and Land Development Ordinance lays out XX use standards which apply to townhome developments:

(A) ***Density****. The overall density in a townhouse project shall not exceed the Maximum Density specified in the Charles Town Zoning Ordinance for the Zoning District in which it is located except when designed and developed as a Planned Unit Development under provisions set forth in the Charles Town Zoning Ordinance. Density shall be calculated using the Net Buildable Land Area (as such term is defined in the Zoning Ordinance) of the Lot.*

This criterion is **met**. Overall proposed density does not exceed the zoning district maximum.

(B) ***Land Area****. The Net Buildable Land Area (as such term is defined in the Zoning Ordinance) of a townhouse Development shall equal at least 3,500 square feet for each dwelling unit. Each dwelling unit shall have a minimum lot size of 2,000 square feet. The difference between the Net Buildable Land Area and the total area of the dwelling unit Lots shall be allocated to open space common area*.

This criterion is **not met**. The net buildable land area is calculated by subtracting areas where building is prohibited or subject to significant restrictions from the gross lot area. The calculation is based on subtracting the land devoted to sensitive areas such as wetland, sinkholes, and floodplains, public rights-of-way, and stormwater management areas. Setback requirements are <u>not</u> part of this calculation.

Per the applicant, the overall size of the site is 13.71 acres/597,208 sq. ft. Following the removal of public and private rights-of-way dedication, the net buildable area is 9.7 acres/422,673 sq. ft. As there are 128 proposed townhomes, the total land area for each dwelling unit is 3,028 sq. ft. per dwelling unit, which does not meet the 3,500 sq. ft. threshold requirement.

The applicant is aware of this requirement and has acknowledged that they may need to remove some lots in order to bring the remainder into compliance with the area requirement.

(C) ***Tract Frontage****. Each townhouse development shall have at least 50 foot of street frontage. This does not apply to single or multiple contiguous townhouses on an existing platted street. For a townhouse development on a pipestem lot, the minimum pipestem width shall be the right-of-way width as required per Table 1333.02.*

This criterion is **met**. Each section of townhomes meets this requirement.

*(D) **Townhouse Lot Width**. The minimum townhouse lot width shall be in accordance with the minimum lot with specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. Each Lot on the end of a row of townhouses shall have an additional width necessary to accommodate the required side yard.*

This criterion is **met**. The minimum lot width requirement in R-15 zoning is 18 ft.

*(E) **Length of Townhouse Row**. There shall be not be more than ten (10) nor less than three (3) contiguously connected townhouse units.*

This criterion is **met**.

*(F) **Yards**. The following minimum Setback requirements shall apply:*

*1. **Front Yard**. Each townhouse shall have a minimum front yard Setback that is in accordance with the minimum front yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. Townhouses, however, may be arranged to face onto a common open space. In such instances, such a space shall not be less than fifty (50) feet in width and shall be arranged to permit access for emergency vehicles.*

With such an arrangement, the front yard requirement may be reduced by ten (10) feet. If the townhouses have rear loaded garages or parking, the setback can be reduced from the required setback distance to zero (0) feet, or any distance in between, provided that no steps or stoops shall be allowed within the right of way or upon sidewalk, unless the sidewalk has a clear walking path of five (5) feet from the closest edge of the steps or stoop to the edge of curb. This reduced setback shall supersede the Zoning Ordinance requirements.

*2. **Side Yard**. Each townhouse shall have a minimum side yard Setback that is in accordance with the minimum side yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. When the yard adjoining the corner Lot along the rear lot line fronts the side Street of the corner Lot, the width of the corner Lot shall be increased to provide a minimum side yard Setback equal to the adjoining front yards.*

*3. **Rear Yard**. Each townhouse shall have a minimum rear yard Setback that is in accordance with the minimum rear yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. However, access to the rear yard for purposes of maintenance and fire protection shall be accommodated by a private access drive or a minimum ten (10) foot property service easement, which shall be perpetually recorded with each dwelling unit property.*

An accessory Building shall be located only in a rear yard and shall occupy not over twenty-five (25) percent of the rear yard area and shall be located not less than five (5) from any Alley or rear service Street Line. Enclosing of the rear yard space is permitted pursuant to the fencing requirements specified under Article 1323 (H) of the Charles Town Zoning Ordinance.

These setback criteria are **met**. The proposed development meets the setback requirements, which are:

Front: 25 ft.
Sides: 10 ft., or 0 ft. for a shared party-wall.
Rear: 20 ft.

*(G) **Access Drives and Off-Street Parking**. Off-street parking space shall be provided at the rate of 1.8 spaces per dwelling unit. In a Subdivision/Land Development of townhouse Lots, it will not be necessary that off-street parking be provided on a specific Lot so long as the required number of parking spaces are provided in the Subdivision/Land Development for the number of Lots to be served; provided that, no parking area shall be more than 200 feet from the dwelling unit it serves.*

This criterion is **met**. Each unit features a driveway, and parking is available on both sides of the proposed roads.

*(H) **Townhouse garages** may be attached to or detached from the townhouse unit and may be accessed from either the front or rear yard. When detached the garage structure must be consistent and compatible with the architecture and materials of the respective townhouse unit.*

This criterion is **met**.

*(I) Townhouses abutting each other shall have complimentary but not identical **facades**.*

This criterion will be enforced during the building permit process. No architectural plans have been provided for staff review yet.

*(J) No more than two abutting townhouses shall have a **common roof line**.*

This criterion will be enforced during the building permit process. No architectural plans have been provided for staff review yet.

*(K) All **electric meters** shall be located in the rear of dwelling units, except where a waiver may be granted by the Planning Commission.*

The applicant was **granted** a **waiver** from this Code section.

(L) When townhouse Lots do not front on a Public Street, they shall front on private roads, parking lots or access Easements. The length and extent of private roads, parking lots or access Easements providing access to Lots shall be minimized, and Public Streets shall be provided in larger Subdivisions/Land Developments when substantial distances are involved.

Private roads, parking lots, and access Easements shall be no more than 500 feet from a Public Street, as measured along the centerline of the access Road. Private roads, parking lots, and access Easements may be located up to 800 feet from a public Road where enhanced circulation is provided with two connection points to the Public Street. The average daily trip for private roads, parking lots, or access Easements shall not exceed 250 VPD. Townhouse Developments that include the use of private roads,

parking lots and access Easements shall conform to the West Virginia Code Chapter 36B, Uniform Common Interest Ownership Act, as specified under Section 1333.21 of this Ordinance.

This applicant has amended their plans to clarify that all roads will be publicly owned and maintained.

Per Kimley-Horn, the most recent version of the Trip Generation Manual by the Institute of Transportation Engineers states that this use would classify this as *Multifamily Housing (Low-Rise - 220)*, which generates the following trips:

Weekday Daily – 7.32 trips per/DU
AM Peak Hour – 0.56 trips/DU
PM Peak Hour – 0.67 trips/DU
Saturday Daily – 8.14 trips/DU

For 128 townhomes, that equates to:

Weekday Daily – 937 trips
AM Peak Hour – 72 trips per hour
PM Peak Hour – 86 trips per hour
Saturday Daily – 1,042 trips

(M) ***Site Coverage****. The minimum townhouse lot width shall be in accordance with the minimum lot with specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located.*

This criterion is **met**. Minimum lot size is 2,000 sq. ft.

(N) Adequate provision shall be made for ***storage of collection and refuse*** *where applicants desire a centralized collection point(s) in lieu of curb-side trash pick-up. This area shall be screened and the dumpsters placed on a concrete pad pursuant to Article 1333.23(L) of this Ordinance.*

The plan does not show any centralized dumpster or waste collection facilities or pads. This criteria would only apply if such facilities were proposed.

(O) ***Permeable areas*** *of the site shall be planted with ground cover, shrubs, and trees as required by this Ordinance.*

This information is **not required** in a sketch plan. The applicant must provide this information on a landscaping sheet during the preliminary plan phase. **Buffer areas**, including landscape buffers, **must be shown**.

(P) ***Required Open Space****.*

1. The difference between the Net Buildable Land Area of a townhouse Development and the total area of the dwelling unit Lots shall be allocated to open space common area as specified in Section 1333.20(B) above.

2. In the event that the Planning Commission, by waiver, permits dwelling unit Lots of less than the 2,000 square foot minimum specified in Section 1333.20(B), compensating open space must be established and provided within the project site equal to the aggregate area by which such Lots are under the 2,000 square foot minimum.

3. In a townhouse Development, open space for the Subdivision/Land Development must at least equal 30 percent of the Net Buildable Land Area of the Subdivision/Land Development.

The plan describes that only 10% of the site is open space, which is the required minimum in R-15. 30% of the net buildable area is 126,802 sq. ft. 10% of the site is 42,267 sq. ft.

*(Q) **Maintenance of Common Areas**. All common areas and facilities including, but not limited to, recreational facilities, off-street parking and common open space shall be maintained in a satisfactory manner without expense to the general taxpayers of the City. In order to insure the maintenance of and the payment of taxes on the commonly held non-public property, a mandatory homeowners association shall be created and a declaration regarding the same shall be recorded to the satisfaction of the Planning Commission in the Office of the Clerk of Jefferson County.*

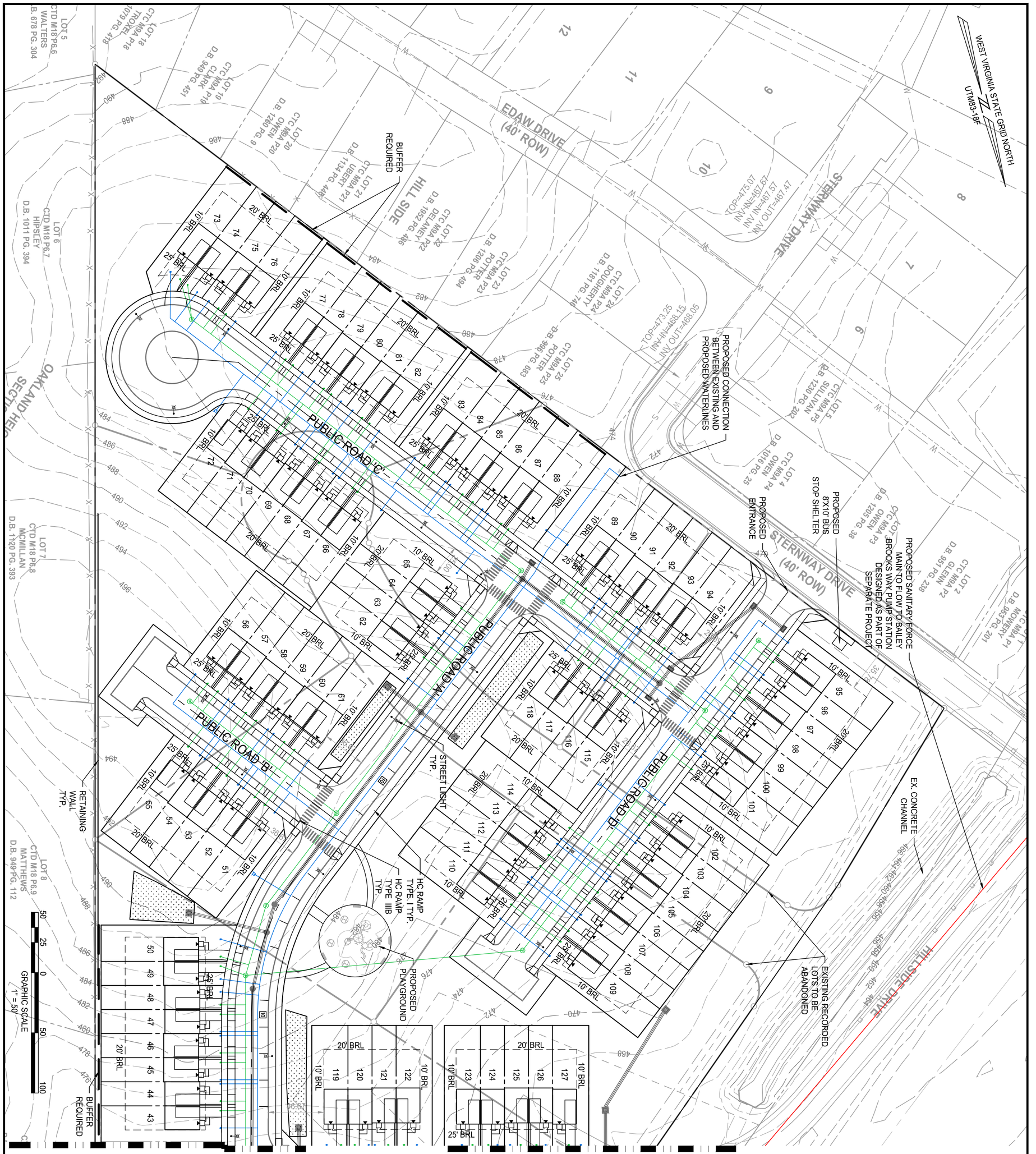
Neither the plan nor application mention a Homeowners Association.

RECOMMENDATION

The applicant has revised their plans and included additional detail. Roads were changed from privately owned and maintained to publicly owned and maintained. Buffers are shown between the proposed townhomes and existing single-family homes. The applicant acknowledges that the number of units may need to decrease to come into conformance with land area requirements.

Based on the improvements and additional information, I recommend **approval** of the sketch plan.

P:\Projects\22063\00100\111697 Concept Sketch\C100-Sketch Plan.dwg, SK-4, 4/14/2023 10:25:18 AM



SKETCH PLAN
HILLSIDE
691/432 MAP 9 PARCEL 67
LOTS 2A (RESIDUE) & 2B
JEFFERSON COUNTY, WV

SHEET No. SK-4

DESIGN: SSK/DHL
DRAWN: PJS/DHL
CHECKED: SSK

DATE: JANUARY 18, 2023

SCALE: AS SHOWN

DRAWING NO: 111667

PROJECT: 22063.001.00

CHRISTOPHER H. LEMON
REGISTERED PROFESSIONAL ENGINEER
STATE OF WEST VIRGINIA
23092
6/13/2024

christopher consultants | now IMEG
4601 Forbes Blvd. Suite 140
Lanham, MD 20706 P 240.296.1574
engineering • surveying • land planning

WEST VIRGINIA STATE GRID NORTH
UTM83-18F

U.S. ROUTE 340 BYPASS
(VARIABLE WIDTH RIGHT-OF-WAY)

TIE INTO EXISTING ROAD AND RIGHT OF WAY

PROPOSED SANITARY FORCE MAIN TO CONNECT TO BAILEY BROOKS WAY PUMP STATION

SWM OUTFALL #2

EX. CONCRETE CHANNEL

PROPOSED SWM FACILITY TYP.

HILLSIDE DRIVE

HC RAMP TYPE IIIB TYP.

STREET LIGHT TYP.

CONCEPTUAL FORCEMAIN AND PUMP STATION. LOCATION TO BE DETERMINED. DESIGNED AS PART OF SEPARATE PROJECT

SWM OUTFALL #1

PUBLIC ROAD 'A'

OPEN=161,994

SEE SHEET SK-4

SEE SHEET SK-4

HC RAMP TYPE I TYP.

RIGHT OF WAY TERMINATES AT INTERSECTION AND TRANSITIONS TO PRIVATE STREETS

BUFFER REQUIRED

LOT 9
CTD M18 P6.10
SPITZER
3. 865 PG. 647

LOT 10
CTD M18 P6.11
GRENIER
D.B. 1087 PG. 213

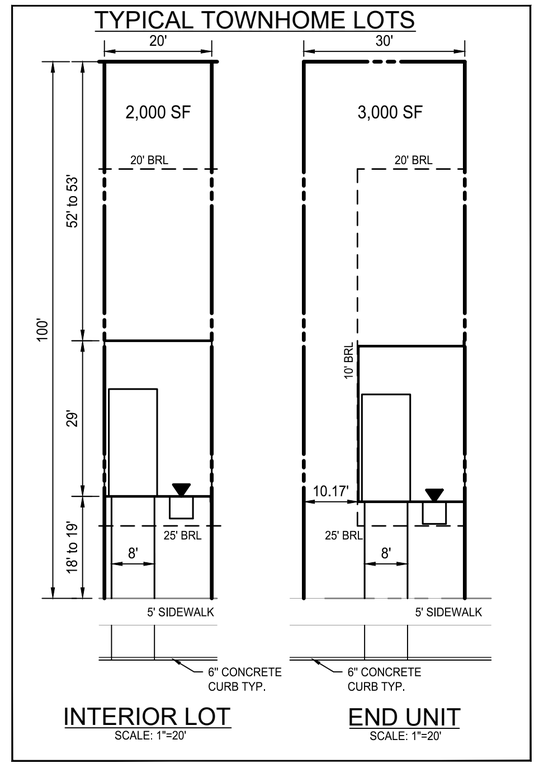
LOT 11
CTD M18 P6.12
CENATE
D.B. 1054 PG. 556

LOT 12
CTD M18 P6.13
CENATE
D.B. 609 PG. 195

LOT 13
CTD M18 P6.14
GRIMES
D.B. 1182 PG. 253

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

TYPICAL TOWNHOME LOTS



INTERIOR LOT
SCALE: 1"=20'

END UNIT
SCALE: 1"=20'

20 10 0 20 40
GRAPHIC SCALE
1" = 20'

christopher consultants | now IMEG
4601 Forbes Blvd. Suite 140
Lanham, MD 20706 P 240.296.1574
engineering • surveying • land planning

SKETCH PLAN
HILLSIDE
691/432 MAP 9 PARCEL 67
LOTS 2A (RESIDUE) & 2B
JEFFERSON COUNTY, WV

CHRISTOPHER H. LEMON
REGISTERED
6/13/2024
23092
STATE OF WEST VIRGINIA
PROFESSIONAL ENGINEER

PROJECT: 22063.001.00
DRAWING NO: 111667
SCALE: AS SHOWN
DATE: JANUARY 18, 2023
DESIGN: SSK/DHL
DRAWN: PJS/DHL
CHECKED: SSK
SHEET No.
SK-5

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Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

TXA2023-01 - Text Amendment regarding Mobile Food Vendors - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf

Text Amendment Staff Report
Mobile Food Vendors
TXA2023-01

Date: For the April 24th, 2023 Planning Commission meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

OVERVIEW

Mobile food vendors are not listed in Zoning Ordinance *Table 1322.04 Zoning District Use Table* as a permitted use, and are not currently allowed in the City.

This language will be inserted into the Zoning Ordinance Article 1323 as entry (L).

PROPOSED TEXT

(L) Mobile Food Vendor

In addition to the other applicable requirements of the City of Charles Town, Mobile Food Vendors shall also be governed by the following provisions:

1. General Guidelines
   a. Mobile Food Vendors shall only operate during specified hours of 7am to 7pm, Monday, Wednesday, and Sunday. Food trucks are permitted to operate at different hours and days, subject to approval of a Special Activity Permit.

   b. Only food and non-alcoholic drinks may be sold by the Mobile Food Vendor.

   c. In order to operate in the City of Charles Town, Mobile Food Vendors:
      (1) Shall obtain all applicable health department and State Fire Marshal permit(s) before applying for a City Business License and Mobile Food Vendor Application.
      (2) May not operate until all approvals are obtained through the City of Charles Town.
      (3) Shall keep their Health Permit and Business License in plain sight.

   d. Food trucks are not permitted to set up seating, tents, or other items in such a manner as to negatively impact public safety. Sidewalks, handicap parking spaces, access ramps and stairs, and building entrances and exits, may not be blocked or have access impaired by a mobile food vendor.

   e. Any electricity generators required for a Mobile Food Vendors located in the public right-of-way shall be self-contained and self-provided. Vendors shall not draw on public utilities from a public source without written authorization from the City. No utility cable shall be extended on or across any City street or sidewalk.

2. Location
    a. Mobile Food Vendors are only permitted to operate in the locations as designated by the Zoning Ordinance or permitted by City Council. Spaces are not reserved for specific vendors.

    b. Within the public right-of-way, mobile food vendors may only locate in parking spaces along the 100 block of N. Charles Street, the 100 block of N. Samuel Street, and the 100 block of S. Samuel Street.

    c. Parking a mobile vending unit on private commercially zoned property is permitted if notarized written permission is given from property owner, and such authorization is included with the application.

    d. Food trucks are permitted to operate at other locations beyond those specified in subsections b and c above, subject to approval of a Special Activity Permit.

    e. A Mobile Food Vendor is not permitted to park:
        (1) Within 15 feet of any bus stop zone,
        (2) Within 15 feet of a pedestrian crosswalk or intersection,
        (3) Within 15 feet of a handicapped parking space.,
        (4) Within any loading zone or other area where vehicles are prohibited to park.
        (5) Within the public right-of-way in any residential zoning district in the City of Charles Town when not in use.
        (6) Additionally, it is not permitted to be parked on any street of Charles Town when not in use in accordance with these regulations.

3. Advertisement and Signage
    a. Signage may be imprinted on the exterior body of a licensed mobile food establishment and include the use of an attached or detached menu board. His is the only signage permitted.
    b. No banners or balloons may be attached to a mobile food unit or otherwise located on the mobile food site. No flashing or blinking or strobe lights are allowed.

4. Noise
    a. No Mobile Food Vendors shall make or cause to be made any unreasonable or excessive noise. No amplified music or announcements are permitted.
    b. All generators must operate at a level of seventy (70) decibels or lower when measured from a distance of fifteen (15) feet.

5. Waste material Disposal
    a. All waste shall be removed and disposed of daily by the Mobile Food Vendor.
    b. No liquid or solid waste may be discharged from the Mobile Food Unit.
    c. Public trash receptacles shall not be used for disposal of waste that is directly generated by the Mobile Food Unit, such as grease, food scraps, food packaging

material, and other waste products.

d. Receptacles for the disposal of waste materials or other litter must be provided for customers.

6. Approval Process:
   a. The Zoning Administrator shall approve the issuance of a Mobile Food Vending License only if the application is complete, complies with the requirements of this Ordinance, including applicable Health Department approvals, City Business License and provided the application is accompanied by the required fee.

7. Fees:
   a. An application fee shall accompany each application. See the City of Charles Town Fee Schedule for the amount.

DEFINITION

Proposed amendment to Zoning Ordinance Article 1325 *Definitions*, would define the use as:

MOBILE FOOD VENDOR – A food service establishment that is self-propelled or otherwise designated to be movable from place to place, including but not limited to a licensed, motorized vehicle, mobile kitchen, cart, stand, or tent, and which operates temporarily on a premise where food items are sold to the general public.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

TXA 2023-02 Text Amendment regarding Buffer Standards - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf

Text Amendment Staff Report

Buffer Standards

TXA2023-02

Date: For the April 24th, 2023 Planning Commission meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

1333.15, Buffer and Screening Standards

…

(B) Opaque screening to a minimum height of six (6) feet shall be required around the perimeter of all mini-storage warehousing facilities, recreational and commercial vehicle parking areas, and loading areas, and also between single-family detached and multi-family or townhouse dwelling units, and where elsewhere specified in this Ordinance.

ISSUE

This language requires that a buffer be placed between single-family homes and multi-family/townhome units. While this may be suitable for placing a buffer between existing single-family homes and newly proposed multi-family/townhome development, it does not make sense when the proposed multi-family/townhomes are being built as part of a planned development.

The proposed changes would clarify that a buffer is not required when single-family dwelling units and multi-family/townhomes are being developed as part of a cohesive, planned development.

PROPOSED LANGUAGE

Proposed language is in red and **bolded** below:

Opaque screening to a minimum height of six (6) feet shall be required around the perimeter of all mini-storage warehousing facilities, recreational and commercial vehicle parking areas, and loading areas, and also between single-family detached and multi- family or townhouse dwelling units **except where such units are part of a planned development,** and where elsewhere specified in this Ordinance.

RECOMMENDATION

The Planning Commission should **approve** the text amendment.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

TXA2023-03 Text Amendment regarding Driveway Standards - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf

Text Amendment Staff Report

Driveway Standards

TXA2023-03

Date: For the April 24th, 2023 Planning Commission meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

Section 1333.07, Driveway Standards

Driveways may be used to provide a place and access for vehicular movement only between a parking area for a single residential unit of occupancy or agricultural use (farm) and a Street, Alley, or Access Drive. Driveways may be used for off-street parking. Driveways shall conform to the following:
(A) Residential Driveway entrances shall be provided from any roadway to all single-family residences in accordance with Standard Detail DE-1 or Standard Detail DE-2 (depending upon the curb and gutter requirements).

(B) There shall be no more than one (1) vehicular entrance per individual Lot on a Public Street, unless the entrances are separated by a minimum of 150 feet.

(C) No Driveway shall be constructed closer than 40 feet to the nearest street intersection.

(D) Driveways shall not be located less than five (5) feet from an adjoining property unless used as a shared Driveway between the two abutting properties.

(E) Driveway grades shall not exceed three percent (3%) from the edge of the intersecting street pavement to the property line, nor exceed ten percent (10%) from the property line to the garage, carport, or other off-street parking space.

(F) The maximum slope of embankments adjacent to Driveways shall not exceed 1V:3H unless a retaining wall is used to insure that the earth is stabilized.

(G) Driveways shall be constructed at least 12 feet in width and of at least six (6) inches of compacted stone for a distance of at least twelve (12) feet beyond the right-of-way line.

ISSUE

The current language does not match what prior practice within the City; driveways have been built within 40 ft. of intersections. The proposed language clarifies exactly where driveways may be placed and how the 40 ft. no-build area is measured. The amendment also fixes a typo, replacing ‘insure’ with ‘ensure’.

PROPOSED LANGUAGE

Proposed changes are in red and **bold** below:

Section 1333.07, Driveway Standards

Driveways may be used to provide a place and access for vehicular movement only between a parking area for a single residential unit of occupancy or agricultural use (farm) and a Street, Alley, or Access Drive. Driveways may be used for off-street parking. Driveways shall conform to the following:

(A) Residential Driveway entrances shall be provided from any roadway to all single-family residences in accordance with Standard Detail DE-1 or Standard Detail DE-2 (depending upon the curb and gutter requirements).

(B) There shall be no more than one (1) vehicular entrance per individual Lot on a Public Street, unless the entrances are separated by a minimum of 150 feet.

(C) **Driveways at Intersections:**

1. For intersections which include four or more approaches, no driveway shall be constructed closer than 40 feet to the nearest street intersection, measured at the road centerline intersection(s) and radiating 40 feet in all directions or to the nearest tangential curb-return, whichever is greater in distance.
2. For an intersection of three roadway approaches (commonly referred to as a three-way intersection), no driveways may be placed within 40 ft of the intersection along the single approach (Intersecting approach) roadway, starting at the centerline of the main (commonly referred to as the through-roadway) and measured 40 feet towards the intersecting approach or to the nearest tangential curb-return, whichever is greater in distance. Driveways may be placed on the main road (through-roadway) opposite the intersecting road (intersecting approach).

(D) Driveways shall not be located less than five (5) feet from an adjoining property unless**:**

1. Used as a shared Driveway between the two abutting properties

2. For driveways serving duplex or townhouse development, those driveways may be located up to the shared party wall property line.

(E) Driveway grades shall not exceed three percent (3%) from the edge of the intersecting street pavement to the property line, nor exceed ten percent (10%) from the property line to the garage, carport, or other off-street parking space.

(F) The maximum slope of embankments adjacent to Driveways shall not exceed 1V:3H unless a retaining wall is used to **ensure** that the earth is stabilized.

(G) Driveways shall be constructed at least 12 feet in width and of at least six (6) inches of compacted stone for a distance of at least twelve (12) feet beyond the right-of-way line.

RECOMMENDATION

The Planning Commission should **approve** the text amendment.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

TXA2023-04 Text Amendment regarding Townhouse Standards - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf

Text Amendment Staff Report

Townhouse Standards

TXA2023-04

Date: For the April 24th, 2023 Planning Commission meeting
Applicant: City of Charles Town
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Subdivision and Land Development Ordinance Text Amendment

CODE SECTION

1333.20, Townhouse Development Standards

…

(K) All electric meters shall be located in the rear of dwelling units, except where a waiver may be granted by the Planning Commission.

ISSUE

This language requires electric meters be located behind townhomes. However, this requirement is not supported by electric utilities serving the City, and waivers are frequently required from this Code section. The text amendment would remove this requirement.

PROPOSED LANGUAGE

The section (K) *Electric Meters* would be removed. Subsequent sections L-Q would become K-P.

RECOMMENDATION

The Planning Commission should **approve** the text amendment.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

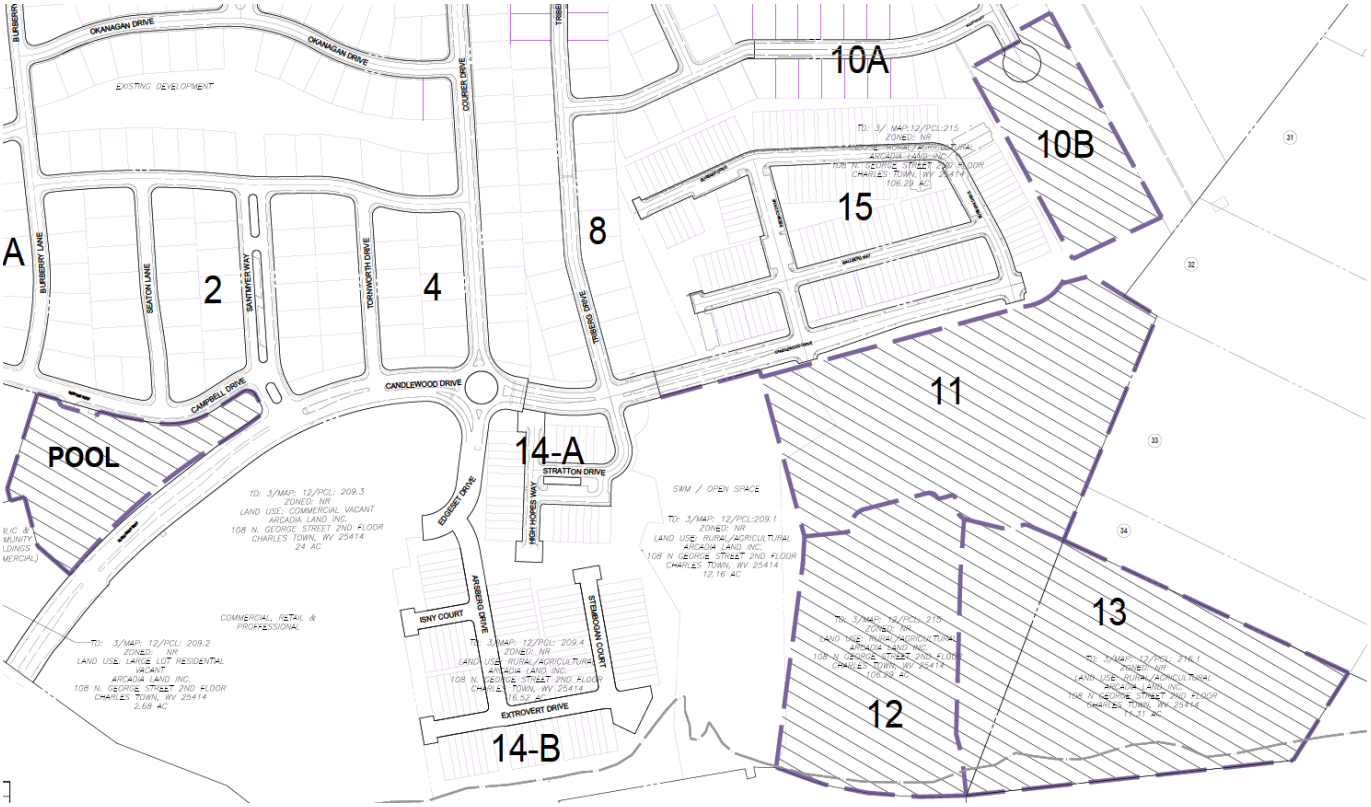
SLD2022-06 Norborne-Glebe Phases 10B,11,12, and 13 Sketch Plan - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Plans.pdf
- 3. Application.pdf

Sketch Plan Report
SLD2022-06

Date: For the April 24th 2023 Planning Commission meeting
Applicant: Greenway Engineering
Property Owner: Arcadia Land Inc.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Major Subdivision and Land Development.
Property Location: Located on Candlewood Drive in areas outlined and crosshatched below.
Current Zoning: Neighborhood Residential



PROJECT OVERVIEW

The development of 43.5 acres for 156 townhomes and 78 single-family detached units, and 3.38 acres for a pool and amenities.

SKETCH PLAN COMPLETENESS

The sketch plan was deemed complete by the Planning Commission on November 28, 2023

WAIVERS

The project received a waiver Section 1333.07.C *Driveway Standards* , requiring "*No Driveway shall be constructed closer than 40 feet to the nearest street intersection*." The waiver was approved by the Planning Commission on March 27, 2023.

The project received a waiver Section 1333.20.K *Townhouse Development Standards* , requiring "*All electric meters shall be located in the rear of dwelling units, except where a waiver may be granted by the Planning Commission*." The waiver was approved by the Planning Commission on June 27, 2022.

ZONING REVIEW

The properties are zoned Neighborhood-Residential.

Density

The maximum density for all other residential development is determined by dividing the total Net Buildable Land Area in square feet of a parcel or aggregated parcels by one thousand seven hundred and fifty (1,750).

Per the applicant's calculations, the maximum number of units these phases could be allowed is 776 lots. The applicant is proposing 234 lots.

Open Space

Per the zoning requirements, 10% of the property must be open space. Open Space is partly defined in Code as land "*intended for the use and enjoyment of the residents living within the development*."

In a townhouse Development, open space for the Subdivision/Land Development must at least equal 30% of the Net Buildable Land Area of the Subdivision/Land Development. The proposed amount of open space is 56% of the development.

Additionally, section 1333.17 requires that some open space be dedicated to the City, or a fee-in-lieu-of be paid. The applicant has dedicated parkland to the City at previous stages of development of this master planned community.

Parking

Required parking for townhomes is 1.8 spaces per unit. With 156 townhomes, the applicant must provide at least 281 parking spaces.

Required parking for single-family detached homes is 2 spaces per unit. With 78 units, required parking is 156 spaces.

The total required minimum parking is 437 spaces. The applicant is proposing to construct 585 spaces.

Landscaping

Street trees are required for every 50 feet of street frontage. Up to 10 % of these trees may be planted in open space rather than along the street. Landscaping is not required to be shown on a sketch plan.

Stormwater

Stormwater control facilities are not required to be shown on a sketch plan; they are required on a preliminary and final plan. The City's Engineering firm, Kimley-Horn, had no comments at this stage about stormwater control facilities.

Utilities

A waiver has been approved for the location of electric meters.

TOWNHOUSE DEVELOPMENT STANDARDS

Section 1333.20 of the Subdivision and Land Development Ordinance lays out XX use standards which apply to townhome developments:

*(A) **Density**. The overall density in a townhouse project shall not exceed the Maximum Density specified in the Charles Town Zoning Ordinance for the Zoning District in which it is located except when designed and developed as a Planned Unit Development under provisions set forth in the Charles Town Zoning Ordinance. Density shall be calculated using the Net Buildable Land Area (as such term is defined in the Zoning Ordinance) of the Lot.*

This criterion is **met**. Overall proposed density does not exceed the zoning district maximum.

*(B) **Land Area**. The Net Buildable Land Area (as such term is defined in the Zoning Ordinance) of a townhouse Development shall equal at least 3,500 square feet for each dwelling unit. Each dwelling unit shall have a minimum lot size of 2,000 square feet. The difference between the Net Buildable Land Area and the total area of the dwelling unit Lots shall be allocated to open space common area*.

This criterion is **met**. The net buildable land area is calculated by subtracting areas where building is prohibited or subject to significant restrictions from the gross lot area. The calculation is based on subtracting the land devoted to sensitive areas such as wetland, sinkholes, and floodplains, public rights-of-way, and stormwater management areas. Setback requirements are not part of this calculation.

Per the applicant, the overall size of the site is 43.52 acres/1,895,731.2sq. ft. Following the removal of public and private rights-of-way dedication, the net buildable area is 31.18 acres/1,358,200.8 sq. ft. The area devoted to single-family homes is 639,132 sq. ft., based on the typical lot size shown in the plans. The area for the pool is 42,253.2 sq.

As there are 156 proposed townhomes, the total land area for each dwelling unit is 4,338 sq. ft. per dwelling unit, which meets and exceeds the 3,500 sq. ft. threshold requirement.

*(C) **Tract Frontage**. Each townhouse development shall have at least 50 foot of street frontage. This does not apply to single or multiple contiguous townhouses on an existing platted street. For a townhouse development on a pipestem lot, the minimum pipestem width shall be the right-of-way width as required per Table 1333.02.*

This criterion is **met**. Each section of townhomes meets this requirement.

*(D) **Townhouse Lot Width**. The minimum townhouse lot width shall be in accordance with the minimum lot with specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. Each Lot on the end of a row of townhouses shall have an additional width necessary to accommodate the required side yard.*

This criterion is **met**. The minimum lot width requirement in Neighborhood Residential zoning is 18 ft.

*(E) **Length of Townhouse Row**. There shall be not be more than ten (10) nor less than three (3) contiguously connected townhouse units.*

This criterion is **met**.

*(F) **Yards**. The following minimum Setback requirements shall apply:*

*1. **Front Yard**. Each townhouse shall have a minimum front yard Setback that is in accordance with the minimum front yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. Townhouses, however, may be arranged to face onto a common open space. In such instances, such a space shall not be less than fifty (50) feet in width and shall be arranged to permit access for emergency vehicles.*

With such an arrangement, the front yard requirement may be reduced by ten (10) feet. If the townhouses have rear loaded garages or parking, the setback can be reduced from the required setback distance to zero (0) feet, or any distance in between, provided that no steps or stoops shall be allowed within the right of way or upon sidewalk, unless the sidewalk has a clear walking path of five (5) feet from the closest edge of the steps or stoop to the edge of curb. This reduced setback shall supersede the Zoning Ordinance requirements.

*2. **Side Yard**. Each townhouse shall have a minimum side yard Setback that is in accordance with the minimum side yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. When the yard adjoining the corner Lot along the rear lot line fronts the side Street of the corner Lot, the width of the corner Lot shall be increased to provide a minimum side yard Setback equal to the adjoining front yards.*

*3. **Rear Yard**. Each townhouse shall have a minimum rear yard Setback that is in accordance with the minimum rear yard setback specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located. However, access to the rear yard for purposes of maintenance and fire protection shall be accommodated by a private access drive or a minimum ten (10) foot property service easement, which shall be perpetually recorded with each dwelling unit property.*

An accessory Building shall be located only in a rear yard and shall occupy not over twenty-five (25) percent of the rear yard area and shall be located not less than five (5) from any Alley or rear service Street Line. Enclosing of the rear yard space is permitted pursuant to the fencing requirements specified under Article 1323 (H) of the Charles Town Zoning Ordinance.

These setback criteria are **met**. The proposed development meets the setback requirements, which are:
Front: 25 ft.
Sides: 10 ft., or 0 ft. for a shared party-wall.
Rear: 20 ft.

*(G) **Access Drives and Off-Street Parking**. Off-street parking space shall be provided at the rate of 1.8 spaces per dwelling unit. In a Subdivision/Land Development of townhouse Lots, it will not be necessary that off-street parking be provided on a specific Lot so long as the required number of parking spaces are provided in the Subdivision/Land Development for the number of Lots to be served; provided that, no parking area shall be more than 200 feet from the dwelling unit it serves.*

This criterion is **met**. Each unit features a driveway, and parking is available on both sides of the proposed roads.

*(H) **Townhouse garages** may be attached to or detached from the townhouse unit and may be accessed from either the front or rear yard. When detached the garage structure must be consistent and compatible with the architecture and materials of the respective townhouse unit.*

This criterion is **met**.

*(I) Townhouses abutting each other shall have complimentary but not identical **facades**.*

This criterion will be enforced during the building permit process. No architectural plans have been provided for staff review yet.

*(J) No more than two abutting townhouses shall have a **common roof line**.*

This criterion will be enforced during the building permit process. No architectural plans have been provided for staff review yet.

*(K) All **electric meters** shall be located in the rear of dwelling units, except where a waiver may be granted by the Planning Commission.*

The applicant has received a waiver from this section.

(L) When townhouse Lots do not front on a Public Street, they shall front on private roads, parking lots or access Easements. The length and extent of private roads, parking lots or access Easements providing

access to Lots shall be minimized, and Public Streets shall be provided in larger Subdivisions/Land Developments when substantial distances are involved.

Private roads, parking lots, and access Easements shall be no more than 500 feet from a Public Street, as measured along the centerline of the access Road. Private roads, parking lots, and access Easements may be located up to 800 feet from a public Road where enhanced circulation is provided with two connection points to the Public Street. The average daily trip for private roads, parking lots, or access Easements shall not exceed 250 VPD. Townhouse Developments that include the use of private roads, parking lots and access Easements shall conform to the West Virginia Code Chapter 36B, Uniform Common Interest Ownership Act, as specified under Section 1333.21 of this Ordinance.

This criterion is **met**; the streets will be publicly maintained.

(M) ***Site Coverage****. The minimum townhouse lot width shall be in accordance with the minimum lot with specified in the Charles Town Zoning Ordinance for the Zoning District in which the townhouse is located.*

This criterion is **met**. Minimum lot size is 2,000 sq. ft.

(N) Adequate provision shall be made for ***storage of collection and refuse*** *where applicants desire a centralized collection point(s) in lieu of curb-side trash pick-up. This area shall be screened and the dumpsters placed on a concrete pad pursuant to Article 1333.23(L) of this Ordinance.*

The plan does not show any centralized dumpster or waste collection facilities or pads. This criteria would only apply if such facilities were proposed.

(O) ***Permeable areas*** *of the site shall be planted with ground cover, shrubs, and trees as required by this Ordinance.*

This information is **not required** in a sketch plan. The applicant must provide this information on a landscaping sheet during the preliminary plan phase. Buffer areas, including landscape buffers, must be shown.

(P) ***Required Open Space****.*

1. The difference between the Net Buildable Land Area of a townhouse Development and the total area of the dwelling unit Lots shall be allocated to open space common area as specified in Section 1333.20(B) above.

2. In the event that the Planning Commission, by waiver, permits dwelling unit Lots of less than the 2,000 square foot minimum specified in Section 1333.20(B), compensating open space must be established and provided within the project site equal to the aggregate area by which such Lots are under the 2,000 square foot minimum.

3. In a townhouse Development, open space for the Subdivision/Land Development must at least equal 30 percent of the Net Buildable Land Area of the Subdivision/Land Development.

This criteria is **met**. The plan describes that 56% of the development is open space.

*(Q) **Maintenance of Common Areas**. All common areas and facilities including, but not limited to, recreational facilities, off-street parking and common open space shall be maintained in a satisfactory manner without expense to the general taxpayers of the City. In order to insure the maintenance of and the payment of taxes on the commonly held non-public property, a mandatory homeowners association shall be created and a declaration regarding the same shall be recorded to the satisfaction of the Planning Commission in the Office of the Clerk of Jefferson County.*

This criteria is **met**; there is a homeowners association.

POOL

Swimming pools are regulated by Zoning Ordinance Article 1323.T:

In addition to the other applicable requirements of the City of Charles Town, Swimming Pools shall also be governed by the following provisions:

1. A Swimming Pool shall not involve any Commercial Use if it is an Accessory Use to a principal residential use, and

This criteria is **met**.

2. The design and construction of all Swimming Pools shall be in accordance with the City of Charles Town's Building Code, which is the most current version of the International Building Code.

This criterion will be enforced during the building permit process. No architectural plans have been provided for staff review yet.

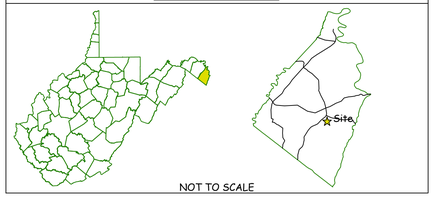
3. A Swimming Pool shall be within the principle setbacks. A contiguous pool patio that is concrete, pavers, bricks, or other hard impervious non-combustible material that is flush with the surrounding grade shall not be required to meet principle setbacks.

This criteria is **met**.

RECOMMENDATION

The Planning Commission should **approve the sketch plan.**

GENERAL LOCATION



NORBORNE GLEBE

PHASE 10B, 11, 12, 13, & POOL
SKETCH PLAN

CHARLES TOWN CORP. DISTRICT (3) - MAP 12 - PARCELS 209, 209.1, 215, & 216.1
DEED BOOK 1173 - PAGE 85
CITY OF CHARLES TOWN, WEST VIRGINIA
ZONED NEIGHBORHOOD RESIDENTIAL (NR)

SHEET INDEX:

1 - COVER SHEET
2 - GENERAL NOTES
3 - ADJOINING OWNER INFORMATION AND PHASING KEY
4 - POOL SKETCH PLAN
5- PHASE 10B, 11, 12, & 13 SKETCH PLAN

"This property is in an area designated as a special flood area, as shown on Community Map/panel Number 54037C0138E, Effective date 12/18/2009."

Plan Revisions

Date	Comment
10/19/2022	ADDED TOT LOT & TRAIL
12/01/2022	REVISED PER CITY COMMENTS

STATE & LOCAL PERMITS

AGENCY	PERMIT #/APPROVAL DATE

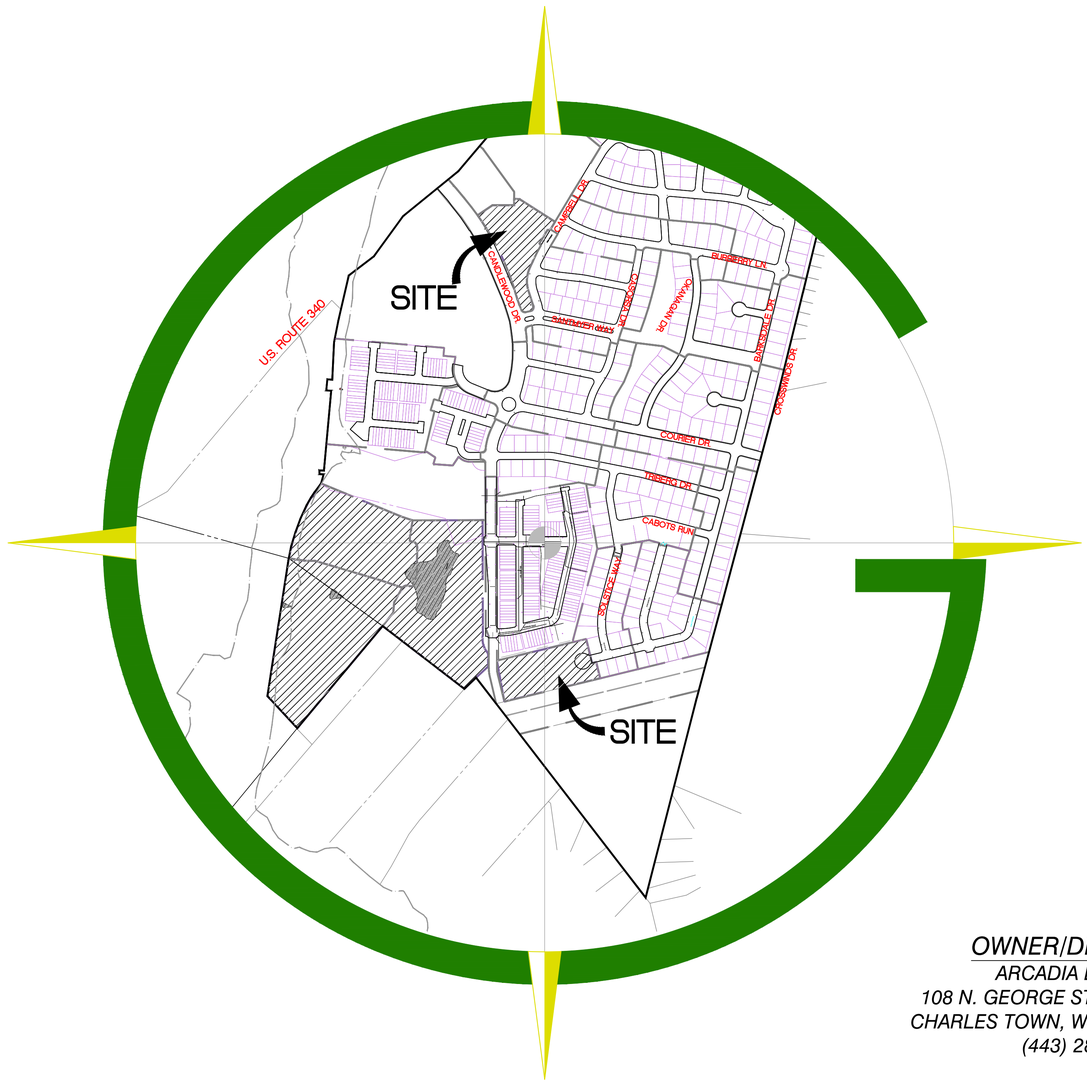
CALL "MISS UTILITY"

MISS UTILITY OF WEST VIRGINIA (MUWV) 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 (AS NEEDED)

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:	Charles Town Utility Board 832 S. George Street Charles Town, WV 25414 (304) 725-2316
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
Soil Conservation:	Eastern Panhandle Conservation District 151 Aikens Center, Suite 2 Martinsburg, WV 25404 (304) 263-4376



VICINITY MAP

SCALE: 1" = 500'

OWNER/DEVELOPER
ARCADIA LAND, INC.
108 N. GEORGE STREET 2ND FLOOR
CHARLES TOWN, WEST VIRGINIA 25414
(443) 286-2786

THE NORBORNE GLEBE SUBDIVISION AND ALL ASSOCIATED DESIGNS SHALL BE IN ACCORDANCE WITH THE ANNEXATION AGREEMENT AND PROFFERS RECORDED FEBRUARY 4, 2002 AND THE RESOLUTION 2007-22 RECORDED MAY 7, 2007.

704 Foxcroft Avenue
Martinsburg, West Virginia 25401
Telephone: (304) 620-5111
Fax: (540) 722-9528
www.greenwayeng.com

GREENWAY ENGINEERING
FND 1971
PROUDLY SERVING WEST VIRGINIA & VIRGINIA
OFFICES IN: MARTINSBURG, WV WINCHESTER, VA & STERLING, VA

COVER SHEET
NORBORNE GLEBE PHASE 10, 11, 12, 13, & POOL
SKETCH PLAN
CHARLES TOWN CORP. DISTRICT (3) - MAP 12 - PARCEL 209, 209.1, 215, & 216.1 - DEED BOOK 1173 - DEED PAGE 85
CITY OF CHARLES TOWN, WEST VIRGINIA

Rev. No.	Date
2	12/1/2022

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

Date: 10/12/2022
Scale: AS NOTED
Designed By: DM/AM
File No. 4542A
Sheet 1 Of 5

GENERAL NOTES

1. Methods and materials used in the construction of the improvements herein shall conform to current Jefferson County Construction Standards and Specifications and/or current WVDOH Standards and Specifications.

2. The Engineer shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures nor for safety precautions and programs in connection with work shown on these plans. The Engineer is not responsible for the contractor's schedules or failure to carry out the work. The Engineer is not responsible for acts or omissions of the contractor, subcontractor, or their agents or employees, or any other person performing portions of the work.

3. The Contractor, Owner or Developer shall be responsible for securing any third party inspection/testing service to insure construction compliance with these plans and specifications. It is Greenway Engineering's recommendation that a third party inspection/testing service be employed to ensure that project is completed and materials installed meet the details and specifications in these plans.

4. The location of existing utilities shown in these plans are taken from existing records and available asbuilt data. It shall be the contractors responsibility to verify the exact horizontal and vertical location of all existing utilities as needed prior to construction. The contractor shall be responsible for the digging of all test holes that may be required, whether recommended or not by these plans, to determine the exact location and elevation of existing utilities. If any conflicts arising from this existing utility verification or if during the course of construction, any object of an unusual nature is encountered, the contractor shall cease work in that area and immediately notify Greenway Engineering at (304) 620-5111 and/or the proper authority. Greenway Engineering or any engineer associated with these plans shall not be responsible or liable for any construction cost that may be associated with the installation or reinstallation any utility or other improvements if not notified of any discrepancies between actual field conditions and the approved plan.

5. The approval of these plans in no way relieve the developer, the contractor, or their agents of any legal responsibility which may be required by the code of West Virginia or any other ordinance enacted by Jefferson County nor does it guarantee the issuance of any required permit by Jefferson County, WVDOH or any other Agency.

6. An approved set of plans and all applicable permits must be available at the construction site at all times during construction. A representative of the developer must be available at all times.

7. The contractor shall provide adequate means of cleaning mud from trucks and/or other equipment prior to entering public streets, and it is the contractors responsibility to clean streets, allay dust, and to take whatever measures are necessary to insure that public streets are maintained in a clean, mud and dust free condition at all times.

8. The developer will be responsible for any damage to the existing streets and utilities which occurs as a result of his construction project within or contiguous to the existing right-of-way.

9. Warning signs, markers, barricades or flagmen should be in accordance with the State and Federal Manual on Uniform Traffic Control Devices (MUTCD).

10. All unsuitable material shall be removed from the construction limits of the site plan before placing embankment.

11. All pavement sections shown on these approved plans are based on a minimum CBR value of 6 and are for preliminary design only. Final pavement design shall be based upon actual field tested CBR values. The Contractor or Developer shall be responsible for field tests per WVDOH standards to obtain actual CBR values for final design. Final pavement designs will be approved by WVDOH and/or the Owner/Developer, which ever applicable, prior to installation.

12. All springs shall be capped and piped to the nearest storm sewer manholes or curb inlet. The pipe shall be minimum 6" diameter.

13. When grading is proposed within easements of utilities, letters of permission from all involved companies must be provided to Jefferson County & Charles Town Utility Board (CTUB) prior to issuance of grading and/or site development permits.

14. a. Notification shall be given to the Charles Town Utility Board two weeks prior to construction so they can arrange to have a project representative during construction. The District would like to be in the pre-construction project meetings with the contractor.

    b. Notification shall be given to the Charles Town Utility Board prior to construction of water lines. Information should also be obtained from the appropriate authority concerning permits, cut sheets, and connections to existing lines.

15. The Developer and/or Contractor shall be responsible to supply all utility companies with copies of the approved plans and advise them that all grading shall conform to the approved plans, and further that the utility companies shall be responsible for honoring these plans and the finished grades in the installation of their utility lines.

16. All utilities to be located underground.

17. Contractors shall notify 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.

18. The developer will be responsible for the relocation of any utilities which is required as a result of his project. The relocation should be done prior to construction.

19. All parking lot/street light and dry utility design shall be performed and provided separately by others. All dry utility and or lighting information shown hereon is as specified by others and is included for informational purposes only, as directed by the Owner, Developer and/or public agency requirements. Greenway Engineering has not performed the lighting and/or dry utility design and does not warrant and is not responsible for the degree and/or adequacy of illumination on this project or the adequacy of the dry utility to service the site.

20. All sanitary sewers, water mains and appurtenances shall be constructed in accordance with the current standards and specifications of the Charles Town Utility Board.

21. All stormwater piping and structures shown on these plans are only accurate to the inlet or manhole locations as shown hereon. Detail design of stormwater structures were not provided to Greenway Engineering. Actual pipe alignments will be based upon developed structural shop drawings as provided by the manufacturer. Contractor shall make adjustments to pipe alignments base on provided shop drawings. Greenway Engineering will not be held responsible or liable for any discrepancies or changes caused by the structural design. Contractor may submit shop drawings to Greenway Engineering for review and approval at contractor's expense. Shop drawings will be reviewed for compliance with design plans. The Owner or Developer will be responsible for any redesign as a result of structural shop drawing design.

22. Controlled fills shall be compacted to 95% of maximum density as determined by method "A" per standard proctor AASHTO-T99, ASTM-D698, or VTM-1 as applicable. Density shall be certified by a registered professional engineer and results submitted to Jefferson County, prior to pavement construction. If a geotechnical report has been prepared, it should supersede the requirements in this note.

23. Refer to Geotechnical Engineer for methods, materials and details for construction of all earthwork activities.

24. Any retaining wall 2 ft. or greater in height shall require the issuance of a separate building permit.

25. Construction debris shall be containerized. No less than one litter receptacle shall be provided at the construction site.

26. Greenway Engineering, Inc. (GE) issued this plan set based on project criteria dictated by the client and municipal codes. This plan set is not considered complete or appropriate for construction until ALL necessary agencies have given approval AND this plan set is signed and sealed by a licensed professional. Any work, planning, scheduling, material purchases and/or construction prior to approvals and licensed/professional sealing will be performed at the risk of the personnel authorizing work. GE shall be held harmless from any costs, time delay and/or material changes incurred on work started before this plan set receives approvals and seals.

27. This property does not lie in a 100yr floodplain as designated by FEMA for panel 54037C0138E. Map Effective Date: 12/17/2009.

28. No known wetlands have been identified on the subject property.

WVDOH Notes

WV1. All work, construction methods and materials shall conform with the West Virginia Division of Highways "STANDARD SPECIFICATIONS ROADS AND BRIDGES Adopted January 1, 2017" and Supplemental Specifications dated January 1, 2020. All work on this project shall also conform with The Soil Conservation Service Erosion and Sediment Control Regulations and any other state, federal, or local regulations applicable. In the event of conflict between any of these standards, specifications, or plans, the most stringent shall govern.

WV2. All construction shall comply with the latest U.S. Department of Labor Occupational Safety & Health Administration.

WV3. When working on WVDOH right-of-way, all traffic control, whether permanent or temporary, shall be in accordance with "Manual on Temporary Traffic Control for Streets and highways" 2006 Edition as published by WVDOH.

WV4. Design features relating to construction or to regulation, control, and safety of traffic maybe subject to change as deemed necessary by WVDOH.

WV 5. Prior to initiation of work, Contractor shall be responsible for acquiring all necessary WVDOH land use permits for any work on WVDOH right-of-way.

WV 6. If required by the local WVDOH Residency Office, a preconstruction conference must be arranged and held by the engineer and/or developer with the attendance of the contractor, various County agencies, utility companies and WVDOH prior to initiation of work.

WV 7. Contractor shall notify the local WVDOH Residency Office when work is to begin or cease for any undetermined length of time. WVDOH will also require 48 hours notice for any inspection. Please contact the Burlington, WV field office at 304-289-3521.

WV 8. The Contractor will be responsible for maintaining adequate access to the project from the adjacent public roadway through construction and maintenance of a construction entrance in accordance with the Soil Conservation Service Erosion & Sediment Control Handbook. Furthermore, access to other properties affected by this project shall be maintained through construction.

WV 9. Contractor shall ensure adequate drainage is achieved and maintained on the site during and at the end of construction.

WV 10. All water and sewer lines within existing or proposed WVDOH right-of-way are to have minimum 36" cover and, when possible, to be installed under roadway drainage facilities.

WV 11. Any unusual subsurface conditions encountered during the course of construction shall be immediately brought to the attention of the engineer and WVDOH. Work shall cease in that vicinity until an adequate design can be determined by the engineer and approved by WVDOH.

WV 12. All undercut areas and borrow material shall be inspected and approved by WVDOH Inspector prior to placement of fill.

WV 13. All roadway fill, base, subsurface material and backfill of utility/storm sewer trenches shall be compacted in 6" lifts to 98% of theoretical maximum density as determined by AASHTO T-99 Method A, within plus or minus 2% of optimum moisture for the full width of any dedicated street right-of-way. At the direction of WVDOH Inspector density tests performed by a qualified independent agency shall be conducted as required in the WVDOH Road and Bridge Specifications. A copy of all tests shall be submitted to WVDOH prior to final WVDOH approval.

WV 14. WVDOH Standard CD and UD underdrains shall be installed where indicated on these plans and further where determined necessary by WVDOH Inspector.

WV 15. The installation of any entrances and mailboxes within any dedicated street right-of-wayshall meet WVDOH minimum design standards and is the developer's responsibility.

WV 16. If required by the local WVDOH Residency Office, copies of all invoices for materials within any dedicated street right-of-way must be provided to the WVDOH Inspector prior to acceptance of work. Unit and total prices may be obscured.

WV 17. Prior to acceptance by WVDOH of any streets, any required street signage and/or pavement markings must be installed by the developer.

WATER AND SEWER NOTES

1. Easements shall be given to the Jefferson County Public Service District for the construction and maintenance of sewer facilities, as depicted herein.

2. Installation and maintenance of water and sewer lines shall be in accordance with the WV Department of Health, Jefferson County Public Sewer District, the City of Charles Town and the Charles Town Utility Board requirements.

3. Complete water lateral prior to final paving.

4. Water lines to have a minimum of forty-two inches (42") of cover to crown of pipe. Water lines to have seal of the National Sanitation Foundation. Mechanical joints or slip-on joints with rubber gaskets are preferred by the Health Department.

5. Provide concrete thrust blocking at all water line intersections and direction changes.

6. All water mains must be AWWA C900, CL235 PVC. All sanitary sewer to be PVC ASTM 3034 SDR-35 unless otherwise specified.

7. Water easements are to be dedicated to the Charles Town Utility Board.

8. Storm drain easements are to be dedicated to the City of Charles Town.

9. Sanitary sewer and force main easements are to be dedicated to the Jefferson County Public Sewer District.

10. A horizontal separation of at least 10 foot must be maintained between sanitary sewer and potable water lines except when they are crossing. When water and sewer lines cross, the water line shall be at least 18 inches above the sewer line.

Summary of Water Requirements - Charles Town Utility Board, Charles Town, WV

1. All water mains must be AWWA C900, CL235 PVC. Line extensions must have permitted approval prior to installation.
2. All service lines to be minimum 200 PSI PVC or copper. Final Line size will depend on the type of service. The City will not allow any galvanized lines or fittings. A standard shut off valve must be installed on the property side of the meter for the owner's use; the meter valve is for the city use only.
3. All meters, vaults, and crooks will be set at the property line; the CTUB will install the meters.
4. All service lines will be no deeper than 36" at the meter location to allow access to the setter by the meter installers. Deeper service lines may be acceptable if a crossing conflict is encountered or site conditions dictate.
5. The CTUB will supply the meters, setter and boxes. All non-metallic lines will be installed with tracer ribbon. (Located 6" above the newly installed service line with 3" wide detectable tape.)
6. All multi-meter installations, such as a business or apartment complex are to be set in an outside vault, or an accessible mechanical room, and are to be supplied by the owner. These areas are to be inspected prior to the availability of water service.
7. Fire Hydrants must be American Darling Mark B62B 5-1/4" valve opening with 6" base or equal.
8. Valves are to be AWWA C515 gate valves resilient seated opening left. Valve boxes must be screw type Tyler #562S or equal. All valve riser sleeves are to be cast iron with cap. PVC risers to be approved on a use basis by the CTUB Water Representatives.
9. All valves, bends (45's, 22's and 90's), tees and elbows shall have mechanical restraints (such as mega lugs) and thrust blocks.
10. The CTUB must inspect all work. The contractor must give 24-hour notice to the CTUB for an inspection request. The CTUB may request as-built sketches, photos etc. (as back up)
11. All West Virginia Public Service Commission and WV Health Department, rules and regulations, applying to water and sewer must be followed, and all local state and federal permits and approvals must be obtained prior to performing any water or sewer extensions or upgraded work.

Submittals

1. Prior to the installation of any material or equipment on the project supplied by the Contractor, the Contractor shall submit to the City, three (3) copies of all shop drawings, laying schedules, manufacturer specifications, certification and drawings in accordance with the General Conditions. (Water/Sewer) One copy is for the application file. One copy is for the final inspection compliance. One copy is for inspection review or comments to be completed prior to beginning work. A copy of a current WV Contractors License and proof of Liability Insurance must accompany the submittal.

2. City will require as-built drawings and a copy of submittals for all pipe and and appurtenances used on the project. As-builts shall be furnished in both PDF and AutoCAD formats. An O&M Manual containing, at a minimum, all submittals is to be furnished.

Field Copies of Construction Information

The Contractor shall keep a minimum of one (1) complete copy of the Contract construction plans and specifications (including all revisions and addendums), and all shop drawings issued at the project site. All information shall be kept in a neat and good order and shall be made available for the City's Representative to use at his request.

Open Excavation

1. The depth of trenches shall be such that the location of the proposed pipes will conform with the lines and grades shown on the plans. The shape of all trenches above and within the pipe zone, the construction methods employed, the general protections requirements, the general excavation requirements, the general trenching requirements, and the minimum regulations for trench shoring, shall conform with the regulations set forth under OSHA Regulations 29CFR part 1926 650, 651 & 652. No trenching excavation work shall be performed which is not in accordance with those regulations.
2. The shape of the trenches in the "pipe zone" (which shall be construed to be that portion of the trench between the trench bottom and an elevation 1 foot above the top of the pipe) shall conform to the configuration identified as "Typical Bedding" on Pipe Bedding Drawing #1. The contractor is herein advised that if trench widths in the pipe zone exceed the outside diameter of the pipe plus two feet, and if the City determines that such excessive widths will result in a structural loading for which the pipe is not designed, he shall be required to bed the pipe on a concrete cradle at no additional cost.
3. The Contractor shall shape trenches which are located adjacent to existing above ground or underground structures and/or facilities or in other confined areas, so that such structures and facilities are properly protected against damage or disturbance from settlement or displacement. Adequate sheeting, shoring and/or bracing shall be installed and maintained to provide such protection and the Contractor shall be responsible for all damages resulting to such proposed and existing structures, pipelines, and/or facilities as the result of his failure to use and maintain adequate trench wall support, as well as a result of any other construction activities. The bottoms of all trenches shall be excavated to a depth of 6 inches below the bottom of the proposed lines to accommodate the bedding hereinafter specified.

Pipe Installation

1. Before any pipe is installed in trenches, it shall be inspected for damage and the inside of the pipe shall be swabbed to remove loose dirt and foreign objects, No damaged pipe will be permitted to be installed.
2. All pipes shall be installed to the lines and grades shown on the drawings. No pipes shall be constructed in trenches in which water flows or is pooled and, all pipes shall be carefully handled in the ditch to keep the jointing ends and materials free from dirt during installation. During shut down periods and at the end of each day, all open ends of pipe shall be suitably plugged to prevent the inflow of water, dirt, foreign objects, etc.

Pipe Bedding and Pipe Zone Backfill Material

All proposed pipelines shall be supported on stone dust or #10's small diameter stone. The material shall be placed to a minimum depth of 6 inches below the bottom of the pipe and 6 inches above of the top of the pipe. The material shall be placed in the pipe zone in such a manner as to not disturb, displace, or otherwise misalign the installed pipelines.

Backfill Material Above the Pipe Zone

The material used above the pipe zone shall be such that a satisfactory compaction can be made. At no time shall material bigger than 2 inches in diameter be used. But any material used must be approved by the City before hand. After approval, the entire depth within the backfilled area shall be compacted to provide the minimum percentage of density specified for each area of classification.

Special Backfill Material Below the Pipe Zone

Where muck, quicksand, soft clay, swampy or other material is encountered in the trench bottom, which in the opinion of the City is unsuitable for pipe foundation subgrade or backfill, such material shall be removed to a depth satisfactory to the City. The trench shall then be backfilled to grade with acceptable City approved material, mechanically compacted in successive layers.

Ductile Iron Pipe and Fittings

Ductile iron pipe and fittings under this Contract shall be furnished by the Contractor. All pipes will be slip type joint unless otherwise noted and all fittings will be mechanical joint.

PVC Pipe and Fittings

No glue joints are to be used within the CTUB water or JCPSD right of way. Onsite sewer laterals are to be schedule 40 PVC Pipe or equivalent.

Fire Hydrants

Hydrants shall be furnished and installed complete where shown on the drawings and as approved by the CTUB. This installation shall be adapted to the location of the hydrant so as to make the best installation possible. (note: hydrants no-more than 500 ft apart)

Service Connections for Water Lines

1. Service connections shall be made as indicated on the Contract Drawings.
2. The Contractor shall furnish all fittings required to make the necessary connections. All service line connections shall be made in the presence of the CTUB representative.

Valves and Boxes

Each valve installed underground shall be equipped with a valve box furnished by the Contractor and installed by the Contractor.

Anchoring and Blocking

1. All bends in excess of 10 deg, plugs, caps, tees, and wyes branches along pipelines shall be adequately blocked or anchored to prevent the lines from pulling apart under pressure (see typical concrete blocking).
2. Lugged fitting and tie rods, clamps collars, restrained joints, and anchoring fittings may be substituted in lieu of blocking after having received the approval of the CTUB. Concrete used for blocking and anchoring pipelines in trenches shall consist of concrete as specified elsewhere in these specifications.

Pressure and Leakage Tests

All pipeline shall be tested by the Contractor according with AWWA and witnessed by the CTUB Representative. The Contractor shall furnish all equipment, apparatus, temporary blocking, pumps, taps and gauges to conduct the tests.

Blow Off

Blow off valves shall not be installed.

ith water from any other source.

TRIP GENERATION DATA

SINGLE FAMILY (ATTACHED) (210)

UNITS	ADT RATE	ADT	PEAK HOUR RATE	PEAK HOUR TRIPS
156	9.44	1472.64	0.74	115.44

TRIP GENERATION DATA

SINGLE FAMILY (DETACHED) (210)

UNITS	ADT RATE	ADT	PEAK HOUR RATE	PEAK HOUR TRIPS
78	9.44	736.32	0.74	57.72

WATER AND SEWER NOTES (CONT.)

Minimum Pipe Size and System Design

1. The minimum size of water pipe shall be six-inch diameter. This may be increased at the discretion of the City if hydraulic modeling indicates that a larger size is needed to provide pressure and/or fireflow in the area.
2. Dead ends shall be minimized by looping of all mains.
3. Where dead-end mains occur they should be provided with a fire hydrant, for flushing purposes.
4. No flushing device shall be directly connected to any sewer.

Separation of Water Services & Mains from Other Utilities

5 foot horizontal separation from all non-sewer utility lines - electric, phone etc.

Parallel Installation

1. Normal conditions - Water mains shall be laid at least ten feet horizontally from any sanitary sewer, storm sewer or sewer manhole, whenever possible; the distance shall be measured edge-to-edge.
2. Unusual conditions - When local conditions prevent a horizontal separation of 10 feet, a water main may be laid closer to a storm sewer provided that:
   A. The bottom of the water main is at least 18 inches above the top of the sewer
   B. Where this vertical separation cannot be obtained, the water main will be sleeved and all voids will be filled.

Crossings

1. Normal conditions - Water mains crossing house sewers, storm sewers or sanitary sewer shall be laid to provide a separation of at least 18 inches between the bottom of the water main and the top of the sewer, whenever possible.
2. Unusual conditions - When local conditions prevent a vertical separation as described, the following construction shall be used:
3. Water mains passing under sewer shall be protected by providing:
   A. A vertical separation of at least 18 inches between the bottom of the sewer and the top of the water main.
   B. Adequate structural support for the sewers to prevent excessive deflection of the joints and settling on and breaking the water mains;
   C. That the length of the water pipe be centered at the point of crossing so that the joints will be equidistant and as far as possible from the sewer.
   D. Water line shall be sleeved and the void area filled.
4. Sewer manholes - No water pipe shall pass through or come within 5 feet of any part of a sewer manhole.

Private Fire Protection Service

No pipe or fixtures connected with a private fire service served by the CTUB shall be connected with pipes or fixtures supplied with water from any other source.

LEGEND

EXISTING INTERMEDIATE CONTOUR
EXISTING INDEX CONTOUR
PROPOSED CONTOUR
EXISTING EDGE OF PAVEMENT
PROPOSED EDGE OF PAVEMENT
EXISTING CURB AND GUTTER
PROPOSED CURB AND GUTTER
TRANSITION TO REVERSE CURB
EXISTING TELEPHONE LINE
PROPOSED TELEPHONE LINE
EXISTING STORM SEWER WITH INLET
PROPOSED STORM SEWER WITH INLET
EXISTING SANITARY SEWER WITH MANHOLE
PROPOSED SANITARY SEWER WITH MANHOLE
PROPOSED SAN. LAT. CLEANOUT
EXISTING ELECTRIC SERVICE
PROPOSED ELECTRIC SERVICE
EXISTING GAS LINE
PROPOSED GAS LINE
EXISTING WATERLINE W/ TEE
PROPOSED WATERLINE W/ TEE
EXISTING FIRE HYDRANT/VALVE/METER
PROPOSED FIRE HYDRANT/VALVE/METER
PROPOSED REDUCER
EXISTING OVERHEAD UTILITY
PROPERTY LINE
EXISTING EASEMENT
PROPOSED EASEMENT
PROPOSED CENTERLINE
EXISTING CENTERLINE
EXISTING TREE LINE
FLOW LINE
FENCELINE
DRAINAGE DIVIDE
TIME OF CONCENTRATION FLOWPATH
LIMITS OF DISTURBANCE
TEMPORARY CONSTRUCTION EASEMENT
PERMANENT DRAINAGE EASEMENT
EXISTING UTILITY POLE/GUIDE WIRE
EXISTING TELEPHONE PEDESTAL
PARKING INDICATOR
INDICATES THE NUMBER OF TYP. PARKING SPACES
HANDICAP PARKING
VEHICLES PER DAY COUNT
PROPOSED BUILDING ENTRANCE
SIGNS
SANITARY MANHOLE IDENTIFIER
STORM DRAIN STRUCTURE IDENTIFIER
EXISTING SPOT ELEVATION
PROPOSED SPOT ELEVATION
LIGHT POLE

PROJECT NOTES

Zoning and Area Tabulations - Pool

Street Address	Candlewood Drive
Parcel Identification No:	03 12020900000000
Zoned	NR (Neighboorhood Reisdential)
Total Area	3.380 AC
Sensitive Areas	0.000 AC
Parking/Pool Areas	0.970 AC
SWM Areas	0.000 AC
Maxiumum Lot Coverage	90%
Total Lot Coverage	29%
Required Parking (Per Prince William County DCSM)	
Pool = 1 Space per 150 SF Surface Area	
4,971 SF Surface Area / 150 =	33 Spaces
Pool House = 1 Space per 250 SF	
1,674 SF / 250 =	7 Spaces
Total Required Parking	40 Spaces
Total Proposed Parking	40 Spaces
Minimum Lot Size	6000 SF
Front Yard Setback	5 FT
Rear Yard Setback	15 FT
Side Yard Setback	20 FT
Maximum Building Height	40 FT
Maximum Building Stories	3 Stories

Zoning and Area Tabulations - Residential

Street Address	Candlewood Drive				
Parcel No: (TD 3 Map 12)	215	215, 209.1	215	215, 216	
Zoned	NR (Neighboorhood Reisdential)				
	PHASE 10B	PHASE 11	PHASE 12	PHASE 13	TOTAL
Total Proposed Lots	19 Lots	89 Lots	83 Lots	43 Lots	234 Lots
Single Family Detached	19 Lots	16 Lots	0 Lots	43 Lots	78 Lots
Townhomes	0 Lots	73 Lots	83 Lots	0 Lots	156 Lots
Total Area	5.101 AC	14.580 AC	9.450 AC	14.390 AC	43.521 AC
Lot Area	3.697 AC	8.050 AC	2.140 AC	10.700 AC	24.587 AC
Sensitive Areas	0.000 AC	0.000 AC	0.000 AC	0.000 AC	0 AC
Right-of-Way	1.404 AC	5.300 AC	2.460 AC	2.510 AC	11.674 AC
Parking Areas	0.000 AC	0.154 AC	0.510 AC	0.000 AC	0.664 AC
SWM Areas	0.000 AC	0.000 AC	0.000 AC	0.000 AC	0 AC
Net Building Area (NBLA)	3.697 AC	9.126 AC	6.480 AC	11.880 AC	31.183 AC
Max Density Allowed ((NBLA/1750)	92 Lots	227 Lots	161 Lots	296 Lots	776 Lots
Proposed Density	19 Lots	89 Lots	83 Lots	43 Lots	234 Lots
Total On-Lot Open Space	2.305 AC	5.380 AC	2.810 AC	6.400 AC	16.895 AC
Total Off-Lot Open Space	0.000 AC	4.410 AC	1.120 AC	2.040 AC	7.57 AC
Total Open Space	2.305 AC	9.790 AC	3.930 AC	8.440 AC	24.465 AC
(Minimum 30%)	45%	67%	42%	59%	56%
Required Parking (1.8 per D.U.)	35 Spaces	161 Spaces	150 Spaces	78 Spaces	424 Spaces
Total Proposed Parking	38 Spaces	227 Spaces	234 Spaces	86 Spaces	585 Spaces
1 per Driveway, 1 per Garage	38 Spaces	178 Spaces	166 Spaces	86 Spaces	468 Spaces
Parking Lot Spaces	0 Spaces	49 Spaces	68 Spaces	0 Spaces	117 Spaces
Minimum Lot Size	6000 SF	2K/6K SF	2000 SF	6000 SF	
Minimum Lot Width	18 FT	18 FT	18 FT	18 FT	
Front Yard Setback	25 FT	25 FT	25 FT	25 FT	
Rear Yard Setback	20 FT	20 FT	20 FT	20 FT	
Side Yard Setback	10 FT	10 FT	10 FT	10 FT	
Maximum Building Height	40 FT	40 FT	40 FT	40 FT	
Maximum Building Stories	3 Stories	3 Stories	3 Stories	3 Stories	

Required Landscape Plantings:
Street Trees — 1 Tree Per 50 L.F. of Road Frontage
See Landscape Sheet for Specifics

704 Foxcroft Avenue
Martinsburg, West Virginia 25401
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www.greenwayeng.com

GREENWAY ENGINEERING
PROUDLY SERVING WEST VIRGINIA & VIRGINIA
OFFICES IN: MARTINSBURG, WV WINCHESTER, VA & STERLING, VA

GENERAL NOTES

NORBORNE GLEBE PHASE 10, 11,12, 13, & POOL
SKETCH PLAN
PARCEL 209, 209.1, 215, & 216.1 - DEED BOOK 1173 - DEED PAGE 85
CHARLES TOWN CORP. DISTRICT (3) - MAP 12 - PARCEL 209, 209.1, 215, & 216.1 - DEED BOOK 1173 - DEED PAGE 85
CITY OF CHARLES TOWN, WEST VIRGINIA

Rev. No.	Date
2	12/1/2022

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

Date: 10/12/2022
Scale: N/A
Designed By: DM/AM
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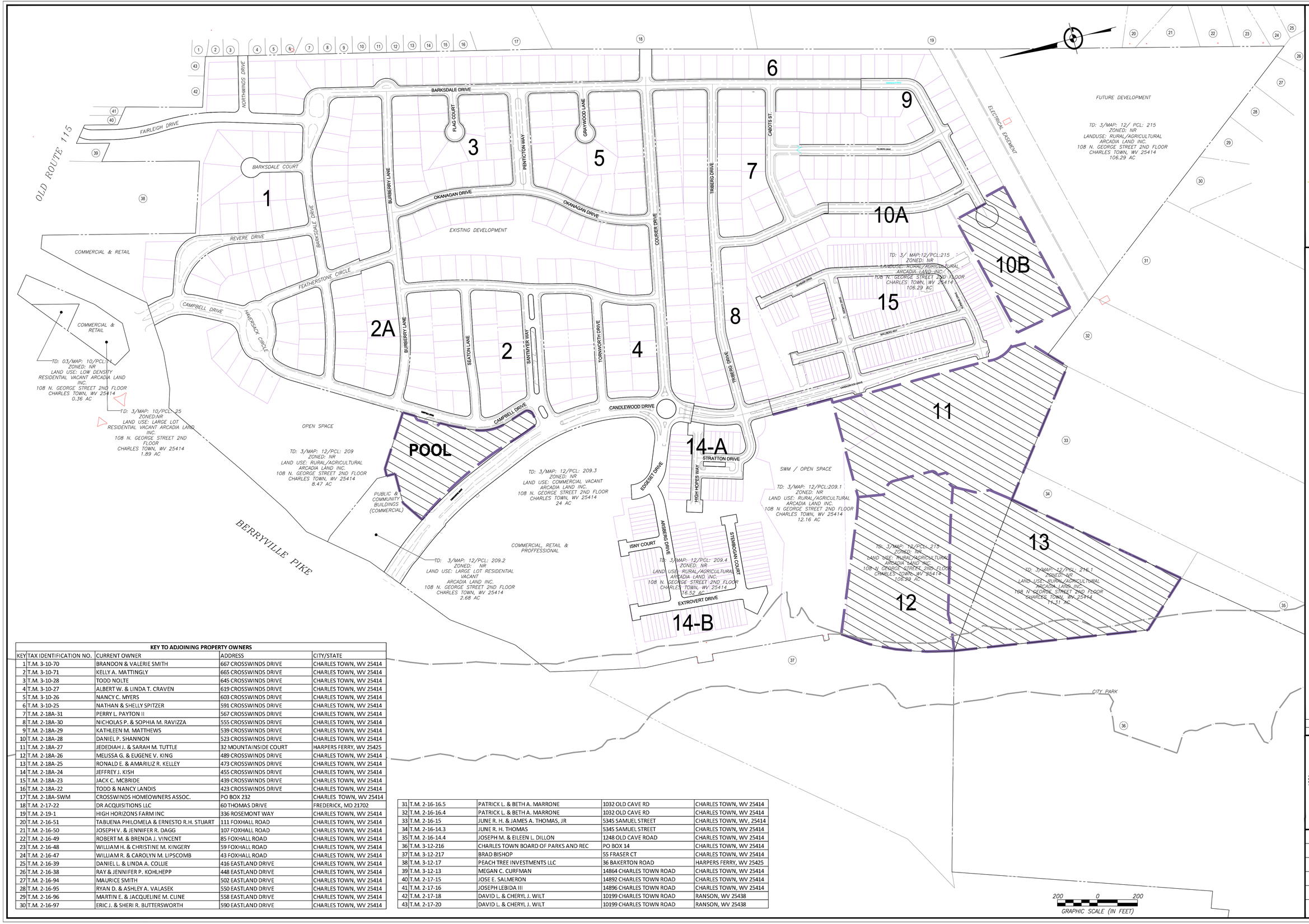
Sheet 2 Of 5



KEY TO ADJOINING PROPERTY OWNERS				
KEY	TAX IDENTIFICATION NO.	CURRENT OWNER	ADDRESS	CITY/STATE
1	T.M. 3-10-70	BRANDON & VALERIE SMITH	667 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
2	T.M. 3-10-71	KELLY A. MATTINGLY	665 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
3	T.M. 3-10-28	TODD NOLTE	645 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
4	T.M. 3-10-27	ALBERT W. & LINDA T. CRAVEN	619 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
5	T.M. 3-10-26	NANCY C. MYERS	603 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
6	T.M. 3-10-25	NATHAN & SHELLY SPITZER	591 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
7	T.M. 2-18A-31	PERRY L. PAYTON II	567 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
8	T.M. 2-18A-30	NICHOLAS P. & SOPHIA M. RAVIZZA	555 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
9	T.M. 2-18A-29	KATHLEEN M. MATTHEWS	539 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
10	T.M. 2-18A-28	DANIEL P. SHANNON	523 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
11	T.M. 2-18A-27	JEDEDIAH J. & SARAH M. TUTTLE	32 MOUNTAINSIDE COURT	HARPERS FERRY, WV 25425
12	T.M. 2-18A-26	MELISSA G. & EUGENE V. KING	489 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
13	T.M. 2-18A-25	RONALD E. & AMARILIZ R. KELLEY	473 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
14	T.M. 2-18A-24	JEFFREY J. KISH	455 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
15	T.M. 2-18A-23	JACK C. MCBRIDE	439 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
16	T.M. 2-18A-22	TODD & NANCY LANDIS	423 CROSSWINDS DRIVE	CHARLES TOWN, WV 25414
17	T.M. 2-18A-SWM	CROSSWINDS HOMEOWNERS ASSOC.	PO BOX 232	CHARLES TOWN, WV 25414
18	T.M. 2-17-22	DR ACQUISITIONS LLC	60 THOMAS DRIVE	FREDERICK, MD 21702
19	T.M. 2-19-1	HIGH HORIZONS FARM INC	336 ROSEMONT WAY	CHARLES TOWN, WV 25414
20	T.M. 2-16-51	TABUENA PHILOMELA & ERNESTO R.H. STUART	111 FOXHALL ROAD	CHARLES TOWN, WV 25414
21	T.M. 2-16-50	JOSEPH V. & JENNIFER R. DAGG	107 FOXHALL ROAD	CHARLES TOWN, WV 25414
22	T.M. 2-16-49	ROBERT M. & BRENDA J. VINCENT	85 FOXHALL ROAD	CHARLES TOWN, WV 25414
23	T.M. 2-16-48	WILLIAM H. & CHRISTINE M. KINGERY	59 FOXHALL ROAD	CHARLES TOWN, WV 25414
24	T.M. 2-16-47	WILLIAM R. & CAROLYN M. LIPSCOMB	43 FOXHALL ROAD	CHARLES TOWN, WV 25414
25	T.M. 2-16-39	DANIEL L. & LINDA A. COLLIE	416 EASTLAND DRIVE	CHARLES TOWN, WV 25414
26	T.M. 2-16-38	RAY & JENNIFER P. KOHLHEPP	448 EASTLAND DRIVE	CHARLES TOWN, WV 25414
27	T.M. 2-16-94	MAURICE SMITH	502 EASTLAND DRIVE	CHARLES TOWN, WV 25414
28	T.M. 2-16-95	RYAN D. & ASHLEY A. VALASEK	550 EASTLAND DRIVE	CHARLES TOWN, WV 25414
29	T.M. 2-16-96	MARTIN E. & JACQUELINE M. CLINE	558 EASTLAND DRIVE	CHARLES TOWN, WV 25414
30	T.M. 2-16-97	ERIC J. & SHERI R. BUTTERSWORTH	590 EASTLAND DRIVE	CHARLES TOWN, WV 25414
31	T.M. 2-16-16.5	PATRICK L. & BETH A. MARRONE	1032 OLD CAVE RD	CHARLES TOWN, WV 25414
32	T.M. 2-16-16.4	PATRICK L. & BETH A. MARRONE	1032 OLD CAVE RD	CHARLES TOWN, WV 25414
33	T.M. 2-16-15	JUNE R. H. & JAMES A. THOMAS, JR	534S SAMUEL STREET	CHARLES TOWN, WV, 25414
34	T.M. 2-16-14.3	JUNE R. H. THOMAS	534S SAMUEL STREET	CHARLES TOWN, WV 25414
35	T.M. 2-16-14.4	JOSEPH M. & EILEEN L. DILLON	1248 OLD CAVE ROAD	CHARLES TOWN, WV 25414
36	T.M. 3-12-216	CHARLES TOWN BOARD OF PARKS AND REC	PO BOX 14	CHARLES TOWN, WV 25414
37	T.M. 3-12-217	BRAD BISHOP	55 FRASER CT	CHARLES TOWN, WV 25414
38	T.M. 3-12-17	PEACH TREE INVESTMENTS LLC	36 BAKERTON ROAD	HARPERS FERRY, WV 25425
39	T.M. 3-12-13	MEGAN C. CURFMAN	14864 CHARLES TOWN ROAD	CHARLES TOWN, WV 25414
40	T.M. 2-17-15	JOSE E. SALMERON	14892 CHARLES TOWN ROAD	CHARLES TOWN, WV 25414
41	T.M. 2-17-16	JOSEPH LEBIDA III	14896 CHARLES TOWN ROAD	CHARLES TOWN, WV 25414
42	T.M. 2-17-18	DAVID L. & CHERYL J. WILT	10199 CHARLES TOWN ROAD	RANSON, WV 25438
43	T.M. 2-17-20	DAVID L. & CHERYL J. WILT	10199 CHARLES TOWN ROAD	RANSON, WV 25438

704 Foxcroft Avenue
Martinsburg, West Virginia 25401
Telephone: (304) 620-5111
Fax: (540) 722-9528
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GREENWAY ENGINEERING
FND 1971
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OFFICES IN: MARTINSBURG, WV WINCHESTER, VA & STERLING, VA

ADJOINING OWNER INFORMATION AND PHASING KEY

NORBORNE GLEBE PHASE 10, 11,12, 13, & POOL

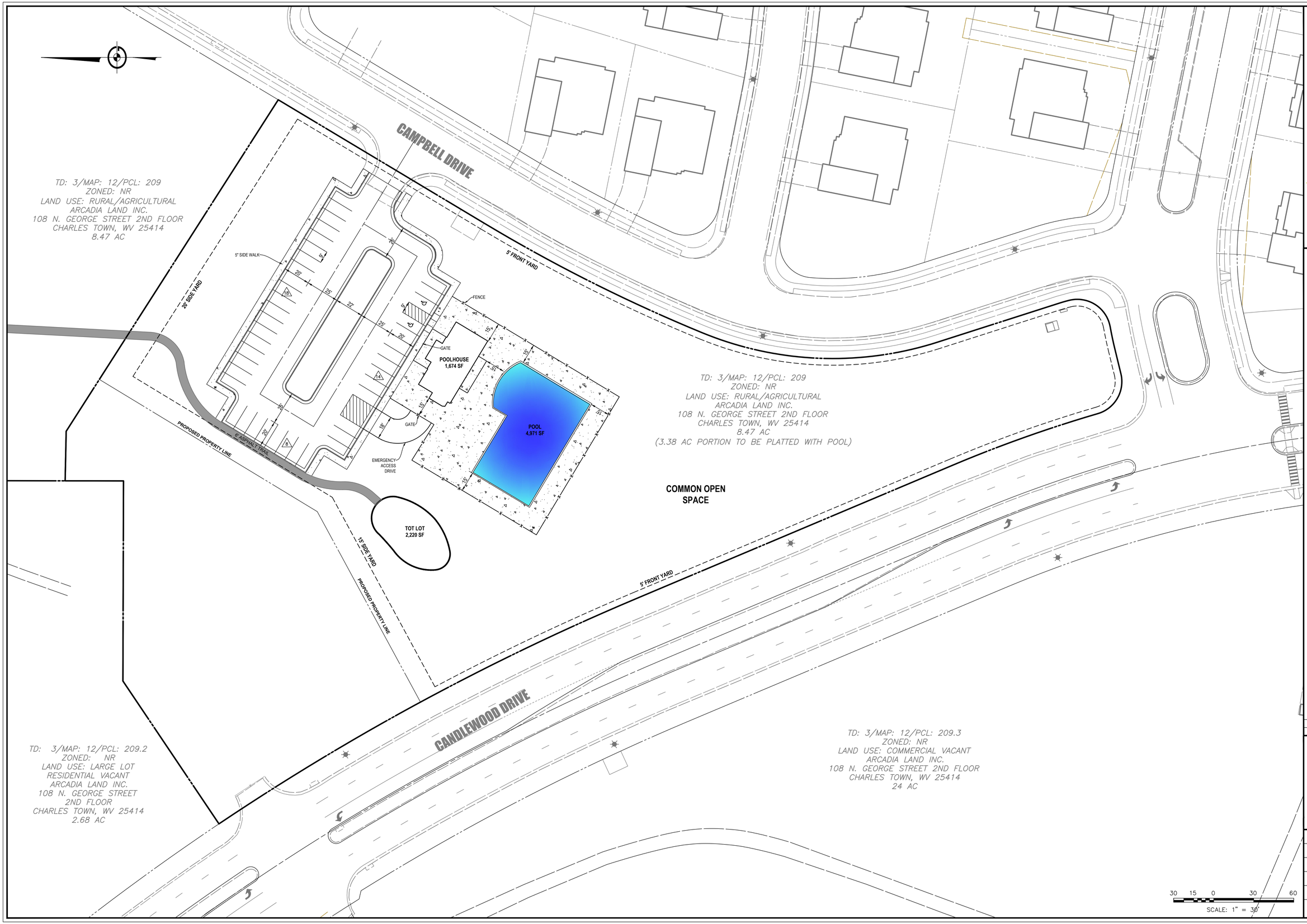
SKETCH PLAN

CHARLES TOWN CORP. DISTRICT (3) - MAP 12 - PARCEL 209, 209.1, 215, & 216.1 - DEED BOOK 1173 - DEED PAGE 85
CITY OF CHARLES TOWN, WEST VIRGINIA

Rev. No.	Date
2	12/1/2022

RANDY L KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER

Date: 10/12/2022
Scale: 1" = 200'
Designed By: DM/AM
File No. 4542A
Sheet 3 Of 5



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POOL SKETCH PLAN

NORBORNE GLEBE PHASE 10, 11,12, 13, & POOL SKETCH PLAN

CHARLES TOWN CORP. DISTRICT (3) - MAP 12 - PARCEL 209, 209.1, 215, & 216.1 - DEED BOOK 1173 - DEED PAGE 85
CITY OF CHARLES TOWN, WEST VIRGINIA

Rev. No.	Date
2	12/1/2022

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

Date:	10/12/2022
Scale:	1"=30'
Designed By:	DM/AM
File No.	4542A
Sheet	4 Of 5

TD: 3/MAP: 12/PCL:209.1
ZONED: NR
LAND USE: RURAL/AGRICULTURAL
ARCADIA LAND INC.
108 N GEORGE STREET 2ND FLOOR
CHARLES TOWN, WV 25414
12.16 AC

SEEBACK DRIVE
(56' ROW/NEIGHBORHOOD CENTER ST.)

12

COMMON OPEN SPACE

COMMON OPEN SPACE

GRUNTER WAY
(56' ROW/NEIGHBORHOOD ST.)

ALINE DRIVE
(56' ROW/NEIGHBORHOOD ST.)

11

COMMON OPEN SPACE

GERSBACK WAY
(56' ROW/NEIGHBORHOOD ST.)

COMMON OPEN SPACE

15

SEEBACK DRIVE

WALDBERG WAY

10A

BURBANK DRIVE

SOLSTICE WAY

10B

BARKSDALE DRIVE
(56' ROW/NEIGHBORHOOD ST.)

CANDLEWOOD DRIVE
(61' ROW/MINOR COLLECTOR)

COMMON OPEN SPACE

COMMON OPEN SPACE

SEEBACK DRIVE
(56' ROW/NEIGHBORHOOD CENTER ST.)

BRAUNECK COURT
(54' ROW/NEIGHBORHOOD ST.)

13

HOFICK COURT
(54' ROW/NEIGHBORHOOD ST.)

COMMON OPEN SPACE

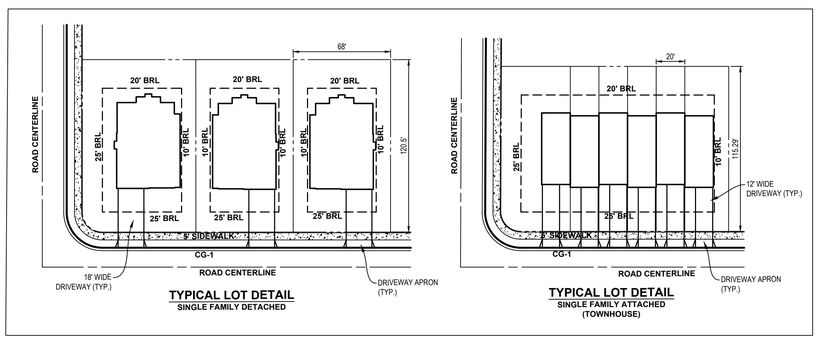
COMMON OPEN SPACE

TD: 3/MAP: 12/PCL: 215
ZONED: NR
LAND USE: RURAL/AGRICULTURAL
ARCADIA LAND INC.
108 N GEORGE STREET 2ND FLOOR
CHARLES TOWN, WV 25414
106.29 AC

TD: 3/MAP: 12/PCL: 216.1
ZONED: NR
LAND USE: AGRICULTURAL
ARCADIA LAND INC.
108 N GEORGE STREET 2ND FLOOR
CHARLES TOWN, WV 25414
11.31 AC

TD: 3/MAP: 12/ PCL: 215
ZONED: NR
LANDUSE: RURAL/AGRICULTURAL
ARCADIA LAND INC.
108 N. GEORGE STREET 2ND FLOOR
CHARLES TOWN, WV 25414
106.29 AC

FUTURE
16



TYPICAL LOT DETAIL
SINGLE FAMILY DETACHED

TYPICAL LOT DETAIL
SINGLE FAMILY ATTACHED (TOWNHOUSE)

80 40 0 80 160
SCALE: 1" = 80'

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PHASE 10B, 11, 12, & 13 SKETCH PLAN

NORBORNE GLEBE PHASE 10B, 11, 12, 13, & POOL SKETCH PLAN

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RANDY L KEPLER
REGISTERED
17223
STATE OF
WEST VIRGINIA
PROFESSIONAL ENGINEER

Date:	10/12/2022
Scale:	1"=80'
Designed By:	DM/AM
File No.	4542A
Sheet	5 Of 5

GREENWAY ENGINEERING

TRANSMITTAL

Project Name: **Norborne Glebe Subdivision**
File No: **4542L**
Date: Wed, Oct 12, 2022
To: City of Charles Town

Attn:
Copied

From: Dan Murphy/pjf
GREENWAY ENGINEERING
Phone:
Fax: 540-722-9528

Delivery: ☐ Fed Ex ☐ U.S. Mail ☐ Courier ☐ Pick Up
☐ Other

☐ Urgent ☑ For Your Review ☐ As You Requested ☐ Please Comment

Message

Phase 10B, 11, 12, 13 & Pool Sketch Plan

Three (3) copies of Sketch Plan

One (1) Sketch Plan application

One (1) Fee Check in the amount of $200.00

Please let us know if you have any questions. (540) 662-4185

Thanks

RECEIVED
OCT 12 2022
BY:

Hand Delivery and Pick Ups Only:

Received by: **Date:**

Please Print Name:

Sketch Plan Application No._____

Norborne Glebe -
Phase 10B, 11, 12, 13, & Pool
Sketch Plan

SKETCH PLAN APPLICATION

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ARTICLE 1332, SUBDIVISION AND LAND DEVELOPMENT APPLICATION & APPROVAL REQUIREMENTS

To assist the Subdivision Administrator in the review of a Sketch Plan Application, the Applicant must utilize this form to supply the City with the information prescribed under Section 1332.03 of the Charles Town S/LD Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Sketch Plan Application as required by Ordinance Section 1332.03. Applicant is responsible to ensure the standards of Ordinance Section 1332.04, Sketch Plan Requirements, are met and provided herein is a checklist of the Sketch Plan requirements.

1. DATE October 4, 20 22

2. APPLICATION TYPE*

☐ Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance
- Submit Three (3) 11" x 17" copies of the Sketch Plan shall be submitted and in Adobe PDF format

RECEIVED
OCT 12 2022
BY: JJC Fruit

☒ Major S/LD Development
- Submit Three (3) 18" x 24" copies of the Sketch Plan shall be submitted and in Adobe PDF format

*There are two types of Sketch Plan submissions:

1. For Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance. Submission standards are found in Section 1332.04(D).
2. For a Sketch Plan for a Major S/LD application, submission standards are found in Section 1332.04(E)

3. APPLICANT'S NAME* Greenway Engineering

Address: 151 Windy Hill Lane Winchester VA 22602

Telephone Number (540) 662-4185 Fax Number ( )

Email Address dmurphy@greenwayeng.com

4. PROPERTY OWNER'S NAME Arcadia Land, Inc

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

Telephone Number (443) 286 2786 Fax Number ( )

Email Address

5. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)

Property Address: Solstice Way

Tax Map # and Parcel: 03 12021500000000

Deed Book and Page #: Deed Book 1173 Page 85

Property Area in Square Feet or Acres:

6. DESCRIPTION OF PROJECT AND PROPOSED USE(S) OF THE PROPERTY:

The project proposes townhouses and singles family homes for use as a residential subdivision.

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

Existing use is undeveloped property within a larger subdivision. The current zoning is residential.

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

8. ARE THERE ANY ANTICIPATED WAIVERS OR VARIANCES? IF YES, PROVIDE DETAILS.

_____

_____

_____

9. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

_____

_____

_____

☒ No

10. 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
SLD-2013-04	Norborne Glebe Phase 5 Subdivision Plan	Approved	1/14/2014
SLD- 2017-05	Norborne Glebe Phase 7-8 Subdivision Plan	Approved	9/25/2018
SLD-2016-01	Norborne Glebe Phase 6 Subdivision Plan	Approved	9/25/2018
SLD-2017-14	Norborne Glebe Phase 14A Subdivision Plan	Approved	9/25/2018
SLD-2021-02	Norborne Glebe Phase 14BSubdivison Plan	Approved	02/28/2022
SLD-2021-05	Norborne Glebe Phase 9&10 Subdivision Plan	Approved	
SLD-2022-03	Norborne Glebe Phase 15 Subdivision Plan	Approval Pending	

11. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street)
(Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip

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 Section 1332.02 of the Charles Town S/LD Ordinance and relevant provisions of the Charles Town City Code.

Signature of Applicant _____ Date 10/5/2022

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application and specified number of Site Plan copies to the following:

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

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Paid:$_____ Check No._____

Receipt No._____

Subdivision Administrator Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

_____

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

SLD2023-02 Westover Dental - Sketch Plan - Public Hearing

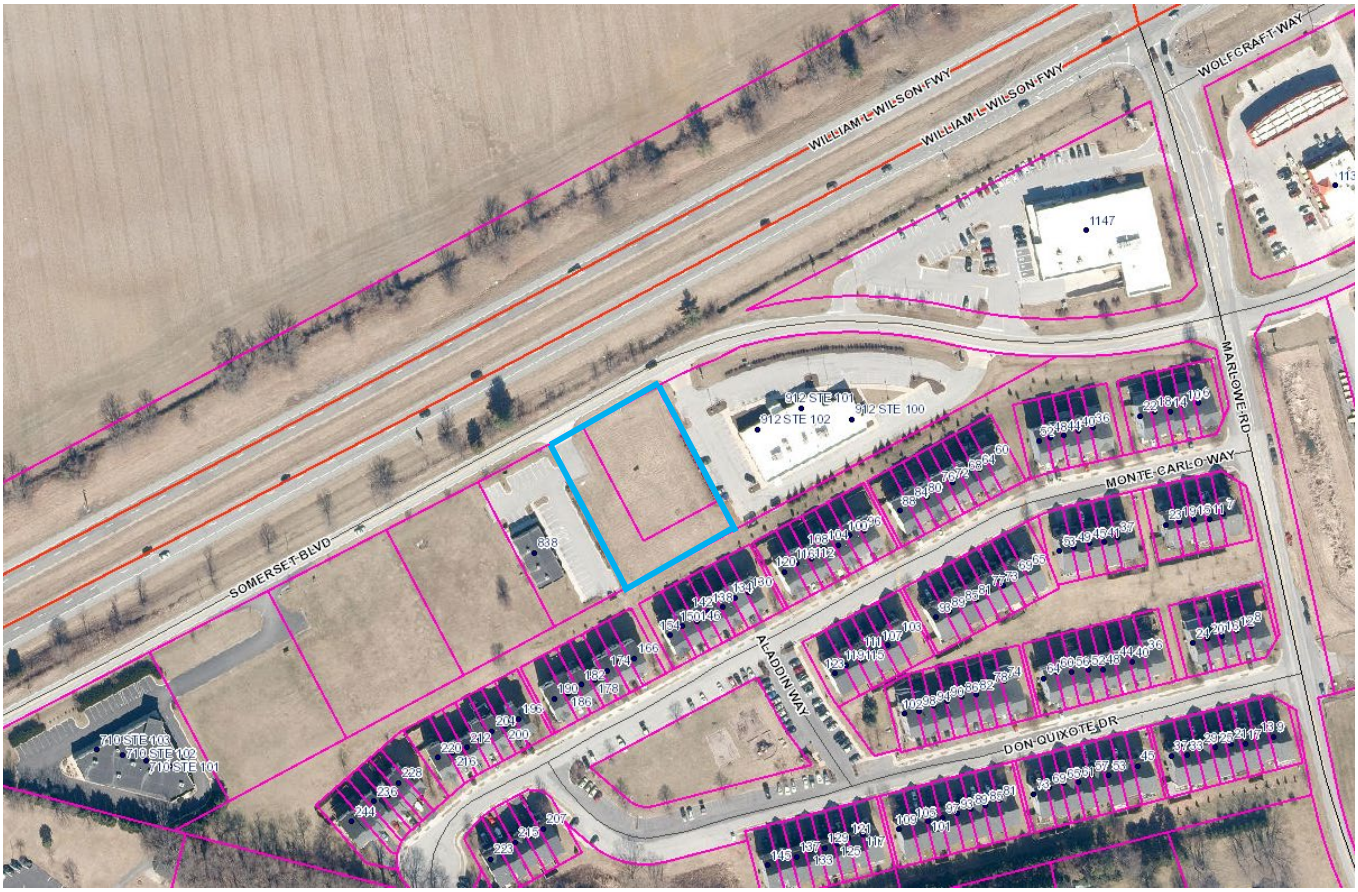
ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Plans.pdf
- 3. Application.pdf
- 4. Recorded Merger Deed.pdf

Sketch Plan Review

SLD2023-02/200409

Date: For the April 24th 2023 Planning Commission meeting
Applicant: Westover Holdings LLC
Property Owner: Somerset LLC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Major land development
Property Location: TD: 03 / Map: 16A / Pcl: 0005.0001 & TD: 03 / Map: 16A / Pcl: 0006.0000, located on Somerset Blvd. Parcel is outlined in **blue** below.
Current Zoning: General Commercial (GC).



PROJECT OVERVIEW

The development of the property as a dental lab.

The parcels in question are TD 3 Map 16A Parcel 6, and TD 3 Map 16A Parcel 5.0001. the merger of these parcels was approved by the City Planner on November 28, 2011, but the owners at the time failed to finish the process.

COMPLETENESS REVIEW

The sketch plan was deemed complete by the Planning Commission March 27, 2023.

MERGER

The lots were approved for merger on November 28, 2011. However, the property owners at the time did not finish the process. The Merger Deed prepared by the applicant merged the two parcels owned by *Grasso and Sons* and *Somerset LLC* into Lot 6B. The owner is now Somerset LLC.

ZONING REVIEW

The property is zoned General Commercial. There is no minimum lot size. The proposed setbacks conform to the Zoning ordinance requirements.

Table 1322.10, GC District Bulk and Area Regulations

Maximum Density	No Requirement
Minimum Lot Size	No Requirement
Minimum Lot Width	No Requirement
Minimum Front Yard Setback	40 feet
Minimum Side Yard Setback	10 feet (25 feet where adjoining a residential district)
Minimum Rear Yard Setback	30 feet
Maximum Lot Coverage	90 percent
Minimum Required Open Space	No Requirement
Maximum Building Height	55 feet[1]
Maximum Stories	5 stories[1]

[1] Hotels shall have a maximum height of 78 feet and maximum number of six (6) stories.

Site Development

Up to 70% of the site may be developed with impervious surface. The proposed development will cover 68.4% of the site.

Parking

Required parking for a dental lab is 3.53 spaces per 1,000 sq. ft. Based on a 5,340 sq. ft. structure, the required parking is 19 spaces. 34 spaces are being provided.

Open Space

There is no open space requirement.

Setbacks

All required setbacks have been met.

Landscaping/Buffering

There must be a minimum 6ft. tall opaque buffer between the structure and adjacent residential properties. While the sketch plan shows four trees in the buffer area, a line of evergreens similar to those at the adjacent Urgent Care/912 Somerset Blvd. would provide landscaping continuity and fulfill the screening requirements.

Dumpster Pad

The applicant is proposing a 6 ft. tall fence around the dumpster pad, which fulfills part of the Code requirements. Landscaping is required around the fence (except for the door location) to a depth of 5 ft. The plan will need to be revised to include this.

Lighting

Two lights are proposed at the rear of the structure, and one light is shown on the far -east landscape area adjacent to the parking lot. All lighting must be shielded and downcast. Lighting must on black poles with an acorn top unless the Planning Commission specifies otherwise. A photometric plan will be required at the preliminary plan review stage.

Sidewalks

The applicant has shown a sidewalk as access from parking to the structure. This satisfies the requirements of the ordinance. There is no adjacent sidewalk or pedestrian path for the sidewalk to connect to.

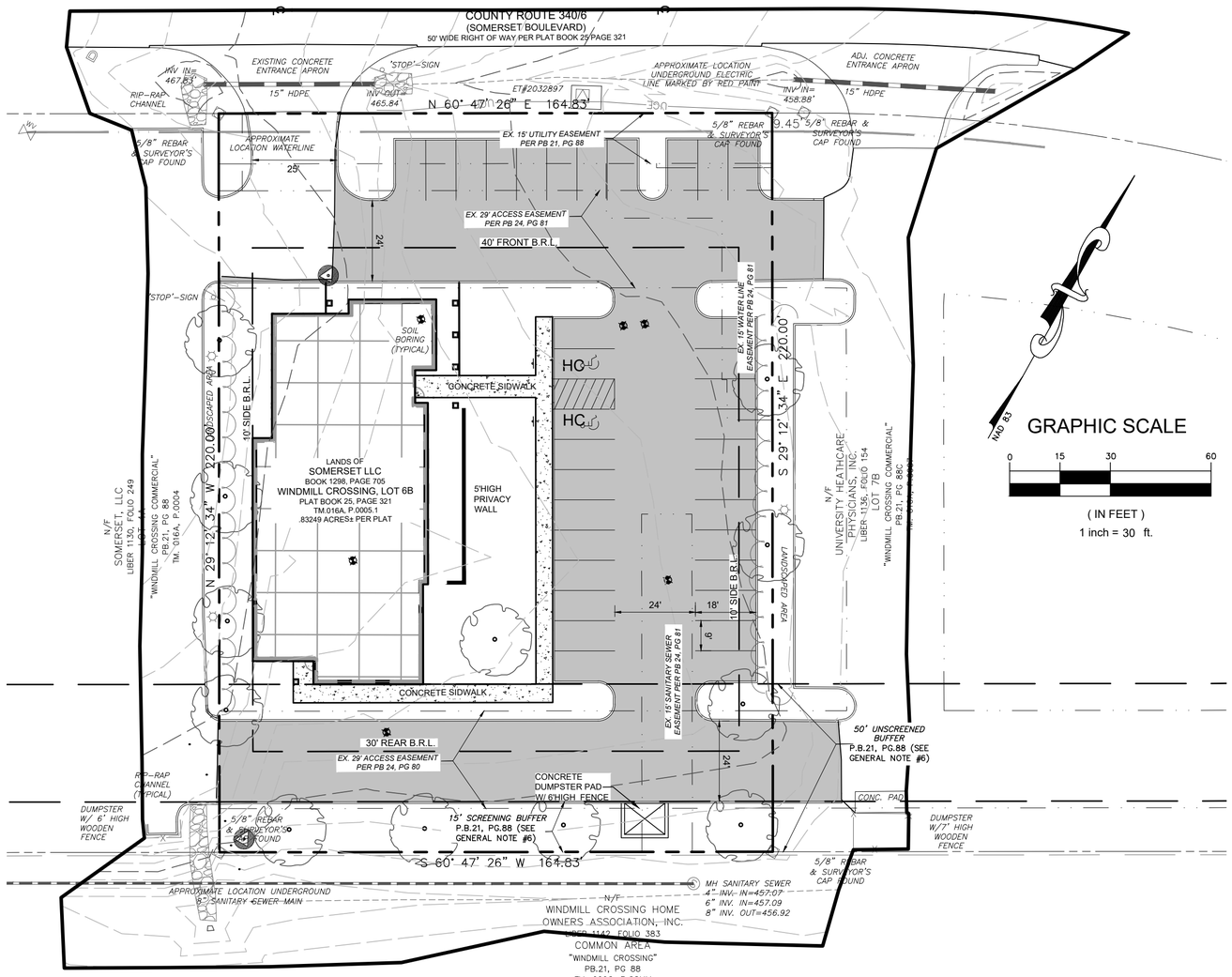
CONCLUSION

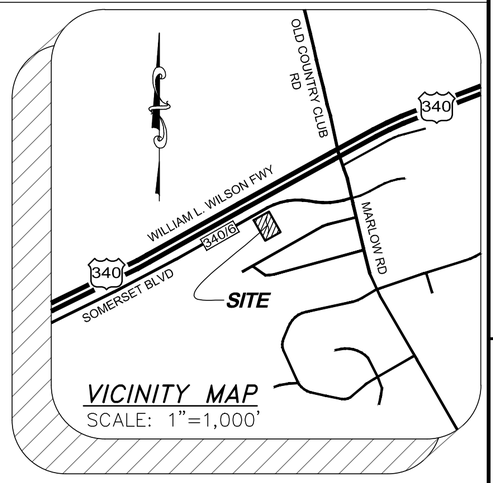
This a request for approval of a sketch plan for a dental office The sketch plan is generally in conformance with the requirements of the City's ordinances. Additional details about landscaping and lighting are required for the preliminary plan stage.

RECOMMENDATION

Approval.

SKETCH PLAN - WESTOVER DENTAL OFFICE





GENERAL NOTES:

1. SITE IS SITUATED IN WINDMILL CROSSING SUBDIVISION, APPROXIMATELY 800' SOUTH OF THE INTERSECTION OF SOMERSET BLVD. AND MARLOW RD.
2. THE SURVEYED PROPERTY SHOWN HEREON IS THE SAME LAND DESCRIBED IN SCHEDULE "A" OF TITLE COMMITMENT No. _____, PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY WITH A COMMITMENT DATE OF OCTOBER 20, 2022 AT 9:00 A.M.
3. SITE CONSISTS OF 3 MERGED PARCELS, BEING PLATTED AT PB 25, PG 321. LANDS OF SOMERSET LLC. LIBER 1298, FOLIO 705; TM 016A, PCL 0005.0001
4. HORIZONTAL DATUM IS NAD83 WEST VIRGINIA NORTH STATE PLANE COORDINATE SYSTEM, VERTICAL DATUM IS NAVD 88, BOTH DERIVED FROM GPS RTK OBSERVATIONS.
5. NO EVIDENCE OF CEMETERIES, GRAVE SITES, OR BURIAL GROUNDS WERE OBSERVED AS OF THE DATE OF FIELD WORK COMPLETION.
6. IN REGARDS TO THE 50' UNSCREENED BUFFER AND 15' SCREENING BUFFER SHOWN HEREON, REFERENCE IS HEREBY MADE TO A PLAT ENTITLED, "FINAL PLAT, WINDMILL CROSSING, COMMERCIAL LOTS 1-15, TOWNHOUSE LOTS 16-149..." AND RECORDED AMONG THE LAND RECORDS OF JEFFERSON COUNTY, WEST VIRGINIA IN PLAT BOOK 21, AS PAGE 88. NOTE: 1 STATES; "PER SECTION 4.16 REQUIRED BUFFER IS 50' UNSCREENED OR 15' SCREENED BUFFER."
7. CURRENT LAND USE - NOT DEVELOPED
   PROPOSED LAND - DENTIST OFFICE
8. ZONED - GENERAL COMMERCIAL (GC)
9. PROPERTY AREA - 36,268 SF (0.833 AC)
10. MAXIMUM ALLOWABLE 70% IMPERVIOUS. PROPOSED 24806 SF / 36268 SF = 68.4%
11. WATER & SEWER PROVIDED ON SITE BY CHARLES TOWN UTILITY BOARD. LETTER OF AVAILABILITY DATED DECEMBER 6, 2022 OBTAINED.
12. WINDMILL CROSSING WAS ANNEXED INTO THE CITY OF CHARLES TOWN IN 2007. IN 2011 THE CITY OF CHARLES TOWN AMENDED AND RESTATED CONDITIONS OF THE ANNEXATION IN RESOLUTION 2011-05 AND FURTHER AMENDED THE SIGNAGE CRITERIA IN RESOLUTION 2012-04.
13. BUILDING SETBACKS:
    FRONT - 40'
    REAR - 30'
    SIDE - 10'
14. 15' SCREENING BUFFER IN REAR ADJACENT TO RESIDENTIAL
15. PARKING REQUIREMENTS - MEDICAL/DENTAL OFFICE = 3.53 SPACES/1000SF GFA
    5,340 SF * 3.53 SP/1000 SF = 18.85 SP = 19 SPACES REQUIRED
    32 SPACES + 2 ADA SPACES PROVIDED

LINETYPE LEGEND	
	SUBJECT PROPERTY LINE
	ADJOINING PROPERTY LINE
	MINIMUM BUILDING RESTRICTION LINE
	EDGE OF CONCRETE
	CONTOUR, MAJOR 5'
	CONTOUR, MINOR 1'
	CURB
X X	FENCE, AS NOTED
	LANDSCAPED AREAS
	ROAD, CENTER LINE
	ROAD, EDGE OF PAVEMENT
	UNDERGROUND SANITARY SEWER
	UNDERGROUND STORM DRAIN
UGE	UNDERGROUND ELECTRIC LINE

SYMBOLS LEGEND	
	ELECTRIC TRANSFORMER
	LIGHT POST
	REBAR & SURVEYOR'S CAP FOUND (AS NOTED)
S	SANITARY SEWER MANHOLE
	SIGN (AS NOTED)
	SOIL BORING

OWNER/DEVELOPER:
WESTOVER HOLDINGS, LLC
11 MEADOW BRANCH AVE
WINCHESTER, VA 22601

Austin Westover
austinwestover@gmail.com
(804)405-9873

ARCHITECT:
FAZIO ARCHITECTS
308-B CONGRESS AVE
AUSTIN, TX 78701

KEITH GREGG
keith@fazioarchitects.com
(512)494-1680

ENGINEERING/SURVEYING:
TRIAD ENGINEERING, INC
1075 SHERMAN AVE
HAGERSTOWN, MD 21790

ERIC ISER, PE
eiser@triadeng.com
(301)797-6400

Rev	Date	Agency
1	03-15-23	City of Charles Town Planning (Kimley-Horn)
2	04-03-23	Merger Deed Recorded

TRIAD ENGINEERING, INC.
1075-D SHERMAN AVENUE
HAGERSTOWN, MD 21740
PH: 301.797.6400 FAX: 301.797.2424
OFFICE LOCATIONS
MARYLAND ○ PENNSYLVANIA ○ VIRGINIA ○ WEST VIRGINIA

CADD FILE:

DRAWN BY:	CHECKED BY:	SCALE:
Staff	E.H.I.	1"=30'
	DATE:	
	04/03/2023	

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF WEST VIRGINIA, LICENSE NO. 15067 EXPIRATION DATE: 12-31-2024

ERIC ISER REGISTERED 15067 STATE OF WEST VIRGINIA PROFESSIONAL ENGINEER 04/03/23

SKETCH PLAN
OF
WESTOVER DENTAL
WESTOVER HOLDINGS, LLC
PART OF LIBER 1130, FOLIO 249 AND LIBER 1046, FOLIO 264
SITUATED IN WINDMILL CROSSING APPROXIMATELY 880' WEST OF THE INTERSECTION OF SOMERSET BOULEVARD AND MARLOW ROAD IN CHARLES TOWN
JEFFERSON COUNTY, WEST VIRGINIA

TRIAD ENGINEERING, INC.
www.triadeng.com

SHEET NUMBER:
C-1.0
FILE NO.: 03-22-0965
JOB NO.: 03-22-0965

Authentisign ID 430C744B-9987-ED11-BA77-14CB852F4F5B

Sketch Plan Application No._____

RECEIVED
MAR 01 2023
BY:_____

SKETCH PLAN APPLICATION

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ARTICLE 1332, SUBDIVISION AND LAND DEVELOPMENT APPLICATION & APPROVAL REQUIREMENTS

To assist the Subdivision Administrator in the review of a Sketch Plan Application, the Applicant must utilize this form to supply the City with the information prescribed under Section 1332.03 of the Charles Town S/LD Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Sketch Plan Application as required by Ordinance Section 1332.03. Applicant is responsible to ensure the standards of Ordinance Section 1332.04, Sketch Plan Requirements, are met and provided herein is a checklist of the Sketch Plan requirements.

1. DATE febnary 24th, 2023

2. APPLICATION TYPE*

☐ Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance
- Submit Three (3) 11" x 17" copies of the Sketch Plan shall be submitted and in Adobe PDF format

☒ Major S/LD Development
- Submit Three (3) 18" x 24" copies of the Sketch Plan shall be submitted and in Adobe PDF format

*There are two types of Sketch Plan submissions:

1. For Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance. Submission standards are found in Section 1332.04(D).
2. For a Sketch Plan for a Major S/LD application, submission standards are found in Section 1332.04(E)

Authentisign ID: 450C744B-99B7-ED11-BA77-14CB652F4F5B

3. APPLICANT'S NAME* Westover Holdings LLC

Address: 11 Meadow Branch Ave, Winchester VA 22601

Telephone Number (804) 405-9873 Fax Number ( )

Email Address austinwestover@gmail.com

4. PROPERTY OWNER'S NAME Grasso & Sons Development Corp. 45omerset LLC

Address: 34047 Soaring Bamboo Path Wesley Chapel, FL 33543 175 John Thomas way Charlestown WV 25414

Telephone Number (703) 303-9170 Fax Number ( ) 304-283-2601

Email Address PGrasso@USAid.gov JThomas@Jeffersonasphalt.net

5. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)

Property Address: Lot 6B Somerset Blvd Charles Town WV 25414

Tax Map # and Parcel: 16A/6 16A/5.1

Deed Book and Page #: 1046/264 1130/249

Property Area in Square Feet or Acres: .83ac Total | .46ac This Parcel

6. DESCRIPTION OF PROJECT AND PROPOSED USE(S) OF THE PROPERTY:

Stand alone, single level dental office

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

Undeveloped land zoned appropriately.

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

Authentisign ID 430C744B-89B7-ED11-BA77-14CB652F4F5B

8. ARE THERE ANY ANTICIPATED WAIVERS OR VARIANCES? IF YES, PROVIDE DETAILS.

NO

9. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

X No

10. 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

Authentisign ID: 430C744B-99B7-ED11-9A77-14CB652F4F5B

11. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street)
(Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip
AO Charles Town LLC	149 Linwood Way	Martinsburg, WV 25403
University Healthcare Physicians INC	2500 Foundation Way	Martinsburg, WV 25401
Anthony Shockney	130 Monte Carlo Way	Charles Town WV 25414
Frank & Coral Monteh	14802 Hazelmoor Ct	Silver Spring, MD 20906
Robert Miller	138 Monte Carlo CT	Charles Town WV 25414
Jamilyn & Chris Troxell	142 Monte Carlo CT	Charles Town WV 25414
Sean Gordon	146 Monte Carlo CT	Charles Town WV 25414
Maria Montero Hanis Saavedra	150 Monte Carlo CT	Charles Town WV 25414
James & Carolyn Bryant	154 Monte Carlo CT	Charles Town WV 2544

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 Section 1332.02 of the Charles Town S/LD Ordinance and relevant provisions of the Charles Town City Code.

Signature of Applicant

_____ Date 2/24/23

Signature of Property Owner (If different than Applicant)

Peter Grasso Date 02/28/23

Signature of Property Owner (If different than Applicant)

John J. Thomas, Jr. Date 02/28/23

Authentisign ID 430C744B-99B7-ED11-BA77-14CB652F4F5B

Please submit an original completed Application and specified number of Site Plan copies to the following:

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

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Paid:$_____ Check No._____

Receipt No._____

Subdivision Administrator Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

Comments:_____

_____

_____

_____

_____

_____

MERGER DEED PURSUANT TO SUBDIVISION AND LAND REGULATION SECTION 20.106 OF THE JEFFERSON COUNTY SUBDIVISION ORDINANCE OF OCTOBER 9, 2008, AS AMENDED FEBRAURY 1, 2018

THIS MERGER DEED, made this 15th day of March 2023, by and between **Somerset LLC,** a West Virginia limited liability company, and **Grasso & Sons Development Corporation,** a Virginia corporation, converted to **Grasso and Sons Development, LLC,** a Virginia limited liability company, on December 30, 2011, pursuant to the attached Certificate of Entity Conversion, GRANTORS; and **Somerset LLC,** GRANTEES;

WITNESSETH:

THAT, for and in valuable consideration, receipt of which is hereby acknowledged, the GRANTORS do hereby grant and convey, in fee simple and with Special Warranty, unto the GRANTEE, the following described property:

All those certain parcels of land with the rights of way and easements, appurtenant thereto and improvements thereon, situate in the Charles Town Corp District, Jefferson County, West Virginia, and more particularly described as follows:

Tax Map / Parcel: 16A / 0005 0001 0000

Currently owned by Somerset LLC

Merger Area 2, containing 10,963 square feet, or 0.25168 acres, and Merger Area 3, containing 5, 175 square feet or 0.11880 acres as more fully shown and described on that certain plat entitled "Merger Plat Lots 4, 5A, 6A and 7A Windmill Crossing Commercial", made by William H. Gordon Associates Inc., dated September 1, 2011, and revised November 8, 2011, and recorded in the aforesaid Clerk's Office in Plat Book 25 at page 321.

AND BEING the same property conveyed to the Grantor, Somerset LLC, a West Virginia limited liability company herein by Deed recorded in Deed Book 1130, at Page 249, in the aforesaid Clerk's Office.

AND

BRIEL PC, ATTORNEYS
Charles Town, WV
Martinsburg, WV
Winchester, VA
Ashburn, VA

THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION.

Tax Map / Parcel: 16A / 0006 0000 0000

Currently owned by Grasso & Sons Development, LLC

BEING all of Lot 6A on a Plat entitled "Plat Showing Various Easements on Lots 5A, 6A & 7A, Windmill Crossing, made by William H. Gordon Associates, Inc., dated April 30, 2007 and revised December 26, 2007 and recorded in the Office of the Clerk of the County Commission of Jefferson County, West Virginia in Plat Book 24, at Page 81.

AND BEING the same property conveyed to the Grantor, Grasso & Sons Development Corporation, a Virginia corporation converted to Grasso and Sons Development, LLC, a Virginia limited liability company on December 30, 2011, pursuant to the attached Certificate of Entity Conversion, herein by Deed recorded in Deed Book 1046, at Page 264.

The land hereby conveyed is adjacent to and contiguous with the land which is owned by the Grantors herein, having been conveyed to them by Deeds recorded in Deed Book 1130, at Page 249 and Deed Book 1046, at Page 264 in aforesaid Clerk's office.

This conveyance is made for the purpose of merging the boundary lines of said presently owned lands of the Grantors hereby creating a single lot, identified as Lot 6B more fully shown and described on that certain plat entitled "Merger Plat Lots 4, 5A, 6A and 7A Windmill Crossing Commercial", made by William H. Gordon Associates Inc., dated September 1, 2011, and revised November 8, 2011, and recorded in the aforesaid Clerk's Office in Plat Book 25 at page 321.

DECLARATION OF CONSIDERATION OR VALUE

The GRANTORS does hereby certify that the document to which this declaration is attached is done for the purpose of complying with the Jefferson County Subdivision Ordinance, does not involve a transfer, and is therefore exempt from the West Virginia Excise Tax on transfer of real property.

BRIEL PC, ATTORNEYS
Charles Town, WV
Martinsburg, WV
Winchester, VA
Ashburn, VA

THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION.

WITNESS the following signature and seal:

SOMERSET LLC, a West Virginia limited liability company

By: _____
John J. Thomas, Jr., Manager

STATE OF WV
COUNTY OF Jefferson, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do certify that John J. Thomas, Jr., Manager of Somerset LLC, a West Virginia limited liability company, whose name is signed to the foregoing document, acknowledged the same before me this 15 day of March 2023.

_____
Notary Public
My commission expires: 4/18/27

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
Tuesdi D. Miller
185 York Rd
Ranson WV 25438
My Commission Expires April 18, 2027

BRIEL PC, ATTORNEYS
Charles Town, WV
Martinsburg, WV
Winchester, VA
Ashburn, VA

THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION.

WITNESS the following signature and seal:

GRASSO & SONS DEVELOPMENT, LLC
~~**CORPORATION, a Virginia Corporation**~~

Peter S. Grasso, Jr. by A. Fultz, his attorney in fact

Peter S. Grasso, Jr. by Andrew Fultz, his attorney in fact

STATE OF West Virginia
COUNTY OF Jefferson, to-wit:

I, the undersigned, a Notary Public in and for the jurisdiction aforesaid, do certify that Peter S. Grasso, Jr. by Andrew Fultz, his attorney in fact, whose name is signed to the foregoing document, acknowledged the same before me this 15 day of March 2023.

Notary Public
My commission expires: 4/18/27

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
Tuesdi D. Miller
185 York Rd
Ranson WV 25438
My Commission Expires April 18, 2027

Prepared by: Briel, PC Attorneys
115 W. Congress Street
Charles Town, WV 25414
/kh

THIS DOCUMENT WAS PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION.

1201010416

S388758 - 7

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 30, 2011

The State Corporation Commission has found the accompanying articles of entity conversion submitted on behalf of

GRASSO & SONS DEVELOPMENT CORP.

to comply with the requirements of law and confirms payment of all required fees. Therefore, it is ORDERED that this

CERTIFICATE OF ENTITY CONVERSION

be issued and admitted to record with the articles of entity conversion and articles of organization in the Office of the Clerk of the Commission, effective December 30, 2011.

When the certificate becomes effective, GRASSO & SONS DEVELOPMENT CORP. is deemed to be a limited liability company organized under the laws of this Commonwealth with the name

Grasso and Sons Development, LLC

The limited liability company is granted the authority conferred on it by law in accordance with its articles of organization, subject to the conditions and restrictions imposed by law.

STATE CORPORATION COMMISSION

By

James C. Dimitri
Commissioner

Jefferson County
Jacqueline C Shaulis, Clerk
Instrument 202300002541
03/16/2023 @ 03:48:06 PM
DEED
Book 1298 @ Page 705
Pages Recorded 5
Recording Cost $ 32.00

CNVRLACT
CIS0436
11-12-19-0078

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

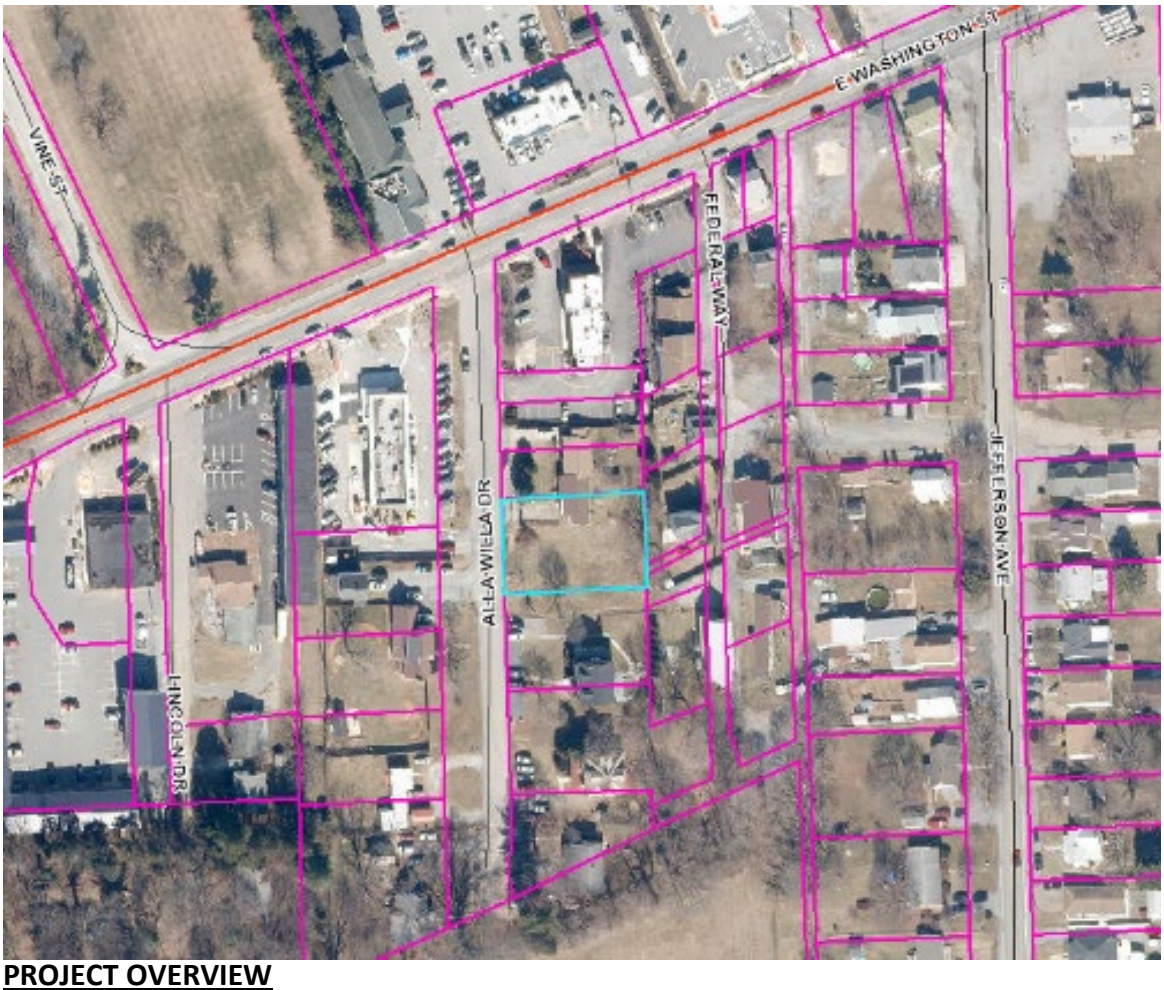
SLD2023-03 Alla Willa Drive Casino Sketch Plan - Public Hearing

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Plans.pdf
- 3. Application.pdf
- 4. Narrative.pdf

Sketch Plan Report
SLD2023-03/200403

Applicant: Ali Hadavand
Property Owner: Shirley Rockwell
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Development of site as a casino, and merger of two parcels into one.
Property Location: TD 03 / Map: 7 / Pcl: 12, located on Alla Willa Drive.
Current Zoning: General Commercial (GC).



PROJECT OVERVIEW

Per Jefferson County Geographic Information Systems, the property is .14 acres in size. The applicant is proposing to develop the site as a Casino. The property is made of two parcels.

SKETCH PLAN COMPLETENESS

The sketch plan was deemed complete by the Planning Commission on March 27th, 2023.

BOARD OF ZONING APPEALS

The Board of Zoning Appeals held a public hearing on April 18, 2023, to decided on issuing a Special Exception Use permit for a casino. They voted to **approve** the Special Exception Use permit.

ZONING REVIEW

The properties are zoned General Commercial. The merger must be administratively approved prior to approval of the final plan.

Density

Not applicable.

Open Space

No requirement.

Parking

Required parking for a casino is 35.3 parking spaces per every 1,000 sq. ft. of gross floor area, plus 1.42 spaces per gaming position. The structure is 1,960 sq. ft., and the applicant plans to have approximately 7-10 gaming machines. As 10 parking spaces are proposed, a waiver will be required from these requirements.

Parking lots are required to be 5 ft. from the nearest right-of-way. The plan meets this requirement. Parking lots are preferred to be in front or side yards, which this plan satisfies.

Street Connections

A curb cut is proposed to provide access from Alla Willa Road to the parking lot. A required sidewalk is shown between the property line and the curb cut.

Traffic Impact

From the latest version of the Trip Generation Manual by the Institute of Transportation Engineers:

Per 1,000 SF it generates the following # of trips:

- *13.49 Trips in the Weekday PM Peak Hour*

Landscaping

The applicant will plant two trees along the road frontage.

Buffers

Buffering shall consist of a land area not less than twenty (20) feet in width for developments between all adjoining residential and non-residential uses. Buffer width may be reduced to 10 feet, provided that

an opaque screening is provided, such as a fence, berm, landscaping or a combination thereof. The plans show a fence along the rear and sides of the site, which satisfies this Code requirement.

Stormwater

Stormwater control facilities are not required to be shown on a sketch plan; they are required on a preliminary and final plan. The City's Engineering firm, Kimley-Horn, had no comments at this stage about stormwater control facilities.

Utilities

The applicant needs to provide information on where utility connections will be coming from. They have not shown any on the plans.

Dumpster

The dumpster must be fenced on three sides. The proposed dumpster is described as being screened, which may meet this requirement. The dumpster cannot be oriented towards the street; additional details for layout and screening will be required at the preliminary plan stage.

CONCLUSION

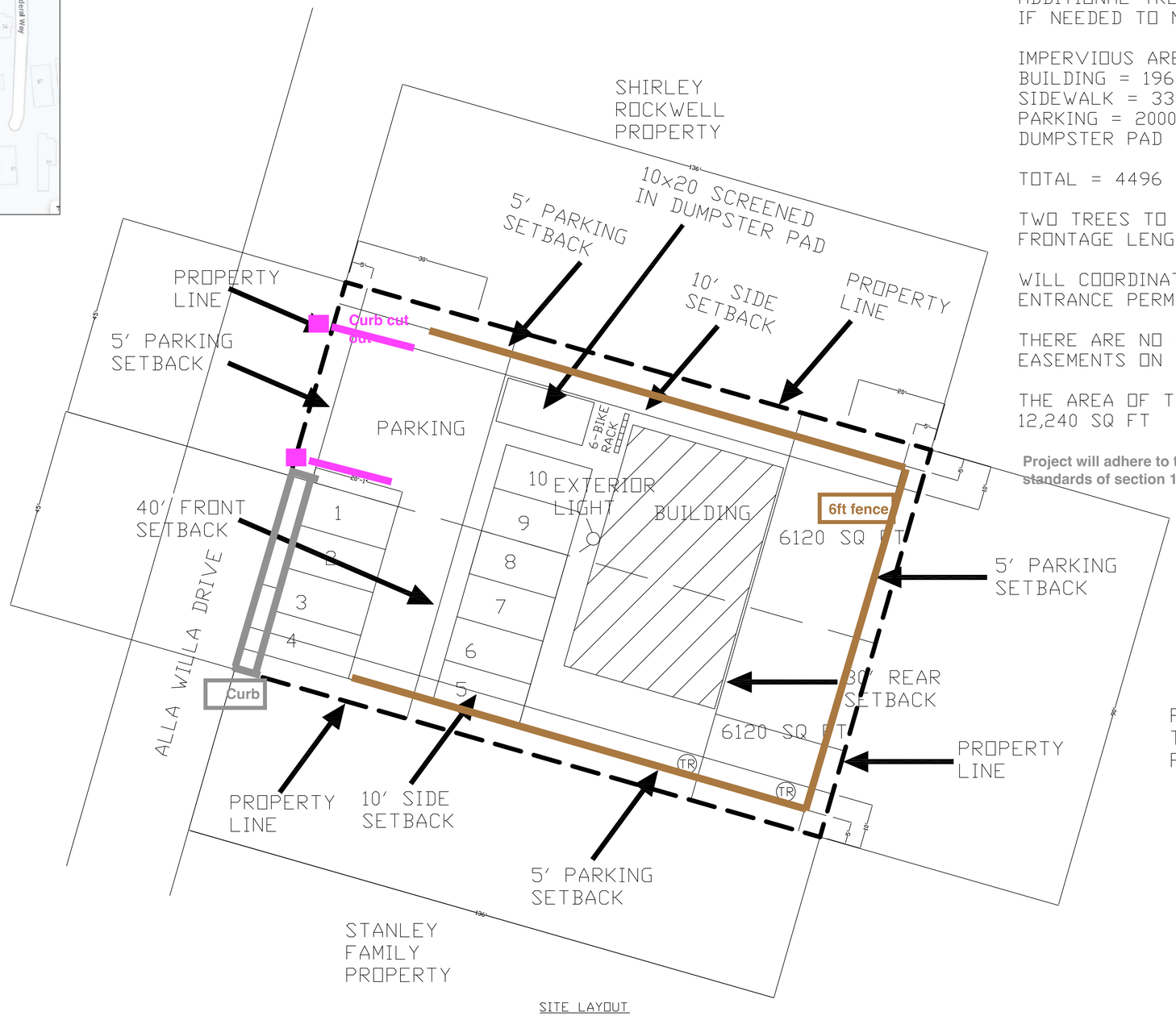
This is a sketch plan for a casino located on General Commercial zoned property. The property comprises two lots, which must be merged prior to approval of the Final Plan. A waiver will needed from the parking requirements.

The plan is generally in conformance with the sketch plan requirements and approval criteria. Additional information on landscaping and further engineering details (such as the curb cut details) will need to be provided at the preliminary plan stage.

RECOMMENDATION

Approval.





NOTES:

EXTERIOR LIGHT AIMED DOWNWARD TO ILLUMINATE PARKING LOT
THIS IS THE ONLY LIGHT, SO MAKES LITTLE TO NO GLARE. HOWEVER, ADDITIONAL TREES WILL BE PLANTED IF NEEDED TO NOT DISTURB NEIGHBORS.

IMPERVIOUS AREA:
BUILDING = 1960 SQ FT
SIDEWALK = 336 SQ FT
PARKING = 2000 SQ FT
DUMPSTER PAD = 200 SQ FT

TOTAL = 4496 SQ FT

TWO TREES TO ACCOUNT FOR 90' OF FRONTAGE LENGTH.

WILL COORDINATE WITH DOH FOR ENTRANCE PERMIT.

THERE ARE NO UTILITY LINES OR EASEMENTS ON THIS PROPERTY.

THE AREA OF THE COMBINED LOTS IS 12,240 SQ FT

Project will adhere to the commercial design review standards of section 1333.29

SCALE
0' 10' 20' 30' 40' 50'

SHIRLEY ROCKWELL
111 ALLA WILLA
CHARLES TOWN, WV 25414

N

GENERAL COMMERCIAL ZONING

DISTRICT 3, TAX MAP 7, PARCEL 0012

DATE: MARCH 20, 2023

ENGINEER:

JIM GOLDEN
304-261-4931

SEALS



ADDRESS:
ALI HADAVAND
316 FONTANA CIRCLE
MARTINSBURG, WV 25401

REVISIONS

DATE	REMARKS

NOTES

SITE

Sketch Plan Application No._____

SKETCH PLAN APPLICATION

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ARTICLE 1332, SUBDIVISION AND LAND DEVELOPMENT APPLICATION & APPROVAL REQUIREMENTS

To assist the Subdivision Administrator in the review of a Sketch Plan Application, the Applicant must utilize this form to supply the City with the information prescribed under Section 1332.03 of the Charles Town S/LD Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's Sketch Plan Application as required by Ordinance Section 1332.03. Applicant is responsible to ensure the standards of Ordinance Section 1332.04, Sketch Plan Requirements, are met and provided herein is a checklist of the Sketch Plan requirements.

1. DATE 3/1, 2023

2. APPLICATION TYPE*

☑ Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance
- Submit Three (3) 11" x 17" copies of the Sketch Plan shall be submitted and in Adobe PDF format

☐ Major S/LD Development
- Submit Three (3) 18" x 24" copies of the Sketch Plan shall be submitted and in Adobe PDF format

*There are two types of Sketch Plan submissions:

1. For Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance. Submission standards are found in Section 1332.04(D).
2. For a Sketch Plan for a Major S/LD application, submission standards are found in Section 1332.04(E)

3. APPLICANT'S NAME* Ali Hadaward

Address: 1927 Rock Cliff Dr

Telephone Number 304 279-4747 Fax Number ( )

Email Address hadaward1979@gmail.com

4. PROPERTY OWNER'S NAME Shirley Rockwell

Address: 111 Alla Willa Charles Town, WV 25414

Telephone Number ( ) Fax Number ( )

Email Address

5. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)

Property Address: Lot 3a + 4a Alla Willa

Tax Map # and Parcel: Tx map 7 Parcel 0012

Deed Book and Page #: DB 390 P 085

Property Area in Square Feet or Acres: .28

6. DESCRIPTION OF PROJECT AND PROPOSED USE(S) OF THE PROPERTY:

Build a building for use of Slot Parlor

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

No use currently. General Commercial Zoning

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

8. ARE THERE ANY ANTICIPATED WAIVERS OR VARIANCES? IF YES, PROVIDE DETAILS.

No

9. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

☐ Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

No

☐ No

10. 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

RECEIVED

FEB 28 2023

BY:_____

FEBRUARY 27,2023

LOTS 3A & 4A ALLA WILLA DRIVE

I, SHIRLEY J. ROCKWELL DO HEREBY GRANT ALI HADAVAND AUTHORIZATION TO APPLY FOR A SPECIAL EXCEPTION USE FOR MY LOTS 3A & 4A, MAP 7 PARCEL 12 ON ALLA WILLA DRIVE IN CHARLES TOWN, WV 25414

SHIRLEY J. ROCKWELL Shirley J. Rockwell

111 ALLA WILLA DRIVE

CHARLES TOWN, WV 25414

OFFICIAL SEAL
STATE OF WEST VIRGINIA
NOTARY PUBLIC
JACKIE SMITH
28 MILLWRIGHT ROAD
KEARNEYSVILLE, WV 25430
MY COMM. EXP. SEPTEMBER 24, 2023

11. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street) (Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip

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 Section 1332.02 of the Charles Town S/LD Ordinance and relevant provisions of the Charles Town City Code.

Signature of Applicant

_____ Date 3/1/2023

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application and specified number of Site Plan copies to the following:

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

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Paid:$_____ Check No._____

Receipt No._____

Subdivision Administrator Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

Comments:_____

CHARLES TOWN, WEST VIRGINIA
Department of Community Development
Division of Planning and Zoning

101 East Washington Street, P.O. Box 14
Charles Town, West Virginia 25414

Phone: (304) 725-2311

Fax (304) 725-1014

File Number: _____
Staff Initials: _____
Fees Paid: _____

https://goo.gl/KGzDMZ

Sketch Plan Review Checklist
Amended 2017 Subdivsion Ordinance

(please check one) _____ **Major S/LD Application** or
__✓__ **Zoning Use Permit, Special Exception Use, or Sketch Plan (requirements found in the Supplemental Regulations of the Zoning Ordinance)**

Project Name: _____

Property Owner Information

Property Owner:	Shirley Rockwell				
Mailing Address:	111 Alla Villa Charlestown WV 25414				
City:		State:		Zip Code:	
Phone Number:		Email:			
Signature:				Date:	

Applicant's Registered Engineer or Surveyor or Design Consultant

Name:	James Golden				
Mailing Address:					
City:		State:		Zip Code:	
Phone Number:	304-261-4931	Email:	jimgoldenpe@hotmail.com		

Physical Property Details

Physical Address:	Alla Villa Lot 3a & 4A				
City:		State:		Zip Code:	
Tax District:	7	Map No:		Parcel No:	0012
Parcel Size:		Deed Book:	390	Page No:	85

Zoning of Subject Property			Is the Project to Be:	Is Property In:
Urban Reserve (UR)	Residential Medium-High Density (R-15)	Neighborhood Commercial (NC)	Planned Unit Development (PUD)	Historic Overlay District (HOD)
General Commercial (GC)	Old Town Residential (OT-R)			Floodplain Overlay District (FOD)
Old Town Mixed Use Commercial (OT-MUC)	Neighborhood Residential (NR)			

City Use Only	1st Review	2nd Review	3rd Review	4th Review
Submittal Date				
Zoning Administrator				
City Planner				
GIS-Addressing				
Return Date				

Conditions of Approval (Attach Additional Comments As Needed)

Will join 2 properties

Instructions

1. This checklist is provided as a quick reference guide only. The Consultant/Developer is responsible for reading the regulations and fully complying with all the requirements. All references to the Subdivision Ordinance and Zoning Ordinance are cited for informational purposes only.

2. The checklist shall be completed by the Engineer/Surveyor or Design Consultant and attached to the Sketch Plan review submission.

Requried Submittal Information

_____ 1 Check for Appiciation Fees

_____ 1 Completed Application and Checklist (Signed by owner)

_____ 3 Sets of Sketch Plans and Adobe PDF Format

From: ali hadavand
To: James Newman
Subject: narative
Date: Tuesday, February 28, 2023 10:21:25 AM

---

2) I would only have 1 person working during each of the 3 shifts. The only time I would have 2 people there is during shift change.

3) My ***"Julia's"*** locations are strictly for gambling. We do offer food and drinks too. We only give out a maximum of 2 drinks. The locations are super quiet. My employees are told to not bother the customers and leave them alone on the machines. We don't partake in the "bar scene" and it's not a typical bar.

4) I currently have another Julia's in Charles town in a area where there is residential housing next to it and we have had a complaint from anyone there. Our lighting is directed only towards our parking lot to make sure customers do not trip or are not scared at night. You can not hear anything from the outside of slot parlors, it's totally quiet. There will be light traffic coming in and out as we only cater to a limited number of customers at a time. We don't handle any waste material so there is no concern for smell.

5) In order to build our building on this property we will need to merge the lots so we will be merging them.

Ali Hadavand
304-279-4747
https://www.linkedin.com/in/ali-hadavand-b21b705

Patient Care Transportation - COO
http://patienttrans.com/site/index.html
https://m.facebook.com/patientcaretrans/

RydeWizz - Founder/Owner
http://www.rydewizz.com/
https://www.facebook.com/RydeWizz-105677941167297/

Dice LLC - Founder/Owner
Beware - This email comes from outside the City of Charles Town.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 04/24/23
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

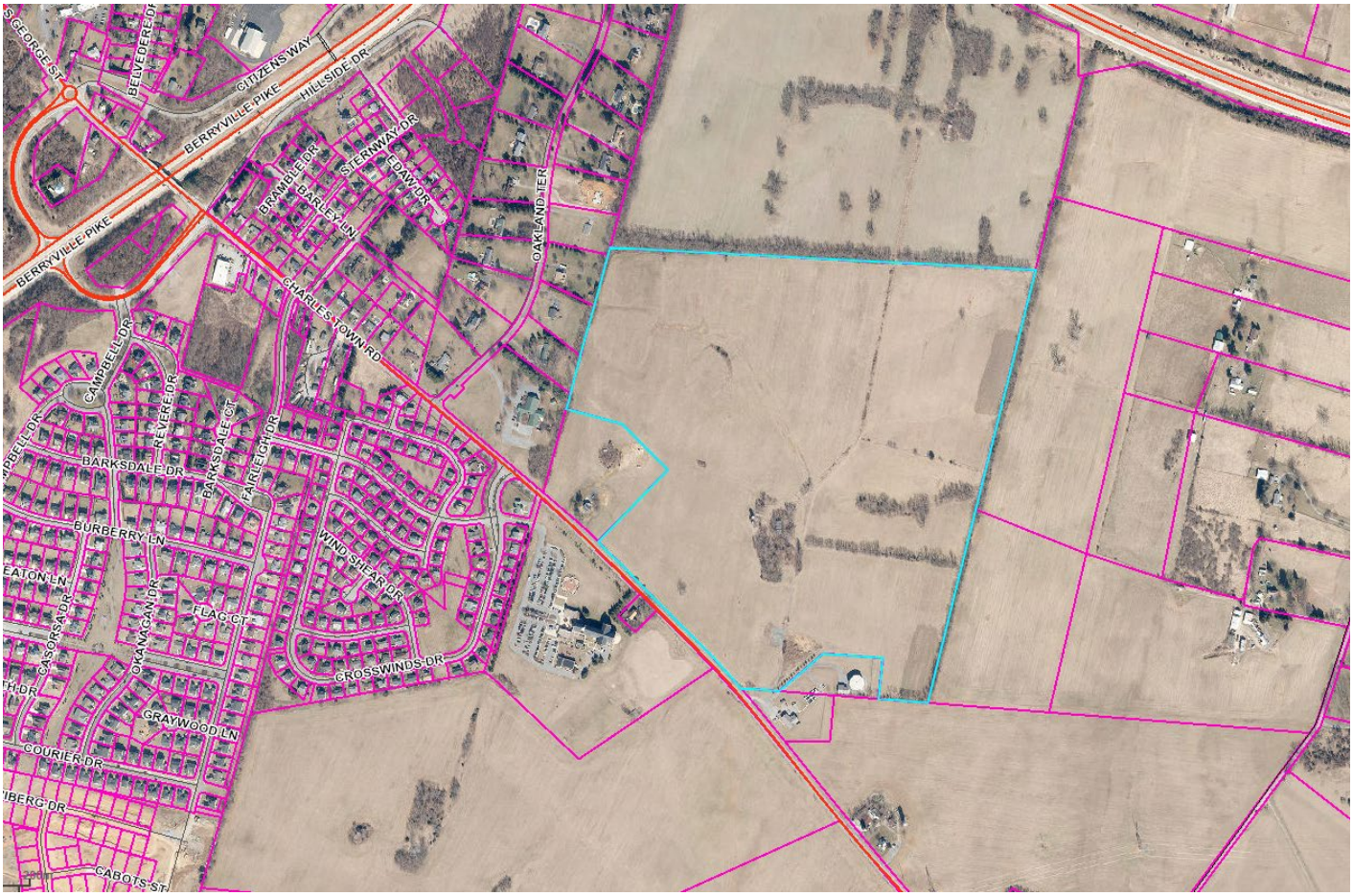
SLD2023-04 Fairview - Completeness Review

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Plans.pdf
- 3. Application.pdf
- 4. Resolution 2005-15 Conditions of Annexation.pdf

Sketch Plan Completeness Review
SLD2023-04

Date: For the April 24th 2023 Planning Commission meeting
Applicant: LGI Homes-West Virginia LLC
Property Owner: Jaguar IV LC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Major Subdivision and Land Development.
Property Location: Located on Charles Town Road
Current Zoning: Neighborhood Residential



PROJECT OVERVIEW

The development of 113.65 acres for 184 townhomes, 266 single-family detached dwelling units, and 2 commercial site pads.

WAIVERS

Based on the design, waivers may be required from driveway standards, the location of electric meters on townhomes, and the buffering requirement between townhomes and single-family dwelling units. No waiver requests have been filled for this project.

SKETCH PLAN

The sketch plan meets the requirement of being a complete application as stated in Subdivision Ordinance Section 1332.03.C.2.C. This does not mean the subdivision application meets the criteria for approval; it merely means that the application is deemed complete by staff.

ZONING REVIEW

The property is zoned Neighborhood Residential (NR).

Density

Maximum density in the NR district is based on Net Buildable Area.

Parking

Townhomes are required to have 1.8 parking spaces per unit. Single-family detached (SFD) dwelling units are required to have 2 parking spaces per unit. Paring for commercial sues depends upon the use.

Lot Size

Minimum lot size for townhomes in NR is 2,000 sq. ft. Minimum lot size for SFD units is 6,000 sq. ft.

Open Space

NR zoning requires that 10% of the development be open space. Townhomes developments need to have at least 30% open space.

Townhome Standards

Townhomes are subject to standards in Subdivision Ordinance Section 1333.20.

Buffers/Landscaping

Buffers are required between townhomes and SFD units, and between commercial and residential uses.

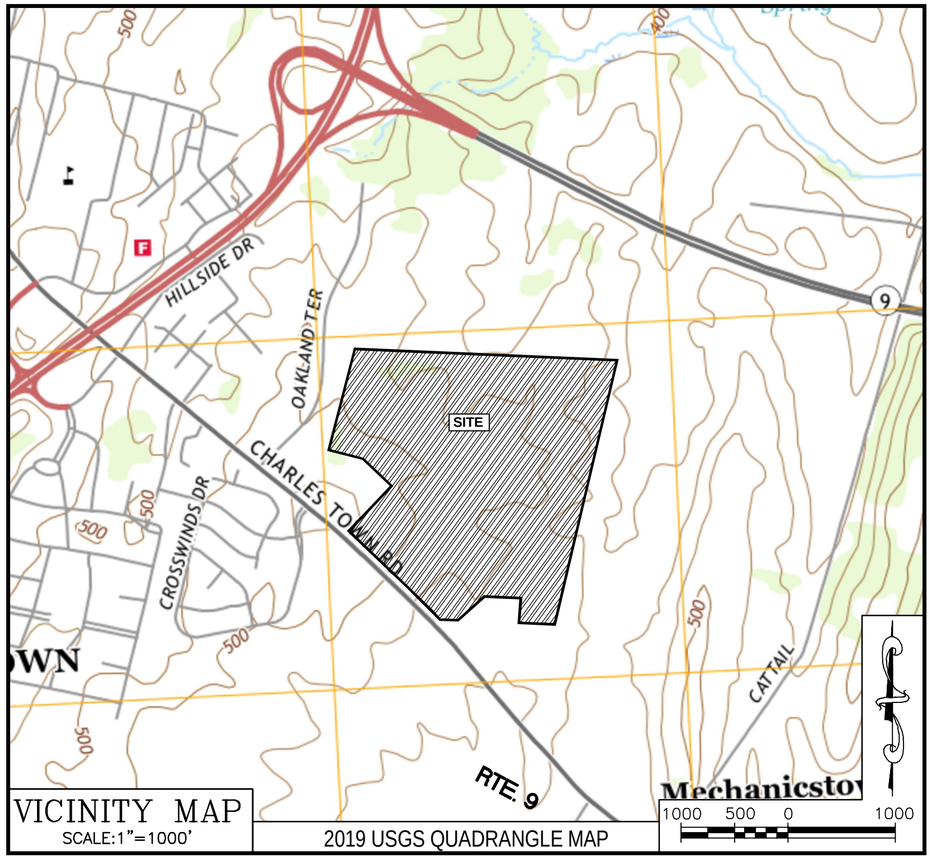
CONCLUSION

Staff deems the application complete; the Planning Commission should vote to determine the application is complete. If deemed complete, a public hearing would be scheduled for May 22nd, 2023.

SKETCH PLAN FOR
FAIRVIEW
CITY OF CHARLES TOWN, WV
TAX MAP 10, PARCEL 218.1
DEED BOOK 1089, PAGE 144

OWNER
JAGUAR IV, LC
2755 MEWS LANE
CHARLOTTESVILLE, VA 22901

OWNER/APPLICANT
LGI HOMES - WEST VIRGINIA, LLC
1450 LAKE ROBBINS DRIVE #430
THE WOODLANDS, TX 77380



VICINITY MAP
SCALE:1"=1000'
2019 USGS QUADRANGLE MAP

SKETCH PLAN CHECKLIST NOTES PER SECTION 1332.04, SKETCH PLAN REQUIREMENTS

E.2.a. Existing conditions obtained from aerial survey. Perimeter boundary information shown hereon is based on a survey performed by GORDON.

E.2.b. See Sheets 3-13 for arrangement of land uses. Proposed land uses include single-family detached, single family attached, commercial, parks/open space and associated improvements.

E.2.c. See this sheet for a Vicinity Map. Map is 2019 USGS Quadrangle Map.

E.2.d. See Sheet 2 for all abutting owners; see Sheets 3-13 for adjoining lot lines, and structures within 100'. Owner information obtained from the Jefferson County Assessors Tax Map Viewer website.

E.2.e. See title block for for date, creator of plan and address. See this Sheet for Owner / Applicant information.

E.2.f. The property is zoned Neighborhood Residential (NR) and consists of 113.65+/- acres.

E.2.g. See Net Buildable Land Area Calculation Table Sheet 2 for maximum and proposed densities based on the net buildable land area.

E.2.h. Public water and sanitary sewer services are available through the Charles Town Utility Board (CTUB). Electric service is available from Potomac Edison.

E.2.i. A sanitary sewer pump station is located on Bailey Brooks Way approximately 2,200' north of Fairview.

E.2.j. Residential units will be provided water and sanitary sewer through proposed lines running within the right-of-ways and/or open spaces which will connect to existing within Charles Town Road. Electric will be provided from power lines along Charles Town Road.

E.2.k. There are no existing covenants for the subject property. The development is subject to the Conditions of Annexation approved in Resolution 2005-15, dated December 5, 2005.

E.2.l.
- See Sheets 3-13 for lot layout.
- 184 townhouse units are proposed as part of this application.
  - Average lots are 20'x100' and are 2,000 sf.
  - Townhomes may be up to 3-stories with an approximate height not to exceed 35'.
- 266 single-family detached units are proposed as part of this application.
  - Average lots are 60'x110' and are 6,600 sf.
  - Single-family homes may be up to 3-stories with an approximate height of 35'.
- 2 commercial lots consisting of 9.06 acres in the aggregate are proposed. 2.42 acres were conveyed to the City of Charles Town for expansion of the existing water treatment plant. These 2.42 acres contribute to the 10% commercial requirement.
- Parking for residential units will be provided on-lot and offsite through on-street parking. Commercial parking will be determined at site plan for the specific commercial lot and future uses.

E.2.m. The total acreage of the tract being subdivided is 113.65+/- acres.
- The developments Net Build Land Area is 3,208,205+/- square feet (73.65+/- acres).

E.2.n. See Approximate Acreages Table on Sheet 2.

E.2.o. The development will consist of 184 townhomes and 266 single-family detached units.

E.2.p. See Sheets 3-13 for proposed street layout. Access will be provided through Charles Town Road. Road A extends to the adjacent property to the north as identified in the Comprehensive Plan. Road A will have an 80' right-of-way as identified in the annexation agreement.

E.2.q.
- Sidewalks will be provided on both sides of all proposed streets within the subject property.
- No trails are proposed at this time, trails may be added at a later time in conjunction with project amenity design.

E.2.r. The development will provide passive open space throughout the property and 3+ acre park near the center of the property. See Approximate Acreages Table on Sheet 2 for additional information.

E.2.s. There are no environmental sensitive areas within the Common Open Space.

E.2.t. No Modifications, Waivers, Variances, Special Exceptions and/or Conditional Uses have been requested.

E.2.u. No buffers are required/proposed within the residential portion of this development. A buffer will be provided for the commercial development as required by City of Charles Town Ordinances based on the specific commercial use at time of site plan.

E.2.v. See Sheets 3-13 for road and right-of-way widths. All roads will be curb & gutter and will be in accordance with the the City's typical roadway section requirements (SDLO Appendix A). Driveways will be provided for each residential unit. Parking for commercial areas will be determined for the specific commercial uses at site plan. All proposed right-of-ways will be 50' (Neighborhood Street), 56' (Neighborhood Center Street), 61' (Minor Collector) or 80' (Road A).

E.2.u. This development will not include any bonus factors.

SHEET INDEX

1. COVER SHEET AND NOTES
2. OVERALL PLAN AND CALCULATIONS
3-13. CONCEPTUAL PLAN

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COVER SHEET AND NOTES

FAIRVIEW
SKETCH PLAN
CITY OF CHARLES TOWN, WEST VIRGINIA
TAX MAP 10, PARCEL 218.1 (D.B. 1089, PG 144)

CT FILE #

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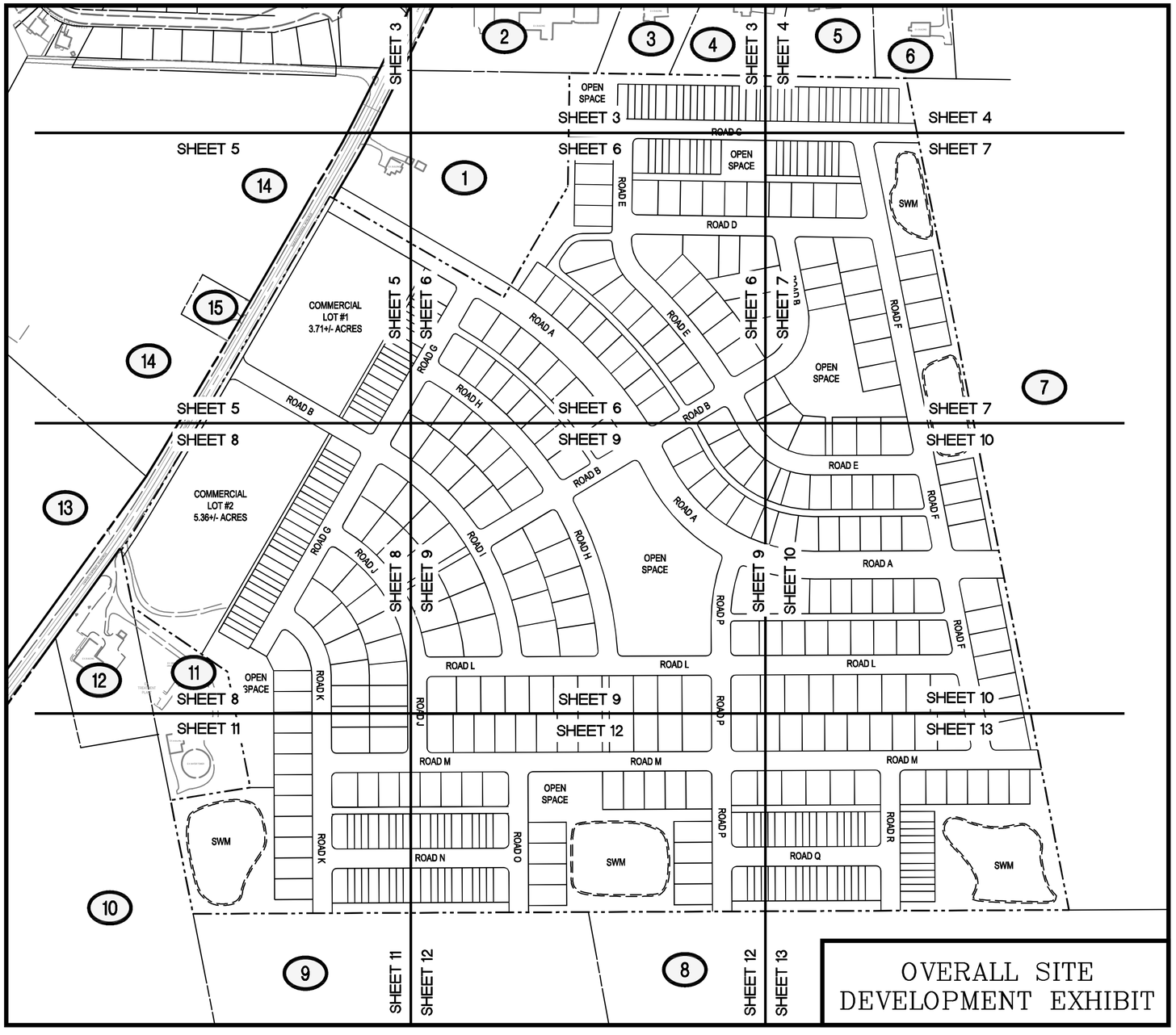

OVERALL SITE DEVELOPMENT EXHIBIT

Density Checklist Section - 1332.04(E).2.g.	
Section 1322.08.(B).4.b.	
Maximum Based on NBLA	3,208,205 / 1,750 = 1,833 Units
Proposed	450 Units
Table 1322.08	
Maximum (10 Units Per Acre)	1,136 Units
Proposed	450 Units

Net Buildable Land Area Calculation - Checklist Section 1332.04(E).2.g.		
Area / Use	**Square Feet**	**Acres**
Gross Land Area	4,950,477	113.65
Right-of-Ways	1,198,320	27.51
Charles Town Road Right-of-Way Reservation	17,885	0.41
Stormwater Management Area	526,067	12.08
Sensitive Natural Areas (wetlands & floodplain)	0	0.00
Net Buildable Land Area (NBLA)	3,208,205	73.65

Approximate Acreages - Checklist Section 1332.04(E).2.n.		
Area / Use	**Square Feet**	**Acres**
Common Open Space	501,805	11.52
Residential Lot Area (Townhouse)	536,550	12.32
Residential Lot Area (Single-Family Detached)	1,928,420	44.27
Commercial Lot Area	394,825	9.06
Right-of-Ways	1,198,320	27.51
Charles Town Road Right-of-Way Reservation	17,885	0.41
Stormwater Management Area	372,672	8.56
Total	4,950,477	113.65
*Will vary with final engineering design.		

Common Open Space Calculations - Checklist Section 1332.04(E).2.x.	
Section 1322.08(B).3.	
Required (10%)*	495,048 sf
Proposed	501,805 sf

Neighborhood Residential Land Use Mix Requirements				
	Requirement		**Provided**	
Use	**%**	**Acres**	**%**	**Acres**
Residential	50	56.82	56.58	56.59
Commercial	10	11.36	10.10	11.48*
Open Space	10	11.36	10.13	11.52
*Includes 2.42 acres conveyed to the City of Charles Town for water treatment plant (PB 1135, Page 420)				

ADJACENT PROPERTY OWNER INFORMATION						
Reference #	**Owner Name**	**Owner Address**	**District**	**Tax Map**	**Parcel**	**Zoning District**
1	OAKLAND COMMUNITY CHURCH	104 OAKLAND DRIVE, CHARLES TOWN, WV 25414	3	10	208	GENERAL COMMERCIAL
2	OAKLAND U. M. CHURCH TRUSTEES	70 OAKLAND TERRACE, CHARLES TOWN, WV 25414	3	10	219	GENERAL COMMERCIAL
3	KENT H TICE ET UX	104 OAKLAND TERRACE, CHARLES TOWN, WV 25414	2	18	6.26	RESIDENTIAL GROWTH (COUNTY)
4	MARK & CHARIS HENSON	150 OAKLAND TERRACE, CHARLES TOWN, WV 25414	2	18	6.25	RESIDENTIAL GROWTH (COUNTY)
5	NORA SUE PAINTER	188 OAKLAND TERRACE, CHARLES TOWN, WV 25414	2	18	6.24	RESIDENTIAL GROWTH (COUNTY)
6	DARAL A KIDWELL ESTATE	254 OAKLAND TERRACE, CHARLES TOWN, WV 25414	2	18	6.23	RESIDENTIAL GROWTH (COUNTY)
7	MARK F. LANGLET - TR	544 LEGO DRIVE, CHARLOTTESVILLE, VA 22911	3	15	17	NEIGHBORHOOD RESIDENTIAL
8	CAROLYN & RONALD WIDMYER	1434 CATTAIL RUN RD, CHARLES TOWN, WV 25414	2	18	11.12	RURAL (COUNTY)
9	RONALD WIDMYER	1434 CATTAIL RUN RD, CHARLES TOWN, WV 25414	2	18	11.10	RURAL (COUNTY)
10	HIGH HORIZONZ FARM INC	336 ROSEMONT WAY, CHARLES TOWN, WV 25414	2	19	1	RURAL (COUNTY)
11	CITY OF CHARLES TOWN	PO BOX 14, CHARLES TOWN, WV 25414	3	10	218.2	NEIGHBORHOOD RESIDENTIAL
12	CITY OF CHARLES TOWN	PO BOX 14, CHARLES TOWN, WV 25414	2	19	1.1	RURAL (COUNTY)
13	DR ACQUISITIONS LLC	60 THOMAS JOHNSON DR, FREDERICK, MD 21702	2	17	22	RESIDENTIAL GROWTH (COUNTY)
14	ROMAN CATHOLIC DIOCESE	1300 BYRON ST, WHEELING, WV 26003	3	10	213	NEIGHBORHOOD COMMERCIAL
15	HARRY D LEE	15376 CHARLES TOWN RD, CHARLES TOWN, WV 25414	2	17	21	RES-LIGHT INDUSTRIAL-COMM (COUNTY)

(1) – ADJACENT PROPERTY OWNER REFERENCE NUMBER

250 125 0 250

GRAPHICAL SCALE: 1" = 250'

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OVERALL PLAN AND CALCULATIONS

FAIRVIEW SKETCH PLAN

CITY OF CHARLES TOWN, WEST VIRGINIA
TAX MAP 10, PARCEL 218.1 (D.B. 1089, PG 144)

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LEGEND:

EXISTING		PROPOSED
———	BOUNDARY/RIGHT-OF-WAY LINE	———
———	ADJACENT BOUNDARY LINE	
— — —	EDGE OF PAVEMENT	
▭	BUILDINGS	
⌀	UTILITY POLE	
OHE OHE	OVERHEAD UTILITY LINE	
590	INDEX CONTOUR LINE (10')	
592	INTERMEDIATE CONTOUR LINE (2')	
∿∿∿	DRIP LINE OF TREES	
	5'-0" SIDEWALK	----------

(1) – ADJACENT PROPERTY OWNER REFERENCE NUMBER

50 25 0 50 100 150

GRAPHICAL SCALE: 1" = 50'

MATCH LINE - SEE SHEET 4

CHARLES TOWN ROAD / WV ROUTE 115

EX. BUILDING

EX. BUILDING

EX. BUILDING

OPEN SPACE

ROAD C (50' RIGHT-OF-WAY)

MATCH LINE - SEE SHEET 6

520 510 500

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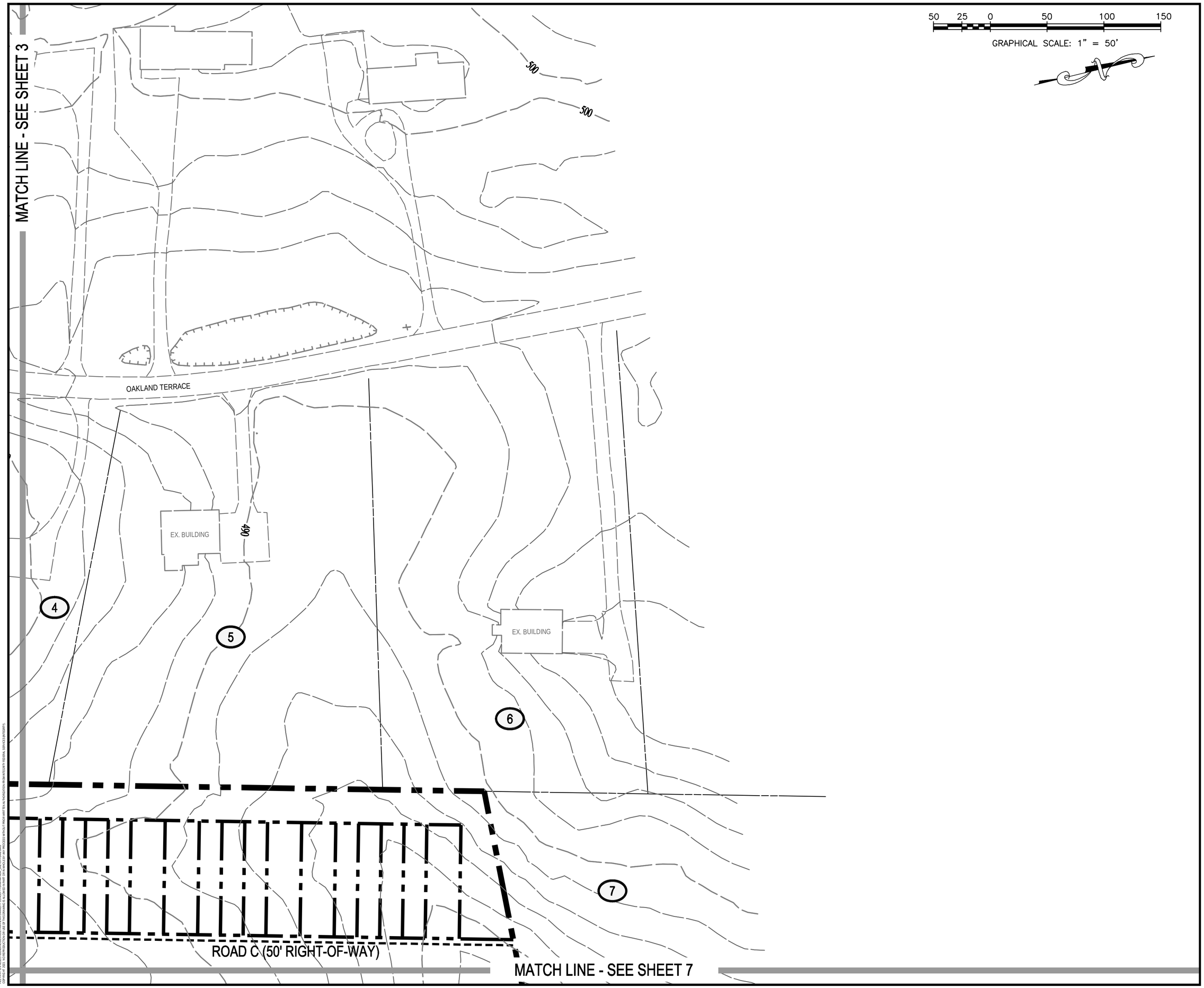

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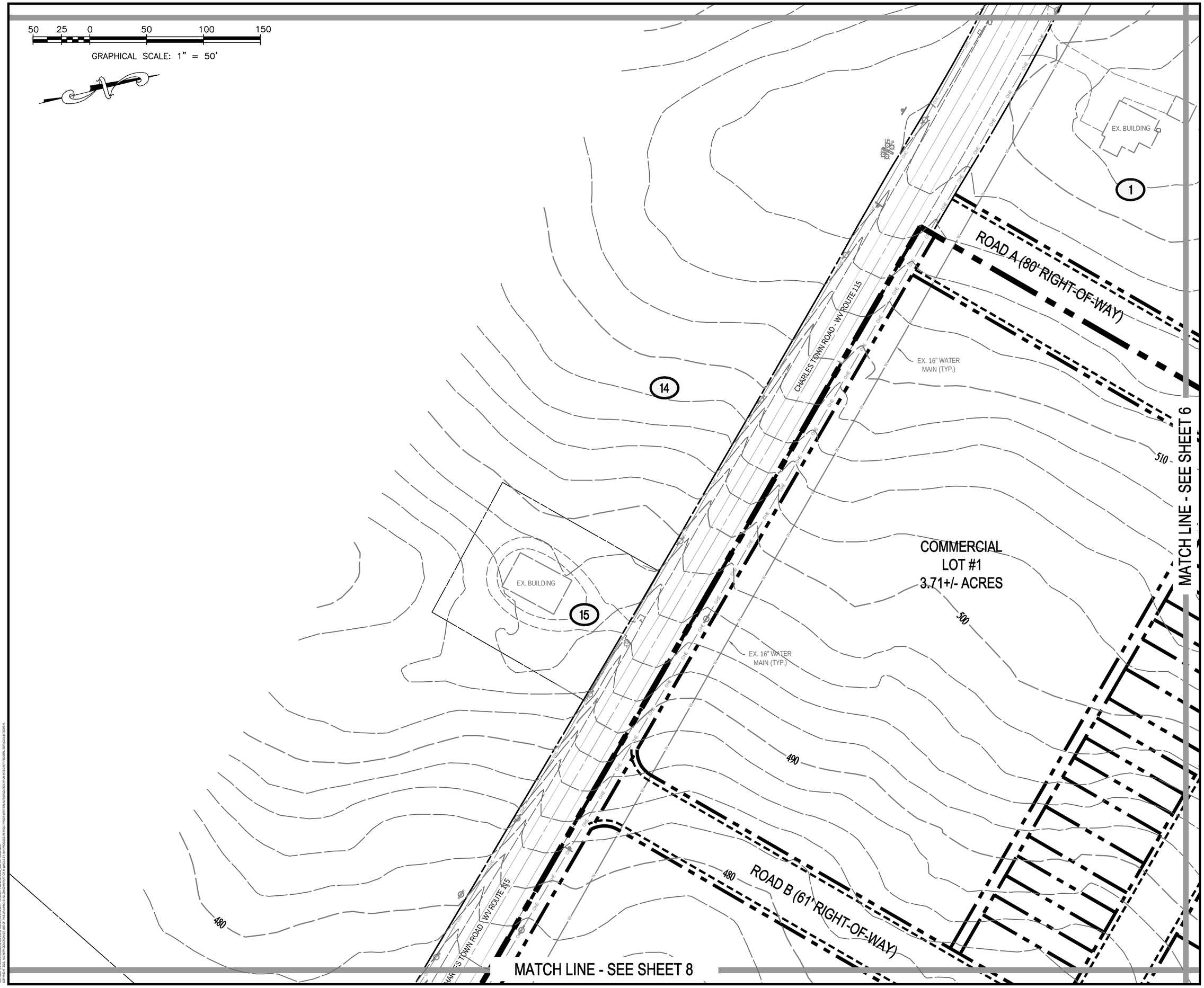

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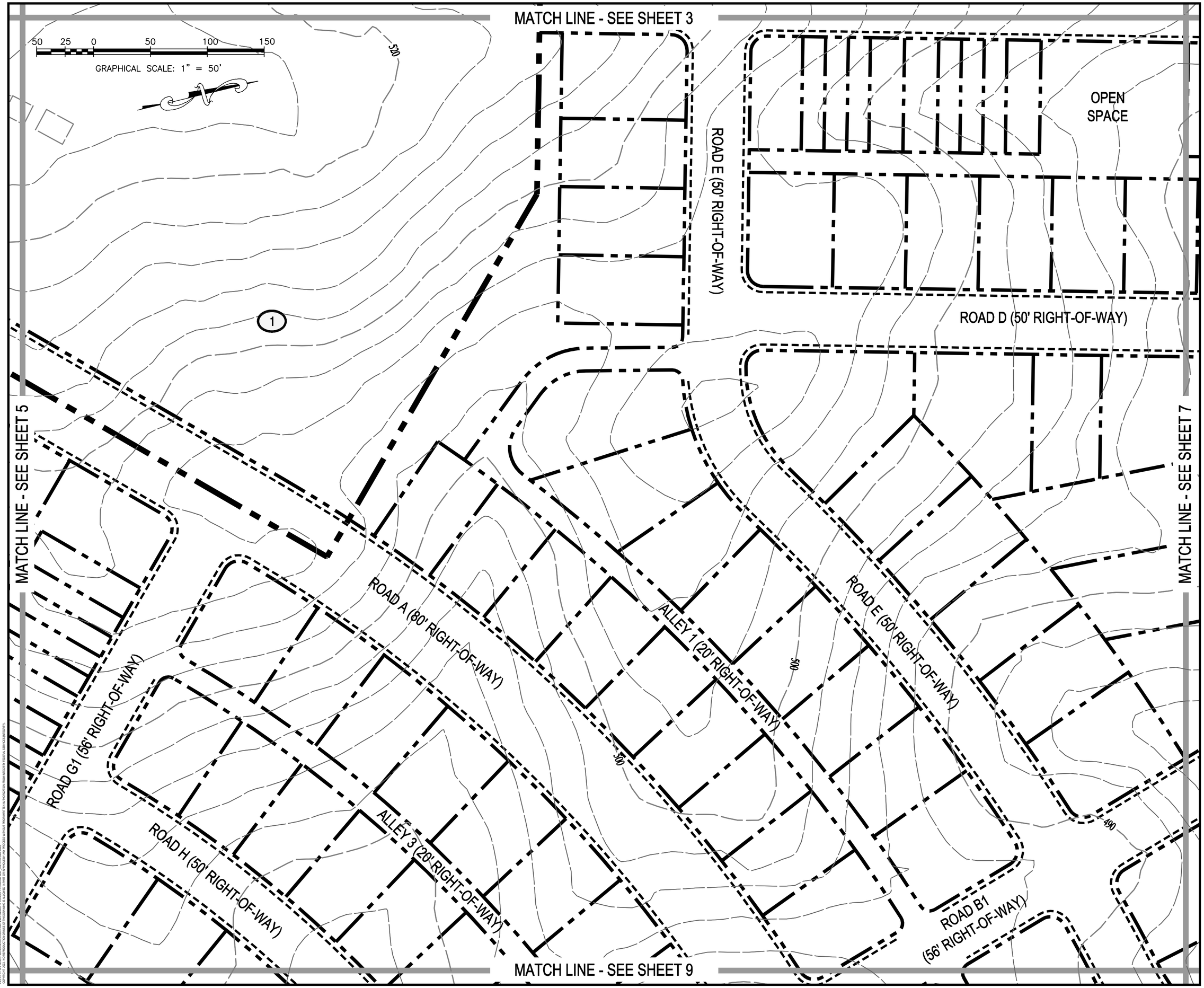

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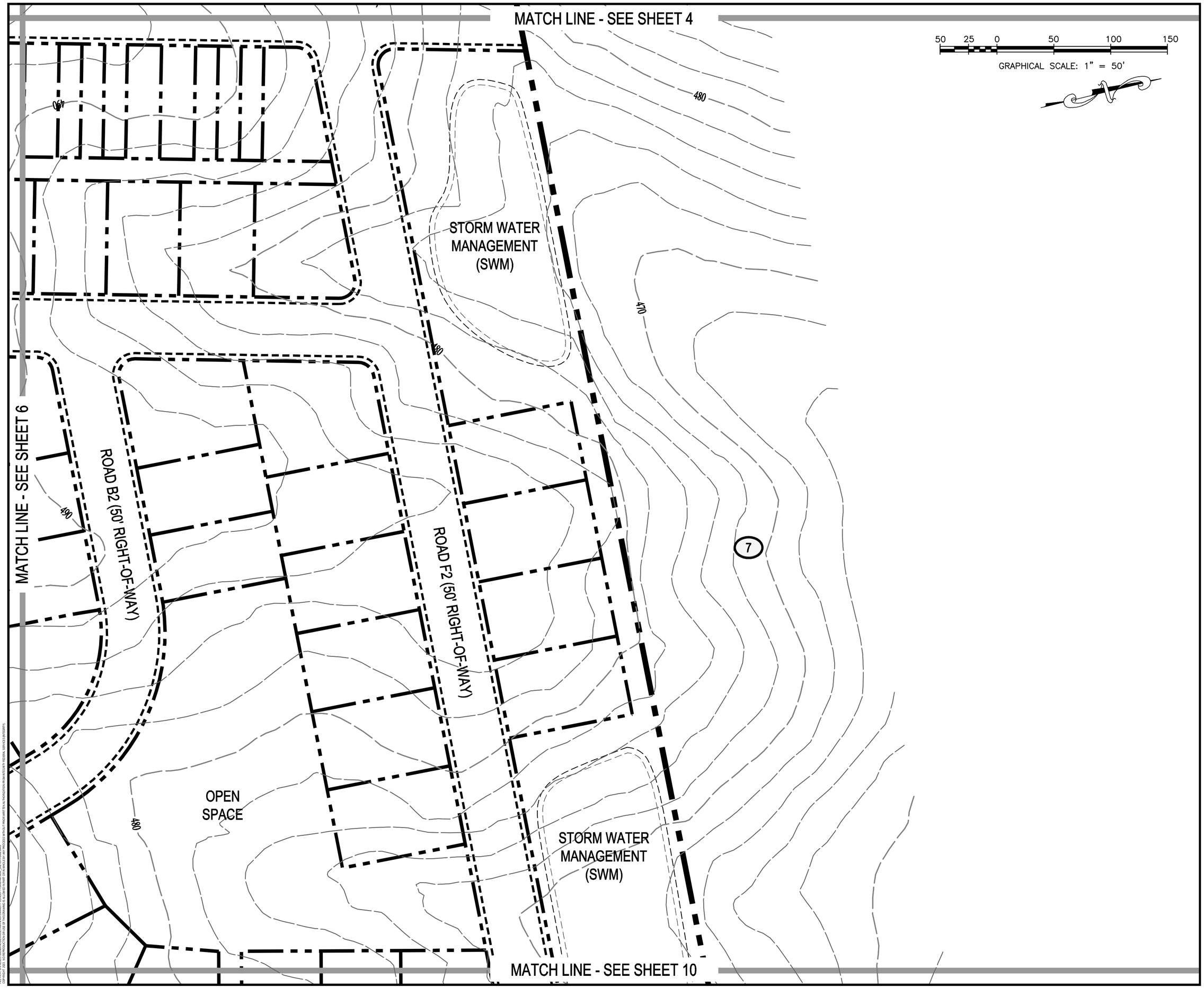

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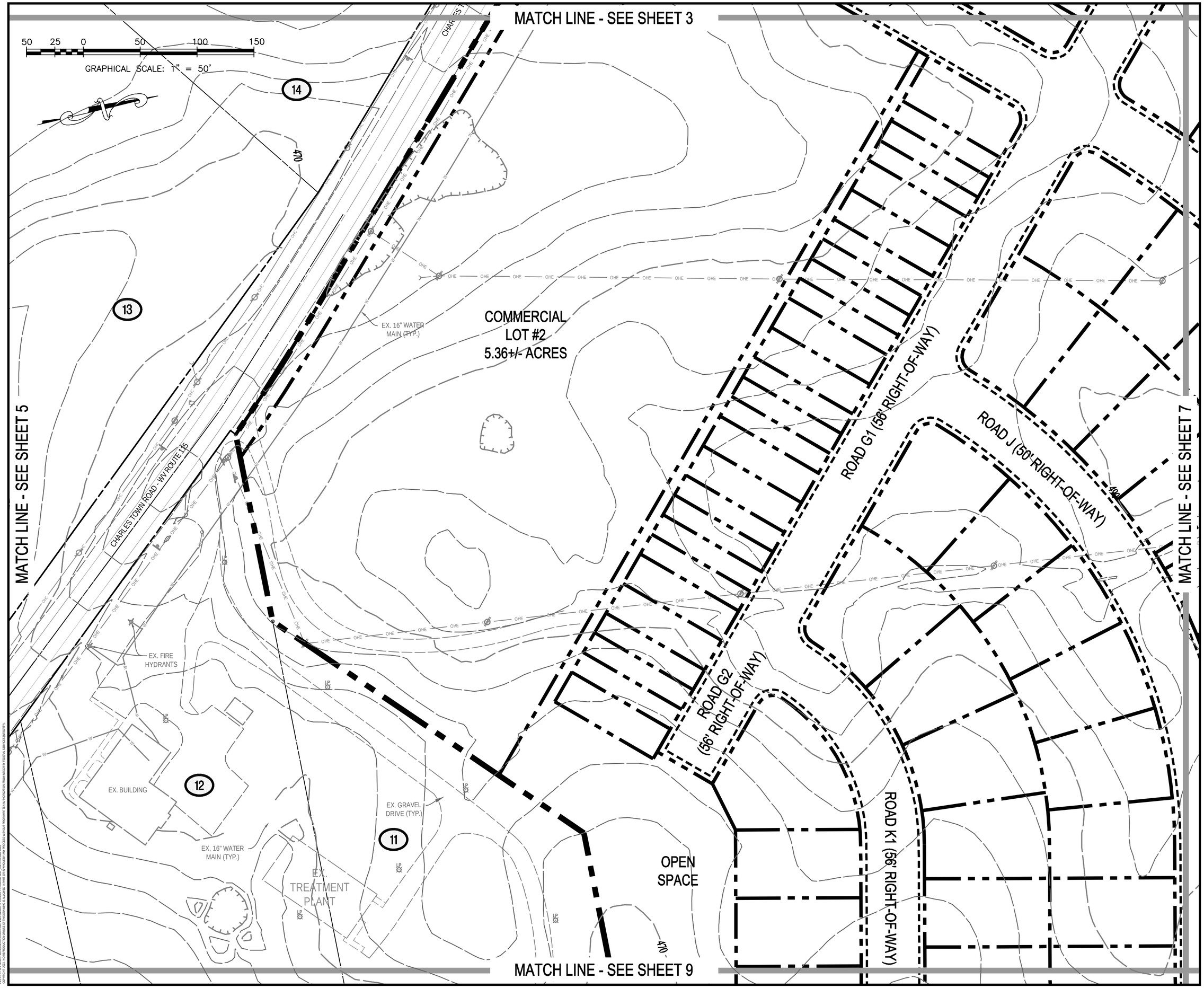

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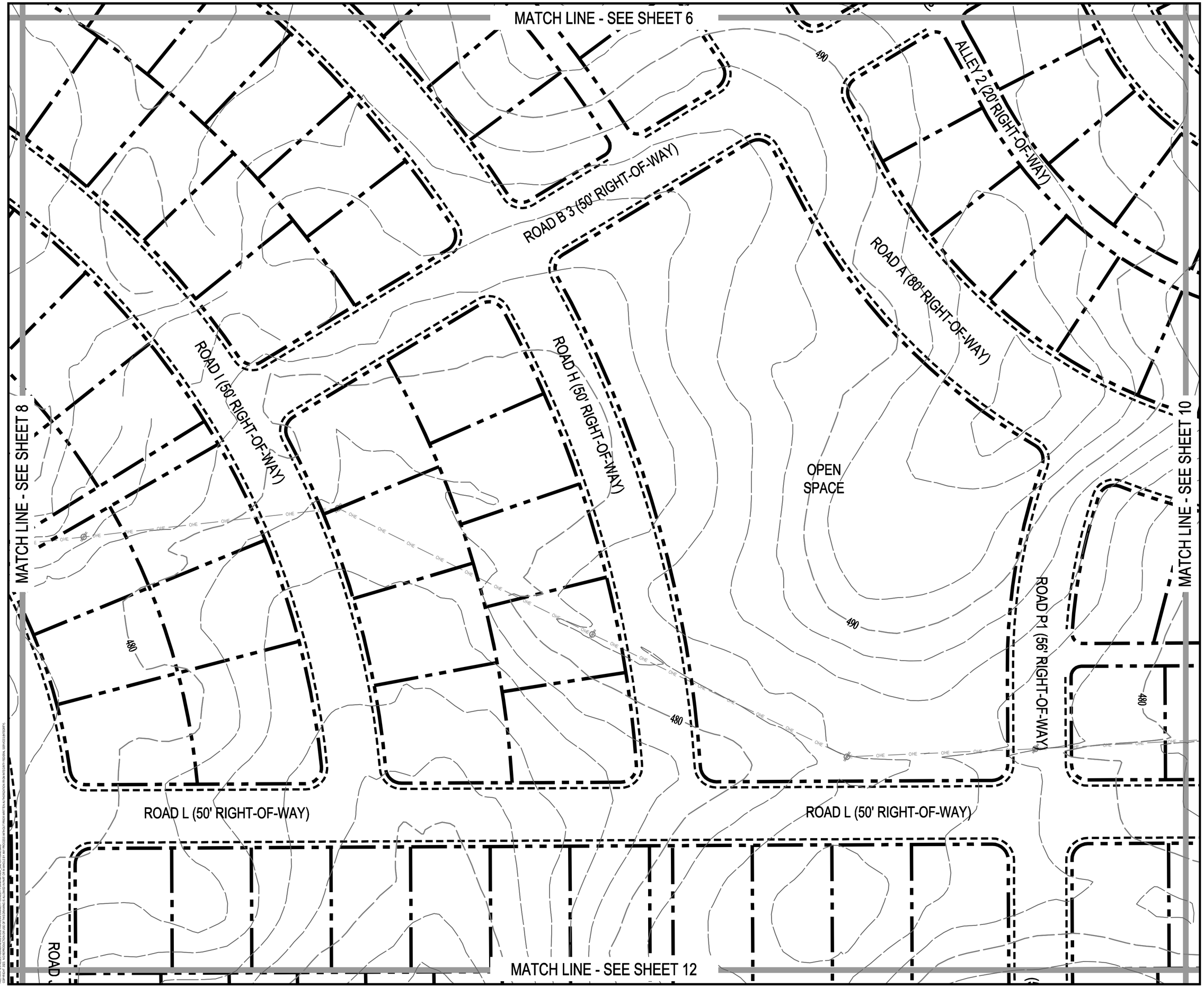

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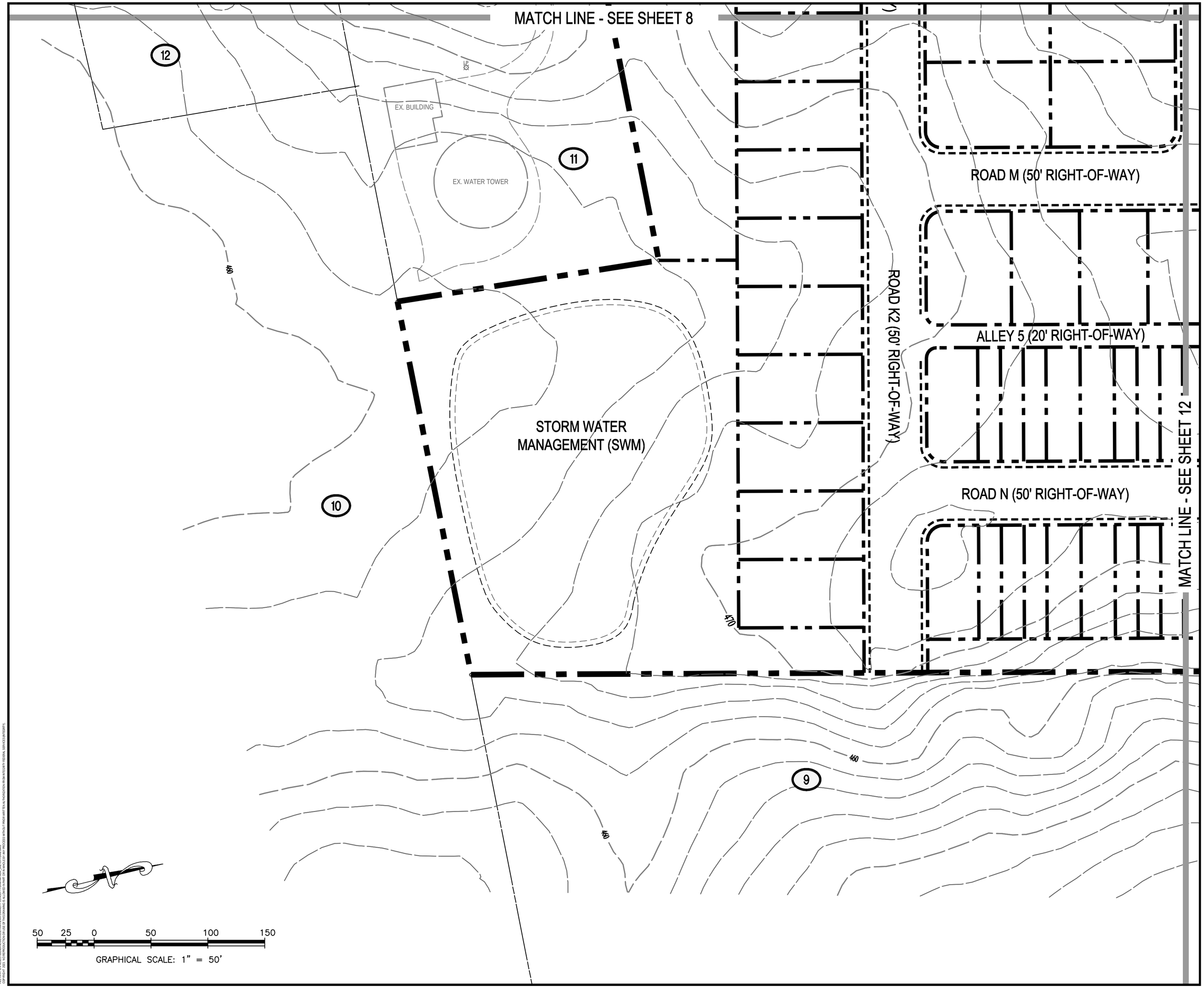

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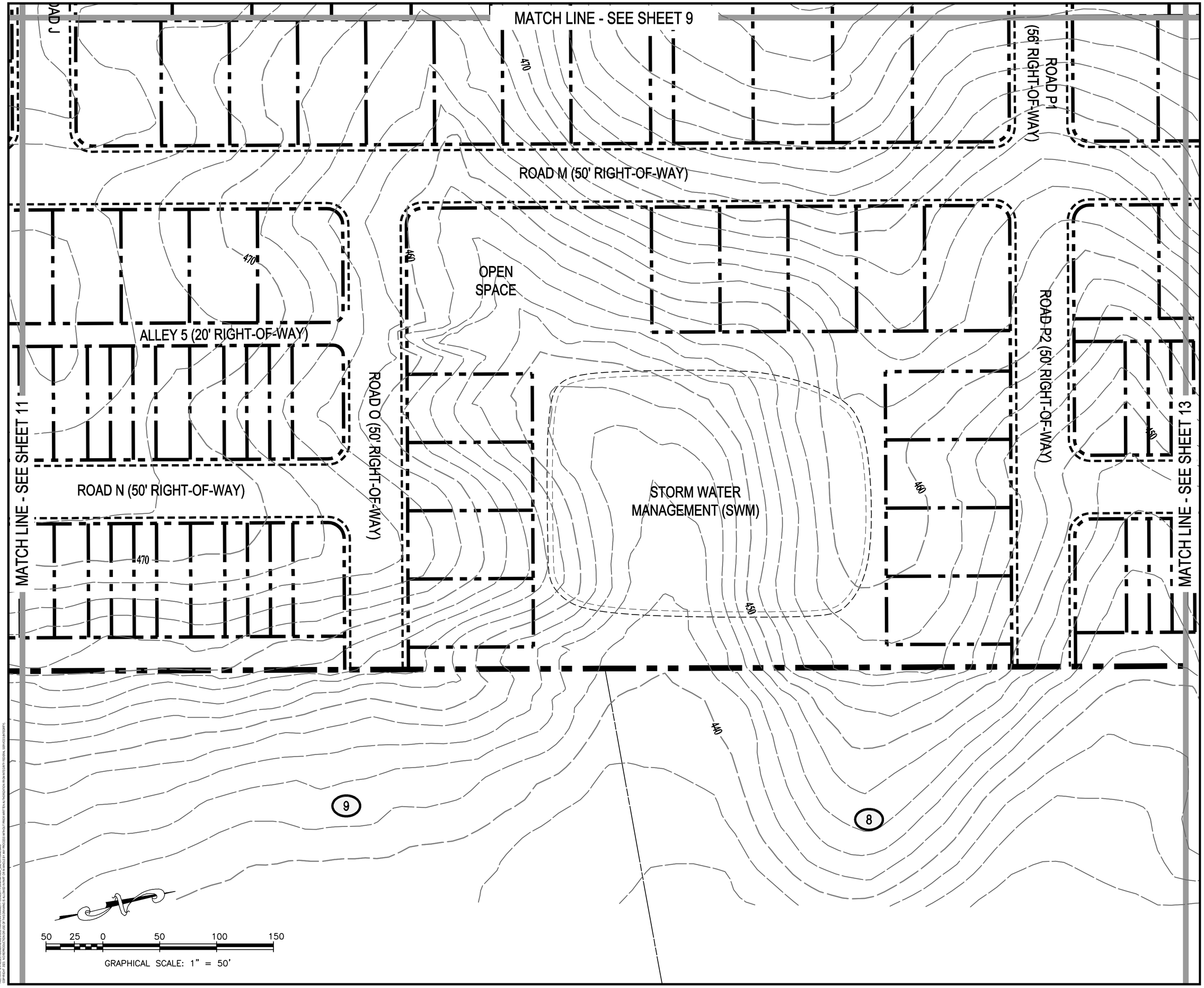

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CONCEPTUAL PLAN

FAIRVIEW SKETCH PLAN

CITY OF CHARLES TOWN, WEST VIRGINIA
TAX MAP 10, PARCEL 218.1 (D.B. 1089, PG 144)

CT FILE #

SCALE:	HORIZ.: 1"=50' VERT.:
DATE: MARCH, 2023	
JOB: FAIRVIEW	
DRAWN: DC	CHECK: CW
CADD:	
NCS:	
SHEET: 12 OF 13	

FILE PATH: G:\PROJECTS\GENERAL\505 6-2021 FAIRVIEW\PLANNING\CITY CONCEPT PLAN\FAIRVIEW_SKETCH PLAN.DWG
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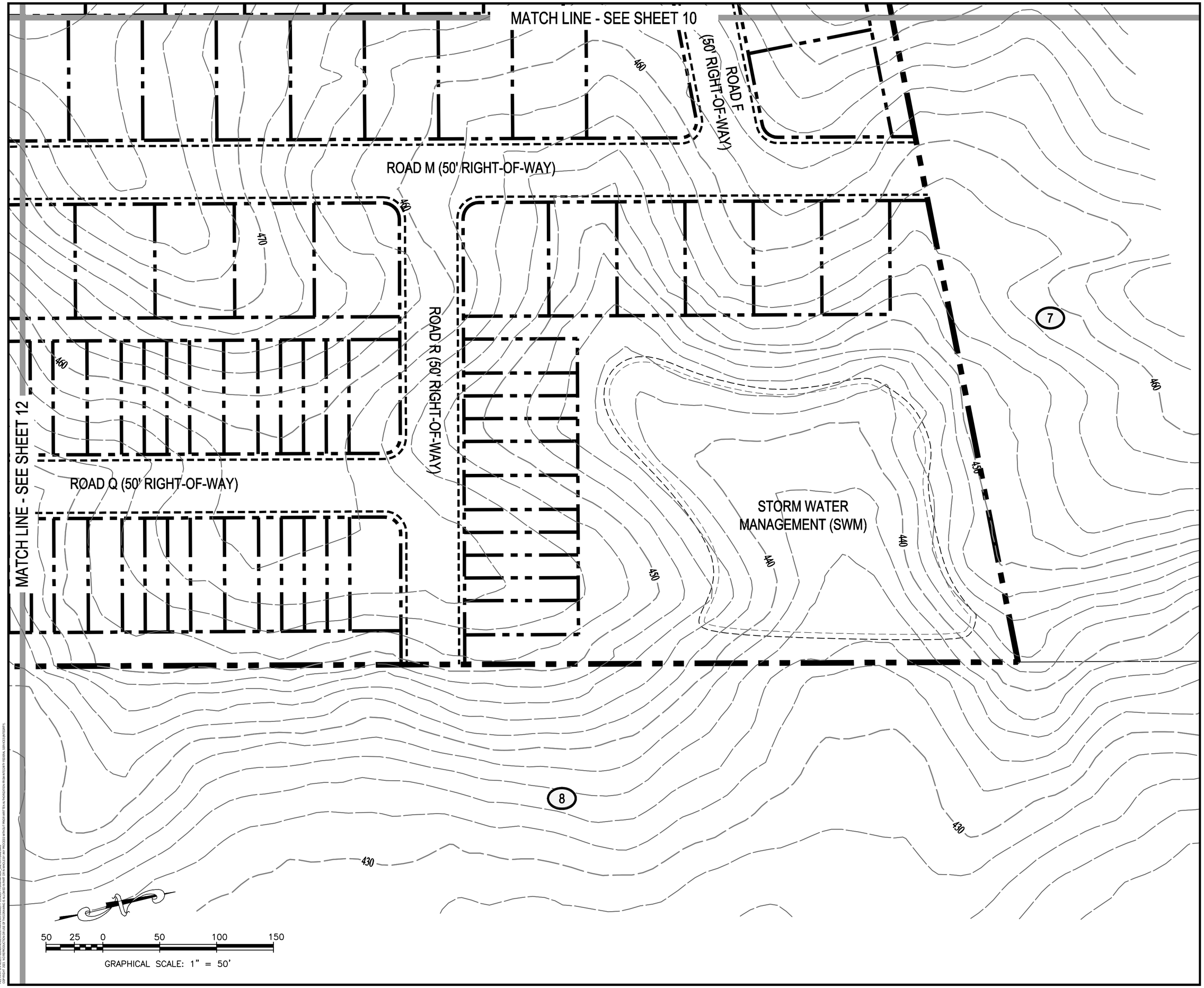

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Sketch Plan Application No._____

SKETCH PLAN APPLICATION

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
ARTICLE 1332, SUBDIVISION AND LAND DEVELOPMENT APPLICATION & APPROVAL REQUIREMENTS

To assist the Subdivision Administrator in the review of a Sketch Plan Application, the Applicant must utilize this form to supply the City with the information prescribed under Section 1332.03 of the Charles Town S/LD Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as a Sketch Plan Application as required by Ordinance Section 1332.03. Applicant is responsible to ensure the standards of Ordinance Section 1332.04, Sketch Plan Requirements, are met and provided herein is a checklist of the Sketch Plan requirements.

1. DATE March 14, 20 23

2. APPLICATION TYPE*

Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance

- x Submit three (3) copies of the Sketch Plan submitted and in Adobe PDF format

x Major S/LD Development

- x Submit three (3) copies of the Sketch Plan submitted and in Adobe PDF format

*There are two types of Sketch Plan submissions:

1. For Zoning Use Permit, Special Exception Use and Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance. Submission standards are found in Section 1332.04(D).
2. For a Sketch Plan for a Major S/LD application, submission standards are found in Section 1332.04(E)

3. $ 3 3 / , & $ 1 7 ¶ 6 NAME* LGI Homes - West Virginia, LLC

Address: 1450 Lake Robbins Drive #430, The Woodlands, TX 77380

Telephone Number (301) 3556-5970 Fax Number ( )

Email Address mike.dropik@lgihomes.com

4. 3 5 2 3 (5 7 < 2 : 1 (5 ¶ 6 E 1 $ 0 Jaguar IV LC

Address: 2755 Mews Lane; Charlottesville, VA 22901

Telephone Number (703) 209-0111 Fax Number ( )

Email Address ccocke@cst-cpa.com

5. LEGAL DESCRIPTION OF THE SUBJECT PROPERTY (list all parcels that apply)

Property Address: Charles Town Road

Tax Map # and Parcel: TM 10, Parcel 218.1

Deed Book and Page #: 1089 / 144

Property Area in Square Feet or Acres: 4,950,477 SQ. FT. and 113.65 Acres

6. DESCRIPTION OF PROJECT AND PROPOSED USE(S) OF THE PROPERTY:

Mixed use residential and commercial community.

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

Existing Use: Agricultural

Current Zoning: Neighborhood Residential (NR)

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

8. ARE THERE ANY ANTICIPATED WAIVERS OR VARIANCES? IF YES, PROVIDE DETAILS.

No

9. HAS THE PROPERTY BEEN THE SUBJECT OF ANY COURT ACTION?

Yes (Please specify nature of all proceedings and current status and attach any documents showing court decisions, etc.)

None known

x No

10. 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
Conditions of Annexation Resolution 2005-15	Annexation Agreement	Approved	12-05-2005

11. INTERESTED PARTY ADDRESSES, FOR PUBLIC NOTICE (including across street)
(Interested parties are defined as adjacent properties within 100 feet).

Owner	# and Street	City, State, Zip
See attached graphic & list.		

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 Section 1332.02 of the Charles Town S/LD Ordinance and relevant provisions of the Charles Town City Code.

Signature of Applicant

_____ Date 3-14-2023

Signature of Property Owner (If different than Applicant)

Charles P Cocke Date 3/14/2023

Jaguar IV, LC, Mgr

Please submit an original completed Application and specified number of Site Plan copies to the following:

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

FOR CITY USE ONLY

Application Number:_____ Date Application Received:_____

Fee: $_____ Paid:$_____ Check No._____

Receipt No._____

Subdivision Administrator Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

Comments:_____

_____

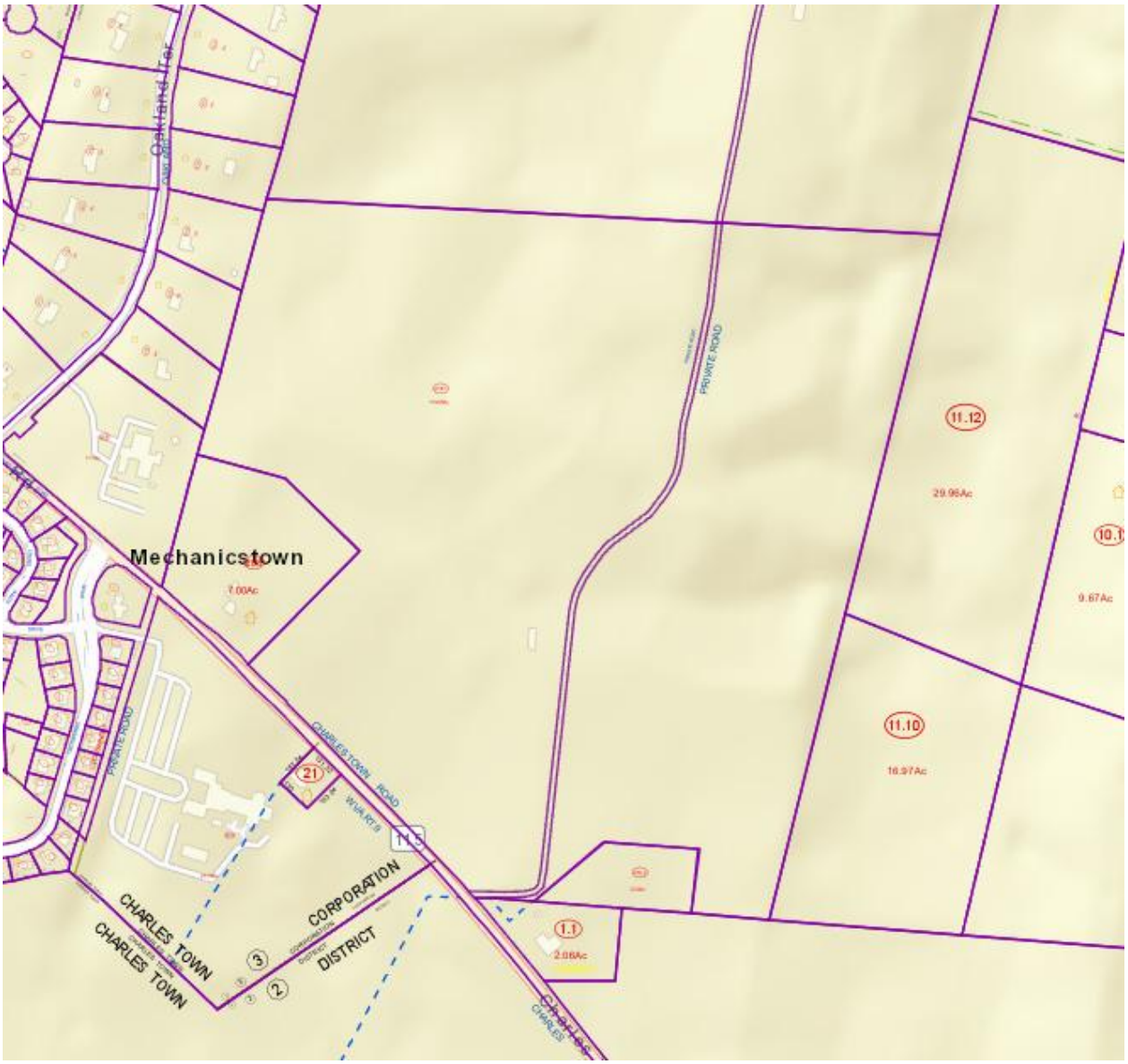
_____

_____

_____

_____

ADJACENT PROPERTY OWNER INFORM		
Reference #	Owner Name	Owner Address
1	OAKLAND COMMUNITY CHU	104 OAKLAND DRIVE, CHARLES TOWN, W
2	OAKLAND U. M. CHURCH TRU	70 OAKLAND TERRACE, CHARLES TOWN, V
3	KENT H TICE ET	104 OAKLAND TERRACE, CHARLES TOWN, V
4	MARK & CHARIS HEN	150 OAKLAND TERRACE, CHARLES TOWN, V
5	NORA SUE PAIN	188 OAKLAND TERRACE, CHARLES TOWN, V
6	DARAL A KIDWELL ES	254 OAKLAND TERRACE, CHARLES TOWN, V
7	MARK F. LANGLET	544 LEGO DRIVE, CHARLOTTESVILLE, \
8	CAROLYN & RONALD WIDM	1434 CATTAIL RUN RD, CHARLES TOWN, W
9	RONALD WIDMY	1434 CATTAIL RUN RD, CHARLES TOWN, W
10	HIGH HORIZONZ FARM	336 ROSEMONT WAY, CHARLES TOWN, W
11	CITY OF CHARLES T	PO BOX 14, CHARLES TOWN, WV
12	CITY OF CHARLES T	PO BOX 14, CHARLES TOWN, WV
13	DR ACQUISITIONS	60 THOMAS JOHNSON DR, FREDERICK, M
14	ROMAN CATHOLIC DIO	1300 BYRON ST, WHEELING, WV
15	HARRY D L	15376 CHARLES TOWN RD, CHARLES TOWN, V


Mechanicstown
PRIVATE ROAD
CHARLES TOWN ROAD
PRIVATE ROAD
CHARLES TOWN
CHARLES TOWN
CORPORATION
DISTRICT
11.12
29.96Ac
11.10
16.97Ac
1.1
2.08Ac
21
7.00Ac
9.67Ac

City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
Phone: (304) 725-2311 • Fax: (304) 725-1014 • Web: www.charlestownwv.us

MAYOR
Peggy A. Smith

CITY COUNCIL
Randy Breeden
Donald Chadwick
William Jordan
Sandra Slocker McDonald
Amy Schmitt
John Ward
Matthew Ward
Geraldine Willingham

CITY MANAGER
Jane G. Arnett

CITY CLERK
Joe Caccioni

Resolution 2005-15
An Acceptance of Conditions of Annexation

WHEREAS, Oakland United Methodist Church and the Estate of Margaret Z. Dailey, by Bank of Charles Town as executor, presented their petitions for annexation for their property to the Mayor and City Council at a regular council meeting on the 19th day of September, 2005, and

WHEREAS, the said Petitions for Annexation were received and approved for acceptance by the City Council at said meeting, and

WHEREAS, by action of the City Council taken at said meeting, the Petitions for Annexation were referred to the Finance Committee of the City for further review and analysis, and

WHEREAS, the Petitions for Annexation were next referred to the City of Charles Town Planning Commission for further review and analysis, and

WHEREAS, through direct negotiation, Oakland United Methodist Church, the Bank of Charles Town, the Planning Commission, the Finance Committee, the City Council of the City of Charles Town, and City Staff have compiled a list of conditions of annexation to be made by Oakland United Methodist Church as the owners of the property which is subject to the annexation for the use and benefit of the City of Charles Town (hereinafter attached to as Exhibit 1: Conditions of Annexation offered by Oakland United Methodist Church for the annexation of approximately 124 acres into the City of Charles Town),

WHEREAS, The parcels are located within the "Charles Town Growth Boundary" and are located off of WV Route 9 and across from the New St. James Church and Crosswinds Subdivision, both in the City and next to the Charles Town Water Treatment Plant parcel. The parcels to be annexed include the existing lands of the Oakland Methodist Church and the Dailey Farm minus a 7 acre parcel currently being subdivided out of the parcel for a family member under the Jefferson County Subdivision Regulations, and

WHEREAS, Increased municipal taxes and fees on residents and commercial entities will have a positive fiscal impact on the City, and

WHEREAS, The current zoning is rural, which is not compatible with the uses proposed or being built on the south Side of WV Route 9, nor the existing uses to the west, Oakland Heights (in the County) and Greenfields & Hillside subdivisions

(within the City). The proposed zoning categories will promote traditional neighborhood, mixed-use urban development, helping ensure orderly growth consistent with the established community. Zoning shall be Neighborhood Residential for the Dailey Parcel and General Commercial for the Oakland Methodist Church Parcel, and

WHEREAS, Affordable housing will be an important part of the proposed development. As a condition of annexation, Oakland Methodist Church agrees that in creating housing, it will make at least 10% of the housing created affordable. The church will, if it can find a partner to build an assisted housing complex to serve seniors requiring some assistance with activities of daily living, reserve land to create such a complex, and

WHEREAS, In developing its master plan for both of the parcels (containing 124 acres), Oakland Church agrees that major roadways will be designed so as to link up with any existing or proposed streets within Charles Town and also designed to link up with adjoining parcels in order to assure orderly growth of transportation facilities. Walkways and bicycle paths will be designed to connect all portions of the proposed development together, creating a walkable community, and

WHEREAS, A Phase 1 Study has been completed and will be made available to the City. No major environmental, historical or cultural resources or recreation areas are within the area to be annexed. However as part of the overall plan, recreational resources will be made available to the community including ball fields, walking trails and a community center, and

WHEREAS, The proposed annexations are not inconsistent with the existing comprehensive plan in that the plan recommends annexation of additional land and the creation of new recreational facilities, and

WHEREAS, The annexations are contiguous with the existing city in that both Crosswinds, and St. James Church are both within the City and directly on the other side of WV Route 9, and

WHEREAS, The properties are adjacent to the present Charles Town Water Treatment Plant,

NOW, THEREFORE, WITNESSETH: That Oakland United Methodist Church and the City of Charles Town agree as follows:

A. The City will, by ordinance, as provided in §8-6-4 of the West Virginia Code, annexing the corporate boundaries of Charles Town the territory known as Oakland United Methodist Church and the Dailey Farm.

B. The City will subject the territory so annexed to General Commercial zoning for the Oakland United Methodist Church parcel and Neighborhood Residential for the Dailey Farm parcel.

C. Oakland United Methodist Church will offer all terms set forth in Exhibit 1 hereof for the use and benefit of the City of Charles Town and/or the Jefferson County Board of Education as the Case may be upon the terms and conditions herein set forth.

D. Oakland United Methodist Church agree to execute further assurances or agreements as may be required by the City with such assurances and agreements to bind the owners of the property sought to be annexed, their successors and assigns to the terms of the conditions of annexation.

NOW, THEREFORE, BE IT RESOLVED; By the City Council of the City of Charles Town, to accept and approve the ordinance for annexation of Oakland United Methodist Church and the Estate of Margaret Z. Dailey, by Bank of Charles Town her Executor, to incorporate the same within the corporate boundaries of the City of Charles Town, pursuant to §8-6-4 of the West Virginia Code.

Dated: DECEMBER 5TH, 2005

CITY OF CHARLES TOWN:

Peggy A. Smith, Mayor

Attest:

City Clerk

Exhibit 1: **Conditions of Annexation offered by Oakland United Methodist Church, and any future assigns and/or buyers, for the annexation of approximately 124 acres into the City of Charles Town.**

***"Oakland United Methodist Church"*, herein also referred to as *"Oakland Church"*, *"The Church"* and *"Oakland"*, and any future assigns and/or buyers, agrees to the following conditions of annexation if the *"Subject Property"*, *herein also referred to as "The Property"*, *"The Land"*, *"The Parcels"*, *"approximately 124 acres"* or any similar language, and identified by parcels 6.1 and 8, Tax Map 18, Charles Town District, is annexed into the City of Charles Town, herein also referred to as *"The City" and "Charles Town"*:**

Economic Impact:

1. Oakland United Methodist Church or its assigns agrees to provide a fiscal impact study with the submission of a schematic plan for the property.

   This study will be done in accordance with the methodology already accepted by the City (and done by URS Consultants). If according to the study, negative impacts are found that cannot be mitigated by other acceptable means, then the church agrees to proffer to pay an amount to be determined jointly by the City and the church to mitigate the fiscal impact costs to the City.

2. Oakland Church agrees to pay the capital improvements costs incurred by the City on a per residential unit basis. The amount paid will be the dollar amount in effect (for planned capital improvements as determined by the City) at the time of building permit issuance. Such an amount may be mitigated as stated in #10 and #11 and #15, under the section Municipal Infrastructure and Services, described herein.

3. Oakland Church agrees to pay the capital improvement costs for non-residential development, if any are required at the time of building permit issuance. The amount paid will be the dollar amount in effect (for planned capital improvements as determined by the City) at the time of building permit issuance. Such an amount may be mitigated as stated in #10 and #11 and #15, under the section Municipal Infrastructure and Services, and Transportation, described herein.

4. The church agrees to pay the County's mandated impact fees for education.

Urban Zoning:

5. Parcel 6.1, of approximately 7 acres, is to be zoned GC (General Commercial District) and Parcel 8, of approximately 117 acres, is to be zoned (NR) Neighborhood Residential District. At least 10% of the total land area of Parcel 8 shall be created as "for-profit" commercial uses. If more than 10% of the land area of Parcel 8 is established for commercial purposes, any additional commercial land area over 10% may be used as "not-for-profit" uses. In addition, any additional commercial land over the 10% "for-profit" land use may be zoned GC (General Commercial) District (up to a maximum of 2 acres), which may be used for general commercial uses, such as, but not limited to, a restaurant and medical clinic. All proposed land uses shall be so designated on the schematic plan.

6. The church agrees to present to the Planning Commission a schematic plan for both parcels that may include an expansion to the church property, a multi-use non-profit office and community center. This plan will have attached to it a fiscal impact study and a traffic impact study. Phasing of all uses, including all commercial uses, shall be established on the schematic plan.

7. The City agrees to the following clarifications to the Zoning Ordinance:
   a. Town homes may be constructed on individual lots and do not need to be located on a 5 acre cluster.

b. Multifamily housing includes housing for elderly such as assisted or congregate housing that includes a central dining facility and kitchen.
c. For all residential structures, street front set backs shall be measured from the street curb.

8. The church agrees to provide landscaped buffers between commercial uses and adjoining residential uses, and between elderly assisted or congregate housing facilities and other residential uses, if any. Such buffers shall be as prescribed in the City's Zoning Ordinance or may be landscaped parks or trails.

Municipal Infrastructure and Services:

9. The church agrees to make available church owned playing fields and other church owned facilities available to the community at a minimal charge when these facilities are not being used by the Church.

10. Oakland agrees to provide to the City, free of charge, and as required by the WVDOH, a parcel of land to be taken from the Dailey parcel, not exceeding 2 acres to be located adjacent to the existing water plant at a location mutually agreed to by both parties for expansion of the water plant. Furthermore, the City agrees that if an entrance to the development is agreed to at the current entrance to the Water Treatment Plant, it will work with the church to make the land available for the entrance and the church will include in addition to the 2 acres a like amount of land to off set the land required for the entrance.
a. The land to be dedicated to the City as proffered above shall be appraised at its cash value at the time it is donated to the City.
b. The established cash value of this land will be used to offset cash contributions under #1, #2 and #3 above to be paid to the City.

11. As part of the development, the church agrees to create recreation areas, walking paths and a small community park (1 to 2 acres) to be built for use of the residents and users of the planned development. These areas may be maintained by a HOA created for the development or they may be dedicated to the City.
a. The land to be dedicated to the City as proffered above shall be appraised at its cash value by the church at the time it is donated to the City.
b. The established cash value of this land will be used to offset cash contributions under #1, #2 and #3 above to be paid to the City.

Affordable Housing:

12. The church shall require any developer of housing within the two parcels to make at least 10% of the residential units available as workforce housing in accordance with the guidelines to be developed by the Mayor's Committee on Work Force Housing and approved by City Council.

13. The church shall work with the WVHDF to identify resources to make 10% of any multifamily or elderly housing affordable to households with incomes between 50% and 80% of median income for the applicable household size (as published by the USDHUD on an annual basis).

Transportation:

14. The church shall provide at least one bus stop shelter within the complex to be used for public transportation and/or school transportation, subject to acceptance by either PanTran (public transportation) or its successor or by the Jefferson County Board of Education.

15. The church shall as part of its schematic plan include the construction of a major roadway and trail consistent with the transportation plan of the City's proposed Comprehensive Plan that is currently being prepared by the Planning Commission. The trail shall be fully constructed by

the church to standards acceptable to the City, be located within the proposed major road right of way, and it shall be accessible by the general public. The road shall be designed as a continuous limited access roadway designed to serve the traffic generated by the subdivision, but not limiting the use of traffic calming features such as roundabouts, narrow travel lanes and raised crosswalks to make the road more compatible for a residential area. The church shall build this road not more than 2 lanes wide (collector road design standards), excluding required turning lanes, and this road shall be located within an eighty-foot wide right of way. The road shall be located to serve the various parts of the subdivision at Schematic Plan Stage in consultation with the Planning Commission in order to implement the City's proposed Comprehensive Plan. An eighty foot wide right of way will be reserved and platted to allow completion through the property of the major road to the property line (adjoining Langlet) of the parcel. 30 feet of the 80-foot right of way shall be appraised at its cash value by the church at the time it is donated to the City. The established cash value of this land will be used to offset cash contributions under #1, #2 and #3 above to be paid to the City.

16. The City agrees to work with the church and the WVDOT to create the best main entrance into the development, possibly opposite the planned entrance for King's Crossing (a residential subdivision proposed in the County) whose entrance is currently planned to be directly opposite the existing Charles Town Water Plant entrance.

17. The church shall provide a traffic impact analysis once the concept plan for the Dailey parcel has been developed and actual uses and transportation patterns have been delineated. This plan will be done in accordance with the guidelines as set by the WVDOH. It will be submitted with the schematic plan submittal as required by the NR Zone, and proffered herein.

18. The church agrees that if it is determined by the traffic study that traffic lights are required at build out of the development at any of the intersections with WV Route 9 (Leesburg Pike) that it will pay up to one quarter of the cost of such improvements (not to exceed $35,000) unless otherwise required by the WVDOH.

Other:

19. The church shall ensure that the above conditions of annexation are binding to the property and upon any assigns and/or buyers of any, or all, portions of the property, excluding land given to the City or WVDOT.

Dated this 7 day of December, 2005.

For Oakland United Methodist Church

City of Charles Town, Mayor 12/8/05

ATTEST:

City Clerk

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
GARY W. WHITTINGTON
521 BURNS STREET
RANSON, WV 25438
My commission expires April 2, 2012.

Gary W. Whittington
My Commission expires
4-2-2012