CITY OF CHARLES TOWN
PLANNING COMMISSION
AGENDA • MAY 28, 2024

Commission/Board Meeting **CITY HALL** **7:00 PM**

101 E Washington Street, Charles Town, WV 25414

1. CALL TO ORDER

2. WORK SESSION

: Neighborhood Residential Uses
1. Report.pdf

: Fee Updates
1. Report.pdf
2. Fee Research.pdf

3. CALL TO ORDER

4. APPROVAL OF MINUTES

21. : Draft March 25, 2024 minutes
3.25.24 PC MINUTES_DRAFT.pdf

5. UNFINISHED BUSINESS

6. NEW BUSINESS

: **Public Hearing** - *TXA2023-01* - Mobile Food Vendors text amendment
1. Report.pdf

: **Public Hearing** - *ZMA2024-02* - Tri-State Rezoning Request
1. Staff Report.pdf
2. Application.pdf
3. Plans.pdf

: **Public Hearing** - *SLD2024-01* - University Healthcare sketch plan
1. Staff Report.pdf
2. Application.pdf
3. KH Comments.pdf
4. Plans.pdf

7. ADJOURNMENT

8. 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: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Neighborhood Residential Uses

ATTACHMENTS:

- 1. Report.pdf

Neighborhood Residential Use Mix Review

Date: For the May 28, 2024 Planning Commission Work Session
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.

ISSUE

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

CITY COUNCIL

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

PLANNING COMMISSION

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

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

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

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

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

NEIGHBORHOOD RESIDENTIAL

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

POTENTIAL USES

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

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

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

TABLE 1322.04, Zoning District Use Table

ITE CODE	USE	NR
090	Park-and-Ride Lot Not defined. Proposed definition: PARK AND RIDE LOT – Park and ride lots, with bus or other public or shared transportation service areas used for the transfer of people between private vehicles and buses or other public or shared transportation. They usually contain a bus shelter, a parking lot and circulation area for buses or other public or shared transportation, as well as circulation areas for private motor vehicles. In addition to park and ride, passengers may also be dropped off. Note: Definition slightly modified from the ITE definition, to include passenger/shared transportation, to broaden the category beyond just buses and private cars.	
210	Single-Family Detached Housing DWELLING, SINGLE-FAMILY DETACHED – A Building containing only a Dwelling Unit surrounded by Yards or other open area on the same Lot and not occupied by more than one single Family.	P
*	Duplex DWELLING, DUPLEX – A Building located on two Lots and containing two individual Dwelling Units that are attached, but on separate Lots.	P
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*	Dwelling, Two Family DWELLING, TWO-FAMILY – A Building located on one Lot containing not more than two Dwelling Units, arranged one above the other or side-by-side.	P
220	~~Apartment~~ Multi-Family Dwelling DWELLING, MULTI-FAMILY – A Building containing three or more Dwelling Units. Note: Apartment not defined. Propose replacing with Multi-family.	P
230	Residential Condominium/Townhouse DWELLING, TOWNHOUSE – One of a series of three or more attached Dwelling Units separated from one another by continuous vertical party walls without openings from Basement floor to roof, with each Dwelling Unit occupied by only one single Family.	P
240	Mobile Home Park MOBILE HOME PARK – A Lot or tract of land used or intended to accommodate Mobile Homes for residential purposes with adequate public or community water and sewerage service meeting Health Department standards. A Mobile Home Park does not include Mobile Home sales lots, on which unoccupied Mobile Homes are parked for inspection or sale, and does not include parks for the temporary parking for camping or recreational purposes of Travel Trailers or Motor Homes or sales lots for the same. See the Charles Town Subdivision and Land Development Ordinance for additional information and requirements regarding Mobile Home Parks.	
251	Senior Adult Housing – Detached Not defined in our Code: SENIOR ADULT HOUSING, DETACHED – Senior adult detached housing consists of detached independent living developments, including retirement communities, age-restricted housing, and active adult communities. These developments may include amenities such as gold courses, swimming pools, security,	P
252	Senior Adult Housing – Attached Not defined in our Code: SENIOR ADULT HOUSING, ATTACHED – Senior adult housing consists of attached independent living developments, including retirement communities, age-restricted housing, and active adult communities. These developments may include limited social or recreational services. However, they generally lack centralized dining and on-site medical care facilities. Residents in these communities live independently, are typically active (requiring little to no medical supervision) and may or may not be retired.	P
253	Congregate Care Facility Not defined in our Code: CONGREGATE CARE FACILITY – Independent living developments that provide centralized amenities such as dining, housekeeping, transportation, and organized social/recreational activities. Limited medical services (such as nursing and dental care) may or may not be provided. The residents may contract additional medical or personal services.	S

254	Assisted Living Not defined in our Code: ASSISTED LIVING – These complexes are residential settings that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. They commonly have separate living quarters for residents, and services include dining, housekeeping, social and physical activities, medication administration, and transportation.	S
255	Continuing Care Retirement Community Not defined in our Code: CONTINUING CARE RETIREMENT COMMUNITY – A complex that provides multiple elements of senior adult living. These combine aspects of independent living with increased care, as lifestyle needs change with time. Housing options may include various combinations of senor adult housing-detached and senior adult housing-attached, congregate care, assisted living and skilled nursing care – aimed at allowing the residents to live in one community as their medical needs change. The communities may also contain special services such as medical, dining, recreational, and some limited supporting retail facilities. These communities are usually self-contained villages.	S
*	Adult Day Care Center ADULT DAY CARE CENTER – A facility that provides non-medical care for seven (7) or more adult persons on a less than 24-hour basis and that is duly licensed by the State of West Virginia and approved to operate as an adult day care center by all appropriate authorities.	S
*	Child Care Center CHILD CARE CENTER – A private home-based establishment enrolling six (6) or fewer children where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed by the State of West Virginia and approved to operate as such an establishment.	S
*	Detached Garage or carport, provided it does not exceed 500 sq. feet.	PA
	Guest Quarters Not defined in our Code. Proposed definition is from Fredericksburg VA GUEST QUARTERS -A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot	PA
	Group Home GROUP HOME – A facility that: 1. Provides residential services and supervision for individuals who are developmentally disabled or behaviorally disabled; 2. Is occupied as a residence by not more than eight (8) individuals who are developmentally disabled and not more than three (3) supervisors, or is occupied as a residence by not more than twelve (12) individuals who are behaviorally disabled and not more than three (3) supervisors;	

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

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

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

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

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

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

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

540	Junior/Community College Not defined in our Code: COLLEGE, JUNIOR/COMMUNITY – Educational facility which offers two-year junior, community, or some technical colleges. Educational programs may exceed two years for certain programs.	
550	University/College Not defined in our Code: COLLEGE/UNIVERSITY – Educational facility offering four-year educational programs. Generally offers a variety of undergraduate, graduate, and postgraduate educational programs.	
*	Technical and Vocational School Not defined in our Code or ITE. Definition from Fredericksburg VA: SCHOOL, TRADE/TECHINCIAL/VOCATIONAL- A facility primarily teaching a usable skill that prepares a person for a job in a trade and meeting any licensing requirements of the State, including barber, cosmetology, mechanical, plumbing, electrical, carpentry, and auto-mechanic trades.	
*	Professional and Management Development Training Center Not defined in our Code or ITE. Definition from N. American Industry Classification System: PROFESSIONAL AND MANAGEMENT DEVELOPMENT TRAINING CENTER - Establishments primarily engaged in offering an array of short duration courses and seminars for management and professional development. Training for career development may be provided directly to individuals through employers' training programs and courses that are customized or modified to meet the special needs of their customers. Common types of services within this sector include: continuing Education (classes, seminars, and conferences), professional development training, quality assurance training, and management development training.	
560/561	Church/Synagogue CHURCH – A Religious Institution.	S
565	Day Care Center DAY CARE CENTER – A private establishment enrolling more than six (6) children where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed by the State of West Virginia and approved to operate as such an establishment.	~~SA~~ P
566	Cemetery CEMETERY -A place used for the permanent internment of dead human bodies or the cremated remains thereof. A Cemetery may be a burial park for earth internments, a mausoleum for vault or crypt internments, a columbarium for cinerary internments, or a combination of one or more thereof.	
571	Prison Not defined in our Code: PRISON – A building or buildings where persons convicted of a crime or who are awaiting trial are confined. May include limited recreational facilities, as well as work areas, dining areas, and office spaces.	
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580	Museum Not defined in our Code MUSEUM – A facility offering exhibitions, displays, shows, and/or demonstrations of historical, scientific, artistic, or other cultural significance.	P
*	Cultural Center CULTURAL CENTER – A use providing for display, performance, or enjoyment of heritage, history, or the arts. This use allows for the combination of the uses as follows, but is not limited to: museums, art performances, corporate retreats, art galleries, historic interpretation/reenactment, cultural activities, weddings, or interpretive sites, but does not include commercially-operated businesses.	~~S~~ P
590	Library Not defined in our Code LIBRARY – Either a public or private facility with shelved books, reading rooms, and sometimes meeting rooms.	P
591	Lodge/Fraternal Organization LODGE/FRATERNAL ORGANIZATION: A private clubhouse with dining and drinking facilities, recreational and entertainment areas, and meeting rooms.	S
610	Hospital HOSPITAL – A licensed and West Virginia accredited institution rendering medical, surgical or convalescent care at least partially on an inpatient basis, including Nursing Homes, homes for the aged and sanatoriums, and treatment centers that serve human patients at least partially on an inpatient basis and partially by outpatient services, particularly emergency care.	
612	(Outpatient) Surgery Center OUTPATIENT SURGEY CENTER – A healthcare facility that provides surgical care without providing overnight accommodations.	
620	Nursing Home NURSING HOME – This item includes rest homes, nursing homes, convalescent homes for children and homes providing chronic and convalescent care; a place that has obtained the necessary licensing requirements in West Virginia which is devoted primarily to the maintenance and operation of facilities for the treatment and care of four (4) or more persons suffering from illness, diseases, deformities or injuries not requiring extensive and/or intensive care that is normally provided in a general Hospital or other specialized Hospital.	
630	Clinic CLINIC – An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists, social workers, or veterinarians and where patients are not usually lodged overnight.	

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

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

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

843	Automobile Parts Sales Not defined in our Code. AUTOMOBILE PARTS SALES – Facility focused on the sale of automobile parts for maintenance and repair. Material sold may include oil and batteries, and a wide array of automobile parts.	
848	Tire Store Not defined in our Code. TIRE STORE – A business focused on the sale of automobile tires. May offer services such as tire installation and repair. May offer automotive maintenance and repair services. Generally does not have large storage or warehouse areas.	
849	Tire Superstore Not defined in our Code. TIRE SUPERSTORE – Warehouse-style facility focused on selling and installing automobile tires. May offer automotive maintenance and repair services, such as wheel alignment and shock and brake service. Generally has a significant storage area. General bodywork and mechanical repairs are not performed.	
850	Supermarket Not defined in our Code. SUPERMARKET – Free-standing retail store selling an assortment of food, food preparation and wrapping materials, and household goods. They may contain a deli, a bakery, a pharmacy, and other customary services. May be open 24 hours.	S
851	Convenience Market (Open 24 Hours) Not defined in our Code. CONVENIENCE MARKET (24 HOURS) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. Does not sell or dispense gasoline. Open 24 hours.	
852	Convenience Market (Open 15 – 16 Hours) Not defined in our Code. CONVENIENCE MARKET (15-16 HOURS) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. Does not sell or dispense gasoline. Generally open no more than 16 hours a day.	P
853	Convenience Market with Gasoline Pumps Not defined in our Code. CONVENIENCE MARKET (WITH GASOLINE SALES) – A market which sells convivence goods, magazines, and often prepared food. May sell alcohol. May be open 24 hours. Has gasoline and other automotive fuel dispensers.	
854	Discount Supermarket Not defined in our Code. SUPERMARKET, DISCOUNT – A free-standing retail store selling an assortment of food (often in bulk), food preparation and wrapping materials, and household goods, at discounted prices.	P
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857	Discount Club Not defined in our Code. DISCOUNT CLUB - A discount store or warehouse where shoppers pay a membership fee in order to take advantage of discounted prices on a wide variety of items such as food, clothing, tires and appliances; many items are sold in large quantities or bulk. Some site include on-site fueling pumps.	
859	Liquor Store (including Beer Distributor) Not defined in our Code. Definition taken from Martinsburg: LIQUOR STORE (Including Beer Distributor): Any established licensed and permitted under the West Virginia Alcohol and Beverage Control Administration to sell alcoholic beverages, including beer, wine, and liquor	S
860	Wholesale Market Not defined in our Code. WHOLESALE MARKET –Use with large storage and distribution areas for receiving goods and shipping these goods to places such as grocery stores and restaurants. Generally, these markets are characterized by little drive-in business; truck deliveries and pick-up take place at all hours of the day	
861	Sporting Goods Superstore Not defined in our Code. SUPERSTORE, SPORTING GOODS – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of athletic and out-door oriented merchandise. These stores typically maintain long store hours, and are generally open every day of the week	
862	Home Improvement Superstore Not defined in our Code. SUPERSTORE, HOME IMPROVEMENT – Free-standing facility that specializes in the sale of home improvement merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week. May have a garden center	
863	Electronics Superstore Not defined in our Code. SUPERSTORE, ELECTRONICS - Free-standing facility that specializes in the sale of electronics merchandise, and may also offer major home appliances. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week.	
864	Toy/Children's Superstore Not defined in our Code. SUPERSTORE, CHILDRENS GOODS/TOYS - Free-standing facility that specializes in the sale of toys and other child-oriented merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week.	
865	Baby Superstore Not defined in our Code. SUPERSTORE, BABY GOODS - Free-standing facility that specializes in the sale of toys and other baby-oriented merchandise. Generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week.	

866	Pet Supply Superstore Not defined in our Code. SUPERSTORE, PET SUPPLY – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of pets and pet oriented merchandise. These stores typically maintain long store hours, and are generally open every day of the week. May have a shelter, and may offer training classes.	
867	Office Supply Superstore Not defined in our Code. SUPERSTORE, OFFICE SUPPLY – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of office merchandise, such as desks, paper, ink, and printers. These stores typically maintain long store hours, and are generally open every day of the week. They may offer services such as labeling, shipping, administrative support, and internet based services.	
868	Book Superstore Not defined in our Code. SUPERSTORE, BOOK – Free-standing facility which generally offer a variety of customer services and centralized cashiering, and which specialize in the sale of books, magazines, periodicals, and other printed goods. These stores typically maintain long store hours, and are generally open every day of the week. They may also have sale of audio/visual goods and toys. They may also have a café.	
869	Discount Home Furnishings Superstore Not defined in our Code. SUPERSTORE, DISCOUNT HOME FURNISHING – Free-standing facility which generally offer a variety of customer services and centralized cashiering. These stores typically maintain long store hours, and are generally open every day of the week. They typically exceed 100,000 sq. ft. in area, and offer an extensive variety of home furnishings and accessories. They may offer ancillary services such as dining facilities or children play area.	
870	Apparel Store Not defined in our Code or in ITE. Definition crafted by staff. APPAREL STORE – A facility specializing in textile sales. May offer a wide range of clothing, or specialize in certain items, such as outdoor apparel.	P
879	Arts and Crafts Store Not defined in our Code. ARTS AND CRAFTS STORE – A facility that sells art, art supplies, hobby supplies, framing, décor, and seasonal merchandise. May also offer art and craft classes.	P
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880	Pharmacy/Drugstore without Drive-Through Window Not defined in our Code. PHARMACY/DRUGSTORE – Retail facility that primarily sells prescription and non-prescription drugs. They may also sell cosmetics, stationary, personal care products, a limited food selection, and general merchandise. They may offer some medical services.	P
881	Pharmacy/Drugstore with Drive- Through Window Not defined in our Code. PHARMACY/DRUGSTORE – Retail facility that primarily sells prescription and non-prescription drugs. They may also sell cosmetics, stationary, personal care products, a limited food selection, and general merchandise. They may offer some medical services.	S
890	Furniture Store Not defined in our Code. FURNITURE STORE – A full-service retail store that specializes in the sale of furniture, and often also carpeting. May include a large storage facility.	
892	Carpet Store Not defined in our Code or in ITE. Definition crafted by staff. CARPET STORE – A retail store specializing in the sale of carpeting, rugs, and other flooring material. May have a large storage	
896	Video Rental Store Not defined in our Code. VIDEO RENTAL STORE – A retail store specializing in the sale or rental of motion-picture goods (such as DVD, Blu-ray, and other home video goods). May also offer video games for rental or sale.	
*	Art Gallery ART GALLERY – A Structure, or part thereof, devoted to the exhibition of visual works of fine art. Art galleries generally include accessory services, such as sale or purchase of displayed works, custom framing or encasement of art works and services related to art appraisal, display, preservation or restoration.	P
*	Gift shops and Boutiques Not defined in our Code or in ITE. Definition crafted by staff. BOUTIQUE/GIFT SHOP – A retail shop specializing in a limited and specialized line of goods. Has a small building footprint. May be a free-standing use or located within a larger commercial use/structure.	P
*	Farmers Market Not defined in our Code. FARMERS MARKET – A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items.	
*	Florist Not defined in our Code or in ITE. Definition crafted by staff. FLORIST – A facility that specializes in selling flowers, and may create arrangements of flowers. May also sell gardening supplies.	P
	Go to next page	

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

935	Fast-Food Restaurant with Drive-Through Window and No Indoor Seating RESTAURANT, FAST-FOOD – An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to- consume state for consumption either within the Restaurant Building or off premises.	
936	Coffee/Donut Shop w/o Drive- Through Window Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	P
937	Coffee/Donut Shop with Drive- Through Window Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	S
938	Coffee/Donut Shop with Drive- Through Window and No Indoor Seating Not defined in our Code. COFFEE/DOUGHNUT SHOP – Restaurant that focuses on providing coffee and breakfast foods. May also sell newspapers, books, and music CDs. May offer indoor seating but no indoor table service.	S
939	Bread/Donut/Bagel Shop w/o Drive-Through Window Not defined in our Code. BREAD/DOUGHNUT/BAGEL SHOP – Facility specialized in the sale of breads, doughnuts, and bagels as primary products. May offer beverages and limited sale of other foods. Indoor seating may be available, and table service may be provided.	P
940	Bread/Donut/Bagel Shop with Drive-Through Window Not defined in our Code. BREAD/DOUGHNUT/BAGEL SHOP – Facility specialized in the sale of breads, doughnuts, and bagels as primary products. May offer beverages and limited sale of other foods. Indoor seating may be available, and table service may be provided.	S
941	Quick Lube Vehicle Shop Not defined in our Code. QUICK LUBE VEHICLE SHOP – A business where the primary activity is to perform oil change services for vehicles. May also offer ancillary services such as preventative maintenance. Vehicle repair is generally not performed.	
942	Automobile Care Center Not defined in our Code. AUTOMOBILE CARE CENTER – A center which houses numerous businesses that provided automobile-related services. These service may include repair and servicing, upholstering, and stereo installation.	
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943	Automobile Parts and Service Center Not defined in our Code. AUTOMOBILE PARTS AND SERVICE CENTER - Facility focused on the sale of automobile parts for maintenance and repair, and also provide a full array of auto repair services. Material sold may include oil and batteries, and a wide array of automobile parts.	
944	Gasoline/Service Station Not defined in our Code. GASOLINE/SERVICE STATION – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. Sale of goods is limited or non-existent. Does not have a car wash facility.	
945	Gasoline/Service Station with Convenience Market Not defined in our Code. GASOLINE/SERVICE STATION WITH CONVENIENCE MARKET – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. May sell a limited selection of food, beverages, and consumer goods. Does not have a car wash facility.	P
946	Gasoline/Service Station with Convenience Market and Car Wash Not defined in our Code. GASOLINE/SERVICE STATION WITH CONVENIENCE MARKET AND CAR WASH – Business with a primary focus on fueling vehicles. May offer some ancillary repair services. May sell a limited selection of food, beverages, and consumer goods. Does have a car wash facility.	
947	Self-Service Car Wash CAR WASH – A Structure containing facilities for both hand and automatic washing of automobiles, which facilities may include the use of a chain conveyor or other method of moving the cars along, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.	
948	Automated Car Wash CAR WASH – A Structure containing facilities for both hand and automatic washing of automobiles, which facilities may include the use of a chain conveyor or other method of moving the cars along, and automatic or semiautomatic application of cleaner, brushes, rinse water and heat for drying.	
960	DRY CLEANERS Not defined in our Code or ITE. Definition from Fredericksburg VA: DRY CLEANERS– A facility used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in water or volatile solvents	S
*	Funeral Home/Crematory FUNERAL HOME – A Building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.	
	Go to next page	

*	Kennel KENNEL – Any Building or Structure and/or land used, designed, or arranged for housing, boarding, breeding, or care of more than three adult dogs or cats kept or bred for hunting, sale, exhibition, or domestic use or other domestic animals for profit, but not including those animals raised for agricultural purposes.	
*	Tattoo Parlor Not defined in our Code or ITE. Definition from Martinsburg TATTOO PARLOR- Establishments primarily in the business of applying lettering, art, and other images with permanent and semi-permanent inks, paints, pigments, or piercings to the body of patrons	P
*	Self-Storage Facility Not defined in our Code or ITE. Definition from Martinsburg SELF-STORAGE FACILITY - Any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such facility for the purpose of storing and removing personal property	
*	Outdoor Café Not defined in our Code or ITE. Definition from NACTO: OUTDOOR CAFÉ - An open-air seating area on a public sidewalk provided by a restaurant located on the adjoining property, where restaurant patrons can eat or drink	
*	Parking Facility Not defined in our Code or in ITE. Definition crafted by staff. PARKING FACILITY – A facility where vehicles are kept for storage. Available for the public for free or for a fee	~~PA~~
*	Wireless Telecommunication Facilities Not defined in our Code or ITE. Definition from Fredericksburg VA: WIRELESS TELECOMMUNICATION FACILITIES - Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including but not limited to equipment associated with wireless services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul; and radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration	S
*	Essential Utilities and Equipment ESSENTIAL UTILITIES AND EQUIPMENT – This term comprises underground or overhead electrical, gas, communications not regulated by the Federal Communications Commission, water and sewage systems, including poles, towers or pole structures, wires, lines, mains, drains, pumping stations, sewers, conduits, cables, fire alarm boxes, public telephone structures, police call boxes, traffic signals, hydrants, regulating and measuring devices and the structures in which they are housed, and other similar equipment accessories in connections therewith. It does not include Buildings, yards, stations used for storage, repair or processing of equipment or material, and does not include Buildings, yards, stations, or substations for transforming, boosting or switching purposes, where such facilities are constructed on the ground.	P

Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

Fee Updates

ATTACHMENTS:

- 1. Report.pdf
- 2. Fee Research.pdf

TXA2023-11 Planning and Zoning Fees Update

Date: For the May 28, 2024 Planning Commission Work Session
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.

ISSUE

There are a variety of applications which do not have an established fee. The purpose of this text amendment is to update the City's Planning and Zoning fees.

The fees that are charged for Planning and Zoning related applications are governed by City Code Article 148 Section 6.

EXISTING TEXT – Last updated 2012

48.06 PLANNING AND ZONING SERVICES.

The following rates and charges shall be applied for Planning and Zoning review services:

(a) Zoning Permit Application Fee - $20.

(b) Rezoning Request Filing Fee - $400.

(c) Grading/Land Disturbance Permit - $200 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents and perform site inspection of completed work.

(d) Site Plan for Building Additions Application Fee:

< 2500 SF and when < 50% increase in impervious area	$100
> 2500 SF or when > 50% increase in impervious area	$200

(e) Site Plan for New Building Application Fee:

(1) Single principal structure on a single site - $200 filing fee plus $500 escrow.
(2) < 3 Residential Single-Family Buildings - $200 filing fee plus $500 escrow.
(3) > 3 Residential Single-Family Buildings - $200 filing fee plus $50 per building, minimum of $2000 escrow.
(4) < 3 Residential Two Family Buildings - $200 filing fee plus $500 escrow.
(5) > 3 Residential Two-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(6) < 3 Residential Multi-Family Buildings - $200 filing fee plus $500 escrow.
(7) > 3 Residential Multi-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(8) < 3 Residential Townhouse Buildings - $200 filing fee plus $500 escrow.
(9) > 3 Residential Townhouse Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

(10) Manufactured (Mobile) Home Park - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(11) Commercial and Industrial Buildings - $200 filing fee plus $2000 escrow.

(f) Legal review fees for zoning and site plan reviews will be billed at the following hourly rate:
(1) General Representation $130.00

(g) Water and Sewer review fees for zoning and site plan reviews will be billed based on actual payroll records and outside engineering invoices.

(h) Engineering review fees for zoning and site plan reviews will be billed at the following hourly rates:

(1) Senior Civil Engineers	$100.00
(2) Project Engineers	$95.00
(3) Staff Engineers	$80.00
(4) Technicians/Inspectors	$60.00
(5) Senior Traffic Engineers	$100.00
(6) Senior Structural Engineers	$100.00
(7) Senior Planners	$100.00
(8) Landscape Architects	$100.00
(9) Senior Environmental Specialists	$90.00
(10) Environmental Specialists	$60.00
(11) Survey Managers	$85.00
(12) Survey Party Chiefs	$60.00
(13) Survey Instrument Persons	$50.00
(14) Administrative Support Persons	$40.00

(i) Schematic/Preliminary Plan Review - $200 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents.

(j) Sign Permit Fee - $25.

(k) Record Plat Review Fees:
(1) With no bonding required - $200 per plat.
(2) With independent estimate of required bonding - $1500 for initial review, any subsequent reviews will be based on engineering review fee schedule.
(3) Without independent estimate of required bonding - $6000 for initial review, any subsequent reviews will be based on engineering review fee schedule.

(l) Bond Reduction Request - Fee will be actual costs incurred based on the engineering review fee schedule to perform site inspection of completed work and review provided documentation.

(m) Bond Release Request - Fee will be actual costs incurred based on the engineering review fee schedule to perform final site inspection of completed work and review provided documentation.

(n) Application for Annexation - $1,000.00 flat fee.

PROPOSED TEXT – Changes to existing text are in red:

PART ONE - CHAPTER 5

148.06 PLANNING AND ZONING SERVICES.

The following rates and charges shall be applied for Planning and Zoning review services:

(a) Zoning Permit Application Fee - $~~20~~ 25

(b) Rezoning Request Filing Fee - $~~400~~ 500

(c) Grading/Land Disturbance Permit - $200 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents and perform site inspection of completed work.

(d) Site Plan for Building Additions Application Fee:

< 2500 SF and when < 50% increase in impervious area	$~~100~~ 200
> 2500 SF or when > 50% increase in impervious area	$~~200~~ 300

(e) Minor Subdivision/Land Development

(1) Boundary Line Adjustment/Property Merger/Property Division - $50 filing fee

(2) Residential construction building plan review - $200 filing fee

(3) Testamentary Transfer, Judicial Partition, Re-Surveys, Utility Lot creation - $50 filing fee

(~~e~~ f) ~~Site~~ Major Subdivision/Land Development Sketch Plan ~~for New Building~~ Application Fee:

(1) Single principal structure on a single site - $200 filing fee ~~plus $500 escrow.~~

(2) < 3 Residential Single-Family Buildings - $200 filing fee ~~plus $500 escrow.~~

(3) ~~>~~ 3 or more Residential Single-Family Buildings - $200 filing fee plus $50 per building, minimum of $2000 escrow.

(4) < 3 Residential Two Family Buildings - $200 filing fee ~~plus $500 escrow.~~

(5) ~~>~~ 3 or more Residential Two-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

(6) < 3 Residential Multi-Family Buildings - $200 filing fee ~~plus $500 escrow.~~

(7) > 3 Residential Multi-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

~~(8) < 3 Residential Townhouse Buildings - $200 filing fee plus $500 escrow.~~

(~~9~~ 8) ~~>~~ 3 or more Residential Townhouse Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

(~~10~~ 9) Manufactured (Mobile) Home Park - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

(~~11~~10) Commercial and Industrial Buildings - $200 filing fee plus $2000 escrow.

(~~12~~ 11) Subdivision only – $200 filing fee

(~~f~~ g) Legal review fees for zoning and site plan reviews will be will be actual costs incurred based on the legal review. ~~billed at the following hourly rate:~~

~~(1) General Representation $130.00~~

(~~g~~ h) Water and Sewer review fees for zoning and site plan reviews will ~~be billed based on actual payroll records and outside engineering invoices.~~ be actual costs incurred based on the engineering review

(~~h~~ i) Third-party engineering review fees for zoning and site plan reviews will be actual costs incurred based on the engineering review ~~billed at the following hourly rates~~:

~~(1) Senior Civil Engineers~~	~~$100.00~~
~~(2) Project Engineers~~	~~$95.00~~
~~(3) Staff Engineers~~	~~$80.00~~
~~(4) Technicians/Inspectors~~	~~$60.00~~
~~(5) Senior Traffic Engineers~~	~~$100.00~~
~~(6) Senior Structural Engineers~~	~~$100.00~~
~~(7) Senior Planners~~	~~$100.00~~
~~(8) Landscape Architects~~	~~$100.00~~
~~(9) Senior Environmental Specialists~~	~~$90.00~~
~~(10) Environmental Specialists~~	~~$60.00~~
~~(11) Survey Managers~~	~~$85.00~~
~~(12) Survey Party Chiefs~~	~~$60.00~~
~~(13) Survey Instrument Persons~~	~~$50.00~~
~~(14) Administrative Support Persons~~	~~$40.00~~

(~~i~~ j) Schematic/Preliminary Plan Review - $~~200~~ 300 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents.

(~~j~~ k) Sign Permit Fee - $~~25~~ 50.

(~~k~~ l) Record Plat Review Fees:

(1) With no bonding required - $200 per plat.

(2) With independent estimate of required bonding - $1500 for initial review, any subsequent reviews will be based on engineering review fee schedule.

(3) Without independent estimate of required bonding - $6000 for initial review, any subsequent reviews will be based on engineering review fee schedule.

(m) Bond Initiation Request - Fee will be actual costs incurred based on the engineering review

(~~l~~ n) Bond Reduction Request - Fee will be actual costs incurred based on the engineering review costs performed by the City's third-party engineering firm. ~~fee schedule to perform site inspection of completed work and review provided documentation.~~

(~~m~~ o) Bond Release Request - Fee will be actual costs incurred based on the engineering review fee schedule to perform final site inspection of completed work and review provided documentation.

(~~n~~ p) Application for Annexation - $1,000.00 flat fee.

(q) Board of Zoning Appeals

(1) Variance: $300 filing fee

(2) Special Exception/Use permit: $300 filing fee

(3) Appeal: $500 filing fee

(r) Planning Commission Waiver - $200 filing fee

(s) Zoning Verification Letter - $50 per parcel

(t) Text Amendment - $400 filing fee

(u) Legal Notice

(1). In addition to any other fees, an additional fee will be required of all applications requiring public notice in a newspaper:

A. Class I/I-0 Legal Advertisement- - $25

B. Class II/II-0 Legal Advertisement - $50

C. Class III/III-0 Legal Advertisement - $75

(2). In addition to any other fees, an additional $20 fee will be required of all applications requiring mailed notice.

CLEAN VERSION OF PROPOSED CHANGES

PART ONE - CHAPTER 5

148.06 PLANNING AND ZONING SERVICES.

The following rates and charges shall be applied for Planning and Zoning review services:

(d) Zoning Permit Application Fee - $25

(e) Rezoning Request Filing Fee - $500

(f) Grading/Land Disturbance Permit - $200 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents and perform site inspection of completed work.

(d) Site Plan for Building Additions Application Fee:

< 2500 SF and when < 50% increase in impervious area	$200
> 2500 SF or when > 50% increase in impervious area	$ 300

(e) Minor Subdivision/Land Development

(4) Boundary Line Adjustment/Property Merger/Property Division - $50 filing fee

(5) Residential construction building plan review - $200 filing fee

(6) Testamentary Transfer, Judicial Partition, Re-Surveys, Utility Lot creation - $50 filing fee

(f) Major Subdivision/Land Development Sketch Plan Application Fee:

(1) Single principal structure on a single site - $200 filing fee

(2) < 3 Residential Single-Family Buildings - $200 filing fee

(3) 3 or more Residential Single-Family Buildings - $200 filing fee plus $50 per building, minimum of $2000 escrow.
(4) < 3 Residential Two Family Buildings - $200 filing fee
(5) 3 or more Residential Two-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(6) < 3 Residential Multi-Family Buildings - $200 filing fee
(7) > 3 Residential Multi-Family Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(8) 3 or more Residential Townhouse Buildings - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(9) Manufactured (Mobile) Home Park - $200 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(10) Commercial and Industrial Buildings - $200 filing fee plus $2000 escrow.
(11) Subdivision only – $200 filing fee

(g) Legal review fees for zoning and site plan reviews will be will be actual costs incurred based on the legal review.

(h) Water and Sewer review fees for zoning and site plan reviews will actual costs incurred based on the engineering review

(i) Third-party engineering review fees for zoning and site plan reviews will be actual costs incurred based on the engineering review

(j) Schematic/Preliminary Plan Review - $300 application fee plus the actual costs incurred based on the engineering review fee schedule to review provided documents.

(j k) Sign Permit Fee - ~~$25~~ 50.

(l) Record Plat Review Fees:
(1) With no bonding required - $200 per plat.
(2) With independent estimate of required bonding - $1500 for initial review, any subsequent reviews will be based on engineering review fee schedule.
(3) Without independent estimate of required bonding - $6000 for initial review, any subsequent reviews will be based on engineering review fee schedule.

(m) Bond Initiation Request - Fee will be actual costs incurred based on the engineering review

(n) Bond Reduction Request - Fee will be actual costs incurred based on the engineering review costs performed by the City's third-party engineering firm.

(o) Bond Release Request - Fee will be actual costs incurred based on the engineering review fee schedule to perform final site inspection of completed work and review provided documentation.

(p) Application for Annexation - $1,000.00 flat fee.

(q) Board of Zoning Appeals
(1) Variance: $300 filing fee
(2) Special Exception/Use permit: $300 filing fee
(3) Appeal: $500 filing fee

(r) Planning Commission Waiver - $200 filing fee

(s) Zoning Verification Letter - $50 per parcel

(t) Text Amendment - $400 filing fee

(u) Legal Notice

(1). In addition to any other fees, an additional fee will be required of all applications requiring public notice in a newspaper:

A. Class I/I-0 Legal Advertisement- - $25
B. Class II/II-0 Legal Advertisement - $50
C. Class III/III-0 Legal Advertisement - $75

(2). In addition to any other fees, an additional $20 fee will be required of all applications requiring mailed notice.

PERMIT TYPE	Charles Town	Ranson	Martinsburg	Jefferson Co.	Berkeley Co.
Zoning Permit	$20	----	----	----	$25? Unclear.
Fence Permit	plan review fee $50 + $40 for fence permit	$25	$5 application fee, plus $7.50 per $1,000 of billed project	$75 plus $0.10/lineal foot of fence	$0, but those over 7 ft. the fee is $295.
Sign Permit	$25	$25.00 plus $1.00 for each square foot or fraction thereof	$25 plus $2 per square foot	$75 if value is $2,500 or less. $350 for signs exceeding $2,500 value	Signs on building $89 +.12 sq ft, freestanding$177 plus .12 sq ft., portable $59, billboard $590
Historic District Review	No fee charged	----	$25	----	----
Minor Home Occupation	No fee charged	----	----	----	----
Major Home Occupation	$150	----	----	----	----
Sketch Plan Review	$200 (no bonding); $1,500 (with independent estimate of bonding); $6,000 (with no indep. est. of bonding). Additional fees apply.	$1,000.00 base fee plus $100.00 per acre for the first ten lots/dwelling units and $25.00 each additional lot/dwelling unit (whichever is greater)	Preliminary Concept Plan — $800 + $50 per acre Preliminary Concept Plan Amendments (assessed on changed areas) — $400 + $25 per acre	$200	$354 + $170 E&S fee, or for 50 lots+, $708 + $354 E&S fee
Preliminary Plan Review					1-49 lots: base fee $708 + $236 planning fee and $236 engineering fee. 50 lots + 1-49 lots: base fee $1298 + $236 planning fee and $236 engineering fee. Commercial: $590 + $177 per acre fee. Additional $100 per unit fee.
Final Plat/Plan	----	$1,000.00 base fee plus $50.00 per acre	Final Plan is $400 + $25 per acre. Final Plat is — $50 per lot	Site plan with no structure is $350.00 plus $1.25 for every $1,000 value > $50,000	1-49 lots $354 + $177 engineering fee + public hearing and sign fees
Boundary Adjustment	$200	$250.00 flat fee	$25 per lot	$100	$147.50
Minor Site Plan/Subdivision	Generally $200 + $50 or $500	Minor Subdivision: $250.00 flat fee	Less than 1 acre — $400 1 or more acres — $400 + $100 per acre Storm Water Management (design review deposit) Less than 2 acres — $1,500 More than 2 acres — $2,000 + $150 per additional acre	$200	Unclear
Major Site Plan/Subdivision	Generally $200 + $50 or $500	Site plan review (non-residential) $1,000.00 OR Site plan review (non-residential) on parcels containing more than one acre $1,000.00 base fee plus $100.00 per acre for the first five acres; $25.00 each per acre thereafter (whichever is greater)	Less than 1 acre — $400 1 or more acres — $400 + $100 per acre Storm Water Management (design review deposit) Less than 2 acres — $1,500 More than 2 acres — $2,000 + $150 per additional acre	$250	1-49 lots: base fee $708 + $236 planning fee and $236 engineering fee. 50 lots + 1-49 lots: base fee $1298 + $236 planning fee and $236 engineering fee. Commercial: $590 + $177 per acre fee. Additional $100 per unit fee.
Annexation	$1,000	----	----	----	----
Bond Reduction	No fee charged	----	$100	$375	$118 + $295 engineering fee
Zoning Certification Letter	----	$50	$50	----	$25
Zoning Conformance Letter	----	$100	----	----	$25
Text Amendment	$400?'Petition to Amend Zoning'		$500	----	----
Rezoning	$400?'Petition to Amend Zoning'	$1,000.00 base fee plus $100.00 per acre for each of the first ten acres, then $25.00 per acre thereafter.	$500	$1,000.00 + $50.00 / per acre	----
Variance	$150	Residential: $250.00 Non-residential: $500.00 (under one acre) Non-residential: $750.00 (over one acre)	$400	$100	$188.80
Appeal	$150	Residential: $250.00 Non-residential: $500.00 (under one acre) Non-residential: $750.00 (over one acre)	$600	$100	$188.80
Special Exception	$150	Residential: $250.00 Non-residential: $500.00 (under one acre) Non-residential: $750.00 (over one acre)	$400	$250 + $50 per acre	$188.80
Building Permit	$50 base	RESIDENTIAL/INSTITUTIONAL Minimum Permit Fee $300.00 Finished floor area @ $0.50 per sf Unfinished floor area @ $0.10 per sf COMMERCIAL/INDUSTRIAL Minimum Inspection Fee $500.00 Finished floor area @ $0.60 per sf Unfinished floor area @ $0.20 per sf	$10 + $9 per every $1,000 in work value	Highly dependent on use. Generlaly $350 +$0.25 per sq. ft.	Residenital: generally $59 + .24 per sq. ft. Commercial is $295 + .32 per sq. ft.
Re-Submittal fees	----	One-half of the original submission fee	Original application fee	$65 for each re-inspection, paid prior to re-inspection / $65 plus $65 for each additional inspection due to plan change.	Extra Trip Fees Will Be Assess For Premature Inspection Requests, Incomplete Work, and Work Areas Not Accessible. 1st Trip-$50.00, 2nd Extra Trip-$75.00, 3rd Extra Trip- $100.00
Public Hearing Fee	----	----	----	----	$129.80, plus $88.50 per sign
Newspaper Ad fee		None listed in code	None listed in code	None listed in code	None listed in code
Source(s)	https://www.charlestownwv.us/wp-content/uploads/2019/07/Planning_and_Zoning_Fee_Schedule.pdf	https://library.municode.com/wv/ranson/codes/code_of_ordinances?nodeId=PTIITHCO_CH16PLDE_ARTIPLCO_S16-15PLZOFE	https://www.cityofmartinsburg.org/home/showpublisheddocument/630/637729258174770000	https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/zoning-fees	https://www.berkeleywv.org/DocumentCenter/View/196/Development-Review-Fee-Schedule-PDF
Source(s)		https://library.municode.com/wv/ranson/codes/code_of_ordinances?nodeId=PTIITHCO_CH5BUCOREAC_ARTIBUCO_S5-8BUPEFE		https://www.jeffersoncountywv.org/county-government/departments/planning-and-zoning-department/land-development-fees	https://www.berkeleywv.org/DocumentCenter/View/190/Other---Fee-Schedule-PDF
Source(s)	$25 for basic default text only - Charles Town, via the Spirit of Jefferson email Oct 16 2023			https://www.jeffersoncountywv.org/home/showpublisheddocument/22692/638031502743370000	
Source(s)				https://www.jeffersoncountywv.org/home/showpublisheddocument/22698/638031525098670000	

Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

Draft March 25, 2024 minutes

ATTACHMENTS:

- 3.25.24 PC MINUTES_DRAFT.pdf

CITY OF CHARLES TOWN
PLANNING COMMISSION
AGENDA • MARCH 25, 2024

Committee Meeting **CITY HALL** **6:00 PM**

101 E Washington Street, Charles Town, WV 25414

1. CALL TO ORDER WORK SESSION AT 6:08 PM

Present: Ann Paonessa, Chair
Jessica Derr
Zakhary Dunning

Jeff Hynes – Arrived at 6:36
Kevin Long – Arrived at 6:54

James Newman, City Staff: Zoning Administrator
Kim Crosson, City Staff: Permit Tech

2. SPECIAL WORK SESSION

2.1: TXA2023-01 – Mobile Food Vendors

Staff gave presentation.

SUMMARY OF DISCUSSION: Agreement to tie hours to the noise ordinance, ending at 10:00 pm, and to bring this back as a public hearing item.

2.2: TXA2023-09 – Neighborhood Residential Use Changes

Staff gave presentation.

Jeff Hynes – Arrived at 6:36

SUMMARY OF DISCUSSION: Collectively reviewed and discussed permitted uses and types. In agreement to keep existing and purposed permitted uses.

Kevin Long – Arrived at 6:54

3. CALL TO ORDER REGULAR MEETING AT 7:03 PM

Present: Ann Paonessa, Chair
Jessica Derr
Zakhary Dunning
Jeff Hynes
Kevin Long
James Newman, City Staff: Zoning Administrator
Kim Crosson, City Staff: Permit Tech

DRAFT

4. APPROVAL OF MINUTES

4.1: February 26, 2024 Minutes – Review was moved to the upcoming April Meeting

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

6.1: BR2024-02 - Norborne Glebe Phases 10B-13 Bond Initiation

Staff gave presentation

Motion to recommend approval for Performance Bond / Norborne Glebe Phase 10B

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Derr
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Motion to recommend approval for Land Disturbance Bond / Norborne Glebe Phase 10B, 11, 12 & 13

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Dunning
AYES:	Paonessa, Derr, Dunning, Hynes, Long

6.2: SLD2023-11 – WVU Medicine Parcel and Boundary Adjustment

Staff gave presentation

Thomas Motes, Applicant's Attorney –Highlighted that the zoning amendment fits in with the two -year plan

Motion to open public hearing

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

No comments

Motion to close public hearing

RESULT:	**Approved**
MOVER:	Long
SECONDER:	Hynes
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Motion to approve SLD2023-11 – WVU Medicine Parcel and Boundary Adjust made by Jeff Hynes

DRAFT

Amended Motion to Approve SLD2023-11 – WVU Medicine Parcel and Boundary Adjustment conditional to the following: Merger parcel be rezoned to General Commercial prior to recordation of the merger

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

6.3: ZMA2024-01 – WVU Medicine Rezoning Request

Staff presentation

Motion to open public hearing

RESULT:	**Approved**
MOVER:	Derr
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

No comments

Motion to close public hearing

RESULT:	**Approved**
MOVER:	Derr
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Motion to recommend approval of ZMA2024-01 – WVU Medicine Rezoning Request made by Jeff Hynes

Jeff Hynes – Why are we leaving the rest of the parcels as "neighborhood residential"?

Staff – The applicant only wished to submit their portion. No further applications have been received regarding the remaining residual parcels.

Motion to approve ZMA2024-01 – WVU Medicine Rezoning Request

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

6.4: SLD2024-01 – WVU Medicine Sketch Plan Completeness Review

Staff presentation

Paonessa – Can we declare a sketch plan complete for a general commercial if they are not zoned "general commercial"?

Staff - It has to go through a series of steps, the boundary line adjustment, rezoning and the sketch plan approval can be done at the same time but I will not sign off on the final approval until rezoning has been approved, the exact order of step doesn't matter as much. They were advised they can proceed with everything at their own cost and discretion.

DRAFT

Long – So there will be a public hearing for the sketch plan?

Staff – Yes

Thomas Motes, Applicant – Comfortable with the risk of multiple applications at the same time.

Derr – Question regarding if buffers and trees shown are sufficient

Staff – It is sufficient for parking lot landscaping; I do not believe it is sufficient for buffering requirement. That analysis will be done once it is deemed to be complete.

Hynes – This entire property has one way in and one way out?

Staff – Under current plans, yes. Applicant is working on obtaining access to other properties.

Motion to approve SLD2024-01 – WVU Medicine Sketch Plan Completeness Review

RESULT:	**Approved**
MOVER:	Long
SECONDER:	Derr
AYES:	Paonessa, Derr, Dunning, Hynes, Long

6.5: TXA2023-06 – Minor/Major Subdivision/Land Development Requirements

Staff gave presentation.

Derr and Staff finding of language issue to be corrected: "Separate Identical" to be corrected to "Separate Identifying"

Motion to open public hearing

RESULT:	**Approved**
MOVER:	Long
SECONDER:	Derr
AYES:	Paonessa, Derr, Dunning, Hynes, Long

No comments

Motion to close public hearing

RESULT:	**Approved**
MOVER:	Long
SECONDER:	Derr
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Motion to approve TXA2023-06 Minor / Major Subdivision / Land Development Requirements subject to the following: Change "Separate Identical" to "Separate Identifying"

RESULT:	**Approved**
MOVER:	Derr
SECONDER:	Dunning
AYES:	Paonessa, Derr, Dunning, Hynes, Long

DRAFT

Hynes – Wants to reiterate a question, have we scrubbed the ordinance for the term "minor boundary line adjustment" to ensure that striking that term does not impact other requirements?

Staff – I will go ahead and do that, but the idea is that if there is a question about boundary line adjustments, I would refer back to this section about boundary line adjustments.

Hynes – We are going from minor boundary line adjust to boundary line adjustment, is there a major boundary line adjustment?

Staff – No

Hynes – So this will be for all boundary line adjustments?

Staff - Yes

6.6: TXA2024-03 Infill Development Requirements

Staff presentation

Hynes – Why don't we just say "subdivision land developments"?

Staff – I don't want infill developments to be misconstrued as belonging to this table, it is separate.

Hynes – Asked a clarifying question regarding wording pertaining to "On street parking and sidewalks on the other side of the road are not required"

Staff – Clarified that the requirement is that off street parking is required, on street parking is not.

Motion to open public hearing

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

No comments

Motion to close public hearing

RESULT:	**Approved**
MOVER:	Long
SECONDER:	Hynes
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Motion to recommend approval of TXA2024-03 Infill Development Requirements

RESULT:	**Approved**
MOVER:	Derr
SECONDER:	Dunning
AYES:	Paonessa, Derr, Dunning, Hynes, Long

DRAFT

7. ADJOURNMENT

Motion to adjourn

RESULT:	**Approved**
MOVER:	Hynes
SECONDER:	Long
AYES:	Paonessa, Derr, Dunning, Hynes, Long

Meeting adjourned at 7:38 pm.

DRAFT

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Public Hearing - *TXA2023-01* - Mobile Food Vendors text amendment

ATTACHMENTS:

- 1. Report.pdf

Text Amendment Staff Report
Mobile Food Vendors
TXA2023-01

Date: For the May 28, 2024 Planning Commission
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 except by Special Event permit. This text amendment will add use standards for mobile food trucks to the City's Zoning Ordinance.

CITY COUNCIL

At their November 6, 2023 meeting, Council requested that this item be brought to the Planning Commission for review and set up for a future public hearing.

PLANNING COMMISSION

This latest draft was brough to the Planning Commission for their January 30, 2024 work session. The Commission asked that City parks explicitly be allowed to host food trucks, and requested additional information on location parking restrictions. The Commission also discussed this item at their March 25, 2024 work session.

PROPOSED TEXT

The proposed language will be inserted into the Zoning Ordinance Article 1323 *Supplemental Regulations* as entry (L).

(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-Sunday. Food trucks are permitted to operate at different hours from these, 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 for the public to view.

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. Sidewalks shall be considered blocked if there are 4 feet or less of room for passage.

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, City Council, or Special Activity Permit. Parking and location 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. Mobile food vendors may operate at City park properties and other public lands owned by the City, subject to approval of a mobile food vendor permit and the City Manager.

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

e. 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.

f. 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 may additionally include the use of an attached or detached menu board. This 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 sixty-five (65) 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.

ZONING USE TABLE

The Zoning Use Table is modified to read:

CHARLES TOWN ZONING ORDINANCE DISTRICT USE TABLE Key: P – Permitted Use S – Special Exception Use PA – Permitted Accessory Use SA – Special Exception Accessory Use		ZONING DISTRICTS						
		Residential Low Density	Residential Medium-High Density	Neighborhood Residential	Neighborhood Commercial	General Commercial	Old Town Mixed Use Commercials	Old Town Residential
ITE Code	Land Use	R-3	R-15	NR	NC	GC	OT-MUC	OT-R
RETAIL USES (ITE CODES 800 – 899)								
	Mobile Food Vendor			P	P	P	P	

Note: Recall that parking a mobile vending unit on private commercially zoned property is permitted if notarized written permission is given from the property owner, and such authorization is included with the application. The use of a food truck is only permitted on select City streets and on commercial zoned property with owner authorization. Neighborhood Residential requires that 10% of its development include commercial spaces, and those commercial lots would be allowed to have a food truck.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Public Hearing - *ZMA2024-02* - Tri-State Rezoning Request

ATTACHMENTS:

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

Zoning Map Amendment
ZMA2024-02

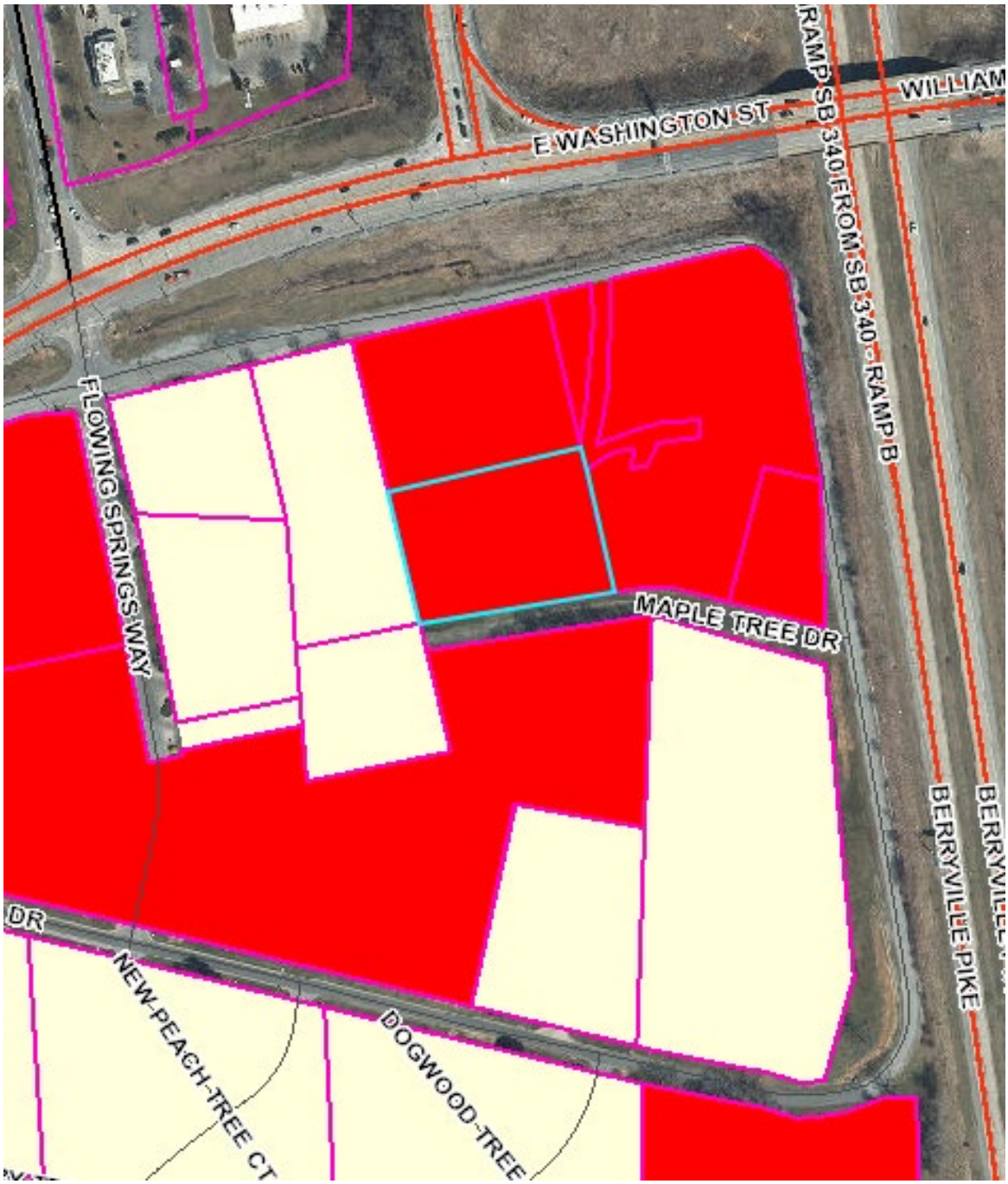
Date: For the May 28, 2024 Planning Commission meeting
Applicant: Chris Hill on behalf of Tri-State Improvements LLC
Property Owner: FIRST CHARLES TOWN GROUP INC
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Rezoning from General Commercial to Neighborhood Commercial
Property Location: Maple Tree Drive
Current Zoning: General Commercial



PROJECT OVERVIEW

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

ZONING MAP



KEY

Red – General Commercial

Manilla – Subject to Jefferson County Zoning

PURPOSE

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

CRITERIA

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

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

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

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

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

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

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

The proposed use of the property and the proposed rezoning are in conformance with the Comprehensive Plan, which calls for vertical mixed us structures, which the applicant proposes to build on this site.

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

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

SPOT ZONING

Per the WVU Land Use Clinic[1], spot zoning is:

"The process of singling out a parcel(s) for a use classification different and inconsistent with the surrounding area, for the benefit of a particular owner"

The Clinic further notes:

"*Spot zoning also occurs when the change in zoning departs from the city or county's comprehensive plan to benefit a private landowner. However, not every departure from a comprehensive plan constitutes spot zoning, and not every parcel zoned differently from surrounding parcels is spot zoning. A zoning amendment must promote public health, safety, or welfare*.

The Clinic offers the following criteria in determining if the spot zoning is sound or if it should be rejected:

• *Is the zoning amendment consistent with the comprehensive plan?*

The language of the *Mixed Use Commercial* category used in the Comprehensive Plan is very similar to the language used in the Zoning Ordinance to describe the *Neighborhood Commercial* zoning district.

• *Is the requested use or zoning district significantly different from the surrounding area?*

The applicant proposed a mixed use structure of commercial and residential units on what is currently a vacant parcel. Surrounding uses include abandoned commercial structures, vacant parcels, car wash, a restaurant, and government offices. The proposed project will bring life and activity to this area.

[1] https://landuse.law.wvu.edu/files/d/dc62345c-6cd8-4c00-a6a7-7581453a30fe/spot-zoning.pdf

• *Is the zoning amendment benefiting private persons rather than providing public benefit?*

There are no adjacent residential uses which will be negatively impacted by the proposed use. Neighborhood commercial allows for less commercial sues by-right comparted to General Commercial.

• *Will the use benefit one or a few landowners while creating negative impacts to surrounding landowners?*

While the City is wary of losing General Commercial zoning to land uses that do not promote commercial activity, the applicant has submitted a development plan with a mixed use project.

• *Does the zoning amendment make good sense in light of the facts involved?*

The proposed amendment is in furtherance of an actionable development plan on what is currently a vacant parcel surrounded by under-utilized properties.

CONCLUSION

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

RECOMMENDATION

Approval

Petition No._____

RECEIVED
APR 09 2024
BY: VG

PETITION FOR ZONING AMENDMENT

Fee: $400

Zoning amendment petitions shall provide the following information:

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

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

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

See attached; sketch plan application

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

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

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

Current zoning is General Commercial for this vacant lot

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

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

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

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

10. TIME SCHEDULE FOR DEVELOPMENT: (AS APPLICABLE)

As soon as final approvals are received.

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

Application No.	Project Name and Phase	Status	Approval Date

NOTES

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

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

APPLICANT'S CERTIFICATION

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

Signature of Applicant _____ Date 4/8/24

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

Please submit an original completed petition to the following:

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

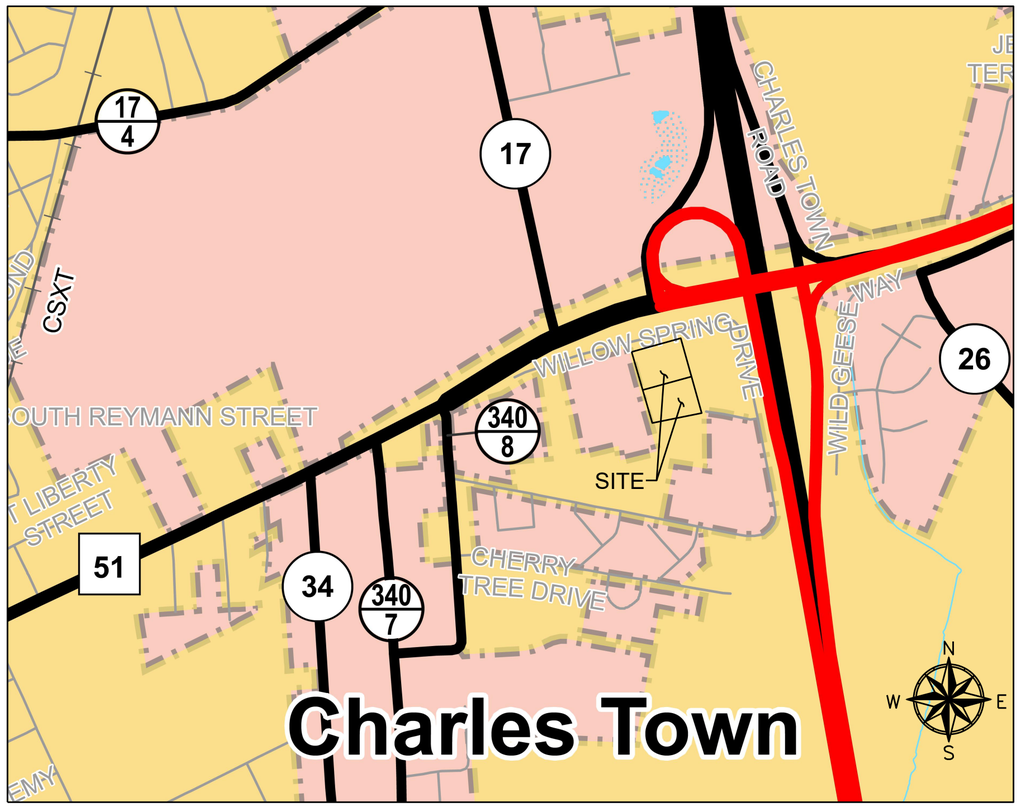
FOR CITY USE ONLY

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

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

City Council Approval:_____ Date:_____

Comments:_____



VICINITY MAP

SCALE: 1" = 600'

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

SKETCH PLAN

FOR

TRI-STATE IMPROVEMENTS, LLC

INDOOR PLAYGROUND BUILDING RENOVATION & NEW MULTI-PURPOSE BUILDING

SITE INFORMATION

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

ZONING ORDINANCE SUMMARY - NEIGHBORHOOD COMMERCIAL, PAR. 9.26 :

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

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

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

   TOTAL REQUIRED = 78

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

ZONING ORDINANCE SUMMARY - GENERAL COMMERCIAL, PAR. 9.27:

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

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

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

   TOTAL REQUIRED = 36

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

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

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

OWNER/DEVELOPER:
TRI-STATE IMPROVEMENTS, LLC

ADDRESS:
PO BOX 1
KEARNEYSVILLE, WV 25430

PHONE:
410-206-4791

ATTN:
CHRIS HILL

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

SHEET NO.:

1 OF 2

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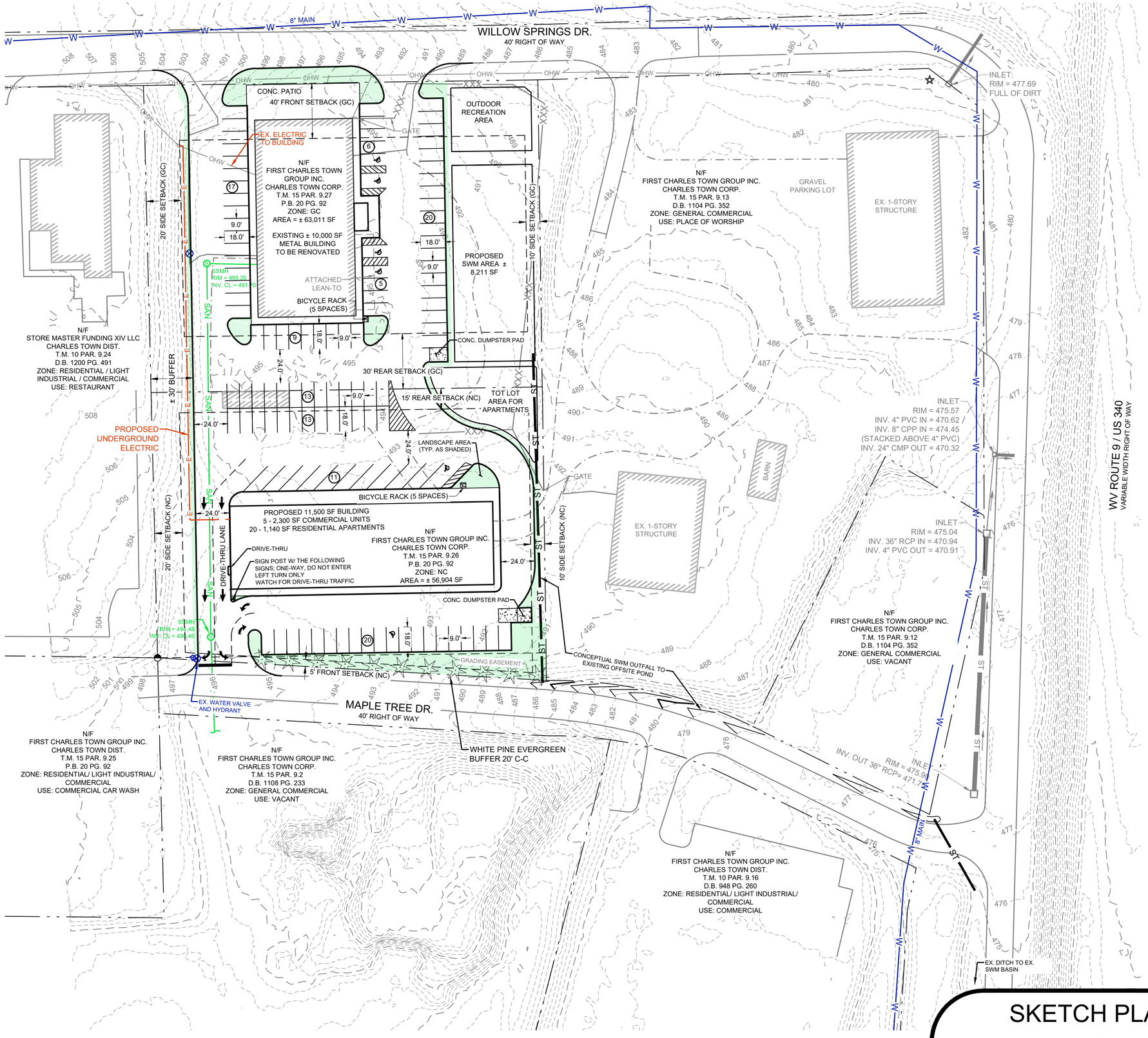

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LEGEND

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

SKETCH PLAN

FOR

TRI-STATE IMPROVEMENTS, LLC

INDOOR PLAYGROUND BUILDING RENOVATION & NEW MULTI-PURPOSE BUILDING

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

OWNER/DEVELOPER:
TRI-STATE IMPROVEMENTS, LLC

ADDRESS:
PO BOX 1
KEARNEYSVILLE, WV 25430

PHONE:
410-206-4791

ATTN:
CHRIS HILL

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

SHEET NO.:

2 OF 2

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Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 05/28/24
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

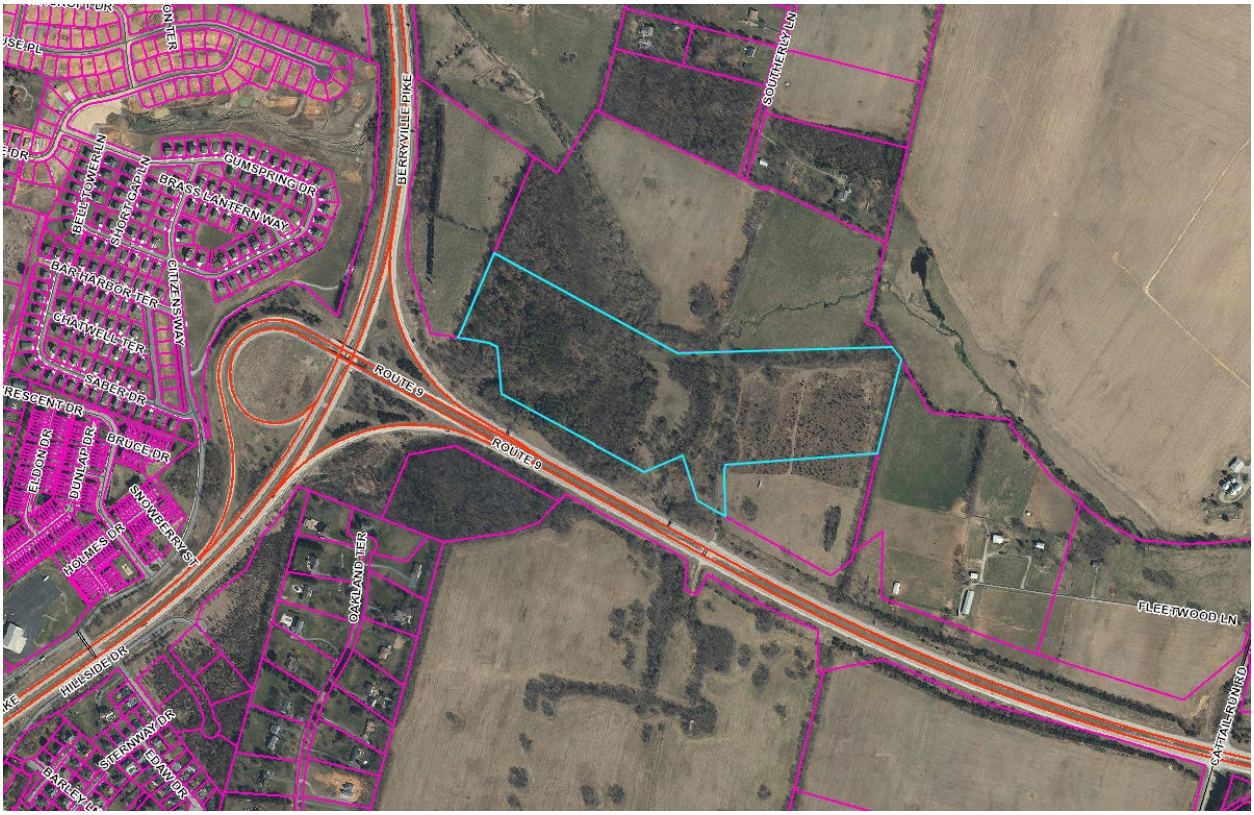
Public Hearing - *SLD2024-01* - University Healthcare sketch plan

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
- 3. KH Comments.pdf
- 4. Plans.pdf

Sketch Plan Review
SLD2024-01

Date: For the May 28, 2024 Planning Commission meeting
Applicant: Gresham Smith
Property Owner: University Healthcare Foundation Inc.
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Major Land Development.
Property Location: W.V. Rte. 9
Current Zoning: General Commercial



PROJECT OVERVIEW

The applicant is seeking to develop an access road, medical office building, parking lot, and stormwater management facilities.

PLANNING COMMISSION

The Planning Commission deemed this application complete at their March 25, 2024 meeting.

The Commission provided comments during a review at their April 22, 2024 meeting.

ZONING REVIEW

The property is zoned General Commercial.

Setbacks

Front: 40 ft.
Sides: 10 ft (25 when adjacent to a residential district).
Rear: 30 ft.

All setback requirements are met.

Density

Not applicable.

Lot coverage

Up to 90% of the lot may be developed. There is no open space requirement. Applicant has not specified what percentage of the property is being developed. The property will be split into 7 lots for development. The largest of those is Lot 1, which is 24.05 acres and contains the medical office building and parking lot.

Parking

Required parking for a medical /dental lab (or a medical/dental office building) is 3.53 spaces per 1,000 sq. ft. GFA. With a 40,000 sq. ft. building, they are required to have 142 spaces (40,000/1000 = 40. 40x3.53= 141.2, round up to 142). Applicant is proposing 276 parking spaces. Nine of the spaces are designated for handicap parking.

The plans show parking split into a lower level with 75 spaces, and an upper level with 201 spaces.

Parking lot landscaping is required to be shown on the Preliminary Plan. This will include islands with vegetation and trees surrounding the parking lot(s).

Sidewalks

The plans show sidewalks on both sides of the planned roadway and roundabout, which meets the City's requirements.

Easement

The applicant shows easements for electric lines and the location of water lines.

Dumpster Pad

A dumpster pad is shown. Pads must be screened from view with a masonry wall and landscaping.

Buffers

Buffers are not required to be shown on a sketch plan. Additional review will be performed for the Preliminary Plan. The required buffer must be between 10 -20 ft wide, and consist of opaque fencing, an evergreen buffer, an earthen berm with vegetation, or a mixture of those options.

Lighting

Lighting is not required to be shown on a sketch plan. Additional review will be performed for the Preliminary Plan. Lighting will be required along the roadways and within the parking lot(s).

Stormwater

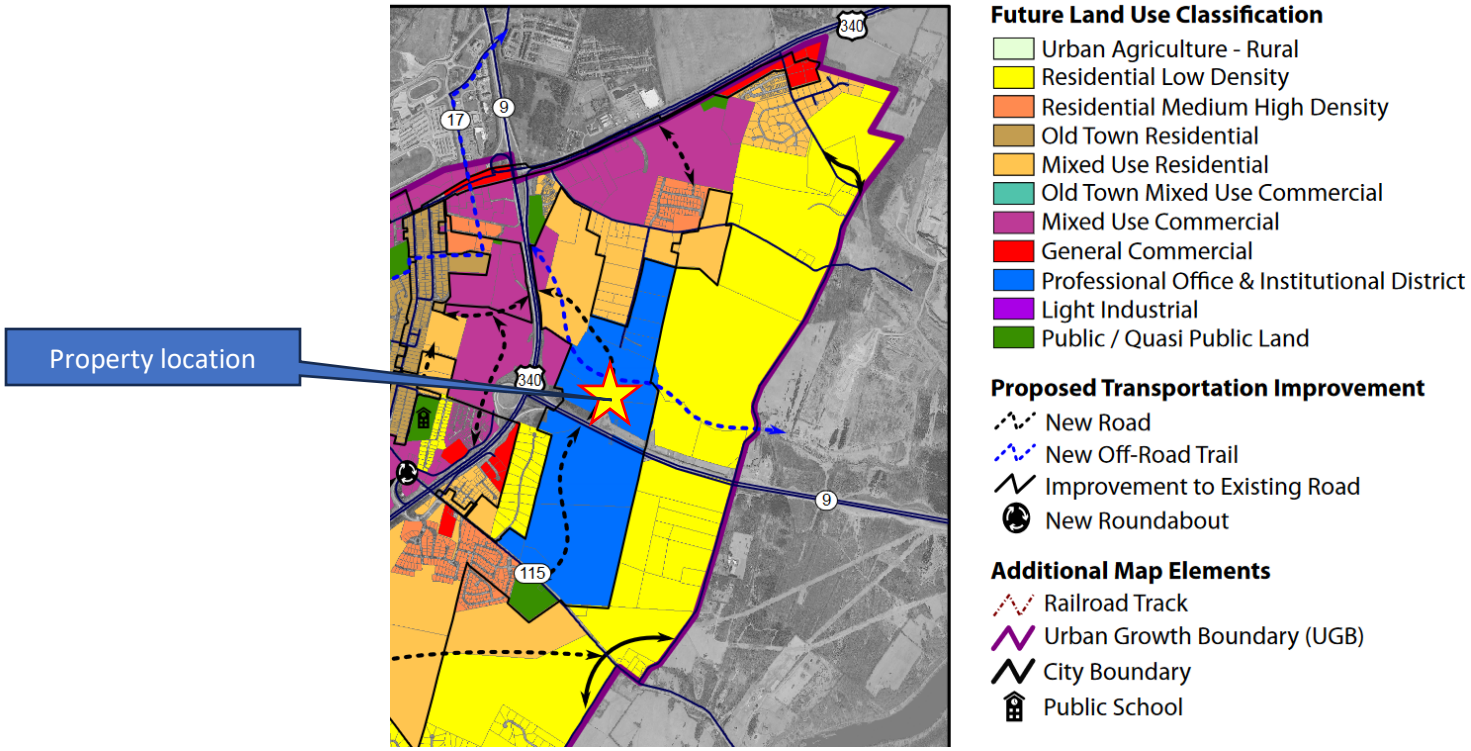
The City's Engineering firm has no comments at this stage. Additional review will be performed for the Preliminary Plan.

Connectivity

The applicant is in talks with the developer of the adjacent Stone Spring subdivision to potentially access their site for future connectivity to US Rte. 340. The applicant may need to cut through land on the Stone Spring subdivision which was dedicated as parkland to the City.

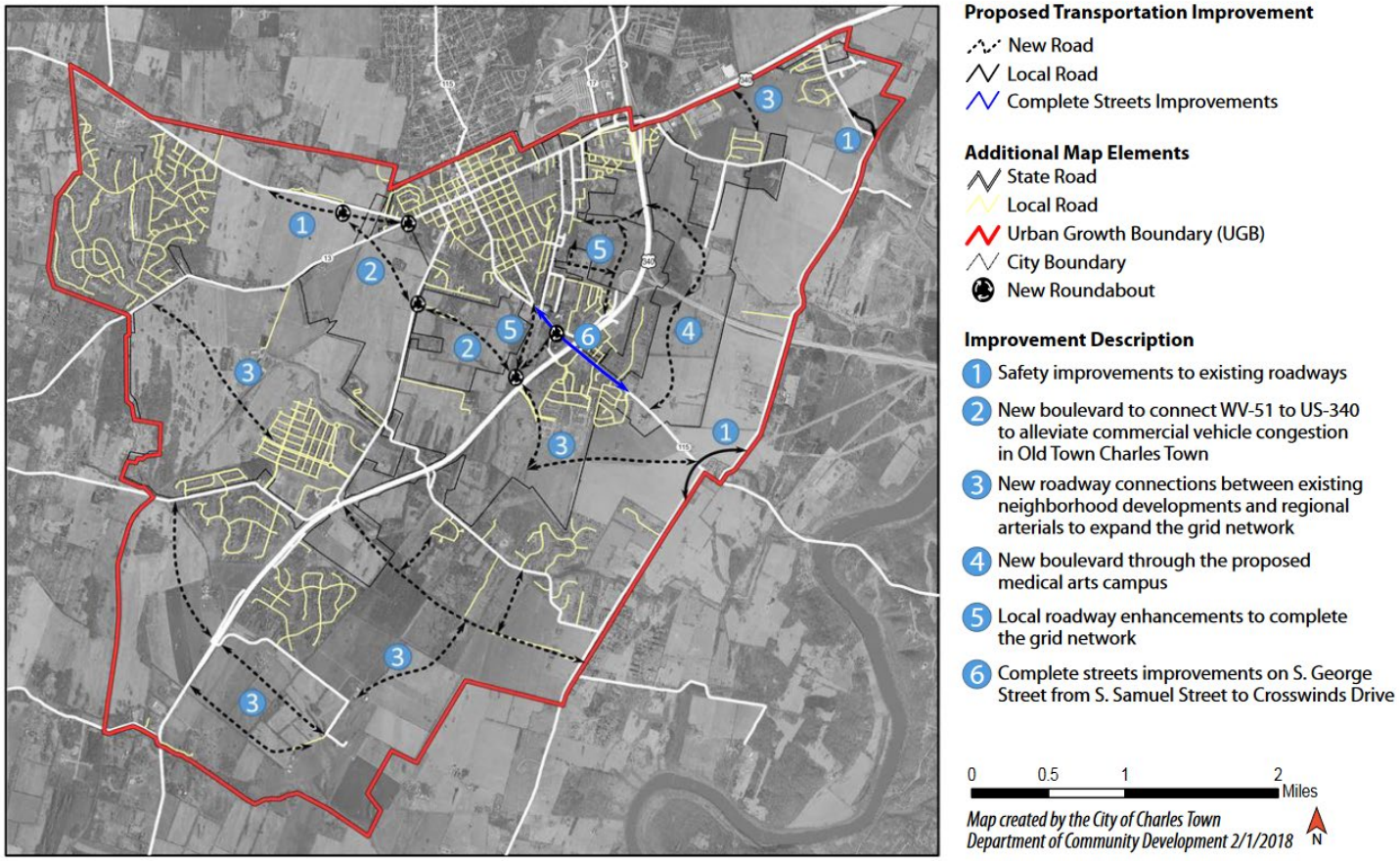
COMPREHENSIVE PLAN

The 2040 Comprehensive Plan identifies these parcels as Professional Office and Institutional District. The Comprehensive Plan Future Roadway Network Improvements Plan shows this property as a connection point between WV Route 9 and US Route 340 (see next page).



CITY OF CHARLES TOWN COMPREHENSIVE PLAN

Future Roadway Network Improvements



CONCLUSION

The applicant seeks to divide this property into seven lots. Lot One will have a medical office building and associated parking and stormwater facilities. Parking should be reduced, however, the City has no maximum requirements for parking, only minimums.

RECOMMENDATION

Table action until the applicant has provided a land swap proposal to the Board of Parks and Recreation, (scheduled for May 29, 2024) and provided additional details on potential connections through the Stone Spring subdivision. The Commission should hold open/continue the public hearing to allow for public comment on any revised sketch plan.

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 December 28, 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* Gresham Smith - Contact: Rob Whitson

Address: 222 2nd Ave S, Suite 1400, Nashville, TN 37201

Telephone Number (615)770-8312 Fax Number ( )

Email Address rob.whitson@greshamsmith.com

4. PROPERTY OWNER'S NAME University Healthcare Foundation, Inc. - Contact: Brad Freeman

Address: 2500 Hospital Dr, Martinsburg, WV 25401

Telephone Number (304)596-2847 Fax Number ( )

Email Address bradley.freeman.m@wvumedicine.org

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

Property Address: NE of Highways 9 and 340 interchange

Tax Map # and Parcel: Charles Town Corp District, Tax Map 15, Parcels 7.2, 7.3, part of 7.4, and 8

Deed Book and Page #: Book/Page: 1147/325, 1262/140, 1030/343, 1248/348

Property Area in Square Feet or Acres: 73.65 acres (includes 9.4 acres of adjacent Langlet property)

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

Proposed 40,000 SF medical office building,

along with infrastructure for additional future development

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

Vacant land / wooded and agriculture

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

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

Not for this application. A separate application is made for rezoning of 9.4 acres from Neighborhood Residential to General Commercial, to be included in the proposed project property and zoned consistently.

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
None			

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
Springfield Partners, LLC	412 Keyes Ferry Road	Charles Town, WV 25414
Mark F. Langlet, as Trustee of the Jules F. Langlet and Mary Lou Langlet Irrevocable Trust	544 Lego Drive	Charlottesville, VA 22911
Thomas W. Newcomer & Kim Yeunshin	P.O. Box 515	Charles Town, WV 25414
Federal Hill Farms, Inc.	1434 Cattail Run Road	Charles Town, WV 25414

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

Nelson R White Date 12/14/2023

Signature of Property Owner (If different than Applicant)

Dean Thomas Date 12/21/23

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) __X__ **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: WVU Medicine Medical Office Building

Property Owner Information					
Property Owner:	University Healthcare Foundation, Inc. - Contact: Brad Freeman				
Mailing Address:	2500 Hospital Drive				
City:	Martinsburg	State:	WV	Zip Code:	25401
Phone Number:	(304) 596-2847	Email:	bradley.freeman.m@wvumedicine.org		
Signature:				Date:	

Applicant's Registered Engineer or Surveyor or Design Consultant					
Name:	Gresham Smith - Contact: Rob Whitson				
Mailing Address:	222 2nd Ave S, Suite 1400				
City:	Nashville	State:	TN	Zip Code:	37201
Phone Number:	(615) 770-8312	Email:	rob.whitson@greshamsmith.com		

Physical Property Details					
Physical Address:	NE of Highways 9 and 340 interchange				
City:	Charles Town	State:	WV	Zip Code:	25401
Tax District:	3 - Charles Town Corp District	Map No:	15	Parcel No:	7.2, 7.3, part of 7.4, & 8
Parcel Size:	73.65 total acres	Deed Book:		Page No:	
		Book/Page: 1147/325, 1262/140, 1030/343, 1248/348			

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)

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

__x__ 1 Check for Applciation Fees

__x__ 1 Completed Application and Checklist (Signed by owner)

__x__ 3 Sets of Sketch Plans and Adobe PDF Format

	Ordinance Requirements: *(See instructions on page 2)*	Engineer /Surveyor	1st Review	2nd Review	3rd Review	4th Review	Review Key ✓ Ok O Incomplete N/A Not Applicable X Unacceptable
Sub-Section	**SUBDIVISION ORDINANCE** **Section 1332.04, Sketch Plan Requirements**						
A	**THERE ARE TWO TYPES OF SKETCH PLAN SUBMISSIONS:** **Sections in Red and Blue are depict the different types.**						
A1 and D	For: • **Zoning Use Permit** • **Special Exception Use** • **Sketch Plan requirements found in the Supplemental Regulations of the Zoning Ordinance** The following information shall be provided for Sketch Plan review:						
D1	Three (3) 11" x 17" copies of the Sketch Plan shall be submitted and in Adobe PDF format.						
D2	The Sketch Plan shall be drawn to a 1"=50' scale						
D2	The Sketch Plan must illustrate the following elements in such a way that the Subdivision Administrator or authorized designee can determine if the proposed Subdivision or Land Development meets the criteria of this Ordinance, **as applicable:**						
D2a	Existing conditions, including boundary lines of the property						
D2b	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses						
D2c	Vicinity map, north arrow, scale (written and graphic) and date						
D2d	Name of proposed project or other identifying title and date plan was prepared. Name and address of the Engineer, Surveyor, Architect, Landscape Architect, Land Planner or Property Owner who prepared the plan						
D2e	Current zoning and total area of the property						
D2f	Maximum and proposed density						
D2g	Available utilities						
D2h	All existing sanitary sewer facilities and combined sewer facilities						
D2i	Depict location or statement of proposed water and sewer supply and other utility improvements						
D2j	Existing covenants						
D2k	General layout of any proposed number of Lots, average Lot sizes and any proposed commercial uses, including any associated parking. Include proposed height of structures						
D2l	Statement of total acreage of the tract being subdivided or developed						
D2m	Location of proposed Street layout, including connections to adjoining streets or vacant lots						
D2n	The location of sidewalks, trails and crosswalks						
D2o	Proposed open space and/or recreation areas, including notes on the plan describing the proposed use, activity area and/or improvement						
D2p	Any other information requested by the Subdivision Administrator in order for the Subdivision Administrator to make an accurate determination.						
A2 and E	For a **Major S/LD Application**. The following information shall be provided for Sketch Plan review:	X					
E1	Three (3) 18" x 24" copies of the Sketch Plan shall be submitted and in Adobe PDF format.	X					
E2	The Sketch Plan shall be drawn to a 1"=50' scale	X					
E2	The Sketch Plan must illustrate the following elements in such a way that the Subdivision Administrator or authorized designee can determine if the proposed Subdivision or Land Development meets the criteria of this Ordinance:	X					
E2a	Existing conditions, including boundary lines of the property	X					
E2b	A land use plan, showing the location, arrangement and approximate boundaries of all proposed land uses	X					

	Ordinance Requirements: (See instructions on page 2)	Engineer /Surveyor	1st Review	2nd Review	3rd Review	4th Review	Review Key: ✓ Ok; O Incomplete; N/A Not Applicable; X Unacceptable
E2c	Vicinity Map, North arrow, scale (written and graphic) and date	X					
E2d	Names of the abutting owners, adjoining lot lines and structures on abutting lots within 100 feet of the property	X					
E2e	Title of the proposed project; the date, month and year the plan was prepared or revised; the name of the applicant(s), owner(s), and contract owner(s) and the name and address of the Engineer, Surveyor, Architect, Landscape Architect, or Land Planner who prepared the plan, including firm name	X					
E2f	Current zoning and total area of the property	X					
E2g	Maximum and proposed density based on the Net Buildable Land Area	X					
E2h	Available utilities	X					
E2i	All existing sanitary sewer facilities and combined sewer facilities	X					
E2j	Depict location or statement of proposed water and sewer supply and other utility improvements	X					
E2k	Existing covenants	X					
E2l	General layout of any proposed number of Lots, average Lot sizes and any proposed commercial uses, including any associated parking. Include proposed height of structures	X					
E2m	Statement of total acreage of the tract being subdivided or developed, including the Net Buildable Land Area	X					
E2n	The approximate acreage in common open space, in each use and housing type and in roads, streets or rights-of-way for the total development	X					
E2o	The proposed number of dwelling units of each type in each in the total development	X					
E2p	Location of proposed Street layout, including connections to adjoining streets or vacant lots	X					
E2q	The location of sidewalks, trails and crosswalks, as may be applicable	X					
E2r	Proposed open space and/or recreation areas, including notes on the plan describing the proposed use, activity area and/or improvement. The amount, approximate boundaries and location of common open space, with the percentage of the total acreage of the site to be placed in common open space	X					
E2s	The location of environmental sensitive land to be included in common open space	X					
E2t	Notes indicating any modifications, waivers, variances, special exceptions and/or conditional uses that are required	X					
E2u	The location and extent of proposed buffers	X					
E2v	The proposed location, arrangement, and right-of-way widths of roads and streets, including roads and streets providing access to adjoining parcels. The location and arrangement of street entrances, driveways and parking areas	X					
E2w	Calculations describing all proposed bonus factors with the location of and specifications for bonus improvements, when proposed	X					
E2x	Any other information requested by the Subdivision Administrator in order for the Subdivision Administrator to make an accurate determination	X					
Sub-Section	**SUBDIVISION ORDINANCE Section 1333.01, General Site Planning and Design Specifications**						
D1d	There is **no** requirement that a Sketch Plan or Preliminary Plat show phasing.						

Kimley»Horn

Memorandum

To: Rob Whitson
Gresham Smith
222 2nd Ave S, Suite 1400
Nashville, TN 37201

From: Mark Phillips, P.E.

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

Date: January 9, 2024

Subject: WVU-Blue Ridge Crossing Sketch Plan Review

This memorandum summarizes our review of the Sketch Plan for the WVU – Blue Ridge Crossing (dated January 2, 2024, prepared by Gresham Smith) for a proposed medical office building. The site contains 4 parcels; three are currently zoned General Commercial and one is zoned as Neighborhood Residential per the City of Charles Town Zoning Ordinance dated June 18, 2012 (Rev. July 6, 2020). This application proposes a by-right development of approximately 74.9 acres of property.

Kimley-Horn's review of this application is limited to the Sketch Plan and Application provided. Based upon our review, we have no comments as this application is generally in conformance with the Sketch Plan requirements per the City of Charles Town Subdivision and Land Development Ordinance dated June 23, 2012 (Rev. July 1, 2019).

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

KIMLEY-HORN & ASSOCIATES, INC.

Mark Phillips, P.E.
Project Manager, Associate

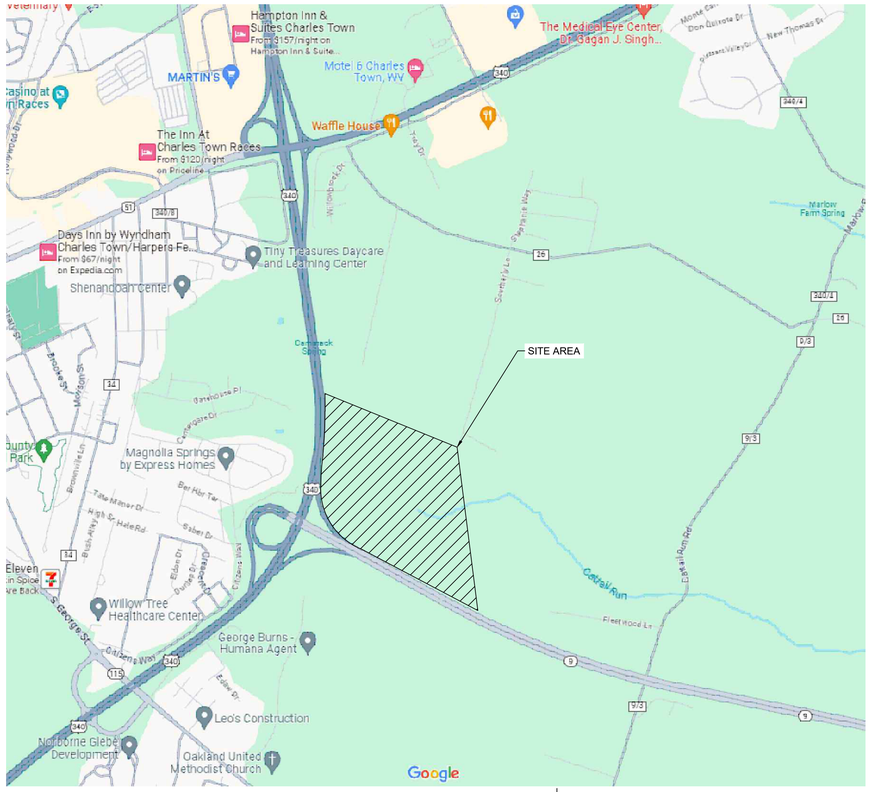
Drawn By: KL
Checked By: RW
Approved By: RW

SKETCH PLAN FOR

WVU - BLUE RIDGE CROSSING

INTERSECTION OF ROUTE 9 AND 340
JEFFERSON COUNTY
CHARLES TOWN, WV

GRESHAM SMITH PROJECT NO. 45550.02



VICINITY MAP
NOT TO SCALE

Sheet List Table	
Sheet Number	Sheet Title
C000	COVER SHEET
C100	EXISTING CONDITIONS
C101	PROPERTY INFORMATION
C200	OVERALL SITE PLAN
C201	DETAILED SITE PLAN
L200	OVERALL LANDSCAPE PLAN
L201	DETAILED LANDSCAPE PLAN

OWNER / DEVELOPER

WVU Medicine

2500 Hospital Drive
Martinsburg, WV 25401
Owner Contact: Brad Freeman
Phone: (304) 596-2847

ENGINEER/ARCHITECT/LANDSCAPE ARCHITECT

Gresham Smith

222 Second Avenue South
Suite 1400
Nashville, TN 37201

Architect Contact: Laurel Nee, AIA, NCARB, EDAC
Phone: (704) 944-7989
Email: laurel.nee@greshamsmith.com

Civil Contact: Rob Whitson
Phone: (615) 770-8312
Email: rob.whitson@greshamsmith.com

Landscape Architect Contact: Trey Rudolph
Phone: (615) 770-8148
Email: trey.rudolph@greshamsmith.com

SURVEYOR

TRIAD ENGINEERING, INC.

1075-D Sherman Avenue
Hagerstown, MD 21740
Survey Contact: Ron Bidle, PLS
Phone: (301) 797-6400
Email: rbidle@triaeng.com

ISSUE DATE:
JANUARY 2, 2024

Gresham Smith

201 South College Street
Suite 1950
Charlotte, NC 28244
704.944.7970

Firm Certification
Nos. 51100 / C-416 / C-2056

GreshamSmith.com

WVU Medicine

BLUE RIDGE CROSSING -
MEDICAL OFFICE BUILDING

WVU MEDICINE
CHARLES TOWN, WEST VIRGINIA

PRELIMINARY
NOT FOR
CONSTRUCTION

Revision		
No.	Date	Description

COVER SHEET

C000

45550.02
1/2/2024

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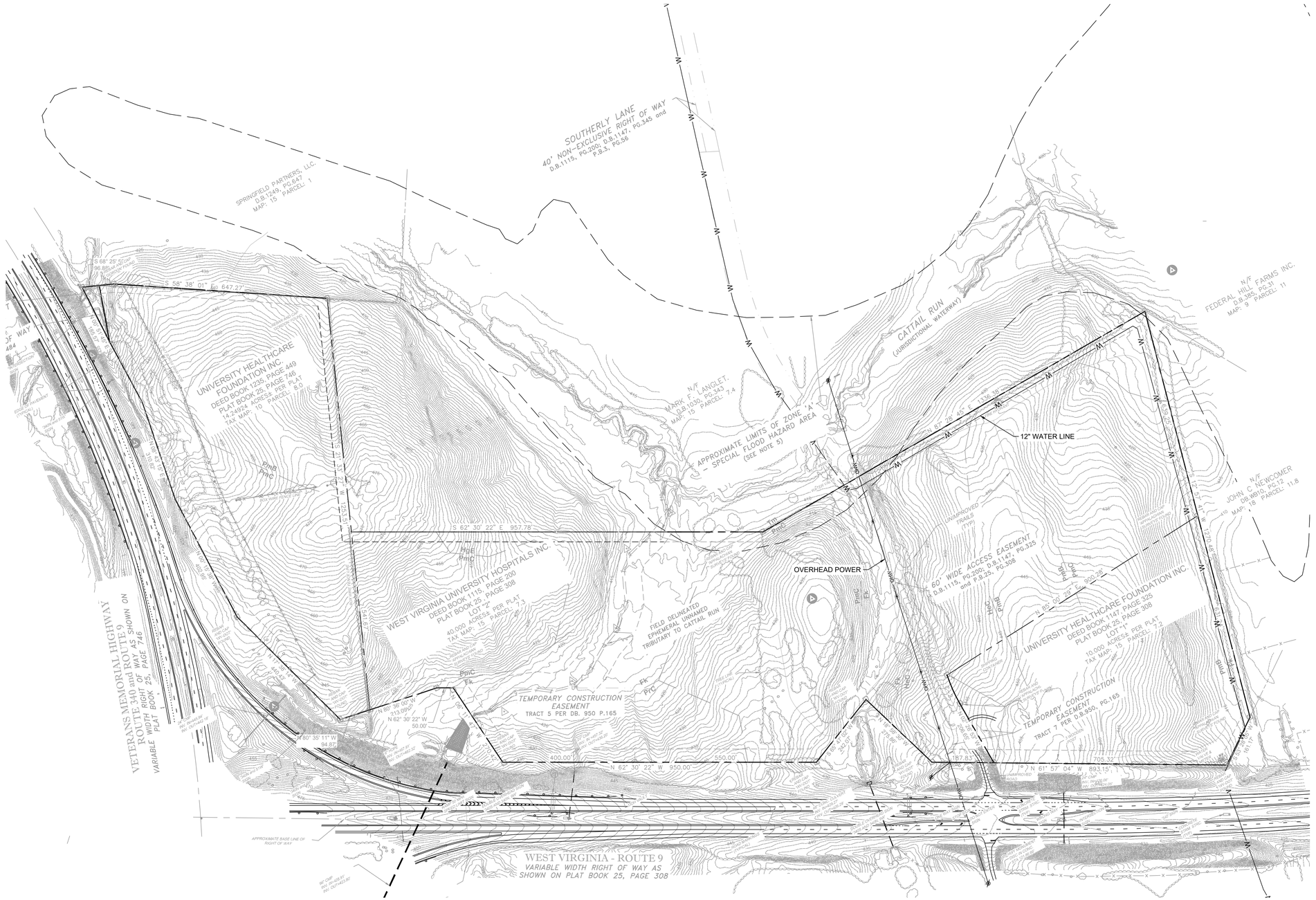
Approved By: RW



NORTH

150' 0 150' 300'
GRAPHIC SCALE
SCALE:
1" = 150'

Gresham Smith

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EXISTING CONDITIONS

C100

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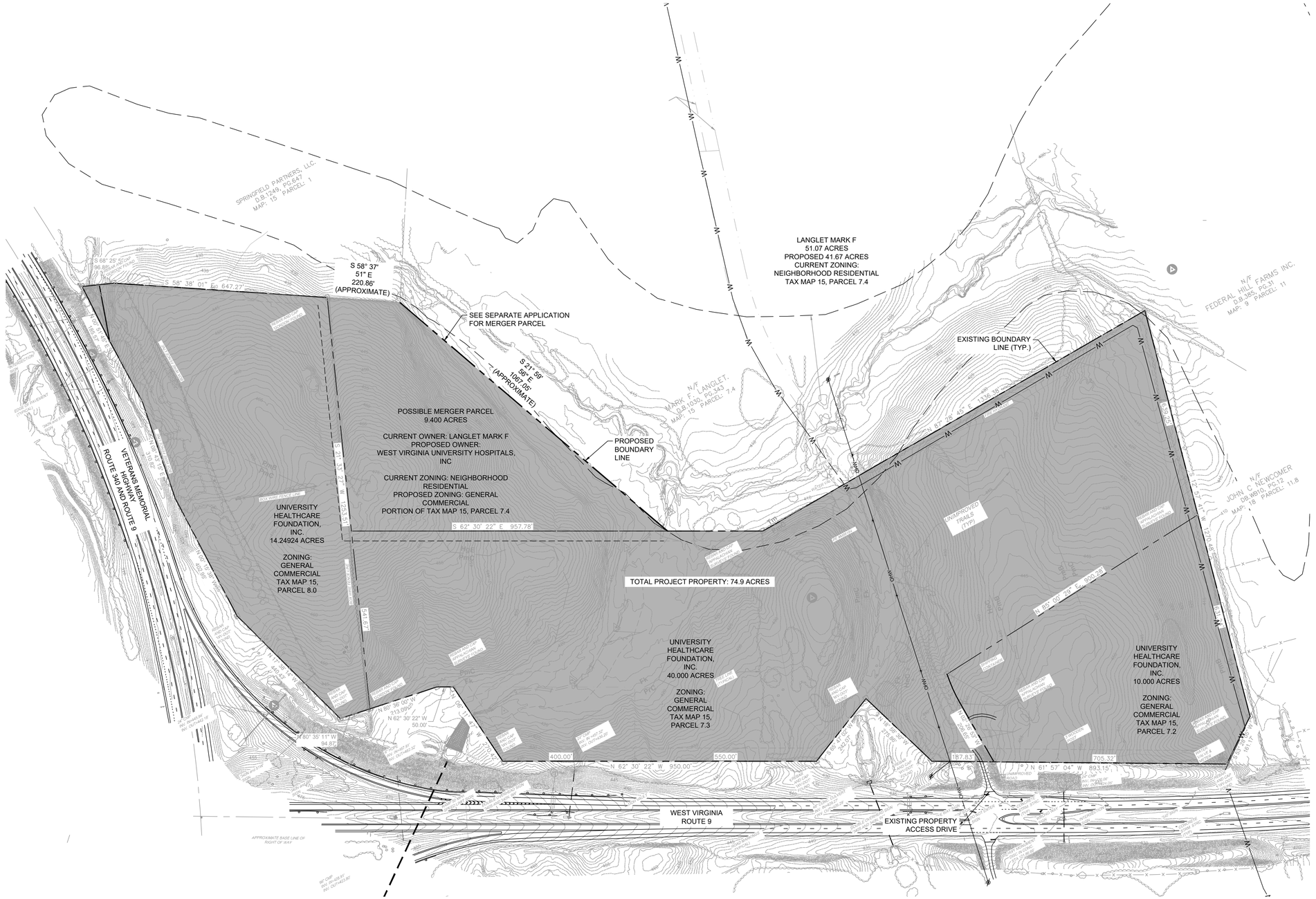
Approved By: RW



NORTH

150' 0 150' 300'

GRAPHIC SCALE
SCALE:
1" = 150'

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Revision		
No.	Date	Description

PROPERTY INFORMATION

C101

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Drawn By: KL
Checked By: RW
Approved By: RW

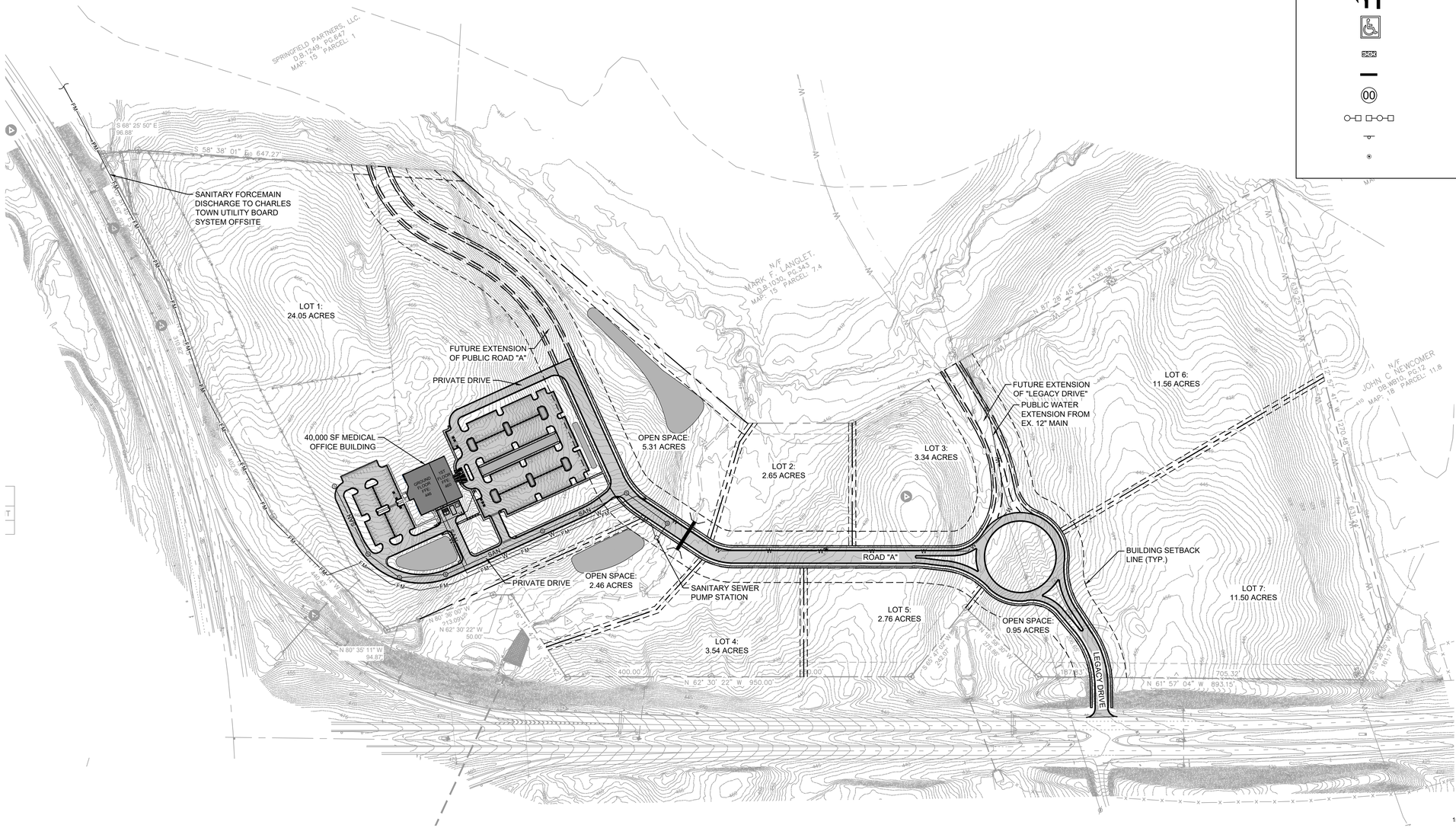
ZONING CRITERIA FOR GENERAL COMMERCIAL (GC):

PROPOSED USE: MEDICAL OFFICE, ITE CODE: 720 (PERMITTED USE)

MAX. DENSITY: NO REQUIREMENT
MIN. LOT SIZE: NO REQUIREMENT
MIN. SETBACKS:

FRONT YARD: 40 FT
SIDE YARD: 10 FT (25 FT ADJACENT TO RESIDENTIAL)
REAR YARD: 30 FT

MAX. LOT COVERAGE: 90 PERCENT
MIN. REQUIRED OPEN SPACE: NO REQUIREMENT
MAX. BUILDING HEIGHT: 55 FT
MAX. STORIES HEIGHT: 5



LEGEND

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPERTY SETBACK LINE
- BUILDING LINE
- BUILDING CANOPY
- FENCE
- CURB
- CURB & GUTTER
- RETAINING WALL
- LIGHT DUTY CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- LIGHT DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- GRAVEL
- CONCRETE SIDEWALK
- CROSS-WALK
- TRANSFORMER PAD
- TURN ARROW
- ACCESSIBLE PARKING SPACE SYMBOL
- DETECTABLE WARNING SURFACE
- WHEEL STOP
- PARKING COUNT
- LIGHT POLE
- SIGN
- BOLLARD

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No.	Date	Description

OVERALL SITE PLAN

C200

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1/2/2024

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Drawn By: KL
Checked By: RW
Approved By: RW

SANITARY FORCEMAIN DISCHARGE TO CHARLES TOWN UTILITY BOARD SYSTEM OFFSITE

FUTURE ROAD EXTENSION TO STONE SPRING SUBDIVISION

BUILDING SETBACK LINE (TYP.)

40'

UPPER PARKING: 201 SPACES

SANITARY MANHOLE STUB FOR FUTURE BUILDOUT

LOWER PARKING: 75 SPACES

ADA PARKING (TYP.)

GROUND FLOOR FFE: 446

1ST FLOOR FFE: 460

STORMWATER

DUMPSTER

TRANSFORMER

GENERATOR PAD

SCREEN WALL

FIRE HYDRANT (TYP.)

SANITARY SERVICE

WATER SERVICE

STORMWATER (TYP.)

GRAVITY SANITARY SEWER (TYP.)

SANITARY MANHOLE (TYP.)

8" WATER LINE (TYP.)

FORCE MAIN (TYP.)

SANITARY PUMP STATION

BOX CULVERT FOR STORMWATER CONVEYANCE

5' CONCRETE SIDEWALK (TYP.)

PROPOSED BOUNDARY LINE (TYP.)

EPHEMERAL STREAM TOP OF BANK

50' BUFFER FROM TOP OF BANK

100-YR FLOODPLAIN

N 80° 36' 00" W 213.09'

N 80° 35' 11" W 94.87'

N 62° 30' 22" W 50.00'

N 06° 11' 47" W

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED LOT LINE
- PROPERTY SETBACK LINE
- BUILDING LINE
- BUILDING CANOPY
- FENCE
- CURB
- CURB & GUTTER
- RETAINING WALL
- LIGHT DUTY CONCRETE PAVEMENT
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- ACCESSIBLE PARKING SPACE SYMBOL
- DETECTABLE WARNING SURFACE
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- LIGHT POLE
- SIGN
- BOLLARD

NORTH

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

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DETAILED SITE PLAN

C201

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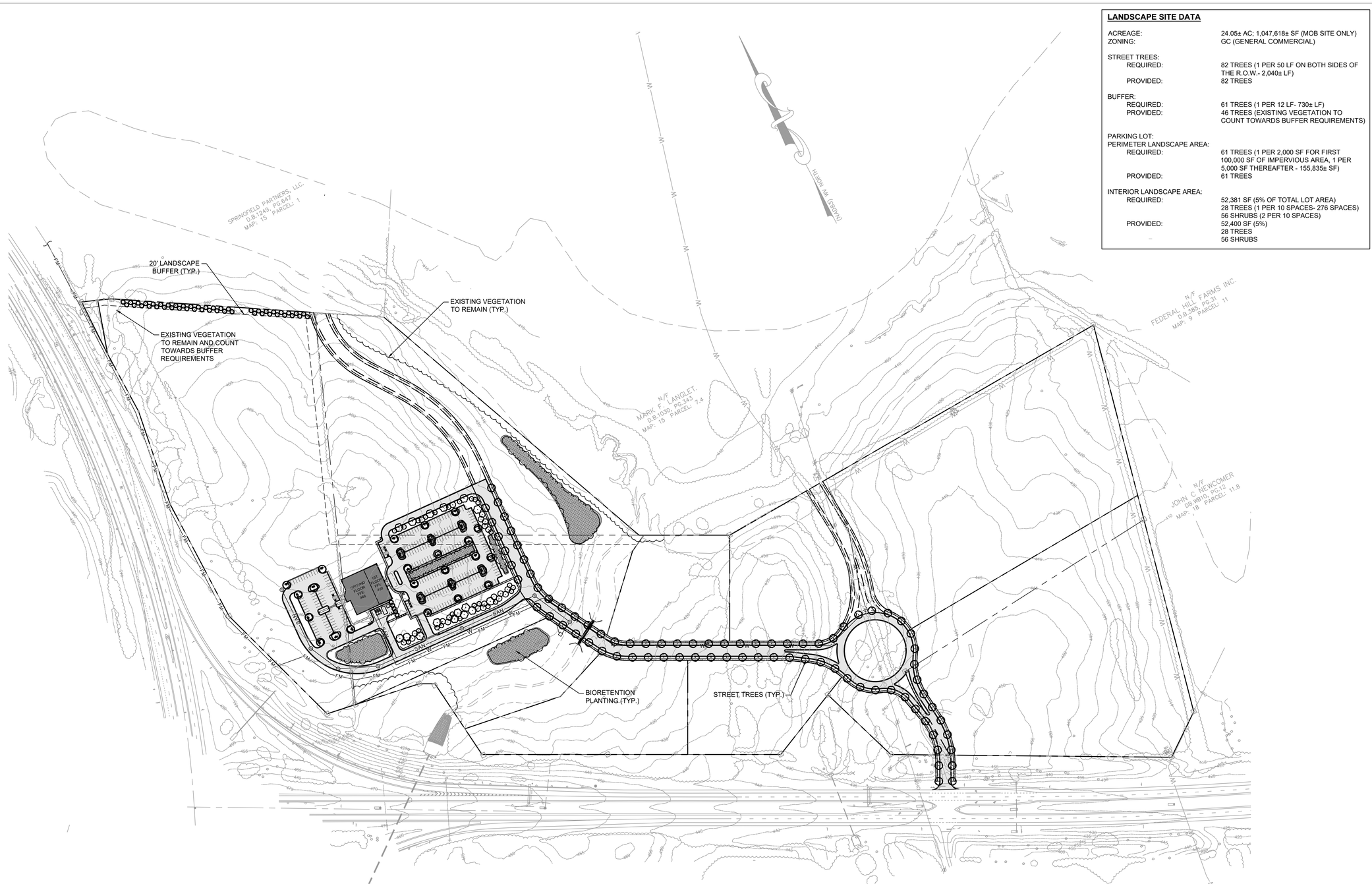
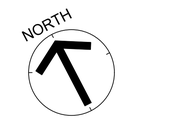
Drawn By: KL
Checked By: RW
Approved By: RW

LANDSCAPE SITE DATA

ACREAGE:	24.05± AC; 1,047,618± SF (MOB SITE ONLY)
ZONING:	GC (GENERAL COMMERCIAL)
STREET TREES:	
REQUIRED:	82 TREES (1 PER 50 LF ON BOTH SIDES OF THE R.O.W.- 2,040± LF)
PROVIDED:	82 TREES
BUFFER:	
REQUIRED:	61 TREES (1 PER 12 LF- 730± LF)
PROVIDED:	46 TREES (EXISTING VEGETATION TO COUNT TOWARDS BUFFER REQUIREMENTS)
PARKING LOT:	
PERIMETER LANDSCAPE AREA:	
REQUIRED:	61 TREES (1 PER 2,000 SF FOR FIRST 100,000 SF OF IMPERVIOUS AREA, 1 PER 5,000 SF THEREAFTER - 155,835± SF)
PROVIDED:	61 TREES
INTERIOR LANDSCAPE AREA:	
REQUIRED:	52,381 SF (5% OF TOTAL LOT AREA) 28 TREES (1 PER 10 SPACES- 276 SPACES) 56 SHRUBS (2 PER 10 SPACES)
PROVIDED:	52,400 SF (5%) 28 TREES 56 SHRUBS





150' 0 150' 300'
GRAPHIC SCALE
SCALE:
1" = 150'

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OVERALL LANDSCAPE PLAN

L200

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Approved By: RW

GROUND FLOOR FFE: 446

1ST FLOOR FFE: 460

EXISTING VEGETATION TO REMAIN (TYP.)

STREET TREES (TYP.)

BIORETENTION PLANTING (TYP.)

NORTH

40' 0 40' 80'

GRAPHIC SCALE
SCALE:
1" = 40'

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DETAILED LANDSCAPE PLAN

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