CITY OF CHARLES TOWN
PLANNING COMMISSION
AGENDA • SEPTEMBER 23, 2024

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

101 E Washington Street, Charles Town, WV 25414

1. CALL TO ORDER

2. APPROVAL OF MINUTES

3. UNFINISHED BUSINESS

4. NEW BUSINESS

4.1 : **Public Hearing**: *ZMA2024-03* - Ann Street Planned Unit Development Rezoning
1. Staff Report.pdf
2. Application.pdf
3. Narrative.pdf
4. Sketch Plan.pdf
5. Landscaping Plan.pdf
6. Academy Place Home Types.pdf

4.2 : *Commission Review*: Neighborhood Commercial requirements
1. Report.pdf

4.3 : *Commission Review*: Planning and Zoning Fees Update
1. Report.pdf

5. ADJOURNMENT

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

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

Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 09/23/24
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

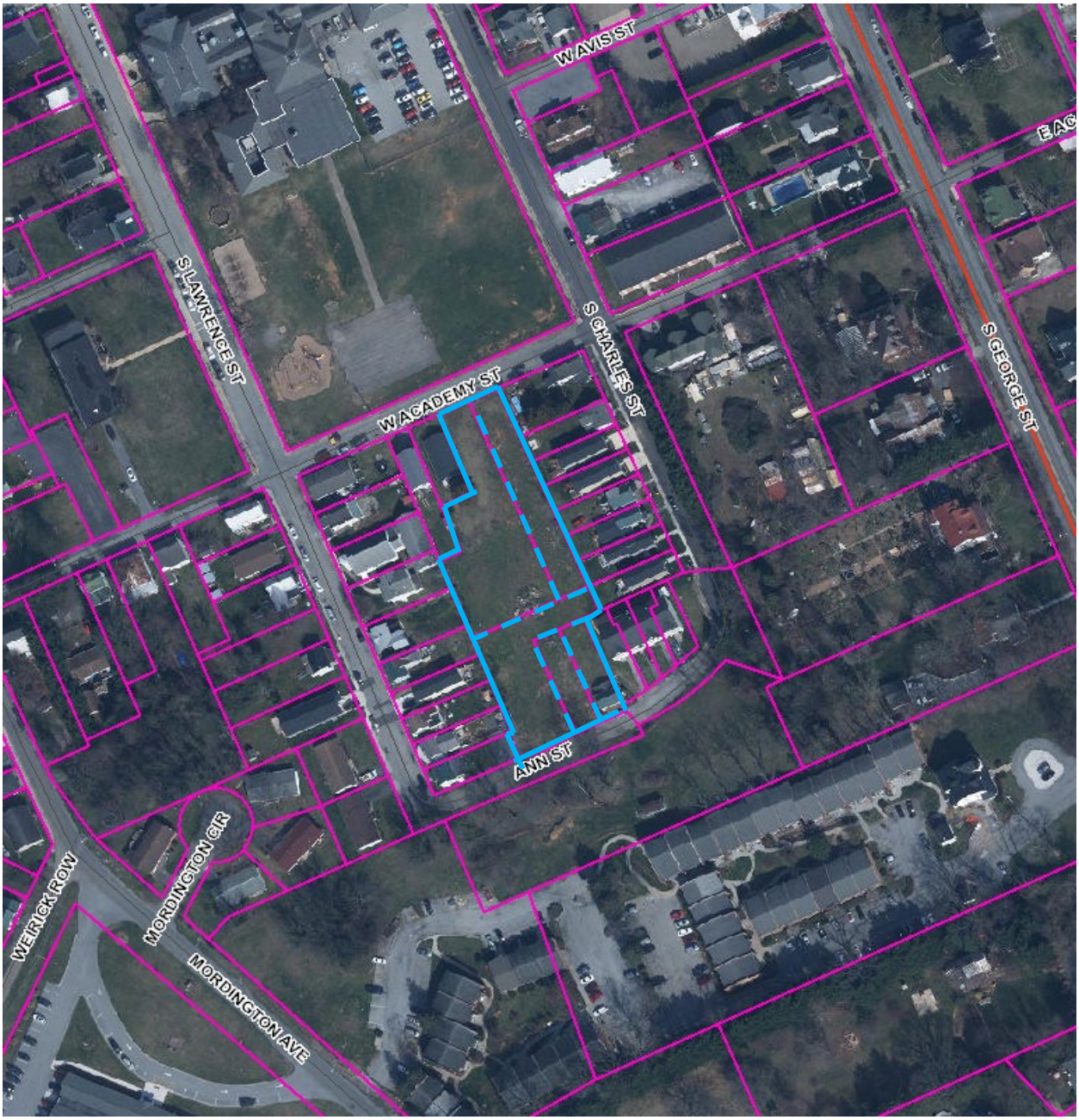
Public Hearing: *ZMA2024-03* - Ann Street Planned Unit Development Rezoning

ATTACHMENTS:

- 1. Staff Report.pdf
- 2. Application.pdf
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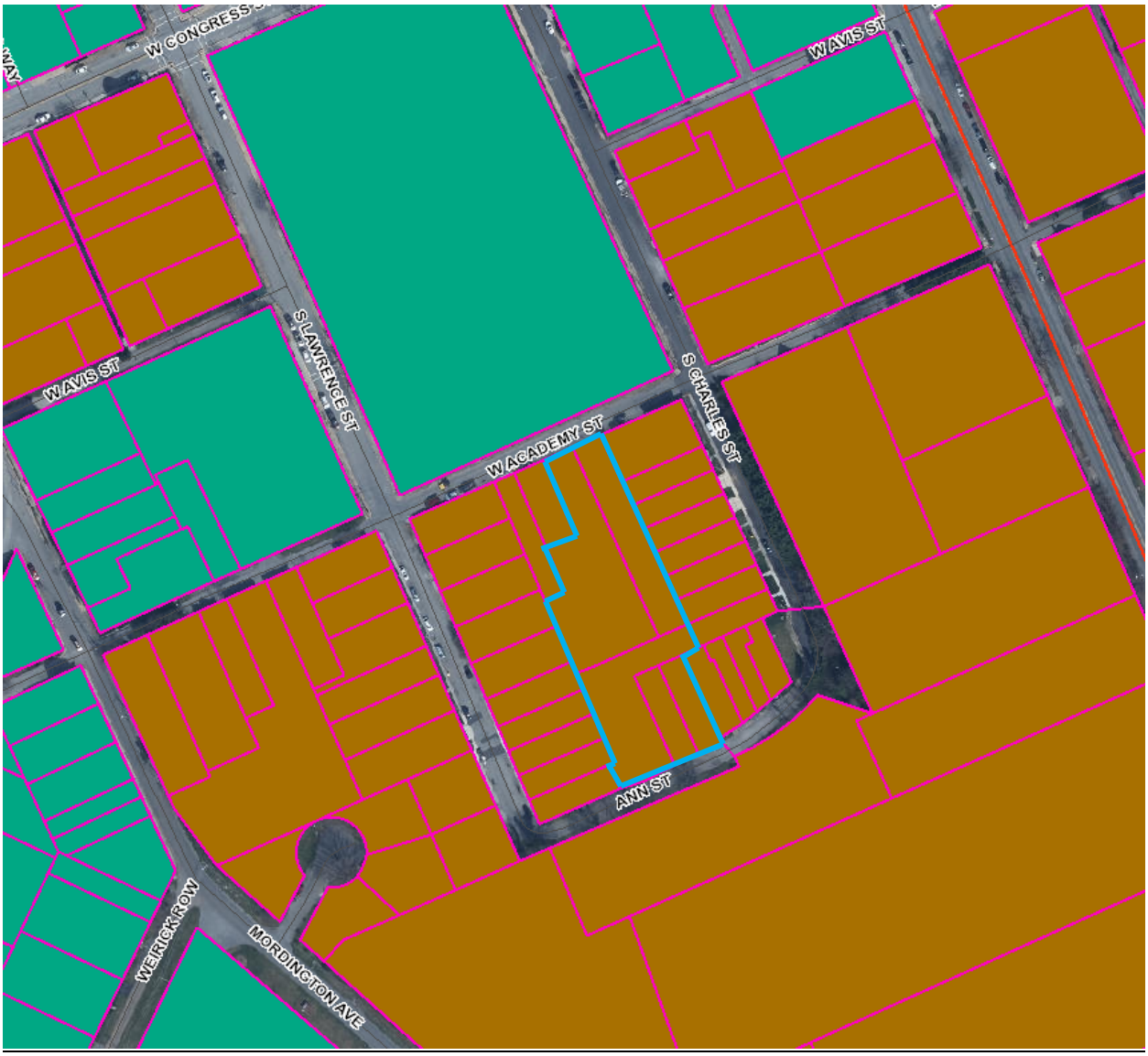
Zoning Map Amendment
ZMA2024-03

Date: For the September 23, 2024 Planning Commission meeting
Applicant: Mark Roper
Property Owner: Mark Roper
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.
Proposal: Rezoning from Old-Town Residential to Planned Unit Development.
Property Location: Between W. Academy Street and Ann Street
Current Zoning: Old Town Residential



PROJECT OVERVIEW

A request to rezone approximately .81 acres/35,290 sq. ft. of land from Old-Town Residential to Planned Unit Development.



ZONING MAP

KEY

Brown – Old-Town Residential

Green – Old-Town Mixed-Use Commercial

PLANNING COMMISSION

The Commission was briefed on this proposal at their August 26, 2024 meeting. Three members of the public spoke. They were generally in favor and had comments about infrastructure, traffic, and landscaping. The Commission voted to postpone discussion to a later meeting with a new public hearing.

DEVELOPMENT PURPOSE

The proposed rezoning area is .81 acres. The purpose of the rezoning is to develop the parcels into a development with one single family detached dwelling unit and nine townhomes. The

existing Old Town Residential Zoning permits single-family detached units by-right and townhomes via a Special Use Permit. The proposed rezoning would permit both uses by-right.

PLANNED UNIT DEVELOPMENT (PUD) OVERVIEW

The Planned Unit Development is a unique zoning district. It acts as a separate Zoning District overlaid on to the existing underlying "fixed" Zoning District(s). The Uses, requirements, and standards approved for the PUD shall take precedence over inconsistent or conflicting provisions applicable to the underlying "fixed" Zoning District(s). In the event the PUD is abandoned or otherwise terminated, the underlying Zoning District(s) shall thereafter apply to the subject land.

The purpose is to **encourage and allow more creative and imaginative design** of land developments **than is possible under district zoning regulations**. Planned Unit Developments are intended to **allow substantial flexibility in planning and designing** a proposal. This flexibility often accrues in the form of relief from compliance with conventional Zoning Ordinance and Subdivision and Land Development Ordinance site and design requirements.

Ideally, this flexibility results in a development that is better planned, that contains **more amenities,** and ultimately a **development that is more desirable to live in** than one produced in accordance with typical Zoning Ordinance and subdivision controls. An intrinsic, and often neglected, premise upon which the approval of a PUD must be conditioned, is that while greater density or more lenient siting requirements may be granted, **the PUD should contain features not normally required of traditional developments**.

The PUD process is also intended to allow Infill Development or development of smaller parcels contiguous with existing developed areas of the City, where it may be appropriate to match existing Lot and block patterns, Street corridors and other existing conditions. **In instances of Infill Development,** particularly smaller parcels, **creative design emphasis** shall be placed **on architectural controls, landscaping and neighborhood compatibility, rather than** subdivision design or the creation of **large Open Spaces or common areas**.

EXISTING DEVELOPMENT CRITERIA

Old Town Residential Development zoning requirements:

Table 1322.11, OT-R District Bulk and Area Regulations

Maximum Density	
Minimum Lot Size	
Existing Lot of Record	No Minimum Lot Size
For Newly Created Lots the Following Standards Shall Apply:	
Single-Family Detached Dwelling	10,000 square feet
Duplex Dwelling	6,000 square feet
Multi-Family Dwelling	20,000 square feet
Townhouse Dwelling	2,000 square feet
Group Home	10,000 square feet
All Other	20,000 square feet
Minimum Lot Width	
Existing Lot of Record	No Minimum Lot Width[3]
Single-Family Detached Dwelling	70 feet
Two-Family Dwelling	80 feet
Duplex Dwelling	40 feet
Multi-Family Dwelling	100 feet
Townhouse Dwelling	18 feet
Group Home	70 feet
All Other	100 feet
Minimum Front Yard Setback	20 feet or Front Setbacks shall vary no more than 10% from the average Setbacks of the three Adjacent Properties to each side.[5]
Minimum Side Yard Setback	10 feet[1]
Minimum Rear Yard Setback	20 feet
Maximum Lot Coverage	70 percent
Minimum Building Height	Minimum = 24 feet or 1.5 stories
Maximum Building Height	35 feet (55 feet for Multi-Family)[2]
Maximum Stories	3 stories (4 stories for Multi-Family)

(1) No Side Yard shall be required adjoining any Lot line that coincides with party-wall in an attached Dwelling or other Use.

(2) Multi-Family: 55 feet, 4 stories

(3) Width of lot shall be determined by ability to meet setbacks when a principle use is located on the lot.

(4) Legal Non-conforming Structures that are destroyed in fires and/or natural disaster are permitted to be rebuilt in their previous area and bulk configuration.

(5) In situations where there are not three (3) contiguous properties to either side of the subject property, where possible, reviewing the front setbacks in the next block on the same side of the street shall be considered. In locations where there are no structures in the contiguous block or if the block pattern change significantly, the intent and spirit of the Zoning Ordinance is to maintain consistency and compatibility within the block where the structure is to be located. Examining the front setbacks across the street from the subject parcel is a reasonable alternative in so much that compatibility within the block is maintained. Discretion in determining the front setback to achieve the character and compatibility resides within the duties of the Zoning Administrator.

PROPOSED DEVELOPMENT CRITERIA

Planned Unit Development proposed zoning requirements:

ANN STREET

DEVELOPMENT STANDARDS	sf	acres	
PROPERTY AREA	35,290	0.81	
PRIVATE ROAD PARCEL	9,246	0.21	
SWM AREA	TBD	0.00	
NET BUILDABLE LAND AREA	26,044	0.60	

DATA TABLE FOR PLANNED UNIT DEVELOPMENT (PUD) ZONING			
SEC. 1322.11 OT-R DISTRICT BULK & AREA REGULATIONS	**MIN. REQUIRED**	**MAX. ALLOWED**	**PROPOSED SFA (SFD)**
EXISTING LOT OF RECORD[4]			
Dwelling Units	N/A	N/A	1
Lot Size (sf)	N/A	N/A	3,394 SF
Lot Width[5] (ft)	N/A	N/A	36'
TOWNHOME LOTS			
Dwelling Units	N/A	N/A	10
Lot Size (sf)	2,000	N/A	2,000
Lot Width (ft)	18	N/A	18
BUILDING SETBACKS			
Front Yard[1,2] (ft)	20	N/A	20
Side Yard[3,6] (ft)	10	N/A	10
Rear Yard (ft)	10	N/A	Lot 1: 27', Lot 2: 11', Lot 3: 10', Lot 4: 29', Lot 5: 26', Lot 6: 23', Lot 7: 11', Lot 8: 20', Lot 9: 21', Lot 10: 21'
BUILDING HEIGHT (ft.)	24 feet or 1.5 stories	35	35
STORIES	N/A	3	3
Lot Coverage (%)	N/A	70	70
3,500 SF per SFA Unit			
SEC. 1333.23(J) & 1333.20(G) OFF-STREET PARKING REQUIREMENTS	**RATE**	**REQUIRED**	**PROPOSED**
TOWNHOME (Per du)			
Off-Street Parking Spaces	1.8	18	12
Additional Street Parking Spaces			
Total Parking Spaces		**18**	**12**
SINGLE FAMILY (Per du)			
Off-Street Parking Spaces	2.0	20	2
Additional Street Parking Spaces			
Total Parking Spaces		**20**	**2**

NOTES

*** Existing Parcel/ Lot

[1] In situations where there are not three (3) contiguous properties to either side of the subject property, where possible, reviewing the front setbacks in the next block on the same side of the street shall be considered.

[2] Front yard setback shall be measured from the face of the curb.

[3] No Side yard shall be required adjoining any Lot line that coincides with party-wall in an attached Dwelling or other Use.

[4] One existing lots of record fronting on W. Academy Street

[5] Width of lot shall be determined by ability to meet setbacks when a principle use is located on the lot.

[6] For Lot 10, a 20' side setback is proposed since it is a corner lot.

CHANGES FROM OT-R REQUIREMENTS

Lot	Front Setback (Feet)	Side Setback (Feet)	Rear Setback (Feet)	Lot Width (Feet)	Minimum Lot Size (Square Feet)
	Provided / Required	Provided / Required	Provided / Required	Provided / Required	Provided / Required
Lot 1	20 / 20	10 /10	27 / 20	36 / 70	3,394 / 10,000
Lot 2	20 / 20	End unit 5 / 10	11 / 20	28.8 / 18	2,540 / 2,000
Lot 3	20 / 20	Internal Unit 0 / 0*	10 / 20	23.3 / 18	1,878 / 2,000
Lot 4	20 / 20	Internal Unit 0 / 0*	29 / 20	23.3 / 18	2,391 / 2,000
Lot 5	20 / 20	Internal Unit 0 / 0*	26 / 20	23.3 / 18	2,404 / 2,000
Lot 6	20 / 20	End unit 5 / 10	23 / 20	28.3 / 18	2,840 / 2,000
Lot 7	20 / 20	End unit 5 / 10	11 / 20	27.4 / 18	2,274 / 2,000
Lot 8	20 / 20	Internal Unit 0 / 0*	20 / 20	24.4 / 18	2,002 / 2,000
Lot 9	20 / 20	Internal Unit 0 / 0*	21 / 20	23.3 / 18	2,005 / 2,000
Lot 10	20 / 20	End unit 10 / 20**	21 / 20	32.4 / 18	3,775 / 2,000

*Internal units do not have a setback requirement for common shared walls
**End unit along a street, treated as a double front.

NEIGHBORHOOD DESIGN

The PUD infill requirements call for **creative design emphasis** which shall be placed on **architectural controls,** as well as **landscaping and neighborhood compatibility.** The following pictures show some of the existing design in the surrounding neighborhood:




423
2024/09/17 10:29:12


429
For Sale
Dandridge Realty Group
2024/09/17 10:29:17



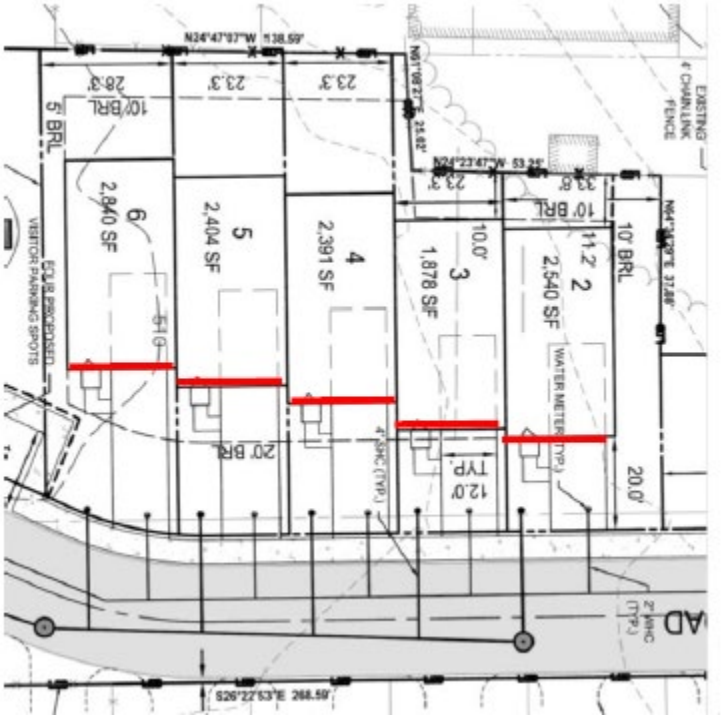

212
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PROPOSED DESIGNS



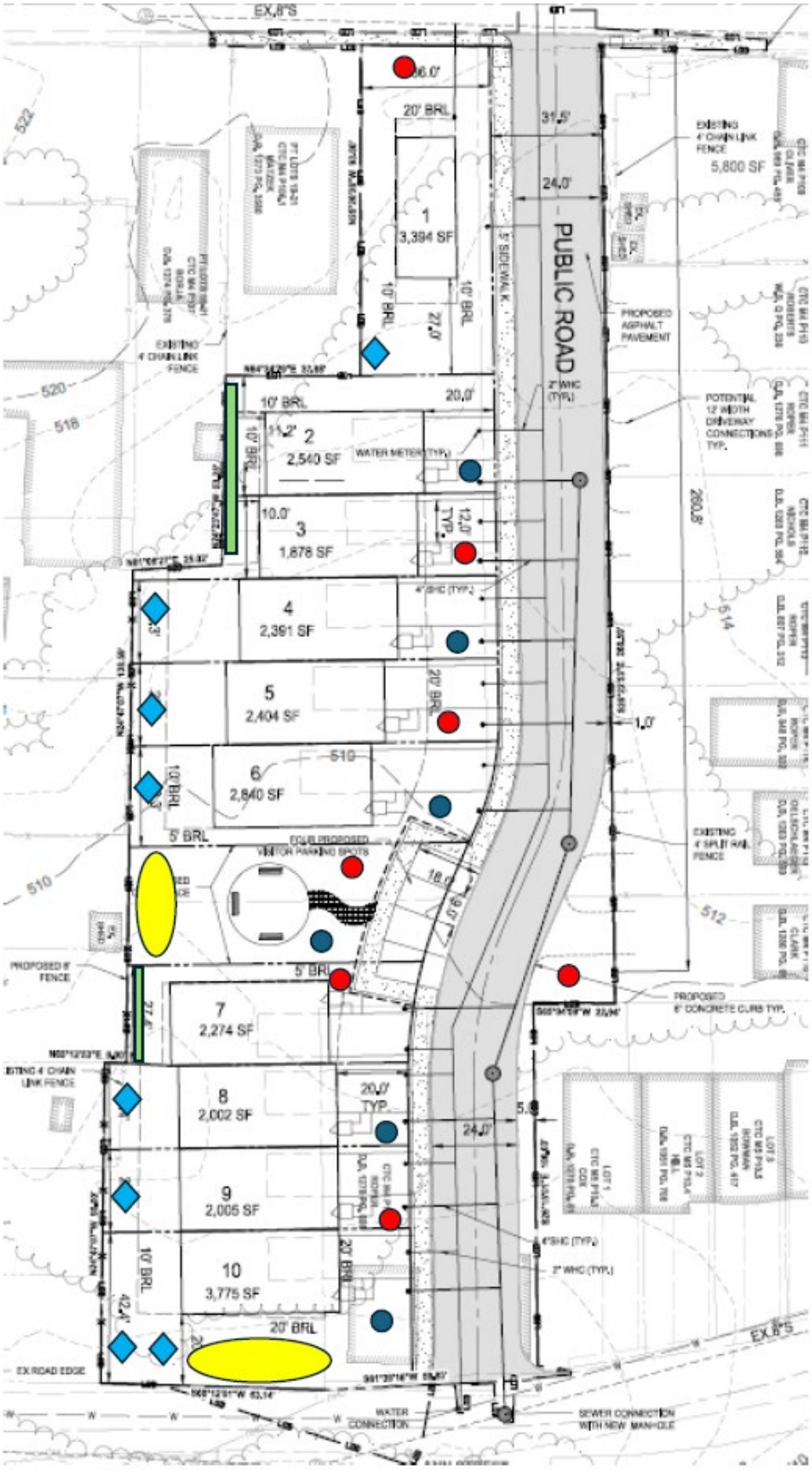
Please note that the lots at Academy Place have "stepped-back" front, creating more undulation so the facades will have greater depth and dimension. See images below.






Lot 10
Lot 9
Lot 8
Lot 7

LANDSCAPING PLAN



Legend

- Pin Oak
- Sunset Red Maple
- Bioswale
- Emerald Green Arborvitae
  Spaced every 6 feet
- Green Gian Arborvitae

PUD SPECIFIC OBJECTIVES

Through proper planning and design, each PUD should include features which further, and are in compliance with, the following objectives:

1. *To allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision controls;*

   The properties are not within the Historic District, so there are no specific zoning constraints on design or material beyond the setback and height restrictions. The townhomes, if designed per the applicant's pictures, will have more variety of façade material compared to the existing townhomes in the neighborhood. The proposed single family home materials are similar to what currently exists in the neighborhood.

2. *To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions (including Karst geology) and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions;*

   The topography of the site has the high ground along W. Academy Street sloping down towards Ann Street. No diagrams have been provided showing the detailed topography of the site for grading work. There is no significant vegetation on site The view from West Academy Street is shown on the next street:



3. *To combine and coordinate architectural styles, Building forms, and structural/visual relationships within an environment that allows mixing of different land Uses in an innovative and functionally efficient manner;*

   The nine townhomes will be built in two rows: one row of four home and the other with five homes. The minimum required is three with a maximum of ten. Townhomes are required to have facades which are different from abutting units.

4. *To provide for abundant, accessible, and property located public open and recreation space, private open and recreation space, schools, and other public and private facilities;*

   For townhome developments, at least 30% of the net buildable land area must be dedicated as open space. Per the applicant, there is 26,044 sq. ft. of net buildable area. 30% of that is 7,813 sq. ft.

   Approximately 5,000 sq. ft. of open space are provided in the form of a playground with a playset. Additionally, rather than dedicate the small play area to the City, the applicant will be paying a fee-in-lieu-of in the amount of $500 per unit. The applicant states that the play area and other open space are to be maintained by a Home Owners Association.

5. To promote the efficient Use of land resulting in networks of utilities, Streets and other infrastructure features that maximize the allocation of fiscal and natural resources;

The proposed development will result in a density of 8.1 units per acre with an average lot size of 2,550 sq. ft. Based solely on lot size requirements, under the OTR regulations one single-family lot and 8 townhomes lots could potentially be built.

The proposed development includes a 24 ft. wide through-street connecting W. Academy Street and Ann Street, with a 5 ft. wide sidewalk to be built on one side of the street. The applicant will also build a sidewalk on the south side of W. Academy Street to tie into the existing sidewalk infrastructure, completing the sidewalk network in that area. The development is a compact and efficient use of limited space to provide housing and road infrastructure.

6. To enable land developments to be, to the maximum extent practicable, compatible and congruous with adjacent and nearby land developments;

The proposed development is purely residential. Neighboring lots are slightly larger and wider than what is proposed. For buffering, the applicant proposed a fence behind the townhomes and playground. Each lot will be planted with one street tree; current requirements are for one tree every 50 feet. The narrow width of the townhome lots will result in more trees than if only the 'one every 50 ft' requirement was adhered to. 21 trees will be planted.

7. To ensure that development occurs at proper locations, away from environmentally sensitive areas, and on land physically suited to construction;

The proposed development is residential infill within an existing residential neighborhood. There are no known environmentally sensitive areas impacted by this development; an analysis of stormwater runoff will be performed for the preliminary plan should the rezoning and subsequent sketch plan be approved.

8. To allow unique and unusual land Uses to be planned for and located in a manner that ensures harmony with the surrounding community; and

The proposed uses are either permitted by-right in the OTR zoning district (single-family detached housing) or permitted via Special Use Permit (townhomes).

9. To create a method for the permanent preservation of Historic Structures and/or Landmarks.

While located just outside of the City's Historic District, the parcels are located within the National Register *Old Charles Town Historic District*. The parcels subject to the rezoning request are vacant and construction of the proposed development will not impact adjacent historical structures.

PUD SPECIFIC QUALIFICATIONS

1. A Planned Unit Development may be developed in any Zoning District if it:

a. Is within the City's Old Town Districts, no minimum lot size shall apply, and at least twenty (20) acres in size for undeveloped tracts located outside the City's Old Town Districts

This criterion is met, the property is zoned Old Town Residential.

b. Contains more than two (2) detached Buildings accommodating principal Uses; No minimum number of detached Buildings apply in the City's Old Town Districts;

This criterion is met, there is one detached single family home and two rows of townhomes.

c. Is initially under the same ownership or control;

Applicant proposes a Home Owners Association, which would maintain the common open area.

d. Is of a character that is compatible with, and contains such Uses that are needed in, the area of the proposed project. A market analysis substantiating the need for such Uses is encouraged.

No market analysis has been provided. The proposed development is a prime example of infill development; it provides nine additional dwelling units within an existing urban neighborhood.

2. *Upon approval, a PUD acts as a separate Zoning District overlaid on to the existing underlying "fixed" Zoning District(s). The boundaries of the PUD shall be as specified in the approval. The Uses, requirements, and standards approved for the PUD shall take precedence over inconsistent or conflicting provisions applicable to the underlying "fixed" Zoning District(s). In the event the PUD is abandoned or otherwise terminated, the underlying Zoning District(s) shall thereafter apply to the subject land.*

Applicant acknowledges that.

3. *Uses permitted in a PUD may be any compatible residential, Commercial, or public Use or combination of Uses.*

The proposed townhome and single family units are compatible with the existing residential uses.

4. Flexibility to suspend requirements imposed elsewhere is not conferred upon the PUD applicant as a matter of right but is in all cases subject to a finding by the Planning Commission that the objectives of these provisions will be served thereby.

The rezoning and sketch/preliminary plan process provide for public input and City review.

PUD REQUIREMENTS

1. Minimum Tract Size:

A. Within Old Town Districts: No minimum lot size.

This criterion is met.

2. *Maximum Residential Density: 25 units per acre calculated on the Net Buildable Land Area; however, no Maximum Density applies to the Old Town Residential Districts.*

This criterion is met, the property is zoned Old Town Residential.

3. *Density Calculation: The density of a PUD shall be calculated from the Net Buildable Land Area; however, no Maximum Density applies to the Old Town Residential Districts.*

This criterion is met, the property is zoned Old Town Residential.

4. *Required Common Open Space: A minimum of twenty percent (20%) of the total usable land in residential Use in each phase shall be set aside for permanent common Open Space as defined herein.*

This criterion is not met, per the applicant approximately 19% of the site is open space. 30% open space is specifically required by the Subdivision Ordinance required for townhome developments.

5. *Quality of Design: To be granted the flexibility permitted hereunder, a Planned Unit Development must evidence a level of design and amenity exceeding that typical of conventional development. Among the features that may evidence such amenity are:*

a. *Amount and quality of landscaping;*
Applicant proposed more street trees than required.

b. *Amount, quality, and interconnectedness of common Open Space;*
Open space will have active uses (children's playground). Open space will be placed between the twos sets of townhomes.

c. *Provision of pedestrian or bicycle paths separated from Streets;*
Sidewalk to be installed on one side of the proposed street, and sidewalk network along Academy St. to be completed.

d. Preservation of drainage ways and other natural features;

No natural drainageways shown on sketch plan.

e. Provision of common recreational facilities;

A common area is provided (playground).

f. Enclosed, underground, depressed, or outstandingly landscaped parking areas;

There will be 4 off-street parking spaces adjacent to the open space. Each dwelling unit will have a driveway and garage.

g. Varied Building Setbacks or other measures to reduce monotony in design;

The townhomes meet the requirements for being offset from each other. The proposed side yard setbacks on some townhome units are less than the OTR 10 ft. minimum (at 5 ft.), hence the PUD request.

h. Other features as determined by the Planning Commission or City Council.

Covenants

Where individual parcels are to be later sold, adequate provision has been made in the form of deed restrictions, a declaration of common interest community, covenants, conditions, and restrictions, or the like for:

1. *The preservation and maintenance of any Open Spaces, thoroughfares, utilities, water retention or detention areas, and other common elements not to be dedicated to the City or another public body;*

   The applicant will create an HOA to maintain the open space and off-street parking.

2. *Such control of the Use and exterior design of individual Structures, if any, as is necessary for continuing conformance to the PUD Plan, such provision to be binding on all future ownership and compliant with Chapter 36B of the West Virginia Code;*

   Applicant can craft deed language requiring adherence to the proposed PUD design requirements.

ADDITIONAL CHANGES

The applicant is making the following changes to the townhome requirements of the Subdivision Ordinance:

Subdivision Ordinance, Section 1333.20, Townhouse Development Standards.

- Section 1333.20, Subsection (B) – Net Buildable Area
  - Required
    - Each lot shall be 2,000 square feet.
    - An additional 1,500 square feet for open space per lot.
  - Provided
    - Except for Lot 3, which will be 1,878 square feet, each lot will be 2,000 square feet or more.
    - Approximately an additional 500 square feet for open space per lot.

- Section 1333.20, Subsection (O) – Required Open Space
  - Required:
    - 1,500 sq. ft. of open space per townhome unit with a collective requirement of 30% open space.
    - 30% is approximately 7,813 sq. ft. of the site.
  - Provided:
    - Approximately 5,000 sq. ft. of open space with a child's playset.
    - This is 19% of the site for open space.
    - Approximately 500 square feet is provided per lot
    - This development is located within walking distance to several parks, Evitts Run Park, Jefferson Memorial Park, Perry Park, and the Skate Park.
  - Applicant will be providing a fee-in-lieu of open space of $500.00 per unit per Section 1333.17, Park, Recreation and Open Space Amenity Standards.

Subdivision Ordinance Section 1333.02, Street Design Standards,

- Table 1333.02 – Minimum Street Design Standards
  - Required:
    - The right of way is the width of a street from the backside of one sidewalk all the way across the street to the back side of the other side of the street.
    - The right-of-way requirement for a minor street, "Neighborhood Street", 50 feet.
  - Provided is 29 feet right-of-way.
    - This includes two – 12-foot travel lanes and a 5–foot sidewalk along the townhome side of the street.
    - Note that a "Neighborhood Street" has 10-foot travel lanes, and 12-foot travel lanes are proposed.

REZONING GENERAL CRITERIA

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 *Old Town Residential*. The purpose of the *Old Town Residential* land use in the 2040 Comprehensive Plan is:

   Properties with this future land use classification are located in the City's historic Old Town and are within close walking distance of the Downtown. The ***primary function*** *of the Old Town Residential future land use is to* ***recognize and preserve the existing older*** *residential* ***neighborhoods*** *within the City that are* ***characterized*** *as having* ***smaller lots***, ***smaller setbacks, traditional grid street pattern*** *and* ***access by street or alley***.

   The preservation of the Old Town residential neighborhoods are vital to promoting interaction among activities located within the entire Old Town District that includes the Old Town Mixed Use Commercial area. The purpose of such interaction is to further enhance business vitality, reduce vehicular traffic, increase access to and the use of transit services.

   Also, it can provide employment opportunities for residents close to home, ensure the compatibility among and between residential and Downtown Commercial Uses, and ***ensure the appearance and effects of buildings and uses*** *are* ***harmonious*** *with the* ***traditional neighborhood character*** *of the area.*

   The proposed use of the property and the proposed rezoning are in conformance with the Comprehensive Plan, which calls for residential development on reduced lots with compact setbacks, of design similar to what exists.

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.

CONCLUSION

Applicant proposes to rezone .81 acres of land into a Planned Unit Development with an underlying zoning of Old Town Residential. The purpose is to build one detached home and nine townhomes, as well as a road and limited open space. The proposed development is purely residential and located within an existing residential neighborhood. The Comprehensive Plan Future Land Use Map supports the development of the site as housing.

The following standards would be exceeded under the proposed rezoning:

-Street tree requirements (1 per 50 ft required resulting in 8 trees. Applicant proposes 13.

-Sidewalk requirements (applicant is only required to provide sidewalk along the road frontage affected, but will build an additional 50 feet of sidewalk to the east of the proposed road entrance along W. Academy and an additional 42 feet of sidewalk to the west of the proposed road entrance along W. Academy.)

The following standards would not be met under the proposed rezoning:

-Open space: 20% minimum required by PUD, 30% for townhomes developments. Only 19% provided.

-Street design: 50 ft. right of way required, 29 ft. wide ROW is provided. However, travel lanes are only required to be 10 ft. wide but applicant is proposed 12 ft. wide lanes, plus a 5 ft. wide sidewalk.

The purpose of Planned Unit Development (PUD) regulations is to encourage and allow more creative and imaginative design of land developments than is possible under district zoning regulations. Specifically for infill development, creative design emphasis shall be placed on architectural controls, landscaping and neighborhood compatibility.

While creativity is subjective, the architectural design of the proposed uses is similar in design to what exists in the neighborhood. The proposed landscaping adds more street trees than the minimum required. The proposed uses and designs are compatible with the neighborhood.

RECOMMENDATION

Approval, subject to the following condition:

1. Per the PUD requirements for required Common Open Space, A minimum of twenty percent (20%) of the total usable land in residential Use in each phase shall be set aside for permanent common Open Space as defined in the City of Charles Town Zoning Ordinance.

PUD Application No._____

RECEIVED
JUL 01 2024
BY: VS

PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

Zoning Ordinance Article 1322.15, Planned Unit Development (PUD)
Subdivision and Land Development Ordinance

Article 1332, Subdivision and Land Development Application
& Approval Requirements

To assist the Subdivision Administrator in the review of a Planned Unit Development (PUD) Application, the Applicant must utilize this form to supply the City with the information prescribed under Section 1322.15 of the Zoning Ordinance and Section 1332 of the Subdivision and Land Development Ordinance. The submission of this form, along with the prescribed information and required fees, shall serve as the Applicant's S/LD Application as required by Ordinance Section 1332.02.

1. DATE June 28, 2024

2. APPLICATION TYPE ☐ PUD | Phase _____

☒ PUD | Entire Application

3. APPLICANT'S NAME* Mark Roper

Address: 418 S. Samuel Street Charles Town, WV 25414

Telephone Number (304)724-8877 Fax Number (___)_____

Email Address mrconstructionwv@gmail.com

4. PROPERTY OWNER'S NAME Mark Roper and M&A Investment Group LLC

Address: 418 S. Samuel Street Charles Town, WV 25414

Telephone Number (304)724-8877 Fax Number (___)_____

Email Address mrconstructionwv@gmail.com

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

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

Property Address: Vacant - Academy St and Ann St. and one structure at 214 Ann St.

Tax Map # and Parcel: TM 4; Parcels 101, 102, 103,105, and 106.

Deed Book and Page #: 476/353, 1299/428, 467/353, 848/322, and 1287/191.

Property Area in Square Feet or Acres: 0.81 acres or 35,290 sq. ft.

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

See attached.

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

Vacant - Academy St. and Ann St. and one structure at 214 Ann St. (to be removed)

A vacant struture was removed at 216 Ann St.

Current zoning is Old Town Residential

8. BASE ZONING DISTRICT Old Town Residential

9. DESCRIBE HOW THE PUD WILL DIFFER FROM THE BASE ZONING DISTRICT?

	Base Zoning District	PUD
Density:	See attached.	See attached.
Lot Size:	See attached.	See attached.
Lot Width:	See attached.	See attached.
Setback – Front:	See attached.	See attached.
Setback – Side:	See attached.	See attached.
Setback – Rear:	See attached.	See attached.
Other:		

See attached.

S/LD Application 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
N/A			

11. 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.)

N/A

☒ No

S/LD Application No._____

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

Owner	# and Street	City, State, Zip
See attached.		

13. FEE CALCULATION (Per Fee Schedule) _____

_____

_____

_____

AMOUNT PAID $ 400.00

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 1322.15 of the Zoning Ordinance and Section 1332 of the S/LD Ordinance.

Signature of Applicant _____ Date 9-1-24

Signature of Property Owner (If different than Applicant)

_____ Date _____

Please submit an original completed Application and specified number of 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: $_____ Check No._____ Receipt No._____

Staff Approval:_____ Date:_____

Planning Commission Approval:_____ Date:_____

Comments:_____

Academy and Ann Street Infill Planned Unit Development
Supplemental information to the PUD Application

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

This is an urban infill project that will increase the amount and quality of housing stock in the core of the city. This new housing is within walking distance to downtown and will provide for additional consumers for the downtown commerce. The Comprehensive Plan for the city has an emphasis on a "Downtown First Focus." This project is in keeping with that vision. The proposed plan makes use of existing infrastructure, is walkable to downtown and an elementary school, supports revitalization of underutilized property, and encourages investment in the City.

2040 Historically Hip Comprehensive Plan

- This plan meets several policy goals of the Comprehensive Plan, which are noted below (emphasis added):
    - "In 2015, Jefferson County approved the Envision Jefferson 2035 Comprehensive Plan and Future Land Use Guide14. Many of the Plan goals, objectives, and implementation strategies align with Charles Town's desire to prioritize infill development and redevelopment, increase the density of development, and adaptively reuse existing buildings to better utilize existing land resources. (Page 54)"
    - Under the title of "Housing Needs for the Future", it states that:
        - "Opportunities for new and infill developments that incorporate affordable housing in mixed uses, higher densities, and traditional neighborhood design elements will be incentives to be examined." (Page 90)
        - "For a growing City with innovative tools obtained during the Home Rule Program and the typical Code Compliance aspects faced by most communities, Charles Town has the ability to create a housing and redevelopment agency that is proactive, addresses existing housing and infill in the urban core, and involved in new development arrangements in "greenfield" areas."
    - "As envisioned by this Comprehensive Plan, the City of Charles Town desires to strengthen and emphasize its identity as exemplified by the Downtown and its traditionally designed and compact Old Town neighborhoods. This plan's Downtown First Focus approach emphasizes the need to reinvest in the City's existing infrastructure and neighborhoods, and encourage new growth and development (including infill) within its Urban Growth Boundary (UGB)." (Page 131)
    - Implementation Strategy "3.1.5 – Undertake a small area plan with conceptual architectural details that encourages the expansion of the Downtown area by the development and redevelopment of new infill by promoting additional mixed use vertical building as identified in this Plan." (Page 168)
    - Implementation Strategy "4.2.1 – Place a priority on promoting and incentivizing new development investments in the Old Charles Town and Gateway Community Types where urban infrastructure exists to readily support revitalization and infill development." (Page 170)
    - Implementation Strategy "4.2.2 – Create small area plans for Downtown Charles Town, US 340 East Gateway, US 340 South Gateway area and Rt 9. A small area plan is any plan that addresses the issues of a portion of the City. Small area plans can cover three different geographic scales -- neighborhood, corridor, and district regardless of the size of the area. Small area plans cover a specific geography that often has a cohesive set of characteristics. In addition to the above locations, criteria for prioritizing small area plans may include the following:
        - • Evidence of disinvestment and deteriorating housing
        - • Significant change is occurring or anticipated

- Public facilities and/or physical improvements need to be addressed
- Opportunities for substantial infill or redevelopment are present" (Page 171)

Purpose of the Old Town Residential District as listed in the Zoning Ordinance.

- "Purpose. The purpose of the OT-R District is to recognize existing and older residential neighborhoods within the City of Charles Town that are characterized as having smaller Lots, smaller Setbacks, traditional grid Street pattern and access by Street or alley. These provisions for the OT-R District are designed to protect the character of these residential neighborhoods while permitting their maintenance and improvement."

1. "Preserving and restoring the overall character of the Zoning District;
2. Promoting a balance of land Uses;
3. Promoting the opportunity for people to work, interact, shop, dine, and utilize business and public services in the vicinity of their residences;
4. Promoting a positive pedestrian environment in the Zoning District;
5. Facilitating integrated physical design; Promoting a high level of design quality; and
6. Facilitating development proposals responsive to current and future market conditions;"

Proposed activity:

- Construction of a new public street from Academy Street to Ann Street
  - This new street will be 24 feet wide with a 5-foot sidewalk on one side from Academy Street to Ann St.
    - The street will allow for two-way travel.
  - The new street will meet the construction standards for a public street.
- Rear load access to the lots on S. Charles Street
  - All homes facing S. Charles St., addressed as 404-418 on S. Charles Street., do *not* have off street parking. There is no access to the front or rear of the lots for parking.
  - This new proposed street will allow for rear loaded parking on these lots, which could allow for off-street parking that does not exist currently.
- Sidewalk connection on Academy Street
  - Although not required, the applicant proposes to install a missing gap in the sidewalk on Academy Street that is beyond the limits of the applicant's proposed development.
  - Where the new proposed street intersects with Academy Street, to the east, approximately 52 feet of new sidewalk will be installed, and to the west, approximately 40 feet of new sidewalk will be installed.
  - This will make a complete connection to the existing sidewalk network along Academy St. from S. Charles St to S. Lawerance St.
- 1 single family home lot and 9 new townhome lots.
  - Lot 1 will be a single-family home lot that fronts on Academy St.
  - Lots 2-10 will consist of townhome units and will front on the new street.
  - There will be two rows of townhomes.
    - A row of 5 townhomes (Lots 2-6)
    - A row of 4 townhomes (Lots 7-10)
  - There is no density requirements in the Old Town Residential zoning district.
- Architectural standards.
  - Site will meet the following requirements that:
    - "Townhouses abutting each other shall have complimentary but not identical facades."
    - "No more than two abutting townhouses shall have a common roof line."
    - This ensures that for each unit and row of units to be distinct for each other.

- Since there are only 2 rows of townhomes, one 5 units in length and one 4 units in length, this will not look like a long monotonous row of units.
- Open space with a child's playset.
  - As a percentage of the site, approximately 19% of open space is provided.
  - In the middle of the development, between lots 6 and 7, will be open space for the residents.
  - A child's playset will be provided.
  - This common space will be maintained by the lot owners.
- A $500.00 fee-in-lieu of dedication of open space will be paid to the city.
- Parking.
  - Each unit will have 2 off-street parking spaces. One in the driveway and one in the garage.
  - 4 visitor spaces for the development will be located along the open space area.
  - A total of 25 spaces is provided, which exceeds the minimum requirement by 7 spaces.
- Street trees.
  - 1 street tree per lot and at least two in the common open space will be provided.
  - This is a much higher ratio than the required 1 street tree per 50 feet.
- Buffer.
  - A fence will be provided along the rear townhome lots 2-10 and the rear of the open space.
- Trash will be individually served per unit like other single-family homes.

9. DESCRIBE HOW THE PUD WILL DIFFER FROM THE BASE ZONING DISTRICT:

The Planned Unit Development is requesting modest modifications from the base zoning district, which is Old Town Residential. The Old Town Residential allows for townhomes and does not have a density requirement. Below are the modifications from both the zoning ordinance and the subdivision regulations.

The deviations from the strict standards are:

Zoning Ordinance, Table 1322.11, OT-R District Bulk and Area Regulations

Lots that do not conform to the strict standards are highlighted in yellow

Lot	Front Setback (Feet)	Side Setback (Feet)	Rear Setback (Feet)	Lot Width (Feet)	Minimum Lot Size (Square Feet)
	Provided / Required	Provided / Required	Provided / Required	Provided / Required	Provided / Required
Lot 1	20 / 20	10 /10	27 / 20	36 / 70	3,394 / 10,000
Lot 2	20 / 20	End unit 5 / 10	11 / 20	28.8 / 18	2,540 / 2,000
Lot 3	20 / 20	Internal Unit 0 / 0*	10 / 20	23.3 / 18	1,878 / 2,000
Lot 4	20 / 20	Internal Unit 0 / 0*	29 / 20	23.3 / 18	2,391 / 2,000
Lot 5	20 / 20	Internal Unit 0 / 0*	26 / 20	23.3 / 18	2,404 / 2,000
Lot 6	20 / 20	End unit 5 / 10	23 / 20	28.3 / 18	2,840 / 2,000
Lot 7	20 / 20	End unit 5 / 10	11 / 20	27.4 / 18	2,274 / 2,000
Lot 8	20 / 20	Internal Unit 0 / 0*	20 / 20	24.4 / 18	2,002 / 2,000
Lot 9	20 / 20	Internal Unit 0 / 0*	21 / 20	23.3 / 18	2,005 / 2,000
Lot 10	20 / 20	End unit 10 / 20**	21 / 20	32.4 / 18	3,775 / 2,000

*Internal units do not have a setback requirement for common shared walls
**End unit along a street, treated as a double front.

Subdivision Ordinance, Section 1333.20, Townhouse Development Standards.

- Section 1333.20, Subsection (B) – Net Buildable Area
  - Required
    - Each lot shall be 2,000 square feet.
    - An additional 1,500 square feet for open space per lot.
  - Provided
    - Except for Lot 3, which will be 1,878 square feet, each lot will be 2,000 square feet or more.
    - Approximately an additional 500 square feet for open space per lot.

- Section 1333.20, Subsection (O) – Required Open Space
  - Required:
    - 1,500 sq. ft. of open space per townhome unit with a collective requirement of 30% open space.
    - 30% is approximately 7,813 sq. ft. of the site.
  - Provided:
    - Approximately 5,000 sq. ft. of open space with a child's playset.
    - This is 19% of the site for open space.
    - Approximately 500 square feet is provided per lot
    - This development is located within walking distance to several parks, Evitts Run Park, Jefferson Memorial Park, Perry Park, and the Skate Park.
  - Applicant will be providing a fee-in-lieu of open space of $500.00 per unit per Section 1333.17, Park, Recreation and Open Space Amenity Standards.

Subdivision Ordinance Section 1333.02, Street Design Standards,

- Table 1333.02 – Minimum Street Design Standards
  - Required:
    - The right of way is the width of a street from the backside of one sidewalk all the way across the street to the back side of the other side of the street.
    - The right-of-way requirement for a minor street, "Neighborhood Street", 50 feet.
  - Provided is 29 feet right-of-way.
    - This includes two – 12-foot travel lanes and a 5–foot sidewalk along the townhome side of the street.
    - Note that a "Neighborhood Street" has 10-foot travel lanes, and 12-foot travel lanes are proposed.

12. INTERESED PARTY ADDRESSES, FOR PUBLIC NOTICE

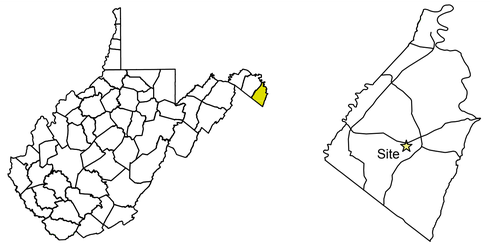
Owner	# and Street	City, State, Zip
OLIVER WILLIE M D & STANLEY P	400S CHARLES ST	CHARLES TOWN, WV 25414
ROBERTS JEAN ANN	404S CHARLES ST	CHARLES TOWN, WV 25414
PURDON JAMES	PO BOX 650695	STERLING, VA 20166
NICHOLS JACQUELINE & IRVIN SOLANO	410S CHARLES ST	CHARLES TOWN, WV 25414
OELSCHLAEGER NANCY	416S CHARLES ST	CHARLES TOWN, WV 25414
CLARK CARTY R & COURTNEY A HERNDON	418S CHARLES ST	CHARLES TOWN, WV 25414
MAYFIELD MITCHELL D & JENNIFER W	206W ANN ST	CHARLES TOWN, WV 25414
BOWMAN ERIC K	208 ANN ST	CHARLES TOWN, WV 25414
HILL KAREN J	210W ANN ST	CHARLES TOWN, WV 25414
HEFESTAY F J JR	212 ANN ST	CHARLES TOWN, WV 25414
CORBETT DEBRA R	128 EASTLAND DR	CHARLES TOWN, WV 25414
FERN ROBERT W	429S LAWRENCE ST	CHARLES TOWN, WV 25414
CURRY KIM L & TAMARA L	427S LAWRENCE ST	CHARLES TOWN, WV 25414
CASTELLANOS JUAN A & LETICIA C PENA	417S LAWRENCE ST	CHARLES TOWN, WV 25414
EPISCOPAL RECTORY	PO BOX 368	CHARLES TOWN, WV 25414
DUOBERT JHAN	405S LAWRENCE ST	CHARLES TOWN, WV 25414
CHAPMAN RENTAL PROPERTIES LLC	PO BOX 121	CHARLES TOWN, WV 25414
BORJA JACOB S & JOSEPH Q IMLER SR	217W ACADEMY ST	CHARLES TOWN, WV 25414
MATZEK SARA	1039 SHENANDOAH RIVER DR	HARPERS FERRY, WV 25425
AMY ASSOCIATES WV LLC	26223 COLUMBIA LAKES DR	COLUMBIA, IL 62236
BOARD OF EDUCATION	110 MORNINGTON AVE	CHARLES TOWN, WV 25414

ANN STREET LOTS

SKETCH PLAN
MAJOR SLD 2023-TBD

CHARLES TOWN CORP. DISTRICT (3) - MAP 4 - PARCELS 101, 105 & 106
CITY OF CHARLES TOWN, WEST VIRGINIA
ZONED OLD TOWN RESIDENTIAL (OT-R)

GENERAL LOCATION



STATE & LOCAL PERMITS

AGENCY	PERMIT #/APPROVAL DATE

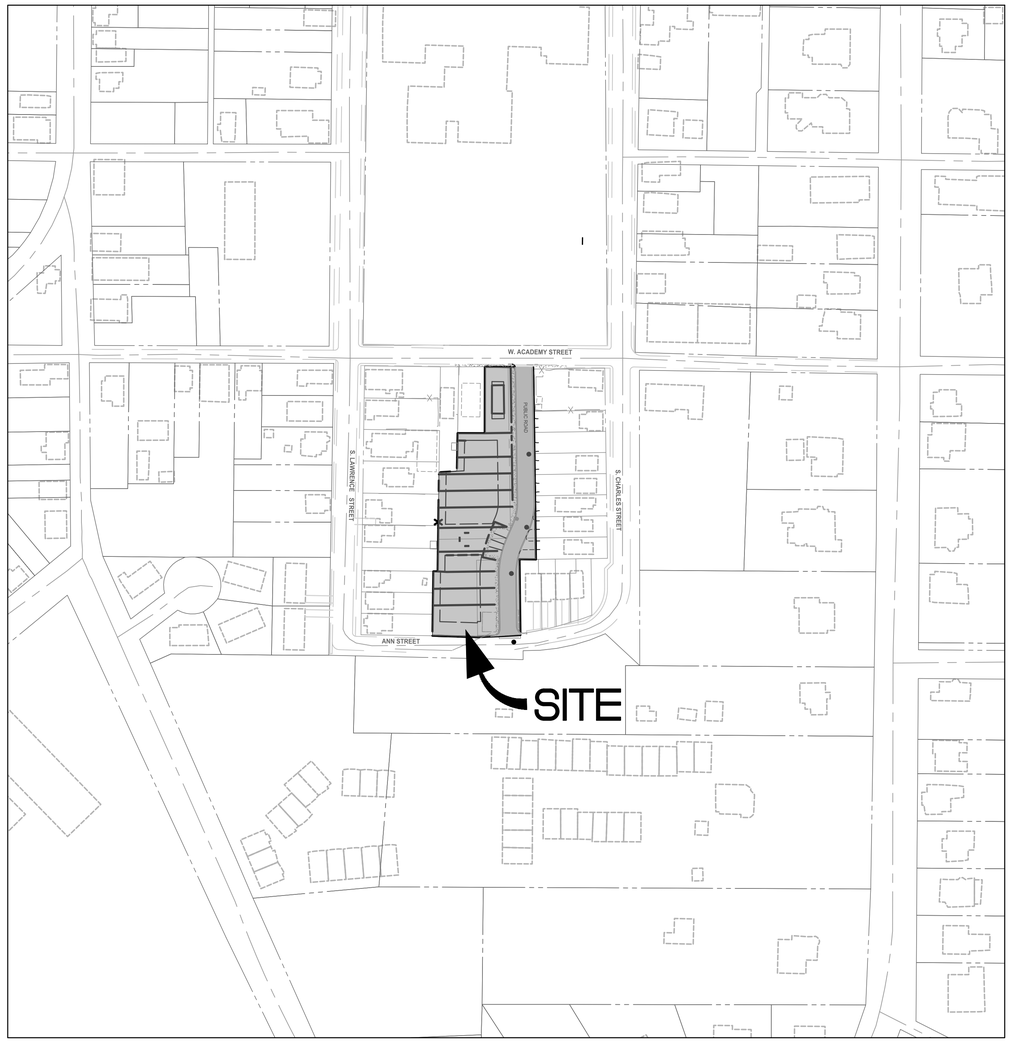
CALL "MISS UTILITY"

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

UTILITY NOTICE (AS NEEDED)

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

Water:	Charles Town Utility Board 832 S. George Street Charles Town, WV 25414 (304) 725-2316
Sewer:	Charles Town Utility Board 832 S. George Street Charles Town, WV 25414 (304) 725-2316
Power:	Potomac Edison P.O.Box 3615 Akron, OH 44309 (800) 686-0011
Phone:	Frontier Communications 1108 N. Mildred Street Ranson, WV 25438 (304) 728-8500
Soil Conservation:	Eastern Panhandle Conservation District 151 Aikens Center, Suite 2 Martinsburg, WV 25404 (304) 263-4376



VICINITY MAP

SCALE: 1" =100'

WEST VIRGINIA STATE GRID NORTH
WV 83 NF

Plan Revisions

Date	Comment

SHEET INDEX:

SK-1 - SKETCH PLAN COVER SHEET
SK-2 - SKETCH PLAN NOTES
SK-3 - SKETCH PLAN NOTES AND LEGEND
SK-4 - SKETCH PLAN

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

This plan is vested and valid for one (1) year with the possibility of a one (1) year extension per Section 1332.03(C)(2)(F)(5) of the City of Charles Town Subdivision and Land development Ordinance.

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

_____ _____
Secretary of the Planning Commision Date

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

_____ _____
Roper Rentals & Mark Roper Construction LLC Date
418 S. South Samuel Street
Charles Town, WV 25414-134

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

_____ _____
Chris Lemon Date

CIVIL ENGINEER:
IMEG
4601 FORBES BLVD #140
LANHAM, MD 20706
CONTACT: SYLKE KNUPPEL, PE
PHONE: 240-296-1568
EMAIL: SYLKE.S.KNUPPEL@IMEGCORP.COM

DEVELOPER
APPLICANT/OWNER
MARK ROPER CONSTRUCTION, LLC
418 SOUTH SAMUEL STREET
CHARLES TOWN, WEST VIRGINIA 25414
(304) 724-8877

IMEG
4035 Ridge Top Rd, Suite 601
Fairfax, VA 22030 P 703.273.6820
engineering • surveying • land planning

SKETCH PLAN
ANN STREET LOTS
MAP 4 PARCEL 101, 105 & 106
CITY OF CHARLES TOWN, WEST VIRGINIA

MARK	DATE	DESCRIPTION

PROJECT No.: 22099.002.00
DRAWING No.: 112159
DATE: 07/01/2024
SCALE: AS SHOWN
DESIGN: AHF
DRAWN: AHF
CHECKED: SSK

SHEET TITLE:

COVER SHEET

SHEET No.

SK-1

P:\Projects\22099\002001\112159 SKETCH PLAN\SK 1-4 SKETCH PLAN.dwg, 7/1/2024 9:53:16 AM, Matthew Polnhaus,

GENERAL NOTES

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

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

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

4. The location of existing utilities shown in these plans are taken from existing records and available asbuilt data. It shall be the contractors responsibility to verify the exact horizontal and vertical location of all existing utilities as needed prior to construction. The contractor shall be responsible for the digging of all test holes that may be required, whether recommended or not by these plans, to determine the exact location and elevation of existing utilities. If any conflicts arising from this existing utility verification or if during the course of construction, any object of an unusual nature is encountered, the contractor shall cease work in that area and immediately notify Christopher Consultants at (240) 296-1574 and/or the proper authority. Christopher Consultants any engineer associated with these plans shall not be responsible or liable for any construction cost that may be associated with the installation or reinstallation any utility or other improvements if not notified of any discrepancies between actual field conditions and the approved plan.

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

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

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

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

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

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

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

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

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

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

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

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

16. All utilities to be located underground.

17. Contractors shall notify operators who maintain underground utility lines in the area of proposed excavating or blasting at least two (2) working days, but not more than ten (10) working days, prior to commencement of excavation or demolition.

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

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

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

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

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

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

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

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

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

27. There is no 100-yr floodplain associated with the property according to the FEMA flood map Community-Panel #54037C0139E, Effective Date 12/18/2009.

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

28. Other developments are actively seeking approval of the waiver for the electric meter location.

WVDOH Notes

WV1. All work, construction methods and materials shall conform with the West Virginia Division of Highways "STANDARD SPECIFICATIONS ROADS AND BRIDGES Adopted January 1, 2017" and Supplemental Specifications dated January 1, 2018. All work on this project shall also conform with The Soil Conservation Service Erosion and Sediment Control Regulations and any other state, federal, or local regulations applicable. In the event of conflict between any of these standards, specifications, or plans, the most stringent shall govern.

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

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

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

WV5. Prior to initiation of work, Contractor shall be responsible for acquiring all necessary WVDOH land use permits for any work on WVDOH right-of-way.

WV6. If required by the local WVDOH Residency Office, a preconstruction conference must be arranged and held by the engineer and/or developer with the attendance of the contractor, various County agencies, utility companies and WVDOH prior to initiation of work.

WV7. Contractor shall notify the local WVDOH Residency Office when work is to begin or cease for any undetermined length of time. WVDOH will also require 48 hours notice for any inspection. Please contact the Burlington, WV field office at 304-289-3521.

WV8. The Contractor will be responsible for maintaining adequate access to the project from the adjacent public roadway through construction and maintenance of a construction entrance in accordance with the Soil Conservation Service Erosion & Sediment Control Handbook. Furthermore, access to other properties affected by this project shall be maintained through construction.

WV9. Contractor shall ensure adequate drainage is achieved and maintained on the site during and at the end of construction.

WV10. All water and sewer lines within existing or proposed WVDOH right-of-way are to have minimum 36" cover and, when possible, to be installed under roadway drainage facilities.

WV11. Any unusual subsurface conditions encountered during the course of construction shall be immediately brought to the attention of the engineer and WVDOH. Work shall cease in that vicinity until an adequate design can be determined by the engineer and approved by WVDOH.

WV12. All undercut areas and borrow material shall be inspected and approved by WVDOH Inspector prior to placement of fill.

WV13. All roadway fill, base, subsurface material and backfill of utility/storm sewer trenches shall be compacted in 6" lifts to 98% of theoretical maximum density as determined by AASHTO T-99 Method A, within plus or minus 2% of optimum moisture for the full width of any dedicated street right-of-way. At the direction of WVDOH Inspector density tests performed by a qualified independent agency shall be conducted as required in the WVDOH Road and Bridge Specifications. A copy of all tests shall be submitted to WVDOH prior to final WVDOH approval.

WV14. WVDOH Standard CD and UD underdrains shall be installed where indicated on these plans and further where determined necessary by WVDOH Inspector.

WV15. The installation of any entrances and mailboxes within any dedicated street right-of-way shall meet WVDOH minimum design standards and is the developer's responsibility.

WV16. If required by the local WVDOH Residency Office, copies of all invoices for materials within any dedicated street right-of-way must be provided to the WVDOH Inspector prior to acceptance of work. Unit and total prices may be obscured.

WV17. Prior to acceptance by WVDOH of any streets, any required street signage and/or pavement markings must be installed by the developer.

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SKETCH PLAN
ANN STREET LOTS

MAP 4 PARCEL 101, 105 & 106
CITY OF CHARLES TOWN, WEST VIRGINIA

MARK	DATE	DESCRIPTION

PROJECT No.: 22099.002.00
DRAWING No.: 112159
DATE: 12/15/2023
SCALE: AS SHOWN
DESIGN: AHF
DRAWN: AHF
CHECKED: SSK

SHEET TITLE:

NOTES

SHEET No.

SK-2

P:\Projects\22099\002000\112159 SKETCH PLAN\SK-1-4 SKETCH PLAN.dwg, 7/1/2024 10:16:23 AM, Matthew Polihuis,

PROJECT NARRATIVE

The project is Charles Town Lots Subdivision, Parcel 101, 102, 105 and 106, and consists of 6 Townhouses and 2 Single-Family Residential lots. The acreage to be developed is approximately 0.81 acres at W Academy Street between S Lawrence Street and S Charles Street in the City of Charles Town. Each townhouse unit is three (3) stories, with a minimum 2,000 SF lot. Each single family house is three (3) stories, with a minimum of 10,000 SF. The current zone of the site is Old Town Residential (OT-R), which permits residential townhome and single-family uses. The Sketch Plan application is submitted utilizing Planned Unit Development (PUD) zoning Section 1322.15 with Development Standards as outlined below.

DEVELOPMENT STANDARD TABLE

ANN STREET

DEVELOPMENT STANDARDS	sf	acres
PROPERTY AREA	35,290	0.81
PRIVATE ROAD PARCEL	9,246	0.21
SWM AREA	TBD	0.00
NET BUILDABLE LAND AREA	26,044	0.60

DATA TABLE FOR PLANNED UNIT DEVELOPMENT (PUD) ZONING			
SEC. 1322.11 OT-R DISTRICT BULK & AREA REGULATIONS	**MIN. REQUIRED**	**MAX. ALLOWED**	**PROPOSED SFA (SFD)**
EXISTING LOT OF RECORD[4]			
Dwelling Units	N/A	N/A	1
Lot Size (sf)	N/A	N/A	3,394 SF
Lot Width[5] (ft)	N/A	N/A	36'
TOWNHOME LOTS			
Dwelling Units	N/A	N/A	10
Lot Size (sf)	2,000	N/A	2,000
Lot Width (ft)	18	N/A	18
BUILDING SETBACKS			
Front Yard[1,2] (ft)	20	N/A	20
Side Yard[3'6] (ft)	10	N/A	10
Rear Yard (ft)	10	N/A	Lot 1: 27', Lot 2: 11', Lot 3: 10', Lot 4: 29', Lot 5: 26', Lot 6: 23', Lot 7: 11', Lot 8: 20', Lot 9: 21', Lot 10: 21'
BUILDING HEIGHT (ft.)	24 feet or 1.5 stories	35	35
STORIES	N/A	3	3
Lot Coverage (%)	N/A	70	70
3,500 SF per SFA Unit			

SEC. 1333.23(J) & 1333.20(G) OFF-STREET PARKING REQUIREMENTS	**RATE**	**REQUIRED**	**PROPOSED**
TOWNHOME (Per du)			
Off-Street Parking Spaces	1.8	18	12
Additional Street Parking Spaces			
Total Parking Spaces		**18**	**12**
SINGLE FAMILY (Per du)			
Off-Street Parking Spaces	2.0	20	2
Additional Street Parking Spaces			
Total Parking Spaces		**20**	**2**

NOTES

*** Existing Parcel/ Lot

[1] In situations where there are not three (3) contiguous properties to either side of the subject property, where possible, reviewing the front setbacks in the next block on the same side of the street shall be considered.

[2] Front yard setback shall be measured from the face of the curb.

[3] No Side yard shall be required adjoining any Lot line that coincides with party-wall in an attached Dwelling or other Use.

[4] One existing lots of record fronting on W. Academy Street

[5] Width of lot shall be determined by ability to meet setbacks when a principle use is located on the lot.

[6] For Lot 10, a 20' side setback is proposed since it is a corner lot.

LEGEND

- EX. INDEX CONTOUR MAJOR (260)
- EX. INT. CONTOUR MINOR (258)
- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. ROAD CENTERLINE
- EX. BUILDING OUTLINE
- EX. FENCE
- EX. CURB AND GUTTER
- EX. OVERHEAD ELECTRIC (OHU)
- EX. SIDEWALK
- EX. FLOODPLAIN EASEMENT
- EX. ACCESS EASEMENT
- EX. FIRE HYDRANT
- EX. UTILITY POLE
- EX. GUY WIRE
- EX. LIGHT POLE
- EX. STORM DRAIN MANHOLE

- PROPOSED PROPERTY LINE
- PROPOSED PROPERTY SETBACK
- PROPOSED RIGHT-OF-WAY BOUNDARY
- PROPOSED BUILDING OUTLINE
- PROPOSED CURB & GUTTER (TRANSITION / REVERSE)
- PROPOSED EASEMENT
- PROPOSED WATER
- PROPOSED SEWER
- PROPOSED SEWER MANHOLE
- PROPOSED WATER VALVE

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SKETCH PLAN
ANN STREET LOTS

MAP 4 PARCEL 101, 105 & 106
CITY OF CHARLES TOWN, WEST VIRGINIA

MARK	DATE	DESCRIPTION

PROJECT No.: 22099.002.00
DRAWING No.: 112159
DATE: 07/01/2024
SCALE: AS SHOWN
DESIGN: AHF
DRAWN: AHF
CHECKED: SSK

SHEET TITLE:

NOTES AND LEGEND

SHEET No.

SK-3

P:\Projects\22099\002\00\112159 SKETCH PLAN\SK 1-4 SKETCH PLAN.dwg, 7/1/2024 10:15:47 AM, Matthew Polihaus,

PROP. WATER CONNEDTION
EX.6"W
EX.8"S
W. ACADEMY STREET
TIE INTO EX. SIDEWALK
EX. SEWER MANHOLE (TYP.)
MARYLAND STATE GRID NORTH
MD 83 NF
PUBLIC ROAD
S. CHARLES STREET
ANN STREET
5' SIDEWALK
EXISTING 4' CHAIN LINK FENCE
EXISTING 4' SPLIT RAIL FENCE
PROPOSED ASPHALT PAVEMENT
POTENTIAL 12' WIDTH DRIVEWAY CONNECTIONS TYP.
PROPOSED 6' FENCE
PROPOSED OPEN SPACE
FOUR PROPOSED VISITOR PARKING SPOTS
PROPOSED 6" CONCRETE CURB TYP.
EX ROAD EDGE
EXISITNG LOT
WATER METER (TYP.)
2" WHC (TYP.)
4" SHC (TYP.)
WATER CONNECTION
SEWER CONNECTION WITH NEW MANHOLE
1 3,394 SF
2 2,540 SF
3 1,878 SF
4 2,391 SF
5 2,404 SF
6 2,840 SF
7 2,274 SF
8 2,002 SF
9 2,005 SF
10 3,775 SF
5,800 SF
6,720 SF
260.8'
GRAPHIC SCALE 1" = 20'

SKETCH PLAN
ANN STREET LOTS

MAP 4 PARCEL 101, 105 & 106
CITY OF CHARLES TOWN, WEST VIRGINIA

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MARK	DATE	DESCRIPTION

PROJECT No.: 22099.002.00
DRAWING No.: 112159
DATE: 07/01/2024
SCALE: 1"=20'
DESIGN: AHF
DRAWN: AHF
CHECKED: SSK

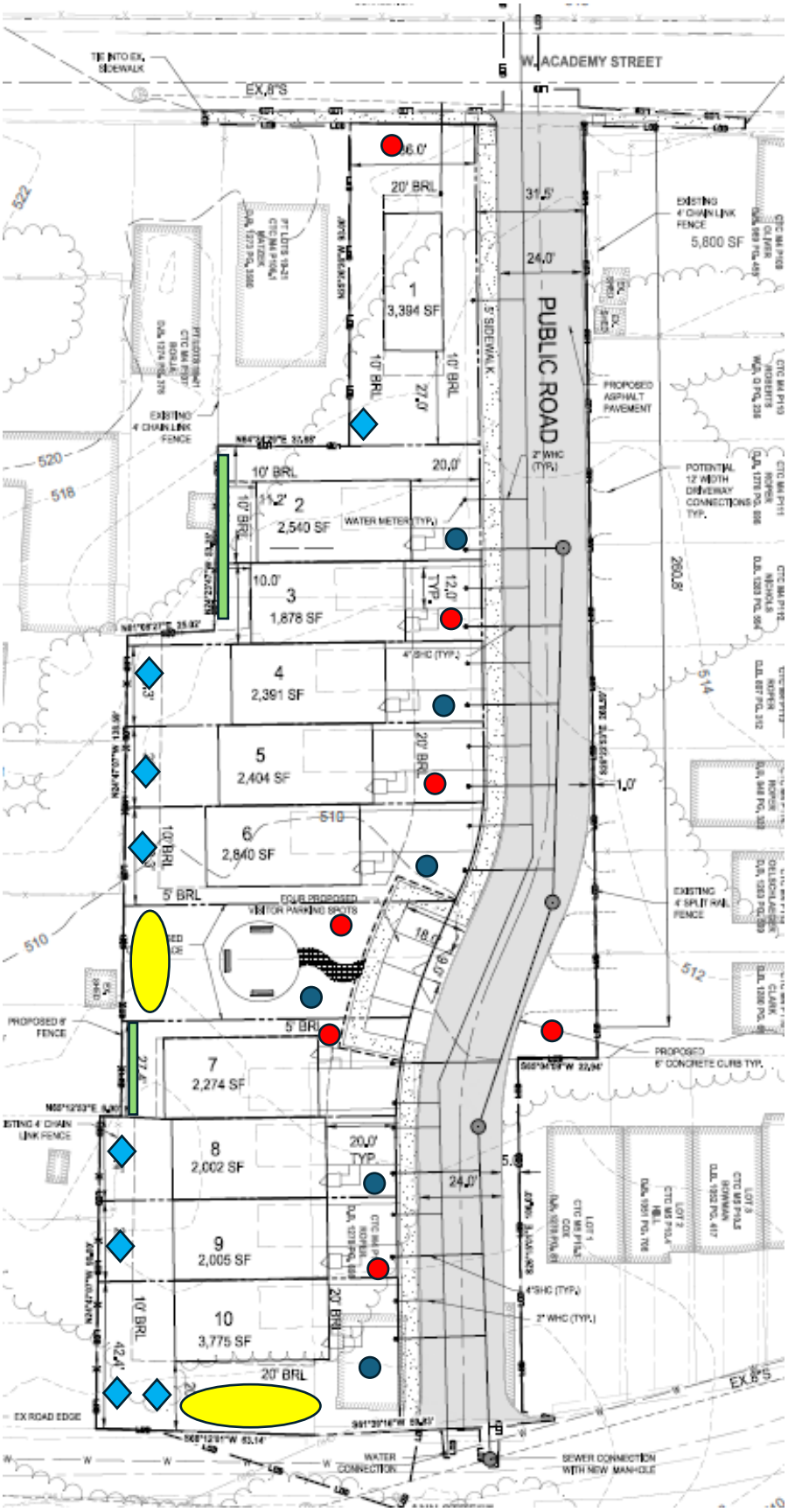
SHEET TITLE:

SKETCH PLAN

SHEET No.

SK-4

P:\Projects\22099\002\00\112159 SKETCH PLAN\SK-1-4 SKETCH PLAN.dwg, 7/1/2024 9:40:33 AM, Matthew Polkhaus,



Legend

- Pin Oak
- Sunset Red Maple
- Bioswale
- Emerald Green Arborvitae
  Spaced every 6 feet
- Green Gian Arborvitae

Lot 1

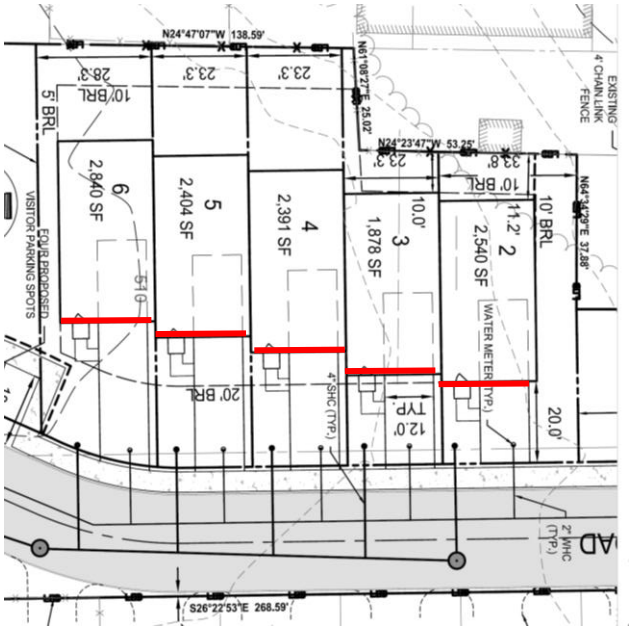
This ranch is in keeping with the height of the homes on that front on Academy Street.



Lots 2- 6

Please note that the lots at Academy Place have “stepped-back” front, creating more undulation so the facades will have greater depth and dimension. See images below.





Lots 7-10



Planning Commission
101 East Washington Street
Charles Town, WV 25414

Meeting: 09/23/24
Department: Planning Commission
Category: Report
Initiator:

SCHEDULED

AGENDA ITEM (ID #)

Commission Review: Neighborhood Commercial requirements

ATTACHMENTS:

- 1. Report.pdf

TXA2024-05

Neighborhood Commercial Requirements

Date: For the September 23, 2024 Planning Commission meeting
Report by: James Newman, City Planner, Zoning/Subdivision Administrator.

ISSUE

There is no requirement that properties zoned Neighborhood Commercial provide a minimum of commercial development. Just as we changed the language of Neighborhood Residential to require a minimum of commercial development, so to should this Zoning District be updated to require a minimum of amount.

Additionally, the language of the 'Purpose' statement implies that Neighborhood Commercial is intended to cover a substantial area or provide for lots of such size that they can provide for buildings, parking, sidewalks, roadways, and landscaping sufficient to shape the character of a neighborhood; to that end, maximum lot size should be either increased, abolished, or made to apply only to residential lots, not commercial or mixed-use lots.

PURPOSE

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.

Development objectives of the NC District include:

1. Attractive, tree-lined Streets, which emphasize and encourage walking and bicycling as well as efficient automobile transit, to serve the commercial developments. In such neighborhoods, the Sidewalk will be setback from the Street aligning with any existing sidewalks; and

2. Commercial Buildings designed in a manner which encourages pedestrian-scale activity on the Street, by placing main entrances facing the Street, and reducing the dominance of parking facilities as a prominent visual street feature. Where possible, parking lots should be placed to the rear or to the side of Buildings. Article 1333, Site Planning and Design Specifications, of the Charles Town Subdivision and Land Development Ordinance provides further Site design standards;

CITY COUNCIL

This item has not gone to City Council.

TEXT AMENDMENT

The proposed text amendment is in red below:

Section 1322.09, Neighborhood Commercial (NC) District

…

Table 1322.09, NC District Bulk and Area Regulations

Minimum Lot Size	6,000 square feet
~~Maximum Lot Size~~	~~20,000 square feet~~
Minimum Front Yard Setback	5 feet
Minimum Side Yard Setback	10 feet (20 feet when commercial uses are adjoining a residential use or district)
Minimum Rear Yard Setback	15 feet
Maximum Lot Coverage, Permitted Residential	80 percent
Maximum Lot Coverage, Permitted Commercial	90 percent
Maximum Stories	3 stories
Open Space Requirement	Solely Commercial: None Residential/Mixed-Use: 10%

(F) Other Requirements

1. At least fifty percent (50%) of the total area of property the must be comprised of non-residential, commercial uses.

2. At least 75% of the gross floor area of a mixed-use structures must be for commercial uses: retail, offices, personal services, restaurants, and similar non-residential uses.

Planning Commission
101 East Washington Street
Charles Town, WV 25414

SCHEDULED

Meeting: 09/23/24
Department: Planning Commission
Category: Report
Initiator:

AGENDA ITEM (ID #)

Commission Review: Planning and Zoning Fees Update

ATTACHMENTS:

- 1. Report.pdf

Planning and Zoning Fees Update

Date: For the September 23, 2024 Planning Commission meeting
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 amendment to City Code 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.

PLANNING COMMISSION

The Planning Commission reviewed this item at a work session on May 28, 2024. As the amendment is not to the Zoning or Subdivision Ordinance, no Planning Commission hearing is required. The Commission reviewed the changes and was in favor.

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) Certificate of Appropriateness - $25

(c) Rezoning Request Filing Fee - $~~400~~ 700

(a) 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. Minimum of $300 escrow required.

(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 - $100 filing fee

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

(3) Testamentary Transfer, Judicial Partition, Re-Surveys, Utility Lot creation - $75 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 - $~~2~~500 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 - $~~25~~00 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.

(~~11~~10) Commercial and Industrial Buildings - $~~27~~00 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 review fees for zoning and site plan reviews will be actual costs incurred based on the 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 flat fee
B. Class II/II-0 Legal Advertisement - $50 flat fee
C. Class III/III-0 Legal Advertisement - $75 flat fee

(2). In addition to any other fees, an additional fee will be required of all applications requiring mailed notice:
A. First class mail - $25 flat fee
B. Certified mail - $75 flat fee

(3). In addition to any other fees, an additional fee will be required of all applications requiring posted notice:
A. Public notice signage - $10 flat fee

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:

(b) Zoning Permit Application Fee - $25

(c) Certificate of Appropriateness - $25

(d) Rezoning Request Filing Fee - $700

(e) 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. Minimum of $300 escrow required.

(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 Buildings - $200 filing fee
(3) 3 or more Residential Buildings - $500 filing fee plus $50 per building, minimum of $2000 escrow.
(4) Manufactured (Mobile) Home Park - $500 filing fee plus $50 per dwelling unit, minimum of $2000 escrow.
(5) Commercial and Industrial Buildings - $700 filing fee plus $2000 escrow.
(6) 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 review.

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

(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 flat fee
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C. Class III/III-0 Legal Advertisement - $75 flat fee

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

A. First class mail - $25 flat fee
B. Certified mail - $75 flat fee

(3). In addition to any other fees, an additional fee will be required of all applications requiring posted notice:

A. Public notice signage - $10 flat fee