



## **BERKELEY COUNTY DEPARTMENT OF LAND USE PLANNING AND ENGINEERING**

400 West Stephen Street - Suite 202, Martinsburg, WV 25401-3838  
Telephone: 304-264-1966 or 304-264-1963, Fax: 304-262-3128 or 304-262-3127  
Web Page: [www.berkeleycountycomm.org](http://www.berkeleycountycomm.org)

**March 8, 2010 @ 7:00 pm.**

**\*\*\*We are now back at 400 West Stephen Street\*\*\***

**\*\*\*In the County Commission Chambers\*\*\***

**Amended Agenda**

**\*\*\*SUBJECT TO CHANGE\*\*\***

1. CALL TO ORDER
2. ROLL CALL
3. SUNSHINE LAW SPEAKERS
4. PUBLIC HEARING
  - a. REQUEST FOR SKETCH PLAN ADVANCEMENT- Brookfield Townhomes, Phase 2- File#002-10.
5. PRELIMINARY PLAN
  - a. RECOMMENDATION FOR ADVANCEMENT - Grubbs Corner Water Tower-File#020-09.
6. FINAL PLAN
  - a. REQUEST FOR FINAL PLAT REVIEW-Brookfield Townhomes Section 5, Phase I Lots 305-312 & 329-336 -File#96-05.
7. FINAL PLAN DETERMINATION
  - a. REQUEST FOR FINAL PLAN DETERMINATION – Logan’s Roadhouse - File #022-09.
8. REQUEST FOR SUPPLEMENTAL PLAT REVIEW-Tobin’s Building Addition - File #50-03.
9. STAFF/COUNSEL DISCUSSION/ACTION/MOTION
  - a. REQUEST TO RESCIND FINAL PLAT APPROVAL-Opequon Ridge Townhomes -File#88-05.
  - b. ACTIVITY REPORT
  - c. CORRECTION TO SEPTEMBER 14, 2009 MEETING MINUTES
10. ADJOURNMENT



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**PUBLIC HEARING  
STAFF REPORT  
REQUEST FOR SKETCH PLAN ADVANCEMENT**

**Project:** Brookfield Townhomes Phase 2

**File #:** 002-10

**Developer:** Panhandle Builders  
 222 Langston Boulevard  
 Martinsburg, WV 25401

**Engineer:** Fox & Associates  
 981 Mt. Aetna Road  
 Hagerstown, MD 21740

**District, Tax Map & Parcel #:** FW, M7N, P52

**Location:** Property is located on the north side and south side of Rivanna Run, .5 mile south of Broad Lane (Route 11/2) in the Falling Waters Tax District.

**Project Description:** Project proposes 116 townhomes on approximately 18.3 acres.

**Administrative History:**

<b>Approval Letters</b>	<b>Date Received</b>
Environmental Checklist	2/24/2010
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	2/24/2010

March 8, 2010

<b>Meetings &amp; Submissions</b>	<b>Date</b>
Public Hearing (Sketch)	2/18/2010
Sketch PC Meeting	3/8/2010
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Final)	
Final Plat/Site Plan Approval	
Bond Reduction	

**Waivers:**                    **There have been no waivers for this project to date.**

**Project Notes:**

**Staff's Recommendation:**                    Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends advancement of the Sketch Plan to the Preliminary Plan Stage as complying with the provisions of the Ordinance

**Engineer's Recommendation:**                    The Assistant County Engineer recommends Sketch Plan Advancement to Preliminary Plan stage.

Respectfully Submitted,

The Planning Department



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**STAFF REPORT  
PRELIMINARY PLAN ADVANCEMENT**

**Project:** Grubbs Corner Water Tower

**File #:** 020-09

**Developer:** BCPSWD  
83 Monroe Street  
Martinsburg, WV 25401

**Engineer:** Dewberry  
1503 Edward's Ferry Rd. #200  
Leesburg, VA 20176

**District, Tax Map & Parcel #: A, M10, P64.2, 65.1 & 65.2**

**Location:** Property is located 200 feet north of Paynes Ford Road (Route 19) and Kelly Island Road, in the Arden Tax District.

**Project Description:** Proposes a 2 million gallon elevated water tank on approximately 2.12 acres.

**Administrative History:**

<b>Approval Letters</b>	<b>Date Received</b>
Environmental Checklist-Sketch Requirement	9/11/2009
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	1/19/2010
Berkeley County Public Service Sewer District (Sewer Availability)	1/19/2010
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	1/19/2010
Central Dispatch (Road Names)	1/19/2010
GPP Permit Application	1/19/2010
NPDES Permit Application	1/19/2010
*Traffic Study	
*School Impact Analysis	

<b>Meetings &amp; Submissions</b>	<b>Date</b>
Pre-Application Meeting	9/10/2009
Sketch Public Hearing	10/05/2009
Preliminary Plat Submitted	1/19/2010
1st Review Comments	1/20/2010
Preliminary Plat Resubmitted	2/1/2010
Preliminary Plat Resubmitted	
Advertised	
Preliminary Plan Advancement PC Meeting	3/8/2010
Final Plat/Site Plan Approval	
Bond Reduction	

**Waivers/ Variances:** There have been no variances/waivers for this project.

**Engineer Report:** An engineering review has been completed on the above project and it was found to be acceptable.

**Staff Recommendation:** Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the hearing, I move to recommend advancement of the Preliminary Plan to the Final Plan Stage as complying with the provisions of the Ordinance.

Respectfully Submitted,  
The Planning Department



<b>Meetings &amp; Submissions</b>	<b>Date</b>
Pre-Application STAC Meeting	08/03
Preliminary Plat Submitted	08/26/05
1st Review Comments	10/18/05
Preliminary Plat Resubmitted	10/27/05
Preliminary Plat Resubmitted	
Advertised	11/19/05
Public Hearing (Preliminary Plat/Site Plan Approval)	12/19/05
Final Plat/Site Plan Approval	
Bond Reduction	

**Waivers/ Variances:** There have been no variances/waivers for this project.

**Project Notes:**

1. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.

**Engineer Recommendation:** The Assistant County Engineer recommends granting Final Plat Approval with no surety needed; it was covered under previous Phase of development.

**Staff Recommendation:** Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends granting final plat approval as complying with the provisions of the Ordinance.

Respectfully Submitted,

The Planning Department

March 8, 2010



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**STAFF REPORT  
REQUEST FOR FINAL PLAN DETERMINATION**

**Project:** Logan's Roadhouse

**File #:** 022-09

**Developer:** Logan's Roadhouse  
3011 Armory Drive  
Nashville, TN 37204

**Engineer:** Design & Engineering Inc.  
1645 Westgate Circle  
Brentwood, TN 37027

**District, Tax Map & Parcel #:** A, M5, P 10, 11, 22, 23, 24, 25, 26, 27 & 28.

**Location:** Property is located on Retail Commons Parkway, approximately 525' from Route 45 in the Arden Tax District.

**Project Description:** Proposes restaurant on approximately 1.540 acres.

**Administrative History:**

<b>Approval Letters</b>	<b>Date Received</b>
Environmental Checklist	11/17/2009
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	1/21/2010
Berkeley County Public Service Sewer District (Sewer Availability)	1/21/2010
State Health Department (Water)	1/21/2010
State Health Department (Sewer)	1/21/2010
Department of Highways (Entrance Permit)	1/21/2010
Central Dispatch (Road Names)	1/21/2010
GPP Permit Application	1/21/2010
NPDES Permit Application	1/21/2010
*Traffic Study	
*School Impact Analysis	

March 8, 2010

<b>Meetings &amp; Submissions</b>	<b>Date</b>
Advertised - Sketch	11/21/2009
Sketch Public Hearing	12/07/2009
Sketch	11/17/2009
Preliminary Plat Submitted	12/22/2009
1st Review Comments	12/28/2009
Preliminary Plat Resubmitted	1/20/2010
Preliminary Plat Resubmitted	
Advertised-Final Plan	
Public Hearing	
Final Plat/Site Plan Approval	
Bond Reduction	

**Waivers:** At the November 23, 2009 the Planning Commission voted to grant a Waiver for the parking for the proposed business.

**Project Notes:**

**Staff's Recommendation:** Staff Recommends that the Final Plan be advertised on March 9, 2010 as complying with the provisions of the ordinance.

**Engineer's Recommendation:** Staff recommends advertising the Final Plan on March 9, 2010, 2010 for the April 5, 2010 Planning Commission Meeting.

Respectfully Submitted,

The Planning Department

March 8, 2010

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**STAFF REPORT  
REQUEST FOR SUPPLEMENTAL PLAT REVIEW**

**Project:** Tobin Building Addition

**File #:** 50-03

**Developer:** John Tobin                      Engineer: Greenway Engineering  
5125 Tabler Station Road                      151 Windy Hill Lane  
Inwood, WV 25428                              Winchester, VA 22602

**District, Tax Map & Parcel #: A, M18L, P23**

**Location:** Property is located approximately 0.28 mile north of intersection between Rte. 11/8 and Rte. 11 in the Arden Tax District.

**Project Description:** Proposes an addition to the back of the property currently known as J & T Bar and Grill.

**Administrative History:**

<b>Approval Letters</b>	<b>Date Received</b>
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	5/1/2006
Berkeley County Public Service Sewer District (Sewer Availability)	5/1/2006
State Health Department (Water)	5/1/2006
State Health Department (Sewer)	5/1/2006
Department of Highways (Entrance Permit)	5/1/2006
Central Dispatch (Road Names)	5/1/2006
GPP Permit Application	5/1/2006
NPDES Permit Application	5/1/2006
*Traffic Study	
*School Impact Analysis	

March 8, 2010

<b>Meetings &amp; Submissions</b>	<b>Date</b>
Pre-Application STAC Meeting	7/14/2003
Preliminary Plat Submitted	12/3/2003
1st Review Comments	1/15/2004
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	12/22/2004
Advertised	6/23/2005
Public Hearing (Preliminary Plat/Site Plan Approval)	7/26/2005
Final Plat/Site Plan Approval	
Bond Reduction	

**Waivers/ Variances:** There have been no variances/waivers for this project.

**Project Notes:**

1. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.
2. All items on the above project have been completed and are in compliance with the approved Preliminary Plat.

**Engineer Report:** The Assistant County Engineer recommends granting Supplemental Plat Approval.

Respectfully Submitted,

The Planning Department

March 8, 2010

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