

Morgan County Planning Commission  
Meeting Minutes  
October 25, 2011

I. CALL TO ORDER

Members present: Jack Soronen, Scott Swaim, Carl Cowgill, Wayne Omps, Mary Ellen Largent, Jim Hoyt, Amy Lane, Susan Parker, Eric Larue.

Members absent: Brenda Hutchinson, Brian Carter.

Others present: Alma E. Gorse, Richard Hawkins, Jr. , Arro Consulting

Meeting was opened at 7:02 p.m.

II. MEETING MINUTES

On an Amy Lane/Scott Swaim motion, the Planning Commission unanimously approved the minutes from the September 27, 2011 meeting.

III. COMMERCIAL AND INDUSTRIAL IMPROVEMENT LOCATION PERMIT APPLICATIONS

- A. ABS Enterprises, Inc. – Phase I  
Owner:Saud Shadkami  
Location: West side of Route 522, north of Rock Gap Road Intersection  
Total Acreage:7.964 acres  
Phase I developed area: 2.39 acres  
Phase I of project consists of two buildings, 240’x50’ and 200’x60’  
Requesting approval of Phase I

*Engineer Report – September 28, 2011*  
*Arro Consulting – Richard Parks, P.E.*  
*Commercial Site Plan for ABS Enterprises*  
*Products Facility Plan on Rt. 522*

*We have reviewed the above referenced site plan, sheets 1-11 and offer the following comments for the applicant to address prior to final consideration by the Planning Commission.*

- 1. Current drawings are titled “preliminary plat”. Should be referred to as a “site plan” to agree with the terminology in the Commercial and Industrial Improvement Location Ordinance.*
- 2. Show the type of land use (i.e. residential, commercial, industrial, etc.) for all adjacent properties.*

3. *The site plan on sheet 2 shows a dark outline along the boundaries of the proposed paved entrance. Please clarify if this represents curbs. If so, a detail should be provided.*
4. *Spot elevations should be provided near the point where the runoff from the upstream area enters pond no. 1 to assure the runoff enters the pond and not run down the paved entrance onto Rt. 522.*
5. *The grading to the rear of buildings 2 and 3 shows runoff directed toward the building. A ditch should be provided to direct the runoff around the building.*
6. *The Engineer should verify that sufficient turnaround area exists for emergency vehicles and delivery trucks to buildings 2,3 and 4.*
7. *The dumpster should be provided with a 6' solid fencing enclosure or vegetation for screening. Details should be provided.*
8. *If residential property exists on the north side of the panel, a 50-foot building restriction shall apply instead of the feet shown*
9. *Provide the vertical and horizontal datum used for topography. At least two (2) benchmarks for vertical control should be shown.*
10. *The buildings are shown over existing property lines. The three lots should be consolidated by plat into one lot.*
11. *The plan should clearly show the limits of existing wooded areas and the areas disturbed. The ordinance requires at least 25% of the existing wooded area to remain or be replanted.*
12. *Note 10 on sheet 2 indicated building 2 is 200'x60'. The site plan seems to indicate 200'x50' but the limits are unclear. The site plan should clearly delineate by shading if possible the limits of asphalt, gravel, walks, and stoops.*
13. *The sign location should be shown on the site plan.*
14. *The ordinance requires 10% open space. A tabulation on the plan should be provided indicating the actual open space area provided.*
15. *Handicap parking spaces is provided at building no. 1, but not the other buildings. Suggest 1 handicap space be provided at each building.*
16. *Five (5) parking spaces are provided at each building equating to the number of employees indicated. Suggest that some spaces be provided for visitors, clients, etc. How will the parking spaces be delineated in gravel?*
17. *An entrance permit is needed from WV DOT.*
18. *Well permit is needed form the Health Department.*
19. *A Notice of Intent (NOI) is needed from DEP for disturbance over 1 acre.*
20. *Sediment and erosion control approval is needed from SCD.*
21. *Three separate septic permits were provided for each of the three lots. Since this is now one lot and one septic system, the Health Department should provide clarification that no further permit is needed for wastewater disposal.*
22. *Sheet 9 indicated landscaping is provided along the perimeter and front of the building. A legend and landscaping schedule should be provided indicating the type, size, and number of landscaping provided.*
23. *The report indicates that some degree of infiltration is anticipated in the biofilters. Soils testing should be provided indicating the infiltration rates of the soils and depth to seasonal ground water.*
24. *Vegetation is typically installed in bioretention areas but none is shown on the plans.*

25. *The storm water management ordinance requires controlling the 2-year and 10-year post-development rates to pre-development rates. Please indicate the size of the low flow orifices at the outlet of pond 2 and how you are limiting the 2 and 10-year peak discharge rates.*
26. *Diversion ditch no. 2 has slopes that approach 10%. Please explain if the ditch linings proposed are adequate to prevent erosion.*
27. *A storm water inspection and maintenance agreement will be needed prior to final approval.*
28. *Handicapped parking spaces should be paved and not gravel to allow pavement markings and ease of access. A sign should also be provided. The cross slope is shown as 5%, but should be limited to 2% across the handicapped parking space and access aisle.*

*Engineer Report – October 7, 2011  
Arro Consulting – Richard Parks, P.E.  
Commercial Site Plan for ABS Enterprises  
Products Facility Plan on Rt. 522  
2<sup>nd</sup> Review*

*We have reviewed the resubmitted plans for the above-referenced project and find the plans meet the minimum requirements of the Commercial and Industrial Improvement Location Permit Ordinance with the conditions indicated below:*

1. *We recognize that permit applications to the various agencies have been properly filed. However, since permits have not been received, any approvals should be conditional upon receipt of the following permits:*
  - *Well & Septic*
  - *Sediment & Erosion Control*
  - *Notice of Intent from DEP*
  - *WV DOT Entrance Permit*
2. *A note should be indicated on the plans that the parking spaces will be delineated by the use of wheel barriers or other County approved method.*
3. *A note should be added to the plans that development of Phase 2 will require landscaping screening on the south side of Lot 2 to screen from the residential property on Lot 1.*
4. *The applicant should clarify the purpose of the existing driveway on Lot 2 from Route 522. If this is a driveway for Lot 1, an easement should be provided or if an easement exists, it should be shown on the site plan, Sheet 2.*

*Engineer Report – October 19, 2011  
Arro Consulting – Richard Parks, P.E.  
Commercial Site Plan for ABS Enterprises  
Products Facility Plan on Rt. 522  
3<sup>rd</sup> review*

*We have reviewed the latest revisions submitted for the above-referenced project and find the plans meet the minimum requirements of the County's Commercial and Industrial Improvement*

*Location Permit Ordinance subject to receipt of all outside agency permits required for the project.*

Staff had indicated that the Eastern Panhandle Conservation District is currently short-handed and does not have the staff in place to do the sediment and erosion control review for this project. Sediment and erosion control measures were reviewed by Arro Consulting and the West Virginia Department of Environmental Protection.

Staff also stated that the approved West Virginia Division of Highways entrance permit and the approval of the Notice of Intent from the West Virginia Department of Environmental Protection have not been received to date but did recommend contingency approval for Phase I based upon the receipt of these two permits.

On a Wayne Omps/Eric Larue motion, the Morgan County Planning Commission approved the Commercial and Industrial Improvement Location Permit application for ABS Enterprises – Phase I contingent upon the receipt of an approved West Virginia Department of Highways entrance permit and approved Notice of Intent from the West Virginia Department of Environmental Protection. Motion carried.

- B. Berkeley Springs Center Associates, LLC  
Chevy Chase Commercial  
Morgan Square Shopping Center (old Movie Gallery Building)  
Project consists of: 2800 sq. ft. addition to existing 3600 sq. ft. building;  
Total building size 6400 sq. ft.  
Waiver Request: Waiver of providing topography with 2 foot contour intervals and 2 benchmarks with datum as required in Section 3.2, Morgan County Commercial and Industrial Improvement Location Permit Ordinance

*Engineer Report – October 7, 2011  
Arro Consulting – Richard Parks, P.E.  
Commercial Site Plan for Auto Parts Retail  
Morgan Square Shopping Center*

*We have reviewed the site plans submitted, sheets 1-3 of 3 for the above referenced retail store addition. The proposed project is to expand the existing 3600 square foot building to 6400 square feet total. We offer the following comments for the applicant's guidance in meeting the minimum requirements of the County's Commercial and Industrial Improvement Location Permit Ordinance.*

1. *The vicinity map and location map on sheet 1 should have a scale noted. A north arrow should also be placed on the vicinity map.*

2. *There are 13 existing parking places being displaced by the building enlargement. The applicant is however, providing 13 new parking spaces for a net differential in parking of 0 spaces. Since the general use of the building as retail is being maintained, and the overall number of spaces in the shopping center is generally consistent with the ITE manual, we concur with the applicant's number of parking spaces. We assume the property owner believes the number of spaces is adequate based on his knowledge of historical use of this particular location.*
3. *The additional parking spaces are not indicated as being paved. The applicant should clarify the intent and provide a detail of the paving section on the plans, indicating the depth and slope. If the parking is to be paved, a gravel diaphragm is recommended along the length of spaces to mitigate the impacts of the additional impervious area.*
4. *The existing exterior light at the rear of the existing building is shown as being relocated. Please indicate the new location on the site plan. Add a note to the site plan that all exterior lighting is to be directed downward and will not emit objectionable glare observable from surrounding properties or roads.*
5. *Provide detail of the dumpster screening.*
6. *There is an overhead door shown on the south side of the new addition, presumably for loading and unloading of merchandise. There is only a 10' wide drive aisle next to the porch area and limited turning radius for maneuvering. The engineer should clarify the traffic flow for loading/unloading of the vehicle and the adequacy of available space.*
7. *The pedestrian walk from the HC parking space in front of the building to the porch appears to be less than 3 feet wide. There should be 5 feet wide aisle for HC access.*
8. *Section 3.2 of the ordinance requires the following additional information to be shown on the site plan:*
  - *Type of land use on adjoining property*
  - *Bearings and distance of the property line*
  - *Topography with 2' contour intervals and 2 benchmarks with datum provided*
  - *Proposed grading for the additional parking*

*Engineer Report – October 21, 2011  
 Arro Consulting – Richard Parks, P.E.  
 Commercial Site Plan for Auto Parts Retail  
 Morgan Square Shopping Center*

*We have reviewed the revised plans for the above referenced project and find the plans meet the minimum requirements of the Commercial and Industrial Improvement Location Permit Ordinance provided the following waiver is granted.*

*Waiver requested to Section 3.2 of the Commercial Ordinance also refers to Section 13.2(b) of the Subdivision Ordinance requesting topography at 2-foot contour intervals.*

*Since the project is to enlarge an existing building and not change the existing grades of the parking lot, other than the area where the new parking is located, we have no objection to the granting of the waiver.*

George Huguely, representative for Berkeley Springs Center Associates, stated that Advanced Auto Parts is the business interested in occupying the building. He also stated that there will be no new signs placed on the property, just the addition of a sign on the existing ladder sign located at the entrance along Route 522 and signs that are located on the building.

After their review of the site plan, the Planning Commission made the following recommended changes to the plan:

- Realign parking spaces in front of building (porch side) to allow room in front of steps and incorporate a hatched area the length of the parking spaces.
- Reconfigure handicap parking spaces on the north side of the building so vehicles are not backing out into oncoming traffic.

Staff had requested that the applicant make the requested changes on the site plan and submit them for approval prior to the issuance of the building permit.

On a Susan Parker/Jim Hoyt motion, the Morgan County Planning Commission approved the waiver requested of Section 3.2 of the Commercial and Industrial Improvement Location Permit Ordinance requiring topography of 2 foot contour intervals with 2 benchmarks with datum. Motion carried.

On a Eric Larue/Amy Lane motion, the Morgan County Planning Commission approved the Commercial and Industrial Improvement Location Permit Ordinance application for Berkeley Springs Center Associates consisting of a 2800 square foot addition to an existing building (old Movie Gallery Building) contingent upon the applicant making the following changes to the site plan for staff review and approval:

- Realign parking spaces in front of building (porch side) to allow room in front of steps and incorporate a hatched area the length of the parking spaces.
- Reconfigure handicap parking spaces on the north side of the building so vehicles are not backing out into oncoming traffic.

Motion carried.

*Engineer Report – October 27, 2011  
Arro Consulting – Richard Parks, P.E.  
Commercial Site Plan for Auto Parts Retail  
Morgan Square Shopping Center  
Shopping Center Addition*

*We have reviewed the realignment of handicap parking spaces and find the revisions acceptable.*

IV. OTHER BUSINESS

A. Set November/December meeting date

The Morgan County Planning Commission has combined their November/December meetings and scheduled their next regular meeting for December 6, 2011, 7:00 p.m.

B. Update on Chesapeake Bay Grant Stormwater Project

At this time, there is nothing to report.

V. ADJOURNMENT

The meeting adjourned at 8:00 p.m.