



**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, APRIL 13, 2016
7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

Call To Order

Invocation

Pledge of Allegiance

Adoption of Agenda:

Pursuant to established procedures, the Board should adopt the Agenda for the meeting.

Consent Agenda:

(Tentative Agenda Items for Consent are Tabs: A, E, and F)

Citizen Comments (Agenda Items Only, That Are Not Subject to Public Hearing.)

Board of Supervisors Comments

Minutes: (See Attached)----- A

1. Closed Session and Regular Meeting of March 23, 2016.
2. Budget Work Session of March 31, 2016.

County Officials:

1. Committee Appointments. **(See Attached)----- B**
2. Adoption of Fiscal Year 2016-2017 Budget, Fiscal Year 2016-17 Appropriations and Setting of 2017 Tax Rates. **(See Attached)----- C**

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3. Resolution of the Board of Supervisors of Frederick County, Virginia, Consenting to the Issuance of Revenue Obligations by the Northwestern Regional Jail Authority Pursuant to the Second Amended and Restated Regional Jail Agreement and Other Matters in Connection Therewith. **(See Attached)** ----- **D**

4. Memorandum Re: Request to Set Schedule for Board Meetings During Summer Months and for November and December, 2016. **(See Attached)** ----- **E**

Committee Reports:

1. Transportation Committee. **(See Attached)**----- **F**

Planning Commission Business:

Public Hearing:

1. Conditional Use Permit #02-16 for Martha Sparkman, Submitted for a Cottage Occupation/Massage Therapy. The Property is Located at 1045 Valley Mill Road, Winchester, Virginia and is Identified with Property Identification Number 55-A-176A in the Redbud Magisterial District. **(See Attached)**----- **G**
2. Rezoning #01-16 for 84 LUMBER Submitted by Pierce Hardy Limited Partnership, to Rezone 10.0 Acres from the B-3 (Industrial Transition) District with Proffers to the M-1 (Light Industrial) District with Proffers. The Property is Located at 240 Yardmaster Court, Off of Martinsburg Pike (Route 11 North) and is Identified by Property Identification Number 44-A-75B in the Stonewall Magisterial District. **(See Attached)** ----- **H**

Other Planning Items:

1. Master Development Plan #01-16 of Oakdale, III, Raven Pointe, Raven Oaks and Raven Wing. (Revision). **(See Attached)**----- **I**

Board Liaison Reports (If Any)

Citizen Comments

Board of Supervisors Comments

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Adjourn

CONSENT AGENDA

A

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

REGULAR MEETING

MARCH 23, 2016

A Closed Session of the Frederick County Board of Supervisors was held on Wednesday, March 23, 2016 at 6:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Chairman Charles S. DeHaven, Jr.; Gene E. Fisher; Blaine P. Dunn; Robert A. Hess; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells.

CALL TO ORDER

Chairman DeHaven called the meeting to order.

CLOSED SESSION

Upon a motion by Vice-Chairman Fisher, seconded by Supervisor Hess, the Board convened in closed session pursuant to 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and pursuant to section 2.2-3711 A (7) of the Code of Virginia, 1950, as amended, for consultation with legal counsel and briefing by staff pertaining to probable litigation that has been specifically threatened against the County, related to a land use matter, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Board, and the matter requires the provision of legal advice by such counsel; and pursuant to section 2.2-3711 A (7) of the Code of Virginia, 1950, as amended, for consultation with legal counsel and briefing by staff pertaining to a legal claim against the County, LEUENBERGER V. SPICER, ET AL., currently pending in the United States District Court for the Western District of Virginia, where such consultation or briefing in an open meeting would

adversely affect the negotiating or litigating posture of the Board, and the matter requires the provision of legal advice by such counsel.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion by Vice-Chairman Fisher, seconded by Supervisor Lofton, the Board came out of closed session and reconvened in open session.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion by Vice-Chairman Fisher, seconded by Supervisor Dunn, the Board certified that to the best of each board member's knowledge that only acquisition and disposition of real property for a public purpose, pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, specifically discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and consultation with legal counsel and briefing by staff pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, specifically consultation with legal counsel and briefing by

staff pertaining to probable litigation that has been specifically threatened against the County, related to a land use matter, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Board, and the matter requires the provision of legal advice by such counsel; and

consultation with legal counsel and briefing by staff pertaining to a legal claim against the County, LEUENBERGER V. SPICER, ET AL., currently pending in the United States District Court for the Western District of Virginia, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Board, and the matter requires the provision of legal advice by such counsel were discussed.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

REGULAR MEETING – CALL TO ORDER

Chairman DeHaven called the regular meeting to order.

INVOCATION

Supervisor Hess delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice-Chairman Fisher led the Pledge of Allegiance.

ADOPTION OF AGENDA - APPROVED

Upon a motion by Supervisor Dunn, seconded by Supervisor Slaughter, the Board approved the agenda by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

CONSENT AGENDA - APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board approved the following items under the consent agenda:

- Proclamation – National Telecommunicators’ Week in Frederick County, Virginia, April 10-16, 2016 – **Tab B**;
- Parks and Recreation Commission Report – **Tab E**; and
- Human Resources Committee Report – **Tab F**.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

CITIZEN COMMENTS

There were no citizen comments.

BOARD OF SUPERVISORS COMMENTS

There were no Board of Supervisors’ comments.

MINUTES - APPROVED

Upon a motion by Supervisor Hess, seconded by Supervisor Dunn, the Board approved the minutes from the February 29, 2016 budget work session.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
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Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion by Supervisor Lofton, seconded by Supervisor Dunn, the Board approved the minutes from the March 9, 2016 regular meeting.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

COUNTY OFFICIALS

**PROCLAMATION – NATIONAL TELECOMMUNICATORS’ WEEK IN
FREDERICK COUNTY, VIRGINIA, APRIL 10-16, 2016. – APPROVED UNDER
CONSENT AGENDA**

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of the police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Frederick County Department of Public Safety Communications Center; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, Public Safety Dispatchers of Frederick County, Virginia have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Frederick County, Virginia, does hereby proclaim the week of April 10-16, 2016 to be National Telecommunicator's Week in Frederick County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

ADOPTED this 23rd day of March, 2016.

COMMITTEE APPOINTMENTS

APPOINTMENT OF ROBERT BEARER AS FREDERICK COUNTY REPRESENTATIVE TO THE WINCHESTER REGIONAL AIRPORT AUTHORITY - APPROVED

Upon a motion by Supervisor Fisher, seconded by Supervisor Hess, the Board appointed Robert Bearer to fill the unexpired term of Rich Largent as Frederick County representative to the Winchester Regional Airport Authority. Term expires June 30, 2018.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

APPOINTMENT OF SARAH DUNKLE AS FREDERICK COUNTY REPRESENTATIVE TO THE NORTHWESTERN COMMUNITY SERVICES BOARD - APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Fisher, the Board appointed Sarah Dunkle as Frederick County representative to the Northwestern Regional Community Services Board. This is a three year appointment. Term expires December 31, 2018.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**REAPPOINTMENT OF STAN CROCKETT AND MARTHA W. DILG TO THE
FREDERICK COUNTY SANITATION AUTHORITY. - APPROVED**

Upon a motion by Supervisor Fisher, seconded by Supervisor Wells, the Board
reappointed Stan Crockett and Martha W. Dilg to the Frederick County Sanitation Authority.

This is a four year appointment. Term expires April 15, 2020.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**REQUEST FROM THE COMMISSIONER OF THE REVENUE FOR REFUND -
APPROVED**

Administrator Garton advised this was a request from the Commissioner of the Revenue
to authorize the Treasurer to refund Atlantic Construction Co., LLC the amount of \$13,574.04
for business equipment taxes in 2014 and 2015. This refund resulted from this company moving
their equipment to Clarke County in 2013. Their office operation moved on January 1, 2016,
therefore, no license refund will be made.

Upon a motion by Supervisor Slaughter, seconded by Supervisor Hess, the Board
approved the refund request and supplemental appropriation.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

COMMITTEE REPORTS

PARKS AND RECREATION COMMISSION – APPROVED UNDER CONSENT AGENDA

The Parks and Recreation Commission met on March 8, 2016. Members present were: Kevin Anderson, Patrick Anderson, Randy Carter, Natalie Gerometta, Gary Longerbeam, Ronald Madagan, and Charles Sandy, Jr. Members absent were: Blaine Dunn.

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Sign Policy – Mr. Sandy moved to accept the Sign Policy with the addition of temporary signs and their removal date, second by Ms. Gerometta, motion carried unanimously (7-0).
2. Update Existing Economically Disadvantaged Recreation Program Refunds, Facility Refunds, Criminal Background Check Policies – Mr. Madagan moved to accept changes to the Economically Disadvantaged Recreation Program Refunds, Facility Refunds, Criminal Background Check policies as submitted, second by Mr. Sandy, motion carried unanimously (7-0).
3. Farm Market Concept – Mr. Patrick Anderson moved to table the Farm Market program until more information is provided to the Commission, second by Ms. Gerometta, motion carried unanimously (7-0).
4. Buildings and Grounds Committee – Park Rule re: Overnight Parking – The Buildings and Grounds Committee recommended no overnight parking in parks unless approved by Parks and Recreation Department, second by Mr. Sandy, motion carried unanimously (7-0).
5. Closed Session: Mr. Madagan moved to convene into closed session under Virginia Code 2.2-3711 A (3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, second by Mr. Sandy, motion carried unanimously (7-0).

Mr. Madagan moved to exit closed session, second by Mr. Sandy, carried unanimously (7-0). All commission members were polled re: any discussion besides matter for closed

session, all said no.

**HUMAN RESOURCES COMMITTEE – APPROVED UNDER CONSENT
AGENDA**

The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 8:00 a.m. on Friday, March 11, 2016. HR Committee members present were: Supervisors Robert Hess, Chairman; Robert Wells, and Blaine Dunn; and citizen members Beth Lewin and Dorrie Greene. Citizen member Don Butler was absent. Others present were: Becky Merriner, HR Director, Lynsey Orndorff, HR Generalist, Ashley Hicks, HR Specialist, Delsie Jobe, Administrative Services Manager, DSS, and James Whitley, NRADC Superintendent.

*****Items Requiring Board Action*****

NONE

*****Items Not Requiring Action*****

1. Introduction of new Human Resources Director;
2. Review of HR Committee Charter;
3. Review of HR Committee Meeting Schedule.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, April 8, 2016.

FINANCE COMMITTEE - APPROVED

A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, March 16, 2016 at 8:00 a.m. There was an Audit Committee meeting immediately following. All members were present.

FINANCE COMMITTEE

1. The Sheriff requests a General Fund supplemental appropriation in the amount of \$30,000. This amount represents Abbott Grant funds and will be used to purchase two vehicles. No local funds required. See attached memo, p. 3. The committee recommends approval. - **APPROVED**

Upon a motion by Supervisor Slaughter, seconded by Supervisor Hess, the Board approved the above request by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye

Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

2. The Sheriff requests a General Fund supplemental appropriation in the amount of \$11,134.30. This amount represents two insurance reimbursements for auto claims. No local funds required. See attached memos, p. 4 – 5. The committee recommends approval. - **APPROVED**

Upon a motion by Supervisor Slaughter, seconded by Supervisor Lofton, the Board

approved the above request by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

3. The Winchester Regional Airport Director requests an Airport Operating Fund supplemental appropriation in the amount of \$62,500 and a General Fund supplemental appropriation in the amount of \$46,937.50 (local funds) in order to cover the anticipated deficit through FY 2016. See attached information, p. 6 – 15. Item postponed.
4. The Planning Director requests a General Fund and a Development Projects Fund supplemental appropriation in the amount of \$4,390. This amount represents funds for the remainder of the costs associated with acceptance of Security Drive into the State Secondary System. Local funds required. See attached information, p. 16 – 25. The committee recommends approval. - **APPROVED**

Upon a motion by Supervisor Slaughter, seconded by Supervisor Fisher, the Board

approved the above request by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

5. The County Administrator provides a draft Grant Application & Acceptance Policy for review and recommendation(s). See attached, p. 26 – 28. The committee recommends approval. - **APPROVED**

Upon a motion by Supervisor Slaughter, seconded by Supervisor Lofton, the Board

approved the above request by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

AUDIT COMMITTEE

1. David Foley from Robinson, Farmer, Cox Associates presented the FY 2015 CAFR and was available for discussion of the upcoming FY 2016 audit. The FY 2015 CAFR is available in drop box or online at: www.fcva.us/CAFR.

INFORMATION ONLY

1. The Finance Director provides a Fund 10 Transfer Report for February 2016. See attached, p. 29.
2. The Finance Director provides an FY 2016 Fund Balance Report ending March 8, 2016. See attached, p. 30.
3. The Finance Director provides financial statements for the month ending February 29, 2016. See attached, p. 31 – 41.

PUBLIC HEARING

TWELVE MONTH OUTDOOR FESTIVAL PERMIT REQUEST OF TRUMPET VINE FARM (DEMARCHI SPEARS). PURSUANT TO THE FREDERICK COUNTY CODE, CHAPTER 86, FESTIVALS; SECTION 86-3, PERMIT REQUIRED; APPLICATION; ISSUANCE OR DENIAL; FEE; PARAGRAPH D, TWELVE MONTH PERMITS. ALL EVENTS TO BE HELD ON THE GROUNDS OF TRUMPET VINE FARM, 266 VAUCLUSE ROAD, STEPHENS CITY, VIRGINIA. PROPERTY OWNED BY DEMARCHI SPEARS. - APPROVED

Mr. Demarchi Spears, applicant, appeared before the Board regarding this request for a

twelve month outdoor festival permit.

Supervisor Lofton stated he had not received any complaints regarding the events held on this property and he was not aware of staff receiving any complaints. He asked Mr. Spears if he had been notified of any complaints about events on his property.

Mr. Spears responded “no sir”.

Chairman DeHaven convened the public hearing.

William Pfahl, neighbor, appeared before the Board. He stated he was opposed to the “otherwise rezoning” of this property, but he was not sure why he was appearing since he felt “the fix” was in. Mr. Pfahl left the meeting.

There being no further comments, Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board approved the twelve month outdoor festival permit request of Trumpet Vine Farm.

Supervisor Dunn stated it was difficult to respond to comments when no specific objections were raised.

Supervisor Hess felt a conditional use permit would be more appropriate than a festival permit, but he had no objections to this application.

There being no further discussion, the above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

AN ORDINANCE TO AMEND SECTION 155-51 (TAX IMPOSED) OF ARTICLE XIV (TRANSIENT OCCUPANCY TAX) OF CHAPTER 155 (TAXATION) OF

**THE CODE OF FREDERICK COUNTY, VIRGINIA TO INCREASE THE
TRANSIENT OCCUPANCY TAX FROM 2% TO 2.5%, EFFECTIVE JULY 1,
2016. - APPROVED**

Administrator Garton advised at the budget work session held on Wednesday, February 24, 2016, the Board and Finance Committee discussed a possible 0.5% increase to the current 2% transient occupancy tax rate. This increase was enabled by legislation adopted by the General Assembly during the 2016 session and signed into law by the governor. The General Assembly legislation becomes effective July 1, 2016. She went on to say that in order for the County to increase the transient occupancy tax rate, the County Code must be amended to reflect this increase. A public hearing is required in order to amend the County Code. At the February 24, 2016 budget work session, the Board's consensus was to move forward with the increase to the transient occupancy tax rate. For this proposed increase to be included as part of the FY 2016-2017 budget, the County Code amendment must be in place prior to budget adoption. The Board, at its March 9, 2016 meeting, approved holding a public hearing on this matter at its March 23, 2016 meeting. At the conclusion of the public hearing, staff was seeking Board action regarding this proposed ordinance amendment.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the ordinance to amend the Code of Frederick County, Virginia to increase the Transient Occupancy Tax from 2% to 2.5%, effective July 1, 2016.

The Board of Supervisors of Frederick County, Virginia hereby ordains that, effective July 1, 2016, Section 155-51 (Tax Imposed) of Article XIV (Transient Occupancy Tax) of Chapter 155 (Taxation) of the Code of Virginia be, and the same hereby is amended by enacting an amended Section 155-151 (Tax Imposed) of Article XIV (Transient Occupancy Tax) of Chapter 155

(Taxation) of the Code of Frederick County, Virginia, as follows (deletion is shown in ~~strike through~~ and addition is shown in **bold underline**):

CHAPTER 155 TAXATION

Article XIV Transient Occupancy Tax

§155-51 Tax imposed.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby imposed and levied on each and every transient a tax equivalent to ~~2%~~ **2.5%** of the total amount paid for room rental by or for any such transient to any motel.

Enacted this 23rd day of March, 2016.

The above motion was approved by the following recorded vote:

- | | |
|-------------------------|-----|
| Charles S. DeHaven, Jr. | Aye |
| Blaine P. Dunn | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Judith McCann-Slaughter | Aye |
| Robert W. Wells | Aye |

FISCAL YEAR 2016-2017 BUDGET – PUBLIC HEARING ONLY – NO ACTION TAKEN

County Administrator Brenda Garton presented the proposed fiscal year 2016-2017 budget. She began by reviewing the directive from the Board and Finance Committee, county administrator’s budget goals, and county administrator goals with regard to the budget process. She noted this proposed budget would eliminate the use of fund balance to balance the general fund budget. In so doing, the available new revenue with which to address the areas of public safety and education was \$1,492,939, of which only \$318,429 in new money was available to Frederick County schools.

After reviewing the budget requests and the identified needs within those requests, she advised this budget was proposed with an \$0.08 increase in the real estate tax rate and a 0.5%

increase in the Transient Occupancy Tax with those monies dedicated solely to tourism. The proposed \$0.08 real estate tax increase would generate \$7,892,939 in new revenue to be split between the schools and the county. Of that amount, \$3,966,429 is allocated to the school system.

Administrator Garton noted the proposed budget includes:

- Increase in local transfer to the schools of \$3,966,429.
- 3% reserve for raises for county staff to be split between a cost of living adjustment and a merit increase.
- Health insurance premiums are expected to increase by approximately 7%.
- New personnel:
 - 10 new firefighters
 - 6 new deputies
 - 1 new Assistant County Attorney
 - 1 new Human Resources Specialist who will focus on training
 - 1 new position in the Commonwealth's Attorney's office, which was already approved in the current fiscal year.
 - 1 Adult Protective Services Supervisor in Social Services
- Various initiatives throughout the budget and normal increases in costs.

Items not included in the proposed budget:

- Full funding requested by the schools.
- Capital requests.
- New position requests:
 - 12 of 18 deputies requested by the Sheriff
 - 13 of 23 positions requested by Fire and Rescue
 - Additional Planner
 - Program Coordinator in Parks and Recreation
- Significant reduction in overtime.

Administrator Garton concluded her presentation and thanked the Board for the opportunity to present her proposed budget.

Chairman DeHaven convened the public hearing on the proposed FY 2016-2017 budget.

Mike Elwell, Executive Director of the Northwestern Community Services Board, advised that his agency had been serving Frederick County for over 42 years and he gave a brief overview of the number of individuals served by his agency and the variety of services provided.

Kevin Sanzenbacher, Winchester Police Chief, thanked the Board for its support of the Northern Shenandoah Substance Abuse Coalition. He noted the coalition was seeking the same amount of funding for the upcoming fiscal year.

Lilly Dunning, Executive Director of Bluemont Concert Series, thanked the County for its past support from 1984-2010. She reviewed the programs Bluemont provides and asked for funding consideration in the proposed budget.

Keith Johnson, Redbud District, spoke in support of the proposed \$0.08 real estate tax increase and supported Fire & Rescue's request for 23 positions. He noted it was government's job to provide basic safety services. He stated fire and rescue services are being done well, but the department needs more staff. He urged support for the 10 positions proposed for funding and the elevation of the remaining 13 positions.

Paul Limoges, Discovery Museum, stated the museum was celebrating its 20th anniversary this year and he wanted to plant the seed for possible funding next year. He noted the museum was asking for money to allow all elementary school students to come to the museum as a way to allow them to experience learning. He believed the museum was a state of the art organization and was becoming a destination. He concluded by thanking the Board for considering this request and for its past contributions.

Pat Grosso, Gainesboro District, stated she was a retired resident of Frederick County and she favored the full \$0.08 tax increase. She noted past policies have resulted in a strain on all county services. She noted fire and rescue was transitioning to more career staff. The schools have had to deal with lower budgets and fewer resources. She went on to say teachers have not been fairly compensated as have a number of county employees. She noted a majority of county employees do not reach the County's median income even after several years of

service.

Dr. David Sovine, Superintendent of Frederick County Public Schools, thanked the Board and county administrator for the ongoing dialogue throughout this budget process. He believed that everyone wanted something to include a safe community and an economically strong community. He noted public education was a key to making the community we want in Frederick County. He stated that Frederick County schools was the second largest employer in the area and cited why the pay raise was important to deal with a teacher shortage. He concluded by saying that he looked forward to working with the Board in the future.

Steven Flick, Red Bud District, spoke against the proposed property tax increase. He stated there was plenty of money for schools. He noted this proposed increase would take a Social Security check to pay a year's taxes. He went on to say a lot of people in the county have not had a raise and he was not sure county employees were so special to be in another bracket. He stated that he did not know if there was a need for more deputies. He concluded by saying the County may need to allocate resources better.

Joy Kirk, Back Creek District and President of the Frederick County Education Association, spoke in support of the proposed \$0.08 tax increase. She stated Frederick County spends less than the state average per student. She noted there were fewer teachers and more students in the classroom and there was a loss of class options at the high school level. She cited a number of examples of school faculty and staff who go above and beyond their normal responsibilities to help students. She concluded by asking the Board to support the proposed \$0.08 tax increase.

Karen Contreras, Back Creek District, stated both she and her husband were teachers and their children attended Frederick County schools. She felt there was a need to invest more in

the County's children. She noted her students come from a variety of households in that they might live with grandparents or bounce from place to place. She stated Frederick County schools had been stripped of resources since the recession and it was time to seriously invest in the future. She concluded by asking the Board to approve the proposed tax increase.

Dr. John Lamanna, Shawnee District and Chairman of the Frederick County School Board, thanked the Board for working with the school board throughout this budget process. He recognized that limited resources were available, but the available resources could be stretched no further. He stated the proposed budget would not address the most critical needs this year. He advised that the school board supports the advertised tax increase and a lessened reliance on fund balance.

William Meyer, Shawnee District, stated the reality is we are no longer taking money from fund balance and he thought last year's budget was not a true budget. He stated that this year's proposal looks like a true budget. He went on to say the \$0.08 tax increase would be approved this year and their probably would be an increase next year too.

William Bartee, Shawnee District, stated he did not see any cost savings shown tonight or an indication of what future budgets might look like. He did not think the proposed tax increase was good for his neighbors. He went on to say taxpayers cannot afford this size of government. He went on to say the county was being built on two categories of people the haves and the have nots. He concluded by asking the Board to remember their core values.

Jay Marts, Gainesboro District, read the following:

"Chairman DeHaven, Members of the Board & Administrator Garton:

Good Evening, I am Jay Marts of the Gainesboro District and also speaking for the many citizen taxpayers who signed these 20 pages of petitions, initiated by the Northern Shenandoah Valley TEA Party. Most all are from my District, but many also from neighboring Stonewall.

*The land-holding peasants are restless. This pitchfork, my little attempt at humor, is to bring attention to the actions you are preparing to take that is counter to your own published “**core values**”. The Board says the County ...*

...government is ... dedicated to providing responsible stewardship of county funds...”

It is fiscally irresponsible to raise taxes, increase debt, dip into savings and expand government in the face of higher revenue year after year. If you do nothing, increased revenue available to this government would be near \$10 M.

*I believe all of you are members of the political party whose “**CREED**” espouses ... fiscal responsibility, budgetary restraints, lower taxes, less and smaller government;*

*Our population grows just over 1%, the budget increases near 20%. This is not **budgetary restraints**.*

*An 8 cent property tax jump equates to 14.3% increase. This is not **lower taxes**.*

*A proposed addition of **50** County employees with a 4% pay raise is not **less and smaller government**.*

*How can you justify expanding government, raising taxes, increasing debt and raiding the “**Rainy Day**” reserve fund to pay for things like **refurbishing swimming pools**, yet there is no discussion on increasing any of the user fees within the Parks & Rec Department that might make them self-sufficient?*

*Your Funding of Outside/Other Agencies appears to be upwards of \$8M. While there may be some community good being accomplished, I do not believe in a year where you are expanding government, raising taxes, increasing debt and raiding the “**Rainy Day**” reserve fund, you should be using our tax dollars to fund organizations that any citizen can provide a charitable contribution. Handley Library just received a \$4.5 M private donation. Why are you raising my taxes, taking my money to give this entity another Million \$\$’s.*

*Please vote **No** to any tax increase until you curb the natural bureaucratic appetite for government growth, provide the taxpayers with detailed justification of need and show effort to reduce cost and improve productivity.*

Thank you for allowing me to address the Board.”

Jeri Swogger, Gainesboro District, cited the successes of the implementation of full-day kindergarten. She stated this shows how appropriate financial support helps students. She cited the successes of the educational coaches in the elementary schools and stated they would like to get coaches in the five remaining elementary schools. She concluded by asking for full funding

of the budget.

Peggy Clark, Red Bud District and member of the Frederick County School Board, spoke about her background as a teacher and her family's experiences in Frederick County schools. She stated the schools need additional money to fund a pay increase for teachers. Without compensation, a number of teachers will look to other localities for jobs. She concluded by asking the Board to provide the needed funding.

Mark Anderson, Stonewall District and Chairman of the Frederick County Libertarians, stated the government could not tax itself into prosperity. He noted that Frederick County's low tax rate was not a problem to be corrected, but was a good thing.

Katie Borland, Renee Garneau, and Marisa Binghorst, Shawnee District and students at Admiral Byrd Middle School, stated there were plans for 9th and 10th grade gifted and academic programs curriculum, but no funding was available. They spoke about how gifted classes allow them to take higher level core courses and would like to see funding made available. They thanked the Board for consideration of their request.

Donna McFarland, Opequon District, stated she was a graduate of James Wood High School who decided to move back to Frederick County. She advised that she had been a Physical Education teacher for seven years. Her sons are graduates of Sherando High School. She noted that one would attend Harvard University to play football. She spoke about how she used her salary to pay for resources and supplies for her classes. She stated that she did not mind a tax increase. She concluded by saying great teachers leave every year for competitive salaries.

Erik Hanna, Red Bud District, stated he was a fire fighter and paramedic with the Frederick County Fire & Rescue Department. He believed the county administrator was on point with the proposed budget. He thanked the Board for the past support of the department. He

concluded by stating his support for the proposed tax increase because he could see what these taxes will do for the County.

Nino Koch, Shawnee District, stated she was an Education Services Provider and interacts daily with students, administration, and staff. She reviewed the various types of Education Service Providers working in Frederick County schools and the different duties each performs. She concluded by supporting the proposed \$0.08 real estate tax increase.

Jordan Willard spoke in support of the proposed \$0.08 tax increase for the benefit of his children. He stated that we were competing against other localities and within a global economy. He concluded by saying he hoped there would be an increase.

Alan Morrison, Gainesboro District, stated he was glad to hear that county and school employees were doing their jobs. He stated that the problem with government is that it runs out of other people's money. He noted government was not a profit center and suggested looking at cost improvements and efficiency improvements. He stated the economy has not rebounded and investments had not rebounded.

Stuart Wolk, Shawnee District, thanked the Board for agreeing to govern the county. He cited the quality of life and low taxes as examples of successes. He noted there were many needs among county departments. With regard to education, it is a people business and he encouraged the Board to adopt the advertised budget and the proposed \$0.08 tax increase.

Beverly Soriano, Stonewall District, expressed concern about where the money would come from. She suggested the Board look at other funding sources because the current residents and elderly were tapped out. She went on to say that she would like to see another way to fund the schools.

Shannon Trout, teacher at Robert E. Aylor Middle School, spoke in support of the

proposed \$0.08 tax increase.

Noah Sullivan, student a James Wood High School, spoke about his experiences as a student in Frederick County schools and how he was supported by the teachers and guidance counselors. He stated the teachers sacrifice a lot for the student. He concluded by saying that he supported the proposed tax increase.

William Meyers, Shawnee District, spoke in support of the fire and rescue services, particularly Company 15. He encouraged the Board to fund Fire & Rescue.

There being no further comments, Chairman DeHaven closed the public hearing.

SELECTION OF DATES FOR ADDITIONAL BUDGET WORK SESSIONS – DATES SELECTED

The Board scheduled additional budget work sessions for Thursday, March 31, 2016 at 6:30 p.m. and Tuesday, April 5, 2016 at 6:00 p.m.

BOARD LIAISON REPORTS

Supervisor Lofton reported on the Department of Social Services. He noted that so far this year 25 newborns have been born drug exposed. He also advised it was discovered the State was underfunding the department by \$900,000. He went on to say the director and staff were working with the State on correcting this error.

CITIZEN COMMENTS

There were no citizen comments.

BOARD OF SUPERVISORS COMMENTS

Supervisor Dunn expressed concern over dealing with a one year budget versus a multi-year budget. He encouraged the Board and the School Board to get together to look at long-term needs. He wondered if school employees would be willing to take a cut in order to fund critical items.

Supervisor Hess reported that he was contacted by a freshman at James Wood High School who asked him to visit the oncology ward at Winchester Medical Center.

Supervisor Wells stated he was a board member, taxpayer, and also on a fixed income and he tried to listen to the speakers concerns from that point of view.

ADJOURN

UPON A MOTION BY VICE-CHAIRMAN FISHER, SECONDED BY SUPERVISOR WELLS, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (9:30 P.M.)

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

BUDGET WORK SESSION

MARCH 31, 2016

A Budget Work Session of the Frederick County Board of Supervisors and Finance Committee was held on Thursday, March 31, 2016 at 6:30 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Chairman Charles S. DeHaven, Jr.; Vice-Chairman Gene E. Fisher; Blaine P. Dunn; Robert A. Hess; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells

OTHERS PRESENT

Finance Committee member Bill M. Ewing; County Administrator Brenda G. Garton, Assistant County Administrator Kris C. Tierney, Deputy County Administrator Jay E. Tibbs, Commissioner of the Revenue Ellen Murphy, Treasurer C. William Orndoff, Jr., Finance Director Cheryl B. Shiffler, Assistant Finance Director Sharon Kibler, Budget Analyst Jennifer Place, County Attorney Rod Williams, HR Director Becky Merriner, Fire Chief Dennis Linaburg, Sheriff Lenny Millholland, Superintendent of Schools Dr. David Sovine, School Board Member Dr. John Lamanna, and Executive Director of Finance for Frederick County Public Schools Lisa Frye.

CALL TO ORDER

Chairman DeHaven called the work session to order.

Administrator Garton briefly reviewed a summary sheet of the county administrator's proposed budget. She noted the Board has approved the 0.5% increase in the Transient Occupancy Tax. She advised that the County had received an additional \$200,000 in sales tax revenue, which was not originally part of the budget presentation. She concluded by saying staff was looking for a decision regarding a tax rate and if any fund balance money would be used to balance the budget.

Supervisor Hess stated he agreed with the approach of not utilizing fund balance to fund operational costs. He stated some build-up of fund balance was good because it could be used for one time capital needs and to off-set borrowing costs down the road.

Supervisor Lofton stated he did not disagree with that approach but right now there are a lot of people on Social Security who did not receive any kind of raise this year; therefore, he was open to using some fund balance this year as a bridge to no use of fund balance next year.

Treasurer Orndoff asked about the fund balance levels in the Landfill fund. He stated the fund balance was healthy, but there was a proposed increase in tipping fees. He asked for additional information.

Supervisor Fisher stated he would have to ask the public works director for additional information.

Mr. Ewing asked for the proposed amount in the contingency line item.

Administrator Garton responded the proposed budget's contingency line item was \$1,575,882.

Mr. Ewing asked Frederick County Schools if they would be able to do a salary increase this year.

Dr. Sovine responded that was a decision the school board would have to make. He noted they would have to make \$1.1 million in budget cuts in order to find money for the salary increase. He went on to say if the school board opted not to do a salary increase then the schools would lose state funding for salaries for Fiscal Years 2016-2017 and 2017-2018.

Supervisor Dunn stated he was concerned with what happens in next year's budget. He stated he would like to see a five year budget. He asked if the school board would be willing to sell the old transportation facility as a way of generating money. He went on to say that the

health insurance increase should be borne by the county employees and that the tax payers should not supplement to pay for that increase.

Supervisor Fisher stated he liked the proposal offered a few weeks ago by Supervisor Slaughter to use some level of fund balance as a weaning process in order to get away from using fund balance in the future. He noted the funding levels were important to him and that the schools and county administration have priorities. He went on to say that he was not getting into balancing the budget by changing particular line items. He stated that approving a revenue stream was where he would like to end up. He concluded by saying that he like the proposal offered for a \$0.05 tax increase with some use of fund balance.

Supervisor Dunn stated he would like to see some fund balance taken out to reduce debt.

Treasurer Orndoff discussed the issue of overtime in Fire & Rescue and whether or not this was a discussion for the Finance Committee or the Board.

Administrator Garton stated she was working on this issue and the proposed budget reflected some reduction due to the proposed new positions. She noted the new positions would not come on board until at least January 2017; therefore, it was difficult to predict how much of a reduction would be recognized next year.

Supervisor Dunn stated he was uncomfortable with a \$0.08 tax increase; however, he would be willing to go from \$0.56 to \$0.59. He went on to say he would like to see what would happen with \$0.035, \$0.04, and \$0.05 increases. He wanted to know what would change based on those amounts. He concluded by saying if the proposed increase went over \$0.035 he would like to see some money put towards debt.

Mr. Ewing stated he had a proposal for a \$0.045 tax increase and no use of fund balance, but he would like to have some time to put it together and send it out to the Board.

Supervisor Slaughter stated that she would like to see Mr. Ewing's numbers because she might be at a \$0.04 increase rather than \$0.05 with a use of fund balance if the Board wanted to provide additional funding for the schools.

Supervisor Wells stated this was not a direction that he wanted to go, but asked if there was anyone on the Board who wanted to take the entire amount out of fund balance and have no tax increase.

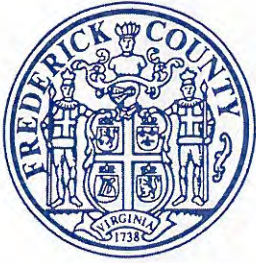
Supervisor Dunn stated he could support no tax increase using fund balance for this year, but going forward he wanted to look at a five year plan.

Supervisor Fisher stated he was back where he started earlier in the meeting at a \$0.05 increase and use of some fund balance. He stated he could not support an \$0.08 increase, but he was okay with the budget as presented.

Chairman DeHaven reminded the Board of the final work session scheduled for Tuesday, April 5, 2016 and he urged the board members to be prepared to make decisions at that meeting.

UPON A MOTION BY VICE-CHAIRMAN FISHER, SECONDED BY SUPERVISOR LOFTON, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS WORK SESSION IS HEREBY ADJOURNED. (7:50 P.M.)

B



Brenda G. Garton
County Administrator

540/665-6382

Fax 540/667-0370

E-mail: bgarton@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Brenda G. Garton, Deputy County Administrator 
DATE: April 6, 2016
RE: Committee Appointments

Listed below are the vacancies/appointments due through May, 2016. As a reminder, in order for everyone to have ample time to review applications, and so they can be included in the agenda, please remember to submit applications prior to Friday agenda preparation. Your assistance is greatly appreciated.

VACANCIES/OTHER

People, Inc.

Per Chairman DeHaven, Robert G. Goldsmith, President and CEO of People, Inc., has requested to appoint a representative to sit on their Board of Directors. **(See Attached Application of Linda Gibson and Copy of Brochure on People, Inc.)**

APRIL 2016

Historic Resources Advisory Board

Lauren Krempa Murphy – Member-At-Large
106 Dollie Mae Lane
Stephens City, VA 22655
Phone: (540)338-2304
Term Expires: 04/09/16
Four year term

(The Historic Resources Advisory Board is comprised of nine members, one member from each magisterial district and three members at large.)

MAY 2016

Parks and Recreation Commission

Memorandum – Board of Supervisors
April 6, 2016
Page 2

Kevin L. Anderson – Member-At-Large
180 Thurston Court
Clearbrook, VA 22624
Home: (540)665-1212
Term Expires: 05/09/16
Four year term

BGG/tjp

Attachments

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**INFORMATIONAL DATA SHEET
FOR
FREDERICK COUNTY BOARD OF SUPERVISORS
COMMITTEE APPOINTMENTS**

_____, _____ District Supervisor, would like to
nominate you to serve on the _____
People, Inc. Board _____.
As a brief personal introduction to the other Board members, please fill out the information requested below for
their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

Name: Linda Gibson **Home Phone:** 540-662-5252

Address: 800 Kennedy Drive **Office Phone:** 540-665-5688 x125

Winchester, VA 22601 **Cell/Mobile:** 703-919-0558

Fax: 540-665-5664

Employer: Frederick County Dept of Social Services **Email:** linda.gibson@dss.virginia.gov

Occupation: Assistant Director

Civic/Community Activities: _____

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:
_____ **Yes:** **No:** _____

**Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On
This Committee? Yes:** _____ **No:** **Explain:**

**Additional Information Or Comments You Would Like To Provide (If you need more space, please
use the reverse side or include additional sheets):**

Applicant's Signature: Linda Gibson Digitally signed by Linda Gibson, DN: cn=Linda Gibson, o=Frederick County, ou=Frederick County, email=Linda.Gibson@fcva.us, c=US **Date:** 3/29/16

Nominating Supervisor's Comments: _____

Please submit form to:
Frederick County Administrator's Office
107 North Kent Street
Winchester, VA 22601
or email to: tprice@fcva.us or jtibbs@fcva.us



People inc.

*Building Futures
Realizing Dreams™*



People inc.

*Building Futures
Realizing Dreams™*

About People Incorporated

Established in 1964 to help low to moderate income Virginians attain the American dream with a second chance at life, People Incorporated has grown to become Virginia's most effective nonprofit community action agency. With nearly 30 innovative public service programs

and 8 regional offices, People Incorporated offers a wide range of community and economic development opportunities, comprehensive children and family services, affordable housing options, and workforce initiatives for young and old. In 2015 alone, People Incorporated helped nearly 6,400 men, women and children enrich their lives, build their futures and realize their dreams.

Our Mission

To provide opportunities for economically disadvantaged people to reach their goals in order to enhance their lives, their families, and their communities.

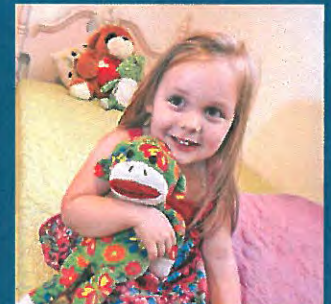
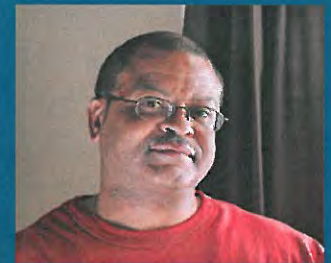
Our Philosophy

Every person needs support from others. People Incorporated promotes the dignity of individuals

and families, moves people into the economic mainstream, and works to develop existing strengths and resources within communities. All of our efforts are directed by the concerns, hopes, needs and dreams of the people we serve.

PROGRAMS AND SERVICES
NORTHERN SHENANDOAH VALLEY REGION

Clarke • Frederick • Page
Shenandoah • Warren



Building futures, Realizing dreams

www.peopleinc.net | 540.459.9096

PROGRAMS AND SERVICES NORTHERN SHENANDOAH VALLEY REGION

Business Loan Services

Access to capital for microenterprise and small business loans ensures that qualified business owners have the financing they need to grow their business to its full potential and create jobs.



Technical Assistance and Training

Small business owners who receive technical assistance or attend business training workshops are better prepared to succeed in business and to strengthen their balance sheet.

Consumer Lending

The program offers an affordable alternative to payday and title lenders and provides access to credit counseling and financial literacy training to help borrowers get their finances back on track.

Retired Senior Volunteer Program (RSVP)

The RSVP Home Visitor service is a unique volunteer opportunity for individuals age 55 and over to use their lifetime of experience to help enhance the lives of homebound seniors and adults with disabilities who are often isolated and lonely.

Through regular weekly visits and other contacts, RSVP Home Visitor Volunteers provide social interaction, mental stimulation and emotional support.

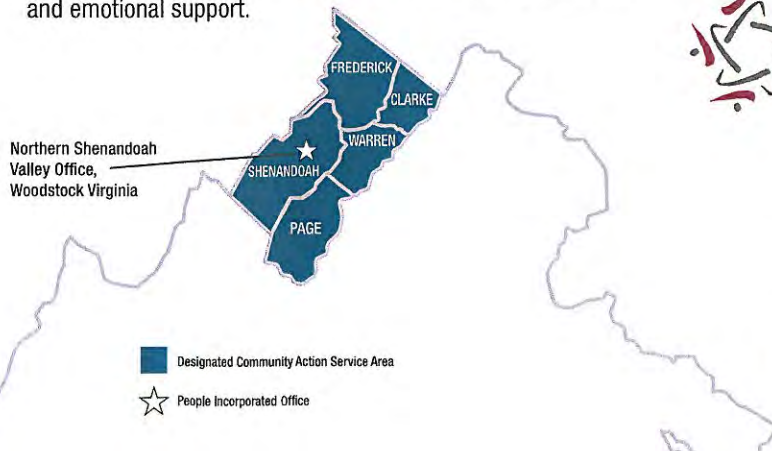


Home Ownership

Low-and moderate-income families receive one-on-one or group homeowner education and housing counseling services, including foreclosure counseling. Low interest loans are also provided to eligible individuals and families for homeownership.

Affordable Rental Housing

One, two and three bedroom apartments with affordable rents are available to seniors, individuals and families located throughout Virginia.



People inc.

Building Futures, Realizing Dreams™

150 South Main Street | Woodstock, VA 22664
 Phone 540.459.9096 | Fax 540.459.8732
 Email: woodstock@peopleinc.net
 facebook.com/PeopleIncorporatedofVirginia
 @peopleincofva

People Incorporated is an equal opportunity provider and employer.



C



BOARD OF SUPERVISORS

FY 2016-2017 BUDGET RESOLUTION

WHEREAS a notice of public hearing and budget synopsis has been published and a public hearing held on March 23, 2016, in accordance with Title 15.2, Chapter 25, Section 15.2-2506, of the Code of Virginia, 1950 as amended.

THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Frederick, Virginia, that the budget for the 2016-2017 Fiscal Year as advertised in The Winchester Star on March 14, 2016, be hereby approved in the amount of \$389,179,525.

BE IT FURTHER RESOLVED that the County of Frederick budget for the 2016-2017 fiscal year be adopted and the funds appropriated as follows:

General Operating Fund	\$163,306,583
Regional Jail Fund	21,161,388
Landfill Fund	7,035,435
Division of Court Services Fund	704,994
Shawneeland Sanitary District Fund	942,848
Airport Operating Fund	1,802,568
Lake Holiday Sanitary District Fund	779,998
EMS Revenue Recovery Fund	1,802,974
Economic Development Authority Fund	577,495
School Operating Fund	153,211,000

School Debt Service Fund	16,446,289
School Capital Projects Fund	3,000,000
School Nutrition Services Fund	6,669,757
School Textbook Fund	2,666,452
NREP Operating Fund	5,346,744
NREP Textbook Fund	50,000
Consolidated Services/Maintenance Fund	3,600,000
School Private Purpose Funds	75,000

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Frederick, Virginia, does herein adopt the tax rates for the 2016 assessment year as follows:

Property Taxes – Rates per \$100 of assessed value

\$0.60	Applied to real estate, including mobile homes
\$4.86	Applied to personal property including business equipment
\$2.25	Applied to personal property on one vehicle to volunteer firefighters that are approved and registered with the Frederick County Fire and Rescue Department
\$0.01	Applied to airplanes
Zero tax	Applied to antique vehicles and mopeds
\$2.00	On declining values to be applied to machinery and tools. The declining values are 60% for year one, 50% for year two, 40% for year three, and 30% for year four and all subsequent years.

\$2.00 On apportioned percentage of book values to be applied to Contract Classified Vehicles and equipment

Business and Professional Occupational License Rates

Contractors	\$0.16 per \$100 of gross receipts
Retail	\$0.20 per \$100 of gross receipts
Financial, Real Estate, and Professional Services	\$0.58 per \$100 of gross receipts
Repair, personal and business services and all other businesses and occupations not specifically listed or exempted in the County Code	\$0.36 per \$100 of gross receipts
Wholesale	\$0.05 per \$100 of purchases

The tax rates for other businesses and occupations specifically listed in the County Code are also unchanged.

Other General Taxes

Meals tax	4% of gross receipts
Transient Occupancy tax	2.5% of gross receipts
Vehicle License Taxes	\$25 per vehicle and \$10 per motorcycle

Sanitary Landfill Fees

\$47	Per ton for commercial/industrial
\$42	Per ton for construction demolition debris
\$18	Per ton for municipal waste
\$36	Per ton for municipal sludge

\$12 Per ton for Miscellaneous Rubble Debris

Shawneeland Sanitary District Taxes

\$190 Unimproved Lots

\$560 Improved Lots

Lake Holiday Sanitary District Taxes

\$678 Buildable Lots

\$264 Unbuildable Lots

Lots owned by Lake Holiday Country Club, Inc.

\$0 Buildable Lots and Unbuildable Lots

Star Fort Subdivision Taxes/Fees

\$60 Per Lot

Street Light Fees

Oakdale Crossing and Fredericktowne \$60 annually

Green Acres \$25 annually

BE IT FURTHER RESOLVED that appropriations are hereby authorized for the central stores fund, special welfare fund, comprehensive services fund, county health insurance fund, school health insurance fund, length of service fund, special grant awards fund, employee benefits fund, maintenance insurance fund, development project fund, sales tax fund, commonwealth sales tax fund, unemployment compensation fund, Forfeited Assets Program, and Four-For-Life and Fire Programs equal to the total cash balance on hand at July 1, 2016, plus the total amount of receipts for the fiscal year 2016-2017. The Fire Company Capital appropriation will include the current year appropriation plus any unused funds at the end of the fiscal year 2016.

BE IT FURTHER RESOLVED that funding for all outstanding encumbrances at June 30, 2016, are re-appropriated to the 2016-2017 fiscal year to the same department and account for which they are encumbered in the 2015-2016 fiscal year.

BE IT FURTHER RESOLVED that the construction fund projects are appropriated as a carryforward in the amount that equals the approved original project cost, less expenditures and encumbrances through June 30, 2016.

Upon motion made by _____ and seconded by _____, the above resolution was _____ by the following

recorded vote:

Charles S. DeHaven, Jr.	_____	Blaine P. Dunn	_____
Gary A. Lofton	_____	Gene E. Fisher	_____
Robert A. Hess	_____	Judy McCann-Slaughter	_____
Robert W. Wells	_____		

A COPY TESTE:

Brenda G. Garton
Clerk, Board of Supervisors
County of Frederick, Virginia

Res. No. 060-16

cc: C. William Orndoff, Jr., Treasurer
Ellen E. Murphy, Commissioner of the Revenue

D

Northwestern Regional Adult Detention Center

James F. Whitley - Superintendent



141 Fort Collier Road, Winchester, VA 22603
(540) 665-6374 (540) 665-1615 FAX

April 7, 2016

To the Frederick County Board of Supervisors,

Included with this letter is a resolution I need to have adopted to finance our security system upgrade. As many of you know, our old system is an analog system that has been in place since 2001. Replacement parts for the system are not even produced anymore and they are getting hard to find. A new digital system will be able to enhance our security and safety needs for the inmates, staff and visitors for many years to come. Our bond counsel, Hunton and Williams, has advised us that a new bond for this system is the best course of action for procuring the funds.

We received a \$77,000 rebate last year as the 2005 bond for our community corrections building has matured. By putting that toward the initial interest payments, no locality shares will be needed until we get into the FY18 budget year. While we are close to selecting a vendor for the project we believe the total bid with contingencies built in to be no more than 2.5 million dollars. Once the project is complete, we will file a Community Impact report to the State Board of Corrections. Once approved, we will receive a 25% reimbursement for the entire project.

Please contact me if you require more information.

Sincerely,

A handwritten signature in black ink that reads "James F. Whitley". The signature is written in a cursive style.

James F. Whitley
Superintendent



BOARD OF SUPERVISORS

RESOLUTION OF THE BOARD OF SUPERVISORS OF FREDERICK COUNTY, VIRGINIA, CONSENTING TO THE ISSUANCE OF REVENUE OBLIGATIONS BY THE NORTHWESTERN REGIONAL JAIL AUTHORITY PURSUANT TO THE SECOND AMENDED AND RESTATED REGIONAL JAIL AGREEMENT AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Counties of Clarke, Fauquier and Frederick, Virginia, and the City of Winchester, Virginia (collectively, the “Participating Jurisdictions”), have created the Northwestern Regional Jail Authority (the “Authority”) pursuant to Chapter 3, Article 3.1 of Title 53.1 (the “Act”) of the Code of Virginia, 1950, as amended (the “Code”), for purposes of owning and operating the Northwestern Regional Adult Detention Center (the “Regional Jail”);

WHEREAS, the Participating Jurisdictions and the Authority have entered into a Second Amended and Restated Regional Jail Agreement dated as of June 1, 2005 (the “Jail Agreement”), providing for the ownership, operation and financing of the Regional Jail;

WHEREAS, the Authority proposes to undertake certain capital improvements to the security system at the Regional Jail (the “Project”);

WHEREAS, to finance the Project, the Authority proposes to issue an additional series of Obligations (as defined in the Jail Agreement) (the “2016 Obligations”) payable from and secured by amounts derived from the below-described Participating Jurisdiction Obligations in accordance with the terms of the Act and the Jail Agreement;

WHEREAS, pursuant to Sections 4 and 6.F. of the Jail Agreement, the Participating Jurisdictions have each agreed to pay to the Authority amounts sufficient to pay when due its respective share of the principal of and interest on the Obligations, including the 2016 Obligations, based upon the “Allocation Formula” set forth in Section 4.A. of the Jail Agreement as such Allocation Formula may be adjusted pursuant to Section 6.F. in the event the Authority lacks sufficient funds to pay scheduled debt service on the Obligations or certain other costs (the “Participating Jurisdiction Obligations”);

WHEREAS, the Authority has determined it is in the best interest of the Authority to sell the 2016 Obligations to the Virginia Resources Authority (“VRA”); and

WHEREAS, the Authority has requested the consent of the Participating Jurisdictions to the issuance of the 2016 Obligations as provided in Section 3 of the Jail Agreement and VRA has required the Participating Jurisdictions to enter into certain agreements and to acknowledge certain matters as conditions to VRA’s purchase of the 2016 Obligations;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS (THE "BOARD") OF FREDERICK COUNTY, VIRGINIA (THE "COUNTY"):

1. The Board approves and consents to the undertaking of the Project, the issuance of the 2016 Obligations by the Authority in a principal amount not to exceed \$2,795,000 in accordance with Section 3 of the Jail Agreement, the use of the proceeds of the 2016 Obligations to finance the Project and the costs of issuance related to the 2016 Obligations and the sale of the 2016 Obligations to VRA.

2. The Board (i) acknowledges that the 2016 Obligations will be payable from and secured by amounts derived pursuant to the Participating Jurisdiction Obligations, (ii) acknowledges that VRA would not purchase the 2016 Obligations without the security and credit enhancement provided by the Participating Jurisdiction Obligations, (iii) acknowledges that both the 2016 Obligations and the Participating Jurisdiction Obligations are "local obligations" within the meaning of Section 62.1-199 of the Code, (iv) agrees that VRA is a third party beneficiary of the Jail Agreement, and (v) agrees that the Jail Agreement may not be modified or amended without VRA's prior written consent.

3. For purposes of Section 265(b)(3)(C)(iii) of the Internal Revenue Code of 1986, as amended, the County irrevocably agrees that the amount of the 2016 Obligations shall be allocated to each Participating Jurisdiction in the same proportion that each Participating Jurisdiction has been allocated payment responsibilities under the "Allocation Formula," determined for Fiscal year ending June 30, 2016, under the Jail Agreement with respect to the 2016 Obligations.

4. The County Administrator is hereby authorized and directed to execute and deliver such other documents as are necessary to enable the Authority to finance the costs of the Project, including, but not limited to, any agreements or certificates requested by VRA. Any other County official so designated by the County Administrator is hereby similarly authorized and directed to execute and deliver such other documents.

5. All other acts of the officers of the County, heretofore or hereafter taken, that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the 2016 Obligations by the Authority and the undertaking of the Project, are hereby approved, ratified and confirmed.

6. Nothing in this Resolution or in the Jail Agreement is or shall be deemed to be a lending of the credit of the County or other Participating Jurisdictions to the Authority or to any holder of any of the 2016 Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County or the other Participating Jurisdictions within the meaning of the Constitution of Virginia.

7. This Resolution shall take effect immediately.

Adopted: April 13, 2016.

CERTIFICATE

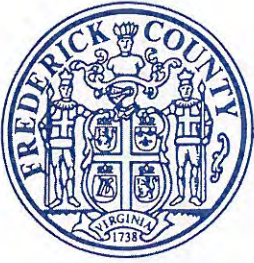
The undersigned Clerk or Deputy Clerk to the Board of Supervisors of Frederick County, Virginia hereby certifies that the foregoing is a true, correct and complete copy of a Resolution adopted by a majority of the Board members present and voting at a meeting duly called and held on April 13, 2016, in accordance with law, at which meeting a quorum was present and acting throughout, and such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand this _____ day of April, 2016.

Brenda G. Garton
Clerk, Board of Supervisors
County of Frederick, Virginia

CONSENT AGENDA

E



Brenda G. Garton
County Administrator

540/665-6382
Fax 540/667-0370
E-mail: bgarton@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Brenda G. Garton, County Administrator *BGG*
DATE: April 5, 2016
RE: Set Schedule for Board Meetings During Summer Months and for November and December, 2016 (Holiday Schedule)

As in the past, the Board of Supervisors has canceled meetings during the Summer months due to vacation schedules. Cancellation of the meetings of June 22nd, July 27th, and August 24th, 2016 is requested.

It is also requested at this time to cancel meetings for November and December due to the holidays. Those cancellation dates are November 23rd and December 28th.

Board action at the April 13, 2016 meeting will give staff and the Office of Planning and Development adequate time for scheduling, advertising and notification purposes.

Should you have any questions, please give me a call.

Thank you.

BGG/tjp

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CONSENT AGENDA

F



MEMORANDUM

TO: Board of Supervisors
FROM: John A. Bishop, AICP, Assistant Director - Transportation *JB*
RE: Transportation Committee Report for Meeting of April 4, 2016
DATE: April 5, 2016

The Transportation Committee met on April 4, 2016 at 8:30 a.m.

Members Present

Gary Lofton (voting)
Barry Schnoor (voting)
Judith McCann-Slaughter (voting)
Gene Fisher (voting)
James Racey (voting)
Lewis Boyer (liaison Stephens City)

Members Absent

Mark Davis (liaison Middletown)
Gary Oates (liaison PC)

*Kevin Kenney attended in place of Gary Oates for Planning Commission
*Captain John Heflin attended on behalf of the Frederick County Sheriff's office (non-voting)

*****Items Requiring Action*****

None

*****Items Not Requiring Action*****

1. Comprehensive Plan Transportation Section Update

Tabled until the next meeting.

2. House Bill 2 Application Preparation

Staff noted that they have conducted a number of meetings with VDOT and others as they work to prepare for the fall HB2 application cycle. What follows is a preliminary list of potential applications for the committee's consideration. Projects are not listed in priority order.

1. Route 37 from Exit 310 to Route 522
 - a. Smaller version of this application that looks at Route 37 from Exit 310 to future Warrior Drive and Warrior Drive from that location to its existing terminus is being discussed as well
2. Route 277 from Exit 307 to Double Church Road with realignment of Aylor Road
 - a. Staff is also looking into a smaller version of this project that looks at Exit 307 to Stickley Drive and also includes the realignment of Aylor Road
3. Route 11 South improvements in the vicinity of Shawnee Drive and Opequon Church Lane
4. Realignment of Redbud Road to Snowden Bridge Blvd and concurrent realignment of the I-81 NB Ramp to the current location of Redbud Road
5. Exit 313 improvements

In addition staff noted that, since the time of the agenda going out that they had their first safety meeting with the Sheriff's office and VDOT. This is a new and ongoing exercise that staff has worked to put together in order to bring more safety related projects for consideration from those that most directly deal with those issues. Many items came out of that meeting, but specific to developing a HB2 application list the intersections of Warrior Drive at Route 277, Clydesdale at Route 522, and Papermill at Route 522 were discussed. Staff is expecting to potentially hear about more as the Sheriff and his officers hear of them from the Deputies. The committee was supportive of the list as presented, however concern was noted regarding what form an application for exit 313 improvements would take and noted that it should include County needs on the east side of the interchange.

3. MPO Work Program

Staff provided the draft MPO work program (attached) to the Committee for review and comment. The document is currently out for public comment.

4. Federal FAST Act

Staff provided a brief overview of the Federal Fixing America's Surface Transportation (FAST) Act. It was noted that many of the new initiatives would have

to filter down through VDOT but that key items were a renewed and increased focus on Freight movement and an attempt to start streamlining the environmental review and permitting process.

5. Other

Mr. Racey noted that the new left turn signals are mostly working well however, there needs to be some pause between when a vehicle arrives and the lights cycling to allow for the fact that certain movement clear on their own.

JAB/pd

DRAFT

UNIFIED PLANNING WORK PROGRAM (UPWP)

FOR THE

**WINCHESTER – FREDERICK COUNTY (WinFred)
METROPOLITAN PLANNING ORGANIZATION (MPO)**



FY 2017

(July 1, 2016 - June 30, 2017)

**Adopted for Public Comment:
Final Adoption:**

**Winchester/Frederick County, Virginia
Metropolitan Planning Organization**
C/o Northern Shenandoah Valley Regional Commission
400 Kendrick Lane, Suite E
Front Royal, VA 22630
540-636-8800
www.winfredmpo.org

Preparation Statement

Prepared on behalf of the WinFred Metropolitan Planning Organization by the Northern Shenandoah Valley Regional Commission staff through a cooperative process involving the City of Winchester, County of Frederick, Town of Stephens City, Virginia Department of Transportation, Virginia Department of Rail and Public Transportation, Federal Highway Administration, and the Federal Transit Administration.

The preparation of this program was financially aided through grants from the Federal Highway Administration, Federal Transit Administration, Virginia Department of Transportation and the Virginia Department of Rail and Public Transportation.

MPO Policy Board

Officers:

Chair—John Willingham, City of Winchester
Vice Chair—Charles DeHaven, Jr., Frederick County
Secretary/Treasurer—Brandon Davis, Executive Director NSVRC (non-voting)

Voting Members:

Charles DeHaven, Jr., Frederick County
Judith McCann-Slaughter, Frederick County
Brenda Garton, Frederick County
Michael Majher, Town of Stephens City
Eden Freeman, City of Winchester
John Hill, City of Winchester
John Willingham, City of Winchester
Randy Kiser, Virginia Department of Transportation

Alternate Voting Members:

Tim Youmans and Perry Eisenach, City of Winchester
Kris Tierney, Frederick County
Tim Stowe, Town of Stephens City
Terry Short, Virginia Department of Transportation

Non-Voting Members:

Mack Frost, Federal Highway Administration
Tony Cho, Federal Transit Administration
Lisa DuMetz-Rosier, Virginia Dept. of Rail & Public Transportation
Rusty Harrington, Dept. of Aviation

MPO Technical Advisory Committee (TAC)

Chair—Tim Youmans, City of Winchester
Vice Chair—Vacant, Frederick County

Members:

Patrick Barker, Frederick County
John Bishop, Frederick County
Mike Ruddy, Frederick County
Kris Tierney, Frederick County
Tim Stowe, Town of Stephens City
Tom Hoy, City of Winchester
Tim Youmans, City of Winchester
Perry Eisenach, City of Winchester
Terry Short, Virginia Department of Transportation
Lisa DuMetz-Rosier, Virginia Dept. of Rail & Public Transportation
Serena 'Renny' Manuel, Winchester Airport
Renee Wells, Winchester Transit

MPO Citizens Advisory Committee (CAC)

Chair—R. William Bayliss, III
Vice Chair—Walt Cunningham

Members:

Joshua Hummer, Thomas Reed & Walt Cunningham, Frederick County
Vacant, Town of Stephens City
R. William Bayliss, III, Dr. John Crandell, Vacant, City of Winchester

Administrative & Staff Support

Provided by Northern Shenandoah Valley Regional Commission

Resolution

By The

**WinFred Metropolitan Planning Organization
Approving the FY 2017 Unified Planning Work Program (UPWP)**

WHEREAS, the FY 2017 Unified Planning Work Program will serve as the basis for all U.S. Department of Transportation (DOT) funding participation and will be included in all requests for DOT planning funds, and

WHEREAS, this UPWP details all transportation and transportation-related planning activities anticipated within the area during the coming fiscal year, and

WHEREAS, this UPWP has been reviewed and recommended for approval by the Technical Advisory Committee;

NOW THEREFORE BE IT RESOLVED, that the WinFred Metropolitan Planning Organization does hereby approve and adopt the FY 2017 Unified Planning Work Program on May __, 2016.

Signed: _____
John Willingham
Chairman

Signed: _____
Brandon Davis
Secretary-Treasurer

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INTRODUCTION

The Unified Planning Work Program (UPWP) for transportation planning identifies all activities to be undertaken in the Winchester-Frederick County Metropolitan Planning Organization (WinFred MPO) study area for Fiscal Year 2017 (July 1, 2016 - June 30, 2017). The UPWP provides a mechanism for the coordination of transportation planning activities in the region, and is required as a basis for and condition of all federal funding assistance for transportation planning by the joint metropolitan planning regulations of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

The work tasks within this UPWP are reflective of issues and concerns originating from transportation agencies at the federal, state and local levels. The descriptions of the tasks to be accomplished and the budgets for these tasks are based on a best estimate of what can be accomplished within the confines of available federal, state and local resources.

Statewide and metropolitan transportation planning processes are governed by Federal law (23 USC 134 and 135). Federal planning regulations are codified in 23 CFR 450.

Since the 1962 Federal-aid Highway Act, federal authorizing legislation for expenditure of surface transportation funds has required metropolitan area transportation plans and programs to be developed through a continuing, cooperative, and comprehensive (3-C) planning process. Over successive authorization cycles culminating with the passage of the Fixing America's Surface Transportation (FAST) Act in December 2015, Congress has added and revised the substantive content expected from the 3-C planning processes.

Transportation planning provides the information, tools, and public input needed for improving transportation system performance. Transportation planning should reflect the community's vision for its future. It should also include a comprehensive consideration of possible strategies; an evaluation process that encompasses diverse viewpoints; the collaborative participation of relevant transportation-related agencies and organizations; and an open, timely, and meaningful involvement of the public. Transportation planning requires a comprehensive, holistic look at the needs and the future of the region and its inhabitants.

Both the FHWA and FTA encourage MPOs to give priority to the following planning emphasis areas in their UPWPs in Fiscal Year 2017:

Performance-Based Planning and Programming. Performance-based planning and programming includes using transportation performance measures, setting targets, reporting performance, and programming transportation investments directed toward the achievement of transportation system performance outcomes. The WinFred MPO 2040 Long Range Transportation Plan, due May 2017, was scoped in FY '16 under Work Task 8. In scoping the plan, staff will work with local planning partners to define the implementation of performance-based planning provisions in the planning process, and to explore the option of using scenario planning.

Regional Models of Cooperation – Ensure a Regional Approach to Transportation Planning by Promoting Cooperation and Coordination across Transit Agency, MPO and State Boundaries.

A coordinated approach supports common goals and capitalizes on opportunities related to project delivery, congestion management, safety, freight, livability, and commerce across boundaries. The WinFred MPO shares boundaries with two counties (Clarke, VA and Berkeley, WV) and one state (West Virginia). Interstate 81, the region's main highway, enters the MPO planning area from the north at the West Virginia line. Routes 7, 17/50, and 522 enter the planning area from adjacent Clarke County, VA. In addition, the MPO lies within the five-county planning district of the Northern Shenandoah Valley Regional Commission (NSVRC). Coordination with neighboring jurisdictions and the NSVRC will be included in the scope of the 2040 Long Range Transportation Plan to be developed under Work Task 8.

Ladders of Opportunity – Access to Essential Services including employment, health care, schools/education, and recreation. Recent UPWP tasks addressing access needs include bus stop, system performance and marketing studies for Winchester Transit; and the 2014 Bicycle and Pedestrian Master Plan update. The MPO participates in the updating of the Section 5310 Coordinated Human Services Mobility Plan (managed by DRPT and the Shenandoah Area Agency on Aging). In FY '16 under Work Task 4 the MPO studied the feasibility of extending transit service from Winchester to Lord Fairfax Community College. The scope of the 2040 Long Range Transportation Plan to be developed under Task 8 will include a plan for engaging traditionally underserved populations and disadvantaged communities.

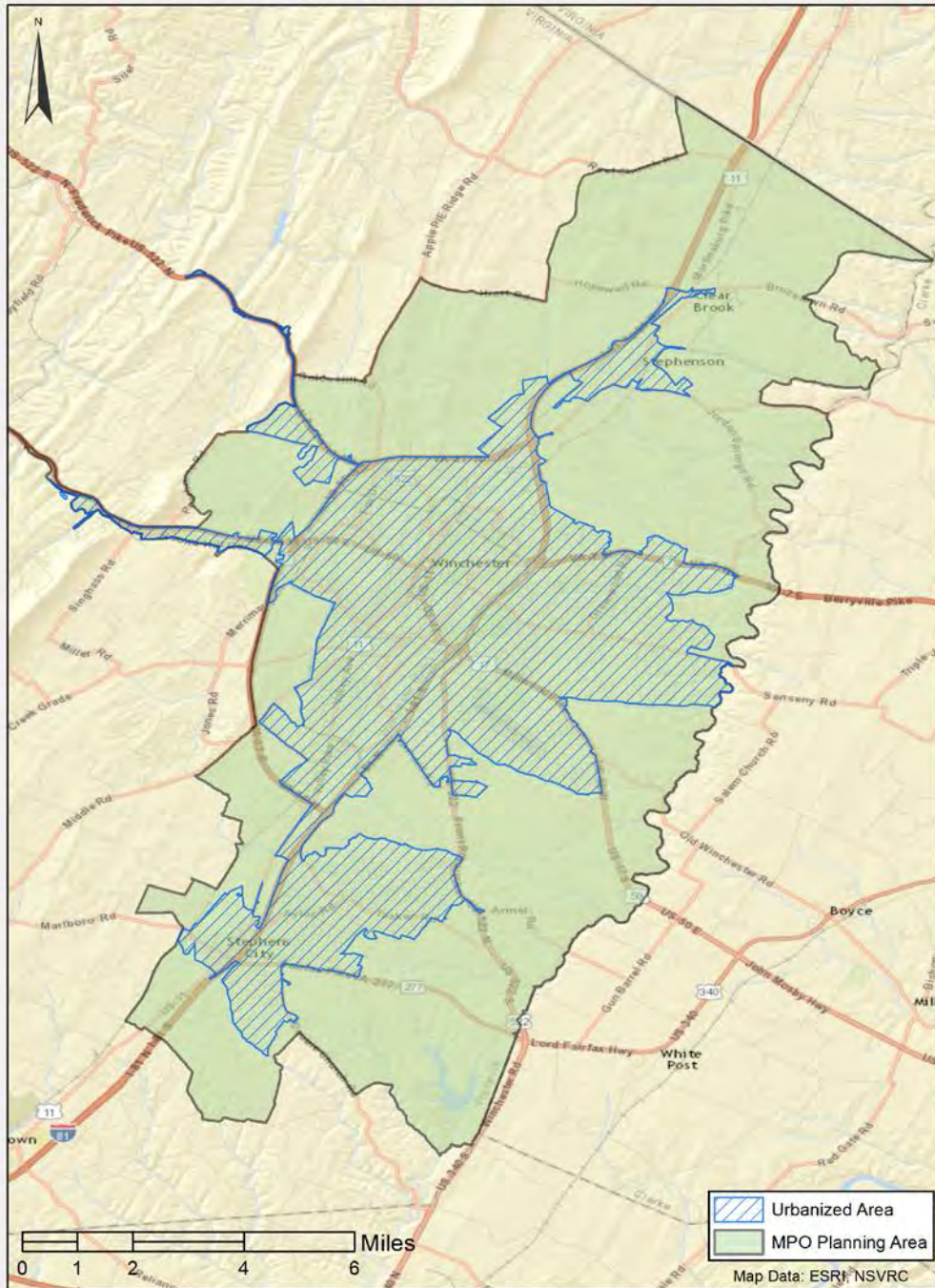
Metropolitan Planning Area

Transportation planning processes are required to be organized and directed for all urbanized areas (UZAs) having a population of 50,000 or greater, as delineated by the U.S. Census Bureau, by metropolitan planning organizations (MPOs). MPOs are established for a metropolitan planning area (MPA) that must contain, at a minimum, the Census Bureau delineated urbanized area and the area expected to become urbanized in the next 20 years. An MPO, its planning boundaries and membership and voting structure are established and designated by agreement between local officials and the Governor (23 CFR 450.310).

The WinFred MPO planning area consists of the City of Winchester, the Town of Stephens City, the Urbanized Area of Frederick County, and the area of Frederick County projected to be urbanized by the year 2020 (see map on following page).

As reported by FHWA for 2010, the WinFred MPO Urbanized Area population was 78,440 and it encompasses a land area of approximately 103 sq. miles.

WinFred MPO Boundary



Responsibilities for Transportation Planning

The WinFred Metropolitan Planning Organization is the organization responsible for conducting the continuing, comprehensive, and coordinated (3-C) planning process for the Winchester-Frederick County Urbanized Area in accordance with requirements of Section 134 (Title 23 U.S.C.) of the Federal Highway Act of 1962, and Section 5303 of the Federal Transit Act. The WinFred MPO is the official Metropolitan Planning Organization for the urbanized area, designated by the Governor of Virginia, under Section 134 of the Federal Aid Highway Act, and the joint metropolitan planning regulations of FHWA and FTA.

The policy making body of the WinFred MPO is the Policy Board that consists of 8 voting members. These include 3 representatives from the City of Winchester, 3 representatives from Frederick County, 1 representative from the Town of Stephens City, and 1 representative from VDOT. Other agencies with non-voting membership on the WinFred MPO Policy Board include the Virginia Department of Rail and Public Transportation, Virginia Department of Aviation, Federal Highway Administration and Federal Transit Administration.

The Northern Shenandoah Valley Regional Commission (NSVRC) provides staff support to the WinFred MPO. NSVRC staff members, in cooperation with the MPOs member agencies, collect, analyze and evaluate demographic, land use, and transportation data to gain a better understanding of the transportation system requirements of the area. Special studies, research, and other work tasks requested by the MPO are the responsibility of the NSVRC to plan and coordinate. Consultant assistance may be sought when required to complete work tasks. NSVRC also prepares materials for use at the Policy Board, Technical Advisory and Citizens Advisory Committee meetings as well as any sub-committee meetings that are scheduled.

NSVRC staff will participate in all WinFred MPO meetings and provide required staff support and administration of the transportation planning program. In addition, staff members will represent the MPO at any meetings with federal, state, and local organizations as necessary.

Total Proposed Funding by Federal Source for FY 2017

Metropolitan Planning Funds (PL funds) are provided from the Federal Highway Trust Fund and distributed by State Departments of Transportation (DOTs) to MPOs to conduct the planning activities required by Title 23 of the U.S. Code 134. PL funds are distributed to States based on a ratio of urbanized-area population in individual States to the total nationwide urbanized-area population. State DOTs then distribute this funding to the MPOs in their State based on a formula agreed to by the MPOs and approved by their FHWA Division Office.

The primary funding source for transportation planning activities included in this work program are the FHWA Section 112 (PL) and FTA Section 5303. The proposed funding amounts (including state and local matching funds) for completion of tasks described in this UPWP are shown in Figure 2.

WORK TASK 1: Program Management & Administration

Objective and Description: This task includes ongoing activities that ensure proper management and operation of a continuing, comprehensive, and coordinated (3-C) planning process as described in the Memorandum of Understanding. Products originated from MPO (NSVRC) staff.

Products:

The primary products of this task are as follows and include those tasks necessary to the timely and accountable administration of the MPO Planning Process:

- Implementation of the FY17 UPWP throughout the fiscal year and provision of all required administrative functions including accounting, financial reporting, personnel administration, office management, website management, contract administration, map production, and necessary highway and transit purchases (e.g., office equipment, software, etc.);
- Maintenance of Title VI, ADA and environmental justice compliance, and in all work plans and activities for both highway and transit modes including consultation with appropriate groups, committees and community representatives;
- Support of the activities of the WinFred MPO through the preparation of reports, presentations, agendas, minutes and mailings for all Policy Board, TAC, CAC and other meetings, as well as attendance at those meetings;
- Continue a proactive public participation process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans, TIPs and other documents.

Budget: \$44,195

WORK TASK 2: Transportation Improvement Program (TIP)

Objective and Description: As required by federal planning regulations, the Transportation Improvement Program (TIP) for the WinFred MPO is a four-year program of highway, transit, bicycle, pedestrian, safety, and transportation enhancement projects receiving federal funds. State and locally funded projects are also included in the TIP for coordination purposes.

The TIP is updated every four years and must be approved by the MPO Policy Board and the Governor of Virginia. The TIP is required as a condition for all federal funding assistance for transportation improvements within the WinFred MPO study area.

The general public and all other interested parties will be given an opportunity to review and comment on the proposed TIP as described under the WinFred MPOs adopted Public Participation Plan. To facilitate public review, MPO staff will provide visualization of TIP projects, post the TIP on the MPO website, and make the TIP accessible at public libraries, government offices, and upon request.

This task provides for the maintenance of a regional Transportation Improvement Program and will require active support of the WinFred MPO Policy Board, Committees and coordination with member agencies. Products originated from MPO (NSVRC) Staff.

Products:

- Processing of requested amendments and administrative modifications to the adopted TIP;
- Mapping of TIP projects and Annual Listing of Projects for the next fiscal year;
- Update to the current TIP which must be done every four years.

Budget: \$2,500

WORK TASK 3: Federal or State Requested Planning Work Program Items

Objective and Description: The MPO staff will work with federal and state agencies in support of projects and programs designed to coordinate transportation planning activities within the region. Products originated from MPO (NSVRC) Staff.

Products:

- Staff will prepare studies and reports as necessary for the completion of this work program item and as directed by the appropriate federal and/or state agencies;
- Staff will represent the WinFred MPO on the Virginia Association of Metropolitan Planning Organizations (VAMPO) by participating in all meetings, events and training programs of the association and provide information as appropriate to the MPO agencies and partners.

Budget: \$7,500

WORK TASK 4: Public Mobility

4.1 Transportation Demand Management and Human Services Transportation

Objective and Description: This work task includes required transportation planning assistance for Human Services system providers and travel demand management and seeks to advance the MPO priorities for promoting multi-modal transportation opportunities where appropriate in the planning area. Products originated from MPO (NSVRC) Staff.

Products:

- Participate in the regional Coordinated Human Services Public Mobility Planning process.
- Promotion of the FTA 5310 funds (Transportation for Elderly Persons with Disabilities) to the local human service agencies within the MPO.
- Annual presentations to the MPO from local human service agencies within the MPO.

Budget: \$500

4.2 Winchester Transit System Planning

Objective and Description: The Winchester Transit System (WinTran) conducts transit planning and administration efforts necessary to comply with FTA requirements in order to receive Section 5307 capital and operating grants. WinTran will coordinate with the MPO on transit planning activities. Funds will be used to deliver specific, tangible transit planning products. Products originated from requests by the WinTran program.

Products:

- WinTran Transit Development Plan (TDP) Update for FY2018-2023. A TDP is a planning tool used to analyze the need for transit in a defined area, evaluate the services that are provided, and develop strategies to match the service to the identified transit needs. The planning horizon for a TDP is short-range, in this case, six years. The VA Dept. of Rail and Public Transportation requires that public transit operators receiving State funding prepare, adopt and submit a TDP every six years.

Initiated by City of Winchester (WinTran)

Budget: \$65,000

Total Budget for 4.1 & 4.2: \$65,500

WORK TASK 5: Local Technical Assistance

Objective and Description: This is an annual UPWP task. This task is designed to provide flexible planning support and services to the WinFred MPO localities. Products will originate from a requesting locality.

Products:

Activities may include, but are not limited to:

- Development and submission of transportation-related grants to include House Bill 2 for WinFred MPO localities for both highway and transit projects; and
- Management of the on-call consultant list for the MPO and its member localities with contract administration and project management services.

Budget: \$7,500

WORK TASK 6: Bicycle and Pedestrian Plan Development

Objective and Description: This is an annual UPWP task. This task is designed to provide flexible planning support and services to the WinFred MPO localities in regards to Bicycle and Pedestrian Planning.

Budget: \$ 1,500

WORK TASK 7: System Planning

Objective & Description: Projects included in this work task bridge the gap between project readiness required for construction/ implementation and the conceptualized phase of a project prioritized in the CLRP. Activities will include site specific evaluation and validation of appropriate alternatives and will further refine understanding of the necessary project scope to accomplish a goal in the LRTP.

1. Valley Pike/Shawnee Drive Intersection Improvement Study, Phase 2

Objective and Description:

Perceived problems with the safety and efficiency of the Shawnee Drive/Valley Pike (U.S. Route 11) intersection led the MPO to initiate a consultant-led study in FY 14. Consultants have completed a traffic study of the intersection projected to a 20-yr horizon; and a preferred alternative to bring intersection to acceptable LOS for the horizon year, has been selected and evaluated. The activity was initiated at the request of Frederick County.

This project, begun in FY 13 under the title “South Winchester Area Plan,” was subsequently re-scoped and re-named to reflect the revised scope. During Phase 2, consultants will develop 30 percent design plans for the preferred alternative.

Products: Thirty-percent design plans for the preferred alternative.

Work to be performed by consultant.

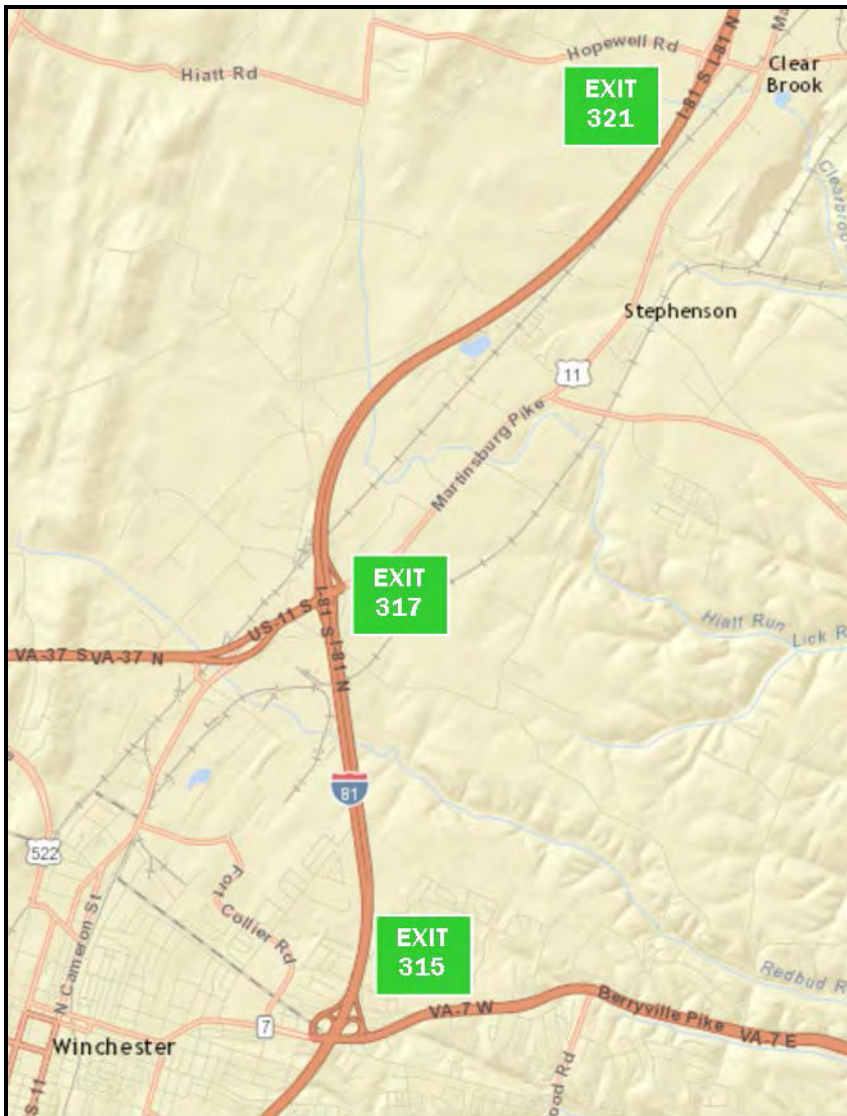
Budget: \$79,000 (Includes \$2500 staff project management)



2. North Winchester Area Study- Carryover from FY16

Objective and Description: The purpose of this consultant-led study is to identify and evaluate feasible modifications to the Interstate 81/US 11-Martinsburg Pike interchange (Exit 317) to accommodate existing and projected future traffic volumes and growth. It is anticipated that the proposed improvements may include but are not limited to the construction of new roadways/ramps and/or modifications to existing roadways and ramps. Improvements may also include the replacement of existing bridges, as well as new signalized intersections.

A consultant will provide project management, quality control, traffic analysis and the development of a report and conceptual alternatives for improvements to the existing interchange, including preliminary interchange concepts. The general study area will encompass the area shown below, between and including exits 315 and 321 as well as the nearby signalized intersections on US Route 11 and VA Route 7. The project was initiated by VDOT.



Products:

- Report: A complete study will be developed in accordance with applicable VDOT and FHWA guidelines. While not an Interchange Modification Report (IMR), this product is intended to substantially complete a future IMR.
- Conceptual Interchange Options: Up to three (3) conceptual options, with planning-level cost estimates and phased improvement scenarios, will be developed and presented in schematic roll-plot format.
- Displays: Three (3) mounted color displays will be produced using aerial photography to depict the conceptual interchange options. Large scale displays of conceptual typical sections will also be produced. Updated planning level cost estimates and other supporting planning level data will be developed as appropriate.

Work to be performed by consultant.

Timeframe: 18 months

Budget: \$247,000 (FY2017)

(\$375,000 over two fiscal years provided by the WinFred MPO. An additional \$150,000 to be provided by VDOT Staunton District Planning Funds = \$525,000 Project Total)

WORK TASK 8: Long Range Planning, Modeling, GIS & Data

Objective and Description:

The primary objective of this task is the preparation of the Long Range Transportation Plan (LRTP) for the year 2040 for adoption by the Policy Board in May 2017. Federal law requires that the MPO develop and approve an LRTP every five years, and that the plan must have a 20-year horizon at the time of adoption. The current plan was adopted May 16, 2012.

The plan will be developed by staff in consultation with the project steering committee. Some technical tasks may be assigned to one of the MPO's on-call consulting firms as appropriate. VDOT staff and consultants will update the MPO's Travel Demand Model concurrently and at no cost to the MPO.

The use of performance-based planning techniques will be considered in the development of the plan. Planning scenarios to be developed during the fall by the Virginia Office of Intermodal Planning and Investment may also be incorporated into the planning analysis. A plan for public outreach developed during project planning will be implemented.

This task is initiated by staff.

Products:

- An updated LRTP for the horizon year 2040 developed in conformity with federal requirements.
- GIS mapping, data collection and database management in support of all MPO UPWP work tasks (including GIS software maintenance for 2 users at 50% of total cost).

Budget: \$85,000

Figure 2: Win-Fred MPO FY 2017 Proposed Revenues and Expenditures by Funding Source

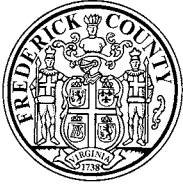
Proposed Revenues FY17		Highway Funding				Transit Funding				Total MPO FY17 Revenues
		FHWA Planning 80%	State Match 10%	Local Match 10%	Subtotal Highway	FTA 5303 80%	State Match 10%	Local Match 10%	Subtotal Transit	
FY 2017 New PL 112 Funds (1)		\$123,663	\$15,458	\$15,458	\$154,579					\$154,579
FY 2015 Carryover PL112 Funds available in FY 2017 (2)		\$233,885	\$29,236	\$29,235	\$292,356					\$292,356
FY 2017 5303 Funds (3)						\$75,522	\$9,440	\$9,440	\$94,402	\$94,402
Subtotal: FY17 Revenues		\$357,548	\$44,694	\$44,693	\$446,935	\$75,522	\$9,440	\$9,440	\$94,402	\$541,337
Total FY17 Proposed Revenues										\$541,337
Proposed Expenditures FY17	VDOT/ DRPT	FHWA Planning 80%	State Match 10%	Local Match 10%	Subtotal Highway	FTA 5303 80%	State Match 10%	Local Match 10%	Subtotal Transit	Total MPO Expenditures
Task 1: Program Management and Administration	95/5	\$33,588	\$4,199	\$4,199	\$41,986	\$1,767	\$221	\$221	\$2,209	\$44,195
Task 2: Transportation Improvement Program (TIP)	95/5	\$1,900	\$238	\$238	\$2,376	\$100	\$12	\$12	\$124	\$2,500
Task 3: State/Federal Requested Work Tasks	90/10	\$5,400	\$675	\$675	\$6,750	\$600	\$75	\$75	\$750	\$7,500
Task 4: Public Mobility	0/100					\$52,400	\$6,550	\$6,550	\$65,500	\$65,500
Task 5: Local Technical Assistance	100/0	\$6,000	\$750	\$750	\$7,500					\$7,500
Task 6: Bicycle & Pedestrian Plan Development	75/25	\$900	\$113	\$113	\$1,126	\$300	\$38	\$38	\$375	\$1,500
Task 7: System Planning	95/5	\$247,760	\$30,970	\$30,970	\$309,700	\$13,040	\$1,630	\$1,630	\$16,300	\$326,000
Task 8: Long Range Planning, Modeling, GIS and Data	90/10	\$61,200	\$7,650	\$7,650	\$76,500	\$6,800	\$850	\$850	\$8,500	\$85,000
Subtotal: FY17 Expenditures		\$356,748	\$44,595	\$44,595	\$445,938	\$75,007	\$9,376	\$9,376	\$93,758	\$539,695
Estimated Contingency/Reserve Funds for Project Support		\$800	\$99	\$98	\$997	\$515	\$65	\$65	\$644	\$1,642
Total FY17 Proposed Expenditures										\$541,337

(1) FY17 PL Funding from VDOT for Highway

(2) FY15 PL Carryover Funds from VDOT: Not Expended in FY15

(3) FY17 5303 Funding from DRPT for Multi-modal Planning

G



CONDITIONAL USE PERMIT #02-16
MARTHA SPARKMAN
Staff Report for the Board of Supervisors
Prepared: March 31, 2016
Staff Contact: Mark Cheran, Zoning Administrator

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this request. It may also be useful to others interested in this zoning matter.

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	03/16/16	Recommended Approval
Board of Supervisors:	04/13/16	Pending

EXECUTIVE SUMMARY: This is a request for a Conditional Use Permit (CUP) for a Cottage Occupation-Massage Therapy. Should the Board of Supervisors find this application to be appropriate, staff recommends that the following conditions be attached to the CUP:

1. All review agency comments shall be complied with at all times.
2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to the Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

LOCATION: This property is located at 1045 Valley Mill Road

MAGISTERIAL DISTRICT: Redbud

PROPERTY ID NUMBER: 55-A-176A

PROPERTY ZONING & PRESENT USE:

Zoned: RP (Residential Performance)

Land Use: Residential

ADJOINING PROPERTY ZONING & PRESENT USE:

North:	RP (Residential Performance)	Use: Residential
South:	RP (Residential Performance)	Use: Open Space
East:	RA (Rural Areas)	Use: Residential
West:	RP (Residential Performance)	Use: Residential

PROPOSED USE: Cottage Occupation - Massage Therapy

REVIEW EVALUATIONS:

Virginia Department of Transportation: The existing driveway serving 1045 Valley Mill Road does not meet the minimum required 500' of intersection sight distance to the left required for a Commercial Entrance. The entrance did however meet the minimum required Stopping Sight Distance requirements needed for Low Volume Commercial Entrances. A Low Volume Commercial Entrance can serve up to 50 total vehicle trips per day (25 entering, 25 exiting). We request that as a condition of this permit, the County restrict this facility to a maximum of 50 vehicle trips per day combined for the home business and the residence.

Frederick County Inspections: Area shall comply with The Virginia Existing Building Code, The Virginia Uniform Statewide Building Code and Section 302-B, Business Use Group of the International Building Code/2012. Other Code that applies is ICC/ANSI A117.1-09 Accessible and Usable Buildings and Facilities.

Conditional Use of existing room for massage therapy. A change of use permit is required. Please submit a detailed floor plan with your permit.

Lever type hardware shall be provided on all doors along the accessible route and business areas. 20% ANSI A117-09 rule applies.

Winchester-Frederick County Health Department: The Frederick County Health Department has no objection to this facility being used as a place for massage therapy. This facility is serviced by public water and sewer.

Frederick County Sanitation Authority: No comments.

Frederick County Fire Marshall: Plans approved.

Winchester Regional Airport: No impact-no comments needed.

City of Winchester: No comments.

Planning and Zoning: Cottage Occupations are permitted in the RP (Residential Performance) Zoning District with an approved CUP. This proposed Cottage Occupation is for Massage Therapy that will take place within one (1) room of the Applicant's dwelling. The definition for a cottage occupation is an occupation or profession customarily carried on in a dwelling unit or an accessory building, which:

- A. Actually is carried on wholly within the principal residential building or an accessory building or structure;
- B. Is carried on by no more than one person other than members of the family residing on the premises; and
- C. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes.

This proposed CUP meets the definition of a Cottage Occupation. This use will take place within one (1) room of the Applicant's single-family dwelling. There will be no more than one (1) customer at any given time. There will be no employees associated with this CUP. The clientele of this use will be via referral, phone, and internet. This property is not located in a subdivision, and is within the Urban Development Area (UDA) as noted by the 2030 Comprehensive Policy Plan.

PLANNING COMMISSION SUMMARY AND ACTION OF THE 03/16/16 MEETING:

Staff reported this application is a request for a Conditional Use Permit (CUP) for a Cottage Occupation – Massage Therapy. Staff continued the property is zoned RP (Residential Performance) District and the current land use is residential. Maps of the location were presented by Staff. Staff continued Cottage Occupations are permitted in the RP (Residential Performance) District with an approve CUP. Staff explained this proposed Cottage Occupation is

for massage therapy that will take place within one room of the Applicant's home and there will be no more than one customer at any given time. There will be no employees associated with this CUP. Staff reviewed the conditions of the CUP should the Planning Commission find the use appropriate:

1. All review agency comments shall be complied with at all times.
2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to the Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

Chairman Wilmot called for anyone who wished to speak regarding this Public Hearing to come forward. No one came forward to speak and Chairman Wilmot closed the public comment portion of the hearing.

A Commission Member mentioned the comment made by VDOT requesting the addition of a condition limiting the trips per day to 50. Staff noted that can be added but staff does not see the need at this time.

A Commission Member requested clarification on the condition of one customer at a time. Ms. Sparkman explained she only has one table and can only work on one customer at a time. Ms. Sparkman commented on the trips per day and noted her sessions with customer take approximately an hour therefore the number of 50 trips per day would be impossible to reach.

A motion was made, seconded, and passed unanimously to recommend approval of CUP #02-16 for Martha Sparkman.

(Note: Commissioner Crockett was absent from the meeting.)

STAFF CONCLUSIONS FOR THE 04/13/16 BOARD OF SUPERVISORS MEETING:

Should the Board of Supervisors find this use appropriate, Staff would recommend the following conditions:

1. All review agency comments shall be complied with at all times.
2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

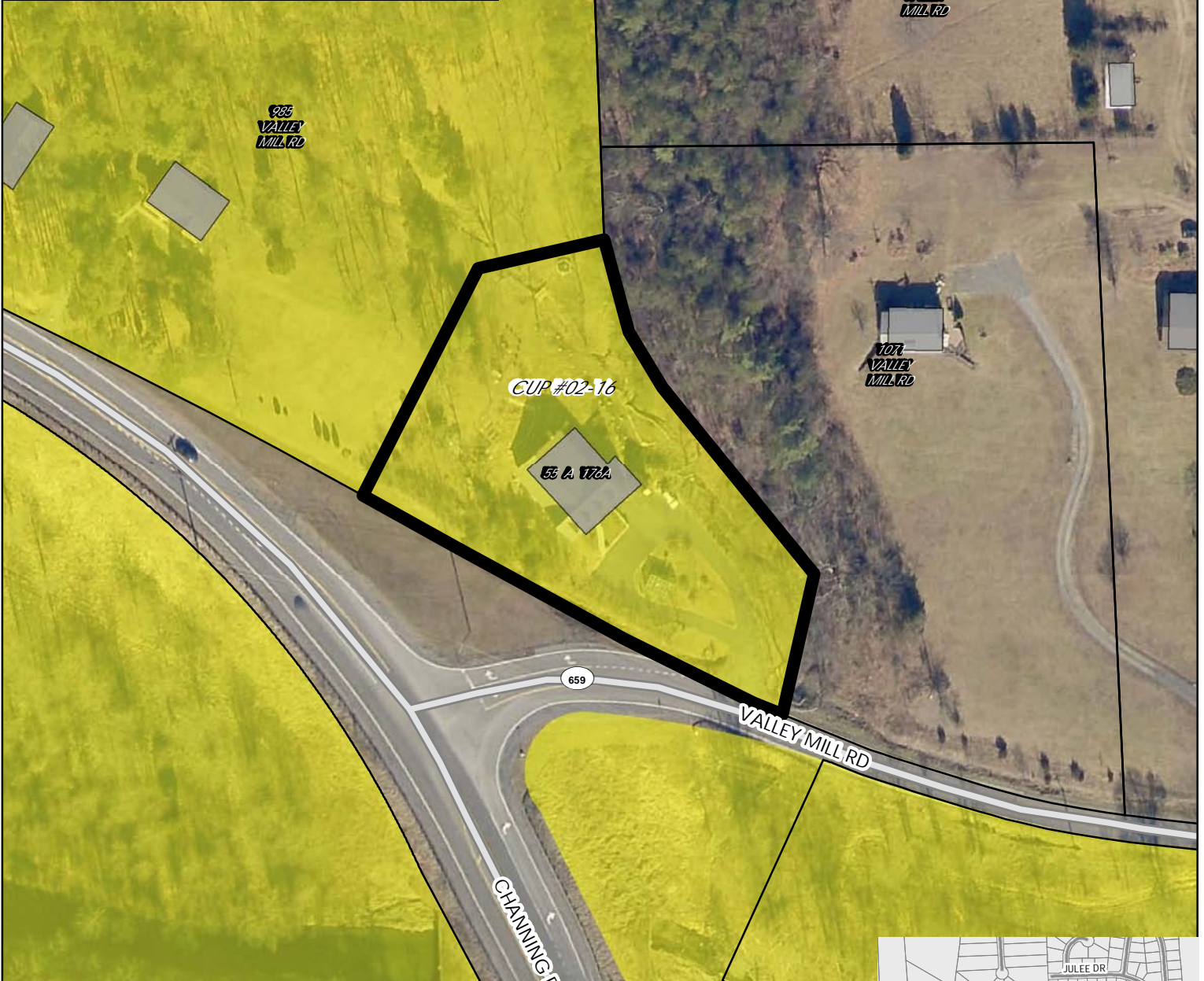
CUP # 02 - 16

Martha Sparkman

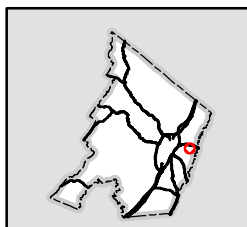
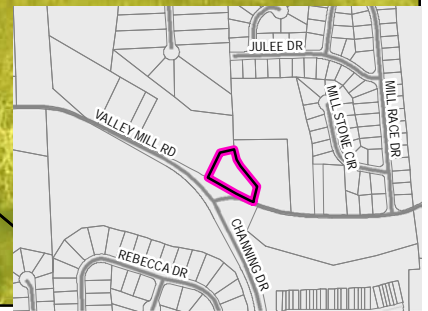
PIN:

55 - A - 176A

Cottage Occupation - Massage Therapy



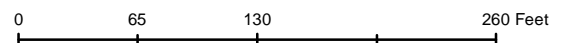
-  Applications
-  Parcels
-  Building Footprints
-  B1 (Business, Neighborhood District)
-  B2 (Business, General District)
-  B3 (Business, Industrial Transition District)
-  EM (Extractive Manufacturing District)
-  HE (Higher Education District)
-  M1 (Industrial, Light District)
-  M2 (Industrial, General District)
-  MH1 (Mobile Home Community District)
-  MS (Medical Support District)
-  OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)



CUP # 02 - 16
Martha Sparkman

PIN:
55 - A - 176A
Cottage Occupation - Massage Therapy

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: February 23, 2016
Staff: mcheran



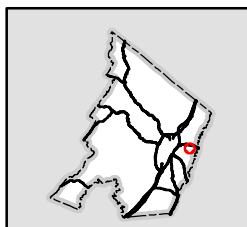
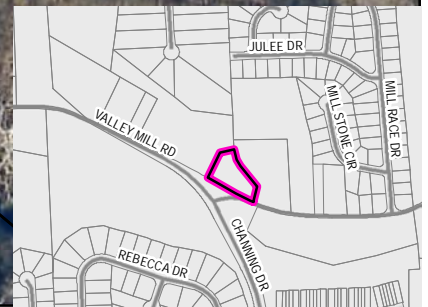
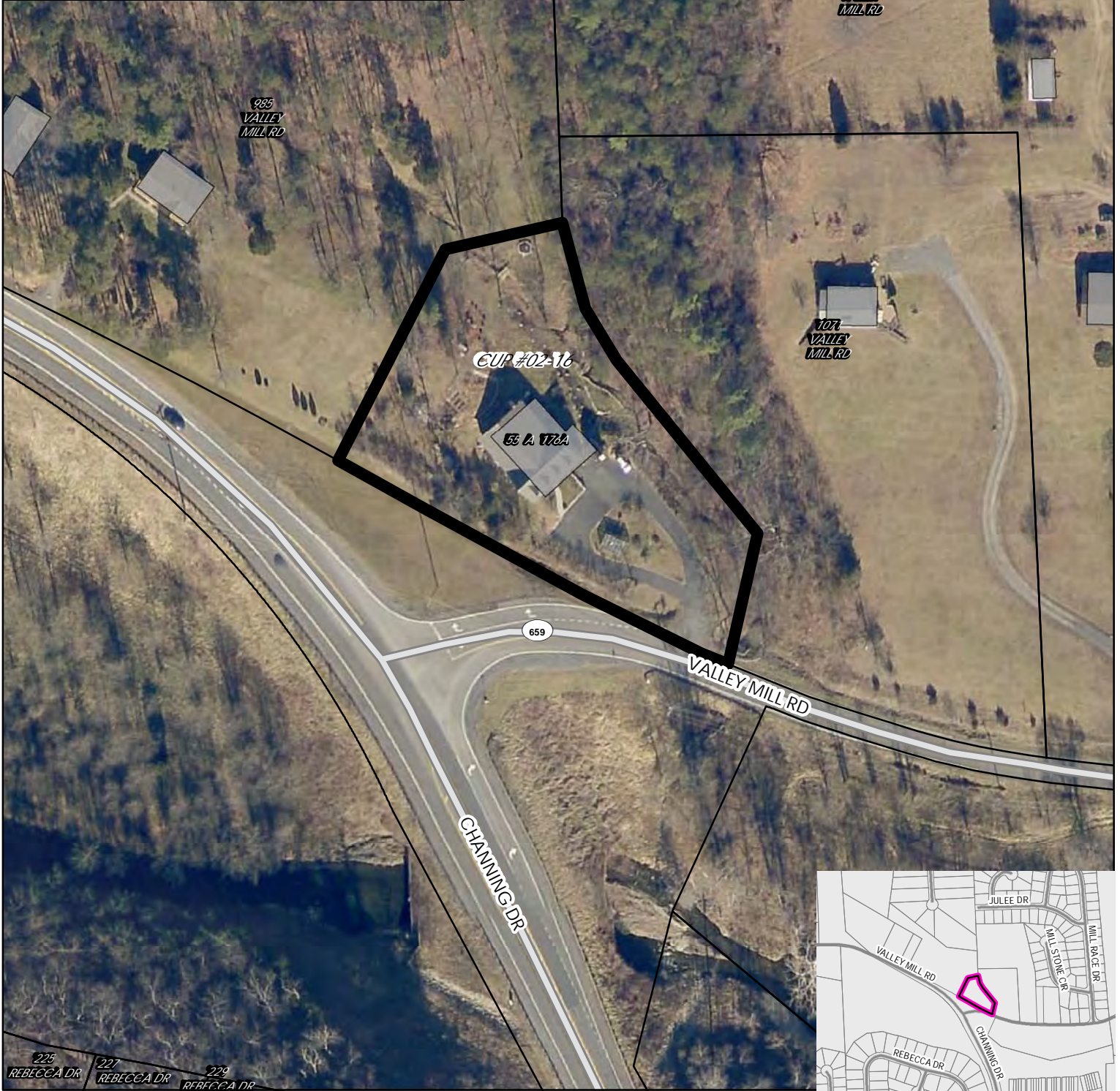
CUP # 02 - 16

Martha Sparkman

PIN:

55 - A - 176A

Cottage Occupation - Massage Therapy






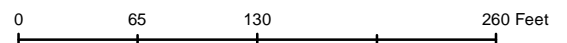
CUP # 02 - 16
Martha Sparkman

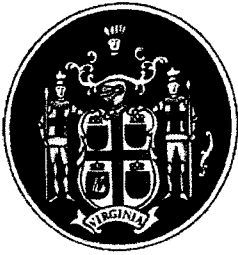
PIN:
55 - A - 176A
Cottage Occupation - Massage Therapy

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: February 23, 2016
Staff: mcheran



-  Applications
-  Parcels
-  Building Footprints





Submittal Deadline	2/18/15
P/C Meeting	3/16/16
BOS Meeting	4/13/16

**APPLICATION FOR CONDITIONAL USE PERMIT
FREDERICK COUNTY, VIRGINIA**

1. Applicant (check one): Property Owner Other

NAME: Martha Sparkman

ADDRESS: 1045 Valley Mill Road

TELEPHONE: 540-667-7793 cell-765-520-6992

2. Please list all owners, occupants, or parties in interest of the property:

David A. Sparkman

Martha J. Sparkman

3. The property is located at: (please give exact directions and include the route number of your road or street)

The corner of Channing and Valley Mill Rd in E Frederick County. From west-bound H-7: Left on CR 659, 1.3 miles on Right. From Greenwood Rd: East on Valley Mill (659), .9 miles, Left at intersection, 1st house on Left.

4. The property has a road frontage of _____ feet and a depth of _____ feet and consists of 6.1 acres. (Please be exact)

5. The property is owned by David A. & Martha J. Sparkman as evidenced by deed from Mortgage Insurance (previous owner) recorded in deed book no. 07004165 on page 450, as recorded in the records of the Clerk of the Circuit Court, County of Frederick.

6. Property Identification Number (P.I.N.) 55-A-176A
Magisterial District Stonewall Red Bud District
Current Zoning _____

Mortgage
surety
Insurance
Corp.
7004165)

Martha Sparkman
55A 176A ✓

Lance
To: Barbara-Data Processing
From: Pam-Planning Dept.
Please print 4 sets of labels
by 2/26/16 Thanks!

7. Adjoining Property:

	<u>USE</u>	<u>ZONING</u>
North	Residence	
East	X	
South	X	
West	Residence	

8. The type of use proposed is (consult with the Planning Dept. before completing):

Massage Therapy - cottage occupation

9. It is proposed that the following buildings will be constructed:

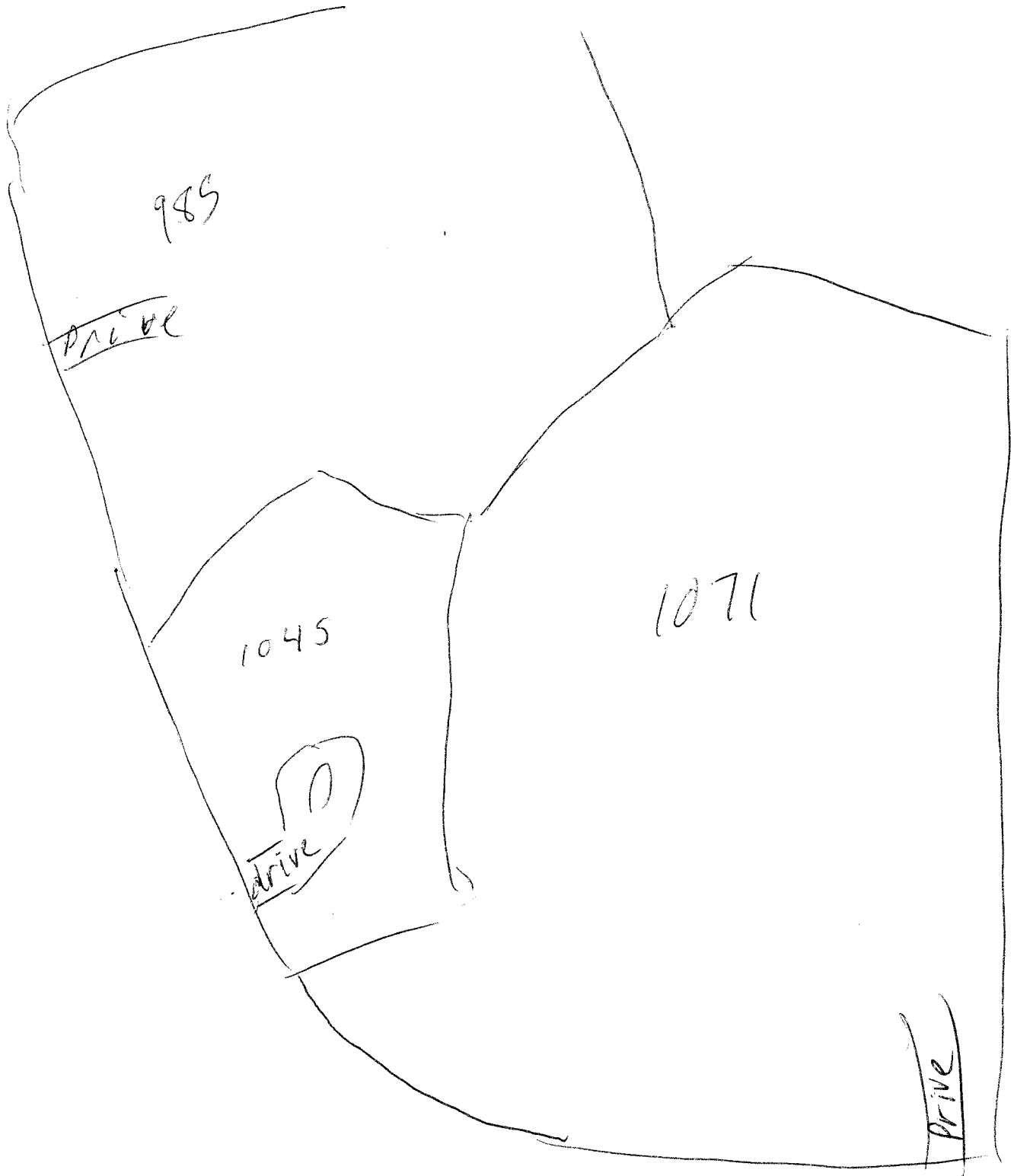
NA

10. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear and in front of (across street from) the property where the requested use will be conducted. (Continue on back if necessary.)
These people will be notified by mail of this application:

Name and Property Identification Number	Address
Name <u>Charles Richard Racey</u>	995 Valley Mill Rd
Property # <u>55-A-176B</u>	
Name <u>R. Mark Ritchie</u>	1071 Valley Mill Rd
Property # <u>55A-175A</u>	
Name <u>55G-5-1-63A</u>	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	
Name	
Property #	

Please verify thanks

11. Please use this page for your sketch of the property. Show proposed and/or existing structures on the property, including measurements to all property lines.



12. Additional comments, if any: No adjoining frontage between my house and neighbors. No street-side parking, but room for up to four cars to park in driveway.

I (we), the undersigned, do hereby respectfully make application and petition the governing body of Frederick County, Virginia to allow the use described in this application. I understand that the sign issued to me when this application is submitted must be placed at the front property line at least seven (7) days prior to the first public hearing and maintained so as to be visible until after the Board of Supervisors' public hearing. Your application for a Conditional Use Permit authorizes any member of the Frederick County Planning Commission, Board of Supervisors or Planning and Development Department to inspect your property where the proposed use will be conducted.

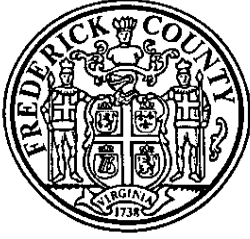
Signature of Applicant Martha Sparkman

Signature of Owner Martha Sparkman

Owners' Mailing Address 1045 Valley Mill Road

Owners' Telephone No. (410) 540-667-7793 home cell: 765-521-3181
my cell: 765-520-6992

TO BE COMPLETED BY THE ZONING ADMINISTRATOR:
USE CODE: _____
RENEWAL DATE: _____



RESOLUTION

Action:

PLANNING COMMISSION: March 16, 2016 - Recommended Approval

BOARD OF SUPERVISORS: April 13, 2016 APPROVED DENIED

RESOLUTION

CONDITIONAL USE PERMIT #02-16 MARTHA SPARKMAN

WHEREAS, Conditional Use Permit #02-16 Of Martha Sparkman, submitted by Martha Sparkman for a Cottage Occupation – Massage Therapy was considered. The Property is located 1045 Valley Mill Road and is further identified with Property Identification Number 55-A-176A in the Red Bud Magisterial District; and

WHEREAS, the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on March 16, 2016, and recommended approval of the Conditional Use Permit with conditions: and,

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on April 13, 2016; and,

WHEREAS, the Frederick County Board of Supervisors finds the approval of this Conditional Use Permit to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #02-16 for a Cottage Occupation – Massage Therapy on the parcel identified by Property Identification Number (PIN) 55-A-176A with the following conditions:

1. All review agency comments shall be complied with at all times

2. No more than one (1) customer at any given time.
3. No employees allowed with this use.
4. One business sign shall be allowed and shall conform to the Cottage Occupation sign requirements and shall not exceed four (4) square feet in size and five (5) feet in height.
5. Any expansion or modification of this use will require the approval of a new Conditional Use Permit.

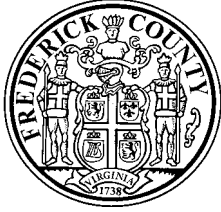
Passed this 13th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

A COPY ATTEST

 Brenda G. Garton
 Frederick County Administrator

H



**REZONING APPLICATION #01-16
84 LUMBER**

Staff Report for the Board of Supervisors

Prepared: April 4, 2016

Staff Contact: Candice E. Perkins, AICP, CZA, Assistant Director

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	03/02/16	Public Hearing Held; Recommend Approval
Board of Supervisors:	04/13/16	Pending

PROPOSAL: Rezoning #01-16 for 84 LUMBER submitted by Pierce Hardy Limited Partnership, to rezone 10.0 acres from the B3 (Industrial Transition) District with Proffers to the M1 (Light Industrial) District with Proffers. This application proposes to revise the proffers of Rezoning #02-05 to allow the site to be utilized for a truss manufacturing plant.

LOCATION: The property is located at 240 Yardmaster Court, at the end of the unsignalized intersection of Yardmaster Court and Martinsburg Pike (Route 11 North).

EXECUTIVE SUMMARY & STAFF CONCLUSIONS FOR 04/13/16 BOARD OF SUPERVISORS MEETING:

The 84 Lumber application seeks to rezone 10.0 acres from the B3 (Industrial Transition) District to the M1 (Light Industrial) District with proffers to enable the operation of a truss manufacturing plant. This 10 acre tract is a portion of a 59 acre tract originally rezoned to the B3 District in 2005 (Adams Property).

The Northeast Land Use Plan of the 2030 Comprehensive Plan identifies this property with a business land use designation. While the requested industrial zoning requested by the Applicant is inconsistent with the comprehensive plan, the use is generally consistent and is assured through the proffer statement. The truss manufacturing facility is similar in nature to the 84 Lumber Facility that previously occupied the site; however, manufacturing is not permitted in the B3 (Industrial Transition) District. The Applicant has proffered a site plan which limits the use of the site to a truss manufacturing facility (see proffer 1). The impacts associated with the change of use have been limited by the scope of the proffer statement. Therefore, no additional impacts to Frederick County or the surrounding property owners are anticipated. **The Planning Commission did not identify any issues or concerns with the request and recommended approval of the application at their March 2, 2016 meeting.**

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	03/02/16	Public Hearing Held; Recommended Approval
Board of Supervisors:	04/13/16	Pending

PROPOSAL: Rezoning #01-16 for 84 LUMBER submitted by Pierce Hardy Limited Partnership, to rezone 10.0 acres from B3 (Industrial Transition) District with Proffers to M1 (Light Industrial) District with Proffers.

LOCATION: The property is located at 240 Yardmaster Court, at the end of the unsignalized intersection of Yardmaster Court and Martinsburg Pike (Route 11 North).

MAGISTERIAL DISTRICT: Stonewall

PROPERTY ID NUMBERS: 44-A-75B

PROPERTY ZONING: B3 (Industrial Transition) District to M-1 (Light Industrial) District

PRESENT USE: Old 84 Lumber Facility (Lumber Sales)

ADJOINING PROPERTY ZONING & PRESENT USE:

North:	RA (Rural Areas) District	Use:	Residential/Agricultural
South:	B3 (Industrial Transition) District	Use:	Vacant
East:	RA (Rural Areas) District	Use:	Residential
	B3 (Industrial Transition) District	Use:	Vacant
West:	B3 (Industrial Transition) District	Use:	Vacant/Rail/I-81

REVIEW EVALUATIONS:

Virginia Dept. of Transportation: The documentation within the application to rezone this property appears to have a measurable impact on Rt. 11. This route is the VDOT roadway which has been considered as the access to the property referenced. VDOT is satisfied that the transportation proffers offered in the 84 Lumber Truss Plant Rezoning Application dated November 24, 2015 address transportation concerns associated with this request.

Fire Marshal: Plans Approved.

Public Works Department: The proposed rezoning has the approval of the Frederick County Public Works Department. We respectfully request that the existing storm water system including the storm water pond be inspected and maintained prior to re-occupying the facility.

Frederick County Sanitation Authority: No Comments.

Frederick County Attorney: *Please see attached letter from Roderick B. Williams, County Attorney, dated January 12, 2016.*

Planning & Zoning:

1) Site History:

The original Frederick County Zoning Map (U.S.G.S. Stephenson Quadrangle) depicts the zoning of the subject parcel as A2 (Agricultural General) District. The County's agricultural zoning districts were subsequently combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989.

In 2004, the Board of Supervisors approved Rezoning #11-04 which rezoned the property to the B3 (Industrial Transition) District with proffers. On May 13, 2005 the Board of Supervisors approved Rezoning #02-05 which revised the proffers for the site to modify the proffered uses of the site.

2) Comprehensive Policy Plan:

The 2030 Comprehensive Plan and the Northeast Frederick Land Use Plan provide guidance on the future development of the property. The property is located within the SWSA. The 2030 Comprehensive Plan identifies this property with a business land use designation. While the requested industrial zoning requested by the Applicant is inconsistent with the comprehensive plan, the use is generally consistent and is assured through the proffer statement. The truss manufacturing facility is similar in nature to the 84 Lumber Facility that previously occupied the site; however, manufacturing is not permitted in the B3 (Industrial Transition) District. The Applicant has proffered a site plan which limits the use of the site to a truss manufacturing facility.

Transportation and Site Access:

Direct access to Martinsburg Pike will continue to be provided to the development through a single shared commercial entrance which is Yardmaster Court.

4) **Proffer Statement:** Dated January 18, 2016:

- A) General Development Plan- The applicant has proffered to develop the subject property in substantial conformance with the attached site plan for an 84 Lumber Truss Plant (dated January 28, 2016).
- B) Vehicle Per Day (VPD) and Land Use Restrictions
- 1) The Applicant proffers to restrict development of the 10 acre property to an amount not to exceed a maximum of 1,393 VPD.
 - 2) The Applicant has proffered to prohibit the following M-1 District land uses on the site:
 - Local and suburban transit and interurban highway passenger transportation
 - Business associations; membership organizations; and labor unions
 - Motor freight transportation, excluding warehousing and storage
 - Transportation by air
 - Transportation services
 - Truck stops
- C) Transportation
- 1) Direct access to Martinsburg Pike will be provided through a single shared commercial entrance (Yardmaster Court) to provide ingress and egress for the 10 acre property.
 - 2) Turn lane – Martinsburg Pike – completed
 - 3) Signalization – Applicant will provide a pro rata share of the cost of signalization if needed.
- D) North Buffer -The owner shall maintain the six foot high earthen berm as the opaque element within the 100 foot wide Category C full screen adjacent to tax parcels 44-A-76A, 75A, and 7.
- E) Monetary Contributions to Offset Impact of Development
A monetary contribution of \$.015/building square foot, based on additional added square footage.

PLANNING COMMISSION SUMMARY AND ACTION FROM THE 3/02/16 MEETING:

Staff reported this is a rezoning application to rezone 10 acres from the B3 (Industrial Transition) District to the M1 (Light Industrial) District with proffers. Staff continued this application proposed to revise the proffers of Rezoning #02-05 to allow the site to be used for a truss manufacturing plant. Staff reviewed locations map of the site and then provided an overview of the original 2005 rezoning application. Staff continued included in that application was: a building cap on the entire site of 555,000 square feet; use limitations consisting of office, building/lumber store, wholesale warehouse, and self-storage facilities; maximum vehicle trips per day of 4,603 for the development. Staff reported the proffer revision for the 10 acre site restricts the trips per day to 1,393 which are consistent with the approved 84 Lumber site plan that was approved years ago. Staff noted there is also a restriction for the truss manufacturing facility due to a proffered site plan. Staff shared a trip generation summary with the Planning Commission and noted the significant reduction in trips.

Staff reported the Northeast Land Use Plan identifies the property with a commercial land use designation; while the requested industrial zoning being presented is inconsistent with the comprehensive plan, the proposed use is generally consistent with the commercial designation and is very restrictive and assured through the proffer statement. Staff continued the truss manufacturing is still the 84 Lumber Company and it is relatively similar to the lumber yard they had before however manufacturing of trusses is not allowed in the B3 (Industrial Transition) District. Staff concluded the Applicant has proffered a site plan which limits the use of the site to the truss manufacturing facility therefore the impacts associated with the change of use have been limited by the proffer statement.

A Commissioner asked if the store would be re-opened on site. Staff noted the store will not be re-opened at this time because of the requested zoning change. Mr. Frank Kelcha, Vice-President of Manufacturing for 84 Lumber spoke on behalf of the Applicant. He feels opening the facility will be beneficial to the company as well as the County. He hopes to be able to employ approximately 70 people. Mr. Kelcha noted this will help the area prosper. Ms. Debbie Schwab, real estate counsel for 84 Lumber reiterated the jobs the company plans to bring to the area with the truss facility. She noted the intent is to employ 65-70 people with an average annual salary of \$31,800.

A Commissioner inquired if a store may be opened in the future. Mr. Kelcha noted at this point a store is not in the plans. A Commissioner asked if manufacturing of the trusses is primarily for the local area or will they be shipped elsewhere. Mr. Kelcha explained the trusses will be used locally as well as shipped to various locations.

Chairman Wilmot called for anyone who wished to speak regarding this Public Hearing to come forward at this time. No one came forward to speak and Chairman Wilmot closed the public comment portion of the hearing.

A motion was made, seconded, and passed unanimously to recommend approval of this rezoning.

EXECUTIVE SUMMARY & STAFF CONCLUSIONS FOR 04/13/16 BOARD OF SUPERVISORS MEETING:

The 84 Lumber application seeks to rezone 10.0 acres from the B3 (Industrial Transition) District to the M1 (Light Industrial) District with proffers to enable the operation of a truss manufacturing plant. This 10 acre tract is a portion of a 59 acre tract originally rezoned to the B3 District in 2005 (Adams Property).

The Northeast Land Use Plan of the 2030 Comprehensive Plan identifies this property with a business land use designation. While the requested industrial zoning requested by the Applicant is inconsistent with the comprehensive plan, the use is generally consistent and is assured through the proffer statement. The truss manufacturing facility is similar in nature to the 84 Lumber Facility that previously occupied the site; however, manufacturing is not permitted in the B3 (Industrial Transition) District. The Applicant has proffered a site plan which limits the use of the site to a truss manufacturing facility (see proffer 1). The impacts associated with the change of use have been limited by the scope of the proffer statement. Therefore, no additional impacts to Frederick County or the surrounding property owners are anticipated. **The Planning Commission did not identify any issues or concerns with the request and recommended approval of the application at their March 2, 2016 meeting.**

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

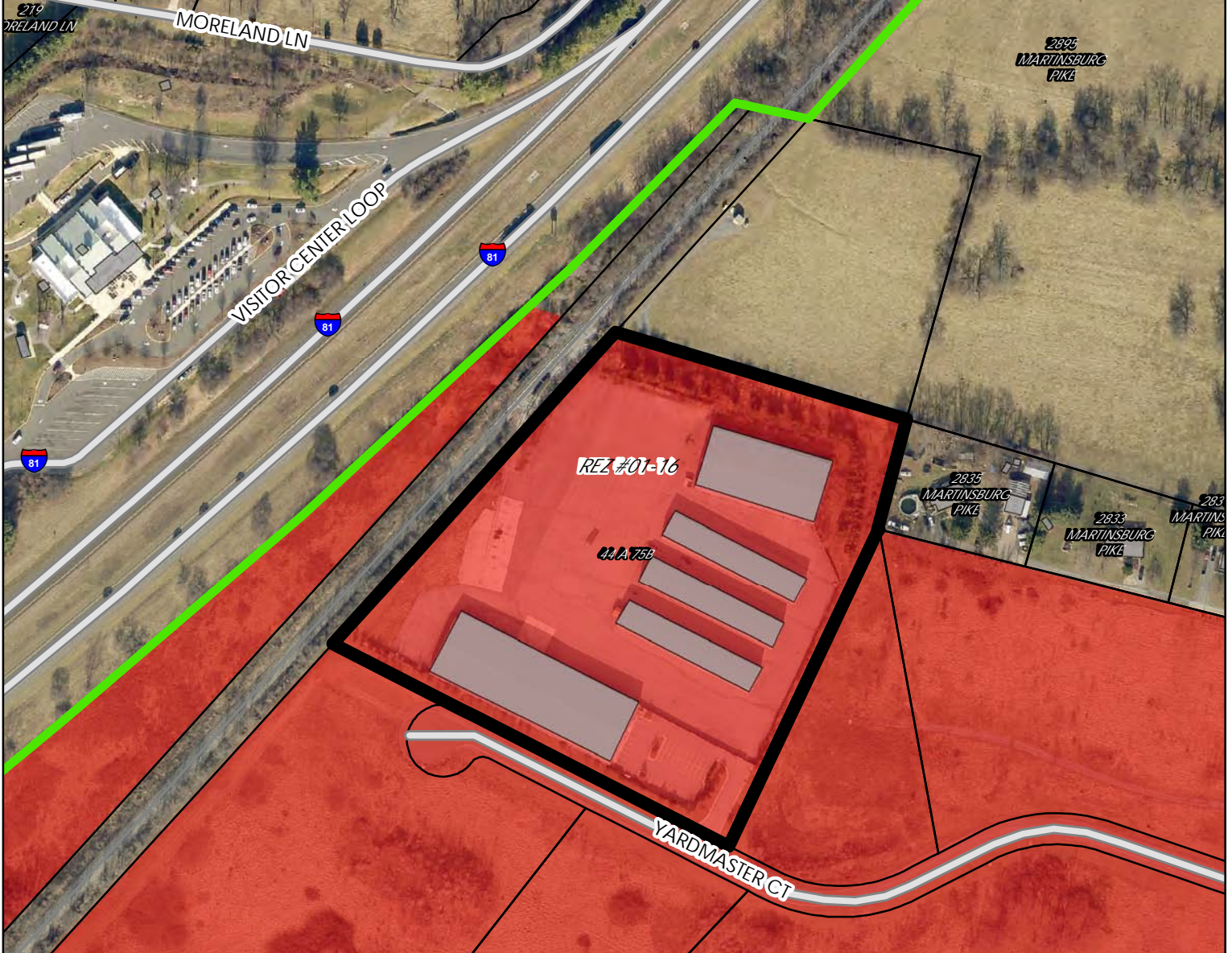
REZ # 01 - 16















84 Lumber

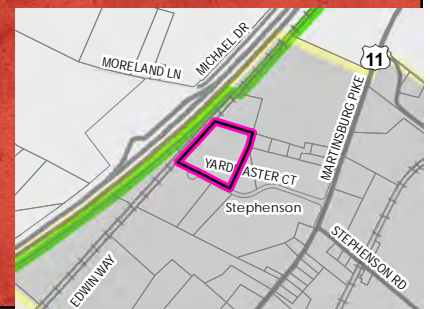
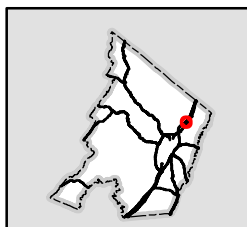
PIN:

44 - A - 75B

Rezoning from B3 to M1



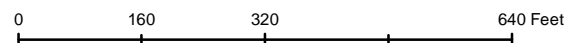
-  Applications
-  Parcels
-  Sewer and Water Service Area
-  Building Footprints
-  B1 (Business, Neighborhood District)
-  B2 (Business, General District)
-  B3 (Business, Industrial Transition District)
-  EM (Extractive Manufacturing District)
-  HE (Higher Education District)
-  M1 (Industrial, Light District)
-  M2 (Industrial, General District)
-  MH1 (Mobile Home Community District)
-  MS (Medical Support District)
-  OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)



REZ # 01 - 16 84 Lumber

PIN:
44 - A - 75B
Rezoning from B3 to M1

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: February 3, 2016
Staff: cperkins



REZ # 01 - 16





84 Lumber

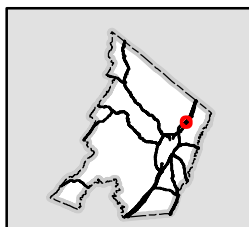
PIN:

44 - A - 75B

Rezoning from B3 to M1



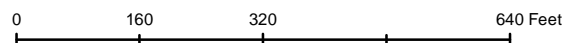
-  Applications
-  Parcels
-  Sewer and Water Service Area
-  Building Footprints



REZ # 01 - 16
84 Lumber

PIN:
44 - A - 75B
Rezoning from B3 to M1

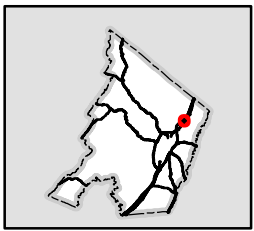
Note:
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REZ # 01 - 16
84 Lumber
 PIN:
 44 - A - 75B
 Rezoning from B3 to M1

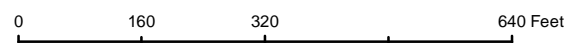


- Applications
- Parcels
- Sewer and Water Service Area
- Building Footprints
- Long Range Land Use**
- Residential
- Neighborhood Village
- Urban Center
- Mobile Home Community
- Business
- Highway Commercial
- Mixed-Use
- Mixed Use Commercial/Office
- Mixed Use Industrial/Office
- Industrial
- Warehouse
- Heavy Industrial
- Extractive Mining
- Commercial Rec
- Rural Community Center
- Fire & Rescue
- Historic
- Institutional
- Planned Unit Development
- Park
- Recreation
- School
- Employment
- Airport Support Area
- B2 / B3
- Residential, 4 u/a
- High-Density Residential, 6 u/a
- High-Density Residential, 12-16 u/a
- Rural Area
- Interstate Buffer
- Landfill Support Area
- Natural Resources & Recreation
- Environmental & Recreational Resources



REZ # 01 - 16
84 Lumber
 PIN:
 44 - A - 75B
 Rezoning from B3 to M1

Note:
 Frederick County Dept of
 Planning & Development
 107 N Kent St
 Suite 202
 Winchester, VA 22601
 540 - 665 - 5651
 Map Created: February 3, 2016
 Staff: cperkins



PROFFER STATEMENT

REZONING: RZ # 1-16
Industrial Transition District (B3) with Proffers to Light Industrial
District (M1) with Proffers

PROPERTY: 10.00 acres +/-;
Tax Parcel # 44-(A)-75B

RECORD OWNER: Pierce Hardy Limited Partnership

APPLICANT: Pierce Hardy Limited Partnership ("Applicant")

PROJECT NAME: 84 Lumber Truss Plant

ORIGINAL DATE
OF PROFFERS: January 18, 2016

Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #1-16 for the rezoning of 10.00± acres from the Industrial Transition (B3) District with Proffers to the Light Industrial (M1) District with Proffers, development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Frederick County Board of Supervisors in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and will have no effect whatsoever. These proffers shall be binding upon this Applicant and their legal successors, heirs, or assigns. Approval of this proffer statement does not eliminate previously approved proffers associated 44- (A)-75C, 44-(A)-75D, 44-(A)-75E and 44-(A)-75F; which were approved under the conditions set forth in RZ #02-05 approved by the Frederick County Board of Supervisors on April 13, 2005. However, these proffers will alter the previously approved proffer for current Tax Map Parcels 44-(A)-75B. The previous proffer will remain in force for the Property, to the extent that prior proffer is not inconsistent with the current proposed proffer.

The subject property, more particularly described as the lands owned by Pierce Hardy Limited Partnership, being all of Tax Map Parcel 44-(A)-75B and further described by Boundary Survey Plat prepared by Michael S. Roberts, dated March 27, 2007 (see attached Boundary Survey Plat).

A.) Generalized Development Plan

The Owner hereby proffers to re-develop the ten (10.0) ± acre property in substantial conformance with the attached site plan for an 84 Lumber Truss Plant 10 ± Acre property, dated January 28, 2016.

B.) Vehicle Per Day (VPD) and Land Use Restrictions

1.) Conditional Rezoning Application #1-16: Trip generation for the existing and proposed land uses were determined based upon the 8th Edition of the Institute of Transportation Engineers' ("ITE") Trip Generation Report. Accordingly, ITE Land Use Code 812 (Building and Lumber Store) was used to calculate the trips associated with the by- right 84 Lumber and ITE Land Use Code 140 was used to calculate the trips associated with the proposed truss manufacturing plant. The Applicant hereby proffers to restrict development of the 10.0 ± acre property to an amount not to exceed a maximum of 1393 VPD.

2.) The Owner hereby proffers to prohibit the following M-1 District land uses within 10.0 ± acre property:

- Local and suburban transit and interurban highway passenger transportation.
- Business associations; membership organizations; and labor unions
- Motor freight transportation, excluding warehousing and storage
- Transportation by air
- Transportation services
- Truck stops

C.) Transportation

1.) **Access to Martinsburg Pike (US Route 11)**

Direct access to Martinsburg Pike (US Route 11) is provided through a single shared commercial entrance to provide ingress and egress for the 10.0± acre property and all parcels previously subdivided from tax parcel 44-A-75. All other access will be prohibited. This shared commercial entrance has been constructed to align with the existing commercial entrance to the APAC site located on the opposite side of Martinsburg Pike.

2.) **Right-turn deceleration lane on Route 11:**

Reference is made to Proffer C2 in 2005 proffers on this property. The installation is complete.

3.) **Signalization**

Reference is made to Proffer C4 in 2005 proffers on this property. Owner acknowledges that it will bear a pro rata share of the cost of signalization, should a signal ever be needed.

D.) North Buffer

The Owner hereby proffers to maintain the six foot high earthen berm as the opaque element within the one-hundred foot wide Category "C" full screen adjacent to tax parcels 44-(A)-76A, 44-(A)-75A, and 44-(A)-75B.

E.) Monetary Contribution to Offset Impact of Development

The undersigned owner of the above-described property hereby voluntarily proffers that in the event rezoning application #1-16 is approved, the undersigned will pay to the Treasurer of Frederick County, Virginia the following amount:

\$.015/ building square foot, based upon any additional square footage added for the redeveloped site.

This payment is intended to offset the additional cost to Frederick County, and more specifically Frederick County Fire and Rescue, due to an increased demand on public services. The proffer increments will be paid prior to issuance of the building occupancy permits.

F.) Signatures

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the Applicant and owner. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

Respectfully Submitted:

WITNESS:

Deborah A. Filwal

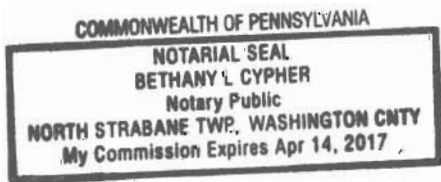
Cheri Bomar

Cheri Bomar – Asst. Vice
President
Pierce Hardy Limited
Partnership

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF WASHINGTON :

On this, the 10th day of March, 2016, before me, Bethany Cypher, the undersigned officer, personally appeared Cheri Bomar, who acknowledged herself to be the Assistant Vice President of Pierce Hardy Limited Partnership, a Pennsylvania Limited Partnership, and that she, as such Assistant Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited partnership by herself as Assistant Vice President.

In witness whereof, I hereunto set my hand and official seal.



Bethany L. Cypher
Notary Public

GENERAL INFORMATION

PROJECT OWNER/
DEVELOPER: PIERCE HARDY LIMITED PARTNERSHIP (PHLP)
1019 RTE 519
EIGHTY FOUR, PA 15330
P 724-228-3636 F 724-228-2630
CONTACT: JIM ZAUNICK x1380

PROJECT TENANT: 84 LUMBER
1019 RTE 519
EIGHTY FOUR, PA 15330
P 724-228-3636 F 724-228-2630
CONTACT: JIM ZAUNICK x1380

PROJECT ADDRESS: 84 LUMBER
240 YARDMASTER COURT
FREDERICK COUNTY, VIRGINIA

DESIGN
PROFESSIONAL: AVBEL ENGINEERING
1019 RTE 519
EIGHTY FOUR, PA 15330
P 724-705-1400
CONTACT: VERNON E SMITH

SITE INFORMATION

ZONING: B-3 - INDUSTRIAL TRANSITION DISTRICT
PARCEL ID: 44-A-75B
LOT SIZE: 10.02 ACRES



LUMBER



LOCATION MAP

**TRUSS PLANT CONVERSION
YARDMASTER COURT
FREDERICK COUNTY
STONEWALL MAGISTERIAL DISTRICT
WINCHESTER, VIRGINIA**

**84 LUMBER COMPANY
1019 ROUTE 519
EIGHTY FOUR, PA 15330
(724) 228-3636**

SHEET A00 COVER SHEET
CIVIL ENGINEERING PLANS - AVBEL ENGINEERING
SHEET C01 SITE/UTILITY PLAN

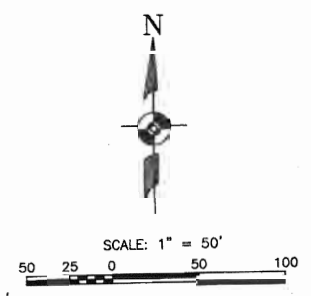
APPROVED BY THE FREDERICK COUNTY ZONING ADMINISTRATOR

_____/_____/_____
(ZONING ADMINISTRATOR) APPROVAL DATE

SITE PLAN VALID FOR FIVE (5) YEARS FROM APPROVAL DATE.

SHEET A00





VICINITY MAP
N.T.S.

UTILITY INFORMATION

WATER / SEWER: FREDERICK COUNTY SANITATION AUTHORITY PHONE: VERIZON P.O. BOX 17398 BALTIMORE, MD 21287 (301) 951-3334
 POWER: ALLEGHENY POWER P.O. BOX 1458 HAGERSTOWN, MD 21741 1-800-654-3317 GAS: SHENANDOAH GAS CO. P.O. BOX 1460 WINCHESTER, VA 22604 (540) 861-1111
 VIRGINIA UTILITY PROTECTION SERVICE 1-800-552-7001

PROPOSED DESCRIPTION

- 1.) BLDG 1 CONVERSION OF EXISTING 34,450SF TO PANEL ASSEMBLY BLDG.
- 2.) BLDG 2 CONVERSION OF EXISTING 20,000SF STORAGE BLDG TO TRUSS ASSEMBLY.
- 3.) BLDG 5 ENCLOSE 6,000SF OF EXISTING SHED CONVERT TO SAW SHED.
- 4.) RELOCATE EXISTING FENCE IN FRONT PARKING LOT AND ADD 45 ADDITIONAL PARKING SPACES.
- 5.) INSTALL NEW UTILITIES AS SHOWN ON PLAN.
- 6.) REPLACE ASPHALT WITH CONCRETE AS INDICATED ON PLAN.
- 7.) NEW LIGHT FIXTURES AS SHOWN ON PLAN.

NOTE: 1.) SITE IS LOCATED ON TAX PARCEL 44-A-75B OF THE ADAMS DEVELOPMENT SUBDIVISION AS RECORDED IN JULY 2005
 2.) THERE ARE NO ENTRANCES WITHIN 200' OF THIS PROPERTY
 3.) THERE ARE NO WETLANDS ON THE PROPERTY
 4.) THE PROPERTY IS NOT WITHIN THE 100-YR FLOOD PLAN
 5.) ALL EASEMENTS ARE EXISTING
 6.) FIRE LANE MARKINGS AND SIGNAGE: ANY "NO PARKING" SIGNS AND YELLOW PAINTED CURB LOCATIONS WILL BE INSTALLED BY FIELD INSPECTION AT THE DIRECTION OF THE FIRE MARSHAL'S OFFICE

SITE INFORMATION

ZONING: B-3 - INDUSTRIAL TRANSITION DISTRICT
 PROPOSED ZONING: M-1 - INDUSTRIAL
 PARCEL NO: 44-A-75B
 ACRES: 10.02

LOT REQUIREMENTS M-1

	REQUIRED	PROVIDED
LOT AREA:	N/A	10.0 AC
DEVELOPED AREA:	N/A	10.0 AC
LANDSCAPED AREA:	25% MIN.	27%
LOT WIDTH:	N/A	504'
FRONT YARD:	75' MIN.	35'
SIDE YARD:	25' MIN.	70'
REAR YARD:	25' MIN.	100'
*FLOOR AREA RATIO:	1.0 MAX.	.19

PARKING

PARKING SPACE SIZE: 180 S.F. MIN. & PROVIDED
 PARKING AISLE: 22' MIN. 24' PROVIDED
 HANDICAP SPACE: 12' WIDE. MIN. - 12' PROVIDED

EXISTING PARKING PROVIDED= 42 SPACES
 HANDICAP ACCESSIBLE SPACES PROVIDED= 3
 HANDICAP SPACES REQUIRED= 1/25 REGULAR SPACES= 2
 MANUFACTURING: 1.5SP/EMPLOYEE X 50 = 75 SPACES
 OFFICE: 1SP/2500SF X 2,800 = 11 SPACES
 PROPOSED ADDITIONAL PARKING: 45 SPACES
 TOTAL PARKING: 87 SPACES
 LOADING SPACES: 1/40,000SF REQUIRED - 3 PROVIDED
 12'x45' REQUIRED - 14'x45' PROVIDED

*TOTAL FLOOR AREA = 83,250 S.F. / 435,600=19.1%
 TOTAL GROUND FLOOR AREA = 83,250 S.F.

LANDSCAPING NOTE: ALL LANDSCAPING AND BUFFERS ARE EXISTING
 STORM WATER MNGT NOTE: ENTIRE DEVELOPMENT IS EXISTING (WITH EX. POND) NO ADDITIONAL STORM WATER OR EROSION CONTROL NEEDED

LEGEND

---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	UTILITY LINE
	EXISTING STRUCTURE
---	PROPOSED STRUCTURE
---	RIGHT OF WAY OR EASEMENT LINE
---	CENTER LINE
---	BUILDING SETBACK
---	STORM SEWER AND SIZE
-x-x-	EXISTING CHAIN LINK FENCE
-o-o-	8" CHAIN LINK FENCE
-o-o-	8" BOARD ON BOARD FENCE
-1'-	UNDERGROUND ELEC. CONDUIT AND SIZE
UE/T	UNDERGROUND ELECTRIC/PHONE
-8"SS	SANITARY SEWER AND SIZE
-8"W	WATER LINE AND SIZE
-1"G	GAS LINE AND SIZE
+ 816.3	EXISTING SPOT ELEVATION
x 816.3	PROPOSED SPOT ELEVATION
---	SWALE ARROWS
●	SURVEY MONUMENT
○	PROPERTY CORNER
⊙	UTILITY POLE
⊙	FIRE HYDRANT
→	TRAFFIC FLOW DIRECTIONAL ARROWS
(X)(R)	OUTDOOR LIGHTING: SEE ELECTRICAL LIGHTING PLANS
---	ASPHALT PAVING
---	CONCRETE PAVING
---	OUTSIDE STORAGE
---	NEW LIGHT FIXTURE

TRUSS PLANT
 SITE/UTILITY PLAN
 YARDMASTER COURT
 STONEWALL MAGISTERIAL DISTRICT
 FREDERICK COUNTY, VA

SITE REVISIONS		BUILDING REVISIONS	
NO.	DATE	NO.	DATE

PROJECT INFORMATION:
 SCALE: 1"=50'
 JOB NO.:
 STORE NO.: 178
 SHEET NO.: CC
 DESIGN BY: JZ
 DRAWN BY: NA
 DATE: 1/28/2016

OWNER / DEVELOPER
 PIERCE HARDY LIMITED PARTNERSHIP
 1019 ROUTE 519
 EIGHTY FOUR, PA 15330
 (724)-228-3636

84 LUMBER
 1019 ROUTE 519
 EIGHTY FOUR, PA 15330
 (724) 228-3636



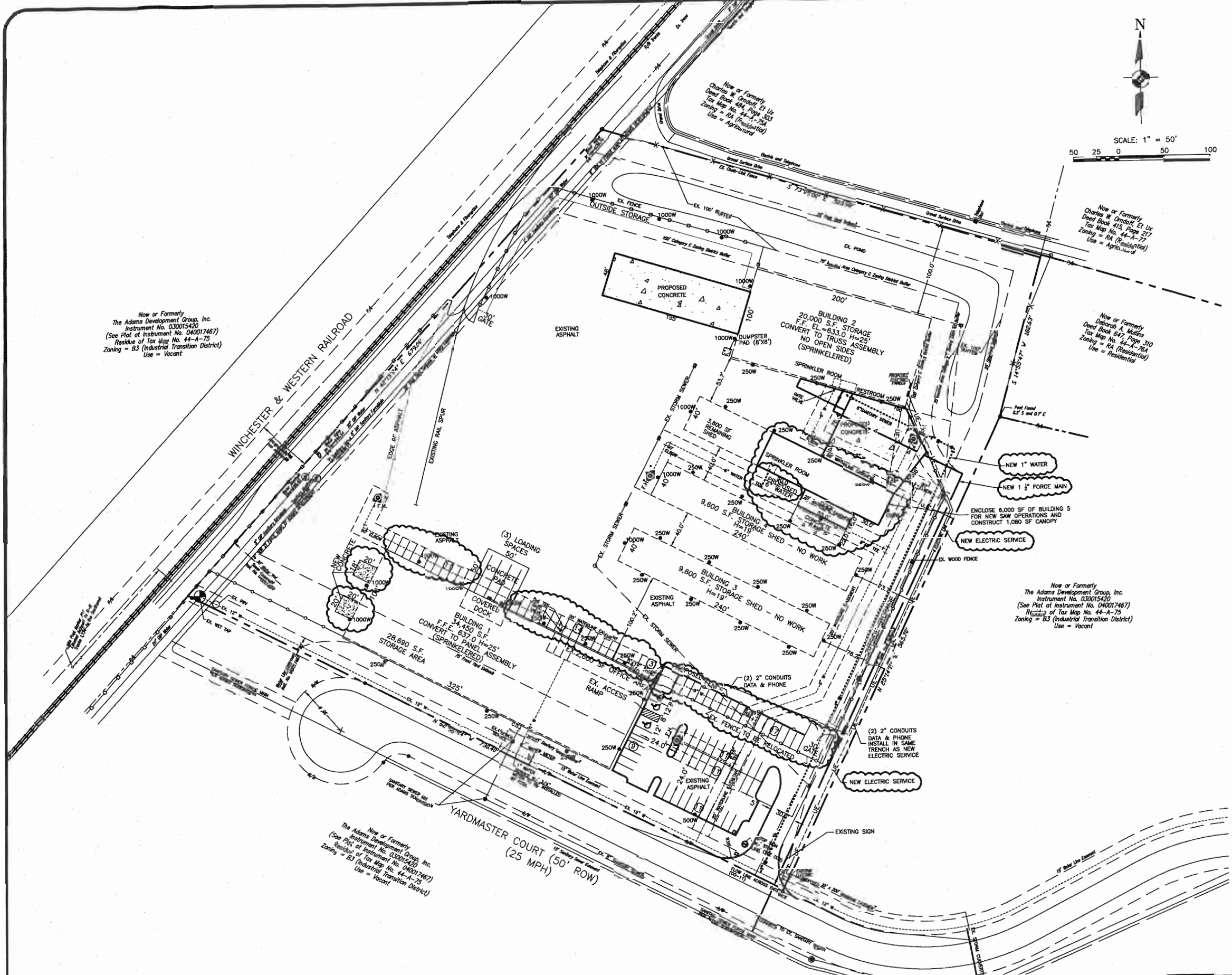
Now or Formerly
 The Adams Development Group, Inc.
 Instrument No. 030015420
 (See Plat of Instrument No. 040017467)
 Residue of Tax Map No. 44-A-75
 Zoning = B3 (Industrial Transition District)
 Use = Vacant

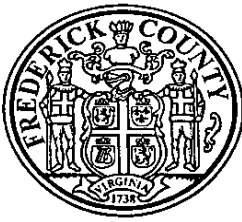
Now or Formerly
 Charles W. Orndorff Et Ux
 Deed Book 474, Page 503
 Tax Map No. 44-A-75
 Zoning = RA (Residential)
 Use = Agricultural

Now or Formerly
 Deborah A. Metten
 Deed Book 64, Page 310
 Tax Map No. 44-A-77
 Zoning = RA (Residential)
 Use = Residential

Now or Formerly
 The Adams Development Group, Inc.
 Instrument No. 030015420
 (See Plat of Instrument No. 040017467)
 Residue of Tax Map No. 44-A-75
 Zoning = B3 (Industrial Transition District)
 Use = Vacant

Now or Formerly
 The Adams Development Group, Inc.
 Instrument No. 030015420
 (See Plat of Instrument No. 040017467)
 Residue of Tax Map No. 44-A-75
 Zoning = B3 (Industrial Transition District)
 Use = Vacant





AMENDMENT

Action:

PLANNING COMMISSION: March 2, 2016 - Recommended Approval

BOARD OF SUPERVISORS: April 13, 2016 - APPROVED DENIED

AN ORDINANCE AMENDING

THE ZONING DISTRICT MAP

REZONING #01-16 84 LUMBER

WHEREAS, Rezoning #01-16 of 84 Lumber, submitted by Pierce Hardy Limited Partnership, to rezone 10 acres from the B3 (Industrial Transition) District with Proffers to the M1 (Light Industrial) District with Proffers, final revision date of January 18, 2016 was considered. The property is located at 240 Yardmaster Court, at the end of the unsignalized intersection of Yardmaster Court and Martinsburg Pike (Route 11 North). The property is further identified with PIN 44-A-75B in the Stonewall Magisterial District; and

WHEREAS, the Planning Commission held a public hearing on this rezoning on March 2, 2016 and recommended approval; and

WHEREAS, the Board of Supervisors held a public hearing on this rezoning on April 13, 2016; and

WHEREAS, the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to rezone 10 acres from the B3 (Industrial Transition) District to the M1 (Light Industrial) District with proffers, final revision date January 18, 2016. The conditions voluntarily proffered in writing by the Applicant and the Property Owner is attached.

This ordinance shall be in effect on the date of adoption.

Passed this 13th day of April, 2016 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Robert W. Wells	_____
Gene E. Fisher	_____	Judith McCann-Slaughter	_____
Blaine P. Dunn	_____		

A COPY ATTEST

Brenda G. Garton
Frederick County Administrator



AMENDMENT

Action:

PLANNING COMMISSION: March 16, 2005 - Recommended Approval

BOARD OF SUPERVISORS: April 13, 2005 APPROVED DENIED

AN ORDINANCE AMENDING

THE ZONING DISTRICT MAP

REZONING #02-05 OF ADAMS DEVELOPMENT GROUP

WHEREAS, Rezoning #02-05 of Adams Development Group, was submitted by Greenway Engineering to revise proffers attached to Rezoning #11-04. This revision adds wholesale with accessory retail, building materials and lumber stores to the allowed uses. This property fronts on the west side of Martinsburg Pike (Route 11 North), opposite the intersection with Stephenson Road (Route 664), in the Stonewall Magisterial District, and is identified by Property Identification Number (PIN) ~~44-A-75~~ - PINs ~~44-A-75B, 44-A-75C, 44-A-75D, 44-A-75E, and 44-A-75F~~.

WHEREAS, the Planning Commission held a public hearing on this rezoning on March 16, 2005; and

WHEREAS, the Board of Supervisors held a public hearing on this rezoning on April 13, 2005; and

WHEREAS, the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

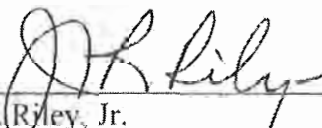
NOW, THEREFORE, BE IT ORDAINED by the Frederick County Board of Supervisors that the proffer revision adding wholesale with accessory retail, building materials and lumber stores to the allowed uses attached to Rezoning #11-04, as described by the Proffer Statement submitted by the applicant and the property owner, is approved.

This ordinance shall be in effect on the date of adoption.

Passed this 13th day of April, 2005 by the following recorded vote:

Richard C. Shickle, Chairman	<u>Aye</u>	Barbara E. Van Osten	<u>Aye</u>
Gina A. Forrester	<u>Aye</u>	Gary Dove	<u>Aye</u>
Lynda J. Tyler	<u>Aye</u>	Bill M. Ewing	<u>Aye</u>
Gene Fisher	<u>Aye</u>		

A COPY ATTEST



John R. Riley, Jr.
Frederick County Administrator

PROPOSED PROFFER STATEMENT

REZONING: RZ# **02-05**
Industrial Transition District (B3) with Proffers to Industrial
Transition District (B3) with Revised Proffers

PROPERTY: 59.71 acres +/-;
Tax Parcel #44-((A))-75

RECORD OWNER: Adams Development Group, Inc., Robert C. Adams, President

APPLICANT: Adams Development Group (here-in after "the Applicant")

PROJECT NAME: Adams Commercial Center

ORIGINAL DATE
OF PROFFERS: June 21, 2004

REVISION DATE: February 18, 2005

Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #02-05 for the rezoning of 59.71-acres from the Industrial Transition (B3) District with Proffers to the Industrial Transition (B3) District with Revised Proffers, development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Frederick County Board of Supervisors in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon this Applicant and their legal successors, heirs, or assigns.

The subject property, more particularly described as the lands owned by Adams Development Group, Inc. being all of Tax Map Parcel 44-((A))-75 and further described by Boundary Survey Plat prepared by Edward W. Dove, L.S., dated July 29, 2003 (see attached Boundary Survey Plat).

A.) Generalized Development Plan

The Applicant hereby proffers to develop the 59.71-acre property in substantial conformance with a Generalized Development Plan approved as part of the rezoning application. The Generalized Development Plan is intended to delineate the general location and relationship of land bay uses.

B.) The following maximum building square footages are proffered for the land uses identified below. The building square footages are established to ensure that the vehicle per day (VPD) generation for the permitted land uses will not exceed 4,603 VPD based on ITE Trip Generation 7th Edition volumes.

1. Office	120,000 square feet
2. Building Materials & Lumber Store	25,000 square feet
3. Wholesale	150,000 square feet
4. Warehouse	120,000 square feet
5. Self-service storage facility	140,000 square feet
 TOTAL BUILDING AREA	 555,000 square feet

C.) Transportation

1.) Access to Martinsburg Pike (US Route 11)

Direct access to Martinsburg Pike (US Route 11) will be provided through a single shared commercial entrance to provide ingress and egress for all uses within this site. This shared commercial entrance will be located so as to align with the existing commercial entrance to the APAC site located on the opposite side of Martinsburg Pike.

2.) Turn lane – Martinsburg Pike (US Route 11)

The Applicant hereby proffers to install a right-turn deceleration lane at the entrance on Martinsburg Pike (US Route 11).

3.) Additional Right-of-way Dedication

In the interest of future area transportation plan improvements, the applicant hereby proffers to dedicate to the Commonwealth of Virginia twenty (20) feet of additional right-of-way on the Martinsburg Pike (US Route 11) frontage of the property.

4.) Corridor Improvements, Signalization

In recognition of offsite transportation impacts, the Applicant hereby proffers to contribute a prorated share of the cost of signalization improvements in the area of Interstate-81 Exit 321. The Virginia Department of Transportation (VDOT) will determine the appropriate location for signalization improvements and will determine when this improvement is warranted. The Applicant will enter into a signalization agreement with VDOT that will provide a one-time contribution towards the cost of signalization in a prorated amount to be determined by VDOT based upon the traffic volume generated by the developed portion of the subject property.

D.) Outdoor Storage Buffer

The Applicant hereby proffers to preserve a continuous strip of existing vegetation on the west side of the Winchester and Western Railroad, as identified on the Generalized Development Plan, to screen the outdoor storage area from the MH-1 property to the southwest. The Applicant will preserve a minimum depth of fifty (50) feet of the existing vegetation adjacent to that approximately 242 foot portion of the property line shared with the MH-1 zoned property to the south. Should such existing vegetation be deemed insufficient screen by the Zoning Administrator at the time of site plan review, the vegetative area will be supplemented with additional landscaping and/or opaque structures as needed to meet ordinance standards.

E.) North Buffer

The applicant hereby proffers to utilize a minimum six foot high earthen berm, rather than a fence, as the opaque element within the one-hundred foot wide Category "C" full screen adjacent to properties to the northeast.

F.) South Buffer

The applicant hereby proffers to utilize a minimum six foot high fence, rather than earthen berm, as the opaque element within the one-hundred foot wide Category "C" full screen adjacent to properties to the south.

G.) Corridor Appearance Enhancements

The applicant hereby proffers to enhance the appearance of the Martinsburg Pike (U.S. Route 11) corridor through the implementation of a low-level earth berm and landscaping along the frontage of the subject property. This enhancement will be located within a 20-foot wide green strip that is located immediately adjacent to and on the west side of the dedicated 20-foot right-of-way strip, which will contain an earth berm that is 2-feet in height with low-lying shrubs and a single row of deciduous flowering trees that are a minimum of 1 ½ caliper and planted on 30-foot centers. This corridor appearance enhancement will be designed to ensure that sight distance is not negatively impacted at the commercial entrance to the subject property, and will be provided in conjunction with the installation of the commercial entrance.

H.) Stormwater Quality Measures

The applicant hereby proffers that all commercial site plans submitted to Frederick County are designed to implement best management practices (BMP) to promote stormwater quality measures. A statement will be provided on each commercial site plan identifying the party or parties responsible for maintaining these BMP facilities as a condition of site plan approval. The Applicant will ensure that the south buffer fence is located on the northern side of the stormwater management area channel and will utilize plantings recommended for riparian zones by the Virginia Department of Forestry to further protect and enhance this area.

I.) Monetary Contribution to Offset Impact of Development

The undersigned owner of the above-described property hereby voluntarily proffers that in the event rezoning application #~~02-05~~ is approved, the undersigned will pay to the Treasurer of Frederick County, Virginia the following amount:

\$.015/ building square foot


This payment, potentially totaling \$8,325 is intended to offset the additional cost to Frederick County, and more specifically Frederick County Fire and Rescue, due to an increased demand on public services. The proffer increments will be paid at the time of the building occupancy permits.

J.) Signatures

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the Applicant and owner. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

Respectfully Submitted:

ADAMS DEVELOPEMNT GROUP, INC.

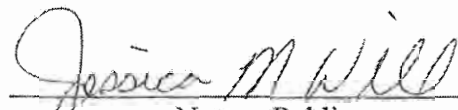
By: 
Robert C. Adams, President

2-18-05
Date

Commonwealth of Virginia,

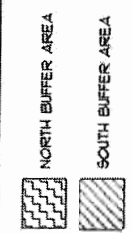
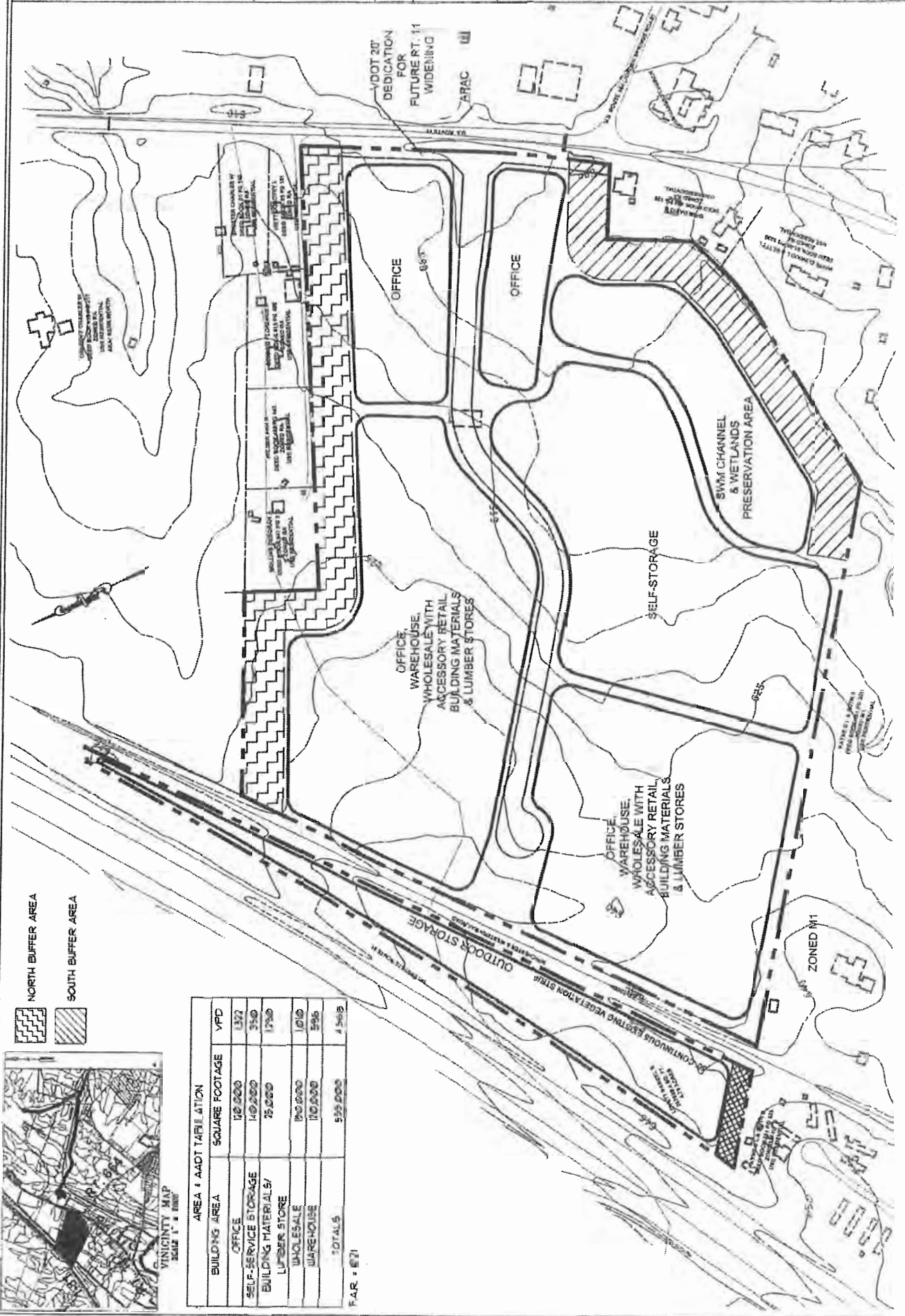
City/County of Frederick County To Wit:

The foregoing instrument was acknowledged before me this 18th day of February
2005 by Robert C. Adams


Notary Public

My Commission Expires November 30, 2008

REVISION	DATE



AREA & AADT TABULATION

BUILDING AREA	SQUARE FOOTAGE	VPD
OFFICE	100,000	1372
SELF-SERVICE STORAGE	100,000	3540
BUILDING MATERIALS/ LUMBER STORE	75,000	1750
WHOLESALE	190,000	1010
WAREHOUSE	100,000	596
TOTALS	565,000	4,568

F.A.R. = 0.71



COUNTY of FREDERICK

Roderick B. Williams
County Attorney

540/722-8383

Fax 540/667-0370

E-mail:

rwillia@co.frederick.va.us

January 12, 2016

VIA E-MAIL – debbie.schwab@84Lumber.biz – AND REGULAR MAIL

Ms. Debbie Schwab
Associate Real Estate Counsel
84 Lumber Company
Building #5
1019 Route 519
Eighty Four, Pennsylvania 15330-2813

Re: Rezoning Application – 84 Lumber Truss Plant
Tax Parcel Number 44-A-75B, consisting of 10± acres (the “Property”)
Proposed Proffer Statement dated April 17, 2008

Dear Ms. Schwab:

You have submitted to Frederick County for review the above-referenced proposed proffer statement (the “Proffer Statement”) for the proposed rezoning of the Property, in the Stonewall Magisterial District, from the B3 (Industrial Transition) Zoning District, with proffers, to the M1 (Light Industrial) Zoning District, with revised proffers. I have now reviewed the Proffer Statement and it is my opinion that the Proffer Statement would be in a form to meet the requirements of the Frederick County Zoning Ordinance and the Code of Virginia, and would be legally sufficient as a proffer statement, subject to the following comments:

- Date – The Proffer Statement shows a date of April 17, 2008. The origin of that date is not clear and, in any event, the Proffer Statement should show a current date.
- Applicant/Owner – The Proffer Statement should consistently show the obligations throughout as being obligations of the “Owner” as opposed to the “Applicant” (e.g., Proffers A, B2, and D).
- Adjoiners – Staff should be aware that it appears that Tax Parcel Number 44-A-75G should be included in the adjoiner notifications.

- Preliminary Matters – In the sentence at the end of the first paragraph, and as a follow up to Mr. Ruddy’s comment number 2, it may be best to state that the Proffer Statement does not eliminate previous proffers for the other parcels and that, as well, the previous proffers remain in force for the Property, to the extent not inconsistent with the current (proposed) proffer statement. See also the comments below regarding Proffers B1 and C.
- Proffer A – The Proffer Statement refers to an attached site plan, but no site plan was attached.
- Proffer B1 – In addition to noting Mr. Ruddy’s comment number 4 regarding the VPD trip limitation, I note that the previous proffers actually placed specific building type/square footage limits cumulatively on the entirety of the original parcel. The Property is a subdivided portion of that original parcel. Those building type/square footage limits were what was used to ascertain the limit of 4,603 VPD contained in the previous proffers. Staff and the applicant will need to rectify how the use(s) contemplated by the proposed rezoning interplay with the existing (2005) proffered use limitations.
- Proffer C – The Proffer should affirmatively state that all other access will be prohibited. Also, staff and the applicant will need to ascertain the status of original (2005) Proffers C2 (right-turn deceleration lane on Route 11; per mapping functions, this appears that it may have already been performed) and C4 (signalization improvements). To the extent that the obligations have not already been performed, the Proffer Statement should recognize the proportionate share of the obligation for the Property.

I have not reviewed the substance of the proffers as to whether the proffers are suitable and appropriate for this specific development, as my understanding is that review will be done by staff and the Planning Commission.

Sincerely,



Roderick B. Williams
County Attorney

cc: Michael T. Ruddy, AICP, Deputy Planning Director (via e-mail)

**REZONING APPLICATION FORM
FREDERICK COUNTY, VIRGINIA**

To be completed by Planning Staff:

Zoning Amendment Number _____
PC Hearing Date 3/2/16

Fee Amount Paid \$ 11,000.⁰⁰
Date Received 2/1/16
BOS Hearing Date 3/23/16

The following information shall be provided by the applicant:

All parcel identification numbers, deed book and page numbers may be obtained from the **Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.**

1. Applicant:

Name: Pierce Hardy Limited Partnership Telephone: 724-228-3636
Address: 1019 Route 519, Eighty-Four, PA 15330

2. Property Owner (if different than above):

Name: _____ Telephone: _____
Address: _____

3. Contact person if other than above:

Name: James Zaunick / Deborah Schwab Telephone: 724-228-3636

4. Property Information:

- a. Property Identification Number(s): 44-A-75B
- b. Total acreage to be rezoned: 10.0 acres
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): _____
- d. Current zoning designation(s) and acreage(s) in each designation: _____
B-3 - 10.0 acres
- e. Proposed zoning designation(s) and acreage(s) in each designation: _____
M-1 - 10.0 acres
- f. Magisterial District(s): Stonewall

5. Checklist: Check the following items that have been included with this application.

Location map	<input checked="" type="checkbox"/>	Agency Comments	<input type="checkbox"/>
Plat	<input checked="" type="checkbox"/>	Fees	<input checked="" type="checkbox"/>
Deed to property	<input checked="" type="checkbox"/>	Impact Analysis Statement	<input checked="" type="checkbox"/>
Verification of taxes paid	<input checked="" type="checkbox"/>	Proffer Statement	<input checked="" type="checkbox"/>
Plat depicting exact meets and bounds for the proposed zoning district	<input type="checkbox"/>		<input type="checkbox"/>
Digital copies (pdf's) of all submitted documents, maps and exhibits	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

6. The Code of Virginia allows us to request full disclosure of ownership in relation to rezoning applications.

Please list below all owners or parties in interest of the land to be rezoned:

Pierce Hardy Limited Partnership

7. Adjoining Property:

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
44-A-75A	RESIDENTIAL	RA
44-A-75C	Commercial/Retail	B-3
44-A-75D		MH1
44-A-75E	Commercial/Retail	B-3
44-A-75F	Commercial/Retail	B-3
44-A-76A / 44-A-77	RESIDENTIAL	RA

8. Location: The property is located at (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

240 Yardmaster Court, Winchester, VA 22603

9. The following information should be provided according to the type of rezoning proposed:

Number of Units Proposed

Single Family homes: <u>0</u>	Townhome: <u>0</u>	Multi-Family: <u>0</u>
Non-Residential Lots: <u>1</u>	Mobile Home: <u>0</u>	Hotel Rooms: <u>0</u>

Square Footage of Proposed Uses

Office: <u>2,600</u>	Service Station: <u>0</u>
Retail: <u>0</u>	Manufacturing: <u>27,080</u>
Restaurant: <u>0</u>	Warehouse: <u>54,650</u>
Commercial: <u>50,000</u>	Other: <u>N/A</u>

10. Signature:

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance and to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s):  Date: 11/24/15

Date: _____

Owner(s): _____ Date: _____

Date: _____

Rezoning # 01-16
 84 Lumber Rezoning
 44-A-75B

FILE COPY

2/3/14 →

ADJOINING PROPERTY OWNER

lance
 To: ~~Barbara~~ Data Processing
 From: Pam-Planning Dept.
 Please print 4 sets of labels
 by 2/11/16 Thanks!

Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For the purpose of this application, adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property. The applicant is required to obtain the following information on each adjoining property including the parcel identification number which may be obtained from the office of the Commissioner of Revenue. The Commissioner of the Revenue is located on the 2nd floor of the Frederick County Administrative Building, 107 North Kent Street.

Name and Property Identification Number	Address
Name ORNDOFF CHARLES W	2897 Martinsville Pike
Property #44 A 75A	Stephenson, VA 22656
Name JRE WINCHESTER LLC	11047 Leadbetter Rd.
Property #44 A 75C	Ashland, VA 23005
Name JRE WINCHESTER LLC	1047 Leadbetter Rd.
Property #44 A 75D	Ashland, VA 23005
Name ORNDOFF CHARLES W SR TRUSTEE	2897 Martinsville Pike
Property #44 A 75E	Stephenson, VA 22656
Name EVANLYNN LLC	134 Windy Hill Ln # W2-1
Property #44 A 75F	Winchester, VA 22602
Name DEBORAH A MULLINS	2835 Martinsville Pike / PO BOX 243
Property #44 A 76A	Stephenson, VA 22656
Name ORNDOFF CHARLES W SR TRUSTEE	2897 Martinsville Pike
Property #44 A 77	Stephenson, VA 22656
Name	
Property #	
Name	
Property #	

Please Verify
 Cut



Special Limited Power of Attorney
County of Frederick, Virginia
 Frederick Planning Website: www.co.frederick.va.us

Department of Planning & Development, County of Frederick, Virginia
 107 North Kent Street, Winchester, Virginia 22601
 Phone (540) 665-5651 Facsimile (540) 665-6395

Know All Men By These Presents: That I (We)

(Name) Pierce Hardy Limited Partnership (Phone) 724-228-3636

(Address) 1019 Route 519, Eighty-Four, PA 15330

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 050027277 on Page 1135, and is described as

Parcel: _____ Lot: _____ Block: _____ Section: _____ Subdivision: _____ Tax parcel ID # 44-A-75B
 do hereby make, constitute and appoint:

(Name) Jim Zaunick or his designee (Phone) 724-228-3636

(Address) 1019 Route 519, Eighty-Four, PA 15330

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (including proffers)**
- Conditional Use Permit**
- Master Development Plan (Preliminary and Final)**
- Subdivision**
- Site Plan**
- Variance or Appeal**

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.

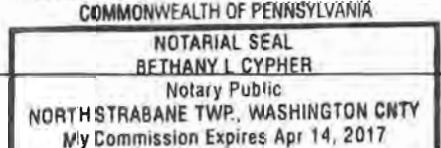
In witness thereof, I (we) have hereto set my (our) hand and seal this 24th day of November, 2015,

Signature(s) [Handwritten Signature]

~~Commonwealth of Pennsylvania~~
 State of Virginia, City/County of Washington, To-wit:

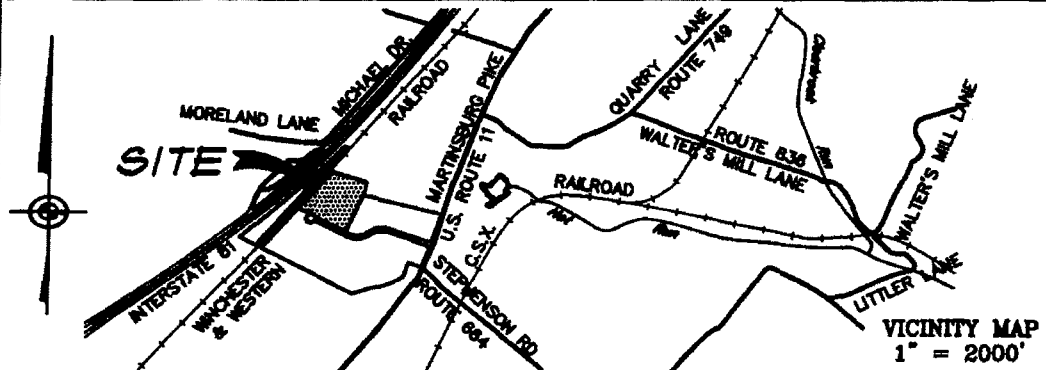
I, Bethany L. Cypher, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 24th day of November, 2015.

[Handwritten Signature] My Commission Expires: April 14, 2017
 Notary Public



FINAL SUBDIVISION PLAT
 OF A PORTION OF THE LAND OF
THE ADAMS DEVELOPMENT GROUP, INC.
 STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA
 JANUARY 31, 2005

00100
8



OWNER'S CERTIFICATE

THE ABOVE AND FOREGOING SUBDIVISION OF A PORTION OF THE LAND OF THE ADAMS DEVELOPMENT GROUP, INC., AS APPEARS ON THE ACCOMPANYING PLATS, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

[Signature]

COMMONWEALTH OF VIRGINIA
 CITY / COUNTY OF Frederick, TO WIT:

THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS 27th DAY OF July, 2005 BY R.C. Adams, manager Adams Development Group, Inc.

[Signature]
 NOTARY PUBLIC

MY COMMISSION EXPIRES February 29, 2008.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS SUBDIVISION IS A PORTION OF THE LAND CONVEYED TO THE ADAMS DEVELOPMENT GROUP, INC. BY DEED DATED JULY 16, 2003 OF RECORD IN THE FREDERICK COUNTY CIRCUIT COURT CLERK'S OFFICE AS INSTRUMENT #030015420.

[Signature]
 MARK D. SMITH, L.S.

NOTE: PARENT TAX PARCEL IDENTIFICATION
 THE ADAMS DEVELOPMENT GROUP, INC. 44--((A))--75 ZONE: B3 USE: VACANT
 TOTAL ACREAGE = 59.708 ACRES±

APPROVALS:

[Signature]
 FREDERICK COUNTY SANITATION AUTHORITY

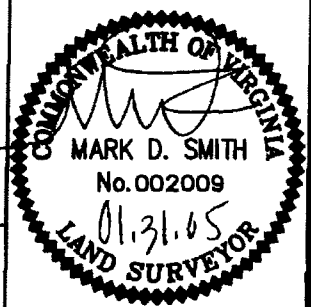
[Signature]
 VIRGINIA DEPARTMENT OF TRANSPORTATION

[Signature]
 FREDERICK COUNTY SUBDIVISION ADMINISTRATOR

7/27/05
 DATE

7/27/05
 DATE

5/11/05
 DATE



GREENWAY ENGINEERING
 Engineers
 Surveyors
 Founded in 1971

151 Windy Hill Lane
 Winchester, Virginia 22602
 Telephone: (540) 662-4185
 FAX: (540) 722-9528
 www.greenwayeng.com

0017

Given under my hand this 2nd day of August, 2005.
My commission expires 12.31.08.

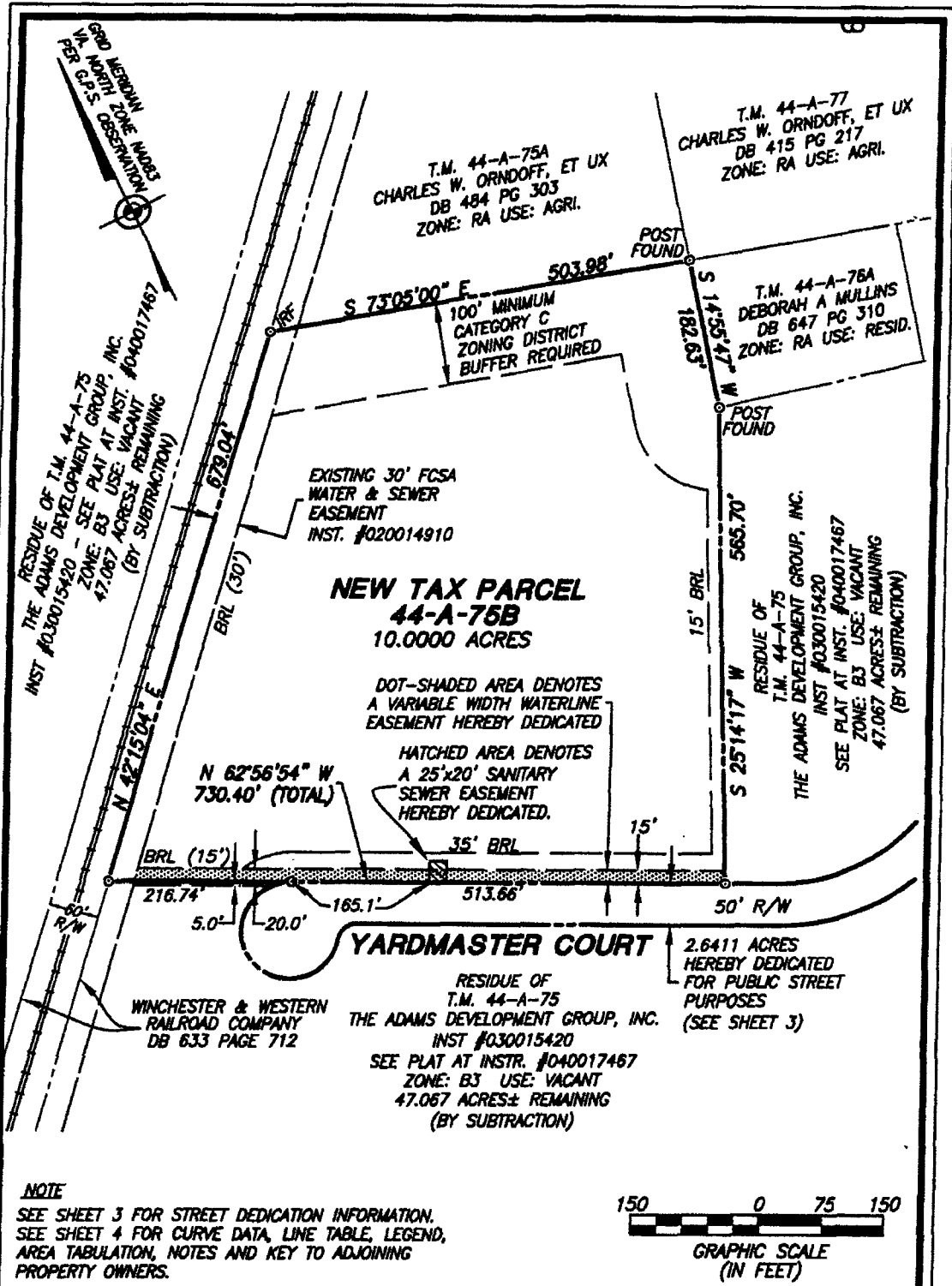
Ed M Jewell
NOTARY PUBLIC

This instrument was prepared by:

Edwin B. Yost
Kuykendall, Johnston, McKee & Butler PLC
112 South Cameron Street
Winchester, Virginia 22601



c:\windows\wpwin60\wpdocs\deeds\waynedriveandmelvorlane.dod



NOTE
 SEE SHEET 3 FOR STREET DEDICATION INFORMATION.
 SEE SHEET 4 FOR CURVE DATA, LINE TABLE, LEGEND,
 AREA TABULATION, NOTES AND KEY TO ADJOINING
 PROPERTY OWNERS.



FINAL SUBDIVISION PLAT
 OF A PORTION OF THE LAND OF
THE ADAMS DEVELOPMENT GROUP, INC.
 STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

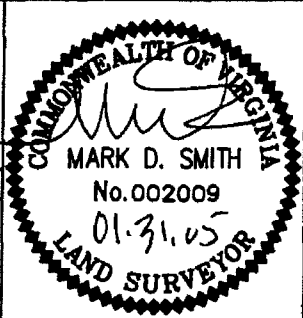
SCALE: 1" = 150' DATE: JANUARY 31, 2005

GREENWAY ENGINEERING

151 Windy Hill Lane
 Winchester, Virginia 22602
 Telephone: (540) 662-4185
 FAX: (540) 722-9528
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Engineers
 Surveyors

Founded in 1971

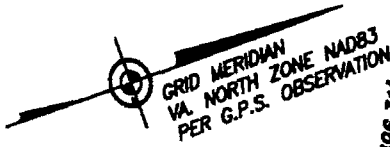


NOTE

SEE SHEET 4 FOR CURVE DATA, LINE TABLE, LEGEND, AREA TABULATION, NOTES AND KEY TO ADJOINING PROPERTY OWNERS.

EASEMENT LINE DATA

LINE	BEARING	DISTANCE
E1	N 11°23'33" W	49.78'
E2	S 11°23'33" E	49.78'



NEW TAX PARCEL
44-A-75B
10.0000 ACRES
(SEE SHEET 2)

DOT-SHADED AREA DENOTES A
20' STORM SEWER EASEMENT
HEREBY DEDICATED.

RESIDUE OF
T.M. 44-A-75
THE ADAMS DEVELOPMENT GROUP, INC.
INST #030015420
SEE PLAT AT INST. #040017467
ZONE: B3 USE: VACANT
47.067 ACRES± REMAINING
(BY SUBTRACTION)

YARDMASTER COURT
50' ± VARIABLE WIDTH R/W
2.6411 ACRES HEREBY DEDICATED
FOR PUBLIC STREET PURPOSES

EXISTING BARN TO
BE DEMOLISHED

RESIDUE OF
T.M. 44-A-75
THE ADAMS DEVELOPMENT GROUP, INC.
INST #030015420
SEE PLAT AT INST. #040017467
ZONE: B3 USE: VACANT
47.067 ACRES± REMAINING
(BY SUBTRACTION)



MARTINSBURG PIKE
(U.S. ROUTE 11)

FINAL SUBDIVISION PLAT

OF A PORTION OF THE LAND OF

THE ADAMS DEVELOPMENT GROUP, INC.

STONEWALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

SCALE: 1" = 200'

DATE: JANUARY 31, 2005

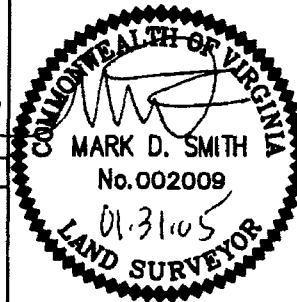


Engineers
Surveyors

GREENWAY ENGINEERING

151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com

Founded in 1971



CURVE DATA

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	225.00'	181.14'	46°07'35"	95.80'	S 85°49'15" W	176.29'
C2	275.00'	260.50'	54°17'39"	141.01'	S 88°54'17" W	250.95'
C3	22.00'	30.69'	78°35'17"	18.43'	S 77°05'27" W	28.26'
C4	58.00'	263.12'	259°55'17"	69.22'	N 12°54'33" W	88.91'
C5	225.00'	213.21'	54°17'39"	115.37'	N 88°54'17" E	205.32'
C6	275.00'	221.39'	46°07'35"	117.09'	N 85°49'15" E	215.46'
C7	2764.79'	341.40'	07°01'27"	170.91'	S 22°18'15" W	341.19'
C8	2764.79'	264.24'	05°28'33"	132.22'	N 23°08'00" E	264.14'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 71°06'38" W	129.40'
L2	N 66°32'32" W	150.48'
L3	N 71°06'38" W	274.34'
L4	S 62°45'27" W	135.31'
L5	N 62°45'27" E	135.31'
L6	N 63°50'17" E	49.54'
L7	N 18°47'31" E	378.13'
L8	S 75°57'37" E	20.07'
L9	S 18°47'31" W	435.42'
L10	N 71°44'45" W	20.18'
L11	N 25°21'57" W	50.15'

LEGEND

- BRL = BUILDING RESTRICTION LINE PER ZONING ORDINANCE
- = 1/2" IRON REBAR & CAP SET (UNLESS OTHERWISE NOTED)
- IRF = 1/2" IRON REBAR FOUND

KEY TO ADJOINING PROPERTY OWNERS

TAX IDENTIFICATION NO.	CURRENT OWNER	REFERENCE	ZONE	USE
(A) T.M. 44-A-76A	DEBORAH A. MULLINS	DB 647 PG 310	RA	RESIDENTIAL
(B) T.M. 44-A-76B	ANN H. WILDER	DB 415 PG 443	RA	RESIDENTIAL
(C) T.M. 44-A-76C	FLORENCE H. CONARD	DB 415 PG 490	RA	RESIDENTIAL
(D) T.M. 44-A-76D	GEORGE C. HIETT, ET UX	DB 958 PG 36	RA	RESIDENTIAL
(E) T.M. 44-A-70 & 71	SOUTH END HOSE CO., L.C.	INST. #040019121	RA	RESIDENTIAL
(F) T.M. 44-A-72	RICHARD D. DEMOREST	INST. #010008086	RA	RESIDENTIAL
(G) T.M. 44-A-73	ELWOOD L. WHITE, ET UX	INST. #010003230	RA	RESIDENTIAL

AREA TABULATION

PARENT TRACT TM 44-A-75	=	59.708 ACRES±
NEW TM 44-A-75B	=	-10.0000 ACRES
RIGHT-OF-WAY DEDICATION	=	-2.6411 ACRES
RESIDUE OF PARENT TRACT 44-A-75	=	47.067 ACRES±

NOTES

THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY BY THIS FIRM.

NO TITLE REPORT FURNISHED. EASEMENTS MAY EXIST WHICH ARE NOT SHOWN.

THE PROPERTY SHOWN HEREON LIES ENTIRELY WITHIN ZONE C, AREA OF MINIMAL FLOODING, PER N.F.I.P. FLOOD INSURANCE RATE MAP NO. 510063 0110 B, DATED JULY 17, 1978.

FINAL SUBDIVISION PLAT

OF A PORTION OF THE LAND OF

THE ADAMS DEVELOPMENT GROUP, INC.

STONEMALL MAGISTERIAL DISTRICT, FREDERICK COUNTY, VIRGINIA

SCALE: N/A

DATE: JANUARY 31, 2006

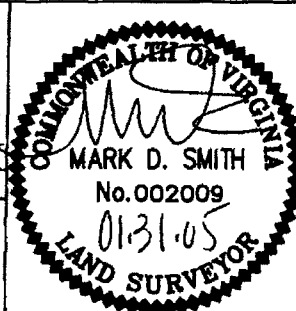


Engineers
Surveyors

GREENWAY ENGINEERING

151 Windy Hill Lane
Winchester, Virginia 22602
Telephone: (540) 662-4185
FAX: (540) 722-9528
www.greenwayeng.com

Founded in 1971



VIRGINIA: FREDERICK COUNTY, SCT.

This instrument of writing was produced to me on

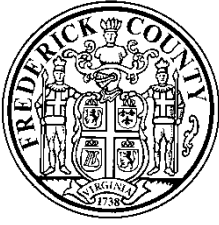
8-8-05 at 9:15 am

and with certificate of acknowledgement thereto annexed
was admitted to record. Tax imposed by Sec. 58.1-802 of

\$ 70.00, and 58.1-801 have been paid, if assessable

Rebecca P. Hogan, Clerk

I



MASTER DEVELOPMENT PLAN #01-16
Oakdale III, Raven Pointe, Raven Oaks and Raven Wing
Staff Report for the Board of Supervisors
Prepared: April 4, 2016
Staff Contact: Candice E. Perkins, AICP, CZA, Assistant Director

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist in the review of this application. It may also be useful to others interested in this zoning matter.

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	03/16/16	Reviewed
Board of Supervisors:	04/13/16	Pending

PROPOSAL: To revise the Master Development Plan (MDP) for Oakdale III, Raven Pointe, Raven Oaks and Raven Wing Development to modify Raven Oaks (Phases 7 and 8). This MDP revision proposes to change the unit types originally approved and update the road layout. The original MDP depicted Raven Oaks being developed with mixed housing types (single family, duplex, multiplex, etc). The revised MDP proposes to develop up to 50 single family detached units and 171 attached (townhouse) units on the 42.40 acre portion of the development (density of 5.2 units per acre) that makes up Raven Oaks. This revised MDP is consistent with the overall unit maximum approved for the development with the original MDP.

MAGISTERIAL DISTRICT: Shawnee

PROPERTY ID NUMBERS: 64-A-119 and 64-A-117

LOCATION: The properties are located between Senseny Road (Rt. 657) and Millwood Pike (Rt. 50 East) and accessed via Inverlee Way.

PROPERTY ZONING & PRESENT USE:
Zoned: RP (Residential Performance) Use: Vacant

ZONING & PRESENT USE OF ADJOINING PROPERTIES:

North:	RP (Residential Performance)	Use: Residential
South:	RA (Rural Areas)	Use: Residential
East:	RA (Rural Areas)	Use: Agricultural
West:	RP (Residential Performance)	Use: Residential

STAFF CONCLUSIONS FOR THE 04/13/16 BOARD OF SUPERVISORS MEETING:

The Master Development Plan for Oakdale III, Raven Pointe, Raven Oaks and Raven Wing Development appears to be consistent with the requirements of Article VIII, Master Development Plan, of the Zoning Ordinance, and this MDP is in a form that is administratively approvable. All of the issues brought forth by the Board of Supervisors should be appropriately addressed by the Applicant.

It appears that the application meets all requirements. Following presentation of the application to the Board of Supervisors, staff is prepared to proceed to approval of the application.

REVIEW EVALUATIONS:

Virginia Department of Transportation: The revised Master Development Plan for this property appears to have measurable impact on Route 1520, the VDOT facility which would provide access to the property. The MDP is acceptable.

Before making any final comments, this office will require a complete set of site plans, drainage calculations and traffic flow data from the I.T.E. Trip Generation Manual, Seventh Edition for review. VDOT reserves the right to comment on all right-of-way needs, including right-of-way dedications, traffic signalization, and off-site roadway improvements and drainage. Prior to construction on the State's right-of-way the developer will need to apply to this office for issuance of appropriate permits to cover said work.

Frederick County Fire Marshal: Plans approved.

Frederick County Public Works: Revise note #1 on Raven Oaks sheet 1 of 2 to reflect single family dwelling and townhouses rather than any other housing types in the RP zone. This revision will then comply with the change to the development reflected in the residential development summary table shown on sheet 2 of 2.

Frederick County Inspections: No comments required at this time, shall comment on site plan review.

Frederick County Sanitation Authority: *Please see attached letter dated April 13, 2015, from Uwe E. Weindel, PE.*

Frederick County Parks and Recreation: Revisions added on 6/15/15 appear to satisfy Parks and Recreation concerns regarding Recreation Unit requirements. Revisions appear to meet Parks and Recreation requirements.

Virginia Department of Health: Health Department has no objection so long as public water and sewer are utilized.

Frederick County Public School: *Please see attached letter dated April 21, 2015, from K. Wayne Lee, Jr., LEED AP.*

Planning & Zoning:

A) Master Development Plan Requirement

A master development plan is required prior to development of this property. Before a master development plan can be approved, it must be reviewed by the Planning Commission, Board of Supervisors and all relevant review agencies. Approval may only be granted if the master development plan conforms to all requirements of the Frederick County Zoning and Subdivision Ordinances. The purpose of the master development plan is to promote orderly and planned development of property within Frederick County that suits the characteristics of the land, is harmonious with adjoining property and is in the best interest of the general public.

B) Site History

The original Zoning Map for Frederick County (U.S.G.S. Winchester Quadrant) depicts the parcel as being zoned R2 (Residential General) District. These parcels were reclassified to the RP (Residential Performance) District on September 28, 1983 when this zoning district replaced the R1, R2, R3, and R6 zoning districts.

The Board of Supervisors approved Master Development Plan #02-99 for Oakdale Crossing III, Raven Pointe, Raven Oaks and Raven Wing on July 14, 1999. This MDP was approved for the development of 720 residential units on 270 acres of land and revised in 2002. An administrative MDP revision was also approved on October 18, 2013.

C) Site Suitability & Project Scope

Comprehensive Plan:

The 2030 Comprehensive Plan is an official public document that serves as the community's guide for making decisions regarding development, preservation, public facilities and other key components of community life. The primary goal of this plan is to protect and improve the living environment within Frederick County. It is in essence a composition of policies used to plan for the future physical development of Frederick County.

Land Use Compatibility:

The 2030 Comprehensive Plan and the Senseny/Eastern Frederick Urban Areas Plan (Appendix I) provides guidance on the future development of the property. The property is located in the UDA (Urban Development Area) and the SWSA (Sewer and Water Service Area). The 2030 Comprehensive Plan identifies the general area surrounding this property with a residential and urban center land use designation.

Site Access and Transportation:

Access to Raven Oaks Phases 7 and 8 will be via two entrances on Inverlee Way which is a major collector roadway that intersects with Millwood Pike (Route 50).

PLANNING COMMISSION SUMMARY FOR THE 3/16/16 MEETING:

During the Citizens Comment portion of the Planning Commission Meeting there were four citizens that spoke in opposition of the Master Development Plan #01-16 for Oakdale III, Raven Pointe, Raven Oaks, and Raven Wing. The citizens expressed concerns regarding cut-through traffic from Senseny Road to Route 50, the timeframe for the completion of Inverlee Way, speeding through the development, the need for signalization of Senseny and Crestleigh Drive, the need for more traffic monitoring, and concern that the infrastructure in place would not support additional development. A neighboring property owner also requested that the fence in place between their development be continued as agreed upon by the developer.

Staff reported this Master Development Plan (MDP) for Oakdale III, Raven Pointe, Raven Oaks, and Raven Wing Development (collectively called The Ravens) is to primarily modify Phases 7 and 8 of Raven Oaks. Staff explained the MDP revision proposes to change the unit types originally approved and to update the road layout. Staff provided a location map of the property. Staff continued the original MDP depicted Raven Oaks being developed with mixed housing types (single family, duplex, multiplex, etc.). Staff noted a number of those housing types were eliminated when the RP (Residential

Performance) section was updated a number of years ago. Staff continued the revised MDP proposes to develop up to 50 single family detached units and 171 attached (townhouse) units on the 42.40 acre portion of Phases 7 and 8 at a density of 5.2 units per acre. Staff noted the revised MDP is consistent with the overall unit maximum approved with all the previous revisions of The Ravens with a cap of 720 residential units. She emphasized this development consists of un-proffered RP (Residential Performance) zoned land. Staff concluded this Master Development Plan appears to be consistent with the requirements of the zoning ordinance and it is administratively approvable.

A Commission Member inquired is it consistent with the development plan that there are intersections that are totally non-controlled with stop signs. Staff explained everything that has been built upon over the years with the subdivision design plans; starting from the original Oakdale, it has all been in conformance with the master plans and all has been reviewed by VDOT. The Commission Member asked if there is some way a request could be made to VDOT for more control at those intersections. Staff explained this can be requested and must be warranted to do so, on a case by case basis.

A Commission Member requested clarification on the road that is not complete. Staff explained Inverlee Way is eventually supposed to go through to Senseny Road and it is in the Comprehensive Plan. Staff continued this completion goes across property that is not for sale and there are funding restrictions. Staff noted he has met with VDOT and property owners to try to enter into a traffic calming program study. The Commission expressed concern about the number of trips the additional development would generate and how it would impact the existing development without the completion of Inverlee Way or some type of signalization. It was understood that this is a by-right development but that the timing may not be right.

Staff agreed this is a by-right situation which has made it difficult for everyone. The Commission Member asked about the original rezoning of the property. Staff noted there was not a rezoning of this property and this property has historical RP (Residential Performance) zoning and is shown on the 1960's maps. Staff reiterated there are no proffers associated with this development.

A Commission Member would like to see the HOA (Homeowners Association) take the lead and get VDOT on board. A citizen commented there is not a HOA for Oakdale Crossing.

There were no further questions or comments from the Planning Commission.

STAFF CONCLUSIONS FOR THE 04/13/16 BOARD OS SUPERVISORS MEETING:

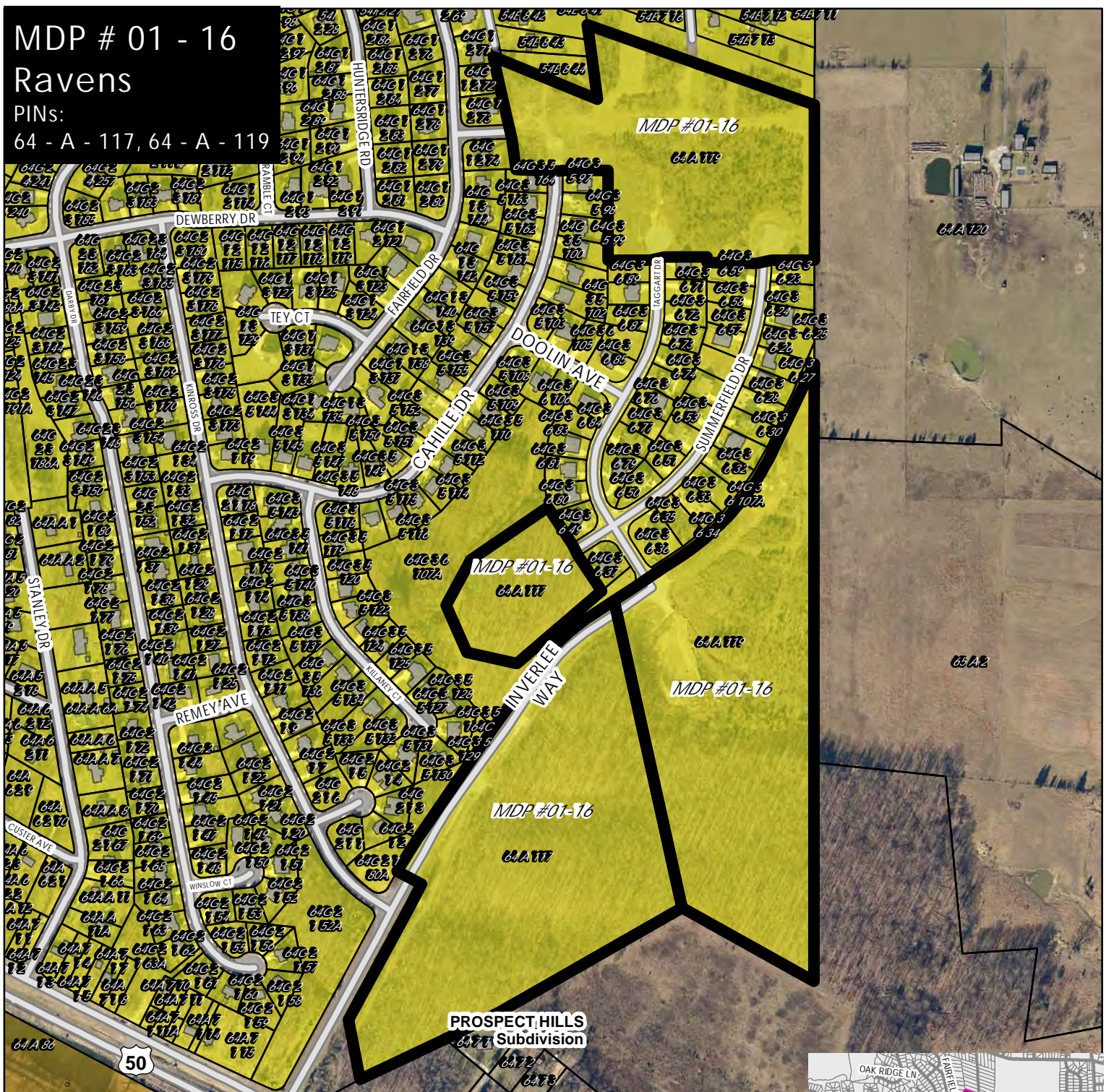
The Master Development Plan for Oakdale III, Raven Pointe, Raven Oaks and Raven Wing Development appears to be consistent with the requirements of Article VIII, Master Development Plan, of the Zoning Ordinance, and this MDP is in a form that is administratively approvable. All of the issues brought forth by the Board of Supervisors should be appropriately addressed by the Applicant.








It appears that the application meets all requirements. Following presentation of the application to the Board of Supervisors, staff is prepared to proceed to approval of the application.

MDP # 01 - 16

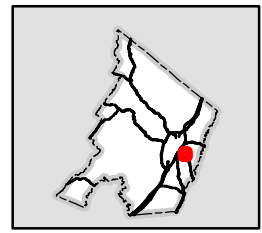
Ravens

PINS:
64 - A - 117, 64 - A - 119



-  Applications
-  Parcels
-  Building Footprints
-  B1 (Business, Neighborhood District)
-  B2 (Business, General District)
-  B3 (Business, Industrial Transition District)
-  EM (Extractive Manufacturing District)
-  HE (Higher Education District)
-  M1 (Industrial, Light District)
-  M2 (Industrial, General District)
-  MH1 (Mobile Home Community District)
- MS (Medical Support District)
- OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)

PROSPECT HILLS
Subdivision



MDP # 01 - 16
Ravens
PINS:
64 - A - 117, 64 - A - 119

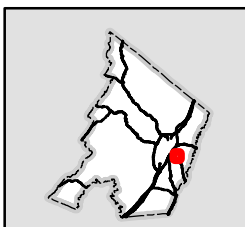
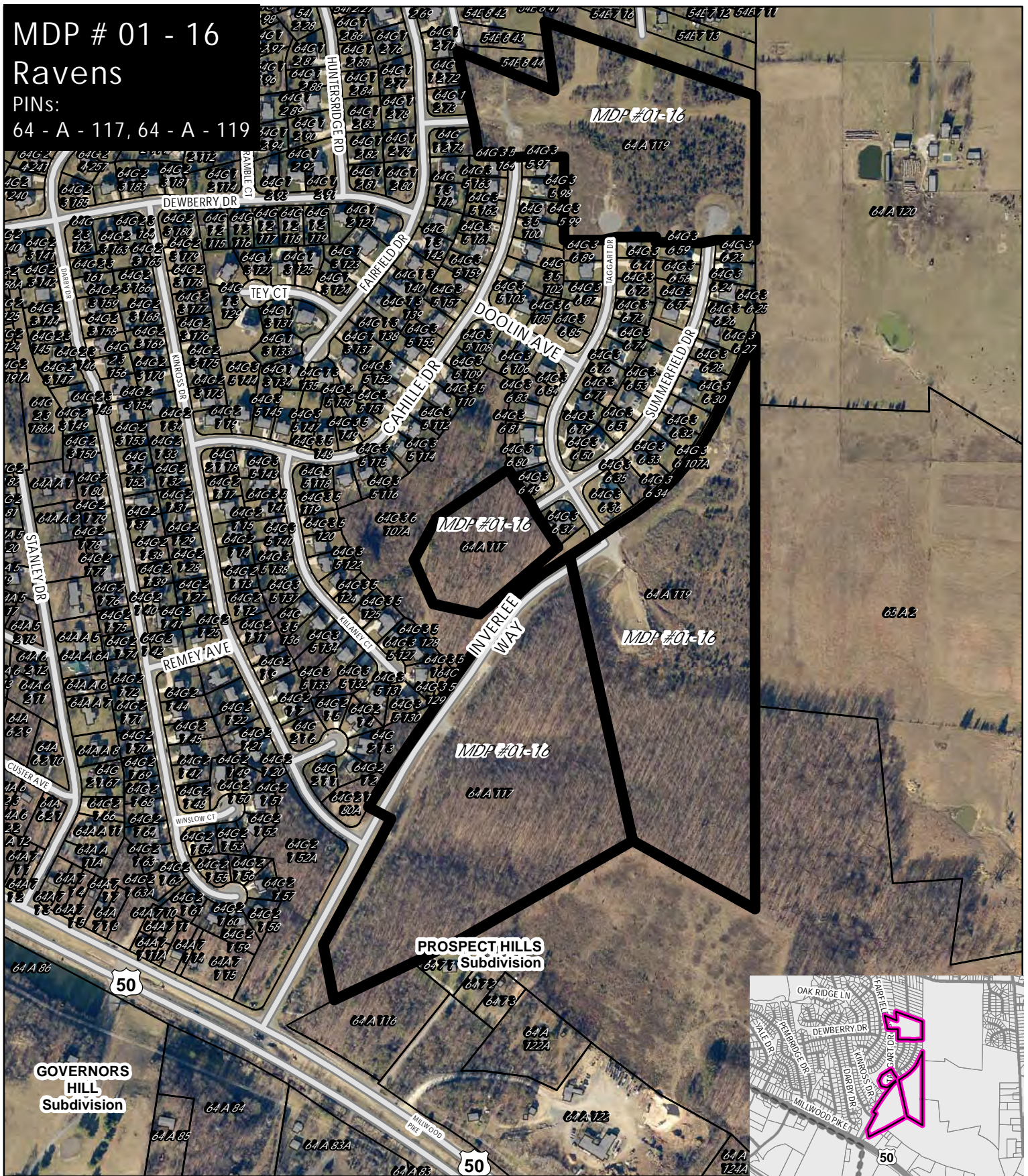
Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: February 24, 2016
Staff: cperkins



MDP # 01 - 16

Ravens

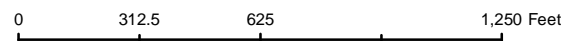
PINS:
64 - A - 117, 64 - A - 119



MDP # 01 - 16 Ravens

PINS:
64 - A - 117, 64 - A - 119

Note:
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Planning & Development
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Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: February 24, 2016
Staff: cperkins



- Applications
- Parcels
- Building Footprints

NOTES ON INTERPARCEL CONNECTORS IDENTIFIED BY *

The construction of the interparcel connectors to adjoining subdivisions will commence during the development of Phase 9 of this Master Development Plan or following the completion of improvements to the segment of Senseny Road from the City of Winchester to Greenwood Road as identified in the Frederick County Secondary Road Improvement Plan, whichever occurs first.

COLLECTOR ROAD NOTES:
(only one alternative to be implemented)

ALTERNATIVE "A" COLLECTOR ROAD ALIGNMENT

This alternative is designed to provide for the continuation and development of the major collector road connection to Senseny Road through the adjoining property known as the Carper Farm. The intent of this alignment is to minimize the amount of land required for this improvement by establishing a right-of-way as close to the western property line of the Carper Farm as possible, should the Virginia Department of Transportation or Frederick County determine that the continuation and development of the major collector road connection to Senseny Road is necessary. This is the route that Frederick County will propose to use should it be determined that the collector road needs to be continued while the land known as the Carper Farm is in agricultural use.

ALTERNATIVE "B" COLLECTOR ROAD ALIGNMENT

This alternative is designed to provide for the continuation and development of the major collector road connection to Senseny Road through the adjoining property known as the Carper Farm. The intent of this alignment is to allow for flexibility in the location of the major collector road connection to Senseny Road through Frederick County's approval of a future development plan for all of, or a portion of the Carper Farm.

ALTERNATIVE "A" COLLECTOR ROAD ALIGNMENT
(SEE NOTE ON ALTERNATIVE "A")

ALTERNATIVE "B" COLLECTOR ROAD ALIGNMENT
(SEE NOTE ON ALTERNATIVE "B")

50'-80' ROAD EFFICIENCY BUFFER WILL BE PROVIDED AS REQUIRED BY FREDERICK COUNTY ORDINANCE SECTION 165-203.02E. DEVELOPER MAY UTILIZE EXISTING WOODLANDS WHERE PRACTICAL.

50' ZONING DISTRICT BUFFER TO BE PROVIDED AS REQUIRED BY FREDERICK COUNTY ZONING ORDINANCE SECTION 165-203.02D. DEVELOPER MAY UTILIZE EXISTING WOODLANDS WHERE PRACTICAL.



Vicinity Map
Scale: 1"=2000'

PROJECT NOTES:

- 1) Adjoiner Information is listed on Sheet 2 of 2.
- 2) Connection to US Route 50 will be completed during Phase 1.
- 3) All Subdivisions will contain Curb & Gutter Streets & Streetlights.
- 4) All Subdivisions will contain sidewalks except for Oakdale Crossing II & III.
- 5) Major Collector Road to be built to VDOT Standards using 80' Right-of-Way with Sidewalks on both sides of the Right-of-Way.
- 6) Sanitary Sewer Easements to be provided to Miller Heights.

The Developer shall be responsible only for the construction of a median break and eastbound left turn lane at the Inverlee and US Route 50 intersection. This work shall be complete by 1 November 2015. Any other improvements at this intersection, including signalization, will be the responsibility of Governors Hill, LLC.*

*As required by proffers, last revised by Fredrick County Rezoning Application #10-08 and approved January 28, 2009, related to property designated Frederick County Tax Map Parcels 64-A-83, 64-A-83A, 64-A-84, 64-A-85, 64-A-86, & 64-A-87, Governors Hill, LLC is responsible for construction of all necessary improvements to create a four way intersection, including signalization, when warranted by VDOT(Proffer 15.2).

OKDALE CROSSING SUBDIVISION

EX. OKDALE CROSSING SECTION I

FAIRWAY ESTATES SUBDIVISION

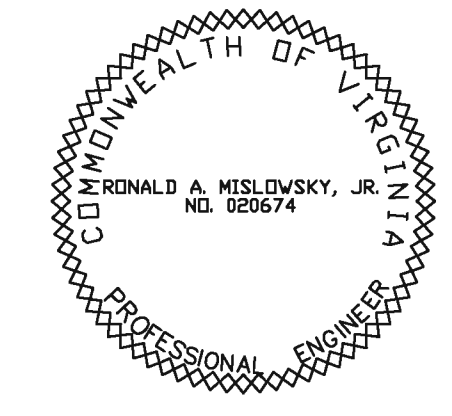
EX PEMBRIDGE HEIGHTS SECTION 3

EX MILLER HEIGHTS

NOTES
1. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN AN ACTUAL FIELD SURVEY.
2. HORIZONTAL DATA IS ORIENTED TO NATIONAL GEODETIC SURVEY 140 83 (1986) AND VERTICAL DATA IS ORIENTED TO NAVD 88 BASED ON U.S. COAST AND GEODETIC SURVEY MONUMENTS. AERIAL CONTROL WAS ESTABLISHED BY GPS METHODS IN DECEMBER 1998. AERIAL MAPPING WAS COMPILED BY AIR SURVEY CORPORATION FROM AERIAL PHOTOGRAMMETRY DATED FEBRUARY 25, 1997.

NOTES ON RAVENOAKS:
1) Recreational Amenities will be determined & designed during the Site Plan/Subdivision Review process and will require approval by the Frederick County Dept. of Parks and Recreation.

MDP Revisions Prepared By:
Pennoni Associates, Inc.
117 E Piccadilly St., Suite 201
Winchester, VA 22601
(540) 667-2139



OWNER/DEVELOPER

GLAIZE DEVELOPMENTS, INC.
P.O. BOX 888
WINCHESTER, VA. 22604
540-662-7980

LEGEND

- PROJECT BOUNDARY LINE
 - NEW RIGHT-OF-WAY LINE
 - ADJOINER PROPERTY LINE
 - EX. SAN. SEWER
 - PROP. SAN. SEWER
 - PROP. WATER MAIN
 - W/ PROP. FIRE HYD.
 - EX. WATER MAIN
 - PROJECT & DEVELOPMENT BOUNDARY
 - PHASING LINE
 - EXISTING GAS MAIN
 - STORMWATER MANAGEMENT POND
- NOTE: UTILITY LOCATIONS ARE SUBJECT TO CHANGE WITH FINAL CONSTRUCTION PLANS

OWNER SIGNATURE:

GLAIZE DEVELOPMENTS, INC. _____ DATE _____

APPROVED BY:

DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____
COUNTY ADMINISTRATOR _____ DATE _____

PROJECT SUMMARY

TOTAL AREA: 270.5 Acres
EXISTING ZONING: RP
EXISTING USE: VACANT/UNDEVELOPED
PROPOSED USE: SF DETACHED (URBAN & TRADITIONAL) & MIXED USE
RAVENWING USE: SF DETACHED URBAN (12,000 sf)
RAVENPOINTE USE: SF DETACHED URBAN (12,000 sf) & MIXED USE RESIDENTIAL
OKDALE II & III: SF DETACHED TRADITIONAL (15,000 sf)
TAX ID #: 64-A-113,64-A-119 & Portion of 64-A-117
MAGISTERIAL DISTRICT: SHAWNEE

NO.	DATE	DESCRIPTION	BY	CHK'D
6	02/21/00	REVISED PER FREDERICK COUNTY PLANNING	SG	CEM
7	02/21/00	REVISED PER FREDERICK COUNTY PLANNING	SG	CEM
8	07/24/01	REVISED TMAP TO REFLECT SUBDIVISION CHANGES	TWP	CEM
9	07/30/01	REVISED TMAP TO REFLECT PROPERTY TO ADJOINING OWNERS	TWP	CEM
10	04/09/02	REVISED TMAP TO REFLECT SUBDIVISION CHANGES	TWP	CEM
11	07/23/03	REVISED PER COUNTY COMMENTS	JOS	RAM
12	10/17/13	REVISED PER COUNTY COMMENTS	JOS	RAM
13	04/20/15	REVISED FOR SF AND TH LAYOUT FOR RAVENOAKS	PRS	RAM
14	08/27/15	REVISED PER COUNTY COMMENTS	PRS	RAM

Engineers & Land Planners*
gilbert w. clifford
200 North Cameron St.
Winchester, Virginia 22601
PHONE: (540) 667-2139
FAX: (540) 666-0483

OWNER/DEVELOPER
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540-662-7980

REVISIONS

LEGEND

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GLAIZE DEVELOPMENTS, INC. _____ DATE _____

APPROVED BY:
DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____
COUNTY ADMINISTRATOR _____ DATE _____

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- W/ PROP. FIRE HYD.
- EX. WATER MAIN
- PROJECT & DEVELOPMENT BOUNDARY
- PHASING LINE
- EXISTING GAS MAIN
- STORMWATER MANAGEMENT POND

NOTE: UTILITY LOCATIONS ARE SUBJECT TO CHANGE WITH FINAL CONSTRUCTION PLANS

OWNER SIGNATURE:
GLAIZE DEVELOPMENTS, INC. _____ DATE _____

APPROVED BY:
DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____
COUNTY ADMINISTRATOR _____ DATE _____

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DIRECTOR OF PLANNING AND DEVELOPMENT _____ DATE _____
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TAX ID #: 64-A-113,64-A-119 & Portion of 64-A-117
MAGISTERIAL DISTRICT: SHAWNEE

SCALE: 1"=200'

DRAWN BY: lwp

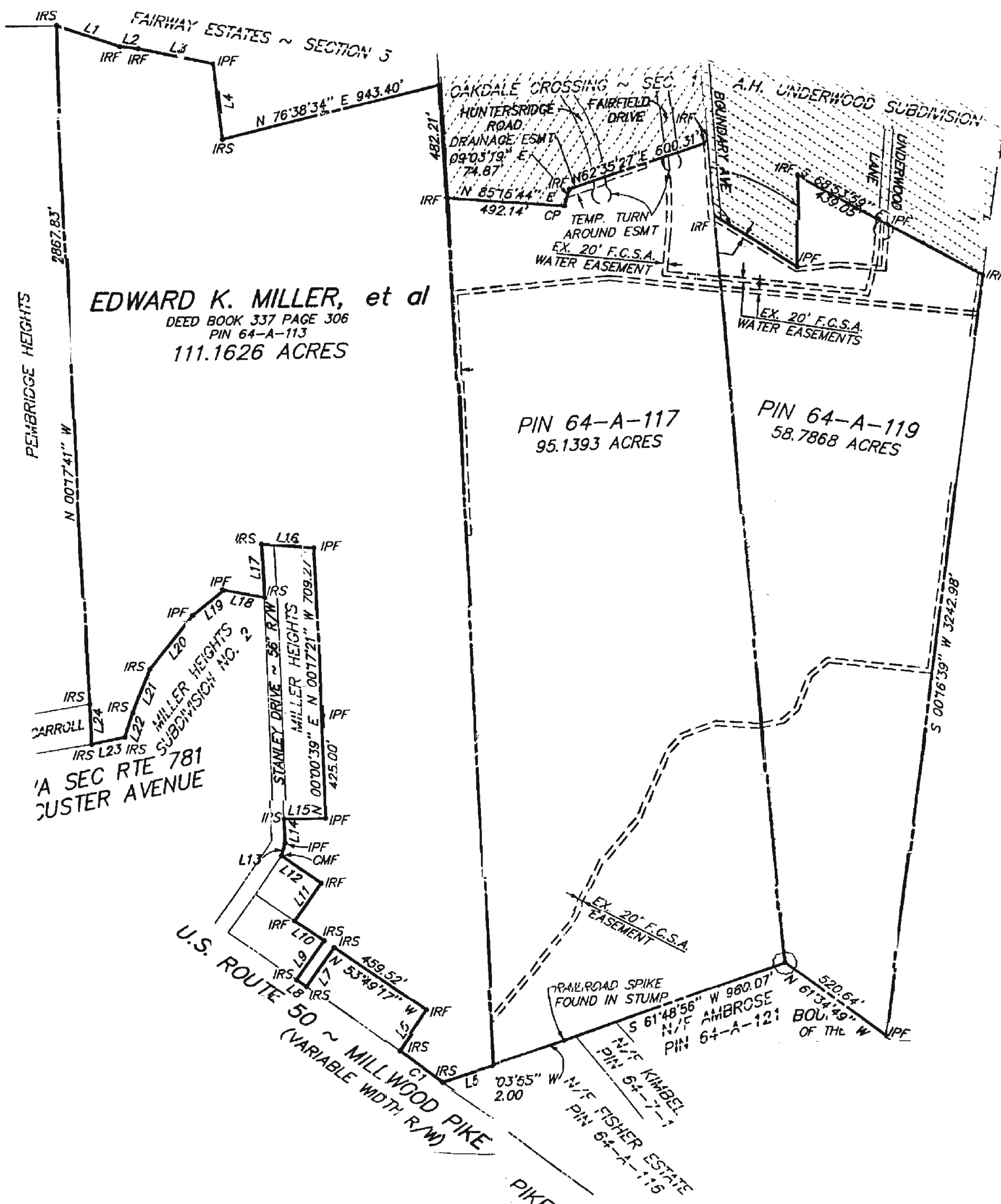
PROJECT No: oakbase2

DATE: 3/1/99

SHEET 1 OF 2

SURVEY INFORMATION

TAX MAP	OWNER & ADDRESS
64 A 120	CARPER FARM NORTH LLC C/O SANDRA CARPER AMBROSE (1630 SENESEY RD, WINCHESTER, VA 22602)
64 A 2	CARPER FARM EAST LLC C/O JOHN H CARPER JR (1519 JORDAN SPRINGS RD, STEPHENSON, VA 22686)
64 A 129	CARPER FARM SOUTH LLC C/O CHRYD C JONES (1132 CARDINAL LN, WINCHESTER, VA 22602)
64 7 1	SHUMAN STEVEN D SR (1915 MILLWOOD PIKE, WINCHESTER, VA 22602)
64 A 116	FISHER LLOYD EST C/O MARY E WASHINGTON #13 18TH ST, HARRISBURG, PA 17103)
64 A 84	HOCOMAN INVESTMENTS LLC (112 E PICCADILLY ST, WINCHESTER, VA 22601)
64 A 86	JGR THREE LLC ETALS (1407 GORDON PL, WINCHESTER, VA 22601)
64A 7 115	LOY DAVID W (1441 MILLWOOD PIKE, WINCHESTER, VA 22602)
64A 7 114	SPENCE ANDREA L (1427 MILLWOOD PIKE, WINCHESTER, VA 22602)
64A 7 113	SPENCE ANDREA L (1427 MILLWOOD PIKE, WINCHESTER, VA 22602)
64A 7 12	CHENSHAW JENNIFER SHERENE (801 15TH ST S APT 909, ARLINGTON, VA 22202)
64A 7 11	CHENSHAW JENNIFER SHERENE (801 15TH ST S APT 909, ARLINGTON, VA 22202)
64A 7 10	CHENSHAW JENNIFER SHERENE (801 15TH ST S APT 909, ARLINGTON, VA 22202)
64A 7 8	COOK JUDY BELLE C/O RODGERS JUDY B (178 GRANDVIEW LN, CLEARBROOK, VA 22624)
64A 7 7	COOK JUDY BELLE C/O RODGERS JUDY B (178 GRANDVIEW LN, CLEARBROOK, VA 22624)
64A 7 6	COOK JUDY BELLE C/O RODGERS JUDY B (178 GRANDVIEW LN, CLEARBROOK, VA 22624)
64A 11A	DAVIS GORDON E & DAVIS TINA M (130 STANLEY DR, WINCHESTER, VA 22602)
64A 11	HINKLE THOMAS E & HINKLE ESTHER M (150 STANLEY DR, WINCHESTER, VA 22602)
64A 8	LEVY ADAM M & LEVY MELANIE A (200 STANLEY DR, WINCHESTER, VA 22602)
64A 7	KENNEDY HOWARD R & KENNEDY MARY L (202 STANLEY DR, WINCHESTER, VA 22602)
64A 8	VAN WIE MICHAEL JEFFREY & VAN WIE LYNGSAY SARAH (204 STANLEY DR, WINCHESTER, VA 22602)
64A 8A	CHRESS DAVID H & CHRESS PATSY S (206 STANLEY DR, WINCHESTER, VA 22602)
64A 5	NELSON ANNE M (208 STANLEY DR, WINCHESTER, VA 22602)
64A 4	STRAIGHT STEPHEN C & STRAIGHT LINDA D (210 STANLEY DR, WINCHESTER, VA 22602)
64A 3	GRANEY JOHN W TRUSTEE & GRANEY BONNIE W TRUSTEE (216 STANLEY DR, WINCHESTER, VA 22602)
64A 2	GRANEY JOHN W TRUSTEE & GRANEY BONNIE W TRUSTEE (216 STANLEY DR, WINCHESTER, VA 22602)
64A 1	CARL WILLIAM F JR & CARL BETH L (4819 HARRY BYRD HWY, BERRYPVILLE, VA 22611)
64A 2 20	WHITE HERBERT F & WHITE HELEN L (215 STANLEY DR, WINCHESTER, VA 22602)
64A 2 16	SMITH HOMER MASON & SMITH TONYA F (106 STANLEY DR, WINCHESTER, VA 22602)
64A 2 15	RODMAN ROBERT F & RODMAN BRENDA J (107 STANLEY DR, WINCHESTER, VA 22602)
64A 2 9	BAJEANT WALPH MILTON (207 CUSTER AVE, WINCHESTER, VA 22602)
64A 12	SEMPLES HELEN J TRUSTEE (107 ROSZEL RD, WINCHESTER, VA 22601)
64A 13	WINCHESTER OUTDOOR (395 S POTOMAC ST, HAGERSTOWN, MD 21740)
64A 20A	CARROLL JAMES H TRUSTEE & CARROLL BETTY H TRUSTEE (P.O. BOX 3214, WINCHESTER, VA 22602)
64A 10 1A	CARROLL JAMES H TRUSTEE & CARROLL BETTY H TRUSTEE (P.O. BOX 3214, WINCHESTER, VA 22602)
64A 10 1	SMITH DANA DOUGLAS (589 ASLOMAR BLVD, PACIFIC GROVE, CA 93955)
64A 10 2	SECRETARY OF VETERANS AFFAIRS (LOAN GUARANTEE PROGRAM (213 FRANKLIN RD SW, ROANOKE, VA 24011)
64A 10 3	GATRELL MICHAEL L & CARTER SHANTI G (108 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 4	FLINT MICHAEL L & FLINT SHERRY L (130 PEMBERIDGE DR, WINCHESTER, VA 22602)
64A 10 5	CURBOW TRAVIS S (112 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 6	GRAYC DENISE PERRY (114 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 7	HILEMAN KAREN N (110 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 8	LOUTH ELVIRA (118 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 9	DORSEY SHERRI R & DORSEY KELLY S (361 APPLE PIE RIDGE RD, WINCHESTER, VA 22602)
64A 10 10	GARRIS FRANKLIN DALE (122 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 11	WOB WHITE PROPERTIES LLC (2558 UPPER CLUBHOUSE DR, CHANTILLY, VA 20152)
64A 10 12	TRAUJ DAVID N (126 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 13	MURADAGA JORGE & MARADAGA JUAN CARLOS (128 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 14	GATRELL EDWARD L & RIPPON MARY A (130 PEMBROKE DR, WINCHESTER, VA 22602)
64A 10 15	NITZ CHADWICK E & CRIM JASON C (272 ROUND HILL RD, WINCHESTER, VA 22601)
64A 11 2 17	TURNER TODD N & TURNER ERICA J (102 ZIMMERMAN CT, WINCHESTER, VA 22602)
64A 11 2 8	ESACK DAVID C & ESACK JESSICA R (104 CROMWELL CT, WINCHESTER, VA 22602)
64A 11 2 19	PATEL HARSH KUMAR & PATEL DIVYAN (106 CROMWELL CT, WINCHESTER, VA 22602)
64A 11 2 32	POWELL THOMAS M & POWELL CARMEN Z (213 MARSHALL DR NE, LEESBURG, VA 20176)
64A 11 2 33	NEWCOMER-EATON BARBARA (106 LUDLOW DR, WINCHESTER, VA 22602)
64A 11 2 35	COOPER MITCHELL L & COOPER DONNA B (102 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 38	PIERCE RICHARD J & JONES PIERCE REBECCA (104 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 37	HOOVER EUGENE E & HOOVER ESTELLA G (13711 HELMSLY CT, CENTREVILLE, VA 20120)
64A 11 2 38	PLASBERG PAMELA A & PLASBERG CHRISTINA C (108 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 39	KNAPP WILLIAM C & KNAPP TINA D (115 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 40	HOLMAN WILLIAM M & HOLMAN JENNIFER (112 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 41	ROBINSON ROBERT (114 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 42	LARSON MICHAEL T & LARSON CHARLES J (118 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 43	WHILE CARY D & KIMBLE KAREN L (116 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 44	SMITH STEPHEN M & SMITH SHYRLE R (129 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 45	PASTERNAK MICHAEL A (402 ALBIN DR, STEPHENSON, VA 22686)
64A 11 2 46	SOUSA CAROL K (124 KESWICK CT, WINCHESTER, VA 22602)
64A 11 2 47	EDDY JOHN JR (21 KENT ST, WINCHESTER, VA 22601)
64 A 139	WINCHESTER GOLF CLUB (1300 SENESEY ROAD, WINCHESTER, VA 22602)
64D 3 43	VERTICAL OUTDOORS LLC (17628 STONEGATE CT ROUND HILL, VA 20151)
64D 3 44	LUCAS MATTHEW E & LUCAS CODY F (1135 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 48	REESE LLOYD & REESE MARY (133 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 49	SMITH CAROLYN A TRUSTEE (P.O. BOX 21, WINCHESTER, VA 22604)
64D 3 50	ROCKWELL DEBORAH AMY (121 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 51	FAHRESTOCK MARY K (121 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 52	MAPENAS MANUEL C & MAPENAS DOROTHY B (119 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 53	CLOYD CHARLES L & CLOYD PAULA (117 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 3 54	SCHROCK LARRY R & SCHROCK DOROTHY ANN (115 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 2 61	DEL SAVIO PETER R & ZUBER AGATA (113 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 2 62	MCMURTRY EVERETT L & MCMURTRY SUZANNE O (111 OAK RIDGE LN, WINCHESTER, VA 22602)
64D 2 63	FOX NATHAN G (109 OAK RIDGE LN, WINCHESTER, VA 22602)
64I 2 38	ZIMMERMAN MARK B TRUSTEE & ZIMMERMAN ELLEN M TRUSTEE (309 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 37	CABAZOLO SCOTT & CABAZOLO AMANDA (307 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 36	SHIFFLETT VERNARD R & SHIFFLETT CHRISTA D (306 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 35	LIGHTLE PATRICK L & LIGHTLE TERRI L (303 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 34	MILLER JAMES D & MILLER LINDA G (291 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 33	WHITE LAURA D (299 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 32	ARIUNDO THOMAS E & ARIUNDO SILVIA (297 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 31	POLLARD FREDERICK W JR & POLLARD MARY BEH (295 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 30	RAMSEY JAMES E & RAMSEY ROSEMARIE (293 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 29	KEENAN BRUCE J SR & KEENAN JULIA ANN (291 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 28	DOLNAR BLAIR & DOLNAR SUSAN (289 HUNTERSBRIDGE RD, WINCHESTER, VA 22602)
64I 2 27	LANZETA DONATO & LANZETA CATERINA (345 W RESERVEWAY ROAD, WOODSTOCK, VA 22664)
64I 2 17	WARNER JOHN W & WARNER COURTNEY H (210 FAIRFIELD DR, WINCHESTER, VA 22602)
64I 2 16	FOX CAROLE S (211 FAIRFIELD DR, WINCHESTER, VA 22602)
64E 8 41	BARB FRANKLIN B & BARB SHERRY F (205 BOUNDARY AVE, WINCHESTER, VA 22602)
64E 8 42	BARB FRANKLIN B & BARB SHERRY F (205 BOUNDARY AVE, WINCHESTER, VA 22602)
64E 8 43	BARB FRANKLIN B & BARB SHERRY F (205 BOUNDARY AVE, WINCHESTER, VA 22602)
64E 8 44	BARB FRANKLIN B & BARB SHERRY F (205 BOUNDARY AVE, WINCHESTER, VA 22602)
64E 7 6	MITCHELL SCOTT H (142 UNDERWOOD LN, WINCHESTER, VA 22602)
64E 7 11	MCKGOLD ARMON D & MCKGOLD ARLENE I (143 UNDERWOOD LN, WINCHESTER, VA 22602)



PIN 64-A-119 BOUNDARY SURVEY OF GLAIZE DEVELOPMENTS, INC. BY MARSH & LEGGE
LAND SURVEYS, PLC; MARCH 3, 1999; DEED BOOK 300; PAGE 571; 58.7868 Acres

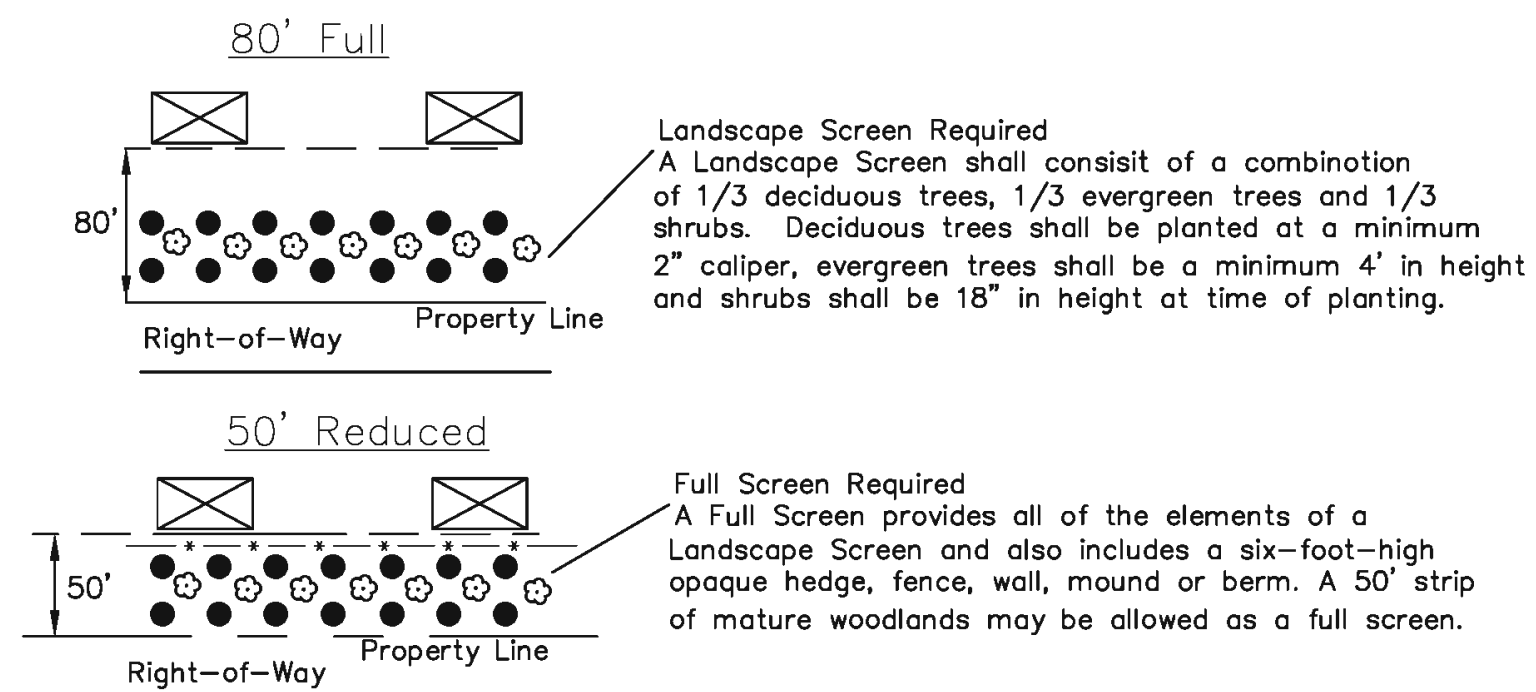
PIN 64-A-117 BOUNDARY SURVEY OF GLAIZE DEVELOPMENTS, INC. BY MARSH & LEGGE
LAND SURVEYS, PLC; MARCH 3, 1999; DEED BOOK 612; PAGE 506; 95.1393 Acres

PIN 64-A-113 BOUNDARY SURVEY OF EDWARD MILLER, ET AL BY MARSH & LEGGE
LAND SURVEYS, PLC; NOVEMBER 24, 1998; DEED BOOK 337; PAGE 306; 111.0855 Acres

PIN 64-A-113.117 & 119 BOUNDARY SURVEY OF GLAIZE DEVELOPMENTS, INC.;
MARCH 3, 1999; REMNANT OF OAKDALE CROSSING I; 5.5675 Acres

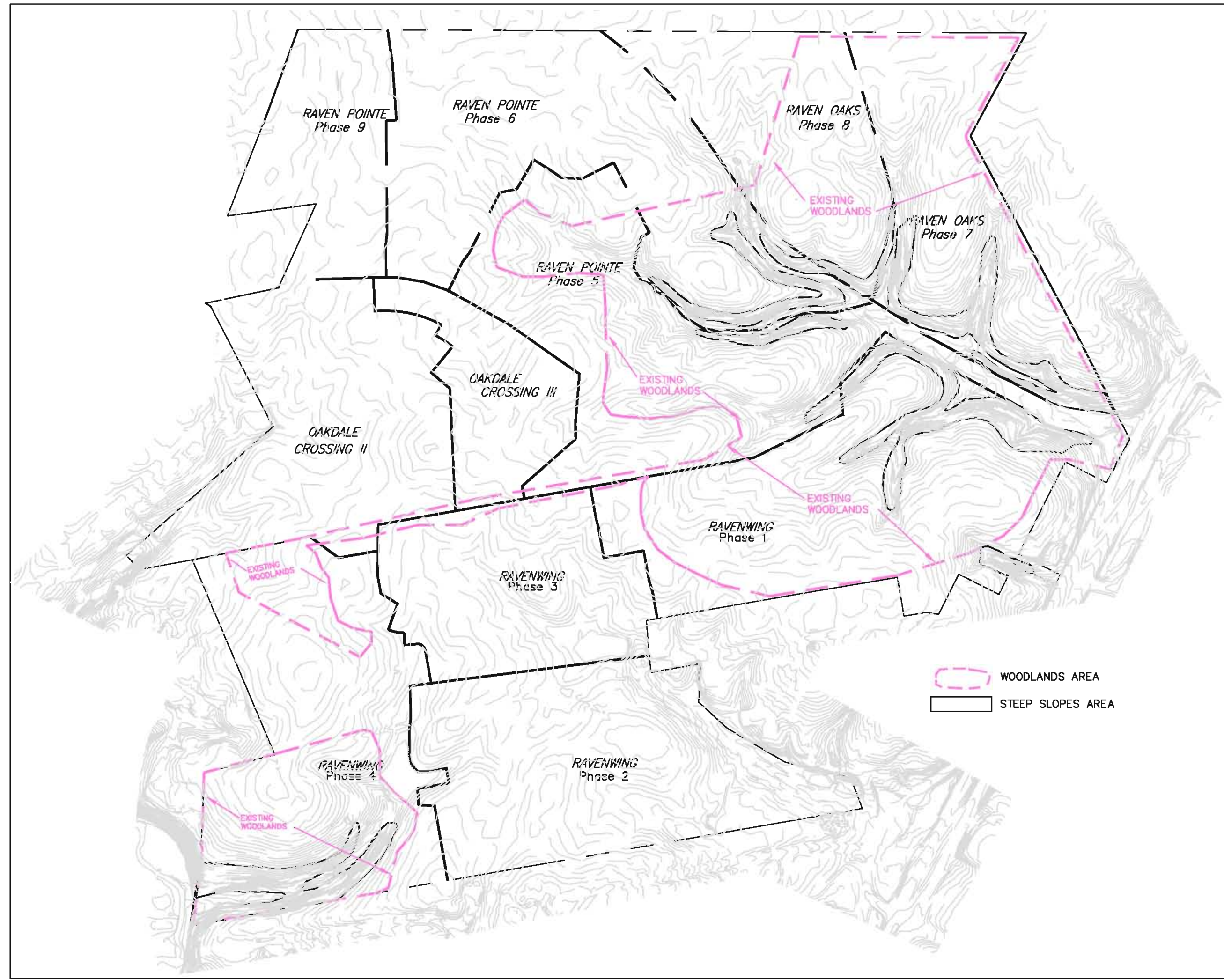
Housing Type	Traditional	Urban	Cluster	Zero Lot Line	Townhouse	Single Family Small Lot
Front Yard Setback	35'	35'	25'	25'	25'	25'
Side Yard Setback	10'	10'	8'	0'/25'	0'/10'	5'/10'
Rear Yard Setback	25'	25'	20'	25'	20'	15'
Setback from Parking Lot				15'		

For further yard dimension requirements consult the Frederick County Zoning Ordinance Section 165-402.09, Residential Performance



TYPICAL ROAD EFFICIENCY BUFFER
NOT TO SCALE
(DETAIL TO BE SHOWN ON CONSTRUCTION/SITE DEVELOPMENT PLANS)

ENVIRONMENTAL INFORMATION



Woodland Features	Oakdale Crossing I	Oakdale Crossing II	RavenWing I	RavenWing II	RavenWing III	RavenWing IV	RavenWing V	RavenWing VI	RavenWing VII	RavenWing VIII	RavenWing IX	RavenWing X	RavenWing XI	RavenWing XII	RavenWing XIII	RavenWing XIV	RavenWing XV	RavenWing XVI	RavenWing XVII	RavenWing XVIII	RavenWing XIX	RavenWing XX	Development Totals	
Woodland Area (Acres)	0	0	37.0	1.50	4.7	12.49	15.43	9.00	0	42.00	122.12													
Woodland Disturbance (ROW) (Acres)	0	0	6.7	0.02	0.4	1.00	3.02	1.99	0	4.25	17.38													
Woodland Disturbance (Lots) (Acres)	0	0	4.0	0.14	0.5	1.06	2.23	0.66	0	4.50	13.11													
Total Woodland Disturbance (Acres)	0	0	10.7	0.16	0.9	2.06	5.25	2.65	0	8.75	30.49													
Percent of Woodland Disturbed	n/a	n/a	28.9%	10.7%	19.1%	16.6%	34.02%	29.44%	0	20.83%	24.97%													
Steep Slope Features (25% or greater)																								
Steep Slope Area (Acres)	0	0	4.80	0.0	0.0	3.70	0.89	2.25	0	4.32	15.96													
Steep Slope Disturbance (ROW) (Acres)	0	0	0.60	0.0	0.0	0.00	0.00	0.40	0	1.00	2.00													
Steep Slope Disturbance (Lots) (Acres)	0	0	0.42	0.0	0.0	0.60	0.00	0.52	0	0.40	1.94													
Total Steep Slope Disturbance (Acres)	0	0	1.02	0.00	0.00	0.60	0.00	0.92	0	1.40	3.94													
Percent of Steep Slope Disturbed	n/a	n/a	21.25%	n/a	n/a	16.22%	0.00%	40.89%	0	32.41%	24.62%													
Lakes and Pond Features																								
Lakes and Pond Area (Acres)	0	0	0	0	0.39	0.55	0	0	0	0	0.94													
Lakes and Pond Disturbance (ROW) (Acres)	0	0	0	0	0	0	0	0	0	0	0.00													
Lakes and Pond Disturbance (Lots) (Acres)	0	0	0	0	0.05	0.18	0	0	0	0	0.23													
Total Lakes and Pond Disturbance (Acres)	0	0	0	0	0.05	0.18	0	0	0	0	0.23													
Percent of Lakes and Pond Disturbed	n/a	n/a	n/a	n/a	12.8%	32.7%	0	0	0	0	24.47%													

** OAKDALE CROSSING II MASTER DEVELOPMENT PLAN APPROVED BY THE PLANNING COMMISSION & BOARD OF SUPERVISORS UNDER OAKDALE CROSSING MDP AND ADDED TO THIS MDP FOR FINAL ADMINISTRATIVE APPROVAL.

MASTER DEVELOPMENT PLAN AREAS ARE APPROXIMATE AND MAY CHANGE WITH FINAL SUBDIVISION PLATS.

ENVIRONMENTAL FEATURES	TOTAL AREA	AREA DISTURBED	PERCENT DISTURBED	OPEN SPACE PROVIDED	PERCENT OF TOTAL OPEN SPACE
(ALL PHASES)	(in acres)	(in acres)	(%)	(in acres)	41.55 Ac (%)
FLOODPLAINS	0.00	0.00	0.00	0.00	0.00
LAKES & PONDS	0.94	0.23	24.50	0.71	2.25
METLANDS	0.00	0.00	0.00	0.00	0.00
SINKHOLES	0.00	0.00	0.00	0.00	0.00
NATURAL SWALE RETENTION	0.00	0.00	0.00	0.00	0.00
STEEP SLOPES (25% OR GREATER)	15.96	3.94	24.69	12.05**	28.93
WOODLANDS*	122.12	30.49	24.97	30.00**	71.86

* - TYPICAL HOME CONSTRUCTION CONSISTS OF 30' x 60' HOUSE FOOTPRINT AND 12' X 35' DRIVEWAY WITH TYPICAL WOODLAND DISTURBANCE PER LOT OF 2,220 SF.

** - VALUES SHOWN TOTAL MORE OPEN SPACE THAN PROVIDED DUE TO OVERLAPPING OF STEEP SLOPES.

Subdivision	Total Area (Ac)	Area in Lots (Ac)	Area in ROW (Ac)	Number of Lots	Gross Density (Lots/Acre)	Housing Type	Open Sp. Req'd (Ac) Percent	Open Sp. Prvd (Ac) Percent
Oakdale II	25.68	20.81	4.87	53	2.06	Traditional	0 n/a	0 n/a
Oakdale III	10.26	8.83	1.43	24	2.34	Traditional	0 n/a	0 n/a
RavenWing I	37.12	24.46	6.74	80	2.15	Urban	5.57 15%	5.92 15.95%
RavenWing II	28.58	18.79	5.00	84	2.24	Urban	4.29 15%	4.79 15.95%
RavenWing III	18.50	13.70	3.28	47	3.91	Urban	2.79 15%	2.11 15.95%
RavenWing IV	30.54	20.22	3.93	66	2.16	Urban	4.58 15%	6.39 20.92%
RavenPointe V	25.94	23.38	4.27	64	2.47	Urban	4.66 15%	3.41 10.98%
RavenPointe W	42.36	18.70	7.73	85	2.01	Urban	4.65 15%	4.60 14.80%

**MASTER DEVELOPMENT PLAN
APPLICATION FORM**

- Department of Planning & Development Use Only -

Application # _____ Date Application Received: _____

PC Meeting Date _____ BOS Meeting Date _____
Fee Amount Paid \$ _____ Initials: _____ Receipt # _____

1. **Project Title:** Oakdale III, Raven Pointe, Raven Oaks & Raven Wing - Revised MDP

2. **Applicant:**

Name: Glaize Developments, Inc. Telephone: (540) 662-2092

Address: P.O. Box 888

Winchester, VA 22604

3. **Property Owner (if different than above):**

Name: _____ Telephone: _____

Address: _____

4. **Design Company:**

Name: Pennoni Associates c/o Patrick Sowers Telephone: (540) 667-2139

Address: 117 E Piccadilly Street, Suite 200

Winchester, VA 22601

5. **Please list names of all owners, principals, and/or majority stockholders:**

6. **Magisterial District:** Shawnee

7. Property Location: North and adjacent to Route 50 (Millwood Pike) , approximately 1 mile east of the intersection of Route 522 (Front Royal Pike) and Route 50 (Millwood Pike).
 (Give State Route # and name, distance and direction from intersection)

8. Is this an original or amended Master Development Plan?

Original Amended , Previous MDP# 02-13

9. Property Information:

- a) Property Identification Number (PIN): 64-A-113; 64-A-119; 64-A-117
- b) Total Acreage: 270.5 Acres
- c) Current Zoning: RP
- d) Present Use: Residential and Vacant
- e) Proposed Uses: Residential

10. If residential uses are proposed, provide the following:


- a) Density: 2.66 Units/Acres
- b) Number of Units: 720
- c) Housing Types: Mixed

11. Adjoining Property use and zoning:

	<u>USE</u>	<u>ZONING</u>
North	<u>Residential</u>	<u>RP</u>
East	<u>Residential</u>	<u>RP</u>
South	<u>Vacant/Commercial</u>	<u>R-4 and B-2</u>
West	<u>Agricultural</u>	<u>RA</u>

I have read the material included in this package and understand what is required by the Frederick County Department of Planning and Development. I also understand that the master development plan shall include all contiguous land under single or common ownership. All required material will be complete prior to the submission of my master development plan application.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s):  Date: 2/26/15

_____ Date: _____

Owner(s): _____ Date: _____

_____ Date: _____

#MDP #01-16 Ravens (Row 1)

64 A 129

64G 2 1 3

64 7 1

64G 3 5 130

65 A 2

64G 3 5 129

64 A 116

64A 7 1 15

64 A 84

64G 2 1 59

64G 2 1 52A

64G 2 1 58

64G 2 1 80A

64G 2 1 57

64G 3 6 37

64G 3 6 23

64G 3 6 24

64G 3 6 25

64G 3 6 26

64G 3 6 27

64G 3 6 28

64G 3 6 29

64G 3 6 30

64G 3 6 31

64G 3 6 32

64G 3 6 33

64G 3 6 34

64G 3 6 35

64G 3 6 36

64G 3 6 37

64G 2 1 1

64G 2 1 2

Cap



**Special Limited Power of Attorney
County of Frederick, Virginia
Frederick Planning Website: www.co.frederick.va.us**

**Department of Planning & Development, County of Frederick, Virginia
107 North Kent Street, Winchester, Virginia 22601
Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Glaize Developments, Inc. (Phone) (540) 662-2092

(Address) P.O. Box 888, Winchester, VA 22604

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 020008672 & DB 300 PG 571 on Page _____, and is described as

Parcel: _____ Lot: _____ Block: _____ Section: _____ Subdivision: TM Parcels 64-A-117; 64-A-119

do hereby make, constitute and appoint:

(Name) Pennon Associates, Inc. (Phone) (540) 667-2139

(Address) 117 E. Piccadilly Street, Winchester, Va 22601

To act as my true and lawful attorney -in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (including proffers)
- Conditional Use Permit
- Master Development Plan (Preliminary and Final)
- Subdivision
- Site Plan
- Variance or Appeal

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified. In witness thereof, I (we) have hereto set my (our) hand and seal this 1st day of March, 2016,

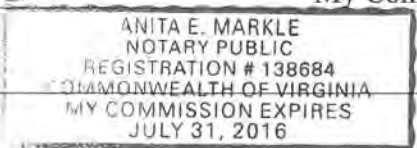
Signature(s)

State of Virginia, City/County of Winchester, To-wit:

I, Anita E Markle, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 1st day of March, 2016

Anita E Markle My Commission Expires: 7/31/2016

Notary Public





FREDERICK COUNTY SANITATION AUTHORITY

Post Office Box 1877
Winchester Virginia 22604-8377

PH. – (540)868-1061
Fax – (540)868-1429
www.fcsa-water.com

Uwe E. Weindel, P.E.
Engineer-Director

May 28, 2015

Mr. Patrick Sowers
Pennoni Associates
117 E. Piccadilly Street, Suite 200
Winchester, Virginia 22601

Ref.: Master Development Plan Comments
Oakdale III, Raven Pointe, Raven Oaks & Raven Wing
Tax Map # 64-A-113, 64-A-119 & Portion of 64-A-117

Dear Sir:

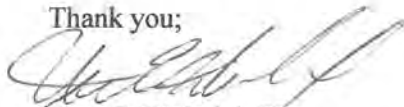
Per your request, a review of the proposed master plan has been performed. The Frederick County Sanitation Authority offers comments limited to the anticipated impact/effect upon the Authority's public water and sanitary sewer system and the demands thereon.

The parcels are in the water and sanitary sewer area served by the Authority. Based on the location both water and sanitary sewer service is available within a reasonable distance from the site. Sanitary sewer treatment capacity at the waste water treatment plant is also presently available. Sanitary sewer conveyance capacity and layout will be contingent on the applicant performing a technical analysis of the existing sanitary sewer system within the area to be served and the ability of the existing conveyance system to accept additional load. Likewise, water distribution capacity will require the applicant to perform a technical analysis of the existing system within the area to be served to determine available capacity of both the potable water system and the ability to provide fire protection.

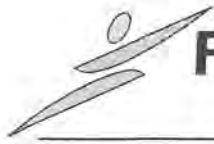
Water and sanitary sewers are to be constructed in accordance with the FCSA standards specifications. Dedicated easements may be required and based on the layout vehicular access will need to be incorporated into the final design. All easements should be free from any encumbrance including permanent structures (fences, signs, etc.) and landscaping (trees, shrubs, etc)

Please be aware that the Authority does not review or comment upon proffers and/or conditions proposed or submitted by the applicant in support of or in conjunction with this plan, nor does the Authority assume or undertake any responsibility to review or comment upon any amended proffers and/or conditions which the Applicant may hereafter provide to Frederick County.

Thank you;



Uwe E. Weindel, PE
Engineer-Director



May 26, 2015

Mr. Patrick Sowers
Pennoni Associates Inc.
117 East Piccadilly Street
Winchester, VA 22601

Re: Raven Oaks Revised Master Development Plan

Dear Patrick:

Frederick County Public Schools has reviewed the Raven Oaks Revised Master Development Plan submitted to us on May 4, 2015. We offer the following comment:

1. It is noted that some streets will be private. As our buses don't travel down private lanes, students who live on these streets will need to walk to a public street to meet the bus at a location to be designated by our Transportation Department.

Please feel free to contact me at leew@frederick.k12.va.us or 540-662-3888 x88249 if you have any questions or comments.

Sincerely,

K. Wayne Lee, Jr., LEED AP
Coordinator of Planning and Development

Cc: Dr. David Sovine, Superintendent of Schools
Mr. Al Orndorff, Assistant Superintendent for Administration
Mr. John Grubbs, Transportation Director