



Feasibility Analysis

Prepared for Monsoon, LLC

Subject Properties:

Berkeley County, District 08, Tax Map 10, Parcel 23.5, and Parcel 23.4.



Memorandum

To: Monsoon, LLC

From: Adapt Land Planning, LLC, c/o Jamie R. MacLean, CFM, CZO

Re: Subdivision Feasibility Analysis Summary Memorandum

Date: July 8, 2021 (*Revised 8/1/2021*)

Overview and Purpose:

Monsoon LLC (Client) has authorized Adapt Land Planning, LLC (ADAPT) to conduct an analysis and prepare a feasibility report for parcels currently owned by Monsoon, LLC, and described in DB 968 Page 343. The subject properties (Properties) associated with the proposed development are identified as: (1) Berkeley County, District 08, Tax Map 10, Parcel 23.5, and (2) Berkeley County, District 08, Tax Map 10, Parcel 23.4., consisting of a combined acreage of approximately 56.38 +/- acres. The properties are located on Eagle School Road (WV Rt. 45/5), approximately 0.18 miles from the intersection with Keller Ln.

The purpose of this Feasibility Analysis is to provide insight on the land entitlement process for development in Berkeley County, WV, and to assist the Client or Purchaser's engineering design team to maximize efficiency and lot yield in the subdivision concept layout phase.

This feasibility report will provide information on the following topics:

- (1) Highest and Best Use-Report Assumptions
- (2) Planning & Zoning Code Review
- (3) Local Land Entitlement Processes
- (4) Site Conditions and Constraints
- (5) Site Access
- (6) Utilities-Public Sewer and Water
- (7) Summary and Recommendations

This report includes a section that summarizes each topic and provides supporting exhibits.

Section I: Proposed Use Summary/Report Assumptions

The subject properties lie within Berkeley County, approximately 0.3 miles west of the City limits of Martinsburg. The subject properties are also within the area designated for growth in the County's Comprehensive Plan and can be served by Berkeley County for public water and sewer service. Based on this information, this property's highest and best use would be for either higher density residential such as single family attached dwelling units (townhomes), or multi-family dwellings (apartments), or for commercial use. **However, to maximize the buildable area of the property, townhomes, which require minimal buffers and screening, would be the use that could maximize the lot yield and investment return on the property.** Single Family Detached homes could also be placed on the property with minimal need for buffer and screening from the adjoining, existing neighborhoods of Opequon Meadows and Forest Hills.

For the purposes of this analysis, ADAPT will pursue feasibility of the densest development option associated with the property, with minimal buffers, which would be Townhomes. The 2009 Berkeley County Subdivision Ordinance Section 502.1 Minimum Standards for Subdivision Access states that *any phased or non-phased residential development which generates, initially or cumulatively, one hundred (100) lots or greater shall be required to have a minimum of two (2) points of access onto a public road or a WV DOH right-of-way. The access point(s) must meet all other applicable requirements of this ordinance and must be approved by the West Virginia Division of Highways.* **Therefore, ninety-nine (99) lots could be created on the parcel, and be served by one access approved by WVDOH, District 5, on Eagle School Rd. (WV Rt. 45/5).**

Therefore, this report is prepared with the 99 townhome lots as the proposed use, with options to further maximize lot yield discussed in the Site Access and Summary and Recommendation sections.

Section II: Planning & Zoning Code Review

Comprehensive Plan

The Properties are in the County's designated "Growth Area". According to Chapter 5a: *The Growth Management Plan area comprises a large part of Berkeley County. These areas are characterized by family housing on smaller lots. Housing is mostly single family detached but there are also town homes, garden style apartments, and other styles of higher density housing. These areas are or will be served by public water and public sewer service. They are automobile-oriented communities with some amenities, such as sidewalks and recreational facilities. It is important to recognize that these areas are where most of the county's population growth has occurred. They will continue to support substantial growth, as there are many subdivision plans that have been approved, as well as plans for expansion of water supplies.* **Based on the guidance provided in the Comprehensive Plan, the proposed subdivision would be in conformance with the County's land use goals and objectives.**

(Please refer to the Berkeley County Growth Management Map & Comp. Plan Exhibits)

Zoning & Applicable Codes

Though *most* land in Berkeley County does not have Zoning Requirements associated with it; there are a few areas of the County that are an exception.

However, the subject properties do not lie within the Airport Overlay Zoning District, Tuscarora Zoning District, or the Windewald Neighborhood Zoning District. The finding was confirmed with Laura Hoffmaster, Planner II, of Berkeley County Planning, via email on July 7, 2021. **Because there is no Zoning associated with the subject properties, the future land use of the properties is not restricted by the County.** Therefore, the proposed future land use of single-family attached dwelling units, are permissible on the Property.

However, even without the presence of Zoning, the County does require adherence to the 2009 Subdivision Ordinance, 2016 Stormwater Management Ordinance, and the 2009 Floodplain Ordinance for all land development plans.

When creating an initial Conceptual Layout for a Subdivision the following items should be taken into consideration: Parking, Sidewalks, Open Space, Minimum Lot Size, Maximum Density, and Stormwater Management (SWM). These items are reviewed in the sub-sections below.

Parking Calculations

99 townhomes are the initial stated development goal for this property. Based on the development goal, Article 8, Section 801-Table 8-1(A) of the 2009 Subdivision Ordinance was reviewed. **The Berkeley County Subdivision Ordinance requires that single family attached dwelling units to have 3 parking spaces for each dwelling unit.** An attached or unattached garage or carport (minimum 10'X 18'), on the premises shall be considered a parking space. The ordinance also requires that a minimum of 1 parking space per dwelling unit must be provided off-site.

Therefore, based upon the development goal of 99 townhomes, and providing 3 spaces per unit, 297 spaces would be required, with 99 off site spaces, for a total of 396 spaces. If the unit type in the plan proposes garage units, then the required parking spaces would be 198, with 99 off site, for a total of 297 spaces.

The ordinance also states that the County Planning Commission Staff, with recommendation from the County Engineer, may increase or decrease parking requirements to provide adequate and proper parking for a proposed use, and that such variations in the number of parking spaces will require a waiver. If the Client would like to pursue a waiver request to the parking requirements, that should be done prior to or

in conjunction with the Sketch Plan so that the decision can be rendered by the Planning Commission prior to design work.

Sidewalk Requirements

Section 705.1 of the Berkeley County Subdivision Ordinance requires sidewalks to be installed on one side of all L3 classed streets, to be constructed in conjunction with development of the property. Furthermore, sidewalks must be at least five feet (5') wide in duplex, triplex, quadruplex, townhouse, and commercial areas. **Sidewalks are a critically important part of creating walkable neighborhoods and lessening the burden of vehicular traffic on transportation systems. However, that being said, I would be remiss not to mention that to lessen or negate this requirement a Sidewalk Exemption may be requested from the Berkeley County Planning Commission.** Or, in lieu of requiring sidewalks, the commission may require a pedestrian easement in the event a sidewalk would be required in the future. There is no County review fee cost associated with a sidewalk exemption; though it is recommended that this be pursued in conjunction with the Sketch Plan so that the decision is rendered by the Planning Commission prior to design work.

Open Space

Section 712(A) requires that single-family residential subdivision/development with fifteen (15) or more lots wherein the average lot size is one-half of an acre or less shall include community open spaces for the use and enjoyment of its residents. The community open space must consist of an area of not less than ten percent (10%) of the total acreage contained in the development parcel but in no case less than five thousand (5,000) square feet. **The subject properties associated with the proposed subdivision consist of a total of 56.38 +/- acres. Therefore, 5.638+/- acres would be required to be dedicated as open space.**

Minimum Lot Size

The minimum lot size, according to Section 504 of the Berkeley County Subdivision Ordinance, for townhome developments served by public water and sewer is as follows:

- 60% Impervious Max
- 1,800 Square Feet with a maximum of 10 units per acre.
- 18 feet in width, minimum
- *In a Townhouse Development 30% of the units may be reduced to a minimum lot width of sixteen feet (16') and a minimum lot size of 1,600 square feet. In this case, no one townhouse unit shall contain more than eight (8) dwelling units.*

(Please refer to minimum lot size exhibit)

Maximum Density

Ten (10) units per acre is the maximum number of townhomes permitted.

Stormwater Management Requirements

Berkeley County and the West Virginia Department of Environmental Protection require minimum standards for Water Quality and Water Quantity be satisfied prior to any permit issuance, including stormwater quality management of the runoff associated with the first 1” of rainfall as well as stormwater quantity management for larger storm events.

The Client or Purchaser will need to contract with a Civil Engineering Firm to meet these requirements as part of the Preliminary Plan process. ADAPT can assist the Client or Purchaser in coordination with a firm that can provide these services.

SWM Easement Plats will be required by the County as part of the Preliminary Plan process, to secure these easements for future MS-4 Compliance Inspections. The Berkeley County SWM Ordinance (2016) should be consulted for full requirements for this specific site at the time of the SWM Concept Meeting, with the MS-4 Director and the County Engineer, required by Berkeley County at the Sketch Plan Stage of Development.

Section III: Local Land Entitlement Processes

Subdivision Review Process & County Land Entitlement Process

The project is required to complete the Subdivision Review Process. The three sequential steps of the Subdivision Plan review process are detailed below. **Also please keep in mind that these same steps and requirements apply to residential and non-residential projects.**

Sketch Plan (Step 1)

The requirements of the Sketch Plan are outlined in Article 4, section 401, of the 2009 Berkeley County Subdivision Ordinance. The purpose of the sketch plan is to provide *an initial map, drawing, or chart indicating existing features of a parcel or tract of land and its surroundings and the general layout of the proposed land development in sufficient detail to allow discussion and comment at a public hearing, but not be presented for final or binding approval.* Sketch Plans are reviewed on a first come first serve basis; however, Sketch Plans are given priority for review by Berkeley County Planning and Engineering. Upon submission of the Sketch Plan, comments will be sent by the Planning and Engineering Offices to the Engineer and Developer within 14 days of submittal. A meeting with Planning and Engineering Staff is required at this stage to discuss the Concept Plan as well as the Storm Water Management Plan for the site. Once completeness is determined by staff, the Sketch Plan will be placed on the next available PC Agenda and advertised for Public Hearing. The

required advertisement period is 14 days. The Berkeley County Planning Commission meets on the 1st and 3rd Mondays of each month.

Preliminary Plan (Step 2)

The requirements of the Preliminary Plan are shown in Article 4, section 402. *The purpose of this phase is to show the layout and design of a proposed land development, in detail.* Additionally, any outside agency approvals are required at this step.

Agency Approvals

Per section 305.2 of the Subdivision Ordinance, the following agency approvals will be required as part of the development review process for the proposed subdivision:

- West Virginia Division of Highways: Applicant must show dated proof of filing application to the DOH, in the event an agreement/bonding requirement is needed for proposed improvements. If no agreement/improvements are required, then the DOH permit/approval is required.
- Public Service Districts: Intent to Serve letters from the Berkeley County Public Service Sewer District, and Berkeley County Public Service Water District are required for Preliminary Plan approval.
- Central Dispatch: Road Name Approval
- West Virginia DEP: Applicant must show dated proof of NPDES filing application to the DEP.
- Berkeley County Engineering Department: A letter of conformance is sent to Berkeley County Planning when this is complete.
- A TIA (Traffic Impact Analysis) may be required when 100 or more peak hour trips. (Section 402.2(23)). If a TIA is required, ADAPT can provide coordination with an appropriate partner to provide this service.
- Permit approval from the USACE is required to cross a blue line stream.

The Preliminary Plan is when the full site plan is submitted for review. Preliminary Plans are reviewed on a first come first serve basis. Review comments are sent by Planning and Engineering to the Engineer and Developer within 45 days of submission. Once completeness is determined by staff, the Preliminary Plan is placed on the next available Planning Commission Agenda. No public hearing or advertisement is required for this phase. All permits from outside agencies must be received at this phase, prior to the project being placed on the Planning Commission Agenda. The Berkeley County Planning Commission meets on the 1st and 3rd Mondays of each month.

Upon approval of the Preliminary Plan by the Berkeley County Planning Commission, the plan is vested for three (3) years, per section 305.3 of the 2009 Berkeley County Subdivision Ordinance. Additionally, upon approval of the Preliminary Plan, the developer can begin applying for land disturbance/grading permits with the Berkeley County Engineering and Building Permit Office.

Final Plat/Final Plan (Step 3)

The requirements of the Final Plat are shown in Article 4, section 403. *This is the final map, drawing, or chart, based upon the advancement Preliminary Plan, in which the developer's plan is submitted to the Planning Commission for final approval and which, if approved, shall be recorded in the Office of the Clerk of the County Commission Council in accordance with Chapter 39, Article 1, Section 13, of West Virginia Code, 1931, as amended.* The Final Plat/Final Plan is required to be in substantial conformance with the approved preliminary. Substantive changes to the approved Preliminary Plan, as outlined in section 305.3(e) may necessitate additional reviews. Once completeness is determined by staff, the Final Plat is placed on the next available Planning Commission Agenda, for Final Plat Determination. Once the Final Plat receives Final Plat determination, the Planning Commission can vote to issue Final Plat approval. Planning Staff, in the past, typically runs the advertisements in such a way that the Final Plat approval can be received at the first meeting of the following month, Final Plat Determination. A public hearing is required for Final Plat/Final Plan approval. The Berkeley County Planning Commission meets on the 1st and 3rd Mondays of each month.

Section IV: Site Conditions and Constraints

Floodplain

All land development plans submitted for review to Berkeley County must follow the Floodplain Ordinance, as Berkeley County is a member of the National Flood Insurance Program (NFIP). Upon review, there is no FEMA designated 100-year floodplain on the Properties, according to the WV Flood Tool, FEMA Map Panel 54003C0160E, effective 7/7/2009. There is a firmette map attached to this report for reference.

However, there is a blue line stream “Eagle Run” that runs along the southern portion of the property. This blue line stream does not indicate that this is a flood zone. However, if the Client or Purchaser elects to utilize Gregory Drive as an access point for the property, and therefore must cross the blue line stream, a stream crossing permit from the U.S. Army Corps of Engineers approval and Permit Issuance (USACE) will be required. Although there is no floodplain on the property, the blue line stream may trigger a review of the subdivision by the Berkeley County Floodplain Administrator, Mrs. Heather Williams, CFM. This is typically done out of an abundance of caution, and it should be noted that the County abides by the FEMA Maps adopted on 7/7/2009.

(Please refer to Floodplain Exhibit)

Wetlands

No wetland delineation or fieldwork have been completed for this feasibility study. However, as part of this study, the US Fish and Wildlife Service, National Wetlands Inventory was reviewed. No wetlands were identified on the property; however, a blue line stream “Eagle Run” was shown on the WV Flood Tool as well as the US Fish and Wildlife NWI. Any

Stream or Wetland impacts necessary for development of the site, require U.S. Army Corps of Engineers approval and Permit Issuance. If the Client or Purchaser needs wetland delineation of survey work associated with the proposed project, ADAPT can assist in coordinating for these services.

(Please refer to Wetlands Exhibit)

Setbacks

Section 503(A), Table 5-1, of the Ordinance requires that where the subdivided area is intended to be used for residential purposes, **the building setbacks for the front of the property, will be 20', the side setback will be 10', and rear will be 20'. If any lot adjoins a state right-of-way a minimum of a 50' setback is required.**

(Please see setback exhibit)

The main internal road design will consist of L-3 roads, and have a 60' ROW, designed according to Berkeley County Appendix A standards. Other roads in the subdivision that are secondary to the main L-3 road, may be designed as L-2 roadways. All work shall be performed in accordance with the requirements and regulations of the Berkeley County Appendix A for Street Standards and the West Virginia Division of Highways.

(Please see roadway cross section exhibit)

Buffering and Setbacks Requirements

The Properties are adjoined by Eagle School Road to the North, by Forest Hills Subdivision to the Southwest, and to a large residential parcel to the Southeast. Opequon Meadows Subdivision is to the West, as well as some other single family residential parcels, and by Shenandoah Communications, Inc. to the East. Article 8: Off-Street Parking, Buffering and Screening was reviewed as part of this analysis.

Based on the guidance provided in the Berkeley County 2009 Subdivision Ordinance, and Section 802.1(b)(i), only the portion of the eastern side the adjoins Shenandoah Communications will require a 25' buffer and screening. This buffer is required because of the proposed residential use adjoining a commercially classified use. No buffering or screening will be required for the other sides of the property, presuming the property is used for residential (town home or single family) development.

(Please see buffer requirement exhibit)

Section V: Site Access

Access Requirements

The 2009 Berkeley County Subdivision Ordinance Section 502.1 Minimum Standards for Subdivision Access states that *any phased or non-phased residential development which generates, initially or cumulatively, one hundred (100) lots or greater shall be required to have a minimum of two (2) points of access onto a public road or a WV DOH right-of-way. The access point(s) must meet all other applicable requirements of this ordinance and must be approved by the West Virginia Division of Highways.*

Therefore, per code, (99) ninety-nine lots could be created on the parcel, and be served by one access approved by WVDOH, District 5, on Eagle School Rd. (WV Rt. 45/5).

Information on the property location and proposed use was sent to Mr. Larry Alt, on July 6, 2021, as well an offer to meet on site to determine WVDOH's preferred location for the entrance to the property based on sight distance, and speed limit. **To date, ADAPT has not yet heard back from Mr. Alt. When Mr. Alt responds, this report will be updated.** Typically, Mr. Alt waits until there is a conceptual layout, with a proposed entrance location and showing the number of units, and then he will do a desk top review with observations and suggestions for the entrance location, whether or not a TIA will be required, or road upgrades that may be advisable in lieu of a TIA.

There is also potential for additional lots above the 99, by use of a nonexclusive 40' right of way for ingress and egress over Gregory Drive, as set forth on a plat by P.C. DiMagno, dated August 29, 1990, and recorded in Plat Cabinet 4, Slide 48.

According to WV Flood Tool and the Berkeley County Assessor's Website, this nonexclusive 40' right of way, Gregory Drive is also known as WV Rt. 901/96 located in the Forest Hills Subdivision. **ADAPT recommends that the Client or Purchaser pursue a waiver to Appendix A, Section 1.10 Street Classification and Design, Table A, Road Type B, to allow a reduction in right of way width from 50' to 40' for a L-2 road (Gregory Drive) to allow Gregory Drive to serve as a second entrance, and having a L-2 road to serve an additional 60 lots, for a total 159 lots.**

This waiver would need to be sought early in the development process (concurrent with or prior to Sketch Plan) and ADAPT can provide these services with additional scope, if requested by the Client or Purchaser.

Road Type

When the Concept Plan is designed the main entrance (off Eagle School Road) will need to be an L-3 local road. The road design will consist of a L-3 road, 22' cart way width with 6' dirty crusher run stone shoulder, and 60' ROW, designed according to Berkeley County

Appendix A standards. Roads that are not serving the entire subdivision may be shown as L-2 roads, for the purposes of County Review.

Section VI: Utilities-Public Water and Sewer

Public Utilities

Public Water and Sewer Service are available in the immediate vicinity of the Property. Karen Wood of the Berkeley County Public Service Sewer District, and Robin Shade of the Berkeley County Public Service Water District were contacted for written confirmation of the facilities in the area, specific to this property. **Both Berkeley County Public Service Water District, and Berkeley County Public Service Sewer District, responded, with Intent to Serve Letters. These letters are attached to this report.**

Because the Sewer District does not have the locations of their lines available in a GIS format, it will be important for a land surveyor to provide the locations of the nearest manholes to the property, to the Civil Engineer that designs the subdivision (for the Preliminary Plan Design).

An Intent to Serve letter from the Berkeley County Public Service Sewer District and Berkeley County Public Service Water District, are required for the Preliminary Plan approval, but once a conceptual layout or Sketch Plan is provided the Water and Sewer District will issue letters.

Section VII: County Fees

County Planning, Engineering, and Capital Improvement Fees^{*1 2}

The following section outlines the development review fees associated with the Land Development review process in Berkeley County.

Sketch Plan Development Review Fees	50+ lots
Planning	\$708
Engineering	\$354
Public Hearing	\$129.80
Sign Fee	\$88.50
Sketch Total	\$1,280.30

Preliminary Plan Development Review Fees	50+ lots
Base	\$1298
+\$236 per Lot (Planning)	\$23,364
+\$236 per Lot (Engineering)	\$23,364
Preliminary Plan Total	\$48,026

Preliminary Plat Extension*	\$708 (*Optional)
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¹ * Indicates Optional Item that may be requested based on Report Summary

² Per Berkeley County 2017 Development Review Fee Schedule

Please note: Section 305.3. From the date of the Preliminary Plan advancement, the Preliminary Plan shall be valid for a period of three (3) years. The property owner may seek extensions of the Preliminary Plan advancement in one (1) year increments, not to exceed two (2) in number.

Waiver Review Request*	*Optional
Base	\$188.80
Public Hearing Fee	\$129.80
Sign Fee	\$88.50
Waiver Total	\$407.10

Plat of Merger (2 parcels including residue) *	\$501.50	*Optional
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Final Plat Development Review Fees	50+ lots
Planning	\$708
Engineering	\$354
Public Hearing	\$129.80
Sign Fee	\$88.50
Final Plat Total	\$1,280.30

Capacity Improvement Fees	
Combined Water and Sewer	\$3,648 per lot
For 99 Lots	\$361,152
<i>Fees are not paid until time of inspection. This is based on the attached schedule and calculated based on year 3 (May 28, 2021-May 27, 2022).</i>	

Section VIII: Summary and Recommendations

To summarize, the proposed land use of 99 townhomes is permissible according to the requirements outlined in the Ordinances of Berkeley County.

However, there are several items for the Client’s consideration to facilitate reduction in infrastructure costs, and possibilities for increased lot yield.

The recommendations for consideration are as follows:

1. **Sidewalk Exemption:** ADAPT recommends that the Client consider application for a Sidewalk Exemption from Section 705.1. ADAPT can provide this service with additional scope from the Client or Purchaser.
2. **Appendix A Waiver:** ADAPT recommends that the Client or Purchaser pursue a waiver to Appendix A, Section 1.10 Street Classification and Design, Table A,

Road Type B, to allow a reduction in right of way width from 50' to 40' for a L-2 road (Gregory Drive) to allow Gregory Drive to serve as a second entrance, and having a L-2 road to serve an additional 60 lots, for a total 159 lots. This waiver would need to be sought early in the development process (concurrent with or prior to Sketch Plan) and ADAPT can provide these services with additional scope, if requested by the Client or Purchaser. ADAPT can provide this service with additional scope from the Client or Purchaser.

- 3. Parking Waiver: ADAPT recommends that the Client or Purchaser consider a waiver to Article 8 “Off Street Parking, Buffering, and Screening” Table 8-1A (8) Single Family Attached Dwelling.** The current ordinance calls for *3 parking spaces for each dwelling unit. For the purposes of this Ordinance, when one or two parking spaces are required for dwellings, an attached or unattached garage or carport (minimum 10'X 18'), on the premises shall be considered as parking space. A minimum of 1 parking space per dwelling unit must be provided off-site.* A modest reduction in parking can save a significant amount in paving costs, and reduction in impervious area and therefore necessary Stormwater Management. There is fine balance to maintain as the Client or Purchaser will want to have adequate parking for the proposed units; however, 3 spaces per unit plus 1 “overflow” space per unit is more than many single-family detached homes have, and could be considered excessive.

The ordinance also states that the County Planning Commission Staff, with recommendation from the County Engineer, may increase or decrease parking requirements to provide adequate and proper parking for a proposed use, and that such variations in the number of parking spaces will require a waiver. If the Client would like to pursue a waiver request to the parking requirements, that should be done prior to or in conjunction with the Sketch Plan so that the decision can be rendered by the Planning Commission prior to design work.

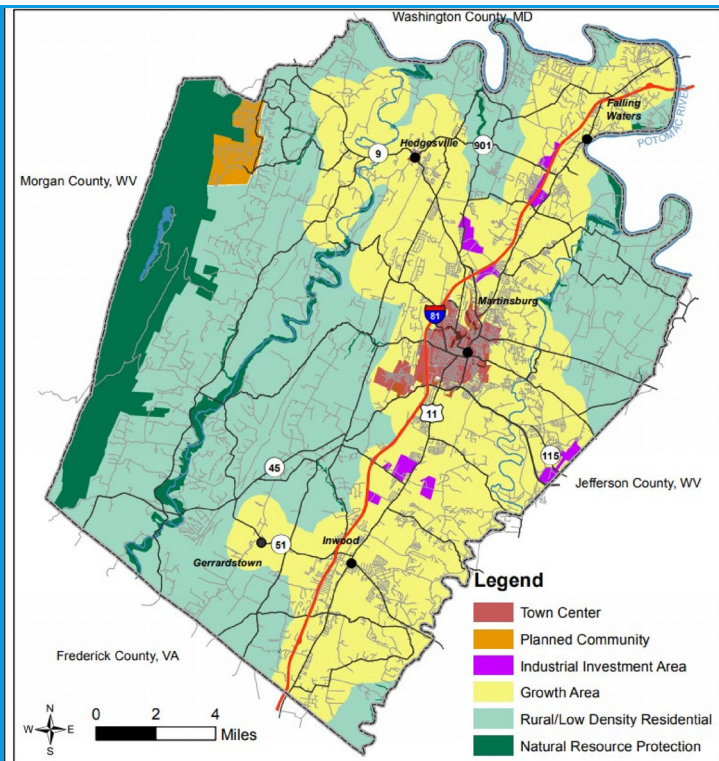
- 4. Merger Plat: ADAPT recommends that unless the Client or Purchaser wishes to reallocate the acreage on the parcel, and maintain two tax map and parcel numbers, that the two parcels be merged together during the Preliminary Plan process with a Merger Plat. To increase efficiency and cost effectiveness, this could be completed in conjunction with the SWM Easement Plat which will be required at the time of Preliminary Plan review and advancement.** The two parcels to be merged would be: (1) Berkeley County, District 08, Tax Map 10, Parcel 23.5, and (2) Berkeley County, District 08, Tax Map 10, Parcel 23.4., consisting of a combined acreage of approximately 56.38 +/- acres.

It is important to note that this report is predicated applicable ordinances and regulations in effect as of the date of this report. As always, if there are any questions or points of clarification needed, please feel free to reach out to Adaptplanning@gmail.com or via phone at (304)283-08712, or consult the ordinances in their entirety which are referenced in this report.

Exhibits and references are included for ease of reference and summary purposes but cannot represent the ordinance in its entirety. ADAPT appreciates the opportunity to perform this work for the Client.

Thank you for your business!

COMPREHENSIVE PLAN GROWTH MAP



The subject properties are in an area designated as “growth area” by the Berkeley County 2016 Comprehensive Plan, Growth Management Map.

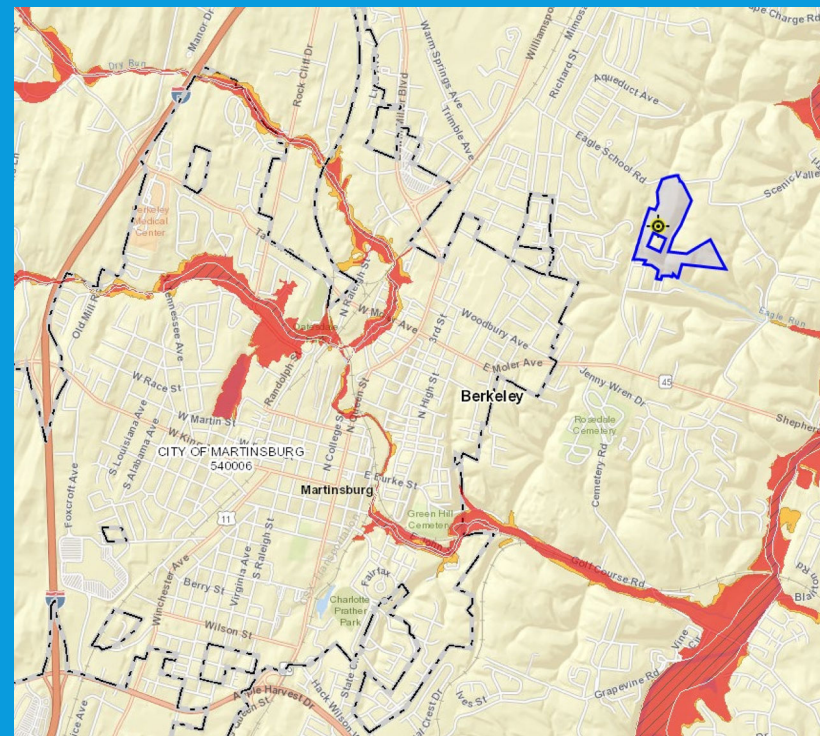
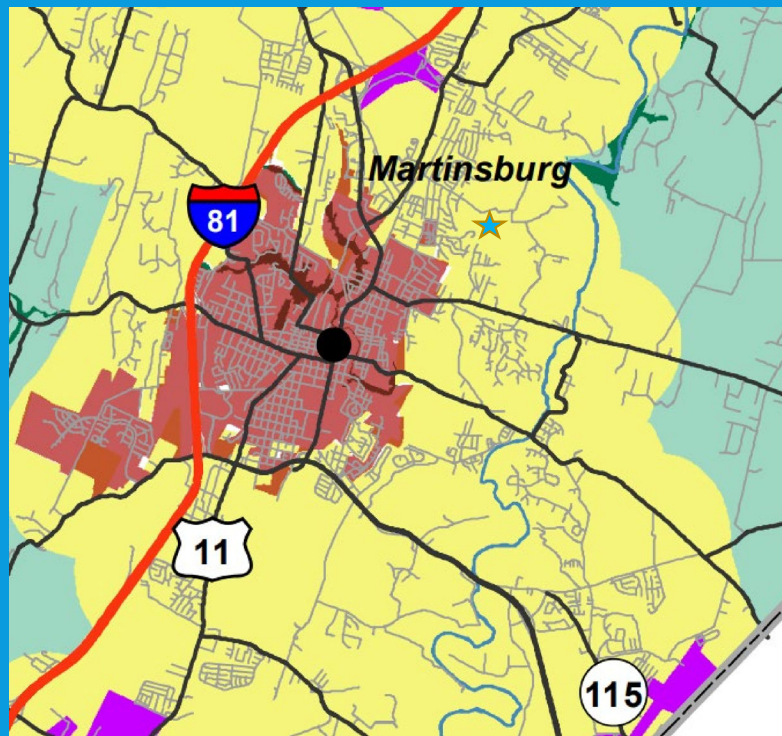


Data Source:
Berkeley County
GIS

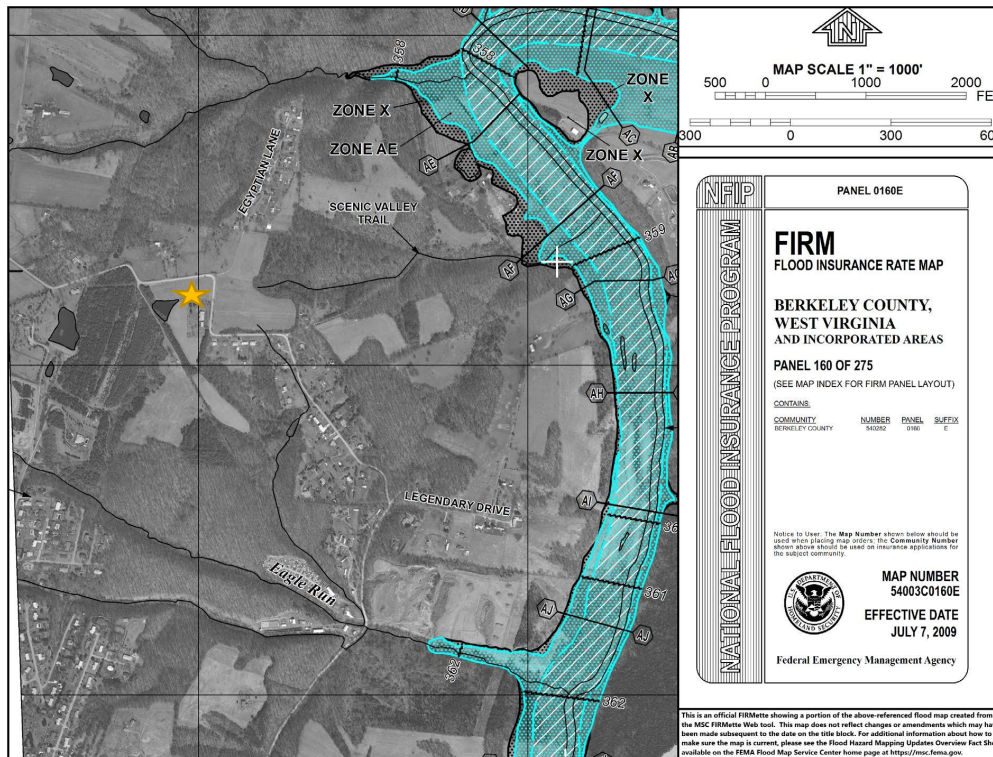
This map is a broad guide for future land use in Berkeley County and is not intended as a specific map for land use decision making.

Berkeley County
Growth Management Map
Berkeley County Comprehensive Plan Update 2016

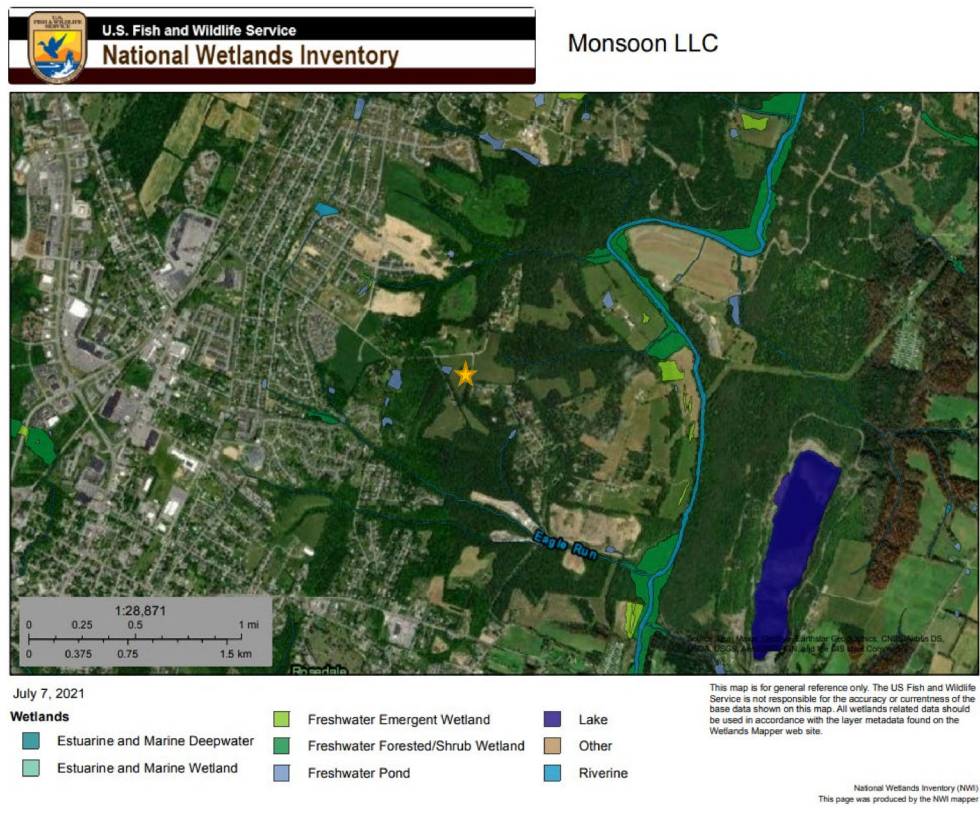
COMPREHENSIVE PLAN DESIGNATION



FLOODPLAIN EXHIBIT



WETLANDS EXHIBIT



MINIMUM LOT SIZE EXHIBIT

Article 5 – Design Standards

County Subdivision Ordinance. This provision may not apply to existing lots of record. (Amended January 10, 2013)

Table 5-3

A. CONDITION - With Public Water AND Public Sewer			
Type of Development	Maximum Impervious Coverage	Minimum ¹ Lot Width	Minimum Lot Size
Single Family Residence	60 %	75 Feet	7,500 Square Feet
Duplex Residence	60%	85 Feet Total lot width	9,000 Square Feet
Multi-Family Residence	60%	100 Feet	10,000 Square Feet, plus 400 sq. ft. for each one bedroom unit; and 600 sq. ft. for each unit with two bedrooms or more.
Townhouse	60%	18 Feet ²	1,800 Square Feet with a maximum of 10 units per acre. ¹
Commercial	80%	100 Feet	No minimum
Industrial	80%	150 Feet	40,000 Square Feet

¹ In a Townhouse Development 30% of the units may be reduced to a minimum lot width of sixteen feet (16') and a minimum lot size of 1,600 square feet. In this case, no one townhouse unit shall contain more than eight (8) dwelling units.

SETBACK REQUIREMENTS

Section 503. Building Setback Lines

- A. Where the subdivided area is intended to be used for residential purposes, the building setback lines identified in the table below shall be observed:

Table 5-1

Minimum Setbacks	Highway Classifications		
	Arterial	Collector	Local/Other
Front	20'	20'	10'
Side*	10' minimum	10' minimum	10' minimum
Rear	20'	20'	20'

*Ten foot (10') side yard setback. If any lot adjoins a State Highway right-of-way, then a minimum fifty-foot (50') setback is required. **(Amended January 10, 2013)**

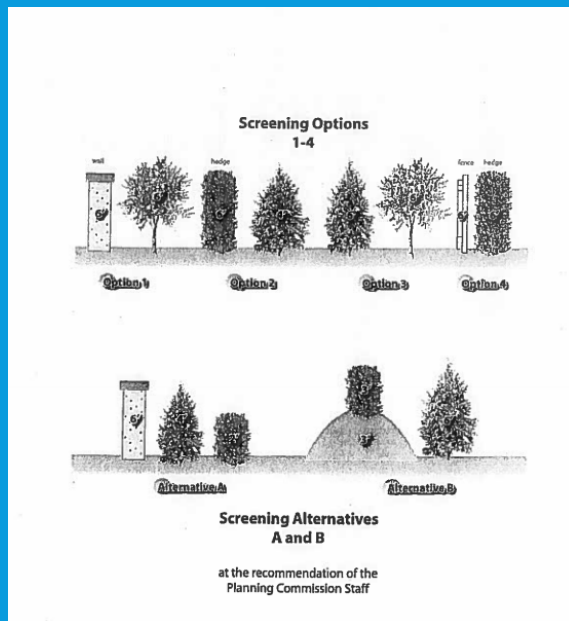
- B. Where the subdivided area is intended to be used for non-residential purposes, the building setback lines identified in the table below shall be observed:

Table 5-2

Minimum Setbacks	Highway Classifications		
	Arterial	Collector	Local/Other
Front	75'	50'	5'
Side	15'	15'	5'
Rear	25'	25'	5'

BUFFERING AND SCREENING

Screening Options



Buffer Requirements

- b. Land Use and Buffers
 - i. Buffer area and screening in accordance with Section 802.2 and Table 8-5 shall be provided by the developer of the project during the sketch plat phase, as follows:
 - a) A buffer of twenty-five feet (25') shall be required between a commercial use and a residential use. Screening shall be provided in the buffer.
 - b) A buffer of twenty-five feet (25') shall be required between a multi-family residential use and a single family/two family residential use. Screening shall be provided in the buffer.
 - c) A buffer of one-hundred feet (100') shall be required between any industrial use and a residential use. Screening shall be provided in the buffer.
 - d) A buffer of twenty-five feet (25') shall be required between any industrial use and a commercial use or public right of way. Screening shall be provided in the buffer. **(Amended January 10, 2013)**

WATER AND SEWER CAPACITY IMPROVEMENT FEES

		WATER & SEWER CAPACITY IMPROVEMENT FEES											
		Water CIF Only				Sewer CIF Only				Combined CIF			
Meter Size	Type	Year 1	Year 2	Year 3	Year 4	Year 1	Year 2	Year 3	Year 4	Year 1	Year 2	Year 3	Year 4
5/8"	Displacement	\$503	\$1,006	\$1,509	\$2,012	\$713	\$1,426	\$2,139	\$2,852	\$1,216	\$2,432	\$3,648	\$4,864
	Positive												
3/4"	Displacement	\$755	\$1,509	\$2,264	\$3,018	\$1,070	\$2,139	\$3,209	\$4,278	\$1,824	\$3,648	\$5,472	\$7,296
	Positive												
1"	Displacement	\$1,258	\$2,515	\$3,773	\$5,030	\$1,783	\$3,565	\$5,348	\$7,130	\$3,040	\$6,080	\$9,120	\$12,160
	Positive												
1-1/2"	Displacement	\$2,515	\$5,030	\$7,545	\$10,060	\$3,565	\$7,130	\$10,695	\$14,260	\$6,080	\$12,160	\$18,240	\$24,320
	Positive												
2"	Displacement	\$4,024	\$8,048	\$12,072	\$16,096	\$5,704	\$11,408	\$17,112	\$22,816	\$9,728	\$19,456	\$29,184	\$38,912
	Compound	\$4,024	\$8,048	\$12,072	\$16,096	\$5,704	\$11,408	\$17,112	\$22,816	\$9,728	\$19,456	\$29,184	\$38,912
	Turbine	\$4,024	\$8,048	\$12,072	\$16,096	\$5,704	\$11,408	\$17,112	\$22,816	\$9,728	\$19,456	\$29,184	\$38,912
3"	Compound	\$8,048	\$16,096	\$24,144	\$32,192	\$11,408	\$22,816	\$34,224	\$45,632	\$19,456	\$38,912	\$58,368	\$77,824
	Turbine	\$8,803	\$17,605	\$26,408	\$35,210	\$12,478	\$24,955	\$37,433	\$49,910	\$21,280	\$42,560	\$63,840	\$85,120
4"	Compound	\$12,575	\$25,150	\$37,725	\$50,300	\$17,825	\$35,650	\$53,475	\$71,300	\$30,400	\$60,800	\$91,200	\$121,600
	Turbine	\$15,845	\$31,689	\$47,534	\$63,378	\$22,460	\$44,919	\$67,379	\$89,838	\$38,304	\$76,608	\$114,912	\$153,216
	Fire Service	\$17,605	\$35,210	\$52,815	\$70,420	\$24,955	\$49,910	\$74,865	\$99,820	\$42,560	\$85,120	\$127,680	\$170,240
6"	Compound	\$25,150	\$50,300	\$75,450	\$100,600	\$35,650	\$71,300	\$106,950	\$142,600	\$60,800	\$121,600	\$182,400	\$243,200
	Turbine	\$35,210	\$70,420	\$105,630	\$140,840	\$49,910	\$99,820	\$149,730	\$199,640	\$85,120	\$170,240	\$255,360	\$340,480
	Fire Service	\$40,240	\$80,480	\$120,720	\$160,960	\$57,040	\$114,080	\$171,120	\$228,160	\$97,280	\$194,560	\$291,840	\$389,120

Year 1 May 28, 2019 to May 27, 2020
 Year 2 May 28, 2020 to May 27 2021
 Year 3 May 28, 2021 to May 27, 2022
 Year 4 28-May-22

ROAD TYPE EXHIBIT

- a. L1-Rural Lane-Gravel. Lots over 5 acres in size.
 - b. L2-Local Road- Serving a maximum of 60 lots.
 - c. L3-Local Road- Serving a maximum of 250 Lots.
 - d. Alley- Serving off street parking or rear of residential lots
- c. Classification-Heavy Duty
- 1. Heavy-Duty. This classification is intended to provide access to industrial areas and other areas where semi-trailer truck traffic is expected.

TABLE A

- 1. Minimum component widths for each type of street shall be as follows:

A. Highway Widths-

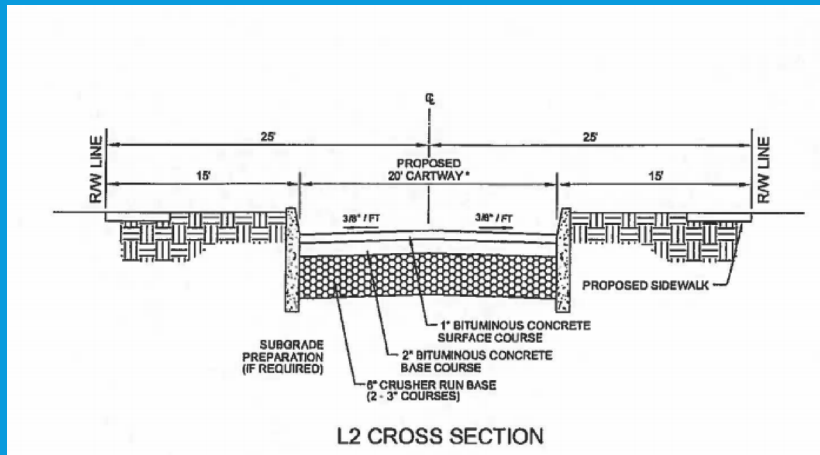
<u>Type of Street</u>	<u>Right-of-Way</u>	<u>Cartway Width</u>
Arterial	60'-120'	26' or 40'
Collector	60'	24' or 34'

B. Local Widths-

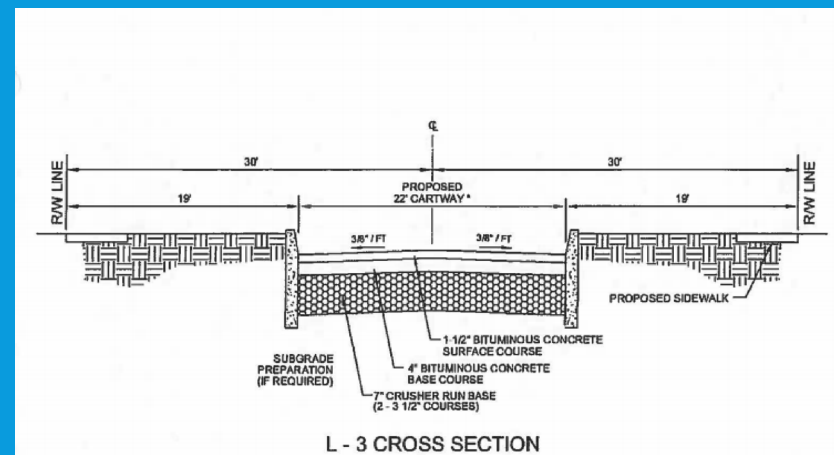
<u>Type of Street</u>	<u>Right-of-Way</u>	<u>Cartway Width</u>
L1-Gravel	50'	18'
L2	50'	20'
L3	60'	22'
Alley	20'	12'

ROAD TYPE EXHIBIT (2)

L-2 Road Cross Section



L-3 Road Cross Section



**BERKELEY COUNTY
PUBLIC SERVICE SEWER DISTRICT**

P.O. Box 944
Martinsburg, WV 25402
Phone: (304) 263-8566
Fax: (304) 267-7478

Board of Directors:
John Kunkle, Chairman
John E. Myers, Secretary
Greg Rhoe, Treasurer



Curtis B. Keller
General Manager

July 20, 2021

Via E-Mail

Jamie MacLean, CZO, CFM
Land Planning Specialist

Re: Intent to Serve

This letter is to provide notice of the Berkeley County Public Service Sewer District's intention to serve the property currently owned by Monsoon, LLC, located in the Opequon District, Tax Map 10, Parcels 23.4 and 23.5. The property will be designed for 99 townhomes. In order to connect to the public sewer service an easement to cross Eagle School Road and an upgrade to the pump station may be required. All design and construction of on-site and off-site line extensions will be the responsibility of the contractor.

The District will provide sanitary sewer service to the project and may enter into a COVA Agreement with the developer for construction of the necessary improvements, which may include both on-site and off-site improvements along with an on-site pump station. Individual applications will need to be completed and payment of the tap fee may be required before construction of the project on the lot(s) will be permitted.

If you have any questions, please feel free to call my office at 304-263-8566.

Sincerely,

Lori Kessler
Capital Improvements Project Manager



Berkeley County Public Service Sewer District
732 Baker Road, Martinsburg, WV 25402
Telephone Direct 304-263-8566 | Fax 304-267-7478 | Mobile 304-676-9296
E-mail lkessler@bcpsd.com | Website www.bcpsd.org

BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT

251 Caperton Blvd.
Martinsburg, WV 25403
Telephone: 304.267.4600 & FAX: 304.267.3864

To Whom It May Concern:

INTENT TO SERVE PUBLIC WATER FOR SUBDIVISIONS AND/OR LAND DEVELOPMENTS

Property Owner: Monsoon LLC
905 North St.
Martinsburg, WV 25401

Property Location: Opequon District Tax Map 10 Parcel 23.4 and 23.5
Property Address: 450 Gregory Drive Martinsburg WV 25404

Description of Proposed Project: 99 Townhomes

Has public water service. Water main of adequate size exists in the public right-of-way adjoining the property. All lots must have frontage on public main in order to have water service. All lots of proposed subdivision/land development that do not have frontage on an existing water main will require a mainline extension for water service. As the details of the project are reviewed and hydraulic model evaluations are determined, additional infrastructure provisions, onsite and offsite, may be required to ensure adequate service to existing customers as well as the proposed development.

Requires a mainline extension for public water service to and/or within the proposed subdivision/land development. Interior of proposed subdivision/land development will require a mainline extension for water service. The Developer shall execute an alternate mainline extension agreement with the District for the above noted project which must be approved by the Public Service Commission of West Virginia. Location of main of adequate size to serve subdivision/ land development to be determined by District. All mainline extensions shall be completed in accordance with the Berkeley County Public Service District Developer Policy, Procedures and Standards for Water Systems.

This Intent to Serve Public Water is only an intent to serve water. Water service is not guaranteed until a tap application (i.e., a formal request for immediate and continuous service) is approved for an individual lot(s). This Intent to Serve Public Water does not convey District acceptance or approval of the proposed project for permitting by State or other regulatory agencies.

This Intent to Serve Public Water expires one year from date of issue.

BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT

By: 

Date: July 7, 2021

Its: District Representative

FOR PLAN REVIEW PURPOSES ONLY. NOT TO BE USED TO OBTAIN BUILDING PERMIT.