

**LEGEND:**

- PROPERTY BOUNDARY
- TOTAL SITE AREA
- [Cross-hatch pattern] IMPERVIOUS AREA NOT COUNTING TOWARDS OPEN SPACE
- [Wavy line pattern] OPEN SPACE, IMPROVED
- [Dotted pattern] OPEN SPACE, NATURAL
- [Diagonal line pattern] OPEN SPACE, IMPROVED, ABOVE STRUCTURE

**Open Space Tabulations**  
Total Site Area = 418045 sq. ft.

Previous Submission	Area (sq. ft.)	% of Total
Impervious	112117	27%
Open Space, Improved	20116	5%
Open Space, Natural	234487	56%
Open Space Over Structure	42205	10%
	418045	100%

Revised Submission	Area (sq. ft.)	% of Total
Impervious	92797	22%
Open Space, Improved	67936	16%
Open Space, Natural	209705	50%
Open Space Over Structure	47547	11%
	418045	100%

**NOTE:**  
PER THE CODIFIED ORDINANCES OF HARPERS FERRY (APRIL 2018):

**OPEN SPACE:** ANY LAND OR AREA, THE PRESERVATION OF WHICH IN ITS PRESENT USE WOULD CONSERVE OR ENHANCE NATURAL OR SCENIC RESOURCES; OR (2) PROMOTE STRAINS OR WATER SUPPLY; OR (3) PROMOTE CONSERVATION OF SOILS OR WETLANDS; OR (4) ENHANCE THE VALUE TO THE PUBLIC OF ADJUTING OR RECREATING PARKS, FORESTS, WILDLIFE PRESERVES, NATURE RESERVATIONS, OR SANCTUARIES; OR (5) ENHANCE RECREATIONAL OPPORTUNITIES.

**OPEN SPACE, IMPROVED:** PARKS, PLAYGROUNDS, SWIMMING POOLS, BALL FIELDS, PLAZAS, LANDSCAPED OPEN SPACES, AND OTHER AREAS THAT ARE CREATED OR MODIFIED BY MAN. IMPROVED OPEN SPACE SHALL NOT INCLUDE SCHOOLS, COMMUNITY CENTERS OR OTHER SIMILAR AREAS IN PUBLIC OWNERSHIP.

**OPEN SPACE, NATURAL:** AREAS OF NATURAL VEGETATION, WATER BODIES, OR OTHER LANDSCAPES THAT ARE TO BE LEFT UNDISTURBED. CREATION OF A CRISSED AND SURFACED WALKING TRAIL THROUGH AREAS OF NATURAL OPEN SPACE SHALL CONSTITUTE DISTURBANCE OF THE AREA IN THE AMOUNT OF THE LENGTH OF THE WALKING TRAIL, MULTIPLIED BY ITS APPROXIMATE AVERAGE WIDTH. NATURAL OPEN SPACE SHALL NOT INCLUDE SCHOOLS, COMMUNITY CENTERS OR OTHER SIMILAR AREAS IN PUBLIC OWNERSHIP.

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DEVELOPMENT  
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SECURITY CONSULTING

**HILLTOP HOUSE HOTEL**  
OPEN SPACE AREA EXHIBIT - UPDATED LAYOUT  
SCALE: 1"=40'  
SEPTEMBER 18, 2018

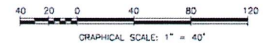
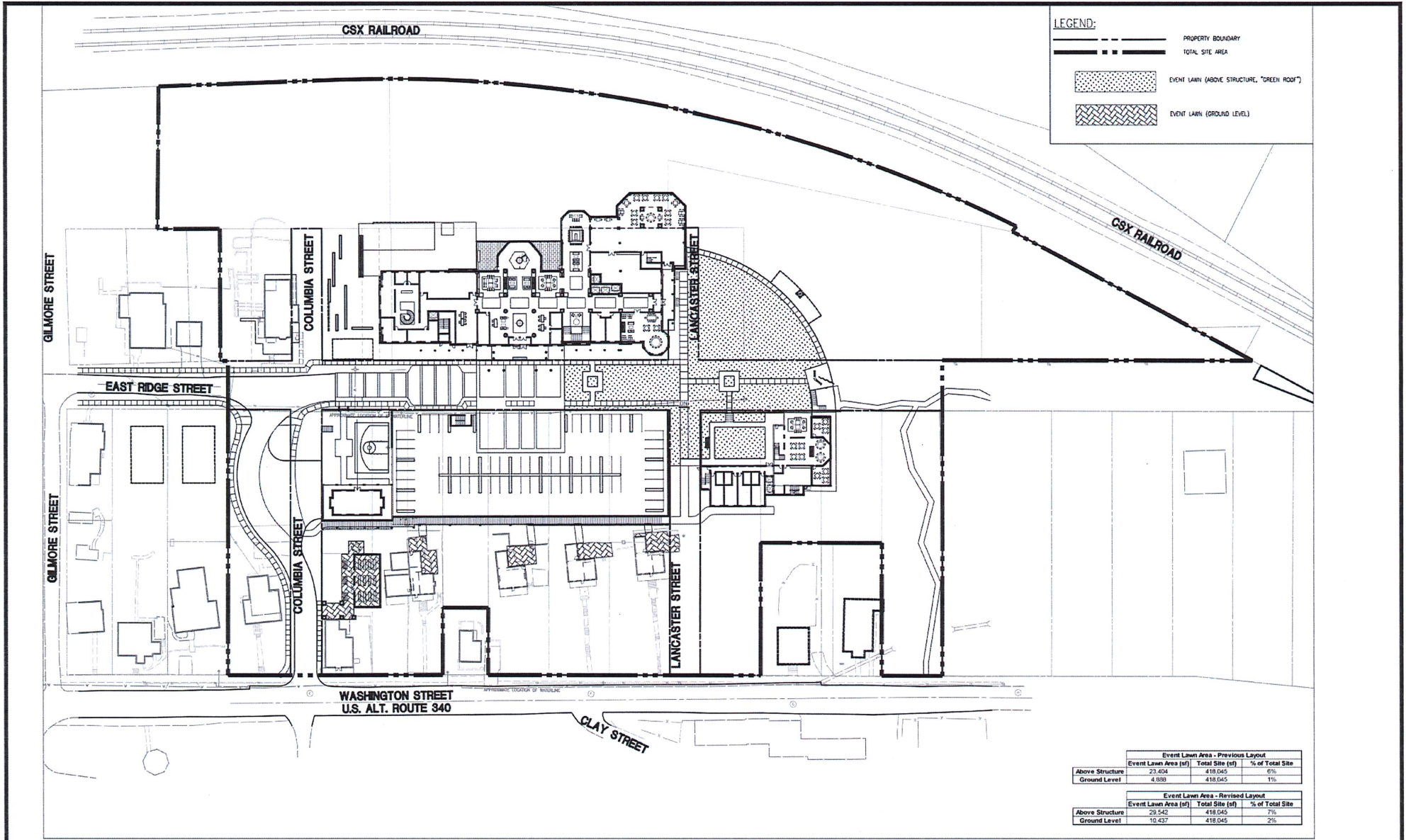


EXHIBIT 0009-0028  
CADD: 0009-0201-0001\_PLOT\_LAYOUT\_UPDATED\_LAYOUT.dwg  
DRAWN BY: BMS  
SHEET 2 OF 2



**LEGEND:**

- PROPERTY BOUNDARY
- TOTAL SITE AREA
- EVENT LAWN (ABOVE STRUCTURE, "GREEN ROOF")
- EVENT LAWN (GROUND LEVEL)

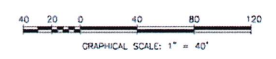
Event Lawn Area - Previous Layout			
	Event Lawn Area (sf)	Total Site (sf)	% of Total Site
Above Structure	23,404	418,045	6%
Ground Level	4,688	418,045	1%

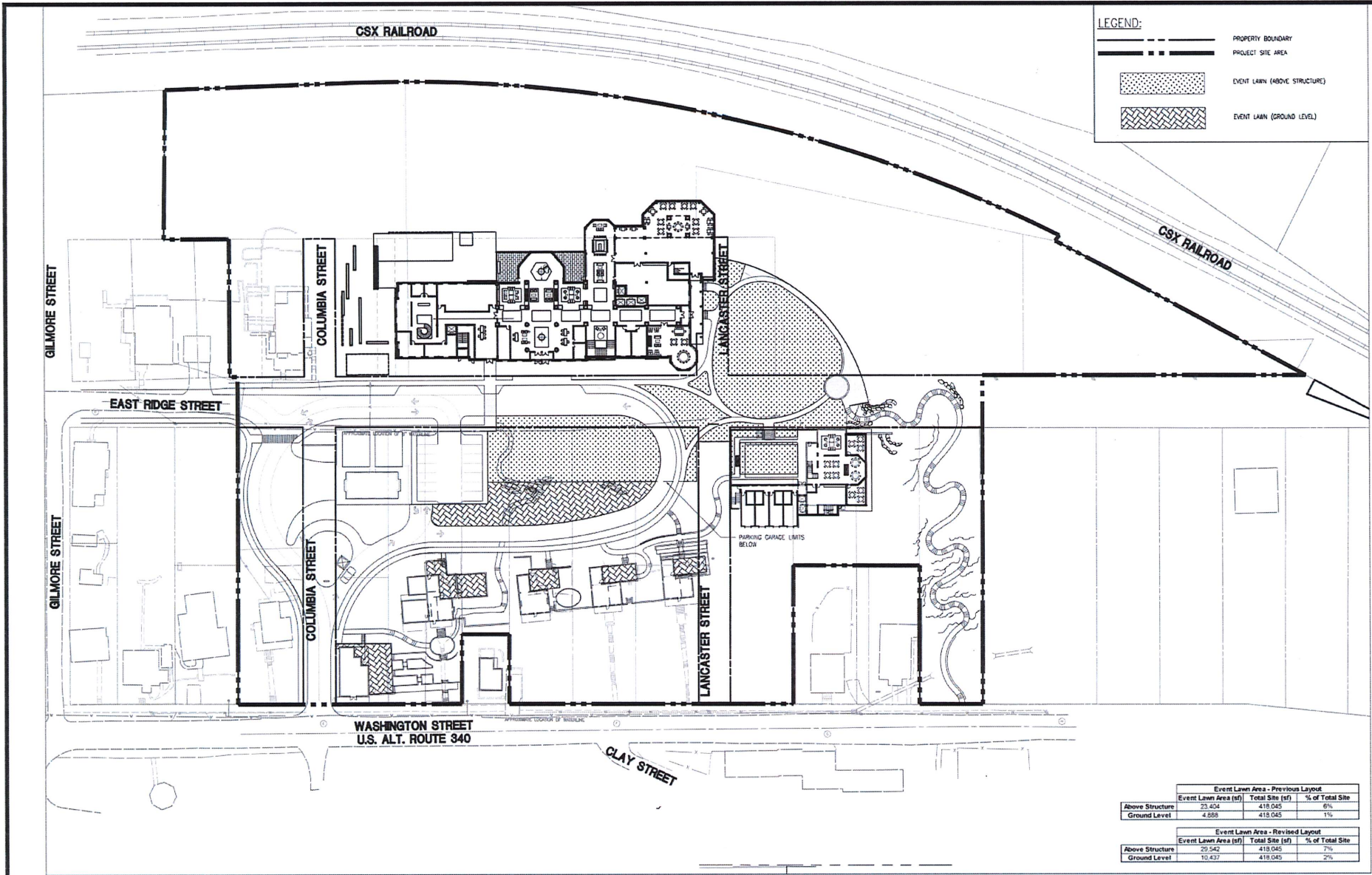
Event Lawn Area - Revised Layout			
	Event Lawn Area (sf)	Total Site (sf)	% of Total Site
Above Structure	29,542	418,045	7%
Ground Level	10,437	418,045	2%

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**HILLTOP HOUSE HOTEL**  
 EVENT LAWN AREA EXHIBIT - PREVIOUS LAYOUT  
 SCALE: 1"=40'  
 SEPTEMBER 18, 2018



PROJECT 0000-0000  
 CAD: 0001-0001-0004\_PLOT\_LAYOUT\_SHEET  
 DRAWING NO. 11  
 SHEET 1 OF 2



**LEGEND:**

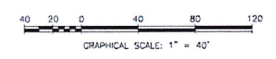
	PROPERTY BOUNDARY
	PROJECT SITE AREA
	EVENT LAWN (ABOVE STRUCTURE)
	EVENT LAWN (GROUND LEVEL)

Event Lawn Area - Previous Layout			
	Event Lawn Area (sf)	Total Site (sf)	% of Total Site
Above Structure	23,404	418,045	6%
Ground Level	4,858	418,045	1%

Event Lawn Area - Revised Layout			
	Event Lawn Area (sf)	Total Site (sf)	% of Total Site
Above Structure	20,542	418,045	7%
Ground Level	10,437	418,045	2%

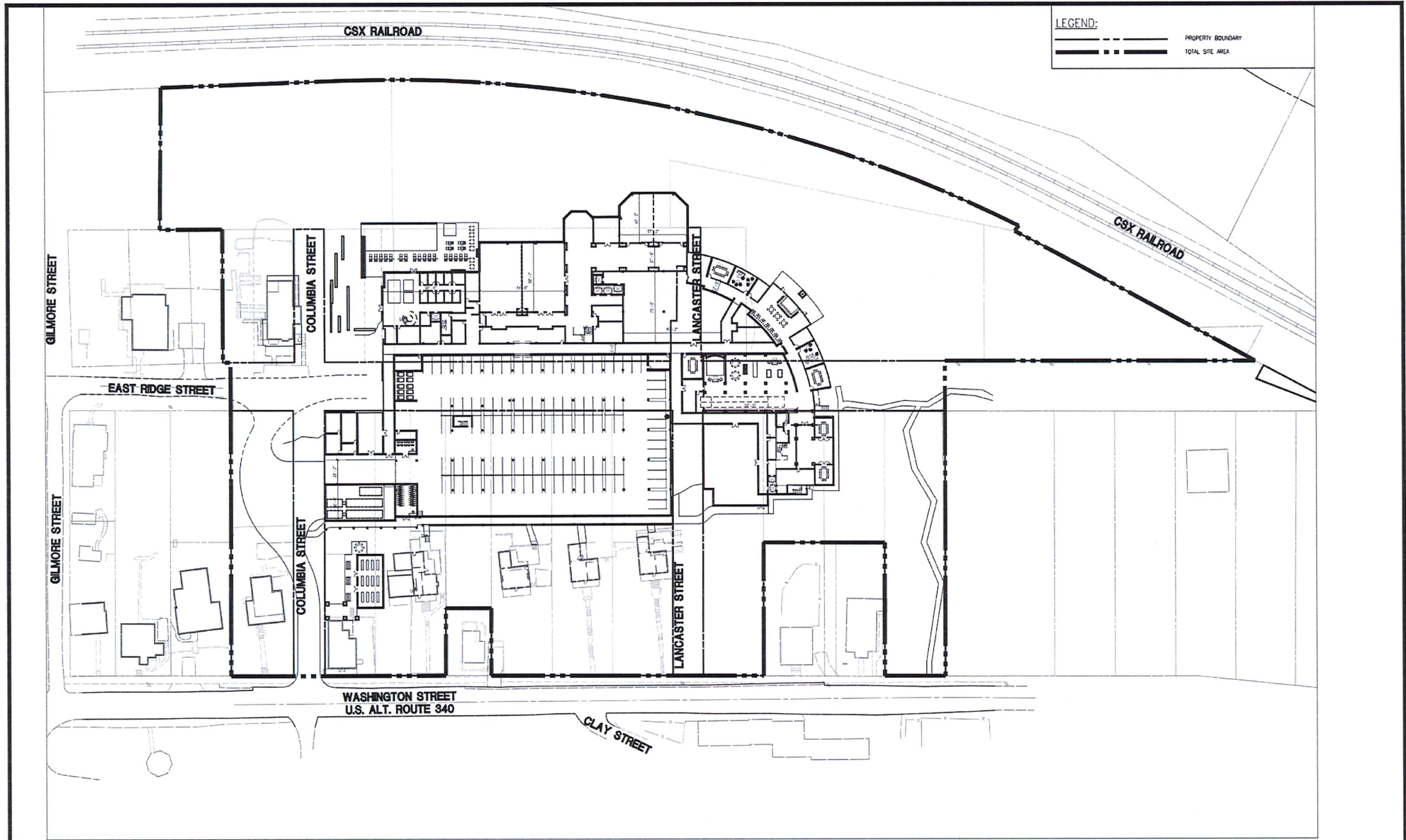
**HILLTOP HOUSE HOTEL**  
 EVENT LAWN AREA EXHIBIT - UPDATED LAYOUT  
 SCALE: 1"=40'  
 SEPTEMBER 18, 2018



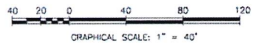
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EXHIBIT 0000-0005  
 0405 | 0009-0101-0001\_ACL\_APR18 | 0405-0001-0001  
 DRAWN BY: JL  
 SHEET 2 OF 2



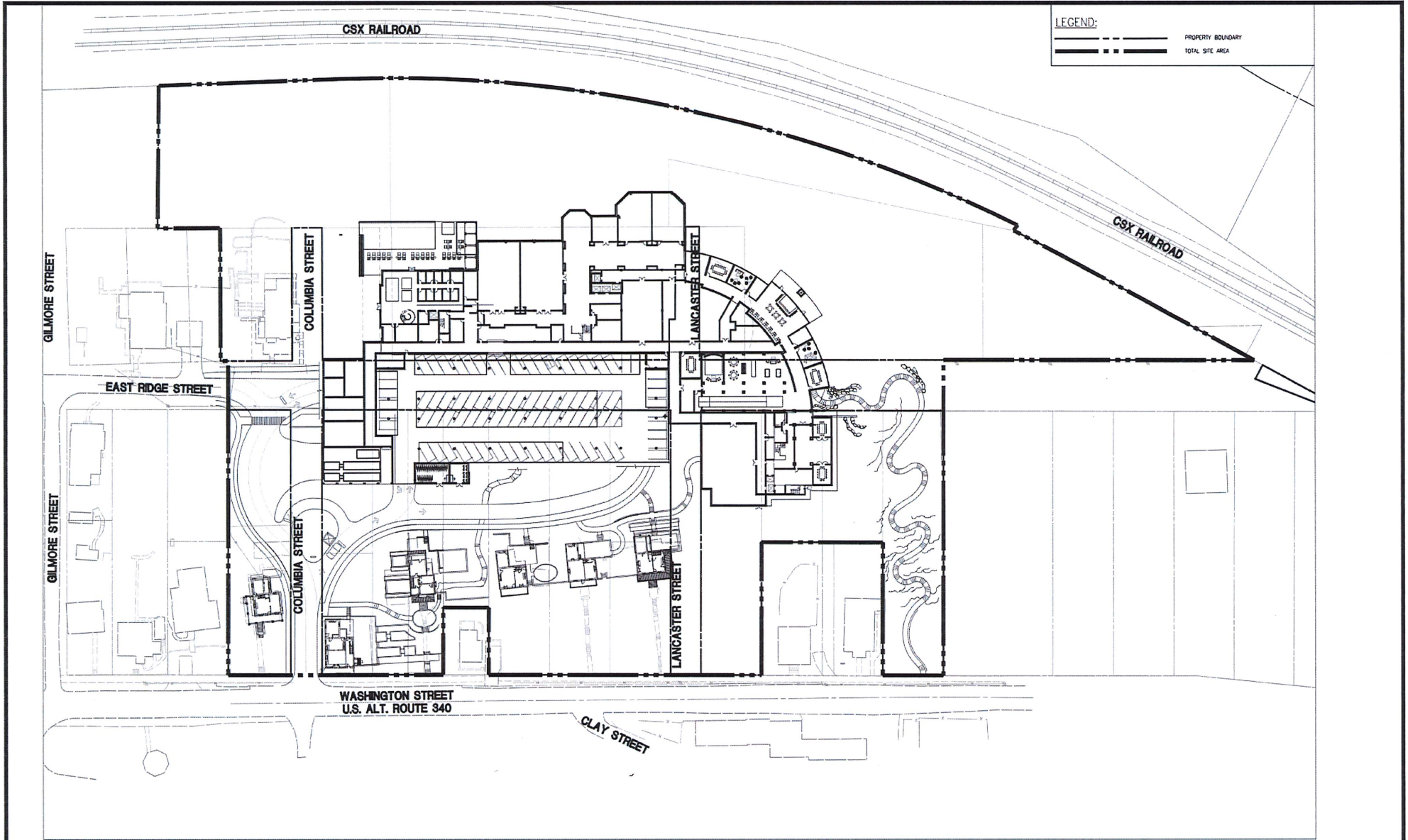
**HILLTOP HOUSE HOTEL**  
 LOWER LEVEL EXHIBIT - PREVIOUS LAYOUT  
 SCALE: 1"=40'  
 SEPTEMBER 18, 2018



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EXHIBIT 0000-0008  
 CAD: 0004-0011-000A\_PLOT\_0001\_PLOT\_0002  
 DRAWN BY: JL  
 SHEET 1 OF 2



**HILLTOP HOUSE HOTEL**  
 LOWER LEVEL EXHIBIT - UPDATED LAYOUT  
 SCALE: 1"=40'  
 SEPTEMBER 18, 2018

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40 20 0 40 80 120  
 GRAPHICAL SCALE: 1" = 40'

EXHIBIT 0008-0009  
 0008-0201-0008\_PC\_0008\_P101\_0008\_P102  
 0008\_P103  
 SHEET 2 OF 2



**CORPORATION OF HARPERS FERRY**  
**Planning Commission**  
**STATEMENT OF CONFORMITY – AMENDMENT**

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**Presented Tuesday, October 2, 2018**  
Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425

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**TO:** SWaN Hilltop, LLC  
**FROM:** Harpers Ferry Planning Commission  
**REGARDING:** Hill Top House Hotel – Concept Design Plan/Landscape Enhancement Plan Changes and Proposal  
**COPY:** Harpers Ferry Mayor Wayne Bishop, Harpers Ferry Town Council, Harpers Ferry Board of Zoning Appeals, Harpers Ferry Historic Landmarks Commission, Harpers Ferry Tree Committee, Harpers Ferry Ordinance Compliance Officer

**BACKGROUND:**

On May 29, 2018, the Harpers Ferry Planning Commission received the SWaN Hilltop, LLC (SWaN) Concept Design Plan Proposal for the Hill Top House Hotel (HTHH). In accordance with Harpers Ferry Ordinance, Article 1313.04(a)(4)(B), and upon full and fair consideration, on July 31, 2018, the Harpers Ferry Planning Commission released its official Statement of Conformity (SOC) to SWaN, copying Mayor Wayne Bishop, Town Council Members, Town Committees and Commissions and the Ordinance Compliance Officer. Town Recorder, Kevin Carden, posted the Statement of Conformity to the Town website for Harpers Ferry residents and the general public.

**SUBSEQUENT ACTION:**

As part of an ongoing process and in line with efforts to respond to the HF Planning Commission's recommendations in the SOC, SWaN contracted Arentz Landscape Architects to design "*an enhanced landscape concept plan for the Hill Top that addressed creation of a unique sense of arrival and cohesiveness of the Hill Top Campus.*" (ref. doc.: Narrative for Hill Top House Hotel, Landscape Enhancement Plan with Fire Marshal Comments; dated August 30, 2018)

As Article 1313 provides no mechanism for submitting Concept Design Plan changes, SWaN chose to utilize Harpers Ferry's existing RFI (Request for Information) process, and submitted the Arentz designed, Hill Top House Hotel Landscape Enhancement Plan to Mayor Wayne Bishop on August 3, 2018, via **RFI #25**. The subject matter continued on both **RFI #25**, and **RFI #27**, which reflected Mayor Bishop's response(s).

## PLANNING COMMISSION DIRECTIVE:

As mandated by Harpers Ferry Ordinance, Article 1313.04(a)(4)(B), the Planning Commission ***“must give the applicant a statement whether the proposal, if constructed, would “likely” conform with the Comprehensive Plan and the objectives of the Promontory Overlay District.”*** This statement is hereinafter, known as a **Statement of Conformity**.

### **RFI #25: Submitted from SWaN to Mayor Wayne Bishop, dated August 3, 2018.**

On August 13, 2018, Mayor Bishop responded to SWaN on **RFI #25** with questions, and forwarded to the Planning Commission on August 14, 2018, for informational purposes only; no action was requested. Attached supporting document(s): Arentz Landscape Architects' Landscape Enhancement Plan (1 page).

### **RFI #27: Submitted from Mayor Wayne Bishop to SWaN, dated August 20, 2018.**

On August 20, 2018, Mayor Bishop submitted additional questions to SWaN on **RFI #27** and remanded it to the Planning Commission on August 20, 2018, *“for discussion and action”* as part of *“a continuation of the Statement of Conformity process.”* Attached supporting document(s): Arentz Landscape Architects' Landscape Enhancement Plan (3 pages).

Because the Landscape Enhancement Plan proposes substantive changes to the original submission of the Concept Design Plan, a review and possible Amendment to the Statement of Conformity is being requested by Mayor Wayne Bishop.

## PLANNING COMMISSION REVIEW:

As a result of having a permanent placeholder on all PC meeting agenda(s) for discussion and action regarding open RFIs, the Planning Commission was able to immediately review and begin deliberation on the topic at their Regular Meeting on August 21, 2018.

To formulate this Amendment to the Statement of Conformity, the Planning Commission met weekly and held a Public Hearing on September 11, 2018. Changes, introduced in the Landscape Enhancement Plan, that the Planning Commission considered and reviewed, included, but were not restricted to:

- 1.) one-way (partially) loop lane, created to manage traffic flow and provide for a sense of arrival to the hotel site, proposed grade in relation to armory houses and loop lane;
- 2.) gatehouse, created to provide information and manage guest(s) arrival;
- 3.) slip-return exit, created to manage traffic flow and provide direction and information;
- 4.) modification of grade level parking for below grade “lift” system parking and parking space requirements;
- 5.) valet only parking;
- 6.) pedestrian sidewalks, walkways and crossing areas;
- 7.) increased event lawn(s), open space and landscape screening
- 8.) enhanced landscape buffering between hotel site and residential areas
- 9.) pedestrian trail from hotel site to Washington Street
- 10.) relocation of Promontory overlook flagpole and viewing area access
- 11.) fire department access
- 12.) storm-water management relating to pervious and impervious land
- 13.) reconfiguration of the chef's garden
- 14.) elimination of the basketball court

## INTRODUCTION:

The Harpers Ferry Planning Commission finds that of the eight (8) objectives of the Promontory Overlay District, SWaN's Concept Design Plan/Landscape Enhancement Plan – Proposed Changes, if built, would "likely" conform to all of the objectives of the Promontory Overlay District except for objective #1 and possibly, objective #5, which will need to be negotiated before the Harpers Ferry Board of Zoning Appeals (or the Harpers Ferry Town Council, for street and paper street issues.) It will also, if built, "likely" conform to many goals of the Harpers Ferry Comprehensive Plan and potentially, could conform to all of them.

The Harpers Ferry Planning Commission recommends that SWaN Hilltop, LLC, the Harpers Ferry Board of Zoning Appeals, and the Harpers Ferry Town Council, work together, to devise mutually agreeable resolutions for a few sticking points, and in doing so, bring the entire Concept Design Plan/Enhancement Landscape Plan into "likely" compliance with the goals of the Harpers Ferry Comprehensive Plan, and all of the objectives of the Promontory Overlay District.

## STATEMENT OF CONFORMITY – AMENDMENT:

The Planning Commission appreciates SWaN's efforts to keep improving the hotel design in a manner that is responsive to the Town. It is the Planning Commission's assessment that SWaN's changes, as proposed, will improve the overall appearance of the hotel site.

Replacing impervious, grade-level parking with event lawns, increased open space, enhanced landscaping, and added pedestrian walkways, will be more compatible with rustic and historic Harpers Ferry, and will better ameliorate the potentially jarring contrast of a large, modern hotel complex set in a small, quiet, 19<sup>th</sup> century village. In addition to simply enhancing the visual scene, and further disguising necessary modern amenities, the increased tree cover and green space will obscure light and muffle noise, while potentially setting the tone for guests to enjoy a quieter, more attuned to history and nature, visit to Harpers Ferry.

There are still unresolved concerns that are important to note, relating to the Objectives of the Promontory Overlay District Ordinance, Article 1313.

- 1.) The aforementioned issues (as noted in the original SOC) surrounding the ownership and maintenance of streets and paper streets, which will have to be negotiated to the satisfaction of the Town Council and SWaN together, remain. **Objective #1**
- 2.) The permanent access for residents and visitors to the Promontory overlook is of utmost importance. In particular, plans, if they are to be approved, will need to include accommodations for the handicapped and elderly to be able to freely visit and enjoy the views at any time. While acknowledging a hotel's need for security for its patrons, there is a special obligation in Harpers Ferry to keep public overlooks public to pedestrian traffic, even when visitors wish to view the stars at night or the sunrise in the morning. **Objective #5**
- 3.) The gatehouse, for information purposes, can be a useful amenity for hotel management, guests, local residents, and the general public, or it can be a restrictive barrier. The Planning Commission encourages the use of such a structure in a manner that is welcoming, friendly, and helpful to everyone. **Objective #5**



**NOTE:**

Pursuant to Harpers Ferry Ordinance, Article 1313.04(a)(4)(C); ***“discussions, statements or opinions of any member of the Planning Commission or the Planning Commission itself, written or otherwise, about the Concept Design Plan or the Historic Resources Plan made during the review or after it is completed are not binding on the Board of Zoning Appeals, the Corporation of Harpers Ferry, or any division or body thereof.”***

**DISCLAIMER:**

The Harpers Ferry Planning Commission has done its best to ensure that this Amendment to the original Statement of Conformity is accurate and useful, based on the Concept Design Plan/Landscape Enhancement Plan as presented. However, given that the ordinances are complex and the Planning Commission has not seen the final permit application, the Planning Commission does not represent that the recommendations contained herein are complete or will guarantee approval.