



United States Department of the Interior

NATIONAL PARK SERVICE
Harpers Ferry National Historical Park
P.O. Box 65
Harpers Ferry, West Virginia 25425

IN REPLY REFER TO:

L1425 (HAFE)

JUN -5 2007

Mr. John Sidor
President, Jefferson County Planning Commission
P.O. Box 338
Charles Town, WV 25414

Dear Mr. Sidor:

This is in response to the petition to rezone the Old Standard, LLC, property on Millville Road near Harpers Ferry for commercial uses. The northern portion of the property is currently zoned Residential Growth while the majority of the property to the south is zoned Rural. The petition requests the Jefferson County Planning Commission to address the compatibility of the petition with the County's Comprehensive Plan-2004.

Through rezoning of the Old Standard property to commercial, the owners/developers propose to develop the land with two million square feet of commercial space (office, research and development and flex space), a Hotel and Conference Center, and a Signature Office Building. The two million square feet of commercial space appear to be in 25 buildings of unstated height: 10 buildings on the southwest corner of the property west of the quarry lake and 15 buildings along the ridge east of the lake with a total footprint including buildings, roads, parking areas, forest removal and earth disturbance of approximately 165 acres.

While the NPS supports planned economic growth in the County that is consistent with the policies and recommendations outlined in the Comprehensive Plan, the rezoning of the Old Standard property from Rural to Commercial is not consistent with the goals and objectives of the County as documented in its Comprehensive Plan. Rezoning to Commercial, which would allow the development of the commercial uses described above, will have a devastating impact on the natural and historic values inherent in the property and the surrounding rural-agricultural lands managed by the National Park Service.

The rezoning of Old Standard is not consistent with the Plan as follows:

1. It is not consistent with the Vision for the County that seeks to *shape growth in a manner that preserves the most important features of Jefferson County: the rural landscape, the natural beauty of the rivers, the rolling terrain and the strong sense of community* (page 8). The majority of the Old Standard is zoned Rural and the visual appearance of the property supports this designation. We disagree with the petitioner that this zoning is in error. While the property was actively mined for almost 100 years, the majority of the property, according to U.S. Geological Survey maps dating back to 1916, has retained a natural appearance. While there are piles of spoil materials on the southwest corner of the property, the visual appearance from adjacent park lands is natural. The upland forest on the majority of the property screens any evidence of

previous quarry use and serves to protect the scenic, historic and natural values of the property and adjoining uses. The southwest corner of the property can be restored within current rural zoning by remediation of the unsightly area.

2. It does not *Promote the conservation of the natural, cultural, and historical resources and the preservation of the scenic beauty* (page 19). The Old Standard property is mostly undeveloped, and retains its Civil War-era appearance. These lands are located within the core area of the park on the southern end of Bolivar Heights and are nationally significant as part of the 1862 Harpers Ferry Battlefield. The proposed commercial uses are out of scale and context with the character of the surrounding rural landscape and the history that occurred there. In addition, the Murphy Farm that adjoins Old Standard to the northeast, and School House Ridge to the west, were acquired pursuant to the Harpers Ferry National Historical Park Revision Act of 2004 to preserve lands associated with the 1862 Harpers Ferry Battle. Commercial development proposed in the petition would devastate the views from these historic lands where the park is developing visitor hiking/walking trails and outdoor interpretive exhibits.

3. It is not consistent with the Plan as the use of the property was never planned for such use by the County. The Plan comments, *It is necessary to establish predictable patterns of development that it can rely on in order to ensure that the environment is protected, communities are developed in a thoughtful manner, and essential services are provided as the minimum level of expense* (page 22). The proposed commercial uses of the property were not predicted by the County and such uses will not protect the environmental values of the rural landscape.

4. It is not consistent with Recommendation 3.01 (page 24). The proposed commercial uses conflict with the surrounding uses which are predominantly rural lands maintained by the National Park Service for their historic rural-agricultural setting.

5. It is not consistent with the plan (page 32), as Old Standard would add 16,227 ADT to U.S. 340, exacerbating the county's greatest transportation problem, which is a bottleneck through the Harpers Ferry water gap. Due to multi-state coordination, design difficulties and costs, the plan states a solution will not be implemented in the foreseeable future.

6. The Plan acknowledges that heritage tourism is a significant element of Jefferson County's economy (page 56). According to a 1996 economic survey, the park and its visitors provide total direct spending in the local area amounting to about \$18.5 million. This direct spending results in sales benefits of about \$32.7 million. We believe these numbers have risen in the past 11 years and will continue to increase, as visitors stay longer to visit the historic sites on School House Ridge and the Murphy Farm. Commercial development of Old Standard, however, will forever destroy the rural appearance and historic values of the property. It will devastate the historic and scenic views from adjacent parklands where hundreds of millions of dollars of investment have been made to attract tourists and businesses and to promote one of West Virginia's finest treasures. We expect visitor use to decline given that the scenery, from a visitor's perspective, would be no different than what they may have left in a suburban environment.

7. It does not support Recommendation 3.13 which states that the County should *encourage preservation of historic resources* (page 56) and is inconsistent with current County ordinances that protect National Register properties from destruction [Section 4.4(c)]. Harpers Ferry National Historical Park is on the National Register.

8. It is not consistent with the Plan's comments and recommendations regarding protection of the "night sky" and noise (page 58). The lighting that would be needed for a three to four story Signature Office Building, Hotel and Conference Center, 25 commercial buildings, and parking lots, and the traffic from 6,000 new employees and commercial users in an area that is completely devoid of such uses, would destroy the darkness and natural silence that is inherent in Old Standard and the surrounding Civil War battlefield lands.

9. While Recommendation 3.18 recommends the County should continue to pursue new industrial and commercial development, Old Standard is not consistent with the County's efforts to cluster such uses in areas where it has planned for business development (page 64). To our knowledge, the Old Standard property has never been considered by the County for commercial use. In addition, at the recent annexation hearing before the Charles Town City Council on April 23, Old Standard was presented largely as a residential development.

10. It is not consistent with Recommendation 3.25 (page 73), which recommends a Historic Gateway Special Study Area. The Plan states, *...the purpose of the study is to identify ways to ensure that the residential and commercial development that occurs along this corridor is designed and constructed in such a way where development does not cause visual blight and major traffic problems along the eastern corridor to the State.* We are not aware that such a study has been implemented.

11. It is not consistent with the County's goals to provide education opportunities for its public school students (page 78). The national park is an active participant in the County's education system as an outdoor classroom to 40,000 students throughout the nation each year. Old Standard would denigrate the educational opportunities provided by the park.

12. The location and extent of the commercial development does not appear to be consistent with the Plan regarding law enforcement, fire and rescue services, and other public services (pages 80-81). Responding to emergencies in an otherwise undeveloped portion of the county would put a strain on the limited resources of the Jefferson County Sheriff's Department and emergency responders from local volunteer fire companies.

13. The proposed rezoning is not consistent with the comments regarding municipal cooperation in implementing the Plan (page 96). The Mayors of Harpers Ferry and Bolivar and the councils of both corporations are on record unanimously opposing the annexation of Old Standard into Charles Town and the rezoning proposal. In addition, the National Trust for Historic Preservation, the National Park Conservation Association, and the Civil War Preservation Trust opposed the Charles Town annexation and are likely to oppose the petition.

Enclosed are our comments to Mayor Peggy Smith dated April 2, 2007, regarding the proposed annexation of Old Standard and other properties into the City of Charles Town. Our comments

on the annexation proposal are similar to our comments stated in this letter. It also includes the reasons the NPS did not incorporate the Old Standard property in its recommendations to expand the park in 2002.

Also enclosed is a map developed by our Regional GIS Technical Support Center in Washington, D.C. It shows the impact of the proposed commercial uses on the rural landscape. Without further information about the size of the commercial buildings, Office Tower and Hotel and Conference Center, we made conservative assumptions regarding their height and graded elevation. We feel the map fairly depicts the devastating impact on the rural, historic landscape.

Thank you for the opportunity to comment on the Petition to Rezone the Old Standard Property.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald W. Campbell", with a long horizontal flourish extending to the right.

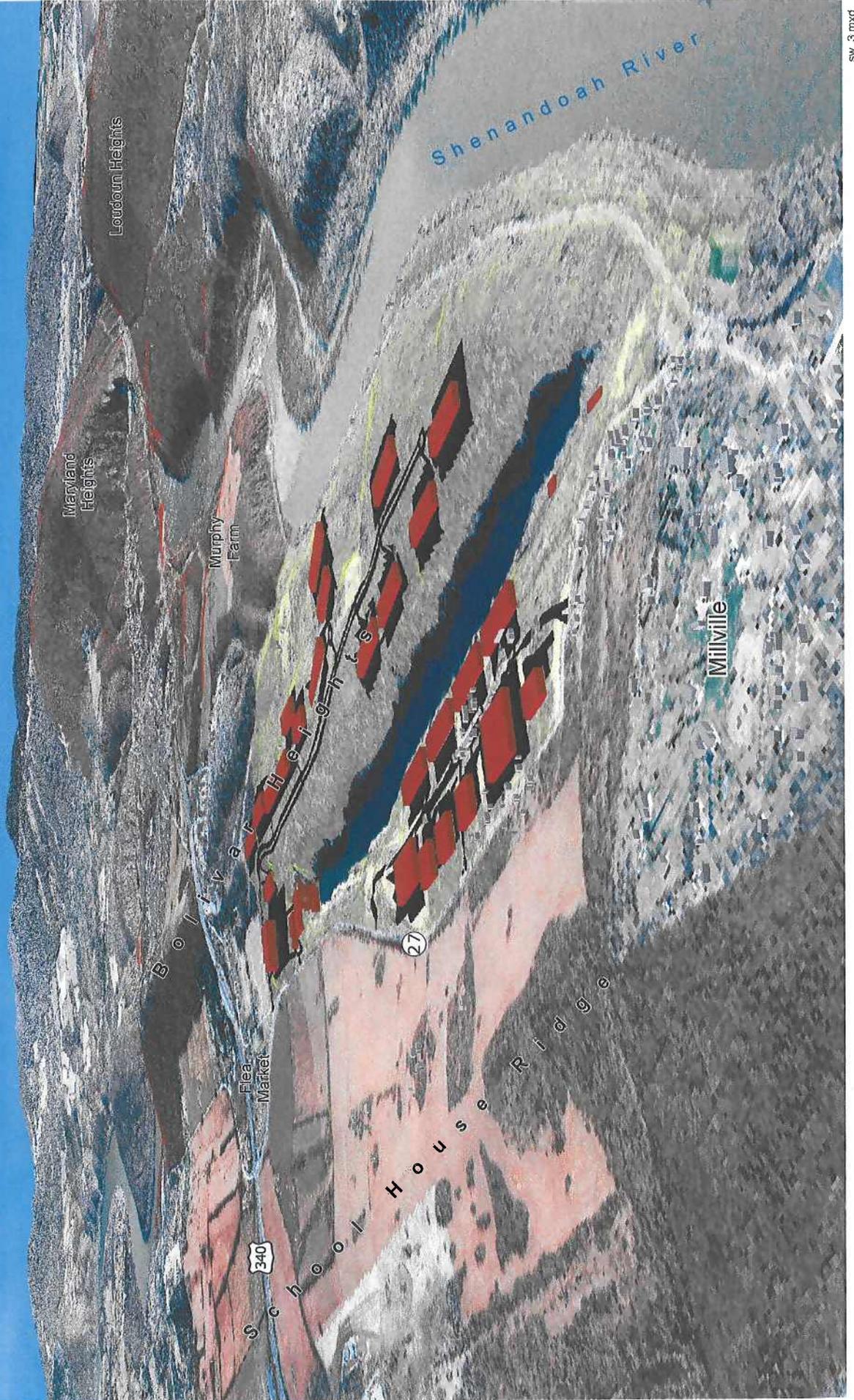
Donald W. Campbell
Superintendent

Enclosures

cc: Todd Baldau
Arnold Daily, Jr.
Lynn Deming
Edward Dunleavy
Thomas Kane
Ellen May
Robert Reynolds

The baseline information for this map was developed by the NPS, NCR GIS Technical Support Center, Washington, D.C. It is based on a Land Use Study map prepared by Greenhorne & O'Mara dated March 2007. The Land Use Study map is georeferenced to NPS GIS data and orthorectified aerial photography. General assumptions regarding building heights and elevation of grading are based on information available to the NPS at the time this map was made.

-  NPS lands
-  Old Standard (OS) lands
-  Proposed OS Commercial Buildings
-  Proposed OS Roads and Parking Lots



L1425 (HAFE)

April 2, 2007

Honorable Peggy Smith
Mayor of Charles Town
101 E. Washington Street
P.O. Box 14
Charles Town, WV 25414

Dear Mayor Smith:

The following is in response to the proposed Charles Town annexation of 638 acres of land containing Old Standard LLC, Bugler's Rest and Allstadt's Corner. The annexation includes U.S. Route 340 and CSX Transportation, Inc. property which provide the land connection to Charles Town.

As shown on the Land Use Study map dated December 2006, the owners/developers of the property propose to develop the land with 200 residential units and two million square feet of commercial space. The uses include an Office Tower and Conference Center and 10 commercial use buildings.

The land adjoins Harpers Ferry National Historical Park, a unit of the National Park System. The National Park Service opposes the annexation as it is contrary to the purpose for which the Harpers Ferry National Historical Park was created in 1944. The United States Congress authorized the establishment of the park as *a national public memorial commemorating historical events at or near Harpers Ferry* (16 U.S.C. §450-bb). The approval of Public Law 78-386 by President Franklin D. Roosevelt was the culmination of decades of local community and national efforts to preserve historic and scenic lands in and around Harpers Ferry.

The annexation is also contrary to the mission of the National Park Service which guides all national parks in preserving lands so designated for inclusion in the National Park System. The mission of all national parks is *to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations* (16 U.S.C. §1).

Additionally, the NPS opposes the annexation for the following reasons:

1. The lands within the annexation area are mostly undeveloped retaining their Civil War-era appearance. These lands are located within the core area of the park on the southern end of Bolivar Heights and are nationally significant as part of the 1862 Harpers Ferry Battlefield. The proposed developments are out of scale and context with the character of the surrounding rural landscape and the history that occurred there.
2. The proposed developments would devastate the views from historic lands within the park including the Murphy Farm, Bolivar Heights and School House Ridge South where the park has planned visitor hiking/walking trails and outdoor interpretive exhibits.
3. This annexation and proposed development comes on the heels of 17-years (1987-2004) of local, regional and national efforts to protect nationally significant resources at Harpers Ferry. The

culmination of these outreach efforts resulted in passage of the Harpers Ferry National Historical Park Revision Act in September 2004.

Because of its historic and scenic significance, the Old Standard portion of the annexation area was initially included in the park expansion area. Prior to public meetings in early 2002, the NPS met with many of the private landowners and was working with conservation organizations that were in contact with the former owners of Old Standard. The purpose of the contacts was to determine the interest of private landowners in being included in a park expansion. Because of bankruptcy proceedings that were underway in 2001-2002 that would complicate the expansion, the Old Standard lands were not included in the final NPS proposal completed later in 2002. The current owners acquired the property in January 2003.

4. The Mayors of Bolivar and Harpers Ferry, the National Trust for Historic Preservation, the National Park Conservation Association and the Civil War Preservation Trust are on record opposing the annexation. The Mayor of Charles Town has commented that she could not support the annexation because it is too far from Charles Town.
5. The annexation and proposed development prompted the Civil War Preservation Trust to include Harpers Ferry National Historical Park as one of America's most endangered Civil War battlefields.
6. Overwhelming public opposition of the annexation that included residents from Charles Town was evident at the March 21, 2007, Charles Town Planning Commission public hearing.
7. We expect that the proposed developments will impact tourism at Harpers Ferry and the economic benefits generated by tourism expenditures. The park's impact on tourism was recently highlighted in a March 23 Journal News article which stated that Harpers Ferry tied for the top spot in West Virginia for the most popular attraction for day visitors. The revenues generated by the park were identified in a 1996 economic impact analysis that indicated total sales benefits in the local area by park visitor expenditures and NPS operations amounted to about \$32.7 million. We expect these numbers have risen significantly in the last 11 years and will further increase as a result of the addition of lands included in the 2004 boundary expansion.

If the annexation is approved, the commercial and residential development of Old Standard will forever destroy the rural scenery of School House Ridge, the Murphy Farm and Bolivar Heights, and desecrate a historic landscape.

I respectfully request that you do not approve the annexation.

Sincerely,

/signed/

Donald W. Campbell
Superintendent