



Clarke County Department of Planning
Berryville-Clarke County Government Center
101 Chalmers Court, Suite B
Berryville, VA 22611

TO: Berryville Area Development Authority members

FROM: Brandon Stidham, Planning Director
Terry Russell, Community Development Director

RE: June 25, 2025 meetings

DATE: June 18, 2025

Enclosed you will find two packets for the June 25 BADA meetings – one for the afternoon session beginning at 1:00PM and the other for the public hearings beginning at 7:00PM. At the conclusion of the afternoon session, we will recess to the 7:00PM evening session.

Afternoon Session

The primary task for the afternoon session will be a discussion of the Berryville Area Plan update process. In response to Mr. Hudson’s request, there are two project timelines included for your review and discussion. The first timeline is a revised work plan prepared by County staff for the BADA to complete the update process by March 2026. The second is a “Revised Annexation Agreement/Berryville Area Plan Review Schedule for Town Council and Board of Supervisors” prepared by Town staff.

The BADA work plan timeline takes an aggressive approach in order to complete a final draft for public hearing by January. The timeline establishes a deadline of the August 27 meeting for the BADA to reach a consensus on all plan-related issues in order to authorize Town and County staffs to begin work on the initial plan draft. The next milestone is the presentation of a completed initial draft to the BADA at the October 22 meeting which will be heavily dependent upon both staffs’ workloads on other projects. In order to maximize opportunities to work on the initial draft and develop a final draft, special workshops may need to be scheduled in early November and in early December. The December 17 meeting will be the milestone to provide direction on changes to the final draft, and the January 28 meeting will be the milestone to accept the final draft and schedule public hearing for the February meeting. This timeline does not contemplate the BADA holding any informal public input meetings prior to scheduling formal public hearing on the revised Plan. If this is desired, the timeline should be moved out to April or May 2026.

As a follow-up to last month’s meeting, we will be revisiting discussions on the southeastern collector road and the potential future growth areas. Included for your reference is a compilation of the minutes from the meetings at which the Plan update project was discussed dating back to the May 26, 2021 meeting when the resolution to initiate the update project was adopted. Of note in the compilation is the October 25, 2023 meeting minutes which includes the discussion of the southeastern collector road. The minutes appear to show a consensus to include the road in the Plan and to require development to access via US 340 first to ensure the road is eventually

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completed. The US 340 access discussion begins on page 4 of these minutes. Also of note is Mr. Dalton's presentation on water and sewer in the February 28, 2024 minutes which includes comments on existing capacity and when the water treatment plant would need to be expanded.

Following the Berryville Area Plan discussion, we will continue our discussion of the impacts of Senate Bill 974. Enclosed is a draft resolution adopted by the Board of Supervisors at their June 17 meeting to implement interim measures for the County to comply with Senate Bill 974. This includes moving approval authority for subdivision plats and site development plans on County annexation area properties from the BADA to the County's senior planner/zoning administrator as the "designated agent" or, in their absence, the director of planning. The resolution also initiates consideration of a text amendment to implement permanent changes to the County's Zoning and Subdivision Ordinances.

Our final item of business is a request to reschedule the July 23 meeting as Mr. Stidham will be out of the office that week. Possible alternative dates include Wednesday, July 16 and Wednesday, July 30. Please check your schedules and let us know if these dates work for you.

Evening Session

The evening session consists of the continued public hearing for the Enders & Shirley Funeral Home site development plan amendment application and the public hearing for the Hillson Grove preliminary subdivision plat application. Please note that the Board of Equalization will be using the main meeting room until 7:00PM the same evening – there may be a delay of a few minutes while we transition the room over from their meeting to our meeting.

If you have questions in advance of the meetings, please do not hesitate to contact us.



**BERRYVILLE AREA DEVELOPMENT AUTHORITY
MEETING AGENDA – AFTERNOON SESSION
Wednesday, June 25, 2025, 1:00pm
Berryville – Clarke County Government Center Main Meeting Room
101 Chalmers Court – Berryville, Virginia**

- 1. Call to Order – Allen Kitselman, Chair**
- 2. Approval of Agenda**
- 3. Approval of Minutes – May 28, 2025 Meeting**
- 4. Overview of Agenda Items for Evening Session**
- 5. Old Business**
 - A. Berryville Area Plan Update
 - (1) Draft timeline for project completion
 - (2) Draft timeline for completion of other items from Town resolution
 - (3) Discussion, Southeastern collector road
 - (4) Discussion, Potential Future Growth Areas
 - B. Continued Discussion, SB 974 Impacts to Approval Authority for Subdivision Plats and Site Development Plans
- 6. New Business**
 - A. Rescheduling of July meeting date
- 7. Other Business**
- 8. Recess to 7:00PM Public Hearing Session**

NEXT MEETING – (To Be Determined)



Berryville Area Development Authority (BADA)
DRAFT MINUTES – Regular Meeting
 Wednesday, May 28, 2025 at 1:00PM
 Berryville-Clarke County Government Center Main Meeting Room

ATTENDANCE:			
Allen Kitselman (Chair)	✓	John Hudson	✓
George L. Ohrstrom, II (Vice-Chair)	✓	Kathy Smart	✓
Diane Harrison	✓	David Weiss	X

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, May 28, 2025.

STAFF PRESENT: Terry Russell (Community Development Director – Berryville), Brandon Stidham (Director of Planning – County), Jeremy Camp (Senior Planner/Zoning Administrator – County), Keith Dalton (Town Manager)

OTHERS PRESENT: Jeff Craven (AES), Jay Arnold (Mayor)

- 1. Call to Order** – By Chair Kitselman at 1:00PM
- 2. Approval of Agenda**

The Authority voted 5-0-1 (Weiss absent) to approve the agenda as presented by Staff.

Motion to approve the agenda as presented by Staff			
Allen Kitselman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE (seconded)
Diane Harrison	AYE	David Weiss	ABSENT

- 3. Approval of Minutes – March 26, 2025 Meeting**

Chair Kitselman noted that he abstained from the vote for Chair for 2025 as he was the nominee. Mr. Stidham replied that he will correct the minutes to reflect his abstention. The Authority voted 4-0-2 (Weiss absent, Kitselman abstained) to approve the March 26, 2025 minutes as amended.

Motion to approve the March 26, 2025 minutes as amended			
Allen Kitselman	ABSTAINED	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE
Diane Harrison	AYE (seconded)	David Weiss	ABSENT

CONTINUED PUBLIC HEARING

- 4. SP-25-01, Shirley Properties, LLC/Painter-Lewis, PLC (agent)**

Mr. Camp presented the staff report for this application. He stated that the applicant has requested a deferral until next month. He said that the applicant was previously granted a two-month deferral at the March BADA meeting to address outstanding issues but will need additional time. He noted that revisions

to address the County’s engineering consultant’s comments were submitted by the applicant on May 20 but there was not enough time for these revisions to be reviewed for this meeting. He added that the consultant’s review is expected to be completed by June 4. He also said that the revisions address the preservation of existing trees at the rear of the property and the comments from the Virginia Department of Health. He concluded by stating that staff recommends that the Authority accept the applicant’s deferral request and continue the public hearing to the June 25 meeting.

The Authority voted 5-0-1 (Weiss absent to accept the applicant’s one month deferral request and to continue the public hearing to the June meeting.

Motion to accept the applicant’s one month deferral request and to continue the public hearing to the June meeting			
Allen Kitselman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (seconded)	Kathy Smart	AYE (moved)
Diane Harrison	AYE	David Weiss	ABSENT

SET PUBLIC HEARING

**5. Set Public Hearing – Hillson Grove Preliminary Plat
Sumit Sanjel, Agent (Radiant Summit Development, LLC, Owner)**

Mr. Russell presented the staff report for this application. He said that staff is requesting the Authority to schedule an evening public hearing for this application at the June 25 meeting, perhaps 7:00PM or whatever time the members feel is appropriate. He reviewed the proposed layout for the subdivision. He noted on Sheet 4 of the applicant’s site plan the location of two dry storm ponds and the location of topsoil stockpiles that would be stored during construction.

Vice-Chair Ohrstrom asked about the limits of land disturbance and asked if the trees in the common areas outside of these limits would be left undisturbed. Mr. Russell replied that these areas would be left and there are State requirements regarding how these areas must be kept natural. Vice-Chair Ohrstrom added that the existing trees form a good buffer and it is not something you would want taken out and replanted. Mr. Russell said that a plan note is included to explain how these areas are to be kept in a natural state and this would convey to the future homeowners association. Vice-Chair Ohrstrom noted that the cul-de-sac lots are close to the railroad track. Mr. Russell commented that he has noticed there are a lot of homes that are close to the railroad track in the town.

Mr. Russell noted the grading plan on Sheet 5 and added that there is a separate grading plan on Sheet 16 that shows the proposed houses on the lots. He said that staff requested the applicant to provide this information and it shows how each lot would be graded as houses are built. Vice-Chair Ohrstrom asked if this would be a phased plan and Mr. Russell replied that this has not been determined yet. He noted that Jeff Craven (AES) is present on behalf of the applicant and can answer questions. Mr. Craven stated that there would be one phase for grading and initial erosion control and for construction of the road. He said that the property is relatively flat, noting that there will not be significant grading for the homes and everything will drain to the ponds. He added that minor erosion control would be put into place for the homes.

Mr. Russell reiterated his recommendation to schedule public hearing for June on this matter and noted that today starts the 60-day review period for the Authority and the end of June will be within this timeframe.

The Authority agreed that the best time for the public hearing will be 7:00PM. The Authority voted 5-0-1 (Weiss absent) to set public hearing for the June 25, 2025 meeting at 7:00PM.

Motion to set public hearing for the June 25, 2025 meeting at 7:00PM			
Allen Kitselman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE (seconded)
Diane Harrison	AYE	David Weiss	ABSENT

6. Other Business

A. Resolution from Berryville Town Council Regarding Berryville Area Plan

Ms. Harrison read the following statement:

On April 8, 2025, the Berryville Town Council adopted a resolution in which they asked the Berryville Area Development Authority to take steps towards achieving the shared Town and County goal of:

- *including future potential growth areas, identified in the Berryville Area Plan, as part of the Berryville Area in a revised Plan, and*
- *to have the areas in question included in the Plan, with appropriate land use designations and zoning having been applied, by January 1, 2027.*

The current version of the Berryville Area Plan, which was adopted by both the Berryville Town Council and the Clarke County Board of Supervisors in May 2016, identifies several potential future growth areas as logical expansions of the Berryville Area. These potential growth areas are intended to accommodate both business and residential uses.

In 2019-20, the Berryville Town Council and the Clarke County Board of Supervisors began review of transportation-related matters in the Southern Potential Future Growth Area. Since that time, no other concerted efforts have been taken to thoughtfully examine the integration of the identified future potential growth areas into the Berryville Area. These areas have been in the Berryville Area Plan for nearly ten years.

The current version of the Berryville Area Plan also includes provisions that:

- *address the process for adding or changing sub-areas, and*
- *address the process for amending the Plan.*

In short, those provisions discourage piecemeal updates and recommend that the plan be amended as a part of planned periodic reviews. This body is currently conducting such a review.

The Town Council is committed to a review of identified future potential growth areas. The Council is committed to having the potential growth areas included in the Berryville Area, provided that the scale and pace of the growth that will occur in the areas in question is appropriate for the community.

In response to the Town Council's request, I propose that Berryville Area Development Authority review this matter in detail and develop a draft amended Berryville Area Plan that provides for the expansion of the Berryville Area and that such expanded growth areas include land use designations that permit residential development at an appropriate density and business development at an appropriate scale. Further, I propose that this body complete its work and forward the draft Plan to the Town Council and Board of Supervisors before the end of March 2026.

Failure to address these future potential growth areas now, will result in further significant delay because of the frequency of the Berryville Area Plan update/review cycle. If this matter is not addressed during this evaluation cycle, and if the next examination follows the pattern of this review, then the next opportunity to thoughtfully consider future growth could be nearly a decade away. Implementation of that plan then would likely be more than fifteen years away. Development of those areas further out still.

The Council is of the opinion that such a delay would be deleterious to this community. Responsible and well-planned growth in the Berryville Area is vital to both the Town of Berryville and the County of Clarke. Such growth will serve to broaden and diversify the tax base, strengthen municipal utilities, and bolster the County's stance on growth in the portions of Clarke which are not supported by municipal services.

Lastly, since the adoption of the Berryville Area Plan, the Town of Berryville has grown at an annual rate of approximately 1.5%. The Town is of the opinion that this sustainable growth rate evidences the wisdom of the Berryville Area Plan concept and that the approach developed by the Town and its partner the County nearly four decades ago, should endure.

Vice-Chair Ohrstrom asked Ms. Harrison if she is saying that we should amend the plan before we are finished updating it. He said that he agrees that ten years is too long to wait to address these issues but thinks that we can probably have the plan update completed by the January 2027 deadline. He added that he is not a proponent of pre-zoning land because you lose leverage with developers when you do this. He said he would prefer to continue with our schedule to update the plan and put the completed package in front of the Board of Supervisors and Town Council to consider.

Vice-Chair Ohrstrom asked Mr. Stidham if he has any thoughts on this issue. Mr. Stidham asked for confirmation from Ms. Harrison that she would like to have the Authority complete the draft plan and conduct the required public hearing by March 2026 and Ms. Harrison replied yes. Mr. Stidham said this could be potentially doable but noted that when the project was started, it was agreed that the workload would be shared equally between Town and County staffs. He noted that Mr. Russell is still relatively new to the job and it will depend on when he is up to speed and ready to share the workload in putting the plan together. He said as of the November 2024 meeting when the Authority last worked on plan update items, we reached the end of that project task and are at the point where we can begin drafting the plan. He added that depending on Town staff's availability and capacity as well as County staff's availability and workload on other tasks, the Authority can potentially complete work on the plan by March 2026.

Mr. Stidham continued by stating that he is concerned with meeting the January 2027 deadline for the tasks listed in the resolution. He asked if there was a reason for picking that date. Ms. Harrison replied that it is mainly so we do not continue to drag our feet and it seems to be a reasonable date. Mr. Stidham said he was looking at the timing and steps needed to accomplish the tasks in the resolution. He said we cannot do anything until the revised Berryville Area Plan is updated. He added that assuming the Authority finishes work by March 2026, it would take a few months for the governing bodies to hold public hearings and

there could be public comments that would require additional work to be done to the plan. He said best case scenario would have the revised plan adopted in Summer 2026. He said the second step in the process would be to create an annexation agreement that would cover any new sub-areas added to the annexation area in the revised plan. He said the third step would be to complete the annexation process in accordance with the new annexation agreement once approved by the Board and Town Council. He noted that he does not believe that the Board would want to take on the responsibility of rezoning these properties prior to annexation by the Town. He also noted that there may be philosophical differences between the Town and County regarding whether properties should be rezoned administratively, especially for residential purposes. He said in his opinion, you would be missing out on the opportunity to use conditional zoning as an important tool to plan for resources and leaving yourself open for future development to go through as an administrative process without oversight from Town Council or the Authority. Vice-Chair Ohrstrom asked if it would be by-right development and Mr. Stidham replied yes. Mr. Stidham added that you would miss out on being able to get proffers through conditional zoning, noting that this could include cash proffers and proffers to provide infrastructure improvements. He also said that rezoning for business uses may not be a bad idea provided that the governing body is acting as the developer of the project for economic development purposes. He said we did this with the Business Park a number of years ago and what the County is doing now in the Double Tollgate Area with creating a new zoning district and plans to rezone County property to that new district for economic development purposes.

Mr. Stidham noted that per the current annexation agreement, annexations are effective as of December 31 of the year in which they are finalized. He said the earliest that an annexation could be completed would be December 31, 2026 and this would be with a tight turnaround following completion of the revised Berryville Area Plan, creating a new annexation area agreement, and having both governing bodies adopt the agreement. He said at this point we are already at January 1, 2027 and this is where you would start consideration of any rezonings. He added that this deadline may not be achievable based on the steps that would be required. Vice-Chair Ohrstrom said he agrees with Mr. Stidham and added that he does not think it would take 10 years but more like a year and a half at most. He added that he has a problem with rezoning without being able to use conditional zoning to get the proffers you need to make sure the project is done properly.

Mr. Stidham said one other thing to keep in mind when you are working on comprehensive plans and component plans is that the process must be careful and deliberate. He said the last thing we want to do is rush the process especially when there is a completed draft to present to the public. He noted that if the public has concerns with the plan and wants to send us back to the drawing board, we should not feel compelled to meet a deadline and should take the time to work on any issues that the public may have. He said shooting for March 2026 is a reasonable target to shoot for with this body completing its work but we need to make sure we do not rush the process. Vice-Chair Ohrstrom said that comprehensive plans should walk the zoning and subdivision ordinances in order to ensure that they are legally defensible. He said if you do interim amendments to your plan, it can open your processes up to challenges.

Mr. Stidham noted that potential future growth areas were added to the plan in 2015 as a new concept to identify areas to study for future development. He said the plan includes a clear description of the processes that we will go through to determine whether a future growth area should be promoted to a sub-area that is subject to a new annexation agreement. He added that it is important to stick to the process that was agreed to or discuss the merits of changing that process. He said he thinks the Berryville Area Plan and annexation areas were created through careful considerations of all the different aspects of development including whether the lands designated for development are capable of supporting that

development and that we have the infrastructure planned for to support this development. He said our two jurisdictions have done a fantastic job of accomplishing this and you can look around the state and find examples of jurisdictions that did not do this and are struggling to keep up with the development that they allowed to occur without proper planning. He added that when we are considering whether to make a potential future growth area into a sub-area for annexation, we need to ask whether we have properly vetted these areas.

Ms. Harrison said she is a little confused because at our last meeting, Mr. Weiss was going to speak with the owner of the property across from the high school and Mr. Hudson was going to speak with the owner of the property on South Buckmarsh Street. She asked if you are not going to put something into the annexation area, why are we talking to these people? Mr. Stidham replied that it is important to find out if these property owners are interested in development or if they want to farm the properties for the foreseeable future. Ms. Harrison said you are still kind of holding it out there and added that she can understand determining the interest but you could also have someone come in tomorrow that is really interested in developing an industrial park on the southeast section. She added that they could be forced to walk away because we sat on it. Chair Kitselman said that these areas have been designated for ten years now and we can either include it in the process or continue to slow walk it. Mr. Stidham replied that the lack of speed in completing the plan right now is due to staffing issues. Chair Kitselman said that if Mr. Russell does not feel that he is up to carrying the Town's side of this endeavor that the Town would bring in some help. Mr. Russell replied that no one has told him that he is not capable of working on this plan especially in the interest of the Town. He added that if the Town is interested in doing the things outlined in the resolution, then his work plan can be set to support doing the Berryville Area Plan as quickly as possible. He said that he has amended and written plans for 40 years and he can do it for another year.

Chair Kitselman said he thinks the resolution is saying that the Town wants attention to its needs. Mr. Stidham said that just to make sure he is remembering correctly, he said we have reached an agreement on the collector road to retain it in the plan. Vice-Chair Ohrstrom noted that Mr. Weiss did not say that it should be taken out of the plan. Mr. Stidham added that the plan would also require development of the collector road should start from the US 340 side to better ensure that it gets constructed. Ms. Harrison replied that this is the totally wrong approach because you already have a road into the industrial park and you already have access to this property. She said you guys are doing this thing about the southeast collector road and that becomes the stalemate and it continues and continues and continues without any progress being made for the industrial park. Mr. Stidham asked for confirmation that we do not have consensus on this issue as this is different than what we discussed previously. Chair Kitselman said that there is definitely consensus that it should be part of the plan. Mr. Stidham replied yes and with development to start from the US 340 side. Chair Kitselman said he does not recall this and Ms. Harrison said she did not think we agreed to do one side or the other. Chair Kitselman added that we did talk about the crossing. Ms. Harrison said that there is road access into this property to allow for development and we do not have to have the road crossing the railroad on day one and it could be 10-15 years before this gets done. Mr. Stidham said he will find the minutes from that meeting but said we discussed requiring the crossing issue to be addressed with development coming from US 340 to ensure that a future developer would not stop the project before completing the crossing and building through. He said he thought the Authority had reached a consensus but will check the minutes and Vice-Chair Ohrstrom added that this is what he remembered as well.

Vice-Chair Ohrstrom said he agrees that we need to get moving on the plan and get it done. Mr. Hudson asked if the January 2027 date triggers any other wait periods. He added that we have said if we do not

meet certain deadlines then a three year or five year clock starts, and noted that we have been talking about this for ten years. He noted that there is a map from 2010 in the current plan and we have been discussing this for 15 years. He thinks this is plenty long enough and wants to work backwards from January 2027 to come up with a timeline. Vice-Chair Ohrstrom said that January 2027 is 18 months away and there are steps to be completed to achieve the items in the resolution. He added that he does not see it taking another five or ten years but maybe another three years to complete all the steps. Mr. Hudson asked if it is possible to come up with a timeline for this project by backtracking from January 2027. He added that 15 years is ridiculous and we need to put a master calendar on paper.

Mr. Stidham said to clarify that the current plan was adopted by both governing bodies in May 2016 and that was nine years ago. He said he cannot remember the exact date that the current plan review was initiated but it would have been five years later in 2021 when we started this project. Vice-Chair Ohrstrom added that we were coming out of COVID which delayed actual work from beginning. Mr. Stidham said 2022 or 2023 when the Authority began discussing work on the plan update. He said the Town has picked the January 1, 2027 deadline so it would be helpful for the Town to provide this timeline so we can understand their thought process. Mr. Hudson said a calendar with deadlines would hold us to the work we have to do and we can adjust the calendar if we encounter delays. Chair Kitselman said these issues are essential for the health of the Town and County and our defense of our shared growth strategy. He said what he is hearing is that the Town is not feeling as though the partnership is two-sided.

Mr. Stidham asked for clarification as to whether there is something that County staff has not been doing on this project. Chair Kitselman said the collector road has been stopped and Mr. Stidham replied that he was referring to the process generally as opposed to the collector road issue. Chair Kitselman said that given that the future growth areas were designated ten years ago, we can start looking at annexation areas with more fervor so we are not caught with our pants down when we have an opportunity to grow. He added that we have some opportunities with our existing annexation area but we are reaching the bottom of the basket. Mr. Stidham said the Authority looked at the potential future growth areas at the last meeting or two at which the plan was discussed. He said since it does not sound like we do not have a consensus on the collector road, we can pick up our discussion on the potential future growth areas at our next meeting. Chair Kitselman said he hopes we are in agreement that the collector road is important but that the Town and County may not be in agreement regarding whether the collector road construction should begin on the US 340 side. Mr. Stidham said that this was an idea that was brought up at that meeting and did not receive any negative responses. He added that he presumed that there was a consensus and that this was a good idea. Mr. Hudson said that the calendar would help make decisions within a timeline. He reiterated that he wants the calendar developed as soon as possible to keep us on schedule.

Vice-Chair Ohrstrom asked about when we can have this discussion next month given that we scheduled a public hearing for the evening. Mr. Stidham suggested having an afternoon session at 1:00PM to work on plan items and the public hearing in the evening. Mr. Stidham said it would be easy to modify the current work plan to come up with a schedule to get to March 2026 for the plan update. He added that this would mean having a final draft ready no later than January 2026 as the Authority would need to schedule public hearing at that meeting for February with the plan approval potentially occurring at the March meeting. He said members will need to be very comfortable with the draft in January to meet this deadline. Vice-Chair Ohrstrom said that if the public has a lot to say at the public hearing, he does not feel comfortable taking action on the plan at that same meeting just so we can make a deadline. He said it is important to take the time to think about what the public has to say. Mr. Hudson said that there could be adjustments along the way but at least we will have a master schedule.

Mr. Stidham noted that during our previous discussions about residential development, it was noted that any additional capacity for residential development in future areas would need to come from the pool of unused dwelling units unless available capacity of water and sewer is recalculated or additional capacity is planned for. He added that the original dwelling units were calculated in the early 1990s based on planned water and sewer capacity. Ms. Harrison said we discussed this previously and we do have available capacity for expansion and Chair Kitselman agreed. Mr. Stidham said he thought that discussion was that there is plenty of capacity to support current development but we never talked about excess or additional capacity. Vice-Chair Ohrstrom said he thought it was stated that we are okay at our current capacity and have a bit of a cushion. Mr. Stidham added that available capacity is for residential and business uses. He added that for us as good planners, if we are going to create more residential units than currently contemplated in our chart then we need to determine where we are going to get the infrastructure to support it which is not something we discussed. Chair Kitselman said that the infrastructure has head room right now. Mr. Stidham said that it is not clear that this means more and our numbers have always been based on current infrastructure and not expanded infrastructure. Ms. Harrison said that Mr. Dalton came to a meeting and explained all of this in a meeting and it should be in the minutes. Mr. Stidham reiterated that the information presented was that we are good for what we have programmed now and not excess capacity for more. Vice-Chair Ohrstrom replied that maybe we can ask Mr. Dalton to come back to clarify. He added that it is a bad idea to allow more residential development if you cannot serve it.

Mr. Hudson asked how long it will take to get the master schedule together. Mr. Stidham said he can take care of the schedule for the plan update but the Town will have to come up with the schedule for the rest of the steps.

B. SB 974 Impacts to Approval Authority for Subdivision Plats and Site Development Plans

Mr. Stidham provided a brief overview of Senate Bill 974 and noted that it was found by Mr. Russell. He stated that the General Assembly has removed the authority for approval of subdivision plats and site plans from planning commissions and governing bodies and limited the authority to a “designated agent” who is an employee of the jurisdiction. He noted that this is optional for jurisdictions with a population under 5,000. He said there are few localities left in the state that operate as we do. Chair Kitselman asked if this applies to counties and Mr. Stidham replied that it applies to all jurisdictions. Mr. Stidham noted that this goes into effect July 1 and he is working with the county attorney on a text amendment which he expects to be extensive and time-consuming to assemble. He added that depending on what the Town decides to do, it may affect the processes that the Authority goes through as the planning commission for the annexation areas.

Vice-Chair Ohrstrom asked Mr. Stidham about his idea to allow the County Planning Commission to continue to be involved in these reviews. Mr. Stidham replied that the Commission’s Plans Review Committee could review these applications as a review agency but would not be empowered to approve or deny them – they would be providing a recommendation to the designated agent. Vice-Chair Ohrstrom said this would be important to ensure the Commission is aware of what is going on. Mr. Stidham replied that this is why the legislative approval process, such as a special use permit or rezoning, is so important because this is the commission and governing body’s ability to approve or deny the request, impose conditions, and negotiate proffers. He added that the administrative steps taken after this process really should be taken care of by staff.

Mr. Russell said that the legislation also shortens the review period by requiring applications to be routed to agencies within five business days of filing. He added that the best way to facilitate public input into development is to create zoning districts that require it through conditional zoning. He said that encouraging developers to choose conditional zoning over by-right development can be done by offering them something they want. He said you can get infrastructure contributions from the developer this way. He added that he thinks this will be an easy fix for the Town Subdivision Ordinance. He also noted that it is difficult to determine the exact population of Berryville because there are no estimates for small towns conducted between censuses. He said he would be surprised if we are not already over 5,000 residents based on the 2020 Census count of approximately 4,800. He noted that the County’s estimated population increase from 2020-2023 was 700 and the majority of those residents had to come from the new subdivisions added to the Town during this period.

Mr. Stidham reminded the members that the June 25 meeting will be in two parts – a 1:00PM session that will be recessed to the public hearing at 7:00PM.

7. Adjourn

The Authority voted unanimously to adjourn the meeting at 2:02PM.

Motion to adjourn			
Allen Kitselman	AYE	John Hudson	AYE (seconded)
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE
Diane Harrison	AYE	David Weiss	ABSENT

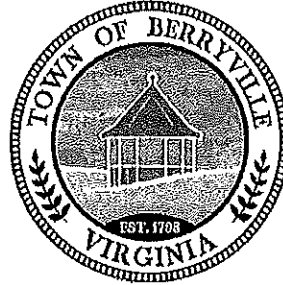
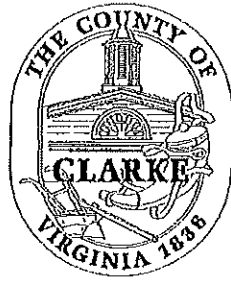
Allen Kitselman, Chair

Brandon Stidham, Clerk

BADA MEETING MINUTES

BERRYVILLE AREA PLAN UPDATE PROJECT DISCUSSIONS

- May 26, 2021 – Adopted resolution to initiate review
- May 11, 2022 – Annexation process discussion, update project referenced
-- No meetings for remainder of 2022
- January 25, 2023 – Discussion of update project as work plan item for 2023
- February 22, 2023 – Visioning session for update project
-- No meetings until August
- August 2, 2023 – Discussion of update project work plan, Goals-Objectives-Policies review/discussion
-- September meeting cancelled
- October 25, 2023 – Southeastern collector road discussion
-- November and December meetings cancelled
- January 24, 2024 – Update project status update
- February 28, 2024 – Utilities presentation and discussion, residential density and housing types workshop
- March 27, 2024 – Residential density and housing types workshop (continued)
-- April meeting cancelled
- May 22, 2024 – Residential density and housing types workshop (continued)
-- June and July meetings cancelled
- August 28, 2024 – Land uses map discussion, commercial/industrial uses discussion
-- September and October meetings cancelled
- November 20, 2024 – Craig’s Run Light Industrial Area discussion, potential future growth areas discussion
-- December, January 2025, and February 2025 meetings cancelled
- March 26, 2025 – Brief update on project status



BERRYVILLE AREA DEVELOPMENT AUTHORITY

MINUTES - REGULAR MEETING

Wednesday, May 26, 2021 at 7:00PM

Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, May 26, 2021.

ATTENDANCE

Authority Members Present: Diane Harrison; Allen Kitselman, Chair; Tom Parker; Kathy Smart (arrived late); David Weiss

Authority Members Participating Electronically: George L. Ohrstrom, II, Vice-Chair (due to health reasons associated with the current pandemic)

Staff Present: Christy Dunkle, Berryville Assistant Town Manager; Brandon Stidham, County Planning Director

Chair Kitselman called the meeting to order at 7:01PM.

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Harrison, Kitselman, Ohrstrom (moved), Parker (seconded), Weiss

No: None

Absent: Smart

Ms. Smart entered the meeting.

APPROVAL OF MINUTES

Vice-Chair Ohrstrom noted Ms. Smart's comment about not remembering the location of a correction to be made to the October 28, 2020 meeting minutes, and he asked if she wanted to adjust the wording. Ms. Harrison noted that Ms. Smart was referencing the same correction that she had noted and that was reflected in the draft minutes.

The Authority voted to approve the minutes of the April 28, 2021 meeting as presented.
Yes: Harrison, Kitselman, Ohrstrom (moved), Parker, Smart (seconded), Weiss
No: None
Absent: None

DISCUSSION, BERRYVILLE AREA PLAN FIVE-YEAR REVIEW RESOLUTION

Mr. Stidham noted the draft resolution and Staff memo in the meeting packet. He reviewed two items – the Southeastern Collector Study and cooperative economic development efforts between the Town and County – as ones that the Authority wanted to highlight in the resolution.

Vice-Chair Ohrstrom asked whether PrimeAE noted in the resolution is the name of the consulting firm that completed the Southeastern Collector Study and Mr. Stidham replied yes.

Mr. Stidham stated that all of the other bulleted items came from the draft that Staff presented at the April 28 meeting, and he highlighted the issue of developing guidance for a future review and update of the Town-County Annexation Area Agreement. Vice-Chair Ohrstrom stated that he could use a review of the Annexation Area Agreement and the role of the Authority in determining where future areas are to be developed. He suggested having a group think at a future meeting about how that process works because it is a complicated subject. Chair Kitselman replied that it is clear in his mind that the Authority is equally represented by Town and County members to manage the Annexation Area based on the guidance from the boards we serve as an administrative body. Mr. Stidham noted that the last section of Chapter I in the Berryville Area Plan contains a summary of the Annexation Area process and copies of the agreements are included in the back of the Plan document. Mr. Weiss said that it is not a bad idea for the Authority to have an overview of the process and members agreed.

Mr. Stidham noted that the resolution concludes by stating that the review would begin in 2022 after all Census 2020 data is released and dependent upon the workloads of the Authority and Staff. He said that the first step before any drafting of new language would be a group discussion of the issues in the resolution. He said that Staff recommends the Authority adopt the resolution this evening to comply with Code of Virginia requirements.

Mr. Weiss said that he has no concerns with the third bullet regarding the results of the Southeastern Collector Study but noted that the Study does not address the widening of Business 7 East. Ms. Dunkle asked for clarification. Mr. Weiss said that the long-term plan to fix Business 7 East is not in the Study and he asked whether this project should be pulled out and addressed specifically or should just be talked about in the process. Mr. Stidham replied that this is probably one of several issues to be discussed and he added that when we get to that discussion, Staff will provide the members with copies of the Study along with a brief overview of the Study's findings. Vice-Chair Ohrstrom asked about the Norfolk Southern railroad crossing issue and whether it should be specifically addressed in the resolution. Mr. Weiss replied that the railroad crossing issue is addressed in the Study, adding that the Business 7 East issue is not addressed in the Study and is a key factor. Ms. Dunkle noted that there are many key factors. Mr. Weiss said that he is not objecting to it and is trying to make sure that we discuss it, and Ms. Dunkle replied that she understands. Mr. Weiss said that his job is to ask questions and to have Staff help him to understand things. Chair Kitselman said that he agrees that Route 7 to the east has been a problem since he has been here. He also said that Fairfax Street is a problem and they are all ventricles of the heart if you want your Town to live and the Town is the heart of the County. He added that working together is key here.

Vice-Chair Ohrstrom made a motion to adopt the resolution as presented by Staff. He added that the resolution is broad enough to address the issues that need to be discussed and is not missing anything. He

said he thinks the resolution works pretty well for what we are trying to do. Ms. Harrison stated that she thinks the bullet to discuss the results of the Southeastern Collector Study should be more specific or have action language included. Mr. Stidham replied that the Authority has not received or discussed the Study yet and Ms. Harrison replied okay. Mr. Stidham added that the bullet points were written broadly and the resolution is not intended to be an all-inclusive list of discussion topics. He said we are at the broadest, 50,000 foot level to start with, and Ms. Smart noted that the last bullet covers anything not specifically addressed in the resolution.

The Authority voted to adopt the resolution as presented.

Yes: Harrison, Kitselman, Ohrstrom (moved), Parker, Smart (seconded), Weiss

No: None

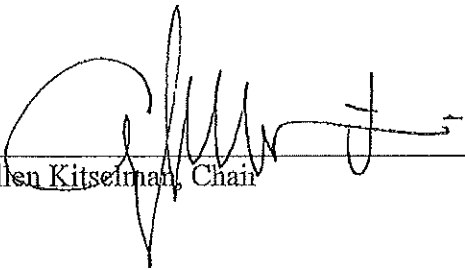
Absent: None

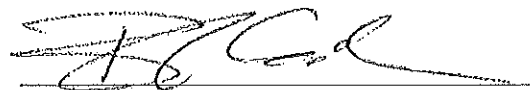
OTHER BUSINESS

None

ADJOURN

There being no further business, Chair Kitselman adjourned the meeting at 7:14PM.


Allen Kitselman, Chair


Brandon Stidham, Clerk

**RESOLUTION TO INITIATE REVIEW
OF THE 2015 BERRYVILLE AREA PLAN**

WHEREAS, the 2015 Berryville Area Plan was adopted by the Berryville Town Council on May 10, 2016 and by the Clarke County Board of Supervisors on May 17, 2016, and

WHEREAS, Code of Virginia §15.2-2230 requires that at least once every five years, a locality's planning commission shall review the comprehensive plan "to determine whether it is advisable to amend the plan," and

WHEREAS, the Berryville Area Plan is an implementing component plan of the 2013 Clarke County Comprehensive Plan,

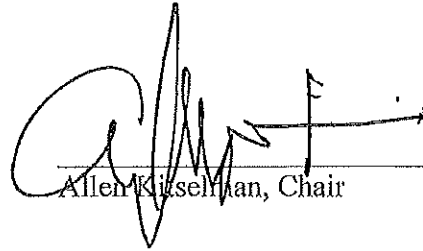
AND WHEREAS, May 2021 marks the five-year anniversary of the Plan's adoption.

NOW THEREFORE, BE IT RESOLVED that the Berryville Area Development Authority has determined that it is necessary to conduct a review of the 2015 Berryville Area Plan, and that the scope of this review shall include, but not be limited to, the following issues:

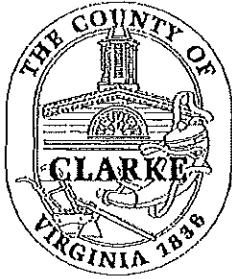
- The current Plan's goals and objectives and whether they remain relevant and current or need to be updated.
- Changes in population and demographic information as reported in the final release of 2020 Census data.
- The results of the Southeastern Collector Study (PrimeAE, April 2020).
- Cooperative economic development efforts between the Town and County.
- The build-out status of residential sub-areas (including Battlefield Estates, Hermitage Section 5, Berryville Glen, and Shenandoah Crossing) and whether these sub-areas can be removed from the Area Plan.
- The status of designated potential future growth areas.
- The impact of any updates to the County or Town Comprehensive Plans since the previous Berryville Area Plan update.
- The impact of new development projects, capital projects, or transportation improvements completed since the previous Plan update.
- Development of guidance for a future review and update of the Town-County Annexation Area Agreement.
- Any other subject not addressed or inadequately addressed by the current Plan.

BE IT FURTHER RESOLVED that the Authority intends to commence this review in 2022 following publication of all Census 2020 data and as the Authority's and Staff's workload permits.

Adopted this 26th day of May, 2021.



Allen Kirselman, Chair



BERRYVILLE AREA DEVELOPMENT AUTHORITY
REGULAR MEETING
Wednesday, May 11, 2022 at 7:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, May 11, 2022.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman (Chair); George L. Ohrstrom, II (Vice-Chair); Kathy Smart; David Weiss

Staff Present: Christy Dunkle, Berryville Assistant Town Manager; Brandon Stidham, County Planning Director

Others Present: Deborah Liggins, Dorothy Davis

Chair Kitselman called the meeting to order at 7:00PM.

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (seconded), Smart (moved), Weiss

No: None

Absent: None

APPROVAL OF MINUTES

The Authority voted to approve the minutes of the March 23, 2022 meeting as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom (moved), Smart, Weiss

No: None

Absent: None

PUBLIC HEARING – SITE PLAN

Chair Kitselman called the public hearing to order.

Ms. Dunkle gave a brief overview of the request. She said she had received verbal approval from the DEQ on Friday, May 6 and the Town's consulting engineer earlier in the day, adding that Town staff has scheduled a meeting for the following morning to discuss process.

Chair Kitselman recognized Lara Dunlap, agent, LGV Group, LLC, who discussed the site plan. She said that, based on square footage of the three buildings and DEQ comments concerning stormwater requirements, LGV Group decided to reevaluate the site plan to reduce the building area which would increase the open space and forestry designation on the rear of the property.

Chair Kitselman referenced a letter from Deborah Liggins included in the packet concerning landscaping. Ms. Dunlap said she received a phone call from Ms. Liggins concerning possible impacts to Milton Valley Cemetery from their development. Ms. Dunlap said they have included a landscape plan that meet any requirements established by the Town of Berryville for landscape buffers. Mr. Hudson referenced the letter from Ms. Liggins in which she requested a buffer on both sides of the street and that the developer had agreed to that. Ms. Dunlap said they had not agreed to that and that their landscape plan conforms to Town of Berryville ordinance regulations.

Chair Kitselman said that no members of the public had signed up to speak and asked if anyone wished to do so. Dorothy Davis, Board of Josephine School Museum and Milton Valley Cemetery, said that she had been to so many of these hearings and asked whether they listened to their concerns. She said that the new factories will create additional noise and she requested that a buffer around the cemetery be created due to noise that would possibly occur during memorial services or burials.

Ms. Davis said that when the business park was developed, representatives from the cemetery asked Board of Supervisors members to attend a service to determine the noise created from the business park. She said after acknowledging the noise, the County installed a fence. She added that it did not eliminate all of the noise but did help with mitigation. Ms. Davis said that noise from truck traffic may also an issue and that trees or something be built along the cemetery would help eliminate the noise pollution.

Ms. Davis concluded by saying that her concern is that she comes to a number of Town meetings and drives all the way to Berryville and said she is heard but not listened to. She said that we need folks who will internalize our problems and really take some time to service the entire community.

Chair Kitselman asked if anyone else wanted to speak. There were no other speakers. Chairman Kitselman closed the public hearing at 7:12 p.m.

Mr. Weiss asked about the proximity of the proposed development to the cemetery. Staff identified the location of the respective properties, access points, and existing site conditions. Mr. Weiss said he empathizes with representatives of the cemetery adding that the Development Authority cannot require a developer to plant trees or build fences on the others' property.

There was a discussion about the landscape buffer including seasonal effectiveness, understory plantings, deciduous versus coniferous options, sustainability of certain types of trees, and the effectiveness of shrubs as a buffer. Mr. Stidham identified the landscape buffer to audience members. Ms. Dunkle said the landscape plan that includes a 25' buffer that was submitted conforms to Town regulations.

Vito Germinario, Managing Principal of LGV Group, LLC, suggested a performance-based option and agreed to revisit the buffer in one year to assure its effectiveness. Authority members agreed to this option.

Mr. Weiss asked about trip generation from the site which was discussed at the meeting. There was a discussion about process and engagement with the public after a public hearing was held. Mr. Weiss said Authority members have heard the adjacent property owners' concerns and have acted to ameliorate the

issues identified. Mr. Hudson said the applicant is compliant and willing to work with adjacent property owners and meet the Town's ordinance requirements. Vice Chair Ohrstrom reiterated that the Authority may not force an applicant to install a buffer on others' properties.

Chair Kitselman confirmed that DEQ will forward the appropriate paperwork to finalize their requirements. There was a discussion about conditional approvals. Ms. Dunkle said both Mr. McCormack from DEQ and staff from Pennoni who given staff verbal approvals on the project and that she did not consider them conditional approvals.

There being no further discussion, the Authority voted to approve the project as presented requiring that the landscape buffer be inspected in one year and that the applicant has acknowledged concerns of adjacent property owners of noise and buffers.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom, Smart (moved), Weiss

No: None

Absent: None

OTHER BUSINESS

Ms. Dunkle said there had been a request to discuss annexation. Vice Chair Ohrstrom referenced the BADA, annexation agreement, and development that occurs within the Town. He said he recalled that when he moved to the area in 1984, 600 homes were slated for development. He said when this last project is completed, depending on whether they are ok with additional density, looking for guidance on what the state tells us what we have to do when we run out of developable area. He asked what would happen if all of the additional density goes to this property. He asked what the state requires as far as requiring future development to occur and what the state expects localities to do. He requested staff and any other input to help guide us over the next three years what are we expected to do at the state level. Then discuss what we want to do.

There was a discussion about the number of additional units discussed on the Friant property

Chair Kitselman asked if there were development limitations based on capacities of utilities and other infrastructure adding that there are a finite number of units that can be developed.

Mr. Stidham said there are no specific provisions in the Code of Virginia stating that localities shall allow growth and shall not prohibit growth. He said that the purpose of comprehensive plan was to plan for future growth and development of county adding that the primary function is to direct and manage growth and preserve farmland. Mr. Stidham said that the Code of Virginia is not set up for localities that view land use policies from different perspective. He said that the county and town must make land use decisions based on the growth you want to achieve which has been one of the biggest principles for decades in both localities. He added that if we don't allow for a certain level of growth, the town will become stagnant. He concluded by saying that the Berryville Area Plan update review is a careful and deliberate process that begins with looking at various uses of what we want and where we want it.

There was a discussion about the future potential growth areas and identifying the specific areas for discussion purposes. Mr. Stidham said that the five-year review can revisit these areas and determine the next steps into a new annexation area. He said the right mix of uses, density, scale, and form will need to be identified in each future sub-area. He added that currently, these three future potential growth areas are represented by ovals. He said the areas may be expanded or reduced or other areas may be identified during the update process.

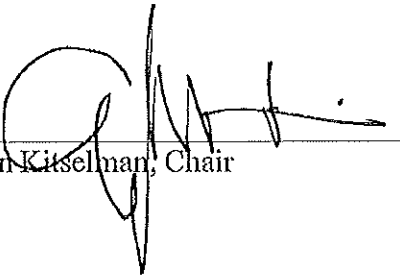
There was a discussion about the number of additional units proposed for the Friant property and the update of the Berryville Area Plan.

Mr. Weiss asked about the timeframe identified in the resolution. He said that we need to have conversations and that the Authority or residents should not be concerned that we need to change and be content with what we currently have in place. He said that we are on track to do what we intended to do and that we may want to address business growth rather than residential.

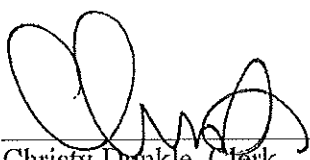
There was consensus to cancel the May 23 meeting and meet at the regular date and time in June.

ADJOURN

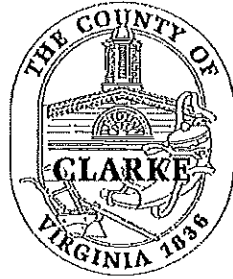
There being no further business and on a motion from Vice Chair Ohrstrom, seconded by Mr. Hudson, Chair Kitselman adjourned the meeting at 7:50 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES - REGULAR MEETING
Wednesday, January 25, 2023 at 7:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, January 25, 2023.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; Kathy Smart; David Weiss

Authority Members Absent: George L. Ohrstrom, II

Staff Present: Christy Dunkle, Berryville Assistant Town Manager; Brandon Stidham, County Planning Director

Ms. Dunkle called the meeting to order at 7:02PM.

ORGANIZATIONAL MEETING

Ms. Dunkle opened the floor to nominations for Chair for 2023. Mr. Weiss nominated Mr. Kitselman and there were no further nominations.

The Authority voted 5-0-1 to elect Mr. Kitselman as Chair for 2023.

Yes: Harrison, Hudson (seconded), Kitselman, Smart, Weiss (moved)
No: None
Absent: Ohrstrom

Chair Kitselman nominated Mr. Ohrstrom for Vice-Chair and there were no further nominations.

The Authority voted 5-0-1 to elect Mr. Ohrstrom as Vice-Chair for 2023.

Yes: Harrison, Hudson, Kitselman (moved), Smart (seconded), Weiss
No: None
Absent: Ohrstrom

APPROVAL OF AGENDA

The Authority voted 5-0-1 to approve the agenda as presented.

Yes: Harrison (moved), Hudson (seconded), Kitselman, Smart, Weiss
No: None
Absent: Ohrstrom

APPROVAL OF MINUTES

The Authority voted 5-0-1 to approve the minutes of the May 11, 2022 meeting as presented.

Yes: Harrison, Hudson, Kitselman, Smart (moved), Weiss (seconded)
No: None
Absent: Ohrstrom

APPROVAL OF 2023 MEETING DATES

Mr. Stidham asked the members if they were interested in changing the 7:00PM start time for meetings. Ms. Harrison and Chair Kitselman both stated that an earlier start time would be better for them. Mr. Hudson said they may want to consider changing the time if the Authority's workload increases to meetings every month. Ms. Dunkle suggested 6:00PM and members indicated that this would work for them.

The Authority agreed by consensus to approve the 2023 meeting dates with a new meeting start time of 6:00PM.

DISCUSSION – WORK PLAN ITEMS FOR 2023

Ms. Dunkle said the primary work item is the update of the 2015 Berryville Area Plan. Mr. Stidham stated that the Authority initiated consideration of the Area Plan by adoption of a resolution in May 2021. He said the resolution contained a list of key issues to evaluate as part of the review process. He suggested that before any text is drafted, the Authority should have a visioning session to discuss the issues. He noted that a similar session was held when the County Planning Commission updated the County Comprehensive Plan in 2013. He said that the Commission started with a list of issues and each commissioner provided their own issues of importance to add to the list. He added that commissioners discussed how they wanted each issue to be addressed in the Plan update process. He also said that this process could take multiple sessions but would provide direction to Staff in drafting the initial revised text. Chair Kitselman asked if the list from the May 2021 resolution would be a starting point and Mr. Stidham replied yes. Chair Kitselman asked if this resolution could be emailed to the Authority. Mr. Stidham replied yes and recommended the members also review the current Area Plan to develop their own list of important issues to be addressed. Mr. Weiss said that this process worked well with the County Planning Commission and enabled them to get all of their issues on the table.

Mr. Stidham said that he did not think there are any upcoming applications for review so the Authority can plan on meeting February 22 for this visioning session.

Mr. Weiss asked if Staff could provide a synopsis of the status of pending applications when meetings are cancelled. Ms. Dunkle asked if he was requesting this for the Friant matter specifically. Mr. Weiss said he had that matter on his mind but noted that in general, it is difficult to remember the status of applications when a long time passes between meetings. He gave an example of the warehouse site plan from 2022 that was delayed and noted that a synopsis for that application could be that the Virginia Department of Environmental Quality (DEQ) review was still pending. Mr. Hudson said this would be helpful because Authority members do not discuss these applications every day. Ms. Dunkle said that the Friant matter has been delayed because she has received no communication from the developer. Mr. Weiss said that no

communication from the applicant is also important information to convey. Mr. Stidham noted that in order for the Friant property developers to obtain a density bonus, they needed to provide a traffic plan that would have to cross the Bel Voi property that is in separate ownership. Chair Kitselman said that if it is something in the pipeline that the Authority is expecting, it would make sense to get an update.

Mr. Stidham noted one minor work plan item to update the Authority's by-laws and also an electronic meeting policy.

OTHER BUSINESS

Ms. Dunkle provided an update on projects that received American Rescue Plan Act (ARPA) funds including utility work on Josephine Street and a stormwater project on Virginia Avenue. She said they have \$250,000 set aside for the façade grants that 15 business owners on Main Street, Crow Street, and Church Street took advantage of. She said it was a good program in that all of the \$250,000 has been spoken for, and participants have until December of this year to complete the work. She added that the grants can be used for signage, fencing, porches, plaster, roofs, and the like. She said grants were also given to the Barns of Rose Hill, John H. Enders Fire Company and Rescue Squad, and Habitat for Humanity. She noted they have done sanitary sewer evaluations to identify vulnerable spots. Ms. Harrison said they will continue the project on North Church Street to Bundy Street in addition to Josephine Street and Virginia Avenue. Mr. Weiss congratulated Ms. Dunkle on the Smart Scale funding for East Main Street and she noted it is \$4.1 million for the first phase of the project.

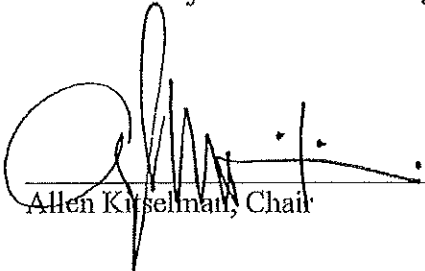
Mr. Weiss noted that the Town and County have agreed on the remaining work to complete Jack Enders Boulevard for public road acceptance. He said there is pipe and curbing work to be done along with paving in the spring.

Ms. Dunkle also noted the water treatment plant upgrade project and new police radios as other projects.

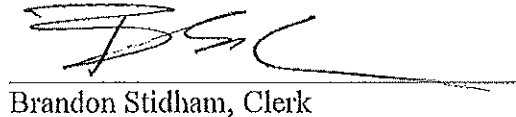
Mr. Weiss noted that the County did not receive any Smart Scale funding for safety improvements at the Route 7/Route 601 intersection in spite of Loudoun County contributing \$500,000 and the Virginia Department of Transportation (VDOT) assembling the application for the County. Mr. Stidham noted that VDOT originally proposed an RCUT intersection that would have forced U-turns going up and down the mountain but the County pushed back on that design.

ADJOURN

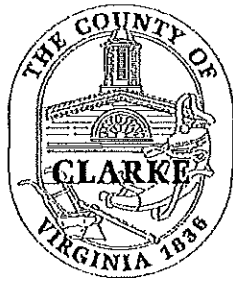
There being no further business and on a motion from Ms. Smart, seconded by Mr. Hudson, Chair Kitselman adjourned the meeting at 7:18PM.



Allen Kitselman, Chair



Brandon Stidham, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES - REGULAR MEETING
Wednesday, February 22, 2023 at 6:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, February 22, 2023.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman (chair); George L. Ohrstrom, II (vice chair); Kathy Smart; David Weiss

Authority Members Absent: none

Staff Present: Christy Dunkle, Berryville Community Development Director; Brandon Stidham, County Planning Director

Chair Kitselman called the meeting to order at 6:00PM.

APPROVAL OF AGENDA

The Authority voted 6-0-0 to approve the agenda as presented.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved), Smart (seconded), Weiss

No: None

Absent: None

APPROVAL OF MINUTES

The Authority voted 5-0-0-1 to approve the minutes of the January 25, 2023 meeting as presented.

Yes: Harrison (seconded), Hudson (moved), Kitselman, Smart, Weiss

No: None

Abstain: Ohrstrom

Absent: None

VISIONING SESSION – BERRYVILLE AREA PLAN UPDATE

Mr. Stidham said the previous 2013 update took three years to complete. He said that consultant Milton Herd and NSVRC executive director Martha Shickle led a discussion of issues to focus on the Berryville Area Plan (BAP) update. Mr. Stidham said that the original plan, adopted in the early 1990's, has had some amendments and that the last update was a complete re-write.

Mr. Stidham reviewed the items included in the packet. He said the visioning session is meant to discuss ideas and concepts for the Plan. He said both the Town and County planning commissions reviewed the list of procedural and substantive questions. They were asked if the BAP functions as it was originally intended and, if not, what elements are problematic. He said they were asked if the document was user friendly and identified key policy issues. He said they discussed whether the existing Annexation Area B had sufficient developable land remaining and if new areas should be considered. Mr. Stidham discussed future potential growth area and development types.

Mr. Stidham said the work plan process will include a number of meetings and will begin with the goals, objectives, and strategies of the Plan. He added that this process will not be as detailed as the last because of the strong base document created with the previous update.

Mr. Stidham said that staff will bring drafts of chapters to the Authority for review and discussion. He said once the final draft is ready, public hearings will be scheduled. He said that both the administrative body (BADA) and governing bodies (Town Council and Board of Supervisors) will hold public hearings adding that both governing bodies will approve the final document.

Mr. Stidham reviewed the resolution to initiate the review of the Plan that was approved by the BADA in May of 2021. He identified the bullet points of what the review will include as follows:

- current goals and objectives
- updated population and demographic information
- results of the SE Collector Study
- identification of cooperative economic development efforts
- build-out status and identification of areas that have been completed and can be removed from the Plan
- the status of designated future potential growth areas
- changes or updates to other Town and County plans
- impacts of new development projects, capital projects, or transportation improvements completed since the last update
- update of the original annexation agreement
- whether to update the annexation agreement or the BAP first.

Mr. Stidham said that any other subjects identified by appointed and elected officials will also be included.

Mr. Stidham said there are three more points to consider during the update process.

1. He said an evaluation of the land use designations should be reviewed to determine if they need to be modified. He added that they remained intact in the 2015 update.
2. He recommended a mapping exercise to review the existing sub-areas, boundaries, and land use designations while identifying areas of completed development. He said consideration of grouping existing sub-areas into a simpler system should be discussed. He said adding future land to the annexation area should also be discussed.
3. Mr. Stidham said an evaluation of the land use designations to confirm that water and sanitary sewer facilities have sufficient capacities for future development should occur.

Mr. Stidham discussed the residual dwelling units originally identified in the BAP. He cited the removal of residential lots with the construction of the high school and stormwater management facility in Battlefield Estates and the lack of rezonings in the Hermitage subdivision that would have allowed for additional units. He said confirmation of the numbers with the new development that has occurred should also occur.

Mr. Stidham asked Authority members if they had additional questions or issues.

Mr. Hudson said that the option of different housing types is critical within future potential annexed land. He added that a trend with younger people is a smaller cottage-type structure. There was a discussion about the flexibility of housing types and associated costs including materials and water and sewer availability fees. Ms. Harrison said factories and restaurants are having to pull workers from West Virginia because there is no affordable housing locally. There was a discussion about median income and affordable housing. Mr. Stidham said demand has been driving the prices up. Vice chair Ohrstrom said that we need to find some ways to increase industrial development, referencing the SE Collector Study.

Mr. Weiss said governments cannot force developers to build a certain house type. He said increasing density can create smaller lots that are more affordable. There was a discussion about an affordable housing ordinance and housing authority.

Mr. Hudson left the meeting at 6:30 p.m.

Mr. Weiss indicated that the rents at the income-and age-restricted apartment complex have increased lately adding there is no guarantee that the rents will not rise.

There was a discussion about affordable rental housing, the Windy Hill project in Loudoun and Fauquier counties, and cost of land. There was a discussion about rentals and owner-occupied housing.

Ms. Smart discussed the need for smaller homes and properties. Chair Kitselman discussed affordable apartments in downtown Berryville and the three units above the former pharmacy that was a tax credit project. There was a discussion about adaptive reuse and in-fill opportunities.

Mr. Weiss began the discussion about economic development in the community. He said the property owned by Mr. Mercke on the south side of Berryville is available for business park development. There was a discussion about the parcels including a small lot owned by the County. Ms. Dunkle said the Berryville Planning Commission discussed Business Park uses last year and possible modifications to accommodate uses that were not previously identified.

Mr. Weiss gave an update on the Double Tollgate growth area. He said changes to the use of the parcel on the northeast corner of the intersection of US 340 and 522 have prompted discussion of economic development opportunities. He added that water and sewer agreements with Frederick County have been approved and there should be operational development within the next three to five years.

There was a discussion about designating additional future potential growth areas and of water and sanitary sewer capacities. Chair Kitselman discussed options identified in the SE Collector Study and improvements that would be required at the existing railroad crossing.

Mr. Weiss said the intersection at Jack Enders Boulevard and East Main Street needs to be improved dramatically before adding additional truck traffic. He said the Board is not opposed to exploring

development of the collector road and associated businesses. He said that it doesn't seem feasible for developers to construct the road if their costs cannot be recouped. Mr. Weiss said individual sites are available throughout the region and are not being filled adding that developers would be unlikely to build additional sites. He said a traffic signal at US 340 would be extremely expensive and problematic. There was a discussion about Smart Scale funding.

Ms. Harrison suggested that instead of industrial uses, medical facilities should be considered. There was a discussion about medical facilities and the development of a small hotel.

There was a discussion about emergency services. Ms. Dunkle said there is no more developable property within the Older Person Residential zoning district.

Ms. Smart referenced the future of the local agricultural economy referenced in the agenda packet under items and issues that were identified previously. She said a program in Loudoun identifies property owners with young farmers who could use their land. There was a discussion about the cost of land and encouraging farming to be in the community. There was a discussion about developing a commercial kitchen.

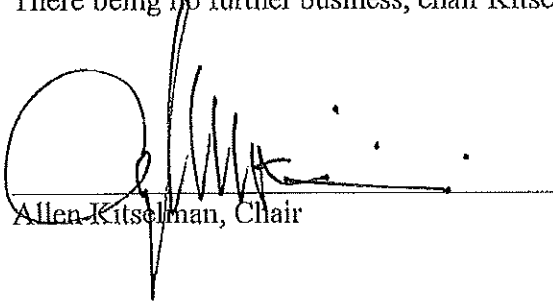
Mr. Stidham identified the next steps in the process. He said the timing is based on staff work load. He said staff would draft a work plan and bring portions of the updated plan to BADA members for review and discussion. He suggested that if members had any issues to add that they forward comments to staff to compile and distribute.

OTHER BUSINESS

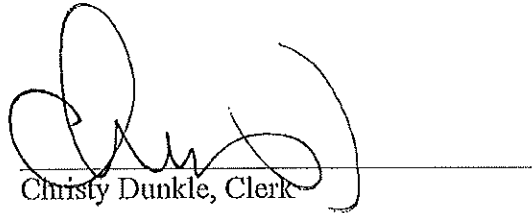
There was no other business.

ADJOURN

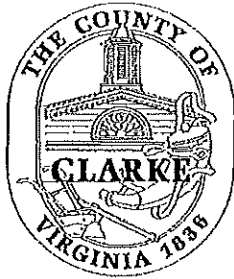
There being no further business, chair Kitselman adjourned the meeting at 7:18PM.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES - REGULAR MEETING
Wednesday, August 2, 2023 at 6:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, August 2, 2023.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman (chair); George L. Ohrstrom, II (vice chair); Kathy Smart; David Weiss

Authority Members Absent: none

Staff Present: Christy Dunkle, Berryville Community Development Director; Brandon Stidham, County Planning Director

Chair Kitselman called the meeting to order at 6:00PM.

APPROVAL OF AGENDA

The Authority voted 6-0-0 to approve the agenda as presented.

Yes: Harrison, Hudson (moved), Kitselman, Ohrstrom (seconded), Smart, Weiss

No: None

Absent: None

APPROVAL OF MINUTES

The Authority voted 6-0-0 to approve the minutes of the February 22, 2023 meeting as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom, Smart (moved), Weiss

No: None

Abstain: None

Absent: None

REVIEW OF PROPOSED WORK PLAN

Mr. Stidham reviewed the draft work plan with Authority members. He said that at the end of the meeting, staff will have sufficient direction to compile the topics for the six proposed work sessions. He said the first

four topics are big picture policy discussions and topics five and six are topics that are specific to the plan. He said the discussion this evening will be the goals and objectives section with the southeast collector being discussed at the next work session.

Mr. Stidham reviewed policies concerning housing types, current densities, and affordable housing as well as water and sewer capacities. He said the sub-area descriptions should be discussed and referenced the removal of several sub-areas during the last update. He said evaluation of the future potential growth areas should also occur during this review. Mr. Stidham said staff will be updating demographic and statistical data and text in the Plan during the process.

Mr. Stidham said that once the draft update is completed, Authority members will provide direction on modifications to the document. He said the final draft would then be presented to the public at informal meetings for comment and a public hearing would be held.

Vice Chair Ohrstrom asked about the order of the work sessions. Mr. Stidham said the order is fluid and may change through the process.

Mr. Stidham began the review of the goals. There was a discussion about residential and commercial broadband applications and current available technology. Vice Chair Ohrstrom said it is a good goal to streamline the document.

Mr. Stidham reviewed objectives under the environment section. There was a discussion about stormwater management and the process under the purview of the Virginia Department of Environmental Quality. There was a discussion about the purchase of nutrient credits; preserving open space; and buffers. Mr. Stidham identified modifications to the existing policies in the environment section and reviewed cluster development policies.

Mr. Stidham discussed proposed changes to the transportation section of the Plan. There was a discussion about traffic calming and wayfinding signage that is currently being implemented by the Town. Mr. Stidham discussed reimbursement funds from VDOT to the Town to maintain the secondary street network. He said new subdivision streets should be designed to assure that they will not create maintenance issues for the Town that would be cost prohibitive. Mr. Stidham discussed transportation impact analyses and other studies that may be requested through the development process.

Mr. Stidham discussed the new construction of phased residential developments. He said this policy issue would specifically address concerns with the Friant property. He said the primary entrance would be through the Audley property but will also connect through an existing subdivision street. He said we will want them to open the primary entrance to avoid issues with the existing neighborhoods. He added that this access would be beneficial to the community should there be an economic downturn and resulting in the developer ceasing construction.

Mr. Stidham discussed the housing policies. There was a discussion about design review. Mr. Stidham referenced historic district design standards in reference to housing, adding that quality design is the goal. There was a discussion about the ability to proffer design standards. He discussed affordable and flexible housing types. There was a discussion about including affordable housing and increases in density. Mrs. Harrison said there needs to be additional rental units available and that workforce housing is needed for residents to be able to live and work here. Mr. Hudson discussed housing for specific age groups. There was a discussion about younger people, those over 55 years old, and others. Ms. Harrison said the Town

got rid of the older person zoning and said we had plenty of senior housing, Mr. Weiss said these items are something for the developer to consider.

Mr. Stidham discussed the land use section. He discussed housing, transition and in-fill, and adaptive reuse as options that should be considered. He said policies were modified to remove redundancy. There was a discussion about the meaning of blight.

Mr. Stidham addressed public services and facilities. He said a portion of the section included items in capital improvement plans. There was a discussion of participation in the water supply planning and the removal of this portion from the previous draft. Mr. Stidham said the urban design section has been removed. He explained the historic district overlay district and the fact that once the property has been annexed, this overlay is not applicable.

Mr. Stidham said that implementation was the new section seven. Mr. Weiss referenced the economic development section and discussed potential areas of expansion adjacent to the Clarke County Business Park. He asked if this was redundant now. Mr. Stidham said it should be included.

Mr. Stidham said policy number five includes language added about complementary ordinances.

Mr. Stidham said staff added a new section to provide guidance and describe the process by which new annexation areas are established. He said this was a first draft of this section. He described new items including how land may be annexed into the Town and future amendments to the Annexation Agreement. Vice Chair Ohrstrom discussed a lack of communications between other localities. He asked if there was any point to address this in case the localities disagree. Mr. Stidham said discussion between the localities is important in order to not get blindsided. Ms. Dunkle said this was the intention of the BADA and to keep discussions going between the localities. Mr. Hudson said the bottom line is for the Town and County to agree on things.

Chair Kitselman said it was a good time to segue to a discussion about the southeast collector road which is important and essential to the Town's collector road system. He asked that a meaningful discussion take place but thinks the County has been moving away from that effort. He added that the Town sees this as essential. Chair Kitselman suggested discussing the County's concerns. He said in his time with the Town, this is the one thing that may cause static between the localities. He said discussing this topic at the meeting would help each other understand each other's reasoning.

Mr. Stidham responded by saying he does not envision this as an awful idea, adding there are a number of hurdles that need to be overcome to continue the vision of development of the Smallwood property. He said the Prime AE study had a limited scope and it had two objectives. He said the first was to get a clear answer from Norfolk Southern as to whether the at-grade crossing originally planned would be allowed, adding that it was clear from the report that it would not be permitted. The second was to identify alternative routes. He added that scoping out alternatives was the bulk of the report, however the study did not go beyond the study area to the endpoints of the segments identified in the plan. He said they addressed the business park and Smallwood Lane to 340, but little beyond that point. He added that there is direct access from the collector road to 340 at the perimeter of Town and will go around the outer edge of Town with direct access to East Main Street. Mr. Stidham said his concern for a long time, which was beyond Prime AE's scope in the study, is the creation of an eastern by-pass for all north bound traffic on 340 to go on this roadway to go east over the mountain. He asked if GPS routing would send everyone this way. He said that could change the character and intention of the road as far as conveying local traffic. He said

traffic on this road could end up like other collector roads in Town conveying significant amounts of pass-through traffic.

Mr. Stidham said the hurdle is figuring out how other local streets including Jack Enders Boulevard, East Main Street, and Harry Byrd Highway would be impacted. He said those streets should be studied for expansion, if the capacity is sufficient, and if the road is going to create a constant stream of traffic that will change the character.

Mr. Stidham said the more practical hurdle is funding the project. He said there may or may not be a development project or group of developers willing to invest in building the collector road. He said our only option would be to go through the state's Smart Scale process. He said in order to get that funding, there is an elaborate scoring mechanism. He said to be the most competitive project, the project must be identified in the comprehensive plan, the property impacted must be zoned for business, and have an approved site development plan that is almost shovel-ready in place. He added there is a lot of investment that we would need to spend up front in order for us to be eligible to access funds. He said once you get the grant approved, it is several years out before construction could begin. He added that if there are developers interested, they are not going to wait around for the funding to become available to build the road, and would likely want a partnership with local governments.

Mr. Stidham said other personal concerns he has include the planning-level cost identified in the study of the intersection at US 340 and Smallwood Lane, and potential impacts to the conservation easement property to the south and Tripp's located on the northeast quadrant of the intersection. He added that there is little room for an intersection. He said that conveying truck traffic onto 340, as opposed to going through downtown streets, is not a bad concept. He asked how do you get there in the most realistic and cost-effective manner given our state of being able to attract development that could pay for the road.

Mr. Hudson asked about options for extending across the railroad tracks including under or over the tracks and whether Norfolk Southern would entertain any alternatives. There was a discussion about the costs involved and the alignment of the track. Mr. Stidham said the upgrade of the crossing at Smallwood Lane and US 340 is doable, but the VDOT shop and a house are in this location.

Mr. Weiss said that Mr. Stidham summarized the concerns and the Board of Supervisors has taken the information into consideration and feel it is not a feasible project, not that they are opposed to it. He said the County isn't going to pay for it. Chair Kitselman said it was not going to happen next year but on a 20-year horizon. Mr. Weiss said that is not how it has been presented. There was a discussion about the timing of development. Chair Kitselman said looking at expanding the annexation area is under consideration. Mr. Weiss said in the Board's view, you cannot get across the railroad tracks in a feasible manner at the Smallwood crossing. Chair Kitselman said the owners of the business park lots were told they would have access to 340. Mr. Weiss reiterated that they do not believe development of a road is feasible. Chair Kitselman said he wanted to discuss the matter ahead of the next meeting to have a serious discussion next time.

Mr. Stidham suggested that at the end of the next meeting, challenges are determined and discussed as a starting point. He said that would give the Authority an idea of the timeframe. Vice Chair Ohrstrom said he did not know anything about the crossing at Smallwood Lane. Mr. Hudson asked if there are any options. Ms. Smart said Brandon's idea is a good one and that we have to talk with each other. Mr. Stidham said we need to find common ground. Mr. Hudson discussed plans for future access with property owners. Mr. Stidham discussed the strip of land the County owns across the railroad tracks below South Church Street.

He said over the years, there was no drive to get the answers from the railroad on paper. There was a discussion about the conversation with Norfolk Southern regarding construction cost, and process to create an at-grade crossing. There was a discussion about the alignment and size of the road. Mr. Stidham said the size would probably be the same size as the existing collector roads in Town but questioned whether it would be sufficient in size. He said the Board concerns are issues of getting traffic out on Jack Enders Boulevard to the Route 7 Bypass. Mr. Weiss said gridlock would result by accessing a property that is in a hole. He said the County will not buy the property and develop it again.

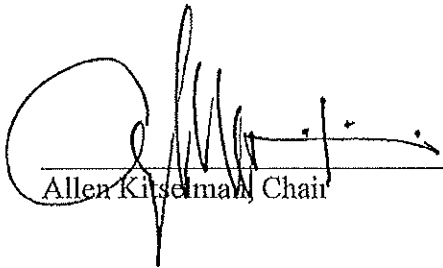
Ms. Harrison discussed the nature of the business park and said there are currently issues with tractor trailer traffic being directed by GPS to South Church Street, adding that it is only going to get worse. Chair Kitseiman said the Town has been working toward that goal and if our partner is going to 86 it, we need to know. He said he has heard their reasoning.

OTHER BUSINESS

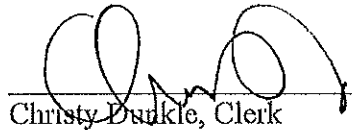
There was a discussion about scheduling the next meeting. Due to members' schedules, it was determined that staff would forward a schedule of alternate dates to members.

ADJOURN

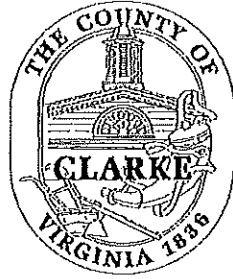
There being no further business, Mr. Hudson moved to adjourn the meeting at 7:19 p.m.



Allen Kitseiman, Chair



Christy Daulton, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES - REGULAR MEETING
Wednesday, October 25, 2023 at 5:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, October 25, 2023.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman (Chair); George L. Ohrstrom, II (Vice-Chair); Kathy Smart; David Weiss (arrived late)

Authority Members Absent: None

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director)

Chair Kitselman called the meeting to order at 5:05PM.

APPROVAL OF AGENDA

Vice-Chair Ohrstrom asked if Ms. Dunkle could provide an update on the Friant rezoning application and she agreed. Chair Kitselman said that this item will be added under Other Business.

The Authority voted 5-0-1 (Weiss absent) to approve the agenda as amended.

Yes: Harrison, Hudson (moved), Kitselman, Ohrstrom (seconded), Smart

No: None

APPROVAL OF MINUTES – AUGUST 2, 2023

The Authority voted 5-0-1 (Weiss absent) to approve the minutes of the August 2, 2023 meeting as presented.

Yes: Harrison (moved), Hudson, Kitselman, Smart (seconded)

No: None

REVIEW OF SOUTHEAST COLLECTOR STUDY – BERRYVILLE AREA PLAN UPDATE

Ms. Dunkle said that she included general transportation information in the packet because it relates to the collector study. She said that she had a discussion with Mr. Stidham about the County's transportation

priorities and said he noted that the priorities have not been finalized yet. Mr. Stidham noted that the update of the County's Transportation Plan is a project that is underway and is separate from the collector study. He said that transportation plans are required to be reviewed by the Virginia Department of Transportation (VDOT), adding that the point of the review is to ensure that the locality's priorities are capable of being funded, completed, and supported by the State's six year construction plan. He said that the County's current Transportation Plan was adopted in 2015 and contains 9-10 projects that have never been prioritized. He added that the Comprehensive Plan Committee asked Staff to prioritize the projects for the Plan Update. He also said VDOT reviewed the project prioritization and shared County staff's concern that the projects' scopes have not been updated and lack metrics to support need for the projects. He noted that most of the projects with the exception of the recent projects at Route 7 and Route 601 have been in the County's Transportation Plan for many years and need to be updated. He said the draft Plan proposes to have VDOT review each project over the next five years to determine whether there is a need for the projects as well as whether VDOT has projects in mind that the County should include. He said that VDOT responded with a list of projects supported by crash data that includes both current and new projects not in the current Plan. He added that VDOT said it is okay to include our projects that are not supported by crash data but that these projects should be on an un-prioritized list. He said County Staff has not been able to complete review of VDOT's recommendations or to report back to the County Planning Commission. Mr. Stidham said that the collector road project is currently proposed to be included in the un-prioritized list of projects in the draft Plan, adding that the collector road project is referenced in the current 2015 Plan but not included in the list of priority projects. He added that VDOT did not include the collector road project in the list of projects they prioritized with crash data.

Ms. Dunkle said that the current Berryville Area Plan contains the top three projects from the County's Transportation Plan priorities. Mr. Stidham replied that those projects were not prioritized and added that they are the three projects located in whole or in part within Berryville – East Main Street, West Main Street, and the park-and-ride lot. Ms. Dunkle asked Mr. Stidham how he sees updating the Berryville Area Plan with prioritized projects. Mr. Stidham replied that it is up to the Authority to decide and that the approach in the 2015 update was to include these projects from the County Transportation Plan. Ms. Harrison asked about the project area for the East Main Street project, noting that the Town recently obtained funding for sidewalk improvements. Mr. Stidham replied that it is from the railroad tracks to Route 7 and added that this is why we need VDOT to help update our project scopes. Mr. Stidham said there is a similar situation on West Main Street between Hermitage Boulevard and Route 7 as numerous improvements have been done over the years along this corridor. He added that VDOT has recommended a project to evaluate the intersection of Route 7 and West Main Street so that might be a better focus.

Vice-Chair Ohrstrom said that the collector road is a complicated issue and it is something we need to continue to work on because it is needed. He asked for confirmation that a crossing at Smallwood Lane is the only option since Norfolk Southern will probably not allow a new at-grade crossing and Ms. Dunkle said yes. He suggested hiring a professional to tell us what it would take to improve the intersection of Smallwood Lane for the collector road because the study does not tell us this. **Ms. Dunkle said that there are other details in the study and that Option B is the intent with the possibility of phasing. She added that you do not want to load up the East Main Street intersection with more traffic than is already occurring.** ~~Ms. Dunkle said that Option B is the intent which goes all the way through but you want to make sure you do not load up East Main Street with traffic.~~ She noted that the collector study recommends a 70-foot right of way which is larger than the other collector roads in town that have 60-foot rights of way. She added that this collector road is the last to be built in the collector system. She also noted that the study recommends a speed limit of 50 MPH which is not appropriate for that type of road. Chair Kitselman said if you were able to create a new access point across an improved crossing, it would

likely be moved to the north. He added that the Hardesty property could be in play as well and that this is all in the future.

Mr. Weiss entered the meeting at 5:15PM.

Mr. Hudson said that the chances of this going through is practically nil. Mr. Stidham said that Norfolk Southern did not want to allow a new crossing at Jack Enders Boulevard because of the horizontal and vertical alignment of the track. Mr. Hudson clarified that he is talking about a crossing at Smallwood Lane because Norfolk Southern has not provided anything in writing to say that this can be approved. Ms. Dunkle explained that an engineering study would be required to get Norfolk Southern to approve an at-grade crossing. Vice-Chair Ohrstrom asked how much that would cost and Mr. Stidham replied that the fee to Norfolk Southern to review engineered plans is \$25,000. Mr. Hudson said that nothing guarantees that Norfolk Southern will be satisfied with the crossing once they have reviewed the engineering. Ms. Dunkle said that once they review the plans, Norfolk Southern will tell you what else will be required including potential closures of other crossovers. Mr. Hudson asked if there is any record of how other localities have fared in working with Norfolk Southern, noting that we could spend a lot of money only to have Norfolk Southern tell us no. Mr. Weiss noted that Norfolk Southern does not want any new crossovers. Mr. Hudson said that without assurances, this does not work. He added that Concept D only adds more traffic without creating another way out. Ms. Dunkle said that Concept D is not preferred. Mr. Hudson asked if Concept D is to build a portion of the road and hope someone else builds the rest. Ms. Dunkle replied that the study shows alternatives and that phasing could be considered. Mr. Stidham said that a lot of counties take a phasing approach where they have developers build their portions of a road as they develop their properties. He added that this may get a road completed in a few years if development is hot, otherwise you could wait 20-30 years to get the road finished. Mr. Stidham said the real risk is creating a problem by allowing the interim pieces to be built without finishing the project.

Mr. Hudson said he is trying to understand the logic of allowing Concept D. Mr. Weiss said that the Smallwood property was identified because it is adjacent to the Business Park and could offer a new solution for the collector road. He added that there have been no studies to determine whether the Smallwood property works or does not work for development. Chair Kitselman added that it also has a railroad crossing. Mr. Hudson said he is wondering what is the best use of the localities' time given Norfolk Southern's control over the rail crossing. **He asked at what point should we say that we have done more than the required due diligence and, despite promising the Business Park developers that the road would be built, this project is not going to be a reality. He asked when we should determine that even though this road was promised and we have done our due diligence, this project is not going to be a reality.**

Mr. Stidham noted that being "shovel-ready" may be important because the answer that you get from Norfolk Southern at the conceptual stage may be very different from asking them for a crossover when you have development next to it and are ready to build. He also said that being shovel-ready can get you the most points under the current scoring system for Smart Scale funding. He added that if you proceeded with Concept D, added the property to the Plan, rezoned the property, and had development underway you would get the project close to shovel-ready. He said the other approach is to keep the project in the Plan and if someone really wants to develop the property, they will be expected to build the collector road. He said the question is whether someone will want to invest heavily in developing that property and pay \$10 million plus to build the road. Chair Kitselman said that it does not change the fact that it is good planning and that he would hate to see us take the project off the table even if it is 20 years before it is built. He added that the collectors are important for the growth of Berryville. He also said that going with Concept

D will just make traffic on East Main Street worse. He said that just because it is hard does not mean we should not keep it on our radar.

Mr. Weiss said that if you continue to have an infeasible project in your Plan, you hamstringing future planners because you are pointing people in a direction that you probably should not. He added that the Smallwood property is not a great property and is hard to get into and out of. He said it would not be the end of the world to keep it in the Plan. Chair Kitselman asked Mr. Weiss if he is advocating to remove the project from the Plan. Mr. Weiss replied that it should be kept as a deferred project and not as a viable priority at this time. He added that it is not viable unless you spend a significant amount of money to advance it and also noted that VDOT recommends adding 3% to the project cost each year. Vice-Chair Ohrstrom asked if Concept D should be pursued now if we want to expand the Business Park. Mr. Stidham replied that it does not meet the Town's goal of relieving traffic and would actually add to it in the form of more truck traffic. Mr. Weiss said the problem is if you cannot get the collector road, then Concept D is not a good idea because of the traffic. Ms. Dunkle suggested taking Concept D off the table and focus on the collector road concept. Mr. Hudson said that Concept B is still a long way off and will require funding to advance. Ms. Dunkle replied that she respectfully disagrees and said that the study does not confirm this. She added that Norfolk Southern not being responsive to inquiries over the years should not be taken as the project is not viable. Mr. Hudson agreed with Ms. Dunkle that the project is important to the Town but he would like to see some movement from Norfolk Southern on what they will allow us to do. Ms. Dunkle replied that we will not get any movement without going through their engineering review process. Mr. Hudson said we are going to be talking about this project for many years and Norfolk Southern is likely to come up every time. Mr. Weiss also noted that Smallwood Lane is narrow and the existing houses and conservation easement to the south will be challenges to developing a collector road. He added that the cost to get to the railroad track is probably prohibitive. He suggested considering other areas that might be more viable.

Mr. Stidham said that it sounds like everyone is in agreement that Concept D is not a good idea. He added that if this is going to be a developer-driven project, then maybe the Plan should require developers to come in from US 340 and solve the crossover problem first before developing through the Smallwood property. He noted that this may get the project to shovel readiness quicker with less local investment and that would be the better time to approach Norfolk Southern. He said that the developer would be on notice that once the crossover issue is resolved, they would be expected to build the road through to Jack Enders Boulevard. **Ms. Dunkle asked what kind of commitment does the County and Town have to give that potential future growth area the thumbs up.** ~~Ms. Dunkle asked what it would take to give that potential future growth area the thumbs up.~~ Mr. Stidham replied that this is where feasibility is important -- how feasible do we think it is that a developer would want to do this project. He said it may be more likely that a developer would want to do the project as a residential development but is this the best use for the property. Mr. Hudson said that requiring development from US 340 first is a great concept and should be added as an option. Mr. Stidham added that it is still a slim possibility that someone would want to develop the property and build the road. He asked to Ms. Dunkle's point, do we see this project as being feasible enough to add the property to the annexation area or do we leave guidance language in the Plan to describe our expectations for future development before adding it as an annexation area. Mr. Hudson said he prefers the latter option because there are so many variables and unknowns. Mr. Stidham added that we have two other potential future development areas that do not have rail crossings but they do involve residential development. He added that we can re-conceptualize anything in the Plan update process.

Mr. Hudson said it is good approach but he does not want to see the issue discussed for months and months with no resolution. Chair Kitselman reiterated that it is good planning to keep the collector road concept. He said there is no solution now that jumps out but there could be one in the future. Mr. Hudson said we

could leave it in the Plan but not continue to commit time to it by discussing it. Ms. Harrison said it is important to leave it in the Plan with the guidance to come in from US 340 first. She added that there are over 200 houses proposed on the Friant property that will create more congestion especially with trucks in that area, and it would be a good idea to have a way to move that traffic out to US 340 to relieve some of the congestion. Mr. Weiss said you are asking future planners to find a valve for the traffic that is not there. Ms. Harrison replied then we need to keep this concept in the Plan until we find a better solution in the future. Mr. Stidham asked if there is a consensus that this should be a developer-driven solution. Vice Chair Ohrstrom replied that this is always worrisome to him. Mr. Stidham added that this would be in the Plan with the guidance that developers will be expected to bear the lion's share of completing the collector road. Chair Kitselman said our governments are unable to afford the cost so this is probably our best option. Mr. Stidham noted that VDOT is soliciting comments on proposed changes to Smart Scale that would shift the funding again towards much larger projects in Northern Virginia and Tidewater so funding for projects like the collector road will probably be difficult to obtain. There was a brief side conversation regarding VDOT's improvements to date at the intersection of East Main Street and Jack Enders Boulevard. Ms. Smart said she agreed with Ms. Harrison and Mr. Hudson about leaving the collector road in the Plan and also agreed that developers would have to pay for it.

Ms. Dunkle asked Mr. Stidham how he envisions the potential future growth areas to shake out, noting that she does not know how to respond to potential developers that call with questions because the properties are in the County. Mr. Stidham replied that meeting with developers as a team has worked in the past with his discussion of how the property fits into the Plan and Ms. Dunkle explaining the annexation process. Mr. Stidham added that the Authority will need to decide whether to make any changes to the potential future growth areas through the Plan update process. Mr. Hudson asked if the Smallwood property was added as a potential future growth area in the 2015 update. Mr. Stidham replied yes and added that we did not have potential future growth areas in the previous version. Mr. Hudson asked if there was a lot of support for this addition. Mr. Stidham replied that it coincided with us first learning that the extension of Jack Enders Boulevard would likely not be feasible. Mr. Hudson said it sounds like there is a consensus to leave it in the Plan for now with the directive that it be developer-driven.

Mr. Stidham explained that the process for navigating the Plan and County and Town ordinances was originally different with the County handling the rezoning and land use approvals before the property was annexed into the Town. He said that this process was developed before the Town had professional staff to handle land use reviews. He added that the Plan update will need to address these process changes and any future process changes which could guide the update of the annexation agreement as well. Ms. Dunkle noted that it is difficult for residents to understand that growth is planned for in the Town. Vice Chair Ohrstrom said that people need to understand that we have to have a place for new residential growth. Ms. Dunkle stated that she has been collecting updated demographic information for the Plan update and there was a brief discussion about future growth in Frederick County and widening of Route 7.

Mr. Stidham said that for the Plan draft, we can tell the story of what was discussed at this meeting in regards to the collector road and members agreed by consensus.

OTHER BUSINESS

Ms. Dunkle provided an update on the status of the Friant rezoning application and the October 24 Town Planning Commission public hearing. Vice Chair Ohrstrom asked for confirmation that the property needs to be rezoned in order to get the higher density and Ms. Dunkle replied yes. Ms. Dunkle said many of the public hearing speakers were from the County and were concerned with a number of issues, noting that aesthetics is a big concern. Mr. Weiss asked where the application stands in relation to the review criteria in the Plan to get the increased density. Ms. Dunkle said the Plan allows for applicants to request access to

unused dwelling units through rezoning. Ms. Smart asked how many units are proposed and Ms. Dunkle replied 214. Ms. Dunkle said the Plan recommends 112 dwelling units but you have to consider Sub-Area 14 which changed from business park to residential in the Plan but is still zoned Business Park. She said that Sub-Area 15 allows approximately 66 houses by-right without rezoning Sub-Area 14.

Mr. Weiss asked if the applicant has addressed interconnectivity. Ms. Dunkle replied that the applicant says they have it but she has not received anything to confirm it. Mr. Weiss asked about the proposed houses in the viewshed. Ms. Dunkle replied that this has been discussed with the applicant a number of times and the Town Planning Commission has visited the site. She said they have asked them to take the houses out of this area as recommended in the Sub-Area 16 description. Mr. Weiss asked if they have been told that they must connect to East Main Street before connecting to the subdivision and Ms. Dunkle replied yes and that this would be the construction entrance. Ms. Dunkle also said they have recommended phasing. Mr. Stidham asked for confirmation that the applicant said the stormwater will all flow to the north and Ms. Dunkle replied yes. Mr. Stidham said that he was concerned because western areas of the property appear to drain to the south towards the existing subdivision and the applicant did not show any stormwater detention areas there. Ms. Dunkle said that if the subdivision road does not cross the Emma property, then there would be two separate subdivisions with one accessing East Main Street through the existing subdivision. She said connectivity is important and there are concerns about impacts to the intersection of Battletown Drive and East Main Street.

Mr. Weiss asked Ms. Dunkle if she would recommend approval of the application in its current state and she replied no. She added that the applicant has asked for a deferral to the November 28 Commission meeting. She also said that the Commission's 100-day review period ends on November 30 so the applicant would need to request another deferral for the Commission to be able to continue its review. She said the Commission is having trouble understanding the applicant's school impact numbers. Mr. Weiss said that is not the problem the Commission should be focusing on. Ms. Dunkle agreed and said that transportation is the big issue. Mr. Weiss said that if they cannot get the interconnectivity then Ms. Dunkle cannot recommend approval and she agreed. Mr. Weiss added that he did not think that the applicant would be able to get an agreement in two weeks with the Emmas to cross their property and Ms. Dunkle replied that the applicant said they have an agreement but she has not seen it.

Mr. Weiss asked Ms. Dunkle what she thought her guess would be as to the number of houses the applicant would ultimately build and she replied that she did not know. Vice Chair Ohrstrom asked if she knew what the break-even number is. Mr. Stidham said that other developers they met with previously could not make their numbers work at around 180 homes. Ms. Dunkle reiterated that most of the concerns were about aesthetics and how you can make the development look better. She noted that most subdivisions are going to look barren at the beginning after tree clearing and grading. Mr. Weiss noted that houses can be built with different colors and materials to improve aesthetics. Ms. Dunkle noted that Hermitage was built with different builders so there is more variety in style and setbacks. She said that she has encouraged this developer to vary the building locations to shake up the street frontage. She added that several of the public hearing speakers expressed anger towards the applicant and the quality of their developments. She also said some speakers want affordable housing.

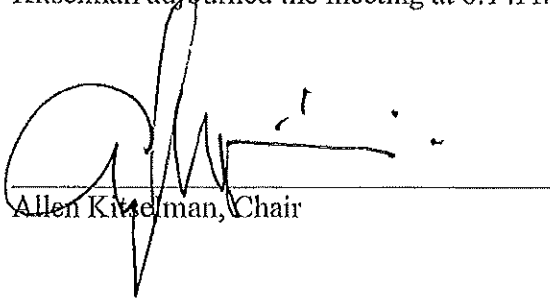
Chair Kitselman said that we have a serious education problem regarding planning. Mr. Weiss said that he did not think he could support 214 homes. Mr. Stidham said that he thinks the public would still be upset with 108 houses. Mr. Weiss agreed that educating the public is important. He added that in a lot of cases sprawl is what people have experienced in the communities that they came from. Mr. Hudson said that the overwhelming comment he receives from people is that added development will make internet speeds

worse for current residents. There was a brief side conversation about the All Points Broadband project to bring fiber optic broadband to the County and several other localities in the region.

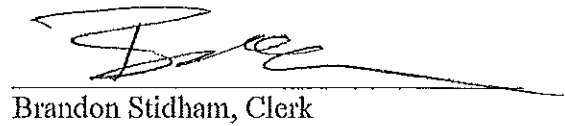
Members discussed the date for the next meeting, agreeing to cancel the November 15 meeting and moving the December 13 meeting to Wednesday, December 20 at 5:00PM. Mr. Stidham said that the next discussion topic per the work plan is residential density and housing types.

ADJOURN

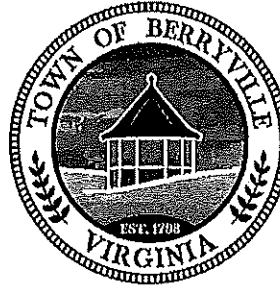
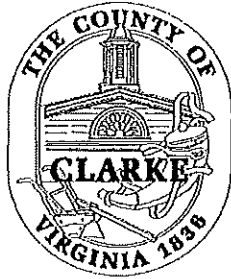
There being no further business and on a motion from Ms. Smart, seconded by Mr. Hudson, Chair Kitselman adjourned the meeting at 6:14PM.



Allen Kitselman, Chair



Brandon Stidham, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES – ORGANIZATIONAL REGULAR MEETING
Wednesday, January 24, 2024 at 5:00 p.m.
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

The organizational meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, January 24, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; George L. Ohrstrom, II; Kathy Smart

Authority Members Absent: David Weiss

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director), Keith Dalton (Berryville Town Manager)

Mr. Stidham called the meeting to order at 5:00 p.m.

ELECTION OF OFFICERS FOR 2024

Mr. Stidham asked for nominations for chair.

The Authority voted 5-0-1 (Weiss absent) to approve the nomination of Mr. Kitselman for chair.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved), Smart (seconded)
No: None

Chair Kitselman asked for nominations for vice chair.

The Authority voted 5-0-1 (Weiss absent) to approve the nomination of Mr. Ohrstrom for vice chair.

Yes: Harrison, Hudson (seconded), Kitselman, Ohrstrom, Smart (moved)
No: None

APPROVAL OF AGENDA

The Authority voted 5-0-1 (Weiss absent) to approve the agenda as presented.

Yes: Harrison, Hudson (seconded), Kitselman, Ohrstrom (moved), Smart
No: None

APPROVAL OF MINUTES – OCTOBER 25, 2023

Vice-Chair Ohrstrom complimented the writing of the minutes.

The Authority voted 5-0-1 (Weiss absent) to approve the minutes of the October 25, 2023 meeting as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom (moved), Smart
No: None

ADOPTION OF 2024 MEETING DATES

Chair Kitselman and Mr. Hudson said they had a conflict with the meeting time of 5:00 p.m. There was a discussion about moving the time to 1:00 p.m. Staff said they would confirm meeting room availability and let Authority members know the status of the change.

BOUNDARY LINE ADJUSTMENTS BETWEEN CLARKE COUNTY PUBLIC SCHOOLS, PAUL HOWELL, AND THE TOWN OF BERRYVILLE

Mr. Dalton said that in 2012, as part of the Clarke County High School construction, Mosby Boulevard was extended from its terminus to the roundabout located at the intersection of West Main Street. He said that the right-of-way for Mosby Boulevard was an easement dedicated by the Clarke County Public Schools (CCPS) rather than a dedication of land. He said the extension of Mosby Boulevard to its current location resulted in land owned by CCPS being stranded on the west side of Mosby Boulevard. Mr. Dalton said that Mr. Howell and CCPS have agreed to the Boundary Line Adjustment (BLA) and Town Council has conditionally approved the proposed property distribution and rezoning as presented, adding that the BADA action to approve the BLA was the last step in the process.

Mr. Dalton described the specific square footage per lot and ownership information for each parcel. He said that Mr. Howell and CCPS will retain the same square footage as they previously owned and the Town will have a slight loss. He concluded by saying that this action will clean up property lines and maintenance of the parcels. Vice-Chair Ohrstrom asked if there was a down side and Mr. Dalton responded that there was not. Mr. Hudson asked if Mr. Howell was okay with the effort and Mr. Dalton said he was. Mr. Dalton said the Town took on the easement and legal review and that Mr. Howell was taking care of the survey work.

The Authority voted 5-0-1 (Weiss absent) to approve the Boundary Line Adjustment as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom (moved), Smart
No: None

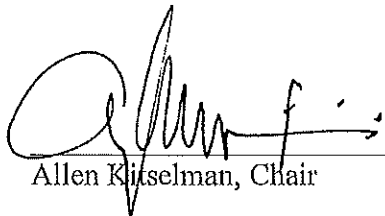
STATUS OF BERRYVILLE AREA PLAN UPDATE PROCESS

Mr. Stidham reviewed the Berryville Area Plan update process. He said that the residential density and housing type discussion was postponed until the February meeting adding that Mr. Dalton will be in attendance to discuss water and sewer facilities. Vice-Chair Ohrstrom and Ms. Harrison indicated that they would likely need to attend remotely. Mr. Stidham said that as long as there is a quorum in the meeting

room, that was fine. He reviewed the schedule as presented and said that Staff should be able to begin drafting the update by May.

ADJOURN

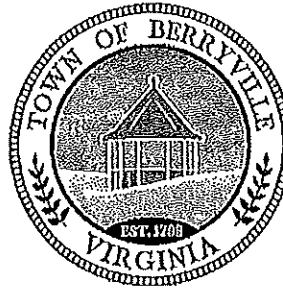
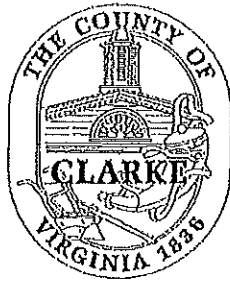
There being no further business and on a motion from Mr. Hudson, seconded by Ms. Smart, Chair Kitselman adjourned the meeting at 5:17 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES – REGULAR MEETING
Wednesday, February 28, 2024 at 1:00 p.m.
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, February 28, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; George L. Ohrstrom, II (remote); Kathy Smart; David Weiss

Authority Members Absent: no one

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director), Keith Dalton (Berryville Town Manager)

Chair Kitselman called the meeting to order at 1:01 p.m. Chair Kitselman said that Vice Chair Ohrstrom is participating by phone due to medical reasons.

APPROVAL OF AGENDA

The Authority voted 6-0-0 to approve the agenda as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom, Smart (moved), Weiss

No: None

APPROVAL OF MINUTES – JANUARY 24, 2024

The Authority voted 6-0-0 to approve the minutes of the January 24, 2024 meeting as presented.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved), Smart (seconded), Weiss

No: None

BERRYVILLE AREA PLAN UPDATE PROCESS – RESIDENTIAL DENSITY AND HOUSING TYPES

Mr. Stidham referenced the memo in the packet and said this is an extensive topic which may take several meetings to cover, recommending that the Authority take the time to discuss the topics and materials. He said that Mr. Dalton was in attendance to discuss the Town's utility systems. Mr. Hudson complimented Mr. Stidham on the packet layout.

Mr. Stidham said he asked Mr. Dalton to come to the meeting to discuss Town utilities, adding that the original residential and commercial yields in the Berryville Area Plan were based on the Town's ability to provide water and sewer services within the area. Mr. Stidham referenced the memo from Mr. Dalton included in the packet. Vice Chair Ohrstrom asked Mr. Dalton about the lifespan of both water and wastewater treatment plants. Mr. Dalton said that the wastewater plant, that went online in 2012, and the lifespan of the facility goes in two directions: the treatment capacity and the useful life of buildings and machinery. He said the engineers have estimated that the lifetime of this plant is at least forty years for the facility. He said that concerning the process, the membranes are replaced every ten to twelve years, adding that the Town has recently replaced them. He said that the capacity is a different discussion and that when the wastewater plant was built, he prepared the site for two phases of expansion, from 1.1 million gallons per day to 1.4 million gallons per day. Mr. Dalton said that the Preliminary Engineering Report estimated that Phase I would accept the capacities until 2060 or beyond at the 1.5% annual growth rate that has been planned for the last 30 years. He added that the water and sewer plants are both at approximately 50% capacity.

Mr. Dalton said that, concerning expansion, when the water treatment plant treats 80% of the capacity for three concurrent months, the Town would need to begin discussions with the Virginia Department of Health on upgrading the facility capacity. He said that when the sewer plant achieves a 90-day rolling average of 95% of capacity, the expansion process would begin.

Mr. Stidham asked if there is room for the water treatment plant to expand. Mr. Dalton said there are 17 acres on the site and that VDOT right-of-way is within that acreage. Mr. Dalton said that the footprint of the building could expand and described the plans for the current upgrade. He said the 19-acre sewer plant, which was more land intensive, was modified with the 2012 upgrade and the primary treatment lagoon was abandoned.

Ms. Smart asked how many gallons per day are removed from and returned to the Shenandoah River through the Town's processes. Mr. Dalton responded by saying an average of 425 gallons comes from the river and approximately 375 gallons are returned to the river daily. He said there is some system loss, metering errors likely occur, loss in the distribution system, and irrigation eventually comes through the ground water to the river eventually. He noted that there are some localities who do inter-basin transfers in which the water is not returned to its source. He concluded by saying the Town returns the water to the Shenandoah River after treatment.

Mr. Stidham continued with the housing update discussion. He said the annexation agreement requires that we retain the sub-areas until each is built-out. He referenced several sub-areas that were removed in the previous update in 2015.

Mr. Stidham reviewed information on Sub-Area 1 and said there is no specific guidelines for low- to moderate-income housing that is permitted in the Institutional zoning district in the narrative. There was a discussion about low- to moderate-income levels and market rates and whether to encourage this type of

development in Sub-Area 1. Vice Chair Ohrstrom asked for a definition of low- to moderate- income housing and how do you force developers to build these units rather than large single-family houses. Mr. Stidham said this use is in the zoning ordinances as a use by special permit. He said when a special use permit application is submitted, the developer would have to identify how the units will be kept affordable. Mr. Stidham noted that the use regulations for this use are lacking. He suggested additional definition to the narrative. Vice Chair Ohrstrom discussed the density identified in the Plan and discrepancies therein. Mr. Stidham agreed and said there is a discrepancy in the guidance language. He added that there could be a scenario in the Western Gateway where the church would want to build low- to moderate-income housing on a smaller scale on their property. Mr. Hudson asked about future housing development and the possible desire to alter what's there. Mr. Stidham said a rezoning would not be required adding that a special use permit and subdivision would be. He said the guidance for such development would need to be included in the Berryville Area Plan. There was a discussion on how the numbers would be based. Mr. Weiss said it is important for the Town and County to have the ability to say what type of development should occur in these areas. He added that traffic would make this type of residential development in Sub-Area 1 prohibitive.

The consensus among Board members was that Sub-Area 1 was not appropriate for residential uses. Vice Chair Ohrstrom suggested discussing the current uses in the Institutional zoning district at the next meeting.

Mr. Stidham discussed Sub-Area 2. He said the Ruritan fairgrounds, two residential lots, Town Public Works facilities, and a fitness center are located within this area. He discussed the intent of the Ruritan board to be placed under conservation easement. He said the County encouraged them to find an easement holder that would align with their needs. He said this would likely resolve the issue about the 540 low- to moderate-income residential units. He said staff did not see where this number of units had been considered for utility usage. Mr. Stidham suggested dividing the sub-area in to 2-A and B, identifying the fairgrounds as a historic and cultural use while leaving the other parcels open for a potential development. There was a discussion about why the Clarke County Easement Authority (CCEA) was hesitant to hold this type of recreational easement. Mr. Weiss added that this type of easement does not meet current criteria established by the CCEA. There was a discussion about dividing Sub-Area 2 into three parts. It was determined that the Town's Public Works facility should be removed from the Plan. Authority members directed staff to illustrate this scenario and present the information at the next meeting.

Mr. Stidham discussed Sub-Areas 3 and 4 which include Battlefield Estates. Mr. Stidham said these sub-areas have reached buildout and recommended that these areas be removed from the Plan. He said during the last update, it was determined that Sub-Area 3 should remain in the Plan due to the potential development in the stormwater management facility at the high school should the Virginia Department of Environmental Quality modify their requirements. There was a consensus to remove these sub-areas from the Plan.

Mr. Stidham recommended retaining Sub-Area 5 as there are two unbuilt lots remaining. He discussed the configuration of Sub-Area 6. He asked members if they thought The Retreat at Berryville should be considered residential or commercial. There was a discussion about the individual rooms not having kitchen facilities in each room. It was determined that it would not be considered 80 housing units by Authority members. Mr. Weiss asked if there was a formula applied for water and sanitary sewer usage for these types of facilities. Mr. Stidham said that if it is not treated as a residential use, it would be considered a commercial use. Ms. Dunkle said she would research the question to discuss at the next meeting. Mr. Stidham added that we have not accounted for commercial units in the chart, only residential. He said there could be a couple of large commercial users who may use up some of the capacity.

Mr. Stidham discussed Sub-Area 6A which includes Robert Regan Village, stating that the Plan had identified 300 residential units in the Older Person Residential (OPR) with 120 of them multifamily. He said the total number of units exceeded that amount with the addition of the 120 multifamily units at the Regan Village development which was added to the existing 60 units at Mary Hardesty House to total 180 units. He added that development in this sub-area has not exceeded the 300-unit total capacity identified in the Plan. He asked Authority members how the additional 60 multifamily units and total number of units constructed should be addressed. Mr. Hudson noted that the Commonwealth Assisted Living facility has not been addressed. He said that the facility has one- or two-bedroom units without kitchen facilities. There was a discussion about lot yield in the sub-areas and the assumption of fixed capacities with residential and commercial development. Mr. Stidham said that water and sewer capacities should be available for commercial uses at all times.

Mr. Stidham said that non-residential uses dig into residential capacities and if the Town doesn't have the capacity, it would not be approved. There was a discussion about removing the Sub-Area and how to account for the flows. Mr. Stidham said the sub-area is near build out with one residential lot remaining. He asked Authority members about the 117 units currently identified in the Plan and whether to remove them or apply to the unused lot yield in the annexation area. He suggested revisiting this yield in the future meetings.

Mr. Stidham said that Sub-Area 9 included the Shenandoah Crossing subdivision, adding that it was reconfigured from the original Plan which included a portion of Darbybrook (formerly Apple Glen). He discussed the original by-right development plan in the 1990's. He said that 82 houses have been constructed with 54 units identified in the Plan as a factor of the early subdivision. Mr. Stidham said he has made a note to discuss the removal of 28 dwelling units in future discussions. He recommended removal from the Plan. Authority members agreed by consensus.

Mr. Stidham reviewed Sub-Areas 10, 11, and 12A. He said Sub-Area 10 was annexed into the Town in 2022 and identifies a development potential of six dwelling units. He discussed the Soldiers Rest Property and (Sub-Area 12A) and recommended no changes to any of these areas.

Mr. Stidham recommended discussing Sub-Areas 13, 14, and 15, which are currently under consideration for a rezoning, at the next meeting and skip ahead to discuss other sub-areas. He said that staff recommends removing Sub-Area 18 as Berryville Glen has been built out. Vice Chair Ohrstrom suggested that the sub-areas be re-numbered in sequential order for clarity. Chair Kitselman suggested that a reference to the history of the plan needs to be included. Mr. Stidham said he could enumerate the changes in the chart while simplifying that as well.

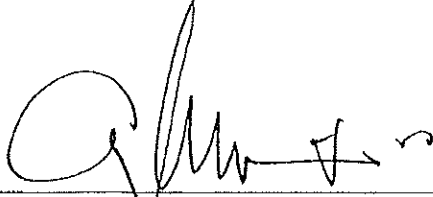
There was a discussion about Sub-Area 19B. It was determined that this property would be retained in the Plan. Mr. Stidham discussed Sub-Area 20 which includes the Johnson-Williams Apartments and Josephine School Museum. He said that there is no guidance currently in the narrative. Vice Chair Ohrstrom said this is an appropriate area for low- to moderate-income housing development. There was a discussion about the County-owned parcel and problematic access to the site. Mr. Weiss requested that staff provide the list of uses in the ITL zoning district for the next meeting.

Mr. Stidham described the sub-areas 25, 26, and 27A. There was a consensus that Sub-Areas 25 and 26 should be removed and to wait on 27A.

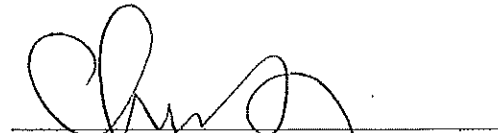
Mr. Weiss discussed the pool of residual units and whether there are other localities who identify them as such. Mr. Stidham responded by saying he has not seen any other localities that work together to make this determination. There was a discussion about the importance of the Town and County partnership.

ADJOURN

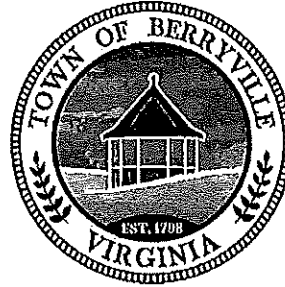
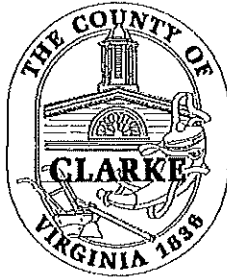
There being no further business and on a motion from Mr. Hudson, seconded by Ms. Smart, Chair Kitselman adjourned the meeting at 2:10 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY

MINUTES – REGULAR MEETING

Wednesday, March 27, 2024 at 1:00 p.m.

**Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia**

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, March 27, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; George L. Ohrstrom, II (remote); Kathy Smart; David Weiss

Authority Members Absent: no one

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director)

Others Present: Ty Lawson

Chair Kitselman called the meeting to order at 1:00 p.m. Chair Kitselman said that Vice Chair Ohrstrom is participating by phone due to medical reasons.

APPROVAL OF AGENDA

The Authority voted 6-0-0 to approve the agenda as presented.

Yes: Harrison (moved), Hudson (seconded), Kitselman, Ohrstrom, Smart, Weiss

No: None

APPROVAL OF MINUTES – FEBRUARY 28, 2024

The Authority voted 6-0-0 to approve the minutes of the February 28, 2024 meeting as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom, Smart (moved), Weiss

No: None

BERRYVILLE AREA PLAN UPDTE PROCESS -- RESIDENTIAL DENSITY AND HOUSING TYPES

Mr. Stidham said that the update process left off at the last meeting with Sub-Area 13 Buckmarsh Run Conservation Area which is part of the Friant development plan currently under consideration by the Town. He said there are no additional development opportunities within this sub-area and that it is identified as open space in the current application.

Mr. Stidham discussed Sub-Area 14 Northeast Residential Transition Area. He said the current zoning is Business Park (BP) and that the land use plan was modified in the 2015 Berryville Area Plan (BAP) update to medium-low density residential development due to lack of access to the sub-area and the possibility of folding it into the Friant development. He said the BAP identifies a lot yield of 28 units in Sub-Area 14.

Mr. Stidham reviewed Sub-Area 16 Bel Voi Preservation Area. He noted that the boundaries of the sub-area do not match the property lines due to the intent to preserve the viewshed to and from the Bel Voi farm house.

Mr. Stidham discussed Sub-Area 17 Eastern Gateway. He said this property belongs to Audley Farm and has a current land use of low-density residential. He added that the main access to the proposed Friant subdivision is identified in this sub-area and that the BAP identifies a 25-unit lot yield. He asked whether low-density residential development was the best use at this high-visibility intersection and how BADA members felt about the Friant proposal. Mr. Stidham reviewed elements of master plan development identified in the BAP that the applicant has addressed.

Vice Chair Ohrstrom said that residents of the Town do not want the density proposed in the Friant rezoning application. Mr. Weiss said the change in land use from business park to residential seemed like a reasonable change at the time, but maybe not. He said improvements to Cattleman's Lane may allow for additional access to Sub-Area 14. Ms. Dunkle noted that the Cattleman's Lane is owned by the railroad who leases the access to building owners. There was a discussion about commercial activities in this location.

Mr. Hudson asked if the Town is in favor of additional density. Ms. Harrison said that the Planning Commission recommended denial of the request. There was a discussion about costs for utility upgrades. Chair Kitselman said that there must be a balance of future development. Mr. Weiss said that assumptions were made on land use decisions when the BAP was written. Mr. Stidham discussed the original descriptions of the sub-areas and the establishment of future rezoning options as well as access criteria for each one. Mr. Weiss said the current proposal does not meet the criteria as there is one access point to the subdivision.

Mr. Stidham discussed the lot yield chart in the BAP which is based on Town water and sewer capacities which now reflects unused dwelling units. He said the future potential growth areas will also need to be determined and included in the chart. There was a discussion about additional areas where the unused dwelling units could be applied and a misconception that if they are not used in the current Annexation Area B, then they will not be available. Ms. Dunkle suggested making a statement in the BAP update confirming that unused dwelling units identified in the current Plan could be transferred to future annexation areas. Ms. Harrison said there is a certain amount of anticipated growth as part of the Plan. She said Mr. Dalton said both plants are at approximately 50% capacity. There was a discussion about future

residential and commercial growth, where it would be located, and sufficient utility capacity to enable this development potential. Ms. Harrison said there are currently approximately 1900 residential units being served by the Town. Mr. Weiss said that 200 additional homes wouldn't significantly change that capacity. Ms. Dunkle said Town staff uses 350 gallons per day as a multiplier for single-family home usage. There was a discussion about added density based on criteria set forth in the Plan. Mr. Stidham asked whether one access to the proposed subdivision was a good idea and discussed the timing of the first connection and threshold for opening other access points. There was a discussion about VDOT not wanting cul-de-sac designs, fire and rescue access, and multiple ingress and egress points. Mr. Weiss added that traffic on Business Route 7 can be challenging at peak hours.

There was a discussion about the Audley property (Sub-Area 17). Mr. Stidham said connectivity to the site could create traffic challenges. There was a discussion about the visibility of the site at the entrance to the Town and what uses would be appropriate. Mr. Stidham said there is limited access to the site which would not be permitted where the guard rail is now. There was a discussion about the proposed location of the road through the Audley property, how the right-of-way would be dedicated, and whether an easement to construct the road would suffice. Ty Lawson indicated that the road is required to be dedicated and is an obligation for both property owners.

Mr. Stidham discussed the developability and list of challenges of Sub-Area 17. He referenced VDOT standard design requirements in order to get a fully-conforming entrance.

Mr. Stidham asked Authority members for their input on establishing an evaluation system in the Plan. Ms. Harrison said it is a good idea because it takes the emotion out of the conversation. She discussed the responsibility of the community to not over-develop in the County.

Mr. Stidham said establishing criteria will help determine appropriate densities. Ms. Harrison discussed development tools including transportation, walkability, sidewalks on East Main Street, and utilities adding that transportation is a concern.

Mr. Hudson discussed the Business Park zoning in Sub-Area 14 and said it should be used for residential development. There was a discussion about the railroad adjacent to the property and whether screening should be required or if it should be identified as a transition area. Mr. Hudson discussed access to the development.

Mr. Stidham discussed connectivity of the proposed subdivision noting that the two physical connections will be emergency access only. There was a discussion about VDOT standard connections. Mr. Weiss said that criteria would work but increased density by a certain percentage was not a functional solution. Mr. Stidham referenced establishing criteria with the goal that all of the dwelling units would be a percentage of the development area. Mr. Weiss said that the premise was to allow designated growth areas, but no one anticipated that all the units would be applied to one difficult property. He added that it could be helpful to identify general methods to use for future sub-areas new levels if developable.

Ms. Harrison said that industrial development on the outskirts of town looks bad, adding that the community is not an industrial park. Mr. Stidham suggested that at some point, the Authority will need to get outside input on what should be located around the town. Ms. Harrison added that there are a number of industrial parks in the region that are empty. There was a discussion on density and the number of residential units in the future. Ms. Harrison said the Town uses a 1.5% growth rate as an average multiplier.

Mr. Weiss said there is a middle ground and that attractive commercial development is a possibility. He said if the idea is to expand, conversations about guidelines and tax revenues should occur. There was a discussion about the southeast collector.

Mr. Hudson said he is concerned about the one access point to the proposed subdivision, asking if there is a solution. Mr. Stidham said that phasing is probably the best solution recommending that the proposed road through Audley be constructed first with the requirement that all construction traffic be directed on this road rather than the existing neighborhood. There was a discussion about asking Audley to comment on future plans. Ms. Smart voiced concern about sufficient water supply in the future.

There was a discussion about uses on the Audley property including farm markets. Mr. Weiss said this is a use that the County ordinance allows. Mr. Stidham suggested performance-based descriptions worthy of the eastern gateway and explained the difference between land use and zoning.

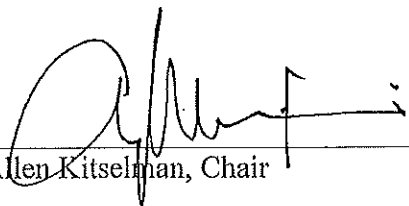
Ms. Dunkle presented information about utility usage in the assisted living facilities per the discussion at the previous meeting. She said that utility staff researched two years of usage and found that the Retreat at Berryville uses approximately 46 gallons per day per unit and Commonwealth Senior Living uses approximately 67 gallons per day. She reiterated that single-family usage is estimated at 350 gallons per day. Authority members determined that these should be considered institutional uses, not residential.

Mr. Stidham said that copies of the Town and County's institutional zoning districts are included in the packet.


Mr. Stidham said that staff is recommending the removal of Sub-Areas 19A, 19B, and 27A due to build-out of the respective sub-areas. He said that 27B is approximately seven acres and not conducive to DR-1 zoning. He asked members if this sub-area should be folded into the future potential growth area. There was a discussion about applying commercial land use to this area. Mr. Stidham said he would bookmark this area for further discussion.

ADJOURN

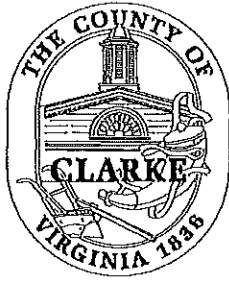
There being no further business and on a motion from Ms. Harrison, seconded by Mr. Hudson, Chair Kitselman adjourned the meeting at 2:19 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES – REGULAR MEETING
Wednesday, May 22, 2024 at 1:00 p.m.
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, May 22, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; George L. Ohrstrom, II; Kathy Smart; David Weiss

Authority Members Absent: no one

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director)

Chair Kitselman called the meeting to order at 1:01 p.m.

APPROVAL OF AGENDA

The Authority voted 6-0-0 to approve the agenda as presented.

Yes: Harrison, Hudson (moved), Kitselman, Ohrstrom, Smart (seconded), Weiss

No: None

APPROVAL OF MINUTES – MARCH 27, 2024

The Authority voted 6-0-0 to approve the minutes of the February 28, 2024 meeting as presented.

Yes: Harrison, Hudson (moved), Kitselman, Ohrstrom (seconded), Smart, Weiss

No: None

MINOR SUBDIVISION APPLICATION – BRAD AND MELINDA GABLE

Ms. Dunkle said that she has received an application for a minor subdivision for a property located on South Church Street. She said that 512 and 516 South Church Street are on the same parcel and the

property owner wishes to split them into two lots. She described the utility easement that has been established in order for the two properties (504 and 508 South Church Street) to access public water and sewer services. There was a discussion about the contingent approval and the requested variance.

The Authority voted 6-0-0 to approve the request for a minor subdivision at the property located at 512 and 516 South Church Street, identified as Tax Map Parcel number 14-A-43, contingent upon the approval of a lot width variance by the Berryville Board of Zoning Appeals.

Yes: Harrison (moved), Hudson, Kitselman, Ohrstrom, Smart (seconded), Weiss

No: None

BERRYVILLE AREA PLAN UPDATE PROCESS – RESIDENTIAL DENSITY AND HOUSING TYPES (CONTINUED DISCUSSION)

Mr. Stidham reviewed the memorandum and wished to discuss the revised documents in the agenda packet. He said that staff had re-numbered the sub-areas per Authority members' request at the last meeting.

Mr. Stidham said that there are no residential uses in Sub-Area 1. He said Sub-Area 2 has been divided into 2A, 2B, and 2C. He said 2A, consisting of two lots that make up the fairgrounds property, has been identified as an historical/cultural land use in the updated narrative. He said that 2B would be reclassified to Business/office use and includes the property where the fitness center is currently located. He said that he is proposing that 2C includes the two residential properties between Mosby Boulevard and the fitness center with a land use of low density residential. He added that staff is recommending that the Town's public works site be removed from annexation area.

Mr. Stidham recommended removal of current Sub Areas 3 and 4 (Clarke County High School/Battlefield Estates South and Battlefield Estates North, respectively) and that Battlefield Estates East become Sub-Area 3. He added that no changes were proposed for current Sub-Areas 3 and 4.

There was a discussion about residual residential units in the new Sub-Area 5 totaling 117 of the 300 original yield. Mr. Stidham said there had been math errors in the number of units in the Battlefield Estates sub-area. He said the total number of unused dwelling units identified in 2015 was 195 and 238 in the 2024 table.

There was a discussion about water and sewer capacity in the Town. Ms. Harrison and Chair Kitselman said that no additional senior housing should be considered in the lot yield in Sub-Area 5. Other members agreed with that assessment. Mr. Stidham said that redefining the 117 units should be considered. Mr. Weiss added that the methodology for development should be revisited.

Mr. Stidham suggested that Sub-Area 9 (Shenandoah Crossing) should be removed from the plan. There was a discussion about the original subdivision yield under County regulations and the final number that were recently constructed by-right.

Mr. Stidham said no changes were proposed for Sub-Areas 7 (First Street Residential Area) and 8 (Soldier's Rest Preservation Area), previously identified as Sub-Areas 10 and 11, respectively, adding that 12A and 12B will shift to 9A and 9B. There was a discussion about whether Sub-Area 8 should remain in the Plan and development potential for this area.

Mr. Stidham discussed Sub-Areas 10, 11, and 12 (previously identified as Sub-Areas 13, 14, and 15, respectively) and referenced item 2 in his memorandum concerning the method by which unused dwelling

units are allocated. There was a discussion about basing the number of units by percentage of total property, the developability of a specific property based on criteria established in the Plan, and phasing developments. It was determined that this discussion would continue after a review of the total plan. There was a discussion about how the original figures were determined and allocated and how to define the process better. There was a discussion on how to develop a ranking scale and how to determine the ease of development. Authority members said modifying current criteria, developing the community around itself, and connectivity are all important factors. It was determined that this subject will be addressed again during the Plan update process.

Mr. Stidham discussed Sub-Areas 13 and 14 (previously Sub-Areas 16 Bel Voi Preservation Area and 17 Eastern Gateway), suggesting that criteria be established for suitable uses in these locations. He recommended removing Sub-Area 18 (Berryville Glen) due to build-out. Mr. Stidham also recommended no changes to 15A (formerly Sub-Area 19A) and 15B (formerly Sub-Area 19B).

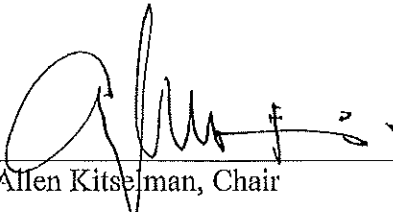
There was a discussion about Sub-Area 16 (previously Sub-area 20) Johnson-Williams Institutional Area that is owned by the County. Authority members discussed uses in the Institutional zoning district and types of housing, e.g., multi-family, single-family, owner occupied, rentals. Vice Chair Ohrstrom discussed the benefits of low- to moderate-income rental properties that would retain the income restrictions in perpetuity where owner-occupied units may be able to be market-rate after 10 years. There was a discussion about a community center and neighborhood integration of uses in this sub-area. It was determined that Sub-Area 16 would be reevaluated during the update process.

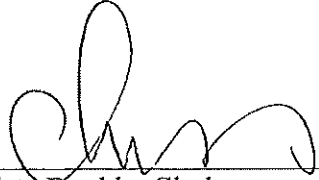
Mr. Stidham recommended no changes to Sub-Area 18 (formerly Sub-Area 22). He recommended the removal of Sub-Areas 25, 26, and 27A (Southgate Residential Area, Hermitage Boulevard Residential Area, and Hermitage Residential Growth Area, respectively). He discussed Sub-Area 20 (previously Sub-Area 27B), Southern Gateway Residential Growth Area, and suggested that Authority members consider moving into the potential growth area. They agreed to take this up during the update process.

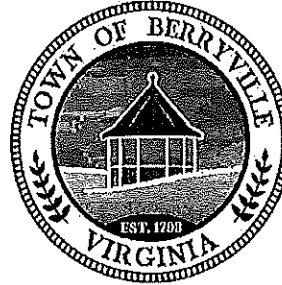
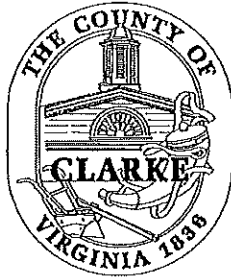
Mr. Stidham said he would create an appendix with the proposed changes and discuss commercial development at the next meeting.

ADJOURN

Chair Kitselman requested a motion to adjourn the meeting. Ms. Smart made the motion to adjourn the meeting at 1:59 p.m.


Allen Kitselman, Chair


Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES – REGULAR MEETING
Wednesday, August 28, 2024 at 1:00 p.m.
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, August 28, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; Kathy Smart; David Weiss (late arrival)

Authority Member Absent: George Ohrstrom, II

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director)

Chair Kitselman called the meeting to order at 1:07 p.m.

APPROVAL OF AGENDA

The Authority voted 4-0-2 to approve the agenda as presented.

Yes: Harrison, Hudson (moved), Kitselman, Smart (moved)

No: None

Absent: Weiss, Ohrstrom

APPROVAL OF MINUTES – MAY 22, 2024

The Authority voted 4-0-2 to approve the minutes of the May 22, 2024 meeting as presented.

Yes: Harrison (moved), Hudson, Kitselman, Smart (seconded)

No: None

Absent: Weiss, Ohrstrom

BERRYVILLE AREA PLAN UPDATE PROCESS –

A. Revised Berryville Area Plan Land Uses map – DRAFT

Mr. Stidham distributed the updated Berryville Area Plan map which reflected the areas that have been identified for removal from the Plan and highlight the changes made in 2015.

B. Commercial and Industrial Uses discussion

Mr. Stidham suggested that the update discussions stick with one set of numbers for the sub-areas. It was recommended that the new numbers be used for this effort.

Mr. Stidham began with Sub-Area 1 Western Gateway. He described the current uses (funeral home and church) and asked whether residential uses should be removed from this area. There was a discussion about the type of residential permitted by the institutional zoning applied to this area (low- to moderate-income housing) and the likelihood that additional development would occur in this location. Ms. Harrison was concerned about increased traffic in this location. Chair Kitselman stated that the infrastructure is difficult in this area. There was a discussion about the possibility of a park-and-ride. Again Ms. Harrison voiced concern about increased traffic. It was determined that this sub-area would be re-examined during the next review cycle with no residential uses recommended.

Mr. Stidham discussed Sub-Area 2B which includes one parcel adjacent to the fairgrounds. There was a discussion about modifying the land uses from Institutional/Public to Business/Office. Authority members agreed with the recommendation.

Mr. Stidham referenced Sub-Area 2C which currently includes low-density residential and Sub-Area 2A which is the fairgrounds and is identified as an Historical/Cultural Preservation land use. No modifications were recommended.

Mr. Stidham discussed Sub-Area 4 which currently includes two parcels that are not contiguous. He identified the locations of each area. He said that the western parcel is The Retreat at Berryville assisted living facility that is built-out and the eastern parcel is undeveloped. There was a discussion about limited access through McClellan Street and US 340. The Authority members discussed land uses proposed for the Highway/Visitor Commercial currently identified. It was determined that the western parcel should be removed from the Plan.

Mr. Stidham continued the discussion about access management and Sub-Area 6. There was a discussion about inter-connectivity between parcels within the sub-area. It was determined that Sub-Area 6 should remain in-tact.

Mr. Stidham discussed Sub-Area 9B located along First Street. He said this would likely be a lower intensity area. Chair Kitselman asked about a possible rail siding within this sub-area. There was a discussion about the intersection of East Main Street and First Street and any ideas for future development. Mr. Stidham suggested re-examining the sub-area with the next Berryville Area Plan update.

Mr. Stidham discussed Sub-Area 15A. He said there is currently a warehouse on the site, however the parcel has not been built-out. He recommended that a reference within the narrative should address a future tie-in for public right-of-way to extend a collector road. There was a discussion about the future road beginning construction from the 340 side of the parcel.

There was a discussion about removal of Milton Valley Cemetery from Sub-Area 16 of the Plan. It was determined by Authority members that this should occur.

Mr. Stidham introduced Sub-Area 17. There was a discussion about the collector road proposed adjacent to this property and uses that are permitted in the area through the respective zoning ordinances. There was a discussion about connectivity to the future collector road and its inclusion in the transportation section of the Plan. It was determined that Sub-Area 17 should remain in the Plan due to potential additional development.

Mr. Stidham discussed Sub-Area 19 and identified the parcels as the largest undeveloped business area in the Plan, noting that connectivity to Jack Enders Boulevard that was previously identified through this sub-area needs to be updated. There was a discussion about a public use (e.g., fire department expansion) and stormwater management. Ms. Harrison discussed flex-spaces and how to encourage this type of development. There was a discussion of uses in adjacent localities.

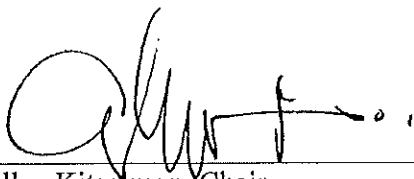
Mr. Stidham reviewed the description of light industrial/research and business/office uses in the current Plan. Mr. Weiss suggested that staff supply the Authority members with respective zoning information for review. There was a discussion about design standards for the gateway area into Berryville. Ms. Harrison discussed traffic concerns in this area. She discussed a recent article she read concerning the influx of younger residents in the area.

Mr. Stidham asked members of the Authority if they had additional questions. Mr. Hudson said the updated map was much clearer and easier to work with.

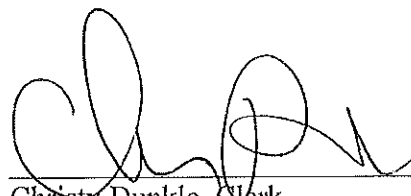
Mr. Stidham said that there are conflicts with the September 25, 2024 meeting date and said that the next BADA meeting will be held on October 23, 2024. He said that the discussion at that meeting will be the future potential growth areas.

ADJOURN

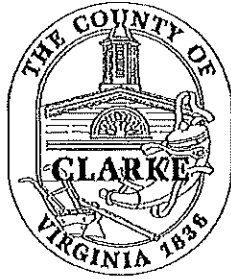
Chair Kitselman adjourned the meeting at 1:55 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk



BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES – REGULAR MEETING
Wednesday, November 20, 2024 at 1:00 p.m.
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, November 20, 2024.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Allen Kitselman; George Ohrstrom, II; Kathy Smart; David Weiss

Authority Members Absent: None

Staff Present: Christy Dunkle (Berryville Community Development Director), Brandon Stidham (County Planning Director)

Chair Kitselman called the meeting to order at 1:01 p.m.

APPROVAL OF AGENDA

Mr. Stidham requested that the Authority add a discussion about the next meeting date at the end of the agenda. The Authority voted 6-0-0 to approve the agenda as amended.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved), Smart (seconded), Weiss

No: None

Absent: None

APPROVAL OF MINUTES – AUGUST 28, 2024

The Authority voted 6-0-0 to approve the minutes of the August 28, 2024 meeting as presented.

Yes: Harrison (seconded), Hudson, Kitselman, Ohrstrom, Smart (moved), Weiss

No: None

Absent: None

BERRYVILLE AREA PLAN UPDATE PROCESS --

A. Continued Discussion, Craig's Run Light Industrial Area

Mr. Stidham said that the Authority has two tasks at this meeting which are to make a determination on the Craigs Run business area and to review the potential future growth areas. He discussed the newly identified Sub-Area 19 and referenced previous discussions by the Authority to modify the zoning applied that would not adversely affect the downtown. He discussed options for modifying the zoning or creating a new district to change the uses from light industrial to business office type designations. He added that sensitivity to neighborhood areas and the reduction of truck traffic were two goals discussed previously by the Authority.

Mr. Stidham discussed the Town's B Business zoning district regulated by Section 611 of the zoning ordinance and the County's Business Park zoning district. He said he highlighted those uses that may result in increased tractor trailer traffic as well as those that are more customer-oriented commercial and office uses in the latter.

There was a discussion about the termination of South Church Street into a cul-de-sac. It was determined that this recommendation was based on a previous plan submission where separation from a proposed collector road accessing on 340 required its closure. There was a discussion about site access to Sub-Area 19 and whether truck traffic has been reduced. Ms. Harrison said that new directional signs have been posted adding that GPS sometimes directs trucks down Church and Josephine streets.

There was a discussion about rezoning the property under discussion. Mr. Stidham said that because the County owns a +/- 2-acre strip in the middle, the applicant would need to work with the County in order to develop the property.

Mr. Stidham discussed specific uses in the B Business zoning district and asked Authority members if they had any concerns. Chair Kitselman said that the mini storage use should be removed due to the nature of the location as a gateway into the Town. Mr. Stidham suggested the creation of a new zoning district that would address this area. There was a discussion about design review tasks of the BADA. Mr. Stidham said that a new zoning designation would need to be created after the update of the plan.

There was a discussion about applying the B Business zoning district to Sub-Area 19. Mr. Stidham said that the property owner could develop the property under Business Park zoning today. Mr. Weiss suggested creating the uses within the district after discussing options with state and local economic development staff and Berryville Main Street representatives.

2. Potential Future Growth Areas

Mr. Stidham discussed potential future growth areas and the need to study the proposed areas further. He reviewed items identified in the staff report that should be studied including available water and sewer capacities, transportation needs, and impact of the school population as it relates to residential development. Mr. Stidham reviewed the process to modify potential future growth areas in the Plan and discussed the three areas identified in the 2015 update. He requested that Authority members discuss development constraints and priorities and to identify new growth areas.

There was a discussion about utility capacities and regional efforts for water usage and the timing for adding additional areas identified for annexation and activity in the region. Mr. Stidham discussed the Southern Potential Future Growth Area stating that initial access from 340 to future development in this

area, rather than from East Main Street and Jack Enders Boulevard, is critical. He said that the Norfolk Southern railroad crossing, the VDOT property on Smallwood Lane, and the conservation easement on Milton Valley Farm are constraints to future development. He added that the transportation study was completed previously and would need to be updated. Mr. Weiss added that the property was hard to develop and had difficult access. He said that it is not practical to continue to push this property because it is not feasible. Mr. Stidham said there had previously been some interest in the property and that incorrect information was included in the real estate listing. Mr. Weiss said there are other associated costs including the upgrade of Smallwood Lane, the signalization at US 340, and extending utilities. Mr. Kitselman said he did not want to take it off the table for future discussions. Mr. Weiss said that their efforts should be spent on doable projects. Mr. Stidham said that potential future growth areas could be added in the future.

Mr. Stidham discussed the Hermitage South Potential Future Growth Area. He described the site access and the historic home within the sub-area. Mr. Hudson suggested discussing future development with the property owners. There was a discussion about property values increasing after being identified in growth areas. Mr. Hudson said that this area is low on his priority list for future development.

Mr. Stidham discussed the Western Potential Future Growth Area and the need for increased utility capacity should residential development occur within this sub-area. There was a discussion about unused dwelling units in the land use chart and the need to confirm in the Plan that they may be used beyond the development of Annexation Area B. Mr. Stidham said that additional studies will be needed if new areas of development exceed the previous number of units identified in the Plan to assure that utility capacity is sufficient. There was a discussion about the varying cost and timing of respective studies.

OTHER BUSINESS

Update on Hillson Grove Preliminary Plat application

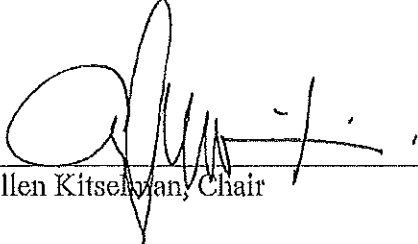
Ms. Dunkle said that the Town received an application for a preliminary plat identifying 20 single-family residential lots. She said that the applicant has submitted the stormwater information to DEQ for review and approval. She anticipated that the application would come to the BADA in January.

Discussion of Meeting Date

Mr. Stidham recommended canceling the December 18 meeting and holding the organizational meeting in January. There was a discussion about dates and it was determined that the meeting would be held on January 15, 2025.

ADJOURN

Chair Kitselman adjourned the meeting at 2:28 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk

BRANDON STIDHAM
ON BEHALF OF
CHRISTY DUNKLE



Berryville Area Development Authority (BADA)
 MINUTES – Regular Meeting
 Wednesday, March 26, 2025 at 1:00PM
 Berryville-Clarke County Government Center Main
 Meeting Room

ATTENDANCE:			
Allen Kitselman	✓	John Hudson	✓
George L. Ohrstrom, II	✓	Kathy Smart	✓
Diane Harrison	✓	David Weiss	✓

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, March 26, 2025.

STAFF PRESENT: Terry Russell (Community Development Director – Berryville), Brandon Stidham (Director of Planning – County), Jeremy Camp (Senior Planner/Zoning Administrator – County)

OTHERS PRESENT:

1. Call to Order – By Mr. Stidham at 1:01PM
2. Approval of Agenda

The Authority voted unanimously to approve the agenda as presented by Staff.

Motion to approve the agenda as presented by Staff			
Allen Kitselman	AYE	John Hudson	AYE (moved)
George L. Ohrstrom, II	AYE	Kathy Smart	AYE (seconded)
Diane Harrison	AYE	David Weiss	AYE

3. Election of Officers for 2025

A. Chair

Mr. Stidham opened the floor for nominations for chair for 2025. Mr. Ohrstrom nominated Mr. Kitselman, seconded by Ms. Smart. Mr. Kitselman noted that he is willing to serve until his term ends in June. There were no further nominations so Mr. Stidham closed the floor to nominations.

Motion to elect Allen Kitselman as Chair for 2025			
Allen Kitselman	ABSTAINED	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart (seconded)	AYE (seconded)
Diane Harrison	AYE	David Weiss	AYE

Mr. Stidham turned the floor over to Chair Kitselman.

B. Vice-Chair

Chair Kitselman opened the floor to nominations for vice-chair for 2025 and nominated Mr. Ohrstrom, seconded by Mr. Hudson. There were no further nominations so Chair Kitselman closed the floor to nominations.

Motion to elect George, L. Ohrstrom, II as Vice-Chair for 2025			
Allen Kitselman	AYE (moved)	John Hudson	AYE (seconded)
George L. Ohrstrom, II	AYE	Kathy Smart (seconded)	AYE
Diane Harrison	AYE	David Weiss	AYE

4. Adoption of 2025 Meeting Dates

Mr. Stidham reviewed the recommended 2025 meeting dates and said it keeps the meetings on the fourth Wednesday of each month at 1:00PM. He noted the meetings in November and December will be on the third Wednesday to avoid the holidays. The Authority voted unanimously to adopt the 2025 meeting dates as presented by Staff.

Motion to adopt the 2025 meeting dates			
Allen Kitselman	AYE	John Hudson	AYE (seconded)
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE
Diane Harrison	AYE	David Weiss	AYE

5. Approval of Minutes – November 20, 2024 Meeting

The Authority voted unanimously to approve the November 20, 2024 minutes as presented by Staff.

Motion to approve the November 20, 2024 minutes as presented by Staff			
Allen Kitselman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE
Diane Harrison	AYE (seconded)	David Weiss	AYE

PUBLIC HEARINGS

6. Sumit Sanjel, Agent (Radiant Summit Development, LLC, Owner)

Mr. Russell noted that the public hearing for the Hillson Grove Subdivision application for 20 lots located across from Litten Court on South Church Street was advertised in error. He noted that one mistake is that the Authority did not authorize the public hearing. He said the second mistake is that the application is not ready for consideration and that Staff still has a lot of work to do with the developer in terms of reviewing the plan with Town agencies. He said he recommended in the Staff report to defer to May and added that the developer requested in writing that the application not be taken up until April. He added the Staff does not think that April would provide enough time to get the application in order but that it may be an appropriate time for the Authority to authorize the public hearing. He also said that Staff should have a better idea in April of when the application will be ready. He recommended that the Authority take no action on what has been advertised and it is up to the Authority as to whether the public hearing is held. He noted that there are speakers present, the matter has been advertised, and notification has taken place.

Vice-Chair Ohrstrom asked if the Authority holds the public hearing today, would it start the 60-day review period. Mr. Russell replied that it would not, adding that the Authority is not taking any action and will not be reviewing any additional materials beyond what is already publicly available. He also said that there will not be a formal presentation which should not make a difference with the 60-day review period. Ms. Harrison asked if the public hearing would be continued. Mr. Russell replied that he does not recommend continuing the public hearing given the accuracy of the public hearing advertisement. He added that the public hearing would be held to hear from the people who took their time to attend today and then start all over with a new authorization for public hearing. Vice-Chair Ohrstrom asked if we are not actually going to open the public hearing and Mr. Weiss replied that you would have to open the public hearing in order to hold it. Mr. Russell said that he recommends holding the public hearing today and closing it. He added that the matter can be started over at a future meeting with the authorization of another public hearing.

Chair Kitselman asked if there is a sign-up sheet for the public hearing and Mr. Russell replied no. Mr. Hudson noted in the interest of full disclosure to those present that they will be commenting on a proposal that may look very different when it is brought back for further consideration. Mr. Russell also suggested that the Authority schedule the next public hearing for the evening in consideration of the interested speakers. Chair Kitselman said that the people in attendance took off work to be here at 1:00PM so they should have a chance to speak. Members concurred with the Chair. Mr. Weiss added that he does not think they should close the public hearing and should instead continue it. Mr. Stidham replied that he concurs with Mr. Russell that if the advertisement is going to be different, then you want to close today's public hearing and start from scratch. Chair Kitselman asked for confirmation that there are enough issues with this application that it will likely change quite a bit and Mr. Russell replied that this could be the case.

Chair Kitselman said he would open the public comment period. Mr. Weiss noted that there is a difference between a public hearing and a public comment period. Vice-Chair Ohrstrom recommended opening the public hearing, closing it at the end of comments, not continue it, and hold a new public hearing at a later date. Members agreed with this. Chair Kitselman opened the public hearing and Vice-Chair Ohrstrom added that each speaker should give their name and address. Chair Kitselman asked speakers to come to the podium and to limit their comments to three minutes.

Kevin McMichael (8 Litten Court) said that he understands that the development is in the early stages and there may or may not be changes coming. He said he moved to Berryville to live on a quiet street and he is one house off of South Church Street. He said there are children that play on his street and traffic speeding on South Church Street. He noted that this would create an issue adding a new ingress/egress to South Church Street. He suggested repositioning the entrance in a location away from Litten Court. He said he has some ideas of what could be done and asked if there is a meeting where he can offer suggestions to the developer. He said residents on South Church Street, Litten Court, and the court just down from his street would agree with him as his suggestions will benefit everyone. He asked what would be the best avenue for him to convey his proposals. Vice-Chair Ohrstrom suggested giving his suggestions to Mr. Russell to pass on to the developer. He also suggested getting signatures from his neighbors in support of his recommendations.

Sara Stern (107 Taylor Street) said that she looked up the developer's LLC and it appears to be one year old. She said she thinks that the owner also owns the vacuum store in Winchester and is a heck of a nice guy if that is who he is. She noted that if the LLC is relatively new, would there be a performance bond to make sure that the developer fulfills their obligations. Mr. Russell said that there are bonds required for

public improvements. Ms. Stern replied that those are construction bonds and she is referring to performance bonds. Mr. Russell said that he will need to look into that to get the information.

Dana Libby (7 Josephine Street) said that the development backs up to Josephine Street and houses will be within 35 feet of the property line. He added that the detached residential zoning regulations say that the district will preserve existing natural features and vegetation and promotes excellence in site planning and landscape design. He noted that this contrasts with a note on the applicant's site plan that the property used to be a dump site and that none of these things matter, negating the concept of preserving grades. He said it has the tone that the developer is going to level it all. He said that buffers should be required to preserve trees adjacent to the existing historic community on Josephine Street and provide a transition between two very different areas. He noted that he looked at the USDA soil reports because the developer will be building a new road. He said that the soils on this property are very limited for building that cannot be overcome without remediation. He added that we will be taking over maintenance of the road once they have built it. He said that the other option is to remove and replace all of the soil and if they choose this option, the impacts on neighboring properties should be addressed. He noted that this property is very wet although not considered to be wetlands. He also said that the USDA says that these soils are not suited for buildings with basements.

Roger Hampton (4 Litten Court) said that he watches the morning commute and a lot of traffic goes by. He noted that it is very difficult to see oncoming traffic when pulling out of Litten Court. He added that there is a fieldstone wall that has been there for centuries and asked if this will be saved.

Lisa Payne (408 South Church Street) said she is right in the hook of where the proposed subdivision is located. She said she has three little children and described an event in which her daughter's basketball went into the street and a car was almost unable to stop in time for it. She said people drive fast on the road and are on their cell phones, adding that her trash can was recently hit and shattered. She is concerned with adding 20 houses and all the new traffic and is unsure whether a different entrance would help this problem. She added that the noise from the trains can be heard even with new windows in her house and she is concerned that the loss of trees will increase the train noise. She noted that Mr. Russell said that the new houses might be a better sound barrier but she does not agree. She also said this will be an issue for the residents in these new houses as they will be even closer to the railroad. She said there is a ledge on her property close to the property line that will cut her off from accessing her two-level garage. She asked whether the houses will be built all at once or whether they will build as the lots are sold, noting that there will be a lot of noise associated with the construction. She also asked whether a tree barrier could be added to separate the properties. She said she and her family like to see the turkeys and deer from this property and will miss that. She also asked whether the new development will impact the Town's water quality and declining infrastructure.

Colby Baughman (406 South Church Street) said that he just learned about this application and has only had a short time to compile his research. He said that wooded areas block sound five to ten times more than neighborhoods. He said it is nice to hear the train in the distance but cannot imagine what it would sound like being closer. He said 20 homes means 80 cars going up and down the road every day which is not a good situation for his neighbors who have small children. He is concerned about what is to come.

Catherine Christopher (522 South Church Street) said that she and her parents have several concerns with the proposed development including increased traffic, safety walking along South Church Street, and construction related damage to our houses. She said we live in a unique geological region dominated by

karst topography and is why there are limestone outcroppings and sinkholes. She added that limestone is easily eroded by water over time resulting in the formation of caves and tunnels which can make for unpredictable foundations. She said that the property is designated as a special hazard flood zone and the property has flooded in the past. She noted that the removal of vegetation can cause additional runoff and penetrate the limestone to cause groundwater issues. She asked when the vegetation is removed that acts as a living sponge, how many sinkholes will there be on the property. She also asked whether sinkholes will cause damage to their homes and safety. She said the more unmitigated development we allow, the more trouble we will have down the road.

Chair Kitselman asked for a motion to close the Public Hearing. The Authority voted unanimously to close the Public Hearing.

Motion to close the Public Hearing			
Allen Kitselman	AYE	John Hudson	AYE (moved)
George L. Ohrstrom, II	AYE	Kathy Smart	AYE
Diane Harrison	AYE (seconded)	David Weiss	AYE

Chair Kitselman said that when we schedule a future Public Hearing on this matter, we will also carry these ideas to the developer for their consideration. He added that they will set the next Public Hearing for the evening.

Mr. Weiss suggested that Mr. Stidham provide an overview of the BADA's role is in reviewing projects that are already zoned for a long time and what the BADA's ability to do in that role really is. Chair Kitselman added that he would appreciate that explanation. Mr. Stidham said that the subdivision application is an administrative review. He said the BADA is a joint planning commission composed of both Town and County members and is the approval authority for subdivision applications. He noted that in this case, the property is zoned DR-2 and proposes to subdivide it in accordance with DR-2 zoning. He said if the applicant complies with all Town ordinance requirements and satisfies all outstanding concerns with internal and external reviewing agencies, then the BADA is obligated to approve the plat. He said that this process differs from a rezoning or special use permit application which is a legislative review in which the approval body has discretion to decide whether to approve an application or impose conditions on a case by case basis. He added that the approval body does not have the authority to vary the regulations so the BADA has to honor the Town zoning and subdivision regulations. He noted that there may be wiggle room to ask the developer to modify the proposal to address issues such as the placement of the entrance. However, if the proposed entrance meets all regulatory requirements as shown on the plat, the BADA is obligated to approve it. There is room for negotiation but it is the applicant's decision whether to make requested changes. Mr. Weiss said that while the BADA may agree with some of the issues raised, they will try to apply pressure but will ultimately have to approve the proposal if it complies with all regulations.

Mr. Stidham added that some of the members of the public may be aware of the recent Friant subdivision proposal. He said that this was a rezoning application as the applicant was attempting to gain approval of a higher number of lots by changing the zoning classification of the property. He noted that rezoning applications allow Town Council the authority to decide whether to approve or deny on a case by case basis. He said there were a number of other things that Council could consider by virtue of it being a rezoning application.

7. SP-25-01, Shirley Properties, LLC/Painter-Lewis, PLC (agent)

Mr. Stidham said that Mr. Camp will be presenting the Staff report on this application. He noted that the County Zoning Ordinance requires a public hearing to be held at the Authority's first consideration of a site development plan application. He said this is because there is a 60-day time limit for the Authority to act and the ordinance was changed a few years ago to reflect this. Chair Kitselman asked if the public hearing is set at the first meeting. Mr. Stidham replied no and that we actually skip the step of setting the public hearing.

Mr. Camp presented the Staff report on this application. He noted that the applicant has requested a two-month deferral of the application and Staff supports the deferral request. He also said that this would stop the Authority's 60-day review period.

Ms. Harrison said that when we had a lot of rain a few years ago, this property was pretty flooded. She asked whether flooding issues will be addressed with this site plan amendment. Mr. Camp replied that the erosion and sediment control plan is designed to prevent erosion during construction. Ms. Harrison asked if anyone has looked at what will happen on the property the next time we have a rainy period. Mr. Camp replied that the project area is under the minimum acreage threshold for requiring stormwater management plan review by the Virginia Department of Environmental Quality (DEQ). He said stormwater management is looked at generally by the County and its engineering consultant, Hurt & Proffitt.

Chair Kitselman asked Mr. Stidham for his opinion on whether he may have a conflict of interest on this matter as he was the original architect for this facility. Mr. Stidham asked Chair Kitselman if he is still working for the applicant and Chair Kitselman replied no. Mr. Stidham said that he would not need to recuse himself then.

Chair Kitselman opened the Public Hearing. No members of the public wished to speak. Mr. Weiss asked the applicant if he wanted to speak on the matter.

R.K. Shirley, owner of the property, spoke on behalf of the application. He said he was not aware of the issues with this application and would appreciate the one-month deferral so he can speak to Painter-Lewis about the issues. He added that there will be a few changes to this plan.

Chair Kitselman asked for a motion to close the Public Hearing. Mr. Stidham said that the Authority may want to continue the Public Hearing in this case and accept the applicant's deferral request. The Authority voted unanimously to continue the Public Hearing and to accept the applicant's one month deferral request. As a point of order, the applicant's agent requested a two-month deferral. Mr. Shirley said that a two-month deferral would be fine.

Motion to continue the Public Hearing and accept the applicant's 2 month deferral request			
Allen Kitselman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE
Diane Harrison	AYE (seconded)	David Weiss	AYE

Mr. Stidham said that this application will be taken up at the May 28 meeting. He said that assuming the Authority acts at the April 23 meeting to schedule public hearing on the Hillson Grove subdivision

application, then that matter will also be on the May 28 agenda. He added that it sounds as though the May 28 meeting will be scheduled for the evening.

8. Berryville Area Plan Update Process

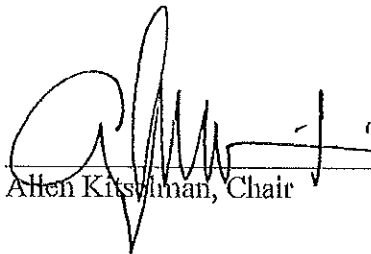
Mr. Stidham said that at the November meeting, we essentially finished our task to identify all key issues and address changes to the sub-areas. He said we are now at the Staff drafting phase and said that it may take a while for Staff to bring drafts for discussion as Mr. Russell is still new to the job and we have a Town-County partnership in drafting this plan. He asked if there are any issues that we have previously discussed that members may want to revisit, then they should let Staff know and we will add it to a meeting agenda.

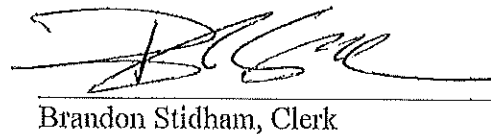
9. Other Business -- None

10. Adjourn

The Authority voted unanimously to adjourn the meeting at 1:53PM.

Motion to adjourn			
Allen Kitzelman	AYE	John Hudson	AYE
George L. Ohrstrom, II	AYE (moved)	Kathy Smart	AYE (seconded)
Diane Harrison	AYE	David Weiss	AYE


Allen Kitzelman, Chair


Brandon Stidham, Clerk

**WORK PLAN FOR BERRYVILLE AREA PLAN UPDATE
(REVISED JUNE 25, 2025)**

TASK 1A (BADA/Staff) – Evaluate policy issues and provide direction to Staff

Work Sessions

1. Review and update goals and objectives – COMPLETE
2. Policy discussion – Southeastern collector road and transportation network – **REVISIT JUNE 25 MEETING**
3. Policy discussion – residential density and housing types
 - Current densities and available dwelling units -- COMPLETE
 - Water and sewer capacity (Keith Dalton) -- **REVISIT JULY MEETING (?)**
 - Affordable housing -- COMPLETE
4. Policy discussion – commercial and industrial development
5. Evaluate sub-area descriptions and designations -- COMPLETE
 - Removal of developed sub-areas from BAP
6. Evaluate Potential Future Growth Areas -- **REVISIT JUNE 25 MEETING**
 - Status of current areas
 - Whether to modify current or create new areas

TASK 1B (Staff) – Update demographics, statistical data, and outdated text

Work Sessions – None (staff work only)

TASK 2 (BADA/Staff) – Develop initial draft of revised Berryville Area Plan

Work Sessions

1. Review/discuss initial draft prepared by Staff; provide direction on additions, deletions, or other changes

TASK 3 (BADA/Staff) – Finalize draft and gain adoption by governing bodies

Meetings

1. Review/discuss final draft prepared by Staff; provide direction on additions, deletions, or other changes; schedule public hearing
2. Public hearing and formal action to recommend revised BAP to Town Council and Board of Supervisors

DRAFT TIMELINE FOR BADA COMPLETION OF UPDATE WORK

- **July meeting (date to be determined):**
 - Revisit discussion of water/sewer capacity (?)
 - Resolve remaining issues (collector road, potential future growth areas, etc.)
- **August 27, 2025 meeting** – Last possible meeting to resolve issues and direct Staff to begin developing the initial draft
- **September 24, 2025 meeting** – Staff drafting in progress, no discussion items
- **October 22, 2025 meeting** – Targeted date to present initial draft of the revised Plan
- **Early November** – Possible special workshop to discuss initial draft
- **November 19, 2025 meeting** – Provide direction to Staff on changes to initial draft
- **Early December** – Possible special workshop to discuss final draft
- **December 17, 2025 meeting** – Provide direction to Staff on changes to final draft
- **January 28, 2026 meeting** – Review directed changes to revised final draft and schedule Public Hearing for February 2026 meeting
- **February 2026 meeting** – Hold Public Hearing (evening session)
- **March 2026 meeting** – Take formal action to recommend adoption of revised Berryville Area Plan to Town Council and Board of Supervisors

Revised Annexation Agreement/Berryville Area Plan Review Schedule for Town Council and Board of Supervisors

06/17/25 Draft

July 14, 2025/
August 12, 2025

Town appoints two members to serve on a joint Town/County Annexation Agreement Amendment Review Committee (Committee)

July 21, 2025/
August 19, 2025

County appoints two members to serve on a joint Town/County Annexation Agreement Amendment Review Committee (Committee)

August 20, 2025 –
November 30, 2025

Committee meets and develops a draft amended Annexation Agreement that will permit the inclusion of Annexation Area C into the Town of Berryville and address details such as the specifics of land development application review/approval and timing of annexations

December 17, 2025

The Committee presents its findings in a joint meeting of the TC and BOS

December 18, 2025 –
April 13, 2026

TC and BOS review the draft amended Annexation Agreement

April 13, 2026

Berryville Area Development Authority presents its recommended draft Berryville Area Plan to a joint meeting of the TC and BOS
{This draft will include land use designations for Annexation Area C which will be comprised of portions of the three future potential growth areas identified in the 2015 Plan.}

May 4, 2026 &
May 18, 2026

Joint TC and BOS work sessions on the draft Berryville Area Plan and draft amended Annexation Agreement

June 9, 2026	Joint TC and BOS public hearing on the draft Berryville Area Plan and draft amended Annexation Agreement
September 8, 2026	TC approves Berryville Area Plan and amended Annexation Agreement (permits annexation upon receipt of CLG approval – either July 1 or January 1, if permissible under law)
September 15, 2026	BOS approves Berryville Area Plan and amended Annexation Agreement (permits annexation upon receipt of CLG approval - either July 1 or January 1)
September 16, 2026	Fully executed Annexation Agreement submitted to the Commission on Local Government for approval
Not more than 60 days after receipt of CLG approval	BOS conducts a public hearing on application of land use designations and comprehensive rezoning of properties within Annexation Area C in accordance with the Berryville Area Plan and the revised Annexation Agreement
Not more than 60 days after BOS PH	BOS approves application of land use designations and comprehensive rezoning of properties within Annexation Area C in accordance with the Berryville Area Plan and the revised Annexation Agreement
Not more than 60 days after the BOS approval of land use designations and zoning	TC initiates annexation process for Annexation Areas C1 (a portion of Future Potential Future Growth Area) and C2 (a portion of the Western Potential Future Growth Area) effective July 1, 2027 or January 1, 2028
DTBD	TC initiates annexation process for remaining portions of Annexation Area C in accordance with revised Annexation Agreement



Clarke County Board of Supervisors

Berryville Voting District

Douglas Shaffer
(540) 955-5175

Buckmarsh Voting District

David S. Weiss – Chair
(540) 955-2151

Millwood Voting District

Terri T. Catlett – Vice Chair
(540) 837-2328

White Post Voting District

Bev B. McKay
(540) 837-1331

Russell Voting District

Doug Lawrence
(540) 955-2144

County Administrator

Chris Boies
(540) 955-5175

Resolution Adopting Interim Regulatory Measures to Comply With Senate Bill 974 2025-10R

WHEREAS, Senate Bill 974 was adopted by the General Assembly during the 2025 session and was signed into law by the Governor of Virginia on May 24, 2025 with an effective date of July 1, 2025; and

WHEREAS, Senate Bill 974 removes planning commission and governing body approval authority for the administrative review of subdivision plats and site development plans and assigns such authority solely to a “designated agent” defined as “any agent employed or authorized by a locality” which does not include planning commissions; and

WHEREAS, Senate Bill 974 also imposes additional limitations on local government review authority that is intended to expedite the review process by shortening the timeframe for forwarding subdivision plats and site development plans to state agencies for review; and

WHEREAS, the Clarke County Zoning and Subdivision Ordinances currently list the Planning Commission as the approval authority for subdivision plats and site development plans filed for County properties outside of the Berryville Annexation Area; the Berryville Area Development Authority as the approval authority for subdivision plats and site development plans filed for County properties in the Berryville Annexation Area; and the Board of Supervisors as the approval authority for site development plans submitted in conjunction with special use permit, rezoning, and conditional zoning applications; and

WHEREAS, an extensive and time-consuming text amendment process will be necessary to bring the Clarke County Zoning and Subdivision Ordinances into full compliance with Senate Bill 974 which cannot be completed by the July 1, 2025 effective date.

NOW, THEREFORE, BE IT RESOLVED that the Clarke County Board of Supervisors adopts the following measures as an interim step to comply with the Senate Bill 974 mandates:

1. The Board hereby initiates consideration of a text amendment to address the regulatory mandates of Senate Bill 974 and directs the Planning Commission to begin work immediately to develop the text amendment in conjunction with Department of Planning staff.
2. Effective July 1, 2025, the County’s “designated agent” as defined in Senate Bill 974 shall be the Senior Planner/Zoning Administrator (currently Jeremy Camp) or, in their absence, the Director of Planning (currently Brandon Stidham).

3. The designated agent shall be the approval authority for all subdivision plat applications as described in the Subdivision Ordinance and for all site development plan applications as described in the Zoning Ordinance. Effective July 1, 2025, such applications shall no longer be acted upon by the Planning Commission, Berryville Area Development Authority, or Board of Supervisors.
4. Prior to the adoption of the text amendment, the designated agent shall also have the authority to determine the components of a complete application and to deny acceptance of any application that is incomplete. The components of a complete application shall be incorporated into the text amendment.
5. As of July 1, 2025, all pending subdivision plat and site development plan applications shall be subject to a new 60-day review period for applications under initial review, or to a new 45-day review period for applications that have been reviewed previously by the designated agent with deficiencies noted for correction. The designated agent is directed to provide written notice to these applicants to inform them of this change.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the Clarke County Board of Supervisors assembled on the 17th day of June, 2025.

ATTEST 2025-10R

David S. Weiss, Chair