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BERRYVILLE

EST. 1798 *Genuine* VIRGINIA

BERRYVILLE PLANNING COMMISSION

Tuesday, March 24, 2026 – 7:00 p.m.

101 Chalmers Court – Main Meeting Room – Second Floor

AGENDA

1. Call to Order – Chairman Steinmetz
2. Approval of Agenda
3. Approval of Minutes
4. Public Hearing
Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC
(Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC
(Owners) (John Regan, Christopher Companies, Agent) are requesting a rezoning
of an approximately 42.26 acres of an approximately 97.8 acre property
identified as 14-A-80 from OSR Open Space Residential; DR-1 Detached
Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4
Detached Residential-4 subject to the conditions proffered by the applicant.
RZ 01-25
5. Citizen's Forum
6. Planning Update
Set Public Hearing
Belfort Furniture, Inc., is requesting a Special Use Permit in order to allow
a retail sales (Section 609.3(h) of the Town of Berryville Zoning Ordinance)
on the property located at 351 Station Road, identified as Tax Map Parcel
number 14A5-((7))-1, 14A5-((7))-2, and 14A5-((A))-56 zoned L-1 Industrial.
SUP 01-26

Harry Lee Arnold, Jr.
Mayor

Erecka L. Gibson
Vice Mayor

Council Members

William Steinmetz
Ward 1

Paul Perez
Ward 2

Grant Mazzarino
Ward 3

Ryan Tibbens
Ward 4

Keith R. Dalton
Town Manager

Set Public Hearing

Beach Carpenter Properties LLC, Jon K. Erickson, agent, is requesting a Special Use Permit in order to allow vehicle sales (Section 609.3(k) of the Town of Berryville Zoning Ordinance) on the property located at 29 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17A, zoned L-1 Industrial. SUP 02-26

7. Other

8. Adjourn

Planning Commission Agenda Item Report Summary

March 24, 2026

Item Title

Rezoning

Prepared By

Terry Russell

Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Owners) (John Regan, Christopher Companies, Agent) are requesting a rezoning of approximately 42.26 acres of an approximately 97.8 acre property identified as 14-A-80 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 subject to the conditions proffered by the applicant. RZ 01-25

Background/History/General Information

The properties referenced above were annexed into the Town of Berryville on January 1, 2022. Currently zoned OSR Open Space Residential, DR-1 Detached Residential – 1, DR-2 Detached Residential - 2, BP Business Park, the applicants would like to have a portion of the property rezoned to DR-4 Detached Residential-4. This density increase would allow for the construction of additional single-family homes.

General Information

This property is located within Annexation Area B. The property is identified in the Berryville Area Plan (BAP) which is a component plan of the Town and County's comprehensive plans.

In 1992, the Berryville Area Plan was adopted by the Town and County. Sub-areas were identified on all parcels within Annexation Area B. Detailed studies were performed on each of these sub-areas that included, but were not limited to, transportation, historic resources, and environmental suitability. Land use and zoning were applied to each parcel and a Future Land Use table was created which included lot yields for residentially-zoned parcels. The plan was updated in 2015 and adopted by Town and County officials in 2016.

Of the residential development that occurred in Annexation Area B as of the update of BAP in 2015, 195 residential units were identified as unbuilt. That number has been reduced to 160 unbuilt units as Hermitage V was not under development at the time of the BAP update. The sub-areas (identified on Map 4 – Berryville Area Plan Land Uses (2015)) that did not reach the anticipated densities, include:

- Sub-areas 3 and 4 (total of 89 lots due to high school construction)
- Sub-area 18 (total of 45 lots, Berryville Glen developer chose not to rezone)
- Sub-area 25 (total of six lots, Southgate developer chose not to rezone)
- Sub-area 27A (total of 20 lots, original yield of 91, 71 houses constructed in Hermitage V development from 2021 – current)

Property Information

The parcels included in this request are within sub-areas 13, 14, and 15. Please note: sub-areas 16 and 17 are not part of this rezoning request and are under separate ownership. Below is a synopsis of these sub-areas:

- **Sub-area 13 – Buckmarsh Run Conservation Area (32.4 acres)**
Land use: environmental conservation
Current zoning applied: OSR Open Space Residential
Lot yield: 3
Sub-area 13 is adjacent to the Norfolk-Southern railroad tracks and is an environmentally-sensitive area due to Buckmarsh Run and flood-prone characteristics.
- **Sub-area 14 – Northeast Residential Transition Area (7.2 acres)**
Land use: Medium - low density residential
Current zoning applied: BP Business Park
Lot yield: 28
The land use originally applied to this sub-area was light industrial based on its location to the railroad tracks and existing businesses on Cattleman's Lane. The 2015 update modified the land use from industrial to medium-low residential due to concerns about the lack of access as an industrial site and the nature of the adjacent residential land uses.
- **Sub-area 15 – Northeastern Residential Growth Area (63.1 acres)**
Land use: low density residential
Current zoning applied: DR-1 Detached Residential - 1, DR-2 Detached Residential - 2, OSR Open Space Residential
Lot yield: 81
This sub-area surrounds the Bel Voi manor house (sub-area 16) which is under separate ownership. The BAP references sensitivity to land use proposals due to the nature historic residence. The primary access to the proposed development area is identified through the Audley property (sub-area 17).

Descriptions in the BAP note the potential for a master planned-development on sub-areas 13, 14, and 15 that would contain the following elements:

- Transportation connectivity to adjacent sub-areas;
- Cluster design that would reduce infrastructure costs (e.g., roads, utilities) and adverse environmental impacts;
- Walkability elements;

- View shed protection;
- Master planning for public utilities and stormwater infrastructure; and
- Cash proffers to mitigate the impact of new development on Town and County capital needs.

The lot yield identified on the Future Land Use Table in the BAP for these sub-areas totals 112 lots. The developer has proposed using the 22 of the 160 undeveloped lots to increase the density for a total of 134 single-family homes. The sub-area descriptions state that additional density should be considered for a portion of these residual units to be included in these locations.

Proffers

A proffer is a condition offered by the owners of property subject to a rezoning which may be accepted by the locality's governing body in conjunction with its approval of the rezoning. Rezonings with proffers are considered conditional zoning per the Code of Virginia as follows:

It is the purpose of §§ 15.2-2296 through 15.2-2300 to provide a more flexible and adaptable zoning method to cope with situations found in such zones through conditional zoning, whereby a zoning reclassification may be allowed subject to certain conditions proffered by the zoning applicant for the protection of the community that are not generally applicable to land similarly zoned.

The code sections referenced above are included in this staff report.

According to the Albemarle County Land Use Law Handbook (March, 2022), eight essential features of Proffers are as follows:

- Proffers may impose additional requirements and restrictions to address the impacts of a rezoning or may allow modifications from the requirements of the zoning ordinance.
- Proffers must be voluntary, which means that after the locality identifies the impacts arising from the rezoning, it is up to the owner to decide whether they want to address the impacts through proffers or risk having the rezoning denied by the governing body because impacts were not addressed; it is improper for a locality to deny a rezoning simply because the owner did not proffer something requested by the locality.
- Proffers must be reasonable.
- Once accepted by the governing body, proffers become part of the zoning regulations applicable to the land and they run with the land until it is rezoned (there are exceptions).
- Proffers must be in writing.
- Proffers must be submitted before the public hearing by the governing body and may not be materially amended once the public hearing begins without holding another public hearing, provided that the governing body may waive the requirement for a public hearing if the amendment does not affect conditions of use or density.
- Proffers must be signed by the owner(s) of the land being rezoned.

- Proffers to dedicate substantial land, make substantial cash payments, to construct substantial improvements, or which specify the permitted use or density, may create vested rights in the zoning of the land.

Findings/Current Activity

N/A

Schedule

The Planning Commission held a Work Session with the applicant on December 18, 2025. At its meeting on February 24, 2026 the Planning Commission set the public hearing for March 24, 2026.

Other Considerations

Application documents are available to view at the Town of Berryville Business Office and are posted online at the Town's website <https://www.berryvilleva.gov/2300/On-line-Documents>.

Recommendation

Make a recommendation to the Town Council regarding the rezoning request.

Sample Motion

I move that the Planning Commission of the Town of Berryville recommend that the Town Council of Berryville, Virginia approve the rezoning subject to the conditions the proffered by the applicant.

OR

I move that the Planning Commission of the Town of Berryville recommend that the Town Council of Berryville, Virginia deny the rezoning request.

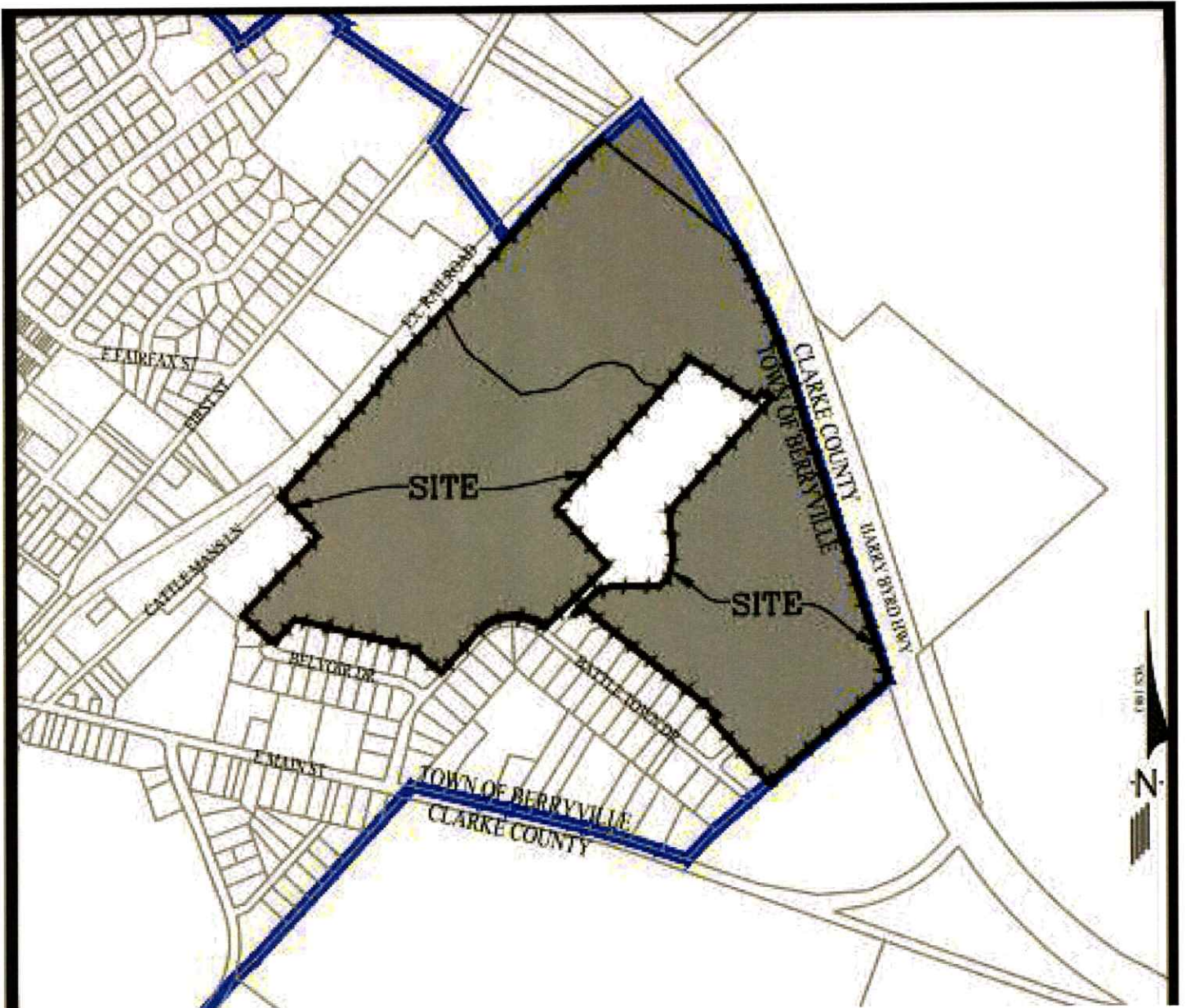
Attachments:

Staff report attachments:

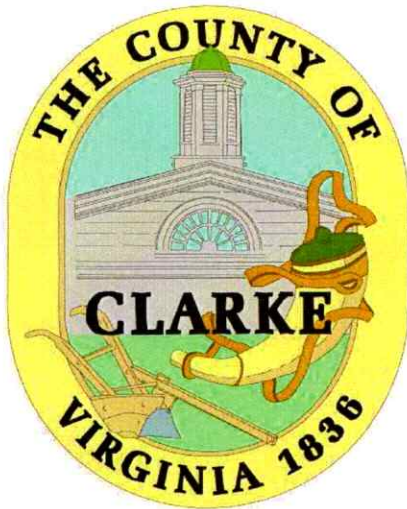
1. Vicinity map
2. Map 4 - Berryville Area Plan Land Uses (2015)
3. Sub-area descriptions from the Berryville Area Plan (2015)
4. Future Land Use Table from the Berryville Area Plan (2015)

5. Sections 508 Amendments and 509 Amendments with Proffered Conditions of the Berryville Zoning Ordinance
6. Section 604 Detached Residential-4 (DR-4) of the Berryville Zoning Ordinance
7. Rezoning Application
8. Master Development and Rezoning Plan
9. Battletown Run Design Guidelines
10. Battletown Run Proffers
11. Black Twig Street Study
12. Battletown Run Sewer Memo
13. Battletown Run Density Memo

*Full copies of these reports are available to view at the Town Business Office



2015 Berryville Area Plan



Adopted by
Berryville Town Council on May 10, 2016

Adopted by
Clarke County Board of Supervisors
on May 17, 2016

MAP 4 -- Berryville Area Plan Land Uses (2015)



SUB-AREA 13

Name: BUCKMARSH RUN CONSERVATION AREA
Acreage: 32.4 acres
Land Use Designation: Environmental Conservation
Annexed: No

Sub-Area 13, containing approximately 32 acres, is bounded on the northwest by the railroad and on the northeast by Route 7 Bypass. Most of the southern boundary follows the floodplain of Buckmarsh Run, common with Sub-Areas 10, 11, and 12. The entire Sub-Area is located outside of Town limits and is currently undeveloped.

Given the marshy, flood-prone characteristics of the area, it is classified as an environmentally sensitive area and is currently zoned Open Space Residential (OSR). The Open Space Residential

District allows for by-right development of single-family dwellings on lots no smaller than ten (10) acres in size.

Similar to Sub-Area 12A and Sub-Area 12B, this Sub-Area is seasonally wet and has poorly drained bottom land character. The environmental make-up of the sub-area renders it unsuitable for urban land uses, and as such, the land should be viewed as having the lowest comparative development potentials in the Berryville Area. No urban land uses should be permitted for this land unit. Coordination of stormwater management plans with those of other Sub-Areas is critical to preserving the natural integrity of this Sub-Area; every step should be taken so that each Sub-Area detains its run-off on site. Alteration of the Buckmarsh Run stream channel is discouraged.

The southern boundary of this Sub-Area was developed using topographic maps and may include limited areas that are not considered critical environmental areas (e.g., floodplain or flood-prone). In the event that developable land is located along the southern boundary of this Sub-Area through site engineering and analysis, these areas may be considered developable as part of the adjacent Sub-Area.

SUB-AREA 14

Name: NORTHEAST RESIDENTIAL TRANSITION AREA
Acreage: 7.2 acres
Land Use Designation: Medium-Low Density Residential
Annexed: No

Sub-Area 14, containing approximately 7.2 acres, is located just to the southeast of the railroad right-of-way that also corresponds to the current boundary of the Town of Berryville. The Sub-Area is bordered on the south and east by existing development that includes an established neighborhood of single-family detached homes. The Sub-Area is bounded on the east by a well-defined natural swale, which drains into the lowlands of Sub-Area 13. The entire Sub-Area is currently located outside of Town limits.

The Sub-Area is undeveloped and the physiography of the site with limited transportation access is not conducive to intensive land uses, particularly industrial uses. Mixed hardwood vegetation is

scattered throughout the planning unit, affording opportunities for visual buffers for the residential area to the south. Future land uses should be clustered so as to preserve the site's natural drainage way.

Transportation planning for Sub-Area 14 shall provide for connections through the existing Battletown Subdivision as well as potential linkages into Sub-Area 15. Transportation planning should also consider the potential for any developer-funded local collector road options that could be identified to provide direct connectivity from this Sub-Area to East Main Street.

The Sub-Area is currently zoned Business Park (BP) and is adjacent to the Norfolk Southern Railroad. Modifying this land use and its zoning should be considered due to its lack of vehicular access. Access is currently from Cattleman's Lane which is owned by Norfolk Southern Railroad. This road is substandard in width and is not publicly maintained making it unsuitable for business access absent substantial investment in a new industrial collector road.

This Sub-Area, previously designated as Sub-Area 14A, was originally recommended for light industrial uses due to its proximity to the Norfolk-Southern Railroad. In conjunction with the 2015 Plan update, this Sub-Area is now recommended for development of medium-low density residential as a transition area between the railroad and the adjoining low-density residential uses recommended for Sub-Area 15. Given the challenges of developing safe and effective ingress/egress for industrial traffic, this Sub-Area would be better served by lower-capacity residential streets constructed as part of a phased development plan that could occur in the future in Sub-Area 15.

Zoning requirements should encourage that residential development be planned in clusters. Cluster design for the residential neighborhood would provide the opportunity to reserve sensitive environmental areas and natural drainage ways, which would in turn, provide for more efficient use of the land. Clustering would also be an important tool by which land disturbance and grading activities could be confined.

It should be noted that the majority of the land contained in the Sub-Areas 13, 14, and 15 are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Areas 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- View shed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 14 supports medium-low density residential development at a density of 4 units per acre. The maximum potential yield for this Sub-Area is 28 units. The original Berryville Area Plan

identified Future Land Uses in Table V-1 and included planned yields for respective commercial and residential development. Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield had not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area would come from these unused residential units.

SUB-AREA 15

Name: NORTHEASTERN RESIDENTIAL GROWTH AREA

Acres: 63.1 acres

Land Use Designation: Low Density Residential

Annexed: No

Sub-Area 15, containing approximately 63 acres, surrounds the large historic house, Bel Voi, and is bounded on its outer limits by the Route 7 Bypass and the lowlands of Sub-Area 13 to the north, a well-defined drainage way to the west and the Battletown Subdivision to the south. The land is currently zoned Detached Residential-1 (DR-1). The entire Sub-Area is located outside of Town limits. The boundaries of this Sub-Area were revised with the 2015 Plan update to incorporate previous Sub-Area 14B, which was recommended for medium-low density residential uses. The revised Sub-Area 15 is now recommended for low-density residential uses consistent with the DR-1 zoning.

Approximately one-third of the area has slopes greater than fifteen percent, with a portion of the slopes exceeding twenty-five percent. The Sub-Area has minor, scattered tree cover and several defined drainage swales which must be addressed from both a site planning and stormwater management standpoint.

The land is highly visible from the Route 7 Bypass. In this regard, future development must be carefully sited. Further, land use proposals should respect the location and scale of the existing historic residence on adjoining Sub-Area 16.

Transportation planning for the Sub-Area should emphasize sensitively located linkages to and through Battletown Subdivision and the other Sub-Areas that make up this quadrant. However, given the low capacity nature of Battletown's residential streets, additional access options to Sub-Area 15 should be explored. A primary access to serve the entire Sub-Area shall be developed through Sub-Area 17 providing an uninterrupted, direct connection to Route 7 Business. Access to Route 7 Bypass is restricted. The internal street system within Sub-Area 15 should be aligned to provide secondary connections to Sub-Areas 14 and 17 and Battletown Subdivision in the town to the south but only after the aforementioned primary access is accepted for public use.

This Sub-Area, with substantial contiguous frontage to Route 7 Bypass, is designated for Low Density Residential uses. Based on preliminary planning analysis, the Sub-Area has an estimated land holding capacity for approximately 81 residential units. The clustering of housing should be a design objective for this Sub-Area.

As previously noted, the majority of Sub-Areas 13, 14, and 15 are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Area 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- Viewshed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 15 could support medium-low density residential development at a density of 4 units per acre. The original Berryville Area Plan identified Future Land Uses in Table V-1 and included planned yields for respective commercial and residential development. Of the residential development that has occurred in Annexation Area B through 2015, 195 residential units of the planned yield have not been constructed. Additional density that would allow for a portion of these units to be included in this Sub-Area should be considered.

Transportation access to Sub-Area 15 is a challenging element due to the fact that the historic Bel Voi house is located on an 11.47 acre parcel that overlaps Sub-Areas 15 and 16 and extends northward to Buckmarsh Run and the planning boundary with Sub-Area 13. Connectivity between the west and east sides of Sub-Area 15 can only be achieved with future cooperation with the owner of the Bel Voi parcel. Absent this participation, the challenge will be to develop separate access plans that do not adversely impact existing transportation networks.

SUB-AREA 16

Name:	BEL VOI PRESERVATION AREA
Acreage:	8.9 acres
Land Use Designation:	Historical/Cultural Preservation
Annexed:	No

Sub-Area 16, containing approximately 9 acres, partially encompasses the property immediately surrounding the existing historic residence, Bel Voi, contiguous to Battletown Subdivision. The land is zoned Open Space Residential (OSR). The planning unit is surrounded on the west, north and east by Sub-Area 15 and on the south by the existing residential subdivision. The Sub-Area has not been annexed by the Town.

The Sub-Area is designated for planning purposes as historical and cultural preservation, recognizing the existing home and grounds, known as Bel Voi, for both its cultural and historical significance within the Berryville community (survey #21-142). The County's historic resources survey states that the north wing of the house was built circa 1825, with additions made in 1953 and 1971. In addition to the brick vernacular residence, a brick smoke house, and a 4-bay brick slave's quarters (renovated as a guest house) are also on the property. The geographical limits of the Sub-Area are so defined as to create sufficient setbacks and buffer opportunities from any

future development on the contiguous undeveloped property. Given its high visibility and unique architectural features, Bel Voi should be preserved and considered as a focal point around which any future land uses should be carefully sited.

It should be noted that the historic Bel Voi home lies on an 11.47 acre parcel that is mostly within Sub-Area 16 but also partially extends into Sub-Area 15 to Buckmarsh Run adjacent to the environmentally-sensitive Sub-Area 13. The boundaries of Sub-Area 15 were originally drawn not to capture the physical boundaries of this parcel, but to account for existing topography and viewsheds surrounding the historic home. As noted in the description for Sub-Area 15, the boundaries of the Bel Voi parcel present some challenges to the future master planning of development on adjacent Sub-Areas. Regardless of the participation of the owner of Bel Voi in a future development project, it is recommended that the boundaries and recommended development density of Sub Area 16 be retained and any adjoining development project shall provide appropriate mitigation measures (e.g., buffers, architectural features) to further protect the historic home.

SUB-AREA 17

Name: EASTERN GATEWAY
Acreage: 15.1 acres
Land Use Designation: Low Density Residential
Annexed: No

A residual portion of Audley Farm when the Route 7 Bypass was constructed, Sub-Area 17, containing approximately 16.0 acres, is located immediately west of the Route 7 Bypass/Route 7 Business intersection, at the easterly entrance into the Berryville Area. This land has its northern border defined by the Route 7 Bypass, southern and eastern borders defined by Route 7 Business, and Sub-Area 15 and Battletown Subdivision in the Town establishing its western limits. This Sub-Area is zoned Detached Residential-1 (DR-1) and has not been annexed by the Town.

The land is highly visible from the Route 7 Bypass/Business intersection and is considered the eastern entrance to the Town of Berryville. Future development should be designed with frontage roads, significant landscape buffers, or other devices to present the most attractive face of a development toward this important entry corridor.

Transportation planning for Sub-Area 17 should be analyzed for appropriate access. The priority in planning for the transportation element in this area (including Sub-Areas 13, 14, 15, 16, and 17) should be to explore an access point to Route 7 Business for a future local collector road system, in addition to the public rights-of-way through Battletown subdivision. This local collector road would serve as the primary means of ingress/egress for future development in the aforementioned Sub-Areas. The priority should be to develop a new access to Route 7 Business before accessing existing stub streets in the Battletown subdivision.

As previously noted, the majority of Sub-Areas 13, 14, and 15, are in common ownership as of the 2015 Berryville Area Plan update. This presents the potential opportunity of facilitating a master plan development for these Sub-Areas with the owner of Sub-Area 17 including, but not limited to, the following elements:

- Transportation connectivity and improvements (see discussion under Sub-Areas 15 and 17).
- Cluster design to reduce infrastructure costs and adverse environmental impacts.
- Walkability elements including sidewalks and walking trails.
- Viewshed protection.
- Master planning for public water, public sewer, and stormwater infrastructure.
- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs.

If supported by a master plan of development that effectively addresses these and other elements, Sub-Area 17 could support medium-low density residential development at a density of 4 units per acre.

SUB-AREA 18

Name: BERRYVILLE GLEN
Acreage: 75.1 acres
Land Use Designation: Low Density Residential
Annexed: Yes

Sub-Area 18, containing approximately 75 acres, is situated on the southern side of Town and comprises the southeast limits of Annexation Area B. This Sub-Area is bounded on the northeast and southeast by Springsbury Road and on the southwest by the boundary of Annexation Area B. The remaining border generally follows the ridge of a drainage divide that embraces the entire northwest edge of the Sub-Area. The Sub-Area is adjacent to a historic property zoned Open Space Residential and a 12.57-acre parcel zoned Business Park BP. The zoning is Detached Residential-1 (DR-1). At the time of this Plan update, the Sub-Area, known as Berryville Glen, had been subdivided into 71 single-family lots and new homes are currently under construction. This Sub-Area has been annexed by the Town.

The land is generally well drained overland and does not pose significant runoff problems. This Sub-Area is designated for Low Density Residential uses. This is most easily supported by the property's proximity to agricultural zoning and land uses on three sides. Development of this Sub-Area for comparatively denser residential uses is justified by its proximity to existing development in the town and to public services, especially water. Land use proposals should incorporate the development of appropriate neighborhood open spaces and a landscaped, passive park internal to the development. Landscaping, setbacks, and home siting should be sensitive to the historical/cultural preservation uses programmed for Sub-Area 19B.

This Sub-Area was originally programmed for 116 single-family residential units. The overall development plan for Berryville Glen utilizes the entire Sub-Area for the development of the approved 71 lots, leaving 45 unused residential units from the original planned yield. Absent a future redevelopment plan of Berryville Glen, it would be appropriate to consider moving these unused residential units to another Sub-Area in order to maximize development potential.

TABLE 12 -- FUTURE LAND USE TABLE AND PROJECTED DEVELOPMENT YIELDS

Sub Area	Title	Planned Land Use	Residential Types	Planned Density	Original Area (acres)	Approx. Area (acres)	Original Yield	Revised Yield (2015)	Res. Units Used (2015) ⁶	Remaining Res. Units ⁶	Unbuilt Res. Units ⁶
1	Western Gateway	Institutional ¹	SFD, SFA, MF/OPR	n/a ¹	23	16.6	n/a ¹	n/a ¹	0	n/a ¹	n/a ¹
2	Fairgrounds	Institutional ¹	SFD, SFA, MF/OPR	n/a ¹	55	58.9	n/a ¹	n/a ¹	0	n/a ¹	n/a ¹
3	CCHS/Battlefield Estates South	Low-Density Res.	SFD	2 RU/AC	87	84.4	143	same	73	71	1
4	Battlefield Estates North	Low-Density Res.	SFD	2 RU/AC	61	50.1	80	same	63	18	7
5	Battlefield Estates East	Med-Low Density Res.	SFD	4 RU/AC	22	30.8	62	same	58	0	4
6	Battlefield Estates Business	Business/Office	n/a	0.3 FAR	10	15.95	95,000 SF/GLA	same	n/a	n/a	n/a
6A	Mosby Flexible Residential Area	Med-Density OPR	SFD, SFA, MF/OPR	n/a ²	18	19.2	300 (max 120 multi-family)	see note ⁸	3	n/a ²	n/a ²
7	Northern Gateway/Mosby Highway Commercial	Highway-Visitor Comm.	n/a	0.3 FAR	22	23.1	200,000 SF/GLA	same	n/a	n/a	n/a
8	Green Hill Cemetery (REMOVED)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
9	Northern Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	33	41.7	54	54	54	0	54
10	First Street Residential Area	Low-Density Res.	SFD	2 RU/AC	36	9.5	51	6	0	6	6
11	Soldier's Rest Preservation Area	Limited Residential	SFD	1 RU/10 AC	14	13.8	1	same	1	0	0
12A	First Street Conservation Area	Limited Residential	SFD	1 RU/10 AC	22	26.3	2	0	0	0	0
12B	First Street Light Industrial Area	Light Industrial	n/a	0.3 FAR	8	6.5	75,000 SF/GLA	same	n/a	n/a	n/a
13	Buckmarsh Run Conservation Area	Limited Residential	SFD	1 RU/10 AC	29	32	2	3	0	3	3
14	Northeast Residential Transition Area	Med-Low Density Res.	SFD	4 RU/AC	8	7.2	n/a ⁴	28	0	28	0
15	Northeastern Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	52	63.1	81	same ⁷	0	81	0
16	Bel Voi Preservation Area	Limited Residential	SFD	1 RU/10 AC	13	8.9	1	same	1	0	0
17	Eastern Gateway	Low-Density Res.	SFD	2 RU/AC	16	15.1	25	same	0	25	0
18	Berryville Glen	Low-Density Res.	SFD	2 RU/AC	73	75.1	116	same	45	45	26
19A	Jack Enders Blvd. East Light Industrial Area	Light Industrial	n/a	0.3 FAR	12	12.57	110,000 SF/GLA	same	n/a	n/a	n/a
19B	Dandridge Acres Preservation Area	Limited Residential	SFD	1 RU/10 AC	12	10	1	same	1	0	0
20	Johnson-Williams Institutional Area	Institutional ¹	SFD, SFA, MF/OPR	n/a ¹	10	10.3	n/a ¹	same	40 ³	n/a ¹	n/a ¹
21	Clarke County Business Park ⁵	Light Ind./Research	n/a	0.3 FAR	73	73.6	668,000 SF/GLA	same	n/a	n/a	n/a

TABLE 12 -- FUTURE LAND USE TABLE AND PROJECTED DEVELOPMENT YIELDS

Sub Area	Title	Planned Land Use	Residential Types	Planned Density	Original Area (acres)	Approx. Area (acres)	Original Yield	Revised Yield (2015) ⁶	Res. Units Used (2015) ⁶	Remaining Res. Units ⁶	Unbuilt Res. Units ⁶
22	South Church St. Residential Area	Med-Low Density Res.	SFD	4 RU/AC	20	19	35	same	4	31	0
23	Craig's Run Light Industrial Area	Light Industrial	n/a	0.3 FAR	32	32.2	290,000 SF/GLA	same	n/a	n/a	n/a
24	Southgate/Northern Portion (REMOVED)									3	
25	Southgate Residential Area	Med-Low Density Res.	SFD	4 RU/AC	3	4.7	8	7	4	3	3
26	Hermitage Blvd. Residential Area	Med-Low Density Res.	SFD	4 RU/AC	11	38.6	25	38	38	0	0
27A	Hermitage Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	57	34.4	91	same	0	55	36
27B	Southern Gateway Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	7	7	14	same	0	14	0

¹ The Institutional Planning Designation recommends housing for low to moderate income, elderly, and handicapped individuals. Density is driven by the zoning district classification assigned to the parcel.

² Density of Older Persons Residential is to be determined by site plan for specific projects.

³ Existing Johnson-Williams Apartments contains 40 residential units

⁴ Sub-Area 14 was originally listed as Sub-Area 14A and recommended for Light Industrial Uses

⁵ Sub-Area 21 (Clarke County Business Park) is composed of original Sub-Areas 19A, 19D, 21A, and 21B.

⁶ Residential units used refers to the number of units constructed and to be subtracted from the total yield. Accurate as of April 2016.

Remaining residential units refers to units remaining from the total yield that have not been assigned to a future development via plat or plan approval.

Unbuilt residential units refers to units that have been approved by the governing body via subdivision plat or site plan but have not been developed.

⁷ Sub-Area 15 may be a candidate for additional density at 4 units/acre with additional units taken from the total number of unused units in the Annexation Area.

⁸ Sub-Area 6A includes an alternate design option allowing a maximum of 50 units to be developed under the Attached Residential (AR) zoning district.

SFD: Single-family detached residential

SFA: Single-family attached residential (duplex, triplex, quadplex, townhouse)

MF/OPR: Multi-family older persons residential (apartments, condominiums)

RU: Residential unit

AC: Acre

Potential Sub-Areas with unused residential units that could be re-allocated to other Sub-Areas subject to Plan recommendations.

SECTION 508 - AMENDMENTS

- 508.1** Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Town Council may by ordinance amend, supplement, or change the regulations of the Zoning Ordinance (text amendment) or the zoning district boundaries or classifications of property (rezoning/zoning map amendment). (11/02)
- 508.2** Such amendments may be initiated (i) by resolution of the Governing Body, or (ii) by motion of the Planning Commission. Any such resolution or motion shall state the above public purpose therefor. (11/02)
- 508.3** A rezoning/zoning map amendment may be initiated by petition of the owner, contract purchaser with the owner's written consent, or owner's agent therefor of the property which is the subject of the proposed rezoning/zoning map amendment. (11/02)
- 508.4** An owner of property in the Town, or citizen of the Town, may request the Town Council or the Planning commission, in writing, to initiate a text amendment. The determination of whether to initiate a text amendment shall be in the sole discretion of the Town Council or Planning Commission. The property owner or citizen shall submit with the written request any applicable fee, which shall be returned to such property owner or citizen less the expended fees if the Town Council or Planning Commission elects not to initiate the requested text amendment. (11/02)
- 508.5** Any proposed text amendment or rezoning/zoning map amendment shall be referred to the Planning Commission for its recommendation. (11/02)
- 508.6**
- (a) All amendments shall be advertised and written notices provided as required by Section 15.2-2204, Code of Virginia.
 - (b) In the case of a proposed rezoning/zoning map amendment, the public notice shall state the general usage and density range, if any, of the proposed amendment, and the general usage and density range, if any, set forth in the applicable part of the Comprehensive Plan.
 - (c) In the case of a proposed rezoning/zoning map amendment initiated under Section 507.3, the Town Planning Office shall be responsible for the giving of all written notices required by Section 15.2-2204. At least five (5) days prior to the first public hearing, the Town Planner shall supply an affidavit that the required written notices have been sent and a list of the persons to whom such written notice has been sent. (11/02)
- 508.7** A public hearing shall be held on a proposed amendment by the Planning Commission and by the Town Council, which public hearing may be joint. (11/02)
- 508.8** The Planning Commission shall act upon any proposed amendment referred to it within one hundred (100) days of the first meeting of the Planning Commission (i) after a resolution of the Town Council initiating the amendment, or (ii) after receipt of a complete application for a rezoning/zoning map amendment. Unless the time period is extended by

Section 508 Amendments

resolution of the Town Council or by the request or consent in writing of the applicant for a rezoning/zoning map amendment, or unless the proposed amendment is withdrawn by the Town Council or the applicant, failure of the Planning Commission to act within said one hundred (100)-day period shall be deemed a recommendation for approval by the Planning Commission of the proposed amendment. (11/02)

- 508.9** The Town Council shall act upon any proposed amendment within one (1) year (i) after the initiation of the proposed amendment by the Town Council or the Planning Commission or (ii) after receipt of a complete application for a rezoning/zoning map amendment, unless the applicant requests or consents to action beyond such period or withdraws the request for the proposed amendment. (11/02)
- 508.10** In the event of and upon a withdrawal of a request for an amendment, processing of the proposed amendment shall cease without further action. (11/02)
- 508.11** If a petition for a proposed rezoning/zoning map amendment initiated under Section 507.3 is denied by the Town Council, substantially the same petition may not be filed for a period of one (1) year. (11/02)

Section 509 Amendments with Proffered Condition

SECTION 509 - AMENDMENTS WITH PROFFERED CONDITIONS

(1/90)

509.1 VOLUNTARY PROFFERED CONDITIONS

Pursuant to Section 15.1-491.2:1 of the Code of Virginia, the Planning Commission and/or the Town Council may consider reasonable conditions to be applied to a rezoning amendment initiated pursuant to Section 507.4 of this Ordinance provided:

- (a) The conditions are voluntarily submitted by the applicant;
- (b) Proposed proffered conditions are in writing and signed by all of the legal and equitable owners of the property which is the subject of the proposed amendment;
- (c) The proposed conditions are in accordance with the Comprehensive Plan;
- (d) The proposed conditions bear a reasonable relation to the rezoning;
- (e) The proposed conditions are received by the Planning Commission and/or the Town Council prior to commencement of the public hearing of the Planning Commission and/or the Town Council at which the proposed rezoning amendment is to be considered; and
- (f) The proposed conditions are in full accordance with Section 15.1-491.2:1 of the Code of Virginia.

509.2 EFFECT OF CONDITIONS

Upon approval of any rezoning approved subject to proffered conditions, all conditions proffered by the applicant and accepted by the Town Council shall be deemed part of the zoning regulations affecting the district in which the parcel is classified. Such conditions shall remain in force until fully performed by the applicant or amended or released by the Town Council in accordance with Section 15.1-491.6 of the Code of Virginia.

509.3 PROFFERED CONDITION REGULATIONS

Following approval of any zoning approved subject to proffered conditions, no site plan, subdivision plan, or development plan thereafter submitted for the development of the property in question shall be approved unless in substantial conformity with all proffered conditions, and no agent or official of the Town shall have the power to permit any development or construction upon the property not in substantial conformance with such proffered conditions.

509.4 PROFFERED AMENDMENTS

Proffered conditions may be amended or released by the Town Council upon application for zoning amendment submitted in accordance with Section 507. Any such amendment shall be the subject of a public hearing in accordance with the provisions of Section 507.1.

509.5 ZONING MAP NOTATION AND CONDITIONAL ZONING INDEX

Each rezoning shall be designated on the Zoning Map by an appropriate symbol designated by the Zoning Administrator. In addition, the Zoning Administrator shall keep and maintain the conditional zoning index, which shall be available for public inspection and which shall provide ready access to the ordinance creating such conditions.

(4/92) SECTION 604 - DETACHED RESIDENTIAL-4 (DR-4) DISTRICT

604.1 PURPOSE AND INTENT

The Detached Residential-4 District is created to provide for single-family detached residences at higher densities than other single-family detached districts. A maximum of four (4.0) units per net developable acre establishes a medium- to low-density district for detached residences. The application of this district shall be to undeveloped tracts lying within the Town of Berryville and within the precincts of the Berryville Plan, as well as to "infill" lots within the existing stable neighborhoods, with the intent of preserving existing natural features and vegetation, promoting excellence in site planning and landscape design, and encouraging housing of compatible scale and architectural character. Cluster residential development shall be encouraged and permitted, by right, so that specific environmental preservation and land-use goals may be promoted.

604.2 PERMITTED USES

- (a) Single-family detached dwellings, either a conventional "dispersed" layout or a clustered layout subdivision--a clustered subdivision requiring site plan approval.
- (b) Accessory uses, to include detached carports and garages, tool sheds, children's playhouses, doghouses, private swimming pools and Temporary Family Health Care Structures as established in Section 323. **(11/10)**
- (c) Municipal utilities.

604.3 SPECIAL PERMIT USES

- (a) Bed and breakfast lodging occupying more than 300 square feet of residence.
- (b) Cemeteries.
- (c) Churches and shrines.
- (d) Community buildings, public and private.
- (e) Day care centers and nursery schools. **(10/94)**
- (f) Fire stations.
- (g) Home occupations as defined in Section 315. **(12/93)**
- (h) Libraries, museums, and historic markers.
- (i) Plant nurseries with no sale of nursery products permitted on premises.
- (j) Public utility uses (sub-stations, pump stations, storage tanks, etc.) and related easements, except for municipal utilities.
- (k) Recreational uses such as public swimming pools, tennis courts, and golf courses.
- (l) Public schools, parks, playgrounds and related uses. **(3/09)**
- (m) Short-term rentals **(10/23)**

604.4 MAXIMUM DENSITY

- (a) Four (4.0) dwelling units per net developable acre.
- (b) A maximum floor area ratio of 0:15 shall apply to uses other than residential.

604.5 LOT SIZE, YARD, AND BULK REQUIREMENTS FOR CONVENTIONAL LOTS

- (1/93)** (a) Lot area: Minimum--10,000 square feet; maximum - 30,000 square feet **(7/04)**.
(Refer to Section 614 regarding the impact of critical environmental areas on lot Size requirements.

Section 604 Detached Residential-4 (DR-4)

- (b) Minimum lot width
 - (1) Interior lot: 75 feet
 - (2) Corner lot: 90 feet
- (c) Minimum yard requirements
 - (1) Front yard: 20 feet for primary structures;
25 feet for garages, carports or other
structures used to house vehicles (7/04)
 - (2) Side yard: 10 feet
 - (3) Rear yard: 30 feet (residences)
 - (4) Accessory structure: 5 feet (rear and side setbacks)
- (d) Maximum building height: 35 feet

604.6 MINIMUM DISTRICT SIZE FOR CLUSTER SUBDIVISIONS

Minimum district size for cluster subdivision: two (2) acres.

604.7 LOT SIZE, YARD, AND BULK REQUIREMENTS FOR CLUSTERED LOTS

- (a) Minimum lot area: 7,500 square feet.
Maximum lot area: 20,000 square feet (7/04)
(Refer to Section 614 regarding the impact of critical environmental areas on lot size requirements.)
- (b) Minimum lot width
 - (1) Interior lot: 60 feet
 - (2) Corner lot: 75 feet
- (c) Minimum yard requirements
 - (1) Front yard: 15 feet for primary structures;
25 feet for garages, carports, or other
structures used to house vehicles (7/04)
 - (2) Side yard: 10 feet
 - (3) Rear yard: 25 feet (residences)
 - (4) Accessory structure: 5 feet (rear and side setback)
- (d) Maximum building height: 35 feet

604.8 OPEN SPACE REQUIREMENTS FOR DETACHED RESIDENTIAL SUBDIVISIONS

- (a) In subdivisions approved for cluster development, twenty (20) percent of the net site area which excludes 100-year floodplain, sinkholes, and slopes exceeding twenty-five (25) percent and fifty (50) percent of land with slopes between fifteen (15) and twenty-five (25) percent shall be open space, dedicated to common usage and ownership.
- (b) In cluster subdivisions, at least one-fourth (1/4) of the required open space (five {5} percent of the net site area) shall be developed and designed for recreational and active community open space.

604.9 ADDITIONAL REGULATIONS

- (a) Refer to Article III for general regulations and other provisions which may supplement those cited herein.
- (b) Refer to Section 305 for off-street parking requirements.
- (c) Refer to specific Overlay Zoning Districts, where applicable.
- (d) Refer to Section 615 for special regulations relating to cluster subdivisions, critical environmental areas, and open space.
- (e) Refer to Section 317 Karst Features for additional requirements. **(7/04)**
- (f) The lot size, yard, and bulk requirements in effect at the time of subdivision plat approval prior to January 1, 2011 shall remain applicable to such subdivisions until July 1, 2017. The foregoing shall not be effective unless any unreleased performance bonds and agreements or other financial guarantees of completion of public improvements in or associated with the subdivision are continued in force. **(12/14)**

Legal Notices

Legal Notices

BERRYVILLE PLANNING COMMISSION PUBLIC HEARING NOTICE

The Berryville Planning Commission will hold the following public hearing at 7:00 p.m., or as soon after as these matters may be heard, on Tuesday, March 24, 2026, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Owners) (John Regan, Christopher Companies, Agent) are requesting a rezoning of an approximately 42.26 acres of an approximately 97.8 acre property identified as 14-A-80 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 subject to the conditions proffered by the applicant. RZ 01-25

Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville/Clarke County Government Center (101 Chalmers Court), First Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Community Development Director Terry Russell at 540 955-4081. Any person desiring to be heard on these matters should appear at the appointed time and place.

The Town of Berryville does not discriminate against disabled persons in admission or access to its programs and activities. Accommodations will be made for disabled persons upon prior request.

By order of the Berryville Planning Commission
Terry Russell, Community Development Director

AFFIDAVIT

Mailing of Public Hearing Notices to Adjacent and Affected Property Owners

I, Terry Russell, Community Development Director and Zoning Administrator for Berryville, Virginia, hereby attest and certify that on March 10, 2026 I did cause to be mailed by First Class U.S. Mail, notices of a March 24, 2026 Planning Commission public hearing regarding:

Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Friant Enterprises #1, LLC; Friant Enterprises #2, LLC; Friant Enterprises #3, LLC (Owners) (John Regan, Christopher Companies, Agent) are requesting a rezoning of an approximately 42.26 acres of an approximately 97.8 acre property identified as 14-A-80 from OSR Open Space Residential; DR-1 Detached Residential-1; DR-2 Detached Residential-2; and BP Business Park to DR-4 Detached Residential-4 subject to the conditions proffered by the applicant. RZ 01-25

Sent to all adjacent and affected property owners, mailed to their last known address as shown on the real estate tax lists of Clarke County and/or the Town of Berryville. The notice and complete mailing list are attached to this document.


Terry Russell

STATE OF VIRGINIA – COUNTY OF CLARKE
TOWN OF BERRYVILLE, to wit:

I, the undersigned, a Notary Public in and for the aforesaid jurisdiction, do hereby certify that Terry Russell, whose name is signed to the foregoing instrument, bearing the date of March 10, 2026, has this day personally appeared before me and acknowledge the same in the Town of Berryville, Virginia.

Given under my hand this 17 day of March, 2026.

Notary Public Brandel L Kelsey

My Commission Expires 08/31/2028





Clarke County Planning Department
101 Chalmers Court, Suite B
Berryville, Virginia 22611
(540) 955-5132
www.clarkecounty.gov

TO: Terry Russell

FROM: Brandon Stidham

RE: Friant Enterprises, LP/Christopher Companies rezoning application,
second review

DATE: March 19, 2026

Thank you for the opportunity to review and comment on revisions to the aforementioned rezoning application. I offer the following comments:

Berryville Area Plan Conformance

In my previous memo, I explained that the Berryville Area Plan (BAP) recommends provision of a master plan development for the subject property containing elements specified in the BAP for the applicable sub-areas. This is because the development exceeds the programmed yield set forth in Table 12 (Future Land Use Table and Projected Development Yields) by 25 dwelling units. The BAP allows for additional dwelling units to be used from the pool of 195 unused dwelling units provided that recommended master plan elements are included in the applicant's development plan. My updated analysis is provided below.

- Transportation connectivity and improvements. The applicant has added new connectivity in the form of an emergency access road that would be constructed within the right-of-way for "Black Twig Street" which is an existing stub street. Because this road would only be available for use during emergencies, it would not provide the transportation connectivity contemplated by the BAP. As described in the BAP for Sub-Area 15 (page II-26),

"Transportation planning for the Sub-Area should emphasize sensitively located linkages to and through Battletown Subdivision and the other Sub-Areas that make up this quadrant. However, given the low capacity nature of Battletown's residential streets, additional access options to Sub-Area 15 should be explored. A primary access to serve the entire Sub-Area shall be developed through Sub-Area 17 providing an uninterrupted, direct connection to Route 7 Business. Access to Route 7 Bypass is restricted. The internal street system within Sub-Area 15 should be aligned to provide secondary connections to Sub-Areas 14 and 17 and Battletown Subdivision in the town to the south but only after the aforementioned primary access is accepted for public use.

While provision of an emergency access connection helps to address public safety concerns, the absence of an uninterrupted public street connection to the proposed new street to be constructed to the east through Sub-Area 17 makes the proposed development plan noncompliant with this master plan element. My previous concern about

construction traffic having to use the existing street network for construction of the 110 lot portion of the project also remains.

- Cluster design to reduce infrastructure costs and adverse environmental impacts. As noted in my previous memo, Town Staff will have to determine whether the proposed lot layout meets the Town's cluster subdivision requirements. Proffer 1.3 does state that the subdivision will be developed in general conformance with the applicant's Master Development and Rezoning Plan (MDRP). This addresses my prior comment that a development plan has not been proffered.

- Walkability elements including sidewalks and walking trails. The applicant has included proffers for the development of a "public trail system" and sidewalks. Language should be added to clarify who will be responsible for ownership and maintenance of the public trail system.

- Viewshed protection. My previous comments regarding this element remain unchanged:

The primary area for viewshed protection is along the shared boundary with the Bel Voi property to the east, a property containing a home and grounds of historic and cultural significance. This property is designated as Sub-Area 16 (Bel Voi Preservation Area) and specifically states that adjoining development "shall provide appropriate mitigation measures (e.g., buffers, architectural features) to further protect the historic home."

Lots along public streets C and D will be in close proximity to the shared boundary with Bel Voi and the current plan shows a +/-49 foot buffer to be provided. Neither this buffer nor plans to provide screening landscaping are currently proffered.

- Master planning for public water, public sewer, and stormwater infrastructure. The applicant has provided proffers pertaining to public water, public sewer, and stormwater management. I will defer to Town Staff on whether the applicant has complied with this element.

- Cash proffers or other developer-funded improvements to mitigate the impact of new development on Town and County capital needs. The applicant has provided cash proffers to address the development's impacts on the school system and public park facilities. I have a couple of comments regarding the wording of these proffers:

- The title for Proffer #4 is "SCHOOL/FIRE & SAFETY/POLICE:" however Proffer 4.1 specifically references that this cash proffer is for the "excess of students" and Proffer 4.2 specifically references that this cash proffer is "to offset the projects impact on public park facilities." These specific references call into question whether the cash proffer has taken into account or can be used for impacts to fire, rescue, and police.
- Proffer 4.1 is for the "excess of students generated by the by-right development." It is my understanding that the 24-lot by-right subdivision is not part of the

rezoning application. I recommend consulting with the Town Attorney to determine whether a proffer can be accepted on land that is not part of the rezoning application.

- o I will defer to Town Staff as to whether the amount of cash proffers and the methodology for calculating them is consistent with the BAP and Town policies.

Other Comments on Proffers

Regarding Proffer #12, the applicant proffers to place open space within existing OSR zoning to be "provided with a Conservation Easement to be established with the subdivision Record Plat." This language is vague as to the nature of the conservation easement to be provided – specifically as to the term of the easement and the easement holder. In absence of a specified term, the "Conservation Easement" could be recorded for a finite term, e.g., 25 years. If the land is intended to be a permanent conservation easement, the proffer should include language that it will be placed into easement with a duly-authorized easement holder.

It is also my understanding that the OSR portion of the property is not part of the rezoning application. Town Staff should verify with the Town Attorney whether Proffer #12 can be validly accepted for lands that are not subject to the rezoning application.

Applicant's Memo Regarding BAP Table 12 (Future Land Use Table and Projected Development Yields)

The applicant's agent, David McElhaney, provided a memo dated February 19, 2026 which offers a different interpretation of BAP Table 12. Based on his analysis, the applicable sub-areas should be able to yield more dwelling units than those noted in Table 12 and therefore not require the use of unused dwelling units or compliance with the BAP's master plan recommendations.

It is important to note that Table 12 is an integral and important part of the BAP. In order to consider any numbers that are different from those in Table 12, the BAP would have to be amended to reflect those numbers. This amendment process requires review and recommendation by the Berryville Area Development Authority (BADA), review and approval by Town Council and Board of Supervisors, and public hearings before all three bodies. It should also be noted that "piecemeal" amendments to address specific issues or to accommodate a development project are strongly discouraged in the BAP (see page IV-1).

Recommendation

While the applicant has made progress in providing proffered conditions and changes to the development plan, the application does not conform to the Berryville Area Plan's recommendations. For the reasons stated above, it does not meet the master plan development criteria set forth in the Berryville Area Plan to warrant rezoning to DR-4 and designation of 25 additional units.

Please let me know if you have any questions.

March 13, 2026

RE: Concerns and Recommendations for the Friant Property Development

To the Members of the Planning Commission,

I am writing to follow up on my letter dated March 4 regarding the proposed Friant property development. Today, I met with Mr. Ken Dondero of Tetra Corporation to discuss my specific concerns and questions.

I found Mr. Dondero to be straightforward in his explanation of the proposed plans. He emphasized that his company has local ties and remains committed to the Berryville community both now and after the project's completion. Based on our conversation, I encourage any interested residents to contact him directly for answers to their questions.

My primary concern remains the impact on the properties at 201 Battletown and 119 Battletown (owned by Lydia Russell), which are the two homes directly affected by decisions regarding "**Black Twig Street**" and its access to the new development.

After discussing the matter with Mr. Dondero, I would like to formally state my preference. I believe the best option for Ms. Russell and myself is for **Black Twig Street to be designated and built for "emergency use" only**, secured with a gate and lock for emergency vehicle access.

Given that the proposal includes only 24 houses spread across large lots with cul-de-sacs and no connection to the proposed developed section on the other side of the manor house—the main access road over the Audley Farm property to Business 7 is more than adequate to serve as the entrance and exit for these 24 homes.

Thank you for your time and for considering the impact of this development on our neighborhood and **for the two properties bordering Black Twig Street.**

Sincerely,
Mary Jane Pierce
201 Battletown Drive
piercemaryjane@gmail.com
540 405-2570 (cell-Text)

Cc: Terry Russell
Cc: Ken Dondero

Terry Russell

From: Brandel Kelsey
Sent: Thursday, March 5, 2026 12:27 PM
To: Terry Russell
Subject: Fw: Friant- Battletown Run rezoning request for Berryville, VA

Willy sent this to me.

Brandel Kelsey
Town Clerk
Town of Berryville
101 Chalmers Ct
Berryville, VA 22611
540-955-1099

From: William Steinmetz <wsteinmetz@berryvilleva.gov>
Sent: Thursday, March 5, 2026 12:18 PM
To: Brandel Kelsey <townclerk@berryvilleva.gov>
Subject: Fw: Friant- Battletown Run rezoning request for Berryville, VA

This is the only comment I have in writing

Willy Steinmetz
Berryville Town Council, Ward 1

Please forgive any typos. Sent from my phone.

From: Patricia Castelhana <patriciajcastelhano@gmail.com>
Sent: Wednesday, February 25, 2026 5:14:56 PM
To: Paul Perez <pperez@berryvilleva.gov>; William Steinmetz <wsteinmetz@berryvilleva.gov>
Subject: Fwd: Friant- Battletown Run rezoning request for Berryville, VA

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon gentlemen,

I am writing you today because you are my Council member and represent the Ward in question. I just finished looking through the Friant proposal and while i'm sure they worked to make this into a "thing" we would feel good/better about as a town it just seems very McMansiony to me. Folks who come from afar and live in the McMansiony houses we already have tend to not really participate much in Berryville as a town - I've encountered so many folks that just go back over the mountain for things so they may feed our property taxes but they don't feed our town businesses or banks or fire station etc.. Maybe if there was a plan here to solve the housing issues we already have or help locals grow into new house - some way to add to the town instead of simply bringing in new folks I would understand the appeal. On top of that we already have water issues and resource issues - unless this brings enough money in to find new water and postal and power and etc. resources i don't see it as a net positive and would ask that you vote

no. I would happily hear any info you have to the contrary and will try and make it to the meeting in march
AND i wanted to be sure you heard my voice if only so I can say I tried.

Respectfully,

Patricia Castelhanao

[View this in your browser](#)

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by following the instructions at the bottom of this message.

February 25, 2026

Friant- Battletown Run rezoning request

Terry Russell

From: Mary Veilleux <mfveilleux@comcast.net>
Sent: Thursday, February 26, 2026 3:35 PM
To: Terry Russell
Subject: Planning Commission Work Session

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mr. Russell,

Would you be so kind as to forward this email to the members of the Planning Commission? Thank you so much!

Sincerely,
Mary Veilleux

Dear Planning Commission member,

I attended the work session Tuesday evening and wanted to send you my impressions and observations. For those members who do not know me, I am Mary Friant Veilleux and am keenly interested in what happens to the Friant property as do all my neighbors and friends on Battletown and Bel Voi Drives.

I will format my email in "bullet form" :

1. I did not count the number of times the engineer repeated the phrase, "when we met with staff"- since it was obvious there have been many meetings and many behind the door type of gatherings. Noticeably missing are the ones most affected by the development. It was very evident that there have been discussions and encouragement to proceed. To remind you , there was only ONE meeting which Julie Abrera and I helped organize at Crums Church in May for locals to have their say. I felt that we were "used" to get some talking points in for the engineer- which were totally misrepresented last night. Whew. A big disappointment.
2. The information from the developer has not been available online- so none of us attending could look beforehand to see what was going to be presented. The engineer gave us limited information , in that we couldn't read the screen; he didn't have the decency to correct a major error in the Development plan (revealing Rt 7 in the ridiculous position - through the housing...). Are we that unobservant?
3. From the engineer, I felt that his presentation was condescending and humiliating to our Town leaders- especially as he referred to "sloping angles": our BADA Got it "all wrong". My own impression was as if he were saying the following: And yes the hyperbole is used to get my point across.

"You country bumpkins! You morons ! You don't even know how to do basic math! Here! Let me enlighten you with my wondrous ability to manipulate the numbers and show you that really many MORE houses can be built in this section- SEE? Please , do put your community's interest and your resident's interests aside as you listen to my marvelous calculations! Put aside common sense! Ignore the impact of 110 houses in a small rocky section near the railroad! Ignore that we are going to build unaffordable housing that no one in your community - teachers, police, firemen, etc. can afford! We are going to make the town tons of money at resident's expense! As a matter of fact ,we are doing you a big favor- we could build over 138 homes! But we will have mercy on you little folks. Just listen to the experts!".

4. I hope before the March 24 Public hearing, we will have plenty of time to look at the plan in all its detail-online.

5. Finally, the Town has seen 5 major developments in the past 25-plus years. All have been separate parcels- none have had to include an already established neighborhood like ours. My encouragement to the Planning Commission is to consider all these details when making your recommendations. Let's learn from the past ! Let's think of what do YOU /WE want for our town? Please, I urge you to resist what the developer's desires are- to rezone the acreage. I urge you to recognize the land , the people, the town would be best served by sticking to the plan and limit the amount of houses in the western section to 81 or below.

6. I recognize that there will always be a conflict of interest for a small town in its desire to remain a tight, loving community- with a high dollar developer who makes its living on building high dollar homes.

7. Let's get this one right!

Thank you,
Mary Veilleux
100 Battletown Drive

March 4, 2026

To: Planning Commission Members

Subject: Friant rezoning request/Twig Road Extension

I am writing with comments concerning the proposed project for development of a subdivision on the Friant property that is under consideration.

First, let me give you a bit of my history on Battletown Drive. I built and moved into a house at 102 Battletown in June 1986. I lived there from 1986 until I sold the property after my husband passed away in June of 2012. I moved to Broadway, Virginia for four years. My children wanted me to move back to be closer to them, so my son purchased my current home at 201 Battletown Drive in 2016 for me to live in. In total, I have lived on Battletown Drive for 36 years of my life.

I am one of two properties that will be affected by Twig Road extension: the other being the home of Lydia Russell at 119 Battletown.

Here are my concerns:

- My home has had water in the basement twice since 2016. The last one resulted in having water remediation company punch holes in drywall to remove/dry out area and tear out flooring. Subsequently I had to replace/repair drywall; replace flooring; replace electrical baseboard heaters and install a new sump pump. I understand that previous

owners had similar problems with flooding. *What will the building/paving of Twig Road do to the drainage issues? Will the water coming off the road cause more flooding problems in my basement?*

- *Where will the current location of the light pole go when the road is built? Will it be located directly in front of my home?*
- The home I am living in was built by John Friant, Sr. for his mother or mother-in-law. When I moved in in 2016, I went to the Court House to see if I could get a copy of the plat to show the property lines. According to the clerk there, a survey of the property had not been done since it was originally built in 1962 although it has passed through several owners to the current time. During those 60 years, the Friant's did not stake claim to the right of way between the two properties. The homeowners took care of mowing, etc., over the right of way. It was not until the Sr. Mr. Friant passed away, and the family decided to sell the property, (around five years ago) they had the right of way surveyed and started mowing the strip of land between the two properties. *I think there would be an argument that they had given up their right to retain the right of way because of 60 years of not claiming it. I know that would take a lot of money to hire a lawyer and take to court to fight their action of claiming now.*
- By opening Twig Road to Battletown Drive, traffic from the 24 homes proposed in this area would be coming to a

street which now is barely wide enough for two cars to pass. In addition, most of the homes along Battletown Drive have several cars per family and are parked along the right of way areas of the street. No one on the street that I know of wants sidewalks installed along an already narrow street. *Wouldn't it make more sense to extend Battletown Drive to meet up with the street being built on the right of way through Audley Farm property?*

In conclusion, let me say that I know the Friant property will eventually become additional homes for the town and from everything I have seen so far, the proposed builder seems to be better fitted for building quality houses. D. R. Horton has proved with the houses they have already built in the town that they are only here for the profit and their houses are poorly built.

As far as to what is approved concerning Twig Road, Lydia's property and my property are the two that will be most directly affected by what is decided. I ask for your careful consideration of this matter.

Sincerely,

Mary Jane Pierce

piercemaryjane@gmail.com

201 Battletown Drive

Terry Russell

From: Tim Sinclair <timsinclair85@gmail.com>
Sent: Thursday, February 26, 2026 2:24 PM
To: Terry Russell
Cc: Michael Bell Jr; William Gilpin; Patrick Irish; Dana Libby; Gwen Malone; Tom Parker; William Steinmetz
Subject: Re: Staff report for February 24

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Afternoon Everyone,

I have spent some time contemplating the discussion from Tuesday night regarding the Christopher Companies memo/presentation around the yield numbers for Sub-Area 13/14/15 (112 vs. 138). I was still trying to wrap my head around what I should and could think about it. After having time to reflect further I'm sharing my thoughts on this because I think it's really important and welcome any dialogue (if any) everyone would like to discuss. Feel free to take or leave any of this as you so like, and Terry if there is any perspective you want to provide from the Town please feel free to chime in as well.

While their data/presentation certainly provides convincing data, I think this is ultimately a challenge to policy, not just a technical discrepancy, and could impact future precedence for other developments and public perceptions. Since the Berryville Plan is the policy we are working with, I think we need to look to the plan for how it might deal with this.

The Berryville Area Plan is explicit that its land-use assumptions were established through a formal and joint Town-County process. The language of the plan is that these areas were identified, reviewed, and this number is not presented as a suggestion but as the adopted policy basis for evaluating development proposals. Equally important, the Plan warns against altering these assumptions in response to a single application: "Any update of this Plan should be through a careful and deliberate process and any 'piecemeal' Plan amendments offered in response to a specific development request or land use decision are discouraged." (Section I-1)

I read this language as making it clear that if the developer believes the Plan's slope assumptions or environmental constraints are outdated or inaccurate then the appropriate remedy is a formal Comprehensive Plan amendment, not a reinterpretation during a rezoning. The Plan provides a defined amendment process involving both the Town and County, and it is the only legitimate mechanism for changing adopted policy. Based on the brief correspondence that Terry shared from Brandon Stidham with the County, the view from his perspective representing the County is that the plan is the policy. If they want more density it should be viewed through the density qualifiers already listed in the Sub-Area descriptions.

My hesitancy with reinterpreting the yield tables for this request is that it would set a precedent allowing future applicants to challenge or reinterpret Plan assumptions to justify higher densities. Dana's closing comments were pertinent in that the plan governs long-term planning, as well as public trust, and

making one-off reinterpretations such as this may undermine the trust in the process even if we find their reasoning compelling.

For these reasons, I believe the most defensible and policy-consistent approach is to adhere to the Plan's stated yield of 112 homes, with full consideration for the density bonus outlined for these Sub-Areas. Determination should be on meeting those criteria unless and until the Plan is formally amended. This preserves the integrity of our planning framework and ensures that any changes to core assumptions occur transparently and with full public process.

Thank you for considering this perspective as we continue our review. I hope you all have a great rest of your week and weekend!

-Tim Sinclair
804-205-0808

On Mon, Feb 23, 2026 at 1:52 PM Terry Russell <planner@berryvilleva.gov> wrote:

Commissioners, I realized that I did not include my staff report in the Agenda Packet I sent you on Friday. Please see attached.

Terry Russell, CZA
Community Development Director
Zoning Administrator
Town of Berryville
101 Chalmers Court, Suite A
Berryville, VA 22611

540-955-4081

--
Thanks,
-Tim Sinclair
804-205-0808

C:\Users\JohnR\AppData\Local\Microsoft\Olk Attachments\00a-e7568015-9e47-4784-9a31-f44da933eb05_9e78e78da5c20e0bbe62e9c7f75300e353f6afb36ace566354dc9ae08b3bc55_Berryville_Application.doc 3 05

Rezoning Application Overview

"Harvest View"

By Christopher Companies

The proposed **Harvest View** development is a thoughtfully master-planned residential community designed to align with the guiding principles and land use goals of the **Berryville Area Plan (the Plan)**. This application requests the rezoning of land within Sub-Areas **14**, and a **portion of 15** to accommodate **medium-low density residential development**, consistent with the vision for Berryville and Clarke County's primary growth area.

The overall project (portion is being rezoned and remaining to be developed by-right) encompasses Sub-Areas 13, 14, 15, and a portion of 16 with the following considerations:

- **Sub-Area 13:** Reserved for environmental conservation, integrated into the development plan.
- **Sub-Areas 14 & 15:** Targeted for medium-low density residential development (2.67 DU/acre), in keeping with the Plan's allowance under a cohesive master plan.
- **Sub-Area 16 (portion):** Reserved for historic and cultural preservation.

The Harvest View plan supports the Berryville Area Plan by:

- **Improving transportation and connectivity** through a new entrance from Battletown Drive and enhanced circulation consistent with the Town's secondary street network.
- **Reducing environmental and infrastructure impact** through compact, clustered design that preserves natural features and limits development footprint.
- **Creating a walkable, healthy community** with sidewalks on all residential streets and an integrated open-space trail system.
- **Protecting important viewsheds** along Route 7 Bypass using natural topography and evergreen screening to minimize visual impact.
- **Providing urban-level utilities** including public water, sewer, and stormwater management through on-site infrastructure.
- **Offering cash proffers or improvements** to address impacts on public facilities and services.

In summary, Harvest View fulfills the Berryville Area Plan's call for **balanced, sustainable growth** within the designated growth areas by concentrating development where it is planned, supporting infrastructure efficiency, preserving the County's scenic and environmental resources, and enhancing the vibrancy of the Town.

The map shows the Town of Berryville, Arkansas, with the proposed site highlighted in dark gray. The site is located within the town boundary, which is outlined in blue. The map includes Clark County, Harry Byrd Hwy, and the town boundary. The site is shaded in dark gray and labeled 'SITE'.

$\frac{1}{\sqrt{2}} \approx 0.707$



urban
Urban Systems, Inc. is a wholly owned subsidiary of
urban

7701 Old Bailey Pkwy.
Atlanta, Georgia 30328
TEL: 404.252.1000
FAX: 404.252.1001
www.urbanet.com



Project Name:
BATTLETOWN RUN

MASTER DEVELOPMENT
 AND REZONING PLAN
 FOR THE
 BATTLETOWN RUN
 DEVELOPMENT
 CLATSOP COUNTY, OREGON

Revision	Date	By	Check By	Date
1	11/15/2010	Urban Systems	Urban Systems	11/15/2010
2	11/15/2010	Urban Systems	Urban Systems	11/15/2010
3	11/15/2010	Urban Systems	Urban Systems	11/15/2010
4	11/15/2010	Urban Systems	Urban Systems	11/15/2010
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100	11/15/2010	Urban Systems	Urban Systems	11/15/2010



VA STATE GRID

Control Interval:
 Drawn By: JLS
 Checked By: JMS
 Project No.:
 Date: February 19, 2006
 Drawing Title:

COVER SHEET

Drawing Number:

1

Sheet 1 of 13

[illegible]

DR-4 CLUSTER DEVELOPMENT STANDARDS - REZONED PORTION OF THE

PROPERTY

MAX DENSITY, RESIDENTIAL USES:	4 DU/AC
SFD MIN. LOT SIZE:	7,500 SF
SFD MAXIMUM LOT SIZE:	20,000 SF
SFD MINIMUM LOT WIDTH:	60 FT., (75' CORNER LOT)
SFD MINIMUM SIDE YARD:	10 FT
SFD MINIMUM REAR YARD FOR PRIMARY STRUCTURE:	25 FT
SFD MINIMUM SIDE AND REAR YARD FOR ACCESSORY STRUCTURES:	5 FT
SFD MINIMUM FRONT YARD FOR PRIMARY STRUCTURE:	15 FT
SFD MINIMUM FRONT YARD FOR GARAGES, CARPORTS, OR OTHER STRUCTURES FOR VEHICLES:	25 FT
MAXIMUM BUILDING HEIGHT:	35 FT
OPEN SPACE REQUIRED:	20% NET AREA (EXCLUDES PARKING, FLOORS, AND

DDR-1 CLUSTER DEVELOPMENT STANDARDS

GENERAL NOTES

- [illegible]

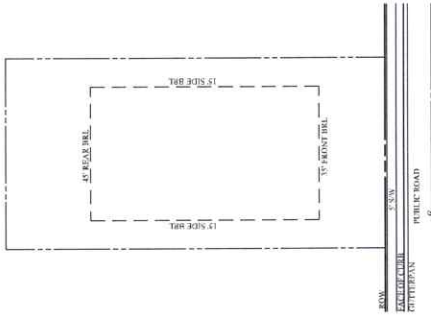
DEVELOPMENT SUMMARY AND TABULATIONS - DR-1

DR-1 (DETACHED RESIDENTIAL-1)	24.22 AC
N/A	
24 DU	
24 DU / 24.22 AC = 0.99 DU/AC	
2.43 AC	
24.22 AC - 2.43 AC = 21.79 AC	
3.27 AC	
8.99 AC - 3.27 AC = 5.62 AC** (5.62 / 21.79 = 25.8%)	

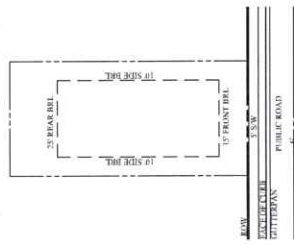
DEVELOPMENT SUMMARY AND TABULATIONS - REZONED PORTION OF THE PROPERTY

AREA TO BE REZONED:	42.46 AC
EXISTING ZONE:	OSR (OPEN SPACE RESIDENTIAL) BP (BUSINESS PARK) DR-2 (DETACHED RESIDENTIAL-2), DR-1 (DETACHED RESIDENTIAL-1) DR-4 (DETACHED RESIDENTIAL-4)
PROPOSED ZONE:	
LOTS PROPOSED:	110 DU
PROPOSED GROSS DENSITY:	110 DU / 42.46 AC = 2.59 DU/AC
100-YR FLOODPLAIN AREA, SINKHOLES, SLOPES EXCEEDING 25% AND 50% OF LAND WITH SLOPES BETWEEN 15% AND 25% ;	
NET SITE AREA	2.06 AC
OPEN SPACE REQUIRED (20% NET AREA):	42.46 AC - 2.06 AC = 40.4 AC
OPEN SPACE PROVIDED:	8.08 AC 13.78 AC - 2.06 AC = 11.72 AC (11.72 / 40.4 = 28.9%)

TYPICAL LOT IN DR-1 ZONING (CLUSTER)
(SETBACKS FOR PRIMARY STRUCTURE)



TYPICAL LOT IN DR-4 ZONING
(SETBACKS FOR PRIMARY STRUCTURE)



DEVELOPMENT SUMMARY AND TABULATIONS - MASTER DEVELOPMENT PLAN AREA

TOTAL SITE AREA:	100.04 AC
TOTAL LOTS PROPOSED	134
PROPOSED OVERALL GROSS DENSITY:	1.34 DU/AC
TOTAL GROSS* OPEN SPACE:	+57.9 AC (+57.8%)**

* INCLUSIVE OF FLOODPLAIN AND STEEP SLOPE AREAS
 ** SUBJECT TO CHANGE WITH FINAL ENGINEERING

NOTES & DETAILS

Drawing Number
2
Sheet 2 of 13



urban
Master Planning, Engineering, Architecture and Surveying

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Project Name
BATTLETOWN RUN
Master Development
and Rezoning Plan
Town of Berryville
Clarke County, Virginia

Issue	Revised	By	Description	Date
1	1/13/2024	DM	Initial	1/13/2024
2	1/13/2024	DM	Revised	1/13/2024
3	1/13/2024	DM	Revised	1/13/2024
4	1/13/2024	DM	Revised	1/13/2024
5	1/13/2024	DM	Revised	1/13/2024
6	1/13/2024	DM	Revised	1/13/2024
7	1/13/2024	DM	Revised	1/13/2024
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17	1/13/2024	DM	Revised	1/13/2024
18	1/13/2024	DM	Revised	1/13/2024
19	1/13/2024	DM	Revised	1/13/2024
20	1/13/2024	DM	Revised	1/13/2024

Revision	Revised	By	Description	Date
1	1/13/2024	DM	Initial	1/13/2024
2	1/13/2024	DM	Revised	1/13/2024
3	1/13/2024	DM	Revised	1/13/2024
4	1/13/2024	DM	Revised	1/13/2024
5	1/13/2024	DM	Revised	1/13/2024
6	1/13/2024	DM	Revised	1/13/2024
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15	1/13/2024	DM	Revised	1/13/2024
16	1/13/2024	DM	Revised	1/13/2024
17	1/13/2024	DM	Revised	1/13/2024
18	1/13/2024	DM	Revised	1/13/2024
19	1/13/2024	DM	Revised	1/13/2024
20	1/13/2024	DM	Revised	1/13/2024

Scale: H 1"=150'
V 1"=50'
North Arrow

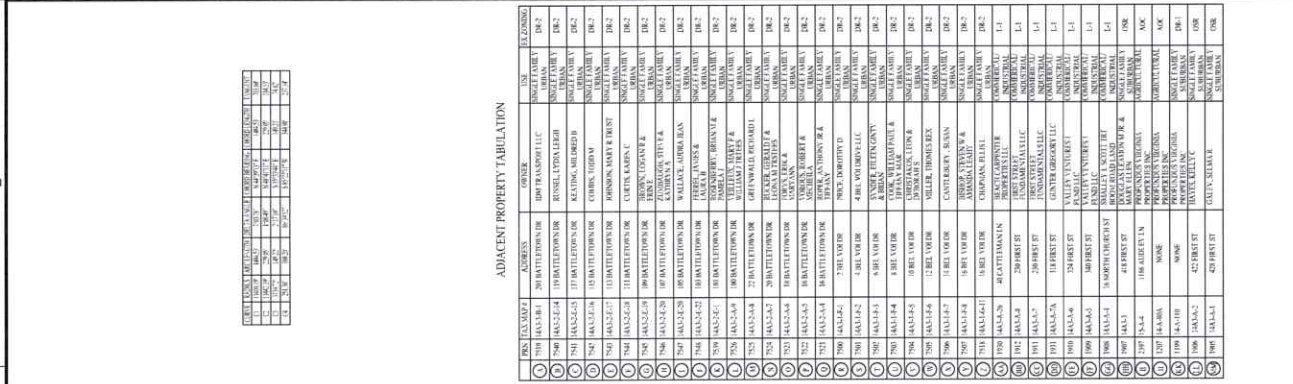
VA STATE GRID
Contour Interval: N/A
Drawn By: SS
Checked By: DM

Project No.
Date: February 13, 2025
Drawing Title

**EXHIBIT
SHOWING
LIMITS OF
APPLICATION**

Drawing Number
3
Sheet 3 of 13



[illegible]



urban

Urban Design & Planning, Inc.

7711 Old Pike, Suite 100
Ft. Belvoir, VA 22043-1001
www.urbandesign.com



Project Name
BATTLETOWN RUN

MASTER DEVELOPMENT
AND REZONING PLAN
Town of Berryville
Clarke County, Virginia

Issue	Date	Revised By	Revised For
1.0	02/19/2020	DM	Initial
2.0	02/19/2020	DM	Revised
3.0	02/19/2020	DM	Revised
4.0	02/19/2020	DM	Revised
5.0	02/19/2020	DM	Revised
6.0	02/19/2020	DM	Revised
7.0	02/19/2020	DM	Revised
8.0	02/19/2020	DM	Revised
9.0	02/19/2020	DM	Revised
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VA STATE GRID
Coordinate Interval: 2'

Drawn By: SS
Checked By: DM

Project No.:
Date: February 19, 2020

Drawing Title:
MASTER DEVELOPMENT PLAN

Drawing Number:
5

Sheet 5 of 13

- LEGEND**
- REZONING BOUNDARY (TO DR-4)
 - MASTER DEVELOPMENT BOUNDARY
 - EXISTING ZONING LINE
 - PROPOSED ZONING LINE
 - PROPOSED TRAIL
 - PROPOSED TRAIL LOOKPLAN
 - PROF. ADJUTANT
 - WETLANDS





urban
PLANNING & DESIGN

7710 New Circle
Annandale, Virginia 22003
TEL: 703.633.8800 FAX: 703.633.8801
www.urbanplanning.com



BATTLETOWN RUN
MASTER DEVELOPMENT
AND REZONING PLAN
Town of Berryville
Clarke County, Virginia

Issue	Revised	By	Date
1. Initial			
2. Final			

Revision	By	Date
1. Initial		
2. Final		

Scale: H 1"=150'
V 1"=150'



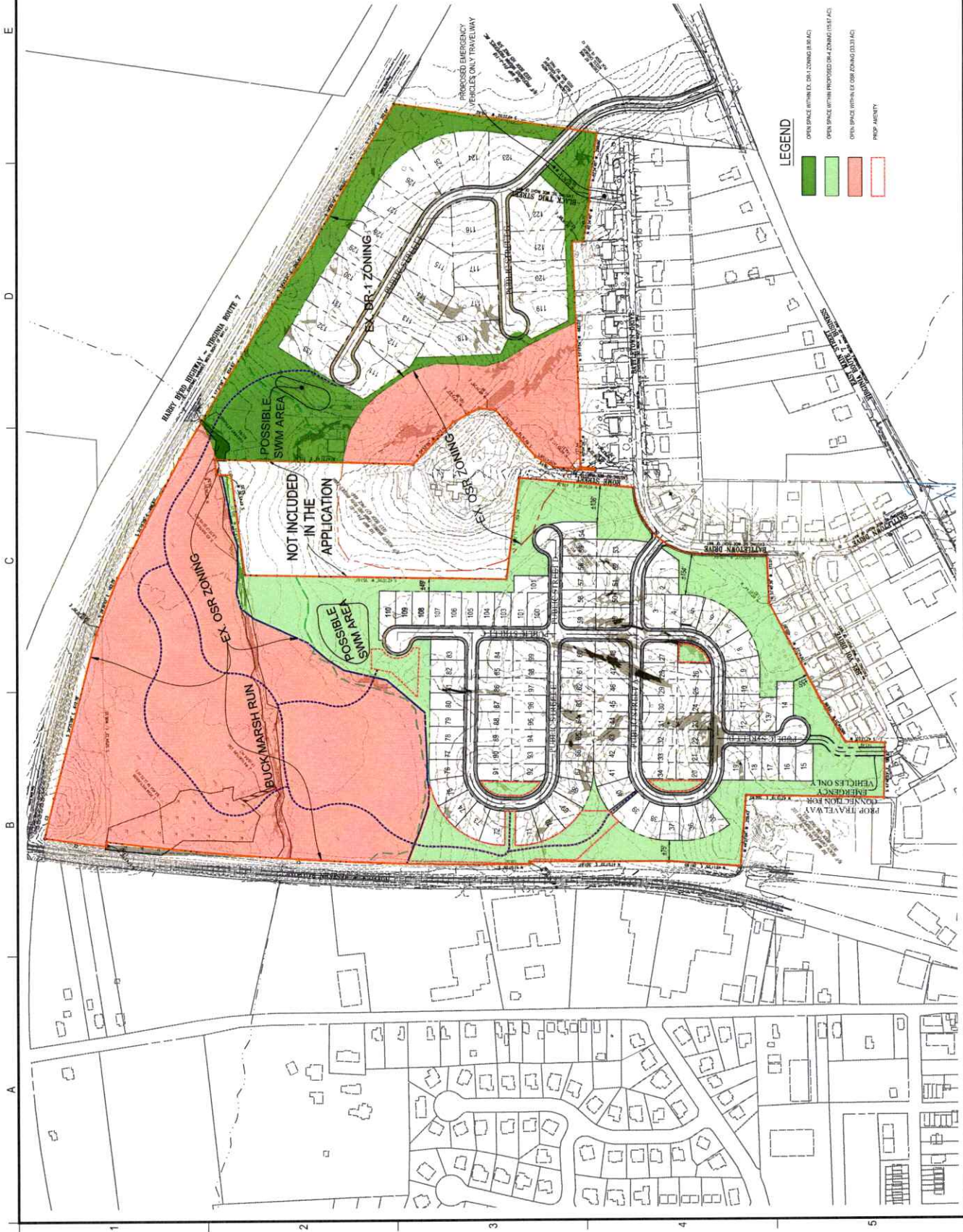
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Contour Interval: 2'

Drawn By: SS
Checked By: DM

Project No.:
Date: February 19, 2025

Drawing Title:
OPEN SPACE PLAN

Drawing Number:
6
Sheet 6 of 13



LEGEND

- OPEN SPACE WITHIN EX-OSR ZONING (B-1 AC)
- OPEN SPACE WITHIN PROPOSED EX-OS ZONING (15.17 AC)
- OPEN SPACE WITHIN EX-OSR ZONING (13.33 AC)
- PROPOSED



7712 Little Blue Turnpike
Annandale, Virginia 22003
TEL 703.642.8000 FAX 703.642.8251
www.village-led.com



Project Name: **BATTLETOWN RUN**

MASTER DEVELOPMENT
AND REZONING PLAN
Town of Berryville
Clarke County, Virginia

ISSUE	Issue Status	Date
1st Submission		1/2/20
2nd Submission		1/2/20
3rd Submission		1/2/20
4th Submission		1/2/20

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VA STATE GRID	Contour Interval: N/A
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Drawn By SS	Checked By DM
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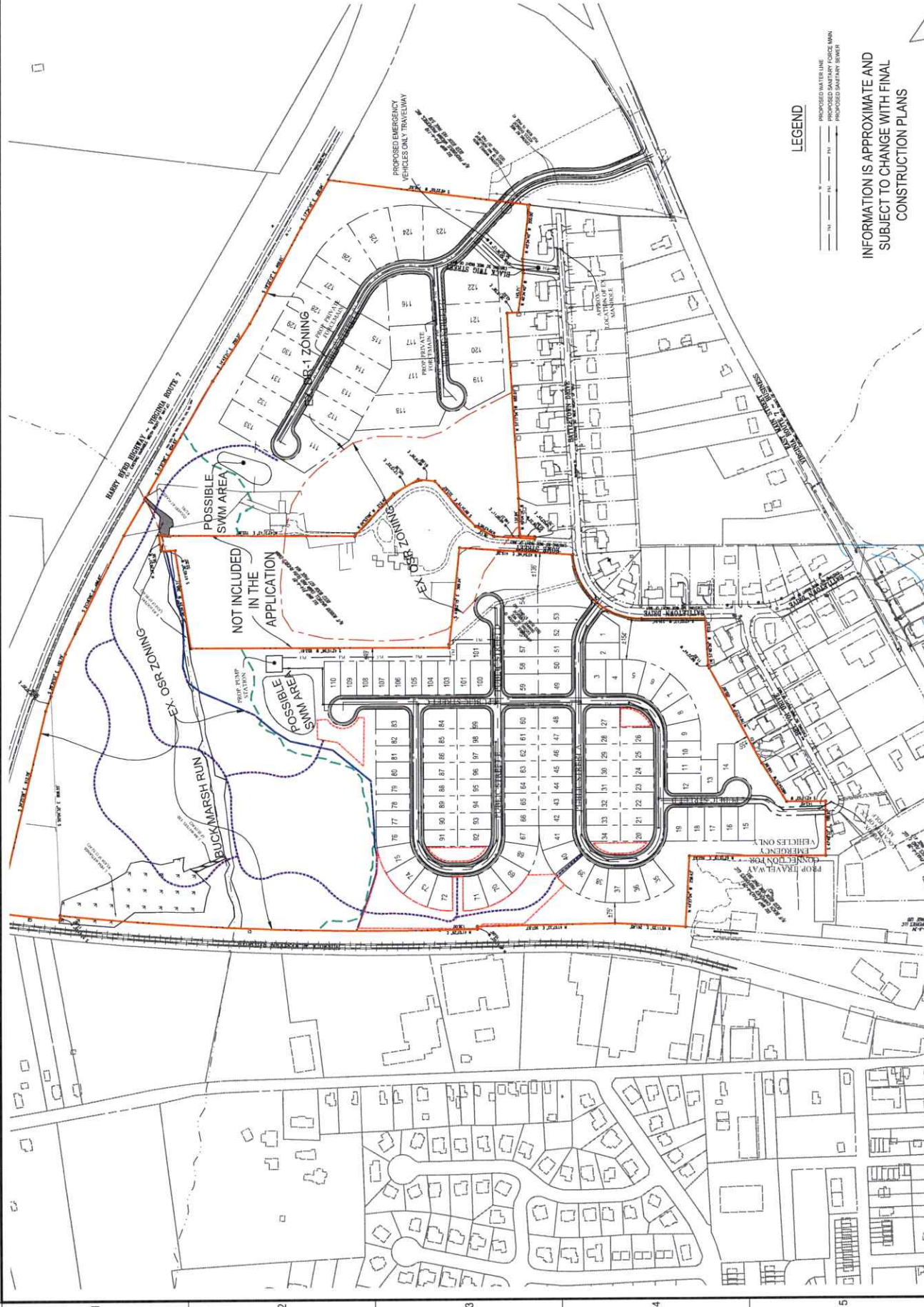
Date February 19, 2026

UTILITY PLAN

Drawing Title

Drawing Number:

Sheet 7 of 15



LEGEND

INFORMATION IS APPROXIMATE AND
SUBJECT TO CHANGE WITH FINAL
CONSTRUCTION PLANS



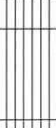
urban
Urban Design & Planning
7711 Old Road, Suite 100
Falls Church, VA 22041
703.281.1000
www.urbandesign.com

Seal
Professional Engineer
No. 1000000000
State of Virginia
Date: 1/19/2020
By: [Signature]

Project Name
BATTLETOWN RUN
Master Development
and Rezoning Plan
Town of Berryville
Clarke County, Virginia

Issue	Revised	By	Date
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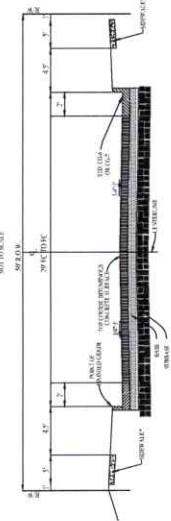


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Checked By: DM
Project No.:
Date: February 13, 2020
Drawing Title:

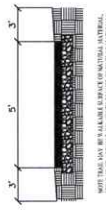
TRANSPORTATION PLAN

Drawing Number: 8
Sheet 8 of 13

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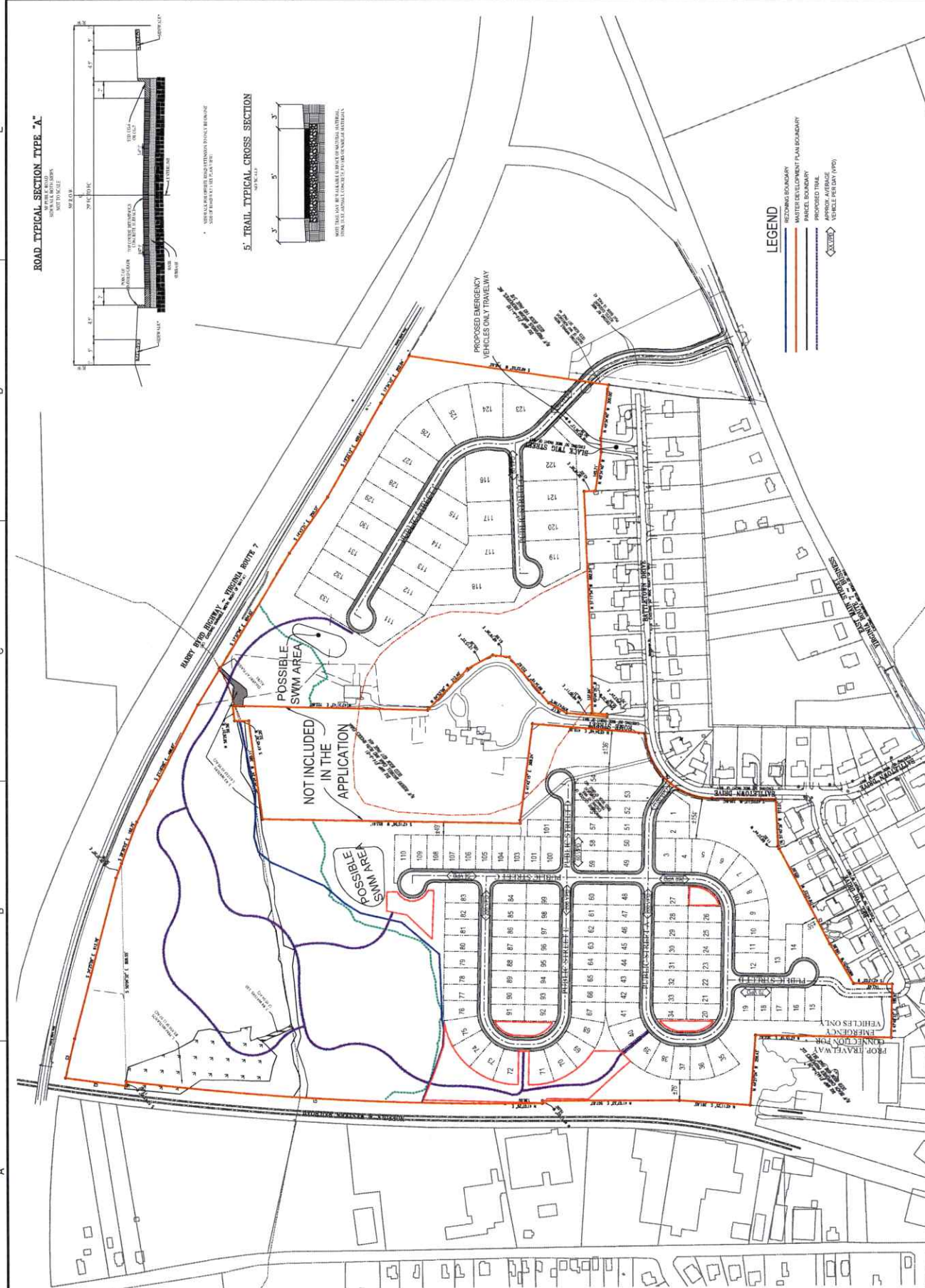


5' TRAIL TYPICAL CROSS SECTION



LEGEND

- REZONING BOUNDARY
- MASTER DEVELOPMENT PLAN BOUNDARY
- PROPOSED TRAIL
- PROPOSED VEHICLE PER DAY (PPD)





urban
New Urban Planning Architecture and Landscape

7701 Old Lee Road
Arlington, Virginia 22203
TEL: 703.528.8800 FAX: 703.528.8801
www.urbanplanning.com



Project Name
BATTLETOWN RUN
MASTER DEVELOPMENT
AND REZONING PLAN
Town of Berryville
Clarke County, Virginia

Issue	Revised	By	Date
1. Initial			
2. Review			
3. Approval			
4. Final			

Revision	Revised	By	Date
1. Initial			
2. Review			
3. Approval			
4. Final			

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North Arrow



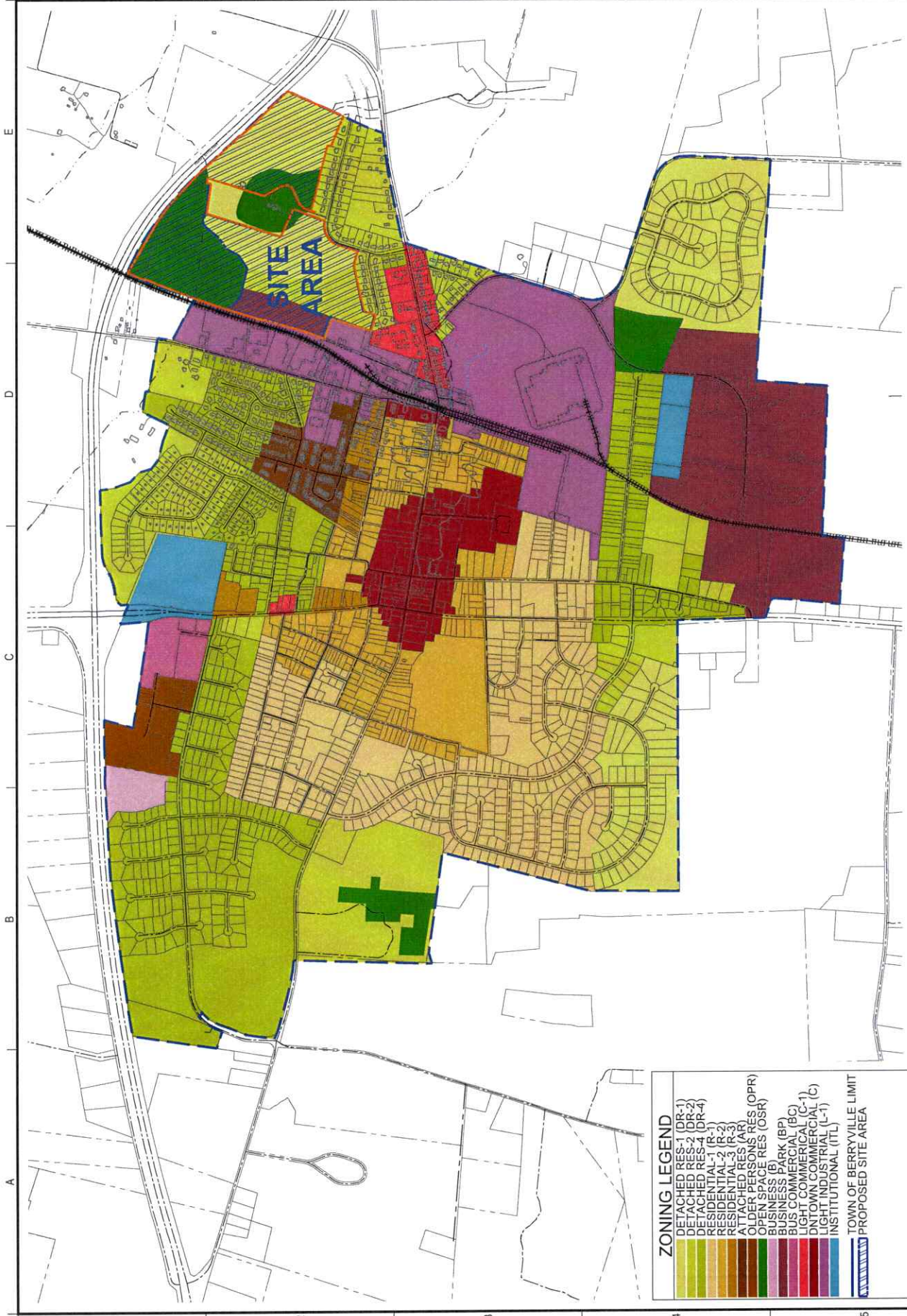
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Drawn By: SS
Checked By: DM

Project No.
Date: February 13, 2026
Drawing Title

**EXISTING
ZONING PLAN**

Drawing Number
9

Sheet 9 of 13



ZONING LEGEND	
[Light Green Box]	DETACHED RES-1 (DR-1)
[Light Green Box]	DETACHED RES-2 (DR-2)
[Light Green Box]	DETACHED RES-4 (DR-4)
[Light Green Box]	RESIDENTIAL-1 (R-1)
[Light Green Box]	RESIDENTIAL-2 (R-2)
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[Light Green Box]	ATTACHED RES (AR)
[Light Green Box]	OPENSPEC RES (OSR)
[Light Green Box]	BUSINESS PARK (BP)
[Light Green Box]	BUS COMMERCIAL (BC)
[Light Green Box]	LIGHT COMMERCIAL (C-1)
[Light Green Box]	DNTOWN COMMERCIAL (C)
[Light Green Box]	LIGHT INDUSTRIAL (L-1)
[Light Green Box]	INSTITUTIONAL (ITL)
[Blue Box]	TOWN OF BERRYVILLE LIMIT
[Blue Box]	PROPOSED SITE AREA



7710 Old River Road
Falls Church, VA 22041
703.291.2000 • FAX 703.291.2001
www.urbanva.com



Project Name
BATTLETOWN RUN

Master Development and Rezoning Plan
Town of Berryville
Clarke County, Virginia

Issue	Revised	By	Date
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Drawn By: SS
Checked By: DM
Project No.:
Date: February 13, 2025
Drawing Title:
EXISTING LAND USE PLAN

Drawing Number: **10**
Sheet 10 of 13

LAND USE LEGEND

- LOW DENSITY RESIDENTIAL (2 DU/A)
- MED-LOW DENSITY RESIDENTIAL (4 DU/A)
- MED DENSITY OLDER PERSON RESIDENTIAL
- HIGHWAY/VISITOR COMMERCIAL
- BUSINESS/OFFICE
- LIGHT INDUSTRIAL/RESEARCH
- INSTITUTIONAL/PUBLIC
- ENVIRONMENTAL CONSERVATION
- HISTORICAL/CULTURAL PRESERVATION
- TOWN OF BERRYVILLE LIMIT
- PROPOSED SITE AREA



urban
PLANNING & DESIGN
7701 Lee Hwy, Suite 100
Falls Church, VA 22041
www.urbanva.com



Project Name
BATTLE TOWN RUN
Master Development
and Rezoning Plan
Town of Berryville
Clarke County, Virginia

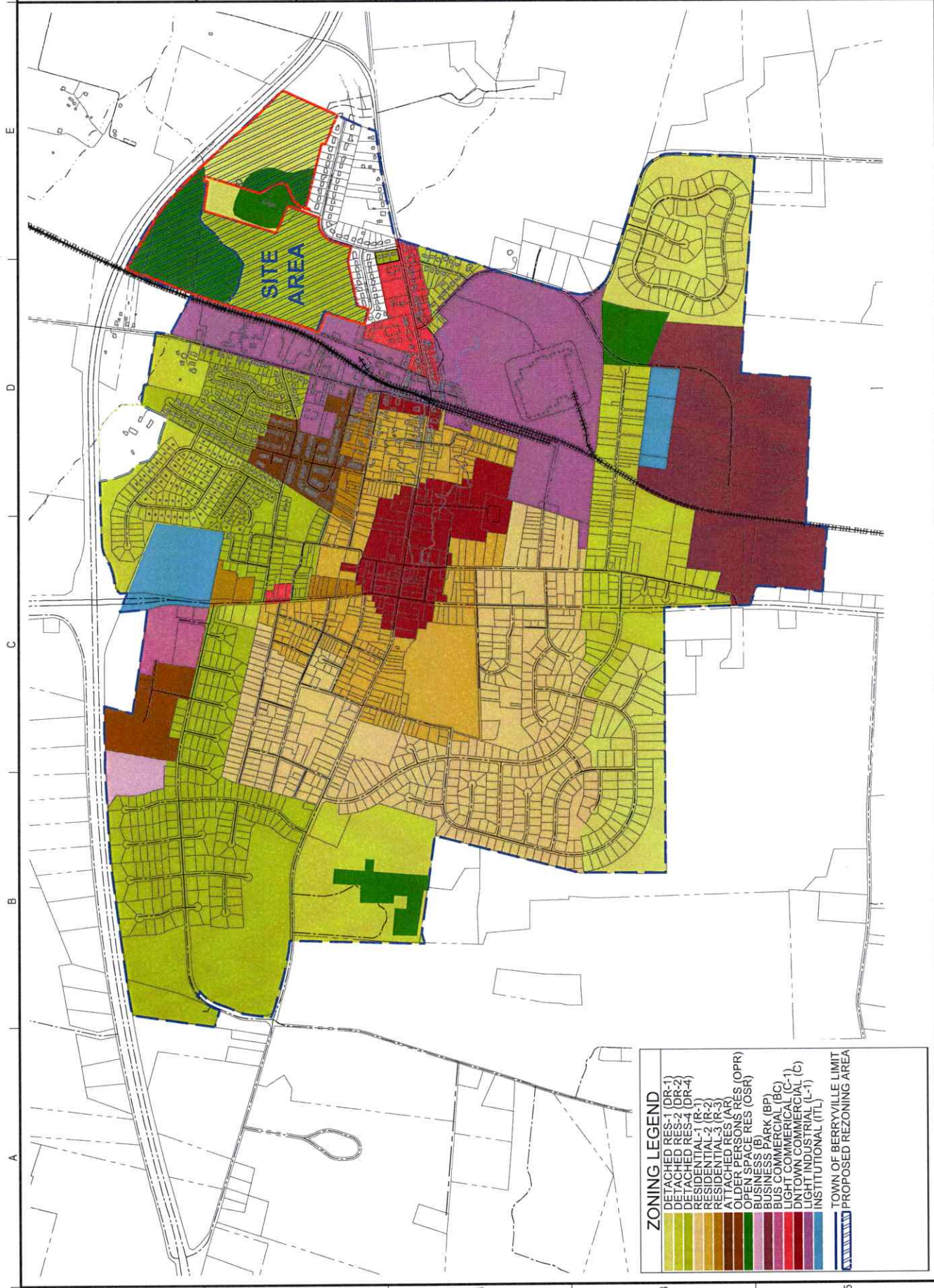
Issue	Revised	By	Date
1. Initial			
2. Review			
3. Approval			
4. Final			

Revision	Revised	By	Date
1. Initial			
2. Review			
3. Approval			
4. Final			

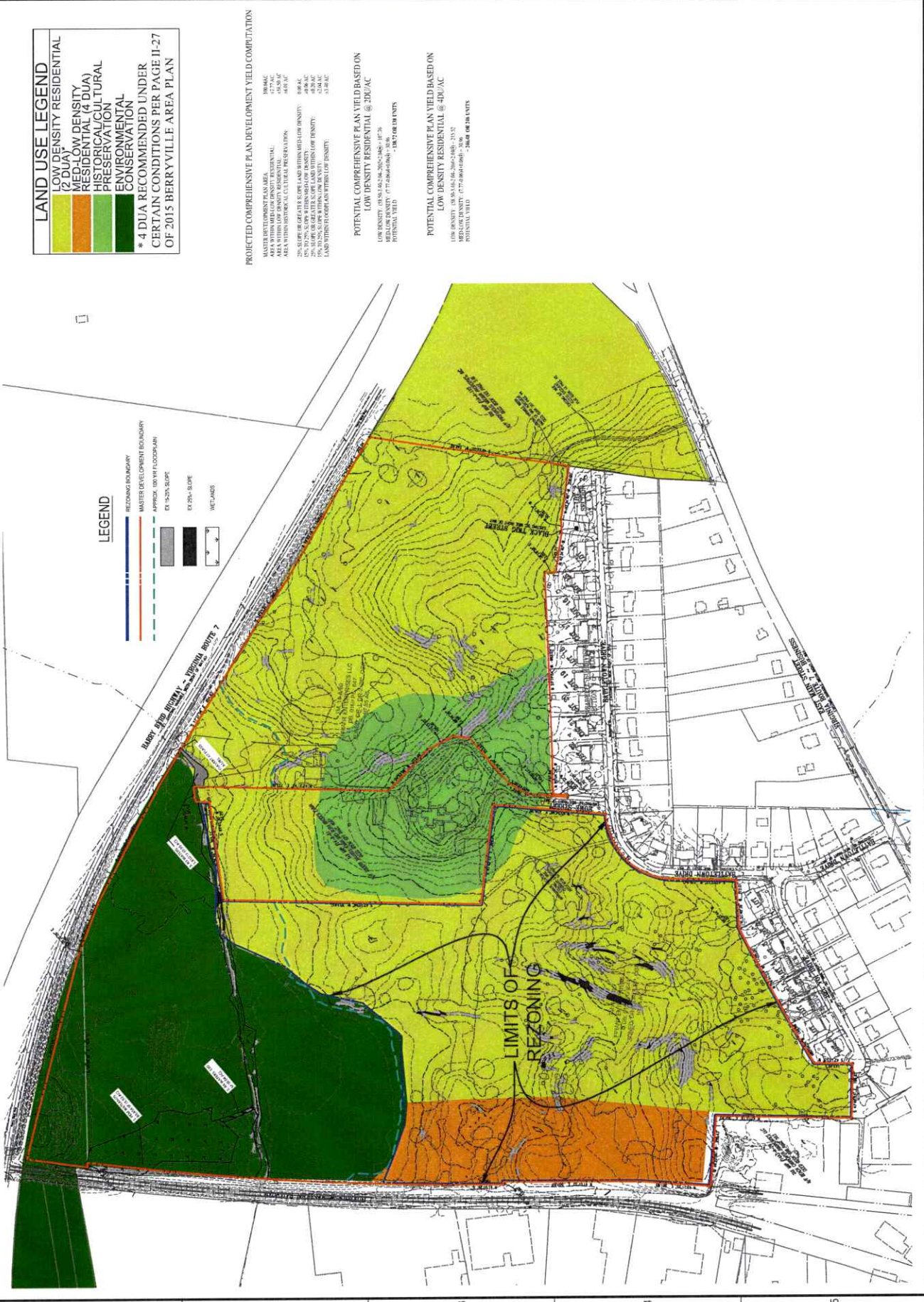
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VA STATE GRID
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Checked By: DM
Project No.:
Date: February 13, 2026
Drawing Title:
PROPOSED ZONING PLAN

Drawing Number
11
Sheet 11 of 13



- ZONING LEGEND**
- DETACHED RES-1 (DR-1)
 - DETACHED RES-2 (DR-2)
 - DETACHED RES-4 (DR-4)
 - RESIDENTIAL-1 (R-1)
 - RESIDENTIAL-2 (R-2)
 - RESIDENTIAL-3 (R-3)
 - ATTACHED RES (AR)
 - OLDER PERSONS RES (OPR)
 - OPEN SPACE RES (OSR)
 - BUSINESS PARK (BP)
 - BUS COMMERCIAL (BC)
 - LIGHT COMMERCIAL (C-1)
 - DNTOWN COMMERCIAL (C)
 - LIGHT INDUSTRIAL (L-1)
 - INSTITUTIONAL (ITL)
 - TOWN OF BERRYVILLE LIMIT
 - PROPOSED REZONING AREA



LAND USE LEGEND

- LOW DENSITY RESIDENTIAL (20 DU/A)
- MED-LOW DENSITY RESIDENTIAL (4 DU/A)
- HISTORICAL/CULTURAL PRESERVATION
- ENVIRONMENTAL CONSERVATION

* 4 DUA RECOMMENDED UNDER CERTAIN CONDITIONS PER PAGE II-27 OF 2015 BERRYVILLE AREA PLAN

PROJECTED COMPREHENSIVE PLAN DEVELOPMENT YIELD COMPUTATION

MASTER DEVELOPMENT PLAN AREA

Area	Area (Ac)	Potential Yield (DUA)
AREA WITHIN HISTORICAL/CULTURAL PRESERVATION	10.00	10.00
AREA WITHIN ENVIRONMENTAL CONSERVATION	10.00	10.00
AREA WITHIN LOW DENSITY RESIDENTIAL	10.00	10.00
AREA WITHIN MED-LOW DENSITY RESIDENTIAL	10.00	10.00
TOTAL	40.00	40.00

POTENTIAL COMPREHENSIVE PLAN YIELD BASED ON LOW DENSITY RESIDENTIAL @ 20U/A

Area	Area (Ac)	Potential Yield (DUA)
AREA WITHIN HISTORICAL/CULTURAL PRESERVATION	10.00	10.00
AREA WITHIN ENVIRONMENTAL CONSERVATION	10.00	10.00
AREA WITHIN LOW DENSITY RESIDENTIAL	10.00	10.00
AREA WITHIN MED-LOW DENSITY RESIDENTIAL	10.00	10.00
TOTAL	40.00	40.00

POTENTIAL COMPREHENSIVE PLAN YIELD BASED ON LOW DENSITY RESIDENTIAL @ 40U/A

Area	Area (Ac)	Potential Yield (DUA)
AREA WITHIN HISTORICAL/CULTURAL PRESERVATION	10.00	10.00
AREA WITHIN ENVIRONMENTAL CONSERVATION	10.00	10.00
AREA WITHIN LOW DENSITY RESIDENTIAL	10.00	10.00
AREA WITHIN MED-LOW DENSITY RESIDENTIAL	10.00	10.00
TOTAL	40.00	40.00

BATTLETOWN Run

DESIGN GUIDELINES

FEBRUARY 2026

PREPARED BY:



FOR:



CHRISTOPHER[®]
COMPANIES

QUALITY BY DESIGN



TETRA
CORPORATION



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16. Screening Plan
17. Plant Palette
18. Overall Site Amenities

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7. Vehicular Transportation
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9. Street and Trail Details

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OVERVIEW

PROJECT LOCATION

Battletown Run is a thoughtfully planned single-family residential community proposed in the northeastern-most portion of the Town of Berryville in Clarke County, Virginia. The community will provide 134 residential lots while preserving more than 29% of the rezoned property as open space. Over 50% of the overall development will be open space which will support both conservation goals and a high quality of life for future residents. Strategically located with easy access to Route 7 and only minutes from downtown Berryville, Battletown Run offers convenient proximity to essential amenities, services, and public schools within 2 to 3 miles. This location strengthens the connection between new housing opportunities and the Town's existing infrastructure and community assets.



BASIS OF DESIGN

Enhanced Transportation and Connectivity – The community design incorporates roadway and access improvements that strengthen connectivity to the Town's transportation network, ensuring safe and efficient circulation for residents and emergency services.

Cluster Development Approach – Homes are arranged in a clustered pattern to minimize infrastructure demands, reduce long-term public service costs, and preserve significant open space, thereby aligning with smart growth & environmental stewardship objectives.

Pedestrian-Friendly Design – A comprehensive system of sidewalks and trails is proposed to promote walkability, encourage healthier lifestyles, and provide safe, accessible routes that connect residents to open spaces and community amenities.

Viewshed and Scenic Resource Protection – The plan preserves key visual corridors and natural features, protecting the community's rural character and maintaining the scenic quality valued by Clarke County residents & visitors.

MAP 4 -- Berryville Area Plan Land Uses (2015)



The Town of Berryville is uniquely positioned to provide urban-level services as Clarke County's primary designated growth area for both residential & business uses. With the support of a comprehensive master plan that addresses all relevant planning elements, the proposed residential area can appropriately accommodate medium-low density development at a target of 4 units/ac. Pedestrian connection between the west & east sides of the community can be provided through the existing parcels.

The Battletown Run development plan has been carefully crafted to reflect and implement the guiding principles of the Berryville Area Plan (the Plan). This Plan, jointly developed by Clarke County and the Town of Berryville, was established to balance the protection of natural resources, historic landscapes, and agricultural lands with the Town's role as the County's designated growth center. Within this framework, the Plan provides specific recommendations for sub-areas. The Battletown Run property encompasses Sub-areas 13, 14, 15, and a part of 16:

Sub-area 13 is identified for environmental conservation, which has been incorporated directly into the Battletown Run plan through preserved open spaces and resource protection.

Sub-areas 14 and 15 are designated for medium-low (2–4 units/ac.) and low-density (1–2 units/ac.) residential development, respectively. However, the Plan clearly acknowledges that both areas may support medium-low density (up to 4 units/ac) residential development under a cohesive master plan that integrates Sub-areas 13, 14, and 15. The Plan further emphasizes that unused residential density from other growth areas should be considered for application within Sub-area 15, making Battletown Run an ideal location to absorb this capacity in a planned, responsible manner.

Sub-area 16, portion under separate ownership, is designated for historical and cultural preservation. The Plan recognizes that connectivity between the east and west sides of Sub-area 15 is a known challenge, which can be resolved with the future development of the Bel Voi parcel by others.

In summary, Battletown Run delivers a cohesive master plan that directly advances the Berryville Area Plan's objectives by:

- Preserving sensitive environmental areas.
- Establishing a compact, walkable, and connected neighborhood form.
- Supporting efficient provision of urban services within the Town's primary growth boundary.
- Responsibly accommodating planned residential density consistent with the County's adopted growth policies.

This coordinated approach not only meets the intent of the Plan but also strengthens Berryville's role as the County's focal point for growth while ensuring long-term protection of surrounding rural and agricultural lands.

PROJECT SUMMARY

The Battle Town Run community has been designed using a clustered development approach that minimizes infrastructure demands while preserving significant environmental resources. This design strategy allows development to be concentrated in appropriate areas, while maintaining large portions of the property as permanent open space, consistent with Town planning objectives.

A walkable community framework has been prioritized. All residential streets will be built with sidewalks on both sides, ensuring safe pedestrian movement throughout the neighborhood. Beyond the streetscape, a trail system will weave through the preserved open space areas, creating opportunities for recreation, connectivity, and access to natural resources.

Open space preservation is a defining feature of the plan. The majority of the site, when including both the rezoning and by-right plans, will remain open space, with select areas thoughtfully programmed for active and passive recreation to serve residents of all ages.

Modern infrastructure will be provided. Each home will be served by public water and sanitary sewer, while on-site stormwater management systems will be implemented to meet regulatory requirements and protect downstream resources.

LEGEND

- LIMITS OF REZONING
- SUBJECT PROPERTY



ACHIEVED DESIGN ELEMENTS

GOALS:

1. TRANSPORTATION & CONNECTIVITY

- Battletown Run is designed to strengthen the Town's transportation network by providing a new access point. The primary entrance will extend from Battletown Drive and incorporate road improvements, ensuring safe and efficient traffic flow. This new entrance will improve circulation within the Town and maintaining the secondary street network envisioned in the Berryville Area Plan.
- *Plan Alignment:* The Berryville Area Plan (Chapter 2, Section C) emphasizes the need for linkages to and through Battletown Subdivision and adjacent sub-areas, while also calling for additional access options to Sub-area 15. Battletown Run plan directly fulfills this requirement.

3. WALKABILITY & TRAILS

- All residential streets in Battletown Run will include sidewalks on both sides, providing approximately 2.79 miles of safe pedestrian pathways. In addition, a trail system approximately 1 mile will extend through the preserved open space, creating a comprehensive pedestrian circulation network that enhances recreation and accessibility.
- *Plan Alignment:* The Berryville Area Plan (Chapter 1, Section D) highlights the importance of walkable communities, noting benefits such as healthier and more active residents, reduced transportation costs, improved air quality, and increased economic activity. Battletown Run fully embraces this vision by delivering an interconnected, pedestrian-friendly neighborhood.

2. CLUSTER DESIGN TO REDUCE INFRASTRUCTURE COSTS & ADVERSE ENVIRONMENTAL IMPACTS

- The Battletown Run neighborhood is designed as a clustered community, reducing infrastructure demands while preserving sensitive natural resources and drainage ways. The proposed density of 1.34 DU/AU reflects the Plan's call for medium-low density residential development at 4 units per acre, consistent with Sub-area 15's potential.
- *Plan Alignment:* The Berryville Area Plan (Chapter 2, Section C) encourages cluster development to protect environmental areas, increase land efficiency, and reduce infrastructure costs. The Plan further notes that unbuilt residential density from Annexation Area B should be considered for Sub-area 15—supporting Battletown Run's proposed density.

4. VIEWSHED PROTECTION

- Battletown Run has been carefully designed to protect the highly visible landscape along Route 7. The majority of development is located more than a quarter-mile from the corridor. In areas where homes are closer, the property's natural topography and additional evergreen screening will preserve scenic views and mitigate visual impacts.
- *Plan Alignment:* The Berryville Area Plan (Chapter 2, Section C) specifically identifies the Route 7 Bypass viewshed as requiring careful siting. Battletown Run addresses this requirement by combining natural terrain with landscape screening to preserve the County's scenic character.

5. MASTER PLANNING FOR UTILITIES & STORMWATER

- Battletown Run will be fully served by public water and sanitary sewer, consistent with the Town's role as the primary growth area. On-site stormwater management will be achieved through strategically located ponds, ensuring regulatory compliance and long-term protection of downstream resources.

6. PROFFERS & MITIGATION OF DEVELOPMENT IMPACTS

- As outlined in the proffer statement, Battletown Run includes cash proffers to help address Town needs, ensuring that the costs of new growth are responsibly offset by developer contributions.

In summary, the Battletown Run master plan directly implements the Berryville Area Plan by:

- Expanding safe and efficient transportation linkages,
- Preserving environmental resources through clustered design,
- Establishing a robust walkability and trail system,
- Protecting key scenic viewsheds,
- Delivering urban-level services in the designated growth area, and
- Mitigating impacts through proffers.

Battletown Run reflects the balanced growth strategy envisioned jointly by The Town of Berryville—strengthening the Town as the growth center while safeguarding the rural and historic character that defines the surrounding landscape.

VEHICULAR TRANSPORTATION

The Battletown Run community shall be designed with a well-connected internal street network that supports safe and efficient two-way vehicular circulation while accommodating on-street parking to enhance neighborhood character and convenience. To ensure strong integration with the Town's overall transportation system, the development shall include an entrance point connecting the community to the rest of the existing surrounding neighborhood along Battletown Drive.

LEGEND	
	EXISTING STREETS
	PROPOSED RESIDENTIAL STREET
	PROPOSED CONNECTION
	EMERGENCY CONNECTION



PEDESTRIAN WALKABILITY

The internal residential streets of Battletown Run shall be designed with sidewalks on both sides, ensuring safe and continuous pedestrian access throughout the community. In addition, sidewalks, trails, and similar pedestrian connections shall link residential areas to community amenities and recreational features located within designated open spaces. The open space network shall be further enhanced by a system of interconnected internal trails, providing multiple routes and access points that encourage public use, strengthen connectivity, and promote an active, walkable neighborhood environment.

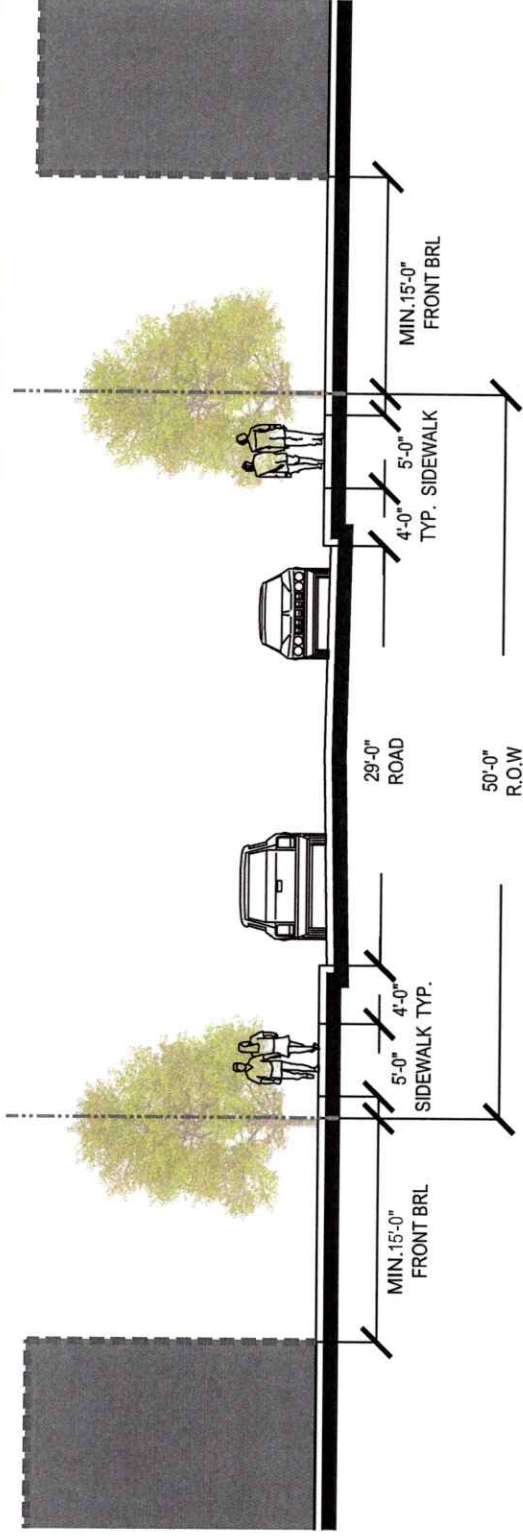
LEGEND

-  PROPOSED SIDEWALK
-  PROPOSED TRAIL

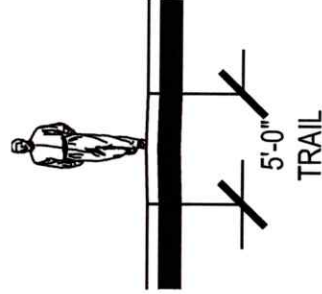


STREET AND TRAIL DETAILS

RESIDENTIAL STREETS All internal residential streets shall be designed as 50-foot public rights-of-way, incorporating sidewalks on both sides to ensure safe, convenient, and accessible pedestrian circulation throughout the community. Sidewalks shall connect to open space areas, trails, and adjoining neighborhoods to promote walkability and support a cohesive, interconnected community fabric.



TRAILS A system of private trails shall supplement the sidewalk network to expand recreational opportunities and provide public access connections to designated open space areas. Trails shall be a minimum of 5 feet in width and may utilize a range of high-quality surface materials—including natural stone dust, asphalt, mulch, concrete, pavers, or similar materials—selected to balance durability, accessibility, and the desired character of the trail environment.



STONE DUST



ASPHALT



NATURAL

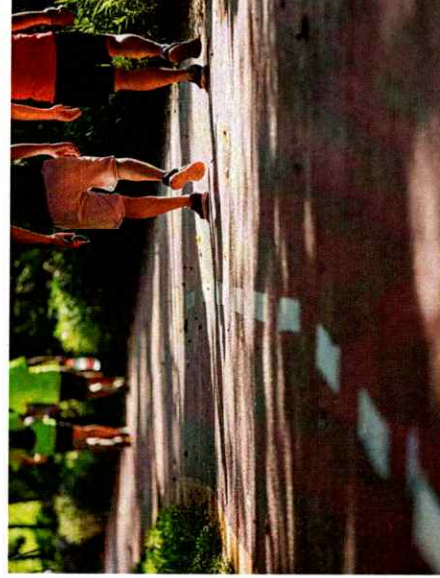


MULCH



OPEN SPACE AREA

To uphold the cluster design principles established in the Master Plan, the majority of the Battletown Run community shall be preserved and enhanced as open space. These areas shall serve as both conservation and community functions, protecting natural resources while offering residents meaningful opportunities for recreation. Select portions of the open space shall be thoughtfully programmed with amenities that support a balance of active and passive recreational uses for all ages. Public access to these amenities shall be provided through a connected trail system that links seamlessly to the internal public street network, ensuring accessibility, walkability, and integration with the overall neighborhood design.



OPEN SPACE PLAN

LEGEND

- | | |
|---|---|
|  | OPEN SPACE WITHIN EX.
DR-1 ZONING |
|  | OPEN SPACE WITHIN
PROPOSED DR-4 ZONING |
|  | OPEN SPACE WITHIN EX.
OSR ZONING |
|  | AMENITY SPACE |



OPTIONAL OPEN SPACE AMENITIES - WESTERN LANDBAY



(A) Playground: The Playground acts as a central hub for children to explore their surroundings in a healthy and safe environment. The playground equipment shall be intentionally selected to promote creativity and physical fitness for ages 5-12. The materials selected shall be complimentary to the surrounding architecture.



(B) Fire Pits & Pavilion: Fire Pits will be proposed within an open space area, facing a wooded buffer, allowing users to enjoy a quiet evening or afternoon with friends around the fire.



(C) Passive Park: Has space for users to have picnics, birdwatch, and enjoy nature.



(D) Dog Park: The enclosed Dog Park includes seating and open space for users.



(E) Exercise Equipment: Exercise equipment will be proposed along the trail for users to enjoy cardio and strength training outdoors.



OPTIONAL OPEN SPACE AMENITIES - EASTERN LANDBAY



Fire Pits & Seating: Fire Pits are suggested within an open space area central to Eastern Landbay area homes allowing users to enjoy a quiet evening or afternoon with friends around the fire as well as physical activities such as yoga.



LANDSCAPE STANDARDS

1. PLANTING DESIGN GUIDELINES AND GENERAL REQUIREMENTS

- A. Landscape material selections shall respond to the surrounding architecture and shall reinforce and define the public open space within the site. In general, street tree species shall correspond to the specific street type they are located on. This will help define the overall hierarchy of street connections and create clear pedestrian and vehicular zones. Overall, landscape selections will be based on year round interest, the ecology of the site, the need to define spaces, and the theme of the design.
- B. Plants shall be selected based on their ultimate height, width, and growth habit in relation to the space where they will be planted. When planted adjacent to buildings, plantings should not obscure the building's architectural features.
- C. To the extent possible, regional indigenous species are to be integrated into the planting designs.
- D. Plant materials shall be resistant to disease and damage by deer and other fauna of the area.
- E. There shall be a diverse mix of plant species to avoid monoculture and ensure seasonal interest. No more than 33% of plantings shall be of any one species.
- F. Non-native species may be used in high visibility areas (e.g. entrance features, adjacent to buildings), however invasive and aggressively spreading species are not permitted.
- G. All plant beds shall be fully prepared as per the plan specifications.
- H. Minimum Plant Size:
 Street/Shade Trees: 2" cal.
 Ornamental Trees: 1.5" cal.
 Evergreen Trees: 6' height
 Shrubs: 18" - 24"

2. EXISTING VEGETATION

- A. General Guidelines: Existing stands of vegetation shall be preserved whenever possible.
- B. Buffer Credits: Existing vegetation may be used to meet landscape buffer requirements. To be credited, existing vegetation stands must meet the buffer width requirement and be in good health. Existing buffer areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs required.

3. STREET TREES

- A. General Requirements: Shade trees shall be planted as street trees along all rights-of-way within the project area.
- B. Spacing: Shade trees shall be planted at a minimum, one tree approximately every 50 feet with the centerline of the roadway as the basis of measurement.

4. RESIDENTIAL LANDSCAPING

Landscape plantings for individual homes should consist of a limited variety of trees, shrubs, and groundcovers to create an attractive well organized cohesive landscape. Shrubs and groundcovers should be planted in masses of a single species or cultivar in sufficient numbers to create beds or drifts of plants.



RESIDENTIAL LANDSCAPE AND HARDSCAPE GUIDELINES

LANDSCAPING

Lot landscaping and screening can add a lot of value and create an aesthetically pleasing streetscape throughout the community. The following guidelines shall be used:

- Foundation plantings must be included on every house prior to occupancy.
 - Lots with walk-out basements or exposed foundations shall include some landscaping to break up large architecture planes.
 - Columnar or taller evergreens shall be used to "soften" the architecture.
 - Corner lots or high vis lots shall have some landscape screening or fencing to screen rear or sides of houses from the street.
 - Lots that back to other lots shall include some landscaping or fencing at the rear of the property to create a visual screen between adjacent lots.
- Landscape material shall be located outside drainage or utility easements.

FENCES

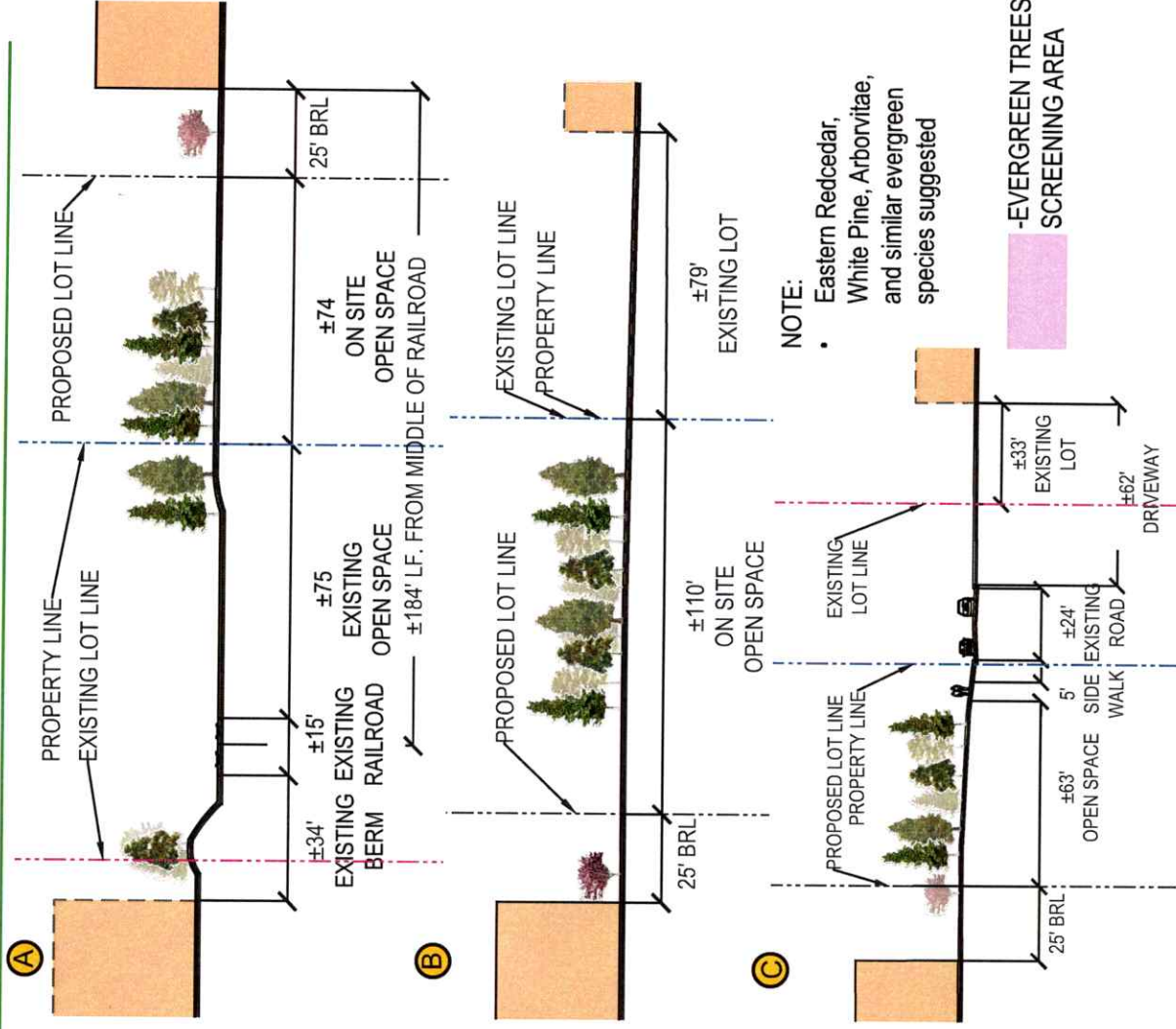
Fences will be permitted within the Battletown Run community but must follow the guidelines below:

- Fence material shall be treated wood, vinyl, wrought iron or aluminum.
- Vertical vinyl covered black picket fencing is permitted.
- Maximum fence height shall be six (6) feet, not including lattice.
- Side yard fencing shall be a minimum of four (4) feet behind the front plane of the house.
- Corner lot fencing layout shall not extend beyond the front plane of the house on the perpendicular street.
- No front yard fencing shall be allowed.

HVAC EQUIPMENT & GENERATORS

- HVAC & generators shall be placed in the rear yard whenever possible.
- HVAC & generators shall be screened from view of the street or adjacent lots with a fence or opaque landscape screen.
- No equipment shall be placed on the side of the house that abuts two public streets.

SCREENING PLAN



PLANT PALETTE

DECIDUOUS TREES

SCIENTIFIC NAME	COMMON NAME
<i>Quercus falcata</i>	Southern Red Oak
<i>Quercus phellos</i>	Willow Oak
<i>Nyssa sylvatica</i>	Blackgum
<i>Acer saccharum</i>	Sugar Maple

EVERGREEN TREES

SCIENTIFIC NAME	COMMON NAME
<i>Ilex opaca</i>	American Holly
<i>Juniperus virginiana</i>	Eastern Redcedar
<i>Pinus strobus</i>	Eastern White Pine
<i>Thuja occidentalis</i>	Arborvitae

ORNAMENTAL TREES

SCIENTIFIC NAME	COMMON NAME
<i>Cercis canadensis</i>	Redbud
<i>Crataegus phaenopyrum</i>	Washington Hawthorn
<i>Malus angustifolia</i>	Southern Crabapple

SHRUBS

SCIENTIFIC NAME	COMMON NAME
<i>Aquilegia canadensis</i>	Red Columbine
<i>Osmanthus americanus</i>	Devilwood
<i>Ilex glabra</i>	Inkberry
<i>Prunus laurocerasus</i> var. 'Otto Luyken'	Otto Luyken Cherrylaurel



AMERICAN
HOLLY



EASTERN RED
CEDAR



SOUTHERN
RED OAK



WILLOW OAK



RED COLUMBINE



DEVILWOOD



WASHINGTON
HAWTHORN



REDBUD

NOTE: The species shown are representative of the desired characteristics of the trees that will be within the Battletown Run community and are not intended to be the entire list of species. Additional species may be added at time of final design.

OVERALL SITE AMENITIES

Outdoor furniture within active and passive amenity spaces shall be selected and designed to employ a unified and consistent aesthetic throughout the development. Matching benches, tables, chairs, bike racks, exercise equipment, playground equipment, trash receptacles, etc. are encouraged.



WASTE RECEPTACLES



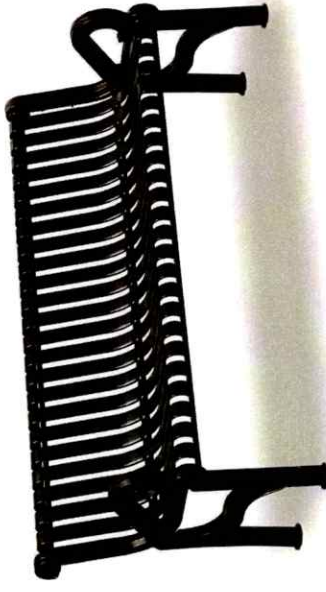
PET WASTE DISPOSAL



PEDESTRIAN LIGHTING



BIKE RACK



SEATING

FINAL BENCH CHOICE MAY BE
CONSTRUCTED OF METAL OR WOOD

Note: All images shown on this page are conceptual and are subject to change in the final design.

RESIDENTIAL ARCHITECTURE DESIGN GUIDELINES - WESTERN LANDBAY

Building design guidelines seek to create a distinct yet coherent architecture that will foster a unique identity for Battletown Run and form the backdrop to a rich street level experience. These guidelines will help distinguish the community, help define its character, and eventually raise its value in the marketplace. The following set of principles will be applied to each of the buildings, irrespective of its use or location.

1. Build in the tradition of simple yet elegant designs. Building architecture and elevations promote a more contemporary nature through the use of simple unifying roof and window lines and careful selection of materials. The building aesthetic should emerge from elevation components and building details rather than from mere ornamentation.

2. Use traditional, high quality and durable materials throughout the community: When walls are constructed of more than one material, changes in material shall be permitted along a horizontal or vertical line and should reinforce a base, middle and top for the building.

3. Variety. No more than three of nine continuous lots can be the same elevation. In addition, lots next to, across or across the street from each other cannot be the same elevation and color scheme. No identical color schemes for houses shall be repeated within three continuous lots.



4. Emphasize main entries of each home regardless of elevation. The main entrance to each home should be easily identifiable through the use of materials and forms.

5. Complimentary. Within the parameters of the principles as described herein, in addition to modern building practices and current market feasibility and projections, the architecture shall be complimentary, to the extent practical, to the architecture as typically found in the Town of Berryville.

Building walls shall be of the following materials:

- **Brick:** A variety of traditional brick colors and modules and bonding variations are encouraged.
- **Stone:** Stone veneers are permitted and shall be laid predominantly rectilinear stones in a horizontal pattern. Cast stone shall be permitted as sills, headers and accents.
- **Siding:** High quality vinyl or its equivalent is the prescribed siding material where brick or stone is not utilized. Aluminum siding is not permitted. A variance in color and texture is encouraged.

RESIDENTIAL ARCHITECTURE DESIGN GUIDELINES - EASTERN LANDBAY

Building design guidelines seek to create a distinct yet coherent architecture that will foster a unique identity for Battletown Run and form the backdrop to a rich street level experience. These guidelines will help distinguish the community, help define its character, and eventually raise its value in the marketplace. The following set of principles will be applied to each of the buildings, irrespective of its use or location.

1. Build in the tradition of simple yet elegant designs. Building architecture and elevations promote a more contemporary nature through the use of simple unifying roof and window lines and careful selection of materials. The building aesthetic should emerge from elevation components and building details rather than from mere ornamentation.

2. Use traditional, high quality and durable materials throughout the community: When walls are constructed of more than one material, changes in material shall be permitted along a horizontal or vertical line and should reinforce a base, middle and top for the building.

3. Variety. No more than three of nine continuous lots can be the same elevation. In addition, lots next to, across or across the street from each other cannot be the same elevation and color scheme. No identical color schemes for houses shall be repeated within three continuous lots.



4. Emphasize main entries of each home regardless of elevation. The main entrance to each home should be easily identifiable through the use of materials and forms.

5. Complimentary. Within the parameters of the principles as described herein, in addition to modern building practices and current market feasibility and projections, the architecture shall be complimentary, to the extent practical, to the architecture as typically found in the Town of Berryville.

Building walls shall be of the following materials:

- Brick: A variety of traditional brick colors and modules and bonding variations are encouraged.
- Stone: Stone veneers are permitted and shall be laid predominantly rectilinear stones in a horizontal pattern. Cast stone shall be permitted as sills, headers and accents.
- Siding: High quality vinyl or its equivalent is the prescribed siding material where brick or stone is not utilized. Aluminum siding is not permitted. A variance in color and texture is encouraged.

RESIDENTIAL ARCHITECTURE DESIGN GUIDELINES

ELEVATIONS & MATERIALS

Creating a unique and diverse streetscape throughout Battletown Run is a high priority. Therefore, limitations are placed on the frequency and location of elevations that can be used on adjacent lots.

The following guidelines shall be followed:

- Building elevations will be reviewed and approved by the developer prior to construction to ensure a cohesive theme throughout the community.
- No more than three out of every nine continuous lots can be the same elevation.
- Lots next to or across the street from each other cannot be the same elevation.
- No identical color schemes for houses shall be repeated within three consecutive lots.
- Accent materials shall be varied to create more differentiation between lots.
- Single level models shall add architectural features to the road facing roof to break up vast roof planes.
- Garage dominate elevations should utilize varying front yard setbacks and a mix of models and elevations to keep variety in the streetscape.
- Accessory structures exterior color must match the main color of the primary structure.
- All lead walks shall be broom finished concrete. Traditional, high-quality, and durable building materials shall be used throughout the community. Building materials shall meet all current Local, State, and Federal building codes and regulations.

WALK OUT BASEMENTS. EXPOSED FOUNDATIONS. & SLAB TREATMENT

Lots with walk out basements or exposed foundations, including front porch or stoops, shall be finished with an architectural CMU or stone material.

Approved finishes include:

- Patterned form-liner; must also be painted to compliment architecture color scheme
- Stone or brick; must match the material being used as water table treatment
- Split-faced CMU block; color of block must compliment architecture color scheme.

PARKING

All lots are to provide a minimum of two off-street parking spaces on a driveway with a minimum width and depth of 18 feet.

LOT DETAILS - WESTERN LANDBAY

DR-4 CLUSTER DEVELOPMENT STANDARDS - REZONED PROPERTY

MAXIMUM DENSITY, RESIDENTIAL USES:

SFD MINIMUM LOT SIZE:

SFD MAXIMUM LOT SIZE:

SFD MINIMUM LOT WIDTH :

SFD MINIMUM SIDE YARD:

SFD MINIMUM REAR YARD FOR PRIMARY STRUCTURE:

SFD MINIMUM SIDE AND REAR YARD FOR ACCESSORY STRUCTURES:

SFD MINIMUM FRONT YARD FOR PRIMARY STRUCTURE:

SFD MINIMUM FRONT YARD FOR GARAGES, CARPORTS, OR OTHER STRUCTURES FOR VEHICLES:

MAXIMUM BUILDING HEIGHT:

4 DU/AC

7,500 SF

20,000 SF

60 FT, (75 FT CORNER LOT)

10 FT

25 FT

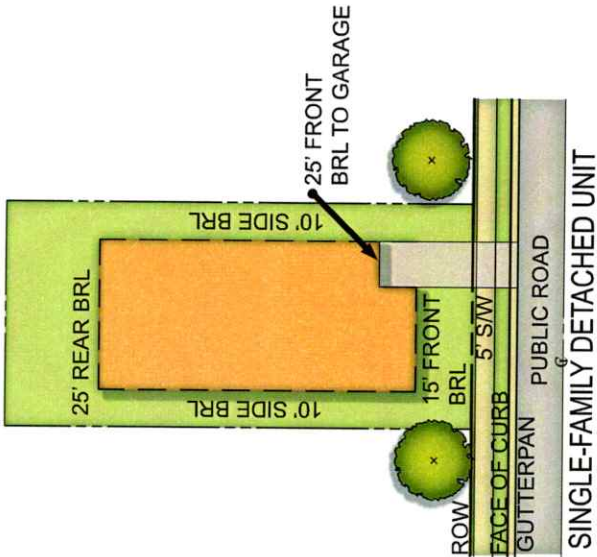
5 FT

15 FT

25 FT

35 FT

TYPICAL LOT



LEGEND



LARGE DECIDUOUS STREET TREES

LOT DETAILS - EASTERN LANDBAY

DR-1 CLUSTER DEVELOPMENT STANDARDS

MAXIMUM DENSITY, RESIDENTIAL USES:

1 DU/AC

SFD MINIMUM LOT SIZE:

20,000 SF

SFD MAXIMUM LOT SIZE:

45,000 SF

SFD MINIMUM LOT WIDTH :

100 FT, (120 FT CORNER LOT)

SFD MINIMUM SIDE YARD:

15 FT

SFD MINIMUM REAR YARD FOR PRIMARY STRUCTURE:

45 FT

SFD MINIMUM SIDE AND REAR YARD FOR ACCESSORY STRUCTURES:

5 FT

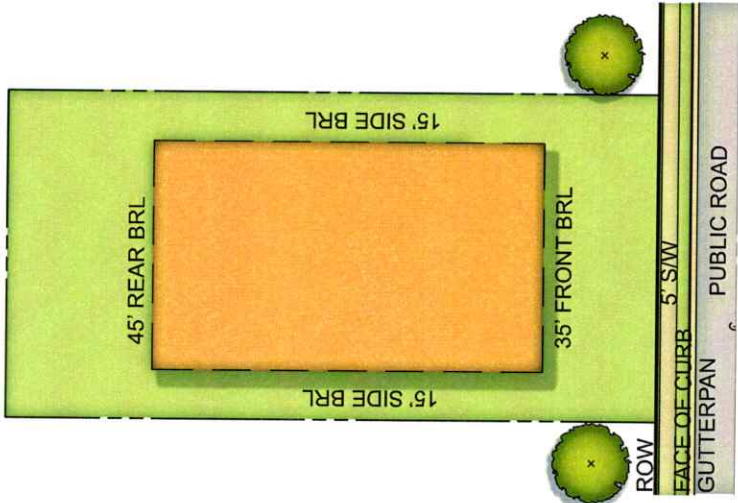
SFD MINIMUM FRONT YARD FOR PRIMARY STRUCTURE:

35 FT

MAXIMUM BUILDING HEIGHT:

35 FT

TYPICAL LOT



LEGEND



LARGE DECIDUOUS STREET TREES

PROFFER STATEMENT

MASTER DEVELOPMENT PLAN: Detached Residential

RZ# _____

PROPERTY: Tax Map Parcel: #14-A-80, and #14-A-112 (the "Property")

RECORD OWNERS: Friant Enterprises #1, Friant Enterprises #2, and Friant Enterprises #3
(the "Owner")

APPLICANT: Christopher Land, LLC (the "Applicant")

DATE: February 19, 2026

The undersigned Owner hereby proffers that the use and development of the above-referenced parcel, which is requested to be rezoned, shall be in strict conformance with the following conditions, which shall supersede all other proffers on the Property that may have been made prior hereto. In the event that the above-referenced conditional rezoning is not granted as applied for by the Owner, these proffers shall be deemed withdrawn and shall be null and void.

Further, these proffers are contingent upon final rezoning of the Property with "final rezoning" defined as that rezoning which is in effect on the day following the last day upon which the Town Council of the Town of Berryville, Virginia (the "Town") decision granting the rezoning may be contested in the appropriate court. If the Town's decision is contested, and the Owner elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Town which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal. The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Property adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the Owner from conforming with State and/or Federal regulations shall be considered null and void. The term "Owner" as referenced herein shall include within its meaning all future Owners and successors in interest. When used in these Proffers, "MDRP" shall refer to the plan entitled "Master Development and Rezoning Plan Battletown Run" dated February 192026 and shall include the following:

1. LAND USE:

1.1 Residential development of the proposed rezoned Property shall be limited to a maximum of 110 single-family detached dwelling units in accordance with the requirements of the Town's Zoning Ordinance and Subdivision Ordinance. The overall development shall be limited to 134 single-family detached dwelling units in accordance with the requirements of the Town's Zoning Ordinance and Subdivision Ordinance.

1.2 The minimum amount of open space to be provided is twenty nine percent (29%) of the entire parcel subject to the rezoning which is generally 13 +/- acres as shown on the MDRP. The overall gross open

space area (inclusive of floodplain and steep slope areas) for the Property to be provided is approximately 57 acres which is fifty seven percent (57%) of the entire property.

1.3 The Property shall be developed in general conformance with the MDRP subject to minor modifications upon the time of final engineering.

2. SITE DEVELOPMENT:

2.1 Prior to the issuance of the 55th occupancy permit of the rezoned portion of the property, the Applicant shall deliver a tot lot and workout stations which shall be installed on the Property in general conformance with the MDRP and design guidelines.

2.2 Prior to the issuance of the 55th occupancy permit of the rezoned portion of the property, the Applicant shall deliver a public trail system which shall be installed on the Property and the adjacent residual parcel to the north and east in general conformance with the MDRP and design guidelines.

2.3 If rock blasting is necessary for site development, it shall be conducted by a certified blaster in strict accordance with all federal, state, and local regulations.

3. CREATION OF HOMEOWNERS' ASSOCIATION:

3.1 The Property shall be made subject to a homeowners 'association ("HOA") that shall be responsible for the ownership, maintenance and repair of all common areas, including any conservation areas that may be established in accordance herewith not dedicated to the Town or others, for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties and powers as are customary for such associations or as may be required for such HOA herein. The HOA shall be created not later than the date upon which the first building permit is issued.

3.2 In addition to such other duties and responsibilities as may be assigned, the HOA shall have title to and responsibility for (i) all common open areas not otherwise dedicated to public use, (ii) common buffer areas located outside of residential lots, and (iii) ownership and maintenance of stormwater management facilities. The HOA shall be responsible for all areas on the MDRP that are not otherwise dedicated for public use.

4. SCHOOL/FIRE & SAFETY/POLICE:

4.1 The Applicant shall make a proffer contribution for the rezoned portion of the property in the amount of \$62,000 (\$2,000 x 31 school students) for the excess of students generated by the by right development. Said funds shall be payable to the Town of Berryville but may be transferred by the Town of Berryville to Clarke County.

4.2 The Applicant shall make a proffer contribution for the rezoned portion of the property in the amount of \$9,254.19 (\$84.13 x 110 units) to offset the projects impact on public park facilities.

5. WATER & SEWER:

5.1 The Applicant shall be responsible for connecting the Property to public water and sewer and for constructing all facilities required for such connection. All water and sewer infrastructure (including pump station, grinder pumps and force mains) shall be constructed in accordance with the requirements of the Town.

5.2 The Applicant shall dedicate to the Town any and all water and sewage lines as well as any sewage pump stations (including grinder pumps) constructed on the Property, subject to the Town engineer's approval along with any necessary easements to permit access to and maintenance of said water lines, sewer lines, sewage pump stations, and any other associated public water and sewer improvements.

5.3 All provisions of Section 5 of the Proffers are also subject to the Town's existing water and sewer ordinances.

6. STORMWATER MANAGEMENT:

6.1 Stormwater management and Best Management Practices (BMP) for the Property shall be provided in accordance with Virginia Stormwater Management Regulations and in conformance with the MDRP. Additional stormwater management facilities may be proposed if determined necessary at time of final design.

7. TRANSPORTATION:

7.1 Design of the roadway system shall be generally consistent with the final approved MDRP. The exact location and design of proffered improvements shall be subject to reasonable adjustment upon final engineering thereof, as approved by the Town Engineer.

7.2 All public streets and roads shall be designed and constructed in accordance with the Virginia Department of Transportation subdivision street requirements and subject to review and approval by the Town.

7.3 All sidewalks shall be constructed in accordance with the Town's Zoning Ordinance and Subdivision Ordinance in the general locations as shown on the MDRP to accommodate pedestrian movement.

8. ESCALATOR CLAUSE:

8.1 In the event the monetary contributions set forth in these Proffers are paid to the Town within eighteen (18) months of the approval of this rezoning, as applied for by the Owner, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in these Proffers which are paid to the Town after eighteen (18) months following the approval of this rezoning shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time the contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after the approval of this rezoning to the most recently available CPI-U to the date the contributions are paid, subject to a cap of four percent (4%) per year, non-compounded.

9. EXCLUSION OF PUBLIC PROPERTY FROM PROFFERS:

9.1 Any portion of the Property may hereafter be dedicated for public street purposes (or otherwise conveyed to a public entity) shall, upon such dedication, be excluded from the terms and conditions of these Proffers and the remainder of the Properties shall continue to be subject to the full force and effect of these Proffers.

10. SEVERABILITY:

10.1 In the event any portion of these Proffers are subsequently determined to be illegal or unenforceable, the remaining Proffers shall continue in full force and effect.

11. CONSTRUCTION ACTIVITY CONTACT INFORMATION

11.1 Prior to commencement of construction on the property, the adjacent property owners will be provided with the name, title, phone number, and email address of a person to whom comments and/or complaints regarding construction activities may be directed. Correspondence shall be sent by U.S. Mail, return receipt requested.

11.2 In addition, prior to the commencement of construction on the Property, a sign with the contact information specified with the contact information specified above shall be posted on the Property and shall be updated and retained on the Property through all construction activities.

12. CONSERVATION EASEMENT

12.1 Within the areas located identified as "OPEN SPACE WITHIN EX OSR ZONING" On Sheet 6 of the MDRP, the Applicant will preserve healthy trees provided, however, the trees may be removed to the extent necessary for the construction of trails, passive recreation, stormwater management and utilities that are required pursuant to approved construction plans as necessary for the development of the property. Such areas will be provided with a Conservation Easement to be established with the subdivision Record Plat.

13. TRAIL PUBLIC ACCESS EASEMENT

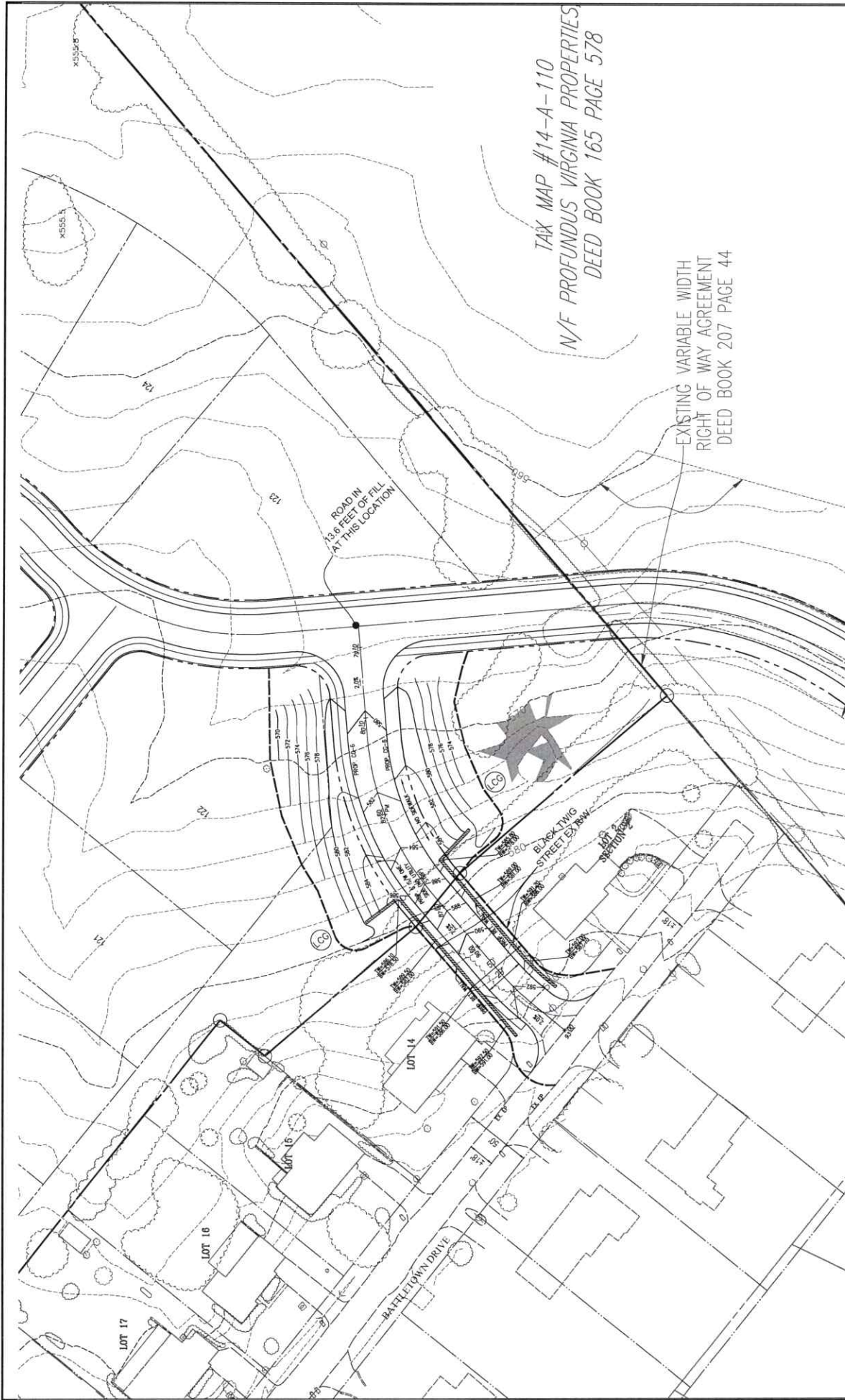
13.1. The Applicant shall provide a public access easement over the area identified on Sheet 08 of the MDRP as "PROPOSED TRAIL" for non-motorized use by members of the public.

14. OFFSITE SIDEWALK IMPROVEMENTS ESCROW

14.1 An escrow shall be established in the amount of \$XXXXX to be used at the discretion of the Town towards the construction of a sidewalk on the west side Battletown Drive from East Main Street to the limits of the subject property (approximately 550 linear feet). The escrow shall be established no later than the 50th occupancy permit. Should the escrow not be used by the Town within 5 years of it being established, it shall be returned in full to the entity that established the escrow.

15. BINDING EFFECT:

15.1 These Proffers run with the land and shall be binding upon all heirs, executors, administrators, assigns and successors in interest of the Owner.



BLACK TWIG STREET CONCEPTUAL DESIGN STUDY (PUBLIC ROAD)



Scale 1"=30'
February 17, 2026





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ARCHITECTS
LAND
SURVEYORS

MEMORANDUM

TO: Town of Berryville
FROM: Matthew McElhaney, PE
SUBJECT: Battletown Run Sanitary Sewer Study
DATE: 02/17/2026

A sanitary sewer capacity study was completed for the proposed Battletown Run development to evaluate available capacity in the existing sanitary sewer system tributary to the 18-inch trunk sewer located south of Main Street. The study was developed in accordance with the applicable sanitary sewer evaluation criteria in the Town of Berryville Construction Standards and Specifications Manual (2025) and is based on field-run as-built information collected for the existing upstream system.

Using the proposed development layout and the verified as-built system configuration, projected wastewater flows from Battletown Run were calculated and compared to the capacity of the downstream collection system leading to the 18-inch trunk line. The analysis indicates that the additional flow generated by the proposed development will not create any adverse impacts to the existing sanitary sewer system under the conditions evaluated, and that the downstream system has adequate capacity to convey the proposed flows to the trunk sewer connection point.

To facilitate review, the supporting study documentation and exhibit are provided herewith and summarize the assumptions, as-built information utilized, flow projections, and capacity findings.

Please let me know if you need anything further to move this sanitary sewer capacity study to approval or if you have any questions, comments, or concerns. I can be reached at mmcelhaney@urban-ltd.com or 703-642-8080.

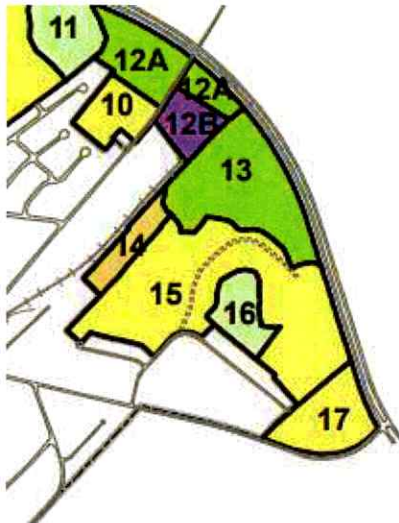


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LAND
SURVEYORS

MEMORANDUM

TO: Town of Berryville
FROM: David T. McElhaney, PE
SUBJECT: Battletown Run Proposed Development – Comprehensive Plan
Development Yield
DATE: 02/19/2026

As requested by Keith Dalton, I'm providing this memorandum that provides some additional information related to the comprehensive plan density for the subject residential development that is currently being processed through the Town. There has been some questions relating to what the 2015 Berryville Area Plan (hereafter "Plan") recommends as a development yield. The proposed development comprises SUB-AREAS 13, 14, and 15 per MAP 4 from the Plan. See screenshot below:



Per page II-24, SUB-AREA 13 only allows single family dwellings on lots no smaller than 10 acres in size. SUB-AREA 14 is recommended for medium-low density residential development at a density of 4 units per acre as identified on page II-25 of the Plan. SUB-AREA 15 is recommended for residential development of 2 units per acre or 4 units per acre depending on whether certain elements have been provided per page II-26 & 27 of the plan. According to the Plan, SUB-AREA 15 has one-third of it's area as slopes greater than fifteen percent with a portion exceeding 25 percent. The Plan includes a Table 12 which summarizes this information as shown below.



Sub Area	Title	Planned Land Use	Residential Types	Planned Density	Original Area (acres)	Approx. Area (acres)	Original Yield	Revised Yield (2015)	Res. Units Used (2015) ⁶	Remaining Res. Units ⁶	Unbuilt Res. Units ⁶
1	Western Gateway	Institutional ¹	SFD, SFA, MF/OPR	n/a ¹	23	16.6	n/a ¹	n/a ¹	0	n/a ¹	n/a ¹
2	Fairgrounds	Institutional ¹	SFD, SFA, MF/OPR	n/a ¹	55	58.9	n/a ¹	n/a ¹	0	n/a ¹	n/a ¹
3	CCHS/Battlefield Estates South	Low-Density Res.	SFD	2 RU/AC	87	84.4	143	same	73	71	1
4	Battlefield Estates North	Low-Density Res.	SFD	2 RU/AC	61	50.1	80	same	63	18	7
5	Battlefield Estates East	Med-Low Density Res.	SFD	4 RU/AC	22	30.8	62	same	58	0	4
6	Battlefield Estates Business	Business/Office	n/a	0.3 FAR	10	15.95	95,000 SF/GLA	same	n/a	n/a	n/a
6A	Mosby Flexible Residential Area	Med-Density OPR	SFD, SFA, MF/OPR	n/a ²	18	19.2	300 (max 120 multi-family)	see note ⁷	3	n/a ²	n/a ²
7	Northern Gateway/Mosby Highway Commercial	Highway-Visitor Comm.	n/a	0.3 FAR	22	23.1	200,000 SF/GLA	same	n/a	n/a	n/a
8	Green Hill Cemetery (REMOVED)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
9	Northern Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	33	41.7	54	54	54	0	54
10	First Street Residential Area	Low-Density Res.	SFD	2 RU/AC	36	9.5	51	6	0	6	6
11	Soldier's Rest Preservation Area	Limited Residential	SFD	1 RU/10 AC	14	13.8	1	same	1	0	0
12A	First Street Conservation Area	Limited Residential	SFD	1 RU/10 AC	22	26.3	2	0	0	0	0
12B	First Street Light Industrial Area	Light Industrial	n/a	0.3 FAR	8	6.5	75,000 SF/GLA	same	n/a	n/a	n/a
13	Buckmarsh Run Conservation Area	Limited Residential	SFD	1 RU/10 AC	29	32	2	3	0	3	3
14	Northeast Residential Transition Area	Med-Low Density Res.	SFD	4 RU/AC	8	7.2	n/a ¹	28	0	28	0
15	Northeastern Residential Growth Area	Low-Density Res.	SFD	2 RU/AC	52	63.1	81	same ⁷	0	81	0
16	Del Val Residential Area	Limited Residential	SFD	1 RU/10 AC	13	9.0	1	same	1	0	0

⁷ Sub-Area 15 may be a candidate for additional density at 4 units/acre with additional units taken from the total number of unused units in the Annexation Area.

Based on this chart, the yield for the three sub areas equates to 112 (3 +28 +81). This assumes only 2 units per acre for SUB-AREA 15. It is noted that the chart identifies SUB-AREA 13 as approximately 32 acres, SUB-AREA 14 as approximately 7.2 acres, and SUB-AREA 15 as approximately 63.1 acres.

As part of our legislative application, a detailed topographic and boundary survey was prepared. Obviously, this information is more accurate than the preliminary land area and slope information identified in the Plan. Using this survey, we found the SUB-AREA 14 is 7.7 acres and SUB-AREA 15 is 58.5 acres. We also conducted a slope analysis and found that there was only about 2.1 acres of slopes between 15 and 25 percent and .28 acres of slopes over 25 percent. The slope areas above represent areas outside the floodplain. It is also noted that we found 3.4 acres of floodplain in the low density residential areas. When using the Town's procedures for taking density reductions for floodplain areas and steep slopes, my computed comprehensive plan development yield is 138 units which is well above the Table 12 yield of 112 units. It appears that the Plan chart assumed a very high steep slope value which resulted in a significant reduction in the potential development yield. Below is my computations for the potential development yield which is based on the detailed surveys referenced earlier.



PROJECTED COMPREHENSIVE PLAN DEVELOPMENT YIELD COMPUTATION

MASTER DEVELOPMENT PLAN AREA	100.04AC
AREA WITHIN MED-LOW DENSITY RESIDENTIAL:	±7.77 AC
AREA WITHIN LOW DENSITY RESIDENTIAL:	±58.50 AC
AREA WITHIN HISTORICAL/CULTURAL PRESERVATION:	±6.01 AC
25% SLOPE OR GREATER SLOPE LAND WITHIN MED-LOW DENSITY:	0.00 AC
15% TO 25% SLOPE WITHIN MED-LOW DENSITY:	±0.06 AC
25% SLOPE OR GREATER SLOPE LAND WITHIN LOW DENSITY:	±0.20 AC
15% TO 25% SLOPE WITHIN LOW DENSITY:	±2.04 AC
LAND WITHIN FLOODPLAIN WITHIN LOW DENSITY:	±3.40 AC

POTENTIAL COMPREHENSIVE PLAN YIELD BASED ON LOW DENSITY RESIDENTIAL @ 2DU/AC

$$\begin{aligned}
 \text{LOW DENSITY: } & (58.50 - 3.40 - 2.04 - .20) \div 2 + 2.04 \left(\frac{1}{2}\right) = 107.76 \\
 \text{MED-LOW DENSITY: } & (7.77 - 0.06) \div 4 + 0.06 \left(\frac{1}{2}\right) = 30.96 \\
 \text{POTENTIAL YIELD} & = 138.72 \text{ OR } 138 \text{ UNITS}
 \end{aligned}$$

Please note that the above was taken directly from sheet 13 of the Master Development and Rezoning Plan and it includes more detail including the floodplain and steep slope locations.

Based on the foregoing, I would submit that we do not exceed the actual number of units permitted by the Plan when using more accurate topographic information. Battletown Run proposes a total of 134 units which is below the potential comprehensive plan yield computed on updated topographic information which is 138 units.

I'm happy to have further discussions on this matter and answer any questions.

Planning Commission Agenda Item Report Summary

March 24, 2026

Item Title

Set Public Hearing – Special Use Permit – April 28, 2026 Meeting

Prepared By

Terry Russell

Belfort Furniture, Inc., is requesting a Special Use Permit in order to allow a retail sales (Section 609.3(h) of the Town of Berryville Zoning Ordinance) on the property located at 351 Station Road, identified as Tax Map Parcel number 14A5-((7))-1, 14A5-((7))-2, and 14A5-((A))-56 zoned L-1 Industrial. SUP 01-26

Background/History/General Information

Belfort Furniture is requesting a Special Use Permit in order to allow retail sales in the L-1 Industrial Zoning District at the location referenced above. Section 609.2(h) of the Berryville Zoning Ordinance allows *“Retail sales incidental to a manufacturing, production or related use, provided that: a) the gross floor area used for retail purposes (excluding storage) shall not occupy more than five-thousand (5,000) square feet of gross floor area on any one lot, and shall not exceed twenty-five (25) percent of the total floor area for the site; and b) the areas dedicated for retail uses must be indicated on an approved site plan. The provisions of this Section shall not apply to those permitted or special permit uses for which retail sales are a primary activity.”*

The Special Use Permit process allows for the ability to set conditions on specific uses and parcels which may include hours of operation, site requirements, and items deemed appropriate as recommended by the administrative body and approved by the governing body.

Findings/Current Activity

The parcel is approximately 22 acres and is located at 351 Station Road, a private road owned by Norfolk-Southern Railroad.

There is one building on the parcel. Public water and sewer are on-site.

Belfort furniture is a furniture retailer. It intends to use most of facility for the warehousing of furniture to be sold in its main store. The Special Use Permit request is for a 5,000 square foot retail store in conjunction with the warehouse.

Schedule/Deadlines

The application was filed on March 19, 2026.

Other Considerations

N/A

Recommendation

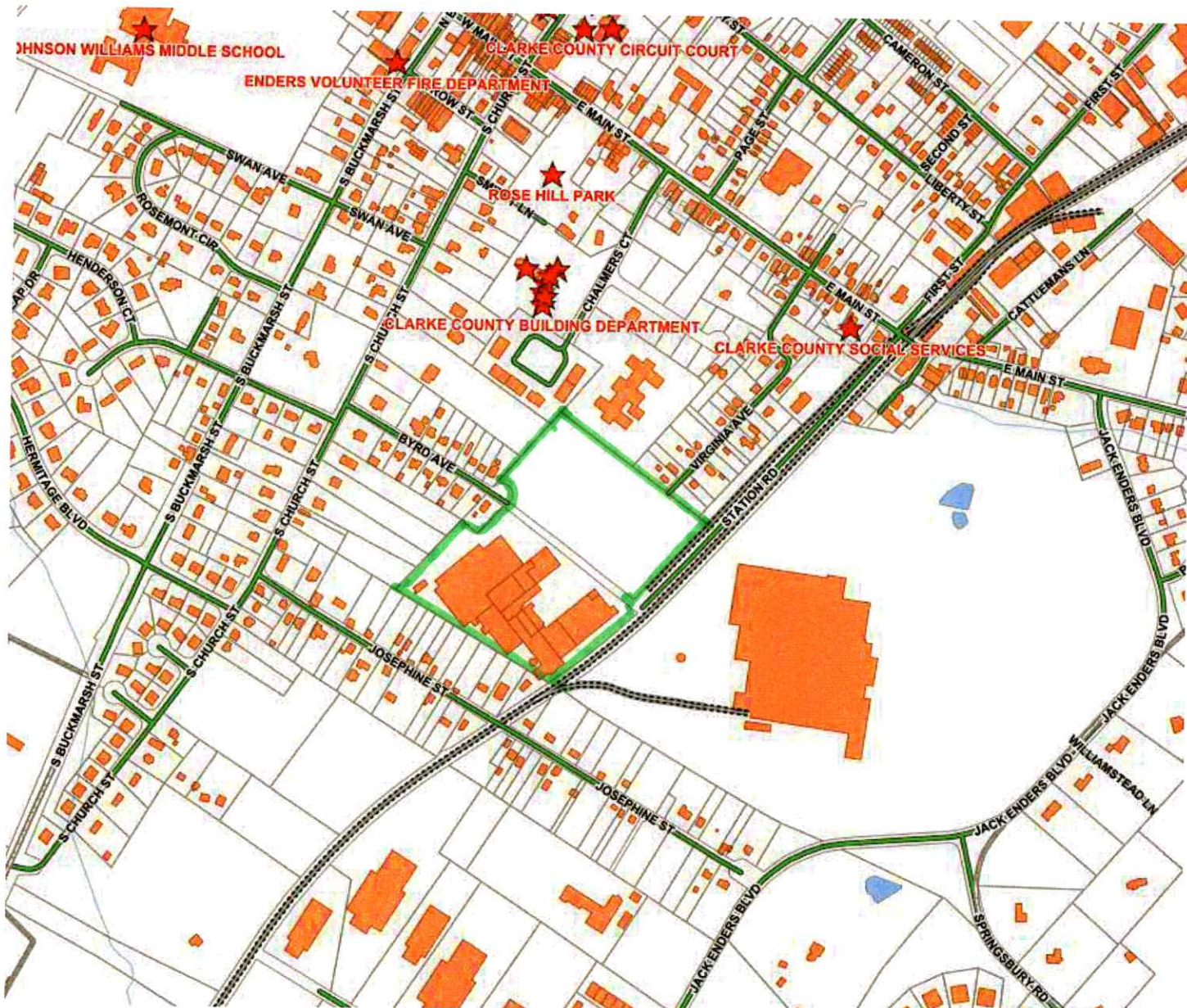
Set a public hearing for the April 28, 2026 Planning Commission meeting.

Sample Motion

I move that the Planning Commission of the Town of Berryville set a public hearing for a Special Use Permit in order to allow retail sales at 351 Station Road to be held at the Planning Commission meeting on April 28, 2026

Attachments:

- Vicinity map
- Application
- Site plan
- Section 609 L-1 Industrial District Berryville Zoning Ordinance
- Section 503 Special Use Permit Berryville Zoning Ordinance



Town of Berryville
101 Chalmers Court – Suite A
Berryville, Virginia 22611
Phone: (540) 955-4081 Fax: (540) 955-4524 E-mail: planner@berryvilleva.gov

SPECIAL USE PERMIT APPLICATION

Please Note: This is an application only. The permit will be issued only if approved by the Berryville Town Council after review and recommendation from the Planning Commission.

To be completed by Applicant:

Date: MARCH 17, 2026

Applicant's Name: BELFORT FURNITURE INC.

Applicant's Address: 22250 SHAW RD, STERLING VA 20166

Use Applied For: RETAIL SALES INCIDENTAL TO WAREHOUSING USE (609.3(h))

At the following address: 351 STATION RD, SUITE #1, BERRYVILLE, VA 22611

Special Conditions: 5,000 SQ.FT. RETAIL USE PLANNED TO BE ADJACENT TO CUSTOMER PICK UP AREA OF DISTRIBUTION CENTER. THIS IS LESS THAN 5% (UNDER THE 25% LIMIT) OF TOTAL WAREHOUSING USE.

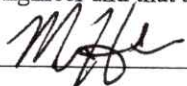
Property Owner's Name: STERLING DAVIS PROPERTIES, LLC

Property Owner's Address: 22250 SHAW RD, STERLING, VA 20166

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature:  Date: 3/17/2026

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature:  Date: 3/19/2026

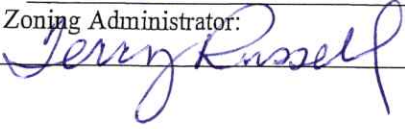
TO BE COMPLETED BY ZONING ADMINISTRATOR

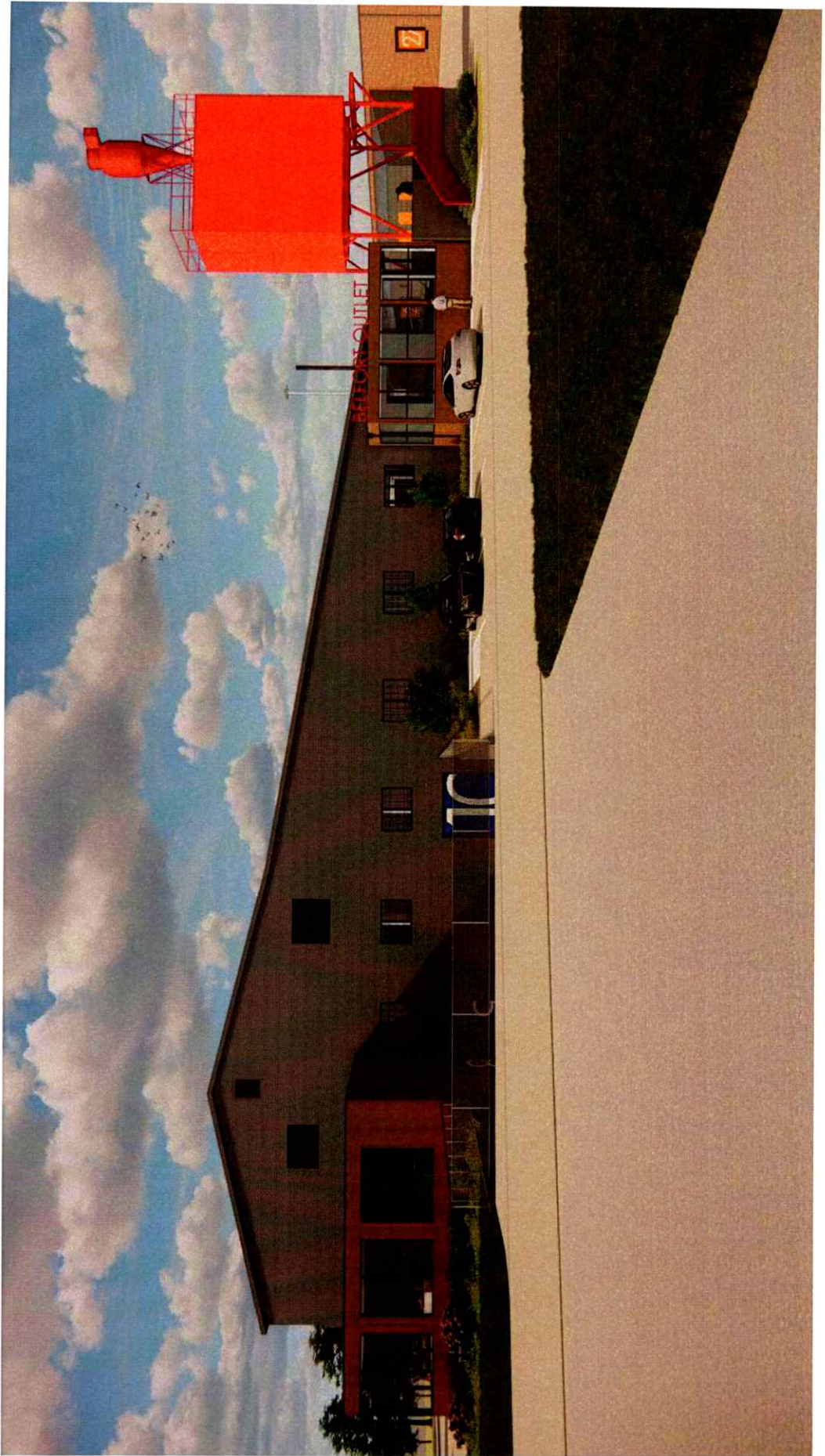
Special Use: RETAIL SALES 609.3(h) Zone: L-1

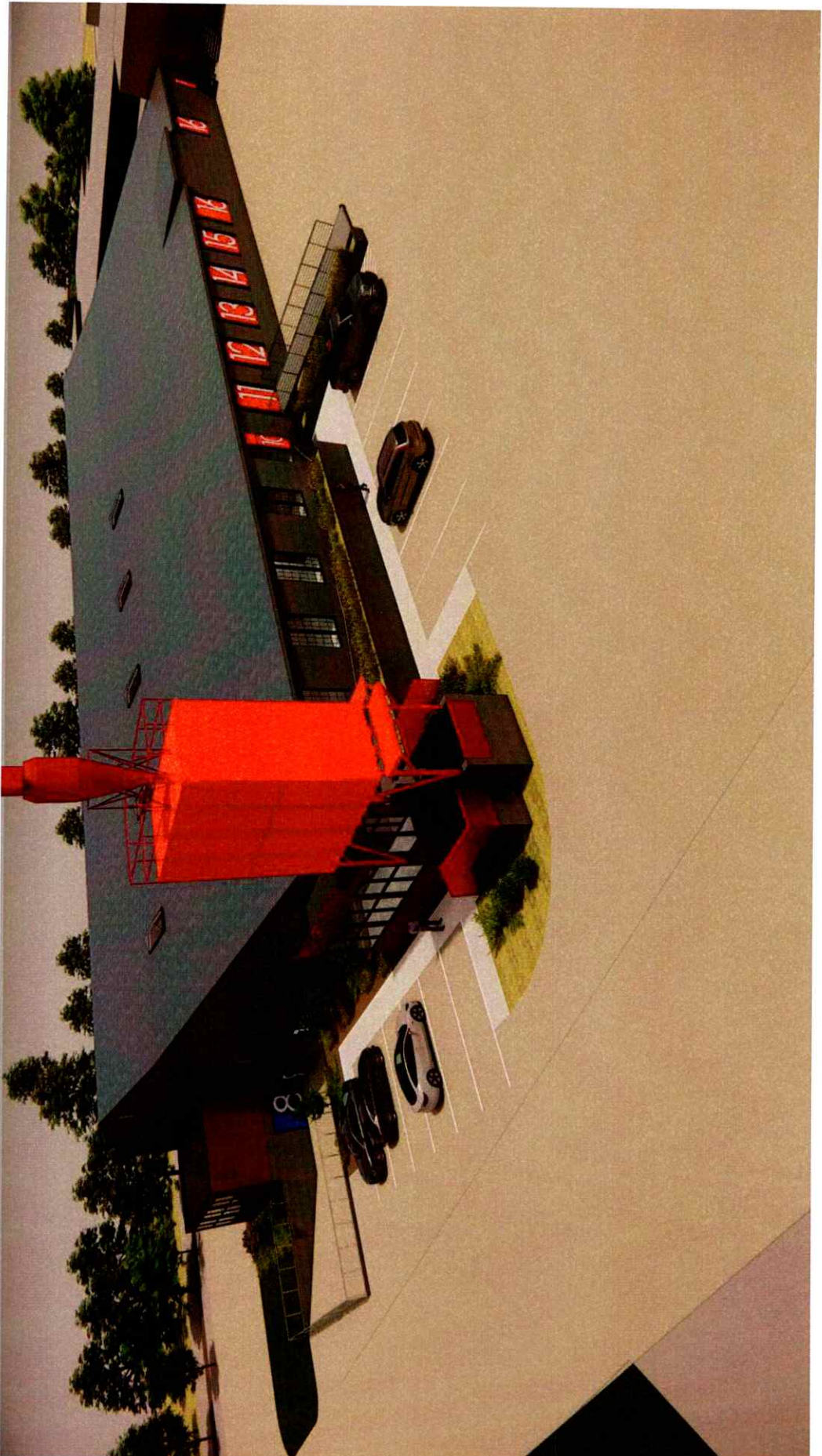
Street Address: 351 STATION RD. Tax Map #: _____

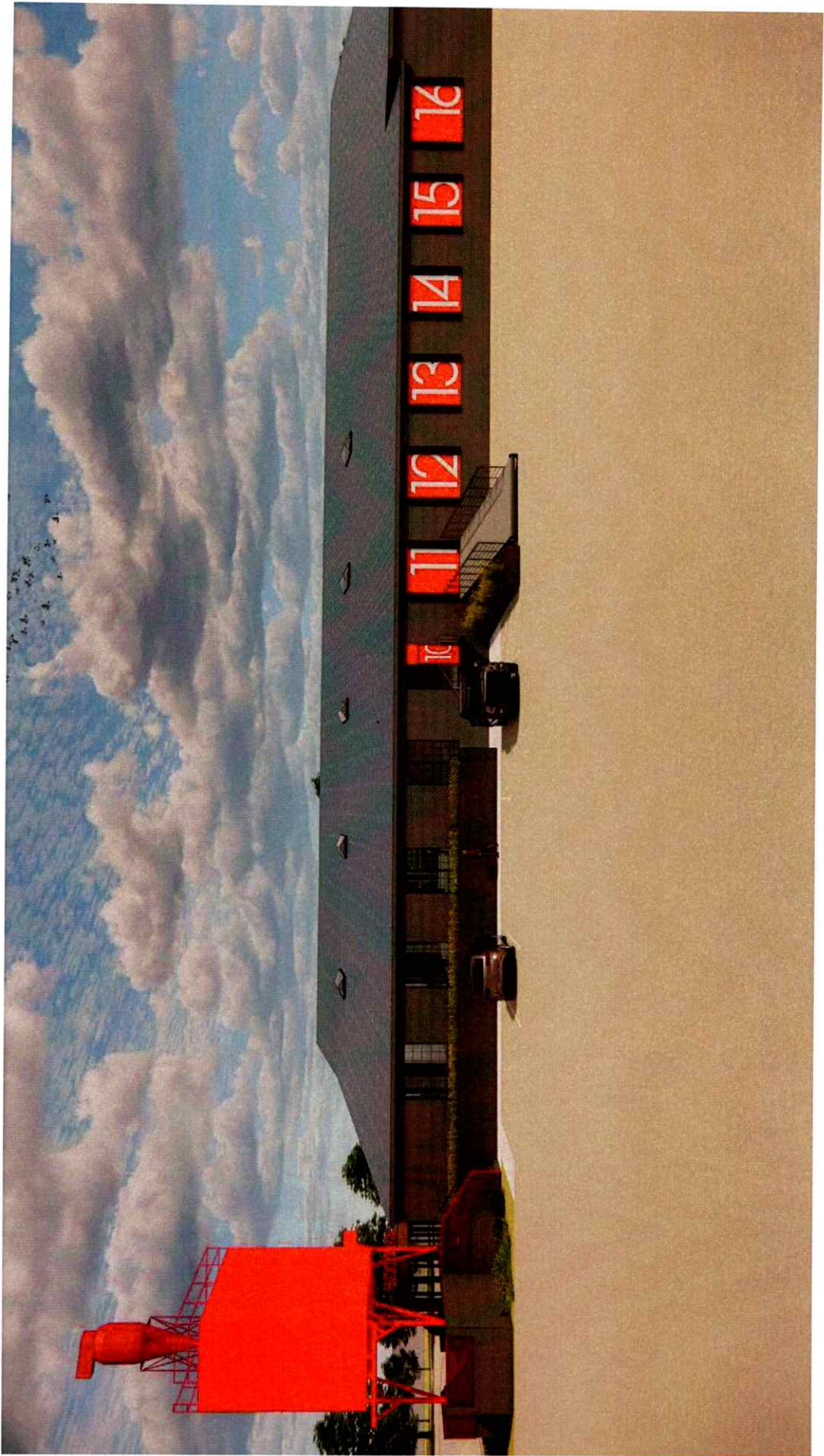
Special Use Permit Fee: \$2500.00 Paid: 3-19-26

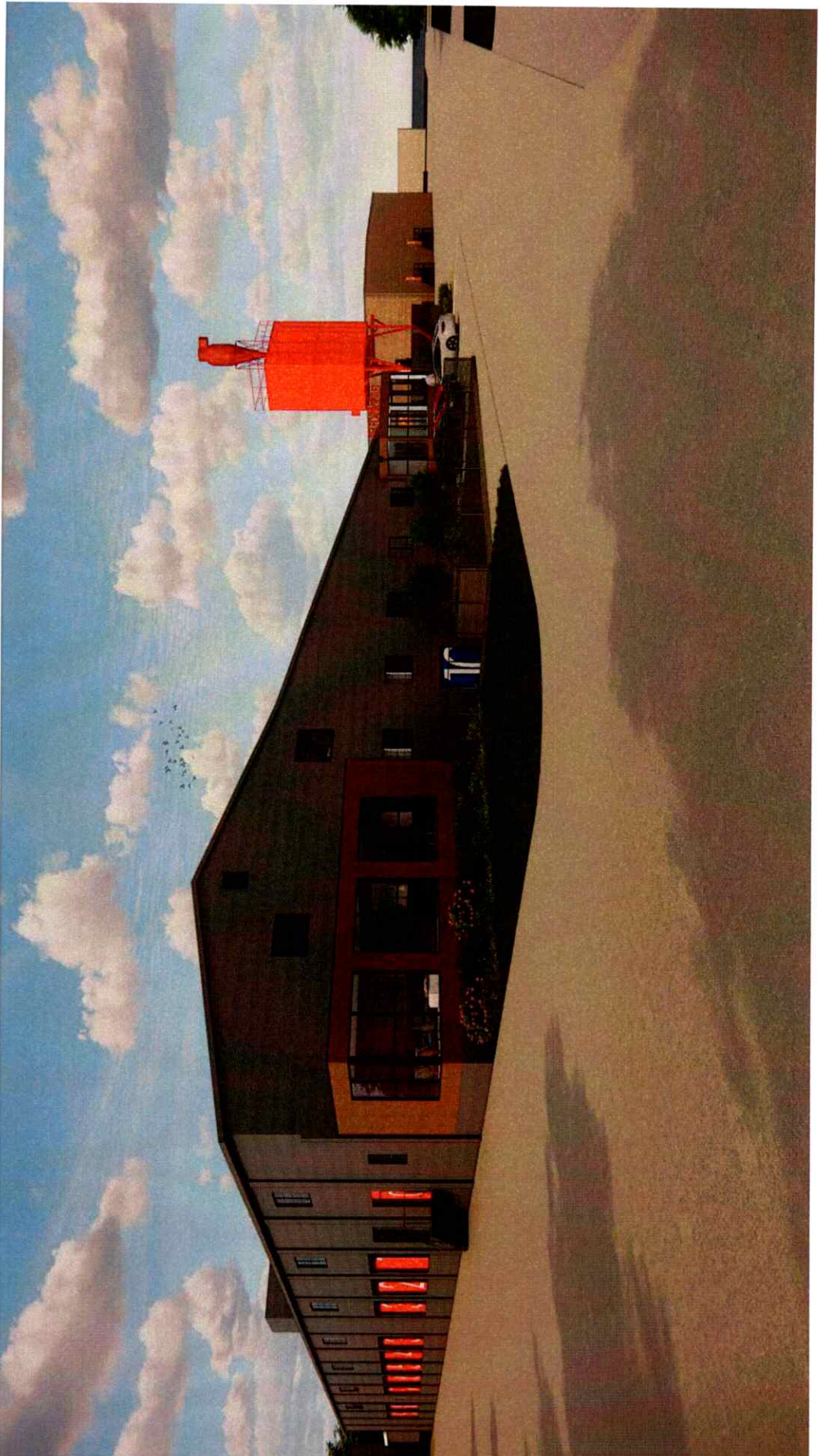
Site Plan Fee: NA Paid: 14A5((7))2 + 1; 14A5((A))56

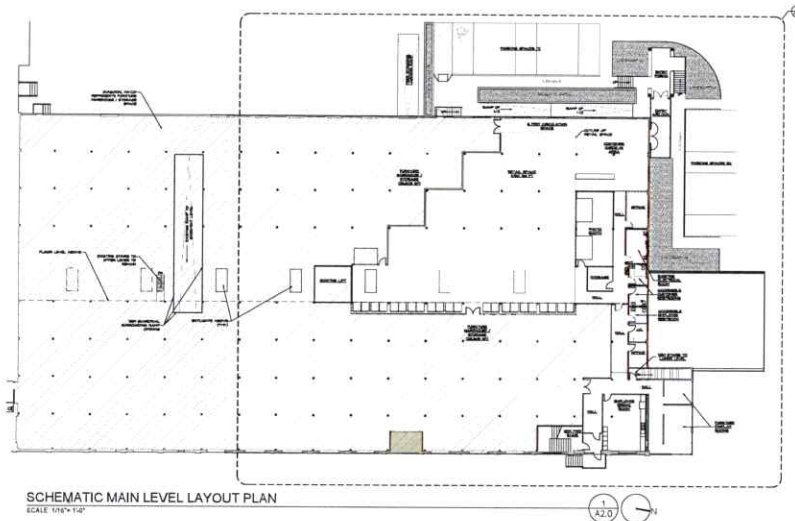
Signature of Zoning Administrator:  Date: 3-19-26











SCHEMATIC MAIN LEVEL LAYOUT PLAN
SCALE: 1/8" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

DATE

A2.0

DATE: 04/01/17

REVISIONS

NO.

DESCRIPTION

DATE

BY

CHKD

APPD

DATE

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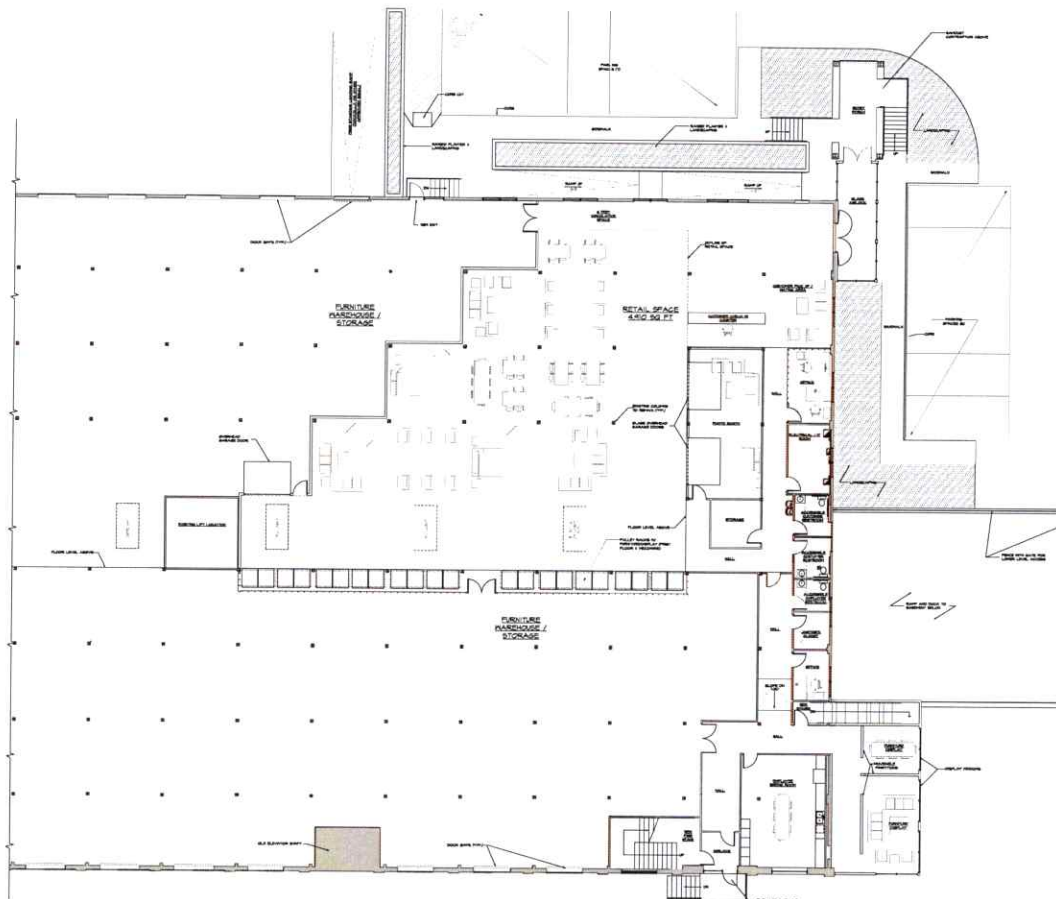
APPD

BELFORT OUTLET & WAREHOUSE
351 STATION RD
BERRYVILLE VA

READER & SWARTZ
ARCHITECTS P.C.
417 N. CAMDEN ST. WINCHESTER, VA 22601 TEL: 740-889-0213



COPYRIGHT 2017 BY READER & SWARTZ ARCHITECTS, P.C.



SCHEMATIC FIRST LEVEL FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 SHADED WALLS INDICATE EXISTING TO REMAIN (TYP.)

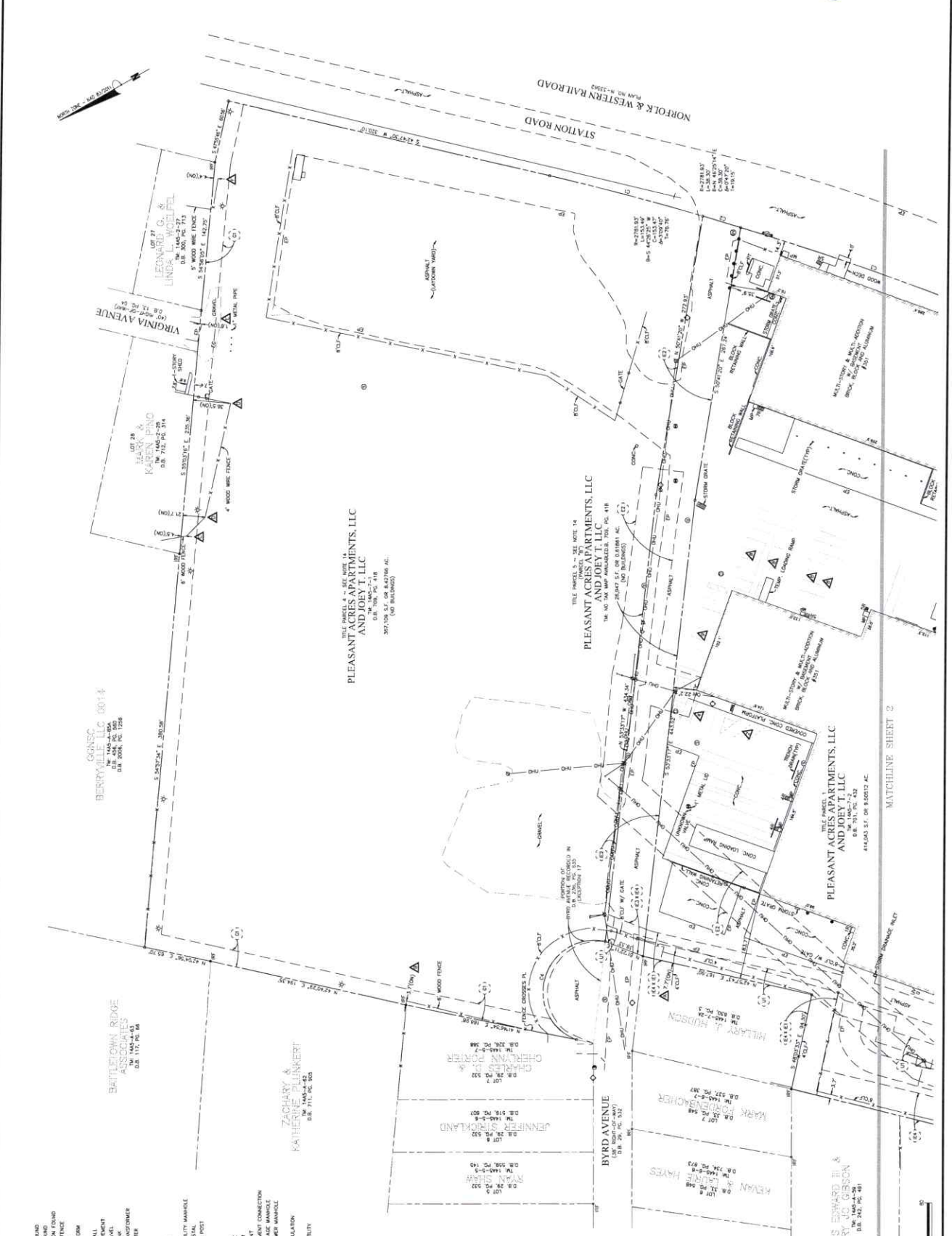


PRELIMINARY NOT FOR CONSTRUCTION

BELFORT OUTLET & WAREHOUSE 351 STATION RD BERRYVILLE VA	
READER & SWARTZ ARCHITECTS P.C. 211 N. GARDEN ST. WINCHESTER, VA 22601 TEL: 800-488-0213	
DATE: 04/20/17, 05/04/17 REVISIONS:	SHEET:
A2.1	

Bowman

[illegible]



SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

The L-1 Industrial District is established to provide locations within the Town of Berryville for a broad range of general light-industrial uses, recreational and event venues, infill development, and employment-related businesses operating under well-governed performance standards. The specific uses permitted within the L-1 District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted that might be harmful to the adjoining land uses and the residential ambience of the community at large. Adaptive reuse is encouraged in the L-1 District. Outdoor storage and heavy industrial uses are discouraged but may be permitted by special use and environmental performance review. The L-1 District recognizes and is to be applied to existing conforming industry in the Town of Berryville as of the date of adoption of this District. Existing industrial uses shall be considered as satisfying the purpose and intent of the L-1 District, but expansion of existing industrial uses shall conform to the provisions herein. (08/16)

609.2 PERMITTED USES (12/94)

- (a) Auction establishments (indoor only) (5/95)
- (b) Business and professional offices (7/99)
- (c) Business service, supply and delivery establishments
- (d) Contractor's establishments without outdoor storage
- (e) Establishments for the production, processing, assembly, manufacturing, compounding, cleaning, servicing, testing and repair of materials, goods or products which conform to applicable Federal, State and local environmental performance standards or other standards referenced by the Town as related to (a) air pollution; (b) fire and explosion hazards; (c) radiation hazards; (d) electromagnetic radiation and interference hazards; (e) liquid and solid wastes hazards; (f) noise and odor standards; and (g) vibration standards.
- (f) Existing or expansion of existing industrial uses in operation as of the date of adoption of this Ordinance which conform to the previous industrial zoning district requirements.
- (g) Farm supply establishments
- (h) Financial institutions
- (i) Indoor mini-storage facilities
- (j) Light manufacturing, fabrication, testing or repair establishments without outdoor storage
- (k) Light warehousing establishments, without outdoor storage
- (l) Light wholesale trade establishments, without outdoor storage
- (m) Printing and publishing establishments
- (n) Private training and vocational schools
- (o) Public utilities (sub-stations, pump stations, transmission/receiving facilities and lines for telecommunications and similar uses, storage tanks, etc.)
- (p) Sheet metal shops
- (q) Small animal veterinary hospitals, exclusive of boarding kennels
- (r) Vehicle and machinery service, and parts sales ("service" including but not limited to internal and external repair, body work, paint, car washes, etc.)

Section 609 Industrial (L-1) District

- (s) Welding shops
- (t) Craft beverage manufacturing (03/18)

609.3 SPECIAL PERMIT USES

- (a) All above permitted uses requiring outdoor storage (10/94)
- (b) Day care centers (12/94)
- (c) Eating establishments including microbreweries, wineries, and distilleries (05/95, 08/16)
- (d) Heliports
- (e) Laundry and dry cleaning establishments
- (f) Lumber yards and building materials establishments
- (g) Motor freight terminals
- (h) Retail sales incidental to a manufacturing, production or related use, provided that:
 - a) the gross floor area used for retail purposes (excluding storage) shall not occupy more than five-thousand (5,000) square feet of gross floor area on any one lot, and shall not exceed twenty-five (25) percent of the total floor area for the site; and
 - b) the areas dedicated for retail uses must be indicated on an approved site plan.The provisions of this Section shall not apply to those permitted or special permit uses for which retail sales are a primary activity. (12/07)
- (i) Scientific research, development, and training establishments
- (j) Service stations
- (k) Vehicle and machinery sales and rentals
- (l) Recreation, commercial indoor (06/10)
- (m) Retreat and conference centers (08/16)
- (n) Residential lofts and apartments (08/16)
- (o) Wholesale/retail food hubs (08/16)
- (p) Commercial kitchens (08/16)
- (q) Hotels, motels, and accommodations (08/16)
- (r) Short-term rentals (10/23)

609.4 PROHIBITED USES

The specific uses which follow shall not be permitted in the L-1 District:

- (a) Asphalt mixing plants
- (b) Blast furnaces
- (c) Boiler works
- (d) Bulk storage of flammable materials
- (e) Coal, wood or wood distillation
- (f) Concrete mixing and batching products
- (g) Extraction or mining of rocks and minerals
- (h) Garbage incineration
- (i) Junk yards
- (j) Landfills
- (k) Manufacture of ammonia, chlorine, fertilizer, lime, cement, fireworks, explosives, soaps, acids, pesticides, herbicides or insecticides
- (l) Metal foundries and smelting
- (m) Petroleum, asphalt or related product refining
- (n) Rendering plants
- (o) Slaughterhouses

Section 609 Industrial (L-1) District

- (p) Stockyards
- (q) Tanning and curing of skins
- (r) Any other similar use which in the opinion of the Town Council might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause

609.5 MAXIMUM LOT COVERAGE

- (12/91) The maximum lot coverage—including buildings, streets, parking spaces, driveways, loading areas and all other impervious surfaces—shall not be greater than seventy-five percent (75%) of the area of an L-1 lot.

609.6 MINIMUM DISTRICT SIZE

The minimum district size shall be four (4) acres.

609.7 LOT SIZE REQUIREMENTS AND BULK REGULATIONS

- (a) Minimum lot area: 30,000 square feet
- (b) Minimum lot width: 125 feet
- (c) The maximum building height shall be forty (40) feet, except in particular instances the Town Council may, upon recommendation from the Planning Commission or its agent, modify the maximum building height.
- (d) Minimum yard requirements
 - (1) Front yard: 50 feet
 - (2) Side yard: 25 feet (except where side yard abuts a public right-of-way the side yard shall be 50 feet) (5/94)
 - (3) Rear yard: 50 feet (5/94)

609.8 OPEN SPACE

- (a) An open space plan and landscape design program shall be submitted with applications for any land use governed by this District.
- (b) Twenty five percent (25%) of the site shall be landscaped open space. Landscaping may be limited to setback areas and unused portions.

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

- (a) No parking space shall be located closer than fifteen (15) feet from any common property line.
- (b) Where lot is contiguous to property located in any district other than the L-1, I, C-1 or C-2 District, no parking space shall be closer than 40 feet from such property line. (5/94)
- (c) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped and elderly.
- (d) Refer to Section 305 for additional off-street parking requirements.

609.10 SETBACK, BUFFERING AND LANDSCAPING

- (a) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, all buildings shall have a minimum 60-foot setback from lot lines. In particular instances the Town Council may waive the 60-foot setback requirement, upon recommendation from the Planning Commission. (5/94)

Section 609 Industrial (L-1) District

- (b) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, a landscaped buffer strip of 30 feet in width shall be provided, with landscape materials and placement subject to final plan approval. Where contiguous to a C-1 or C-2 District property, the landscaped buffer strip shall be 15 feet. Approved fencing or additional buffering may be used in lieu of landscaping. (5/94)

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

- (a) The outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan.
- (b) All equipment and materials shall be contained entirely within a building or screened from public rights-of-way and contiguous properties that are in land uses other than industrial in nature.
- (c) Any establishment involved with the storage of fuel for sale, or for other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the Town Council.
- (d) All refuse shall be contained in completely enclosed facilities and shall be screened.

609.12 STREET ENTRANCES

- (a) On a corner lot, no street entrance shall be located closer than 60-feet to the curb line extended from the intersecting street. This distance may be increased with respect to the types and turning radii of vehicles using the site.
- (b) No street entrance shall be located closer than 30 feet to a side or rear lot line, unless a common street entrance serves adjacent uses, and in no instance shall the distance between separate street entrances serving adjacent uses be less than 60 feet. The maximum width of such street entrances shall not exceed thirty feet (30').
- (c) A freestanding use shall have no more than two street entrances on any single right-of-way, and such street entrances shall have a minimum distance of 90 feet between them.

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

- (a) All uses shall be subject to final site plan approval.
- (b) Any L-1 District land use application which is not in strict compliance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use.
- (c) Master site plans and preliminary plats for L-1 Districts shall include provisions for:
 - (1) adequate public facilities;
 - (2) development phasing;
 - (3) stormwater management facilities to address the ultimate development coverage within the district;
 - (4) lighting and signing; and
 - (5) other special features and land use considerations deemed necessary to serve the industrial district.

Section 609 Industrial (L-1) District

- (d) Applications for all uses subject to special use permits shall be accompanied by a report indicating the compliance with and use compatibility issues related to the Town's applicable performance standards.

609.14 ADDITIONAL REQUIREMENTS

- (a) Public Streets within the L-1 District shall be constructed to industrial road standards as determined by the Town Council or its agent. Sidewalks may be required on one or both sides of the street.
- (b) Common property ownership agreements and covenants for L-1 District developments shall be reviewed and approved by the Town Council or its agent.
- (c) Refer to Section 306 for off-street loading requirements.
- (d) Refer to Sections 301-304 for general regulations and other provisions which may supplement those cited herein.
- (e) Refer to specific Overlay Zoning districts, where applicable.

SECTION 503 - SPECIAL USE PERMIT

503.1 PROVISIONS FOR SPECIAL USE PERMITS

- (a) In consideration of an application filed with the Zoning Administrator, the Council may, after a public hearing, authorize the establishment of those uses that are expressly listed as Special Permit uses in a particular zoning district.
- (b) In addition to all applicable conditions and requirements of this Ordinance, the Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of this Ordinance.
- (c) Once a Special Use Permit is granted, the use shall not be enlarged, extended, increased in intensity or relocated unless authorized by the Council.
- (d) Whenever a Special Use Permit is granted by the Council, the authorized activities shall be established within one (1) year of the date of approval, or such Special Use Permit shall expire without notice.
- (e) Should the owner or operator of the use covered by the Special Permit fail to observe all requirements of law with respect to the maintenance and conduct of the use and all permit conditions, the Council may, after due notice to permit holder and a public hearing, revoke the Special Use Permit.

503.2 APPLICATIONS

An application for a Special Use Permit may be submitted by the property owner of record, tenant, or contractor owner.

503.3 APPLICATION REQUIREMENTS

Applications for Special Use Permits shall be accompanied by seven (7) copies of the following items:

- (a) Letter of request, signed by property owner and applicant, outlining complete details of special use desired.
- (b) Site development plan.
- (c) Floor plan, front, side, and rear elevations of proposed new buildings.
- (d) Certified house location plat.
- (e) Information deemed necessary by the Zoning Administrator.
- (f) Applicable filing fee.

503.4 APPLICATION PROCEDURE

- (a) Application submitted to Zoning Administrator, which shall be referred to the Planning Commission for recommendation, and a public hearing shall be scheduled by the Town Council.
- (b) Review by the Planning Commission (public hearing if desired) and recommendation to Town Council.
- (c) Public hearing by Town Council.
- (d) Town Council action (In acting upon the application, the Town Council shall consider the following, among other relevant factors):
 - 1. The health, safety, and welfare of the general public.
 - 2. Physical and visual impact on adjoining and abutting properties.
 - 3. Adequate utilities, drainage, parking, and other necessary facilities to serve the proposed use.

Section 503 Special Use Permit

4. Compliance with the adopted master plan.
 5. Environmental compatibility.
 6. Community sentiment.
- (e) Applicant to be notified by Zoning Administrator of Town Council action.

SECTION 504 - SCHEDULE OF FEES, CHARGES, AND EXPENSES

- 504.1** The Town Council shall establish, by resolution, a schedule of fees, charges, and expenses and collection procedures for zoning permits, certificates of use and occupancy, special permits, variances, appeals, amendments, and other matters pertaining to this Ordinance.
- 504.2** The schedule of fees shall be available for inspection in the office of the Zoning Administrator and may be altered or amended by the Governing Body by resolutions. Until all application fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Planning Commission Agenda Item Report Summary

March 24, 2026

Item Title

Set Public Hearing – Special Use Permit – April 28, 2026 meeting

Prepared By

Terry Russell

Beach Carpenter Properties LLC, Jon K. Erickson, agent, is requesting a Special Use Permit in order to allow vehicle sales (Section 609.3(k) of the Town of Berryville Zoning Ordinance) on the property located at 29 Cattleman's Lane, identified as Tax Map Parcel number 14A3-((A))-17A, zoned L-1 Industrial. SUP 02-26

Background/History/General Information

Beach Carpenter Properties LLC is requesting a Special Use Permit in order to allow vehicle sales in the L-1 Industrial Zoning District at the location referenced above. Section 609.3(k) of the Berryville Zoning Ordinance allows for *vehicle and machinery sales and rentals* with an approved Special Use Permit.

The Special Use Permit process allows for the ability to set conditions on specific uses and parcels which may include hours of operation, site requirements, and items deemed appropriate as recommended by the administrative body and approved by the governing body.

Findings/Current Activity

The parcel is located at the end of Cattleman's Lane, a private road owned by Norfolk-Southern Railroad.

The applicant is not proposing any improvements to the site. They intend to have vehicles for sale. Customers would come to the site to view and test drive the vehicles. No vehicle repair would take place here.

Schedule/Deadlines

Set a public hearing for the April 28, 2026 meeting.

Other Considerations

N/A

Recommendation

Set a public hearing for the April 28, 2026 meeting.

Sample Motion

I move that the Planning Commission of the Town of Berryville set a public hearing on April 28, 2026 for a Special Use Permit in order to allow vehicle sales at 29 Cattleman's Lane.

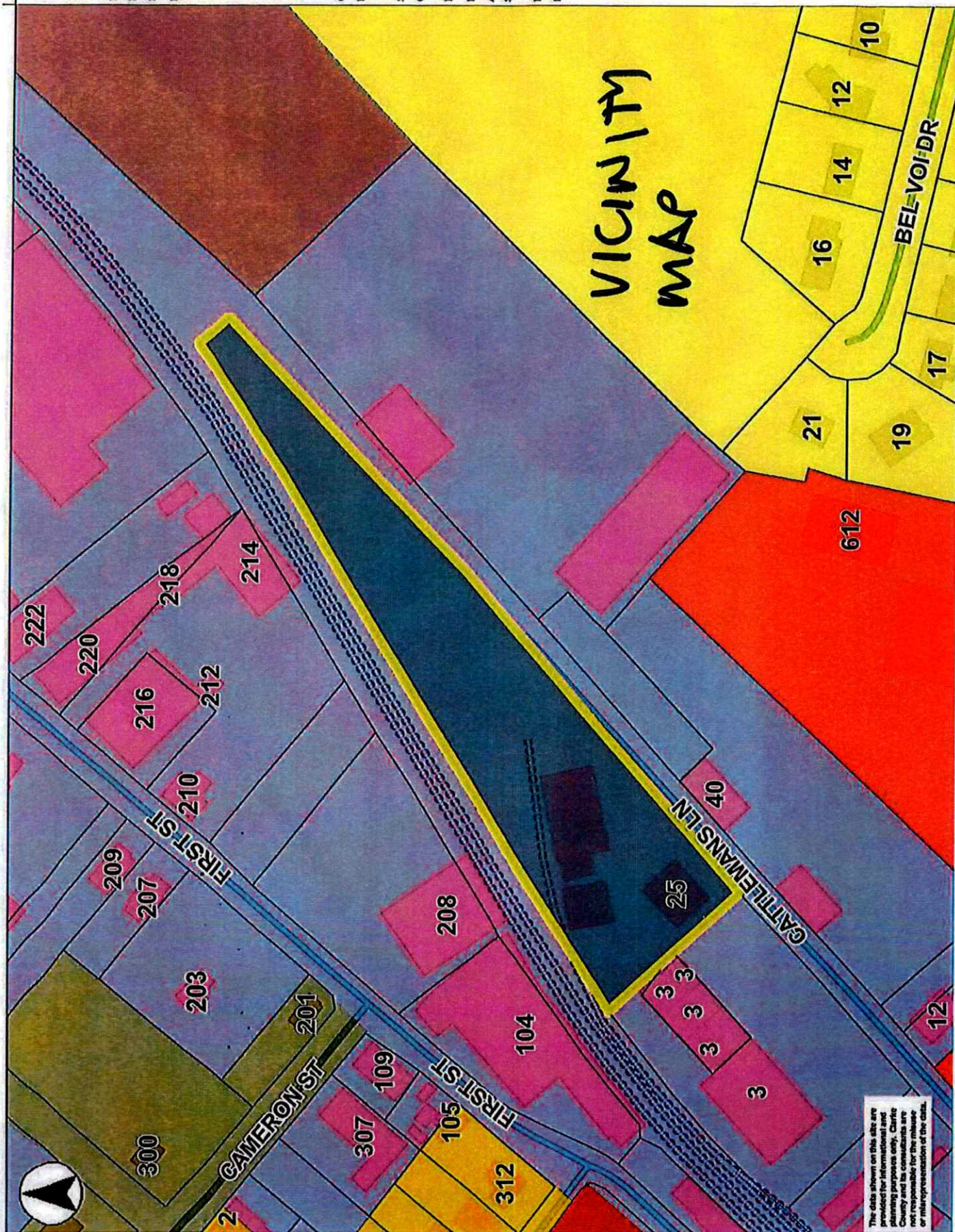
Attachments:

- Vicinity map
- Site plan
- Section 607 L-1 Industrial District Berryville Zoning Ordinance
- Section 503 Special Use Permit Berryville Zoning Ordinance



- Public
- Points of Interest
- Parcels
- Benlyville Zoning
 - Detached Res-1 (DR)
 - Detached Res-2 (DR)
 - Detached Res-4 (DR)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Detached Res (AR)
 - Detached Res (AR)
 - Open Space Res (OS)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (LC)
 - Light Industrial (LI)
 - Industrial (ITL)
 - Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
 - Surrounding Counties Opp
- Clarke County Roads
 - County Roads
 - Private Roads
 - Roads
 - Rail
- Buildings
 - Appalachian Trail
 - Streams
 - Perennial Streams
 - Intermittent Streams
 - Ponds
 - Rivers

VICINITY
MAP



The data shown on this site are provided for informational and planning purposes only. Clarke County and its consultants are not responsible for the release or misrepresentation of the data.

February 18, 2026

Beach Carpenter Properties

49 Catoctin Circle SE

Leesburg, VA 20175

Terry Russell

Town of Berryville

101 Chalmers Court, Ste A

Berryville, Virginia 22611

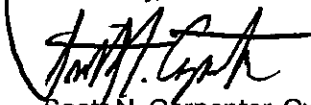
Dear Town of Berryville,

I am the owner of the property located at 29 Cattleman's Lane identified as Tax Map Number 14A3-A-17A, within the L-1 Industrial Zoning District in the Town of Berryville.

This letter serves as a formal request for approval of a Special Use Permit to allow vehicle and machinery sales and rentals on the subject property, as permitted under Section 609.3 of the Berryville Zoning Ordinance.

The proposed use is consistent with the intent of the L-1 Industrial District and is compatible with surrounding properties and existing land uses. Operations will comply with all applicable zoning ordinance requirements and operational standards established by the Town.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott N. Carpenter", is written over a large, stylized circular flourish.

Scott N. Carpenter, Owner, Beach Carpenter Properties

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property Owner Beach Carpenter Properties LLC

Owner's Address 49 Catoctin CIR SE, Leesburg, VA 20175

Phone 703-475-7814

Agent (Contact Person) Jon K. Erickson

Agent's Address 205 E Hirst Rd, Suite 106, Purcellville VA 20132

Phone 540-974-5334

Check Appropriate Request:

☐ Subdivision - creating more than 2 lots

☐ Minor Subdivision - single lot divided into 2 lots

☐ Boundary Line Adjustment

☐ Site Plan

☐ Rezoning

☐ Text Amendment: ☐ Zoning or ☐ Subdivision Ordinance

☐ ARB Certificate of Appropriateness

☐ Town of Berryville Utilities

☒ Other: Special Use Permit

Complete As Applicable:

Nature of Request/Proposal: SUP For Automobile Sales

Tax Map & Parcel Number(s): 3 14A3-A-17A

Size of Project Site: 3.5378 AC

Proposed # of Lots: 1 Existing Zoning L-1

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.

Signature: [Signature] Date: 2-18-26

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

Signature: [Signature] Date: 2-18-26

OFFICE USE ONLY

Public Hearing Required? ☐ Dates Advertised

Adjoining Property Owners Notified?

Action Taken:

SECTION 609 L-1 INDUSTRIAL DISTRICT

609.1 PURPOSE AND INTENT

The L-1 Industrial District is established to provide locations within the Town of Berryville for a broad range of general light-industrial uses, recreational and event venues, infill development, and employment-related businesses operating under well-governed performance standards. The specific uses permitted within the L-1 District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted that might be harmful to the adjoining land uses and the residential ambience of the community at large. Adaptive reuse is encouraged in the L-1 District. Outdoor storage and heavy industrial uses are discouraged but may be permitted by special use and environmental performance review. The L-1 District recognizes and is to be applied to existing conforming industry in the Town of Berryville as of the date of adoption of this District. Existing industrial uses shall be considered as satisfying the purpose and intent of the L-1 District, but expansion of existing industrial uses shall conform to the provisions herein. (08/16)

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- (a) Auction establishments (indoor only) (5/95)
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Section 609 Industrial (L-1) District

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Section 609 Industrial (L-1) District

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 - (1) Front yard: 50 feet
 - (2) Side yard: 25 feet (except where side yard abuts a public right-of-way the side yard shall be 50 feet) (5/94)
 - (3) Rear yard: 50 feet (5/94)

609.8 OPEN SPACE

- (a) An open space plan and landscape design program shall be submitted with applications for any land use governed by this District.
- (b) Twenty five percent (25%) of the site shall be landscaped open space. Landscaping may be limited to setback areas and unused portions.

609.9 PARKING, PARKING ACCESS AND DRIVEWAYS

- (a) No parking space shall be located closer than fifteen (15) feet from any common property line.
- (b) Where lot is contiguous to property located in any district other than the L-1, I, C-1 or C-2 District, no parking space shall be closer than 40 feet from such property line. (5/94)
- (c) All parking requirements shall be met by off-street, on-site spaces and shall include designated spaces for the handicapped and elderly.
- (d) Refer to Section 305 for additional off-street parking requirements.

609.10 SETBACK, BUFFERING AND LANDSCAPING

- (a) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, all buildings shall have a minimum 60-foot setback from lot lines. In particular instances the Town Council may waive the 60-foot setback requirement, upon recommendation from the Planning Commission. (5/94)
- (b) Where an L-1 lot is contiguous to property located in a district other than an L-1, I, C-1 or C-2 District, a landscaped buffer strip of 30 feet in width shall be provided,

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with landscape materials and placement subject to final plan approval. Where contiguous to a C-1 or C-2 District property, the landscaped buffer strip shall be 15 feet. Approved fencing or additional buffering may be used in lieu of landscaping. (5/94)

609.11 STORAGE OF GOODS, MATERIALS, FUEL AND REFUSE

- (a) The outdoor area devoted to storage, loading and display of goods shall be limited to that area so designated on an approved site plan.
- (b) All equipment and materials shall be contained entirely within a building or screened from public rights-of-way and contiguous properties that are in land uses other than industrial in nature.
- (c) Any establishment involved with the storage of fuel for sale, or for other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the Town Council.
- (d) All refuse shall be contained in completely enclosed facilities and shall be screened.

609.12 STREET ENTRANCES

- (a) On a corner lot, no street entrance shall be located closer than 60-feet to the curb line extended from the intersecting street. This distance may be increased with respect to the types and turning radii of vehicles using the site.
- (b) No street entrance shall be located closer than 30 feet to a side or rear lot line, unless a common street entrance serves adjacent uses, and in no instance shall the distance between separate street entrances serving adjacent uses be less than 60 feet. The maximum width of such street entrances shall not exceed thirty feet (30').
- (c) A freestanding use shall have no more than two street entrances on any single right-of-way, and such street entrances shall have a minimum distance of 90 feet between them.

609.13 SITE PLAN REQUIREMENTS AND PERFORMANCE STANDARDS

- (a) All uses shall be subject to final site plan approval.
- (b) Any L-1 District land use application which is not in strict compliance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use.
- (c) Master site plans and preliminary plats for L-1 Districts shall include provisions for:
 - (1) adequate public facilities;
 - (2) development phasing;
 - (3) stormwater management facilities to address the ultimate development coverage within the district;
 - (4) lighting and signing; and
 - (5) other special features and land use considerations deemed necessary to serve the industrial district.
- (d) Applications for all uses subject to special use permits shall be accompanied by a report indicating the compliance with and use compatibility issues related to the Town's applicable performance standards.

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609.14 ADDITIONAL REQUIREMENTS

- (a) Public Streets within the L-1 District shall be constructed to industrial road standards as determined by the Town Council or its agent. Sidewalks may be required on one or both sides of the street.
- (b) Common property ownership agreements and covenants for L-1 District developments shall be reviewed and approved by the Town Council or its agent.
- (c) Refer to Section 306 for off-street loading requirements.
- (d) Refer to Sections 301-304 for general regulations and other provisions which may supplement those cited herein.
- (e) Refer to specific Overlay Zoning districts, where applicable.

Section 502 – Certificate of Occupancy

- 502.2 Prior to the issuance of a Certificate of Occupancy for a new structure, the Zoning Administrator will verify that all property corners have been set with permanent markers by a land surveyor licensed under the laws of the Commonwealth of Virginia. (11/00)
- 502.3 In addition to any other requirements for the issuance of a Certificate of Occupancy, a Certificate of Occupancy for a structure will not be issued unless (1) the structure is served by public water and sewer, (2) required curb and gutter and sidewalks are in place on the lot on which the structure is located and in place between said lot and an existing publicly maintained street, (3) a functional fire hydrant is located within three hundred (300) feet of the lot on which the structure is located, and (4) the lot on which the structure is located fronts on an existing publicly maintained street or street meeting Town requirements for a publicly maintained street. (8/01)
- 502.4 In addition to any other requirements for the issuance of a Certificate of Occupancy, after issuance of certificates of occupancy for structures on eighty percent (80%) of the lots in a section of a subdivision, a Certificate of Occupancy for a structure in the section will not be issued unless all public improvements in the section have been completed to Town requirements and all streets have been accepted for maintenance by the Virginia Department of Transportation (VDOT), or a complete application for acceptance thereof has been filed with VDOT. (8/01)
- 502.5 Upon written application, delayed installation of public improvements described in 502.3 and 502.4 may be considered by the Zoning Administrator. Approval of the application shall only be granted by the Zoning Administrator after consultation with the respective departments or agencies charged with the inspection, acceptance, and maintenance of the improvements, and only upon a further finding that the delayed installation will not be detrimental to the safety and welfare of the residents in the subdivision and the public. A written request for such delayed installation shall set forth the specific improvements sought to be delayed, the justification for the delay, and a committed date for completion of the improvements. A fifty-dollar (\$50.00) fee shall be paid with the request. If the Zoning Administrator approves the application for delayed installation of public improvements, the approval shall be subject to the applicant executing an agreement to hold harmless the town for any loss or liability occasioned by the lack of the improvements delayed. (8/01)

SECTION 503 - SPECIAL USE PERMIT

503.1 PROVISIONS FOR SPECIAL USE PERMITS

- (a) In consideration of an application filed with the Zoning Administrator, the Council may, after a public hearing, authorize the establishment of those uses that are expressly listed as Special Permit uses in a particular zoning district.
- (b) In addition to all applicable conditions and requirements of this Ordinance, the Council may impose any conditions deemed appropriate in the public interest to secure compliance with the provisions of this Ordinance.
- (c) Once a Special Use Permit is granted, the use shall not be enlarged, extended, increased in intensity or relocated unless authorized by the Council.

Section 503 – Special Use Permit

- (d) Whenever a Special Use Permit is granted by the Council, the authorized activities shall be established within two (2) years of the date of approval with an extension of one (1) additional year with Council approval, or such Special Use Permit shall expire without notice. (4/08)
- (e) Should the owner or operator of the use covered by the Special Permit fail to observe all requirements of law with respect to the maintenance and conduct of the use and all permit conditions, the Council may, after due notice to permit holder and a public hearing, revoke the Special Use Permit.

503.2 APPLICATIONS

An application for a Special Use Permit may be submitted by the property owner of record, tenant, or contractor owner.

503.3 APPLICATION REQUIREMENTS

Applications for Special Use Permits shall be accompanied by seven (7) copies of the following items:

- (a) Letter of request, signed by property owner and applicant, outlining complete details of special use desired.
- (b) Site development plan.
- (c) Floor plan, front, side, and rear elevations of proposed new buildings.
- (d) Certified house location plat.
- (e) Information deemed necessary by the Zoning Administrator.
- (f) Applicable filing fee.

503.4 APPLICATION PROCEDURE

- (a) Application submitted to Zoning Administrator, which shall be referred to the Planning Commission for recommendation, and a public hearing shall be scheduled by the Town Council.
- (b) Review by the Planning Commission (public hearing if desired) and recommendation to Town Council.
- (c) Public hearing by Town Council.
- (d) Town Council action (In acting upon the application, the Town Council shall consider the following, among other relevant factors):
 - 1. The health, safety, and welfare of the general public.
 - 2. Physical and visual impact on adjoining and abutting properties.
 - 3. Adequate utilities, drainage, parking, and other necessary facilities to serve the proposed use.
 - 4. Compliance with the adopted master plan.
 - 5. Environmental compatibility.
 - 6. Community sentiment.
- (e) Applicant to be notified by Zoning Administrator of Town Council action.