

BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES—REGULAR MEETING
Wednesday, July 22, 2015 – 7:00 pm
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A regular meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, July 22, 2015. The meeting was called to order at 7:02PM.

ATTENDANCE

Authority members present: Allen Kitselman, Chair; George L. Ohrstrom, II; Kathy Smart; Frank Lee; Wingate Mackay-Smith

Authority members absent: Douglas Shaffer

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

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Kitselman, Ohrstrom (moved), Lee, Smart (seconded), Mackay-Smith

No: No one

Absent/Not Voting: Shaffer

APPROVAL OF MINUTES

The Authority reviewed the minutes from the May 27, 2015 meeting. Mr. Lee noted some discrepancies with the attendance and motion votes as Mr. Ohrstrom is listed as absent but also voting on some items. Staff recommended deferring action on the minutes until the August meeting so they can make the necessary corrections.

CONTINUED DISCUSSION, MARLYN DEVELOPMENT CORPORATION REQUEST FOR BERRYVILLE AREA PLAN AMENDMENT

Chair Kitselman introduced Andrew Painter, attorney representing the Marlyn Development Corporation. Mr. Painter stated that he was brought in to refocus Marlyn's proposed senior housing project and to address some of the comments that have been provided to date. He provided an overview of the Berryville Area Plan's recommendations on the subject property and Older Persons Residential development, and

changes that would be needed to enable Marlyn's project to move forward. He referenced a graphic that was provided in advance to the Authority members that depicts the project and its design elements. He discussed public road access including shared access with the proposed Meridian assisted living facility, access for emergency medical services, unit design, pedestrian mobility, and amenities. He also noted that the adjacent stormwater management basin has not been maintained and that this project would upgrade it in accordance with State requirements.

Mr. Painter indicated that a question was previously raised asking whether this project would bring in "a bunch of poor seniors." He said that 10% of units would be market rate and that the balance would be affordable housing. Affordable units would have a rental rate at or below 60% of the area median income, which is higher than the 50% income rate currently used at the Mary Hardesty House. Average rental rates for affordable units would be at or above \$1000/month and rents for the market-rate units would be at or above \$1300/month. He addressed fire and emergency services concerns, stating that Marlyn feels that this is an appropriate location for the project along with the other senior housing facilities. He also noted the fire safety and emergency features with the units, provision of an on-site manager to respond to emergency needs, and the provision of \$25,000 by the developer for fire and emergency medical services needs.

Regarding fiscal impact, Mr. Painter said that multi-family senior housing is fiscally beneficial due to tax revenues generated, the absence of school-age children, and the money spent in the community by the residents. He added that for every dollar in tax revenue generated, there is only \$0.50 in cost of services to the locality. He concluded by indicating that the project team is present if the members have any questions.

With no questions from the members, Chair Kitselman thanked Mr. Painter for his presentation.

BERRYVILLE AREA PLAN UPDATE

Ms. Dunkle provided an overview of Item #5a depicting the revised Land Use Map and the proposed changes that were previously agreed to by the members. She noted the following changes depicted in the revised Map:

- Sub-Area 8 containing Green Hill Cemetery has been removed.
- The boundary line of Sub Area 9 is adjusted to match the boundaries of the Shenandoah Crossing parcels.
- Darbybrook and its stormwater management facility and the end of Page Street are removed.
- Sub Area 14 is depicted as a buffer area along the railroad and former Sub Area 14B is merged in with Sub Area 15.
- Sub-Areas 19B and 19C are now renumbered as 19A and 19B, containing the Mercke property and Dandridge Acres parcel.
- Sub-Area 21 depicts a merger of all current Sub-Areas that make up the Business Park.
- Sub-Area 24, the northern part of Southgate Subdivision, is removed.
- Sub-Area 26 and 27A are modified to reflect the developed and undeveloped portions of the Hermitage Subdivision.

Ms. Dunkle said that Staff will continue to work on the Sub-Area descriptions and the yield table. Mr. Ohrstrom asked for confirmation that this does not include any of the potential future Sub-Areas and Ms. Dunkle said that this is correct. Mr. Stidham added that the potential future growth areas would be shown on a separate map. He also said that we will discuss the dwelling unit allocations at the August meeting.

Mr. Ohrstrom asked where the official land use map is located. Mr. Stidham said there is no location designated but that this could be added to the revised Plan. He suggested that the location could be stated as within the County's GIS with hard copies of the maps available in the Town and County planning offices. The members had no additional questions or concerns with the revised map.

On Item #5b, Mr. Stidham provided an overview of the final portions of Chapter IV for review. For this discussion, the members were asked to review Section B, Impact of Plan Implementation, containing information on developer-funded improvements and capital project contributions. He said that the current Plan contains an outdated list of capital projects and noted that details on current projects now reside the Town's and County's capital project budgets. He noted that the revision references the various infrastructure elements that are impacted by new development and the agencies and departments that are responsible for managing them.

Mr. Stidham stated that the revised draft focuses on describing the types of infrastructure needs to be mitigated both through mandatory and negotiated improvements. He said that the draft includes a discussion of cash proffers for residential development and direct proffers of specific improvements or cash contributions. He added that off-site proffers are also discussed as being reasonable if they bear a direct relationship to mitigating the impact of a new development. Mr. Lee asked if they could recommend provision of an off-site proffer. Mr. Stidham said yes but cautioned that failure to provide a recommended off-site proffer should not be used as grounds for denying a land use request. Mr. Stidham asked for feedback and questions.

Mr. Ohrstrom asked about whether a traffic impact analysis (TIA) for a development could be tied to level of service for roads. Mr. Stidham replied that reviewing a TIA to determine a new development's impact on roads is similar to reviewing a development's stormwater management plan in that both seek to ensure that current levels of service are maintained. The TIA will assume the most intensive potential development that could occur from a traffic standpoint and will recommend improvements to ensure that there is no drop in a level of service for impacted roads and intersections. He also noted that VDOT placed an emphasis on TIAs in 2008 or 2009 and now review them to ensure that there are no holes in the recommendations. He said that VDOT has established engineering criteria that must be followed in preparing a TIA and helps to ensure that the recommendations are implemented. He noted that prior to this, localities had to negotiate with developers on their own to ensure that the appropriate improvements were constructed. He said that the opportunity for negotiation of improvements remains, particularly where the existing traffic condition is poor and the community would like for improvements that raise the level of service rather than maintain it.

Ms. Mackay-Smith asked how level of service is defined and whether it is based on number of vehicle trips, time it takes for traffic to move, or other formula. Mr. Stidham said there are different levels of service depending on what aspect of the road network is being examined. Ms. Mackay-Smith asked whether this is all addressed in the TIA, and Mr. Stidham replied that VDOT has established standards that must be met in submitting a TIA for review. He added that there are traffic engineering manuals that VDOT and the development community reference to ensure uniformity in TIA submissions. Ms. Dunkle said that the TIA process worked well with the development of Mosby Boulevard and the traffic circle. Ms. Mackay-Smith asked whether the TIA process presents the locality with options from which they can choose. Mr. Stidham replied that where there are options available, they can be negotiated with the developer. He said that VDOT's access management standards that were adopted in recent years also help ensure uniform improvements rather than place the burden on localities to negotiate the improvements. He

gave the HandyMart development as an example of recent implementation of access management standards by VDOT.

Mr. Stidham noted that Ms. Mackay-Smith had provided edits and comments on Chapter IV prior to the meeting. He referenced a requested change on Page 8 to replace "strongly discouraged" with "prohibited" regarding considering new annexation areas or changes to existing Sub-Areas without analyzing water and sewer impacts. He stated that this same language appears below for School System impacts. After a brief discussion, it was agreed to make the change using "not be undertaken" instead of "prohibited" since these are recommended directives to the governing bodies.

Ms. Dunkle referenced a potential change on Page 15 to add commercial as a potential land use to go in the Hermitage South Growth Area. She noted that this site could be suitable for larger commercial uses such as a second grocery store given its location and accessibility to U.S. 340. Members asked questions and expressed concerns regarding the potential scale of development including the potential for "big box" development, and whether specific language should be included to address this issue. Mr. Stidham suggested using the following language, "Commercial uses consistent with the scale and density allowed by Town ordinance." The members agreed by consensus to include this language.

Mr. Ohrstrom referenced a concern with the Southern potential future growth area, asking whether specific language should be included at this stage to prescribe buffer dimensions from the adjacent conservation easement. Mr. Stidham said that this language sets the stage for the Town and County to study the area for potential annexation and issues like this should be discussed once the area's developability is determined. Mr. Lee agreed and said that it is premature to discuss specific measures. Mr. Stidham suggested that in lieu of buffers, a strip of land designated "Historic and Cultural Preservation" could be designated to provide protections for the easement land.

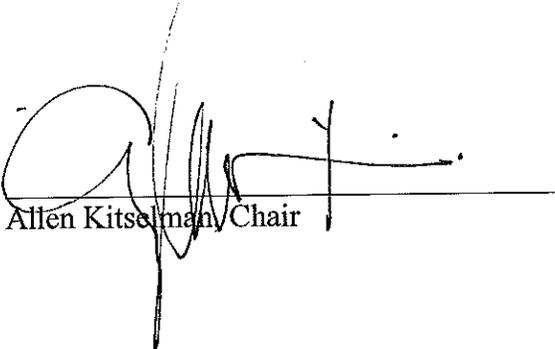
Mr. Stidham asked whether the members were ready to move for preliminary approval of draft Chapter IV. The Authority voted for preliminary approval of Chapter IV.

Yes: Kitselman, Ohrstrom (seconded), Lee, Smart, Mackay-Smith (moved)

No: No one

Absent/Not Voting: Shaffer

There being no further business, Chair Kitselman called for a motion to adjourn the meeting. The motion was made by Ms. Smart, seconded by Mr. Lee, and approved by voice vote at 7:54PM.



Allen Kitselman, Chair



Brandon Stidham, Clerk