

**PLANNING COMMISSION**  
**Berryville-Clarke County Government Center**  
**MINUTES OF REGULAR MEETING**  
**December 15, 2015**

---

A meeting of the Berryville Planning Commission was held on Tuesday, December 15, 2015 at 7:30 p.m. in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

**ATTENDANCE:** Members of the Planning Commission present: Doug Shaffer, Chairman, Gwen Malone, Sheryl Reid, Debbie Zimmerman, Michelle Marino, Dale Barton, William Steinmetz

Absent: Russ Heikes, Kim Kemp

Staff present: Keith Dalton, Town Manager, Christy Dunkle, Assistant Town Manager/Planner

Press present: Onofrio Castilla

Chairman Shaffer opened the meeting at 7:30pm.

**APPROVAL OF AGENDA**

Ms. Malone moved to approve the agenda as written, seconded by Ms. Zimmerman. The motion passed by voice vote.

**APPROVAL OF MINUTES**

Ms. Reid moved to approve the minutes of the November 17, 2015 Planning Commission meeting as presented, seconded by Ms. Malone. The motion passed by voice vote.

**APPROVAL OF COMPREHENSIVE PLAN COMMITTEE MINUTES**

Mr. Steinmetz asked for a motion to approve the Comprehensive Plan Committee minutes from the December 7, 2015 meeting. Ms. Malone moved to approve the minutes, seconded by Ms. Zimmerman. The motion passed by voice vote.

**PUBLIC HEARING SESSION**

**Spot Blight Abatement Plan**

**A public hearing on a spot blight abatement plan and to make findings and recommendations that shall be reported to Town Council concerning the repair or other disposition of a blighted property pursuant to Section 5-5. Spot blight abatement of the Code of the Town of Berryville for the structure(s) and property located at 203 Moore Drive (Tax Map Parcel #14A2-((10))-B-30).**

Chairman Shaffer opened the public hearing at 7:31p.m. He said no one had signed up to speak and asked if anyone wished to. He asked Mr. Dalton to discuss the matter. Mr. Dalton thanked the Planning Commission for holding the public hearing and those representing the Battletown Homeowners association for attending the meeting and their support in the effort. He said he had heard from representatives from the National Field Network that evening and read the email to

Planning Commissioners. He said he had written to federal officials concerning the lack of action on the part of FNMA, the owner of record of 203 Moore Drive, and that he had a feeling that it will be up to the Town to complete the process. He said that it behooves the Town and neighborhood to move forward to remedy the blighted property.

There being no further comments, Chairman Shaffer asked for a motion to close the public hearing. Ms. Malone moved, seconded by Ms. Reid, to close the public hearing. The motion passed by voice vote.

#### **Public Hearing – Text Amendments**

**The Berryville Planning Commission is initiating text amendments to Article V Administration and Enforcement, Section 505, in order to conform to Commonwealth of Virginia General Assembly modifications.**

Chairman Shaffer opened the public hearing at 7:34p.m. Ms. Dunkle said that changes to the Code of Virginia prompted the text amendments before them. She said she worked with Mr. Mitchell on the modifications. There being no public comments, Chairman Shaffer called for a motion to close the public hearing. Ms. Zimmerman moved, seconded by Mr. Steinmetz, to close the public hearing. The motion passed by voice vote.

#### **Public Hearing – Special Use Permit**

**Jon Erickson (MRA Incorporated, Agent) is requesting a Special Use Permit under Section 614.3(c) of the Berryville Zoning Ordinance in order to construct a 120-unit multifamily apartment complex in the Older Person Residential (OPR) Zoning District on Tax Map Parcel number 14-5-251B zoned OPR in the Town of Berryville.**

Chairman Shaffer opened the public hearing at 7:36p.m. Ms. Dunkle said that Town Council, at their December 8, 2015 meeting, denied motions to modify the Berryville Area Plan and Berryville Zoning Ordinance to allow an additional 60 units of multifamily senior housing in the OPR zoning district. She said the Special Use Permit request under Section 614.3(c) of the Berryville Zoning Ordinance does not conform to regulations under Section 614.5 of the Zoning Ordinance and it should therefore be recommended to Town Council that the Special Use Permit request be denied. There was a discussion about the timeframe for the application. Ms. Dunkle said she had been in touch with Mr. Painter consistently through the process and has asked for direction on whether or not they wished to move the application forward.

There being no further discussion, Ms. Malone made the motion, seconded by Ms. Barton, to close the public hearing. The motion passed by voice vote.

### **REGULAR SESSION**

#### **Citizens' Forum**

There were no comments.

### **NEW BUSINESS**

#### **Discussion – Public Hearings**

Chairman Shaffer thanked representatives from the Battletown Homeowners Association and property owners for attending the meeting. He asked if there were any additional comments from Commissioners. There were none. He asked for a motion concerning the spot Blight Abatement Plan.

Ms. Malone made the motion to recommend approval of the Blight Abatement Plan as drafted by Mr. Dalton to Town Council for the property located at 203 Moore Drive identified as Tax Map Parcel number 145A2-((10))-B-30, seconded by Ms. Zimmerman, the motion passed by voice vote.

Chairman Shaffer asked for additional comments concerning text amendments proposed for Article V, Section 505. There being no further discussion, Ms. Malone made the motion to recommend that Town Council approve the amendments to Article V, Section 505 Provisions for Appeal, in the Berryville Zoning Ordinance as presented, seconded by Ms. Marino, the motion passed by voice vote.

Chairman Shaffer asked if there were any additional comments or questions concerning the public hearing recommendation for the Special Use Permit. There were no comments. Ms. Barton made the motion to recommend that Town Council deny the Special Use Permit request for 120 multifamily units due to nonconformance to Article VI, Section 614.5 of the Berryville Zoning Ordinance, seconded by Ms. Marino, the motion passed by voice vote.

### **OLD BUSINESS**

#### **Planning and Zoning Update**

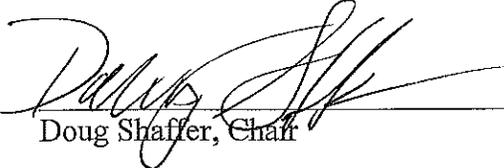
Ms. Dunkle reviewed items included in the update.

#### **Other**

Ms. Malone said she was very pleased with the leaf pick-up effort by Public Works staff and thanked them for their efforts. Ms. Zimmerman said there was a great turnout for the send-off of the Clarke County High School football team to the state football championship game. She added that the signs at Wee Angels were very moving and the support of those who came out was really exciting and concluded by saying the football team did a great job.

#### **Adjourn**

There being no further business, Chairman Shaffer asked for a motion to adjourn the meeting. Ms. Malone made the motion, seconded by Ms. Marino, the motion passed unanimously by voice vote at 7:46pm.



---

Doug Shaffer, Chair



---

Christy Dunkle, Recording Secretary