

PLANNING COMMISSION
Berryville-Clarke County Government Center
MINUTES OF REGULAR MEETING
February 23, 2016

A meeting of the Berryville Planning Commission was held on Tuesday, February 23, 2016 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, Kim Kemp, Dale Barton, Gwen Malone, Russ Heikes, Sheryl Reid, Michelle Marino, William Steinmetz, Deb Zimmerman.

Members absent: No one

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Others present: Alton Echols, Bryant Condrey

Press present: Val Van Meter, Winchester Star

Chair Shaffer opened the meeting at 7:30pm.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Ms. Kemp moved to approve the minutes of the January 26, 2016 Planning Commission meeting as written, seconded by Ms. Malone. The motion passed unanimously by voice vote.

APPROVAL OF COMPREHENSIVE PLAN COMMITTEE MINUTES

Committee Chair Steinmetz updated Planning Commissioners on the February 1 meeting. He said Len Capelli, Clarke County Economic Development and Tourism Coordinator, spoke to the group. Ms. Dunkle said the March meeting will need to be rescheduled as she has a Board of Supervisors meeting she needs to attend. Ms. Malone made the motion to approve the minutes, seconded by Ms. Reid, the motion passed by voice vote.

REGULAR SESSION

Citizens' Forum

Chair Shaffer recognized Alton Echols, Tourism. Mr. Echols said he supported the Tourism Zone effort and suggested personal services and offices be added to the other proposed zones. He said that second story offices are not desirable adding that second story apartments would help cut down crime in the downtown area. He said that he started the tourism effort in Leesburg 45 years ago and strongly

supports the same in Berryville. He said that he also had the idea to dedicate money from meals taxes to tourism.

Chair Shaffer recognized Alton Echols, Trustee, gas and convenience. Mr. Echols said that McDonald's is still coming to the area. He said he needs 5,500 square feet for a gas and convenience store. He cited the Fuel Depot and the Sunoco in Winchester adding that restrooms should be a minimum 10'x15' in order to accommodate handicapped access. He said next to the convenience store will be two fast food locations that will feature ordering kiosks which will make the businesses more successful. He said the next building will be medical arts which will feature state-of-the-art equipment and create 40 to 60 jobs. He said he is now looking into a 98-room hotel as the economy of scale would dictate the size. He said the Berryville Food Lion has the highest profit margins of all Food Lions in the region adding that if the development materializes the tax revenues will be a benefit to the Town.

Set Public Hearing – Special Use Permit

Ms. Dunkle explained the Special Use Permit request for Hip and Humble in order to allow retail sales incidental to a manufacturing, production or related use as identified in Section 609.3(h) of the Berryville Zoning Ordinance. She said Tom McFillen, Agent, is in attendance. Chair Shaffer recognized Mr. McFillen.

Mr. McFillen said he is acting as Agent for the owners of the business. He said Steve and Julie consolidated their business and moved it from Strasburg to Berryville and had some confusion between wholesale and retail zoning requirements. He said they have had a location on First Street where they sell retail items and they would like to add retail to their site at Aylor's Mill. He said the business is predominately wholesale which involves one-on-one meetings with clients. He said there is a showroom and work area at both locations. He said the approval of a Special Use Permit enables consolidation of the retail component of the business. He said the business will be open approximately 100 days per year with Saturday and holiday weekend business hours. He said they are not using the upper floors of the mill. He referenced the site plan and said that the actual retail area is less than 3,200 square feet as the drawing includes restrooms and office space. He said there are 16 parking spaces identified on the plan. Ms. Dunkle said that Section 305 has regulations concerning furniture, hardware and home furnishings which relates to the business and require one space for every 400 square feet whereas retail uses require one space for every 200 square feet.

Ms. Reid said that proposed hours of operation do not appear to conflict with Lloyd's Transfer truck traffic. Mr. McFillen agreed and added that he agreed with staff's recommendation to identify the two spaces next to Main Street as loading areas. Chair Shaffer asked about handicapped accessibility. Mr. McFillen said those customers can be accommodated at the First Street location. Ms. Zimmerman asked if they are turning retail customers away at this point. Mr. McFillen said the owners did not realize that the retail use was non-conforming and have been taking customers to their First Street location for retail sales as much as possible.

Mr. Steinmetz asked where their wholesale customers were coming from. Mr. McFillen said many of their customers are coming from the D.C. area and are now drawing from the I-95 corridor including New York and Pennsylvania. Mr. Steinmetz asked whether the spaces identified as loading areas would be considered part of the parking requirement. Ms. Dunkle said she would not consider them as

spaces but due to the parking regulations for furniture and home furnishings requiring less spaces, she said 14 spaces would suffice. Chair Shaffer asked about the entrance to Lloyd's Lane. Ms. Dunkle said the property owner and his engineer have worked with VDOT to drop the operational speed limit in the eastbound lane west of the railroad tracks to 20 miles per hour which will hopefully help the situation. Mr. Steinmetz said this was a nice use for the building. Mr. McFillen said it was nice to fill a vacant building. Mr. Steinmetz said it would be a good site for a Studio Tour stop. He said that he has worked with Mr. Webb, the owner of the First Street location, in the past and wanted to make sure there was not a conflict of interest with this application. Ms. Dunkle said she would ask the Town's attorney for clarification of the matter.

Discussion – Convenience Store Definition

Ms. Dunkle said Council held a public hearing on Mr. Echols' application for an increase in the square footage allowance for a convenience store as an accessory use in the BC zoning district. She said Council requested that staff contact the applicant to determine exactly how much square footage he would need for retail and for food use designations. Chair Shaffer said that a definition of convenience store is not simply a dictionary definition. He said the National Convenience Store Association (NACS) has a definition and other information that is helpful in this effort. Mr. Steinmetz added that the use, in this case, is an accessory use and should be defined as such. Chair Shaffer said Council asked the Planning Commission to consider a definition for convenience stores and recommended considering the accessory use, storage, and square footage. Chair Shaffer asked Planning Commissioners to visit some convenience stores over the next month and take note of sizes and uses within the building. He also recommended looking at the NACS web site. He said to particularly take note of retail and food uses.

OLD BUSINESS

Planning and Zoning Update

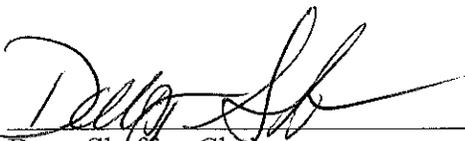
Ms. Dunkle reviewed items included in the staff report. She updated Commissioners on the status of the blight abatement at 203 Moore Drive. She said the Farmers' Market organizational meeting will be held on Monday, February 29, 2016.

Other

Ms. Malone gave an over view of the Stronger Economies Together event held at Lord Fairfax Community College.

Adjourn

There being no further business, Chair Shaffer asked for a motion to adjourn the meeting. Ms. Malone made the motion, seconded by Ms. Kemp, the motion passed by voice vote at 8:25pm.



Doug Shaffer, Chair

Christy Dunkle, Recording Secretary