

**PLANNING COMMISSION**  
**Berryville-Clarke County Government Center**  
**MINUTES OF REGULAR MEETING**  
**November 22, 2016**

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A meeting of the Berryville Planning Commission was held on Tuesday, November 22, 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, Chair, Kim Kemp, Vice Chair, Gwen Malone, Michelle Marino, Deb Zimmerman, Dale Barton, William Steinmetz, Sheryl Reid, Krish Mathur.

Members absent: no one

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Others present: Dave Tollett (Planning Commission liaison), Leah Knode, VMD, Sean Millot

Press present: Cathy Kuehner, Winchester Star

Chair Shaffer called the meeting to order at 7:30pm.

**APPROVAL OF AGENDA**

Chair Shaffer asked for approval of the agenda. Mr. Steinmetz moved to approve the agenda as presented, seconded by Ms. Malone, the agenda was approved by voice vote.

**APPROVAL OF MINUTES**

Vice Chair Kemp noted a date error in the minutes. Ms. Malone moved to approve the minutes of the October 25, 2016 Planning Commission meeting as amended, seconded by Ms. Zimmerman. The motion passed by voice vote.

**APPROVAL OF COMPREHENSIVE PLAN COMMITTEE MINUTES**

Committee Chair Steinmetz said there was no meeting held in November.

**PUBLIC HEARING – Special Use Permit**

**Dr. Leah Knode, VMD, (Owner, House Paws Animal Hospital), is requesting a Special Use Permit under Section 204.2(h) of the Berryville Zoning Ordinance in order to operate a Veterinary Hospital at the property located at 37 East Main Street, identified as Tax Map Parcel number 14A5-((A))-81A, zoned C General Commercial. SUP 05-16**

Chair Shaffer asked staff to describe the request. Ms. Dunkle read the public hearing notice and gave an overview of the application.

Chair Shaffer recognized Jay Hillerson, Berryville. Mr. Hillerson said he owns the former funeral home adjacent to the property being discussed. He said he is not opposed to the use, adding that his father was a small animal veterinarian and is a proponent of the use. He said there is an intense parking shortage particularly along Main Street. He said it is important to encourage businesses but said several of his tenants have concerns about parking. Mr. Hillerson said that the property located at 37 East Main Street depends on street parking and the street is filled with existing tenants and clientele. He added that when the pediatrician and architecture offices were in this location, his tenants became parking police. He said that pursuing tourism zone incentives is great for economic development but that lack of parking continues to be a problem.

Chair Shaffer recognized Margaret Barthel, Berryville. Ms. Barthel said she had received an adjacent property owner's notice and could not see how the space would work for a veterinary hospital. She added that she was concerned about the types of animals that will be patients at the facility saying it would make a difference.

Chair Shaffer recognized applicant Leah Knode, VMD. Dr. Knode said that she owns House Paws Veterinary practice in Lovettsville. She said her business is in an old Victorian house and that the animals feel comfortable in those surroundings. She said it has turned out to be a very nice space. Addressing Ms. Barthel's concerns, Dr. Knode said that she has a small animal practice including cats, dogs, and pocket pets. She said she had not had any difficulty getting the animals in and out of the building. She said that office staff will park in the public parking lot on Church Street. Dr. Knode said that her business has small volumes of clients, each usually scheduled for 30 minute appointments. She said she rarely has more than two appointments in the office at one time therefore not requiring much parking.

There being no further discussion, the public hearing was closed at 7:40pm.

#### **PUBLIC HEARING – Text Amendment**

**The Berryville Planning Commission is sponsoring a text amendment as requested by Sean Millot, (Kimley-Horn and Associates, Inc.), Agent, (Michele Fascelli, Owner) to Article III, Section 305.17 of the Berryville Zoning Ordinance in order to modify parking requirements for “restaurant, fast food” to require one (1) space per 100 square feet of gross floor area and one (1) space for every four outside seats. TA 08-16**

Chair Shaffer asked staff to describe the request. Ms. Dunkle read the public hearing notice and gave a brief overview of the request. She added that Mr. Millot, the applicant, was in attendance at the meeting.

Chair Shaffer recognized Brian McClemens, Fairfax Street, Berryville. Mr. McClemens said that he is concerned about parking and that his biggest fear is that other restaurant parking requirements will be changed. He added that this would be the end of local restaurants with this change adding that this will affect all of those who own restaurants in town. Chair Shaffer recognized Sean Millot, Kimley-Horn and Associates, Inc., who clarified that this amendment would only be applied to fast food restaurants. He said that he has seen a reduction in parking requirements in the industry as the culture has changed to use the drive through facilities more frequently.

There being no further discussion, the public hearing was closed at 7:47.

**REGULAR SESSION**  
**CITIZENS' FORUM**

Chair Shaffer said that no one had signed up to speak and asked if anyone would like to discuss any matter not on the agenda. There were no speakers for Citizens' Forum.

**DISCUSSION - PUBLIC HEARINGS**

**Special Use Permit**

Chair Shaffer opened the floor to Commissioners to discuss the public hearing for a Special Use Permit in order to operate a veterinary hospital at 37 East Main Street. Ms. Reid asked how many spaces were behind the building. Ms. Dunkle said there are four total spaces for two businesses. There was a discussion about the number of employees and peak times of day with higher turnover. Ms. Malone clarified that employees will park in the Town's municipal lot on South Church Street. Mr. Steinmetz agreed that parking is a serious concern in this area.

Chair Shaffer said that parking downtown was a good topic to consider. There was a discussion about on-street parking and the County's property behind the Sheriff's office.

There being no further discussion, Mr. Steinmetz made the motion that the Planning Commission of the Town of Berryville recommend approval of SUP 05-16 to Town Council in order to operate a veterinary hospital at 37 East Main Street, identified as Tax Map Parcel number 14A5-((A))-81A zoned C General Commercial with the following conditions:

1. Animal boarding is prohibited.
2. Hours of operation will be 8:00am to 8:00pm Monday through Friday, 9:00am to 12:00 noon Saturday.
3. Animal waste shall not enter the public sanitary sewer system.
4. Medical waste shall be disposed of per Commonwealth of Virginia regulations.
5. Staff shall park in public parking lots.

He also moved that the Planning Commission of the Town of Berryville waive parking requirements per 305.5 Special Provisions for Commercial (C) Zoning District of the Berryville Zoning Ordinance in order for the business to be located on this parcel.

The motions were seconded by Ms. Kemp. The motions were approved unanimously by voice vote.

**Text Amendment**

Chair Shaffer asked for comments from Planning Commissioners. Mr. Mathur clarified that the proposed amendment would reduce the number of parking spaces required for fast food restaurants with no minimum for outdoor seating. There was a discussion about seasonal outdoor seating. Mr. Steinmetz added that parking requirements in the future will have a cumulative effect.

There being no further discussion, Mr. Steinmetz made the motion that the Planning Commission of the Town of Berryville recommend Town Council approve a text amendment to Article III, Section 305 Minimum Off-Street Parking in order to modify parking requirements for "restaurant, fast food" under Section 305.17 of the Berryville Zoning Ordinance to require 1.0 parking space per 100 square

feet of gross flora area, plus one additional space for every four (4) outside seats. The motion was seconded by Ms. Zimmerman. The motion passed unanimously by voice vote.

**NEW BUSINESS**

**BERRYVILLE MAIN STREET PRESENTATION**

Ms. Dunkle introduced Mary Jo Pellerito representing Berryville Main Street. She gave a presentation on the findings of a study completed by Virginia Main Street and their consultant Barman Development Strategies, LLC, concerning downtown Berryville.

**OLD BUSINESS**

**PLANNING AND ZONING UPDATE**

Ms. Dunkle reviewed the actions taken by Town Council at their November meeting. She said that Mr. Echols had withdrawn his application regarding the text amendment to the Business Commercial zoning district.

There was a discussion after Berryville Main Street's presentation. Mr. Steinmetz discussed anchor businesses in a small community. Mr. Mathur said that a community vision needs to be discussed to determine what should be retained. He added that it seems as though Berryville is moving towards being more like Purcellville and this was important to keep in mind. Ms. Reid said the Town would benefit from a boutique hotel and there was a discussion about the Battletown Inn. Ms. Kemp said that the character of an authentic downtown gives Berryville its identity. There was a discussion about anchor businesses and that the Planning Commission should be part of the conversation. Ms. Malone said a survey of residents would offer the community a voice. Ms. Zimmerman added that events such as the Cruise-In and the Clarke County Studio Tour really help pull visitors and residents downtown.

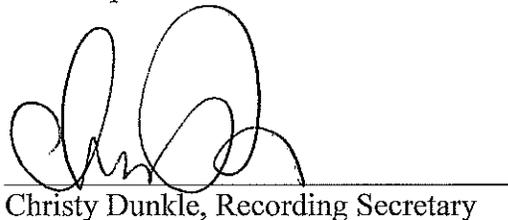
**OTHER**

Chairman Shaffer asked members if canceling the December 27 meeting due to the Christmas holiday is okay with them. There was consensus to cancel the December meeting.

**Adjourn**

There being no further business, Ms. Malone made a motion to adjourn the meeting, seconded by Ms. Zimmerman, the motion passed by voice vote at 8:40pm.

  
Doug Shaffer, Chair

  
Christy Dunkle, Recording Secretary