

Berryville – Clarke County  
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Berryville, VA 22611



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**BERRYVILLE**  
EST. 1798 *Genuine* VIRGINIA

**BERRYVILLE PLANNING COMMISSION**  
Organizational Meeting  
Tuesday, January 24, 2023 – 7:00 p.m.  
101 Chalmers Court – Main Meeting Room – Second Floor

**AGENDA**

1. **Call to Order** – Christy Dunkle, Community Development Director
2. **Election of Officers** – Chair and Vice Chair
3. **Approval of Agenda**
4. **Approval of Minutes** – September 27, 2022
5. **Approval of 2023 Meeting Dates**
6. **Citizens' Forum**
7. **Discussion - Planning Update**
8. **Other**
9. **Adjourn**

**Harry Lee Arnold, Jr.**  
*Mayor*

**Erecka L. Gibson**  
*Vice Mayor*

**Council Members**

**William Steinmetz**  
*Ward 1*

**Diane Harrison**  
*Ward 2*

**Grant Mazzarino**  
*Ward 3*

**Ryan Tibbens**  
*Ward 4*

**Keith R. Dalton**  
*Town Manager*

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**B E R R Y V I L L E**  
EST. 1798 *Genuine* VIRGINIA

**Proposed Meeting Dates - 2023**  
**Planning Commission – Fourth Tuesday of the month – 7:00 p.m.**  
**Main Meeting Room**

- January 24
- February 28
- March 28
- April 25
- May 23
- June 27
- July 25
- August 22
- September 26
- October 24
- November 28
- December 19\*

\*moved up a week due to the Christmas holiday

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**BERRYVILLE PLANNING COMMISSION**  
**Berryville-Clarke County Government Center**  
**DRAFT Minutes**  
**September 27, 2022**

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A meeting of the Berryville Planning Commission was held on Tuesday, September 27, 2022 at 7:00 p.m. at the Berryville-Clarke County Government Center in Berryville.

**ATTENDANCE:** Members of the Planning Commission present: William Steinmetz, chair, Kim Kemp, vice chair, Gwen Malone, Michelle Marino, Tom Parker, Sheryl Reid, Ryan Tibbens

Absent: Michael Bell; Krish Mathur

Staff present: Christy Dunkle, Community Development Director

Press present: none

Others present: Cory Fisher

**1. CALL TO ORDER**

Chair Steinmetz called the meeting to order at 7:00 p.m.

**2. APPROVAL OF AGENDA**

Vice chair Kemp made the motion to approve the agenda as presented, seconded by Ms. Malone. The motion passed by voice vote.

**3. APPROVAL OF MINUTES**

Ms. Marino made the motion, seconded by Mr. Tibbens, to approve the minutes of the July 26, 2022 meeting as presented. The motion passed by voice vote.

**4. CITIZENS' FORUM**

There were no speakers.

**5. Change of Use – 37 East Main Street**

**Rose Hill Partners, LLC (Cory Fisher, Agent), is requesting a change of use in order to operate two restaurants and bar with one central kitchen at the property located at 37 East Main Street, identified as Tax Map Parcel number 14A5-((A))-81A, zoned C General Commercial.**

Ms. Dunkle reviewed the request and introduced owner Cory Fisher of Rose Hill Partnership, LLC to Commissioners. She said Mr. Fisher is planning to operate two restaurants and a bar with a central kitchen at 37 East Main Street. Mr. Fisher said they acquired the building in March they have completed a significant amount of work on the building including re-pointing brick, re-glazing windows, and roof work. He said there is a tattoo parlor operating on the second floor and described the anticipated plans for the first floor. He said there will be a barbeque restaurant and a salad restaurant with Inkwell's bar at the rear of the building. He said they need eight spaces by ordinance and requested that the Planning Commission waive this requirement.

Chair Steinmetz asked if this had been done previously. Ms. Dunkle said it had referenced the building where Camino Real is located which had all of the parking waived by the Planning Commission. She referenced a map in the packet that identified on-street and public parking areas close to 37 East Main.

Mr. Fisher said that they also own 101 East Main Street. He said they have development plans in the near future for this property at a more intensive use and did not want to reduce the number of parking spaces on that parcel.

Ms. Dunkle said the Planning Commission is able to waive non-residential parking requirements in the C District. There was a discussion about walkability of the downtown and this property. Mr. Parker asked if Mr. Fisher owned 35 East Main Street, and asked about access to that property. Mr. Fisher said he does not own that property and said that the only access to the garage is through 101 East Main Street. He said they were unable to locate an access easement document for 35 East Main adding that they do not have any intention of blocking that property owner's access. He said he has discussed the acquisition of that lot with the property owner in order to directly access Rose Hill Park in the future.

Mr. Parker asked about hours of operation. Mr. Fisher said the salad restaurant he owns in Leesburg offers lunch between 11:00 a.m. and 3:00 p.m. He said the bar would likely be open until 10:00 p.m.

Mr. Fisher said they would like to begin construction at 37 East Main Street as soon as possible and will be submitting documents to the health and building departments once the zoning permit application has been approved.

There being no further discussion, Ms. Marino made the motion that the Planning Commission of the Town of Berryville approve the change of use to food service and waive parking requirements per Section 305.5 of the Zoning Ordinance. The motion was seconded by vice chair Kemp, the motion passed by voice vote.

## **6. Comprehensive Plan update – Chapter 7**

Ms. Dunkle said changes recommended from the previous meeting are included in this document. Mr. Tibbens said he went to the public hearing for the County's updated comprehensive plan held by the Clarke County Board of Supervisors the previous week. He said he was the only person who spoke

at the public hearing and told them he thought there should have made more attention to the Southeast Collector and the study in their comprehensive plan. He told the Board that after investing \$50,000 in the study, which identified potential benefits to the Town and its tax base, that it deserved more attention. Mr. Tibbens discussed reasons for hesitation from County elected and appointed officials that were voiced that included the cost of the road, increased traffic, the cost of a traffic signal at the intersection with East Main Street, and swampy conditions on the property on which the collector and possible future development is proposed. There was a discussion about the County's Six Year Plan. Ms. Dunkle said that the East Main Street sidewalk was previously included on that list. Ms. Dunkle said the Berryville Area Plan identifies this area as the first future potential growth area within the current timeframe. There was a discussion about truck traffic.

Mr. Parker suggested a conversation between the Town and County in regards to the developer being responsible for the costs of development including the road. There was a discussion about the cost of a traffic signal at the intersection with East Main Street.

Planning Commissioners discussed the future annexation of this site, laying the groundwork for the future, and previous concerns voiced including costs and pedestrian safety.

Ms. Dunkle said she will forward the draft of Chapter 7 Transportation to VDOT for review.

#### **7. OTHER**

There was a discussion about downtown restaurants.

#### **8. ADJOURN**

There being no further discussion, Ms. Reid moved for adjournment, seconded by Ms. Malone, with the motion passing by consensus at 7:20p.m.

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William Steinmetz, Chair

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Christy Dunkle, Secretary