



BERRYVILLE AREA DEVELOPMENT AUTHORITY
REGULAR MEETING
Wednesday, September 26, 2018 at 7:00pm
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, September 26, 2018.

ATTENDANCE¹

Authority Members Present: Matt Bass; Allen Kitselman (Chair); Tom McFillen; George L. Ohrstrom, II (Vice-Chair); and Kathy Smart

Authority Members Absent: None

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

Chair Kitselman called the meeting to order at 7:04PM.

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Bass, Kitselman, McFillen, Ohrstrom (seconded), Smart (moved)

No: None

Absent: None

APPROVAL OF MINUTES

The Authority voted to approve the minutes of the July 25, 2018 meeting as presented.

Yes: Bass, Kitselman, McFillen, Ohrstrom (moved), Smart (seconded)

No: None

Absent: None

PUBLIC HEARING – SITE PLAN

¹ The Authority had one vacant seat (Town member) for this meeting.

Jon Erickson (MRA, Inc., Agent) and Alton Echols, Jr., Trustee (Owner) -- SP 02-18

Ms. Dunkle introduced the agenda item. She said that the Public Hearing notices were published in the Winchester Star on September 12 and 19 and that adjacent property owner notices were mailed on September 14. She added that she has discussed the application with two adjacent property owners.

Chair Kitselman asked the applicant to speak on the application. Jon Erickson (Morris & Ritchie Associates), engineer for the applicant, noted the agencies that have provided comments on the site plan and indicated they have submitted revisions to the agencies for review. He said this is an age and income restricted project that is going through the Virginia Housing Development Authority (VHDA) and that there is a bond deadline of October 30 that must be met. Vice-Chair Ohrstrom asked how this deadline affects the BADA's review clock. Ms. Dunkle said that it would be up to the applicant as to whether they ask for a deferral. Mr. Erickson said that they are working towards having all agency approvals by the BADA's October 24 meeting including DEQ's review of stormwater management. He added they are requesting the BADA to hold the Public Hearing this evening and to defer the decision on the matter to the October 24 meeting. Ms. Dunkle noted that Town Council has approved modifications to the proffered conditions at their September 11 meeting. She added that the applicant has also asked Town Council to adopt a resolution regarding 20 proposed market-rate apartments and that Council will review this on October 9.

Chair Kitselman opened the Public Hearing. Larry Krasinski (406 Mosby Street) expressed concerns with the location of a proposed dumpster in proximity to his property line and with an incomplete section of sidewalk in front of his house. No one else spoke at the Public Hearing.

Chair Kitselman asked if the members wanted to close the Public Hearing. Vice-Chair Ohrstrom suggested continuing the Public Hearing and Chair Kitselman replied that he did not think that it needed to be continued. Mr. McFillen suggested closing the Public Hearing and deferring the request for one month. The Authority voted to close the Public Hearing and defer the request for one month to the October 24, 2018 meeting.

Yes: Bass, Kitselman, McFillen (moved), Ohrstrom, Smart (seconded)

No: None

Absent: None

Chair Kitselman asked if the members wanted to discuss the application. Vice-Chair Ohrstrom noted that the site plan shows only six proposed handicapped parking spaces and asked if additional spaces should be provided since this is a senior housing facility. He said this number probably meets required codes but it might make sense to look at this number for older person residential facilities in the future. David Koogler (President, Mark-Dana Corporation) stated they typically have at least one handicapped space for each fully handicapped unit in these facilities. He said that they have either 5% or 10% of their total units as fully handicapped accessible and will have at least one handicapped parking space for each of these units in addition to guest handicapped spaces and a space for a handicapped accessible van.

Mr. McFillen noted the 80% of the units that are covered under tax credits and the rental rate will be different than the market rate units because of the tax credits. He asked if the tax credits are given on a one-time basis or whether they are revolving. Mr. Koogler replied that the credits are Federal income tax credits that are awarded over a ten-year period and that the developer sells the credits to investors that invest in the project. He said the money from the tax credit sale comes to the developer within the first two years of the project but the credit flows to the investor over a ten-year period. He said the revenue from the

tax credit sale funds about 70% of the total project cost and the developer finances the remaining 30% with a conventional loan. He noted that a conventional project would have 70% debt and 30% equity but that his project will have the opposite of this due to the tax credit program. This enables them to offer a lower rental rate so the rents are not subsidized directly. He said that the developer guarantees the tax credit and the facility needs to be operated in compliance with the program requirements for a total of 45 years. Chair Kitselman asked if the facility has to remain age-restricted for this entire period and Mr. Koogler said yes.

Mr. Bass said that in reference to Mr. Krasinski's comments, it is worth placing on the record that this application involves a by-right use and not a special use permit request and as such the Authority will be acting in a ministerial role with limited latitude to impose additional requirements. Mr. Erickson noted that they will work with Mr. Krasinski to determine whether there are other alternatives regarding the dumpster placement. Mr. Erickson also stated that they will be installing the required section of sidewalk along their frontage but the Town will have to take on the task of installing sidewalk along the frontage of the existing residential lots to complete the sidewalk.

Ms. Dunkle noted that Staff has not received full-size versions of the building elevations. She also asked about the status of the signage and said that the Authority will need to see it in October. Mr. Erickson said that he would be happy to forward the color PDF versions to all the members. Mr. Koogler asked if they needed to see the final color selection in October. Chair Kitselman said that they can give him a bit of latitude. Mr. McFillen noted that with the Bank of Clarke County project the Authority approved the general colors and materials and final approval was handled administratively.

OTHER BUSINESS

None

ADJOURN

There being no further business, Chair Kitselman asked for a motion to adjourn. Mr. McFillen moved, seconded by Ms. Smart, to adjourn the meeting. The motion passed by voice vote and the meeting was adjourned at 7:36PM.

Allen Kitselman, Chair

Brandon Stidham, Clerk