

BERRYVILLE AREA DEVELOPMENT AUTHORITY

AGENDA

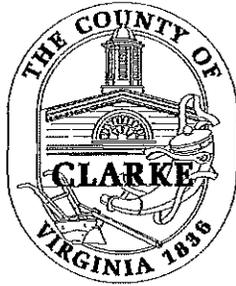
Wednesday, October 24, 2018 -- 7:00pm

**Berryville – Clarke County Government Center Main Meeting Room
101 Chalmers Court – Berryville, Virginia**

1. Call to Order – Allen Kitselman, Chair
2. Approval of Agenda
3. Approval of Minutes – September 26, 2018 meeting
4. Discussion - Site Plan
Jon Erickson (MRA, Inc., Agent) and Alton Echols, Jr., Trustee (Owner), are requesting Site Plan approval to construct a 120-unit age- and income-restricted multifamily apartment building on 10.98 acres as a use under Section 614.2(c) of the Berryville Zoning Ordinance at the property located at 418 Mosby Boulevard, identified as Tax Map Parcel number 14-((5))-251B, zoned OPR Older Person Residential. SP 02-18
5. Other Business
6. Adjourn

UPCOMING MEETING:

Wednesday, November 28, 2018 (7:00pm) – Regular Meeting



BERRYVILLE AREA DEVELOPMENT AUTHORITY
DRAFT MINUTES - 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

Jon Erickson (MRA, Inc., Agent) and Alton Echols, Jr., Trustee (Owner), are requesting Site Plan approval to construct a 120-unit age- and income-restricted multifamily apartment building on 10.98 acres as a use under Section 614.2(c) of the Berryville Zoning Ordinance at the property located at 418 Mosby Boulevard, identified as Tax Map Parcel number 14-((5))-251B, zoned OPR Older Person Residential. SP 02-18

A public hearing was held for the Robert Regan Village site plan at the September 26, 2018 meeting. The applicant requested a deferral on BADA action in order to obtain approval of the stormwater management plan from the Virginia Department of Environmental Quality.

Town Council approved a resolution at their October 9, 2018 meeting supporting 20 market rate apartments that will be part of the complex. The balance (100 apartments) will be income-restricted. All of the units are age-restricted.

The applicant will present building elevations and discuss the architectural details of the project at the meeting.

Staff has received final comments from public works and engineering for the Robert Regan Village site plan and all issues have been addressed. The applicant met with Virginia Department of Environmental Quality officials. Town staff contacted DEQ and discussed the application. Mr. McCormack indicated that final review is anticipated no later than October 23, 2018. Staff will update BADA members of the approval at the meeting.

Recommendation

Discuss at the meeting.

September 26, 2018 Staff Report

Public hearing notices were published in the Winchester Star on Wednesday, September 12 and Wednesday, September 19, 2018. Adjacent property notices were mailed via first class mail on September 14, 2018. One adjacent property owner discussed the project with staff with no objections to the development.

General Information

Comment response letters dated September 12, 2018 and updated plans have been submitted by the applicant's engineer. These items were forwarded to the Town's review

engineers (Pennoni); Berryville Public Works; and the Virginia Department of Environmental Quality for review and additional comments.

Modifications from the first submission include:

- A revised Land Development Application which removed the proposed five lot subdivision;
- The extension of the eastern access which removed the proposed extension of Chamberlain Street; and
- Staff has noted that a sidewalk along Mosby is not identified on the updated plans. Mr. Erickson said that it will be added to the final plan set.

Staff has included portions of the revised site plan with this report. Please note that utility (water, sanitary sewer, storm) details, profiles, and calculations and VDOT details have not been included but are available at the Berryville Planning Office for review.

Please note that responses to the resubmitted plans from review agencies have not been received by Town planning staff.

Town Council Action

Proffer modifications were approved by Town Council at their September 11, 2018 meeting. An additional resolution must be adopted by Town Council in order to allow 20 market rate units as required by the Virginia Housing Development Authority. This request will be going to Council at their October 9 meeting.

The following items are included in this packet:

- Updated Land Development Application (July 25, 2018);
- Public hearing notice published in the Winchester Star on Wednesday, September 12 and Wednesday, September 19, 2018;
- Section 614 of the Berryville Zoning Ordinance;
- Vicinity map of the project; and
- Site development plan.

July 25, 2018 Staff Report

Plans for the Robert Regan Village have been submitted for review and approval of a 120-unit age- and income-restricted facility to be constructed on Chamberlain Street. The three-story building will be adjacent to the assisted living facility which is slated for completion early this fall.

Three submissions for the complex have been submitted since 2009. The last, in 2015, had associated proffers from a previous rezoning which were updated in 2017 by Town Council. These proffers include substantial conformity with the 2015 site plan; multi-family development including no more than 120 units; payment of customary Town and County real estate taxes based on the full real estate tax assessment; no exemptions

from real estate taxation; and cash proffers toward fire and rescue services of \$1,250 per unit.

Apartment Complex

General Information

Older Person Residential is regulated under Section 614 of the Berryville Zoning Ordinance. Section 614.11 addresses requirements for multifamily development. Sections 614.2 and 614.5 were modified by Town Council in October of 2016 to allow multifamily senior housing as a use by right (previously required a Special Use Permit) and to decrease the total number of Older Person Residential units in Annexation Area B to from 300 to 200 and to increase the number of multifamily units from 120 units to 180. This development will exhaust the number of units permitted in the Berryville Zoning Ordinance for multifamily units in Annexation Area B.

Site plans were distributed to Pennoni Engineering; Town public works and utilities staff; and Clarke County building and emergency services staff for review and comment. A portion of the site plan is included in the agenda packet. Should BADA members wish to review the full plan set, it is available in the Berryville Planning office.

Storm Water Management

Storm water management is regulated under Virginia Department of Environmental Quality requirements and will be reviewed by this agency. The applicant has identified the purchase of nutrient credits that would be paid in order to reduce the number of storm water facilities and maintenance of such facilities. The correspondence concerning this effort is included on page 23 of 33 of the site plan included in this packet.

Parking

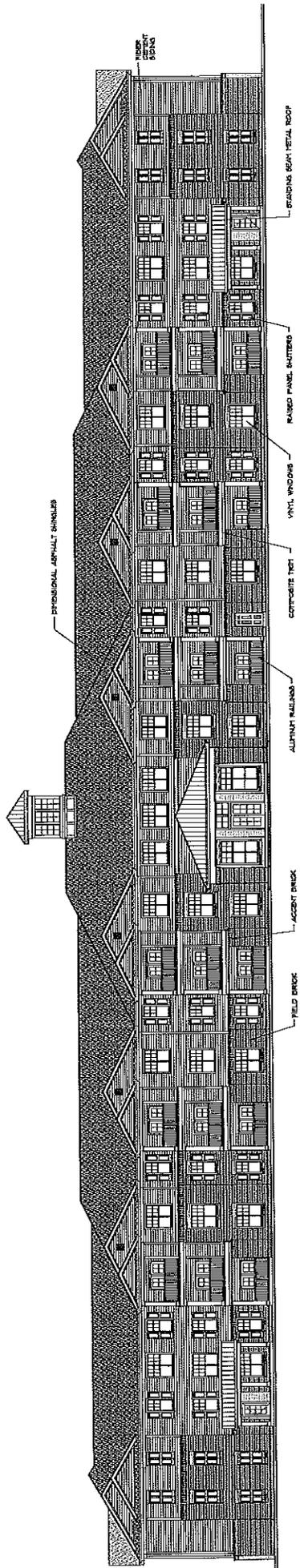
Parking regulations are established in Section 614.11(h) of the Berryville Zoning Ordinance which requires one space for each unit. The plan identifies 123 parking spaces and six handicapped parking spaces which conforms to ordinance regulations.

Major Subdivision

General Information

The applicant has requested a five lot subdivision which includes the parent parcel where the apartment complex is located; lots 1, 2, and 3 on the north side of future Chamberlain Street; and the western most lot 4 on Mosby Boulevard just east of the assisted living facility.

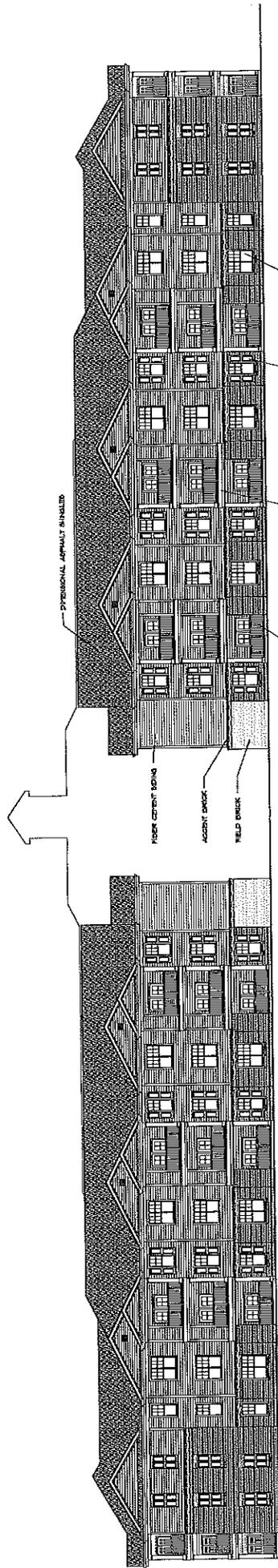
Article V of the Town of Berryville Subdivision Ordinance requires that an applicant who wishes to subdivide a tract of land in the Berryville Area submit preliminary and final plats for review and approval by the Administrative Body. Staff has requested these documents and associated fees from the agent. Once plats have been received by staff they will be reviewed for conformance to the requisite ordinances.



FRONT ELEVATION
SCALE: 3/32" = 1'-0"

ROBERT REGAN VILLAGE
BERRYVILLE, VIRGINIA
10-10-2018 PROJECT # 18-425
© 2018 WINKS-SNOWA ARCHITECTS, P.C.

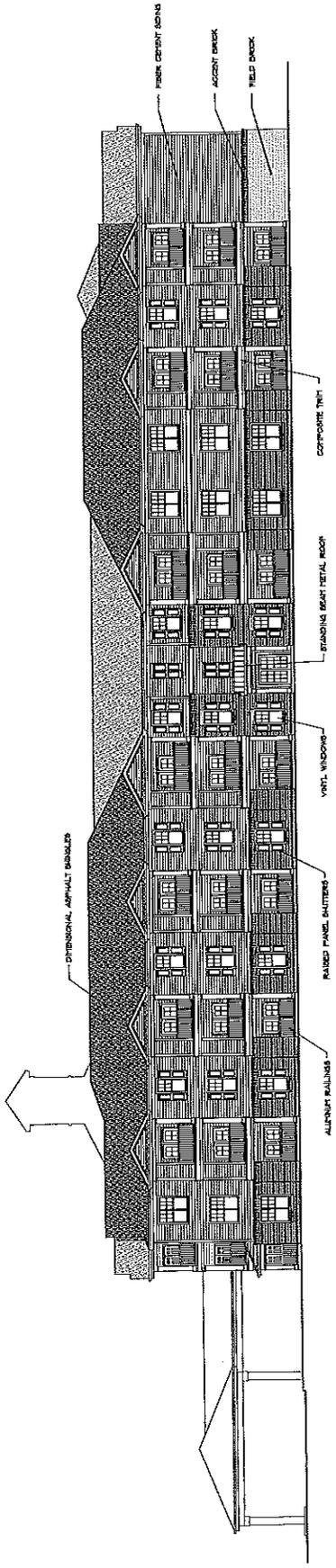
BASIS OF DESIGN MATERIALS:
LUMBER: PINE
BRICK: WOOD
CONCRETE: LIGHT TAN
ALUMINUM: ANODIZED
SHUTTERS: RAISED PANEL
ROOF: STANDING SEAM METAL
VINYL: WHITE
GLASS: CLEAR
PAINT: LIGHT TAN
METAL: BLACK
ROOF: BLACK
VINYL: BLACK
GLASS: CLEAR
PAINT: WHITE



REAR ELEVATION (SOUTH)
SCALE: 3/32" = 1'-0"

ROBERT REGAN VILLAGE
BERRYVILLE, VIRGINIA
10-10-2018 PROJECT # 16-425
© 2018 WINKS-SNOWA ARCHITECTS, P.C.

BASIS OF DESIGN MATERIALS:
 LAMP SIGNAGE - LIGHT TAN
 ROCK CENTER SIGNAGE - LIGHT TAN
 COMPOSITE TRIM - LIGHT TAN
 PROFESSIONAL - BLACK
 PROFESSIONAL - BLACK
 PAVED PANEL VENTIL. - BLACK
 SINGLE HANDS - WHITE
 ALUMINUM RAILINGS
 VINTL. WINDOWS
 ALUMINUM RAILINGS



BASES OF DESIGN MATERIALS:
 LUMBER: OAK
 BRICK: WINDSOR - FIELD
 ASPHALT: DIMENSIONAL
 SHUTTERS: RAISED PANEL
 VINTL: WINDSOR
 ALUMINUM BUILDINGS
 ROOF: COMPOSITE
 TRIM: COMPOSITE
 CONCRETE: PINK
 BRICK: ACCENT
 BRICK: FIELD

SIDE ELEVATION (WEST)
 SCALE: 3/32" = 1'-0"

ROBERT REGAN VILLAGE
 BERRYVILLE, VIRGINIA
 10-10-2018 PROJECT # 16-425
 © 2018 WINKS-SNOW ARCHITECTS, PC

FRAMING EXTERIOR ROOF

3-DIMENSIONAL ASPHALT SHINGLES

PEW CERAMIC SIDING

ACCENT BRICK

HILLI BRICK

ALUMINUM BALCONIES

RAISED PANEL SHUTTERS

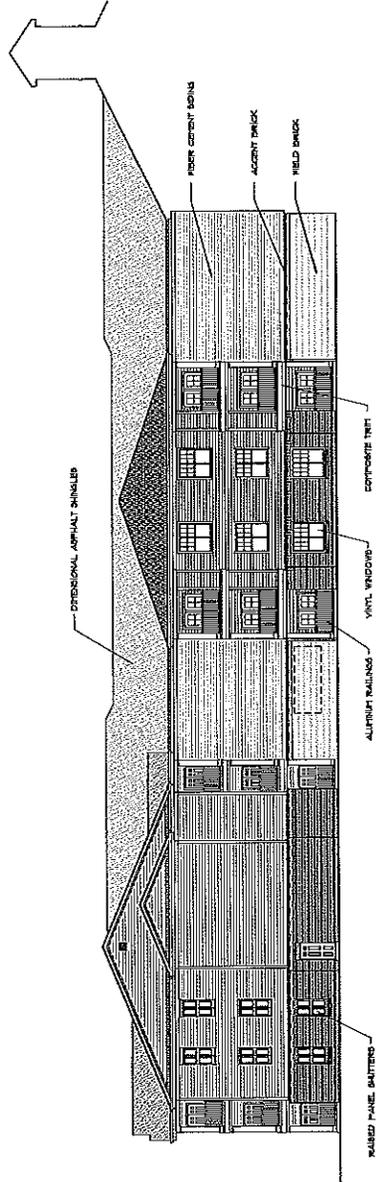
VINYL WINDOWS

COMPOSITE TRIM

COURTYARD ELEVATION (SOUTH)
SCALE 3/32" = 1'-0"

ROBERT REGAN VILLAGE
BERRYVILLE, VIRGINIA
10-10-2018 PROJECT # 16-425
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TABLE OF DESIGN MATERIALS:
LAP SIDING - PEW CERAMIC
BRICK VENEER - HILLI
COMPOSITE TRIM - WHITE
FRAMING EXTERIOR ROOF - 3-DIMENSIONAL ASPHALT SHINGLES
RAISED PANEL SHUTTERS - WHITE
VINYL WINDOWS - WHITE
ALUMINUM BALCONIES - WHITE



COURTYARD ELEVATION (EAST)
SCALE 3/32" = 1'-0"

ROBERT REGAN VILLAGE
 BERRYVILLE, VIRGINIA
 10-10-2018 PROJECT # 16-423
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LIST OF DESIGN MATERIALS:

LA-RENDER	POKER CONCRETE - LIGHT TAN
BRICK VENTURE - FIELD	CONCRETE BRICK - RED
CONCRETE BRICK - ACCENT	3-DIMENSIONAL ASPHALT SHINGLES
CONCRETE BRICK - FIELD	RAISED PANEL SHUTTERS
ALUMINUM RAILINGS	VINYL WINDOWS
VINYL WINDOWS	ALUMINUM TRIM
ALUMINUM TRIM	BRICK HANG - WHITE
BRICK HANG - WHITE	BRICK

