



BERRYVILLE AREA DEVELOPMENT AUTHORITY

AGENDA

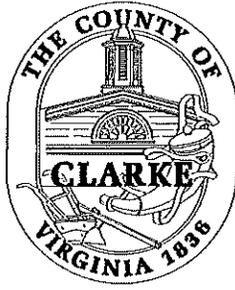
Wednesday, December 18, 2019 -- 7:00pm

**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, 2019 meeting
4. Boundary Line Adjustment
Jon and Christina Burge, Owners, are requesting a Boundary Line Adjustment between two parcels identified as Tax Map Parcel numbers 14A7-((14))-1A and 14A7-((14))-1B zoned DR-4 Detached Residential located on Mosby Boulevard in the Town of Berryville.
5. Discussion – Addressing on Dunlap and Tyson drives in Hermitage Phase V
6. Other Business
7. Adjourn

UPCOMING MEETING:

Wednesday, January 22, 2020 (7:00pm) – Organizational Meeting



BERRYVILLE AREA DEVELOPMENT AUTHORITY
DRAFT MINUTES - REGULAR MEETING
Wednesday, September 26, 2019 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, 2019.

ATTENDANCE

Authority Members Present: Allen Kitselman, Chair; Matt Bass; Tom Parker; and David Weiss

Authority Members Absent: George L. Ohrstrom, II; Kathy Smart

Staff present: Christy Dunkle, Berryville Assistant Town Manager

Chair Kitselman called the meeting to order at 7:00PM.

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Bass (moved); Kitselman; Parker (seconded); Weiss (abstain)
No: None
Absent: Ohrstrom; Smart

APPROVAL OF MINUTES

The Authority voted to approve the minutes of the August 28, 2019 meeting as presented.

Yes: Bass (seconded); Kitselman; Parker (seconded); Weiss
No: None
Absent: Ohrstrom; Smart

PUBLIC HEARING

D.R. Horton, Inc. (Patrick J. Williams, Agent) is requesting final subdivision plat approval for the creation of 82 single-family residential lots on 41.2046 acres on Tax Map Parcel number 14-A-96 zoned DR-2 Residential located in the Town of Berryville. MASD 01-19

Chair Kitselman opened the public hearing.

Chair Kitselman asked staff to give a brief overview of Berryville Area. Ms. Dunkle said she had met with a number of residents concerning the public hearing and wanted to give a brief overview of the efforts by the Town and County over the years. She referenced the creation of the BADA, the Berryville Area Plan, zoning regulations shared between the two localities, and the Town's agreement to extend water and sanitary sewer in Annexation Area B.

Ms. Dunkle identified the three future potential growth areas from the updated Berryville Area Plan and recommended that residents visit the Town and County web sites or contact staff should they have questions concerning existing and future development.

Ms. Dunkle described the request and previous application submission for Shenandoah Crossing. Chair Kitselman asked if Horton would like to address the Authority. Brian Prater, representing DR Horton, said he was fine with Ms. Dunkle's description.

Chair Kitselman recognized Harry Sunderland, Town resident. Mr. Sunderland said he was concerned about the future development in Berryville and traffic on 340. He requested more communication to let people know what is happening. He said he wanted to keep Berryville small.

Chair Kitselman recognized Jeremy Tipton, Town resident. Mr. Tipton said he had two concerns in the Rockcroft neighborhood: the safety of the children and traffic. He suggested speed tables on Rockcroft Drive and Circle Drive. He also said that buffers should be established between neighborhoods.

Chair Kitselman recognized Brian McComb, Town resident. Mr. McComb said he lives on Page Street and said his house is 30 feet below the Shenandoah Crossing property and was concerned about drainage from the property. He also voiced concern over traffic and safety of homes.

Chair Kitselman recognized Helen Magnotti, Town resident. She said her backyard flooded when her house was built and the developer added a French drain to her property to remedy the problem. She asked if soil testing had been done on the site. She asked when construction would begin.

Chair Kitselman recognized Marianne Casey, Town resident. She voiced concerns about traffic going into the new subdivision, safety, and the elevation of houses on adjacent properties.

Chair Kitselman recognized Carl Stephanus. Mr. Stephanus said he had recently sold the Soldiers' Rest property and said problems will start immediately including dust and construction debris.

Chair Kitselman recognized Scott Koysh, Town resident. Mr. Koysh asked if Church Street would be completed. He said he was concerned about the safety of the children in the neighborhood and a buffer between the two residential developments should be considered.

Chair Kitselman recognized Mark Guevremont, Town resident. Mr. Guevremont asked if consideration had been taken concerning storm water runoff, traffic, and emergency services.

Chair Kitselman recognized Jess Mitchell, Town resident. Ms. Mitchell asked if there would be a buffer and if Church Street was going to be paved through to Fairfax Street.

Chair Kitselman recognized Tina Creek, Town resident, who asked about future development.

There being no other speakers, Chair Kitselman asked for a motion to close the public hearing.

Yes: Bass (seconded); Kitselman; Parker; Weiss (moved)

No: None
Absent: Ohrstrom; Smart

Chair Kitselman said he moved to Berryville in 1987 and being smart about growth is the reason Berryville is a great place to live. He said the Town built a new wastewater plant and outfall line to accommodate future growth. He said the Annexation Area defines where we are going to grow and said this plan was a model for the state of Virginia. He said the planning for the community has gone on for a long time and the ordinances are tight.

Chair Kitselman addressed blasting regulations and oversight and discussed the intersection of North Buckmarsh Street and Fairfax Street. Mr. Weiss said the Board is well aware of the circle around Berryville and are always aware of development and budgets to accommodate necessary services for the community.

Mr. Bass thanked residents for coming to the meeting. He said that as an advisory board, their duty is to assure that the applicant follows the rules. He said as a resident for 35 years, he has seen construction of other developments and new residents settling into the community. There was a discussion about traffic calming applications.

Chair Kitselman recognized Mr. Prater and asked him to address items that had been brought up at the public hearing. Mr. Prater said there are no buffer requirements between residential zoning districts. He said his client is meeting all of the zoning and subdivision standards as set forth in the respective ordinances. He said the streets are designed to VDOT standards and storm water requirements will be met per Department of Environmental Quality regulations. He said the development is a by right use as established in the Town's zoning ordinance and they will be meeting all the requirements.

There was a discussion about construction protocols. Chair Kitselman said that applicant will be required to meet all necessary requirements.

Mr. Bass asked if there is a web site available for residents to see the product that will be built. DR Horton representatives indicated that a web site will be up within three or four months that will market the property. Mr. Bass said that at the last meeting, Horton representatives indicated they were hoping to begin land disturbance in November with paving next summer and construction after that.

Mr. Weiss said that they are well aware of the changes coming to the neighborhood. He said balance and planning for change are important. Chair Kitselman said in order to survive, the Town needs to grow. Mr. Weiss added the benefits will be good for the community.

OTHER BUSINESS

There was no other business.

ADJOURN

There being no further business, Chair Kitselman asked for a motion to adjourn. Mr. Bass moved to adjourn the meeting at 8:48PM.

Allen Kitselman, Chair

Christy Dunkle, Clerk

Jon and Christina Burge, Owners, are requesting a Boundary Line Adjustment between two parcels identified as Tax Map Parcel numbers 14A7-((14))-1A and 14A7-((14))-1B zoned DR-4 Detached Residential located on Mosby Boulevard in the Town of Berryville.

Article II, General Regulations, Section L. of the Town of Berryville Subdivision Ordinance requires that any Boundary Line Adjustments involving plats approved under the Town Subdivision Ordinance be approved by the Administrative Body. These lots were subdivided under the Battlefield Estates development plan and are located within Annexation Area B.

The Subdivision Ordinance states the following:

1. The boundary lines of any lot or parcel of land may be relocated or otherwise altered as a part of an otherwise valid and properly recorded plat of subdivision or re-subdivision and executed by the owner or owners of such land as provided in § 15.1-477 of the Code of Virginia (1950, as amended), provided:
 - a. that such action does not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas;
 - b. that no easements or utility rights-of-way shall be relocated or altered without the express consent of all persons holding any interest therein;
 - c. that such action does not create a nonconforming situation according to the Town Zoning Ordinance;
 - d. that such action does not alter a boundary line that is coincident with a zoning district boundary; and
 - e. that such action does not create additional lots beyond those already approved.

The zoning applied to these parcels is DR-4 Detached Residential and is regulated under Section 604 of the Berryville Zoning Ordinance. Staff has reviewed the submission and has determined that the proposed Boundary Line Adjustment creates conforming conditions on both parcels including lot size and lot width. Development of the respective parcels must conform to setback requirements established in Section 604.5. Existing storm, water, and sanitary sewer easements remain in the same locations.

Recommendation

Approve as presented. A sample motion follows this report.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2388.03'	79.85'	79.85'	N 55°55'44" W	1°55'05"
C2	2388.03'	46.58'	46.58'	N 55°54'35" W	1°57'54"
C3	546.00'	55.12'	55.12'	S 45°44'35" W	5°27'08"
C4	2392.13'	115.42'	115.42'	N 57°21'51" W	2°45'50"
C5	2392.13'	53.54'	53.54'	N 57°18'35" W	0°49'12"
C6	2392.13'	70.87'	70.87'	N 54°40'07" W	1°52'55"

Approval: _____ date: _____
 Zoning Administrator, Town of Berryville
 Berryville Area Development Authority _____ date: _____



Surveyor's Certificate: I, W. Stuart Dunn, a duly Licensed Land Surveyor in the Commonwealth of Virginia, do hereby certify that the lands herein depicted are in the name of Jonathan William Burge and Christina Marie Burge as recorded in the Owner's Certificate. I certify that the bounds of said lands are property correctly established within the boundaries of the original records one are referenced to the meridian established in Plat Book 10, Page 80.

W. Stuart Dunn, C.L.S. #2000
 Berryville, Virginia

Owners' Certificate: The undersigned fee simple owners hereby certify that the foregoing boundary line adjustments of 5,808 square feet, being a portion of an existing parcel of 16,778 square feet, Tax Map 14A7-14-1B, to be adjusted into an existing parcel of 16,890 square feet, Tax Map 14A7-14-1A, both parcels recorded in the deed books of the County of Clarke, Virginia, and 22,598 square feet, being a portion of an existing parcel of 22,598 square feet, being the adjusted area of Tax Map 14A7-14-1A, is made with the free consent and in accordance with the desires of the undesignated owners of said lands and the same is hereby confirmed and submitted for record in the Office of the Clerk of the Circuit Court of Clarke County, Virginia.

Jonathan William Burge
 4000 North Church Street
 Berryville, VA 22811
 tel: 540-539-8281

Christina Marie Burge
 same

I, Notary Public, for the County of Clarke, in the State of Virginia, do hereby certify that Jonathan William Burge and Christina Marie Burge are the persons who signed in the Owner's Certificate, have acknowledged the same before me this _____ day of _____, 2019.

My commission as Notary expires:

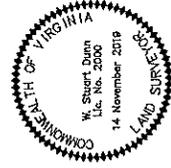
Notary Public

Notes:

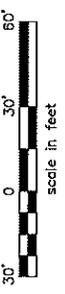
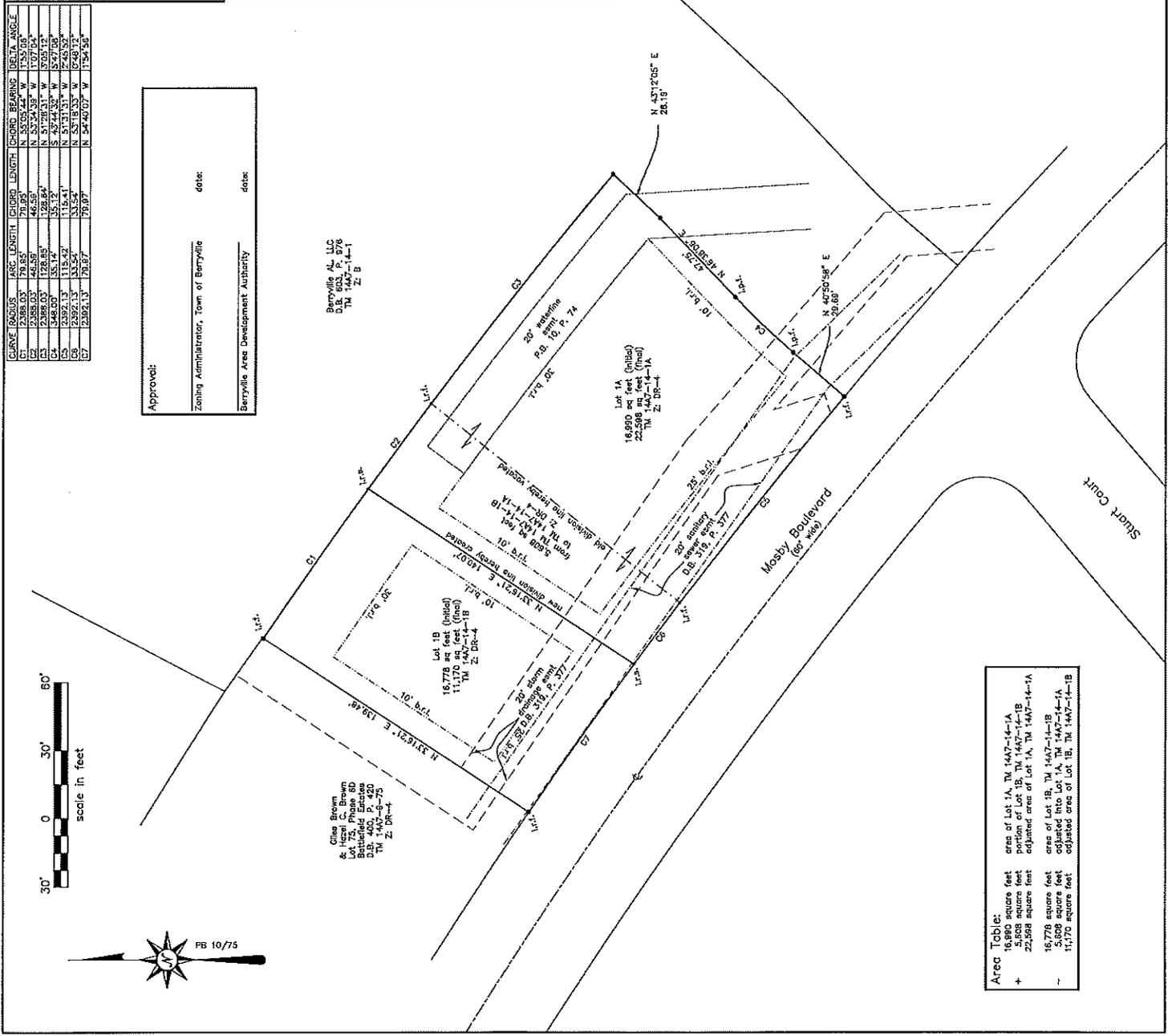
- (1) These lands are in Flood Zone X, established from FEMA Community Panel no. 510400000D, effective September 28, 2007.
- (2) No utility easements, easements or record not shown may exist.
- (3) The boundaries shown herein are based on surveys recorded in Plat Book 10, Page 79 from old property lines, 30' from rear property lines.
- (4) Building setbacks as follows: 25' from the right-of-way line of Mosby Boulevard, 10' from side property lines, 30' from rear property lines.
- (5) The boundaries shown herein are based on surveys recorded in Plat Book 10, Page 74 and 75, and a field survey by Dunn Land Surveys, Inc.

Composite Plat of Boundary Line Adjustment

of the Lands of
Jonathan William Burge
 and **Christina Marie Burge**
 Deed Book 843, Page 570 Tax Map 14A7-14-1A and 1B
 Lots 1A and 1B, A. C. Echols, Jr. Trustee Division
 Plat Book 10, Page 74, Plat Book 10, Page 79
 Town of Berryville, Clarke County, Virginia



Dunn Land Surveys, Inc.
 106 North Church Street
 Berryville, Virginia 22811
 tel: 540-539-3886
 November 14, 2019
 survey no. 2648



Area Table:

+	16,890 square feet	area of Lot 1A, TM 14A7-14-1A
+	5,808 square feet	portion of Lot 1B, TM 14A7-14-1B
+	22,598 square feet	adjusted area of Lot 1A, TM 14A7-14-1A
-	16,778 square feet	area of Lot 1B, TM 14A7-14-1B
-	5,808 square feet	adjusted into Lot 1A, TM 14A7-14-1A
-	11,170 square feet	adjusted area of Lot 1B, TM 14A7-14-1B

BERRYVILLE AREA DEVELOPMENT AUTHORITY

MOTION TO APPROVE BOUNDARY LINE ADJUSTMENT

Date: December 18, 2019

Motion By:

Second By:

I move that the Berryville Area Development Authority approve the Boundary Line Adjustment as requested for two lots identified as Tax Map parcel numbers 14A7-((14))-1A and 14A7-((14))-1B located on Mosby Boulevard and zoned DR-4 Detached Residential.

Aye:

Nay:

Absent:

Due to storm water management regulation changes, the final phase of the Hermitage subdivision has been redesigned to accommodate water quality facilities and conservation areas that were not previously required. The construction plans have been reviewed by Town staff and engineering and the Virginia Department of Environmental Quality. The final plat has not been submitted for review and approval at this time. This approval process will include both administrative bodies (BADA and Berryville Planning Commission) as this portion of Hermitage includes Annexation Area B and portions of the existing Town. The current preliminary plat identifies a t-intersection at Tyson Drive and Dunlap Drive (illustrated on the enclosed vicinity map). The proposed layout shows the road casing for Tyson as a continuation onto Dunlap.

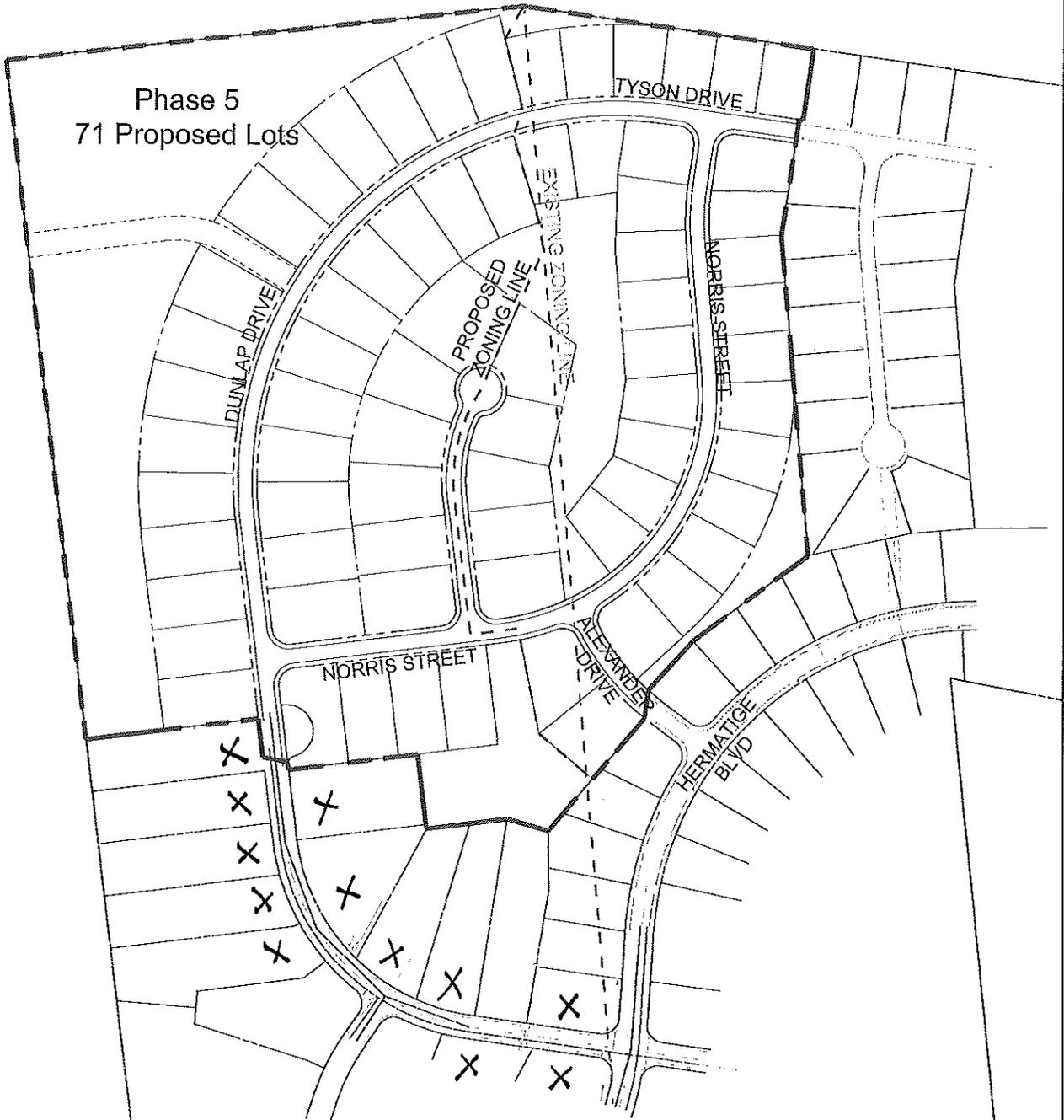
Staff discussed the matter of modifying addresses on 13 properties identified on Exhibit B (following this staff report) with County E-911 personnel. The recommendation was to change these addresses to Tyson Drive from Dunlap beginning at Hermitage Boulevard.

Staff discussed the matter with the Town Council Streets and Utilities Committee. Mayor Dickinson has contacted property owners that would be affected by the numbering and street name changes. She said residents are opposed to this effort citing associated costs including updating passports, drivers' licenses, and other items.

Another option is to transition from Tyson to Dunlap at one of the Norris Street intersections. This would create a condition where three street signs would be installed.

Staff is requesting a discussion and recommendation for addressing these parcels.

Phase 5
71 Proposed Lots



X PROPERTIES AFFECTED BY
PROPOSED ADDRESS CHANGES

Hermitage Section 5, Exhibit B

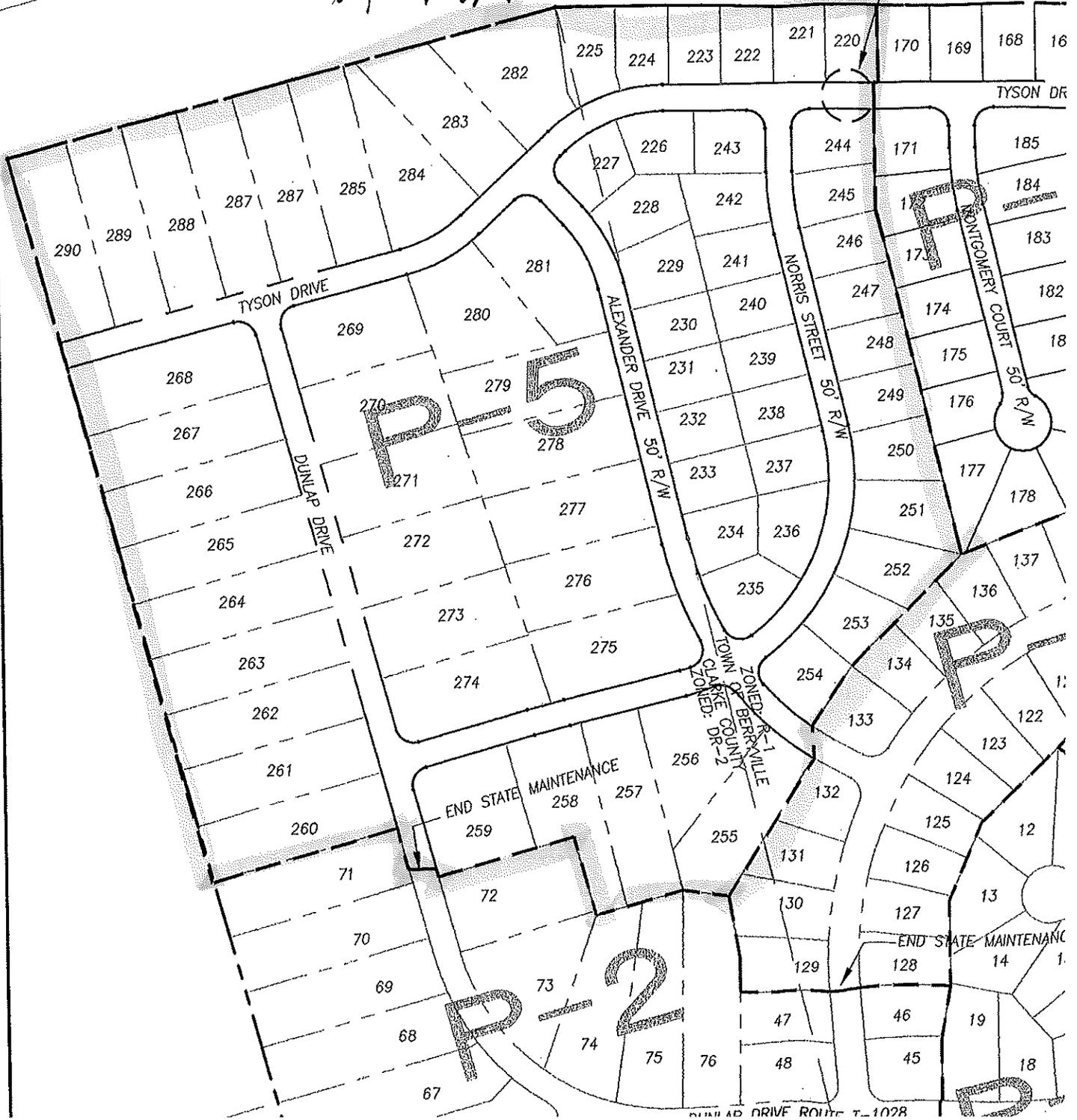
proposed zoning line



PENNONI ASSOCIATES INC.

VICINITY MAP

TEMPORARY TURN-AROUND



DUNLAP DRIVE ROUTE T-1028