

**CLARKE COUNTY
PLANNING COMMISSION
MINUTES
17 January 2007**

A special meeting of the Planning Commission of Clarke County, Virginia was held at the Boyce Volunteer Fire Hall, 1 South Greenway Avenue, on Wednesday, the 17th day of January 2007.

ATTENDANCE

Planning Commission

Present: Beverly B. McKay, Chair; George L. Ohrstrom, II, Vice Chair; Jay Arnold, Mary Daniel, Pat McKelvy, Cliff Nelson, and Kathy Smart.

Absent: Barbara Batterton, Anne Caldwell, A.R. Dunning, Jr., and Bob Wade

Comprehensive Plan Review Committee

Present: George L. Ohrstrom, II, Chair, Robina Rich Bouffault, and Pat McKelvy.

Absent: Carey Lokey and Frannie Crawford

STAFF

Charles Johnston, Planning Administrator; Jesse Russell, Zoning Administrator; Alison Teetor, Natural Resource Planner.

PUBLIC PRESENT

Chris Bates, Audrey Brown, Randy Buckley, Sammy Buckley, Gem Bingol, Brian Conrad, and Bob Igoe (Winchester Star)

CALL TO ORDER

Chair McKay called the meeting to order at 7:35 p.m.

APPROVAL OF AGENDA

The agenda for 17 January 2007 was unanimously approved.

Yes: Arnold, Daniel, McKay, McKelvy, Nelson (seconded), Ohrstrom, and Smart (moved)

No: No one

Absent: Batterton, Caldwell, Dunning, and Wade

PUBLIC HEARING

The Clarke County Planning Commission will consider recommending to the Board of Supervisors:

- 1. the adoption of the 2007 Clarke County Comprehensive Plan, an updated version of the 2001 Clarke County Comprehensive Plan, and**
- 2. the adoption of the 2007 Historic Resources Plan, a component of the Comprehensive Plan and an updated version of the 2001 Historic Resources Plan.**

Commissioner Ohrstrom, as Chairman of the Comprehensive Plan Committee, stated that it has been an honor to Chair the Comprehensive Plan Committee. He stated that the Committee has not made a lot of changes and changes that were made are strictly in the context of modernization and wording. He said most of the work was done to strengthen our environmental protection policies. He thanked everyone involved in this process and hopes that the finished product reflects the intent to protect and preserve our "little slice of heaven".

Chair McKay opened the public hearing for citizen comments.

Chuck Maddox, consultant for PHR&A Engineers, was present to request a change to the Comprehensive Plan. He introduced Patrick Sowers, Chief Planning Consultant with PHR&A, and Ray Smith with Dogwood Development, the potential developer of an approximate 20-acre portion of the Shenandoah project at Lake Frederick in Clarke County. Mr. Maddox complimented the Commission on the Comprehensive Plan. He stated that a lot of zoning changes have taken place in the Double Tollgate area anticipating development in the 522 corridor. Mr. Maddox asked the Commission to consider expanding the Double Tollgate Area Plan boundaries to include Mr. Smith's property, the area west of the prison, between 522 and the Frederick County line. Mr. Maddox made the following comments: The subject property has not been used for agriculture. Its development will improve the County's fiscal picture by adding additional revenue. The Double Tollgate Plan focuses on additional commercial uses, but there are other uses that have fiscal benefits, such as the proposed age restricted housing. Mr. Smith has rights to water and sewer service. The Double Tollgate Plan was adopted in 2002. The traffic volumes on Route 340 /522 increased from 12,000 in 2001 to 19,000 in 2005. The lack of utilities has inhibited growth at this intersection. Mr. Smith could provide water and sewer services. This proposed change was considered in 2001, but without a basis in the Comprehensive Plan. Mr. Smith is now seeking that basis. Construction has begun on the main Shenandoah development project so water and sewer will soon be available. This is minor change that would enable the zoning established and benefit the county.

Mr. Ohrstrom asked if Mr. Maddox had a response to the December 1st letter requesting an update to the 2000 information justifying the request. Mr. Arnold asked what the exact nature of the project would be. Mr. Maddox said it would be about 80 units for active adults plus continuing care, nursing, and assisted and independent living units. Mr. Maddox said the basis for change is what is happening in Frederick County with the remainder of the Shenandoah project. In addition, it will protect agriculture view sheds and the rezoning will have proffers. These proffers will address the fiscal impacts, which will respond to Mr. Ohrstrom's concerns as well as improve roads.

Chris Bates, adjoining property owner, stated that the property is agricultural and that the subject property was recently farmed. He stated that the distance between Double Tollgate and this site would clearly create spot zoning. He said he felt this is not something the County would want to do. He stated that the amount of acreage at Double Tollgate was determined based on the research of economists. He said among those studies was the fact that the Double Tollgate intersection just cannot stand anymore commercial traffic. He stated this proposed project's economic impact study was not a formula or model that would have a positive impact on the County.

Robina Rich Bouffault, Comprehensive Plan Committee and the Berryville Area Development Authority, was present and questioned the availability of water and sewer to the area and there being no emergency service readily available. She stated the Historic Resources Plan is a good and well-written plan and she recommends that the Planning Commission recommend it to the Board of Supervisors as written.

Audrey Brown, adjoining property owner, stated that if any of these units in Shenandoah, were to be independent living units this could result in school children, even if they are only permitted to live there for 90 days. She stated that if this were to happen, the County would be required by state law to educate these children.

Gem Bingol, Clarke County Field Officer for the Piedmont Environmental Council, stated she has attended the committee meetings and commended the improvements to the plan and the attention to detail. She stated she feels more background information should be available before a decision is made on the Shenandoah request.

Brian Conrad, on the Transportation Plan Special Committee for the Comprehensive Plan, stated that the Shenandoah request does not make sense. He said that just because Frederick County made a mistake, it does not mean we should to.

There being no further discussion, the meeting was adjourned until the next Comprehensive Plan public hearing on 22 January 2007.

Beverly McKay, Chair

Charles Johnston, Clerk

Minutes prepared by
Debra L. Bean
Recording Secretary