

BERRYVILLE AREA DEVELOPMENT AUTHORITY

AGENDA

Wednesday, July 22, 2020 -- 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

6:45pm - Closed Session

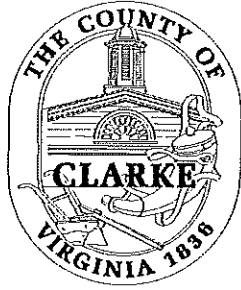
The Berryville Area Development Authority will enter closed session pursuant to Va. Code §2.2-3711-A-29(A)(B) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel related to the subdivision application and proposed street extension of House of Lords, Inc.

Joint Public Hearing with Berryville Planning Commission (Please see separate meeting agenda packet)

3. Approval of Minutes – June 24, 2020 meeting
4. Public Hearing – Street Extension Related to Proposed Subdivision
The Berryville Area Development Authority will hold a public hearing pursuant to VA Code § 15.2-2232 in order to determine whether the proposed street extension of McNeil Drive is substantially in accord with the adopted Berryville Area Plan.
6. Continued Public Hearing - Final Plat and Site Plan – McNeil Drive
House of Lords, Inc. and Ding Yi Wang, Owners (Jon Erickson, Morris & Ritchie Associates, Agent) are requesting Final Plat and Site Plan approval in order to construct an extension of McNeil Drive, creating a two-lot subdivision on the parcel identified as Tax Map Parcel number 14-5-251E zoned Business Commercial (BC). SP 01-20
7. Discussion of Public Hearings
8. Other Business
9. Adjourn

UPCOMING MEETING:

Wednesday, August 26, 2020 (7:00pm) – Regular Meeting



BERRYVILLE AREA DEVELOPMENT AUTHORITY
DRAFT MINUTES - REGULAR MEETING
Wednesday, June 24, 2020 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, June 24, 2020.

ATTENDANCE

Authority Members Present: Matt Bass; Allen Kitselman; George L. Ohrstrom, II; Tom Parker; David Weiss

Authority Members Participating Electronically: Kathy Smart

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

ORGANIZATIONAL MEETING

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

Vice-Chair Ohrstrom stated that this is Mr. Bass's last meeting on the Authority and that he has enjoyed working with him. He thanked him for his service and said that he looked forward to working with him on the Board of Supervisors.

APPROVAL OF AGENDA (AMENDED)

The Authority voted to approve the amended agenda as presented.

Yes: Bass, Kitselman, Ohrstrom (moved), Parker (seconded), Smart, Weiss

No: None

APPROVAL OF MINUTES

The Authority voted to approve the minutes of the May 27, 2020 meeting as presented.

Yes: Kitselman, Ohrstrom (moved), Smart (seconded), Weiss

No: None

Abstained: Bass, Parker

SET PUBLIC HEARING – Final Plat Hermitage Phase V

Duane Brown (Marsh and Legge Land Surveyors, PLC, Agent; Hermitage, LLC, Owner) is requesting final subdivision plat approval for the creation of 71 single-family residential lots on the property identified as Tax Map Parcel numbers 14A4-((A))-23 (23.42 acres) and 14-A-11A (35.25 acres), zoned R-1 Residential and DR-1 Residential, respectively. MASD 01-20

Ms. Dunkle said that is for the fifth and final stage of The Hermitage containing 71 single-family lots. She said we will be having a joint public hearing with the Berryville Planning Commission because a portion of the property is in the Town and outside of the Annexation Area. She said the Commission has agreed to meet jointly on Wednesday, July 22 at 7:00PM. She noted that there have been modifications made to the original preliminary plat due to stormwater management regulations and the need for conservation areas. She added that they did lose a couple of lots and reconfigured an intersection. She said this has been approved by the Virginia Department of Environmental Quality (DEQ) and has addressed all of Town Staff's questions. Vice-Chair Ohrstrom asked for confirmation that there is no review required by the Virginia Department of Transportation (VDOT) and Ms. Dunkle said that is correct because these are secondary streets.

The Authority voted to schedule public hearing for Wednesday, July 22 at 7:00PM.

Yes: Bass, Kitselman, Ohrstrom (moved), Parker, Smart (seconded), Weiss
No: None

CLOSED SESSION

The Authority voted to enter closed session pursuant to the following motion:

I move that the Berryville Area Development Authority enter a closed meeting pursuant to Va. Code §2.2-3711-A-29(A)(8) for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel related to the subdivision application and proposed street extension of House of Lords, Inc.

Yes: Bass (moved), Kitselman, Ohrstrom (seconded), Parker, Smart, Weiss
No: None

The Authority entered closed session at 7:04PM and resumed regular session at 7:29PM. The Authority voted to certify the closed session pursuant to the following motion and resolution:

I move that the BADA adopt the following resolution certifying that it has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Be it resolved that the BADA hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the BADA.

The Authority voted by voice vote to adopt the resolution certifying the closed session.

Weiss	AYE
Ohrstrom (moved)	AYE
Kitselman	AYE
Parker (seconded)	AYE
Bass	AYE
Smart	AYE

Chair Kitselman asked if there are any motions. Mr. Bass made the following motion, seconded by Mr. Ohrstrom:

The BADA having been advised that it has to make a determination pursuant to Va. Code §15.2-2232 as to whether the street extension related to the proposed subdivision of the property to House of Lords, Inc. and Ding Yi Wang is substantially in accord with the adopted Berryville Area Plan, and that such determination must be made before acting on the subdivision application and street construction plans.

Therefore, I move that the public hearing on the final subdivision plat and street extension plans be opened and then continued, and that the BADA schedule a public hearing on the review pursuant to Va. Code §15.2-2232.

Yes: Bass (moved), Kitselman, Ohrstrom (seconded), Parker, Smart, Weiss
No: None

Chair Kitselman said that pursuant to the adoption of that motion, the public hearing on the final subdivision plat and street extension plans is opened. He then asked if there is a motion to continue the public hearing. Mr. Bass made the following motion to continue the public hearing to July 22, 2020, seconded by Mr. Weiss:

Yes: Bass (moved), Kitselman, Ohrstrom, Parker, Smart, Weiss (seconded)
No: None

Chair Kitselman asked if there is a motion to schedule a public hearing on the review under Va. Code §15.2-2232. Mr. Bass moved to schedule a public hearing on the review under Va. Code §15.2-2232 for July 22, 2020.

Yes: Bass (moved), Kitselman, Ohrstrom (seconded), Parker, Smart, Weiss
No: None

Chair Kitselman confirmed that the public hearing is continued to the July 22 meeting.

OTHER BUSINESS

Mr. Bass said that he has enjoyed serving on the Authority and has learned a lot from each of the members. Chair Kitselman added that he has been a great asset and will continue to be one for the Board of Supervisors.

ADJOURN

There being no further business, Chair Kitselman adjourned the meeting at 7:33PM.

Allen Kitselman, Chair

Brandon Stidham, Clerk

Berryville Area Development Authority Report Summary

July 22, 2020

Item Title

Conformance to VA Code § 15.2-2232

Prepared By

Christy Dunkle

Public Hearing

Street Extension Related to Proposed Subdivision

The Berryville Area Development Authority will hold a public hearing pursuant to VA Code § 15.2-2232 in order to determine whether the proposed street extension of McNeil Drive is substantially in accord with the adopted Berryville Area Plan.

Background/History/General Information

Public hearing notices were published in the Winchester Star on Wednesday, July 1 and Wednesday, July 8, 2020. Adjacent property owners were notified on July 7, 2020. No comments were received in the Planning Office.

Findings/Current Activity

The Berryville Area Plan states that the completion of connectivity between McNeil Drive and Chamberlain Street should be considered. Accordingly, it is staff's opinion that this request is in substantial conformance with the adopted Berryville Area Plan.

Financial Considerations

N/A

Schedule/Deadlines

A determination should be made at this meeting.

Other Considerations

N/A

Recommendation

As this road extension is referenced in the updated Berryville Area Plan, determine that the extension of McNeil Drive is in substantial conformance with the adopted Berryville Area Plan.

Sample motion:

I move that the Berryville Area Development Authority finds the request to extend McNeil Drive to its current terminus with Chamberlain Street is substantially in accord with the adopted Berryville Area Plan.

Attachments:

- Public hearing notice published in the Winchester Star on July 1 and July 8, 2020
- VA Code § 15.2-2232
- Sub-Area 7 narrative from the updated Berryville Area Plan

**BERRYVILLE AREA
DEVELOPMENT AUTHORITY
PUBLIC HEARING**

The Berryville Area Development Authority will hold the following public hearing at 7:00 p.m., or as soon after as this matter may be heard, on **Wednesday, July 22, 2020**, in the Main Meeting Room, Second Floor, of the Berryville/Clarke County Government Center, 101 Chalmers Court, Berryville, Virginia to consider the following:

Street Extension Related to Proposed Subdivision

The Berryville Area Development Authority will hold a public hearing pursuant to VA Code § 15.2-2232 in order to determine whether the proposed street extension of McNeil Drive is substantially in accord with the adopted Berryville Area Plan.

Please note: COVID-19 restrictions may be in effect

Copies of the applications, amendments, and maps may be examined at the Town Business Office, Berryville/Clarke County Government Center (101 Chalmers Court), First Floor, Berryville, Virginia during regular business hours. Additional information may be obtained by calling Community Development Director Christy Dunkle at 540/955-4081. Any person desiring to be heard on this matter should appear at the appointed time and place.

The Town of Berryville does not discriminate against disabled persons in admission or access to its programs and activities. Accommodations will be made for disabled persons upon prior request.

By order of the Berryville Area
Development Authority
Christy N. Dunkle,
Community Development Director

Code of Virginia
Title 15.2. Counties, Cities and Towns
Chapter 22. Planning, Subdivision of Land and Zoning

§ 15.2-2232. Legal status of plan.

A. Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of § 56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof. In connection with any such determination, the commission may, and at the direction of the governing body shall, hold a public hearing, after notice as required by § 15.2-2204.

Following the adoption of the Statewide Transportation Plan by the Commonwealth Transportation Board pursuant to § 33.2-353 and written notification to the affected local governments, each local government through which one or more of the designated corridors of statewide significance traverses, shall, at a minimum, note such corridor or corridors on the transportation plan map included in its comprehensive plan for information purposes at the next regular update of the transportation plan map. Prior to the next regular update of the transportation plan map, the local government shall acknowledge the existence of corridors of statewide significance within its boundaries.

B. The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the commission to the governing body within 10 days after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the governing body shall overrule the commission.

C. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or public service corporations shall not require approval unless such work involves a change in location or extent of a street or public area.

D. Any public area, facility or use as set forth in subsection A which is identified within, but not the entire subject of, a submission under either § 15.2-2258 for subdivision or subdivision A 8 of § 15.2-2286 for development or both may be deemed a feature already shown on the adopted master plan, and, therefore, excepted from the requirement for submittal to and approval by the commission or the governing body; provided, that the governing body has by ordinance or resolution defined standards governing the construction, establishment or authorization of such public area, facility or use or has approved it through acceptance of a proffer made pursuant to § 15.2-2303.

E. Approval and funding of a public telecommunications facility on or before July 1, 2012, by the Virginia Public Broadcasting Board pursuant to Article 12 (§ 2.2-2426 et seq.) of Chapter 24 of Title 2.2 or after July 1, 2012, by the Board of Education pursuant to § 22.1-20.1 shall be deemed to satisfy the requirements of this section and local zoning ordinances with respect to such facility with the exception of television and radio towers and structures not necessary to house electronic apparatus. The exemption provided for in this subsection shall not apply to facilities existing or approved by the Virginia Public Telecommunications Board prior to July 1, 1990. The Board of Education shall notify the governing body of the locality in advance of any meeting where approval of any such facility shall be acted upon.

F. On any application for a telecommunications facility, the commission's decision shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the commission to act on any such application for a telecommunications facility under subsection A submitted on or after July 1, 1998, within 90 days of such submission shall be deemed approval of the application by the commission unless the governing body has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The governing body may extend the time required for action by the local commission by no more than 60 additional days. If the commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the commission.

G. A proposed telecommunications tower or a facility constructed by an entity organized pursuant to Chapter 9.1 (§ 56-231.15 et seq.) of Title 56 shall be deemed to be substantially in accord with the comprehensive plan and commission approval shall not be required if the proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right.

H. A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or 56-594.01 or by a small agricultural generator under § 56-594.2; or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

Code 1950, §§ 15-909, 15-923, 15-964.10; 1958, c. 389; 1960, c. 567; 1962, c. 407, § 15.1-456; 1964, c. 528; 1966, c. 596; 1968, c. 290; 1975, c. 641; 1976, c. 291; 1978, c. 584; 1982, c. 39; 1987, c. 312; 1989, c. 532; 1990, c. 633; 1997, cc. 587, 858; 1998, c. 683; 2007, c. 801; 2009, cc. 670, 690; 2012, cc. 803, 835; 2016, c. 613; 2018, cc. 175, 318; 2020, c. 665.

BERRYVILLE AREA PLAN

well as, adequate public street linkages within the overall planning precinct. The private sector should design and construct public roads in the planning precinct necessary to carry the ultimate traffic loadings for the projected development. In addition, transportation plans shall provide for bikeways as well as internal pedestrian movements via sidewalks and paths.

SUB-AREA 7

Name: NORTHERN GATEWAY/MOSBY HIGHWAY COMMERCIAL
Acreage: 23.1 acres
Land Use Designation: Highway and Visitor Commercial
Annexed: Yes

Sub-Area 7, containing approximately 23 acres, is situated in the southwest quadrant of the Route 7 Bypass/Route 340 highway interchange, being bordered on the north and east by these roads. The southern boundary abuts Mosby Boulevard. The Sub-Area is zoned Business Commercial BC which provides locations for highway commercial uses including restaurants and motels. The Highway Access Corridor Overlay District also covers a portion of this Sub-Area – 300 feet south of the Route 7 right of way. Approximately 13 acres of Sub-Area 7, including the Food Lion and Bank of Clarke County, have been annexed by the Town.

The land use designation for Sub-Area 7 is Highway and Visitor Commercial. The Highway and Visitor Commercial land uses are established to provide locations within the Berryville Area for highway oriented business and commercial activities such as retail uses dependent on automobile access, restaurants, lodging, and offices. The locational characteristics of the Highway and Visitor Commercial uses solidify the goals of both the Town and County to expand the tax base while preventing the spread of urban-scale commercial development into rural portions of the County and providing for such development in the area of the County where urban services are available.

The transportation network in Sub-Area 7 must allow for access to the northern-most parcel. The roads within this Sub-Area must also be brought into the Town's secondary street system to allow for public access to both developed and undeveloped parcels. As this location is the northern entrance to the Town, aesthetics reflected in architectural design and landscaping shall be considered as a part of the development in this area. Direct access to North Buckmarsh Street should be limited, prohibiting full entrances with the possibility of right in/right out ingress/egress. Consideration shall also be given to completing connectivity between McNeill Drive and Chamberlain Street to facilitate traffic to use McClellan Street in order to exit the Sub-Area via Mosby Boulevard. This will help to minimize stacking and other access management concerns with traffic attempting to exit the Sub-Area via McNeill Drive to use the signalized intersection at Mosby Boulevard and North Buckmarsh Street.

The Highway and Visitor Commercial Land use policy is designed to encourage business and commercial employment uses in a master planned setting, with an emphasis on low density, well landscaped development. This strategy is in keeping with the Town and County's firm commitment to the preservation of its existing residential neighborhoods and the semirural lifestyle of the outlying community, while ensuring the economic vitality and stability of the County and the Town.

Private developers shall coordinate their work to establish a master site plan for the surrounding Sub-Areas (Sub-Area 4, 5, 6 and 7) as a condition of any specific land use approval. A consistent design theme shall be established for all proposed buildings within the Sub-Area. Given the locational and topographic characteristics of this Sub-Area, development shall emphasize low intensity building coverage, quality landscaping and buffering as well as the preservation of the extensive natural drainageways which impact the site. Site planning and design shall address stormwater management and preserve the existing natural swales and ridges.

Development intensity in the Business Commercial Zoning District proposed for this Sub-Area should not exceed a 0.3 floor area ratio (FAR), based on the net developable area within the Sub-Area. The Sub-Area has an estimated development capacity of 210,000 square feet of leasable area.

The type and scale of commercial uses should relate to the architectural styling, massing, and materials described in the guidelines for the Historic Access Corridor while serving the prevailing marketplace needs. The planning of public streets, and water and sanitary sewer service shall address both on-site and off-site improvements as a condition of approval.

SUB-AREA 8

Name: CEMETERY
Acreage: N/A
Land Use Designation: N/A
Annexed: Yes

Sub-Area 8, containing approximately 22.2 acres, is located immediately north of the Town of Berryville, on the east side of Route 340. The Sub-Area is developed entirely as Green Hill Cemetery, with the entire Sub-Area under the ownership of the cemetery corporation. The parcels within this Sub-Area are zoned Institutional ITL. Since this original Sub-Area does not have development potential, it is removed from the revised Plan.

SUB-AREA 9

Name: NORTHERN RESIDENTIAL GROWTH AREA
Acreage: 41.7 acres
Land Use Designation: Low Density Residential
Annexed: Yes

Sub-Area 9, a portion of the farm referred to as Soldier's Rest, contains approximately 41.7 acres and is located in the southeast quadrant of the Route 7 Bypass/Route 340 interchange. A major ridge formation constitutes the largest part of the Sub-Area's eastern boundary, with the balance following the Sub-Area 11 boundary, a minor swaled drainage way that runs in a northerly direction towards Route 7 Bypass. The southerly boundary corresponds to an east-west ridge that approximately delineates the line between Annexation Area B and the previous Town corporate limits. Route 7 Bypass provides the northerly limits of the Sub-Area, with Green Hill Cemetery serving as the western limits of this undeveloped property. Sub-Area 9 is currently zoned Detached Residential - 2 (DR-2). The entire Sub-Area is located within town limits.

Berryville Area Development Authority Report Summary

July 22, 2020

Item Title

Continued Public Hearing - Final Plat and Site Plan – McNeil Drive

Prepared By

Christy Dunkle

Continued Public Hearing

House of Lords, Inc. and Ding Yi Wang, Owners (Jon Erickson, Morris & Ritchie Associates, Agent) are requesting Final Plat and Site Plan approval in order to construct an extension of McNeil Drive, creating a two-lot subdivision on the parcel identified as Tax Map Parcel number 14-5-251E zoned Business Commercial (BC). SP 01-20

Background/History/General Information

At the June 24, 2020 BADA meeting, the Authority was advised by legal counsel that in order to move forward with the final plat for McNeil Drive, a determination pursuant to VA Code § 15.2-2232 must be made as to whether the street extension related to the proposed subdivision of the property is in accord with the adopted Berryville Area Plan. As such, the public hearing at the June meeting was opened and continued to this meeting.

At the June 24, 2020 meeting, the applicant requested that site plan approval as advertised in the public hearing notice be removed from consideration.

June 24, 2020 Staff Report

Staff has received a fourth submission from the applicant (dated June 10, 2020). This application eliminates the request for Site Plan approval and identifies the Final Plat as the only approval he is seeking.

May 27, 2020 Staff Report

Alton Echols, president of House of Lords, Inc., and Ding Yi Wang are requesting approval of a Final Plat and Site Plan which would create two lots fronting on an extension of McNeil Drive.

Final Plat

The Final Plat submission identifies right-of-way for a new public street which extends McNeil Drive from its current terminus to existing Chamberlain Street. The proposed road has created a second parcel. Lot 1 is 4.1982 acres and Lot 2 is 2.0535 acres. Both parcels have been annexed into the Town and are zoned BC Business Commercial which is regulated under Section 610 of the Berryville Zoning Ordinance.

There has been no indication from the owners of the type of uses that would be developed on these parcels. Accordingly, additional transportation requirements may be needed (e.g., turn lanes, additional right-of-way) due to vehicle trips generated from the respective parcels.

Site Plan

The Site Plan for the construction of a public street is currently under review by Town Public Works and Utility staff and Pennoni Engineering. The Town maintains the secondary streets within the corporate limits. The streets are included in the VDOT Urban Highway System and Maintenance Inventory and are constructed to VDOT specifications.

The Site Plan identifies a water main extension however does not identify further extension of the existing sanitary sewer facilities. Other items noted by Planning staff and forwarded to the Agent are identified below.

As the proposed road construction and limits of disturbance are under one acre, the Site Plan is not required to be approved by the Department of Environmental Quality. It will be reviewed by Pennoni Engineering as part of their process.

Findings/Current Activity

Described in the Berryville Area Plan under Sub-Area 7, the completion of connectivity between McNeil Drive and Chamberlain Street should be considered.

As previously referenced, a determination on whether this request is in substantial conformance with the adopted Berryville Area Plan must be made prior to any action taken on this item.

June 24, 2020 Staff Report

Staff has not received an updated Final Plat addressing comments submitted by Town staff (sent April 16 and May 20, 2020) or Pennoni Engineering (June 12 and June 17, 2020) from the applicant. Comments include those related to utilities; subdivision and zoning ordinance requirements; and inconsistencies on the plat.

May 27, 2020 Staff Report

Mr. Echols has submitted several applications for this project. As previously referenced, Town staff has forwarded the latest plans and plat to Pennoni Engineering for review and comment.

Below are general comments by Planning staff:

- 1. Staff has requested additional Site Plan information including the location water and sewer laterals, street lights, sidewalk on the south side of McNeil, and parcel entrances.*
- 2. The Berryville Area Plan identifies the need for access to the northern-most parcel owned by North Buckmarsh LLC. Staff has discussed the application with John Byrd (owner) who indicated he had been contacted by Mr. Echols. Staff sent a letter to Mr. Byrd encouraging the ownership members to discuss access with the applicant.*
- 3. The Town Zoning Ordinance includes requirements for improvements and minimum standards for transportation networks. These requirements are based on trips generated by use. As the uses of these parcels has not been identified, additional road improvements may be required in the future.*

Financial Considerations

N/A

Schedule/Deadlines

A determination should be made at this meeting.

June 24, 2020 Staff Report

Staff is recommending that the BADA continue the public hearing to the July 22, 2020 meeting to be addressed after the joint meeting with the Planning Commission.

May 27, 2020 Staff Report

Staff is requesting that the BADA set a public hearing for the June 24, 2020 meeting.

Other Considerations

N/A

Recommendation

Based on the determination that this request is in substantial conformance with the Berryville Area Plan by action on the previous public hearing, staff recommends approval of the final plat request as submitted (April 20, 2020). Comments previously submitted (e.g., adjacent property ownership) have not been addressed. The approval of the final plat should be conditional based on the submission of updated plans addressing previous comments.

Sample Motion

I move that the Berryville Area Development Authority approve the final subdivision plat for the parcel identified as Tax Map Parcel number 14-5-251E with the condition that previously submitted comments be addressed.

Attachments:

- Application and attachments on which the public hearing notice was published dated April 20, 2020
- Final Plat
- McNeil Drive Street Extension Site Plan (construction plans)
- Portion of the Berryville Area Plan describing Sub-Area 7
- Berryville Area Plan Land Use Map
- Vicinity map

LAND DEVELOPMENT APPLICATION TOWN OF BERRYVILLE

(Please print or type)

Current Property Owner: House of Lords, Inc. and Ding Yi Wang

Owner's Address: 400 Custer Court Berryville, VA 22611

Phone: 540-955-2618

Agent (Contact Person): Morris & Ritchie Associates - Jon Erickson

Agent's Address: 604 South King St, Ste 200 Leesburg, VA 20175

Phone: 703-994-4047

Check Appropriate Request:

- Subdivision - creating more than 2 lots
- Minor Subdivision - single lot divided into 2 lots
- Boundary Line Adjustment
- Site Plan
- Rezoning
- Text Amendment; Zoning or Subdivision Ordinance
- ARB Certificate of Appropriateness
- Town of Berryville Utilities
- Other: _____

RECEIVED
APR 20 2020
Town of Berryville, VA

Complete As Applicable:

Nature of Request/Proposal: Creation of two lots and ROW for proposed street connecting existing McNeil Drive and Chamberlain Street - Approval of "Record Plat" (for Two Lots(2) and Street Right of Way Dedication).

Tax Map & Parcel Number(s): 14-5-251E

Size of Project Site: 7.0358 ac

Proposed # of Lots: 2 Existing Zoning: BC

Owner or Agent: The information provided is accurate to the best of my knowledge. I understand that the Town may deny, approve, or conditionally approve the request for which I am applying. I certify that all property corners have been clearly staked and flagged.
Signature: [Signature] Date: 3/27/20

Owner: I have read this completed application, understand its intent, and freely consent to its filing. Furthermore, I grant permission to the Town Planning Department and other government agents to enter the property and make such investigations and tests, as they deem necessary. I acknowledge that in accordance with Article X of the Subdivision Ordinance I am responsible for costs incurred for review of subdivision and/or development plans by the Town's engineer and that any other required tests or studies will be carried out at owner/agent expense

House of Lords, Inc for Ding Yi Wang, Land Contract Owner Date: 04/17/2020
Signature: Anton C. Cochran, Jr. - President

OFFICE USE ONLY

Public Hearing Required? _____ Dates Advertised _____

Adjoining Property Owners Notified? _____

Action Taken: _____

RECEIVED

APR 20 2020
Town of Berryville, VA

April 17th 2020

Town of Berryville
101 Chalmers Court
Suite A
Berryville, Va 22611

Christy Dunkle Town Planner/ Assist. Town Manager

Subject: Site Development Application for Extension of McNeal Street thru to Chamberlain Street creating a Two (2) Lot Subdivision.

Dear Christy:

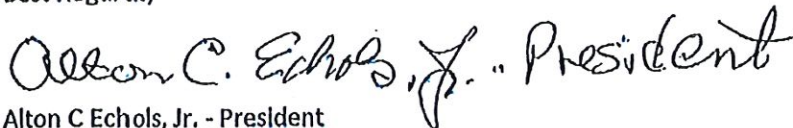
Per your Memorandum dated Thursday, April 16th, 2020 I wish to resubmit a revised application for the Site Development of a 7 Acre Parcel between McNeal and Chamberlain Streets Just North of Martins and McDonalds in the Town of Berryville. This development will extend the public Street (McNeal) North and West to its connection with Chamberlain Street.

Different combinations for Lot Subdivision may occur in the future depending upon market conditions and whether the Byrd land North of Lot A desires to jointly develop a roadway connecting their property with McNeal Street. It should be noted that if the 12 Acres Byrd Property is ever connected, it may require a right turn In/Out on Rt. 340.

In closing, local Market Demand will determine future development and the need for farther Subdivision of Parcels A and B.

Although the current quarantine may prohibit an in person meeting, I will be available for farther details by phone.

Best Regards,

 Alton C. Echols, Jr. - President

House of Lords, Inc.

Zoning classifications of adjoining areas enjoy presumption of legislative validity and equal protection until the presumption is overcome by evidence of discrimination. Board of Supvrs. v. Rowe, 216 Va. 128, 216 S.E.2d 199 (1975).

When spot zoning illegal. — Spot zoning is illegal when the zoning ordinance is designed solely to serve the private interests of one or more landowners; but, if the legislative purpose is to further the welfare of the entire county or city as part of an overall zoning plan, the ordinance does not constitute illegal spot zoning. Board of Supvrs. v. Fralin & Waldron, Inc., 222 Va. 218, 278 S.E.2d 859 (1981).

Exclusion of use related to police power upheld. — The exclusion from a zoning district of a particular use, or category of uses, will be upheld where that exclusion is substantially related to a proper exercise of the police power. Board of Supvrs. v. Rowe, 216 Va. 128, 216 S.E.2d 199 (1975).

B. Interim Ordinances.

There is no special statutory provision for interim zoning ordinances. Matthews v. Board of Zoning Appeals, 218 Va. 270, 237 S.E.2d 128 (1977).

And all zoning ordinances subject to same statutory requirements. — In the absence of specific authority for interim zoning, all zoning ordinances, however titled, are subject to the same statutory requirements. Matthews v. Board of Zoning Appeals, 218 Va. 270, 237 S.E.2d 128 (1977).

Effect of invalidating interim zoning ordinance. — See Matthews v. Board of Zoning Appeals, 218 Va. 270, 237 S.E.2d 128 (1977).

C. Specific Examples.

1. Ordinances Held Arbitrary.

An ordinance which excludes a large number of otherwise legitimate retail business uses from a retail business district, when nothing in the record shows that the uses excluded would be more detrimental to the public welfare than the uses permitted, is unreasonable and arbitrary. Board of Supvrs. v. Rowe, 216 Va. 128, 216 S.E.2d 199 (1975).

Single-district ordinance. — Enactment of an eight-district zoning ordinance, based upon a comprehensive zoning plan and permitting varying lot sizes and some commercial and industrial development, within one year following enactment of a single-district zoning ordinance, which permitted of right only minimum lot sizes of two acres, indicated, when the basic characteristics of the county were unchanged, that the single-district ordinance was arbitrary, unreasonable and invalid. Matthews v. Board of

Zoning Appeals, 218 Va. 270, 237 S.E.2d 128 (1977).

Although such a single-district ordinance would provide maximum flexibility for the political subdivision, it would create maximum doubt and uncertainty for a landowner faced with the necessity of obtaining a special use permit over vocal opposition. Matthews v. Board of Zoning Appeals, 218 Va. 270, 237 S.E.2d 128 (1977).

Amendment to a county zoning ordinance, in establishing maximum rental and sale prices for units in the development, exceeds the authority granted by this article to the local governing body because it is socio-economic zoning and attempts to control the compensation for the use of land and the improvements thereon. Board of Supvrs. v. DeGross Enters., Inc., 214 Va. 235, 198 S.E.2d 600 (1973).

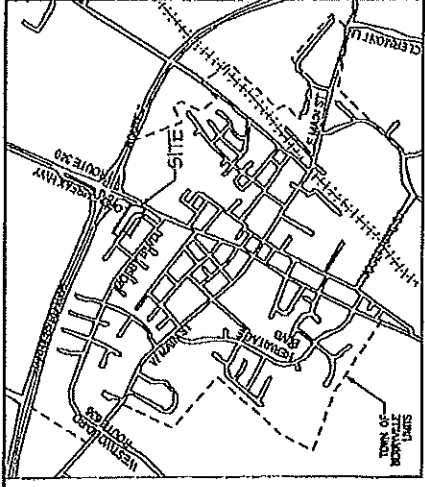
Condition requiring private developers to construct public facilities unconstitutional. — There is nothing in the Constitution, enabling statutes or case law of Virginia which empowers the sovereign to require private landowners, as a condition precedent to development, to construct or maintain public facilities on land owned by the sovereign, when the need for such facilities is not substantially generated by the proposed development. The private money necessary to fund the performance of such requirements is property, and such requirements violate the constitutional guarantee that no person shall be deprived of his life, liberty or property without due process of law. Board of Supvrs. v. Rowe, 216 Va. 128, 216 S.E.2d 199 (1975).

As is required dedication of fee for provision of road. — A local governing body does not have the power to enact a zoning ordinance that requires individual landowners, as a condition to the right to develop their parcels, to dedicate a portion of their fee for the purpose of providing a road, the need for which is substantially generated by public traffic demands rather than by the proposed development. Board of Supvrs. v. Rowe, 216 Va. 128, 216 S.E.2d 199 (1975).

2. Ordinances Upheld.

An ordinance prohibiting use of land for certain purposes does not violate the zoning statute. West Bros. Brick Co. v. City of Alexandria, 169 Va. 271, 192 S.E. 881 (1937).

Ordinance providing parking permits only to residents and certain other persons. — A county zoning ordinance directing the county manager to determine those residential areas especially crowded with parked cars from outside the neighborhood, providing for free parking permits to be issued only to



AREA TABULATION

PARCEL	AREA
14-S-251-E	206,480 SF OR 7.0358 AC
LOT 1	182,873 SF OR 4.1882 AC
LOT 2	89,433 SF OR 2.0533 AC
TOTAL	272,306 SF OR 6.2415 AC

RECORD PLAT
ON THE LANDS OF
HOUSE OF LORDS, INC.
 DEED BOOK: 421 PAGE: 10
 DEED BOOK: 421 PAGE: 12
 TOWN OF BERRYVILLE, VIRGINIA

MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 804 SOUTH MAIN ST. STE 200
 BERRYVILLE, VA 22611
 PHONE: 703-947-1717
 MR@MRA.CCDA

Copyright 2020 Morris & Ritchie Associates, Inc.

DATE	REVISIONS

JOB NO. 201876
 SCALE: N/A
 DATE: 03/12/20
 DRAWN BY: DCT
 CHECKED BY: JAC
 REVISION BY: JAC
 SHEET: 1 OF 2

OWNERS' CERTIFICATE

THE FOREGOING SUBDIVISION AS APPEARS IN THE ACCOMPANYING PLAT IS WITH THE FREE CONSENT AND IN THE INTEREST OF THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

HOUSE OF LORDS, INC. _____ DATE _____

NOTARY PUBLIC

STATE OF _____
 CITY/COUNTY OF _____
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____
 ON BEHALF OF _____

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

SURVEYORS' CERTIFICATE

I, JOHN K. ERICKSON, A FULLY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, HEREBY CERTIFY THAT THE PROPERTY IDENTIFIED BY TAX MAP #14-S-251-E WAS ACQUIRED BY DEED BOOK 421 PAGE 10 AND DEED BOOK 421 PAGE 12 AND BOUNDARY ADJUSTED BY PLAT BOOK 5 PAGE 65 AND PLAT BOOK 9 PAGE 50 IS CURRENTLY OWNED BY HOUSE OF LORDS, INC., ALL AMONG THE LAND RECORDS OF CLARKE COUNTY, VIRGINIA.

JOHN K. ERICKSON _____ VLS #2951

- NOTES**
1. THE PROPERTY SHOWN HEREON IS LOCATED ON CLARKE COUNTY TAX ASSESSMENT MAP #14-S-251-E.
 2. THE PROPERTY WAS ACQUIRED IN DEED BOOK 421 PAGE 10 AND DEED BOOK 421 PAGE 12 IS NOW IN THE NAME OF HOUSE OF LORDS, INC.
 3. THE PROPERTIES DELINEATED ON THIS PLAT ARE CURRENTLY ZONED BC BUSINESS COMMERCIAL DISTRICT.
 4. THE BOUNDARY SHOWN HEREON IS BASED ON A BOUNDARY LINE ADJUSTMENT PLAT AS RECORDED IN PLAT BOOK 9 PAGE 50 AND FIELD SURVEY PERFORMED BY MORRIS & RITCHIE ASSOCIATES, INC. IN APRIL 2016.
 5. THE PROPERTY SHOWN HEREON IS CLASSIFIED AS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN) ACCORDING TO FLOOD INSURANCE RATE MAP OF CLARKE COUNTY, VIRGINIA, MAP NUMBER 5104-500001B, EFFECTIVE DATE SEPTEMBER 28, 2007.
 6. ALL PREVIOUS RECORDED RIGHTS-OF-WAY, EASEMENTS OR OTHER INTERESTS OF THE COUNTY BEHAVEN IN FULL FORCE AND EFFECT UNLESS OTHERWISE SHOWN ON THIS PLAT.
 7. THE PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

ZONING REQUIREMENTS

MINIMUM DISTRICT AREA: FOUR (4) ACRES

MAXIMUM BUILDING HEIGHT: FORTY (40) FEET

LOT REQUIREMENTS:

A. MINIMUM LOT SIZE: 20,000 SQUARE FEET

B. MINIMUM LOT WIDTH: 100 (100) FEET

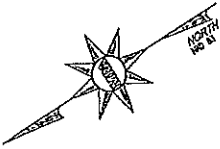
C. MINIMUM YARD REQUIREMENTS

1. FRONT YARD: FORTY (40) FEET
2. SIDE YARD: TWENTY-FIVE (25) FEET, (40 FEET ON STREET SIDE CORNER LOT)
3. REAR YARD: TWENTY-FIVE (25) FEET
4. WHERE A LOT IS CONTIGUOUS TO PROPERTY LOCATED IN ANY OTHER ZONING DISTRICT, ALL BUILDINGS SHALL HAVE A MINIMUM SETBACK OF 40 FEET FROM COMMON PROPERTY LINES.

APPROVAL BLOCK

SUBDIVISION ADMINISTRATOR _____ DATE _____

BERRYVILLE AREA DEVELOPMENT AUTHORITY (BADA) _____ DATE _____



LORD FAIRFAX HIGHWAY
ROUTE 340
VARIABLE WIDTH ROW

CURVE TABLE			
CURVE #	LENGTH	RADIUS	CHORD BEARING
C-1	218.31'	175.00'	N 11° 49' 24" N
C-2	218.31'	225.00'	N 13° 45' 27" N

NORTH BUCKMARSH LLC
D.B. 574, PG. 593
14-A-105
ZONED: B/BC

LAWRENCE P & ELIZABETH C DILLON
TAX MAP: #14A7-15-1
DB: 565, PG: 250
ZONED: OPR

HOUSE OF LORDS INC
D.B. 520, PG. 722
14-S-251E
ZONED: BC
7.0358 ACRES

LOT 1
4.1882 AC

RIGHT-OF-WAY
0.1841 AC

LOT 2
2.0585 AC

"MARY HARDESTY HOUSE"
.251-C
BERRYVILLE UNITED METHODIST HOUSING
D.B. 281, PG. 365
14A7-A-1
ZONED: OPR
SENIOR HOUSING

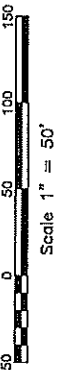
SHOP N SWE EAST PROP LLC
D.B. 807, PG. 80
14-S-251C
ZONED: BC
USE: GROCERY STORE

MICHELE FASCELLI
D.B. 338, PG. 884
14-S-251F
ZONED: BC

RECORD PLAT
ON THE LANDS OF
HOUSE OF LORDS, INC.
DEED BOOK: 421 PAGE: 10
DEED BOOK: 421 PAGE: 12
TOWN OF BERRYVILLE, VIRGINIA



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING ST, STE 200
LEEESBURG, VA 20175
PHONE: 703-984-4047
MPRA07A.COM

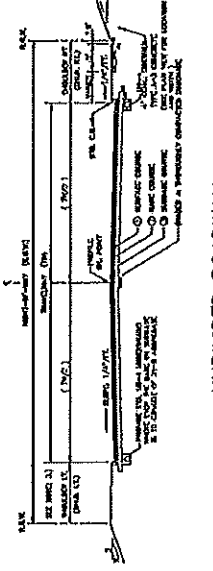


DATE	REVISIONS

JOB NO: 20072
SCALE: 1" = 50'
DATE: 03/15/20
DRAWN BY: DLT
DESIGN BY: JKE
REVIEW BY: JKE
SHEET: 2 OF 2

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TYPICAL ROADWAY SECTIONS
SCALE: 1/8" = 1'-0"

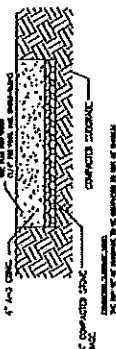


UNDIVIDED ROADWAY

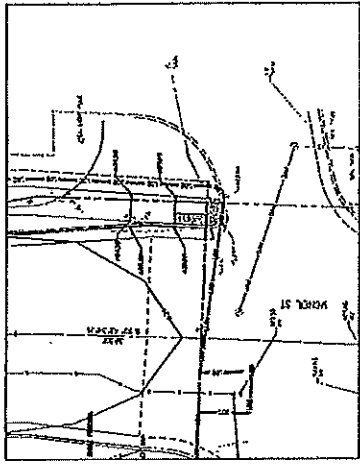
STREET NAME	CLASSIFICATION/TERRAIN	ADJ. SIDEWALK	CURB	PAVEMENT		BASE	THICKNESS OF BASE	THICKNESS OF GRANULAR FILL
				THICKNESS	TYPE			

- ROADWAY NOTES:
- 1) THESE NOTES ARE BASED ON A CROSS SECTION OF A ROADWAY AS SHOWN IN THE ATTACHED DRAWINGS FOR THE TYPICAL SECTION. ANY OTHER ROADWAY TYPES OR CONDITIONS WILL BE SHOWN ON THE DRAWINGS.
 - 2) A COMPLETE CROSS SECTION SHALL BE SUBMITTED WITH THE SUBMITTALS FOR THE ROADWAY. THE CROSS SECTION SHALL SHOW THE THICKNESS OF ALL MATERIALS AND THE FINISH OF THE ROADWAY.
 - 3) CHANNEL DRAINAGE, WITH NUMBERING, SHALL BE INDICATED AT ALL LOCATIONS WHERE REQUIRED BY THE DRAWINGS. THE NUMBERING SHALL BE IN ACCORDANCE WITH THE COUNTY OF YORK.
 - 4) MATERIALS SHALL BE SUBMITTED TO THE COUNTY OF YORK FOR APPROVAL.

CONCRETE SIDEWALK (N.T.S.)



CONCRETE SIDEWALK SHALL BE SUBMITTED TO THE COUNTY OF YORK FOR APPROVAL.



COMBINATION 6" CURB AND GUTTER

SCALE: 1/8" = 1'-0"

NOTES:

- 1) THE CURB SHALL BE 6" HIGH AT THE EXTERIOR FACE AND 4" HIGH AT THE INTERIOR FACE.
- 2) THE GUTTER SHALL BE 2" HIGH AT THE EXTERIOR FACE AND 1" HIGH AT THE INTERIOR FACE.
- 3) THE CURB AND GUTTER SHALL BE CONCRETE OR PRECAST CONCRETE.
- 4) THE CURB AND GUTTER SHALL BE FINISHED WITH A BUSHING.

CURB DETAIL - TOP OF CURB AND GUTTER

SCALE: 1/8" = 1'-0"

NOTES:

- 1) THE CURB SHALL BE 6" HIGH AT THE EXTERIOR FACE AND 4" HIGH AT THE INTERIOR FACE.
- 2) THE GUTTER SHALL BE 2" HIGH AT THE EXTERIOR FACE AND 1" HIGH AT THE INTERIOR FACE.
- 3) THE CURB AND GUTTER SHALL BE CONCRETE OR PRECAST CONCRETE.
- 4) THE CURB AND GUTTER SHALL BE FINISHED WITH A BUSHING.

MANICURED RAMP DETAIL

SCALE: 1/8" = 1'-0"

NOTES:

- 1) THE RAMP SHALL BE 4" HIGH AT THE EXTERIOR FACE AND 2" HIGH AT THE INTERIOR FACE.
- 2) THE RAMP SHALL BE CONCRETE OR PRECAST CONCRETE.
- 3) THE RAMP SHALL BE FINISHED WITH A BUSHING.

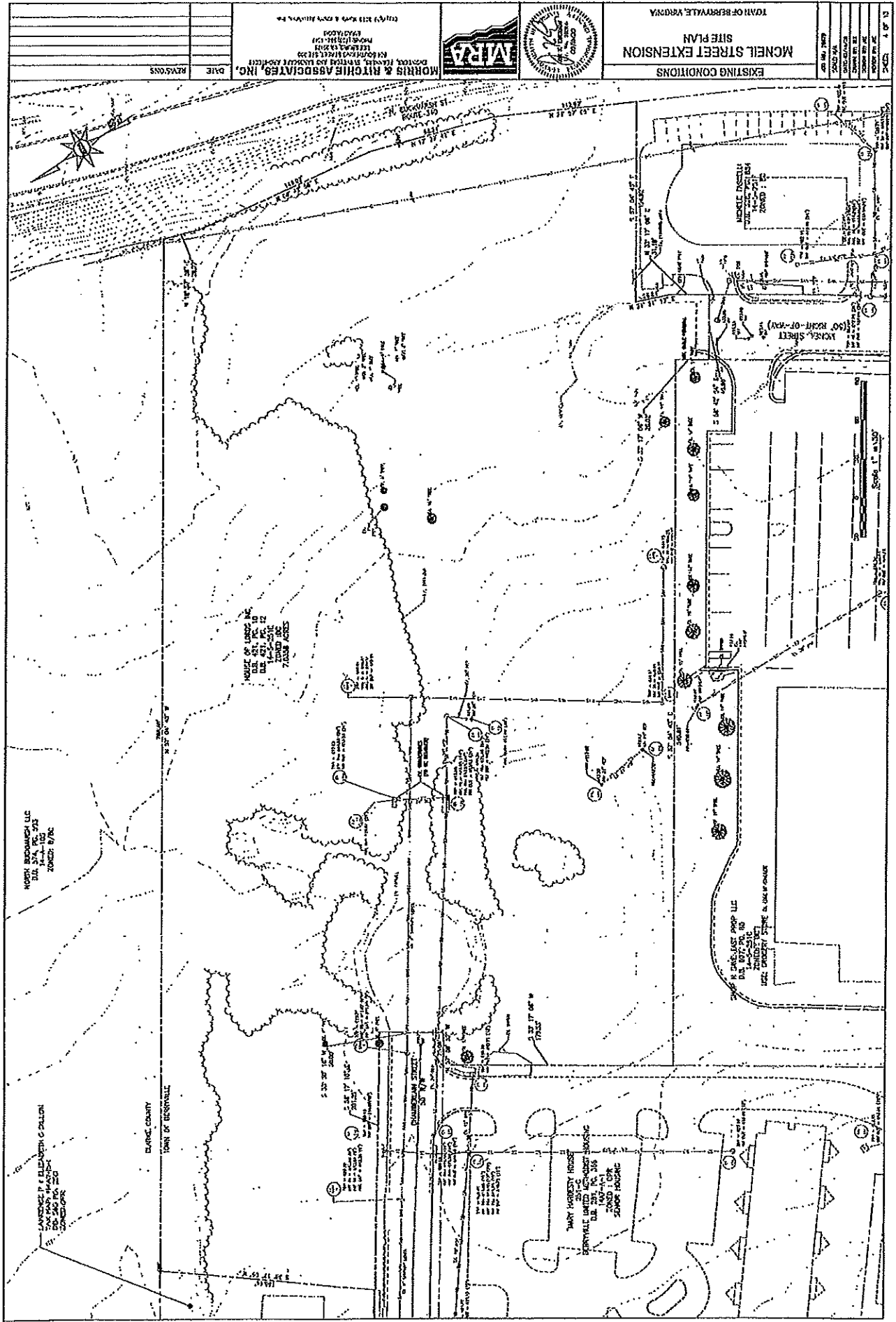
DATE	12.14.17
BY	J. M. HARRIS
CHECKED	J. M. HARRIS
APPROVED	J. M. HARRIS
SCALE	AS SHOWN
PROJECT	MCNEIL STREET EXTENSION
SHEET NO.	1
TOTAL SHEETS	1

EXISTING CONDITIONS
 MCNEIL STREET EXTENSION
 TOWN OF BEVERLY, VIRGINIA



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1420 MARKET STREET, SUITE 1120
 FARMINGTON, CONNECTICUT 06032
 TEL: 860.634.1200
 FAX: 860.634.1201
 WWW.MIRA-INC.COM

DATE	
REVISIONS	



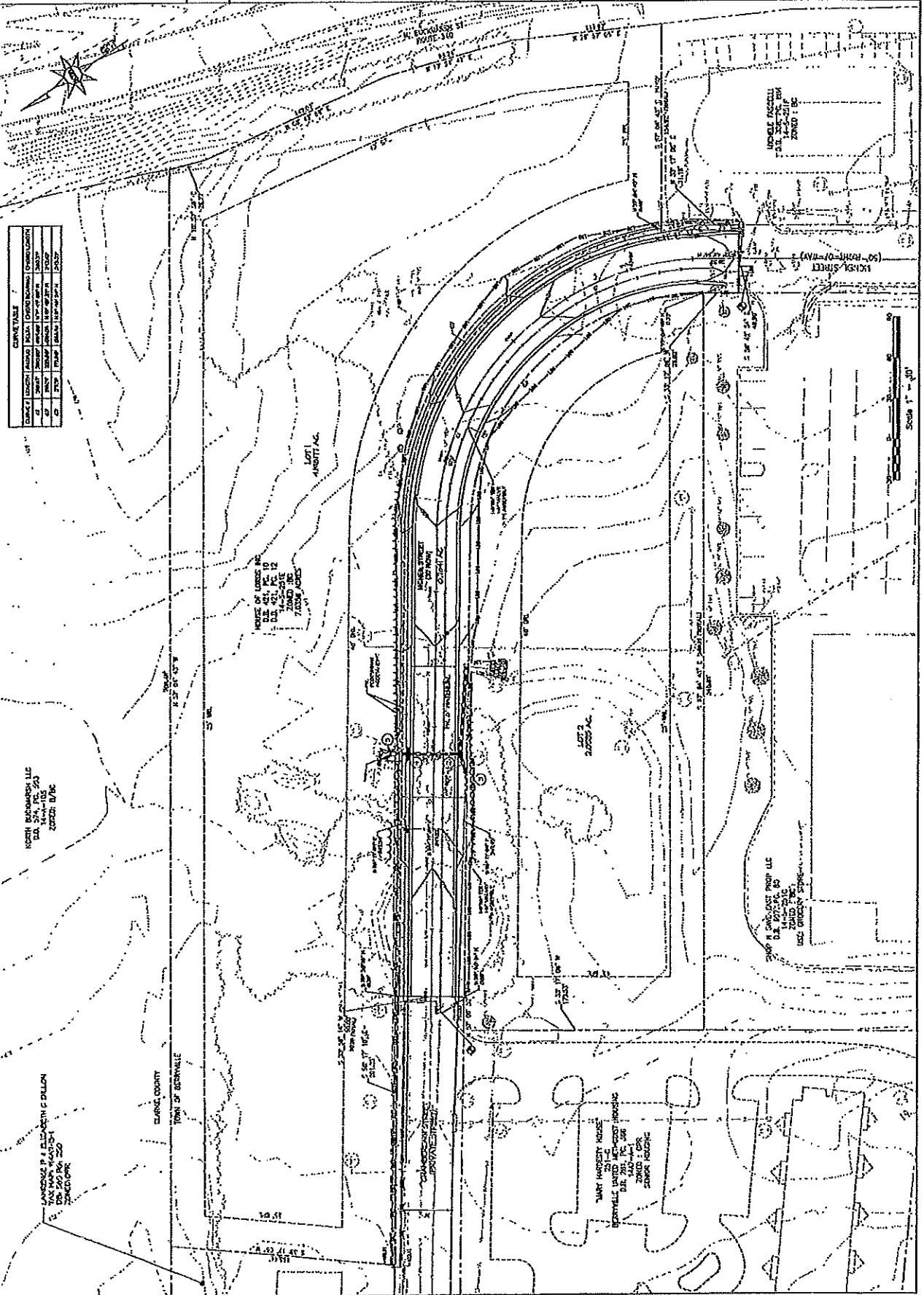
DATE	2014
SCALE	AS SHOWN
DRAWN BY	J. M. HARRIS
CHECKED BY	M. J. HARRIS
APP'D BY	M. J. HARRIS
TITLE	MCNEIL STREET EXTENSION
PROJECT NO.	14-001
CLIENT	CLAYTON WOODS, LLC
LOCATION	CLAYTON WOODS, LLC
DATE	2014

MCNEIL STREET EXTENSION
SITE PLAN
TOWN OF BEVERLY, VIRGINIA



MORRIS & RITCHEY ASSOCIATES, INC.
6815 RIVERVIEW BLVD., SUITE 100
DUNN, VIRGINIA 22024
TEL: 703-460-1100
WWW.MORRISANDRITCHEY.COM

DATE	
REVISIONS	



CONVERTIBLE	
ACRES	SQ. FT.
1.0	43,560
2.0	87,120
3.0	130,680
4.0	174,240
5.0	217,800
6.0	261,360
7.0	304,920
8.0	348,480
9.0	392,040
10.0	435,600
11.0	479,160
12.0	522,720
13.0	566,280
14.0	609,840
15.0	653,400
16.0	696,960
17.0	740,520
18.0	784,080
19.0	827,640
20.0	871,200
21.0	914,760
22.0	958,320
23.0	1,001,880
24.0	1,045,440
25.0	1,089,000
26.0	1,132,560
27.0	1,176,120
28.0	1,219,680
29.0	1,263,240
30.0	1,306,800

KLING STUBBINS
200 N. ZEEB RD.
DUNN, VA 22026
TEL: 703-460-1100

LANDSCAPE P. & PLANNING & DESIGN
2100 W. MARKET ST.
DUNN, VA 22026
TEL: 703-460-1100

CLAYTON WOODS, LLC
2100 W. MARKET ST.
DUNN, VA 22026
TEL: 703-460-1100

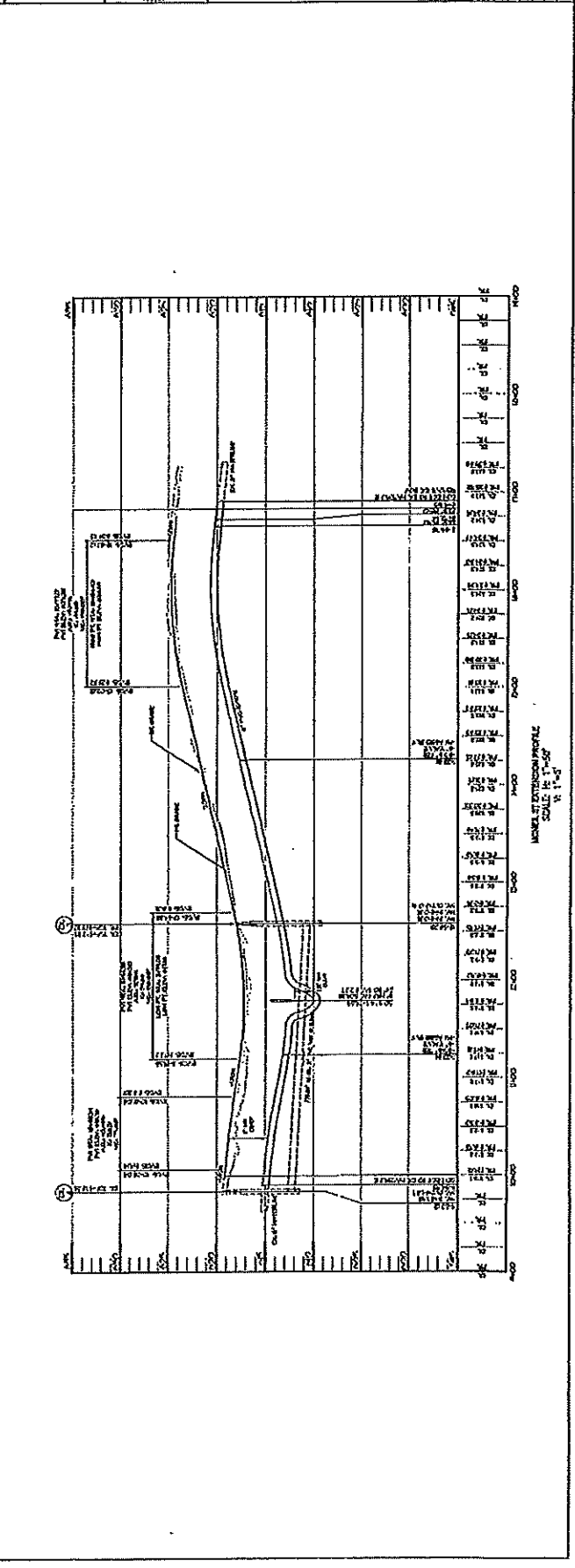
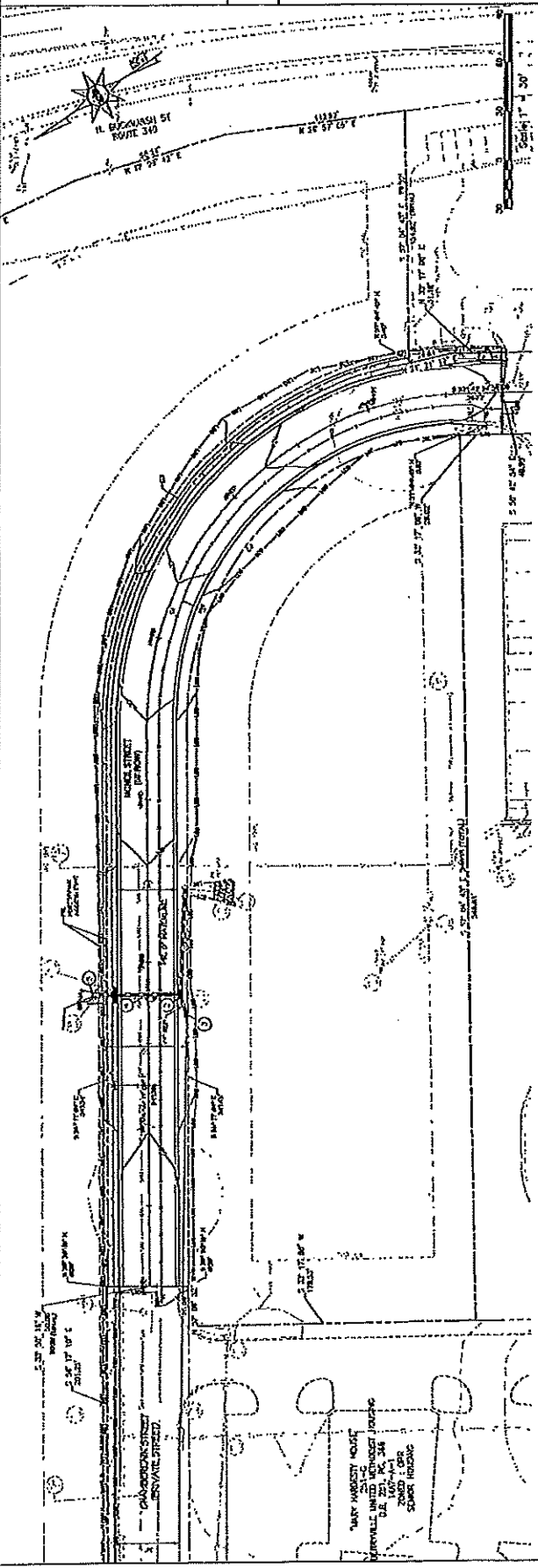
DATE	REVISIONS

MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, ARCHITECTS
 407 12TH ST. N.W. WASHINGTON, D.C. 20004
 (202) 638-8800

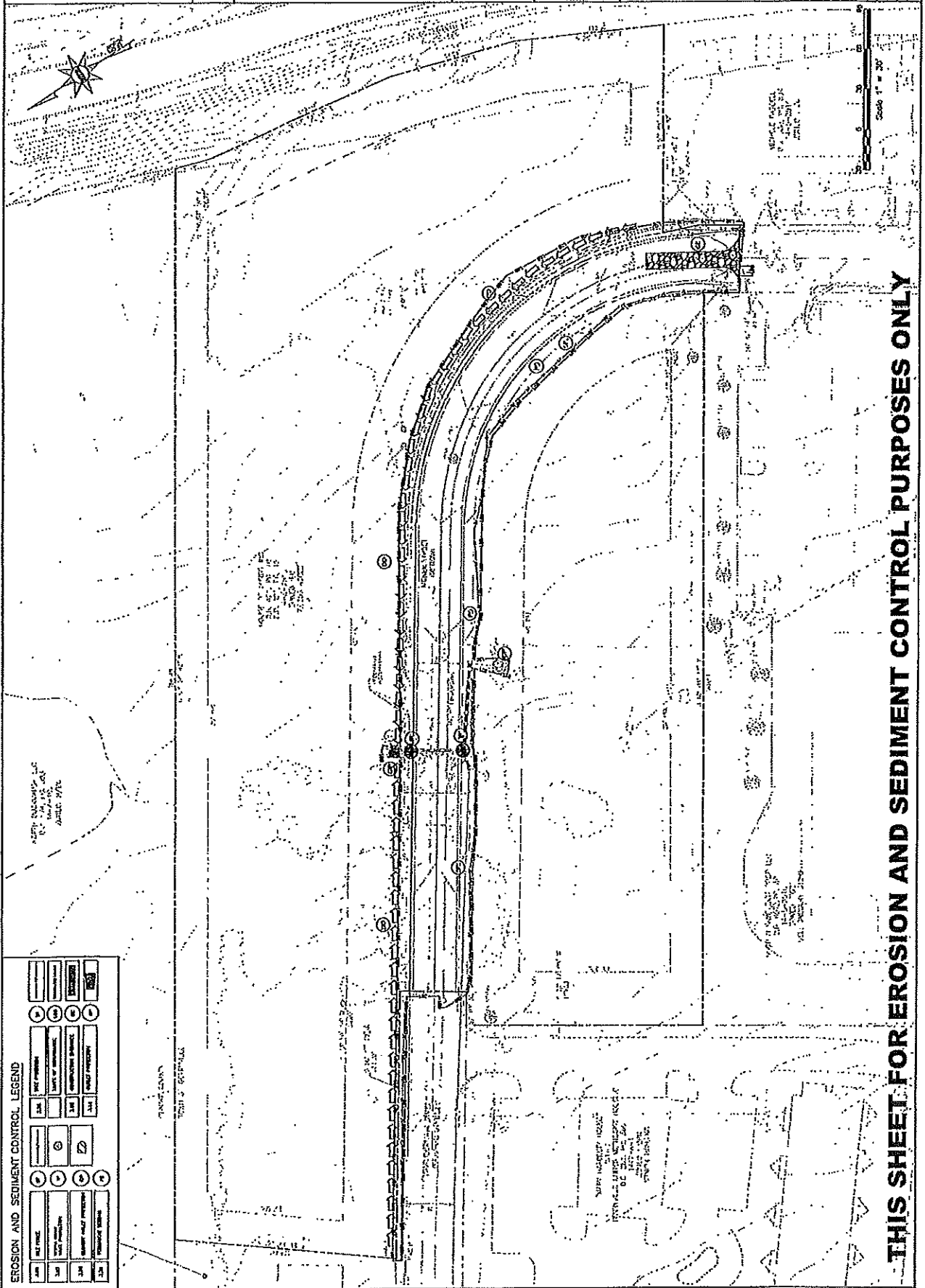
TOWN OF BEVERLYHILL, WISCONSIN
 MCNEIL STREET EXTENSION
 ROAD PROFILE



DATE	REVISIONS



PA-1-1
 11/11/2010
 McNEIL STREET EXTENSION



EROSION AND SEDIMENT CONTROL LEGEND

1.0	2.0	3.0	4.0
5.0	6.0	7.0	8.0
9.0	10.0	11.0	12.0
13.0	14.0	15.0	16.0
17.0	18.0	19.0	20.0
21.0	22.0	23.0	24.0
25.0	26.0	27.0	28.0
29.0	30.0	31.0	32.0
33.0	34.0	35.0	36.0
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77.0	78.0	79.0	80.0
81.0	82.0	83.0	84.0
85.0	86.0	87.0	88.0
89.0	90.0	91.0	92.0
93.0	94.0	95.0	96.0
97.0	98.0	99.0	100.0

THIS SHEET FOR EROSION AND SEDIMENT CONTROL PURPOSES ONLY



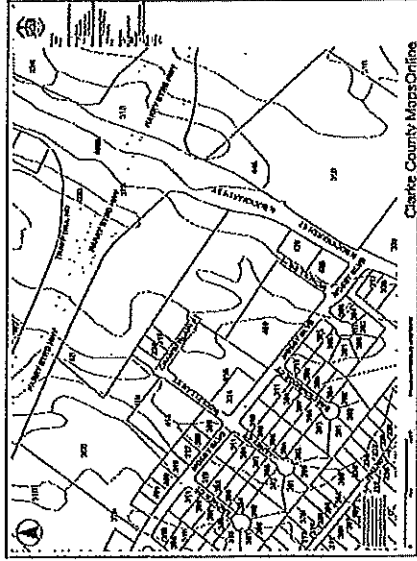
MORRIS & RITZGIB ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1000 W. WISCONSIN STREET, SUITE 100
 MADISON, WISCONSIN 53703
 PHONE: 608.261.1234
 FAX: 608.261.1235
 WWW: MORRISRITZGIB.COM

DATE: 10/20/2011
 REVISIONS:

DATE	BY	DESCRIPTION
10/20/2011	JR	ISSUED FOR PERMIT
10/20/2011	JR	ISSUED FOR PERMIT
10/20/2011	JR	ISSUED FOR PERMIT
10/20/2011	JR	ISSUED FOR PERMIT

THIS DOCUMENT IS THE PROPERTY OF CLARKE COUNTY, WISCONSIN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.

SECTION	DATE	BY	DESCRIPTION
100	10/20/2011	JR	ISSUED FOR PERMIT
101	10/20/2011	JR	ISSUED FOR PERMIT
102	10/20/2011	JR	ISSUED FOR PERMIT
103	10/20/2011	JR	ISSUED FOR PERMIT



SOIL TYPE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE
100	10	10	10	10
101	10	10	10	10
102	10	10	10	10
103	10	10	10	10

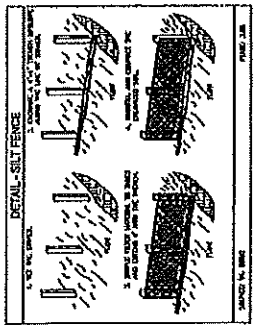
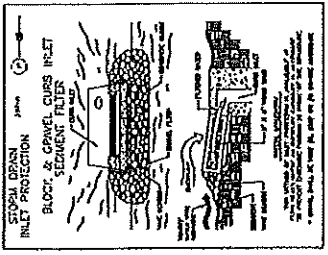
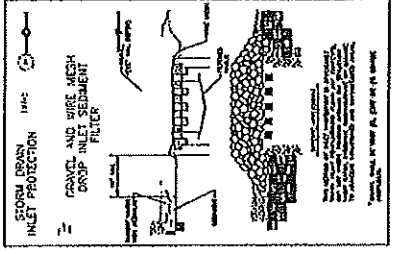
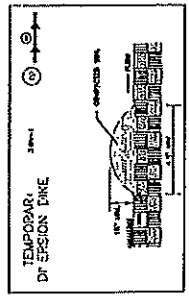
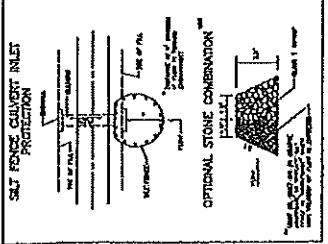
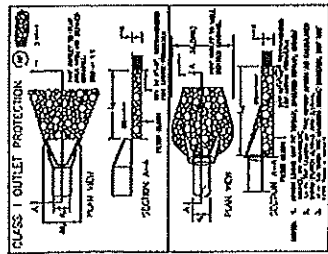
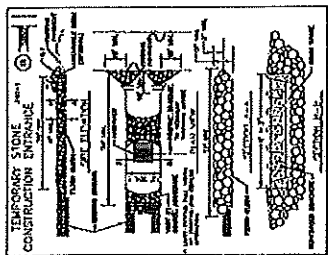


TABLE 2.1.1.1.1 - SLOPE PROTECTION OVERLAYS
 SLOPE PROTECTION OVERLAYS
 FOR APPLICATIONS REQUIRING OVERLAYS

OVERLAY TYPE: 1. SLOPE PROTECTION OVERLAY
 2. SLOPE PROTECTION OVERLAY WITH STONE CORE
 3. SLOPE PROTECTION OVERLAY WITH GEOTEXTILE

SECTION	DATE	BY	DESCRIPTION
100	10/20/2011	JR	ISSUED FOR PERMIT
101	10/20/2011	JR	ISSUED FOR PERMIT
102	10/20/2011	JR	ISSUED FOR PERMIT
103	10/20/2011	JR	ISSUED FOR PERMIT

TABLE 2.1.1.1.2 - ACCEPTABLE TYPICAL SECTION PLASTICITY INDEX ATTENDANCE FOR ALL INDOORS
 ACCEPTABLE TYPICAL SECTION PLASTICITY INDEX ATTENDANCE FOR ALL INDOORS



MCNEIL EROSION & SEDIMENT CONTROL NOTES

- 1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
2. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
4. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
5. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
6. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
7. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
8. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
9. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...
10. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD...

EROSION & SEDIMENT CONTROL NARRATIVE

The purpose of this narrative is to describe the installation of the erosion and sediment control measures...
The purpose of this narrative is to describe the installation of the erosion and sediment control measures...
The purpose of this narrative is to describe the installation of the erosion and sediment control measures...
The purpose of this narrative is to describe the installation of the erosion and sediment control measures...
The purpose of this narrative is to describe the installation of the erosion and sediment control measures...

GENERAL EROSION & SEDIMENT CONTROL NOTES

All erosion and sediment control measures shall be installed and maintained throughout the construction period...
All erosion and sediment control measures shall be installed and maintained throughout the construction period...
All erosion and sediment control measures shall be installed and maintained throughout the construction period...
All erosion and sediment control measures shall be installed and maintained throughout the construction period...
All erosion and sediment control measures shall be installed and maintained throughout the construction period...

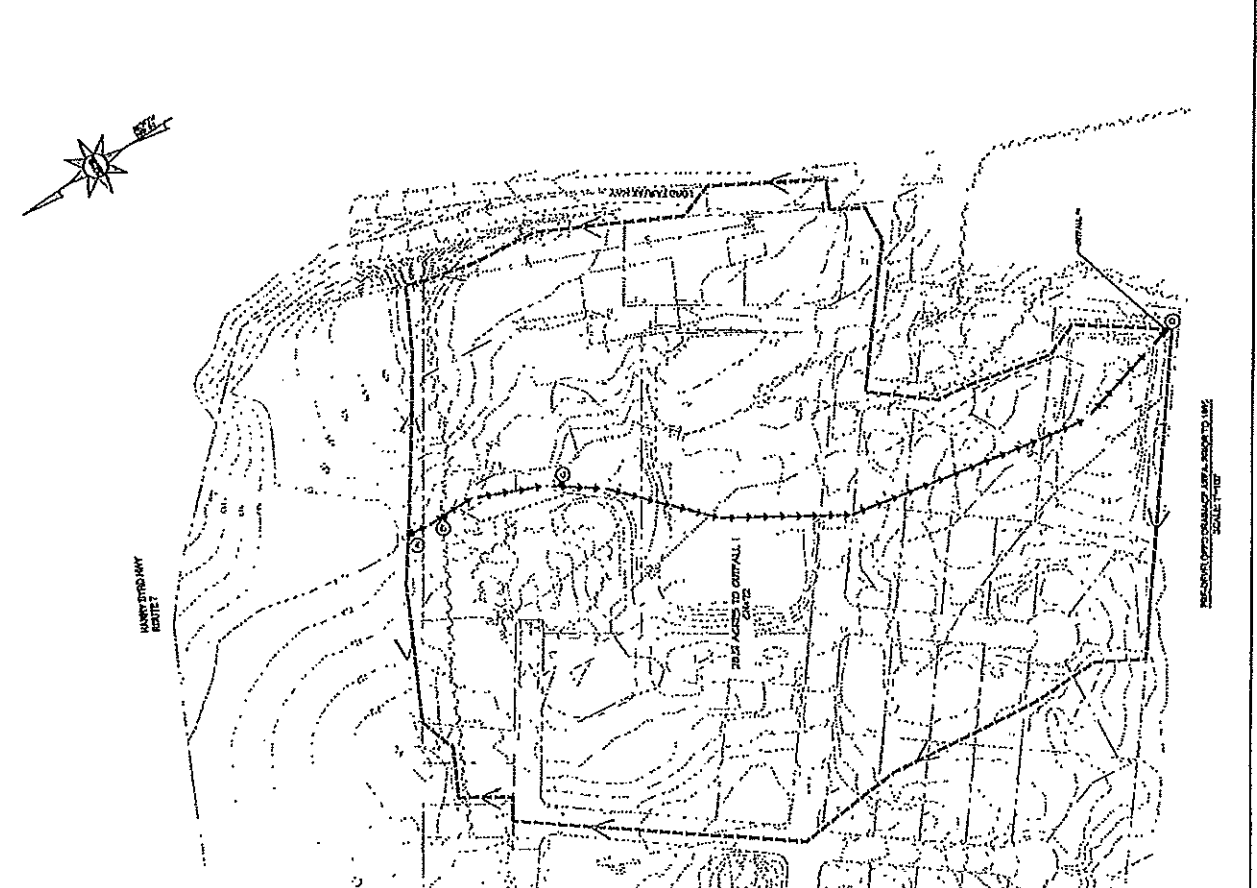
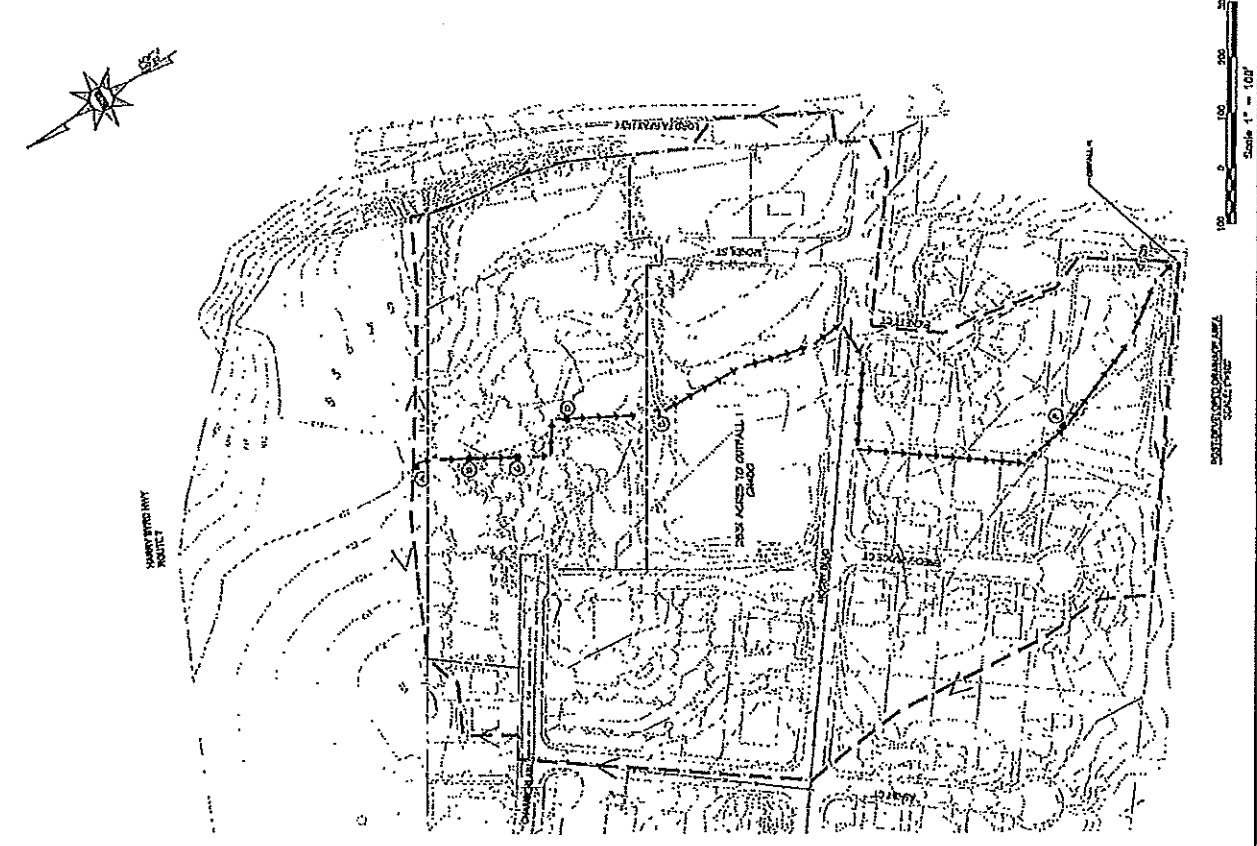
DATE	1/11/11
SCALE	AS SHOWN
PROJECT	MCNEIL STREET EXTENSION
CLIENT	TOWN OF BERYWILLE, MISSOURI
DESIGNER	MORRIS & RITCHIE ASSOCIATES, INC.
DATE	1/11/11

DRAINAGE AREA MAPS
MCNEIL STREET EXTENSION
TOWN OF BERYWILLE, MISSOURI



MORRIS & RITCHIE ASSOCIATES, INC.
 CONSULTING ENGINEERS AND ARCHITECTS
 1111 S. W. 11th St., Suite 100
 Ft. Worth, TX 76104
 (817) 332-1111
 FAX (817) 332-1112
 WWW.MORRISRITCHIE.COM

DATE	1/11/11
REVISIONS	



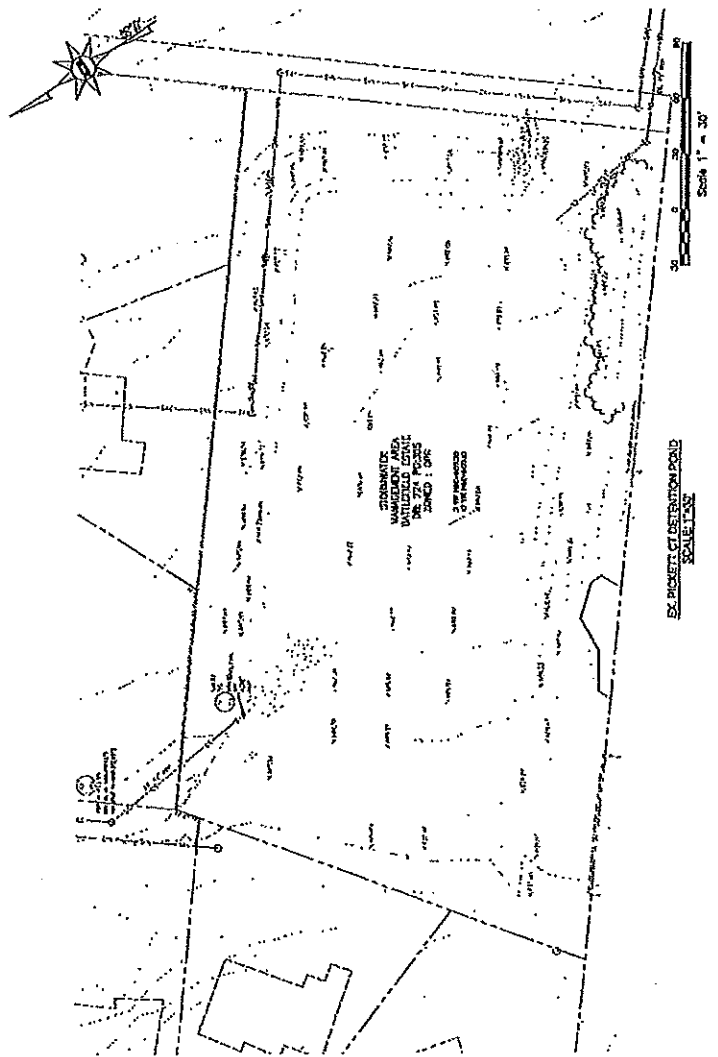
DATE	10/12/2010
DRAWN BY	W. J. HARRIS
CHECKED BY	W. J. HARRIS
SCALE	AS SHOWN
PROJECT NO.	10-001
CITY	BIRMINGHAM
COUNTY	JEFFERSON
STATE	AL
FED. ROAD DIST.	000
FED. ROAD NO.	000
STATE ROAD DIST.	000
STATE ROAD NO.	000

STORMWATER MANAGEMENT & STORM PROFILES
MCNEIL STREET EXTENSION
 TOWN OF BEARVILLE, MISSISSIPPI



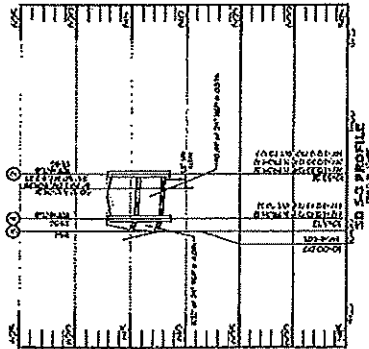
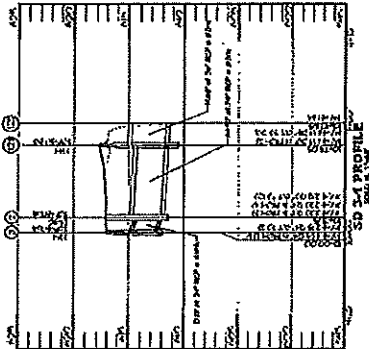
MORRIS & RITCHIE ASSOCIATES, INC.
 CIVIL, MECHANICAL, ELECTRICAL, PLUMBING, SANITARY, STRUCTURAL, AND LANDSCAPE ARCHITECTS
 10050 W. GULF BLVD., SUITE 200
 HOUSTON, TEXAS 77057-3972
 TEL: 281-413-8888 FAX: 281-413-8889
 WWW.MORRISRITCHIE.COM

REVISIONS	DATE	DESCRIPTION



STORM STRUCTURE SCHEDULE

STRUCTURE NO.	TYPE	CONCRETE	REBAR	DIAPHRAGM WALL	MIN. ELEVATION
1	DISTRIBUTION POND	Y	N	N	817.5
2	INLET	Y	N	N	817.5
3	OUTLET	Y	N	N	817.5
4	WELL	Y	N	N	817.5
5	WELL	Y	N	N	817.5
6	WELL	Y	N	N	817.5
7	WELL	Y	N	N	817.5
8	WELL	Y	N	N	817.5
9	WELL	Y	N	N	817.5
10	WELL	Y	N	N	817.5
11	WELL	Y	N	N	817.5
12	WELL	Y	N	N	817.5
13	WELL	Y	N	N	817.5
14	WELL	Y	N	N	817.5
15	WELL	Y	N	N	817.5
16	WELL	Y	N	N	817.5
17	WELL	Y	N	N	817.5
18	WELL	Y	N	N	817.5
19	WELL	Y	N	N	817.5
20	WELL	Y	N	N	817.5



PROJECT DESCRIPTION
 THE PROPOSED PROJECT CONSISTS OF THE CONSTRUCTION OF AN UNIMPROVED PROPERTY LOCATED AT THE END OF MCNEIL STREET, BEARVILLE, MISSISSIPPI. THE PROPERTY IS A 2.0-ACRE TRACT WITH A TOTAL AREA OF 87,120 SQ. FT. THE PROPERTY IS CURRENTLY UNDEVELOPED AND THE OWNER WISHES TO DEVELOP THE PROPERTY AS A COMMERCIAL CENTER. THE PROPOSED PROJECT WILL INCLUDE THE CONSTRUCTION OF A 24\"/>

STORMWATER MANAGEMENT & BMP NARRATIVE
 THE TOWN OF BEARVILLE, MISSISSIPPI, HAS A 24-HOUR STORM DRAINAGE SYSTEM. THE 24-HOUR AND 10-MINUTE STORM DRAINAGE WILL NEED TO BE MAINTAINED AND IMPROVED TO MEET THE TOWN'S REQUIREMENTS. THE TOWN HAS A 24-HOUR STORM DRAINAGE SYSTEM THAT IS CURRENTLY UNDER PERMITS AND CONSTRUCTION. THE TOWN HAS A 24-HOUR STORM DRAINAGE SYSTEM THAT IS CURRENTLY UNDER PERMITS AND CONSTRUCTION. THE TOWN HAS A 24-HOUR STORM DRAINAGE SYSTEM THAT IS CURRENTLY UNDER PERMITS AND CONSTRUCTION.

DATE	11.20.12
SCALE	AS SHOWN
PROJECT NO.	12-000000
SHEET NO.	12-000000
TOTAL SHEETS	12-000000

DETAILS
 MCNEIL STREET EXTENSION
 TOWN OF BEAVERHOLE, WYOMING

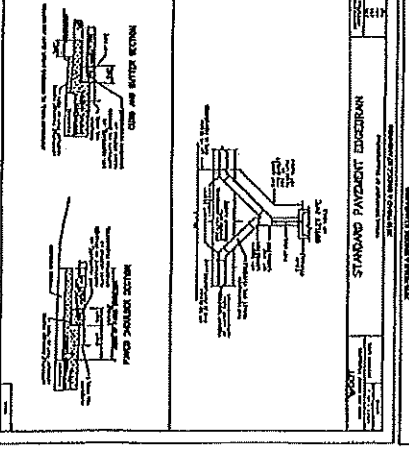
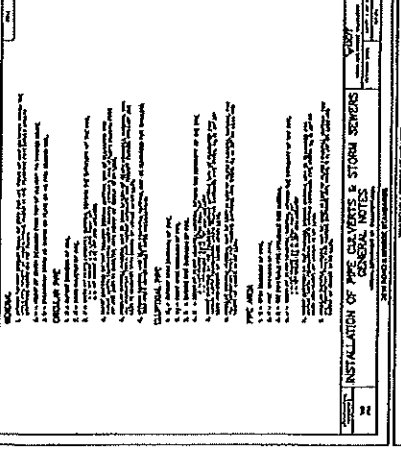
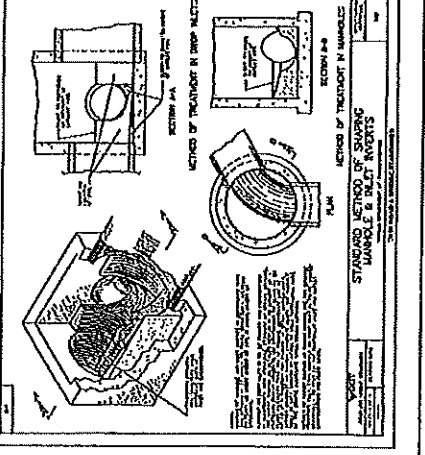
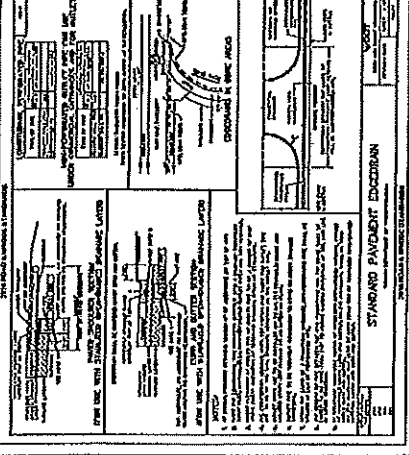
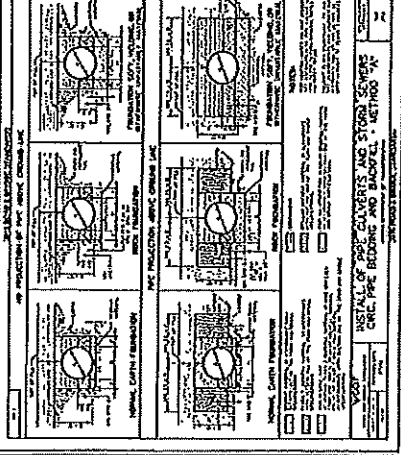
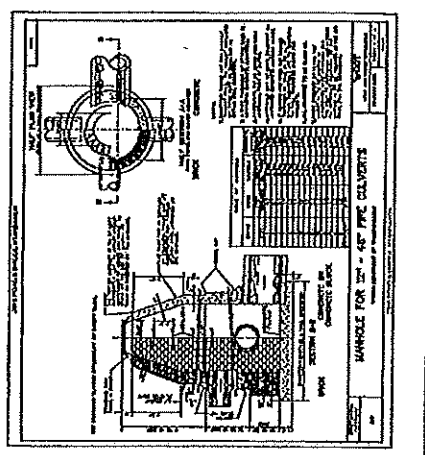
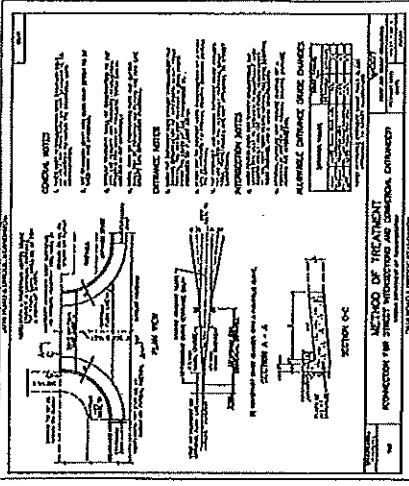
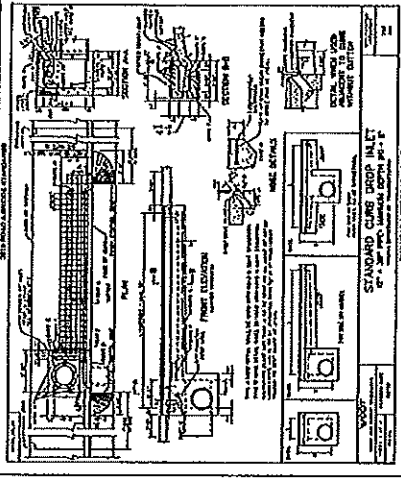


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 WWW.MORRISANDRITCHE.COM

REVISIONS	DATE

TABLE OF QUANTITIES

NO.	DESCRIPTION	QUANTITY	UNIT
1	STANDARD CURB DROP INLET	1	EA
2	STANDARD CURB DROP INLET	1	EA
3	STANDARD CURB DROP INLET	1	EA
4	STANDARD CURB DROP INLET	1	EA
5	STANDARD CURB DROP INLET	1	EA
6	STANDARD CURB DROP INLET	1	EA
7	STANDARD CURB DROP INLET	1	EA
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97	STANDARD CURB DROP INLET	1	EA
98	STANDARD CURB DROP INLET	1	EA
99	STANDARD CURB DROP INLET	1	EA
100	STANDARD CURB DROP INLET	1	EA



BERRYVILLE AREA PLAN

well as, adequate public street linkages within the overall planning precinct. The private sector should design and construct public roads in the planning precinct necessary to carry the ultimate traffic loadings for the projected development. In addition, transportation plans shall provide for bikeways as well as internal pedestrian movements via sidewalks and paths.

SUB-AREA 7

Name: NORTHERN GATEWAY/MOSBY HIGHWAY COMMERCIAL
Acreage: 23.1 acres
Land Use Designation: Highway and Visitor Commercial
Annexed: Yes

Sub-Area 7, containing approximately 23 acres, is situated in the southwest quadrant of the Route 7 Bypass/Route 340 highway interchange, being bordered on the north and east by these roads. The southern boundary abuts Mosby Boulevard. The Sub-Area is zoned Business Commercial BC which provides locations for highway commercial uses including restaurants and motels. The Highway Access Corridor Overlay District also covers a portion of this Sub-Area – 300 feet south of the Route 7 right of way. Approximately 13 acres of Sub-Area 7, including the Food Lion and Bank of Clarke County, have been annexed by the Town.

The land use designation for Sub-Area 7 is Highway and Visitor Commercial. The Highway and Visitor Commercial land uses are established to provide locations within the Berryville Area for highway oriented business and commercial activities such as retail uses dependent on automobile access, restaurants, lodging, and offices. The locational characteristics of the Highway and Visitor Commercial uses solidify the goals of both the Town and County to expand the tax base while preventing the spread of urban-scale commercial development into rural portions of the County and providing for such development in the area of the County where urban services are available.

The transportation network in Sub-Area 7 must allow for access to the northern-most parcel. The roads within this Sub-Area must also be brought into the Town's secondary street system to allow for public access to both developed and undeveloped parcels. As this location is the northern entrance to the Town, aesthetics reflected in architectural design and landscaping shall be considered as a part of the development in this area. Direct access to North Buckmarsh Street should be limited, prohibiting full entrances with the possibility of right in/right out ingress/egress. Consideration shall also be given to completing connectivity between McNeill Drive and Chamberlain Street to facilitate traffic to use McClellan Street in order to exit the Sub-Area via Mosby Boulevard. This will help to minimize stacking and other access management concerns with traffic attempting to exit the Sub-Area via McNeill Drive to use the signalized intersection at Mosby Boulevard and North Buckmarsh Street.

The Highway and Visitor Commercial Land use policy is designed to encourage business and commercial employment uses in a master planned setting, with an emphasis on low density, well landscaped development. This strategy is in keeping with the Town and County's firm commitment to the preservation of its existing residential neighborhoods and the semirural lifestyle of the outlying community, while ensuring the economic vitality and stability of the County and the Town.

Private developers shall coordinate their work to establish a master site plan for the surrounding Sub-Areas (Sub-Area 4, 5, 6 and 7) as a condition of any specific land use approval. A consistent design theme shall be established for all proposed buildings within the Sub-Area. Given the locational and topographic characteristics of this Sub-Area, development shall emphasize low intensity building coverage, quality landscaping and buffering as well as the preservation of the extensive natural drainageways which impact the site. Site planning and design shall address stormwater management and preserve the existing natural swales and ridges.

Development intensity in the Business Commercial Zoning District proposed for this Sub-Area should not exceed a 0.3 floor area ratio (FAR), based on the net developable area within the Sub-Area. The Sub-Area has an estimated development capacity of 210,000 square feet of leasable area.

The type and scale of commercial uses should relate to the architectural styling, massing, and materials described in the guidelines for the Historic Access Corridor while serving the prevailing marketplace needs. The planning of public streets, and water and sanitary sewer service shall address both on-site and off-site improvements as a condition of approval.

SUB-AREA 8

Name: CEMETERY
Acreage: N/A
Land Use Designation: N/A
Annexed: Yes

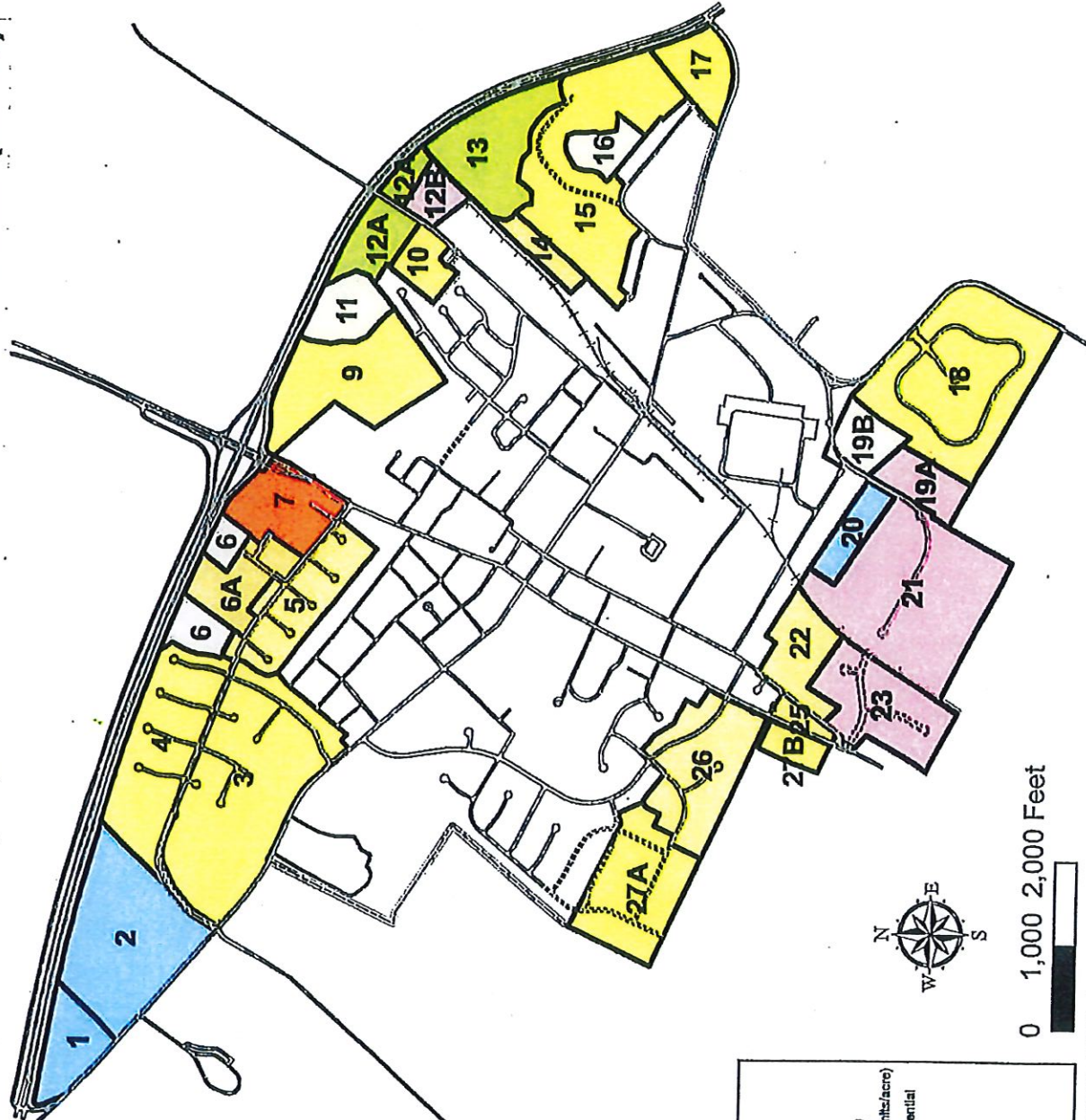
Sub-Area 8, containing approximately 22.2 acres, is located immediately north of the Town of Berryville, on the east side of Route 340. The Sub-Area is developed entirely as Green Hill Cemetery, with the entire Sub-Area under the ownership of the cemetery corporation. The parcels within this Sub-Area are zoned Institutional ITL. Since this original Sub-Area does not have development potential, it is removed from the revised Plan.

SUB-AREA 9

Name: NORTHERN RESIDENTIAL GROWTH AREA
Acreage: 41.7 acres
Land Use Designation: Low Density Residential
Annexed: Yes

Sub-Area 9, a portion of the farm referred to as Soldier's Rest, contains approximately 41.7 acres and is located in the southeast quadrant of the Route 7 Bypass/Route 340 interchange. A major ridge formation constitutes the largest part of the Sub-Area's eastern boundary, with the balance following the Sub-Area 11 boundary, a minor swaled drainage way that runs in a northerly direction towards Route 7 Bypass. The southerly boundary corresponds to an east-west ridge that approximately delineates the line between Annexation Area B and the previous Town corporate limits. Route 7 Bypass provides the northerly limits of the Sub-Area, with Green Hill Cemetery serving as the western limits of this undeveloped property. Sub-Area 9 is currently zoned Detached Residential – 2 (DR-2). The entire Sub-Area is located within town limits.

MAP 4 -- Berryville Area Plan Land Uses (2015)



	Existing Roads
	Proposed Roads
	Railroads
	Berryville Town Limits as of 01/01/07
	Low Density Residential (2 units/acre)
	Medium-Low Density Residential (4 units/acre)
	Medium Density Older Persons Residential
	Highway-Visitor Commercial
	Business/Office
	Light Industrial/Rosearch
	Institutional/Public
	Environmental Conservation
	Historical/Cultural Preservation

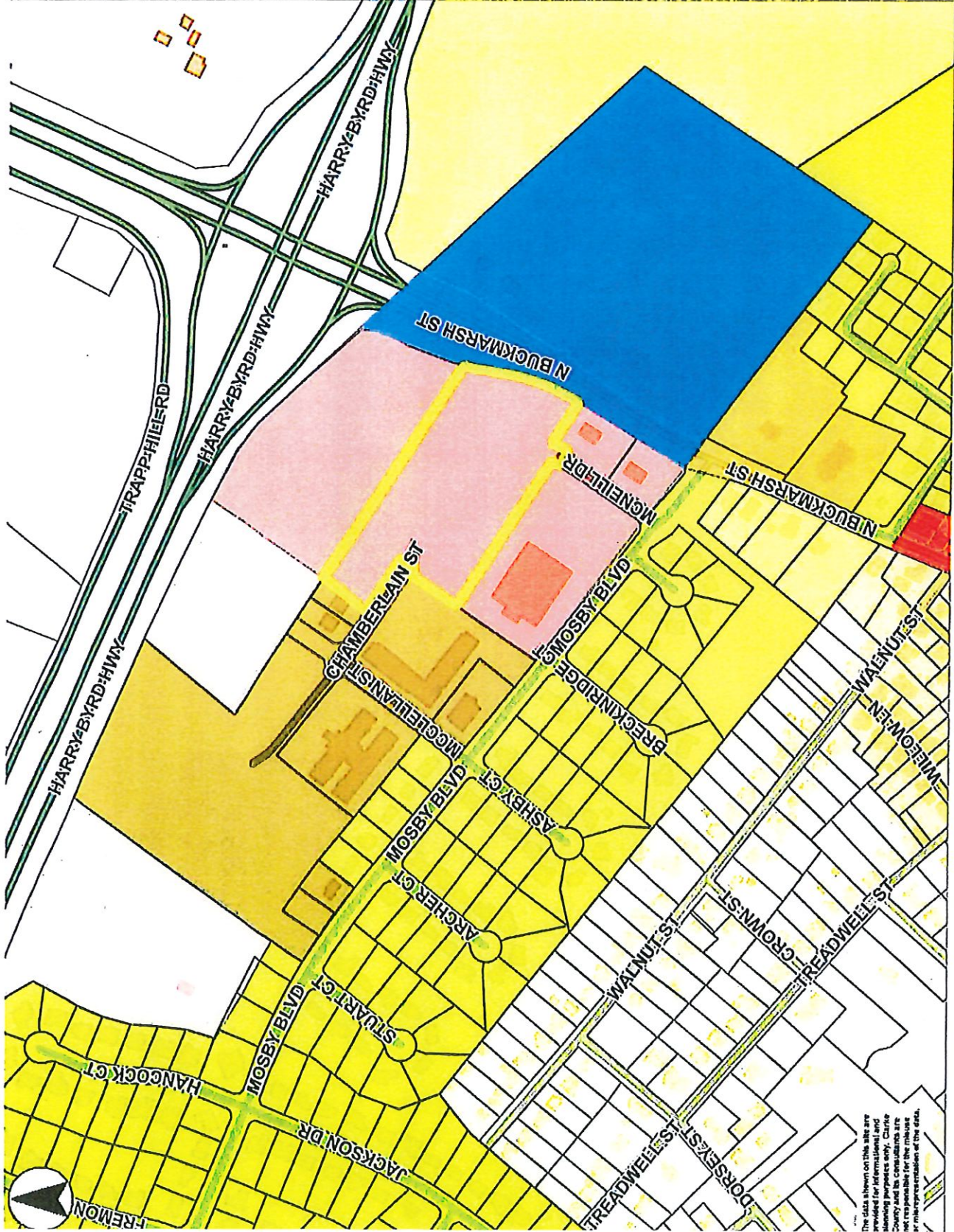


0 1,000 2,000 Feet

Document Path: c:\arcgis\maps\bbp\BAP_update_2013\Map_4_BAP_land_uses_2015.mxd



- Public
- Points of Interest
- Parcels
- Berryville Zoning
 - Detached Res-1 (DR)
 - Detached Res-2 (DR)
 - Detached Res-3 (DR)
 - Residential-1 (R-1)
 - Residential-2 (R-2)
 - Residential-3 (R-3)
 - Attached Res (AR)
 - Older Persons Res (OPR)
 - Mobile Home Res (MHR)
 - Business (B)
 - Business Park (BP)
 - Bus Commercial (BC)
 - Light Commercial (LC)
 - Urban Commercial (UC)
 - Industrial (I)
 - Institutional (IT)
 - Clark County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
 - Surrounding Counties Open
- Clarke County Roads
 - Private Roads
 - Roads
 - Rail
- Buildings
 - Appalachian Trail
 - Streams
 - Perennial Streams
 - Intermittent Streams
 - Ponds
 - Rivers



Clarke County MapsOnline

VICINITY MAP

Printed on 05/20/2020 at 03:00 PM

500 1000 ft

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