

Clarke County Planning Commission

MINUTES – Comprehensive Plan Committee Meeting

Thursday, May 12, 2022 – 2:30PM

Berryville/Clarke County Government Center – Main Meeting Room

| ATTENDANCE: | | | |
|-------------------------------------|---|----------------------------|---|
| Matthew Bass (Board of Supervisors) | ✓ | Bob Glover (Millwood) | ✓ |
| Anne Caldwell (Millwood) | ✓ | Randy Buckley (White Post) | ✓ |
| George L. Ohrstrom, II (Ex Officio) | X | | |

STAFF PRESENT: Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner/Zoning Administrator)

CALL TO ORDER: By Mr. Stidham at 2:38PM.

1. Approval of Agenda

Members approved the agenda by consensus as presented by Staff.

2. Approval of Minutes – April 7, 2022 Meeting

Members voted 3-0-1 to approve the April 7, 2022 meeting minutes as presented by Staff.

| Motion to approve April 7, 2022 meeting minutes as presented by Staff: | | | |
|--|-----------|---------|----------------|
| Bass | ABSTAINED | Glover | AYE (seconded) |
| Caldwell | AYE | Buckley | AYE (moved) |

3. Continued Discussion – Double Tollgate Area Plan Review

Mr. Stidham stated that the Committee has two items for discussion with the first being proposed changes to the Double Tollgate Area Plan’s goals, objectives, and strategies. He said the second item is a new approach to divide the plan area into sub-areas similar to the approach used in the Berryville Area Plan. He then reviewed the Area Plan’s current goals, objectives, and strategies and Staff’s recommended changes as described in the Staff memo.

Regarding draft Goal 2, Vice-Chair Buckley said that he is not comfortable with the wording, “based on property ownership.” Mr. Stidham replied that he is trying to convey that Sub-Area A contains all properties in private ownership and Sub-Areas B and C contain all properties in State ownership. Vice-Chair Buckley said that “based on property ownership” to him means that someone has purchased the property for development purposes. Commissioner Bass suggested striking “that may occur based on property ownership” as it is not necessary. He added that the wording may also be viewed as discriminating against one property over another. Vice-Chair Buckley suggested specifically referencing State-owned properties. Commissioner Bass replied that you do not have to include a reference in this Goal because it is explained elsewhere in the Plan. Mr. Stidham said that he will strike the language as recommended by Commissioner Bass and replace “potential” with “projected.” He also asked if it would be problematic if the current language were replaced by “as driven by private sector or State government ownership.”

Commissioner Glover replied that the language gets too far into the weeds. Mr. Stidham agreed and reiterated that this is more clearly described later in the Plan.

Regarding Goal 1, Commissioner Bass noted that the Board of Supervisors is particularly interested in the removal of the deferred growth area status given the public water and sewer opportunity with Frederick County.

Mr. Stidham continued with a review of the draft objectives and strategies from the Staff memo. Regarding draft Objective 1 Strategy B, Commissioner Bass asked if “level of service” should have quotation marks or be hyphenated. Mr. Stidham replied that he has not seen the term used with hyphens. Regarding “level of service criteria” and “adequate public facilities measures,” Commissioner Glover asked if this is in reference to public infrastructure or public buildings. Mr. Stidham replied that it refers to public infrastructure. Commissioner Glover said he is concerned that it could be referencing public buildings. Mr. Stidham said that he could re-word this strategy so that public infrastructure is referenced earlier. Commissioner Caldwell suggested replacing “adequate public facilities” with “adequate infrastructure measures.” Mr. Stidham said that he used “level of service criteria” specifically as a term of art referencing the functionality of the public road network. He also said that “adequate public facilities” is a term of art referencing whether a locality has sufficient infrastructure capacity to serve a development. He concluded by saying that he will work on the wording and potentially explain what these two terms mean in the revised wording. Commissioner Bass suggested the wording, “Develop metrics to quantify future needs for public infrastructure, etc. Such measures may include but not be limited to level of service criteria and adequate public facilities measures.” Commissioner Glover suggested separating public water and public sewer from the transportation network because the public utilities are a near term need and will drive development. Mr. Stidham noted that all aspects of the Double Tollgate intersection is substandard including turn lanes and road alignment. Commissioner Glover replied that transportation improvements are not a show stopper. Mr. Stidham stated that we are planning to serve the area with public water and public sewer but developers will need to make improvements to accommodate their traffic if they want to develop here. Vice-Chair Buckley explained an example of the intersection size being too small to accommodate two-way turning movements with truck traffic. Mr. Stidham said that he could see a future developer looking to redevelop the properties in the northeastern quadrant and improving the overall access to U.S. 340.

Regarding draft Objective 3 Strategy A, Commissioner Bass asked if “highway commercial” in the first line should be capitalized. Mr. Stidham replied no because it refers to the type of uses and added that he would replace it with different wording. Vice-Chair Buckley said that he likes the reference to Double Tollgate being located at the County’s southwestern gateway. He added that currently when you cross into the County at Double Tollgate, you can tell that you have entered a different jurisdiction and added that he hopes we can keep it that way. Mr. Stidham noted that in Strategy D there is new language to reference architectural design of structures. He added that Mr. Camp noted that the plan area should also be zoned to the Historic Access Corridor (HAC) Overlay District which provides for a higher level of architectural control. He said he would add this language into the next draft.

Committee members had no additional questions or comments on the goals, objectives, and strategies.

Mr. Stidham reviewed the proposed plan area map, the three recommended Sub-Areas, and the draft policies for each Sub-Area. Commissioner Glover asked whether the County was given a choice by the State on how the property in proposed Sub-Area B will be developed. Mr. Stidham replied that the General Assembly gave the property to the Virginia Port Authority with broad direction to work with the County on economic development efforts for the property.

Regarding Sub-Area C, Commissioner Glover asked how long each agency has owned their respective properties. Mr. Stidham replied that Virginia Department of Military Affairs is the most recent new owner of the 154.66 acre lot. He also noted that the Virginia Department of Corrections owns the remaining lot from the former Camp 7 complex and that the Virginia Department of Transportation has owned their lot for many years.

Commissioner Caldwell asked what would happen if the State planned a use for Sub-Area B that was totally incompatible with the County's approach to zoning and what would the procedure be for rezoning. Mr. Stidham replied that the General Assembly has directed the Virginia Port Authority to work with the County and by that directive, they should be looking at uses that we would allow. He also noted that the directive may intend to have the property eventually go to private ownership once a compatible use is determined. Commissioner Glover asked how much say we have in this. Mr. Stidham replied that legally we do not have zoning authority over uses on State-owned property. He added that if the State proposes something that is incompatible, then we would complain to our representatives. He reiterated that we do have a say in the 65 acres that would be in Sub-Area B based on the General Assembly's directive. He added that this might not be the case with Sub-Area C. Commissioner Glover asked if there is another example of State-owned property in the County. Mr. Stidham replied that Blandy Experimental Farm several years ago constructed research cottages on their property and did not have to get County permits or comply with Zoning Ordinance requirements. Commissioner Bass said that some of these properties are out of sight and out of mind for some people and we do not have much control over how the properties can be used. Commissioner Caldwell said she thinks we need a healthy dose of optimism about how these properties will be used. Commissioner Bass added that there will be demand for limited development there once water and sewer is available. Commissioner Glover noted that there is not a lot of land that is privately owned in the plan area. Mr. Stidham said that Double Tollgate is adjoined by properties in Frederick County that are zoned for business uses and that sometimes the introduction of water and sewer is what kicks off development of properties. He also noted that many types of businesses want to be located at an intersection of two major highways. Commissioner Glover asked what has kept Dinosaur Land operating for so long. Vice-Chair Buckley replied that it is the lack of water and sewer but there are parties that are interested in redeveloping that property.

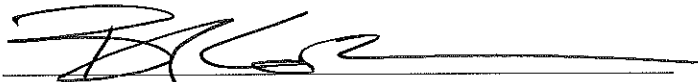
Mr. Stidham asked if members were comfortable with the initial drafts of the core sections and whether he can move forward with drafting the rest of the plan. Members agreed that they are comfortable with the initial draft. Commissioner Glover said that there needs to be some explanation as to why the Sub-Areas are being designated with most of it being in State ownership. He said that most of the area promoted in this plan is not going to be developed for

privately-owned uses. Vice-Chair Buckley said that the southwestern corner is in common ownership and is ready for development and the 7-11 store will connect to utilities as soon as they are available. He also said that the church property is owned by a developer. Mr. Stidham added that during the solar farm review, several owners of homes in the northeastern quadrant indicated that they were waiting to be bought out by developers. Vice-Chair Buckley added that the types of uses that will be developed are going to be highway-serving uses such as convenience stores with gas sales. Commissioner Glover asked about a sit-down restaurant as there are limited options in this area. Vice-Chair Buckley said that those uses could work on the smaller Highway-Commercial zoned lots. Commissioner Bass said that even a small commercial area can provide needed tax revenue. Mr. Stidham noted that this is a “baby steps” approach because five years ago, Frederick County had no interest in extending water and sewer to Clarke. He said that they are giving us capacity based on our current projected development but this can be revisited every five years to determine whether there is new demand to be served. Commissioner Glover asked why the additional residential lots on the north side of U.S. 340 were not included. Mr. Stidham replied that we only modeled the privately-owned lots in the current plan area. He said that future additions to the plan area can be evaluated at each five-year review period. Vice-Chair Buckley said that seeing the 65 acres in Sub-Area B developed is difficult for him because he is used to seeing open space at that location when you enter the County.

4. Scheduling of Next Meeting

Members agreed to schedule the next meeting for Wednesday, June 8 at 2:00PM.

ADJOURN: Meeting was adjourned by consensus at 3:25PM.



Brandon Stidham, Clerk