TOWN COUNCIL REGULAR MEETING
Monday, March 25, 2024 @ 7:00pm
Warren County Government Center

View LIVE on Government Access Channel 16 or https://www.frontroyalva.com/673/Town-Hall-Live

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the Regular Meeting Minutes of February 26, 2024 and Work Session Minutes of March 4, March 6, March 11, and March 18, 2024, as presented.*

5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS
   [Unanimous vote is required to add/delete Items. Added will be placed as the last item under Business Items.]

6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
   A. Pinning of Officer Carrie Gibson – *Chief Magalis*
   B. Proclamation for Melting Pot Pizza Celebrating 54 Years – *Mayor Cockrell*
   C. Proclamation for Christendom College Women's Basketball Team – *Mayor Cockrell*
   D. Report from County Administrator Ed Daley

7. PUBLIC HEARINGS
   A. Rezoning Application by Fernando Arana Pradel to Reclassify 1724 N. Royal Avenue from R-1 to R-1A.
   B. Rezoning Application by Graceful Abode of Liberation to Reclassify 1324 Old Winchester Pike from R-1 to R-3.
   C. Special Use Permit Application by Jean-David Lejeune and Samantha Harris to Allow a Short-Term Rental at 322 Kerfoot Avenue.
   D. Receive Public Input on an Application from Property Connection LLC to Vacate a Portion of 7th Street at its Intersection with Kibler Street.
   E. Receive Public Input on an Application from Aaron Hike to vacate a Portion of N. Royal Avenue and the Alley Between N. Royal Avenue and Virginia Avenue.
   F. An Ordinance to Amend Town Code Section 75-44(B) to Change the Due Date for One Half of the Annual Tax Payments for Real Estate and Personal Property from June 5th to June 20th.

8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

9. REPORTS
   A. Report of Town Manager
   B. Report of Councilmembers
   C. Report of the Mayor

10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
   A. Nomination to the Board of Zoning Appeals (BZA)
   B. Donation of Ambulance to Warren County General Government
   C. FY24 Budget Amendment for Local Law Enforcement (LOLE) Block Grant
   D. Customer Services Agreement for Uniforms, Mats, Towels, Etc.

11. Business Items - None

12. CLOSED MEETING

13. Adjourn

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Moment of Silence
Pledge of Allegiance led by Betty Olesia Payne

ROLL CALL BY CLERK OF COUNCIL
PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.

APPROVAL OF MINUTES – *Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Regular Meeting Minutes of January 22, 2024 and Work Session Minutes of February 5 and February 12, 2024, as presented.*

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSIINESS – N/A

RECOGNITIONS/AWARDS/REPORTS

A. Recognition of Employee Scott Curry – Mayor Cockrell read the following and along with Council presented Mr. Curry with a plaque from the Town. *On the early morning of November 24, 2023, Scott Curry was diligently working on installing new Dark Sky Compliant LED fixtures on Main Street when he noticed smoke filling the sky close by. Mr. Curry, previously being a member of the Warren County Volunteer Fire Department at Company 1 for 18 years, did not hesitate to investigate where the smoke was coming from, he started driving towards the smoke, when he turned onto Blue Ridge Avenue, he saw a house in flames, engulfing the front and right side. Mr. Curry quickly called the police department and swiftly went around the property, calling out to see if anyone was still inside. Mr. Curry attempted to gain access to the house to confirm everyone made it out, but the conditions were too dangerous to enter. When Fire and EMS arrived, Mr. Curry sprang into action and immediately assisted the Fire Department by assembling the hoses and connecting them to the hydrants. Mr. Curry was asked to disconnect the electric service line to the house and remove the service from the pole. Mr. Curry remained at the scene and assisted where he could, until he was not needed. Mr. Curry then returned to Main Street to continue his assignment of replacing streetlights.*

B. Recognition of Employee Joe Roberts – Director of Energy Services Carey Saffelle recognized and along with Council congratulated Mr. Roberts on receiving his Journeyman Line Technician Certificate from the Virginia, Maryland, and Delaware Association of Electric Cooperatives Lineman Training School.

C. Proclamation for *Global Day of Unplugging* – Mayor Cockrell read the proclamation and presented it to Celeste Brooks, member of the Warren Coalition.

D. Planning Commission's Annual Report – Michael Williams, member of the Planning Commission, gave a brief overview of the Department of Planning and Zoning's 2023 Annual Report.

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Councilwoman De-Domenico-Payne questioned the process for administrative review vs action from the Planning Commission and Town Council. Director of Planning Lauren Kopishke explained that there was some overlap in the processes, but special use permits, special exceptions and rezonings go to the Planning Commission first for recommendation and then forwarded to Town Council for final action. Zoning permits, for example, were reviewed and approved administratively.

Mayor Cockrell expressed how enlightening the numbers were in the report and the amount of time it took to complete it. She advised of the various committees and how often they met. She continued to advise the public that there were openings on the Board of Zoning Appeals (BZA) and Local Board of Building Code Appeals (LBBCA) for those citizens interested in serving.

PUBLIC HEARING

A. Magdalen Capital LLL Rezoning Application to Rezone 311 Leach Street from R-2 to PND and Adjoining Properties from R-1 to PND - Mayor Cockrell opened the public hearing.

Megan Marrazzo, 316 Virginia Avenue, thanked Council for the two public hearings on this subject (text amendment and rezoning) at separate times. She suggested that Council consider a code amendment that would allow for variances. She opined that it made no sense to approve the rezoning at this time.

Maria O'Brien, Massanutten Farms Road, reminded Council of the text amendment that would have allowed 20 to 50 acres be reduced to five acres if approved. She suggested an approach that would allow for variances. She opined that it was against the common good if it was against the Town Code. She urged Council to vote no on the rezoning.

Ben Ferri, 300 Sky Meadow Lane, advised of the long hours put into this project and warned that if Council were to vote no tonight there would be little choice but to build by right. He voiced concern of hostile behavior and misconception around this project. He urged Council to allow the applicant some time to speak tonight.

Alex Stieb, applicant, advised that three years of work had gone into this project and voiced disappointment that the project was not being based on merits. He noted that there was no other option but by right. He explained that the Planned Neighborhood District (PND) would have allowed for net positive and voiced his disheartenment and disappointment.

That In furtherance of the purposes and objectives contained in Town Code §175-1 (B), Councilman Ingram moved seconded by Vice Mayor Sealock that Council deny a Rezoning Application from Magdalen Capitol LLLP to Rezone 311 Leach Street from R-S to PND and Adjoining Properties from R-1 to PND.

Councilwoman Morris voiced concern that no proffers were given in relation to this project therefore the Town was not losing anything other than anticipated net profits. She spoke in favor of condos and apartments but not what was being proposed as it was against Town Code.

Councilman Wood referenced the speakers from the last public hearing and noted that most people were not against the development itself only the text amendment. He noted that the goal for the Town was affordable housing and questioned what the Council wanted since the commercial element would be a positive for the community creating opportunities that currently the Town did not have.

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Councilman Ingram voiced concern of the outcome of future development for years to come and suggested discussing the PND Zoning Restrictions with a "clean mind" pushing for checks and balances interpretations and enforcement.

Councilwoman DeDomenico-Payne reminded Council of the joint meeting with the Planning Commission next month to discuss the Zoning Ordinance. She questioned whether there was anything restricting the applicant from returning to the Council if denied tonight? Ms. Kopishke advised that the applicant could not bring back for a year unless there was significant change in the project and reapply. Town Attorney George Sonnett stated that state law allowed for an ordinance to wait for a year but felt like the Town Code did not limit to a year.

Councilman Rappaport voiced concern that the area around the project was R-1, and the character will change if the project were approved. He agreed to various types of housing noting it would be difficult with as a PND that required 20 acres. He suggested re-evaluating the Town Code.

Councilwoman Morris reiterated that there were no proffers before Council, noting the effect on the schools and fire and rescue. She agreed to revisiting the Town Code to consider projects on a case-by-case basis.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne
No – Councilman Wood
Absent – N/A
Abstain – N/A ROLL CALL

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Michael Williams, 1405 Jefferson Avenue, suggested that Council consider officially naming the area around the gazebo and Visitors Center the *John Marlow Memorial Plaza* noting he was a legacy to be remembered and a proponent of the rehabilitation of the downtown area when he was Mayor.

Thomas Sayre, 835 Shenandoah Shores Road, gave a brief opinion of Saint Francis.

Maria O'Brien, Massanutten Farms Road, opined that it should not be about Town vs County on matters of development since it affects all that not only live in the Town of Front Royal, but those who work, shop, eat and go to school in the Town of Front Royal. The Town is not the only one who has a voice.

REPORTS

A. Town Manager Report – Town Manager Joe Waltz gave an update on the financial situation of the Town, noting overall it was in good shape. He stated that revenue seven months into the fiscal year was projected at 58% but sales tax was 61%, lodging tax was 65% and meals tax was 61%. The Town's Enterprise Funds, he explained, were that the electric sales were slightly above budget with purchase power slightly below, water revenue was less than 5% lower, sewer revenue was 5% – 10% lower and solid waste was 8% lower.

B. Town Council Reports

Councilwoman DeDomenico-Payne attended the opening reception of *Melissa Ichiuji's Studio Gallery.* She asked that everyone be aware of the trash and litter in the Town and use the trash receptacles.

Councilman Wood gave no report.

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Vice Mayor Sealock attended the *Future Farmers of America Tractor Ride* giving a shout out to the Sheriff for organizing the event for high school students. He also noted that the recently installed speed cameras around several schools were working as people were slowing down.

Councilwoman Morris stated that she continued to love Front Royal and was proud to serve.

Councilman Ingram gave a shout out to Director of Public Works Robbie Boyer and his staff for repairing water breaks and other associated issues as quickly as possible.

Councilman Rappaport attended the opening reception of *Melissa Ichiuji's Studio Gallery* and the Council Retreat. He voiced support for the suggestion by Mr. Williams to consider naming the gazebo area in memory of former Mayor John Marlow. He voiced caution of aggressive driving as spring approaches.

C. Report of the Mayor – Mayor Cockrell attended the following: Council Retreat, Ribbon Cutting/Grand Opening at *Lloyd, Lemmon & Hale PLLC*, opening reception of *Melissa Ichiuji's Studio Gallery*, birthday party for Lorraine Hultquist and Dewey Vaugh and funeral for former Mayor Johnn Marlow. She welcomed childhood friends to Town and visited the *Shenandoah National Park*. She spoke to the Rotary Club of Warren County.

CONSENT AGENDA ITEMS

A. Purchase of a New Utility Compactor to Replace an Asphalt Roller
Council approved the purchase of a new Utility Compactor CAT CB4.0 to replace a 1987 Dynapac CC21 II Asphalt Roller in the amount of $77,343.00.

B. Purchase of a New John Deere Wheel Loader to Replace a 2002 Wheel Loader and Approval of a FY24 Budget Reallocation
Council approved the purchase of a new John Deere 524 P-TIER 4WD Wheel Loader to replace a 2002 Case 621D Wheel Loader with 7222 hours in the amount of $212,516.91 and a FY24 Budget reallocation in the amount of $37,516.91 from funds that were previously set aside for the purchase of an asphalt roller.

C. Purchase/Installation/Training of a 66,000 lb. Heavy Duty Truck Lift for New Fleet Maintenance Bldg.
Council approved the purchase, installation, and training of a new 66,000 lb. capacity heavy-duty surface mounted four post lift in the amount of $168,135.00.

D. Purchase/Installation/Training of Various Equipment & Machinery for New Fleet Maintenance Bldg.
Council approved the purchase, installation, and training of various types of equipment and machinery for the new Fleet Maintenance Building in the amount of $177,823.46.

E. Resolution of Support for VA 250th Revolutionary War Soldiers Memorial Project
Council approved a Resolution of Support for the VA 250th Revolutionary War Soldiers Memorial Project to be located on the Warren County Courthouse Grounds as presented.

F. Recommendation to the Judge of Circuit Court for Appointment to the Board of Zoning Appeals (BZA)
Council recommended Louis Allen Neel to the Judge of the Circuit Court for Appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending August 31, 2026. [typo on agenda, should have read 2026 instead of 2025]

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G. Front Royal EDA Memorandum of Understanding (MOU) for Financial and Operational Support
Council approved a Memorandum of Understanding (MOU) with the Front Royal Economic Development Authority (FREDA) as presented.

H. Joint Town County Transportation and Infrastructure Committee Establishment and Appointments
Council established the Joint Town County Transportation and Infrastructure Committee and appoint Councilwoman Morris and Councilman Ingram to the Joint Town County Transportation and Infrastructure Committee.

Vice Mayor Sealock moved seconded by Councilwoman Morris that Council approve the Consent Agenda as presented.

Mayor Cockrel noted that Council was recommending Allen Neel to the Judge of the Circuit Court for appointment and thanked him for his willingness to serve.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

BUSINESS ITEMS - None

CLOSED MEETING
Councilman Rappaport moved seconded by Councilwoman Morris that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a) financial obligations of the Front Royal-Warren County EDA, and b) the vacation of a portion of N. Royal Avenue and an unimproved alleyway between N. Royal Avenue and Virginia Avenue; and, 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, Town of Front Royal v. Front Royal-Warren County EDA and Front Royal – Warren County EDA v. Town of Front Royal; and, 3) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Town Attorney

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia

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Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

Meeting adjourned approximately 10:10pm.

Approved by Town Council
Date: _____

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The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

CLOSED MEETING

Councilman Ingram moved seconded by Councilman Wood that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Board of Zoning Appeals

Vote: Yes – Councilmembers Sealock, Ingram, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – Councilwoman Morris
Abstain – N/A ROLL CALL

Councilwoman Morris entered the Closed Meeting at 6:56pm

Councilman Rappaport moved seconded by Vice Mayor Sealock that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

Consent Agenda Items for March 25th

A. Donation of Ambulance to Warren County General Government – Finance Director BJ Wilson explained that the ambulance was donated to the Police Department in 2020; however, the Police Department no longer has use for the vehicle and it is requested that the vehicle be donated back to Warren County. Council agreed to add to the Consent Agenda of March 25th.

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B. FY24 Budget Amendment – Local Law Enforcement (LOLE) Grant Program – Finance Director BJ Wilson explained that a budget amendment was being requested to accept a grant from the Virginia Department of Criminal Justice Services. Council agreed to add to the Consent Agenda of March 25th.

Review of FY25 Proposed Budget – Mr. Wilson gave a presentation of the Proposed FY2024-2025 Budget highlights. He began with **Next Steps** noting various upcoming dates; **FY25 Revenue Forecasting** noting the internal and external data sources used in forecasting; **FY24-25 Snap Shot of Funds** identifying FY25 proposed, FY24 budgeted and the difference from various departments; **Debt Service Fund Decrease/General Fund Increase** noting that the auditors requested that debt service be shown under the general fund vs debt service fund; **Real Estate Tax Rate Per $100 Assessed Value** showing a graph of the rate from 2006 to current with no tax increase proposed for this year; **Personal Property Tax Rate Per $100 Assessed Value** showing a graph of the rate from 2010 with no tax increase proposed for this year; **General Fund Revenue Highlights** identifying FY25 proposed, FY24 budgeted and the difference from various taxes collected; **Enterprise Funds Sales of Services** identifying FY25 proposed, FY24 budgeted and the difference of the sales collected between the enterprise funds; **Revenue Impacts for Enterprise Funds** explaining the various impacts to the revenue collected from the enterprise funds; **Sewer Recommended Rate Increases** advising the sewer rate was proposed to be increased by 2.25% based upon the consultant recommendation. He also noted that there would be no increase in water or electric rates; **Solid Waste Proposed Rate Increases** advising of an proposed rate increase for residential and commercial accounts over the next few years at a rate of 9.5%; **Snapshot - Total Budget** noting it was a $51.6 million budget with two proposed changes in full time positions; **Direct Impact to the Employees** noting the proposed 3% COLA to be implemented January 2025, 3% average merit increase, health insurance increase of 8.7% and various other events and programs; **Virginia Retirement System (VRS)** highlighting the additional expenses with an increase in rates for Plan 1, Plan 2 and Hybrid employees; **General Fund Capital/Debt Expenditures** noting the current debt to include fleet maintenance building rehabilitation, police body worn camera, radio system and construction, repayment of economic development access grant, VRA bond for Leach Run Parkway and street sweeper loan. **General Fund Highlights/ACES Projects** giving an overview of the various funds needed for ACES (Advisory Committee for Environmental Sustainability) proposed projects as well as Drug Court, Town Scholarships, Tourism and Special Events. Discussion ensued about the opioid grant funds and it was explained that those funds would be discussed at a later time as it did effect future budgets; **Electric Expenditure Highlights** noting the various proposed expenditures including but not limited to Automated Metering Infrastructure (AMI); **Water Expenditure Highlights** noting the various proposed expenditures including but not limited to repairs to clear wells, basins and waterline upgrades in conjunction with the paving plan; **Sewer Expenditure Highlights** noting the various proposed expenditures including but not limited to I & I abatement; **Water/Sewer Debt Service** including Waste Water Treatment Plant and Water Plant Upgrades; **Solid Waste Highlights** noting brush grinding services, replacing dumpsters, replacing refuse truck and contingency; **Highway Maintenance Highlights** noting various projects including storm sewer mapping, paving, sidewalks, curb/gutter and Prospect Street Bridge rehabilitation; **Vehicles/Equipment** highlighted various vehicles proposed for purchase. Town Manager Joe Waltz advised that a matrix was proposed in the future to track all Town vehicles; and the last slide of the presentation was **Next Steps** that included various dates for approving the FY24-25 Budget.

Councilman Rappaport suggested the purchase of a sound decimal meter.

Derelict Structures – Director of Planning Lauren Kopishke along with Deputy Zoning Administrator John Ware and Property Maintenance Official Monica McClure gave a presentation on Derelict Structures. Ms. Kopishke began with **Facts and Figures of the Planning and Zoning Department** identifying staff and their

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positions in the department; **Customer Service** explaining that 40-50% of staff time is spent on customer service through phone calls and in person. She also showed a graph of the number of permits issued in 2022; **Boards and Commissions** explaining the various boards the department provides guidance and technical support to; **Planning Division** explaining the various types of data research and planning documents used by Planning Commission and other departments; **Code Administration** explaining administering and enforcing the zoning and land development laws and showing the number of cases and inspections. Councilwoman DeDomenico Payne questioned whether a group of citizens could be used to assist the department with violations. Ms. Kopishke advised that the citizens would not have any authority and encouraged participation for citizens through service on the various boards and commission. Councilwoman Morris also noted that neighbors could volunteer their time by assisting each other with their yards.

Mrs. McClure reviewed **Town Code Violations** including Chapters 170-2 High Grass, Weeds and Foreign Growth, 170-3 Trash and Debris, 170-5 Enumeration of Nuisances, Zoning Violations 175-134 Zoning Permits, and 175-110.5 Urban Agriculture Performance Standards. Councilman Wood confirmed that replacing a fence required a permit. Mayor Cockrell confirmed the process of notifying property owners of high grass and what happened if they did not comply, including adding a lien to the property if the Town mowed the property and the invoice was not paid.

Mrs. McClure continued with **Derelict Structures Abatement Mechanisms** stating the various options to include **Property Maintenance, Abatement of Nuisance, Dangerous Structures/Drug Blight, Spot Blight Abatement and Public Nuisance.** She advised that **property maintenance** was to protect the health, safety and welfare of the residents noting it was complaint driven and the goal was for the property owner to come into compliance. Councilman Rappaport questioned what was deemed reasonable. Mrs. McClure advised that it depended on the situation and how much time was needed to correct the situation since state code did not define timelines. She explained that a plan of action was given and then carried out by the property owners, noting that flexibility was an option working with them along the way. She advised that property maintenance included by was not limited to assuring accessory structures were in good repair, protective treatment of exterior surfaces, sanitary condition of swimming pools, and properly anchored decorative features of structures. She continued with how the process worked, beginning with when the complaint was received.

Mr. Ware continued with the various options beginning with **Abatement or Removal of Nuisance** explaining that the structure would be an imminent threat to public health and safety advising of a plain view observation of unoccupied structures only and then recommending removal, noting the removal was at the expense of the Town. Council questioned recourse for recovering the expense. Town Attorney George Sonnett stated that the recovery would become a lien on the property; **Dangerous Structures/Drug Blight (Town Code Chapter 145)** explaining that the structure would be a possible threat to public health and safety (non-emergency) advising of a plain view observation and requiring Council action. Mr. Sonnett stated that Town Code Chapter 145 Structures, Dangerous needed amending as it no longer followed state law; **Public Nuisance** explaining that when administrative processes failed the legal department would file a complaint in Circuit Court; **Spot Blight Abatement** explaining that Council may have been misinformed about blighted properties. He noted that they were complaint driven, however, the goal and/or purpose was for redevelopment with the Town claiming ownership of the area. He explained that Town funds would be used for the redevelopment. He continued that the Town Code did not align with the state code and suggested repealing Chapter 9-303 Spot Blight Abatement since it did not meet the purpose.

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Mr. Waltz advised that staff had spent a lot of time coming up with the processes shown to Council tonight and suggested bringing it back in sixty (60) days to allow time for staff to put together a list of properties.

Mr. Ware reiterated that the term "blighted" had been misused and most complaints that the Town could pursue would be under property maintenance.

Councilman Rappaport questioned whether cities and counties had different regulations for blighted properties. Mr. Sonnett stated that generally not reminding Council that it takes money to purchase property. Councilwoman Morris noted that just because a structure was ugly it was not a public health or safety hazard. Mr. Sonnet stated that spot blight was enabled by Title 36 of the State Code, noting a public purpose behind spot blight was the intention to redevelop. He continued that it was intended for larger areas in urban settings and was premature for Front Royal suggesting that it be removed from the Town Code since it did not apply to Front Royal.

It was noted that a warrant could be obtained to enter the inside of a structure but only if permission was denied and there was just cause. It was also noted that the four options mentioned above were already available. It was confirmed that hotels would not be a nuisance because they were occupied. Mr. Sonnett stated that unfortunately drug blight was not pursuant to Title 36 as it was considered illegal activity. There was also the concern of moving residents from hotels who were using them as their home.

Council commended staff on a good presentation as they get ready to set goals at their next work session.

Items for Public Hearing on March 25th

A. Rezoning Application by Fernando A. Pradel to Reclassify 1724 N Royal Ave from R-1 to R-1A – Ms. Kopishke advised that the main difference in the two zones were density since R-1 supports single family uses at a lower density and R-1A allows for clustering and medium density single family residential uses. She advised that the Planning Commission recommended approval. Council agreed to advertise for a public hearing on March 25th.

B. Rezoning Application by Graceful Adobe of Liberation to Reclassify 1324 Old Winchester Pike from R-1 to R-1A – Ms. Kopishke advised that this was a use that the Town was trying to bring into compliance in the Riverton Historic District noting R-3 was the best option for this request. The purpose of the rezoning is for the establishment of a lodging house use. She advised that the Planning Commission recommended approval. Mr. Sonnett stated that being a rezone Council could not condition, only proffer. Council agreed to advertise for a public hearing on March 25th.

C. Special Use Permit Request by Jean-David Lejeune and Samantha Harris to Allow a Short-Term Rental at 322 Kerfoot Avenue – Ms. Kopishke advised that there would be no more that four occupants at a time and found the property to be in compliance with the provisions of the Short-Term Rental performance standards. She explained that a complaint was received, that renovations had occurred and staff was working with the applicant to resolve. The Planning Commission recommended approval with conditions that included a privacy fence. Council agreed to advertise for a public hearing on March 25th.

Old Business

A. Out-of-Town Utility Connection Application from the Catholic Diocese of Arlington and Warren County Board of Supervisors – Town Manager Joe Waltz gave an overview of this item that had been before Council numerous times noting the most recent proposal stated from the applicant's engineer *"I would like to*

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propose an option that I think would ultimately satisfy both the Town and the church without going through the BLA process. My thought is the church will voluntarily construct the sidewalk along the portion of their property at Criser Road if the Town will provide water and sewer at the in-town rate without going through the BLA and keeping on schedule with the County CUP process." Mr. Waltz passed out information that included estimated costs for a sidewalk on W. Criser Road breaking it down from Luray Avenue to Skyline Vista Drive. He also noted the grant funding anticipated from the Virginia Department of Transportation (VDOT) sometime in October 2024 and the embedded cost for curb and gutter installation on both sides of the road as well as electric pole relocations totaling 1.5 million.

Marissa Whitacre from Greenway Engineering explained the calculation to construct the sidewalk noting it was 750 feet of frontage on Criser Road, curb and gutter, two handicap entrances, stormwater collection at 600 feet with 15-inch pipe and 25% contingency at a cost of $125,000. Councilwoman DeDomenico-Payne voiced concern with regard to any financial trouble that may occur, and the church could not pay. Mr. Sonnett stated that the property was not in Town and therefore this was not a proffer noting that the agreement with the church would hold them financially liable and if payment was not made utilities could be turned off. He reminded Council that an amendment to Town Code would be required to allow water and sewer to this property.

Mr. Waltz advised that moving the electric poles were approximately $100,000 each with the steel structures being owned by Rappahannock Electric. Councilman Ingram voiced concern that the $125,000 offer was only for now and not five to ten years from now as Council budgets for improvements in the future. Councilwoman Morris questioned the boundary line adjustment, and it was confirmed that the County would have to approve the adjustment as well as the court.

Mayor Cockrell questioned whether Council wanted to provide water and sewer and if so, would it be through a boundary line adjustment or provide it at an out-of-town rate. There was much discussion and no consensus on the sidewalk installation and alternatives to moving electric poles. Mr. Waltz advised that due to liability Rappahannock would take the lead on relocating at least the steel structures due to it being connected to Town poles.

Ms. Whitaker advised Council that the property was below grade with a proposed 450 parking spaces making it self-contained and very far from the road. There was discussion about engaging the County for assistance on installing the sidewalks.

Mayor Cockrell suggested bringing back to the March 11th work session with questions forward to Mr. Waltz before the work session began.

A representative from the church was allowed to speak. She noted that the $125,000 was for a standard sidewalk that they were willing to contribute to the Town and would give an easement to the Town. Mayor Cockrell advised that Council just received new information before the meeting and had not had time to review it properly. Mr. Waltz advised that he would break costs down for Council at the next work session.

Adjourned approximately 9:49pm

Approved by Town Council

Date: ----------

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Appoint Clerk- Vice Mayor Sealock moved seconded by Councilman Wood that Council appoint Hillary Wilfong as Clerk pro tempore for tonight's meeting March 6, 2024.

ROLL CALL: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph E. Waltz
Temporary Clerk Hillary Wilfong

Vote: Yes- Council members Sealock, Ingram, Morris, Rapport, DeDomenico-Payne, Wood
No-N/A
Absent- N/A
Abstain N/A ROLL CALL

ROLL CALL BY CLERK PRO TEMPORE

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REVIEW OF FY24 TOWN COUNCIL RETREAT FOR JANUARY 29-30, 2024- Mayor Cockrell thanked all the Council members for attending the goal session retreat and attending tonight's meeting to review the goals as tonight Council will zero in and decided our priorities. Mr. Waltz distributed the vision and mission statement, the Council's goals, core values and tagline that was agreed upon at the meeting.

Vision Statement- Front Royal is a place citizens and business are proud to call home and where there is a strong sense of community and commitment to sustain the quality of life for future generations.

Mission Statement- It is the mission of the Town of Front Royal to provide its citizens, businesses, and visitors with quality public services in a fiscally prudent manner that sustains Front Royal's character, beauty, and small-town charm.

Council's Goals- Promote Community and Economic Well-Being- Capitalize on Front Royalls many assets, location, and heritage to enhance the community and economic well-being of its citizens and business alike.
Practice Good Governance- Perform functions effectively while being accountable to citizens of Front Royal.
Infrastructure- Within our fiscal capacity we will maintain and enhance our infrastructure.

Core Values- Accountable, Ethical, Respectful, Responsive, Transparent

Tagline- "Front Royal, where you can spend a lifetime."

Mr. Waltz advised that the Council's three goals are very broad, therefore for this meeting we will focus on specific goals. To help narrow down Council's goals, a survey was emailed to each Council member, and from those results Mr. Waltz was able to produce a goal sheet for each main goal, with primary action steps, which had the highest number from the survey, then secondary action steps, and lastly the remaining action steps, which were the goals that were not necessarily selected, but still valuable. Mayor Cockrell added that after we narrow down the goals and produce an annual report, it is her hopes to present this to the press and all citizens.

GOAL DISCUSSION- PRACTICE GOOD GOVERNANCE- Mr. Waltz distributed the first goal sheet for Good Governance, Mr. Waltz reviewed the Primary Action Steps, which were in the top two of survey results.

1) Ensure the Town of Front Royal is accountable to the citizens and businesses they serve through the production and distribution of an annual report which details how taxes and fees paid by citizens and businesses were allocated and for what purpose during the fiscal year.

Mr. Waltz shared that after the retreat, implementation of the annual report immediately began, which is almost complete, Mr. Waltz hopes to share with Council by next week. Mayor Cockrell shared her enthusiasm for the annual report and believes it will be well received.

2.) Develop and administer a Front Royal community satisfaction survey that will permit the town citizens to assess and grade the services and programs they receive from the town on an annual basis.

Mayor Cockrell believes that this is a great idea, and we could receive a lot of valuable information, however, the challenge will be participation from citizens and distribution of the survey.

Mr. Waltz asked how the survey would be drafted, whether by staff or by a third party. Councilwoman Morris expressed her concerns about receiving survey results from our citizens, from previous Town surveys done by a third party, when they checked the location of the participators of the survey, a large number were not even local. Councilman Ingram asked what the criteria of the survey would be and unsure if a survey before the annual report and Council's goals were implemented if the survey would offer much value, however if we pushed it out a year, we could have different results. Councilman Rapport advised if we used statistical control measures if would help control the outliers of the negative comments. Councilwoman Morris also agreed with Councilman Ingram about having a brief, non-invasive survey, like Survey Monkey, where it simple Mr. Waltz advised that would have to explore options, that staff would not be able to handle this with the analytical piece along with ensuring that local citizens are the ones completing the survey. Mr. Waltz requested 90 days to investigate the avenue to facilitate the survey and financial aspects, however it would likely not be completed within six months. Mayor Cockrell suggested that we ask Town Staff what questions they think would be beneficial, or what information would they like to obtain from the citizens.

Mr. Waltz reviewed the secondary action steps; Mayor Cockrell advised that the adopted mission statement, vision statement, core values and town goals be on the website by the end of this month. Vice Mayor Sealock acknowledged that the Town is working on our service departments being self-supporting. Councilwoman Morris advised that they are not yet self-supporting, however we have a cost-of-service study completed for solid waste and will be presented at the next Town Council Meeting. Mr. Waltz advised that it is key to do cost of service studies every few years to enable the Town to become self-supporting. Mayor Cockrell discussed having an open house and having citizens an opportunity to interact with town staff regarding services that they receive and how we can enhance and improve our delivery process, which seems like the survey would also cover some of that, however an open house is a great. Mayor Cockrell also noted that having a citizen's academy would be a great way to interact with citizens, however, worries that it could be a burden for Town Staff. Mr. Waltz shared that he would be excited for a citizen's academy, and visioned it has citizens meeting once a month for six months and engaging with a different department each month. Councilwoman Morris agreed that she would be interested in a citizen's academy, because it shows other aspects of government work that citizens may be unaware of. Mr. Waltz advised if this is Councils pleasure, he can work on this for the September 2024.

Mr. Waltz reiterated the goals from good governance.
1)Ensure the Town of Front Royal is accountable to the citizens and businesses they serve through the production and distribution of an annual report which details how taxes and fees paid by citizens and businesses were allocated and for what purpose during the fiscal year. This should be completed by the end of the month.
2) Develop and administer a Front Royal community satisfaction survey that will permit the town citizens to assess and grade the services and programs they receive from the town on an annual basis. Mr. Waltz will follow up with 90 days.

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3) Promote a positive and interactive relationship with town citizens and stakeholders by sponsoring educational initiatives such as a citizen's police academy, a citizens local government academy and a citizen's transportation and public utilities academy. Mr. Waltz will follow up in 90 days.

Mr. Waltz also shared that he would follow up with an open house for the Town and Town Council, he will investigate the best time, day, and a venue.

Mayor Cockrell discussed that the other goals are already in progress, and we can provide additional goal updates at Council meetings.

Councilwoman Morris discussed adding a Council Corner to the newsletter, to share news with town citizens and to seek feedback from the town citizens, Mr. Waltz agreed, that shouldn't be an issue, the next newsletter will be published in April.

GOAL DICUSSION- SUSTAIN OUR INFRASTRUCTURE- Mr. Waltz distributed the next goal sheet Sustain Our Infrastructure, Mr. Waltz reviewed the Primary Action Steps, which were in the top three of survey results.

1.) Conclude the Leach Run conveyance.
Mr. Waltz advised that this was on everyone's survey and agreed it needs to be completed.
Councilwoman Morris shared at the joint Town and Council meeting that progress could be made on this goal. Councilwoman also shared that she thinks that meeting will outline the needs for infrastructure from the zoning ordinances.
2.) Prioritize the enhancements that need to be made to the town's water system, sewer system, electric system and solid waste service and identify how the enhancements will be financed.
Councilwoman shared that this also encompasses some of the remaining action steps and would like this to be included in this goal. Complete the redundant water line project and make clear well 1 and 2 repairs. Then we would need to develop a plan for these to be completed.
Mr. Waltz also shared that inflow and infiltration should also be included in this goal, as the Town is working on this action as well.
3.) Secure McKay Spring as the town's second water source
Mr. Waltz shard that he recently had meetings with all staff departments and received thoughts on a potential water source. Mayor Cockrell suggested that we update the goal to state that we will explore or identify secondary water sources.

Mayor Cockrell read that enhance walkability in town by building more sidewalks, and to turn that into an actual measure goal, we would need to start with a sidewalk master plan, allowing us to see where all current sidewalks are and where they need to be extended. Mayor Cockrell advised that a measurable goal would be to "develop a master sidewalk plan" Councilwoman DeDomenico-Payne suggested that we could include the progress we made in our annual plan next year.

Mayor Cockrell suggested that for the first work session of the month we revisit the list and make it a regular agenda item.

GOAL DICUSSION- PROMOTE COMMUNITY AND ECONOMIC WELL BEING Mr. Waltz distributed the next goal sheet Promote Community and Economic Well-Being, Mr. Waltz reviewed the Primary Action Steps, which were in the top three of survey results.

1.) Enhance the appearance of property and the improvements on property by proactively enforcing the town's property maintenance code.
Mayor Cockrell suggested that this is a great goal, and should stay a priority, however we are doing this, and yes we are proactively enforcing the town properties maintenance code.
2.) We need to determine the number and location of blighted properties (inclusive of structures and buildings) in Front Royal, and we need to design and implement a mitigation strategy that will address the issue.

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Mr. Waltz already feels like we are moving forward on this thanks to Town Staff. Councilwoman Morris shared that after the meeting Monday night, it was stated by legal council that we cannot go after those buildings, we do not have the authority, if it is not a health and safety issue, we cannot do anything about them. Mayor Cockrell stated that our goals need to be something that we can achieve.

Mayor Cockrell and Mr. Waltz agreed that goal number two will need to be crafted as a measurable goal and rewritten.

3.) We need to develop a strategy that will address the need for affordable housing in Front Royal.
Mr. Waltz shared that he believes that this is critical, however unsure what the solution is.
Councilwoman DeDomenico-Payne decided we need to determine our direction, whether this more suited for FREDA., Councilwoman Morris believes that non-governing agencies are working on this as well. The Council agreed to support this goal; however, it is out of their scope.

The council discussed beautifying the town's primary entrance corridors, and leave on one the goals, along with finding a strategy to improve the appearance of Front Royals' major travel corridors. Mr. Waltz discussed our wayfinding signs and how they need to be updated.

Councilwoman Morris suggested that Provide FREDA with a revenue stream so it can function on behalf of the town. Mr. Waltz shared that he feels that FREDA is up and running but needs revenue to take off.

Council discussed concluding the Afton Inn project, which all agreed they want it to complete however, Council has no authority to make someone complete their project on private property. Council noted that we are already promoting Front Royal as a tourist destination and work with planning commission and the town's planning and zoning staff, we need to develop a strategy and timetable for revising and updating Front Royal's zoning and subdivision ordinances.

The Council decided to make Provide FREDA with a revenue stream so it can function on behalf of the town, as a primary goal.

Mayor Cockrell addressed the Council, and asked what the next steps are, Mr. Waltz suggested that we can unveil this at the next meeting on March 25th if that is Councils pleasure and draft a press release to distribute to the citizens.

The summary of the goals are as follows;

<u>PRACTICE GOOD GOVERNANCE</u>

1) Ensure the Town of Front Royal is accountable to the citizens and businesses they serve through the production and distribution of an annual report which details how taxes and fees paid by citizens and businesses were allocated and for what purpose during the fiscal year.
2.) Develop and administer a Front Royal community satisfaction survey that will permit the town citizens to assess and grade the services and programs they receive from the town on an annual basis.
3) Promote a positive and interactive relationship with town citizens and stakeholders by sponsoring educational initiatives such as a citizen's police academy, a citizens local government academy and a citizen's transportation and public utilities academy

<u>SUSTAIN OUR INFRASTRUCTURE</u>

1.) Conclude the Leach Run conveyance.
2.) Prioritize the enhancements that need to be made to the town's water system, sewer system, electric system and solid waste service and identify how the enhancements will be financed.
    - Make clear well 1 and 2 repairs.
    - Complete the redundant water line project.
3.) Identify a second water source for the town.

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PROMOTE COMMUNITY AND ECONOMIC WELL BEING

1.) Enhance the appearance of property and the improvements on property by proactively enforcing the town's property maintenance code.
2.) Work closely with planning and zoning on blighted properties and implement a mitigation strategy that will address the issue.
3.) Provide FREDA with a revenue stream so it can function on behalf of the Town.

Mayor Cockrell adjourned the special meeting at 7:57pm

Approved by Town Council

Date: ----------

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The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

ABSENT: Councilwoman Amber F. Morris

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Councilwoman De-Domenico-Payne moved seconded by Vice Mayor Sealock That Council delete item 4C – Alley Vacation on 7th Street Viewing Committee Report from the agenda.

Vote: Yes – Councilmembers Sealock, Ingram, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – Councilwoman Morris
Abstain – N/A ROLL CALL

Consent Agenda Items for March 25th

A. Uniform Contract – Finance Director BJ Wilson advised that this five-year contract exceeded $50,000 and therefore must be approved by Council. He explained that the new contract would combine three service agreements into one, saving the Town $13,803.82. Council agreed to add to the Consent Agenda for March 25th for formal approval.

New Business

A. ACES Appalachian Trail Head Project – Member of ACES Justin Proctor gave a presentation Front Royal's Advisory Committee for Environmental Sustainability (ACES) AT Connector Trail Feasibility Study. He explained that the proposed Appalachian Connector Trail (AT) was a three-mile mulch path used for foot traffic only creating safe pedestrian access to and from the AT and Front Royal. He touched on the increase of pedestrian fatalities in Virginia in 2022. He noted that the Town's new Comprehensive Plan included environmental access and sustainability. Mr. Proctor stated the stakeholders for the trail effort included the Town, County, Virginia Department of Transportation (VDOT), Smithsonian, Shenandoah National Park, Potomac Appalachian Trail Club (PATC), Appalachian Trail Conservancy (ATC), Appalachian Trail Division of National Park Service (APPA), Warren County-Front Royal Appalachian Trail Community (WFRAT) and private landowners. He advised that Ironwood Outdoors, Inc had agreed to perform a Feasibility Study and the Town was being asked to fund the study at a cost of $8,200. He explained the importance of hiring a trail building company for the study noting Ironwood Outdoors, Inc. completed many trails including the *Andrea Family Wellness & Recreation Trail* located behind Warren Memorial Hospital. He gave an overview of the Scope of Work confirming that $1,500 would be due upon execution of the agreement reflecting as a credit on the final billing statement. Mr. Proctor recapped that if the Town were to cover the cost of the Feasibility Study performed by Ironwood Outdoors, Inc., it would kick start the next phase of the project and show the Town's commitment to improving pedestrian safety access around the community as

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stressed in the Comprehensive Plan, and that all additional fundraising for the project would be led by ACES and partner groups targeting Virginia TAP (Transition Assistance Program) funding and local grants.

Mayor Cockrell questioned why the Town was the only one being asked to fund the full amount for the Feasibility Study. Mr. Proctor answered that ACES was a Town Advisory Committee created to carry out objectives similar to this project. Director of Public Works advised that the Town Corporate limits ended at Aquaduct Lane.

Councilman Wood questioned how many individuals came off the trail. Community Development and Tourism Director Lizi Lewis advised that over 1,000 checked in at base camp last year. Mr. Proctor advised that while the trolley picked up hikers at the trail head its times were limited.

Mayor Cockrell confirmed that the Feasibility Study would determine if the project was feasible and if it was, would include an estimated cost to make it happen. Mr. Proctor stressed that grants could not be applied for without the Feasibility Study. Mayor Cockrell questioned whether private landowners were aware of the proposal to purchase and or ask for an easement of their land and whether ACES was aware of the costs associated with these acquisitions. Mr. Proctor advised that funds for acquisition could be obtained through the grants.

Councilman Wood questioned placing flashing crossings for the pedestrians. Mr. Proctor advised that talks with VDOT had begun that included pushing back brush, flashing lights on both sides of the street and a petition was being proposed to drop the speed limit to bring attention to the trail.

Councilwoman DeDomenico-Payne questioned the timeline. Mr. Proctor was not sure since the Feasibility Study needed to get underway.

Councilman Rappaport stated that the Town would benefit from this project and would like to see it completed. He questioned the $1,500 due upon execution of the agreement. Mr. Proctor advised that there was a willingness to work with the Town.

Councilman Ingram questioned whether the project would connect into the *Royal Shenandoah Greenway*. Mr. Proctor advised that it would connect to the Greenway at Criser Road behind Stevie Lockhart Construction.

Mayor Cockrell referred to items (A-F) that were the responsibility of ACES as stated in the letter from Ironwood Outdoors, Inc dated February 16, 2024. Mr. Proctor reiterated that fundraising along with grants would assist with the costs once the Feasibility Study was completed.

Town Manager Joe Waltz advised that Council could take action on the allocation of $8,200 on March 25th if they so desired or continue discussion until the April 1st work session. He noted that the monies would come from this year's budget therefore a budget amendment would need to be acted upon. Council agreed to bring back on April 1st to allow staff to pursue alternatives in this year's budget.

B. Water Supply Plan – Town Manager Joe Waltz advised that Town Code Chapter 134.1.C. stated that the Town will annually determine anticipated excess volume of water and sewer available for residential, commercial or industrial use. He introduced Stephen Steel from CHA Consulting, Inc. who gave a presentation Front Royal – Excess Volume Determination. Mr. Steel began with reiterating and stating Town

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Code Section 134.1.C. noting that the Town Code established excess volume as the current and projected volume required by the Town subtracted from the current permitted plant capabilities and required all utility extensions to include detailed information demonstrating no impact to existing users and that all construction will meet established Town standards. He stated that his report takes the approach that "excess volume" referred to capacity available for future development. Mr. Steele summarized that they were "gauging the health of the Town's system".

He continued with a table showing **Water System Volume Available Capacity** identifying the various elements at the Raw Water Intake/Pump Station, Water Treatment Plant, Guard Hill Pump Station, Future Manassas Avenue Pump Station, Jamestown Pump Station, 4-H Pump Station and Water Treatment Plant Pressure Zone Distribution System. Mr. Steel asked Council whether 870,000 gallons a day was enough or were they looking for more based on future needs. Mr. Waltz questioned whether by-right home builds were taken into account. Mr. Steel advised that it was actual metered flow that currently leaves the plant not anticipated development. Mr. Steel confirmed that the report was not a future exercise only what is currently being sent to the system over the course of the last three years.

Mr. Steel continued with **Sewer System Volume Available Capacity** identifying the various elements at the Wastewater Treatment Plant, Riverton Pump Station, Crooked Run Pump Station, Kelly Industrial Park Pump Station, Stevens Pump Station, Happy Creek #1 Pump Station, Happy Creek #2 Pump Station and IT Federal Pump Station. He noted that the report looked at pump stations getting upgrades with 4.8 MGD if pump stations could pump to the system. He recapped that it was 870,000 gallons a day for water and 480,000 gallons a day for sewer. He noted that the health of the sewer system was getting better and gave a "shout out" to Council for funding the I & I (Inflow and Infiltration) since real results can be seen the last two years by freeing up capacity and no overflow.

Councilwoman DeDomenico-Payne questioned the IT Federal Pump Station. It was confirmed that it was ready, however there was no growth in the area. Mr. Steele then showed maps of the existing sanitary sewer system and water distribution system that "tells the story" of the pump stations and the highest sources of I & I. He questioned what the cost would be to fix the pipes in Riverton area versus building pump station. He voiced concern on getting the rainwater out of the community.

Councilman Rappaport questioned the flow on the east side of 522 versus the west side. Mr. Steele advised that flow monitoring was affected by dry weather or when the water tables were low. Director of Public Works Robbie Boyer advised that part of Viscose City, Catlett Mountain, S. Shenandoah Avenue and Crooked Run were also in the Riverton area noting pipes cross the river.

Mayor Cockrell voiced concern that the Happy Creek Road area did not have capacity right now which was the area developers were interested in. Mr. Steel reiterated the importance of the Volume Determination Report being completed every year so that Council would know the health of the system and comfortably plan for development.

Council recognized two issues: 1) might have a pump station that needed attention in Riverton and 2) developers wants to go to Happy Creek area. Councilman Ingram advised that the information tonight would be good to share with the Front Royal Warren County Transportation and Infrastructure Committee.

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C. Community Development Update – Community Development/Tourism Director Lizi Lewis gave a presentation Community Development Update beginning with passing around items currently for sale at the Visitors Center. She continued with **2023 Reflections** that identified a rebranding tagline/logo, resuming 7-day a week operation, relaunching the gift shop, renewing partnerships, visitor statistics through the visitor center and Front Royal/Warren County location. Ms. Lewis showed graphs of **Downtown Front Royal (E. Main Street) and Dickey Ridge Visitor Center visits** by origin, in person, top 10 counties and top 10 cross visits. She gave an update on **Social Media Statistics**, **Website Updates and Statistics** that included number of visits and a refresh design in 2024 that will include new mapping and a new calendar look. She continued with **2024 Direction** including updated visitors guide in all (76) Certified Tourist Information Centers, refreshing the website, exploring technology tools for data, upgrading technology inside the Visitors Center and a mobile and FP video project. She advised that ARPA **Grant Funding** of $42,500 would be used for the purchase of digital touch screens and a photo booth for the Visitors Center, **Our Name in Ink** identified ads for Front Royal in *Blue Ridge Outdoors* magazine and *VIRGINIA* magazine marketing, noting that the magazines were free, published three times a year and available at the Visitors Center. She explained the **Welcome Center Takeover** noting the partnership with the County to visit the welcome centers in Clearbrook and Ruther Glenn during the months of April and October. Ms. Lewis identified the **2024 Town Events** that included major tourist events and others, the **Trolley Update** that included adding the Smithsonian as a stop during the AT crossing season (April 1 – October 31), a new trolley track website, an update on ridership and noted that the fare was still FREE. The presentation concluded with an update on **FREDA** that included the adoption of a Vision Statement, Mission Statement, Goal Themes, and a signed MOU.

Councilman Rappaport questioned where people were from that visited the website. Ms. Lewis advised that she could get back with him on a number.

Councilman Ingram suggested implementing a Ghost Tour.

Councilman Wood questioned whether there were any discussions to increase green spaces around Town.

Councilwoman DeDomenico-Payne noted there were a lot of celebrities that had either grew up, lived, or passed by Front Royal. Some of those names included (Tina Turner, Warren Beatty, Shirley MacLaine, the Arquette family and Bing Crosby).

Council thanked her for a great presentation and her efforts.

Old Business

A. Follow-Up Review of FY25 Proposed Budget – Mr. Wilson asked if Council had any questions.

Councilman Wood asked for clarification on the health insurance increase and whether the Town was competitive with other localities. Mr. Wilson advised that 8.7% was across the board noting it was an elective and he was unsure where the Town ranked with other localities. Mayor Cockrell clarified the breakdown estimate of the increase was 6% for the Town and 2% for the employees, noting single coverage was paid at 100% by the Town.

Councilman Wood questioned whether the budget included seed money for the Front Royal Economic Development Authority (FREDA). Mr. Wilson advised that it was $50,000 added to the roughly $80,00 already there totaling $130,000.

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Councilman Wood confirmed that there was not an additional Zoning Officer in the budget. Mr. Waltz advised that there were no additional full-time positions in the budget.

Councilman Wood questioned whether there was money for a Sidewalk Master Plan. Mr. Wilson advised there was not but there was Storm Water Mapping. Mr. Waltz explained that Storm Water Mapping comes out of the General Ffund since it is rainwater and rainwater was not treated.

Councilman Ingram questioned how close Prospect Bridge renovations were. Mr. Wilson advised that if the Town received the revenue sharing there will be enough funds in the 2027-2028 budget. He confirmed that there were enough funds to begin the 8th Street Bridge renovation, unless the bids came in high noting it will go out to bid this summer or fall.

Councilman Wood questioned if there were funds for derelict structures. Mr. Wilson advised that there were funds for property maintenance but nothing outside the normal budgeted numbers.

Mr. Waltz advised that the items discussed during the retreat would be included in next year's budget or find funds mid-year.

Councilwoman DeDomenico-Payne questioned whether employees knew the value of their whole salary package. Mr. Waltz advised that staff was working on this initiative.

Mr. Wilson advised that the budget would come back to the Council on April 1st to ask for a recommendation on tax rates, ordinance for sewer increase and appropriation ordinance.

B. Solid Waste Private Property Collection – Mr. Wilson voiced concern over the current ordinance (Town Code Section 85-6) that deals with additional charge for entry onto private property noting that (20) of the (63) accounts were being collected due to medical concerns creating operational issues. Mr. Wilson advised that the next component was Main Street. He proposed scheduling the consultants with the stakeholders (businesses and residents) for a Town Hall Meeting and return to Council in a month or two with a recommendation and an ordinance amendment. Mr. Waltz confirmed that the Town Hall Meetings would be held in the Town Hall and will be recorded. He commended staff for their long hours on this issue. He noted that it was more than an operational issue, it was amending Town Code and making individuals reapply to reaffirm a necessity.

Council agreed to have staff begin conversations with consultants and stakeholders.

~~C. Alley Vacation on 7th Street Viewing Committee Report~~ REMOVED

CLOSED MEETING

Councilwoman DeDomenico-Payne moved seconded by Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Town Manager and Town Attorney and 2) pursuant to Section 2.23711(A)(7) of the Code of Virginia, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where

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such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, Town of Front Royal v. Front Royal Limited Partnership.

Vote: Yes – Councilmembers Sealock, Ingram, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – Councilwoman Morris
Abstain – N/A ROLL CALL

Councilman Ingram moved seconded by Vice Mayor Sealock that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Sealock, Ingram, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – Councilwoman Morris
Abstain – N/A ROLL CALL

Adjourned approximately 11:30pm

Approved by Town Council

Date: ----------

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The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Mayor Cockrell brought the meeting to order.

Roll Call by Clerk of Council
PLANNING COMMISSION
PRESENT: Chairman Daniel Wells
Vice Chairman Connie Marshner
Member Glenn Wood
Member Michael Williams
Member Brian Matthiae
Member Glenn E. Wood (stated will be sitting with Town Council)
TOWN COUNCIL
PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

ABSENT: Councilwoman Amber F. Morris

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

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Zoning and Subdivision Ordinance Update

Anne Darby with Summit Design recapped the process of this project beginning with a timeline that started in 2021 with the Comprehensive Plan that was adopted in May 2023. She explained that the zoning ordinance rewrite began in the fall/winter of 2022 with the Table of Contents being approved by the Planning Commission in spring 2023. She continued that a review of the draft ordinance was slated to be completed summer of 2024 with the final slated for approval fall of 2024. She stressed that while working on the Comprehensive Plan it was important to remove unnecessary obstacles with state code and processes and to not tackle new topics that could be addressed down the road. Ms. Darby expressed hope that she could receive feedback from the Council and the Planning Commission tonight to move forward with the zoning and subdivision ordinance revisions.

She gave a brief presentation that was a reminder of how the Comprehensive Plan's public input, future land use, charrette and open houses were all tied in with zoning. She advised that zoning was the primary tool that localities had to implement the Comprehensive Plan. The Future Land Use Map, she continued, provided guidance to the character of each area with zoning dictating what can be built in the future on the property. Ms. Darby advised that the existing zoning ordinance was adopted in the 1960s with amendments occurring many times over the years, making it often confusing and contradictory. She stated that it did not clarify the roles of the Town Council, Planning Commission and Staff and was out of line with best practices and the state code.

She continued with the progress thus far on the zoning ordinance rewrite: 1) Table of Contents was approved by the Planning Commission in spring 2023, 2) general organization, 3) brought over all effective and relevant language from the existing zoning ordinance, 4) filled in gaps where necessary, 5) added succinct introductory sections with new general purpose and intent language, 6) defined the roles of Council, Planning Commission and Staff in the development process, 7) reviewed for alignment with state code and necessary revisions, 8) consolidated definitions to one section and removed contradictions, 9) replaced the sign ordinance with the Model Subdivision Ordinance (MSO) from the Local Government Attorneys of Virginia (LGAV), 10) replaced the floodplain ordinance with the Department of Conservation and Recreation's (DCR) Model Floodplain Ordinance, 11) removed ambiguities in variance and standard review procedures, noting that variances were stated clearly in the state code, 12) created Principal Use Table for ease of navigation and interpretation and 13) began to make revisions to zoning districts to align with existing lotting patterns and the Comprehensive Plan.

Member Matthiae questioned replacing the floodplain ordinance with DCR's model, how Federal Emergency Management Agency (FEMA) were involved and the requirement for floodplain insurance. Ms. Darby and Director of Planning Lauren Kopishke explained that FEMA stated the zone and DCR (state agency) stated how to regulate, noting that floodplain areas need local and state approval. It was confirmed that FEMA distributed maps to localities using a nationwide model while working with DCR. The floodplain insurance requirement; however, was not related to the zoning ordinance. Ms. Kopishke advised that the FEMA maps were reviewed a year ago.

Mayor Cockrell confirmed that the process was to rewrite the zoning ordinance and revise the subdivision ordinance.

Ms. Kopishke advised that there were a few topics for tonight's discussion that she and Ms. Darby were looking for feedback on. They included: 1) vape shops, 2) removing minimum parking standards, 3) accessory dwellings (differentiate between short-term rentals), and 4) entrance corridors.

Councilwoman DeDomenico-Payne questioned tent cities as a use. It was confirmed that tent cities were not permitted and if trespassing was an issue, it was up to the property owner to make the complaint as it was not regulated through the zoning ordinance. The discussion on accessory structures and short-term rentals began at this time with Ms. Darby explaining that short-term rentals were not addressed in the Comprehensive Plan and that some localities had separate accessory use and short-term rental ordinances suggesting that the short-term rental ordinance be reviewed at a separate time along with other emotional topics that may include temporary shelters, homelessness, etc. so that the zoning and subdivision ordinance revisions not get derailed. She assured everyone that amendments to the zoning and subdivision ordinances could be reviewed at a later time once the rewrite and revisions were completed and adopted.

Vape Shops - Ms. Darby explained that vape shops were considered a retail use and it had come down to definition since retail use did not include vape shops in certain districts and suggested to standardize references outlining the process for a special use permit in certain areas. Discussion ensued as to how vape shops could legally be regulated. It was reiterated that they were a retail use and the definition could identify floor space, setbacks, distance from various places such as churches, daycares, schools, etc., noting that a matrix was needed for potential future use as there was nothing that could be done about what was currently permitted. Member Williams voiced concern about the signs, flashing, and colors. Ms. Darby listened to their concerns and advised that most of what was being discussed was outside the scope of

DRAFT

zoning such as the concern about the product itself. She suggested that she continue to review and research in depth what the legal scope of zoning was to limit vape shops. She reiterated that zoning could add definitions and distances from various areas, noting there was a legal fine line.

Removing Minimum Parking Standards - Ms. Kopishke advised that she had seen the prohibition of specific businesses in some of the older homes located in the Historic District due to not enough parking as stated in the Town Code and suggested removing minimum parking standards in at least this district to allow businesses. Councilman Ingram noted that the buildings in the Historic District had been around longer than the streets and vehicles noting the reason for less parking in that area. He voiced concern for the parking issues surrounding the short-term rentals vs the long-term rentals. Councilman Wood suggested removing the parking standards as people will find a place to park.

Mayor Cockrell advised that there had been push back on the parking requirements for short-term rentals noting that once the short-term rental ordinance was approved it was understood that it would be revisited for any "tweaks" that needed to be made. Ms. Kopishke advised that the subdivision ordinance predated the short-term rental ordinance, explaining that all uses had to have some sort of parking requirement.

Councilman Rappaport voiced concern about removing the minimum parking requirements in high density areas opining that Front Royal was more urban than rural.

Councilwoman DeDomenico-Payne questioned handicapped accessible spaces if minimum parking standards were removed. Ms. Kopishke advised that ADA (American Disabilities Act) was an entirely different discussion.

Discussion ensued about various older homes having numerous individuals living in them, creating parking issues in the neighborhood. Ms. Kopishke suggested that the Planning Commission work through the "weeds" in the subdivision ordinance and provide a parking table.

Accessory Dwelling Units (Differentiate between Short-Term Rentals) – Discussion ensued with various questions related to setbacks and whether separate water and sewer connections were required on the same lot. Ms. Darby advised that accessory dwelling units were already legal and found in the Comprehensive Plan, noting that they only needed to be updated in the zoning ordinance. She suggested that short-term rentals in general be separated due to it being contentious and there was indecisiveness on locations and financial issues involved with collection of taxes. She advised that short-term rentals were allowed but based on the discussion tonight specifics needed to be reviewed and worked out possibly at a later time so as not to derail the rewrite of the zoning ordinance. Discussion continued as to what could be changed for short-term rentals finally agreeing to not make any major changes to the zoning ordinance only to adding short-term rental to the parking table and placing it as an item for discussion at a future meeting.

Entrance Corridors - Ms. Kopishke advised that entrance corridors were not aesthetically pleasing with traffic issues and suggested, from a zoning perspective, to analyze appropriate setbacks noting that the entrance overlay district was very generalized and did not have a lot of guidance. It was stated that signage and lighting were the top concerns. Ms. Kopishke suggested that canopies and pumps could be regulated through zoning. Ms. Darby advised that signage width could be regulated by the speed of the road, explaining that as the road narrows the speed lowers and signs get smaller. She also advised that

DRAFT

landscaping could also be reviewed. She suggested to continue reviewing this section of the zoning ordinance and make suggestions. It was confirmed that color could not be regulated by zoning.

Discussion ensued about various zones and districts referring to the most recent project including the Planned Neighborhood District (PND) and how recommendations were given to Council and how Council was making their own decisions. Ms. Darby reminded them that they did not have basic expectations outlined as to what the Town was looking for in development, reiterating that the zoning ordinance rewrite will establish basic rules to assist staff to make clear arbitrary decisions.

It was mentioned to have another joint meeting potentially to discuss PND and how the Comprehensive Plan was being read by the two entities.

Adjourned approximately 8:45pm

Approved by Town Council

Date: ----------

DRAFT

PROCLAMATION

CELEBRATING 54 YEARS

WHEREAS, 54 years ago *Melting Pot Pizza* was first made available in the Old Skyline Restaurant on the south side of Front Royal with six (6) employees, one of which is current bookkeeper, Halimah. Owner Robert Bachelor moved from California to Front Royal in early 1970; and,

WHEREAS, in April of 1972, Robert bought the land and building where *Melting Pot Pizza* is currently located, from Charlie Yates of *Charlie's Pizza-Rena* with $0.64 to his name. A local banker gave Robert a small loan for operating expenses; and,

WHEREAS, after putting in many long hours establishing a quality product at a fair price and ensuring excellent service, a good relationship with customers was built and the business grew. In June of 1976 an attached car wash was enclosed for a booth dining room, an on-premises alcohol license was obtained, and employees increased to 21; and,

WHEREAS, in 1995 the kitchen was expanded to handle all the takeout, delivery and dine-in customers. In 1996 the adjacent lot (122 w 14th Street) was purchased for additional parking and the Postal Business Center that opened in 1997 operating it for more than 20 years. In 1999 the back dining room was added to help accommodate larger groups along with the creation of their first website in early 2000; and,

WHEREAS, in 2014 online ordering was introduced along with the remodeling of the front two dining rooms and foyer. A new room was added in 2017 with awnings and bench seating added out front in 2018. The COVID-19 Pandemic (2020) closed the dining room creating the opportunity to remodel the front kitchen. The back kitchen was remodeled in November of 2023 incorporating technology such as temperature monitoring and food labeling systems to ensure the highest level of food integrity; and,

WHEREAS, *Melting Pot Pizza* employs a staff of 74 with 30 working full-time. Part-time employees include youth, college students, retirees and those who want a second job working weekends. Consideration is taken on accommodating the youth by scheduling work around academic and sports schedules. Health insurance and paid vacation is offered to full-time staff and in 2021 a week paid sick leave policy was implemented for full-time staff and managers to help with covid uncertainties. In 2023 a 401K plan with 5% match was offered.

NOW THEREFORE BE IT RESOLVED, the Mayor and Town Council do hereby proclaim that in April 2024 *Melting Pot Pizza* will celebrate 54 years of business in the Town of Front Royal with 52 years of being in the same location at 138 W. 14th Street.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

This proclamation was proclaimed at the Front Royal Town Council Meeting on March 25, 2024

PROCLAMATION

CHRISTENDOM COLLEGE
WOMEN'S BASKETBALL TEAM
DIVISION II NATIONAL CHAMPIONS

WHEREAS, on Wednesday, March 13, 2024, the Women's Basketball Team at Christendom College, aka the Crusaders, won the United States Collegiate Athletic Association Division II National Championship in Petersburg, Virginia against Johnson & Wales Charlotte 76-65, bringing home the first women's basketball National Title in school history; and,

WHEREAS, the Crusaders are led by head coach Mary Minnick and assistant coach Annie Heisler were ranked #7 going into the tournament upsetting the #1, #2 and #3 seeds and finishing the regular season 23-5 creating a school record; and,

WHEREAS, the Crusaders have a roster of 11 players including two freshmen (Julia Dejak and Elizabeth Heisler) who reside in Front Royal; and, while it was truly a team effort to accomplish the National Title the following players were specifically recognized: Juniors Catherine Thomas, Miranda Keller, Regina Bonvissuto and Freshman Mary Pennefather. Keller was named Player of the Game. Thomas was named Tournament MVP for outstanding play over the course of four games including setting tournament records in single-game points scored and 3-pointers made in the quarterfinal matchup; and,

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Front Royal Town Council recognize and congratulate the Christendom College Women's Basketball Team on a successful basketball season and winning the United States Collegiate Athletic Association Division II National Championship.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

This proclamation was proclaimed at the Front Royal Town Council Meeting on March 25, 2024

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07A

Agenda Item: PUBLIC HEARING - Rezoning Application by Fernando Arana Pradel to Reclassify 1724 N. Royal Avenue from R-1 to R-1A

Summary: Council has received a request from Fernando A. Pradel to reclassify 1724 N Royal Ave *(tax map number 20A2-2-11)* from R-1, Residential District to R1-A, Residential District. The difference in the two zones is density. The R-1 Residential District is intended to support single family uses at a lower density. The R1-A Residential District allows for clustering and medium to high density single family residential uses. This rezoning will permit the density that the Comprehensive Plan envisions for this area. The applicant's desire is to rezone the site with the intent of eventually subdividing it.

The Planning Commission recommended approval of the rezoning at their public hearing held February 21st. There are no proffers submitted with this rezoning request.

Budget/Funding: N/A

Meetings: Work Session held March 4, 2024

Proposed Motions:

1) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council approve a Rezoning Application from Fernando Arana Pradel to Reclassify 1724 N. Royal Avenue from R-1 to R-1A

2) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council deny a Rezoning Application from Fernando Arana Pradel to Reclassify 1724 N. Royal Avenue from R-1 to R-1A

3) DO NOT CLOSE PUBLIC HEARING - I move that Council continue the public hearing (insert date).

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

PUBLIC HEARING

REZONING APPLICATION 2400013

1724 N. ROYAL AVENUE

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☑ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2400013
MEETING DATE: February 21, 2024
SUMMARY: The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District.
STAFF RECOMMENDATION: Staff recommends approval of Rezoning Application # 2400013. This rezoning will permit the density that the Comprehensive plan envisions for this area.
DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application # 2400013 to amend the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District. NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Wood _____ Williams _____ Wells _____ Marshner _____ Matthiae _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400013
PLANNING COMMISSION REGULAR MEETING – February 21, 2024

APPLICATION #:

Rezoning Application #2400013

APPLICANT:

Fernando Arana Pradel

SUMMARY OF REQUEST:

The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1724 N. Royal Avenue, identified by tax map number 20A2-2-11, from R-1, Residential District to R-1A, Residential District. The stated purpose of the rezoning request is "to remodel the existing home and sell it and with the profits of such sale, begin the construction of our future home". The existing lot would be subdivided into two (2) lots.

GENERAL INFORMATION:

Site Addresses	1724 N. Royal Avenue
Property Owner(s)	Miguel A. Balbi/Fernando Arana Pradel/Thays Luigi Jose Cuneo
Existing Zoning	R-1, Residential District
Proposed Zoning	R-1A, Residential District
Tax Identification	20A2-2-11
Location	The property is located south of the intersection of W. 18th Street and N. Royal Avenue.

VICINITY MAP



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents

ATTACHMENT A: APPLICATION

- **Application Form.** This is the standard application form used to initiate rezoning applications in the Town.
- No proffers were made by the applicant.

ATTACHMENT B: PLAT

- **Plat.** A survey plat of the property showing property lines and proposed improvements thereon.

ATTACHMENT C: LETTER OF STATEMENT OF JUSTIFICATION

"The home is in the R-1 Zone which requires a minimum of 75 feet frontage on a public street for each lot. Even though I also have frontage on an alley, an alley is not considered a street for subdivision purposes. Per the deed, my lot only has a frontage of 123 feet on N. Royal Avenue and I will need a total of 150 feet. I was advised the best way to proceed is to rezone to R-1A which requires 50 feet per lot allowing us to build a driveway for our future home in the back."

Zoning Ordinance

The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows:

R-1 District, Zoning Ordinance Sec. 175-11.

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

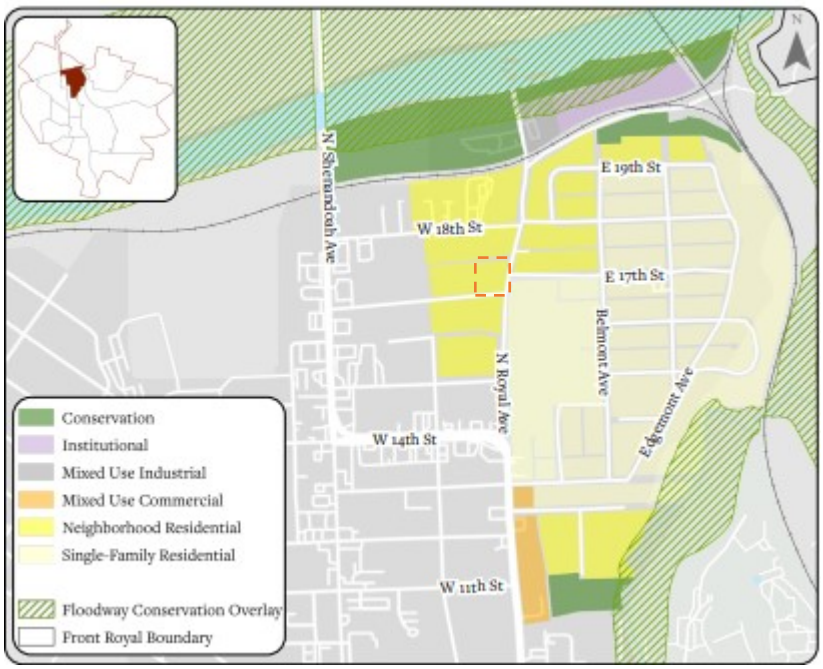
R-1A District, Zoning Ordinance Sec. 175-18.1

The R-1A District is designed to accommodate single-family residential development of a medium density on smaller individual lots. The standards for this district are designed to stabilize and protect the character of the designated areas and to protect and encourage a suitable environment for family life. Optional cluster subdivision standards are included with the intent and purpose of providing greater flexibility for larger development projects. To ensure quality development, the added development flexibility is balanced with requirements that require additional open space and recreational amenities. These additional requirements support a development with higher property values; better preservation of the natural environment; and a more active and healthy community.

Differences between R-1 and R-1A Zoning Districts

The main difference in the two zones is the density. The R-1 district is intended to support single family uses at a lower density. The R1-A option allows for clustering and medium to high density single family residential uses.

Town Comp. Plan



The Town's Comprehensive Plan shows a future land use of Neighborhood residential. The intention of this district is to accommodate higher density and a variety of housing types.

Findings and Analysis & Staff Recommendation

This particular site is one of the larger parcels within the neighborhood. The applicants desire to rezone the site with the intent of eventually subdividing it, is in line with the Towns Comprehensive Plan. This rezoning will permit the density that the Comprehensive Plan envisions for this area. Staff supports this rezoning request. There are no proffers submitted with this rezoning request.

At the time of subdivision, the applicant will have to meet all Town requirements.

Attachments: A. Application and Supporting Documents
B. Plat
C. Letter of Statement of Justification

TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

FRREZON #2400013

RECEIVED

REZONING APPLICATION

JAN 4 - 2024

Town of Front Royal
Planning & Zoning Department

APPLICANT

Name Fernando Arana Pradel Phone (571) 327-736

Address 11640A Cavalier Landing Ct, Fairfax VA 22030

E-mail aranapradel@gmail.com

PROPERTY OWNER OF RECORD

Name Fernando Arana Pradel, Miguel A. Balbi and Luis Jose Cuneo Thays Phone (571) 327-736

Address 11640A Cavalier Landing Ct, Fairfax VA 22030

PROPERTY DESCRIPTION

Location/Street Address 1724 N Royal Ave, Front Royal Virginia 22630

Number of lots: 2 Total Acreage 0.9948

Tax Map Identification for each parcel (Map, Section, Block, & Lot):
TAX MAP: 20A2 2 11

Subdivision Name (if applicable) _____

REQUEST

Existing Zoning R-1 Proposed Zoning R-1A

Existing Use RESIDENTIAL Proposed Use RESIDENTIAL

PLEASE COMPLETE REVERSE SIDE

ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee *(Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = $500, over 1 acre = $500 + $100 per acre after 1st acre, Downzoning = $400)*
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries *(8 copies and a digital copy)*.
3. Environmental Site Assessment Phase I and Phase II *(unless waived by Director)*.
4. Traffic Impact Analysis *(if required)*
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.

Signature of Property Owner

Signature of Property Owner

Signature of Property Owner

Signature of Applicant (if different)

City/County of Fairfax (H) Front Royal, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 4 day of January, 20 24 by Rafael Hernandez.

(Name of person seeking acknowledgement)

Notary Public

Notary registration number: 7968916 My commission expires: 8/31/2025

Rafael Eduardo Hernandez Villegas
Notary Public
Reg #7968916
Commonwealth of Virginia
My Commission Expires 8/31/2025

NOTICES

→ Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
→ Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
→ Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
→ Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
→ By submitting this application, the applicant grants permission to the Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.
→ When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # _____ Date Paid 1-4-24 Pd $500.00 by c/c
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

Taxes Due

Fernando Arana
11640A Cavalier Landing Court
Fairfax, VA 22030
3 January 2024

Front Royal Town Hall
Arbitrage Financial
102 E Main Street
Front Royal, VA 22630

Dear Recipient Name:

The purpose of this letter is to petition the rezoning of my lot located at 1724 N. Royal Avenue Front Royal, VA 22630 from R-1 to R-1A.

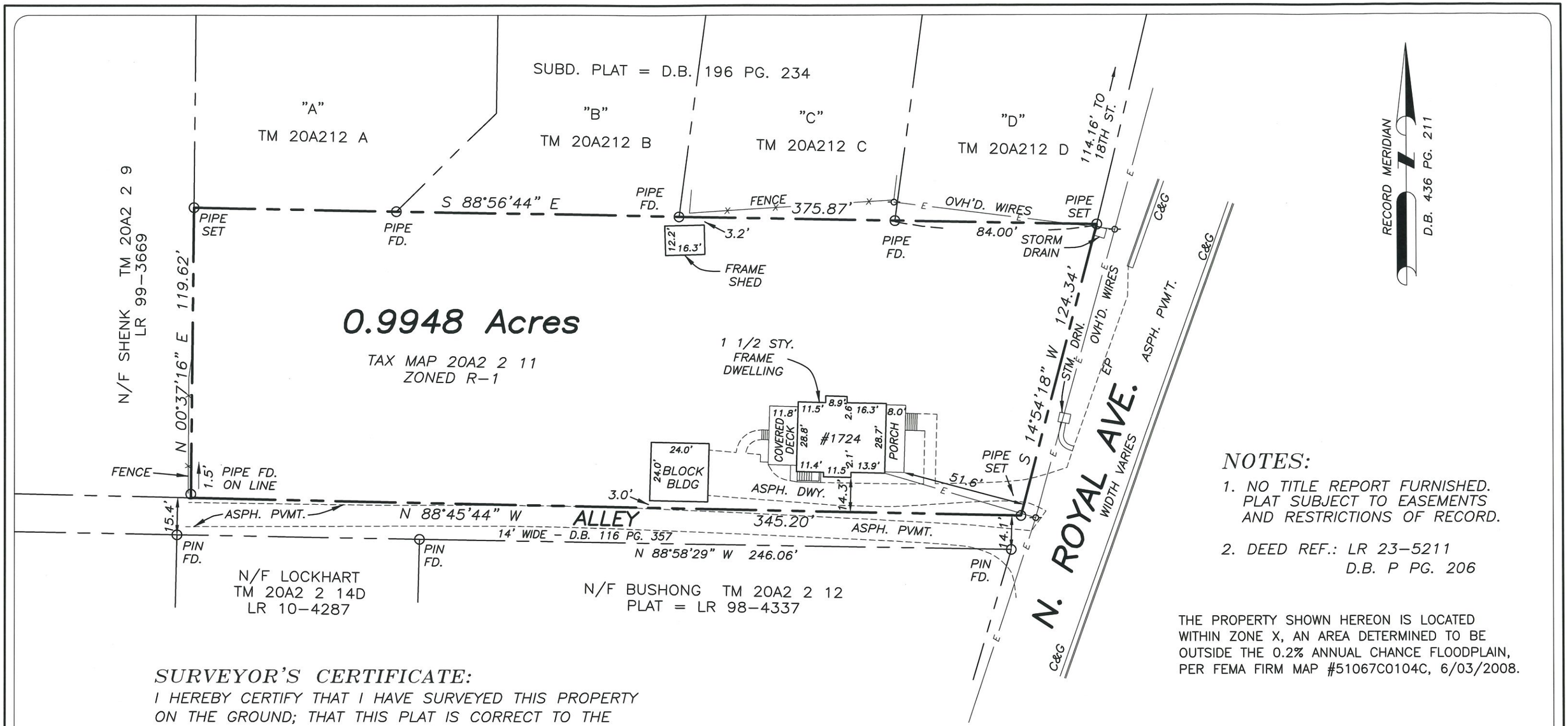
My wife and I have been considering moving to Front Royal for a couple of years now and build our dream home for our family. We have been waiting for an opportunity ever since and we recently found it. We were lucky enough to purchase a home sitting on a 1-acre lot. Our plan is to remodel the existing home and sell it and with the profits of such sale, begin the construction of our future home.

The home is in the R-1 zone which requires a minimum of 75 feet frontage on a public street for each lot. Even though I also have frontage on an alley, an alley is not considered a street for subdivision purposes. Per the deed, my lot only has a frontage of 123 feet on N. Royal Avenue and I will need a total of 150 feet. I was advised the best way to proceed is to rezone to R-1A which requires 50 feet per lot allowing us to build a driveway for our future home in the back.

Thank you in advance for your time and consideration on this matter. If you need further details do not hesitate to contact me.

Sincerely,

Fernando Arana



NOTES:

1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
2. DEED REF.: LR 23-5211
   D.B. P PG. 206

THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FIRM MAP #51067C0104C, 6/03/2008.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE SURVEYED THIS PROPERTY ON THE GROUND; THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; AND THAT PROPERTY CORNERS ARE MONUMENTED AS SHOWN.

survey@measure-map.com
540-636-4949
Darryl G. Merchant
Consulting Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA 22630
DGM

COMMONWEALTH OF VIRGINIA
Darryl G. Merchant
DARRYL G. MERCHANT
Lic. No.1606
12-12-2023
LAND SURVEYOR

0' 40' 80' 120'
SCALE IN FEET

COPYRIGHT D.G. MERCHANT, LS. NOT TO BE COPIED, REPRODUCED OR ALTERED WITHOUT PERMISSION.

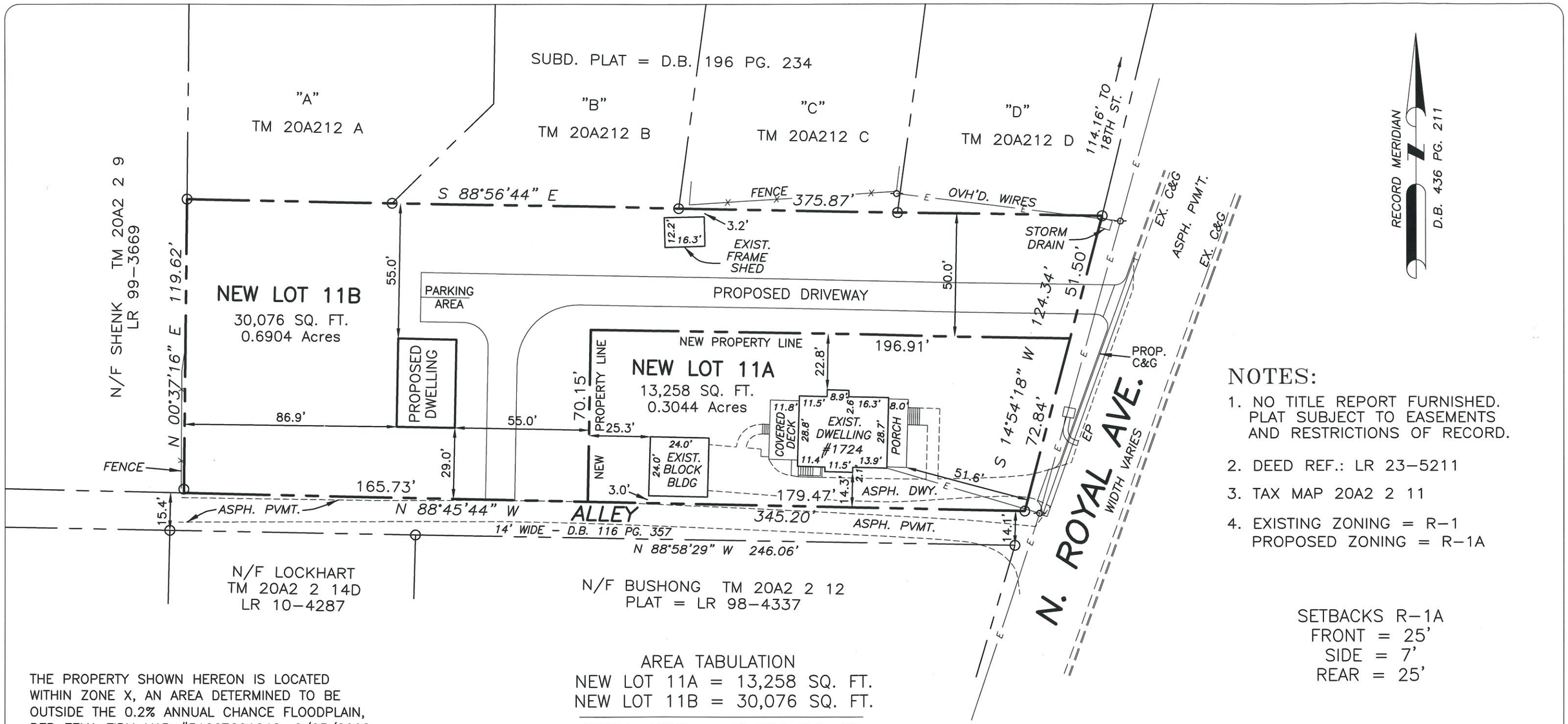
23-F136 | DWG. No. AM-1845

BOUNDARY SURVEY - THE LAND OF

MIGUEL A. BALBI, FERNANDO ARANA PRADEL AND LUIGI JOSE CUNEO THAYS
LR 23-5211

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

DATE: 12 DECEMBER 2023 | SCALE: 1" = 40'



NOTES:

1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
2. DEED REF.: LR 23-5211
3. TAX MAP 20A2 2 11
4. EXISTING ZONING = R-1
   PROPOSED ZONING = R-1A

SETBACKS R-1A
FRONT = 25'
SIDE = 7'
REAR = 25'

THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FEMA FIRM MAP #51067C0104C, 6/03/2008.

AREA TABULATION
NEW LOT 11A = 13,258 SQ. FT.
NEW LOT 11B = 30,076 SQ. FT.
TOTAL AREA = 43,334 SQ. FT.
(0.9948 AC.)

survey@measure-map.com
540-636-4949
Darryl G. Merchant
Consulting Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA 22630
DGM

COMMONWEALTH OF VIRGINIA
Darryl G. Merchant
DARRYL G. MERCHANT
Lic. No.1606
12-27-2023
LAND SURVEYOR

0' 40' 80' 120'
SCALE IN FEET

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23-F136R | DWG. No. AM-1845

SKETCH PLAT TO ACCOMPANY REZONING REQUEST
PROPOSED DIVISION OF THE LAND OF
MIGUEL A. BALBI, FERNANDO ARANA PRADEL AND LUIGI JOSE CUNEO THAYS
LR 23-5211
TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

DATE: 27 DECEMBER 2023 | SCALE: 1" = 40'

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07B

Agenda Item: PUBLIC HEARING - Rezoning Application by Graceful Abode of Liberation to Reclassify 1324 Old Winchester Pike from R-1 to R-3

Summary: Council has received a request from Jenelle Embrey for Graceful Abode of Liberation [per applicant on March 19th it was amended to *Abode of Liberation* dropping "Graceful"] to reclassify 1324 Old Winchester Pike *(tax map number 20A12-4-6)* from R-1, Residential District to R-3, Residential District. The stated purpose of the rezoning request is to use it as a "Nonprofit Boarding House for people of different abilities and their caregivers". The difference between these two zones is the proposed density of the uses. The R-1 Residential District is intended for low density, single family development. The R-3 Residential District is intended to provide for a variety of housing types at a higher density. The applicant is undertaking a two-part process to establish their lodging house use. The first step is rezoning to permit the possibility of a lodging house. The rezoning is appropriate for the Riverton Historic Area as there is already a mixture of uses and is in compliance with the Future Land Use Map.

The Planning Commission recommended approval of the rezoning at their public hearing held February 21st. There are no proffers submitted with the request.

Budget/Funding: N/A

Meetings: Work Session held March 4, 2024

Proposed Motions:

1) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council approve a Rezoning Application from Jenelle Embrey for Abode of Liberation (formerly Graceful Abode of Liberation) to Reclassify 1324 Old Winchester Pike from R-1to R-3

2) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council deny a Rezoning Application from Jenelle Embrey for Abode of Liberation (formerly Graceful Abode of Liberation) to Reclassify 1324 Old Winchester Pike from R-1to R-3

3) DO NOT CLOSE PUBLIC HEARING - I move that Council continue the public hearing (insert date).

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

PUBLIC HEARING

REZONING APPLICATION 2400018

1324 OLD WINCHESTER PIKE

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☑ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2400018
MEETING DATE: February 21, 2024
SUMMARY: The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District. The stated purpose of the rezoning request is to use as a "Nonprofit Boarding House for people of different abilities and their caregivers".
STAFF RECOMMENDATION: Staff recommends approval of Rezoning Application # 2400018. This rezoning request is in line with the Comprehensive Plan.
DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application # 2400018 to amend the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District. NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Wood _____ Williams _____ Wells _____ Marshner _____ Matthiae _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400018
PLANNING COMMISSION REGULAR MEETING – February 21, 2024

APPLICATION #:

Rezoning Application #2400018

APPLICANT:

Graceful Abode of Liberation

SUMMARY OF REQUEST:

The application for review is requesting an amendment of the Zoning Map of the Town of Front Royal to reclassify 1324 Old Winchester Pike, identified by tax map number 20A12-4-6, from R-1, Residential District to R-3, Residential District. The stated purpose of the rezoning request is to use as a "Nonprofit Boarding House for people of different abilities and their caregivers".

GENERAL INFORMATION:

Site Addresses	1324 Old Winchester Pike
Property Owner(s)	Jenelle Embrey
Existing Zoning	R-1, Residential District
Proposed Zoning	R-3, Residential District
Tax Identification	20A12-4-6
Location	The property is located south of Crisman Drive and North of Riverside Drive.

AERIAL VICINITY MAP – (Warren County GIS)



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents

ATTACHMENT A: APPLICATION

- **Application Form.** This is the standard application form used to initiate rezoning applications in the Town.
- No proffers were made by the applicant.

ATTACHMENT B: PLAT

- **Plat.** A survey plat of the property showing property lines and proposed improvements thereon.

ATTACHMENT C: LETTER OF STATEMENT OF JUSTIFICATION

"I've owned my 8br home for over there years. One by one, I've leased out my bedrooms to family members, on a permanent basis. The most recent resident who moved in a few months ago is not a family member, which makes it start feeling like a boarder house. I'd like the proper permits. To do so, I have to start with the proper Zoning form R1 to R3. The adjoining property is zoned R3 as the previous owner ran a B&B there, The Four Winds.

Since 3 of the residents have intellectual disabilities, and I am an advocate for them as well as our friends in Special Olumpics, I would also like the boarder house to be a nonprofit and have started that process."

Zoning Ordinance

The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows:

R-1 District, Zoning Ordinance Sec. 175-11.

The R-1 District is composed of quiet, low-density residential areas, plus undeveloped areas where similar residential construction appears likely to occur. The standards set forth for this district are designed to stabilize and protect the essential character of the areas so delineated, to promote and encourage a suitable environment for family life where there are children, to provide areas for suitable expansion of the Town as facilities are provided and to prohibit all commercial activities. Development is, therefore, limited to relatively low concentration, and permitted uses are limited to single-unit dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities that serve the residents of the district. Mobile homes or rooming houses are prohibited.

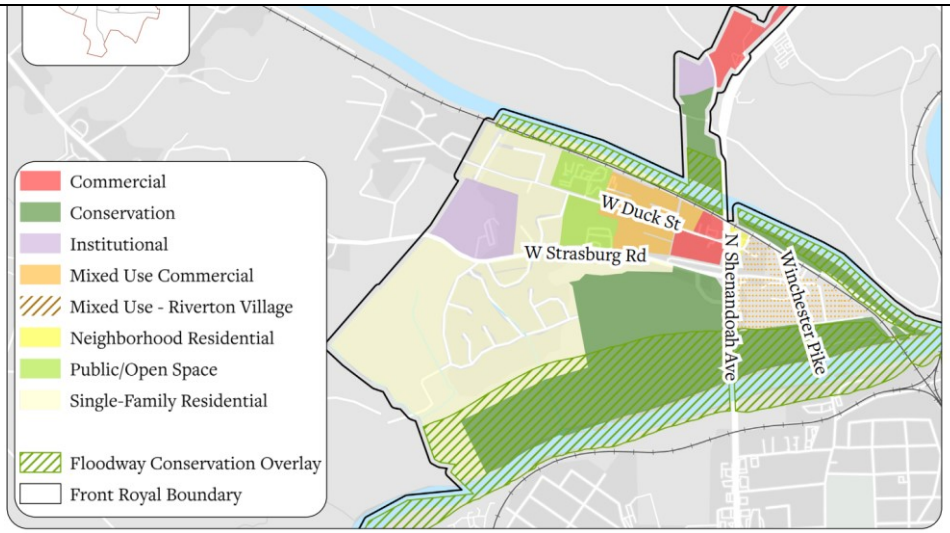
R-3 District, Zoning Ordinance Sec. 175-28

The R-3 Residential District is composed of medium-to-high density concentrations of residential uses. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for families desiring the amenities of apartment living and the convenience of being closest to shopping, employment centers and other community facilities. Development is, therefore, limited to medium- to high-density concentration, and permitted uses are limited to single-family, two-family and multifamily dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited.

Differences between R-1 and R-3 Zoning Districts

The major difference between these two zones is the proposed density of the uses. The R-1 zone is intended for low density, single family development. The R-3 on the other hand, is intended to provide for a variety of housing types at a higher density. This is more characteristic of older development. The Towns historic district is developed at approx 4 to 6 units per acre.

Town Comp. Plan



The Town's Comprehensive Plan calls for this area to be used as Mixed Use Riverton Village. This use is characterised by a variety of uses to emulate a historic village.

Findings and Analysis & Staff Recommendation

The applicant is undertaking a two-part process to establish their lodging house use. The first step is rezoning to permit the possibility of a lodging house. That is the stated purpose of this application. Staff believes the rezoning is appropriate for the Riverton historic area as there is already a mixture of uses. Staff believes this rezoning is in compliance with the Future Land Use Map.

Attachments: A. Application and Supporting Documents
B. Plat
C. Letter of Statement of Justification

TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

RECEIVED
JAN - 5 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

FRREZON 2400018

REZONING APPLICATION

APPLICANT

Name Graceful Abode of Liberation Phone 540.454.2161

Address 1324 Old Winchester Pike, Front Royal, VA 22630

E-mail AbodeOfLiberation@gmail.com

PROPERTY OWNER OF RECORD

Name Jenelle Embrey Phone 540.454.2161

Address 1324 Old Winchester Pike, Front Royal, VA 22630

PROPERTY DESCRIPTION

Location/Street Address 1324 Old Winchester Pike, Front Royal, VA 22630

Number of lots: 1 Total Acreage .89

Tax Map Identification for each parcel (Map, Section, Block, & Lot):

20A124 6

Subdivision Name (if applicable) _____

REQUEST

Existing Zoning R-1 Proposed Zoning Residential R-3 which permits a Lodging House to operate with a SUP

Existing Use Boarding House Proposed Use Nonprofit Boarding House for people of different abilities and their caregivers

PLEASE COMPLETE REVERSE SIDE

ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee *(Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = $500, over 1 acre = $500 + $100 per acre after 1st acre, Downzoning = $400)*
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries *(8 copies and a digital copy)*.
3. Environmental Site Assessment Phase I and Phase II *(unless waived by Director)*.
4. Traffic Impact Analysis *(if required)*
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.

CONNIE L. POTTER
NOTARY PUBLIC
REG. #7076929
MY COMMISSION EXPIRES
08/31/2027
COMMONWEALTH OF VIRGINIA

Jenelle Embrey

Signature of Property Owner

Signature of Applicant (if different)

City/County of WARREN, Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 5 day of January, 2024 by Jenelle Embrey.
(Name of person seeking acknowledgement)

Connie L. Potter
Notary Public
Notary registration number: 7076929 My commission expires: 08/31/2027

NOTICES

→ Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
→ Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
→ Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
→ Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
→ By submitting this application, the applicant grants permission to the Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.
→ When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

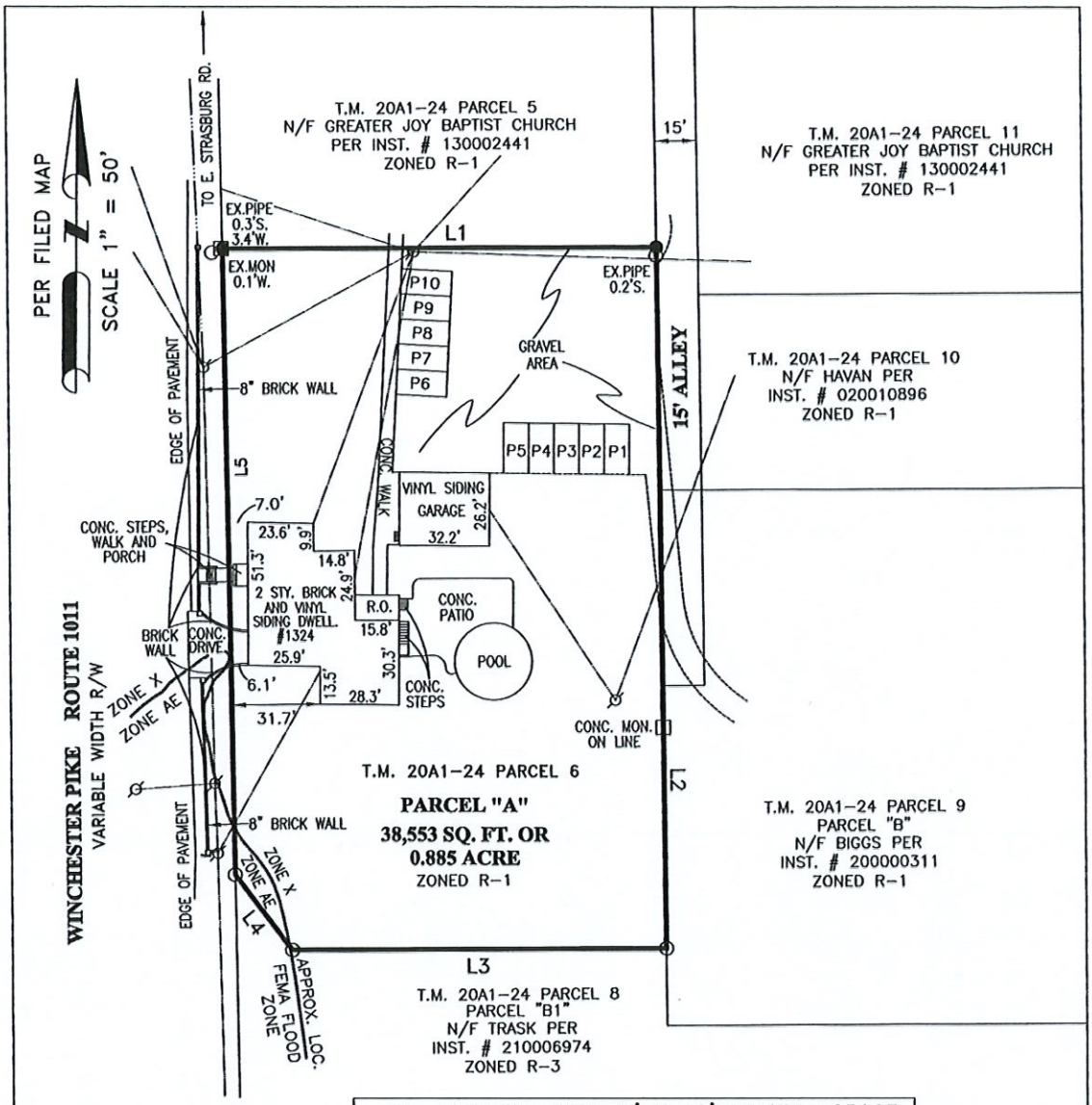
Receipt # ~~3[illegible]~~ 1071 Date Paid 1-5-2024 $500.00 CC
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

Statement of Justification

12/25/2023

I've owned my 8br home for over three years. One by one, I've leased out my bedrooms to family members, on a permanent basis. The most recent resident who moved in a few months ago is not a family member, which makes it start feeling like a boarder house. I'd like the proper permits. To do so, I have to start with the proper Zoning from R1 to R3. The adjoining property is zoned R3 as the previous owner ran a B&B there, The Four Winds.

Since 3 of the residents have intellectual disabilities, and I am an advocate for them as well as our friends in Special Olympics, I would also like the boarder house to be a nonprofit and have started that process.



LINE	BEARING	DISTANCE
L1	N 89°04'00" E	155.40'
L2	S 01°05'00" E	251.00'
L3	S 89°04'00" W	134.00'
L4	N 37°45'50" W	33.64'
L5	N 01°25'00" W	224.08'

P1	DENOTES PROP. 9' X 18' PARKING SPACE.
⌀	DENOTES UTILITY POLE.
●	DENOTES PIN SET.
□	DENOTES EXISTING CONC. MON.
○	DENOTES EXISTING PIN OR PIPE.
——	DENOTES OVERHEAD WIRES.

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENT OF RECORD.

DERIVATION OF TITLE TO: JE NELLE EMBREY
PER INSTRUMENT # 200008957.

SUBJECT PARCEL SITUATED IN FLOOD ZONES X AND AE
PER FIRM MAP NO. 51187C0104C EFFECTIVE DATE
JUNE 3, 2008.

PROPERTY ZONED R-1.

SURVEY OF PARCEL "A" PER PLAT OF RE-SUBDIVISION OF
LOTS 1, 3 AND THE J.E. LENT LOTS AT RIVERTON
RECORDED IN DEED BOOK 273 PAGE 137

NORTH RIVER MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL

WARREN COUNTY, VA.

COMMONWEALTH OF VIRGINIA
Joseph G. Brogan Jr.
JOSEPH G. BROGAN, JR.
Lic No. 3209
12/26/2023
LAND SURVEYOR

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
AUGUST 13, 2020
DECEMBER 26, 2023 ADD PROP. PARKING

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07C

Agenda Item: PUBLIC HEARING – Special Use Permit Application by Jean-David Lejeune and Samantha Harris to Allow a Short-Term Rental at 322 Kerfoot Avenue

Summary: Council has received a request for a Special Use Permit by Jean-David Lejeune and Samantha Harris to allow a short-term rental at 322 Kerfoot Avenue. The applicant intends to rent two (2) rooms and allow no more than four (4) occupants at a time. Staff conducted an inspection on January 25, 2024, and found the property to be in compliance with the provisions of the Short-Term Rental (STR) performance standards.

NOTE: Staff received a complaint that renovations had occurred without Town Zoning approval. Staff reported the violation to Warren County Building Inspections. The applicant is working to resolve the issue. The property was purchased after the work was completed without knowledge of the lack of permitting.

The Planning Commission recommended approval of the Special Use Permit at their public hearing held February 21st with the following conditions:

1. The applicant will not permit more than four overnight guests per stay.
2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.
3. Erect a privacy fence around the property within one year of use as a short-term rental. (added by PC after public comments)

Budget/Funding: N/A

Meetings: Work Session held March 4, 2024

Proposed Motion:

1) I move that Council approve a Special Use Permit for Jean-David Lejeune and Samantha Harris for a short-term rental to be located at 322 Kerfoot Avenue conditioned upon the following:
   1. The applicant will not permit more than four overnight guests per stay.
   2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.
   3. Erect a privacy fence around the property within one year of use as a short-term rental.

2) I move that Council deny a Special Use Permit for Jean-David Lejeune and Samantha Harris for a short-term rental to be located at 322 Kerfoot Avenue.

3) I move that Council continue the public hearing until (insert date)

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

PUBLIC HEARING

SUP 2400016 – SHORT-TERM RENTAL

322 KERFOOT AVENUE

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☑ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – Short-Term Rental #2400016
MEETING DATE: February 21, 2024
SUMMARY: A Special Use Permit Application has been submitted for a Short-Term Rental located at 322 Kerfoot Avenue. The applicant intends to rent two (2) rooms and no more than four (4) occupants at a time. Staff conducted an inspection on January 25, 2024 and found the property to be in compliance.
STAFF RECOMMENDATION: Staff recommends approval of Special Use Permit #2400016.
DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400016 for a Short-Term Rental located at 322 Kerfoot Avenue with the following conditions: 1. The applicant will not permit more than four overnight guests per stay. 2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit. NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ *Seconded* _____

Matthiae _____ *Williams* _____ *Wells* _____ *Marshner* _____ *Wood* _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

Planning Commission Regular Meeting
February 21, 2024

APPLICATION #:	**APPLICANT:**
2400016	Jean-David Lejeune and Samantha Harris

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located at 322 Kerfoot Avenue. The applicant intends to rent two (2) rooms and no more than four (4) occupants at a time. Staff conducted an inspection on January 25, 2024 and found the property to be in compliance.

GENERAL INFORMATION:

Site Addresses	322 Kerfoot Avenue
Owner(s)	Jean-David J. Lejeune and Samantha Harris
Zoning District	R-1, Residential District
Historic District	No
Tax Identification	Tax Map #20A6-7-10-39, 40, 41, and 42
Request/ Recommendation	The Applicant is requesting to rent two (2) bedrooms and no more than four (4) occupants at a time. Staff received a complaint that renovations had occurred without Town Zoning approval. Town Staff reported the violation to Warren County Building Inspections. The applicant is working to resolve the issue. The property was purchased after the work was completed without knowledge of the lack of permitting. Staff recommends approval of the application with the following conditions: 1. The applicant will not permit more than four overnight guests per stay. 2. The applicant will obtain all necessary Building and Zoning permits prior to issuance of the Special Use Permit.

View of Front Elevation – 322 Kerfoot Avenue



View of Front Right Elevation – 322 Kerfoot Avenue



Aerial Map (Warren County GIS)



Aerial Zoning Map (Warren County GIS)



Attachment: Application and supporting documents.

#24000116

Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main:540-635-4236
Fax:540-631-2727
www.frontroyalva.com
planning@frontroyalva.com

RECEIVED
JAN 4 - 2024
Town of Front Royal
Planning & Zoning Department

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT: Jean-David Lejeune & Samantha Harris

NAME: Jean-David Lejeune & Samantha Harris PHONE: 314.974.1694

ADDRESS 322 Kerfoot Ave Front Royal, VA 22630

E-MAIL samharris2525@gmail.com

PROPERTY OWNER:

NAME: Jean-David Lejeune & Samantha Harris PHONE: "

ADDRESS " "

E-MAIL " "

PROPERTY DESCRIPTION:

PROPERTY ADDRESS 322 Kerfoot Ave

TAX MAP 20A6 SECTION 7 BLOCK 10 LOT 39-42

SUBDIVISION NAME

ZONING DISTRICT R-1 residential low Density ACREAGE 0.34 acres

SPECIFIC SPECIAL USE PERMIT REQUEST use for airBnB/VRBO-type short-term rental

☐ Whole house rental ☒ Partial rental, # of rooms rented 2

☐ Primary Residence ☐ Secondary Residence

ATTACHMENTS: The following *must* be submitted with the application. Additional information may be required depending on the nature of the request.

☑ Survey plat or sketch to scale of property showing all **existing** improvements, parking and refuse area and property boundaries.

☑ Provide a map of area attractions

N/A ☐ Provide proof that notification to operate was sent to the HOA, if applicable.

☑ Complete management plan.

☑ Written consent given to the Town to inspect for compliance.

☑ Emergency dwelling evacuation diagram (posted in each bedroom)

☐ Application fee of $400.00 Receipt # 0100197055? Date Paid 1-4-24

Pd $400.00 by CIC

IN CASE OF AN EMERGENCY

Revised 12/21/2022

If there is an emergency, or there are questions in regard to the property, please contact (owner) Jean-David Lejeune

at (phone number) 703-200-3109 or (property manager) Samantha Harris

at (phone number) ~~314-799-1668~~ 314.974-1694

If the emergency requires immediate assistance, please call the following or 911.

Front Royal Police Department: 540-635-2111 or 911, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Volunteer Fire & Rescue: 540-635-2540 or 911, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630 ✓

Electrical Outage: 540-635-3027, 1101 Manassas Avenue, Front Royal, VA 22630. Outages may be reported online at https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46.

Emergency/afterhours 540-635-2111

OCCUPANCY ✓

The Special Use Permit limits the occupancy for this short-term rental at_____People and_____Bedrooms.

NOISE ✓

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING ✓

Minimum available parking is 6 vehicle(s) in the driveway.

TRASH AND RECYCLING ✓

All trash and recycling shall be placed in containers provided by the owner.

- Trash receptacles are located (Clarify location of trash bags and receptacles)

see managment plan

- Trash is collected (State the day of the week trash is picked up by the Town and where the container is to be placed on trash day ✓

see managment plan

CHECK-IN & CHECK-OUT ✓

Revised 12/21/2022

Provide details

see managment plan

WIFI/PHONE/ETC

Provide details for special amenities if available ✓

" "

SPECFIC PROPERTY DETAILS

Provide details regarding acreage, landscape, property boundaries (no trespassing notice), unique characteristic, warnings, kitchen use, house amenities, HVAC, etc. ✓

" "

AREA ATTRACTIONS

Provide a map of area attractions

- Attractions: i.e., Shenandoah National Park, Shenandoah River State Park, Skyline Caverns, Golf Courses, Canoe Companies
- Groceries & Convenience: i.e., Walmart, Target, Martins, CVS
- Restaurants ✓
- Wineries & Breweries

SPECFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No shooting of firearms ✓
- No outdoor fire burning
- No fireworks

" "

As per 175-3

Revised 12/21/2022

Short-term rental- means the provision of a room or space that is suitable for, intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Any residential use that falls within the definition of short-term rental as defined in § 15.2-983, as amended, of Virginia State Code.

Short-term rental facility – A building or accessory structure, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a short-term basis, and open to the public or transient guests. The maximum number of occupants shall not exceed ten (10) unless determined appropriate by Town Council.

Short-term rental:
§ 175.151 Short-term rentals.

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.

B. The one-time application fee shall be $400.00.

C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.

D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.

E. Parking for the use shall be located in driveways or other designated and approved parking areas.

F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.

G. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the 2015 or 2018 Uniform Statewide Building Code (2018 Version required usage beginning July 1, 2022); and a carbon monoxide detector must be installed on each floor in every dwelling.

H. The owner of the dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.

I. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.

Revised 12/21/2022

J. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.

K. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood. ✓

L. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling. ✓

M. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code. ✓

N. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time. ✓

Property Owner's Signature: _____

CERTIFICATION:

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature _____ Date 1/2/24

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.



Lejeune Properties

Welcome to Your Skyline Drive Retreat

This booklet serves as a guide which includes house rules, emergency contacts, and key features to explore.

Have a great stay!

Sam: 314-974-1694
JD: 703-200-3109

JD Lejeune & Sam Harris

ABOUT THE PROPERTY

Discover a Front Royal gem! This renovated retreat boasts 4 beds and 1 bath with a stylish roll-in shower. The fenced property is <1 mile from the Shenandoah River, 1 mile Shenandoah National Park, and the vibrant Main Street. The kitchen features sleek quartz countertops, and both the kitchen and master bathroom showcase elegant porcelain flooring. With its modern luxury, proximity to nature, and space for up to 4 guests, this Front Royal haven is an ideal blend of comfort and sophistication.

This property was previously used as a Church, explaining its unique exterior. With its one-of-a-kind history nestled in a small beautiful town, we are sure you will find the peaceful adventure you want, right here.

WIFI INFORMATION

Network: Sam&JD
Password: AMDG2024



ABOUT

about your stay

DETAILS

Discover a Front Royal gem! This renovated retreat boasts 4 beds and 1 bath with a stylish roll-in shower. The fenced property is <1 mile from the Shenandoah River, 1 mile Shenandoah National Park, and the vibrant Main Street.



MEET THE HOSTS

HEY! WE ARE SAM AND JD!

We are engaged and excited to get married in Spring 2024! We moved to Front Royal right after graduating college and fell in love with the town! From attempting to convince all our friends and family to move here, to trying almost every restaurant in town, we decided to share our passion for Front Royal by showing guests our favorite little piece of earth, the Shenandoah Valley. We hope you enjoy this Shenandoah experience as much as we do!

CONTACT INFO

322 Kerfoot Ave Front Royal, VA 22630
Sam: 314-974-1694
JD: 703-200-3109
lejeuneproperties@gmail.com

COMMUNICATION

Our philosophy is to let our guests guide the amount of interaction that is wanted. So whether it is a remote check-in and a quiet stay, or if you want to knock on our door for recommendations on our favorite places in town, we are happy to accommodate!

IMPORTANT INFORMATION

Please note that your hosts are living on the other side of this duplex with a hypoallergenic dog.

CHECK IN

- Entry
  - The Guest Entrance is equipped with an electronic combo lock for security. Access information has been provided to you during booking confirmation

- Take a look around and familiarize yourself with the emergency exits and safety information provided in this manual

- Reach out to us, your hosts, if anything is not to your liking and we will do everything we can to accommodate you to assure you have the best stay possible

CHECK OUT

- All trash shall be emptied and deposited in provided trash bins outdoors

- All dishes shall be washed, dried, and returned to their respective storage areas

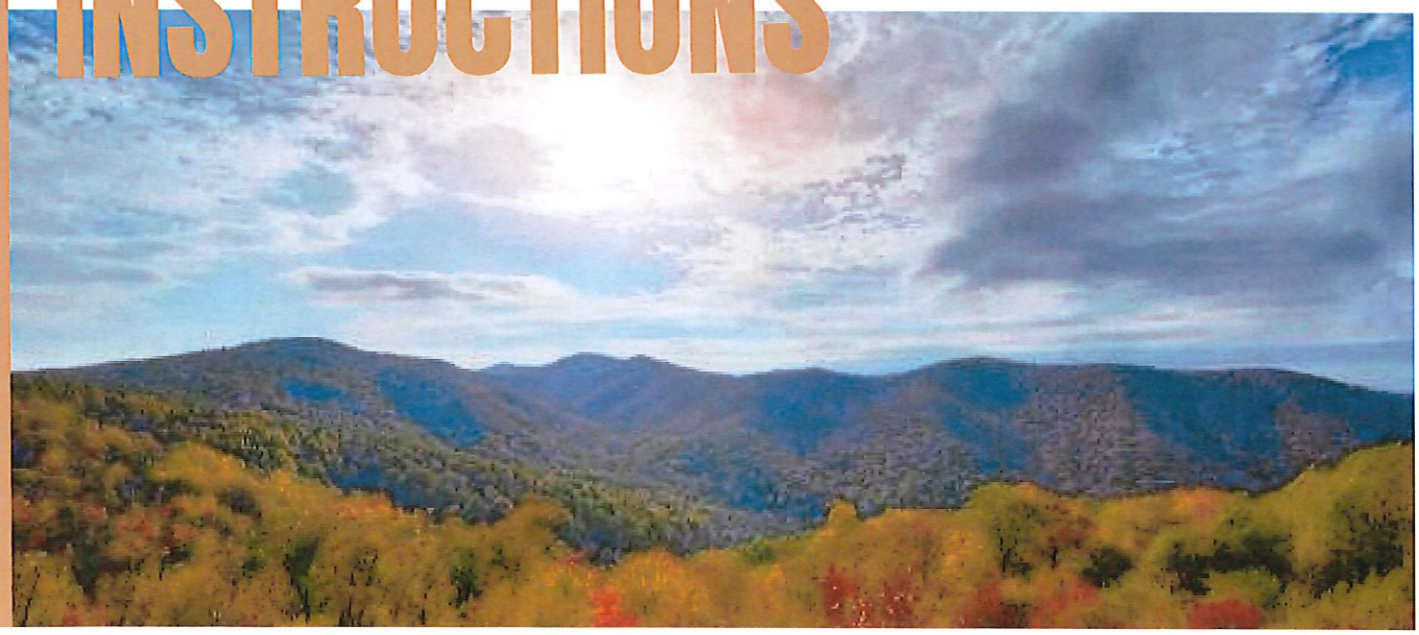
- All bedsheets and pillow cases (not mattress protectors) are to be removed and placed in the laundry room

- All lights and appliances are to be turned off before check out

- Double check that all doors and windows closed and locked

- Leave us a review about your stay! We'd love to keep in touch and have you back when you return to the Shenandoah Valley!

INSTRUCTIONS



Kick-start your luxury stay by learning about our

IN-HOME AMENITIES

100% Handicap Accessible and Step-free Interior

- 1 Fishing Kayak with pole-holders and 2 fishing poles for an additional price
  - Life jackets MUST be worn at all times when in the water or on the kayak

- 2 Twin-over-twin bunkbed that sleeps two with a weight limit of 400lbs

- washer and dryer for your convenience located in the mud room

- Fully renovated kitchen completed with fridge, kitchen table, conduction stove, dishwasher, sink, and Keurig machine with complimentary pods

- 4K 65 in. TV complete with Netflix, Hulu, Disney+, and many more entertainment options

EMERGENCY INFORMATION

EMERGENCYCONTACT INFORMATION

In the event of an emergency, call 911

For non-emergencies, please contact your hosts at 703-200-3109 or 314-974-1694

If you cannot reach us and you have an emergency involving your electric, water, or sewer service after hours, weekend of holidays, please contact the Front Royal Police Department at their non-emergency phone number (540) 635-2111.

Front Royal Police Department: 540-635-2111, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Volunteer Fire & Rescue: 540-635-2540, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300, 351 Valley Health Way Front Royal, VA 22630

Electrical Outage: 540-635-3027, 1101 Manassas Ave, Front Royal, VA 22630

IN CASE OF EMERGENCY

Carefully Review Exit Routes

- Located in each bedroom and included in this manual

Exit Emergency Guidance

- Stop what you are doing and leave the building immediately, closing doors behind you, if it is safe to do so

Area Primary Shelters

- Skyline High School, 151 Skyline Vista Dr., Front Royal, VA 22630
- Warren County Middle School, 522 Heritage Drive, Front Royal, VA 22630
- South Warren Fire Dept., 3330 Stonewall Jackson Hwy, Front Royal, VA 22630

just a few things to remember

HOUSE RULES

SMOKING INDOORS IS PROHIBITED

Including cigarettes, vapes, hookahs, pens, bongs, pipes, etc...

Any smoking conducted indoors will require a penalty fee at the owner's discretion to cover cleaning

PETS

All pets are prohibited except service animals. Emotional support animals ARE NOT considered service animals. If you have a service animal, please contact the Hosts to discuss an animal staying on the premises in accordance to FHA and ADA regulations.

OCCUPANCY

No more than 20 people shall be in the home at any one time

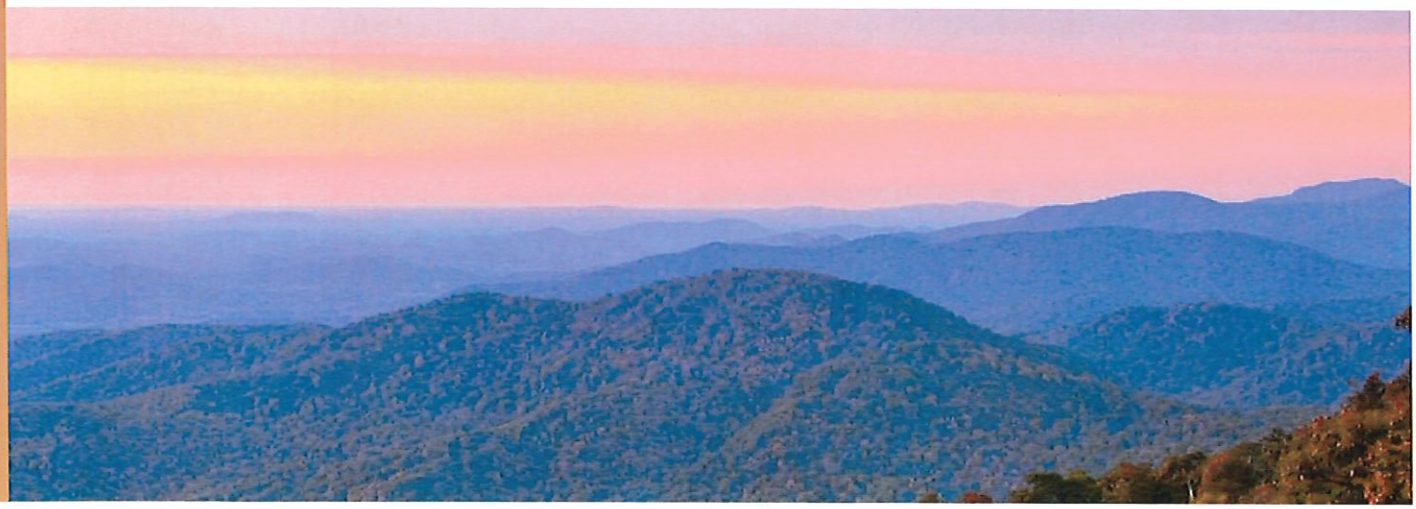
The Special Use Permit limits the occupancy for this short-term rental to 4 people and 2 bedrooms

QUIET HOURS

Out of consideration of the neighbors and the community, quiet hours are from 10pm to 7am

LAUNDRY

Please ensure that all clothes are free from excessive debris before putting in the washer.



PARTIES AND EVENTS

There shall be no parties, events or unregistered gatherings of over 20 individuals unless the host has approved. Feel free to contact the hosts about hosting large events.

FOOD AND DRINK

No food or drink in the bedrooms

NOISE

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him

NO UNREGISTERED GUESTS

Unregistered guests are not covered by insurance and thus cannot be covered in case of physical injury or litigation.

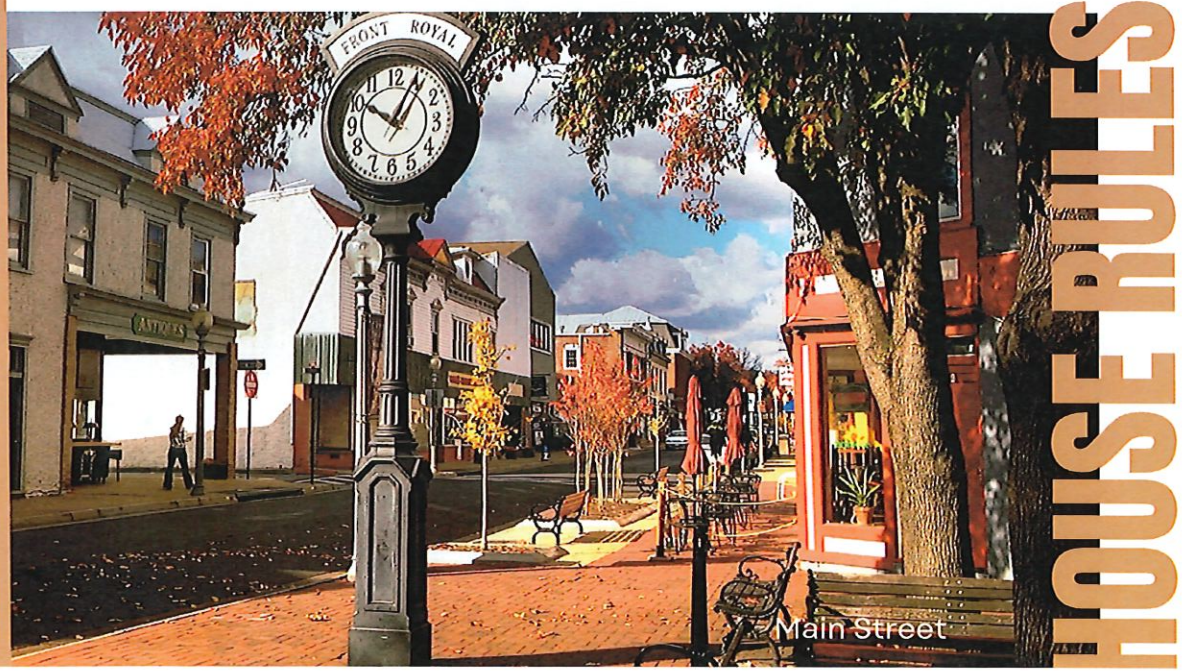
PARKING

Minimum available parking is 6 vehicles in the driveway

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner- trash receptacle is located on driveway.

Trash is collected on Tuesday mornings. The container is to be placed on the street, next to the mailbox against the curb



Main Street

HOUSE RULES

local attractions

THINGS TO DO



GETTING AROUND

Front Royal is a small town with almost everything within some biking or walking distance. If driving, please note that all roads in and around the main street are 25 MPH and the authorities are strict about it!

PUBLIC TRANSPORTATION

The Front Royal Trolley stops just outside the house at the corner of Kerfoot and Brown Ave. For 50 cents, you can ride into and around town. Schedule: AM 37-min past the hour. PM 7-min past the hour.

RIGHT OUT YOUR FRONT DOOR

Try walking to Eastham Park for River access, a beautiful river-side trail, and the only dog park in Front Royal (~5 minute walk), or about a minute walk to the Skyline SoccerPlex with spacious fields, a skate park, and stunning views of the mountains!

LOCAL THINGS TO DO

SIGHT-SEEING & ATTRACTIONS

Front Royal is known for its proximity to nature, but also for some renown restaurants and activities. Some of the more famous activities include:

- Skyline Drive (Shenandoah National Park)
- Museums
- Bike riding tours
- Historical museums
- Luray Caverns
- Restaurants
- Cafes
- Skyline Caverns
- River Adventures with canoeing, kayaking, even rafting!

Wake up to coffee shops and bakeries in Front Royal that rival the best in the surrounding cities without the long lines. After you explore the Blue Ridge Mountains, Shenandoah National Park, Shenandoah Valley, Skyline Drive, Luray Caverns or Skyline Caverns, relax at some of the best wineries, breweries, and bars Virginia has to offer. Don't have a reservation? No problem. These family-owned restaurants provide a wide variety of home cooking you won't get in the city!

places to eat and drink

FOOD & DRINK

Front Royal has a plethora of food and drink for everyone. Some of the more famous ones include:

- Rappahannock Cellars
- Honey and Hops Meadery
- The Apple House
- Vibrissa Brewery
- Virginia Beer Museum
- Soul Mountain Restaurant and Bar
- Melting Pot Pizza
- Knotty Pine Restaurant



The Catamount Lounge

YOUR HOSTS' FAVORITES

THAI

Try Thai

INDIAN

Royal Spice

PIZZA

Anthony's Pizza

ITALIAN

Osteria Maria

SUSHI

Mikado Japanese Steak House

MEXICAN

Los Potrillos

BBQ

Pavemint Smokin' Taphouse

DINER

L'Dee's Pancake House

SPORTS BAR

On Cue Sports Bar

NEW IN TOWN

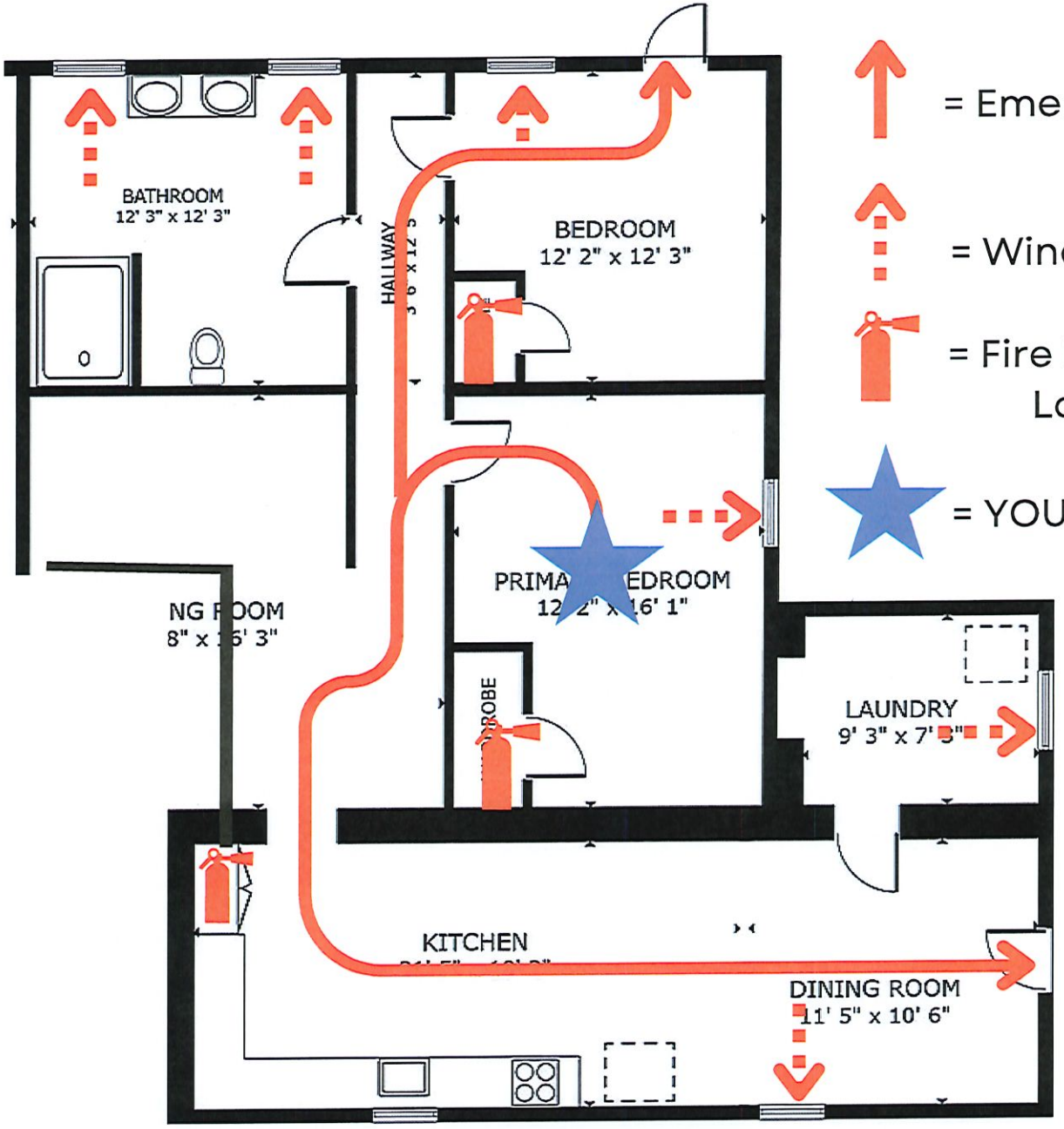
The Catamount Lounge

please come again!

THANK YOU!

Don't forget to leave us a review on your booking website and we can't wait for your next visit to the Shenandoah Valley!

EMERGENCY EXIT PLAN



= Emergency Exit Paths

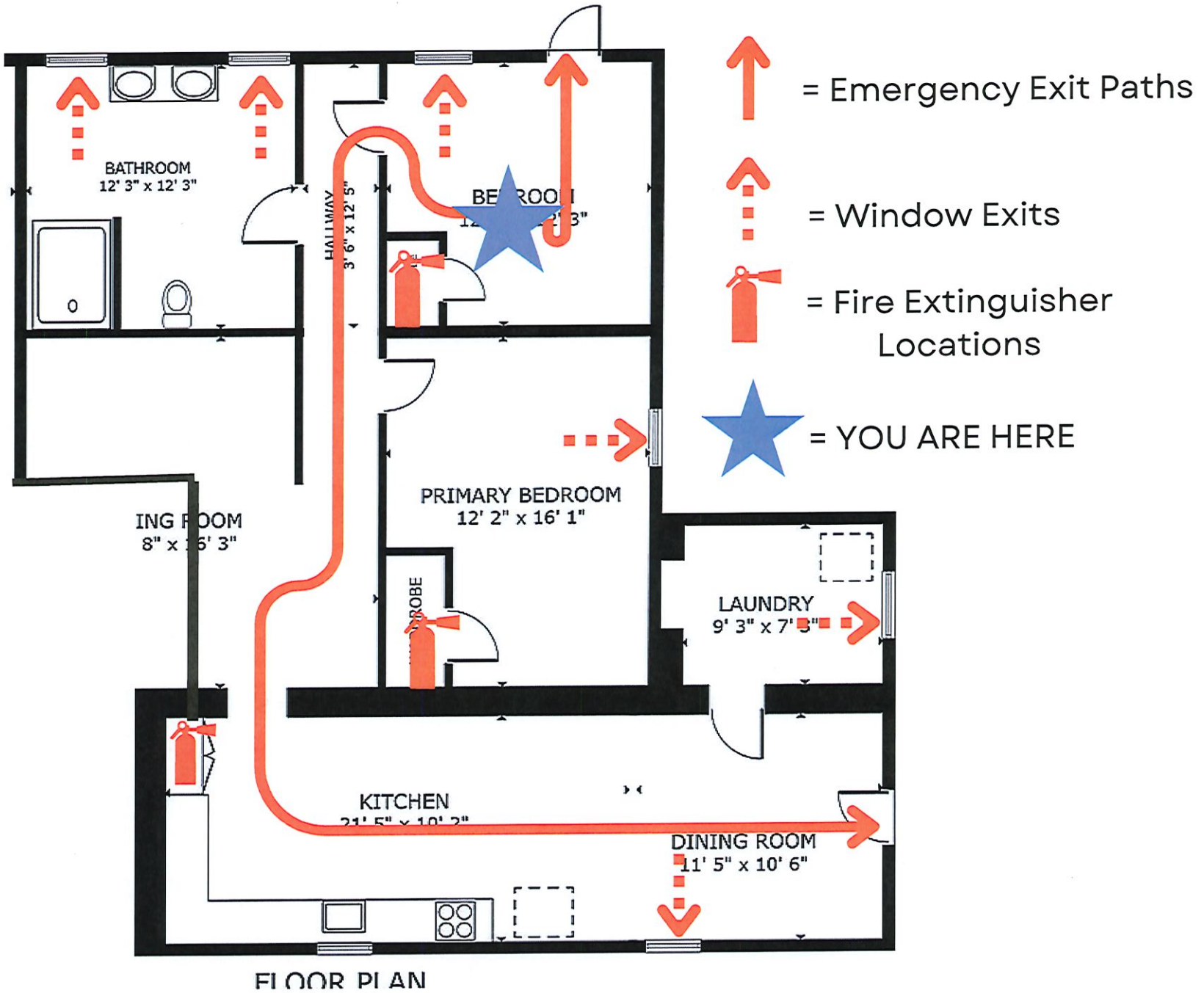
= Window Exits

= Fire Extinguisher Locations

= YOU ARE HERE

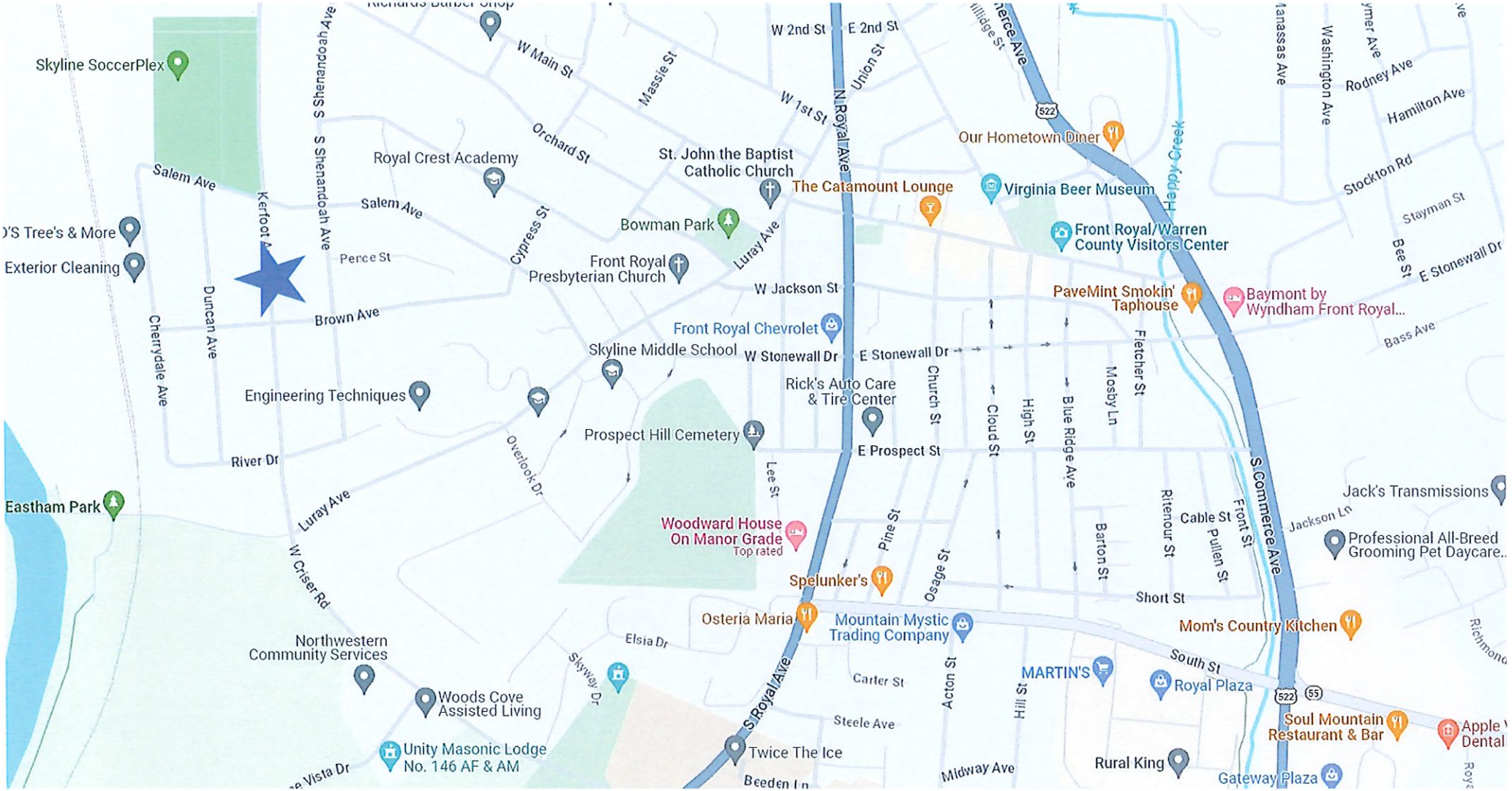
FLOOR PLAN

EMERGENCY EXIT PLAN

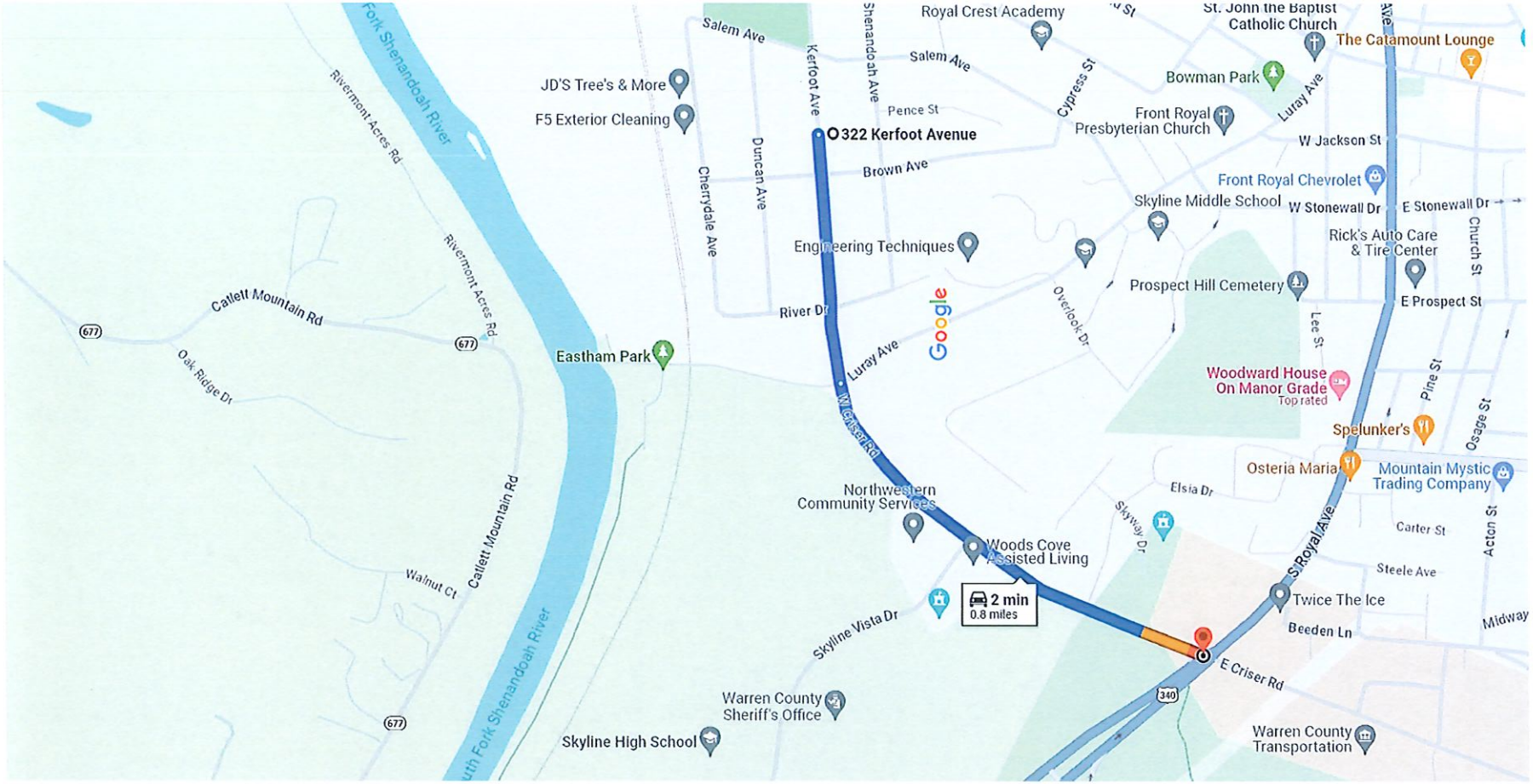


FLOOR PLAN

Map of Nearby attractions and accommodations



= Rental Location

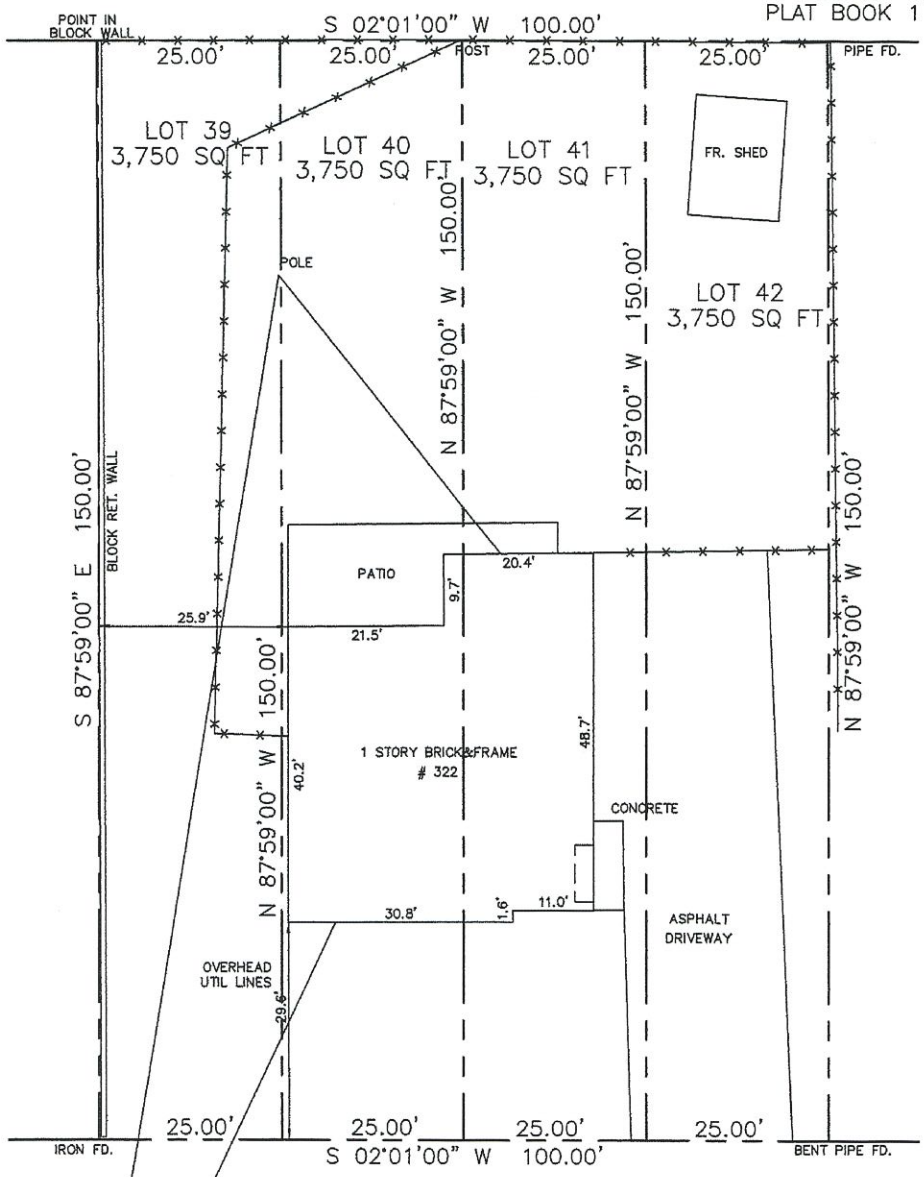


Neighborhood Evacuation to Highway 340

NOTES:
1) THIS IS TO CERTIFY THAT ON DECEMBER 12, 2023 I MADE AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON AND THAT THERE ARE NO EASEMENTS OR ENCROACHMENTS VISIBLE ON THE GROUND OTHER THAN SHOWN HEREON.
2) TAX MAP PARCEL: 20A6-7-10-(39-42)
3) SELLER: ALVAREZ PANOZO
PURCHASER: LEJEUNE
4) DEED REFERENCE: INST. 22-7104
5) FLOOD ZONE: X COMMUNITY/PANEL: 51187C0112C
EFF. DATE: 6-3-2008
6) NO TITLE REPORT FURNISHED, EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.

HOUSE LOCATION SURVEY
LOTS 39-42 BLOCK 10
VISCOSE CITY
TOWN OF FRONT ROYAL
WARREN COUNTY, VIRGINIA

RECORD PLAT
PLAT BOOK 1 PG. 1



KERFOOT AVENUE
50' R/W

DATE: DECEMBER 12, 2023 | SCALE: 1"= 20'

COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. FURSTENAU
Lic. No. 2727
DECEMBER 12, 2023
LAND SURVEYOR

1520 COMMERCE STREET, #309
WINCHESTER, VIRGINIA
22601
540 974-4268
christopher@cdfsurveying.com

CDF LAND SURVEYING

Chapter 106

NOISE

Sections:

106-1 THROUGH 106-4 (RESERVED)
106-5 DECLARATION OF FINDINGS AND POLICY
106-6 DEFINITIONS
106-7 ADMINISTRATION AND ENFORCEMENT
106-8 PROHIBITED NOISE
106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES
106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACE OF PUBLIC ENTERTAINMENT OR ASSEMBLY
106-11 USE OF LOUDSPEAKERS FOR A DVERTISING PURPOSES
106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM
106-13 RESPONSIBILITY OF THE PROPERTY OWNER
106-14 EXCEPTIONS FROM CHAPTER
106-15 BUILDING, UTILITY, ROAD CONSTRUCTION AND EXCAVATION OPERATIONS
106-16 TESTING OF METERING DEVICES
106-17 PENALTIES
106-18 SEVARABILITY

Adopted by the Town Council of the Town of Front Royal 3-11-85. 106-1 through 106-4 were repealed by Ordinance No. 12-04 on 10-11-04. Amendments noted where applicable.

106-1 THROUGH 106-4 (RESERVED)

(Ord. No. 12-04 Repealed 10-11-04-Effective Upon Passage)

106-5 DECLARATION OF FINDINGS AND POLICY

The Town Council hereby finds and declares that excessive sound is a serious hazard to the public health, welfare, peace, safety, and the quality of life; that a substantial body of science and technology exits by which excessive sound may be substantially abated; that the people have a right to and should be ensured an environment free from excessive sound that may jeopardize the public health, welfare, peace, and safety or degrade the quality of life; and that it is the policy of the Town of Front Royal to prevent such excessive sound.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-6 DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this subsection.

A. **A-WEIGHTED SOUND LEVEL.** The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(a) or dBA.

B. **DAYTIME** The local time of day between the hours of 7:00 A.M. and 10:00 P.M..

C. **DECIBEL (dB).** A unit for measuring the volume of a sound equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (twenty micronewtons per square meter).

D. **dBA** shall mean the sound pressure level as measured on a sound meter set to slow response to the A-weighted scale to approximate the frequency response of the human auditory system.

E. **EMERGENCY WORK** shall mean work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

F. **NIGHTTIME.** The local time between the hours of 10:00 P.M. and 7:00 A.M.

G. **NOISE** shall mean any sound which may cause or tend to cause an adverse psychological or physiological effect on human beings.

H. **NOISE SOURCE** shall mean any equipment, motor vehicle, motorcycle or facility, fixed or movable, capable of emitting sound beyond the property boundary of the property on which the equipment is used, but not including motor vehicles or motorcycles operated on public rights-of-way.

I. **SOUND.** An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound including duration, intensity, and frequency.

J. **SOUND LEVEL.** The weighted sound pressure level obtained by the use of an approved sound level meter and the A-frequency weighting network, as specified in American National Standards Institute specifications for sound level meters.

K. **SOUND LEVEL METER** shall mean an instrument to measure sound pressure levels which shall meet or exceed performance standards for a "type two" meter as specified by the American National Standards Institute.

L. **SOUND PRESSURE** shall mean the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-7 ADMINISTRATION AND ENFORCEMENT

The noise control program established by this section shall be enforced and administered by the Chief of Police with the assistance of other Town departments as required.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-8 PROHIBITED NOISE

A. Generally. It shall be unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or unreasonably to disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.

B. Specific Acts as Noise Disturbances.

The following acts are declared to be noise disturbances in violation of this Chapter, provided that the acts so specified shall not be deemed to be an exclusive enumeration of those acts which may constitute a noise disturbance under Section 106-8(A):

1. Operating or causing to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, drainage or public utility systems or parts thereof, and appurtenances thereto in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day, except as provided in Section 106-15.

2. Repairing, rebuilding or modifying any motor vehicle or other mechanical device in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.

3. The collection of trash or refuse in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.

4. Loading or unloading trucks in the outdoors within one hundred (100) yards of a residence between the hours of 9:00 p.m. and 7:00 a.m. the following day; provided that this subsection shall not apply to any business that has been in operation at its current location since prior to January 1, 1980.

(Ord. No. 01-06 amended 1-23-06-Effective Upon Passage)

5. Sounding the horn or warning device of a vehicle, except when necessary as a warning during the operation of the vehicle. Sounding of such horn or other device more than once every two (2) minutes in any one town block and with a duration of more than five (5) seconds for any single emission shall be *prima face* evidence of violation of this section.

6. Operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph or any other device for the production of sound, between the hours of

10:00 p.m. and 8:00 a.m. the following day, in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) residences within a building

7. Operating or permitting the operation of any radio, tape player, compact disc player or other device for the production of sound on a public right-of-way or in a public place in such a way that the sound is plainly audible at a distance of fifty (50) feet from such device, whether or not the device is situated within a motor vehicle.

8. Owning, keeping, possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks or makes such other noise as is plainly audible across property boundaries or through partitions common to two (2) residences within a building.

9. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noises.

10. The discharge of the exhaust of any internal combustion engine into the open air except through a device which will effectively prohibit loud and explosive noises.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES

It shall be unlawful for any person to operate, or permit to be operated, any noise source in such a manner that the noise source emits a sound pressure level which exceeds the limits set forth below when measured on property other than that on which the noise source is located. The category of applicable sound pressure limits shall be determined by the zoning district classification of the property on which the noise is produced. Property which has been specifically determined by the Planning Commission to be within an area designated on the Comprehensive Plan for industrial use shall be deemed to fall into the industrial classification for the purposes of this ordinance, even if the property has not yet been re-zoned.

(Ord. 01-06 Amended 1-23-06-Effective Upon Passage)

Land Use Designation Where Noise is Measured.	Maximum Allowed Noise in Daytime (in dBA)	Maximum Allowed Noise in Nighttime (in dBA)
Agricultural & Residential Zones, A-1,R-1,R1-A,R-2,R-3	60	50
Commercial Zones C-l, C-2, C-3	70	65
Industrial Zones 1-1,1-2	80	80

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACES OF PUBLIC ENTERTAINMENT OR ASSEMBLY.

It shall be unlawful for any person to operate, or permit to be operated, any loudspeaker or other device for the production of sound in any place of public entertainment or other place of public assembly which produces sound measure levels of ninety (90) dBA of greater at any point that is normally occupied by a person, unless conspicuous and legible signs are located outside such place, near the entrance, stating "WARNING, EXPOSURE TO SOUND ENVIRONMENT WITHIN MAY CAUSE HEARING IMPAIRMENT."

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-11 USE OF LOUDSPEAKERS FOR ADVERTISING PURPOSES

It shall be unlawful for any person to operate for commercial advertising purposes any loudspeaker or other like device or mechanism used to emit sound of any kind, which loudspeaker or other like device or mechanism is attached to or installed in any vehicle, when the vehicle is being driven, drawn, or parked along or upon the streets of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM

No person within the Town limits shall operate or permit the use or operation of any radio, tape player, compact disc player, or any other device which produces, reproduces, or amplifies sound in a motor vehicle, in such a manner that the sound can be heard more than fifty (50) feet from the motor vehicle.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-13 RESPONSIBILITY OF THE PROPERTY OWNER

It shall be unlawful for a property owner knowingly to allow the creation of noise prohibited by this Chapter, within the boundaries of his or her property.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-14 EXCEPTIONS FROM CHAPTER

The provisions of this Chapter shall not apply to the following activities:

1. The emission of sound for the purpose of alerting persons to the existence of an emergency or to the emission of sound in the performance of emergency work;

2. Noise caused by or arising out of activities related to repair, maintenance, replacement or alteration of public utility systems or parts thereof, public drainage systems or parts thereof, or streets and highways or parts thereof, and appurtenances thereto, where such activity is

reasonably necessary to further a public safety interest and/or to minimize disruption in the provision of public services, e.g., water, sewer and electric service; or

3. Parades, fireworks displays, and other organized public activities authorized by permit issued by an official of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-15 BUILDING, UTILITY, ROADCONSTRUCTION AND EXCAVATION OPERATIONS.

A. The erection, including excavation, demolition, alteration or repair of any building in a residential or business district, the performance of any work on a public utility, the performance of any work relating to road construction, and any excavation work on January 1 st (New Year's Day), the last Monday in May (Memorial Day), July 4th (Independence Day), the first Monday in September (Labor Day), the fourth Thursday in November (Thanksgiving Day), and December 25th (Christmas Day), or other than between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, is prohibited, except in cases of necessity in the interest, public health, safety and welfare, and then only with a permit from the Town Manager or his designee. This prohibition does not apply to Town employees or to contractors performing work in compliance with the terms and requirements of a Town contract.

B. When one of the regular holidays mentioned in Subsection (a) of this section falls on a Saturday, the preceding Friday shall be declared the holiday. When one of the regular holidays falls on a Sunday, the following Monday shall be declared the holiday.

C. Construction. Notwithstanding any other provision in this Chapter, between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, construction, alteration or repair activities that are authorized by a valid Town permit shall be allowed if they meet at least one of the following noise limitations:

1. No individual piece of equipment shall produce a noise level exceeding 85 dB(A) at a distance of twenty-five (25) feet. If the device is housed within a structure on property, the measurement shall be made outside the structure at a distance as close to twenty-five (25) feet from the equipment as possible.

2. The noise level at any point outside of the property planes of the project shall not exceed 90 dBA.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

16-16 TESTING OF METERING DEVICES

In order to implement and enforce this section effectively, the Chief of Police shall, within a reasonable time after the effective date of same, develop and promulgate standards and procedures for testing and validating sound level meters used in enforcement of this section.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-17 PENALTIES

A. Any person who violates any provision of this Chapter shall be deemed to be guilty of a Class III misdemeanor.

B. Each violation and/or day of violation of any provision of this section shall constitute a separate offense.

C. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-18 SEVERABILITY

If any provision of this Chapter should be determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the remaining provisions of this Chapter.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07D

Agenda Item: PUBLIC HEARING – Receive Public Input on an Application from Property Connection, LLC to Vacate and Sell a Portion of 7th Street at its Intersection with Kibler Street

Summary: Abutting property owner Property Connection, LLC ("Applicant") has applied for the vacation and sale of approximately 3,390 square feet of public rights-of-way, being that portion of East 7th Street abutting 225 E. 7th Street as shown and described on plat of survey entitled "Survey of a Portion of E. 7th Street Per Plat of Subdivision of W.C. Carter Property" prepared by Brogan Land Surveying PLC dated January 15, 2024 "Right-of-Way". This vacation would close 7th Street to future expansion over Happy Creek. The crossings at 6th and 8th Streets are sufficient for traffic flow. The right of way vacation and sale would allow the applicant to create a legal parcel. The Town has a storm sewer utility at this location if the street vacation is approved, any sale to an abutting property owner(s) will require the reservation of a utility easement in favor of the Town. Council is requested to receive public input.

Budget/Funding: N/A

Meetings: Work Session held February 12, 2024

Proposed Motions:

1) I move that Council appoint viewers to view the vacation request from the Applicant to vacate 3,390 square feet of 7th Street at its intersection with Kibler Street and to report in writing any inconvenience to the public that would result from discontinuance of the right-of-way.

2) I move that Council adopt the ordinance as presented conditionally approving the vacation and sale request from the Applicant.

3) I move that Council deny the vacation and sale request from the Applicant.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

VACATION OF STREETS AND ALLEY and OTHER TOWN RIGHTS-OF-WAYS APPLICATION

RECEIVED
AUG 21 2023
#2300557
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

APPLICANT INFORMATION
(please print)

Name Property Connection LLC

Mailing Address 25 S Royal Ave
Front Royal, VA 22630

Phone # 703-594-9421 **E-mail** minidcproperty@yahoo.com

VACATION INFORMATION

Description (please select all that apply)
- ☑ **Street/Portion of Street**
- ☐ **Alley/Portion of Alley**
- ☐ **Other** *(please specify)* _____

C-1

Location TM 20A 4-4, intersection of E. 7th St + Kibler St.

Reason for request requesting vacation of a 43.83' x 74.50' of 7th St to create a legally conforming lot. Lots are required to have a minimum of 7500 SF.

☑ **Current Plat Attached Showing Property to be Vacated**

Applicant's Signature _____ Date 8/21/23

Completed application shall be returned by mail or delivery to: Department of Planning and Zoning, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630 Additional Information: Planning and Zoning Office (540)635-4236, Monday-Friday, 8:00am – 4:30pm

Revised 10/24/2022



August 21, 2023

1:1,128

0 40 80 160 ft

0 12.5 25 50 m

Virginia Geographic Information Network (VGIN)

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT FOR THE OCTOBER 19, 2022, BOARD OF ZONING APPEALS MEETING

APPLICATION #: **2200398**

APPLICANT: **Property Connection LLC**

APPLICATION SUMMARY:

The applicant is seeking multiple variances from the zoning regulations of Town Code Chapter 175. The purpose of the variances is to subdivide a single parcel, upon which two existing detached single-family dwellings are located into two parcels. Each dwelling will be located on its own individual lot. The property is zoned C-1 (Community Business District) and is identified as Tax Map #20A4-4-3 with the two dwellings located thereon addressed as 225 East 7th Street and 631 Kibler Street, Front Royal, VA.

GENERAL INFORMATION:

Site Address	225 East 7th Street & 631 Kibler Street (see vicinity map below)		
Zoning District	C-1, Community Business District		
Overlay Districts	Historic Area – NO	Floodplain – YES	Entrance Corridor – NO
Tax Identification	20A185 7		
Location	The property is located to the west side of Remount Rd.		
Existing Use	Two (2) Single-family dwellings situated on one (1) parcel.		

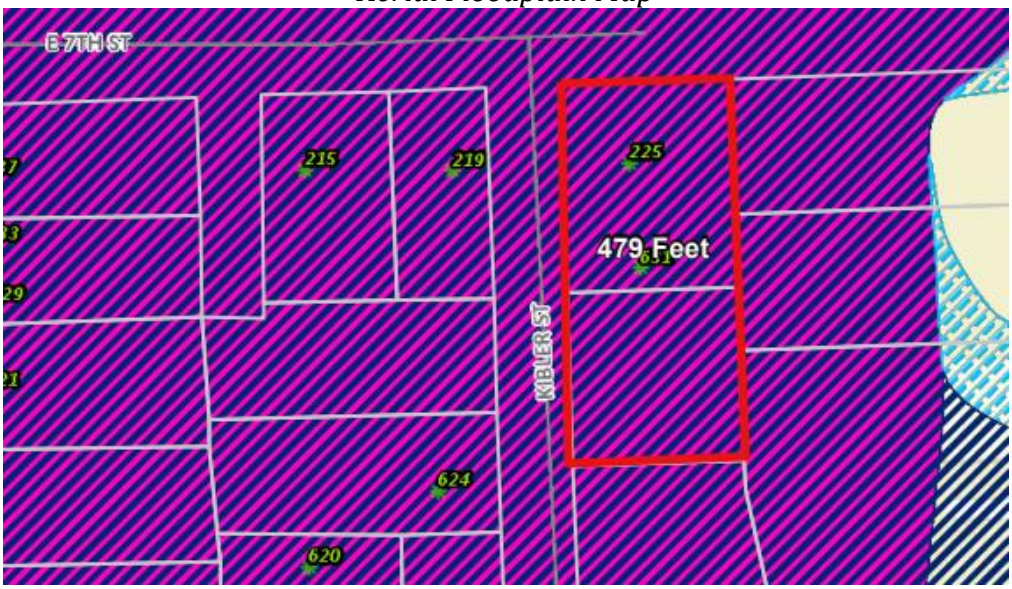
Vicinity Map



Aerial Map



Aerial Floodplain Map



Right Side Elevation-225 E 7th Street



Front Elevation-225 E 7th Street



Front Elevation-631 Kibler Street



ADDITIONAL INFORMATION:

Background	Per the Applicant's surveyor, the applicant is requesting the subdivision of the parcel into two lots to sell each lot individually. The lots are unable to meet current Zoning requirements and therefore would need a variance to be granted.
Applicant's Statements	"The property has 2 existing houses sitting on the same parcel. I am requesting a variance to separate the 2 properties with a lot line to put each house on its own separate legal lot."
Legal Review	The following variances are requested from the requirements of the Zoning Ordinance C-1 Zoning District, Chapter 175-38: i. The proposed lot upon which the dwelling identified as 225 E 7th Street will be granted a 3,460 square foot variance from the minimum 7,500 square foot lot area requirement of Town Code Chapter 175-40.A.2. A. Minimum Lot Size: 1. Residential uses with four (4) or more units = 6,000 s.f first unit; 1,500 s.f each additional unit. 2. All other uses: 7,500 s.f. ii. A 15.5-foot variance from the minimum 90-foot lot width for corner lots required by Town Code Chapter 175-40.D.2. D. Minimum Lot Width: 1. Interior Lot: Seventy-five (75) feet.

2. Corner Lot: Ninety (90) feet. (Amended Entire Section 10-23-89-Effective Upon Passage)

iii. Said dwelling be granted a 0.3-foot variance from the minimum 15-foot corner lot side yard setback requirement of Town Code Chapter 175-42.A.4.

A. Principal Structures, when abutting properties are in a commercial or industrial district.

1. Front setback:

a. Where no parking is provided between the structure and the street: five (5) feet. Provided, however, that no drive aisle shall be located within five (5) feet of any structure having a setback less than fifteen (15) feet.

b. Where parking is provided between the structure and the street: fifty (5 0) feet.

2. Side: 10 feet on one (1) side only.

3. Rear: 15 feet.

4. Corner side: 15 feet.

iv. Said dwelling be granted a 6.2-foot variance from the minimum 15-foot rear yard setback requirement of Town Code Chapter 175-42.A.3.

A. Principal Structures, when abutting properties are in a commercial or industrial district.

1. Front setback:

a. Where no parking is provided between the structure and the street: five (5) feet. Provided, however, that no drive aisle shall be located within five (5) feet of any structure having a setback less than fifteen (15) feet.

b. Where parking is provided between the structure and the street: fifty (5 0) feet.

2. Side: 10 feet on one (1) side only.

3. Rear: 15 feet.

4. Corner side: 15 feet.

v. Said dwelling be granted a 5.5-foot variance from the minimum 15-foot front porch to the front property line requirements of Town Code Chapter 175-3.

PORCH - Any porch, veranda, or gallery (as the terms are commonly and customarily defined) or similar projection from the main wall of a structure, constructed upon the ground, and covered by a roof, canopy, or awning; provided that the term shall not include any carport, or other such improvement designed for and capable of accommodating the parking of a motor vehicle protected from the elements. An unenclosed porch shall mean a porch with no side enclosure, other than the side of the structure to which the porch is attached, with no screens or windows. An unenclosed porch may project into a front or rear yard not to exceed ten feet (10') nor extend any nearer than fifteen (15') from any front or rear property line. The

	area of a porch shall be included in the calculation of lot coverage. A porch shall not be considered an overhang, nor vice versa. vi. Said dwelling be granted a 13.2-foot variance from the minimum 15-foot rear porch to the rear property line requirement of Town Code Chapter 175-3. PORCH - Any porch, veranda, or gallery (as the terms are commonly and customarily defined) or similar projection from the main wall of a structure, constructed upon the ground, and covered by a roof, canopy, or awning; provided that the term shall not include any carport, or other such improvement designed for and capable of accommodating the parking of a motor vehicle protected from the elements. An unenclosed porch shall mean a porch with no side enclosure, other than the side of the structure to which the porch is attached, with no screens or windows. An unenclosed porch may project into a front or rear yard not to exceed ten feet (10') nor extend any nearer than fifteen (15') from any front or rear property line. The area of a porch shall be included in the calculation of lot coverage. A porch shall not be considered an overhang, nor vice versa.
Town Code	VARIANCES Town Code 175-139.B authorizes the Board of Zoning Appeals with the ability to issue variances, as stipulated below: "To authorize, upon appeal in specific cases, such variance from the terms of the chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary hardship, provided that the spirit of the chapter shall be observed, and substantial justice done, as follows: 1. When a property owner can show that his property was acquired in good faith and where, by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the chapter, or where, by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of the chapter would effectively prohibit or unreasonably restrict the use of the property, or where the Board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the chapter. 2. No such variance shall be authorized by the Board, unless it finds:

	a. That the strict application of the chapter would produce undue hardship. b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity. c. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance. 3. No such variance shall be authorized except after notice and hearing as required by Section 15. 2-2204 of the Code of Virginia as amended. 4. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned, or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the chapter. 5. In authorizing a variance, the Board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guaranty or bond to ensure that the conditions imposed are being and will continue to be complied with. 6. In the event that a variance is not granted, the same variance application, or a variance application that is substantially the same, may not be submitted to the Board for consideration for a period of one (1) year from the date on which the variance request was denied.
State Code	Virginia Code § 15.2-2309.2 states the following in regard to Variances and the BZA: "Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section. Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the

terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

No variance shall be considered except after notice and hearing as required by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

In granting a variance, the board may impose such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required."

Based on Virginia Code § 15.2-2309(2), that went into effect on July 1, 2015, the BZA must grant a variance if the evidence shows that the strict application of the terms of the zoning ordinance would "unreasonably restrict the utilization of the property or that granting of the variance

would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of

the ordinance", and the following:

(i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
(ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
(iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
(iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
(v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of §15.2-2286 at the time of the filing of the variance application." Virginia Code § 15.2-2309(2).

STAFF COMMENTS:

The Board needs to determine if the applicant has met the following criteria in order to issue the variance.

That the strict application of the chapter would produce undue hardship.

- *The Board needs to have the applicant articulate the issues and determine if this scenario constitutes a hardship.*

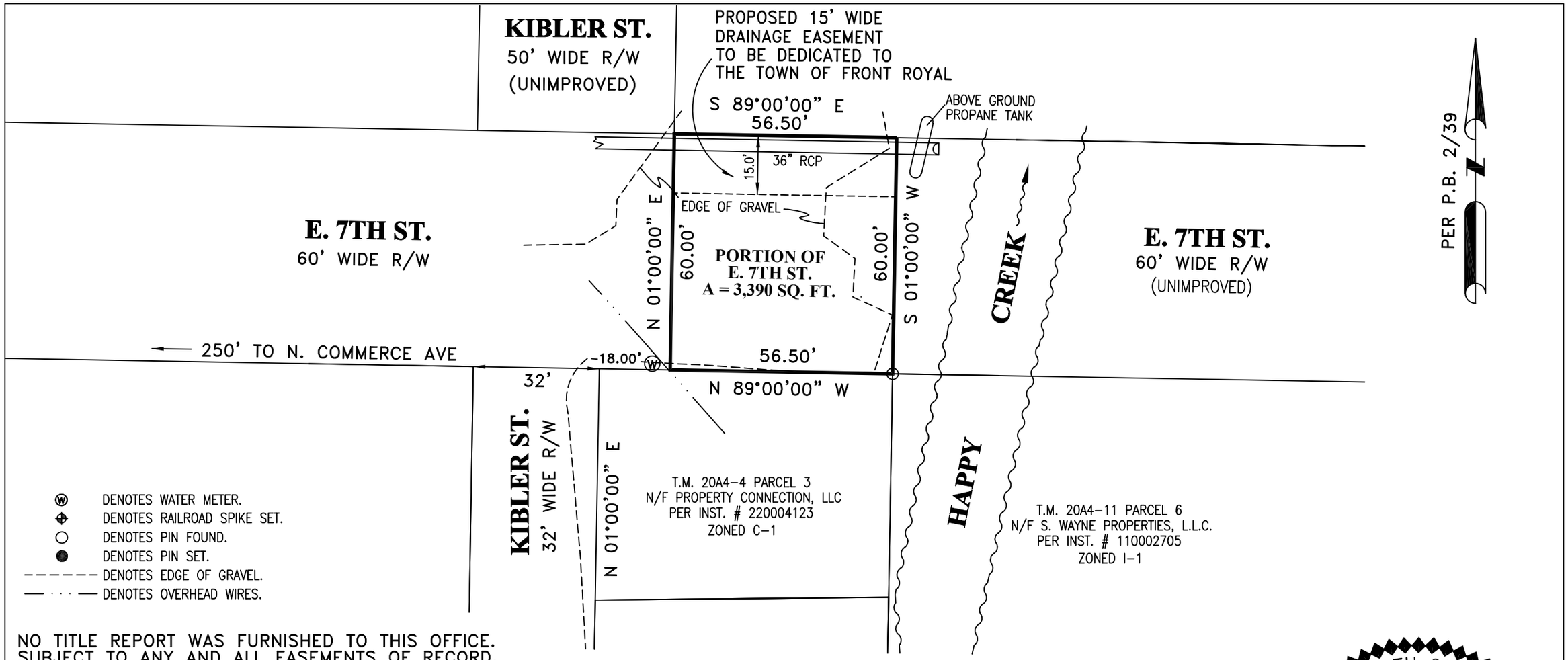
That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

- *Staff does not believe this hardship is widespread in this zoning district.*

That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

- *The structures in the immediate vicinity of the Applicant's property appear to be residential in nature. This appears to be an older neighborhood, originally platted in the 1940's and 1950's. The structures look like they have been maintained to a point they are not blighted. The surrounding uses are commercial. The comprehensive plan update calls for this area to be developed as mixed use.*

ATTACHMENT: BZA Application



NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PLAT REF: DEED BOOK 27 PAGE 206

SUBJECT PARCEL SITUATED IN FLOOD ZONE AE
PER FIRM MAP # 51187C0112C EFFECTIVE DATE JUNE 3, 2008.

SURVEY OF A PORTION OF E. 7TH STREET PER PLAT
OF SUBDIVISION OF W.C. CARTER PROPERTY

NORTH RIVER MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

0 30 60

SCALE 1" = 30'

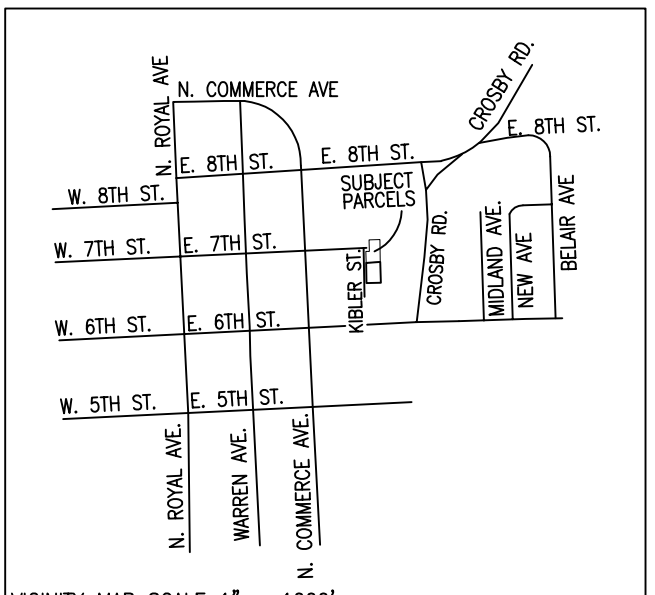
PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JANUARY 15, 2024

COMMONWEALTH OF VIRGINIA
Joseph D. Brogan Jr.
JOSEPH G. BROGAN, JR.
Lic No. 3209
1/15/2024
LAND SURVEYOR

LINE	BEARING	DISTANCE
L1	S 09°30'29" E	63.06'
L2	N 89°28'48" E	74.53'
L3	N 89°00'00" W	74.50'
L4	N 89°00'00" W	74.50'
L5	S 89°00'00" E	18.00'
L6	N 01°00'00" E	60.00'
L7	S 89°00'00" E	56.50'
L8	S 89°00'00" E	56.50'

AREA TABULATION	
ORIG. AREA LOT 3	6,705 SQ. FT.
−AREA ADDED TO LOT 4	2,396 SQ. FT.
+PORTION OF E. 7TH ST.	3,390 SQ. FT.
AREA NEW LOT 3A	7,699 SQ. FT.

AREA TABULATION	
ORIG. AREA LOT 4	5,588 SQ. FT.
+AREA ADDED FROM LOT 3	2,396 SQ. FT.
AREA NEW LOT 4A	7,984 SQ. FT.



VICINITY MAP SCALE 1" = 1000'

THE BOUNDARY LINE ADJUSTMENT OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS.

BY: _____
PROPERTY CONNECTIONS, LLC.

ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF_____ 2024.

MY COMMISSION EXPIRES _____

_____
NOTARY

ALL TOWN REAL ESTATE TAXES HAVE BEEN PAID IN FULL.

_____ _____
FINANCE DIRECTOR DATE

REVIEWED AND APPROVED BY THE TOWN OF FRONT ROYAL

_____ _____
DIRECTOR OF PLANNING AND ZONING DATE

_____ _____
TOWN MANAGER DATE

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE LAND SHOWN ON THIS PLAT IS THE LAND CONVEYED TO PROPERTY CONNECTION, LLC. PER DEED DATED JUNE 22, 2022 RECORDED IN INSTRUMENT # 220004123 AND PORTION OF E. 7TH ST. PER PLAT RECORDED IN DEED BOOK 27 PG. 206 RECORDED IN THE WARREN COUNTY CIRCUIT COURT CLERKS OFFICE AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINES EXCEPT AS SHOWN.

_____ _____
JOSEPH G. BROGAN, JR. LIC. # 3209 DATE

BOUNDARY LINES SHOWN HEREON ARE BASED OFF OF A CURRENT FIELD SURVEY MEETING THE REQUIREMENTS OF THE MINIMUM STANDARDS AND PROCEDURES FOR LAND BOUNDARY SURVEYING PRACTICE (18 VAC 10−20−370) OF THE CODE OF VIRGINIA.

COMMONWEALTH OF VIRGINIA
JOSEPH G. BROGAN, JR.
Lic No. 3209
LAND SURVEYOR

BOUNDARY LINE ADJUSTMENT BETWEEN LOTS 3, 4, AND A PORTION OF E. 7TH ST. PER PLAT OF C.D. BINNS LOTS

NORTH RIVER MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630−0034
TEL. & FAX (540) 635−5657
JANUARY 15, 2024

KIBLER ST.
50' WIDE R/W
(UNIMPROVED)

15' WIDE DRAINAGE EASEMENT HEREBY DEDICATED TO THE TOWN OF FRONT ROYAL PER THIS PLAT

PROPERTY LINE HEREBY CREATED

ABOVE GROUND PROPANE TANK

E. 7TH ST.
60' WIDE R/W

60'

250' TO N. COMMERCE AVE

PER P.B. 2/39

NOTE: PROPOSED LOT 3A IS SERVED BY EXISTING SEWER LATERAL AND EXISTING WATERLINE WITH WATER METER.

L7
36" RCP

15.0'

EDGE OF GRAVEL

L6

5' BRL

PROPERTY LINE HEREBY CREATED

(PORTION OF E. 7TH ST.
3,390 SQ. FT.)

15' BRL

(60.00')

E. 7TH ST.
60' WIDE R/W
(UNIMPROVED)

(PROPERTY LINE HEREBY VACATED)

L5

CONC. WALK

(L8)
(ORIG. LOT 3)
(6,705 SQ. FT.)
(ZONED C-1)

R.O. CONC.

14.7'

3.4'

19.3'

14.0'

16.0'

ZONED C-1

165.00'

58.82'

5' BRL

EX. 2 STY. VINYL SIDING DWELL. # 225

26.2'

11.0'

26.3'

116.85'

S 01°00'00" W

T.M. 20A4-4
NEW LOT 3A
7,699 SQ. FT.

13.8'

22.2'

10' BRL

(90.00')

(90.00')

R.O. CONC.

12.2'

12.6'

5.3'

L2

T.M. 20A4-11 PARCEL 6
N/F S. WAYNE PROPERTIES, L.L.C.
PER INST. # 110002705
ZONED I-1

PROPERTY LINE HEREBY CREATED

29.4'

5.3'

20.0'

PIN SET AT 8.22'

LINE PER PLAT IN INST. # 110002364

EXISTING WATER AND SEWER LINES

PROP. SEWER AND WATER LAT.

CONC. WALK (PROPERTY) (LINE) (HEREBY) (VACATED)

(L4)

5' BRL

R.O. CONC.

32.2'

EX. 1 STY. STUCCO AND METAL SIDING DWELL. # 631

19.8'

4.8'

FR. BLDG.

12.2'

24.8'

(2,396 SQ. FT. ADDED) (TO LOT 4)

T.M. 20A4-11 PARCEL 7
N/F S. WAYNE PROPERTIES, L.L.C.
PER INST. # 110002705
ZONED I-1

CREEK

19.6'

106.18'

CONC. AREA

15' BRL

108.15'

T.M. 20A4-4
NEW LOT 4A
7,984 SQ. FT.
ZONED C-1

(ORIG. LOT 4)
(5,588 SQ. FT.)
(ZONED C-1)

69.5'

(75.00')

(75.00')

10' BRL

T.M. 20A4-11 PARCEL 8A
N/F S. WAYNE PROPERTIES, L.L.C.
PER INST. # 110002705
ZONED I-1

N 01°00'00" E

PIN SET AT 11.87'

L3

225.00'

HAPPY

13.00'

KIBLER ST.
32' WIDE R/W

32'

T.M. 20A4-4 PARCEL 5
N/F PROPERTY CONNECTION, LLC.
PER INST. # 220004123
ZONED C-1

L1

75.00

86.00'

N 88°59'57" W

20' WIDE ALLEY

○ DENOTES EXISTING PIN.
● DENOTES PIN SET.
⊕ DENOTES RAILROAD SPIKE SET.
Ⓦ DENOTES WATER METER.
—— · · —— DENOTES OVERHEAD WIRES.
——x—— DENOTES FENCE LINE.
——w—w—— DENOTES WATER LINE.
——s—s—— DENOTES SAN. SEWER LINE.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: PROPERTY CONNECTION, LLC.
PER INSTRUMENT # 220004123.

PLAT REF: INST. # 110002364 AND P.B. 2/39.

SUBJECT PARCELS SITUATED IN FLOOD ZONE AE
PER FIRM MAP # 51187C0112C EFFECTIVE DATE JUNE 3, 2008.

BOUNDARY LINE ADJUSTMENT BETWEEN LOTS 3, 4,
AND A PORTION OF E. 7TH STREET PER
PLAT OF C.D. BINNS LOTS

NORTH RIVER MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

COMMONWEALTH OF VIRGINIA
JOSEPH G. BROGAN, JR.
Lic No. 3209
LAND SURVEYOR

0 30 60
SCALE 1" = 30'

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JANUARY 15, 2024

TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA

ORDINANCE APPROVING THE CLOSURE AND VACATION OF PUBLIC RIGHTS-OF-WAY OF APPROXIMATELY 3,390 SQUARE FEET OF E. 7TH STREET ABUTTING 225 E. 7TH STREET

WHEREAS, pursuant to Virginia Code §§15.2-2006 and 15.2-2008, abutting property owner Property Connection, LLC ("Applicant") applied for the vacation and sale of approximately 3,390 square feet of public rights-of-way, being a portion of E. 7th Street abutting 225 E. 7th Street N. Royal Avenue as shown and described on plat of survey entitled "Survey of a Portion of E. 7th Street Per Plat of Subdivision of W.C. Carter Property" prepared by Brogan Land Surveying PLC dated January 15, 2024 ("Right-of-Way"), said plat of survey being attached hereto and incorporated herein by reference; and,

WHEREAS, following notice to affected landowners and a duly advertised public hearing held on March 25, 2024, upon the evidence (including the report of a duly appointed committee of viewers that no public inconvenience would result from the discontinuance of the rights-of-way), it being the judgment of Town Council that said rights-of-way be discontinued, closed and vacated subject to certain conditions being met within one hundred twenty (120) days of the adoption of this ordinance approving of the vacation; and,

WHEREAS, Virginia Code §§15.2-1800 and 15.2-2100 authorize towns to dispose of and sell its real property following a duly advertised public hearing.

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Town Council of the Town of Front Royal, Virginia, that the public rights-of-way in the Right-of-Way are discontinued, closed and vacated subject to the following stated conditions being satisfied within one hundred twenty (120) days of the adoption of this Ordinance, and that if the conditions are not satisfied within that time that this Ordinance shall be null and void.

1. That the Right-of-Way be sold and conveyed to the Applicant and/or other abutting property owner by quit claim deed with plat of survey attached, with the sale price to be as negotiated by the Town Manager with abutting property owners, along with payment of the statutorily prescribed costs and fees of publication (and appointment of viewers) and approved by Council.

2. The Town Manager and Town Attorney are authorized to approve and execute all documents prepared by Applicant and/or other abutting property owner necessary to effectuate the sale and conveyance of Right-of-Way by quit claim deed, reserving in the Town of Front Royal a 20' drainage easement as shown on said plat of survey.

3. The Applicant and/or other abutting property owner shall re-subdivide, vacating internal boundary lines necessary to incorporate abutting portions of Right-of-Way into approved lot(s).

The Clerk of Council, upon the satisfaction of all conditions to this Ordinance, shall cause a certified copy of this Ordinance to be delivered to the Clerk of the Circuit Court for filing and recording in the land records, indexed with "Town of Front Royal" as Grantor, and with Applicant, and/or other abutting

DRAFT

property owner acquiring an interest in Right-of-Way as Grantee, necessary to further effectuate this Ordinance.

This ordinance shall be effective upon enactment.

****

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock	__Yes __No	H. Bruce Rappaport	__Yes __No
Joshua L. Ingram	__Yes __No	Melissa DeDomenico-Payne	__Yes __No
Amber F. Morris	__Yes __No	Glenn A. Wood	__Yes __No

A public hearing on the above was held on _____having been advertised in the Northern Virginia Daily on March 11 and March 18, 2024.

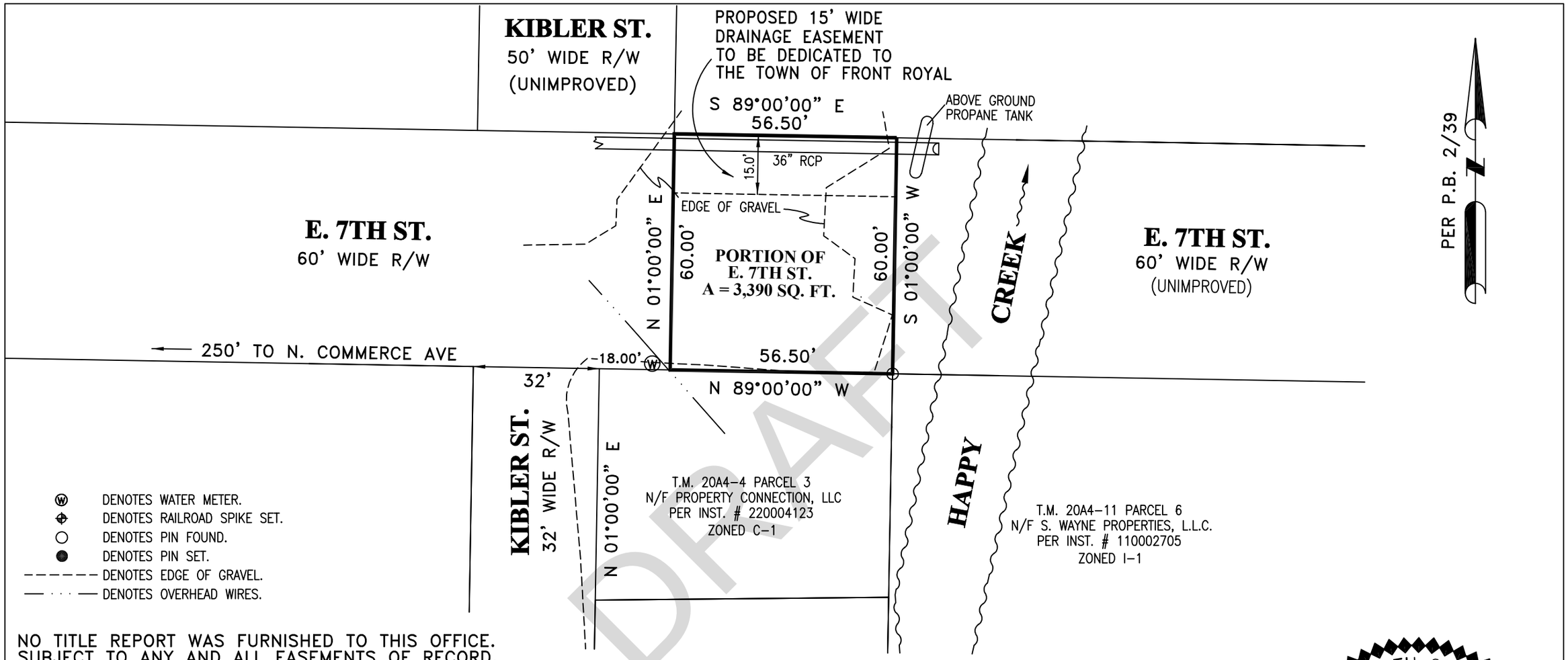
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DRAFT

APPROVED AS TO FORM AND LEGALITY:

_____

George M. Sonnett, Jr. **Date**
Town Attorney



DRAFT

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PLAT REF: DEED BOOK 27 PAGE 206

SUBJECT PARCEL SITUATED IN FLOOD ZONE AE
PER FIRM MAP # 51187C0112C EFFECTIVE DATE JUNE 3, 2008.

SURVEY OF A PORTION OF E. 7TH STREET PER PLAT
OF SUBDIVISION OF W.C. CARTER PROPERTY

NORTH RIVER MAGISTERIAL DISTRICT

TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

0 30 60

SCALE 1" = 30'

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JANUARY 15, 2024

COMMONWEALTH OF VIRGINIA
Joseph D. Brogan Jr.
JOSEPH G. BROGAN, JR.
Lic No. 3209
1/15/2024
LAND SURVEYOR

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07E

Agenda Item: PUBLIC HEARING – Receive Public Input on an Application from Aaron Hike to Vacate and Sell a Portion of N. Royal Avenue and the Alley Between N. Royal Avenue and Virginia Avenue

Summary: Abutting property owners Aaron L. Hike and Harmony F. Hike and Aaron Hike, Trustee ("Applicant") applied for the vacation and sale of approximately .3518 acres of pubic rights-of-way, being a portion of N. Royal avenue located in front of 1516 N. Royal Avenue and the unimproved alley located between N. Royal Avenue and Virginia Avenue as shown and described on plat of survey entitled "Vacation of Town of Front Royal Alley" prepared by Preston M. Humpries dated September 1, 2023 ("Right-of-Way"). Council is requested to receive public input on this request.

Budget/Funding: None

Meetings: Closed Meeting held February 26, 2024

Proposed Motion:

1) I move that Council appoint viewers to view the vacation request and to report in writing any inconvenience to the public that would result from discontinuance of the right-of-way.
2) I move that Council adopt the ordinance as presented, conditionally approving the vacation and sale request from Applicant.
3) I move that Council deny the vacation and sale from Applicant.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

VACATION OF STREETS AND ALLEY and OTHER TOWN RIGHTS-OF-WAYS APPLICATION

RECEIVED
JUL 27 2023
#2300498
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

APPLICANT INFORMATION
(please print)

Name Aaron Hike

Mailing Address 1516 N Royal Ave

Phone # 540-683-1923 **E-mail** Hikeconstruction@gmail.com

VACATION INFORMATION

Description (please select all that apply)
- ☐ Street/Portion of Street
- ☒ Alley/Portion of Alley
- ☐ Other *(please specify)*

Location Portion of Alley between N Royal and Va ave. in line with 16th st. that is unimproved & unmaintained

Reason for request Alley disputes between neighbors, adjoing owners are on board with vacation.

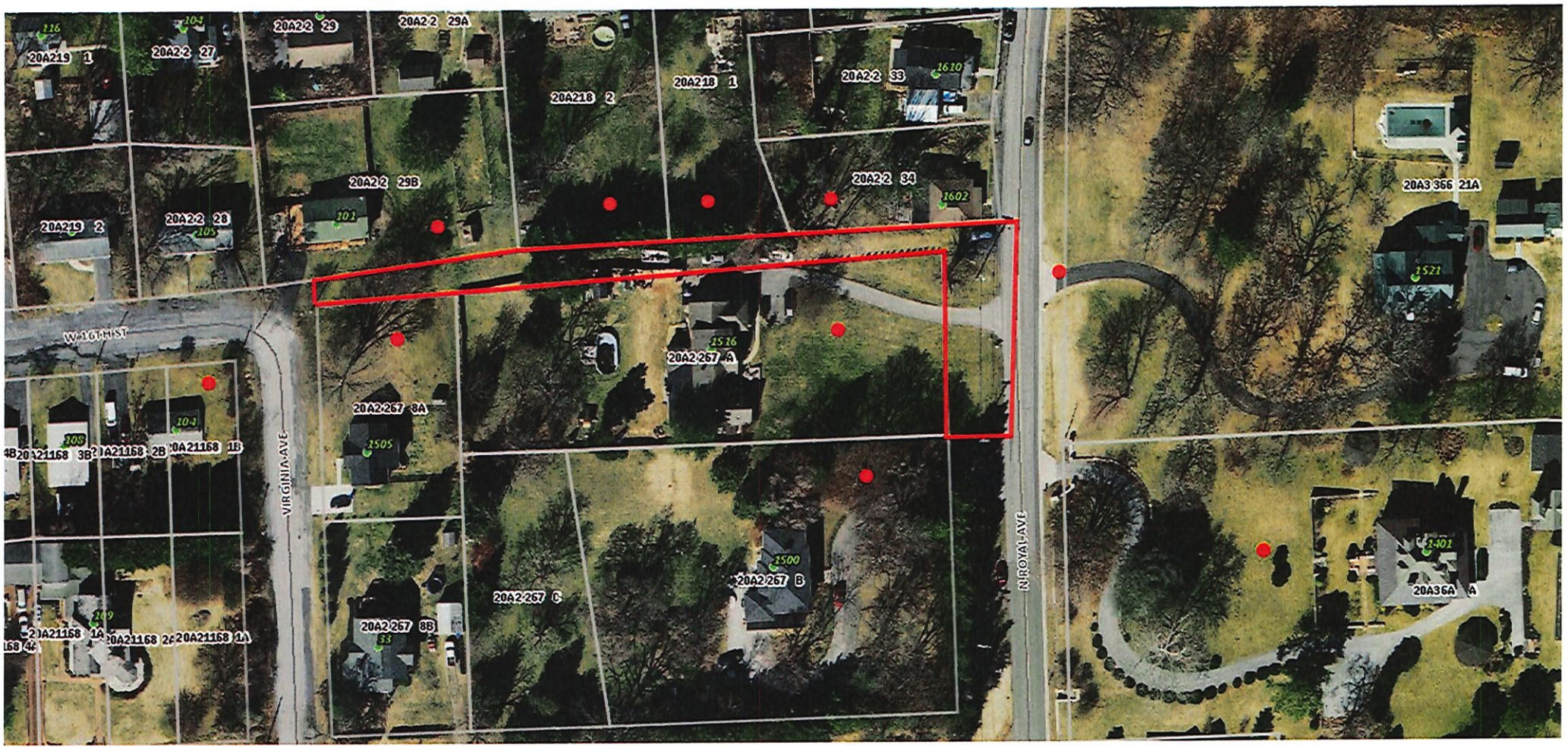
☒ **Current Plat Attached Showing Property to be Vacated**

Applicant's Signature _____ **Date** 7-26-23

Completed application shall be returned by mail or delivery to:
Town Manager's Office, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630
Additional Information: Town Manager's Office (540)635-8007, Monday-Friday, 8:00am – 5:00pm

Revised 8/5/2020

2300498 – ALLEY VACATION – AARON HIKE – 1516 N ROYAL AVENUE



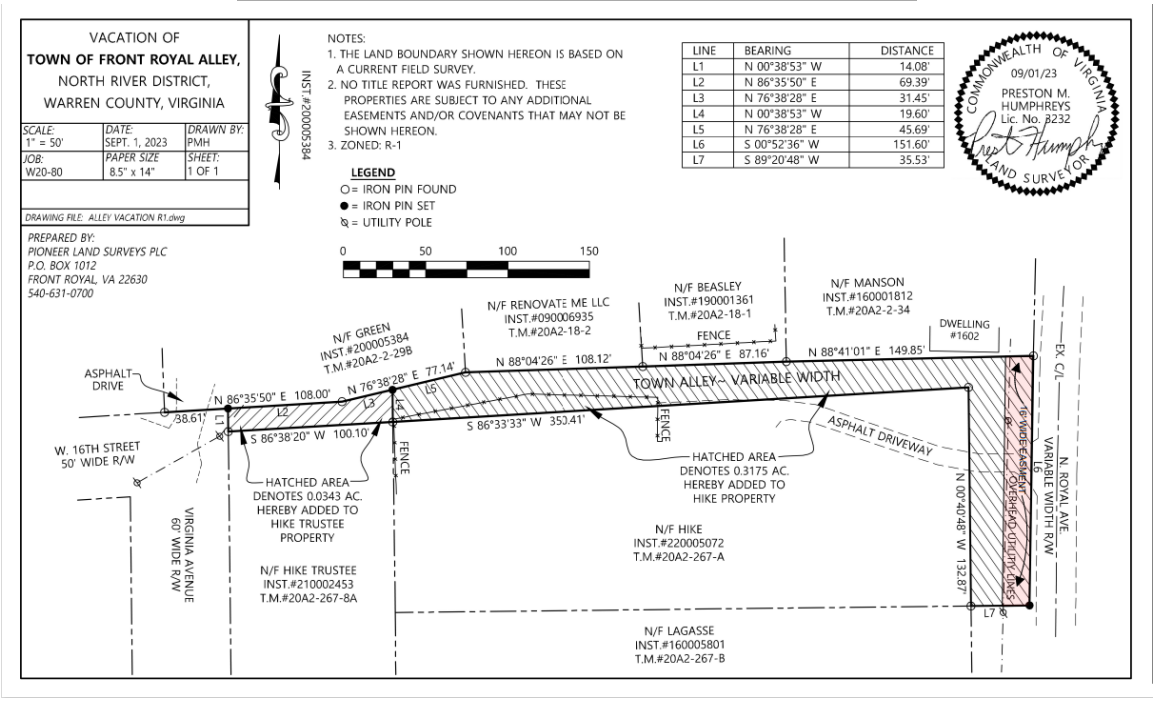
Aaron & Harmony Hike
1516 North Royal Ave.
Front Royal, VA. 22630
540-624-3095
Hikefamily4@gmail.com

September 6, 2023

Dear Council,

Thank you for considering vacation request application. My name is Aaron Hike and I have applied to have the alley located to the north side of my residence located at 1516 North Royal Ave. I have also applied to vacate a portion along the front of Royal Ave. as it is unusually wide and extends almost 50' past the pavement. I had initially asked for a fence encroachment for the front but was encouraged by the town to apply for vacation.

PLAT SHOWING ALLEY AND FRONT VACATION REQUEST



AERIAL VIEW OF ALLEY AND FRONT VACATION REQUEST



Description

Yellow: Our current property line

Red: Proposed Town vacation

Blue: Planned future fence location

Black: Neighbor current property line (1602 N Royal Ave.)

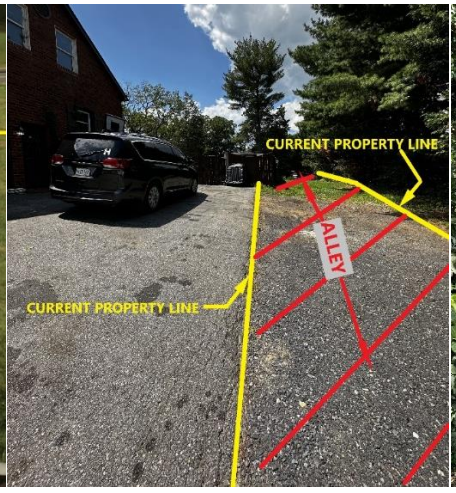
Reasons why we have requested the vacation

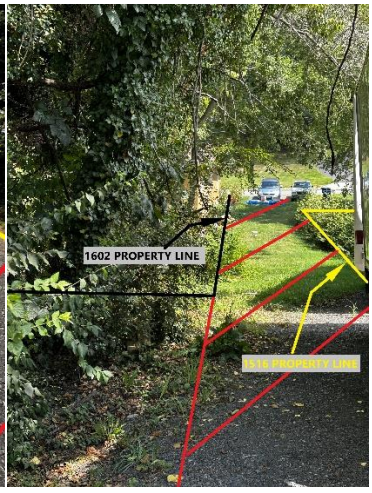
1. We maintain the majority of the alley.
2. Our rear yard fence was built partially on the town property and we would like to leave it there and not be forced to take it down as that would be very costly. We did not put up the fence and were unaware when we purchased the home that the fence encroached upon the town alley. Vacating and purchasing the alley would make this possible.
3. The alley comes right up to our driveway where we park our cars, 20 feet from what we use as our main entrance to our home, making our family feel unsafe as we enter and exit our vehicles.
4. We would like to extend our fence to the front offering our four children additional safety. In addition, the unusually wide road width in front of our property would mean the fence would be 50’ back from the road and would look out of place.
5. No one uses the majority of the alley and there are no plans by the town to use it, or maintain it.
6. We feel this will be a safer situation for the neighbors as well, without having an unlit, unmaintained public alley way right in the middle of the neighborhood.
7. We built a home for our mother that lives at the exit of the alley and would like the children to go to and from to visit without it being a public alley.
8. This is a prime example of a pointless alley for the town that would generate revenue by vacating as well as reduce potential liability and maintenance.
9. We have had neighbors parking in front of our house in the oversized right of way. We recognize it is not our property but we pay to have it fertilized and maintained. Our neighbor made it a point to let us know it was not our property which created a disruptive experience for our children, who did not understand why littering and parked cars were in our front yard.

NEIGHBOR PARKING RIGHT OF WAY



ALLEY NEXT TO OUR HOUSE





Our support

We have gathered support and attached letters and submissions of surrounding neighbors and have several more that we will have for the hearing. Most have agreed to come to hearing to show support. Our neighbors do generally agree that they will feel safer with the public alley being private and agree that it is unused.

Our opposition

As far as we know, there will be only one neighbor to oppose the vacation on the alley. This neighbor lives directly next to the entrance of the alley and her property adjoins a portion of the alley. She very well may bring additional neighbors that do not have alley frontage to support her.

Her reasons that she will object to the approval of vacating the entire alley

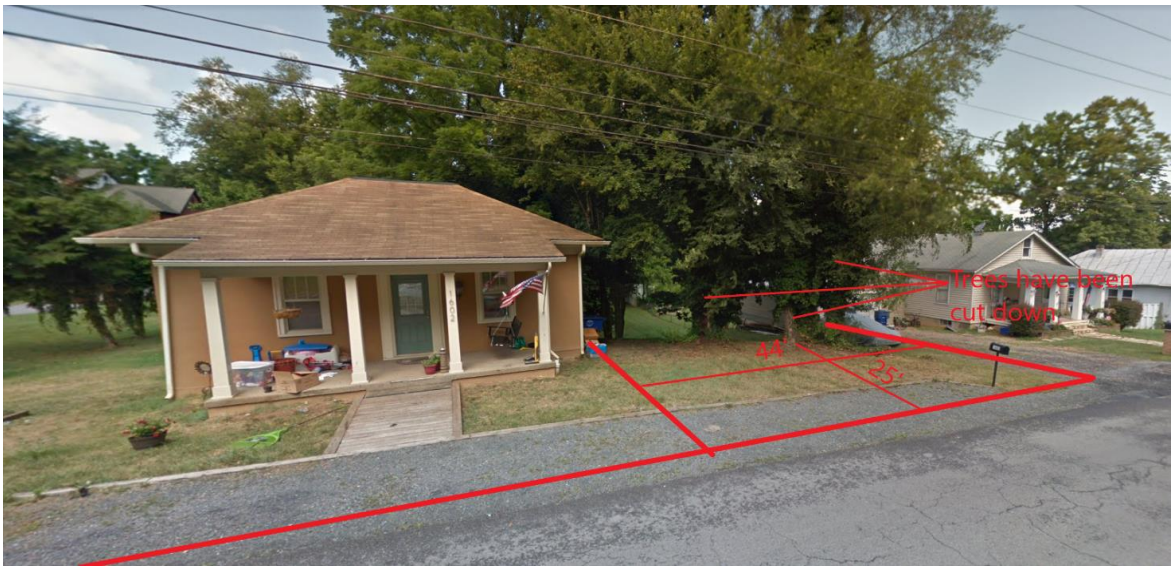
1. She wants to park her cars at the entrance of the alley. She would argue that it is unsafe to use her gravel parking pad in front of her home off of the street.
2. She also wants her children to run and play in the alley adjacent to her yard/property as an extension of her yard.
3. She wants the entire alley herself

Our comments to her reasons

One: Parking

Ms. Randolph purchased her home and property with space to park beside her home and additional spaces in front of her home own by the town. Parking her cars in the entrance of the town alley is a want, not a need. She has parking spots available on the side of her home and in the front.

VIEW OF 1602 SHOWING AVAIABLE PARKING



Two: Children playing in alley

Ms. Randolph does have a large back yard (109ft by 75ft) that is her owned property that they use on a regular basis by her children. The alley sits at an elevated height from her back yard creating a natural separation between the two.

Three: She denied our offer to split alley 75/25% split in her favor.

- In 2020, we were approached by Town Management who informed us that Ms. Randolph brought to his attention that our fence was encroaching on the town alley property. We were given only 10 days to remove it, or the town would tear it down.
- Under advisement of town manager we submitted a request to vacate the alley, offering 75% to Ms. Randolph and 25% to us for her portion of the adjacent land.
- The Town Manager at the time said that a vacation of the town alley was denied as Ms. Randolph wanted the entire alley. Ms. Presley was able to facilitate an encroachment license for us for the time being so we could keep our fence.
- The Town Manager proceeded to grant Mrs. Randolph a lease that would allow her to park her cars at the entrance of the alley, for $1 per year, and in turn, blocked the alley entrance.
- **We have records of this entire situation in emails and available upon request as supporting documentation.**

We feel that we negotiated in good faith on the first recommended attempt to vacate. We also feel that we were not given the opportunity to present our request to vacate to town council. This time, we are asking for the entire portion, including the front part of our yard that is also town property. We feel that if she were to keep the parking spots and we do purchase the alley, the entrance would to the purchased land would be blocked and we would not able to build our fence as planned.

While we understand that the town property line is not ideal for her, due to past experience and being consistently unreasonable, we do not feel that offering any concession would be enough other than offering it all, and we are not willing to do that. <u>We are open to council's recommendations and negotiating with council.</u> We would like to follow the laws of governance, and hopefully vacate and purchase the property we are applying for. **We are not asking for the alley, we are asking for the opportunity to buy it.** In this position, an option could be, Ms. Randolph would be able to request to purchase land from us, which we would be amenable to, through an attorney or mediator and alleviate the town from having to be involved.

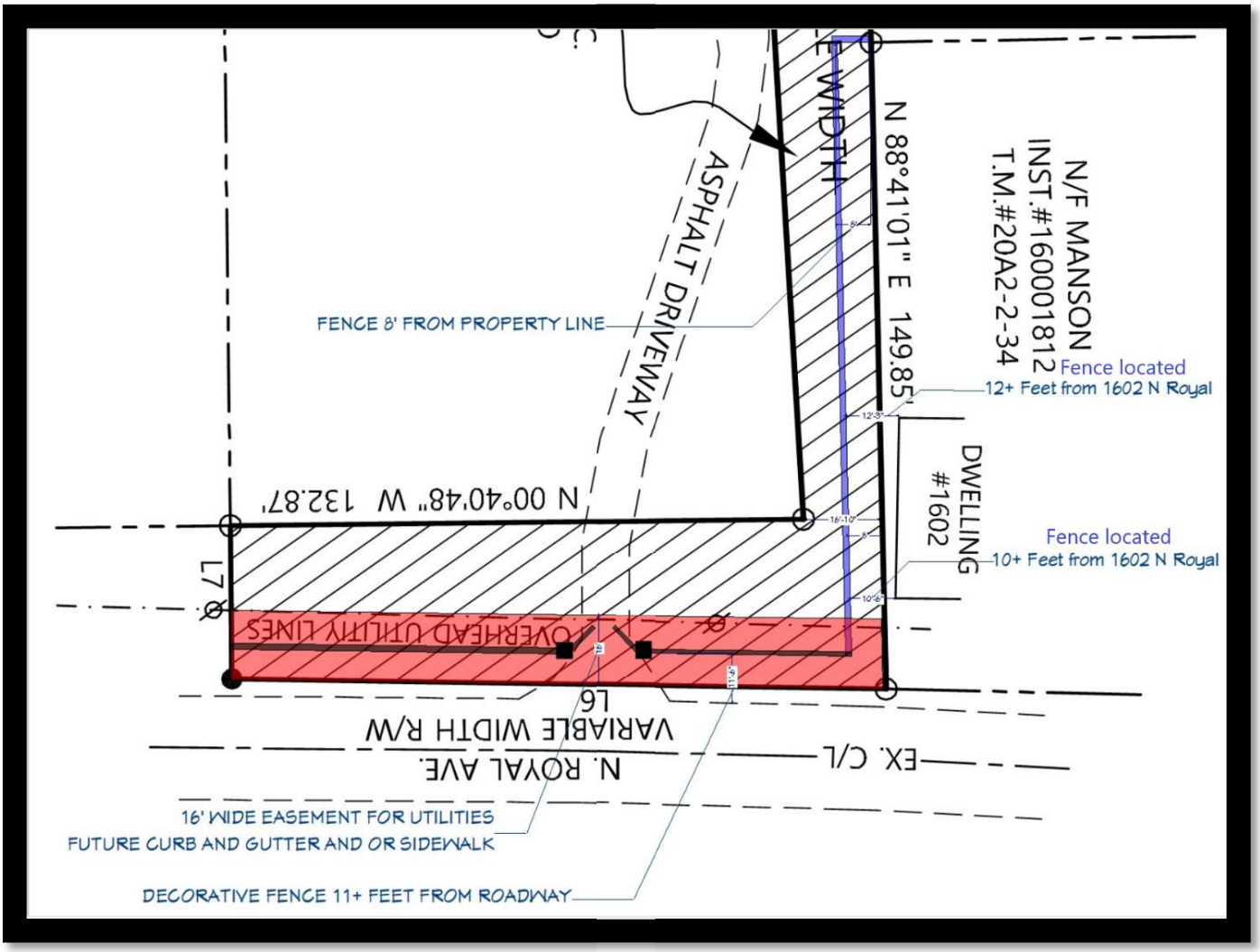
Other things to note:

The other neighbors that back up to the alley all have fences with over grown bushes and trees and have not used this property.

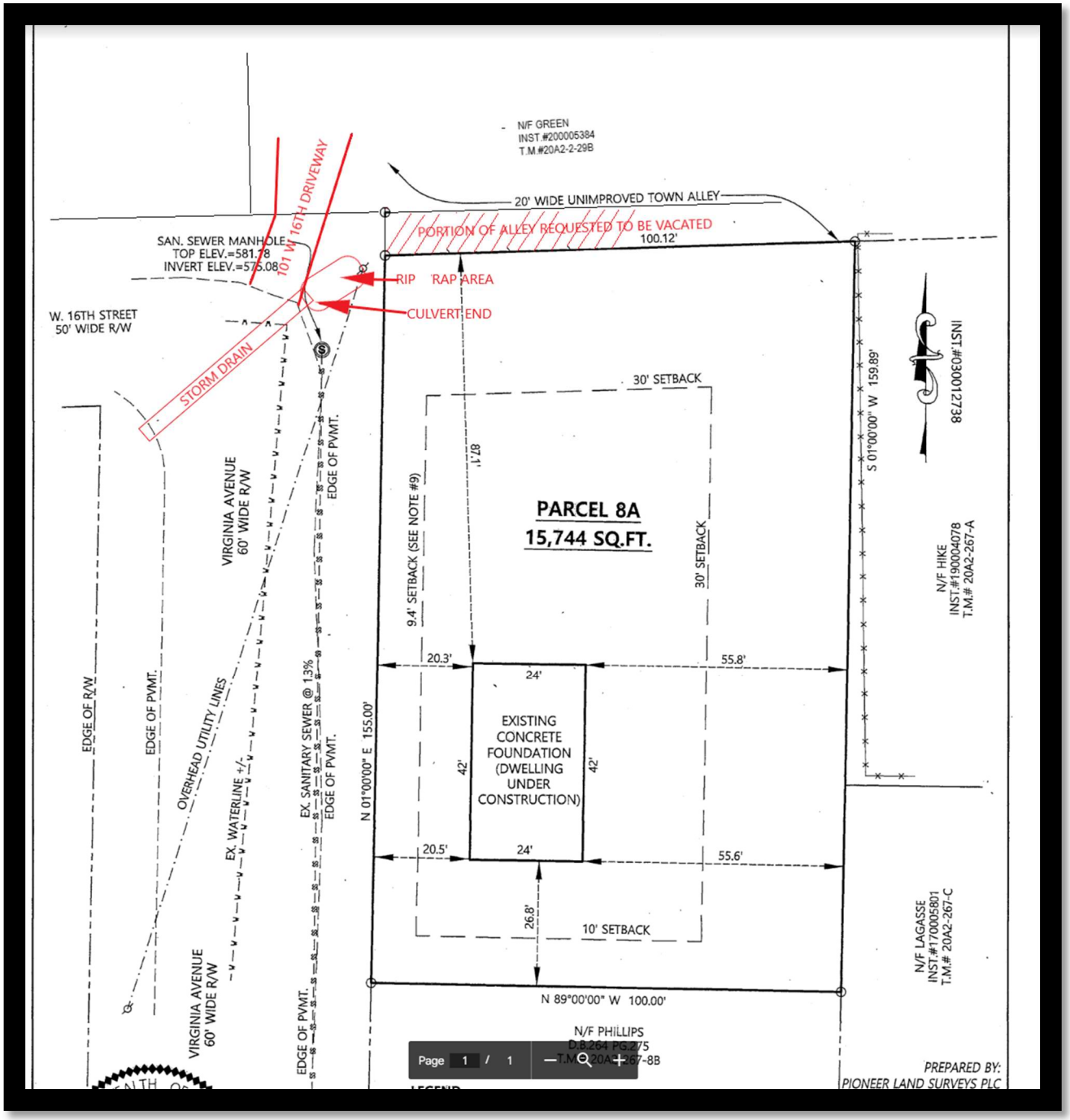
Our intention is to make a clean purchase and build a barrier that works for safety for our family without conceding or complicating the process, as this has been going on for many years.

ADDITIONAL INFORMATION

Plat Showing proposed fence location, distance of fence from house and property line, easement for utilities and sidewalks.



Plat of 1505 Virginia Ave showing locations of the driveway for 101 W 16th and culvert are not in the alley. Public works confirmed that they are not an issue if alley is to be vacated.



Correspondence on original vacation request in 2020

From: **Christopher Brock** <cbrock@frontroyalva.com>
Date: Thu, Oct 22, 2020 at 4:51 PM
Subject: RE: alley Vacation
To: Aaron Hike <hikeconstruction@gmail.com>

That's probably not going to work, So If that's your finial then send an email to Matt by close of business tomorrow. He will deny both applications at that point.

Christopher G. Brock SGM (USA Retired)
Deputy Zoning Administrator
540-635-4236 Office

From: Aaron Hike <hikeconstruction@gmail.com>
Sent: Thursday, October 22, 2020 11:49 AM
To: Christopher Brock <cbrock@frontroyalva.com>
Subject: Re: alley Vacation

I would be agreeable to a 75/25% split in her favor. Odds are it would be a 50/50 split on the rest of it. I heard she was looking at moving, maybe we should wait for someone who is more reasonable.

On Mon, Oct 19, 2020 at 4:03 PM Christopher Brock <cbrock@frontroyalva.com> wrote:

> I don't have any thoughts on it. What ever you and Matt talked about would be decided by council.
> Letters would go out to the adjacent owners and they would have time to chime in. TM wants to get it into councils hands or at least the process of notification started.
>
> Christopher G. Brock SGM (USA Retired)
> Deputy Zoning Administrator
> 540-635-4236 Office

From: Aaron Hike <hikeconstruction@gmail.com>
Sent: Monday, October 19, 2020 2:52 PM
To: Christopher Brock <cbrock@frontroyalva.com>
Subject: Re: alley Vacation

I would like to see it vacated. I have not had a chance to reach out to the other adjacent property owners to see what they would be agreeable to. What's your thoughts on just splitting the whole thing down the middle? I can clear anything I have in the right of way out if needed.

On Mon, Oct 19, 2020 at 1:36 PM Christopher Brock <cbrock@frontroyalva.com> wrote:

> Aaron,
> You've had a few days to review the vacation, how do you want to proceed?
> Town manger wants this done within the next 45 days. Either vacate the ROW through council or cleared.
>
> Christopher G. Brock SGM (USA Retired)
> Deputy Zoning Administrator
> 540-635-4236 Office

TOWN OF FRONT ROYAL
TOWN MANAGERS OFFICE
102 E. MAIN STREET
PO BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560
(540) 635-8007
(540) 636-7475 (Fax)

MATTHEW A. TEDERICK
Interim Town Manager
tederick@frontroyalva.com

October 28, 2020

Aaron Hike
1516 N. Royal Avenue
Front Royal, Virginia 22630

Re: Alley Vacation Denial

Dear Mr. Hike,

After good faith consideration and countless discussions, your request to vacate a portion of the Town of Front Royal alley located north and east of your property has been denied. A fair and equitable offer was provided to you pertaining to your request that required an answer no later than Friday, October 23, 2020. As no answer has been received by you, the offer is deemed rejected and is hereby withdrawn.

Therefore, in accordance with Town Code Section 130-2(B), *Unlawful Construction Within Public Right-of-Way*, I hereby direct you to remove all items from this alley placed there by you in violation of the above referenced Code and restore the alley to its original condition no later than November 30, 2020. Failure to comply with this directive will result in additional enforcement action as afforded by law in Town Code to compel compliance.

Sincerely,

Matt Tederick
Interim Town Manager

Attachment: Front Royal Town Code Section 130-2(B)

ENERGY SERVICES COMMENTS:

Notes

	Date	Entered By	Note	
✎	08/01/2023	Lynn, Mary	No concerns from the Department of Energy Services.	🗑

Property

Parcel	Address	City	State
+ 20A2 267 A	1516 N ROYAL AVE	FRONT ROYAL	VA

PUBLIC WORKS COMMENTS:

Notes

	Date	Entered By	Note	
✎	09/26/2023	Boyer, Robert B.	9/26/2023: We originally thought the driveway and drain culvert pipe was in a portion of the alleyway that was requested to be vacated. By the updated plat it shows better in red that neither of those are located in the alleyway, the only thing the applicant needs to remember that the culvert there drains down a portion of this alleyway. **These comments are VOID: 8/10/2023 On the W. 16th St side of the town alleyway there's a storm drain culvert the extends into the alleyway. It looks like part of the asphalt driveway for 101 W. 16th St is located on a portion of the town alleyway.	🗑

Property

Parcel	Address	City	State
+ 20A2 267 A	1516 N ROYAL AVE	FRONT ROYAL	VA

TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA

ORDINANCE APPROVING THE CLOSURE AND VACATION OF APPROXIMATELY .3518 ACRES OF PUBLIC RIGHTS-OF-WAY IN A PORTION OF N. ROYAL AVENUE ABUTTING 1516 N. ROYAL AVENUE AND IN THE UNIMPROVED VARIABLE WIDTH ALLEY LOCATED BETWEEN N. ROYAL AVENUE AND VIRGINIA AVENUE ABUTTING 1516 N. ROYAL AVENUE AND 1505 VIRGINIA AVENUE

WHEREAS, pursuant to Virginia Code §§15.2-2006 and 15.2-2008, abutting property owners Aaron L. Hike and Harmony F. Hike and Aaron Hike, Trustee ("Applicant") applied for the vacation and sale of approximately .3518 acres of public rights-of-way, being a portion N. Royal Avenue located in front of 1516 N. Royal Avenue and the unimproved alley located between N. Royal Avenue and Virginia Avenue as shown and described on plat of survey entitled "Vacation of Town of Front Royal Alley" prepared by Preston M. Humpries dated September 1, 2023 (copy attached) ("Right-of-Way"), said plat of survey being attached hereto and incorporated herein by reference; and,

WHEREAS, following notice to affected landowners and a duly advertised public hearing held on March 25, 2024, upon the evidence (including the report of a duly appointed committee of viewers that no public inconvenience would result from the discontinuance of the rights-of-way), it being the judgment of Town Council that said rights-of-way be discontinued, closed and vacated subject to certain conditions being met within one hundred twenty (120) days of the adoption of this ordinance approving of the vacation; and,

WHEREAS, Virginia Code §§15.2-1800 and 15.2-2100 authorize towns to dispose of and sell its real property following a duly advertised public hearing.

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Town Council of the Town of Front Royal, Virginia, that the public rights-of-way in the Right-of-Way are discontinued, closed and vacated subject to the following stated conditions being satisfied within one hundred twenty (120) days of the adoption of this Ordinance, and that if the conditions are not satisfied within that time that this Ordinance shall be null and void.

1. That the Right-of-Way be sold and conveyed to the Applicant and/or other abutting property owner by quit claim deed with plat of survey attached, with the sale price to be as negotiated by the Town Manager with abutting property owners, along with payment of the statutorily prescribed costs and fees of publication (and appointment of viewers) and approved by Council.

2. The Town Manager and Town Attorney are authorized to approve and execute all documents prepared by Applicant and/or other abutting property owner necessary to effectuate the sale and conveyance of Right-of-Way by quit claim deed, reserving in the Town of Front Royal a 15' utility easement along N. Royal Avenue.

3. The Applicant and/or other abutting property owner shall re-subdivide, vacating internal boundary lines necessary to incorporate abutting portions of Right-of-Way into approved lots.

DRAFT

The Clerk of Council, upon the satisfaction of all conditions to this Ordinance, shall cause a certified copy of this Ordinance to be delivered to the Clerk of the Circuit Court for filing and recording in the land records, indexed with "Town of Front Royal" as Grantor, and with Applicant, and/or other abutting property owner acquiring an interest in Right-of-Way as Grantee, necessary to further effectuate this Ordinance.

This ordinance shall be effective upon enactment.

****

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock	__Yes __No	H. Bruce Rappaport	__Yes __No
Joshua L. Ingram	__Yes __No	Melissa DeDomenico-Payne	__Yes __No
Amber F. Morris	__Yes __No	Glenn A. Wood	__Yes __No

A public hearing on the above was held on _____having been advertised in the Northern Virginia Daily on March 11 and March 18, 2024.

****

APPROVED AS TO FORM AND LEGALITY:

_____

George M. Sonnett, Jr. **Date**
Town Attorney

DRAFT

VACATION OF

TOWN OF FRONT ROYAL ALLEY,

NORTH RIVER DISTRICT,

WARREN COUNTY, VIRGINIA

SCALE:	DATE:	DRAWN BY:
1" = 50'	SEPT. 1, 2023	PMH
JOB:	PAPER SIZE	SHEET:
W20-80	8.5" x 14"	1 OF 1

DRAWING FILE: ALLEY VACATION R1.dwg

PREPARED BY:
PIONEER LAND SURVEYS PLC
P.O. BOX 1012
FRONT ROYAL, VA 22630
540-631-0700

INST.#200005384

NOTES:

1. THE LAND BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.
2. NO TITLE REPORT WAS FURNISHED. THESE PROPERTIES ARE SUBJECT TO ANY ADDITIONAL EASEMENTS AND/OR COVENANTS THAT MAY NOT BE SHOWN HEREON.
3. ZONED: R-1

LEGEND

○ = IRON PIN FOUND
● = IRON PIN SET
⊗ = UTILITY POLE

LINE	BEARING	DISTANCE
L1	N 00°38'53" W	14.08'
L2	N 86°35'50" E	69.39'
L3	N 76°38'28" E	31.45'
L4	N 00°38'53" W	19.60'
L5	N 76°38'28" E	45.69'
L6	S 00°52'36" W	151.60'
L7	S 89°20'48" W	35.53'

COMMONWEALTH OF VIRGINIA
09/01/23
PRESTON M. HUMPHREYS
Lic. No. 3232
LAND SURVEYOR



DRAFT

REGULAR COUNCIL MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 07F

Agenda Item: PUBLIC HEARING – An Ordinance to Amend Town Code Section 75-44(B) to Change the Date for One Half of the Annual Tax Payments for Real Estate and Personal Property from June 5th to June 20th

Summary: Council is requested to consider approval of an ordinance to amend Town Code Section 75-44(B) to change the date for one half of the annual tax payments (first installment) for real estate and personal property from June 5th to June 20th. If approved Town Tax payments will be due June 20th and December 5th each year, as presented.

NOTE: The Town must receive files from the Warren County Commissioner's Office in order to process the Town's tax bills for the first installment of each year. The Commissioner's Office is unable to provide the Town with the files until the Warren County Board of Supervisors approves their annual tax rates. The Board has had delays setting tax rates due to the Commonwealth of Virginia's delays in setting the state's budget. The Town's tax bills have been delayed since 2019.

Budget/Funding: In order for revenue to be realized in the current fiscal year, personal property and real estate taxes must be due on or before June 30th.

Meetings: Liaison Committee Meetings held July 20, 2023, October 19, 2023 and January 2024.
Council Work Session held February 12, 2024

Proposed Motion: I move that Council approve an ordinance to amend Town Code Section 75-44(B) to change the date for one half of the annual tax payments (first installment) for real estate and personal property from June 5th to June 20th, as presented.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

AN ORDINANCE TO AMEND AND RE-ENACT FRONT ROYAL TOWN CODE SECTION 75-44.B. PERTAING TO CHANGING THE DUE DATE OF REAL ESTATE AND PERSONAL PROPERTY TAX RATES

B. On and after January 1, ~~**2010**~~ **2024,** tax payments for real estate and personal property shall become due and payable to the Town of Front Royal on a semiannual basis, with one-half of the annual assessment of such taxes due on or before June ~~**5th**~~ **20th** of each year after January 1, ~~**2010**~~ **2024**, and the additional one-half of such taxes due on or before December 5th of each such year. A penalty of 10% of the tax past due or ten dollars ($10.00), whichever is greater, shall be added to any tax not paid by the aforesaid due date, provided that in no case may the penalty exceed the amount of the tax assessed. In addition, interest shall be added to any delinquent taxes and penalties at the rate of 10% per year, with interest commencing on the first day of the month following the date on which any such taxes became due and payable.

This ordinance shall become effective upon passage.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock	__Yes __No	H. Bruce Rappaport	__Yes __No
Joshua L. Ingram	__Yes __No	Melissa DeDomenico-Payne	__Yes __No
Amber F. Morris	__Yes __No	Glenn A. Wood	__Yes __No

A public hearing on the above was held on _____having been advertised in the Northern Virginia Daily on March 11 and March 18, 2024_____.

****

Approved as to Form and Legality:

_____
George M. Sonnett, Jr., Town Attorney Dated: _____

DRAFT

REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 10A

Agenda Item: Recommendation of Appointment to the Board of Zoning Appeals (BZA)

Summary: Council is requested to approve the recommendation of a member to the Judge of the Warren County Circuit Court for appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending May 1, 2024.

Budget/Funding: N/A

Meetings: Closed Meeting held March 4, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council recommend Cody Taylor to the Judge of the Warren County Circuit Court for appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending May 1, 2024.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 10B

Agenda Item: Donation of Ambulance to Warren County General Government

Summary: Council is requested to donate a 1997 Ford E-350 Ambulance to Warren County General Government. The vehicle was donated to the Front Royal Police Department by Warren County Fire and Rescue Services in December 2020. The Police Department no longer has use for the vehicle and was requested to donate the vehicle back to Warren County General Government.

Budget/Funding:

Meetings: Work Session held March 4, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council donate a 1997 Ford E-350 Ambulance back to Warren County General Government.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 10C

Agenda Item: FY24 Budget Amendment for Local Law Enforcement Block Grant

Summary: Council is requested to approve a budget amendment in the amount of $3,150.00 to accept a Local Law Enforcement Block Grant from the Virginia Department of Criminal Justices Services to purchase wearable safety lights.

Budget/Funding:	1000-3310010	General Fund Grant Proceeds	$3,150.00
	3108-45409	Police Emergency Services – Police Supplies	$3,150.00

Meetings: Work Session held March 4, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a budget amendment in the amount of $3,150.00 to accept a Local Law Enforcement Block Grant from the Virginia Department of Criminal Justices Services to purchase wearable safety lights.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

December 11, 2023

Joseph Waltz
Town Manager
102 East Main Street
Front Royal, Virginia 22630

RE: Local Law Enforcement ("LOLE") Grant Program - FFY 23

Dear Joseph Waltz:

The Byrne Justice Assistance Grant Program (JAG) makes federal funds available to localities to help support their efforts to reduce crime and improve public safety. The Virginia Department of Criminal Justice Services has been designated to administer a portion of the JAG funds reserved for Virginia and to make those funds available to local units of government. I am pleased to advise you that we are awarding your locality **$3,150**, funded through federal grant **15PBJA-23-GG-03038-MUMU**. Your DCJS grant award number will be determined once your eligibility application is submitted and approved. The project period for this program is **1/1/2024** through **7/31/2024**.

To indicate your acceptance of the award and conditions:

1. **Sign the Statement of Grant Award/Acceptance ("SOGA") and return it electronically within the next 45 days to grantsmgmt@dcjs.virginia.gov copying your Grant Monitor, Nicole Phelps at Nicole.Phelps@dcjs.virginia.gov**.
2. **Localities wishing to accept the LOLE funds allocated for their jurisdiction will need to complete an "eligibility application" on DJCS's On-line Grant Management System ("OGMS") to ensure eligibility.** The eligibility application process will be open until **February 28, 2024**. To receive funds, localities must complete the eligibility application process through the DCJS On-line Grants Management System ("OGMS") no later than **5:00 pm** on **February 28, 2024**. Please note that although OGMS uses the words "application" throughout the system, this is not an application but an eligibility process. This is a six (6) month grant and there will be no continuation.
3. Your agency will need to fill out all the requested information in the OGMS eligibility application to include the budget and brief budget narrative outlining how your agency will utilize the awarded federal funds (additional information on the LOLE grant program and how to complete the OGMS eligibility application is provided with this award package).

COPY

Joseph Waltz
December 11, 2023

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), FY24 Special Conditions, Reporting Requirements, and Projected Due Dates. Please review your Special Conditions carefully as they include specific requirements about how your grant funds must be managed. DCJS is mandated to comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at https://www.sam.gov/SAM/. Therefore, you must maintain a valid Unique Entity ID (UEI) number (a 12-character alphanumeric ID assigned to an entity by SAM.gov used for identifying and keeping track of entities receiving federal funds) and be registered in SAM.gov to receive an award.

If you have not previously done so, you must register in our new On-line Grants Management System (OGMS) at https://ogms.dcjs.virginia.gov/ in order to manage this grant online. The instructions on *Registering for a New Account* are posted here https://www.dcjs.virginia.gov/grants/ogms-training-resources along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. If you have any questions regarding this award, please contact your Grant Monitor, **Nicole Phelps**, at **(804) 263-3388** or via email at **Nicole.Phelps@dcjs.virginia.gov**.

Sincerely,

Jackson Miller

Enclosures

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STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

Local Law Enforcement ("LOLE") Grant Program - FFY 23

Subgrantee:	Front Royal
DCJS Grant Number: TBD	UEI #: N7VQXJM58JP6
Grant Start Date: 1/1/2024	Grant End Date: 7/31/2024
Federal Grant Number:	15PBJA-23-GG-03038-MUMU
Federal Awardee:	BJA
Federal Catalog Number:	16.738
Project Description:	To strengthen Crime Control
Federal Start Date:	10/1/2022

Federal Funds:	**$3,150**
State General Funds:	
State Special Funds:	
Local Match:	_____
Total Budget:	**$3,150** Indirect Cost Rate: _____% ***If applicable**

Project Director	Project Administrator	Finance Officer
Jason Ryman Major 900 Monroe Avenue Front Royal, Virginia 22630 540-635-2111 jryman@frontroyalva.com	Joseph Waltz Town Manager 102 East Main Street Front Royal, Virginia 22630 540-635-8007 jwaltz@frontroyalva.com	Billy Wilson Director of Finance 102 East Main Street Front Royal, Virginia 22630 540-635-8779 bwilson@frontroyalva.comj

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***If not indicated above, please provide your locality's Unique Entity Identifier (UEI #) in the space provided. This number replaces your DUNS number.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and Special Conditions attached thereto, hereby accepts this grant and agrees to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: _____ Title: _____
Authorized Official (Project Administrator)

Date: _____ UEI #: _____

REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT

Meeting Date: March 25, 2024 Item#10D

Agenda Item: Customer Services Agreement for Uniforms, Mats, Towels, Etc.

Summary: Council is requested to approve a Customer Service Agreement with UniFirst Corporation for the rental of uniforms, mats, shop towels, etc. in the amount of $225,000. The new service agreement will combine three service agreements, all ending throughout different months and years, into one combined agreement, for a 60-month interval. Total estimated annual expense is $45,000, which equals approximately $225,000 over the term of 60-months and a potential annual savings of $13,803.82.

Budget/Funding: Funding has been budgeted and is available under 45410 Uniforms & Wearing Apparel, 43005 maintenance service contracts, & 45407 maintenance supplies for the corresponding departments.

1203	Automotive/Motor Pool
3104	Police Services
4203	Solid Waste Management
4302	General Properties
4305	Horticulture Programs
4500	Highway Maintenance
9601	Water Treatment Plant
9602	Water Line Maintenance
9801	Wastewater Treatment Plant
9802	Sewer Line Maintenance

Meetings: Work Session held March 11, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a 60-month Customer Service Agreement with UniFirst Corporation for the rental of uniforms, mats, shop towels, etc. in the amount of $225,000.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____

UniFirst

VIP 2.0

Cost Analysis Proposal

UniFirst Corporation
325 Lenoir Drive,
Winchester, VA 22603

Cost Comparison for:

Front Royal Sourcewell renewal page one

VIP Cost Analysis Program

Date: 2/15/24

★	* Reduction in Total Cost of Ownership:	22%
★	* Your Potential Total Annual Savings:	$8,269.31
★	* Your Potential 60-Month Savings:	$41,346.53

#	Uniform Rental Item Descriptions	Qty.	Current $ .ea	Current Total	UniFirst $ .ea	UniFirst Total
1	010105 LS Cotton shirt	44	$0.45	$19.66	$0.26	$11.44
2	0102 LS 65x35 blend shirt	11	$0.28	$3.03	$0.18	$1.98
3	020105 SS cotton shirt	11	$0.27	$2.98	$0.22	$2.42
4	020205 SS 65s35 blend shirt	44	$0.24	$10.35	$0.16	$7.04
5	427705 SS Tee shirt moisture wicking 100% poly	304	$0.16	$48.91	$0.11	$33.44
6	02IYHT high vis SS tee shirt	57	$0.44	$25.22	$0.44	$25.08
7	06HXHT SS tee shirt class 3 high vis	142	$0.44	$62.82	$0.84	$119.28
8	03UMFW LS microcheck shirt	50	$0.40	$19.99	$0.24	$12.00
★	**Total weekly savings:** **-$19.73**			**$192.95**		**$212.68**

#	Facility Services Item Descriptions	Qty.	Current $ .ea	Current Total	UniFirst $ .ea	UniFirst Total
1	3x5 scrapper mats	4	$2.44	$9.76	$2.00	$8.00
2	4x6 scraper mats	2	$3.89	$7.78	$3.20	$6.40
3	3x5 GI mats	11	$5.20	$57.20	$2.00	$22.00
4	4x6 GI mats	7	$3.89	$27.23	$3.20	$22.40
5	3x10Gi mats	3	$5.46	$16.38	$4.00	$12.00
6	24" dust mops	1	$0.73	$0.73	$0.60	$0.60
7	wipers	330	$0.12	$39.17	$0.08	$27.39
8	fender covers	4	$1.06	$4.24	$0.58	$2.32
9	DEFE	11	$12.31	$135.41	$7.00	$77.00
10	Garment Maintanance program	1340	$0.17	$233.16	$0.13	$174.20
11						
★	**Total weekly savings:** **$178.75**			**$531.06**		**$352.31**
★	**Combined weekly savings:** **$159.03**			**$724.02**		**$564.99**

**Pricing valid for 30 days from date listed. Our calculated cost is a good faith estimate and may vary if any products have been overlooked or quantities miscounted. Please allow a 5% +/- variance in your review.

Sales Representative:

-

540 662 0202

-

UniFirst VIP 2.0 Cost Analysis Proposal

UniFirst Corporation
325 Lenoir Drive,
Winchester, VA 22603

Cost Comparison for:

Front Royal Sourcewell renewal page two

VIP Cost Analysis Program

Date: 2/15/24

★	* Reduction in Total Cost of Ownership:	31%
★	* Your Potential Total Annual Savings:	$5,534.51
★	* Your Potential 60-Month Savings:	$27,672.53

#	Uniform Rental Item Descriptions	Qty.	Current $ .ea	Current Total	UniFirst $ .ea	UniFirst Total
1	100105 pants 100% cotton	44	$0.56	$24.84	$0.31	$13.64
2	pants 65x35 blend	19	$0.34	$6.48	$0.24	$4.56
3	12UH05 carpenter Jeans	163	$0.46	$74.30	$0.42	$68.46
4	10AI31 Cargo pants	393	$0.50	$194.93	$0.31	$121.83
5	10A405 womens cargo pants	6	$0.50	$2.98	$0.31	$1.86
6	10HD69 100% cotton relax fit jeans	30	$0.58	$17.29	$0.32	$9.60
7	150605 uniform jackets	32	$0.58	$18.44	$0.46	$14.72
8	300205 65x35 blend coveralls	10	$0.58	$5.76	$0.39	$3.90
★	**Total weekly savings:** **$106.43**			**$345.00**		**$238.57**

#	Facility Services Item Descriptions	Qty.	Current $ .ea	Current Total	UniFirst $ .ea	UniFirst Total
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
★	**Total weekly savings:**					
★	**Combined weekly savings:** **$106.43**			**$345.00**		**$238.57**

**Pricing valid for 30 days from date listed. Our calculated cost is a good faith estimate and may vary if any products have been overlooked or quantities miscounted. Please allow a 5% +/- variance in your review.

Sales Representative:

-

540 662 0202

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CLOSED MEETING
AGENDA STATEMENT

Meeting Date: March 25, 2024 Item# 12

MOTION TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Town Manager and Town Attorney.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Moved _____ ***Seconded*** _____

VM Sealock _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***DeDomenico-Payne*** _____ ***Wood*** _____