



PLANNING COMMISSION WORK SESSION
Wednesday, December 7, 2022, 6:00 PM
Town Hall Conference Room, 2nd Floor

AGENDA

I. Call to Order

II. Roll Call

III. Work Session Business

2200444 – Yaohua Gu – A request for a Special Use Permit to allow a Short-Term Rental located at 309 E Prospect Street and identified by Tax Map 20A813-5A. The property is zoned R-3, Residential District and is located in the Historic District Area.

2200454 – Tabatha Luskey, Luskey Properties, LLC – A request for a Special Use Permit to allow a Short-Term Rental located at 302 Blue Ridge Avenue and identified by Tax Map 20A8-14-1-18. The property is zoned R-3, Residential District and is located in the Historic District Area.

2200385 – Rezoning Application Submitted by NVR, Inc. - A request for the conditional rezoning of approximately 44.183 acres located at 835 Shenandoah Shores Road and identified by Tax Map 20A22-1-3A from the R-E District to the R1-A District. The R1-A district's requirements permit higher density development by-right.

2200422 – Joseph F. Silek, JR on behalf of Heptad, LLC - A request to amend the previously approved proffers for the subdivision entitled ANNA SWAN EST identified on Tax Parcels #20-A21-2-1 and Tax Parcel # 20A20-2-11. The proposed changes include modifications of the monetary proffers.

2200461 – Philip Vaught – A request for a Special Use Permit to allow a Lodging House located at 140 Chester Street and identified by Tax Map 20A8-4-4. The property is zoned C-2, Downtown Business District and is located in the Historic District Area.

Comprehensive Plan - Certification and recommendation of the new Comprehensive Plan document which shall update and supersede the Front Royal Comprehensive Plan, adopted March 23, 1998. Chapter 22, Article 3: §15.2-2223 through §15.2-2232 of the Code of Virginia outlines the legal authority and requirement that all localities prepare, recommend, and adopt a Comprehensive Plan.

IV. Adjournment

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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

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT:

NAME: Yaohua Gu PHONE: 703-328-4344
ADDRESS 4201 Lee Hwy #805 Arlington VA 22207
E-MAIL mdathena@yahoo.com

PROPERTY OWNER:

NAME: Yaohua Gu PHONE: 703-328-4344
ADDRESS 4201 Lee Hwy #805 Arlington VA 22207
E-MAIL mdathena@yahoo.com

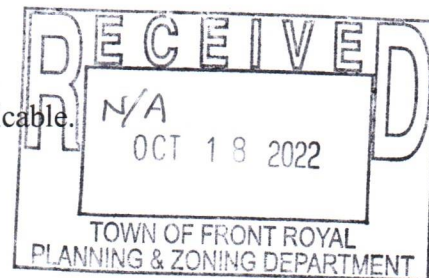
PROPERTY DESCRIPTION:

PROPERTY ADDRESS 309 E Prospect St Front Royal, VA 22630
TAX MAP #20A8135A SECTION _____ BLOCK _____ LOT _____
SUBDIVISION NAME _____
ZONING DISTRICT R-3 ACREAGE .112
SPECIFIC SPECIAL USE PERMIT REQUEST Airbnb, VRBO, etc.

- ☒ Whole house rental ☐ Partial rental, # of rooms rented _____
☐ 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
☐ 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 # 093892 Date Paid 10-18-22



IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regard to the property, please contact (owner) Athena Yashua Gu
at (phone number) 703-328-4344 or (property manager) _____
at (phone number) _____.

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 6 People and 3 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

Parking is limited to 3 cars 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)

Trash cans are outside by the house. Trash bags are under the sink.

- 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)

Friday. Trash can will be on Prospect St. next to drive way in front of the house.

CHECK-IN & CHECK-OUT

Provide details

Guests will use lock box to obtain key at check in (After 3pm)
They will return the key to lock box at check out (before 4pm)

WIFI/PHONE/ETC

Provide details for special amenities if available

WIFI will be provided with WIFI Password posted inside the house

SPECIFIC PROPERTY DETAILS

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

Single two story house with 1/2 basement located in the town of Front Royal.
Huge bruce tree in front yard. Partially fenced backyard. House will be available for short term and long term rental. Basement has washer/dryer but renters need to respect owner properties stored in basement.

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

SPECIFIC PROPERTY REGULATIONS

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

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

No illegal drug use on premise
No events allowed
No one under 13 allowed

As per 175-3

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.

- 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: Yairon Gu

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 Yairon Gu

Date 10/18/2022

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.

309 E Prospect St Short Term Rental Management Plan

Summary

The purpose of the plan is to ensure smooth daily operations and reduce conflicts, manage and protect the rights of enjoyment for both the guests and the owner.

Property Listing

Property will be listed on Airbnb and VRBO. The listing will acknowledge the age and condition of the house and .

Guest Acceptance

Before accepting bookings, guests must acknowledge all guests are responsible adults 13 years of age or older and that they agree to all the house rules.

Cleaning and Maintenance

Property will be cleaned by the owner or services hired by the owner after each guest stay. Maintenance will be provided as needed by the owner or services hired by the owner upon inspection or complaints.

Property Surveillance

Due to property being vacant when not in use, Indoor cloud cameras will be installed to provide security monitoring. The cameras will be removed and stored prior to guest arrival to ensure guest privacy.

Appendix

- House Rules
- Check-Out Checklist

Version

Version	Date	
1.0	10/15/2022	Initial Version

House Rules

- Guests and visitors should comply with the parking regulations and requirements and must show consideration to other vehicles in the neighborhood.
- No firearms or illegal drugs inside the home.
- No smoking inside Airbnb. Cigarette butts must be disposed of in the ashtray provided in the backyard of the property.
- No parties or events.
- No unregistered guests or visitors allowed. The maximum property capacity is 8 people.
- Quiet time after 11 p.m.
- No eating or drinking in bedrooms. Please enjoy your meal in the dining room.

If any of the above house rules are broken, you could be asked to leave without refunds

Check-Out Checklist

- Dispose of the garbage in the trash bin.
- Make sure to turn off the lights, air conditioning, and any electronics when you leave the house. Don't forget to close the windows and lock the door.
- Report any damages and/or breakages in a reasonably timely manner. Damages exceeding the security deposit amount must be paid by guests and will be reported to Airbnb.
- Wash the dishes, and throw out the garbage before checkout.

Owner Consent for Town Compliance Inspection

I, Yaohua Gu, owner of 309 E Prospect St. Front Royal, VA 22630, give consent to the Town of Front Royal to inspect any dwelling used for short-term rental to ascertain compliance with all the performance standards upon a twenty four-hour notice.

Signature

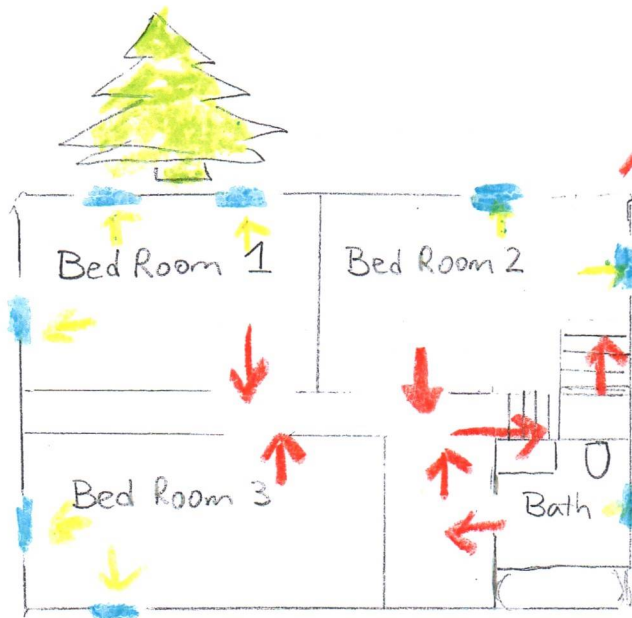
Yaohua Gu

Date

10/15/2022

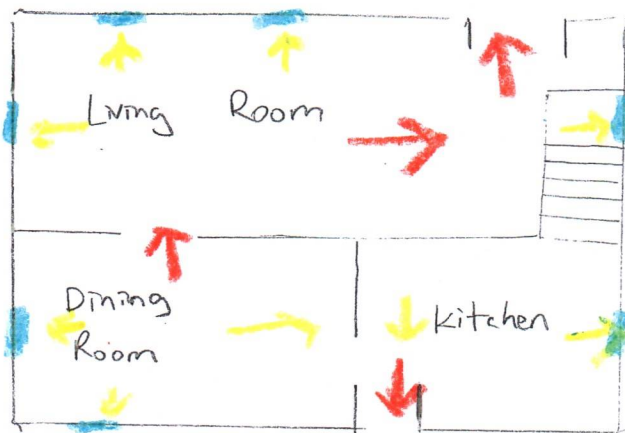
Evacuation Diagram

Second Floor

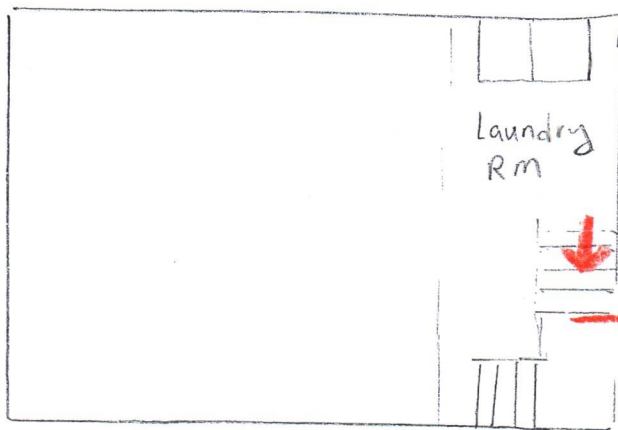


Meet here

First Floor



Basement



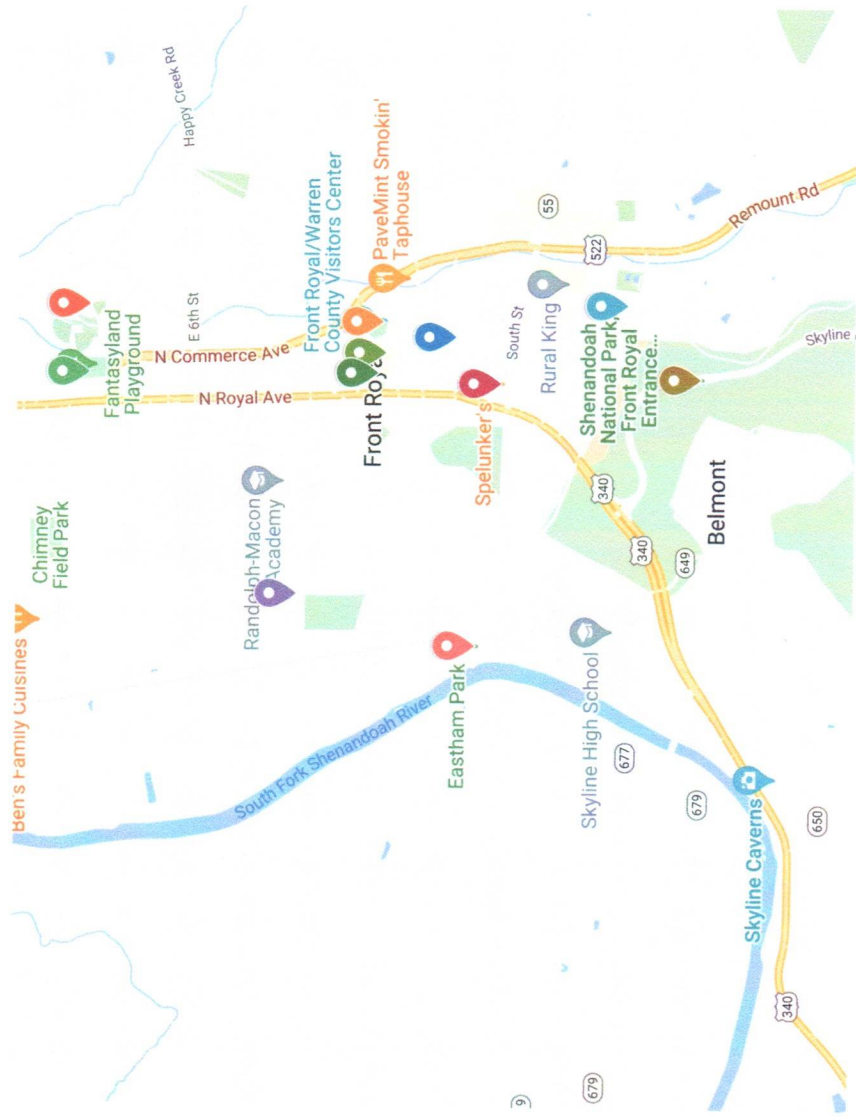
Window
Primary Escape Path
Secondary Escape Path



Area Attractions by the Prospect House

Try These Places!

1. Spelunker's
10. Daily Grind CAFÉ
2. Visitors Center
3. Skate Park
4. Eastham Park
5. National Park Entrance
6. Royal Cinemas
7. Samuels Public Library
8. Community Pool
9. Lions Park
- YOU ARE HERE



161-A

APPROVED BY THE TOWN OF FRONT ROYAL
PLANNING COMMISSION: TOWN COUNCIL:

Kimberly P. Foye 11/18/91 Secretary Date
Patricia L. Smith 12/14/91 Mayor Date
James M. Schellinger 12/14/91 Clerk Date

TOWN TREASURER: ALL REAL
ESTATE TAXES HAVE BEEN PAID
AND RELEASED.

John F. Smith 11-18-91 Finance Director Date

OWNER'S DEDICATION:

THE RESUBDIVISION OF THE LAND SHOWN HEREON IS WITH
THE FREE CONSENT AND IS IN ACCORDANCE WITH THE
DESIRE OF THE UNDERSIGNED OWNER.

Eva C. Gray
ACKNOWLEDGED BEFORE ME THIS 7th DAY OF
January 1991
MY COMMISSION EXPIRES: 7-31-94

Caroline M. Holt
Notary Public

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.

DERIVATION OF TITLE:
EVA C. GRAY
WILL BOOK 17 PG. 703



Darryl G. Merchant
Licensed Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA. 22630
703-636-4949

PROSPECT STREET

(FORMERLY BOUNDARY AVE.)

S86°46'02"E 104.05'

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Town of Front Royal Planning and Zoning

102 E. Main St.
PO Box 1560
Front Royal, VA 22630

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

SPECIAL USE PERMIT CHECK LIST FOR SHORT TERM RENTAL

Applicant Name: YAOHUA GU
Property Owner: YAOHUA GU
Site Address: 309 E. PROSPECT STREET

- ☒ Y ☐ N 1. Driveway or designated and approved parking area
- ☒ Y ☐ N 2. Refuse area
- ☒ Y ☐ N 3. Property Management Plan available on site
- ☒ Y ☐ N 4. Smoke detectors
- ☒ Y ☐ N 5. Carbon monoxide detector
- ☒ Y ☐ N 6. Fire extinguisher visible in all kitchen/cooking areas.
- ☒ Y ☐ N 7. Emergency evacuation plan available on site
- ☒ Y ☐ N 8. Chapter 106 Noise ordinance available on site

NOTES: SITE IS IN FULL COMPLIANCE WITH
TOWN CODE 175.151

☒ APPROVED ☐ DENIED

Inspected By: [Signature] Date: 11/30/22

2200454



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

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT:

NAME: Talbattha Luskey PHONE: 703-283-2490
ADDRESS: 16728 Mockingbird Woods Ct., Lorton, VA 22079
E-MAIL: tluskey@gmail.com

PROPERTY OWNER:

NAME: Luskey Properties LLC PHONE: 703-283-2490
ADDRESS: 16728 Mockingbird Woods Ct., Lorton, VA 22079
E-MAIL: Luskeyproperties@gmail.com

PROPERTY DESCRIPTION:

PROPERTY ADDRESS: 302 Blue Ridge Ave, Front Royal, VA 22630
TAX MAP: 20A8 SECTION: 14 BLOCK: 1 LOT: 18
SUBDIVISION NAME: Fletcher
ZONING DISTRICT: South River Magisterial District R-3 ACREAGE: 8,250 sqft

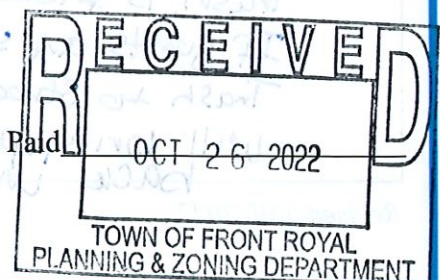
SPECIFIC SPECIAL USE PERMIT REQUEST: To provide travelers a unique experience to stay in a historic home to explore the wonderful town of Front Royal, Shenandoah National Park and Shenandoah Valley, for short term rentals

- ☒ Whole house rental ☐ Partial rental, # of rooms rented _____
☐ 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
☐ 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 # _____ Date Paid: _____

Revised 5/06/2022



IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regard to the property, please contact (owner) Tobetha Luska
at (phone number) 703-283-2490 or (property manager) Evolve / Ashley Fincher
at (phone number) 540-660-1187.

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

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Emergency/afterhours 540-635-2111

OCCUPANCY

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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

Parking is limited to 73 cars 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)

Trash can receptacles are located in the backyard under the portico. Trash bags are under the kitchen sink.

- 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)

Trash is picked up on Friday mornings before 7:00 am. If guests are staying on Thursday night, they may bring trash to street by the Shed. If not, property manager will bring/put by the street and bring back receptacles back under portico.

CHECK-IN & CHECK-OUT

Provide details

Check-in is at 4:00pm of the day of booking.
Check-out is at 10:00am of the day booking ends.
Check-out rules provided in house manual.

WIFI/PHONE/ETC

Provide details for special amenities if available

Xfinity Cable and Wifi
Landline phone

SPECIFIC PROPERTY DETAILS

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

over 8,000 sqft with multiple fruit trees and flowers
full kitchen use w/ gas oven
Jacuzzi tub
washer and dryer

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

SPECIFIC PROPERTY REGULATIONS

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

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

No shooting of firearms
No illegal substance
No smoking
No ATV's

Revised 5/06/2022

As per 175-3

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.

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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.

- 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 _____

10/26/2022

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.

Pd \$400.00 by c/c 10/26/22

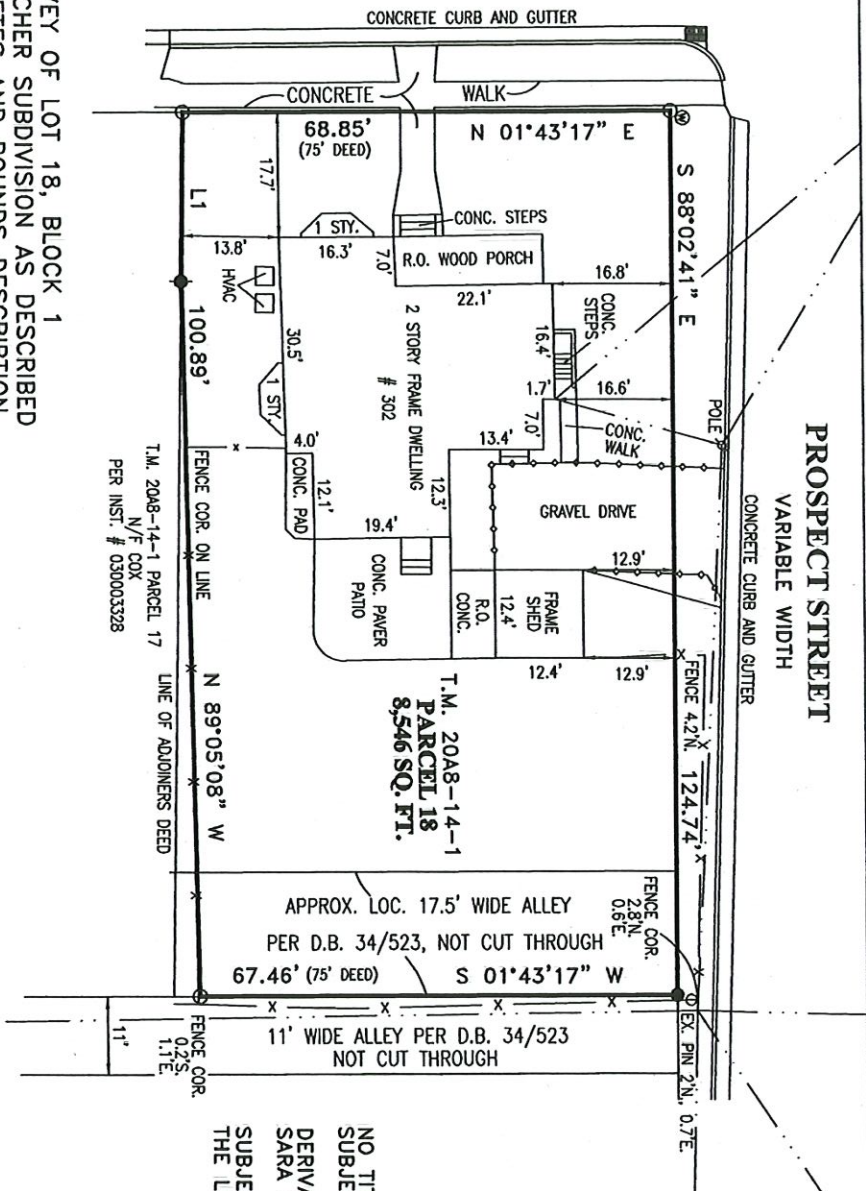
SURVEY OF LOT 18, BLOCK 1
FLETCHER SUBDIVISION AS DESCRIBED
IN METES AND BOUNDS DESCRIPTION
RECORDED IN DEED BOOK 376 PAGE 555
SOUTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
SEPTEMBER 15, 2022



BLUE RIDGE AVENUE

VARIABLE WIDTH

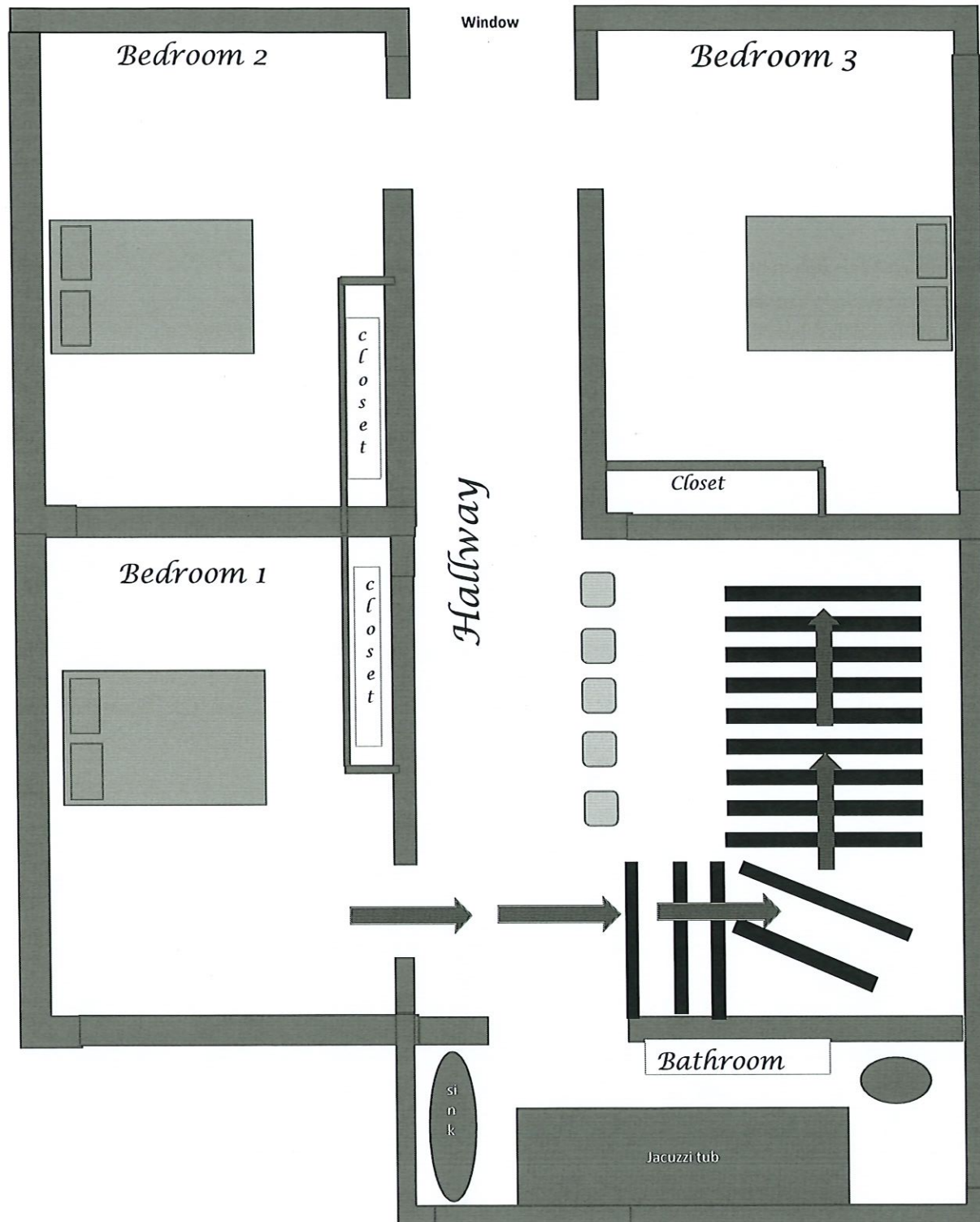


NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: JOSEPH E. AND
SARA A. MCFADDEN PER INST. # 140000148.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

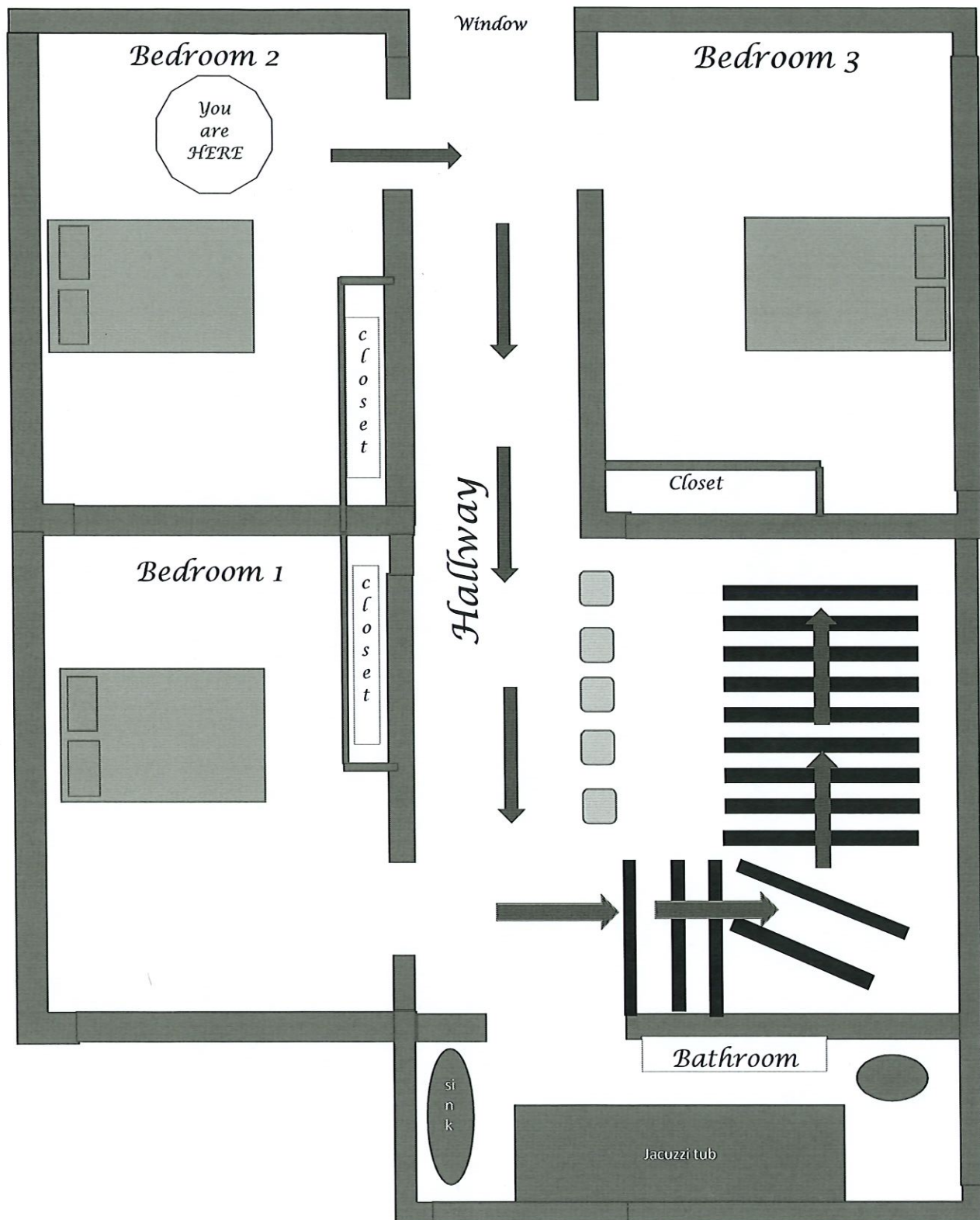
PER D.B. 375/555
SCALE 1" = 20'

LINE	BEARING	DISTANCE
L1	N 86°58'59" W	23.87

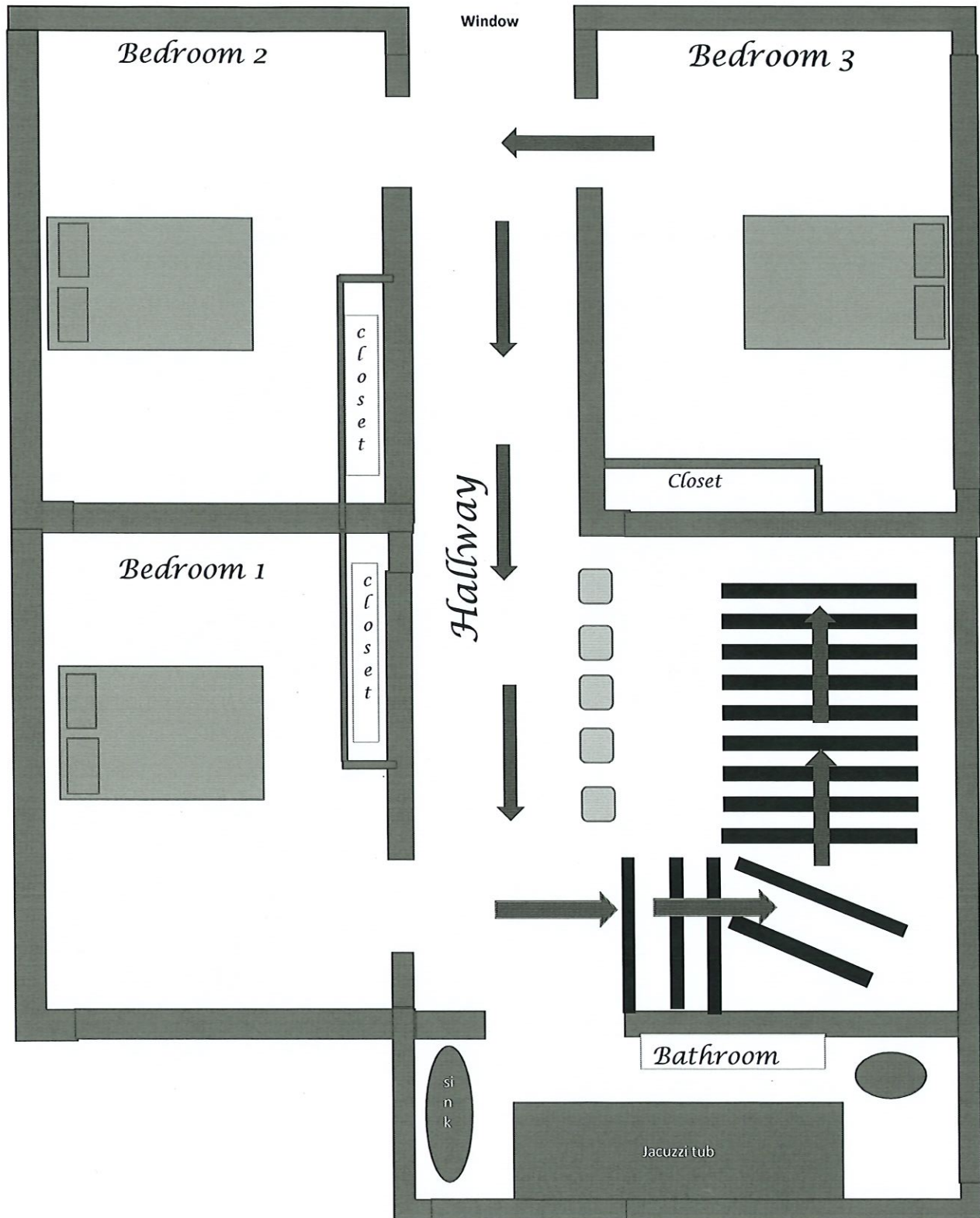
Bedroom 1 Emergency Evacuation Diagram



Bedroom 2 Emergency Evacuation Diagram



Bedroom 3 Emergency Evacuation Diagram



**CONSENT TO INSPECT
PRIVATE PROPERTY**

The undersigned herein consents to the Town of Front Royal, Department of Planning and Zoning Division Officer(s) right of entry to inspect all yard areas, building exterior(s), and/or interior(s) as needed to determine whether said property complies with local and state codes related to said property.

The undersigned herein states that he/she is in lawful possession or control of the property designated below or has the authority to act in the owner(s), tenant(s), and/or occupant(s) behalf and in their absence.

Property Address: 302 Blue Ridge Ave, Front Royal, VA 22630

CONSENTING PARTY

Name: Tabatha Lusk Signature: [Signature] Date: 10/26/2022

☒ Owner ☐ Tenant ☐ Manager ☐ Owner(s) Agent ☐ Employee

☒ Common Areas ☒ Rear/Side Yards ☒ Interior ☒ Accessory Building(s)

☒ Garage(s)/Carports

Name: Ashley Fincher Signature: [Signature] Date: 10/26/2022

☐ Owner ☐ Tenant ☐ Manager ☐ Owner(s) Agent ☒ Employee

☒ Common Areas ☒ Rear/Side Yards ☒ Interior ☒ Accessory Building(s)

☒ Garage(s)/Carports

Welcome to Big Bird Interactive Welcome Guide



- Open Camera app
- Hold device so QR code appears
- Tap notification to open link



Welcome Note

ADDRESS:

[302 Blue Ridge Ave](#)
[Front Royal, VA 22630](#)

Land Line Phone:

Dear Guest,

Welcome to [Big Bird Farmhouse](#). We're beyond excited to have you!

This place is very special to us. Believe it or not, we had our first date in 1967 at the [Front Royal Cinema](#), two blocks from here!

It a great spot to [Discover Front Royal](#) and [Shenandoah National Park](#). And isn't the neighborhood just lovely? What about this amazing Historic 1903 home? We have so many great memories attached to it, and we're convinced that you will, too.

In this manual, you'll find lots of useful information that we've compiled over the years to help our guests make the most of their stay. From instructions on how to use the appliances to recommendations for nearby restaurants and shopping areas, we've got it all covered.

We hope that you enjoy the place as much as we do. We strive to offer a 5-Star Experience. If you have any issues during your stay, please let us know so we can help you.
Have a great stay!

Sincerely,
Jim and Bea

Contact
Information

If you need assistance with
anything, please contact:

Name: Ashley Fincham
Phone Number: (540) 660-1187
Email: admin@hikeconstruction.com

Important information

IN CASE OF EMERGENCY:



In case of emergency, dial 911

Nearest Medical Center:

[Warren Memorial Hospital](#)

Phone number: 540-636-0300 or 911

Address: 351 Valley Health Way
Front Royal, VA 22630

540-636-0300

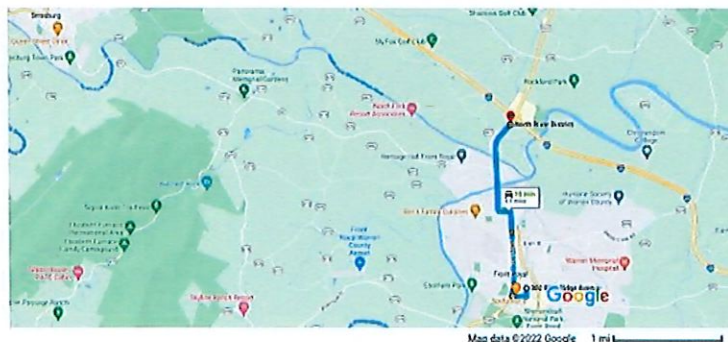
You are in Front Royal in the Historic Fletcher neighborhood

Address: 302 Blue Ridge Avenue, Front Royal, VA 22630

Landline Phone #

Evacuation Map to nearest Interstate

Google Maps 302 Blue Ridge Ave, Front Royal, VA 22630 to North
River District, Virginia Drive 4.1 miles, 10 min
Evacuation Route to Interstate 66



302 Blue Ridge Ave
Front Royal, VA 22630

- ↑ 1. Head south on Blue Ridge Ave toward Cable Pl 0.2 mi
- ↘ 2. Turn right onto South St 0.3 mi
- ↘ 3. Turn right onto S Royal Ave 1.6 mi
- ↑ 4. Continue onto W 14th St 0.2 mi
- ↘ 5. Turn right onto US-340 N/US-522 N/N Shenandoah Ave
- ➡ Continue to follow US-340 N/US-522 N

Important Information

EMERGENCY INFO



Front Royal Police Department: [540-635-2111](tel: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, 540-635-2111(after hours)



1101 Manassas Avenue, Front Royal, VA 22630

Outages may be reported on line at:

<https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46>

The fire extinguisher is in the Kitchen, under the sink.



CHECKING OUT

Check out Procedures

I hope you enjoyed your stay here!

As a reminder, check-out is at 10:00 am on the day that your booking ends.

Before you leave, I request that you:

- Double Check. Check for left behind belongings.
- Please DON'T remake beds
- Please place all used towels on the bathroom floor.
- Take all trash to the trashcan outside, next to the shed. Trash is picked up on Friday mornings. If you here Thursday night, please take trashcan to the road if we didn't.
- Load dishes in the dishwasher. We will start it when we arrive to clean.
- Put key back in Lock Box

I also request that you leave a 5-star review to let me know how your stay was. I love to hear from guests!

Please travel safely and come visit again any time you're in Virginia!



How To...

ACCESS THE PROPERTY

Access to the front door deadbolt: Please use the lock box located on the side table to access key. The door knobs are over 100 years old, jiggle. Code is the last four digits of the phone number you provided.

USE THE WIRELESS INTERNET

Wifi Network: BigBird
Wifi Password: WelcomeToFR

USE THE THERMOSTAT

Dual Zone AC Unit
Both Thermostats are in the hall on each floor near the bathrooms.

USE THE JACUZZI TUB

Close drain by turning the knob.
Fill with water above the jets.
Push button to turn on jets.
Push same button to turn off jets.

USE THE WASHER AND DRYER

*Leave Washer door open when not in use.

USE THE TV

Xfinity Cable, Remote next to TV
Push the "Power" button on Remote to turn TV on and off

BACKYARD FUNYARD

Corn Hole and Bad-mitten set is located under backyard port.
Firepit- Firewood can be purchased at [Rural King](#)
Pick your own Garden - Coming Soon, Seasonally

OUTDOOR FIRE REGULATIONS:

Appendix 1: Town of Front Royal Municipal Code Chapter 78
Fire Prevention

OUTDOOR NOISE REGULATIONS:

Appendix 2: Town of Front Royal Municipal Code Chapter 106
Noise



Where To GO

NEAR BY GROCERY STORES

Name: [Martins](#)
Address: 409 South St
Distance: 0.3 miles Drive (crosses busy street)



Name: Manor Line Market
Address: 401 E Main St
Distance: 0.71 miles (7 minute Walk)

Name: [Walmart](#)
Address: 10 Riverton Commons Dr (Drive)
Distance: 5.3 miles

OUR FAVORITE RESTAURANTS

Name: [Main Street Mill](#)
Address: 500 E Main St
Distance: 2 block on Main Street 0.23 miles (6 min walk)
Why: Great homemade Vegetable Soup and homemade pies



Name: [Le Dees Pancake House](#)
Address: 522 E Main St
Distance: 2 block on Main Street(7 minute Walk)
Why: Great Sausage Gravy and biscuits



Name: [Daily Grind](#)
Address: 215 E Main St
Distance: 2 blocks on Main Street (9 minute Walk)
Why: Coffee, hot chocolate, breakfast sandwiches and pastries



Name: [Melting Pot](#)
Address: 138 W 14th St
Distance: 2.4 miles (7 minute Drive)
Why: Pizza



OUR FAVORITE RESTAURANTS

Name: [Spelunkers](#)
Address: 116 South St
Distance: 0.4 miles (1 minute drive)
Why: Awesome burgers, fries and shakes. Fast and on your way to Shenandoah National Park.



Name: [Element](#)
Address: 317 E. Main St
Distance: 2 blocks on Main Street (9 minute Walk)
Why: Seafood and Steak



Where to Go

SHOP

Name: [The White Picket Fence](#)
Address: 405 E Main Street
Distance: 2 blocks
Why: 1805 goat milk soaps and lotions
candles and eclectic mixture



Name: [Mountain Trails](#)
Address: 120 E Main St
Distance: 2 blocks
Why: Outdoor clothing and Equipment



TOP ADVENTURES

Name: [Shenandoah National Park](#)
Address: 21073 Skyline Drive, Front Royal Entrance
Distance: 1.1 miles (3 minute Drive)
Price: [\\$35 day pass](#)
Tips: [Ticket Required to Hike Old Rag](#)



Name: [Shenandoah State Park](#)
Address: 350 Daughter of Stars Dr, Bentonville, VA
Distance: 8 miles (12 minute Drive)



Name: [Front Royal Outdoors](#)
Address: 8567 Stonewall Jackson Hwy
Distance: 3.7 miles (6 min Drive)
Tips: [River Conditions](#)



TOP ATTRACTIONS

Name: [Virginia Beer Museum](#)
Address: 16 Chester Street
Distance: 0.4 Mile (10 minute Walk)
Tips:



Name: [Shenandoah Valley Axe Throwing Co](#)
Address: 20 South St
Distance: 0.4 miles (1 minute Drive)
Tips: \$20 per person per hour



Name: [Skyline Caverns](#)
Address: 10344 Stonewall Jackson Hwy
Distance: 1.9 miles (4 minute Drive)
Tips: [Coupon](#)
Hours: 9:00a.m. till 4:00 p.m.



Where to go

GETTING AROUND

Name: Front Royal Trolley - [Trolley Schedule and Line Map](#)
Address: [Visitor Center](#) - 414 East Main Street
0.23 miles (6 minute Walk)



The FRONT ROYAL TROLLEY bus (North Loop) is a circular line with 11 stops departing from Visitors Center.

FRONT ROYAL TROLLEY bus time schedule overview for the upcoming week: Starts operating at 9:00 AM and ends at 4:30 PM.

WINE/BREW/TEA

Name: [CHESTER GAP CELLARS](#)
Address: 4615 REMOUNT ROAD
Distance: 3.5 MILES (7 MINUTE DRIVE)



Name:
Address: [GLEN MANOR VINEYARDS](#)
Distance: 2244 BROWNTOWN RD
6.6 MILES (16 MINUTE DRIVE)



Name:
Address: [SAGA MEADERY](#)
Distance: 7 SOUTH ST
0.44 MILES (11 MIN WALK)



Name: [HONEY & HOPS BREW WORKS](#)
Address: 212 E Main St
Distance: 0.3 Miles (8 MINUTE WALK)



Name: [The Vine & Leaf](#)
Address: 477 E&F South St
Distance: 0.4 miles (1 min Drive)
Why: Great Tea's and sandwiches, try Shenandoah Blue Tea; wine too



Name: [Vibrissa Beer](#)
Address: 122 E. Main St
Distance: 0.3 Miles 2 blocks
Why: American Brew Pub



House Rules

We kindly ask you to read our house rules carefully and keep them in mind during your stay. We appreciate your respect of this 1903 historic home.

1. No shoes in the house. Non-slip socks provided
2. No parties or events allowed.
3. No smoking allowed.
4. No pets allowed.
5. No unregistered guests allowed.
6. Please respect the noise curfew 10pm - 7am.
7. Please respect check-in and check-out times. 4:00pm - 10:00am
8. Please don't rearrange the furniture.
9. Please put dishes in dishwasher.
10. Please take the trash out before you leave.
11. No illegal substances allowed on the premises.
12. Alert us immediately if anything breaks. We may not be able to fix it for the next guest if you don't tell us right away.
13. Clean up spills and crumbs. They attract critters quickly and 1903 Original Pine floors.



RATINGS

RATINGS

Short Term stays are not rated like hotels at all! If a host is under a 4.7-star average, their account can be deactivated and all future stays canceled. Your review really matters and seriously impacts your hosts and their future guests! We strive to provide an amazing stay for your amazing memories and experience. Please contact us with any issues.



We enjoyed our stay.

Several issues, none addressed.

Major issues, not addressed.

Shut it down.

Burn it.



APPENDIX

APPENDIX 1

TOWN OF FRONT ROYAL MUNICIPAL CODE Chapter 106
106-1
Chapter 106
NOISE

APPENDIX 2

TOWN OF FRONT ROYAL MUNICIPAL CODE Chapter 78
78-1
Chapter 78
FIRE PREVENTION

APPENDIX 3

Parking Map

APPENDIX 4

Evacuation Map to the nearby Interstate



APPENDIX 1
Town of Front Royal
Municipal Code
Chapter 106
Noise

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 ADVERTISING 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 SEPARABILITY**

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 exists 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 facie* 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-1, 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, ROAD CONSTRUCTION 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 1st (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)

APPENDIX 2
Town of Front Royal
Municipal Code
Chapter 78
Fire

Chapter 78FIRE PREVENTION

Sections:

- 78-1 OPEN BURNING**
- 78-2 BLASTING**
- 78-3 ADOPTION OF STANDARDS; CONDITIONS**
- 78-4 WHEN AND WHERE COPIES AVAILABLE**
- 78-5 MODIFICATIONS**
- 78-6 APPEALS**
- 78-7 NEW MATERIALS, PROCESSES OR OCCUPANTS**
- 78-8 VIOLATIONS AND PENALTIES**
- 78-9 RECOGNITION**

Adopted by the Town Council of the Town of Front Royal 4-23-73(*Chapter 10 of the 1965 Code*). Other Amendments noted where applicable.

78-1 OPEN BURNING

A. It shall be unlawful for any owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris or other flammable material upon such land unless he previously shall have taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris or other flammable material upon such land unless he shall have taken similar precautions to prevent the spread of such fire to any other land.

B. During the period beginning March 1 and ending May 15 of each year, even though the precautions required by the foregoing subsection shall have been taken, it shall be unlawful for any person to set fire to or to procure another to set fire to any brush, leaves, grass, debris or field containing dry grass or other flammable material capable of spreading fire, located in the Town, except between the hours of 4:00 p.m. and 12:00 midnight. The provisions of this subsection shall not apply to fires set on rights-of-way of railroad companies by their duly authorized employees.

C. Any person violating any provision of this section shall, upon conviction, be fined not less than ten dollars (\$10.) nor more than one hundred dollars (\$100.) for each separate offense.

78-2 BLASTING

It shall be unlawful for any person to permit any blast to be discharged, either by himself or his agents or employees, without having the blast so confined or protected as to prevent the escape of rock or earth.

78-3 ADOPTION OF STANDARDS; CONDITIONS

There is hereby adopted as the Fire Prevention Code of the town, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the "Fire Prevention Code," recommended by the National Board of Fire Underwriters, being particularly the 1960 Edition thereof and the whole thereof, and such Fire Prevention Code is hereby adopted and incorporated as fully as if set out at length herein; and, from the date on which the Code of the Town of Front Royal, Virginia, shall take effect, the provisions thereof shall be controlling within the limits of the town, provided that:

- A. Whenever the word "municipality" is used in the Fire Prevention Code hereby adopted, it shall mean the Town of Front Royal.
- B. Wherever the term "Chief of the Fire Department" is used in the Fire Prevention Code hereby adopted, it shall mean the Building Inspector.
- C. Wherever the term "Corporate Counsel" is used in the Fire Prevention Code hereby adopted, it shall be held to mean the Town Attorney.
- D. The limits referred to in Section 12.6b of the Fire Prevention Code hereby adopted, in which storage of explosives and blasting agents is prohibited, shall be as provided by the Council.
- E. The limits referred to in Section 16.22a of the Fire Prevention Code hereby adopted, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as the fire limits of the town.
- F. The limits referred to in Section 16.51 of the Fire Prevention Code hereby adopted, in which new bulk plants for flammable liquids are prohibited, shall be as provided by the council.
- G. The limits referred to in Section 21.6a of the Fire Prevention Code hereby adopted, in which bulk storage of liquid petroleum gas is restricted, shall be as provided by council.
- H. In the event of conflict between the provisions of the Fire Prevention Code hereby adopted and the provisions of any other ordinance of the town, the more stringent provisions shall prevail.

78-4 WHEN AND WHERE COPIES AVAILABLE

Copies of the Fire Prevention Code adopted by Section 78-3 may be obtained at the office of the Building Inspector in the town during regular business hours.

78-5 MODIFICATIONS

The Building Inspector shall have power to modify any of the provisions of the Fire Prevention Code adopted by Section 78-3 upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter

of such Fire Prevention Code, provided that the spirit of such Fire Prevention Code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Building Inspector thereon, shall be entered upon the records of the Fire Department, and a signed copy shall be furnished to the applicant.

78-6 APPEALS

Whenever the Building Inspector shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Prevention Code adopted by Section 78-3 do not apply or that the true intent and meaning of such Fire Prevention Code have been misconstrued or wrongly interpreted, the person aggrieved may appeal from the decision of the Building Inspector to the Town Council within thirty (30) days from the date of the decision from which the appeal is taken.

78-7 NEW MATERIALS, PROCESSES OR OCCUPANCIES

The Town Manager, the Chief of the Fire Department and the Building Inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Fire Prevention Code, adopted by Section 78-3. The Building Inspector shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

78-8 VIOLATIONS AND PENALTIES

A. Any person who shall violate any of the provisions of the Fire Prevention Code adopted by Section 78-3 or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Town Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.) or by imprisonment for not more than twelve (12) months, or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

78-9 RECOGNITION

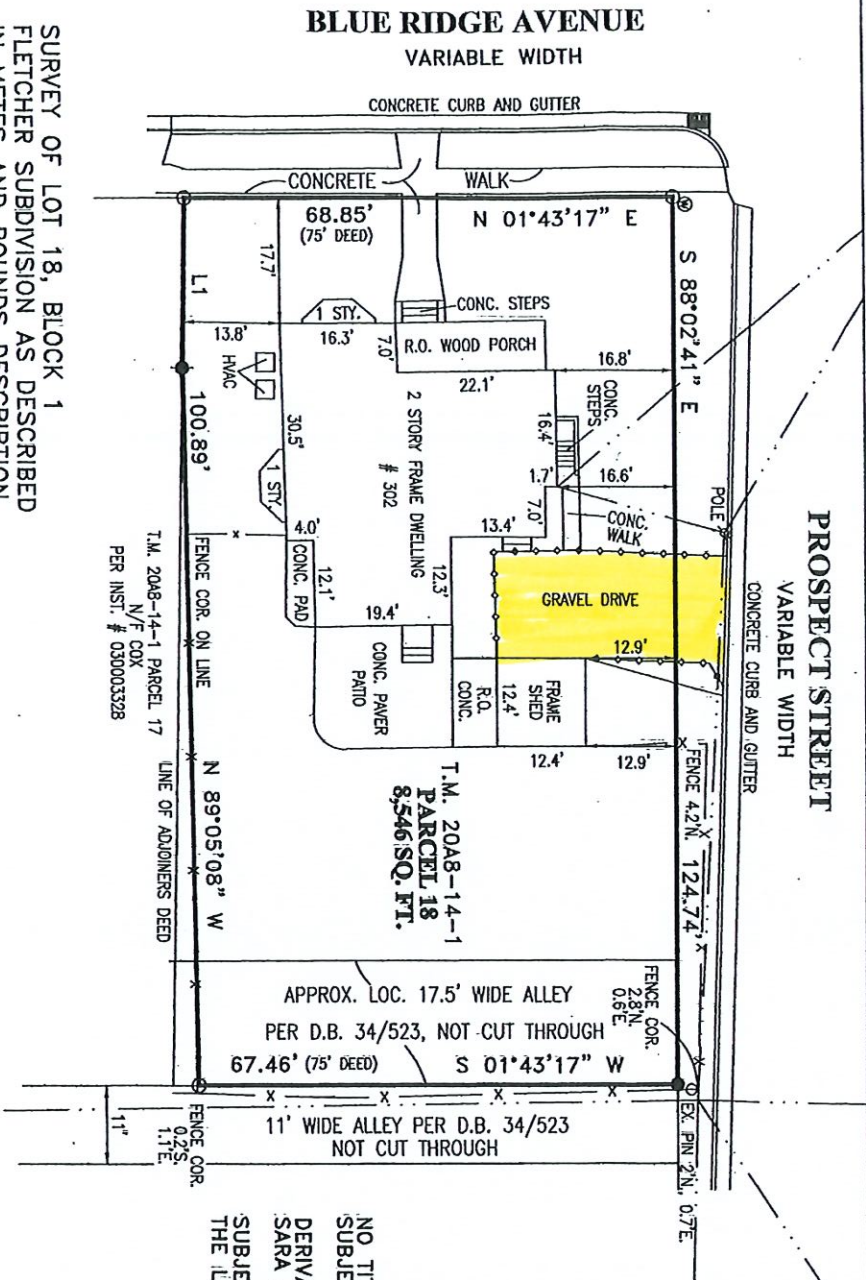
The Front Royal Volunteer Fire Department, Incorporated, and its rescue squad are hereby recognized as an integral part of the official safety program of the Town.

APPENDIX 3

Parking

**SURVEY OF LOT 18, BLOCK 1
FLETCHER SUBDIVISION AS DESCRIBED
IN METES AND BOUNDS DESCRIPTION
RECORDED IN DEED BOOK 376 PAGE 555**

**SOUTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.**



NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: JOSEPH E. AND
SARA A. MCFADDEN PER INST. # 140000148.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
SEPTEMBER 15, 2022



APPENDIX 4

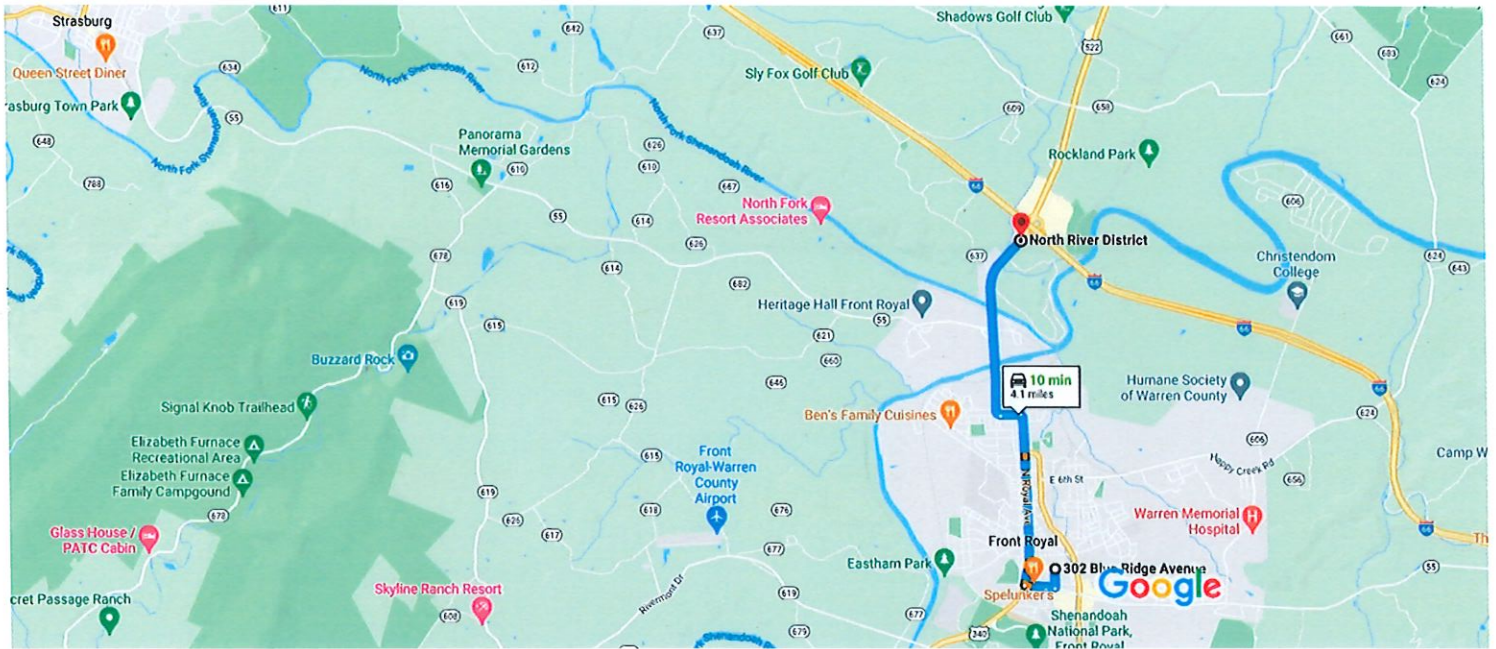
Evacuation Route to Interstate 66



302 Blue Ridge Ave, Front Royal, VA 22630 to North River District, Virginia

Drive 4.1 miles, 10 min

Evacuation Route to Interstate 66



Map data ©2022 Google

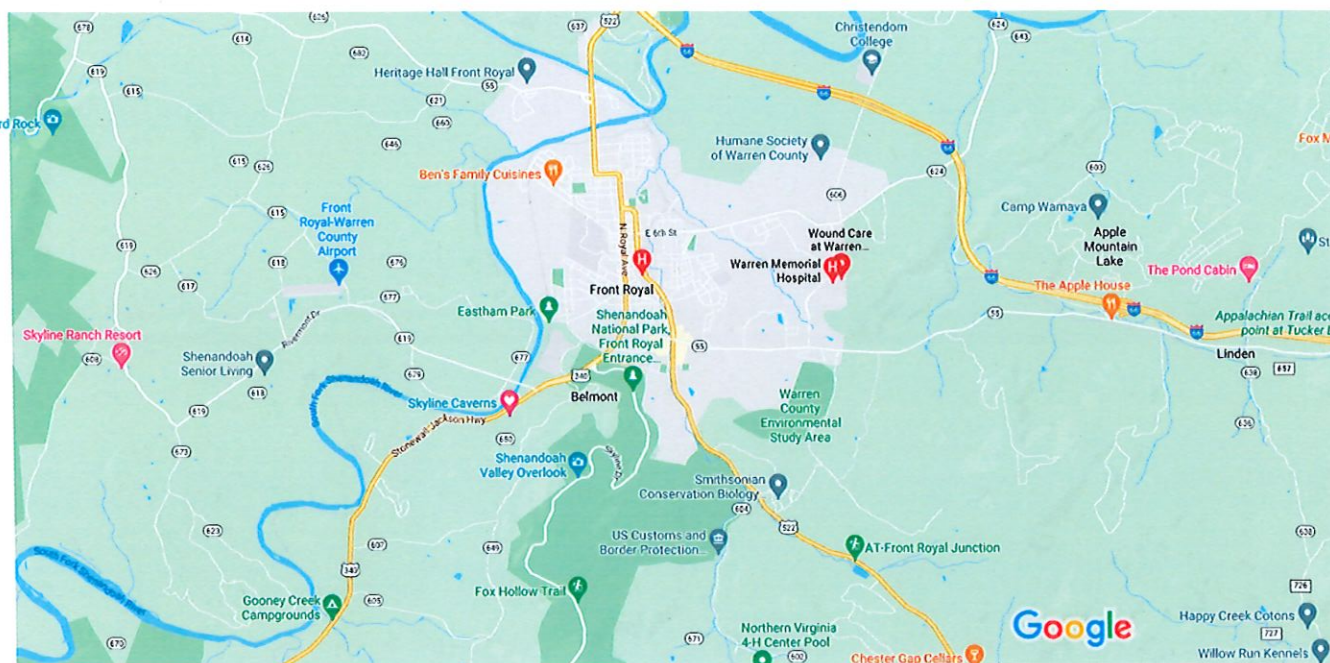
1 mi

302 Blue Ridge Ave
Front Royal, VA 22630

- ↑ 1. Head south on Blue Ridge Ave toward Cable Pl
0.2 mi
 - ↘ 2. Turn right onto South St
0.3 mi
 - ↘ 3. Turn right onto S Royal Ave
1.6 mi
 - ↑ 4. Continue onto W 14th St
0.2 mi
 - ↘ 5. Turn right onto US-340 N/US-522 N/N Shenandoah Ave
1.8 mi
- i Continue to follow US-340 N/US-522 N**

North River District
Virginia

Google Maps hospital



Map data ©2022 Google

1 mi

Rating

Hours

All filters

Warren Memorial Hospital

3.6 (93)

General hospital · 351 Valley Health Way

Open 24 hours · (540) 636-0300



Website



Directions

Warren Memorial Hospital Op Center

5.0 (1)

Hospital · 120 N Commerce Ave
(540) 635-0701

Website



Directions

201 s market st Salem va

No reviews

Hospital · 15 Riverton Commons Dr



Directions

Valley Health

3.1 (11)

General hospital · 295 Front Royal Pike



Website



Directions

Fauquier Health

2.4 (145)

Hospital · 500 Hospital Dr

Open 24 hours · (540) 316-5000

[Website](#)[Directions](#)**Winchester Medical Center**

No reviews

General hospital · 190 Campus Blvd

[Directions](#)**Shenandoah Memorial Hospital**

2.8 (61)

Hospital · 759 S Main St

Open now · (540) 459-1100

[Website](#)[Directions](#)**Valley Health Systems**

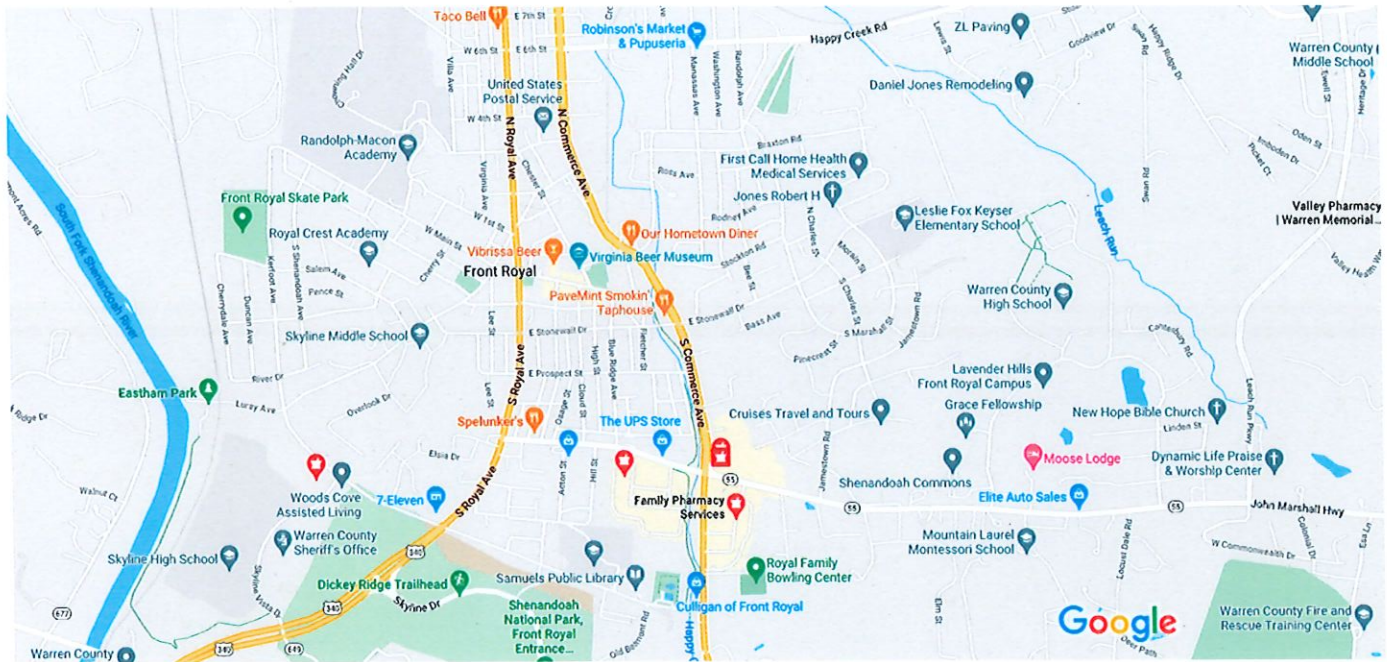
1.0 (3)

General hospital · 125 Memorial Dr

Open now · (540) 743-2282

[Website](#)[Directions](#)

Google Maps Pharmacies



Map data ©2022 1000 ft

Hours

All filters

CVS Pharmacy ▾

Ad · 2.5 (6)

Pharmacy · 800 John Marshall Hwy

Open · Closes 1:30PM · Reopens

2PM · (540) 635-1601

✓ In-store shopping · ✓ Delivery



Book



Website

CVS Pharmacy

2.5 (6)

Pharmacy · 800 John Marshall Hwy

Open · Closes 1:30PM · Reopens

2PM · (540) 635-1601

In-store shopping · Delivery



Website



Directions

Family Pharmacy Services

4.7 (25)

Pharmacy · 240 Remount Rd

Open · Closes 6PM · (540) 636-2222

In-store shopping · In-store pickup · Delivery



Website



Directions

Martin's Pharmacy

4.6 (9)

Pharmacy · 409 South St

Open · Closes 8PM · (540) 635-3175

In-store shopping · Curbside pickup

[Website](#)[Directions](#)**Genoa Healthcare**

5.0 (1)

Pharmacy · 209 W Criser Rd # 100

Open · Closes 5PM · (540) 692-1176

In-store shopping

[Website](#)[Directions](#)**Valley Pharmacy**

4.0 (4)

Pharmacy · 351 Valley Health Way
Suite 210**Open** · Closes 6PM · (540) 635-0736

In-store shopping · In-store pickup

[Website](#)[Directions](#)**Gretchen L. Johnson, PharmD**

No reviews

Pharmacy · 140 W 11th St

Open · Closes 5:30PM · (540) 636-2028[Directions](#)**Emily M. Vescovi, PharmD**

5.0 (1)

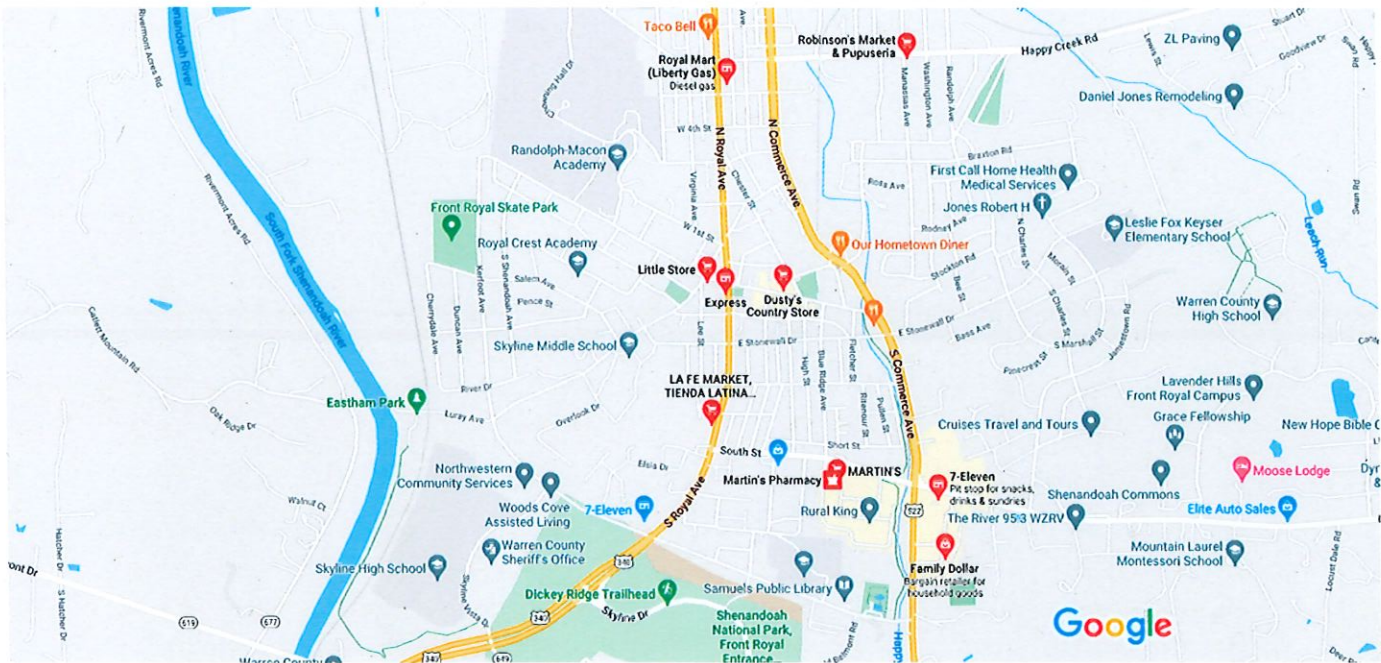
Pharmacy · 315 W 10th St

Open · Closes 5:30PM · (540) 636-6131

In-store shopping

[Directions](#)

Google Maps grocery store



Map data ©2022 1000 ft

Rating

Hours

All filters

Ad · martinsfoods.com

Shop Quality Fresh Groceries

Martin's Pharmacy

4.6 (9)

Pharmacy · 409 South St

Open · Closes 8PM · (540) 635-3175



✓ In-store shopping · ✓ Curbside pickup

MARTIN'S

4.2 (1,071)

Grocery store · 409 South St

Open · Closes 11PM · (540) 635-2249



In-store shopping · Curbside pickup · Delivery

Robinson's Market & Pupuseria

4.2 (87)

Grocery store · 603 E 6th St

Open · Closes 9PM · (540) 635-7066



In-store shopping · In-store pickup

Little Store

No reviews

Grocery store · Rt 606 Shenandoah
Shores**Open** · Closes 8:30PM · (540) 635-2028

In-store shopping

**Dusty's Country Store**

5.0 (4)

Gourmet grocery store · 216 E Main St

Open · Closes 6PM · (540) 692-9483

In-store shopping · Delivery

**LA FE MARKET, TIENDA LATINA Y
PANADERÍA**

4.9 (14)

Supermarket · 413 S Royal Ave

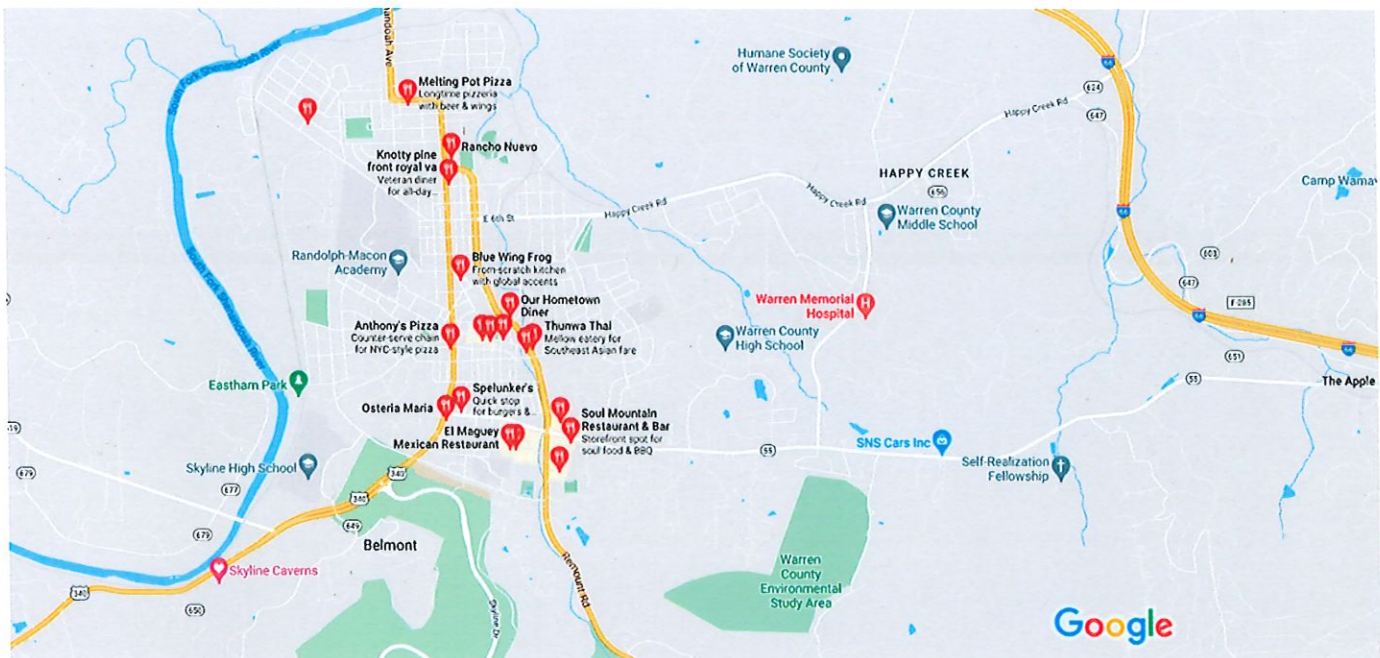
Open · Closes 8PM · (540) 749-2166

In-store shopping · Curbside pickup





Restaurants In the Area



Map data ©2022 2000 ft

Price

Rating

Cuisine

Hours



Main Street Mill Restaurant

4.2 (710) · \$\$

American · 500 E Main St

American fare in a 1922 cattle feed mill

Open · Closes 10PM

Dine-in · Takeout · No delivery



[RESERVE A TABLE](#)

Soul Mountain Restaurant & Bar

4.4 (518) · \$\$

Eclectic · 865 John Marshall Hwy

Storefront spot for soul food & BBQ

Open · Closes 9PM

Dine-in · Curbside pickup · No delivery



[RESERVE A TABLE](#)

Blue Wing Frog

4.5 (673) · \$\$

Eclectic · 219 Chester St

From-scratch kitchen with global accents

Open · Closes 9PM

Dine-in · Curbside pickup · No delivery

**Mom's Country Kitchen**

4.4 (763) · \$

American · 470 S Commerce Ave # B

Casual chain for homey American fare

Open · Closes 8PM

Dine-in · Curbside pickup · No delivery

[ORDER ONLINE](#)**Rancho Nuevo**

4.3 (778) · \$

Restaurant · 915 N Royal Ave

Open · Closes 10PM

Dine-in · Curbside pickup · Delivery

[ORDER ONLINE](#)**Our Hometown Diner**

4.6 (130) · \$

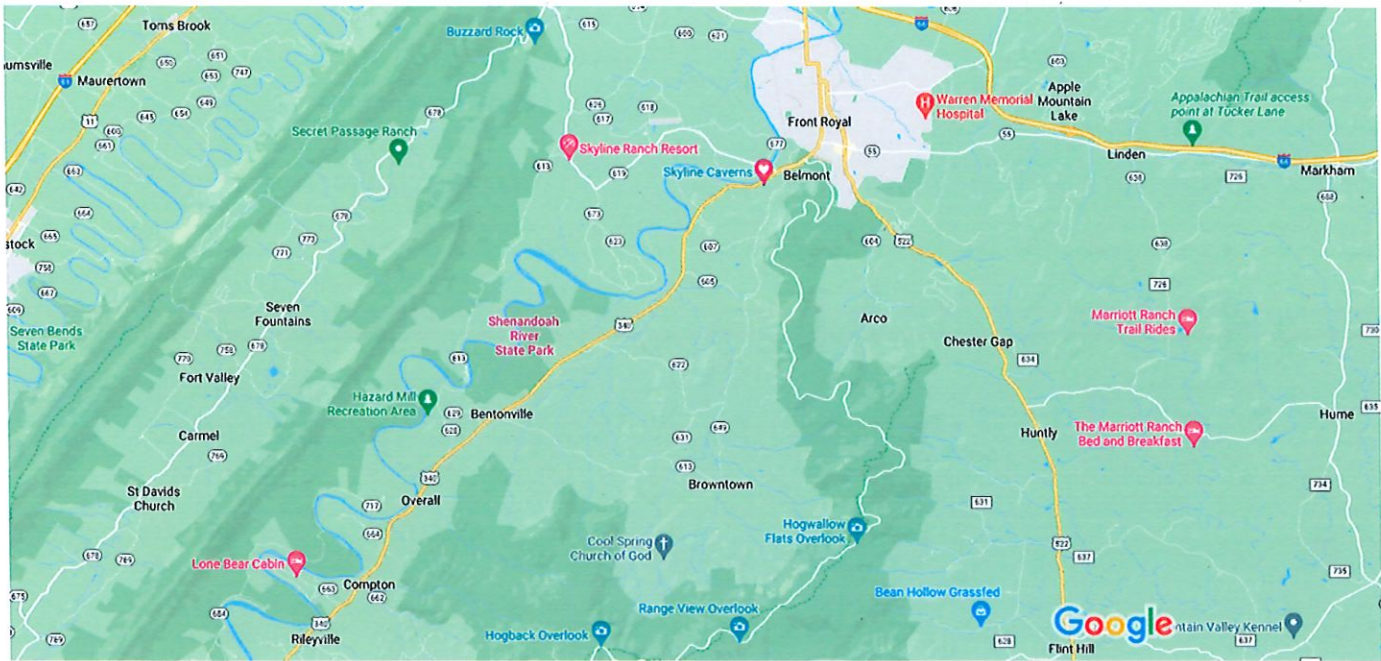
Restaurant · 107 Water St

Closed · Opens 5AM Sat

Dine-in · Takeout · No delivery



Google Maps Shenandoah National Park



Map data ©2022 Google

2 mi



Shenandoah National Park

4.8 ★★★★★ 14,134 reviews

National park



Directions



Saved



Nearby

Send to
phone

Share

Blue Ridge park encompassing 200,000 acres of forest, trails, waterfalls & Skyline Drive vistas.

Google Maps Shenandoah River State Park



Map data ©2022 200 ft



Shenandoah River State Park

4.7 ★★★★★ 1,212 reviews

Park



Directions



Saved



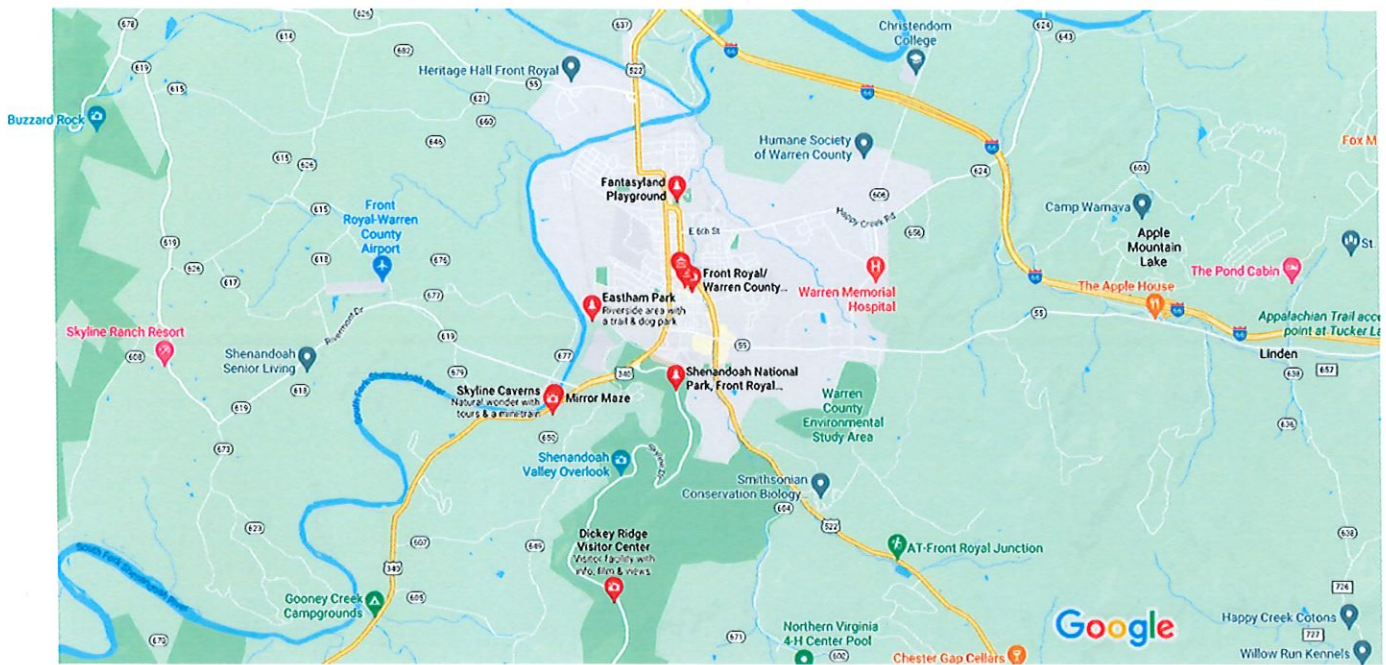
Nearby

Send to
phone

Share

Scenic park stretching along 6 miles of the Shenandoah, featuring boat launches & picnic areas.

Google Maps Things to do



Map data ©2022 Google

1 mi

Skyline Caverns

4.6 (1,773)

Tourist attraction · 10344 Stonewall

Jackson Hwy

Natural wonder with tours & a mini-train

Closed · Opens 9AM Sat

Saved in Favorites



Warren Rifles Confederate Museum

4.3 (51)

Tourist attraction · 95 Chester St

Closed · Opens 9AM Sat

 "Historic place and things to see. Good place to visit"



Fantasyland Playgrounds

4.5 (385)

Tourist attraction · 903 Warren Ave.

Open · Closes 8PM

 "Clean park with plenty of things for the kids to play on."



Mirror Maze

4.2 (15)

Tourist attraction · 10344 Stonewall
Jackson Hwy**Closes soon** · 5PM · Opens 9AM Sat

👤 "Six bucks is a little steep to get in but \$18 for the three of us was ..."

Hupp's Hill Historical Park

4.7 (52)

Tourist attraction · 33229 Old Valley Pike

Closed · Opens 10AM Sat

👤 "We stopped here today to make a pitt stop for me, my wife, and our ..."

Virginia Beer Museum

4.6 (300)

Tourist attraction · 16 Chester St

Open · Closes 10PM

👤 "Depends on what each person is used to spending."



Town of Front Royal Planning and Zoning

102 E. Main St.
PO Box 1560
Front Royal, VA 22630

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

SPECIAL USE PERMIT CHECK LIST FOR SHORT TERM RENTAL

Applicant Name: TABATHA LUSKEY
Property Owner: LUSKEY PROPERTIES LLC
Site Address: 302 BLUE RIDGE AVE.

- ☒ Y ☐ N 1. Driveway or designated and approved parking area
- ☒ Y ☐ N 2. Refuse area
- ☒ Y ☐ N 3. Property Management Plan available on site
- ☒ Y ☐ N 4. Smoke detectors
- ☒ Y ☐ N 5. Carbon monoxide detector
- ☒ Y ☐ N 6. Fire extinguisher visible in all kitchen/cooking areas.
- ☒ Y ☐ N 7. Emergency evacuation plan available on site
- ☒ Y ☐ N 8. Chapter 106 Noise ordinance available on site

NOTES: SITE IS IN FULL COMPLIANCE WITH
TOWN CODE 175.151

☒ APPROVED ☐ DENIED

Inspected By: [Signature] Date: 11/30/22



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

~~FRREZON~~ 2200385

REZONING APPLICATION

APPLICANT

Name NVR, Inc., Attn: Richard Lanham Phone 703-259-6898
Address 3926 Pender Drive, Suite 200, Fairfax, VA 22030
E-mail rlanham@nvrinc.com

PROPERTY OWNER OF RECORD

Name Thomas and Carla Sayre Phone 540-636-7777
Address 835 Shenandoah Shores Road, Front Royal, VA 22630

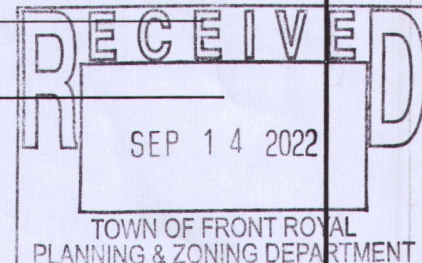
PROPERTY DESCRIPTION

Location/Street Address 835 Shenandoah Shores Road
Number of lots: 142 Total Acreage 44.183
Tax Map Identification for each parcel (Map, Section, Block, & Lot):
20A221-3A

Subdivision Name (if applicable) Saddle Crest

REQUEST

Existing Zoning RE Proposed Zoning R-1A
Existing Use Residential/Agricultural Proposed Use Residential



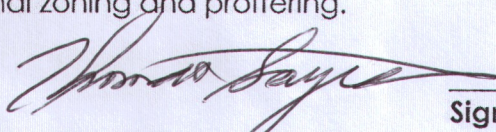
ATTACHMENTS

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.

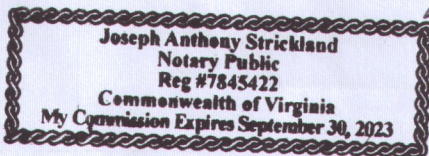
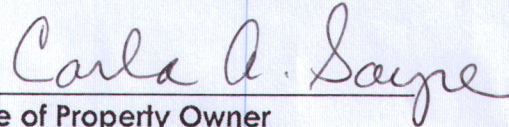
1. Application Fee (Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines 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



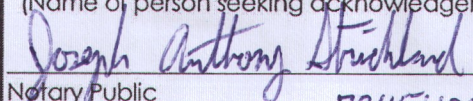
Signature of Applicant (if different)

See attached

City/County of Warren, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 9th day of September, 2022 by

Thomas Sayre and Carla Sayre
(Name of person seeking acknowledgement)



Notary Public

Notary registration number: 7845422

My commission expires: September 30, 2023

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 # 248 iWorg Date Paid 9-14-2022 pd \$ 4,818.30 Check # 321657

Planning Commission Hearing Date: _____ Recommendation: _____

Town Council Hearing Date: _____ Date Sent to Clerk: _____

January 2019

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.

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AMY CATHERINE NEGVESKY
NOTARY PUBLIC
REGISTRATION # 7981887
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
NOVEMBER 30, 2026

see attached
Signature of Property Owner
[Signature]
Signature of Applicant (if different)

City/County of Fairfax, Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 8th day of September, 2022 by
Richard A. Lanham
(Name of person seeking acknowledgement)

Amy Catherine Negvesky
Notary Public
Notary registration number: 7981887 My commission expires: 11-30-2026

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OFFICE USE ONLY

Receipt # _____ Date Paid _____
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

January 2019

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



September 7, 2022

Front Royal Planning & Zoning Department
102 E Main Street
Front Royal, VA 22630

RE: Rezoning Application, Environmental Site Assessment Phase I & II waiver request

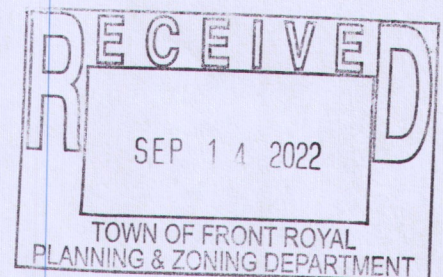
Dear Ms. Kopishke,

On behalf of our client NVR, Inc., we would like to request a waiver of the Rezoning Application requirement to provide an Environmental Site Assessment Phase I & II. It is our position that the subject property located at; 835 Shenandoah Shores Rd further identified by Parcel ID 20A221-3A, has been in land use for more than 30 years. Historical aerial information provides support showing farming activity on the property. The site does not contain floodplain, however there are some minor wetlands associated with the existing farm pond. These existing conditions will be mapped and shown as part of the concept plan. The proposed layout honors to the greatest extent possible the referenced existing environmental features and the to the best of our knowledge, are no other adverse environmental conditions.

Please feel free to contact me at 703-994-4047 ext. 3108 or by email at cstephenson@mragta.com if you should have any further questions.

Sincerely,
Morris, Ritchie Associates, INC.

Christopher Stephenson, PLA
Sr. Project Manager



604 South King Street, Ste 200 Leesburg, VA 20175 (703) 994-4047

www.mragta.com

Abingdon, MD
(410) 515-9000

Laurel, MD
(410) 792-9792

Towson, MD
(410) 821-1690

Georgetown, DE
(302) 855-5734

New Castle, DE
(302) 326-2200

Sterling, VA
(540) 974-5334

SADDLE CREST

CONCEPT PLAN

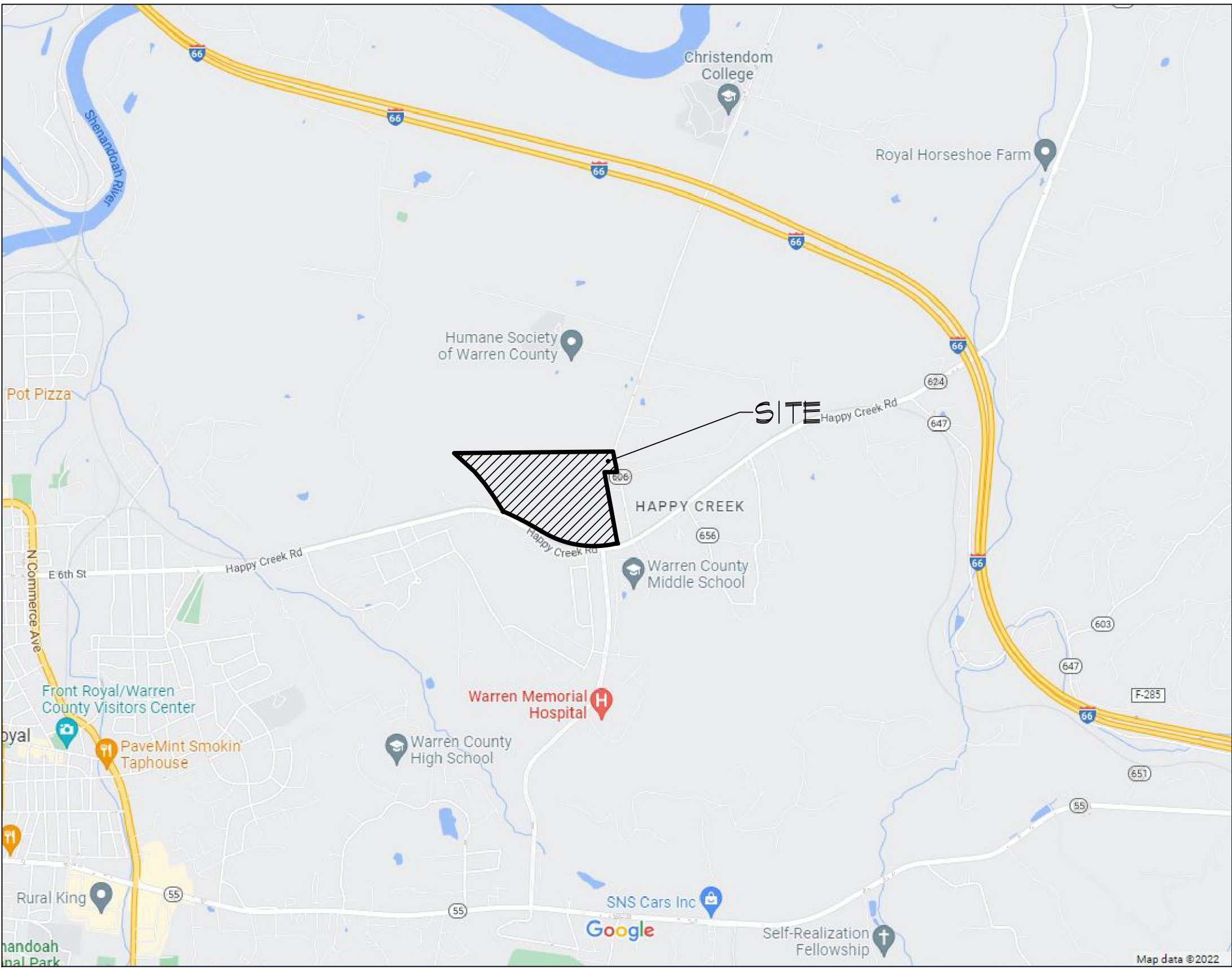
FRONT ROYAL, VIRGINIA

GENERAL NOTES

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, WITH ALL IMPROVEMENTS THEREON AND ALL APPURTENANCES THERETO BELONGING, LOCATED AND BEING IN THE TOWN OF FRONT ROYAL, COUNTY OF WARREN, COMMONWEALTH OF VIRGINIA, AND BEING DESIGNATED AS FOLLOWS:

PARCEL 3A –PID 20A221–3A: 44.183 ACRES, MORE OR LESS, AS THE SAME IS SET FORTH ON PLAT ENTITLED "PLAT SHOWING DIVISION OF THE LAND OF R. ALTON MORRISON" ATTACHED TO DEED DATED APRIL 26, 1999, RECORDED AS INSTRUMENT NUMBER 990002893, AS CORRECTED IN INSTRUMENT NUMBER 990003204, AS FURTHER CORRECTED IN INSTRUMENT NUMBER 990007978, AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA, AND TO WHICH REFERENCES ARE HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREBY CONVEYED.

- BOUNDARY AND NORTH MERIDIAN INFORMATION SHOWN HEREON IS BASED ON EXISTING LAND RECORDS OF WARREN COUNTY, VIRGINIA AND FIELD SURVEY PERFORMED BY MORRIS & RITCHIE ASSOCIATES INC. ON JUNE 8, 2022. BEARING AND/OR DISTANCES MAY VARY FROM RECORD AND ARE SHOWN AS SURVEYED.
- SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X – AREAS DETERMINED TO BE OUTSIDE THE 500–YEAR FLOODPLAIN – BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY–PANEL NUMBERS 51187C0117C, 51187C0116C DATED JUNE 3, 2008.
- ALL EASEMENTS AND RIGHTS–OF–WAY APPARENT FROM A CAREFUL PHYSICAL INSPECTION OF THE SURVEYED PROPERTY, OR AS IDENTIFIED IN SCHEDULE B – PART II ARE CORRECTLY SHOWN UNLESS OTHERWISE NOTED.
- NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WERE OBSERVED.
- NO EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL WAS OBSERVED.
- NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED.
- THERE ARE NO OBSERVED PARTY WALLS.
- NO EVIDENCE OF BURIAL GROUND OR CEMETERIES.
- WATERS OF THE U.S. (INCLUDING WETLANDS) DELINEATION SHOWN HEREON HAS BEEN PREPARED BY WETLANDS STUDIES AND SOLUTIONS, INC DATED: 5/11/22
- TOPOGRAPHIC INFORMATION SHOWN BASED ON A FIELD SURVEY PERFORMED BY MORRIS & RITCHIE ASSOCIATES, INC. IN JUNE 8, 2022.
- THE PROPERTY HAS DIRECT ACCESS TO TO SHENANDOAH SHORES ROAD, STATE ROUTE 606, A PUBLIC RIGHT–OF–WAY.
- THE UNDERGROUND UTILITY LOCATIONS SHOWN HEREON ARE BASED ON MARKING BY MISS UTILITY 811. NO ADDITIONAL INVESTIGATION OF UNDERGROUND UTILITIES WAS PERFORMED PURSUANT TO THE CONTRACTED SCOPE OF WORK.
- THIS CONCEPT PLAN IS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AND DESIGN.



VICINITY MAP
SCALE: 1"=2000'

Sheet List Table	
Sheet Number	Sheet Title
1	COVER SHEET
2	NOTES & DETAILS
3	EXISTING CONDITIONS
4	LAYOUT PLAN
5	ILLUSTRATIVE PLAN

APPLICANT
MR. RICHARD LANHAM
NVR, INC.
3926 PENDER DRIVE, SUITE 200
FAIRFAX, VA 22030

OWNERS
SAYRE THOMAS HALL ET
835 SHENANDOAH SHORES RD
FRONT ROYAL, VA 22630

PREPARED BY
MORRIS & RITCHIE ASSOCIATES, INC.
604 SOUTH KING STREET, SUITE 200
LEESBURG, VIRGINIA 20175
CONTACT: TODD HECK

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS



COVER SHEET

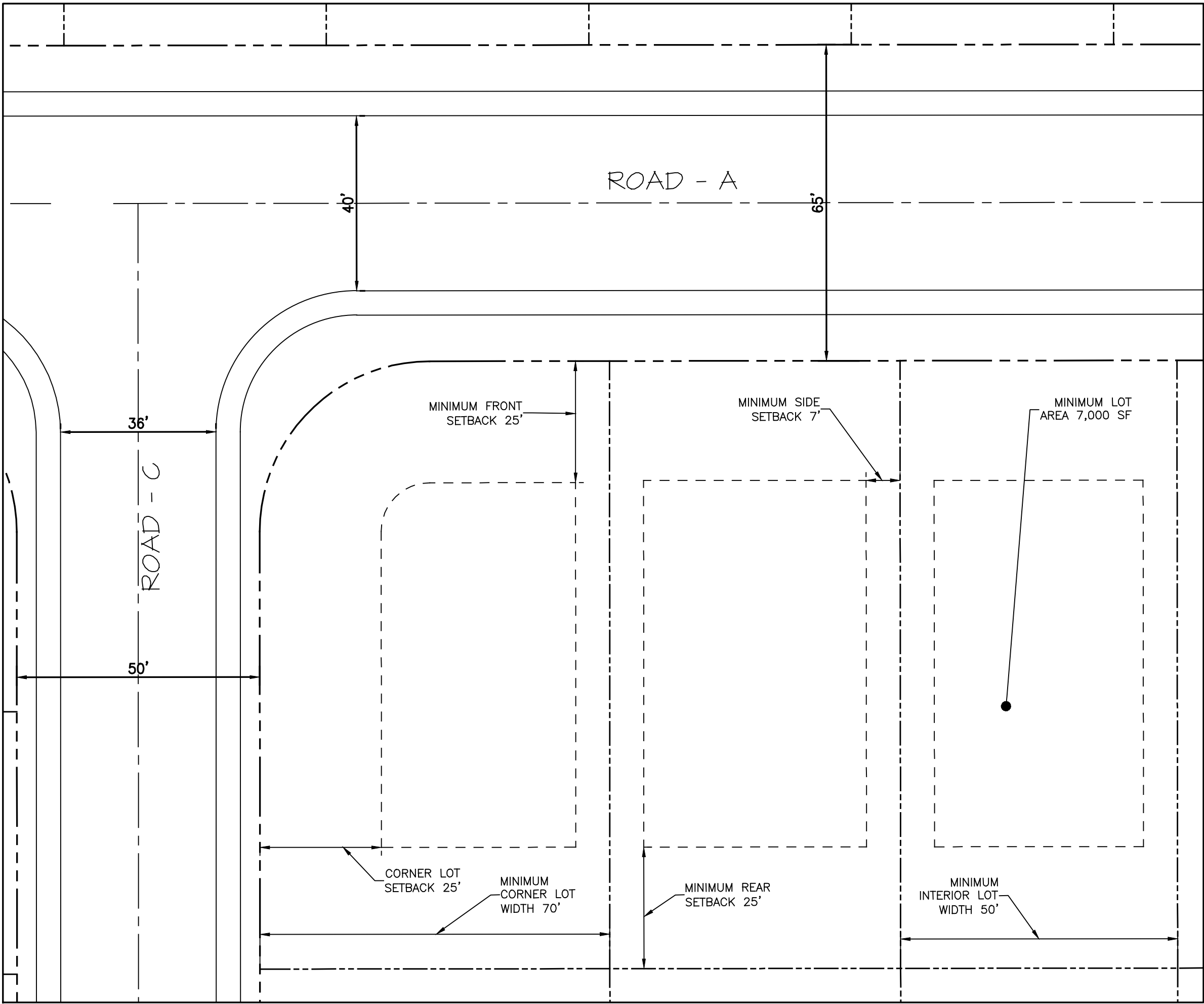
SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

JOB NO.: 21115
SCALE: AS SHOWN
DATE: 2022–08–24
DRAWN BY: JAE
DESIGN BY: JAE
REVIEW BY: JKE
SHEET: 1 OF 5

DATE

REVISIONS

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TYPICAL LOT DETAIL

LEGEND

-----	EX. R/W LINE
-----	EX. PROPERTY LINE
-----	EX. ADJ. PROPERTY LINE
-----	EX. BUILDING
-----	EX. EASEMENT
-----	EX. PAVEMENT
-----	EX. CURB
-----	EX. WALKWAY
-----	EX. POWER POLE
-----	EX. METAL FENCE LINE
-----	OVERHEAD ELECTRIC
-----	WOODEN FENCE
-----	IRON PIN SET
-----	IRON PIN FOUND
-----	CAPPED REBAR FOUND

PROJECT NOTES

1. PHYSICAL ADDRESS IS 835 SHENANDOAH SHORES RD, FRONT ROYAL, VIRGINIA 22630, PER COUNTY GIS.
2. PARCEL PIN: 20A221-3A
3. TOTAL PARCEL AREA: 44.183 AC AS SURVEYED
4. EXISTING USE: AGRICULTURE/UNDEVELOPED
5. PROPOSED USE: RESIDENTIAL
6. EXISTING ZONING: R-E
7. PROPOSED ZONING: R-1A

ZONING REQUIREMENTS

ZONING:	R-1A	Units
	Min. Lot Area:	7,000 SF
	Min. Lot Width Interior:	50 FT
	Min. Lot Width Corner:	70 FT
Setbacks:	Front:	25 FT
	Side:	7 FT
	Rear:	25 FT
	Corner Lot Front:	25 FT

DENSITY SUMMARY

ZONE	LOTS	ACRES	UNITS PER ACRES
R-1A	142	44.183	3.214

ZONING REQUIREMENTS
(R-1A) SECTION 175-18.1

175-18.3 AREA (R-1A)

Notwithstanding the provisions of Section 175-128, all newly established uses, with the exception of single-family dwellings, shall be required to meet the minimum area requirements at the time of establishment of the use.

- A. Minimum lot size:
1. Single family dwellings: seven thousand (7,000) square feet.
 2. Schools: twenty thousand (20,000) square feet.
 3. Churches: twenty thousand (20,000) square feet.
 4. Parks and playgrounds: five thousand (5,000) square feet.
 5. Public utilities: no regulation.
 6. Other public facility uses: twenty thousand (20,000) square feet.

- B. Minimum lot width:
1. Single-family dwellings:
 - a. Corner lots: seventy (70) feet.
 - b. Interior lots: fifty (50) feet.
 2. Parks and playgrounds and public utilities: no regulation.
 3. All other uses: one hundred (100) feet.

- C. Minimum district size: three (3) acres.

175-18.4 HEIGHT(R-1A)

- A. Single-family dwellings: thirty-five (35) feet maximum.

- B. Public or semipublic buildings: forty-five (45) feet maximum, provided that the required front, side and rear yards are increased by two (2) feet for each foot in height over thirty-five (35) feet.

- C. Exemptions from height requirements:
1. Church spires.
 2. Belfries.
 3. Cupolas.
 4. Municipal water towers.
 5. Chimneys.
 6. Flues.
 7. Flagpoles.
 8. Television antennas.
 9. Radio aerials.

- D. Accessory buildings and structures:

1. On lots with an area of less than five-tenths (0.5) acre: two-thirds (2/3) height of principal structure.
2. On lots with an area of five-tenths (0.5) acre or more: not to exceed height of principal structure or thirty-five (35) feet, whichever is less.

175-18.5 MINIMUM YARD DIMENSIONS (R-1A)

- A. Single-family dwellings:
1. Front setback: twenty-five (25) feet.
 2. Side: seven (7) feet.
 3. Corner side: twenty-five (25) feet.
 4. Rear: twenty-five (25) feet.

- B. Other principal structures:
1. Front setback: twenty-five (25) feet.
 2. Side: fifteen (15) feet.
 3. Rear: thirty (30) feet.
 4. Corner side: twenty-five (25) feet.

- C. Accessory buildings and structures:
1. Front setback: thirty (30) feet.
 2. Side: five (5) feet or fifty percent (50%) of building height, whichever is greater.
 3. Rear: five (5) feet or fifty percent (50%) of building height, whichever is greater.
 4. Corner side: twenty-five (25) feet.

- D. Notwithstanding the provisions above, the front setback on any lot located within a block that is fifty percent (50%) or more developed shall conform with any consistently established setback along the block.

- E. The main or front building facade and entrance for any single-family dwelling shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to Section 175-147.1.

(Added "E" 2-26-01-Effective Upon Passage)

175-18.6 LOT COVERAGE (R-1A)

- A. Maximum building coverage: thirty-five percent (35%)
- B. Accessory building coverage: thirty percent (30%) of any required yard

175-18.7 OFF-STREET PARKING (R-1A)

- A. Space requirements:

1. Single-family dwellings: two (2) spaces per unit.
2. Churches/assembly area: one (1) space per four (4) fixed seats in the main assembly or one (1) per one hundred (100) net square feet.
3. Schools: one (1) space per employee plus parking space for assembly areas as provided in Subsection A (2) above.
4. Libraries: one (1) space per one thousand (1,000) gross square feet.

- B. Location: Minimum setback for driveways and parking: three (3) feet from side and rear property lines for parking areas consisting of no more than 4,500 square feet in area. All parking areas with more than 4,500 square feet in area shall meet the requirements of Section 148-870. (Amended 6-13-16 - Effective Upon Passage)

- C. Parking spaces where one car is parked behind another car are permitted in this district for individual dwelling units.

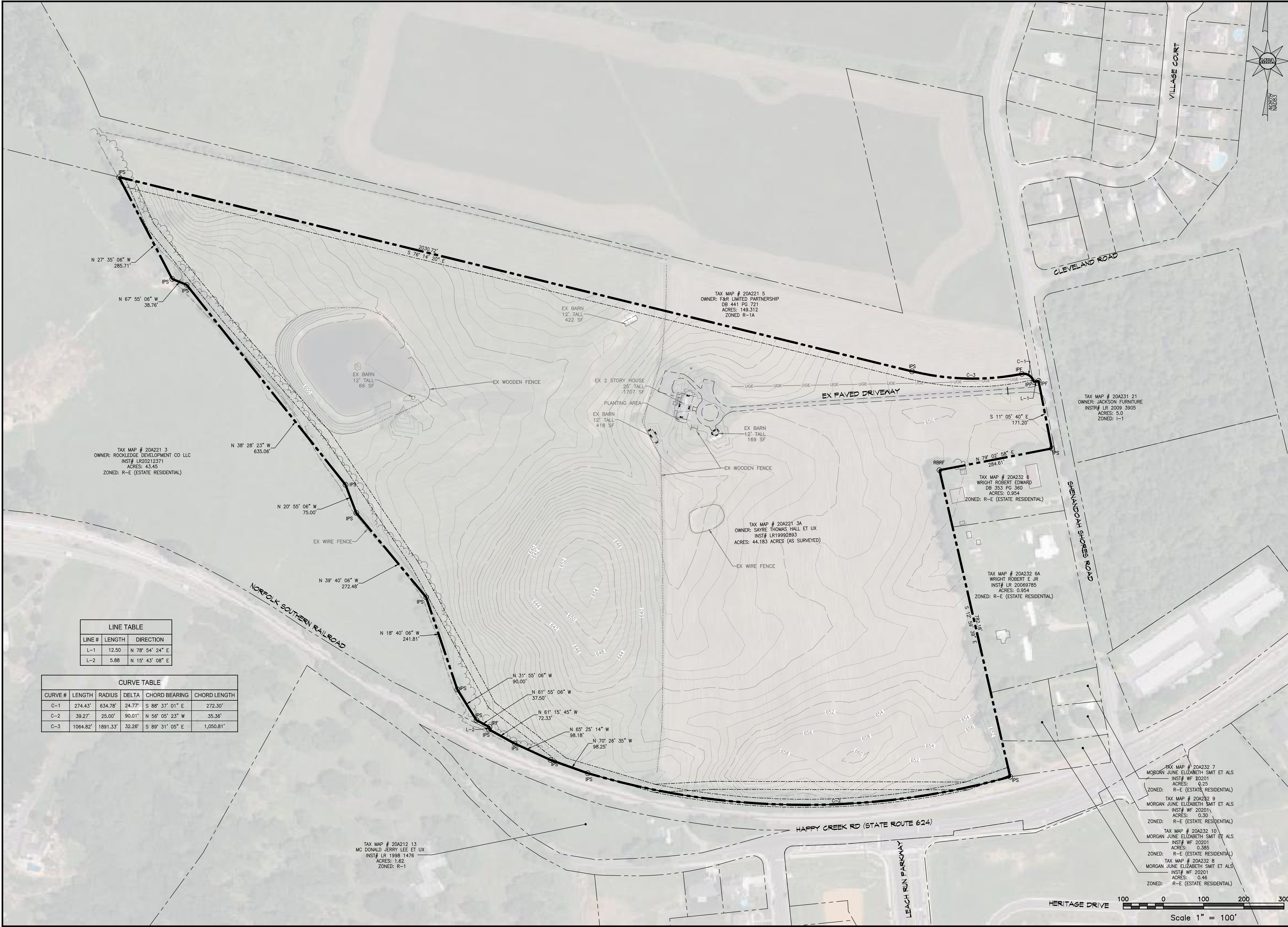
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS



NOTES & DETAILS

SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

JOB NO.:	21115
SCALE:	
DATE:	2022-08-24
DRAWN BY:	JAE
DESIGN BY:	JAE
REVIEW BY:	JKE
SHEET:	2 OF 5



TAX MAP # 20A221 3
OWNER: ROCKLEDGE DEVELOPMENT CO LLC
INST# LR20212371
ACRES: 43.45
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A221 5
OWNER: F&R LIMITED PARTNERSHIP
DB 441 PG 721
ACRES: 149.312
ZONED R-1A

TAX MAP # 20A231 21
OWNER: JACKSON FURNITURE
INST# LR 2009 3905
ACRES: 5.0
ZONED: I-1

TAX MAP # 20A232 6
WRIGHT ROBERT EDWARD
DB 353 PG 360
ACRES: 0.954
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A232 6A
WRIGHT ROBERT E JR
INST# LR 2006785
ACRES: 0.954
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A221 3A
OWNER: SAYRE THOMAS HALL ET UX
INST# LR19992893
ACRES: 44.183 ACRES (AS SURVEYED)

TAX MAP # 20A232 7
MORGAN JUNE ELIZABETH SMIT ET ALS
INST# WF 20201
ACRES: 0.25
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A232 9
MORGAN JUNE ELIZABETH SMIT ET ALS
INST# WF 20201
ACRES: 0.30
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A232 10
MORGAN JUNE ELIZABETH SMIT ET ALS
INST# WF 20201
ACRES: 0.385
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A232 8
MORGAN JUNE ELIZABETH SMIT ET ALS
INST# WF 20201
ACRES: 0.48
ZONED: R-E (ESTATE RESIDENTIAL)

TAX MAP # 20A212 13
MC DONALD JERRY LEE ET UX
INST# LR 1998 1476
ACRES: 1.62
ZONED: R-1

LINE TABLE		
LINE #	LENGTH	DIRECTION
L-1	12.50	N 78° 54' 24" E
L-2	5.88	N 15° 43' 08" E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C-1	274.43'	634.78'	24.77°	S 88° 37' 01" E	272.30'
C-2	39.27'	25.00'	90.01°	N 56° 05' 23" W	35.36'
C-3	1064.82'	1891.33'	32.26°	S 89° 31' 05" E	1,050.81'

DATE

REVISIONS

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

604 SOUTH KING STREET, SUITE 200

LEESBURG, VA 20175

PHONE: (703) 984-4047

MRA@GTA.COM

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MRA

COMMUNITY HEALTH OF VIRGINIA

JOHN K. ERICKSON

PROFESSIONAL ENGINEER

04/13/2022

EXISTING CONDITIONS

SADDLE CREST

CONCEPT PLAN

FRONT ROYAL, VA

JOB NO.: 21115

SCALE: AS SHOWN

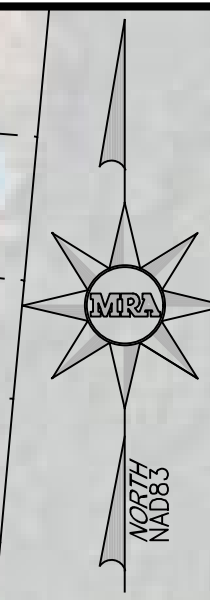
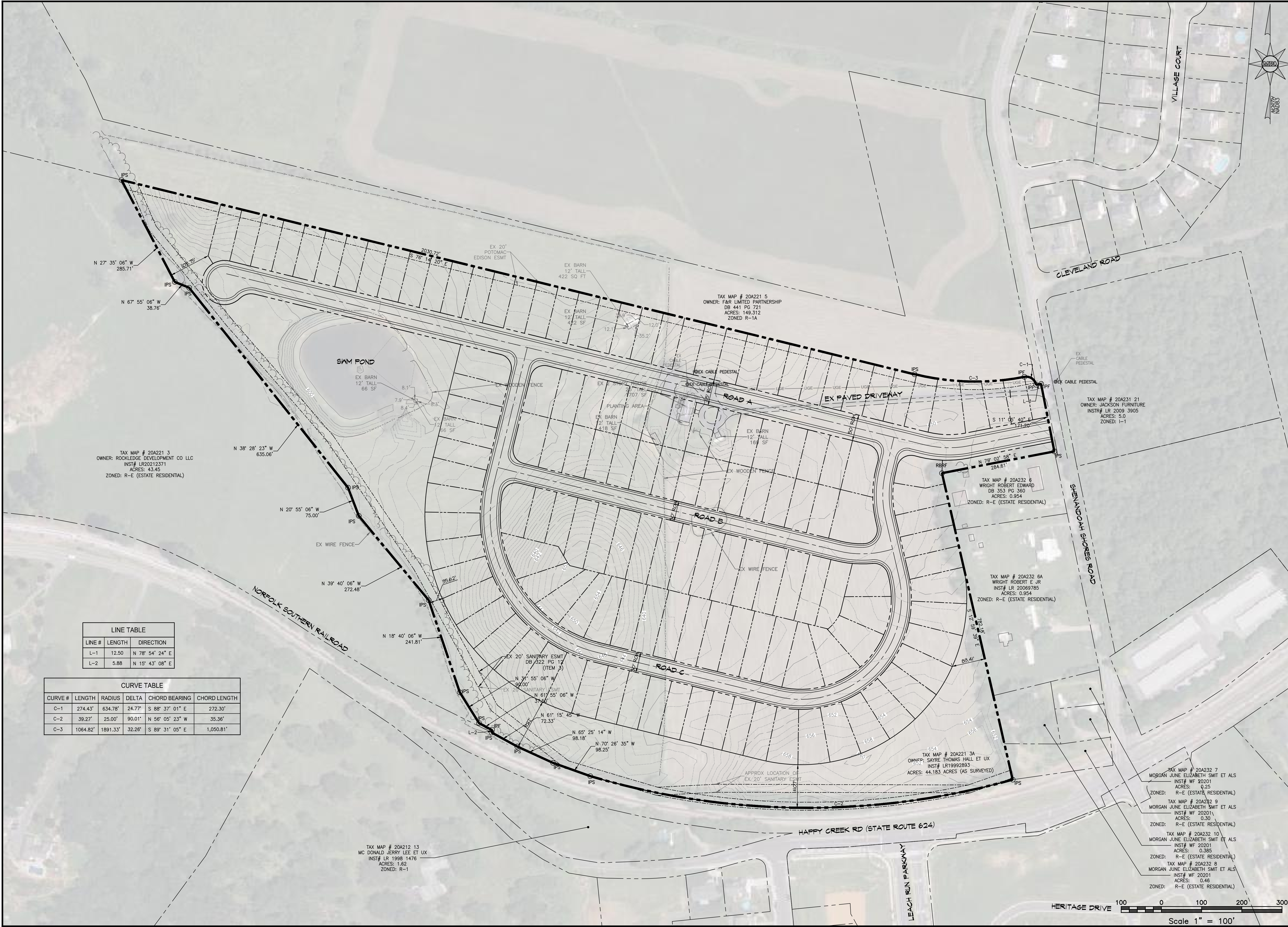
DATE: 2022-08-24

DRAWN BY: JAE

DESIGN BY: JAE

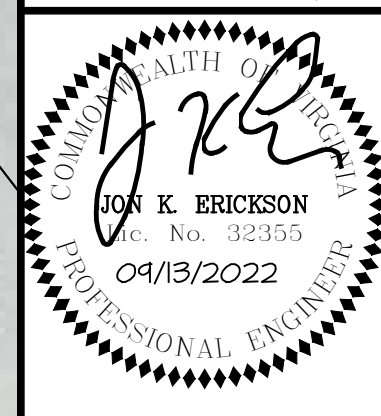
REVIEW BY: JKE

SHEET: 3 OF 5



DATE	REVISIONS

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
PHONE: (703) 984-4047
MRA@GMAIL.COM
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SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

JOB NO.: 21115

SCALE: AS SHOWN

DATE: 2022-08-24

DRAWN BY: JAE

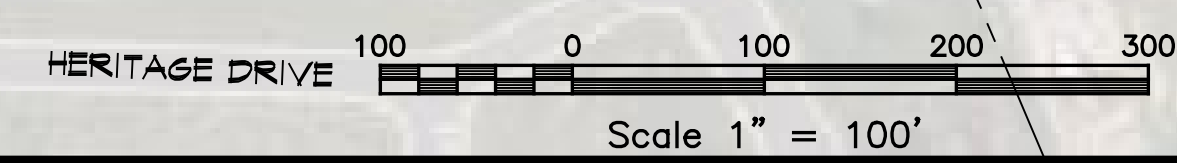
DESIGN BY: JAE

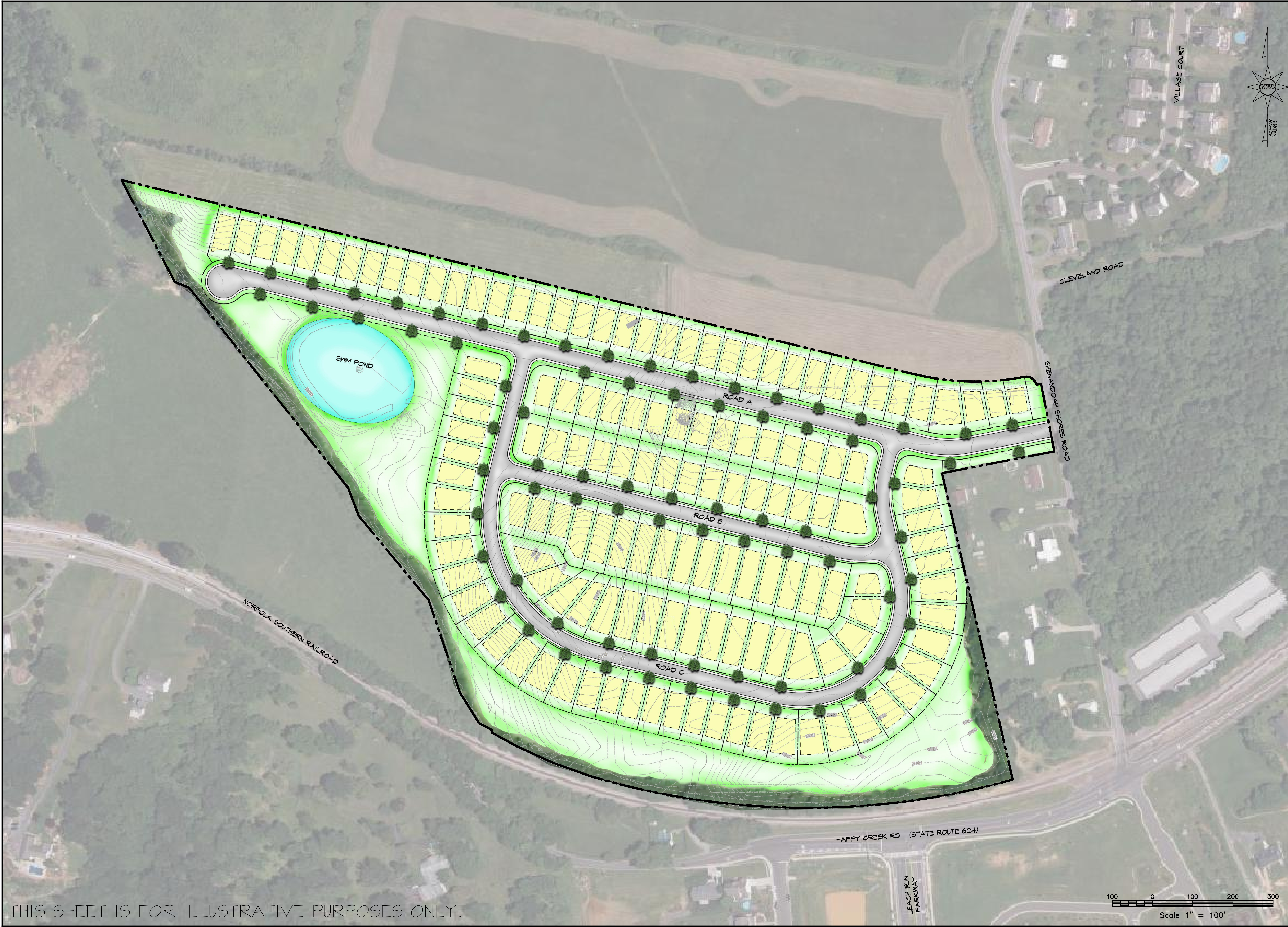
REVIEW BY: JKE

SHEET: 4 OF 5

LINE TABLE			
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L-1	12.50	N 78° 54' 24" E	
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CURVE TABLE					
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C-3	1064.82'	1891.33'	32.26°	S 89° 31' 05" E	1,050.81'





THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY!

ILLUSTRATIVE PLAN		REVISIONS	
SADDLE CREST CONCEPT PLAN FRONT ROYAL, VA		DATE	
		DATE	
		DATE	
		DATE	
		DATE	

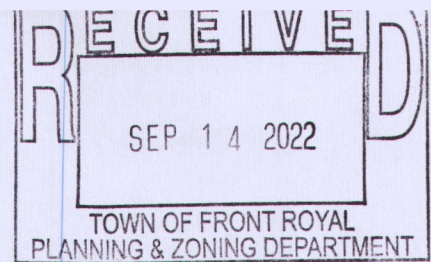
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
PHONE: (703) 984-4047
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COMMITTEE ON HEALTH OF VIRGINIA
JON K. ERICKSON
No. 32355
04/13/2022
PROFESSIONAL ENGINEER

JOB NO.: 21115
SCALE: AS SHOWN
DATE: 2022-08-24
DRAWN BY: JAE
DESIGN BY: JAE
REVIEW BY: JKE
SHEET: 5 OF 5



PROFFER STATEMENT

REZONING: RZ# 2200385
Estate Residential District (R-E) to Residential District (R-1A)

PROPERTY: 44.183 Acres +/-;
Tax Map Parcel 20A221-3A (the "Property")

RECORD OWNERS: Thomas H. Sayre and Carla A. Sayre (collectively "Owner")

APPLICANT: NVR, INC. ("Applicant")

ORIGINAL DATE
OF PROFFERS: September 14, 2022

REVISION DATE(S): _____

The undersigned Owner hereby proffers that the use and development of the above-referenced parcels, which are requested to be rezoned, shall be in substantial conformance with the following conditions, which shall supersede all other proffers on the Property that may have been made prior hereto. In the event that the above-referenced R-1A conditional rezoning is not granted as applied for by the Owner, these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Property with "final rezoning" defined as that rezoning which is in effect on the day following the last day upon which the Town Council of the Town of Front Royal, Virginia (the "Town Council") decision granting the rezoning may be contested in the appropriate court. If the Town Council's decision is contested, and the Owner elects not to submit development plans until such contest is resolved, the term rezoning shall include the day following entry of a final court order affirming the decision of the Town Council which has not been appealed, or, if appealed, the day following which the decision has been affirmed on appeal.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Property adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. Any proffered conditions that would prevent the Owner from conforming with State and/or Federal regulations shall be considered null and void. The term "Owner" as referenced herein shall include within its meaning all future owners and successors in interest.

1. Land Use

- 1.1 The Property shall be developed as a residential single-family detached community.

2. Site Development

- 2.1 Applicant shall develop the Property in conformance with the Saddle Crest Concept Plan dated August 24, 2022 and attached hereto and incorporated herein by reference as "Exhibit A."
- 2.2 Applicant shall incorporate a mixture of vegetative screening/existing vegetation, where appropriate, fencing, other appropriate barriers, and open space on the Property's shared boundary with the Norfolk Southern railroad line to minimize the impacts of the railroad to the future residents of the Property.
- 2.3 Applicant shall incorporate a mixture of vegetative screening/existing vegetation, where appropriate, and fencing along the shared property lines with Tax Map Nos. 20A232-6, 20A232-6A, 20A232-8, and 20A232-10 to maintain privacy between these adjoining residential uses and the residences to be constructed on the Property.
- 2.4 The Property shall be served by public water and sewer provided by the Town of Front Royal, Virginia (the "Town").
- 2.5 Applicant shall install appropriate storm water management facilities on the Property including a storm water retention pond. The pond shall be located in the open space which shall be conveyed to the future homeowners' association for the subdivision. The homeowners' association shall be responsible for the maintenance of the pond.
- 2.6 A portion of the Property shall be reserved as open space. Such open space shall be conveyed to and maintained by the future homeowners' association for the subdivision constructed on the Property.
- 2.7 Applicant shall install one or more entrance features on the open spaces depicted on Exhibit A, which are adjacent to Shenandoah Shores Road to include, but not be limited to, a monument sign identifying the subdivision and the entrance to the Property. The entrances features(s) shall be maintained by the future homeowners' association for the subdivision.

3. Transportation

- 3.1 The Property shall be served by a single access point on Shenandoah Shores Road as depicted on Exhibit A which shall be constructed in accordance with the Town of Front Royal ("Town") or Virginia Department of Transportation ("VDOT") standards, as appropriate.
- 3.2 The roads within the subdivision on the Property shall be public, constructed to Town or VDOT standards, as appropriate, dedicated to the Town and maintained by the Town.

4. Homeowners' Association

- 4.1 Applicant shall create a homeowners' association to maintain the open space areas of the Property, entrances feature(s) and the storm water management pond constructed on the Property.

[remainder of page intentionally left blank]

Respectfully submitted,

OWNER:

THOMAS HALL SAYRE

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by THOMAS HALL SAYRE.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

CARLA A. SAYRE

STATE/Commonwealth of _____, AT LARGE
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by CARLA A. SAYRE.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____



September 13, 2022

Lauren Kopishke, Director
Town of Front Royal
Department of Planning & Zoning
102 E. Main Street
Front Royal, VA 22630

Re: Saddle Crest Rezoning Application

Dear Ms. Kopishke:

Enclosed please find the following documents in support of our rezoning application for Saddle Crest:

- Rezoning Application Form – executed signed by Thomas and Carla Sayre, as owners and NVR, Inc./Richard Lanham, as Applicant.
- Submission fee check for \$4,818.30 made payable to Town of Front Royal.
- Saddle Crest Concept Plan (8 copies). Digital copy sent by email.
- Traffic Impact Analysis by Kittelson & Associates for Saddle Crest (3 copies).
- Draft Proffer Statement
- Statement of Justification

I have also attached a copy of the waiver request we filed and discussed previously in connection with the Environmental Impact Analysis and understand this has been waived.

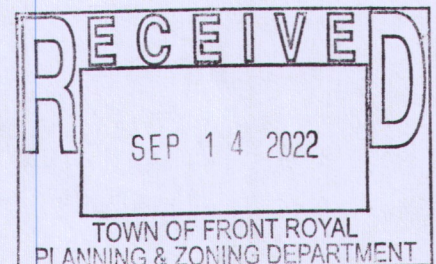
I appreciate the tremendous amount of time and advice you have provided over the last 6 to 7 months and look forward to working with you on the successful completion of this community.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard A. Lanham", is written over a horizontal line.

Richard A. Lanham
Land Entitlement Manager



STATEMENT OF JUSTIFICATION

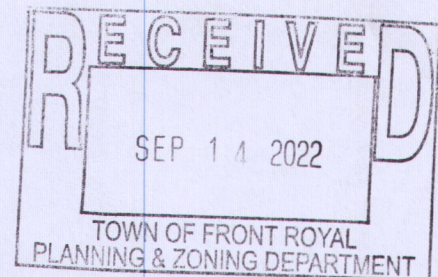
Owner and Applicant request the rezoning of a 44.18 acre parcel known as Tax Map No. 20A221-3A located in the Town of Front Royal, Virginia (the "Property") from Estate Residential District (R-E) to Residential District (R-1A). The Applicant proposes to develop 142 single-family detached lots on the Property.

The Property is located in the North East Planning Area of the Town's Comprehensive Plan. The updated Comprehensive Plan identifies neighborhood residential (medium density) as the future land use of the Property. Neighborhood residential areas may consist of single-family detached, single-family attached, and/or two-family attached homes. The Applicant shall design Saddle Crest as a traditional neighborhood with sidewalks, and the subdivision will be served by public water and sewer in conformance with the updated Comprehensive Plan. The Town desires to offer a variety of housing types in the North East Planning Area to its residents, and Saddle Crest will provide one such option.

Per the Town's Zoning Ordinance, the purpose of the R-1A district is to accommodate single-family detached residential development with medium density and protect and encourage a suitable environment for family life. Single-family detached residences are already permitted by right and are a preferred housing option for future development of the Property per the updated Comprehensive Plan. Additionally, the Property's location makes it ideal for a medium density subdivision, as it is bounded by other residential uses including a 149 acres tract of land to the north which is already zoned R-1A. The Property also adjoins land that will become the future east-west connector planned for this area of the Town.

The Concept Plan attached to the Proffers for this Application sets forth the dimensions of the proposed development which are in conformance with the requirements of the Zoning Ordinance. A cluster development is not proposed for this Property. Rather each lot will be a minimum of 7,000 square feet with all required setbacks. The Concept Plan also provides for open space on the Property.

Saddle Crest is in conformance with the goals and future land use designations of the Town's updated Comprehensive Plan. Saddle Crest will be a positive residential addition to the Town's housing stock and will improve the quality and diversity of housing options available to the Town's residents while maintaining the medium density development the Town prefers for this area.





October 7, 2022

Richard Lanham
NVR
3926 Pender Drive
Suite 200
Fairfax, Virginia 22030

ECS Project No. 47: 13987

Reference: Phase I Environmental Site Assessment Report, Sayre Property, 835 Shenandoah Shores Road, Front Royal, Warren County, Virginia 22630

Dear Mr. Lanham:

As requested, ECS Mid-Atlantic, LLC (ECS) is pleased to provide with NVR with this letter summarizing the previous environmental assessments that ECS has performed at the above-referenced property and our opinions related to environmental conditions at the property.

The subject property is identified by the Warren County GIS website as tax parcel number 20A221-3A and owned by Sayre Thomas ET UX. The approximately 45.6178-acre subject property is occupied by a residential home, several sheds and a small barn for horses. The subject property is serviced by an onsite groundwater well and septic system. The residential home is heated and cooled electrically by forced air.

In March 2022, ECS performed a Phase I Environmental Site Assessment (ESA) for the subject property. The Phase I ESA did not identify evidence of Recognized Environmental Conditions (RECs) in connection with the subject property. The findings of the Phase I ESA included the following Business Environmental Risks (BERs):

- A groundwater well and septic system, although not directly observed, were reported as being located on the subject property. The requirement for proper closure and abandonment of the well and septic system prior to site redevelopment is considered to be a BER for the subject property.
- A pond was observed on the western portion of the subject property, and a stream was located on the western boundary of the subject property. The presence of onsite streams/wetlands features under potential U.S Army Corps of Engineers (USACE) jurisdiction is considered to be a BER for the subject property since the presence of streams/wetlands features may impact future development plans for the property. If future development is planned for the property, it would be prudent to have these potential wetland areas assessed, and if necessary, delineated.

ECS has appreciated the opportunity to assist you with this project. If you have any questions regarding the Phase I ESA report or the information contained in this letter, please contact us at 540-667-3750.

Respectfully submitted,

ECS Mid-Atlantic, LLC

A handwritten signature in black ink, appearing to read 'T. Michelitch', with a stylized flourish at the end.

Taylor R. Michelitch
Environmental Project Manager
tmichelitch@ecslimited.com
540-667-3750

A handwritten signature in black ink, appearing to read 'C. Elliott', with a stylized flourish at the end.

Christopher M. Elliott, CHMM
Environmental Principal
celliott@ecslimited.com
703-471-8400

September 9, 2022

Project# 27646

To: Lauren Kopishke, CZA
Director of Planning and Zoning – Town of Front Royal

From: Chris Tiesler, P.E., PTOE.; Andrew Butsick, P.E.; John Callow

RE: Saddle Crest Development – Transportation Assessment

TRANSPORTATION ASSESSMENT

Kittelston & Associates, Inc. (Kittelston) developed this memorandum to document the anticipated transportation impacts of the proposed Saddle Crest development on Shenandoah Shores Road in Front Royal, Virginia. **Figure 1** illustrates the site plan for the proposed 142 single-family development with a single access point along Shenandoah Shores Road. For the purposes of this analysis, build-out of the developed was assumed to occur by year 2026. The primary intent of this memorandum is to evaluate the anticipated traffic operations of the roadway network after build-out of the proposed site, including peak hour operations and evaluation of VDOT turn lane warrants. Specifically, this analysis includes:

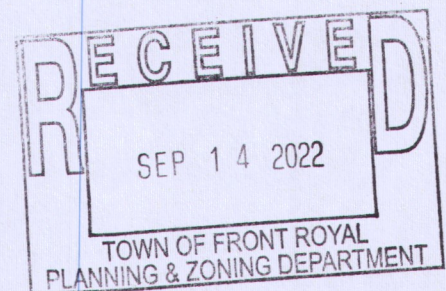
- Trip generation estimate
- Left- and right-turn lane warrant analyses of the proposed site-access driveway on Shenandoah Shores Road.
- Year 2026 operational analysis of the Shenandoah Shores Road/Site Driveway intersection

Preliminary findings are summarized below.

- The proposed site driveway intersection is forecast to operate at LOS B or better during the weekday a.m. and p.m. peak hours after build-out of the site.
- VDOT southbound right-turn lane warrants are not forecast to be met at the site driveway.
- VDOT northbound left-turn lane warrants are not forecast to be met at the site driveway.

Development Description

The proposed development consists of 142 single-family detached homes and is assumed to be completely built out and occupied by year 2026. **Figure 1** illustrates a conceptual site plan of the proposed development. The single point of access is proposed approximately 900 feet north of Happy Creek Road. Shenandoah Shores Road is identified as a Major Collector by the Virginia Department of Transportation (VDOT).





Conceptual Site Plan
Provided by Morris & Ritchie Associates, Inc. (09/2022)
Front Royal, VA

Volume Development

To evaluate VDOT turn lane warrants and evaluate anticipated operations at the site driveway after build-out in 2026, the projected traffic volumes at the site driveway were developed. Twenty-four-hour tube counts were obtained in March 2022 on Shenandoah Shores Road in the approximate location of the future site access driveway. The counts were conducted on a weekday when school was in session. **Attachment A** contains all count data sheets.

To estimate future traffic volumes and assignments for both development phases, a trip distribution pattern was established, assuming all residential trips generated by the development would travel to/from the south and Happy Creek Road, as there are few destinations for such trips to the north. A linear 1.0 percent annual growth rate was applied to existing volumes on Shenandoah Shores Road to project future baseline volumes for year 2026. No "in-process" developments were identified in the vicinity of the project.

Once background traffic volume projections were established, the site-generated trips for the proposed development were assigned to the roadway network. **Table 1** below illustrates the anticipated trip generation of the proposed development using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (Reference 1).

Table 1. Estimated Trip Generation

Land Use	ITE Code	Units	Weekday Daily	Peak Hour Adjacent Street					
				Total	Weekday AM Peak Hour		Total	Weekday PM Peak Hour	
					In	Out		In	Out
Single-Family Detached Housing	210	142 Dwelling Units	1,393	102	27	75	138	87	51

Figure 2 illustrates the anticipated traffic volumes at the site driveway after build-out of the proposed site in 2026 during the weekday a.m. and weekday p.m. peak hour.

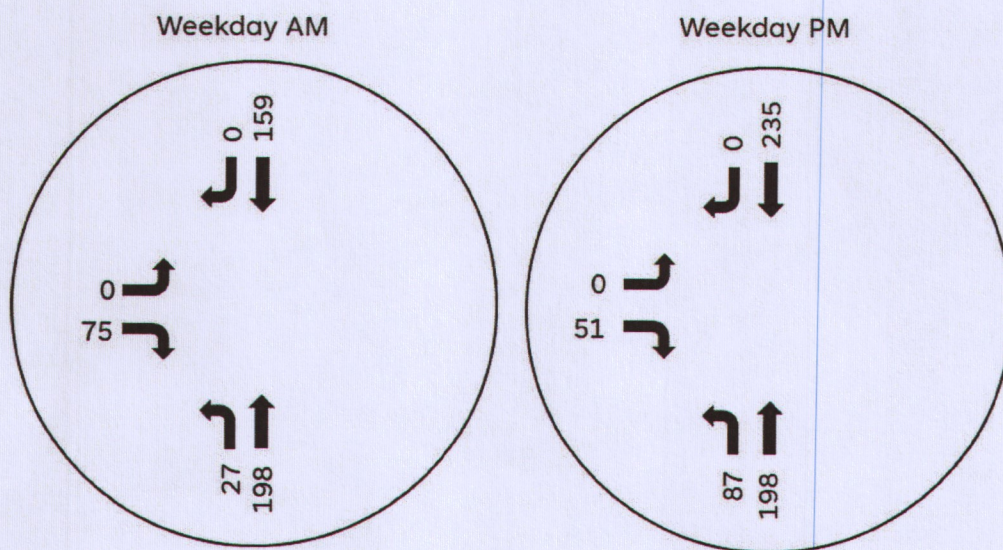


Figure 2. Projected Traffic Volumes – Shenandoah Shores Road/Site Driveway - 2026 Post-Build-Out – Weekday AM & PM Peak Hours

VDOT Turn Lane Warrant Evaluation

The subsequent section evaluates the need for left- and right-turn lanes at the Shenandoah Shores Road/Site Driveway intersection based on VDOT design standards established in Appendix F of the VDOT RDM (Reference 2).

RIGHT-TURN LANE WARRANTS

Per Appendix F of the RDM, a right-turn lane should be considered on a two-lane roadway if the warrants in Figure 3-26 are met. No southbound right-turns are projected at the Shenandoah Shores Road/Site Driveway intersection since virtually all traffic generated by the development will be oriented southward toward Happy Creek Road. As shown in **Figure 3**, the minimum VDOT threshold for a right-turn taper on Shenandoah Shores Road is 20 vehicles in a single peak hour. Even if a few vehicles were to travel to the development from the north, it is unlikely there would be more than 20 southbound right-turns in a single hour. Therefore, neither a southbound right-turn taper nor turn lane are warranted.

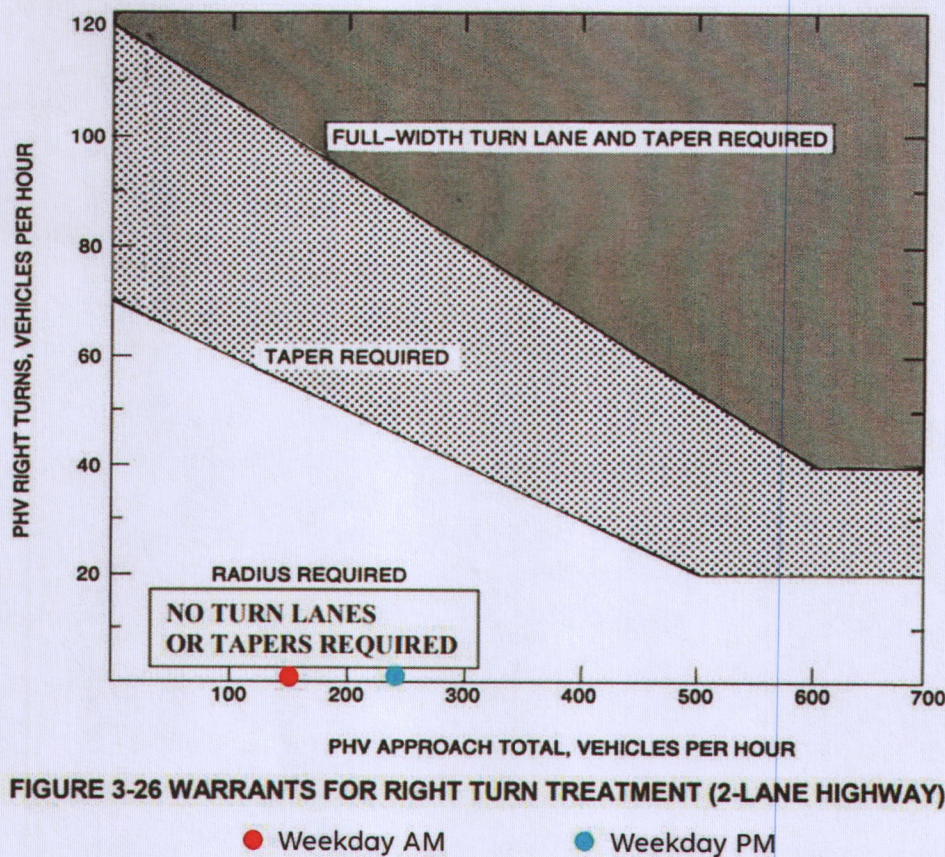


Figure 3. VDOT Right-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM & PM Peak Hours

LEFT-TURN LANE WARRANTS

Per Appendix F of the RDM, a left-turn lane on a two-lane roadway with a posted speed of 35 miles-per-hour is required if the thresholds for various conditions (design speed, percentage of left-turns, advancing/opposing volume) are met. These warrants were evaluated against the weekday a.m. and p.m. peak hour projections of northbound left-turn demand at the Shenandoah Shores Road/Site Driveway intersection for both development scenarios. **Figure 4** and **Figure 5** illustrate the application of the appropriate nomographs for the weekday a.m. and weekday p.m. peak hours, respectively.

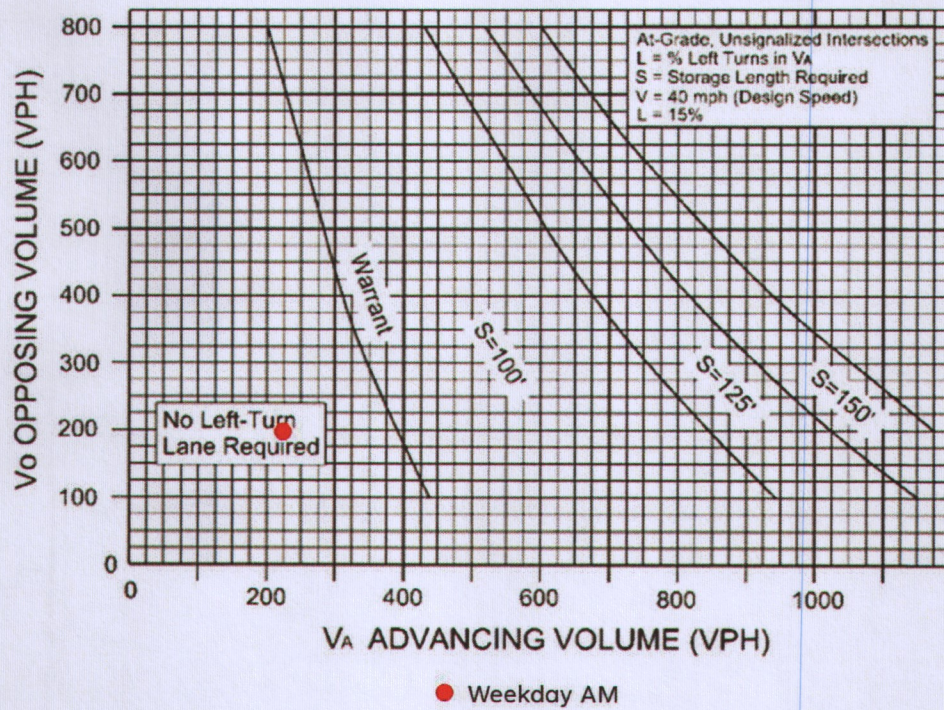


Figure 4. VDOT Left-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM Peak Hour

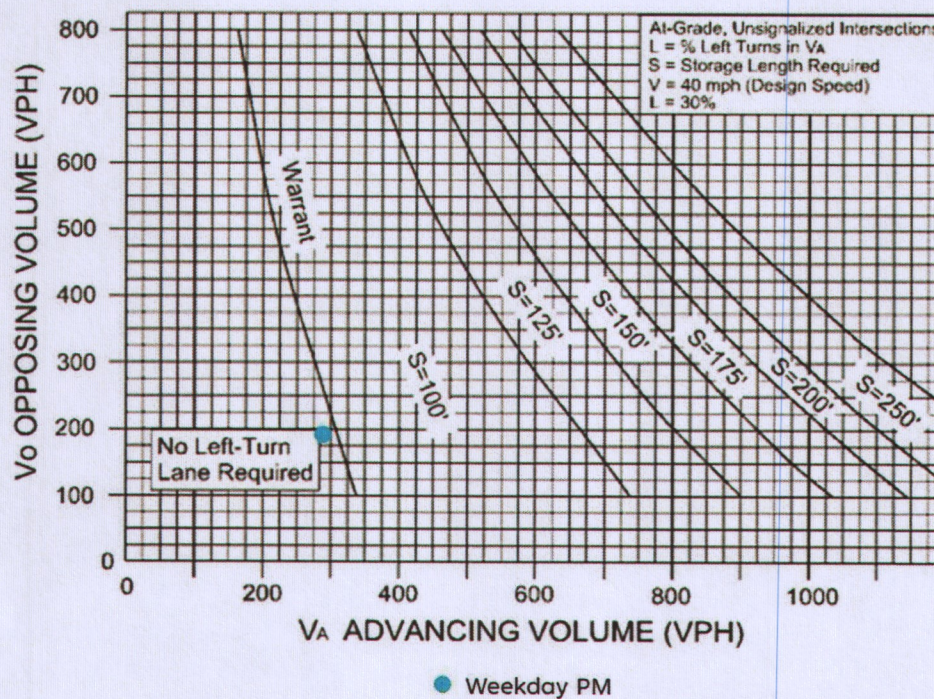


Figure 5. VDOT Left-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM Peak Hour

As shown in the nomographs, neither development scenario is projected to trigger a VDOT warrant for a northbound left-turn lane on Shenandoah Shores Road at the site driveway.

FUTURE TRAFFIC OPERATIONS

All level of service (LOS) analyses described in this report was performed in accordance with the procedures stated in the *Highway Capacity Manual, 6th Edition* (HCM – Reference 3). This analysis is based on the system hourly peak during each of the study periods to evaluate of all intersection levels-of-service. The weekday a.m. and weekday p.m. peak hours were found to occur from 8:00 a.m. to 9:00 a.m. and 5:00 p.m. to 6:00 p.m., respectively. Traffic operations were evaluated using Synchro 11 in accordance with VDOT's *Traffic Operations and Safety Analysis Manual v2.0* (TOSAM – Reference 4).

Figure 5 illustrates the anticipated peak hour operations at the site driveway after build-out of the proposed site in 2026. **Table 2** summarizes the operations. **Attachment B** contains the year 2026 level of service worksheets for both scenarios.

Table 2. Year 2026 Traffic Operations – Weekday AM and Weekday PM Peak Hours

Intersection	Control Form	Approach	Lane Group	Weekday AM			Weekday PM		
				LOS	Delay (sec)	Queue (ft)	LOS	Delay (sec)	Queue (ft)
Shenandoah Shores Rd & Site Driveway	Two-way, stop-controlled	EB	EBLR	A	9.6	<25	B	10.0	<25
		NB	NBLT	A	0.9	0	A	2.4	<25
		SB	SBTR	-	-	-	-	-	-

As shown, the Shenandoah Shores Road/Site Driveway intersection is forecast to operate acceptably at LOS A and LOS B under year 2026 total traffic conditions during the weekday a.m. and weekday p.m. peak hours, respectively.

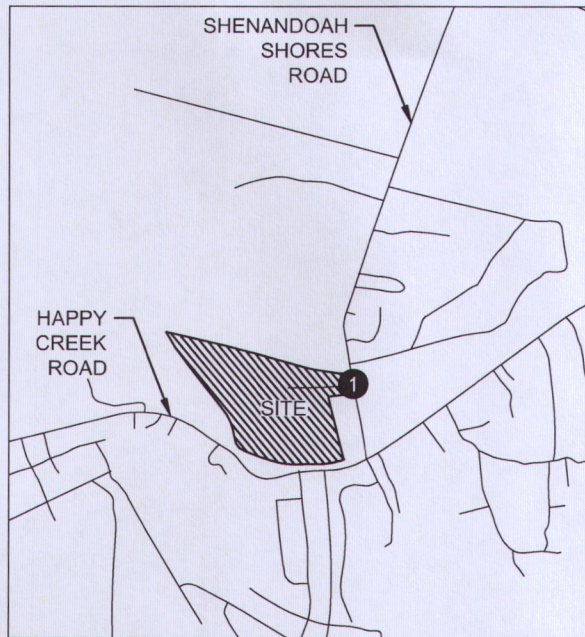
Conclusions

The proposed development is not forecast to any off-site improvements. Findings are summarized below.

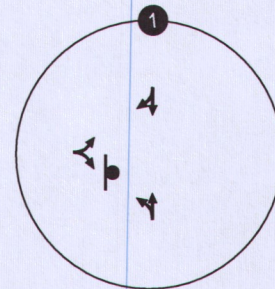
- The proposed site driveway intersection is forecast to operate at LOS B or better during the weekday a.m. and p.m. peak hours after build-out of the site.
- VDOT southbound right-turn lane warrants are not forecast to be met at the site driveway.
- VDOT northbound left-turn lane warrants are not forecast to be met at the site driveway.

References

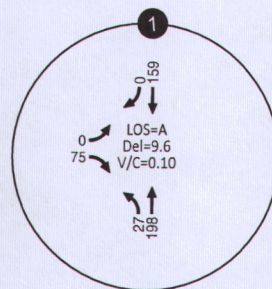
1. Institute of Transportation Engineers. Trip Generation, 11th Edition. 2021.
2. Virginia Department of Transportation. Road Design Manual.
3. Transportation Research Board. Highway Capacity Manual, 6th Edition. 2016.
4. Virginia Department of Transportation. Traffic Operations and Safety Analysis Manual. February 2020.



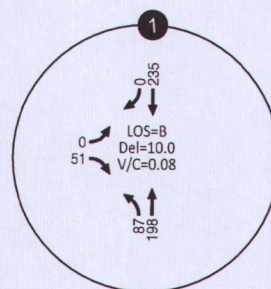
2026 ASSUMED LANE CONFIGURATION



WEEKDAY AM



WEEKDAY PM



 = STOP SIGN
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE
 (SIGNALIZED)/CRITICAL MOVEMENT LEVEL OF
 SERVICE (UNSIGNALIZED)
 Del = INTERSECTION AVERAGE CONTROL DELAY
 (SIGNALIZED)/CRITICAL MOVEMENT CONTROL
 DELAY (UNSIGNALIZED)
 V/C = CRITICAL CRITICAL VOLUME-TO-CAPACITY RATIO

2026 Total Traffic Conditions
Weekday AM & PM Peak Hours
Front Royal, VA

Figure
6

Attachment A
Traffic Data

Type of report: Tube Count - Volume Data

LOCATION: Shenandoah Shores Rd North of Happy Creek Rd										QC JOB #: 15751801	
SPECIFIC LOCATION:										DIRECTION: NB	
CITY/STATE: Front Royal, VA										DATE: Mar 22 2022 - Mar 23 2022	
Start Time	Mon 22 Mar 22	Tue 23 Mar 22	Wed 23 Mar 22	Thu	Fri	Average Weekday Hourly Traffic	Sat	Sun	Average Week Hourly Traffic	Average Week Profile	
12:00 AM		13	10			12			12		
01:00 AM		9	4			7			7		
02:00 AM		4	3			4			4		
03:00 AM		5	6			6			6		
04:00 AM		5	4			5			5		
05:00 AM		21	26			24			24		
06:00 AM		50	44			47			47		
07:00 AM		111	111			111			111		
08:00 AM		188	192			190			190		
09:00 AM		128	155			142			142		
10:00 AM		84	90			87			87		
11:00 AM		100	95			98			98		
12:00 PM		139	109			124			124		
01:00 PM		107	119			113			113		
02:00 PM		141	106			124			124		
03:00 PM		172	171			172			172		
04:00 PM		164	201			183			183		
05:00 PM		219	161			190			190		
06:00 PM		147	153			150			150		
07:00 PM		111	100			106			106		
08:00 PM		102	77			90			90		
09:00 PM		75	56			66			66		
10:00 PM		38	35			37			37		
11:00 PM		29	20			25			25		
Day Total		2162	2048			2113			2113		
% Weekday Average		102.3%	96.9%								
% Week Average		102.3%	96.9%			100%					
AM Peak Volume		8:00 AM 188	8:00 AM 192			8:00 AM 190			8:00 AM 190		
PM Peak Volume		5:00 PM 219	4:00 PM 201			5:00 PM 190			5:00 PM 190		
Comments:											

Report generated on 3/25/2022 6:35 AM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>)

Type of report: Tube Count - Volume Data

LOCATION: Shenandoah Shores Rd North of Happy Creek Rd							QC JOB #: 15751801			
SPECIFIC LOCATION:							DIRECTION: SB			
CITY/STATE: Front Royal, VA							DATE: Mar 22 2022 - Mar 23 2022			
Start Time	Mon 22 Mar 22	Tue 23 Mar 22	Wed 24 Mar 22	Thu 25 Mar 22	Fri 26 Mar 22	Average Weekday Hourly Traffic	Sat 27 Mar 22	Sun 28 Mar 22	Average Week Hourly Traffic	Average Week Profile
12:00 AM		14	7			11			11	
01:00 AM		11	3			7			7	
02:00 AM		4	5			5			5	
03:00 AM		13	8			11			11	
04:00 AM		38	36			37			37	
05:00 AM		65	51			58			58	
06:00 AM		90	102			96			96	
07:00 AM		111	121			116			116	
08:00 AM		144	162			153			153	
09:00 AM		87	102			95			95	
10:00 AM		82	117			100			100	
11:00 AM		127	104			116			116	
12:00 PM		128	106			117			117	
01:00 PM		120	93			107			107	
02:00 PM		142	104			123			123	
03:00 PM		206	197			202			202	
04:00 PM		166	183			175			175	
05:00 PM		249	203			226			226	
06:00 PM		145	96			121			121	
07:00 PM		104	84			94			94	
08:00 PM		60	63			62			62	
09:00 PM		32	74			53			53	
10:00 PM		39	24			32			32	
11:00 PM		13	20			17			17	
Day Total		2190	2065			2134			2134	
% Weekday Average		102.6%	96.8%							
% Week Average		102.6%	96.8%			100%				
AM Peak Volume		8:00 AM 144	8:00 AM 162			8:00 AM 153			8:00 AM 153	
PM Peak Volume		5:00 PM 249	5:00 PM 203			5:00 PM 226			5:00 PM 226	
Comments:										

Report generated on 3/25/2022 6:35 AM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>)

Type of report: Tube Count - Volume Data

LOCATION: Shenandoah Shores Rd North of Happy Creek Rd							QC JOB #: 15751801			
SPECIFIC LOCATION:							DIRECTION: NB, SB			
CITY/STATE: Front Royal, VA							DATE: Mar 22 2022 - Mar 23 2022			
Start Time	Mon 22 Mar 22	Tue 23 Mar 22	Wed 24 Mar 22	Thu 25 Mar 22	Fri 26 Mar 22	Average Weekday Hourly Traffic	Sat 27 Mar 22	Sun 28 Mar 22	Average Week Hourly Traffic	Average Week Profile
12:00 AM		27	17			22			22	
01:00 AM		20	7			14			14	
02:00 AM		8	8			8			8	
03:00 AM		18	14			16			16	
04:00 AM		43	40			42			42	
05:00 AM		86	77			82			82	
06:00 AM		140	146			143			143	
07:00 AM		222	232			227			227	
08:00 AM		332	354			343			343	
09:00 AM		215	257			236			236	
10:00 AM		166	207			187			187	
11:00 AM		227	199			213			213	
12:00 PM		267	215			241			241	
01:00 PM		227	212			220			220	
02:00 PM		283	210			247			247	
03:00 PM		378	368			373			373	
04:00 PM		330	384			357			357	
05:00 PM		468	364			416			416	
06:00 PM		292	249			271			271	
07:00 PM		215	184			200			200	
08:00 PM		162	140			151			151	
09:00 PM		107	130			119			119	
10:00 PM		77	59			68			68	
11:00 PM		42	40			41			41	
Day Total		4352	4113			4237			4237	
% Weekday Average		102.7%	97.1%							
% Week Average		102.7%	97.1%			100%				
AM Peak Volume		8:00 AM 332	8:00 AM 354			8:00 AM 343			8:00 AM 343	
PM Peak Volume		5:00 PM 468	4:00 PM 384			5:00 PM 416			5:00 PM 416	
Comments:										

Report generated on 3/25/2022 6:35 AM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>)

Attachment B

Year 2026

Traffic Operations Worksheets

HCM 6th TWSC
4: Shenandoah Shores Rd & Site Dwy

Saddle Crest Development
2026 Total AM

Intersection

Int Delay, s/veh 2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
----------	-----	-----	-----	-----	-----	-----

Lane Configurations						
---------------------	---	--	--	---	---	--

Traffic Vol, veh/h	0	75	27	198	159	0
--------------------	---	----	----	-----	-----	---

Future Vol, veh/h	0	75	27	198	159	0
-------------------	---	----	----	-----	-----	---

Conflicting Peds, #/hr	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

Sign Control	Stop	Stop	Free	Free	Free	Free
--------------	------	------	------	------	------	------

RT Channelized	-	None	-	None	-	None
----------------	---	------	---	------	---	------

Storage Length	0	-	-	-	-	-
----------------	---	---	---	---	---	---

Veh in Median Storage, #	0	-	-	0	0	-
--------------------------	---	---	---	---	---	---

Grade, %	0	-	-	0	0	-
----------	---	---	---	---	---	---

Peak Hour Factor	88	88	88	88	88	88
------------------	----	----	----	----	----	----

Heavy Vehicles, %	2	2	2	2	2	2
-------------------	---	---	---	---	---	---

Mvmt Flow	0	85	31	225	181	0
-----------	---	----	----	-----	-----	---

Major/Minor	Minor2	Major1	Major2
-------------	--------	--------	--------

Conflicting Flow All	468	181	181
----------------------	-----	-----	-----

Stage 1	181	-	-
---------	-----	---	---

Stage 2	287	-	-
---------	-----	---	---

Critical Hdwy	6.42	6.22	4.12
---------------	------	------	------

Critical Hdwy Stg 1	5.42	-	-
---------------------	------	---	---

Critical Hdwy Stg 2	5.42	-	-
---------------------	------	---	---

Follow-up Hdwy	3.518	3.318	2.218
----------------	-------	-------	-------

Pot Cap-1 Maneuver	553	862	1394
--------------------	-----	-----	------

Stage 1	850	-	-
---------	-----	---	---

Stage 2	762	-	-
---------	-----	---	---

Platoon blocked, %			
--------------------	--	--	--

Mov Cap-1 Maneuver	539	862	1394
--------------------	-----	-----	------

Mov Cap-2 Maneuver	539	-	-
--------------------	-----	---	---

Stage 1	829	-	-
---------	-----	---	---

Stage 2	762	-	-
---------	-----	---	---

Approach	EB	NB	SB
----------	----	----	----

HCM Control Delay, s	9.6	0.9	0
----------------------	-----	-----	---

HCM LOS	A		
---------	---	--	--

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
-----------------------	-----	-----	-------	-----	-----

Capacity (veh/h)	1394	-	862	-	-
------------------	------	---	-----	---	---

HCM Lane V/C Ratio	0.022	-	0.099	-	-
--------------------	-------	---	-------	---	---

HCM Control Delay (s)	7.6	0	9.6	-	-
-----------------------	-----	---	-----	---	---

HCM Lane LOS	A	A	A	-	-
--------------	---	---	---	---	---

HCM 95th %tile Q(veh)	0.1	-	0.3	-	-
-----------------------	-----	---	-----	---	---

HCM 6th TWSC
1: Shenandoah Shores Rd & Site Dwy

Saddle Crest Development
2026 Total PM

Intersection						
Int Delay, s/veh	2.1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	51	87	198	235	0
Future Vol, veh/h	0	51	87	198	235	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	58	99	225	267	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	690	267	267	0	-	0
Stage 1	267	-	-	-	-	-
Stage 2	423	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	411	772	1297	-	-	-
Stage 1	778	-	-	-	-	-
Stage 2	661	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	375	772	1297	-	-	-
Mov Cap-2 Maneuver	375	-	-	-	-	-
Stage 1	710	-	-	-	-	-
Stage 2	661	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	10	2.4		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1297	-	772	-	-	
HCM Lane V/C Ratio	0.076	-	0.075	-	-	
HCM Control Delay (s)	8	0	10	-	-	
HCM Lane LOS	A	A	B	-	-	
HCM 95th %tile Q(veh)	0.2	-	0.2	-	-	

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600

FAX: (540) 636-6066

Email: tlogan@warrencountyva.net

Taryn G. Logan
Deputy County Administrator

November 9, 2022

BOARD OF SUPERVISORS

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Cheryl L. Cullers
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District*

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*Shenandoah
District*

Dr. Edwin C. Daley
County Administrator

Lauren Kopishke, Planning Director
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

RE: **Saddle Crest - Proposed Rezoning**

Dear Lauren:

Thank you for forwarding the proposed rezoning application packet submitted by NVR, Inc. for the Saddle Crest development to the County for review and comment. The applicant is proposing to build 142 single-family dwellings on 44.183 acres, to be accessed by a single entrance off Route 606, Shenandoah Shores Road. The submitted proffer statement offers no solution to offset the impact of the development on County services.

We have run the County's fiscal impact model for this proposed development, which was revised in 2018 following the new proffer legislation. For the single-family detached units, our model shows a capital cost per unit of \$4,735 for schools and a \$4,035 cost per unit for parks to equal a one-time cost per unit of \$8,770. Our model also shows that this development will generate an additional 22 elementary students at Leslie Fox Keyser Elementary School, an additional 13 students at Warren County Middle School, and an additional 17 students at Warren County High School. Leslie Fox Keyser is already over capacity according to our model. The secondary schools currently have capacity for the proposed student generation from this development.

We have concerns about the impact of the development on public safety. There is currently only one access point proposed from this development onto Shenandoah Shores Road. The only access out of Shenandoah Shores Road is over an at-grade railroad crossing. The railroad has been frequently blocked, sometimes for several hours at a time. This is a concern to the County and to residents in the area. The County and Town have been planning for many years to establish an east/west connector road as an alternate access out of the Shenandoah Shores area to parallel Happy Creek Road. This road is shown on the Town and County's joint Small Area Urban Transportation Plan, and this property could encompass the start of this proposed roadway as it develops.

In addition to only one access point proposed for 142 new homes, there is no interparcel connector access shown to connect with adjacent properties as they develop. This again will prohibit emergency services from having an efficient route for the future.

We thank the Town and its staff for using its best efforts in consideration of the rezoning application to address the fiscal impact that this project will have on county services. If you have any questions regarding these comments, please give me a call. Thank you for the opportunity to review the request and provide comments to the Planning Commission and Town Council.

Sincerely,

A handwritten signature in black ink that reads "Taryn Logan". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Taryn G. Logan, AICP
Deputy County Administrator

TGL

cc: Edwin Daley, County Administrator



Warren County Fiscal Impact Model

Saddle Crest Residential 2022

Residential Project Phase 1

Development Name: Saddle Crest
Developer Name: Thomas Sayre ET

Summary Revenues & Expenditures

One-Time Capital Cost per Unit:	\$8,770	Break-Even Value/Unit:	\$360,500
Annual Revenue per Unit:	\$3,471	Zoning:	Town
Annual Expenditures per Unit:	\$4,118	Sanitary District:	None
		Fire & Rescue:	Co. 1: Front Royal

Phase 1

Development Year:	2022	
Land Area:	44.183 acres	
Housing Type:	Single Family	
Units:	142	
Assessed Value/Unit:	\$410,000	
	County Persons/Household	2.69
	Additional Residents:	382

Phase 1 One-Time Capital Costs - Based on a 20 year outlook impact on the County

	Capital Cost
Schools:	\$4,735
Parks & Recreation:	\$4,035

Total One-Time Capital Costs per Unit: **\$8,770**

Recurring Revenues Related to Residential Development

Personal Property Taxes:

Revenue per Unit: **\$284 /capita**
 Annual Revenue Per Unit: **\$765 /year**

Real Estate Taxes:

Assessed Value per Unit: **\$410,000**
 Annual Real Estate Revenue Per Unit: **\$2,706 /year** (Tax Rate **\$0.66** per \$100)

Total Annual Revenue per Unit: \$3,471 /year

Recurring Expenditures Related to Residential Development

Department County Expenditures:

	Per Capita Rate	Per Unit Rate
Parks & Recreation:	\$90	\$241
Public Works:	\$123	\$330
Judicial Administration:	\$61	\$164
Public Safety:	\$379	\$1,019
Health & Welfare Services:	\$170	\$457
General Administration:	\$82	\$220
Planning and Community Development:	\$24	\$65

Estimated Department Expenditures: \$2,496 Per Unit/Per Year

Educational Expenditures:

	Units	Student/Unit	New Students	
Leslie Fox Keyser Elementary School	142	0.152	22	
Warren County Middle School	142	0.090	13	
Warren County High School	142	0.122	17	
			52	<i>additional students</i>
Education Expense per Student:				\$4,454 /student
Education Expenditure per Unit:				\$1,621 /unit/year

Total Phase 1 Expenditures: \$4,118 Per Unit/Per Year

Educational Demographics

School Name	Educational Capacity	Current Enrolled	Additional Students	Projected Enrollment	Information and Alerts	
Leslie Fox Keyser Elementary School	494	520	22	542	The school capacity is exceeded.	
Warren County Middle School	800	599	13	612	School within capacity limits.	
Warren County High School	1,100	807	17	824	School within capacity limits.	
School Name	Classroom Teachers	Students per Teacher Ratio	Target Ratio	Information and Alerts		
Leslie Fox Keyser Elementary School	36	15	20	The student\teacher ratio is within limits.		
Warren County Middle School	47	13	23	The student\teacher ratio is within limits.		
Warren County High School	56	15	23	The student\teacher ratio is within limits.		
County Bus Capacity	Current Bus Capacity	Current Bus Riders	Additional Bus Riders	New Bus Capacity	Information and Alerts	
All Schools included:	3,828	2,530	52	2,582	Bus capacity is within limits.	

Saddle Crest Subdivision

Shenandoah Shores Road, Front Royal, VA

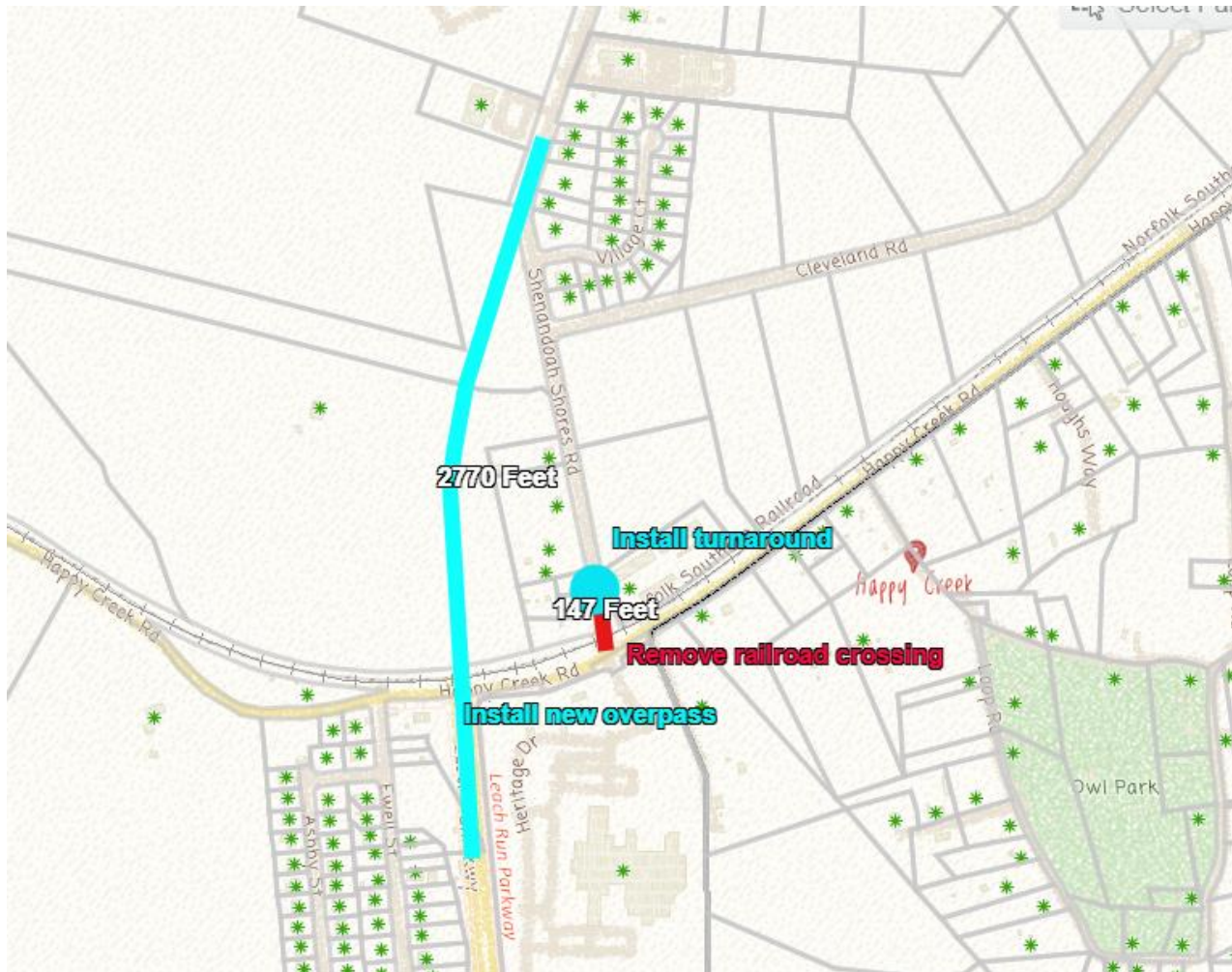
Development Review Comments

November 17, 2022

Ms. Lauren Kopishke,

We have reviewed the above subject subdivision application dated September 12, 2022 and offer the following comments and recommendations:

1. The proposed subdivision is not within VDOT's maintenance area and does not meet the thresholds for a VDOT Chapter 527 Comprehensive Traffic Impact Analysis.
2. We have major concerns with the existing Happy Creek/Shenandoah Shores intersection and railroad crossing. VDOT and Warren County routinely receive safety concerns from citizens about the Shenandoah Shores railroad crossing being block by long trains passing through, stopped, or railroad maintenance crews. This blockage of Shenandoah Shores Road causes right and left turning traffic on Happy Creek Road to also stop, creating delays and a safety hazard. The traffic from this development will exacerbate the existing situation.
3. The proposed development does not accommodate Warren County's transportation plan to overpass Happy Creek Road/railroad and construct a new roadway connecting Leach Run Parkway to Shenandoah Shores Road (see sketch below). Leach Run Parkway intersection with Happy Creek was strategically place in its current alignment, so that the County could remove these two intersections, traffic signals, and the at-grade rail crossing in the future.
4. If the County and Town are still interested in future construction of an overpass in this location, then we suggest that the developer include construction of this section of future Shenandoah Shores Road across the subdivision property and set aside additional right-of-way and easements for construction of a bridge and it's roadway fill approaches. I suggest that the Warren County plan for this improvement and Leach Run Parkway engineer be consulted for any preliminary design information if available.



If you have any questions or concerns, please let me know.

Respectfully,
Bobby Boyce

LAND DEVELOPMENT ENGINEER
CLARKE, FREDERICK, SHENANDOAH,
& WARREN COUNTIES
14031 OLD VALLEY PIKE
EDINBURG, VIRGINIA 22824
(540)984-5631

2200385

Connie Potter

From: David Beahm <Dbeahm@warrencountyva.gov>
Sent: Wednesday, October 12, 2022 4:11 PM
To: Connie Potter
Cc: Lauren Kopishke
Subject: RE: Rezoning Application Submission

Requested Comments:

- Erosion and Sediment Control (ESC) Items:
 - At this time, it appears only the division of the property is taking place, but if not an application and permit would be required for ESC, which would be a normal submission including a full plan review application if any work over 10,000 square feet with regards to the access, outside of what currently exists in the Warren County GIS records. This would be what is shown on the documentation as "unimproved street."
 - If the area of disturbance were to exceed one (1) acre additional requirements would be required for stormwater through the Department of Environmental Quality (DEQ).
- Building Inspections Items:
 - If and when any building construction related activity (structure, electrical, plumbing, mechanical, etc.) were to start, it would be subject to the normal requirements of application, review and approval prior to work beginning.

If anything should change in the scope, additional requirements may be required.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.gov
www.warrencountyva.gov

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS MESSAGE TO OTHERS; PLEASE NOTIFY THE SENDER BY REPLYING TO THIS MESSAGE; AND THEN PLEASE DELETE THIS MESSAGE FROM YOUR SYSTEM. THANK YOU.

From: Connie Potter <cpotter@frontroyalva.com>
Sent: Tuesday, September 20, 2022 11:30 AM
To: David Beahm <Dbeahm@warrencountyva.gov>
Cc: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: Rezoning Application Submission

Good morning,

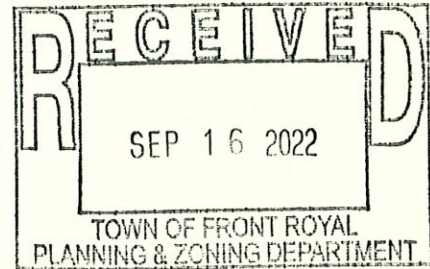
Below is a link to a Rezoning Application submitted by NVR, Inc. to Planning and Zoning to rezone from RE to R-1A at 835 Shenandoah Shores Road, identified by Tax Map # 20A221-3A.

Please provide any comments back to me by October 4, 2022.

RZ 05-07-56
2200 422

JOSEPH F. SILEK, JR., PC

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
EMAIL: JSILEK@SILEKPC.COM



September 16, 2022

Lauren Kopishke
Planning Director
Town of Front Royal, Virginia
102 East Main Street
Front Royal, Virginia 22630

**Re: Heptad, LLC – Application to Amend Zoning Proffers
& Statement of Justification**

DELIVERED BY HAND DELIVERY

Dear Lauren:

As per our previous conversation, kindly treat this letter as Heptad, LLC's application to amend its Zoning Proffers which were previously approved by the Town Council a decade ago. Please find enclosed with this letter the Amended Proffers as well as the Proffer Analysis and revised Design Guidelines prepared by Greenway Engineering. Moreover, please treat this letter as Heptad's statement of justification for Heptad's request for proffer amendments. Kindly direct all communications and copies of staff reports public meeting packets regarding this application to my attention.

As noted above, the Town Council approved the rezoning for the Heptad project a decade ago. Despite its best efforts over several years, Heptad had previously been unable to consummate a sales contract with an entity to develop the Heptad project. I am pleased to state that Heptad has entered into a conditional sales contract with Van Metre Homes to bring this project to fruition.

Heptad has determined that, for essentially two (2) reasons, changes to the previously approved Rezoning Proffers are needed. First, Van Metre's vision for the Heptad project involves a reduced scope in terms of the type and total number of residential units. Van Metre's vision does not include the development of mutli-family residential dwelling units. Rather, it wishes to focus on single family detached residential units and single family attached unit (*i.e.*, townhomes). It also wishes to reduce the total number of units from the previously approved 450 to 335.

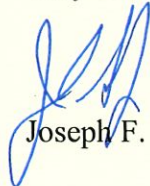
Lauren Kopishke
Planning Director
September 16, 2022
Page 2 of 2

Second, at the time that the original Rezoning Proffers were approved, both Heptad and the Town contemplated that the construction of Leach Run Parkway would not only take some time, but that Heptad would need to dedicate land for, and construct a portion of, the Parkway. However, due to the efforts of the Front Royal/Warren County EDA, Leach Run Parkway was completed considerably ahead of the timeframe envisioned by the Town and Heptad. Indeed, after Heptad satisfied its Proffer obligation and dedicated a portion of the Parkway, Heptad was not required to participate in the Parkway's construction.

The enclosed Amended Proffers address the above two developments by revising certain design guidelines and removing provisions relevant to the Parkway rendered moot by the EDA's actions. You will also notice that these developments have resulted in cash proffer amounts being reduced overall. Such reductions are in line with the enclosed Proffer Analysis performed by Greenway Engineering. Greenway's Proffer Analysis is based on the application of Virginia Code §15.2-2303.4 to the changed particulars of this project.

I am able to inform you that the Town Council's acceptance of the enclosed Amended Proffers constitutes the last condition of the parties' contract requiring a non-administrative act by the Town. Hence, this project can finally be on its way to becoming a reality. On behalf of Heptad, LLC we respectfully request that, upon complying with the statutory requirements regarding such amendments, the Town Council will approve the enclosed Proffer Amendments. I would like to thank you, the Town Planning Commission and the Town Council in advance for their thoughtful consideration of this application. If you have any questions or concerns, please do not hesitate to contact me.

Very Truly Yours,



Joseph F. Silek, Jr.

cc: Client

AMENDED PROFFER STATEMENT

REZONING: RZ# 05-07-56
Suburban Residential (R-S) District to Planned Neighborhood
Development (PND) District

PROPERTY: 98.25 acres +/-;
Tax Parcel #20-A21-2-1 and Tax Parcel # 20A20-2-11

APPLICANT/
OWNER: HEPTAD, LLC

PROJECT NAME: Swan Estates

ORIGINAL DATE
OF PROFFERS: June 30, 2005
Amended November 2005
Amended March 2006
Amended April 15, 2011
Amended January 31, 2012
Amended February 1, 2012
Amended September 16, 2022

Preliminary Matters

Pursuant to Section 15.2-2296 et. seq. of the Code of Virginia, 1950, as amended, and the provisions of the Town of Front Royal Zoning Ordinance with respect to conditional zoning, the Front Royal Town Council approved the rezoning of approximately 98.25 acres from the Suburban Residential (R-S) District to Planned Neighborhood Development (PND) District (RZ#05-07-56), to be developed in general conformity with the terms and conditions set forth in a certain Proffer Statement dated February 1, 2012 and approved by the Front Royal Town Council as part of the conditional rezoning approval (the "Approved Proffers"). The subject property, identified as the Anna Swan Estate, and more particularly described as the lands owned

by Heptad, LLC, being all of Tax Map Parcels 20-A21-2-1 and 20A20-2-11 by virtue of a deed dated August 14, 2009 and recorded among the land records of the Warren County Circuit Court Clerk's Office as Instrument No. 090004959. More particularly consisting of Tax Map Parcels 20-A21-2-1, containing 97.7395 acres, more or less, as shown by plat of survey dated May 5, 2003, prepared by Mark D. Smith, L.S., of Greenway Engineering, entitled "Boundary Survey of the land of Anna Swan Estate, Town of Front Royal, Warren County, Virginia" and recorded as Instrument number 030007026, and Tax Map Parcel 20-A20-2-11, containing .52 acres, more or less, as shown by plat of survey dated May 3, 1957, prepared by S. M. Boyd, Jr., C.L.S., recorded in Warren County Deed Book 102, page 300.

Pursuant to §15.2-2302 of the Code of Virginia and the applicable provisions of the Town of Front Royal Zoning Ordinance, the Applicant desires to amend the Approved Proffers such that the subject property as described above shall be developed in general conformity with the terms and conditions set forth in this Amended Proffer Statement, the Master Land Use Plan (as defined in Proffer I below, and the Design Guidelines (as defined in Proffer II below).

I. **Master Land Use Plan**

The Applicant hereby proffers to develop the 98.25-acre property in general conformity with a Master Land Use Plan (Master Plan) approved as part of the rezoning application, as amended with the Revised Functional Use Plan – Land Bay Layout (as defined below and attached hereto as Exhibit A), and subject to revisions by the Applicant due to lot layout and road alignment in accordance with final engineering considerations. The Master Land Use Plan is intended to illustrate the systems of

roadways that will provide access to the land bays and serve the single-family residential lots, parking areas and community facilities therein. The Master Land Use Plan consists of the following:

1. Cover Sheet – June 30, 2005, Revised November 2005, March 2006, March 2011
2. Generalized Location Plan – June 30, 2005, Revised November 2005, March 2006, March 2011
3. Boundary Survey – June 30, 2005, Revised November 2005, March 2006, March 2011
4. Slope Analysis – June 30, 2005, Revised November 2005, March 2006, March 2011
5. Topography Map – June 30, 2005, Revised November 2005, March 2006, March 2011
6. Trip Distribution & Road Classification Plan – June 30, 2005, Revised November 2005, March 2006, March 2011
7. Flood Plain and Wetlands Delineation – June 30, 2005, revised November 2005, March 2006, March 2011
8. Leach Run Parkway Layout – June 30, 2005, Revised November 2005, March 2006, March 2011
9. Revised Functional Use Plan- Land Bay Layout – Prepared by Greenway Engineering and dated May 5, 2022

II. **Design Guidelines**

The Applicant hereby proffers the Revised Swan Estates Design Guidelines (“Design Guidelines”) prepared by Greenway Engineering, Inc. and dated September 9, 2022, which are attached hereto as Exhibit B. The Revised Swan Estates Design Guidelines may be revised by the Applicant in accordance with final engineering considerations. The Revised Swan Estates Design Guidelines shall generally have the same force and effect as if incorporated herein. and the Applicant, in developing the Property, shall generally conform to such Design Guidelines; however, modification and alternatives shall be allowed provided such modifications and alternatives achieve the same intent. If any provision of the Revised Swan Estates Design Guidelines shall subsequently be found to be invalid, the remaining provisions shall remain intact. Provided, however, notwithstanding anything in the Revised Swan Estate Design Guidelines to the contrary, the applicant hereby proffers that the foundation of any residential structure shall be faced with brick, natural stone, synthetic stone, colored textured concrete, stamped concrete, or any combination thereof.

III. **Transportation**

3.1 Leach Run Parkway. In the event that the Front Royal Town Council approves these Amendments, such approval will be deemed an acknowledgment by the Front Royal Town Council that (i) Leach Run Parkway (“LRP”) has been completely constructed and (ii) Heptad, LLC complied with any prior approved Proffers pertaining to the dedication of right of way for LRP.

3.2. Off-Site Swan Estates Drive to Existing Westminster Drive.

The Applicant proffers to engineer, design and construct an extension of Swan Estates Drive to connect to existing Westminster Drive to the west of the subject property (Tax Map 20-A21-2-1) across property currently owned by the Warren County School Board (Tax Map 20-A14-2-1) (the “Westminster Connector”) conditioned upon an agreement between the Town and School Board as to the final location and legal status of the property across which the Westminster Connector will be built. The Applicant proffers to make its best efforts to have the School board dedicate the Westminster Connector easement to the Town in fee simple. In the interest of public safety and general welfare, the Westminster Connector will provide an alternate access to the public schools located on Westminster Drive.

3.3 Intentionally Deleted.

3.4 Interparcel Connection. The Applicant’s Revised Functional Use Plan – Land Bay Layout accommodates a future interparcel connection to the Happy Creek Knolls subdivision. The Applicant shall provide the necessary right-of-way dedication upon request by the Town for such interparcel connection, at no cost to the Applicant.

IV. **Residential**

4.1. **Residential Density**

4.1.1 The maximum number of dwelling units to be constructed on the Property shall not exceed three hundred thirty five (335) dwelling units.

4.1.2. In general conformance with the Master Plan as amended, the single-family detached land bays may contain one hundred seventy (170) single family detached dwelling units and the single-family attached land bays may contain one hundred sixty five (165). The Applicant reserves the right to adjust the above mix of housing unit types but in no case shall the total number of units exceed three hundred thirty five (335).

4.2. **Phasing**

The Applicant hereby proffers that residential development shall be phased such that building permits shall not be issued for more than one hundred (100) dwelling units every twelve (12) months. For the purposes of this provision, the first twelve-month period shall be considered the first full twelve (12) months following the beginning of construction on the Swan Estates project. All units not developed within the specified twelve-month period shall be carried forward to the next twelve-month period.

V. Community Design

5.1. Design

The Applicant agrees to provide an overall continuity of design within the community by means of selecting standards for the following elements, which will be uniformly specified and applied over the entire project, excluding areas within the public rights-of-way or public property:

1. Custom mailbox design.
2. Standardized common area fencing styles and color.
3. Standardized private residential fencing styles and color.
4. Community color selections to create neighborhood theme.
5. Uniform site furnishing selection (benches and trash receptacles).
6. Custom designed street signage and stop signage.
7. Landscaping at the entrance monuments along Swan Estates Drive selected to provide for a repetition of the neighborhood flower color scheme and theme trees throughout the community.

5.2. Architectural

- 5.2.1. The Applicant shall develop architectural and design covenants for the overall community. Said covenants will establish an architectural review board for the purpose of review and approval of all architectural elevations, exterior architectural features (including but not limited to fences, railings, walls and decks) for all uses within Swan Estates, as well as any publicly provided

structures located on sites dedicated for public use. These covenants are intended to assure a continuity of overall architectural appearance, quality material selection, and a cohesive color palate for all structure within the entire development.

5.2.2. The Applicant shall construct all homes in conformance with the Revised Swan Estates Design Guidelines referenced in Section II of these proffers.

5.3 Intentionally Deleted.

5.4. Signage

The Applicant shall provide an entrance feature with entry sign on the right and/or left side of Swan Estates Drive. The entrance feature shall be in conformance with Section 175-106 of the Town Zoning Ordinance or applicable successor provision. The sign may be lighted from the front at ground level with a minimal amount of illumination. Landscaping both in front of and behind the signage and wall will be provided. The sign shall have either stone or brick columns and will be compatible with and closely related to the themes and color schemes for the overall community. All signage shall comply with Section 175-106 of the Town Zoning Ordinance or successor provision thereto, except as waived or modified by the Town.

5.5. Lighting

Any exterior lighting of common use recreation areas shall be directed downward and inward to reduce glare on adjacent properties, the public and/or private right-of-way, and upward stray illumination.

5.6. Landscape Adjacent to Adjoining Property

5.6.1. Happy Creek Knolls. The Applicant shall provide a landscape area within the fifty-five foot (55') perimeter buffer and along the common boundary with the Happy Creek Knolls subdivision either through tree preservation and/or installed landscaping. This landscape area will be owned and maintained by the property owners association and will not be part of any private lot. If the Applicant elects to not provide tree preservation in connection with this landscape area, the landscape area will be planted at a rate of one (1) tree per forty (40) linear feet with a minimum of twenty-five percent (25%) deciduous trees within said area.

5.6.2. Williamsburg Estates. The Applicant shall provide a landscape area on the south side of Swan Estates Boulevard and along the common boundary with the Williamsburg Estates subdivision Section 3, Block K, Lots 3-6 either through tree preservation and/or installed landscaping. The installed landscaping will include a double row of evergreen trees adjacent to Swan Estates Boulevard. This landscape area will be owned and maintained by the home owners association and will not be part of any private lot.

5.6.3 Additional Commercial Buffer. In addition to the 55' vegetative buffer surrounding the Commercial portion of the project (as reflected in the Master Land Use Plan), the Applicant hereby proffers an additional 50' vegetative buffer along the

property line of the subject property where the Commercial portion of the project lies adjacent to Green Hills Subdivision (the “Additional Commercial Buffer”); provided, however, that the Applicant shall be under no duty to maintain or add new plantings to the Additional Commercial Buffer.

5.7. Recreational Amenities

5.7.1 Neighborhood Park. Before the seventy sixth (76th) building permit is issued, the Applicant shall design and submit a site plan for a neighborhood park of 3.5 acres minimum in size to applicable government agencies for review (the “Proffered Neighborhood Park”). Once the site plan is approved, the Applicant shall complete the construction of the Proffered Neighborhood Park in accordance with the above-mentioned approved site plan and dedicate the land and improvements for the Proffered Neighborhood Park to Warren County. The location of the Proffered Neighborhood Park and its associated amenities shall be located in the general area shown on the Revised Functional Use Plan – Land Bay Layout . The Neighborhood Park shall be designed pursuant to the guidelines for Neighborhood Parks as set forth within Chapter 5, Community Facilities, of the 2013 Comprehensive Plan adopted by the Warren County. The park will include a field area that will allow multi-purpose sports for children of all ages; a playground for younger children ranging from toddler to 12 years; a picnic area that will include picnic tables and possibly a walking trail. Upon Warren County’s acceptance of

the dedication of the Neighborhood Park, the Applicant shall receive a credit against the Warren County Proffers for the value of the dedicated land as set forth in Proffer 7.5.1 below. In the event that the County declines to accept the aforesaid dedication, the Neighborhood Park shall be dedicated to an HOA created pursuant to Section VI below, and the Applicant shall not receive any credits against the Warren County Proffers.

5.7.2 Passive Recreation Area. Additionally, the Applicant shall provide passive recreation on the Property consisting of a bird habitat preservation area, to be located in the general area shown on the Revised Functional Use Plan – Land Bay Layout . Active development of and use in the bird habitat area will be limited to areas outside of any wetlands or other resource protection areas. Only those activities that are allowed by appropriate regulatory agencies without additional permitting will be allowed inside such areas. No applications for additional use in these areas will be made.

5.8 Schools Sidewalk

The Applicant hereby proffers to construct, on the west side of Westminster Drive, a concrete sidewalk six feet (6') wide beginning approximately at the northern entrance to the Warren County High School and ending approximately at the southern most entrance to the Hilda J. Barbour Elementary School (the "Schools Sidewalk"). The Applicant will construct this portion of the Schools Sidewalk to Town standards after the final approval of the subject rezoning and after the issuance of all applicable permits

necessary for such construction. This obligation is conditional upon the granting of any necessary easements or dedications by the School Board to allow such construction; the Applicant shall then begin construction within sixty (60) days of written notification by the Town of Front Royal requesting such construction. The exact location of the sidewalk is to be determined by the Town of Front Royal, with the approval and agreement of the Applicant and the School Board.

5.9 Commercial Entrance Aesthetic. To the extent possible and commercially reasonable, the aesthetic elements of the entrance corridor for the commercial portion of the project shall be generally consistent with the visual elements of the entrance corridor of the residential portions of the project. Further, the aesthetic of the residential and commercial entrance corridors for the project shall, to the extent possible and commercially reasonable, be generally consistent with the aesthetic of Leach Run Parkway.

VI. Creation of a Homeowner's Association

6.1. A homeowners association ("HOA") shall be created for the residential portions of the Property and shall be made responsible for the maintenance and repair of all common areas, together with such other responsibilities, duties and powers as are customary for such associations or as may be required for such HOA herein.

6.2. In addition to such other responsibilities and duties as may be assigned or as may be set forth herein, the HOA shall have title to and responsibility for all common open space areas not otherwise dedicated to public use and common buffer areas located

outside of residential lots, to include, but not limited to, the entry of feature sign proffered herein.

VII. **Cash Proffers.**

7.1 **Town Proffers.**

7.1.1 The Applicant shall contribute to the Town of Front Royal, Virginia, a one-time cash contribution in the amount of \$7,910.36 for each residential single family detached (SFD) dwelling unit and in the amount of \$6,039.72 for each single family attached (SFA) dwelling unit constructed on the Property, which contribution shall be used by the Town of Front Royal to defray the costs and expenses associated with the design and construction of the Leach Run Parkway Improvements. The above contribution amounts were calculated using the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc. This per-unit contribution shall be calculated at the time of approval of the building permit for construction of each residential dwelling unit on the Property and shall be payable prior to the issuance of the occupancy permit for said dwelling unit.

7.2 **Credits Against Town Proffers.** As per the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc., the fair market value of the land previously dedicated by the Applicant as part of Leach Run Parkway was \$234,300.00. Therefore, notwithstanding the foregoing Proffer 7.1.1, the Applicant shall be entitled to a credit against the proffer amounts specified in Proffer 7.1.1 above equal to \$1,041.33 per residential dwelling unit (whether SFD or SFA).

Proffers 7.3 and 7.4 Intentionally Deleted.

7.5 County Proffers.

7.5.1. The Applicant shall contribute to the Warren County, Virginia, a one-time cash contribution in the amount of \$4,247.00 for each residential dwelling unit (SFA or SFD) constructed on the Property, which contribution shall be used by Warren County to support capital improvements relating to the impacts of the residential development on the Warren County Public Schools. This contribution was calculated using the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc. This per-unit contribution shall be calculated at the time of approval of the building permit for construction of each residential dwelling unit on the Property and shall be payable prior to the issuance of the occupancy permit for said dwelling unit.

7.5.2 Intentionally Deleted.

7.5.3 Intentionally Deleted.

7.5.4 Credits Against County Proffers. Notwithstanding the foregoing Proffer 7.5.1, the audited costs of the engineering, design, and construction of the Neighborhood Park as provided in these Proffers shall be credited against the aforesaid Warren County Proffers, provided further that the Applicant shall be entitled to a credit for the dedication of the land for the Neighborhood Park. As per the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc., the fair market value of the land to

be dedicated by the Applicant for the Neighborhood Park is \$350,000.00.

Therefore, the Applicant shall be entitled to a credit against the proffer amounts specified in Proffer 7.5.1 above equal to \$1,044.78 per residential dwelling unit (whether SFD or SFA).

7.5.5 Intentionally Deleted.

7.6 Intentionally Deleted.

VIII. **Comprehensive Plan Conformity**

Approval of the subject zoning map amendment and its constituent parts, including Proffers, Master Plan, as amended, and Revised Swan Estates Design Guidelines, by the Town Council of Front Royal, Warren County, Virginia, constitutes a finding that the subject zoning map amendment is found to be in substantial conformance with the Town of Front Royal adopted Comprehensive Plan.

IX. **Miscellaneous Provisions**

9.1 Monetary contributions as set forth in this Proffer Statement shall be adjusted on a yearly basis from the base year of 2023 and change effective on January 1, 2024 and each January 1 thereafter, in accordance with changes to the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted), as published by the Bureau of Labor Statistics, U.S. Department of Labor, for the Washington-Arlington-Alexandria, DC-MD-VA-WV Metropolitan Statistical Area (the "CPI"), subject to a cap of 3% per year, non-compounded.

X. **Signature**

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns, and successors in the interest of the Applicant and owner. In the

event the Town Council of the Town of Front Royal grants this revision to the previously approved rezoning and accepts these Amended Proffer Statement, such proffers shall apply to the land rezoned in addition to other requirements set forth in the Front Royal Town Code and Virginia law.

XI. **Interpretation**

Upon approval of this Amended Proffer Statement by the Front Royal Town Council, this Amended Proffer Statement supersedes any proffer statements previously submitted and approved in connection with this application and this Property.

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SIGNATURE PAGE TO FOLLOW.

APPLICANT:

HEPTAD, LLC

By: _____

Ronald Llewellyn, Manager

STATE OF VIRGINIA

CITY/COUNTY OF _____, TO-WIT:

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Ronald Llewellyn, in his capacity as Manager of HEPTAD, LLC.

My commission expires: _____.

Notary Registration Number: _____.

NOTARY PUBLIC

AMENDED PROFFER STATEMENT

REZONING: RZ# 05-07-56
Suburban Residential (R-S) District to Planned Neighborhood
Development (PND) District

PROPERTY: 98.25 acres +/-;
Tax Parcel #20-A21-2-1 and Tax Parcel # 20A20-2-11

APPLICANT/
OWNER: HEPTAD, LLC

PROJECT NAME: Swan Estates

ORIGINAL DATE
OF PROFFERS: June 30, 2005
Amended November 2005
Amended March 2006
Amended April 15, 2011
Amended January 31, 2012
Amended February 1, 2012
Amended September 16, 2022, 202

Preliminary Matters

Pursuant to Section 15.2-2296 et. seq. of the Code of Virginia, 1950, as amended, and the provisions of the Town of Front Royal Zoning Ordinance with respect to conditional zoning, the Front Royal Town Council approved the rezoning of approximately 98.25 acres from the Suburban Residential (R-S) District to Planned Neighborhood Development (PND) District (RZ#05-07-56), to be developed in general conformity with the terms and conditions set forth in a certain Proffer Statement dated February 1, 2012 and approved by the Front Royal Town Council as part of the conditional rezoning approval (the “Approved Proffers”). The subject property, identified as the Anna Swan Estate, and more particularly described as the lands owned

by Heptad, LLC, being all of Tax Map Parcels 20-A21-2-1 and 20A20-2-11 by virtue of a deed dated August 14, 2009 and recorded among the land records of the Warren County Circuit Court Clerk's Office as Instrument No. 090004959. More particularly consisting of Tax Map Parcels 20-A21-2-1, containing 97.7395 acres, more or less, as shown by plat of survey dated May 5, 2003, prepared by Mark D. Smith, L.S., of Greenway Engineering, entitled "Boundary Survey of the land of Anna Swan Estate, Town of Front Royal, Warren County, Virginia" and recorded as Instrument number 030007026, and Tax Map Parcel 20-A20-2-11, containing .52 acres, more or less, as shown by plat of survey dated May 3, 1957, prepared by S. M. Boyd, Jr., C.L.S., recorded in Warren County Deed Book 102, page 300.

Pursuant to §15.2-2302 of the Code of Virginia and the applicable provisions of the Town of Front Royal Zoning Ordinance, the Applicant desires to amend the Approved Proffers such that the subject property as described above shall be developed in general conformity with the terms and conditions set forth in this Amended Proffer Statement, [the Mater Land Use Plan, concept plan, and the architectural elevations as prepared by dated July 15, 2022 and July 19, 2022.](#)

I. **Master Land Use Plan**

The Applicant hereby proffers to develop the 98.25-acre property in [general conformity](#) ~~substantial conformance~~ with a Master Land Use Plan (Master Plan) approved as part of the rezoning application, [as amended with the Revised Functional Use Plan – Land Bay Layout attached hereto as Exhibit A, concept plan and architectural](#)

elevations dated July 15, 2022 and July 19, 2022 and subject to revisions by the

Applicant due to lot layout and road alignment in accordance with final engineering considerations. The Master Land Use Plan is intended to illustrate the systems of roadways that will provide access to the land bays and serve the single-family residential lots, parking areas and community facilities therein. The Master Land Use Plan consists of the following:

1. Cover Sheet – June 30, 2005, Revised November 2005, March 2006, March 2011
2. Generalized Location Plan – June 30, 2005, Revised November 2005, March 2006, March 2011
3. Boundary Survey – June 30, 2005, Revised November 2005, March 2006, March 2011
4. Slope Analysis – June 30, 2005, Revised November 2005, March 2006, March 2011
5. Topography Map – June 30, 2005, Revised November 2005, March 2006, March 2011
6. Trip Distribution & Road Classification Plan – June 30, 2005, Revised November 2005, March 2006, March 2011
7. Flood Plain and Wetlands Delineation – June 30, 2005, revised November 2005, March 2006, March 2011
8. Leach Run Parkway Layout – June 30, 2005, Revised November 2005, March 2006, March 2011

9. Revised Functional Use Plan- Land Bay Layout – ~~June 30, 2005~~Prepared
by Greenway Engineering_____and dated May 5,
2022_____with revisions through_____, Revised
~~November 2005, March 2006, March 2011~~

II. **Design Guidelines**

The Applicant hereby proffers the Revised Swan Estates Design Guidelines (“Design Guidelines”) prepared by Greenway Engineering, Inc._____ and dated September 9, 2022_____, which are attached hereto as Exhibit B. The Revised Swan Estates Design Guidelines may be revised by the Applicant in accordance with final engineering considerations. The Revised Swan Estates Design Guidelines shall generally have the same force and effect as if incorporated herein. and the Applicant, in developing the Property, shall generally conform to such Design Guidelines; however, modification and alternatives shall be allowed provided such modifications and alternatives achieve the same intent. If any provision of the Revised Swan Estates Design Guidelines shall subsequently be found to be invalid, the remaining provisions shall remain intact. Provided, however, notwithstanding anything in the Revised Swan Estate Design Guidelines to the contrary, the applicant hereby proffers that the foundation of any residential structure shall be faced with brick, natural stone, synthetic stone, colored textured concrete, stamped concrete, or any combination thereof.

III. **Transportation**

3.1 Leach Run Parkway. In the event that the Front Royal Town Council approves these Amendments, such approval will be deemed an acknowledgment by the

Front Royal Town Council that (i) Leach Run Parkway (“LRP”) has been completely constructed and (ii) Heptad, LLC complied with any prior approved Proffers pertaining to the dedication of right of way for ~~construction of LRP.~~

3.2. Off-Site Swan Estates Drive to Existing Westminster Drive.

The Applicant proffers to engineer, design and construct an extension of Swan Estates Drive to connect to existing Westminster Drive to the west of the subject property (Tax Map 20-A21-2-1) across property currently owned by the Warren County School Board (Tax Map 20-A14-2-1) (the “Westminster Connector”) conditioned upon an agreement between the Town and School Board as to the final location and legal status of the property across which the Westminster Connector will be built. The Applicant proffers to make its best efforts to have the School board dedicate the Westminster Connector easement to the Town in fee simple. In the interest of public safety and general welfare, the Westminster Connector will provide an alternate access to the public schools located on Westminster Drive. ~~In the event that (i) the School Board does not dedicate the Westminster Connector to the Town in fee simple and (ii) responsibility for the Leach Run Improvements has not been assumed by the Town, Warren County, or any other state or local agency pursuant to Proffer 3.1.3.5, the Applicant agrees to construct the Leach Run~~

~~Improvements first, subject to the terms and conditions set forth in Proffer 3.1.3.~~

3.3 Intentionally Deleted.

3.4 Interparcel Connection. The Applicant's Revised Functional Use Plan – Land Bay Layout accommodates a future interparcel connection to the Happy Creek Knolls subdivision. The Applicant shall provide the necessary right-of-way dedication upon request by the Town for such interparcel connection, at no cost to the Applicant.

IV. **Residential**

4.1. Residential Density

4.1.1 The maximum number of dwelling units to be constructed on the Property shall not exceed ~~three hundred thirty five~~ four hundred and fifty (335450) dwelling units.

4.1.2. In general conformance with the Master Plan ~~,as amended,~~ the single-family detached land bays ~~mayshall~~ contain ~~a maximum of one hundred seventy two hundred fifty~~ (170250) single family detached dwelling units ~~between thirty seven (37) and fifty four (54) dwelling units;~~ the single-family attached land bays ~~mayshall~~ contain ~~between one~~ one hundred sixty five (16500) ~~and one hundred twelve (112) dwelling units;~~ and the multi-family land bays shall contain ~~between two hundred fifty two (252) and three hundred twenty six (326) dwelling units.~~ The Applicant reserves

the right to adjust the above mix of housing unit types but in no case shall the total number of units exceed three hundred thirty five ~~four hundred fifty~~ (335~~450~~).

4.2. Phasing

The Applicant hereby proffers that residential development shall be phased such that building permits shall not be issued for more than one hundred fifty (100~~50~~) dwelling units every twelve (12) months. For the purposes of this provision, the first twelve-month period shall be considered the first full twelve (12) months following the beginning of construction on the Swan Estates project. All units not developed within the specified twelve-month period shall be carried forward to the next twelve-month period.

V. Community Design

5.1. Design

The Applicant agrees to provide an overall continuity of design within the community by means of selecting standards for the following elements, which will be uniformly specified and applied over the entire project, excluding areas within the public rights-of-way or public property:

1. Custom mailbox design.
2. Standardized common area fencing styles and color.
3. Standardized private residential fencing styles and color.
4. Community color selections to create neighborhood theme.
5. Uniform site furnishing selection (benches and trash receptacles).
6. Custom designed street signage and stop signage.

7. Landscaping at the entrance monuments along Swan Estates Drive selected to provide for a repetition of the neighborhood flower color scheme and theme trees throughout the community.

5.2. Architectural

- 5.2.1. The Applicant shall develop architectural and design covenants for the overall community. Said covenants will establish an architectural review board for the purpose of review and approval of all architectural elevations, exterior architectural features (including but not limited to fences, railings, walls and decks) for all uses within Swan Estates, as well as any publicly provided structures located on sites dedicated for public use. These covenants are intended to assure a continuity of overall architectural appearance, quality material selection, and a cohesive color palate for all structure within the entire development.
- 5.2.2. The Applicant shall construct all homes in conformance with the Revised Swan Estates Design Guidelines referenced in Section II of these proffers.

5.4. Signage

The Applicant shall provide an entrance feature with entry sign on the right and/or left side of Swan Estates Drive. The entrance feature shall be in conformance with Section 175-106 of the Town Zoning Ordinance or applicable successor provision. The

sign may be lighted from the front at ground level with a minimal amount of illumination. Landscaping both in front of and behind the signage and wall will be provided. The sign shall have either stone or brick columns and will be compatible with and closely related to the themes and color schemes for the overall community. All signage shall comply with Section 175-106 of the Town Zoning Ordinance or successor provision thereto, except as waived or modified by the Town.

5.5. Lighting

Any exterior lighting of common use recreation areas shall be directed downward and inward to reduce glare on adjacent properties, the public and/or private right-of-way, and upward stray illumination.

5.6. Landscape Adjacent to Adjoining Property

5.6.1. Happy Creek Knolls. The Applicant shall provide a landscape area within the fifty-five foot (55') perimeter buffer and along the common boundary with the Happy Creek Knolls subdivision either through tree preservation and/or installed landscaping. This landscape area will be owned and maintained by the property owners association and will not be part of any private lot. If the Applicant elects to not provide tree preservation in connection with this landscape area, the landscape area will be planted at a rate of one (1) tree per forty (40) linear feet with a minimum of twenty-five percent (25%) deciduous trees within said area.

5.6.2. Williamsburg Estates. The Applicant shall provide a landscape area on the south side of Swan Estates Boulevard and along the common boundary with the Williamsburg Estates subdivision Section 3, Block K, Lots 3-6 either through tree preservation and/or installed landscaping. The installed landscaping will include a double row of evergreen trees adjacent to Swan Estates Boulevard. This landscape area will be owned and maintained by the home owners association and will not be part of any private lot.

5.6.3 Additional Commercial Buffer. In addition to the 55’ vegetative buffer surrounding the Commercial portion of the project (as reflected in the Master Land Use Plan), the Applicant hereby proffers an additional 50’ vegetative buffer along the property line of the subject property where the Commercial portion of the project lies adjacent to Green Hills Subdivision (the “Additional Commercial Buffer”); provided, however, that the Applicant shall be under no duty to maintain or add new plantings to the Additional Commercial Buffer.

5.7. Recreational Amenities

5.7.1 Neighborhood Park. Before the seventy sixth (76th) building permit is issued, the Applicant shall design and submit a site plan for a neighborhood park of 3.5 acres in size, more or less, to applicable government agencies for review (the “Proffered Neighborhood Park”). Once the site plan is approved, the Applicant shall complete the

construction of the Proffered Neighborhood Park in accordance with the above-mentioned approved site plan and dedicate the land and improvements for the Proffered Neighborhood Park to Warren County. The location of the Proffered Neighborhood Park and its associated amenities shall be located in the general area shown on the Revised Functional Use Plan – Land Bay Layout . The Neighborhood Park shall be designed pursuant to the guidelines for Neighborhood Parks as set forth within Chapter 5, Community Facilities, of the 2013 Comprehensive Plan adopted by the Warren County. The park will include a field area that will allow multi-purpose sports for children of all ages; a playground for younger children ranging from toddler to 12 years; a picnic area that will include picnic tables and possibly a walking trail. Upon Warren County’s acceptance of the dedication of the Neighborhood Park, the Applicant shall receive a credit against the Warren County Proffers for the value of the dedicated land as set forth in Proffer 7.5.1 below. In the event that the County declines to accept the aforesaid dedication, the Neighborhood Park shall be dedicated to an HOA created pursuant to Section VI below, and the Applicant shall not receive any credits against the Warren County Proffers.

5.7.2 Passive Recreation Area. Additionally, the Applicant shall provide passive recreation on the Property consisting of a bird habitat preservation area, to be located in the general area shown on the Revised Functional Use Plan – Land Bay Layout . Active development of and use

in the bird habitat area will be limited to areas outside of any wetlands or other resource protection areas. Only those activities that are allowed by appropriate regulatory agencies without additional permitting will be allowed inside such areas. No applications for additional use in these areas will be made.

5.8 Schools Sidewalk

The Applicant hereby proffers to construct, on the west side of Westminster Drive, a concrete sidewalk six feet (6') wide beginning approximately at the northern entrance to the Warren County High School and ending approximately at the southern most entrance to the Hilda J. Barbour Elementary School (the "Schools Sidewalk"). The Applicant will construct this portion of the Schools Sidewalk to Town standards after the final approval of the subject rezoning and after the issuance of all applicable permits necessary for such construction. This obligation is conditional upon the granting of any necessary easements or dedications by the School Board to allow such construction; the Applicant shall then begin construction within sixty (60) days of written notification by the Town of Front Royal requesting such construction. The exact location of the sidewalk is to be determined by the Town of Front Royal, with the approval and agreement of the Applicant and the School Board.

5.9 Commercial Entrance Aesthetic. To the extent possible and commercially reasonable, the aesthetic elements of the entrance corridor for the commercial portion of the project shall be generally consistent with the visual elements of the entrance corridor of the residential portions of the project. Further, the aesthetic of the residential and

commercial entrance corridors for the project shall, to the extent possible and commercially reasonable, be generally consistent with the aesthetic of Leach Run Parkway.

VI. **Creation of a Homeowner's Association**

6.1. A homeowners association ("HOA") shall be created for the residential portions of the Property and shall be made responsible for the maintenance and repair of all common areas, together with such other responsibilities, duties and powers as are customary for such associations or as may be required for such HOA herein.

6.2. In addition to such other responsibilities and duties as may be assigned or as may be set forth herein, the HOA shall have title to and responsibility for all common open space areas not otherwise dedicated to public use and common buffer areas located outside of residential lots, to include, but not limited to, the entry of feature sign proffered herein.

VII. **Cash Proffers.**

7.1 Town Proffers.

7.1.1 The Applicant shall contribute to the Town of Front Royal, Virginia, a one-time cash contribution in the amount of \$7,910.3600.00 for each residential single family detached (SFD) dwelling unit and in the amount of \$6,039.72 for each single family attached (SFA) dwelling unit constructed on the Property, which contribution shall be used by the Town

of Front Royal to defray the costs and expenses associated with the design and construction of the Leach Run Parkway Improvements. The above contribution amounts were calculated using the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc. This per-unit contribution shall be calculated at the time of approval of the building permit for construction of each residential dwelling unit on the Property and shall be payable prior to the issuance of the occupancy permit for said dwelling unit.

7.2 Credits Against Town Proffers. As per the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc., the fair market value of the land previously dedicated by the Applicant as part of Leach Run Parkway was \$234,300.00. Therefore, notwithstanding the foregoing Proffer 7.1.1, the Applicant shall be entitled to a credit against the proffer amounts specified in Proffer 7.1.1 above equal to \$1,041.33 per residential dwelling unit (whether SFD or SFA).

Proffers 7.3 and 7.4 Intentionally Deleted.

7.5 County Proffers.

7.5.1. The Applicant shall contribute to the Warren County, Virginia, a one-time cash contribution in the amount of \$4,247.99 ~~3,300.00~~ for each residential ~~single family detached (SFD)~~ dwelling unit (SFA or SFD) constructed on the Property, which contribution shall be used by Warren County to support capital improvements relating to the impacts of the residential development on the Warren County Public Schools. This

contribution was calculated using the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc. This per-unit contribution shall be calculated at the time of approval of the building permit for construction of each residential dwelling unit on the Property and shall be payable prior to the issuance of the occupancy permit for said dwelling unit.

7.5.2 Intentionally Deleted.

7.5.3 Intentionally Deleted.

7.5.4 Credits Against County Proffers. Notwithstanding the foregoing Proffer 7.5.1, the audited costs of the engineering, design, and construction of the Neighborhood Park as provided in these Proffers shall be credited against the aforesaid Warren County Proffers, provided further that the Applicant shall be entitled to a credit for the dedication of the land for the Neighborhood Park, ~~with such land dedication credit being a maximum of One Hundred Thousand and 0/100 Dollars (\$100,000.00) per acre.~~ As per the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc., the fair market value of the land to be dedicated by the Applicant for the Neighborhood Park is \$350,000.00. Therefore, the Applicant shall be entitled to a credit against the proffer amounts specified in Proffer 7.5.1 above equal to \$1,044.78 per residential dwelling unit (whether SFD or SFA).

7.5.5 Intentionally Deleted.

7.6 Intentionally Deleted Assumption of Leach Run Parkway Improvements by Locality. ~~In the event that the Town, Warren County, and/or any state or local agency (e.g., the EDA) notify the Applicant in writing that it will assume responsibility for the design and construction of the Leach Run Parkway Improvements as provided for in Proffer 3.1.3.5, the Applicant shall remain responsible for the payment of the Town Proffers and the County Proffers. Moreover, the Town Proffers shall be used for the purpose of defraying the costs and expenses associated with the design and construction of the Leach Run Parkway Improvements.~~

VIII. **Comprehensive Plan Conformity**

Approval of the subject zoning map amendment and its constituent parts, including Proffers, Master Plan, as amended, and Revised Swan Estates Design Guidelines, by the Town Council of Front Royal, Warren County, Virginia, constitutes a finding that the subject zoning map amendment is found to be in substantial conformance with the Town of Front Royal adopted Comprehensive Plan.

IX. **Miscellaneous Provisions**

9.1 Monetary contributions as set forth in this Proffer Statement that are paid to the Town of Front Royal after 24 months from the date of rezoning approval shall be adjusted in accordance with the Urban Consumer Price Index (“CPI-U”), as published by the United States Department of Labor. The adjustment shall be calculated from the CPI-U published most nearly to and following January 1st from that date 24

months after rezoning approval and the date the contributions are paid, subject to a cap of 3% per year, non-compounded.

X. **Signature**

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns, and successors in the interest of the Applicant and owner. In the event the Town Council of the Town of Front Royal grants this revision to the previously approved rezoning and accepts these ~~Amended Proffers~~Amended Proffer Statement, such proffers shall apply to the land rezoned in addition to other requirements set forth in the Front Royal Town Code and Virginia law.

XI. **Interpretation**

Upon approval of these ~~Amended Proffer Statement s~~ by the Front Royal Town Council, in the event of a conflict between these ~~Amended Proffers~~Amended Proffer Statement and the Approved Proffers, the terms of the Amended Proffer Statement s shall govern.

This Amended Proffer Statement supersedes any proffer statements previously submitted in connection with this application and this Property.

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SIGNATURE PAGE TO FOLLOW.

APPLICANT:

HEPTAD, LLC

By: _____

Ronald Llewellyn, Manager

STATE OF VIRGINIA

CITY/COUNTY OF _____, TO-WIT:

The foregoing instrument was acknowledged before me this ____ day of _____, ~~2022~~²⁰²¹~~12~~, by Ronald Llewellyn, in his capacity as Manager of HEPTAD, LLC.

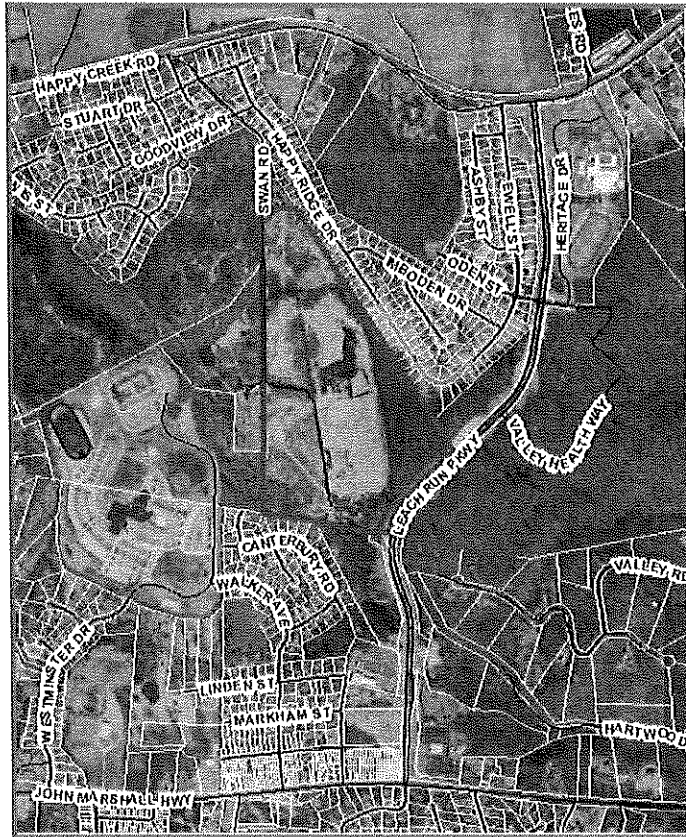
My commission expires: _____.

Notary Registration Number: _____.

NOTARY PUBLIC

HEPTAD, LLC – SWAN ESTATES

PROFFER ANALYSIS



September 8, 2022

**TM #20A21-2-1 and 20A20-2-11
Town of Front Royal, Virginia**

Prepared For: HEPTAD, LLC

Prepared By: Christopher Mohn, AICP
Vice President/Director of Planning
Greenway Engineering, Inc.
151 Windy Hill Lane
Winchester, VA 22602
(540) 662-4185
cmohn@greenwayeng.com

STATEMENT OF PURPOSE

The purpose of this Proffer Analysis is to satisfy the Town of Front Royal's request that HEPTAD LLC provide information to demonstrate that the monetary contributions included in the proposed amended proffer statement for the Swan Estates project (the Project) conform to the provisions of the Code of Virginia applicable to residential proffers. Specifically, the amended and reenacted Section 15.2-2303.4 of the Code of Virginia (the "Residential Proffer Legislation") effective after July 1, 2019, places certain limitations on proffers for residential rezoning cases filed after July 1, 2016, or July 1, 2019, as applicable.

As stipulated by the Residential Proffer Legislation, a local government may only request or accept a proffer if it addresses an impact that is specifically attributable to a proposed new residential development, and, if it is an offsite proffer, addresses an impact to an offsite public facility, such that (i) the new residential development creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning, and (ii) each such new residential development applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of the statute, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development.

The Residential Proffer Legislation establishes four categories of offsite public improvements and facilities for which proffers may be accepted, as follows:

- **Public School Facility Improvements:** construction of new primary and secondary public schools or expansion of existing primary and secondary schools, to include all buildings, structures, parking, and other costs directly related thereto;
- **Public Safety Facility Improvements:** construction of new law enforcement, fire, emergency, medical, and rescue facilities or expansion of existing public facilities, to include all buildings, structures, parking and other costs directly related thereto;
- **Public Park Facility Improvements:** construction of public parks or improvements and/or expansion of existing public parks, with "public parks" including playgrounds and other recreational facilities;
- **Public Transportation Facility Improvements:** construction of new roads; improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality, and construction, improvement, or expansion of buildings, structures, parking, and other costs directly related to transit.

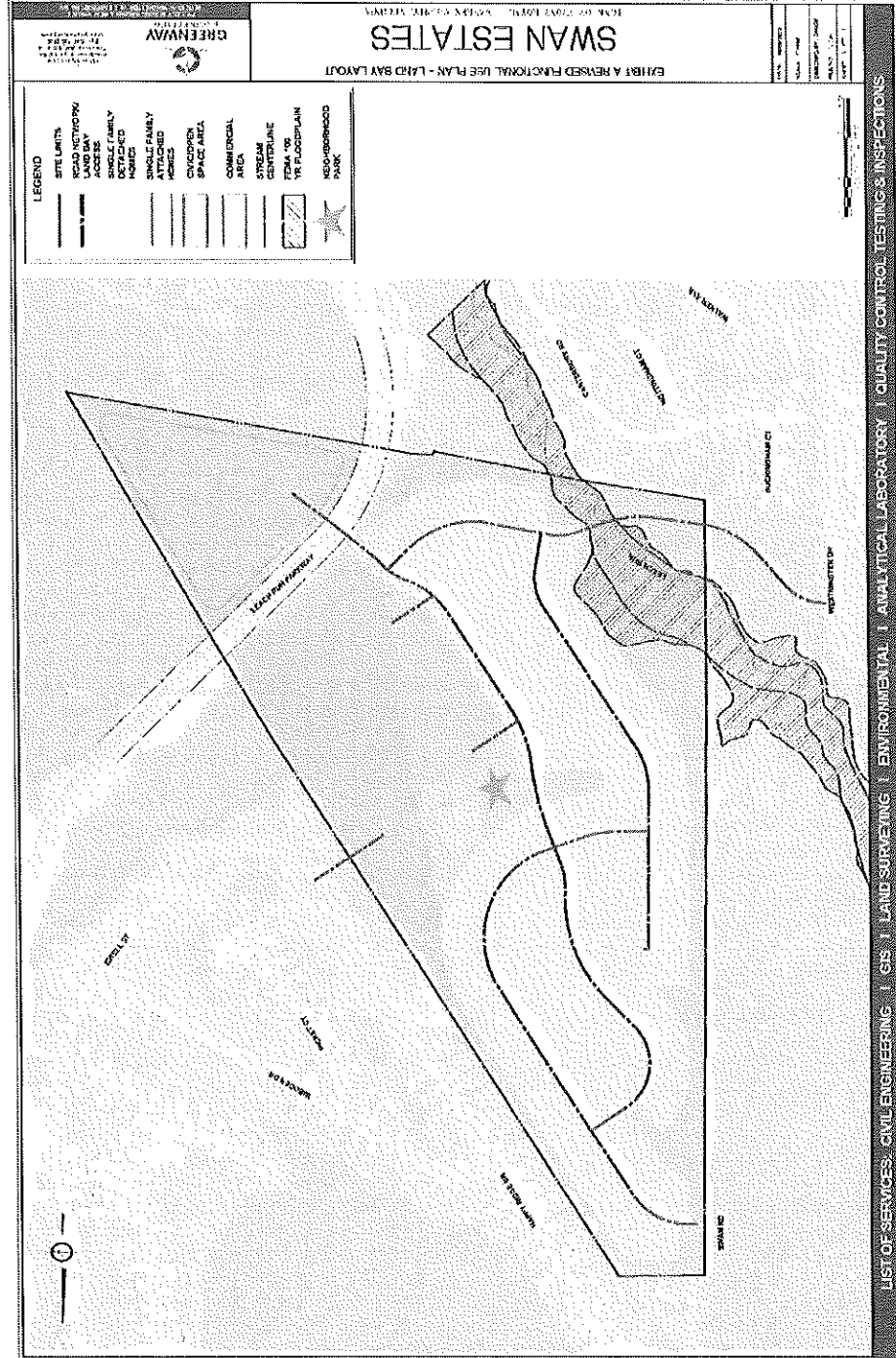
The amended HEPTAD, LLC proffer statement includes proffers designated for the **public school** and **public transportation** facility improvement categories. This document includes calculations of the projected impact of the HEPTAD, LLC development on said facilities to confirm the reasonableness of the proposed proffers.

PROJECT SUMMARY

As per HEPTAD, LLC's proposed amended proffers, the Project is a maximum 335-unit residential community that includes 170 single-family detached units and 165 single-family attached units. The Project is proposed to develop on approximately 86± acres of a 98.25-acre site within the Town of Front Royal, Virginia. The Project is intended to develop as outlined in the proposed amended proffers and the corresponding Master Land Use Plan, which is included as Exhibit A on the following page.

Prior to HEPTAD, LLC's original rezoning of the site to the PND district, the site was zoned Suburban Residential (R-S) District, which permits development of single family detached dwelling units at a gross density of roughly two dwelling units per acre. The R-S zoning applicable to the 86-acre Project site would have therefore yielded a total of 171 single family detached dwelling units "by right." This by-right yield is used as the baseline for calculating the impacts attributable to the PND zoning associated with the amended proffer statement.

EXHIBIT A: DEVELOPMENT SITE PLAN



PUBLIC SCHOOL FACILITIES

ANALYSIS

Public education for residents in the Town of Front Royal is provided by Warren County Public Schools. The Project is in the school attendance areas of Leslie Fox Keyser Elementary School, Warren County Middle School, and Warren County High School. Each facility has an “educational capacity” established by Warren County Public Schools, which is the threshold used for determining whether a given facility is over- or under-capacity. The proffer consideration for public school facilities is determined by the impact of Project-generated students on the educational capacities of these three facilities.

Current Public School Facility Capacities

Based on enrollment data for the 2022-2023 school year, both the middle school and high school are operating under-capacity with substantial surplus, whereas the elementary school is over-capacity. The following table outlines the current facility capacities for the public schools serving the Project:

Table 1: Current Public School Facility Capacities

Facility	Educational Capacity ^(a)	2022-2023 Enrollment ^(b)	Surplus Capacity
Leslie Fox Keyser Elementary School	494	502	(8)
Warren County Middle School	800	560	240
Warren County High School	1,100	850	250

^(a)Source: Virginia Department of Education School Quality Profiles and Warren County Public Schools

^(b)Source: Warren County Public Schools

Projected Student Generation

Quantifying the Project’s impact on current facility capacities requires calculation of the number of students expected to be generated by the dwelling units proposed above the site’s by-right yield under the original R-S zoning. This calculation was completed by applying Warren County’s student generation rates to the proposed unit yield by housing type then netting out the number of by-right units. Warren County’s current student generation rates are as follows:

Table 2: Current Student Generation Rates – Per Dwelling Unit^(a)

Unit Type	Elementary School	Middle School	High School	Total
Single Family Detached	0.152	0.090	0.122	0.364
Single Family Attached	0.224	0.111	0.148	0.483
Multi-Family	0.159	0.059	0.076	0.294

^(a)Source: Warren County, County Administrator’s Office

The student generation factors were then applied to the number of single family detached and single family attached units proposed per the Project’s proposed amended proffer statement. As detailed in the following table, the net number students projected to be generated by the proposed development program totals 81.

Table 3: Projected Student Generation

School Type	Units ^(a)	Unit Type	Generation Rate ^(b)	Total Projected Students ^(c)
Elementary	170	Single Family Detached	0.152	25.84
Middle	170	Single Family Detached	0.090	15.30
High	170	Single Family Detached	0.122	20.74
Total Students Generated – Single Family Detached Units:				61.88
Elementary	165	Single Family Attached	0.224	36.96
Middle	165	Single Family Attached	0.111	18.32
High	165	Single Family Attached	0.148	24.42
Total Students Generated – Single Family Attached:				79.70
Elementary	171	Single Family Detached	0.152	(25.99)
Middle	171	Single Family Detached	0.090	(15.39)
High	171	Single Family Detached	0.122	(20.86)
LESS: Total Students Generated By-Right (R-S District):				(62.24)
Net Elementary School Students Generated				37
Net Middle School Students Generated				19
Net High School Students Generated				25
Net Students Generated by Rezoning – TOTAL:				81

^(a)Source: HEPTAD, LLC Amended Proffer Statement

^(b)Source: Warren County, County Administrator's Office

^(c)Projected students net of by-right are rounded up to the next whole number.

School Capacity Impacts

Adding the net student generation values to the 2022-2023 enrollment for each school facility serving the Project indicates whether the additional students represent a capacity burden (e.g., deficit) requiring mitigation by proffer. Given that the elementary school is already over-capacity based on 2022-2023 enrollment, any number of elementary students added to its enrollment constitutes a capacity burden, to include those generated by the Project. As such, **proffers are justified to fund expansion of elementary school capacity by 37 students**, which is the net elementary student generation directly attributable to the Project (e.g., student generation above by right). The middle and high schools have sufficient capacity to absorb new students from the Project and therefore do not justify proffer mitigation. The following table outlines the capacity impacts of Project-generated students.

Table 4: School Capacity Impacts

Facility	Available Capacity (Students)^(a)	Project-Generated Students^(b)	Net Facility Capacity (Students)	Capacity Need Attributable to Project (Students)
Leslie Fox Keyser Elementary School	(8)	37	(45)	37
Warren County Middle School	240	19	221	0
Warren County High School	250	25	225	0

^(a)See Table 1^(b)See Table 3**Proffer Mitigation**

The Residential Proffer Legislation stipulates that proffers can only provide for needs exceeding existing capacity. As outlined above, the projected middle and high school students resulting from the Project do not create a need for additional facilities, and therefore proffer contributions for these facilities would be inappropriate. The elementary school students resulting from the Project exceed the existing capacity for the relevant elementary school facilities. The per student cost to add facility capacity can be derived from the budget values for new elementary school facilities in Warren County. The Capital Improvements Plan (CIP) adopted with the Warren County Public Schools 2022-2023 Budget includes construction of a new elementary school at a total cost of \$25,000,000. The new facility has a planned educational capacity of 650 students, which equates to a per student cost of \$38,461.54.

Table 5: Cost of New Facility Capacity

Facility	New School Cost^(a)	New School Capacity ^(b)	Cost Per Student (cost ÷ capacity)
New Elementary School	\$25,000,000	650	\$38,461.54

^(a)Warren County Public Schools, Capital Improvements Plan, 2022-2023 Budget^(b)Warren County Comprehensive Plan

The school facility proffer for the Project is calculated by applying the cost per student to add new facility capacity to the number of elementary students projected to be generated (37) and dividing by the maximum development yield (335 units). The calculation is shown in Table 6 below. The calculation indicates a school facility proffer satisfying the requirements of the Residential Proffer Legislation is **\$4,247.99 per unit**.

Table 6: Proffer Calculation – Public School Facility Improvements

a) Elementary School Capacity Need (students) ^(a)	37
b) Cost per Student to Add Capacity ^(b)	\$38,461.54
c) Total Cost to Add Capacity (a x b)	\$1,423,076.98
d) Total Units	335
e) Proffer Per Unit (c ÷ d)	\$4,247.99

^(a)See Table 4

^(b)See Table 5

Credit for Prior Proffer Commitment – Net Proffer Amount

The originally approved proffers included a commitment to dedicate 3.5 acres for public park or playground use. Applying a credit for the monetary value of this dedication results in a net proffer of **\$3,203.21 per unit**. The calculations of the credit and net proffer value are shown in Tables 7 and 8 below.

Table 7: Credit Calculation for Land Dedication

Dedication Area (Acres)^(a)	Estimated Land Value (Per Acre)^(b)	Total Dedication Credit	Per Unit Dedication Credit (Total Credit ÷ 335 Units)
3.50	\$100,000	\$350,000	\$1,044.78

^(a)Proffer Statement – Swan Estates, revised January 21, 2012 (recorded April 13, 2012)

^(b)Based on prevailing land values for residentially zoned acreage

Table 8: Net Proffer Calculation

Proffer Per Unit ^(a)	Per Unit Dedication Credit^(b)	Net Proffer Per Unit (Proffer Per Unit LESS Per Unit Dedication Credit)
\$4,247.99	\$1,044.78	\$3,203.21

^(a)See Table 6

^(b)See Table 7

PUBLIC TRANSPORTATION FACILITIES ANALYSIS

Primary vehicular access to Swan Estates is dependent upon existing Leach Run Parkway, a 4-lane major collector roadway (U4D) that extends across the southwest portion of the site, the construction of which was completed in 2017. Pennoni Associated, Inc. (Pennoni) prepared a Traffic Impact Analysis (TIA) in 2013 to determine the design elements required to accommodate planned development served by the roadway and future traffic growth. Per the TIA, the recommended design elements assumed a planned capacity of 17,440 average daily trips (ADT) at build-out year 2028, which expressly included the ADT projected to be generated by Swan Estates. As such, the TIA demonstrates that construction of Leach Run Parkway was necessary to provide primary vehicular access to Swan Estates, and further that the roadway's design was dictated, in part, by Swan Estates.

Proffer Mitigation

To comply with the Residential Proffer Legislation, the proffer contribution specified for construction of Leach Run Parkway must be based on the traffic impacts directly attributable to the single-family detached and attached residential units proposed to develop at Swan Estates. As noted above, the Pennoni TIA determined the planned capacity of Leach Run Parkway, and the roadway was constructed accordingly. An impact-based proffer value specific to Swan Estates can therefore be derived by dividing the total cost to construct Leach Run Parkway by the total projected ADT at build-out year 2028 (e.g., planned capacity) as established by the Pennoni TIA. This calculation will yield a "cost-per-trip" value that can be applied to the projected ADT for each unit type proposed at Swan Estates to obtain the per unit proffer value.

According to the Virginia Department of Transportation, the construction cost for Leach Run Parkway totaled \$14,629,574.00. Dividing this value by the planned roadway capacity of 17,440 ADT results in a "cost-per-trip" value of \$838.85 per ADT.

Table 1: Leach Run Parkway - Cost Per Trip

Construction Cost ^(a)	Projected 2028 ADT ^(b)	Cost Per ADT
\$14,629,574	17,440	\$838.85

^(a)Source: Virginia Department of Transportation

^(b)Source: *A Traffic Impact Analysis for Leach Run Parkway*, December 20, 2013, Pennoni Associates, Inc.

Per the Institute of Traffic Engineers (ITE) TripGen11, a single-family detached unit will generate 9.43 ADT while a single-family attached unit will generate 7.20 ADT. Multiplying the ADT values by the cost per ADT for construction of Leach Run Parkway results in a corresponding cost per unit type. The calculation is shown in Table 2 below. The calculation indicates a transportation facility proffer satisfying the requirements of the Residential Proffer Legislation is **\$7,910.36 per single family detached unit** and **\$6,039.72 per single family attached unit**.

Table 2: Proffer Calculation – Transportation Facility Improvements

Unit Type	Projected ADT ^(a)	Cost Per ADT ^(b)	Cost Per Unit
Single Family Detached	9.43	\$838.85	\$7,910.36
Single Family Attached	7.20	\$838.85	\$6,039.72

^(a)Source: Institute of Traffic Engineers (ITE) TripGen11

^(b)See Table 1

Credit for Prior Proffer Commitment – Net Proffer Amount

The originally approved proffers included a commitment to dedicate right of way for Leach Run Parkway. This right of way dedication totaled 2.343 acres. Applying a credit for the monetary value of this dedication results in a net proffer of **\$6,869.02 per single family detached unit** and **\$4,998.39 per single family attached unit**. The calculations of the credit and net proffer value are shown in Tables 3 and 4 below.

Table 3: Credit Calculation for Right of Way Dedication

Dedication Area (Acres) ^{(a)(b)}	Estimated Land Value (Per Acre) ^(c)	Total Dedication Credit	Per Unit Dedication Credit (Total Credit ÷ 335 Units)
2.343	\$100,000	\$234,300	\$1,041.33

^(a)Proffer Statement – Swan Estates, revised January 21, 2012 (Recorded as Instrument No. 120002053)

^(b)Plat Showing Dedication of Right of Way and Easements on the Property of HEPTAD LLC (Recorded as Instrument No. 140006130)

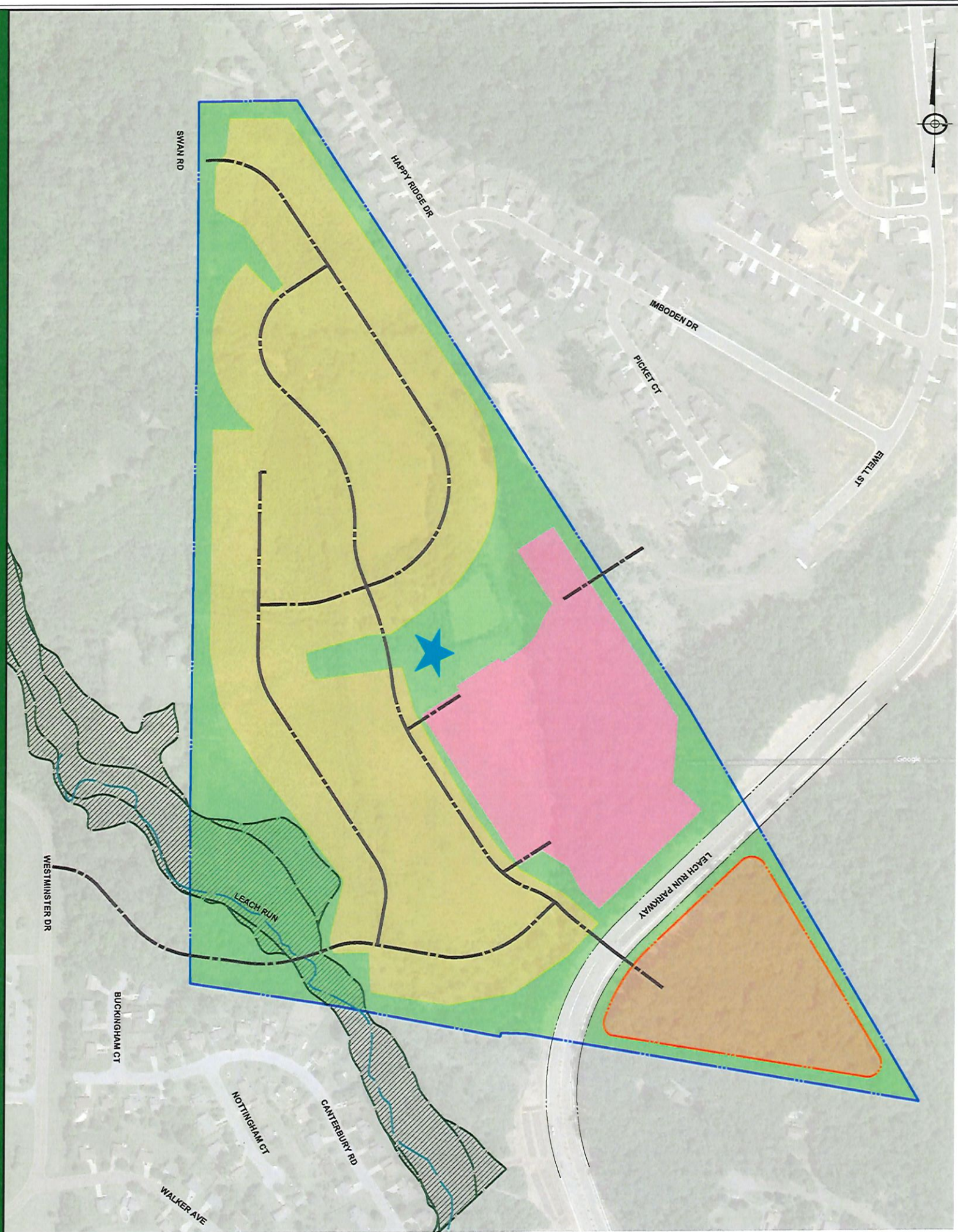
^(c)Based on prevailing land values for residentially zoned acreage

Table 4: Net Proffer Calculation

Unit Type	Cost Per Unit ^(a)	Per Unit Dedication Credit ^(b)	Net Proffer Per Unit (Cost Per Unit LESS Per Unit Dedication Credit)
Single Family Detached	\$7,910.36	\$1,041.33	\$6,869.02
Single Family Attached	\$6,039.72	\$1,041.33	\$4,998.39

^(a)See Table 2

^(b)See Table 3



ALL-STATE LEGAL®
EXHIBIT
A



LEGEND	
	SITE LIMITS
	ROAD NETWORK/ LAND BAY ACCESS
	SINGLE FAMILY DETACHED HOMES
	SINGLE FAMILY ATTACHED HOMES
	CIVIC/OPEN SPACE AREA
	COMMERCIAL AREA
	STREAM CENTERLINE
	FEMA 100 YR FLOODPLAIN
	NEIGHBORHOOD PARK

EXHIBIT A REVISED FUNCTIONAL USE PLAN - LAND BAY LAYOUT

SWAN ESTATES

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA



151 Windy Hill Lane
 Winchester, Virginia 22602
 Telephone: (540) 662-4185
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DATE:	08/08/2022
SCALE:	1"=150'
DESIGNED BY:	DMCM
FILE NO.	3679V
SHEET	1 OF 1

Design Guidelines

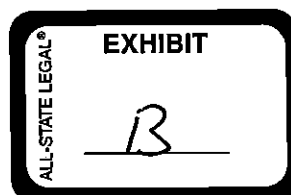
Submitted by:

Joseph F. Silek, Jr., P.C.

For

HEPTAD, LLC

Revised September 9, 2022



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A. Introduction

1. Project Description

The Swan Estates development consists of approximately 98.25 acres of land and is located between the existing Williamsburg Estates and Happy Creek Knolls subdivisions. The property is comprised of two parcels, currently zoned PND. The proposed PND development of the Property is comprised of Single Family Detached units, which are anticipated to have a design aesthetic consistent with surrounding neighborhoods. In addition, a portion of Swan Estates will include acreage for future retail neighborhood commercial development primarily for the benefit of Swan Estates residents. The project entrance on Leach Run Parkway shall be delineated with monumentation and landscaped accordingly. A pedestrian network will link the community together. Open space will be provided in a central location and will contain recreational amenities to serve the community.

2. Purpose of Guidelines

The purpose of this document is to describe the design concepts for Swan Estates and meets the criteria for the Town of Front Royal PND ordinance, in addition to describing the design principles that support the concept, in order to provide a set of guidelines for developing the various components of the proposed plan. These guidelines, while not overly restrictive, will be used to direct the design at the Swan Property.

Either the developer or an Architectural Review Board (ARB) established by the Property Owners Association (POA) will evaluate any amendments, revisions, and waivers to the Design Guidelines to determine if they are appropriate and in keeping with the original intent of the Design Guidelines.

3. Organization of the Guidelines

The guidelines begin with the overall development design criteria that will be utilized to create organization and coherence within the community. The essential design elements of the project are as follows: architecture, streetscape design, open space standards, landscape design, parking, and signage. The design guidelines and standards are intended to explain basic aspects of conformance rather than specific design criteria. The overall layout of the proposed development has not been finalized. An illustrative bubble plan is included as Appendix A. All illustrations shown represent proposed preliminary design intentions and are subject to change based upon final design and construction plans, while continuing to maintain the standards and criteria of the design guidelines and the PND ordinance.

B. Development Design Criteria

1. Design Principles

The Urban Development Area (UDA) calls for increased housing density, and the site itself is varied; going from woods to open fields and includes both steep slopes, floodplain, and the Leach Run riparian corridor. The design for Swan Estates applies the flexibility of the PND ordinance to achieve the intent of the UDA by integrating Single Family Detached units with the site's distinctive natural features. The Single Family Detached units will be located to complement existing site conditions, capitalizing on the natural features, while limiting disturbance to sensitive areas such as steep slopes and floodplain. The proposed road layout respects the site's topography while at the same time connecting the Single Family Detached housing to neighborhood amenities and the surround community. Pedestrian connectivity will be provided through a network of sidewalks and trails that will both follow the road layout and, where appropriate, extend into open spaces.

Swan Estates will also include a commercial section that, although separated by Leach Run Parkway, will be available to pedestrian traffic from the community. This will further reduce vehicular traffic both inside the neighborhood and coming and going from the community itself into town to pick up household 'essentials'.

The end result will be an integrated community that is pedestrian oriented, aesthetically pleasing, and environmentally friendly.

2. Residential Layout

The residential component of the Swan Estates Development, totally roughly 83.84 acres, will consist of a total of 335 single family residential dwelling units (expected to consist of 170 single family detached units and 165 single family attached units), resulting in a gross density of approximately 4 units/acre. As discussed in section A3, this project is in the preliminary phase, any lot layout or bubble plan shown is conceptual and preliminary. Final design may vary based upon final engineering.

3. Residential Elevations

All buildings will be located with respect to the immediate site conditions and user functions, taking advantage of the features of each site while limiting the disturbance to the land. The 'front' of each unit with its best facade, will be oriented accordingly while keeping in mind that each unit is part of the neighborhood as a whole. Material selection for the facades will be integrated throughout the housing types in order to contribute to the overall appearance of the community.

4. Building Height

The building height and massing will vary but will be designated to complement the character of the land and overall design of the neighborhood. In regard to roof lines, there may be a variety of rooflines and projections that will help to improve aesthetics and the architectural fenestration, minimizing the massing of any single building plane.

5. Development Relationship

The natural features of the site will be integrated with the residential development, resulting in maximized open space and resource protection. This approach will allow over 26 acres (over 30%) of the residential component to remain in open space, to include untouched conservation land consisting of the riparian corridor and floodplain of Leach Run. The residential units will have complementary architectural styles. The commercial component although separated by Leach Run parkway will also have a complementary architecture that works with the rest of the community.

This concept of designing the neighborhood to preserve open space will not only benefit the residents, but the community as a whole, as the project will look like it 'fits' the site and has not been imposed on it. In addition to the open space, the project will adhere to the PND required setback ordinance and related buffers to further enhance its outward appearance.

These techniques follow the intent of the PND ordinance while increasing density as called for within the UDA and also respect the environmental features of the site. As a result, Swan Estates will be an environmentally friendly neighborhood that will also be aesthetically pleasing when viewed from Leach Run Parkway and the surrounding community.

C. Architecture

1. General Design Criteria

General Architectural Guidelines - The objective of the architectural design standards is to generate a unified design image for the site but allow individual structures to maintain independent design themes.

General Architectural Massing - The Single Family Detached units shall exhibit a variety in their massing, height, roof configurations, projections, and recesses. Where appropriate, each building design may differ from adjacent structures.

General Building Elevations - All buildings shall be designed to complement the character of the neighborhood's theme and be sensitive to the appropriate materials, color, and scale. The side and rear elevations should complement the design character of the overall architectural theme and all building elevations shall be assembled using quality materials and finishes.

2. Single Family Detached Units (SFD)

Descriptions - SFD units will be two story single family detached homes typically with front loaded garages. They may have attached garages or side loaded attached garages as options where appropriate.

Materials - A variety of architectural materials and textures may be used for each building facade. Acceptable elevation materials shall include but not be limited to brick, stone, wood, cedar shakes, architectural asphalt shingles, or standing seam metal roofing. Additional materials may be substituted by approval of the developer or ARB.

Colors - Colors or tones that are characteristic of the architectural style selected, and which will complement the character of the community and adjacent developments, should be used. Limited accent colors may be used to complement the building design. The use of fluorescent or garish colors shall be prohibited.

Mechanical Equipment - All efforts should be made to screen the mechanical equipment from the view of the streets.

SFD Unit Typical

The following table specifies the minimum standards for the SFD units.

Note: Brick returns, bay windows, downspouts, and roof overhangs are permitted to occur within the minimum setbacks.

Minimum Lot Depth:	60 ft.
Minimum Lot Width:	46 ft.
Minimum Setbacks:	
Minimum Front Yard Setback to Dwelling:	15 ft.
Minimum Rear Yard Setback to Street:	3 ft.
Minimum Side Yard Setback to Dwelling:	
Interior Lot:	7.5 ft.
Corner Lot:	15 ft.

3. Townhome Unit

Description - Townhome housing units are a 3-story attached style of home with a front-loaded garage. The front facades will vary in depth to enhance the streetscape appearance. The front yard setback is at a minimum to accommodate driveway parking.

Materials - A variety of architectural materials and textures may be used for each building facade. Acceptable elevation materials shall include but not be limited to brick, stone, wood, cedar shakes, architectural asphalt shingles, or standing seam metal roofing. Additional materials may be substituted by approval of the developer or ARB.

Colors - Colors or tones that are characteristic of the architectural styled selected, and which will complement the character of the community and adjacent developments, should be used. Limited accent colors may be used to complement the building design. The use of fluorescent or garish colors shall be prohibited.

Mechanical Equipment - All efforts should be made to screen the mechanical equipment from the view of the streets.

TOWNHOME TYPICAL

Townhome housing units are a 3-story attached style of home with a front-loaded garage. The front facades will vary in depth to enhance the streetscape appearance. They are designed to be oriented in close proximity to the street. The siting of the homes in this manner further encourages pedestrian movement. The following table specifies the minimum standards for the Townhouse House type.

Note: Brick returns, bay windows, downspouts, and roof overhangs are permitted to occur within the minimum setbacks.

Townhome Minimum Lot Size:	1,120 sf.
Minimum Lot Depth:	70 ft.
Minimum Lot Width:	16 ft.
Minimum Setbacks:	
Minimum Front Yard Setback to Dwelling:	20 ft.
Minimum Side Yard Setback to Dwelling (end unit):	10 ft.
Minimum Rear Yard Setback:	20 ft.
Porches and decks:	5 ft.

4. Recreation

The PND ordinance states that recreation and park facilities are permitted uses. The Swan Estates development will provide residents with both active and passive recreation to satisfy their needs. The PND ordinance promotes the design of a walkable environment for pedestrians. A pedestrian network will be provided throughout the major thoroughfares, allowing the residents to traverse throughout the community without the need of an automobile. Additional passive recreation shall be included with the community center and along the floodplain/conservation land.

Adjacent to Swan Estates are existing school sites, complete with playgrounds, ball fields, football stadium with track, and tennis courts, all within walking distance from Swan Estates. Additional active recreational amenities provided within Swan Estates include but are not limited to the following: a playground, open play areas, path system, and a structured sitting area. The Swan Estates development will meet or exceed the PND ordinance requirement of 335 square feet of recreation area per dwelling unit.

5. Playground Typical

The Swan Estates development will have a central open space area capable of incorporating the playground. The final location of the playground will be determined upon final engineering. The playground area will be at least 2,000 square feet and contain the following minimum components:

- play equipment
- edging and surfacing meeting ASTM and USCPSC standards
- bench
- trash receptacle

D. Streetscape

1. Design criteria

The streetscape will complement the park-like character of the community through the use of canopy trees along the main streets. The selection of any hardscape elements should be of similar materials and should assist in setting the tone for the overall neighborhood design theme.

2. Street Layout

The design and location of streets in Swan Estates will work with the land, especially the existing topography, to minimize its footprint and maximize protection of natural features. The internal street network consists of a series of interconnecting streets that enable multiple points of connection to the surrounding community, with the main vehicular entrance located on Leach Run Parkway. This street layout will slow down the overall speed of cars on the local neighborhood streets. All of this will lend to a more pedestrian friendly community per the PND ordinance.

3. Streetscape

The PND ordinance encourages enhanced streetscapes. The Swan Estates development will provide such enhancements. The landscape treatment for the streetscape may occur either on the private lots or fall within the linear street section of green space. The plantings may occur as a repeated pattern of street trees or may be clustered in more naturalistic groupings.

Streetscape lighting will be a fixture selected to complement the character of the community and will direct light downward to minimize the upward glare. The fixture will match the Town's approved light standard. The fixture will further enhance the overall theme of the community.

Additional site furnishings are to include, but not limited to, mailboxes, benches, street signs and poles. These furnishings will complement the overall theme of the community.

4. Parking

The pedestrian network will provide a means of accessing open space throughout the community that does not require the use of a vehicle; therefore, extensive parking areas will be minimized. Off street parking will be provided on the Single Family Detached lots. The community center will include parking per PND ordinance standards and will be appropriately marked with signage to indicate emergency access and handicap accessibility.

5. Entrance Feature

At the option of the developer, an entrance feature with entry sign will be placed on either the right or left of the entrance on Leach Run Parkway, or both. Another placement option is the center island for monumentation. The entrance feature would have a maximum height of 8 feet, with a maximum sign panel size of 24 square feet for each panel. The sign may be lighted from the front at ground level with a minimal amount of illumination. Landscaping both in front of and behind the signage and wall will be provided. The style of signage and materials will be compatible with and closely related to the themes and color schemes established for the overall neighborhood.

E. Open Spaces

1. Design Criteria

As a result of the project design, public open space is grouped in large parcels, accessed primarily by the pedestrian system. Active recreation will be centrally located and will include at a minimum, a structured sitting area, a playground, and an open play lawn area where many informal activities could take place: football, soccer, baseball, Frisbee, to name a few. The adjacent school site is able to provide additional active recreation and is within walking distance of the Swan Estate development. The Swan Estates

development will adhere to open space guidelines listed in the Town of Front Royal PND ordinance.

2. Conservation Land

The Swan Estates community contains a floodplain area, containing one road crossing, with the balance to be preserved. The floodplain area has the opportunity to be enhanced for passive recreation. A habitat park is a viable option, providing vegetation that will attract birds and other wildlife to the region. The area is accessible by an adjacent neighborhood street and sidewalk running parallel to the floodplain. Visual opportunities for viewing the wildlife habitat area could be provided with overlook points along the proposed sidewalk and neighborhood street.

3. Perimeter Setback

The PND requirement calls for a 55' perimeter setback, which is provided in all areas applicable. In addition, the developer will provide additional screening along the boundary adjacent to Happy Creek Knolls, either through tree preservation or installed landscaping. If tree preservation does not exist, the landscaped area will be planted at a ratio of 1 tree per 40 linear feet. The landscaped area will contain a minimum 25% deciduous trees.

4. Pedestrian Network

The PND ordinance encourages a walkable community. A pedestrian network will be provided throughout, which will link all areas within the community to the recreation areas. Additional path systems will include linking active and passive recreation to the sidewalk system. The pedestrian network system will enhance the theme of the neighborhood by promoting pedestrian movement instead of vehicular movement.

5. Habitat Park

Within the Swan Estates neighborhood, a portion of the floodplain will be allocated for a Habitat Park. Selected areas shall be re-vegetated in an effort to attract and maintain these areas as a habitat for upland wildlife, birds, and butterflies.

6. Additional Public Benefit

The Swan Estates development has several items to be utilized for additional public benefit. These items occur at the developer's expense and are above and beyond the PND ordinance requirement. The following elements will improve aesthetics and increase the quality of life for the residents of the Swan Estates community.

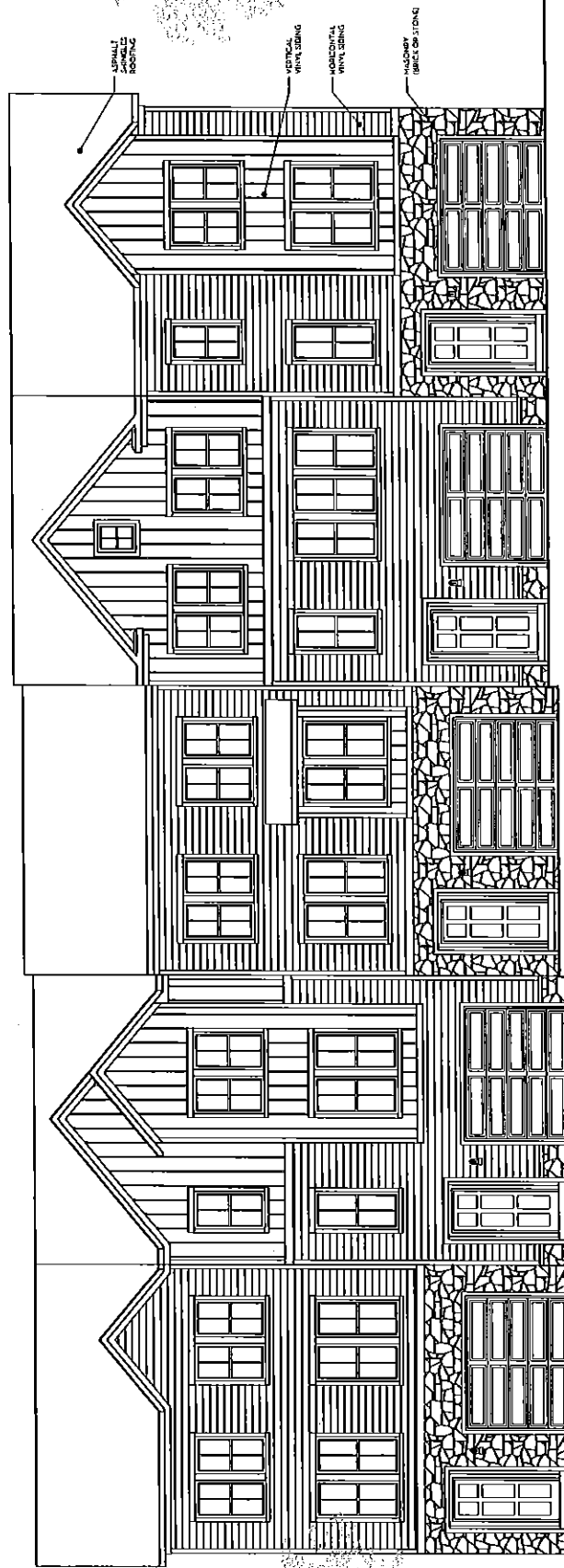
One method is to enhance the streetscape. Swan Estates will provide more than just a typical street tree layout along the internal streets. The developer will utilize a unique street tree spacing to allow the introduction of ornamental trees and potential planting beds in a repeated pattern. This will provide a uniform and attractive streetscape above and beyond what one would consider a normal streetscape.

Another item is providing Swan Estates a Habitat Park within the floodplain. This park is discussed in Section E.5. This facility will provide neighborhood residents with a unique wildlife viewing experience. This proposed park is above and beyond the open space and recreation requirements for this development.

A third item is providing a central park space for the Swan Estates residents. This park will contain a playground with a children's track for bikes and tricycles, a trellised sitting area with formal landscaping adjacent to the space, which will provide the community with a central focus and gathering space. The open lawn space in the center of the park is large enough to host informal football, soccer, baseball, or any other activity the residents of the Swan Estates neighborhood decide to utilize the park for.

A fourth item to qualify for a density bonus is the provision of a landscaped buffer within the 55' perimeter setback. This additional landscaping will enhance the perimeter of the development as well as provide an adequate visual screen from the adjacent uses. This buffer is explained in detail as an example in Section E.3. This landscaped buffer will occur along all applicable perimeter boundaries. Providing this landscape enhancement is above and beyond the perimeter setback requirement in the PND ordinance. The 55' perimeter landscaped buffer is to occur outside of all adjacent lots; it will be contained and maintained by the POA.

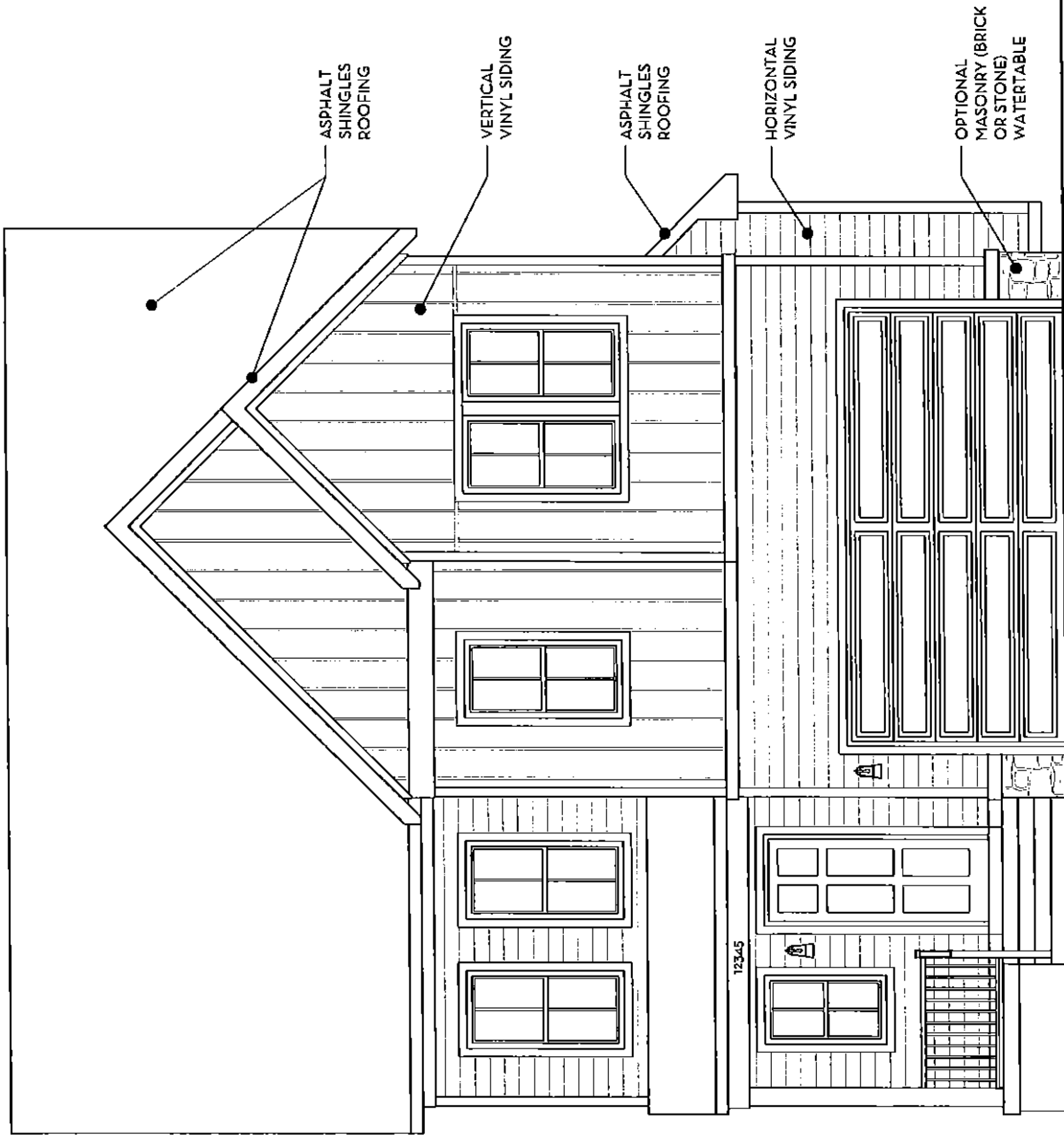
The last method for qualifying for a density bonus is achieved by providing additional improvements for the adjacent school site. The developer has proffered to engineer, design, and construct an extension to Swan Estates Drive to connect to existing Westminster Drive across School Board property. The road improvements for Swan Estates will eliminate the school's singular access. This will improve the safety of the children and vehicular traffic to and from school, while also providing a more direct route from outside developments. The Swan Estates community entrance is anticipated to be located in close proximity to the existing school site road crossover. The style and character of the monumentation will tie Swan Estates in with the school sites, providing a cohesive balance between the two uses. This will provide the school with an enhanced front door to the facilities, while improving aesthetics and sense of a school pride for the students and surrounding community.



SWAN ESTATES

TOWNHOMES - STRIP
FRONT ELEVATION

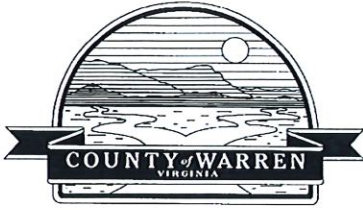
SCALE 1/4" = 1'-0"
JULY 11, 2007



SWAN ESTATES

31' (1) WIDE
FRONT ELEVATION
SCALE 1/8" = 1'-0"
JULY 16, 2002

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600

FAX: (540) 636-6066

Email: tlogan@warrencountyva.net

Taryn G. Logan
Deputy County Administrator

November 9, 2022

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County Administrator

Lauren Kopishke, Planning Director
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

RE: **HEPTAD, LLC Proposed Proffer Amendment**

Dear Lauren:

Thank you for forwarding the proposed proffer amendment submitted by HEPTAD, LLC for the Swan Estates development to the County for review and comment. The amended application decreases the total number of units from the previously approved 450 to now 335 units, which will consist of 170 single family detached (SFD) units and 165 single family attached (SFA) units.

The current recorded proffer statement for this property provides \$5,500 for all 450 units and an additional \$9,000 per SFD, \$5,500 per SFA and \$4,500 per multi-family units for the last 115 units to be proffered for the Warren County public school system (page 21).

At this time, the applicant is proposing the proffer statement be amended to pay \$4,247 for each residential unit (both single-family detached and attached) with a deduction of \$1,044.78 per unit for the 3.5-acre community park dedication, for a total of **\$3,202.22** per unit to go to the public school system.

We have run the County's fiscal impact model, which was revised in 2018 following the new proffer legislation. For the single-family detached units, our model shows a capital cost per unit of \$4,735 for schools and a \$4,035 cost per unit for parks to equal a one-time cost per unit of \$8,770. For the attached single-family units, our model shows a capital cost of \$6,978 per unit for schools and a \$4,035 cost per unit for parks to equal a one-time cost per unit of **\$11,013**. Our model also shows that this development will generate an additional 63 elementary students at Leslie Fox Keyser Elementary School, an additional 33 students at Warren County Middle School, and an additional 45 students at Warren County High School. Leslie Fox Keyser is already over capacity according to our model. The secondary schools currently have capacity for the proposed student generation from this development.

We also have concerns about the impact of the development on our public safety system. Our fiscal impact model calculates the cost to our public safety system of \$1,019 per unit. There is a 3.5-acre site proffered to the County for a community park on the property. We would feel more comfortable with the property dedicated to be for a park facility or, at the option of the County, for a fire station. We are currently evaluating data for a possible new fire station in this area, and this could leave the option available to the County.

*Front Royal-Warren County
Rivers of Opportunity-Mountains of Success*

We would also like to point out that the original proffer statement offered phasing the homes in at no more than 50 units to be built per year. The new proffer statement increases that rate to no more than 100 units to be built per year. This allows the County less time to prepare services for the school children that will be generated from the development, among other services.

We thank the Town and its staff for using its best efforts in consideration of the rezoning application to address the fiscal impact that this project will have on Warren County Public Schools and other County services.

If you have any questions regarding these comments, please give me a call. Thank you for the opportunity to review the request and provide comments to the Planning Commission and Town Council.

Sincerely,

A handwritten signature in black ink that reads "Taryn Logan". The script is cursive and fluid.

Taryn Logan, AICP
Deputy County Administrator

TGL

cc: Edwin Daley, County Administrator

From: [Arthur Boyce](#)
To: [Connie Potter](#)
Cc: [Rhonda Funkhouser](#); [Joseph Johnson](#)
Subject: Town of Front Royal- Leach Run Parkway-HEPTAD Proffer Amendments
Date: Monday, November 28, 2022 10:02:11 AM
Attachments: [RZ05-07-56_Application Letter to Amend Proffers 9-16-2022_HEPTAD, LLC.pdf](#)

Hey Connie,

Sorry for the delayed review of the above subject revised proffers for this subdivision. As you know, we reviewed the Traffic Impact Analysis for this development as required by Chapter 527 in 2015. We have no additional comments on the amended proffers for this application.

If you have any questions, please give me a call.

Sincerely,

Bobby Boyce

VDOT- Land Development Engineer
Shenandoah, Frederick, Clarke, & Warren Counties
14031 Old Valley Pike
Edinburg, VA 22824
(540) 534-3211

22 00461



TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 2263



SPECIAL USE PERMIT REQUEST

FRSPU _____

APPLICANT:

NAME Philip Vaught PHONE 540 671-0460

ADDRESS 124 Luray Ave

E-MAIL Front Royal, VA 22620

PROPERTY OWNER:

NAME Vaught Real Estate, LLC PHONE _____

ADDRESS _____

E-MAIL _____

PROPERTY DESCRIPTION

PROPERTY ADDRESS 140 Chester St

TAX MAP _____ SECTION _____ BLOCK _____ LOT _____ 20A8 4 4

SUBDIVISION NAME _____ ACREAGE _____

REQUEST

ZONING DISTRICT _____

PROPOSED USE OF PROPERTY Lodging Horse

SPECIFIC SPECIAL USE PERMIT REQUEST _____

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

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application
3. Application Fee of \$400.00 Receipt # 1727 Date Paid 6/1/22
4. Additional information as required by the Dept. of Planning & Community Development.

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 [Signature] Date 6/1/2022

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.

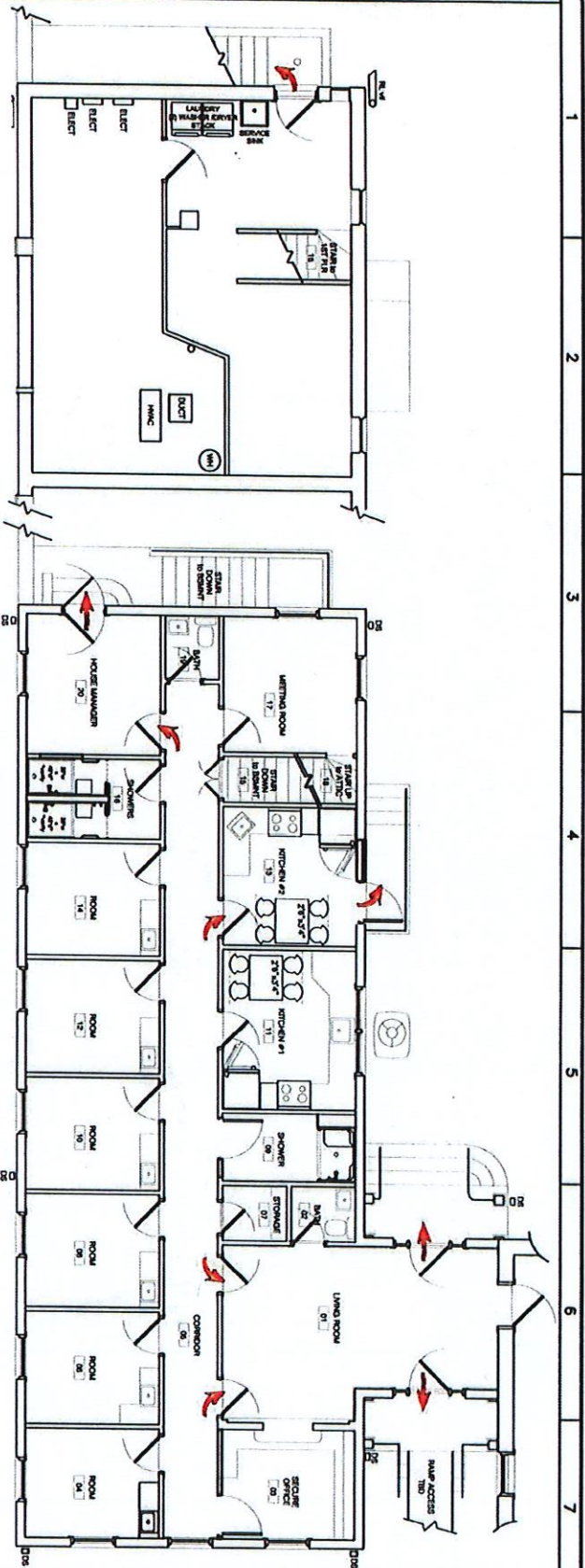
140 Chester As-Built

Warren Co. Va.

Project Site:
140 CHESTER ST.
FRONT ROYAL, VA 22630

Stone-Bow Studios
Custom Residential Interiors
4500 S. 13th St.
Ft. Belvoir, VA 22630
Phone: 540.888.8800
Fax: 540.888.8800
P.O. Box 27 FRONT ROYAL, VA 22630

1. THIS DRAWING IS THE PROPERTY OF STONE-BOW STUDIOS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF STONE-BOW STUDIOS. 2. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING FOR THE PROJECT AND HAS AGREED TO HOLD STONE-BOW STUDIOS HARMLESS FROM ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DRAWING. 3. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING FOR THE PROJECT AND HAS AGREED TO HOLD STONE-BOW STUDIOS HARMLESS FROM ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DRAWING.

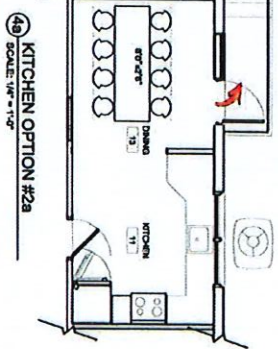


PROPOSED BASEMENT
SCALE: 1/8" = 1'-0"

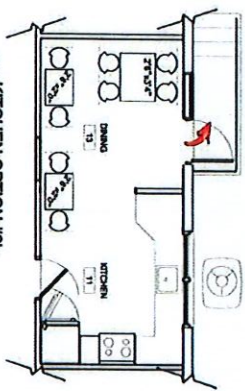
PROPOSED 1st FLOOR
SCALE: 1/8" = 1'-0"



REFERENCE SITE PLAN



KITCHEN OPTION #2a
SCALE: 1/8" = 1'-0"



KITCHEN OPTION #2b
SCALE: 1/8" = 1'-0"

CONCEPT PROPOSAL

WOMEN'S CENTER
CONCEPT PLANS

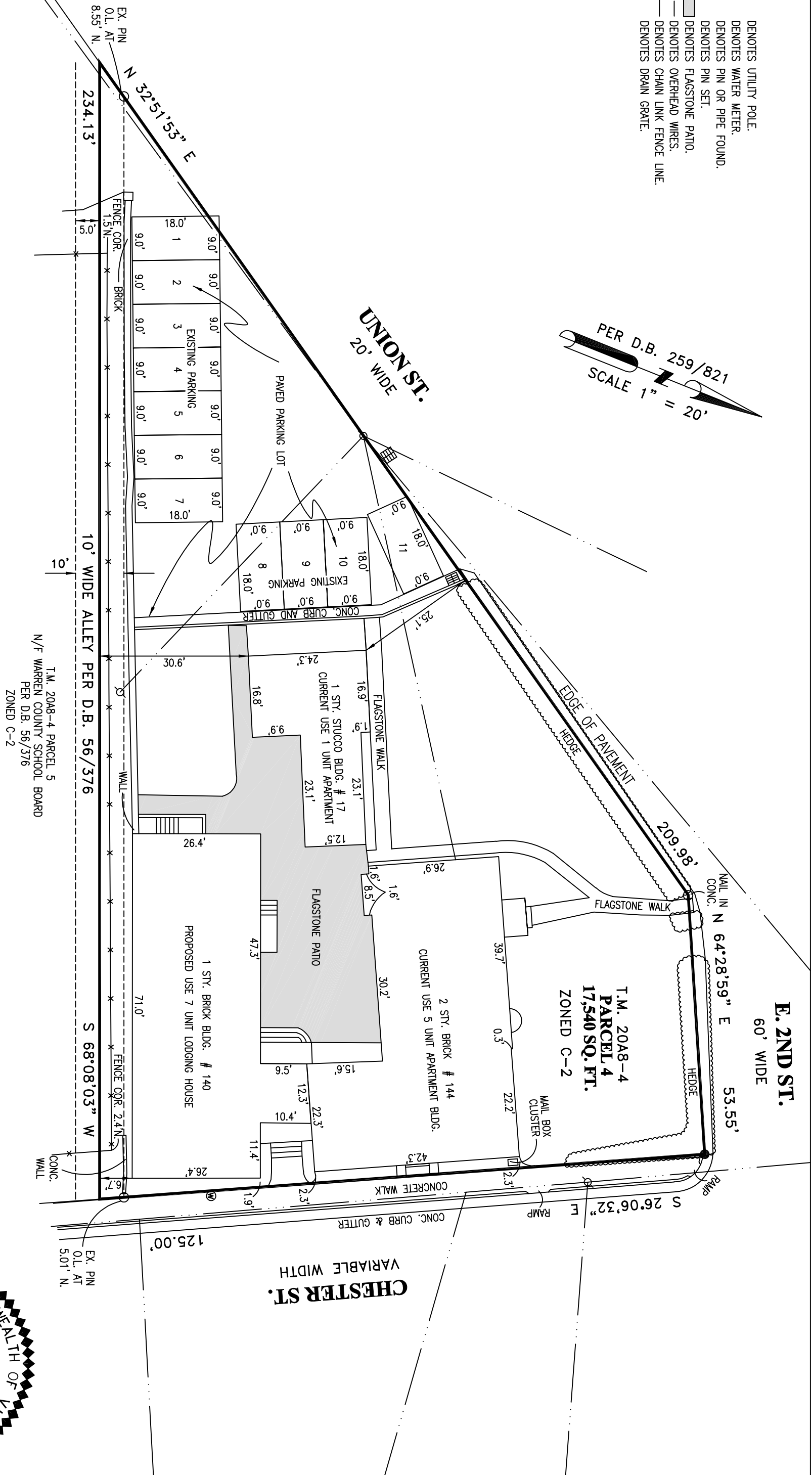
SHEET TITLE
CONCEPT PROPOSAL

17 AUG 22 A1.0

RELEASE DATE SHEET NUMBER

- ⊕ DENOTES UTILITY POLE.
⊕ DENOTES WATER METER.
○ DENOTES PIN OR PIPE FOUND.
● DENOTES PIN SET.
▬ DENOTES FLAGSTONE PATIO.
- - - DENOTES OVERHEAD WIRES.
-x- DENOTES CHAIN LINK FENCE LINE.
▤ DENOTES DRAIN GRATE.

PER D.B. 259/821
SCALE 1" = 20'



SURVEY OF THE VAUGHT REAL ESTATE PROPERTY
RECORDED IN INSTRUMENT # 220004154
TOWN OF FRONT ROYAL
FORK MAGISTERIAL DISTRICT
WARREN COUNTY, VA.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: VAUGHT REAL ESTATE, LLC.
PER INSTRUMENT # 220004154.
PLAT REF: DEED BOOK 259 PAGE 821.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 24, 2022

