



## REGULAR TOWN COUNCIL MEETING

Monday, January 23, 2023 at 7:00pm in Warren County Government Center Board Room

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

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the Regular Meeting minutes of December 12, 2022, Special Meeting Minutes of January 9<sup>th</sup> and January 17<sup>th</sup> and Work Session Minutes of January 9, 2023, as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA  
*[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]*
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
  - Presentation by Chief of Police Kahle Magalis
  - Presentation by Community Engagement Manager Lizi Lewis
  - Presentation by Director of Public Works Robbie Boyer
7. PUBLIC HEARINGS
  - A. Special Use Permit for Short-Term Rental at 309 E Prospect Street – Yaohua Gu – *L. Kopishke*
  - B. Special Use Permit for a Short-Term Rental at 302 Blue Ridge Ave – Melody Luskey/ Luskey Properties – *Kopishke*
  - C. Amend Previously Approved Proffers for Anna Swan Estates (HEPTAD LLC)– *Lauren Kopishke*
  - D. Receive Public Input and Take Action on a Request for Vacation of a Portion of Public Alley located adjacent to 1202 Virginia Ave and 111 & 117 W. 12<sup>th</sup> St – Mr. & Mrs. Wade Holloway/Mr. & Mrs. William Holloway – *Waltz*
  - E. Appeal of Decision of BAR Denying SEESUU LLC's Request for Issuance of Cert. of Appropriateness – *Kopishke*
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
  - A. Report of Town Manager
  - B. Report of Councilmembers
  - C. Report of the Mayor
10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
  - A. Purchase of Cab and Chassis for Public Works Department – *Michelle Campbell*
  - B. Various Council Appointments
11. BUSINESS ITEMS –
  - A. Appointment to the Planning Commission
  - B. Appointments to the Local Board of Building Code Appeals
  - C. Nomination to the Board of Zoning Appeals
12. CLOSED MEETING
13. Adjourn



## TOWN COUNCIL REGULAR MEETING MINUTES

December 12, 2022 @ 7:00PM in the Warren County Government Center

*The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com).*

Moment of Silence

Pledge of Allegiance led by Councilwoman Thompson

ROLL CALL PRESENT: Mayor Chris W. Holloway  
Vice Mayor Lori A. Cockrell  
Councilman Gary L. Gillispie  
Councilwoman Amber F. Morris  
Councilman R. Wayne Sealock  
Councilwoman Letasha T. Thompson

ABSENT: Councilman Duane R. "Skip" Rogers

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

APPROVAL OF MINUTES – Vice Mayor Cockrell moved seconded by Councilwoman Morris that Council approve the Regular Meeting minutes of November 28<sup>th</sup>, and Special Meeting minutes of November 29<sup>th</sup> and November 30<sup>th</sup>, 2022, as presented.

Councilman Sealock asked that the name "Jackson" be replaced with "Sealock" on page 2 in the vote of the November 29<sup>th</sup> meeting minutes.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Morris, and Thompson  
No – N/A  
Absent – Councilman Rogers  
Abstain – N/A

ROLL CALL

### ADDITION/DELETION OF ITEMS FROM THE AGENDA –

Vice Mayor Cockrell moved seconded by Councilwoman Morris that Council remove 11C – Advance Application/Authorize to Advertise for a Public Hearing – Vacation of a Portion of an Alley and place on the January 9, 2023 work session agenda.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Morris, and Thompson  
No – N/A  
Absent – Councilman Rogers  
Abstain – N/A

ROLL CALL



RECOGNITIONS/AWARDS/REPORTS – Mayor Holloway and Councilmembers Gillispie and Thompson were recognized with plaques for their dedicated service.

PUBLIC HEARINGS - None

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS) - None

## REPORTS

A. Town Manager Report – Mr. Waltz gave the following report:

Good evening, I wanted to provide a few updates on projects the Town is currently working on. We issued a public notice last week about our contractor, Bushong, who will be upgrading the waterline on Braxton Road between Leach Street and Polk Ave. This work started today and will continue through the end of February. Please use caution while driving and walking in this area.

We also plan to have our contractor back in-town in the next two weeks to finish the line painting from the recent paving projects.

As we approach the Holidays, our trash and recycling schedule will change due to the observance of the holidays for town staff. First of all, due to the reduced work week, we will have no yard waste collection from Dec 19 through Jan 6<sup>th</sup>. But we will start collecting your xmas trees starting on January 11<sup>th</sup>.

Trash and recycling collection for Friday December 23<sup>rd</sup> will be collected on Wednesday December 21<sup>st</sup>

Trash and recycling collection for Monday December 26<sup>th</sup> will be collected on Wednesday December 28<sup>th</sup>

Trash and recycling collection for Monday January 2<sup>nd</sup> will be collected on Wednesday January 4<sup>th</sup>

Please check the website for the schedule changes or just give us a call.

We are also monitoring the weather event this Thursday and will make preparations if necessary for any pretreatment.

And finally, on behalf of all Town employees, we would like to wish everybody a happy Holiday and a safe new year.

B. Town Council Reports –

Councilman Gillispie wished everyone a Merry Christmas and a Happy New Year. He thanked the employees for their service and the citizens for allowing him to serve.

Councilman Sealock wished everyone the best of holidays with a reminder that there are still those who work during the holiday and are being taken away from their families.

Councilwoman Thompson thanked everyone for allowing her to serve and wished everyone a happy celebration season in whatever fashion they celebrated.

Vice Mayor Cockrell advised that she received positive comments about the recently held Christmas parade and noted that it was a great community event. She advised that she attended Community Planting Day where (26) trees were planted. She gave a shout-out to the volunteers as well as those who were on the Environmental Sustainability Advisory Committee (ESAC). She noted it was a great opportunity for the community to come together.

Councilwoman Morris reiterated that the Christmas parade was a huge success. She thanked Community Engagement Manager Lizi Lewis, the Chamber of Commerce and the Town Manager for their hard work and participation. She thanked Mayor Holloway and Councilmembers Thompson and Gillispie for their service. She wished everyone a Merry Christmas and a Happy New Year.

C. Mayor Report – Mayor Holloway echoed sentiments of Council about the parade. He thanked everyone for putting their trust in him as Mayor. He thanked Town Staff and acknowledged the appointments of Joseph Waltz as Town Manager and George Sonnett as Town Attorney. He wished everyone a Merry Christmas and a Happy New Year.

### CONSENT AGENDA ITEMS

#### A. FY23 Budget Amendment for Auction Proceeds

*Council approved a FY23 Budget Amendment in the amount of \$40,700 to receive funds from the Gov Deals for the sale of two refuse trucks and allocate funds to be used for the purchase of a replace pickup truck for the refuse department.*

#### B. 2022 I & I Abatement Rehabilitation Project Contract Administration

*Council approved the award of a task order for CHA Engineering to perform contract administration on the 2022 I&I Abatement Rehabilitation Project totaling \$172,000. I further move that Council direct the Town Manager to execute all documents.*

#### C. Lease Agreement with the Front Royal Volunteer Fire & Rescue Department for Town Property Known as the Carnival Lot

*Council approved a 5-year lease with the Front Royal Volunteer Fire & Rescue Department for use of 1.803 acres of land known as the "Carnival Site" located at Crosby Road and 8<sup>th</sup> Street, said lease ending December 31, 2027. I further move that Council direct the Mayor to execute the lease on behalf of the Town.*

*Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve the consent agenda as presented.*

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Morris, and Thompson

No – N/A

Absent – Councilman Rogers

Abstain – N/A

ROLL CALL

### BUSINESS ITEMS –

#### A. Appointment to the Planning Commission

*Councilwoman Morris moved seconded by Councilman Sealock that Council appoint Glenn E. Wood to the Planning Commission said term ending August 31, 2024.*

Councilwoman Morris noted that Mr. Wood was a huge attribute and addition to the Planning Commission especially since he had served in the past. Vice Mayor Cockrell echoed Ms. Morris comment.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Morris, and Thompson

No – N/A

Absent – Councilman Rogers

Abstain – N/A

ROLL CALL

B. Appointment to the Local Board of Building Code Appeals

*Councilwoman Morris moved seconded by Councilwoman Thompson that Council appoint George E. Cline, Jr. and C. Frank Stankiewicz to the Local Board of Building Code Appeals, said terms to be established in by-laws once by-laws are approved by Town Council.*

Councilman Gillispie noted that the appointments were the beginning of “going after” dilapidated buildings.

Councilwoman Morris advised that the committee was one of the many things that this Council united to get completed.

Vice Mayor Cockrell reminded Council that the two members appointed tonight resided in the County and the Council was searching for three more members who reside in the Town.

~~C. Advance Application/Authorize to Advertise for a Public Hearing—Vacation of a Portion of an Alley~~  
REMOVED

Meeting adjourned at 7:25pm.

Approved by Town Council  
Date: \_\_\_\_\_

DRAFT



## TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, January 9, 2023 @ 6:00PM in the Town Hall Conference Room

*The following minutes are a summary of items on the agenda.*

*This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com)*

### ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell  
Councilman Joshua L. Ingram  
Councilwoman Amber F. Morris  
Councilman H. Bruce Rappaport  
Councilman Duane R. "Skip" Rogers  
Councilman R. Wayne Sealock

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

Council to Select a Date for the Holding of a Special election to Fill the Council Seat Vacated by Mayor Lori Cockrell Upon Assuming the Office of Mayor on January 1, 2023.

*Councilwoman Morris moved seconded by Councilman Sealock that Council direct the Town Attorney to petition the Warren County Circuit Court to issue a writ of election to be held on the date of the next general election which is the Tuesday next after the first Monday in November.*

Councilwoman Morris mentioned that if the special election were held outside the general election in November, it would cost the Town approximately \$30,000.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

### Appointment of Vice Mayor

Mayor Cockrell reminded Council that they could either nominate councilmembers or read the motion as presented and insert a name.

*Councilman Rappaport moved seconded by Councilwoman Morris that Council appoint Councilman Sealock as Vice Mayor of the Town of Front Royal, said term to expire December 31, 2024.*

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Order of Business for 2023 Regular Council Meetings

*Councilwoman Morris moved seconded by Councilman Sealock that Council approve the order of business for regular Council meetings for 2023 as presented.*

Councilwoman Morris advised that she was satisfied with the way business was conducted with the current order.

Councilmen Ingram and Sealock noted that they were familiar with the order as it was similar to the Planning Commission and Board of Zoning Appeals orders.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION TO THE AGENDA

*Councilwoman Morris moved seconded by Councilman Rogers to add agenda item “Proclamation for Recognition of Reverend James M. Kilby” to the agenda as #5.*

Mayor Cockrell advised that Mr. Kilby was an active member of the community and that tonight’s proclamation, upon approval, would be shared at his funeral tomorrow. She sent prayers to the family.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned at 6:15pm.

Approved by Town Council

Date: \_\_\_\_\_



## TOWN COUNCIL WORK SESSION MINUTES

Monday, January 9, 2023

Town Hall Conference Room

*The following minutes are a summary of items on the agenda.*

*This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com).*

### ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell  
Councilman Joshua L. Ingram  
Councilwoman Amber F. Morris  
Councilman H. Bruce Rappaport  
Councilman Duane R. "Skip" Rogers  
Councilman R. Wayne Sealock

IN ATTENDANCE: Clerk of Council Tina L. Presley  
Town Manager Joseph E. Waltz  
Town Attorney George M. Sonnett, Jr.  
Members of Staff and the Press

### ITEMS SLATED FOR PUBLIC HEARINGS ON JANUARY 23<sup>RD</sup> REGULAR MEETING

Special Use Permit for Short-Term Rental at 309 E Prospect St – Yaohua Gu – Planning Director Lauren Kopishke gave a brief overview of the application, noting that there was appropriate parking and that the Planning Commission had recommended approval. Councilman Rappaport drew attention to "Specific Property Details" namely the spruce tree and the availability of short- and long-term rental for the property. Ms. Kopishke advised that the applicant wanted the flexibility of short- and long-term rental use. She explained that short-term use was fourteen (14) consecutive days and an inspection of the property would occur if there was a complaint that required investigating. Councilman Sealock suggested that the fire department number be removed from the application as that was the office number to the fire department on Commerce Avenue. He suggested using the Warren County Sheriff's Department. Ms. Kopishke advised that the Town's ordinance permits no more than ten (10) occupants in a short-term rental which is two (2) individuals per bedroom. Councilman Rappaport noted that he would like to review Special Use Permits for Short-Term Rentals in R-1.

Special Use Permit for Short-Term Rental at 302 Blue Ridge Avenue – Luskey Properties – Ms. Kopishke gave a brief overview of the application, noting that it was a whole house rental and the Planning Commission had recommended approval.

Amend Previously Approved Proffers for Anna Swan Est – Joe Silek for HEPTAD LLC – Ms. Kopishke advised Council the changes included: single-family detached homes were reduced from 450 to 345; 165 townhomes were included; lot size was increased; various text changes and the Planning Commission recommended approval with conditions. Councilman Rappaport questioned how parking would be handled for the townhomes. Ms. Kopishke advised there would be two (2) parking spaces per unit or a parking lot but reminded Council that this would be addressed at the site plan level. There was much discussion

about the project including the need for money to be dedicated to the renovation of schools instead of offering a park; impact study, stormwater mitigation and road access to connect to Westminster Drive. Ms. Kopishke advised that the connector could be a condition for approval. There were questions surrounding density bonus, common area and creation of a Homeowners Association (HOA). Ms. Kopishe reiterated that all the questions that Council was currently asking would be explained and laid out in the site plans. Joe advised that he would follow up with outside counsel regarding off-site Swan Estates Drive to existing Westminster Drive. (pg 5 section 3.2).

Public Input for Board of Architectural (BAR) Appeal – Ms. Kopishke gave an overview of the appeal including the timeline of when the original building was constructed along with the various additions over the years. She noted that the addition with terracotta was significantly deteriorated. Mayor Cockrell reminded Council that they only focus on whether to agree with the BAR's decision on the appeal or not. Councilwoman Morris voiced concern over Council not knowing what the future holds for the building if the demolition was approved, explaining that she understood that the owner could demolish the building in one year. Ms Kopishke confirmed this, and Town Attorney George Sonnett noted that there was a sliding scale modeled after state law as an alternative avenue for owners to let the market speak for demolition criteria. There was much discussion about by-right uses and structural concerns of the building. Mayor Cockrell reiterated that Council, on January 23<sup>rd</sup>, was to vote on overturning the BAR decision or agree with it. Councilwoman Morris reiterated that a decision could not be made without a vision from the applicant on what would happen after demolition.

Public Input for Vacation of Portion of Alley for Holloway – Town Manager Joe Waltz showed Council a presentation on the new Vacation of Town Right-of-Way Policy revised by staff which was item #5 of tonight's agenda. He noted the new internal process stressing it would take approximately 90 days to complete an entire vacation. Mr. Waltz then gave an overview of the applicant's request to vacate a portion of an alleyway and where staff was in the process of this application. Councilman Rappaport noted that the alley was grown up and questioned whether it was the Town's responsibility that citizens gain access to their properties through the alley. Mr. Waltz advised that it was not part of the process to determine whether alleys were accommodating to residents, fire and rescue services or access for other means, noting that the only focus was whether Town services would be hindered by approval of the vacation. Councilman Ingram questioned the drainage issue. Mr. Waltz advised that it would be addressed during the planning process of any construction that would occur on the property.

**REVIEW TOWN BUDGET PROCESS & FY24 BUDGETARY ITEMS FOR REVIEW** – Finance Director BJ Wilson gave a presentation of the budget process along with the highlights of the budget for FY24. Council was encouraged to reach out to Mr. Wilson if there were any questions. Mr. Sealock questioned the asphalt roller. Councilwoman Morris questioned funding for the installation of a sidewalk on Criser Road with possibly asking the Shenandoah National Park for funding assistance. Mr. Waltz advised Council of the upcoming Fleet Replacement Plan he was working on.

#### **ITEMS SLATED FOR CONSENT AGENDA FOR NOVEMBER 28<sup>TH</sup> REGULAR COUNCIL MEETING**

Purchase of Cab and Chassis for Public Works Department – Purchasing Manager Michelle Campbell gave Council a brief overview of the purchase and that it would be on Council's January 23<sup>rd</sup> agenda for their approval. There was no discussion.

Bid for Thermoplastic Pavement Markings – REMOVED

Bid for SS Dump Bed Body – Ms. Campbell gave a brief overview of the purchase and that it would be on Council's January 23<sup>rd</sup> agenda for approval. There was no discussion.

**UPDATE COUNCIL ON REVISIONS TO THE POLICY FOR VACATION OF PUBLIC RIGHTS OF WAY** – Moved to Item #2E.

**VARIOUS COUNCIL APPOINTMENTS – The following members of Council agreed to serve:**

- Northern Shenandoah Valley Regional Commission Elected Representative – Councilman Sealock
- Audit/Finance Committee – Councilmembers Morris and Rappaport
- Discover Front Royal Councilmember Representative – Councilman Rogers
- Scholarship Committee – Councilmembers Morris and Ingram

**LIAISON COMMITTEE MEETING ITEMS FOR JANUARY 19<sup>TH</sup>** – The following items were agreed upon to place on the next Liaison Committee Meeting Agenda:

- Water Capacity Update
- Comprehensive Plan Update from both entities
- Alternative Access to Shenandoah Shores Road & Marys Shady Lane
- Tourism
- Discussion of Youth Activities

**OPEN DISCUSSION –**

Mayor Cockrell noted the need for two work sessions a month and asked that this be placed on the next work session for further discussion. She also asked Council to consider attending a retreat in early February.

Councilman Rogers suggested beginning a dialogue for communication with the Front Royal Economic Development Authority (FREDA) on the negotiations surrounding the Front Royal-Warren County Economic Development Authority (WCEDA). Town Attorney Sonnett suggested that the negotiations be placed in a closed meeting for consultation with legal counsel before talks begin with FREDA. Council agreed to add to a closed meeting on January 23<sup>rd</sup>.

Councilwoman Morris noted that she would be sharing notes from the most recent VML Conference she attended. She asked that two items be placed on the new work session: 1) PILOT for Valley Health and 2) Update on Visitors Center. .

This portion of meeting ended 9:22pm

**CLOSED MEETING**

*Councilwoman Morris moved seconded by Councilman Rappaport that Town Council convene and go into Closed Meeting for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically, applications for appointment to fill vacancies on Town Council, Planning Commission and Local Board of Building Code Appeals, pursuant to §2.2-3711(A)(1) of the Code of Virginia.*

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers, Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



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

Vote: Yes – Councilmembers Ingram, Morris. Rappaport, Rogers, Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Adjourn 10:00pm.

Approved by Town Council

Date: -----



## TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, January 17, 2023 @ 6:00PM in the Town Hall Conference Room

### ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell  
Councilman Joshua L. Ingram  
Councilwoman Amber F. Morris  
Councilman H. Bruce Rappaport  
Councilman Duane R. "Skip" Rogers  
Councilman R. Wayne Sealock

IN ATTENDANCE: Clerk of Council Tina L. Presley  
Town Manager Joseph E. Waltz

### CLOSED MEETING

*Councilwoman Morris moved seconded by Councilman Sealock that Town Council convene and go into Closed Meeting for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically, interviews for appointment to fill vacancies on Town Council and Local Board of Building Code Appeals, pursuant to §2.2-3711(A)(1) of the Code of Virginia.*

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock  
No – N/A  
Absent – N/A  
Abstain – N/A

ROLL CALL

### Motion to Certify Closed Meeting at its Conclusion

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

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

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Sealock  
No – N/A  
Absent – N/A  
Abstain – N/A

ROLL CALL

Meeting adjourned at 9:20pm.

Approved by Town Council

Date: \_\_\_\_\_



## Council Agenda Statement

Item # 7A

Meeting Date: January 23, 2023

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**Agenda Item:** PUBLIC HEARING - Special Use Permit for Short-Term Rental at 309 E. Prospect St – Yaohua Gu

**Summary:** Council is requested to consider a request from Yaohua Gu for a Special Use Permit to allow a short-term rental at 309 E. Prospect Street (tax map 20A813-5A). The property is zoned R-3 Residential District and located in the Historic District. The applicant intends to rent the entire home. An inspection was completed on November 30, 2022 and is in full compliance with Town Code §175-51. The property is limited to three (3) cars in the driveway. The Planning Commission recommended approval of the Special Use Permit at their meeting held on December 21, 2022 with no conditions.

The public hearing was advertised and adjacent property owners were notified inviting them to this meeting.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motion:** I move that Council approve a request from Yaohua Gu for a Special Use Permit to allow a short-term rental at 309 E. Prospect Street (tax map 20A813-5A)

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*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_

Town of Front Royal, Virginia

**Planning Commission Monthly Meeting Agenda**

☐ Consent Action    ☐ Administrative Action    ☒ Public Hearing    ☐ Discussion

**Agenda Item:** Special Use Permit – Short-term Rental 2200444

**MEETING DATE:** December 21, 2022

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

**STAFF RECOMMENDATION:** Staff recommends approval and does not have any recommended conditions.

**DRAFT MOTION:** "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2200444 for a Short-Term Rental located at 309 E. Prospect Street."

NOTE: This is only a draft motion. Alternative motions are also welcome.

**PLANNING COMMISSION ACTION:**

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Wells \_\_\_\_\_ Marshner \_\_\_\_\_ Merchant \_\_\_\_\_

☐ Approved    ☐ Approved w/ Conditions    ☐ Denied    ☐ Other



**TOWN OF FRONT ROYAL  
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting  
December 21, 2022**

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**APPLICATION #:**

2200444

**APPLICANT:**

Yaohua Gu

**APPLICATION SUMMARY:**

A Special Use Permit Application has been submitted for a Short-Term Rental located 309 E Prospect Street. The applicant intends to rent the entire home. The Inspection was completed on November 30, 2022. The site is in full compliance with Town Code 175.151. The property is limited to three (3) cars in the driveway.

**GENERAL INFORMATION:**

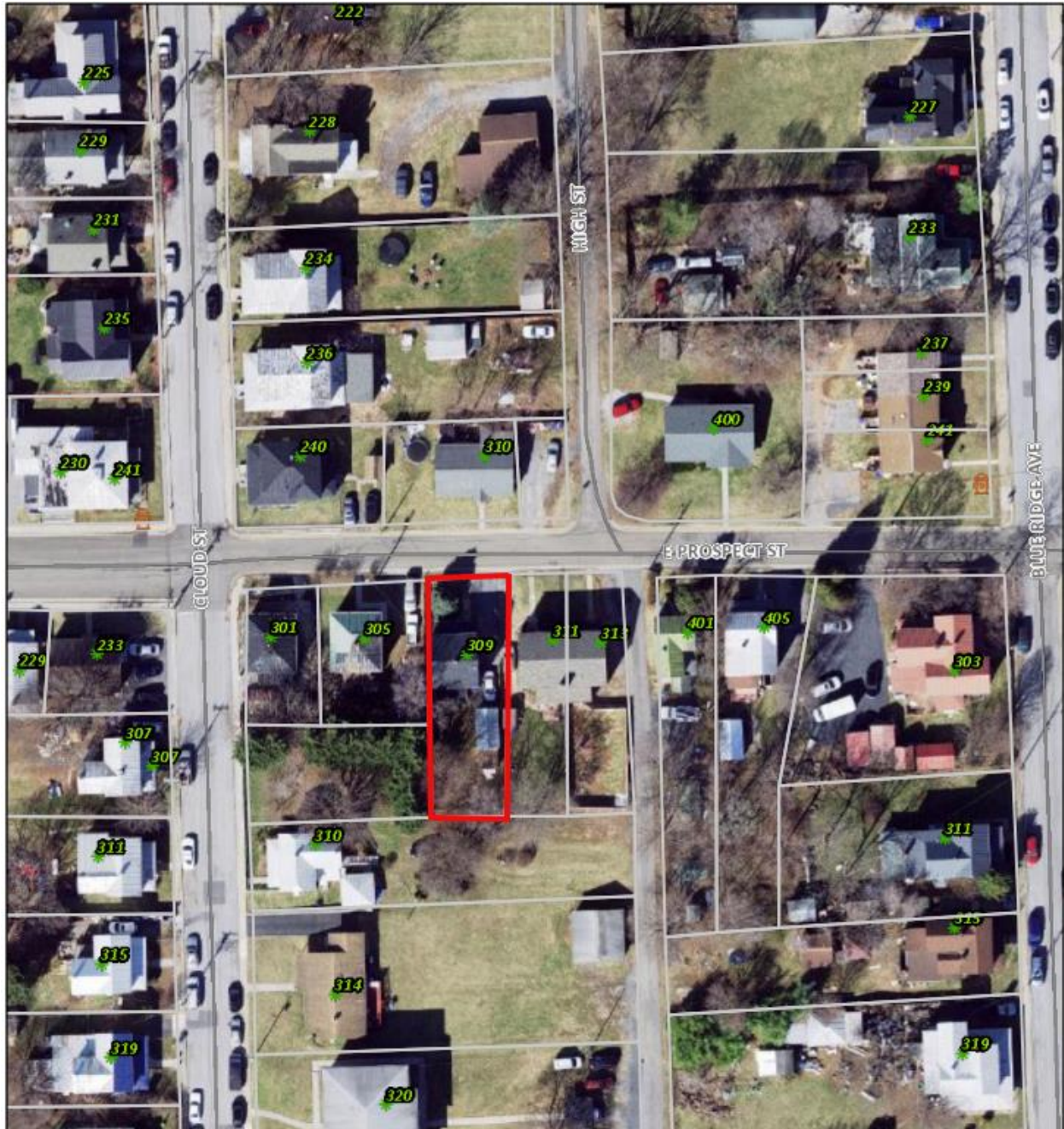
|                            |                                                                                                                                                                                                                |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Addresses             | 309 East Prospect Street                                                                                                                                                                                       |
| Owner(s)                   | Yaohua Gu                                                                                                                                                                                                      |
| Zoning District            | R-3. Residential District                                                                                                                                                                                      |
| Historic District          | Yes                                                                                                                                                                                                            |
| Tax Identification         | Tax Map #20A813-5A                                                                                                                                                                                             |
| Request/<br>Recommendation | The Applicant is requesting to rent the entire home totaling three (3) rooms to no more than six (6) occupants as a Short-Term Rental. Staff recommends approval and does not have any recommended conditions. |

***View of Front Elevation – 309 East Prospect Street***





## Aerial Map



Attachment:     Application  
                      Special Use Permit Check List for Short Term Rental





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

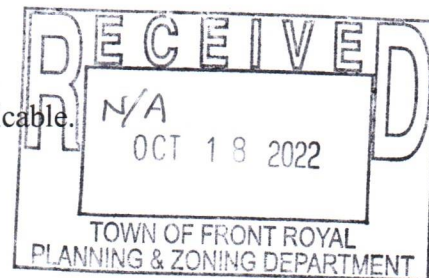
#### PROPERTY DESCRIPTION:

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

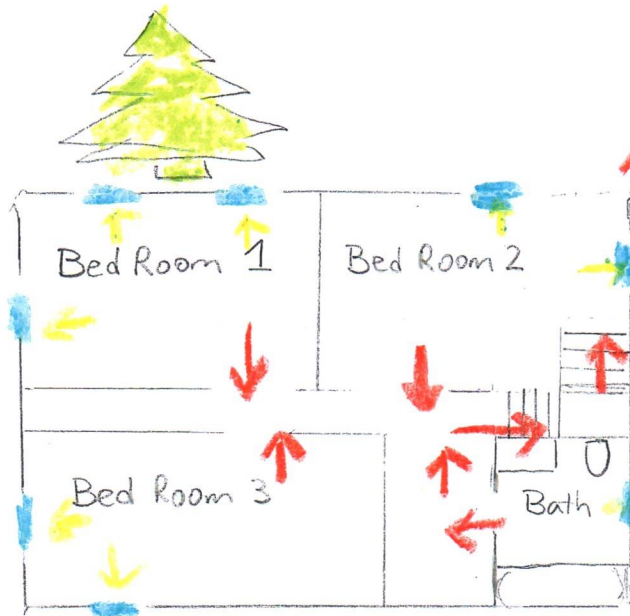
Yaohua Gu

Date

10/15/2022

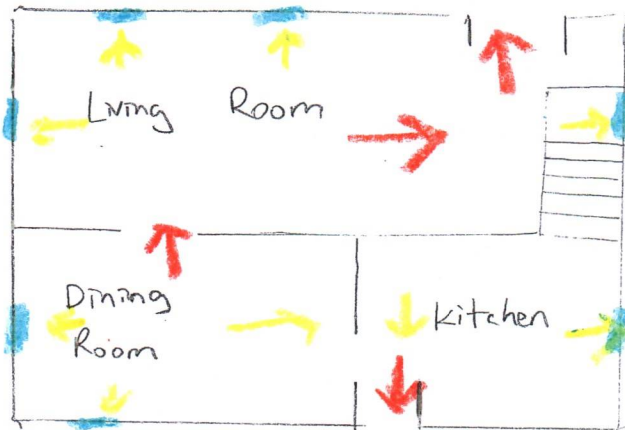
# Evacuation Diagram

Second Floor

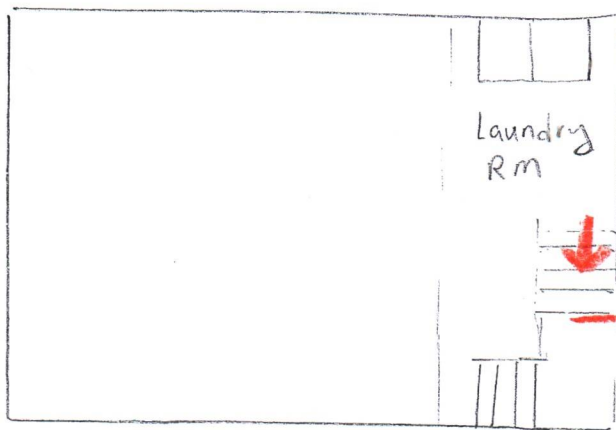


Meet here

First Floor



Basement



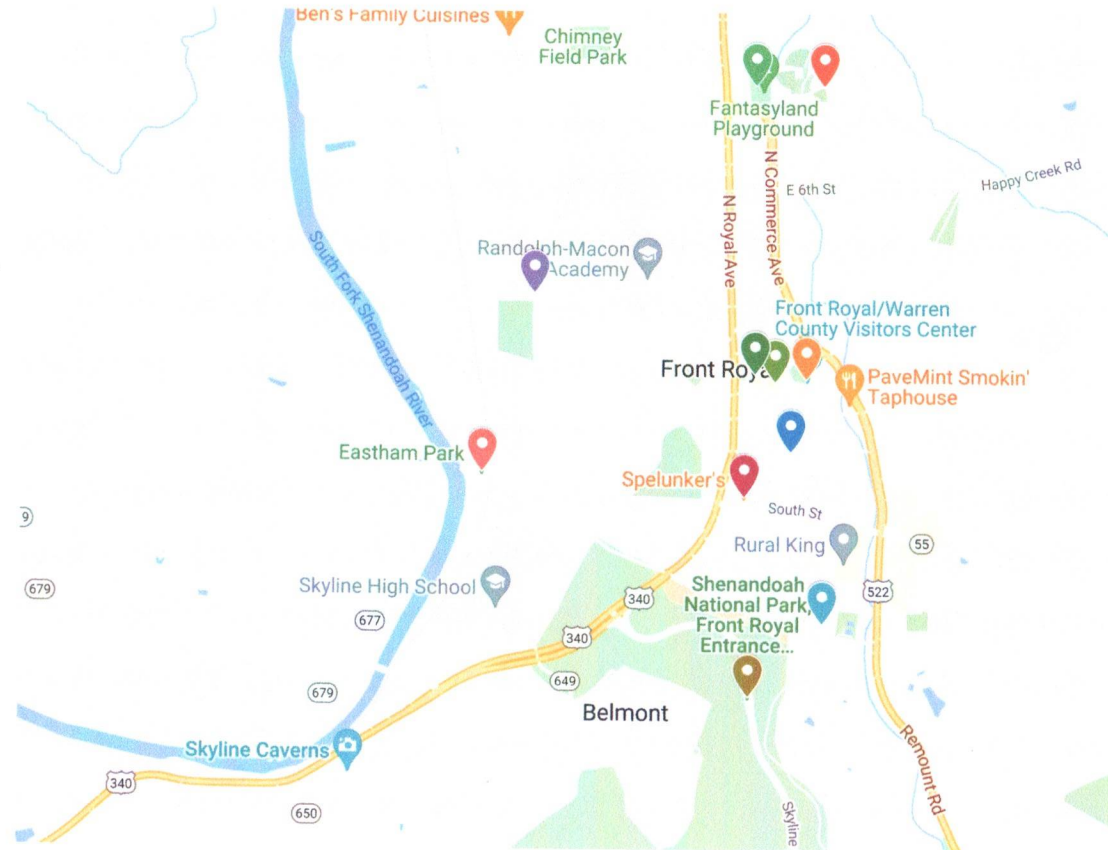
Window  
Primary Escape Path  
Secondary Escape Path



# 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:

Kirkley P. Cook 11/18/91 Butt, Jr. 12/4/91  
Secretary Date Mayor Date

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

James M. Schilling 12/4/91  
Clerk Date

John P. Mill 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 7<sup>th</sup> DAY OF  
November 1991.  
MY COMMISSION EXPIRES: 7-31-94

Caroline Marzic  
I was comm. Caroline 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.



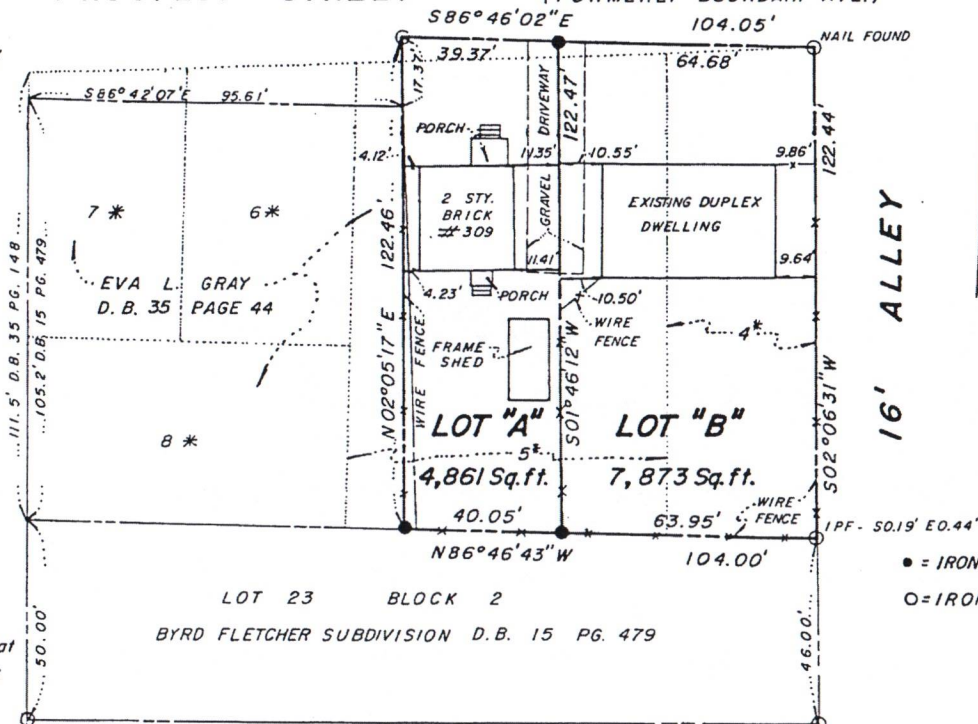
Darryl G. Merchant  
Licensed Land Surveyor  
P.O. BOX 1508  
FRONT ROYAL, VA. 22630  
703-636-4949

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

## PROSPECT STREET

(FORMERLY BOUNDARY AVE.)

CLOUD STREET



## NOTES:

1. PLAT REF.: D.B. 56 PG. 124
2. MERIDIAN REF.: D.B. 154 PG. 168
3. TAX MAP REF.: 20AB ((13)) 4, 5, 5A
4. PROPERTY IS ZONED R-3.
5. \* - PLAT A, A.F. CORRON PROPERTY  
D.B. 35 PG. 138.

SUBDIVISION PLAT  
OF THE LAND OF

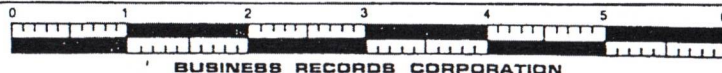
**EVA C. GRAY**

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

DATE: 3 OCTOBER 1991

SCALE: 1" = 30'

91-F236



BUSINESS RECORDS CORPORATION

DWG. NO. BM-83

ALP





# 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





## Council Agenda Statement

Item # 7B

Meeting Date: January 23, 2023

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**Agenda Item:** PUBLIC HEARING - Special Use Permit for Short-Term Rental at 302 Blue Ridge Avenue – Tabitha Luskey/Luskey Properties, LLC

**Summary:** Council is requested to consider approval of a request from Tabitha Luskey of Luskey Properties, LLC for a Special Use Permit to allow a short-term rental located at 302 Blue Ridge Avenue (tax map 20A8-14-1-18). The property is zoned R-3 Residential District and located in the Historic District. The applicant intends to rent the entire home. The inspection was completed on November 30, 2022. The site is in full compliance with Town code §175-151. The property is limited to three (3) cars in the driveway.

The public hearing was advertised and adjacent property owners were notified inviting them to the public hearing.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motion:** I move that Council approve a request from Tabitha Luskey of Luskey Properties, LLC for a Special Use Permit to allow a short-term rental located at 302 Blue Ridge Avenue (tax map 20A8-14-1-18).

---

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_



**TOWN OF FRONT ROYAL  
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting  
December 21, 2022**

---

**APPLICATION #:**

2200454

**APPLICANT:**

Tabatha Luskey

**APPLICATION SUMMARY:**

A Special Use Permit Application has been submitted for a Short-Term Rental located 302 Blue Ridge Avenue. The applicant intends to rent the entire home. The Inspection was completed on November 30, 2022. The site is in full compliance with Town Code 175.151. The property is limited to three (3) cars in the driveway.

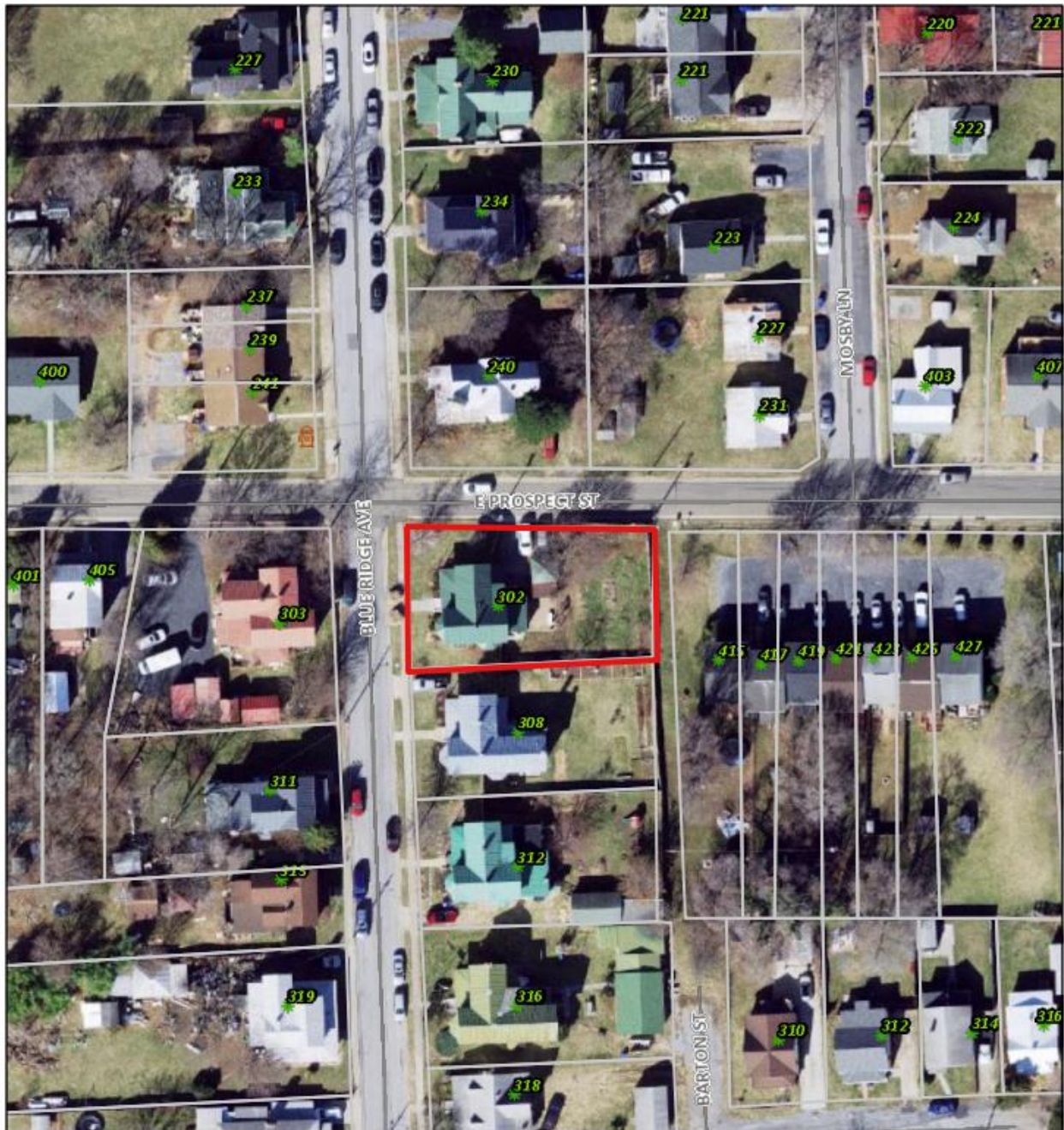
**GENERAL INFORMATION:**

|                                    |                                                                                                                                                                                                                |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Site Addresses</i>              | 302 Blue Ridge Avenue                                                                                                                                                                                          |
| <i>Owner(s)</i>                    | Tabatha Luskey, Luskey Properties, LLC                                                                                                                                                                         |
| <i>Zoning District</i>             | R-3. Residential District                                                                                                                                                                                      |
| <i>Historic District</i>           | Yes                                                                                                                                                                                                            |
| <i>Tax Identification</i>          | Tax Map #20A8-14-1-18                                                                                                                                                                                          |
| <i>Request/<br/>Recommendation</i> | The Applicant is requesting to rent the entire home totaling three (3) rooms to no more than six (6) occupants as a Short-Term Rental. Staff recommends approval and does not have any recommended conditions. |

***View of Front Right Elevation – 302 Blue Ridge Avenue***



### ***Aerial Map***



Attachment: Application  
Special Use Permit Check List for Short Term Rental



# 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: Talitha 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

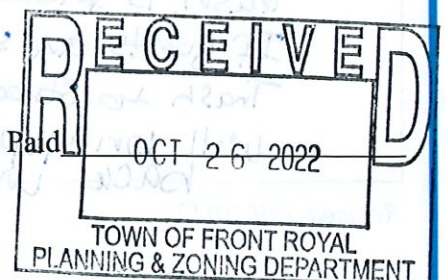
SPECIFIC SPECIAL USE PERMIT REQUEST: To provide travelers a unique experience to stay in a historic home to explore the wonderful town of Front Royal, Shenandoah National Park and Shenandoah Valley, for short term rentals

- ☒ 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

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

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Emergency/afterhours 540-635-2111

## OCCUPANCY

The Special Use Permit limits the occupancy for this short-term rental at 8/10 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 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 receptacle 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
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## 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.

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.

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

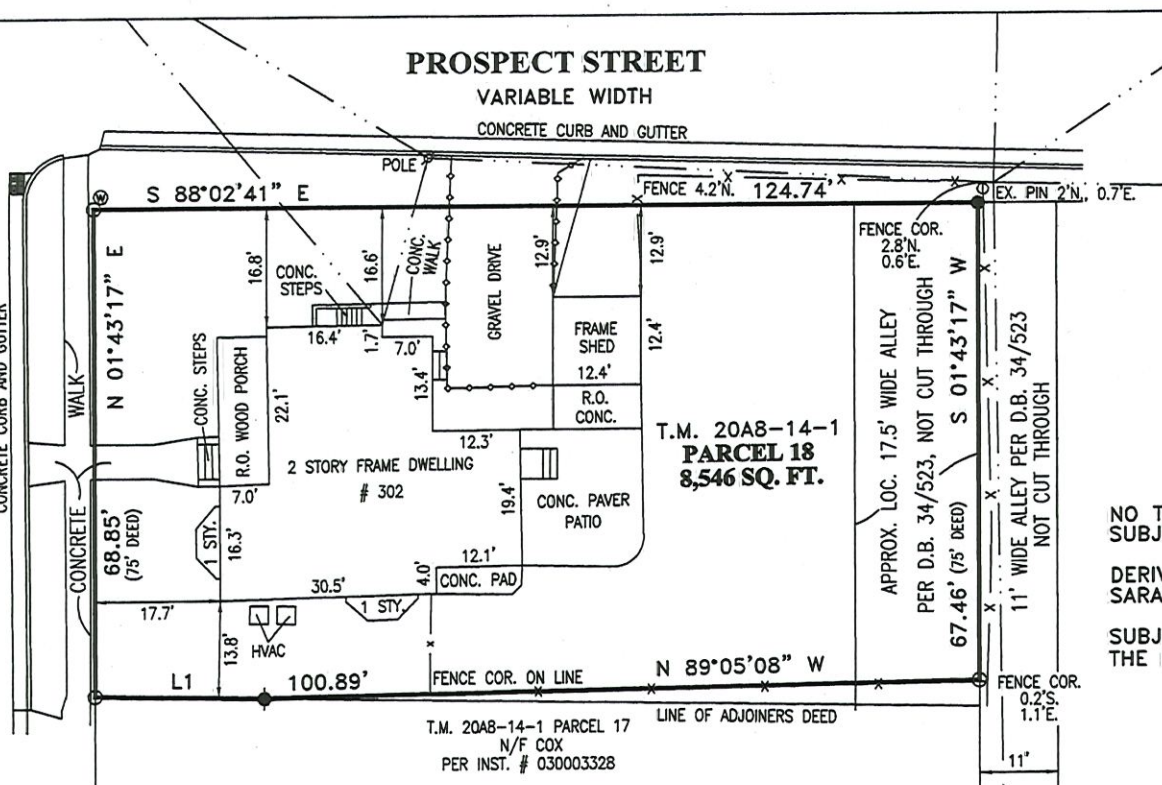
By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

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

BLUE RIDGE AVENUE

VARIABLE WIDTH

CONCRETE CURB AND GUTTER



- ⊙ DENOTES WATER METER.
- DENOTES PIN FOUND.
- DENOTES PIN SET.
- ◇ DENOTES EDGE OF GRAVEL.
- DENOTES OVERHEAD WIRES.
- x- DENOTES WOOD FENCE LINE.

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

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.

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

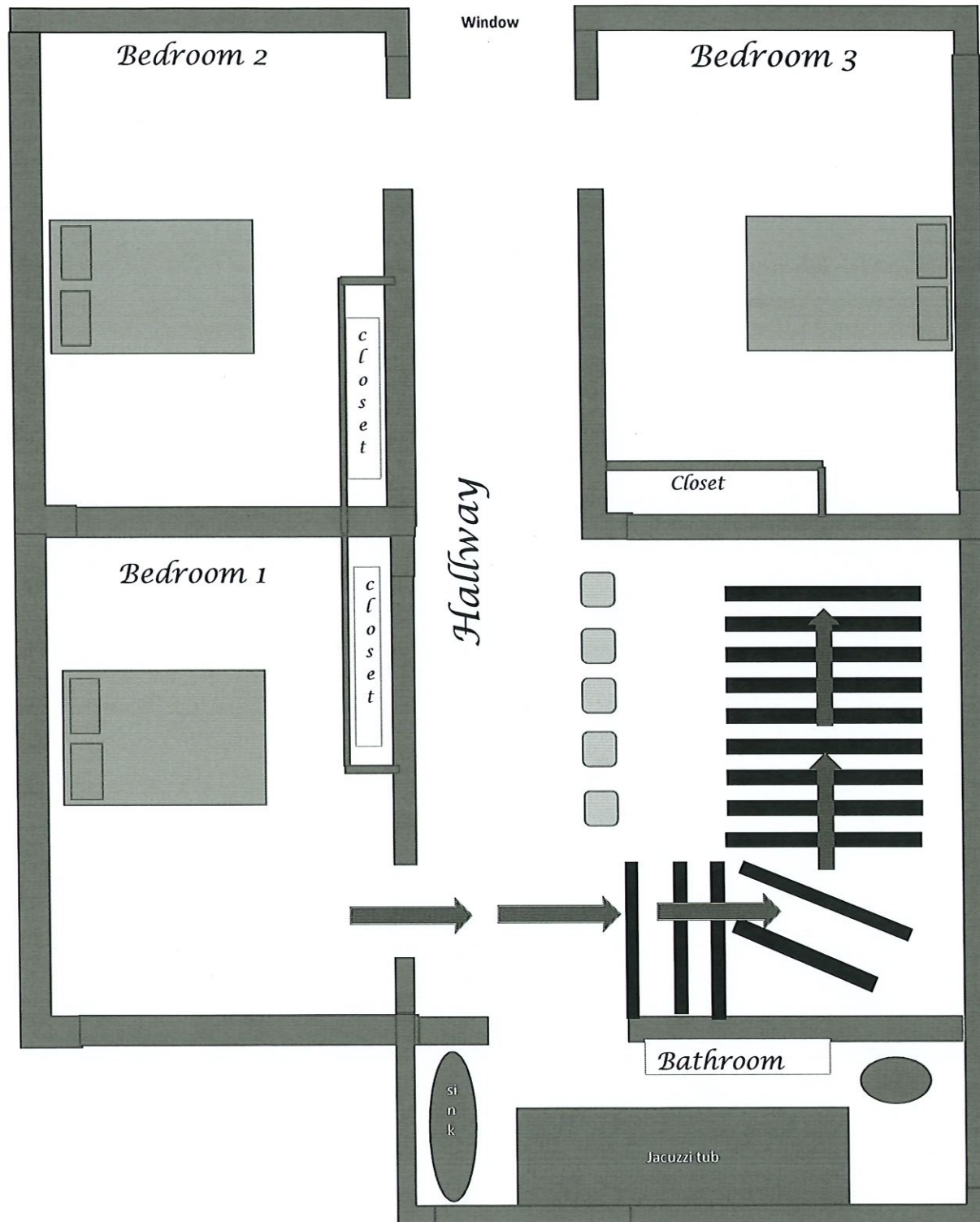
SOUTH RIVER MAGISTERIAL DISTRICT  
**TOWN OF FRONT ROYAL**  
**WARREN COUNTY, VA.**

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

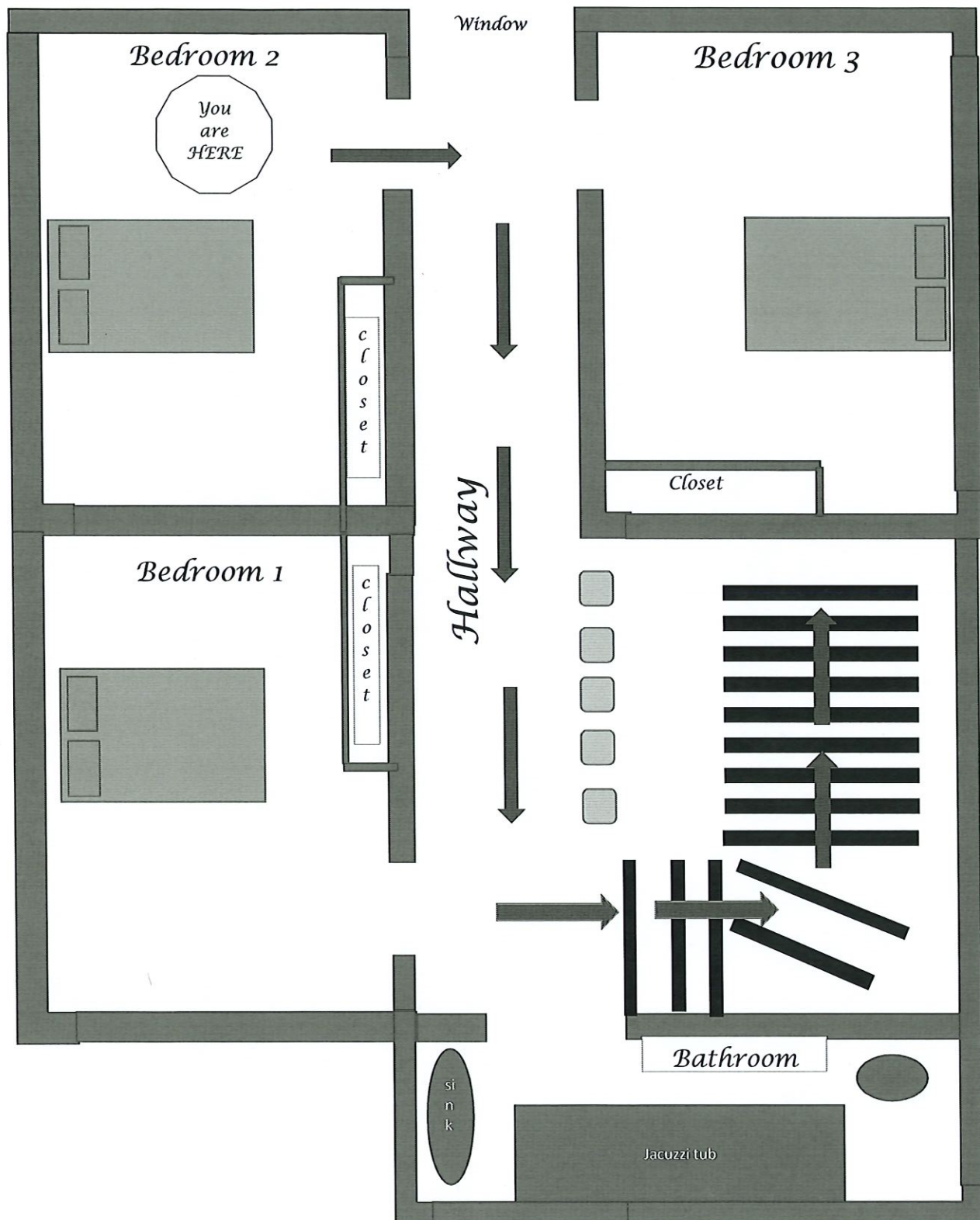




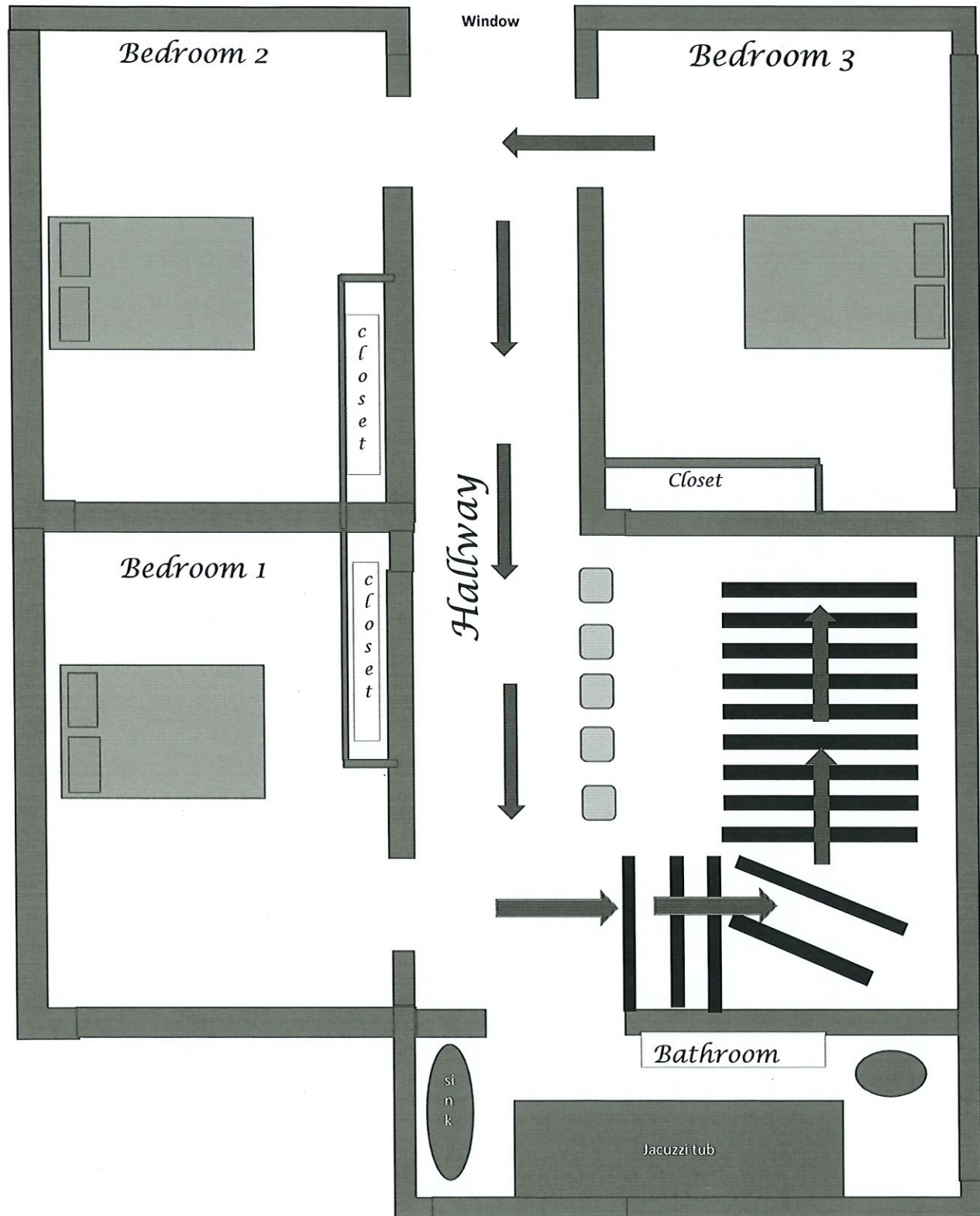
## Bedroom 1 Emergency Evacuation Diagram



## 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:

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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](mailto: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

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540-636-0300

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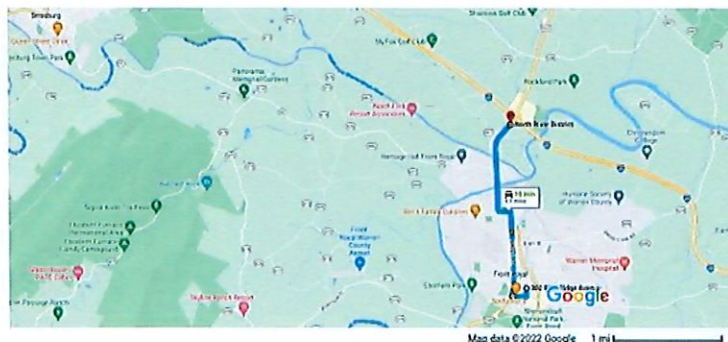
You are in Front Royal in the Historic Fletcher neighborhood

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<br>Noise is Measured.          | Maximum Allowed Noise in<br>Daytime (in dBA) | Maximum Allowed Noise in<br>Nighttime (in dBA) |
|-----------------------------------------------------------|----------------------------------------------|------------------------------------------------|
| Agricultural & Residential<br>Zones, A-1,R-1,R1-A,R-2,R-3 | 60                                           | 50                                             |
| Commercial Zones<br>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 1<sup>st</sup> (New Year's Day), the last Monday in May (Memorial Day), July 4<sup>th</sup> (Independence Day), the first Monday in September (Labor Day), the fourth Thursday in November (Thanksgiving Day), and December 25<sup>th</sup> (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.

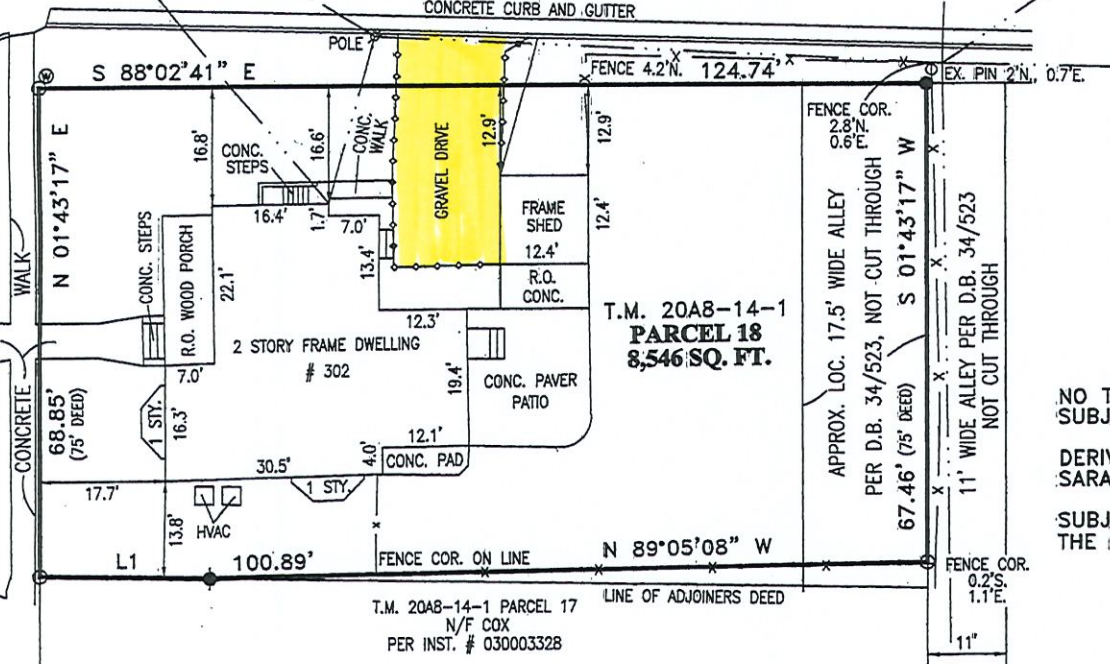


# APPENDIX 3

Parking

BLUE RIDGE AVENUE  
VARIABLE WIDTH

CONCRETE CURB AND GUTTER



- ⊙ DENOTES WATER METER.
- DENOTES PIN FOUND.
- DENOTES PIN SET.
- ◇ DENOTES EDGE OF GRAVEL.
- DENOTES OVERHEAD WIRES.
- x- DENOTES WOOD FENCE LINE.

PER D.B. 375/555

SCALE 1" = 20'

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

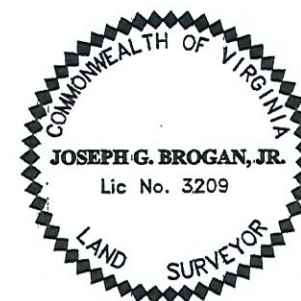
DERIVATION OF TITLE TO: JOSEPH E. AND  
SARA A. MCFADDEN PER INST. # 140000148.

SUBJECT PARCEL SITUATED OUTSIDE  
THE LIMITS OF THE FEMA FLOOD ZONE.

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



# APPENDIX 4

Evacuation Route to Interstate 66

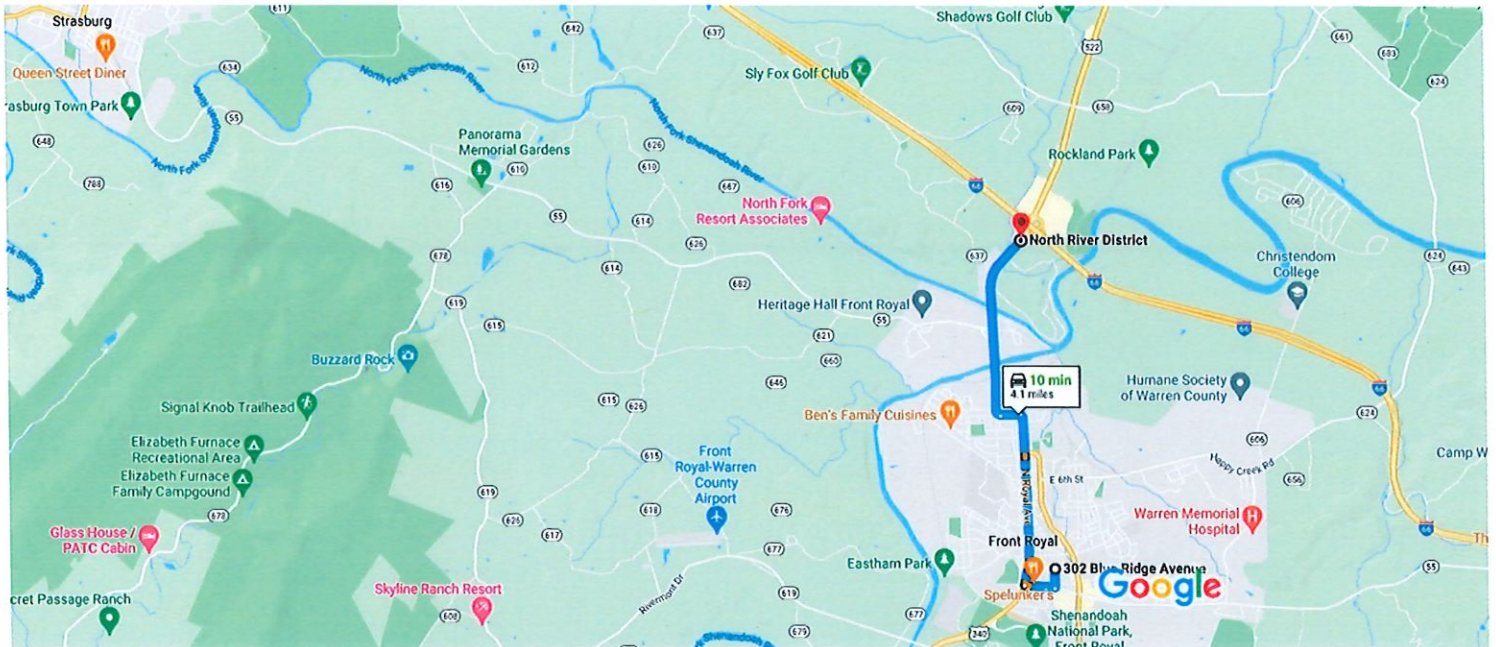




302 Blue Ridge Ave, Front Royal, VA 22630 to North River District, Virginia

Drive 4.1 miles, 10 min

Evacuation Route to Interstate 66



Map data ©2022 Google

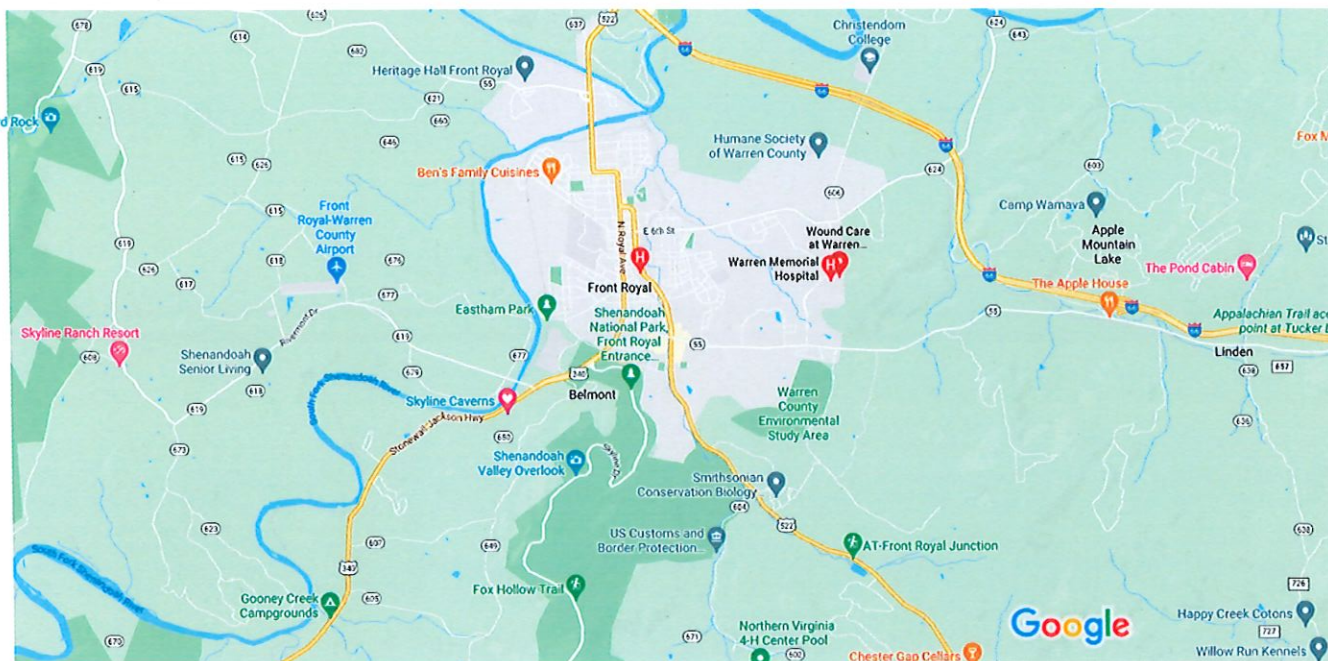
1 mi

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)

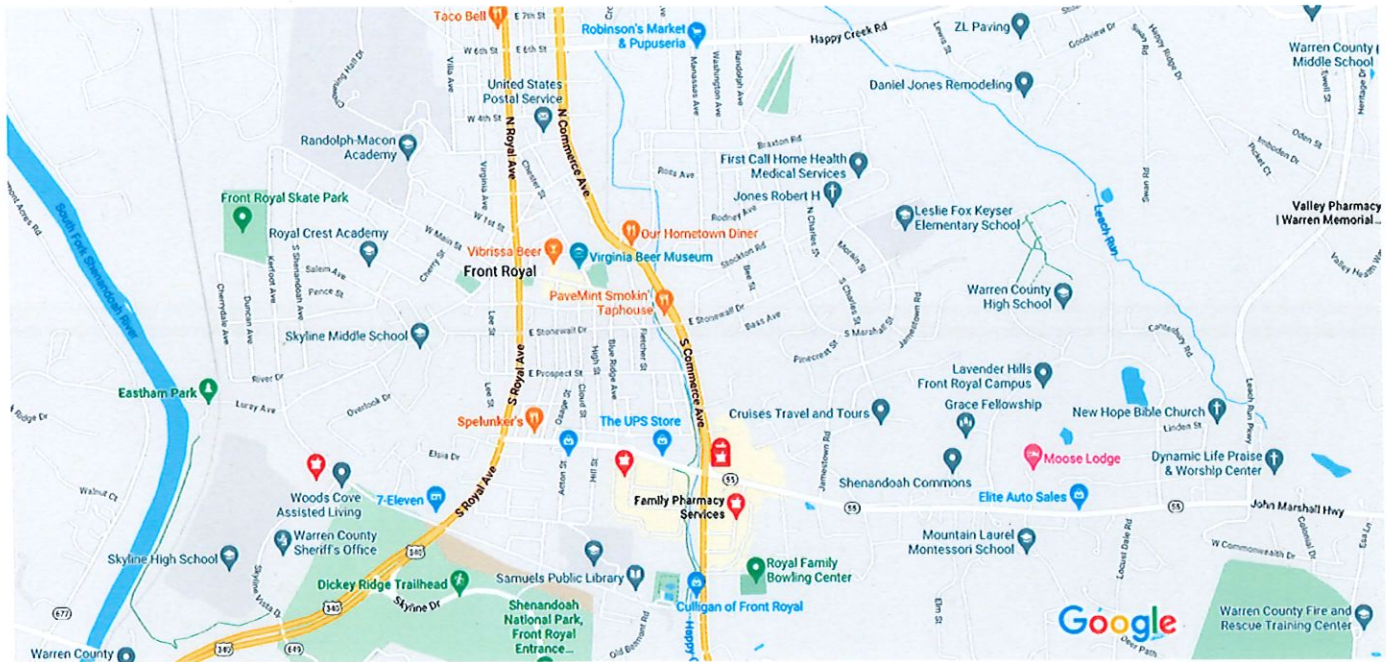
General hospital · 125 Memorial Dr

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

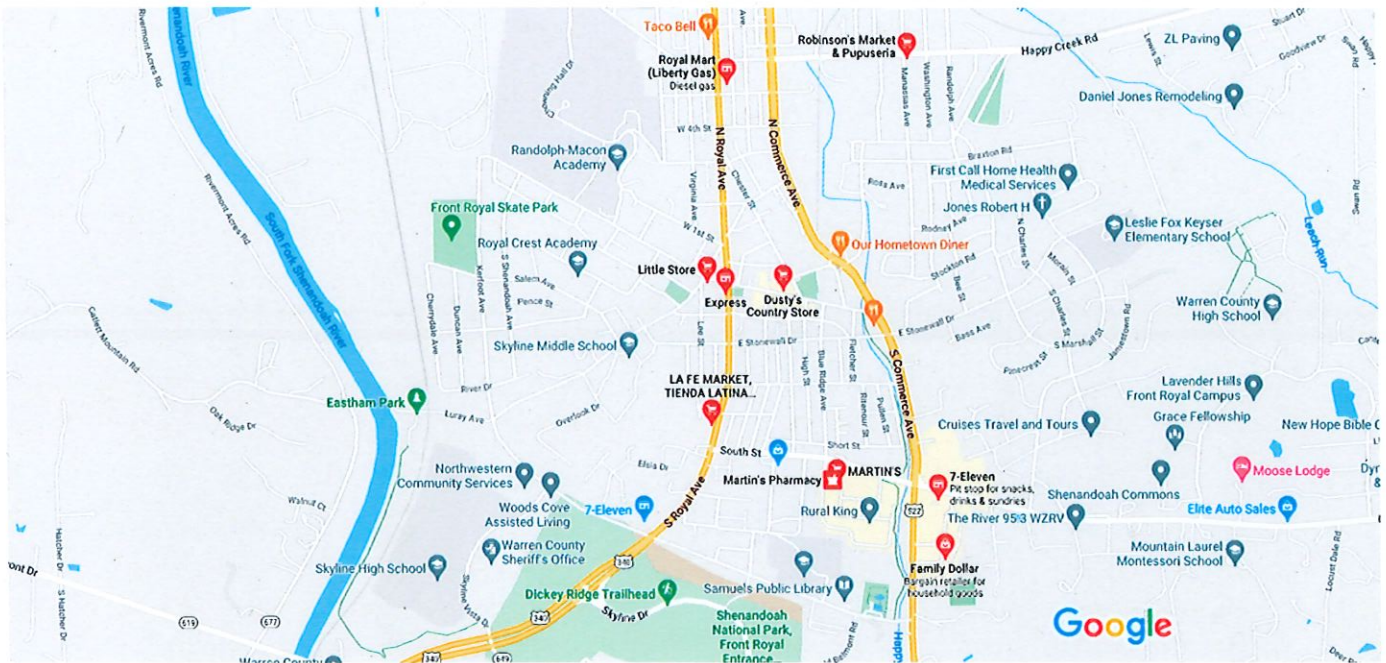
**Open** · Closes 5:30PM · (540) 636-6131

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

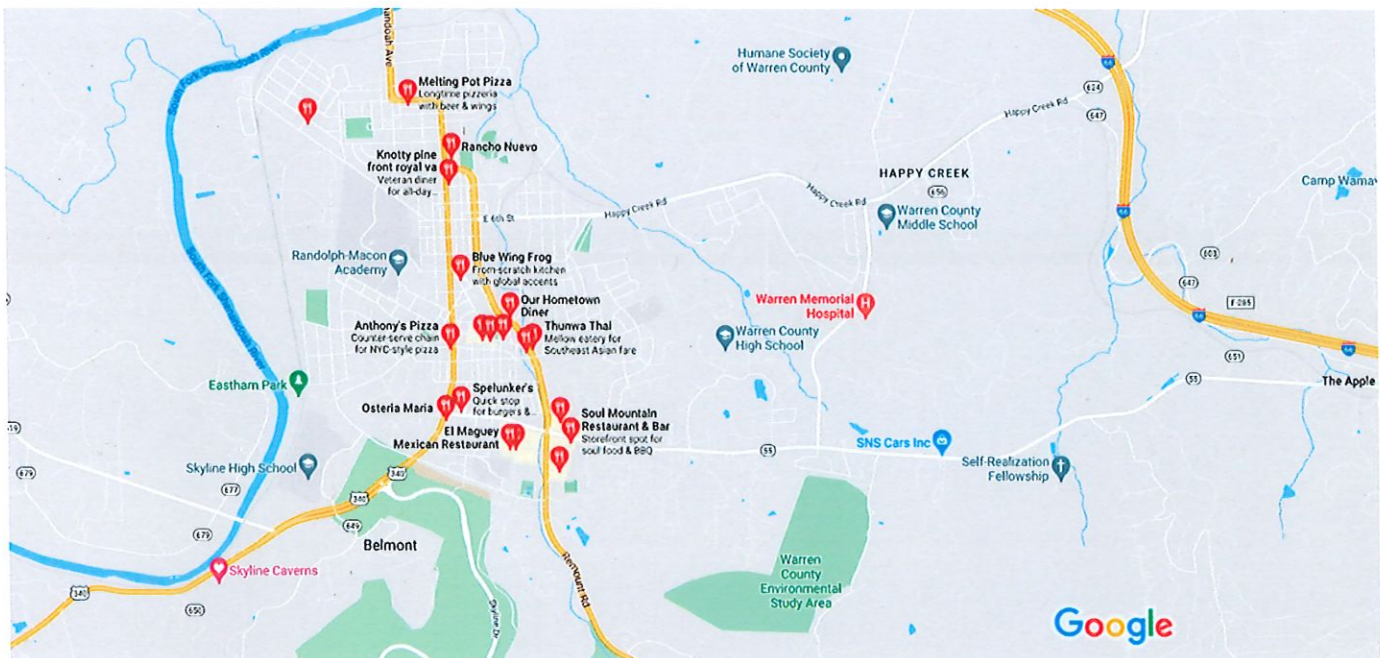
**Open** · Closes 8PM · (540) 749-2166

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

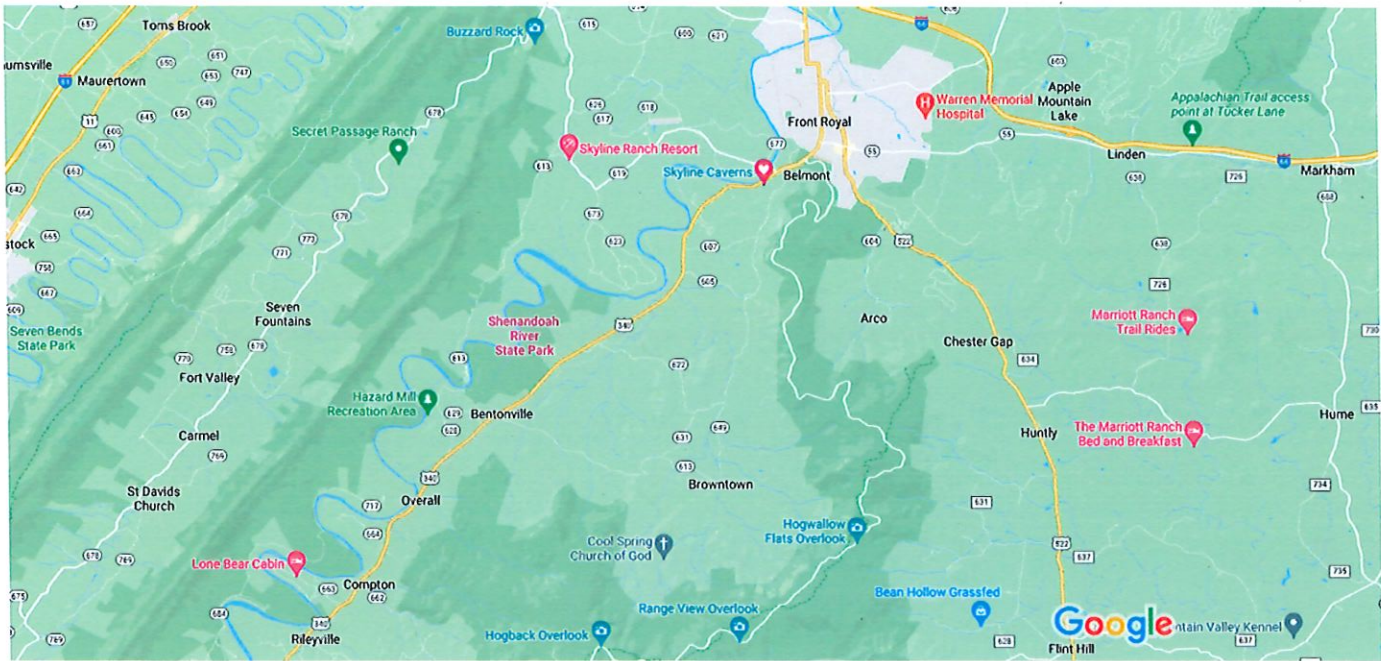
Closed · Opens 5AM Sat

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

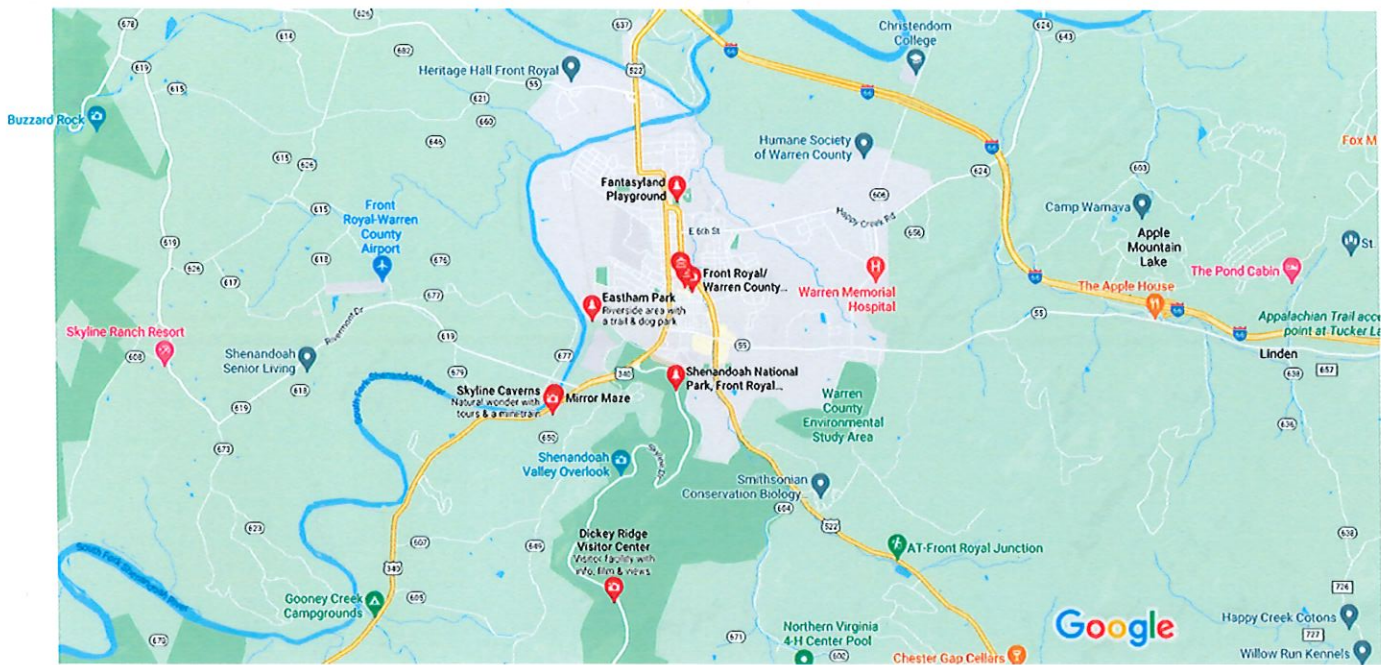
Send to  
phone

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 &amp; 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



## Council Agenda Statement

Item # 7C

Meeting Date: January 23, 2023

---

**Agenda Item:** PUBLIC HEARING - Amend Previously Approved Proffers for Anna Swan Estates (HEPTAD, LLC)

**Summary:** Council is requested to approve amendments to previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax parcels #20-A21-2-1 and # 20A20-2-11) dated February 2, 2012. The property is located in the Leach Run Planning Area and consists of 98.25 acres. The original HEPTAD rezoning application was initially submitted to the Town on July 5, 2005, referred to as the Swan Farm. In 2012 Town Council approved an amendment to the original proffers. The Planning Commission held a public hearing on this request December 21, 2022 and recommended approval to amend previously approved proffers for Anna Swan Estates with the following conditions:

1. The applicant amends the language of section 3.1 to state *"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, with the exception of the payment of the related cash proffers"*.
2. The applicant is able to provide adequate residential parking per 175-104, 175-105, 148-48 of Town Code.
3. The applicant amends the language of 7.5.1 to remove the word *"the"* before Warren County.
4. The applicant will amend the proffer statement to include language addressing their responsibility to expand and install the on-site utility infrastructure in accordance with Town Code Chapter 134.
5. The applicant will amend their proffers to include language addressing their responsibility for the cost of installing stormwater facilities on site.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motion:** I move that Council approve amendments to previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax parcels #20-A21-2-1 and # 20A20-2-11) dated February 2, 2012 with the following conditions:

1. The applicant amends the language of section 3.1 to state *"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, with the exception of the payment of the related cash proffers"*.
2. The applicant is able to provide adequate residential parking per 175-104, 175-105, 148-48 of Town Code.
3. The applicant amends the language of 7.5.1 to remove the word *"the"* before Warren County.
4. The applicant will amend the proffer statement to include language addressing their responsibility to expand and install the on-site utility infrastructure in accordance with Town Code Chapter 134.
5. The applicant will amend their proffers to include language addressing their responsibility for the cost of installing stormwater facilities on site.

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Morris \_\_\_\_\_ Rappaport \_\_\_\_\_ Rogers \_\_\_\_\_ Sealock \_\_\_\_\_



**TOWN OF FRONT ROYAL**  
**DEPARTMENT OF PLANNING & ZONING**

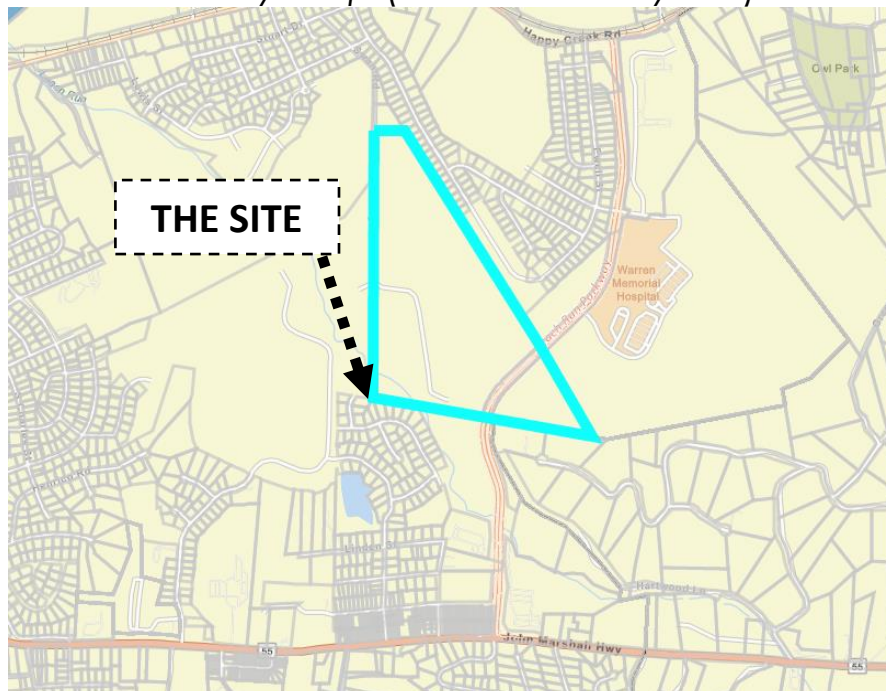


**STAFF REPORT FOR THE DECEMBER 18, 2022 PLANNING COMMISSION MEETING**

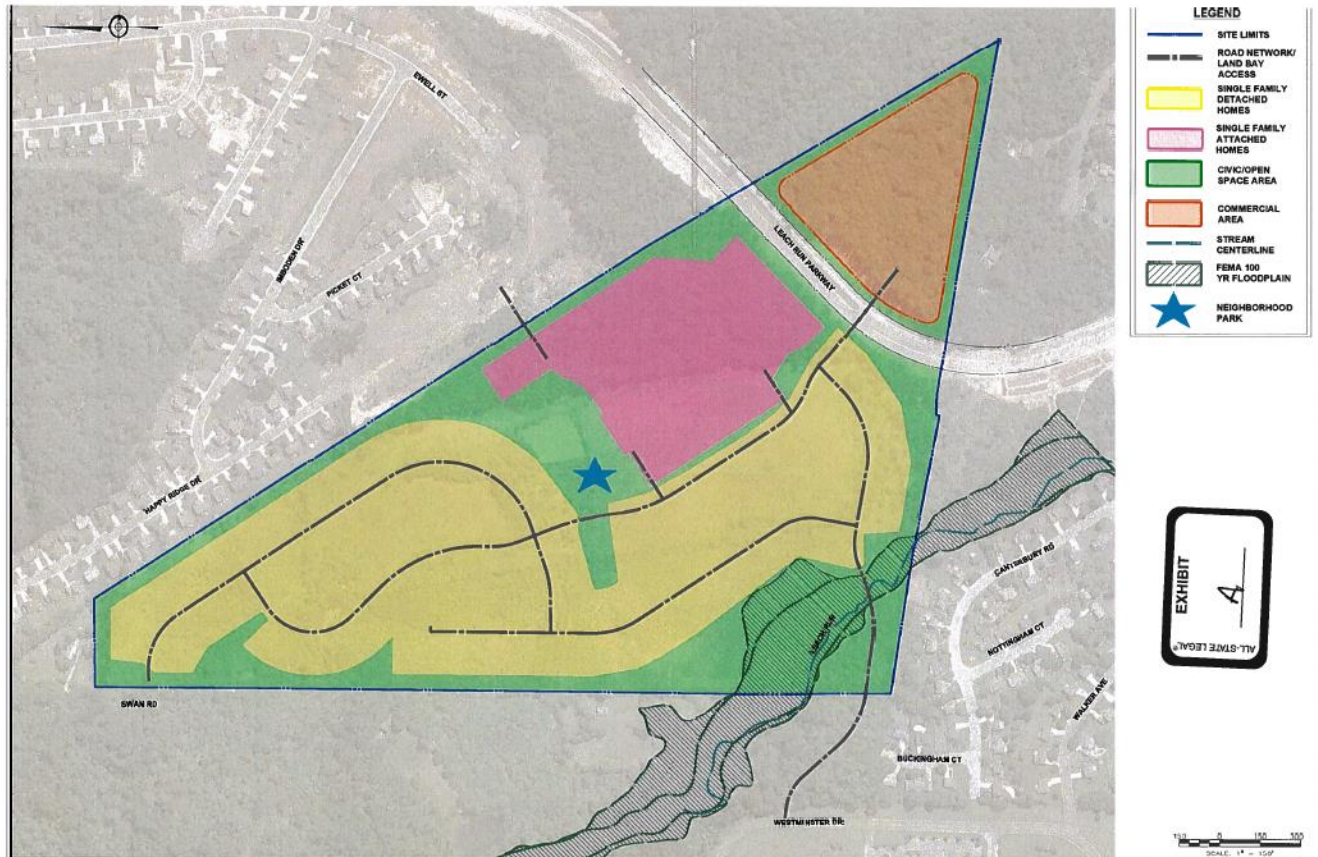
**GENERAL INFORMATION:**

|                           |                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application #</b>      | 2200422                                                                                                                                                                                                                                                                                                                                                 |
| <b>Applicant</b>          | HEPTAD LLC                                                                                                                                                                                                                                                                                                                                              |
| <b>Summary of Request</b> | 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, the type and number of dwelling units and proposed lot size.                                                     |
| <b>Site Addresses</b>     | None (Vacant Land)                                                                                                                                                                                                                                                                                                                                      |
| <b>Zoning District</b>    | PND- Planned Neighborhood Development                                                                                                                                                                                                                                                                                                                   |
| <b>Tax Identification</b> | Tax Parcels #20-A21-2-1 & #20A20-2-11                                                                                                                                                                                                                                                                                                                   |
| <b>Location</b>           | The property is located on the eastern side of the Town beside Williamsburg Estates subdivision to its southwest, and Happy Creek Knolls subdivision to its northeast. The Warren County school complex with the high school and elementary school is located west of the property. Leach Run traverses across the far southwest corner of the property |

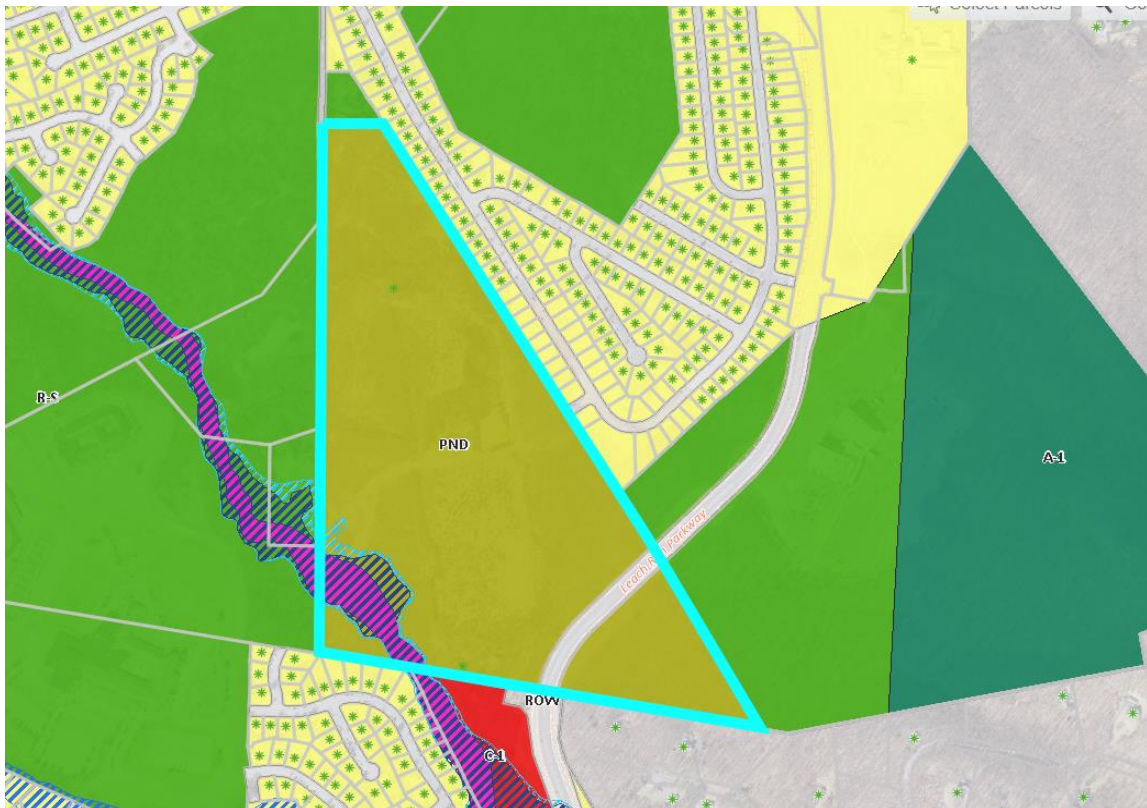
*Vicinity Map (Warren County GIS)*



## Map of HEPTAD Properties (Survey Illustration)

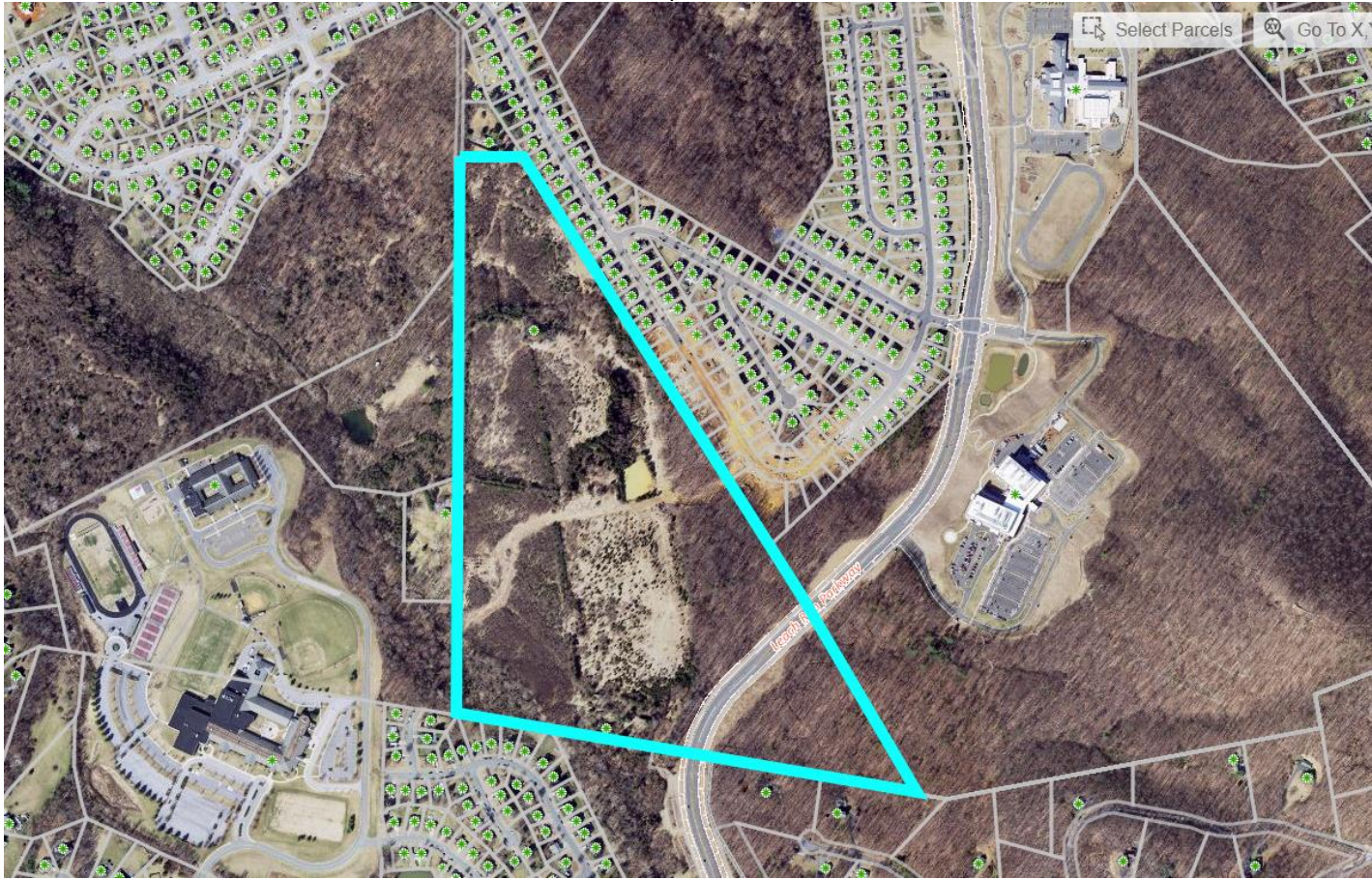


## Town Zoning Map (Warren County GIS)





Aerial Map

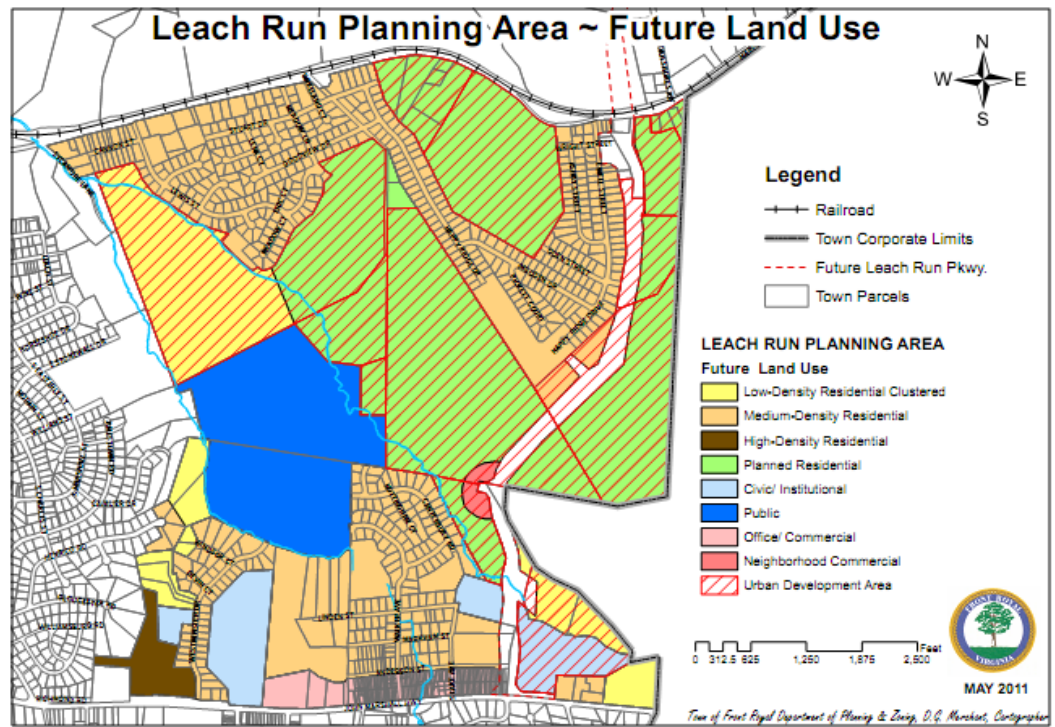


## SUPPLEMENTAL INFORMATION:

### Summary

The property is located in the Leach Run Planning Area and consists of 98.25 acres that is currently zoned Planned Neighborhood Development (PND) District. The existing proffers propose development consisting of a residential of 450 du (dwelling units), creating a density of 4.58 du per acre. The residential dwellings are planned to consist of a mixture of single-family detached, single-family attached, and multifamily dwelling units. Town Code Section 175-37.09, permits a density of up to six (6) du per acre in the PND District, subject to approval of a density bonus by Town Council. The Future Land Use Plan recommends the future use of the property as "planned residential." The property is overlaid with the UDA designation, which means that it has been designated as a potentially suitable location for relatively higher development densities (4 du/ acre minimum). Modern planning principles generally promote higher density and clustered development in growth areas to avoid costly construction and maintenance of infrastructure to serve development in outlying areas and to preserve open space.





The original HEPTAD rezoning application was initially submitted to the Town on July 5, 2005. The property was simply referred to as the Swan Farm at that time. On February 1, 2012, Town council approved an amendment to the original proffers. The newly proposed amendments will permit up to 335 du, 165 single-family detached and 170 single-family attached. This calculates to a gross residential density of 3.4 du/acre. The proposed amendments also include changes to the currently approved lot sizes, and modifications to the cash proffers.

### Review Procedure

Adoption or revision of proffers requires the same procedures as a rezoning or ordinance amendment. The submission must first be reviewed by the Planning Commission, and the Planning Commission must forward recommendations to Town Council. Town Code 175-146.D. specifies that the Planning Commission must take action within 90 days after the date of the first regular meeting of the Commission. It is important to note that when the submission changes, such as when a property owner revises the proffers during the review process, the 90-day time period resets.

### Town Code 175-150

### CONDITIONAL ZONING PROFFERS IN REZONING APPLICATIONS; HIGH GROWTH PERIODS

As provided in Virginia Code Section 15.2-2298, notwithstanding any contrary provisions in Front Royal Town Code Section 175-149,

the provisions of this section shall apply during periods wherein the Town and/or County of Warren has had a population growth of ten percent (10%) or more from the next-to-latest decennial census year, based on population reported by the United States Bureau of the Census, or during periods when Warren County is contiguous with at least three (3) counties which have experienced ten-percent population growth or more as described herein.

**(Amended VA Code Reference and Other Amendments 9-25-00-Effective Upon Passage)**

**(Amended by Adding "Town and/or" 6-22-15-Effective Upon Passage)**

A. Owners of land making application to the Town of Front Royal for a zoning reclassification of their land in the Town of Front Royal may voluntarily proffer in writing, as part of the rezoning petition, certain conditions, subject to the following requirements:

1. The rezoning of the land must itself give rise to the need for the conditions.
2. The conditions must have a reasonable relation to the rezoning of the land.
3. All conditions shall be in conformity with the Comprehensive Plan for the Town of Front Royal.
4. The conditions may include a cash contribution to the Town of Front Royal or contributions of personal property and services.
5. The conditions may include dedication of real property for open space, parks, schools, fire departments or their public facilities.
6. The conditions may include payment for or construction of off-site improvements.
7. All conditions shall be in writing and shall be submitted to the Town of Front Royal as part of the rezoning application prior to public hearing before the governing body.

**(Amended "7" by adding "governing body" 9-25-00-Effective Upon Passage)**

8. All applicable requirements of the Virginia Code shall be complied with, including, but not limited to, the requirements of §15.2-2298.

**(Amended by adding "8" 6-22-15-Effective Upon Passage)**

B. No proffer shall be accepted under this section unless and until

the Town has adopted a capital improvement program. In the event that the proffered conditions include a dedication of real property or payment of cash, such property shall not transfer and such payment of cash shall not be made until the facilities for which such property is dedicated or such cash is tendered are included in the capital improvement program. However, the Town may accept proffered conditions which are not normally included in the capital improvement program. Proffered conditions shall provide for the disposition of dedicated property or cash payments in the event that said property or cash payments are not used for the purposes for which they are proffered.

C. Once preferred and accepted as part of an amendment to this chapter, the conditions shall continue in full force and effect until a subsequent amendment changes zoning of the property covered by the conditions; provided, however, that such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised Zoning Ordinance.

D. The Zoning Administrator shall administer and enforce the conditions attached to a rezoning or amendment to the Zoning Map, including:

1. Ordering by written notice the remedy of any noncompliance with zoning conditions.
2. Bringing legal action to ensure compliance with such conditions, including injunction, abatement or other appropriate action or proceeding.
3. Requiring a guaranty satisfactory to the governing body in an amount sufficient for and conditioned upon the construction of any physical improvements required by the zoning conditions or a contract for the construction of such improvements and the contractor's guaranty in like amount and so conditioned, which guaranty shall be reduced or released by the governing body or agent thereof upon the submission of satisfactory evidence that the construction of such improvements has been completed, in whole or in part.

E. The failure to meet all conditions shall constitute cause to deny the issuance of any required use, occupancy or building permit as may be appropriate.

F. The Zoning Map shall show by an appropriate symbol on the map the existence of conditions attached to zoning. The Zoning Administrator shall keep in his office and make available for public



|                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <p>inspection a Conditional zoning index. This index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district or zone.</p> <p>G. The Zoning Administrator shall record in the deed book records of the Office of the Clerk of the Circuit Court of Warren County a certificate with the name of the property owner and a description of the property and indicating that the property is subject to conditional zoning as shown on the Town of Front Royal Zoning Map.</p> <p><b>(Added Entire Section 8-28-89-Effective Upon Passage)</b></p>                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Proffer Definition</b></p>          | <p>A proffer is a voluntary offer by a landowner submitted with a rezoning application to perform an act or donate money, a product, or service with the intent of justifying the appropriateness of the proposed rezoning application. The rezoning of land with proffers is referred to in the Virginia Code 15.2-2296 as conditional zoning. Virginia Code 15.2-2201, describes conditional zoning as a means to allow reasonable conditions (proffers) governing the use of property, where the conditions are in addition to the regulations provided for in a particular zoning district. <i>Jefferson Green Unit Owners Association, Inc. v. Gwinn, 262 Va. 449 (2001)</i> established that when a locality accepts proffers they become part of the zoning ordinance.</p>                                                                                                                                                                                                                   |
| <p><b>Proposed Proffer Amendments</b></p> | <p>Below is a summary of the proffer changes proposed by the Applicant:</p> <p>❖ <b>Transportation Modifications</b></p> <ul style="list-style-type: none"> <li>➤ 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.</li> </ul> <p><b>Staff Comment:</b> <i>the applicant should amend the statement to read, "... pertaining to the dedication of right of way, with the exception of the payment of the related cash proffers."</i></p> <ul style="list-style-type: none"> <li>➤ 3.4 Interparcel Connection. The Applicant's Revised Functional Use Plan – Land Bay Layout accommodates a future interparcel connection to the Happy Creek Knolls</li> </ul> |

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.

**Staff Comment:** *staff supports additional interparcel connections.*

❖ **Residential**

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

**Staff Comment:** *the applicant has reduced the total number of dwelling units from 450 to 335. The metric data provided by the most recent Comprehensive Plan study/rewrite shows that the Town has insufficient housing to support projected population growth. Without the rezoning to PND the property would have supported the development of 171 dwelling units. This project essentially doubles the number of proposed units.*

- 4.1.2. In general conformance with the Master Plan, as amended, the single-family detached land bays may contain a maximum of one hundred seventy (170) single family detached dwelling units 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).

**Staff Comment:** *staff supports the proposed mix of housing units.*

❖ **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.

**Staff Comment:** *staff has concerns about the ability to process an additional 100 zoning permits due to current staffing levels. Typical zoning permit review takes two weeks, and this department processes an average of 34 new dwelling units/year. The result is that review times may exceed two weeks.*

❖ **Design Guidelines**

- Reduction in lot size from 50'x60' to 46'x60'

**Staff Comment:** *the loss of area is equal to 240 sf of lot size. As long as the applicant can provide adequate onsite parking, staff has no concerns over lot size.*

❖ **The proposed proffers modify the per-unit cash proffers.**

- Town Proffers

| TOWN OF FRONT ROYAL PROFFERS       |         |
|------------------------------------|---------|
| SINGLE-FAMILY ATTACHED (170 UNITS) | 6039.72 |
| DEDICATION OF LEACH RUN PARKWAY    | 1041.33 |
| TOTAL PER UNIT                     | 4998.39 |
| SINGLE-FAMILY DETACHED (165 UNITS) | 7910.36 |
| DEDICATION OF LEACH RUN PARKWAY    | 1041.33 |
| TOTAL PER UNIT                     | 6869.03 |

- 7.1 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 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)

➤ County Proffers

| COUNTY OF WARREN PROFFERS         |         |
|-----------------------------------|---------|
| AMOUNT PER DWELLING UNIT          | 4247.99 |
| NEIGHBORHOOD PARK CREDIT PER UNIT | 1044.78 |
| TOTAL PER UNIT                    | 3203.21 |

- 7.5.1 The Applicant shall contribute to the Warren County, Virginia, a one-time cash contribution in the amount of \$4,247.99 .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.

**Staff Comment:** Remove "the" before Warren County.

- 7.5.4 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).

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                          | <p><b>Staff Comment:</b> The existing 2012 proffers state:</p> <p>First 335 dwelling units: The applicant has voluntarily offered \$18,000 for each single family detached (SFD) dwelling unit, \$11,000 per single family attached (SFA) dwelling unit and \$9,000 for each multi-family (MDU) dwelling unit for the first three hundred and thirty-five (335) dwelling units. These are designated for the planning, design, right-of-way acquisition and/or construction of Leach Run Parkway. In addition to the above funds to the Town, the applicant has agreed to pay \$5,500 per dwelling unit to Warren County Public Schools.</p> <p>Final 115 dwelling units: The applicant has voluntarily offered to pay \$9,000 per SFD dwelling unit, \$5,500 per SFA dwelling unit, and \$4,500 per MDU dwelling for the final one hundred and fifteen (115) dwelling units. These funds are designated for the planning, design, right-of-way acquisition and/or construction of Leach Run Parkway. In addition to the above funds to the Town, the applicant will pay \$9,000 per SFD dwelling unit, \$5,500 for each SFA dwelling unit, and \$4,500 for each MDU to Warren County Public Schools for the final 115 dwelling units.</p> <p>The total <b>proposed</b> amount proffered the <b>Town after credits</b> is approximately \$1,983,116.25.</p> <p>The total <b>proposed</b> amount proffered the <b>County</b> is approximately \$1,073,075.35.</p> <p>Warren County estimates the impact of development to cost \$8770.00 per Single-family detached Unit and \$11,013.00 per Single-family attached unit. Warren County is requesting a total of \$3,319,260.00 and the applicant is offering \$1,073,075.35 creating a <b>deficit of \$2,246,184.65</b> for the impact of development per <b>Warren County</b>.</p> <p>The proposed total to <b>both entities is approximately \$3,056,191.60</b>. However, the project is <b>smaller by 115 dwelling units</b>.</p> |
| <b>Attorney Comments</b> | <p>Water and Sewer</p> <p>Is the applicant proffering to connect to public water and sewer? If</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           | <p>so, are they solely responsible for the cost thereof?</p> <p>Staff will address this comment with a recommended condition.</p> <p>Stormwater Infrastructure</p> <p>Is the applying proffering to include stormwater facilities on the site? If so, are they solely responsible for the cost thereof?</p> <p>Staff will address this comment with a recommended condition. The applicant is responsible for the cost and installation of stormwater mitigation on site.</p> |
| <p><b>Attachments</b></p> | <ol style="list-style-type: none"> <li>1) Applicant's Application</li> <li>2) Clean Copy of Proposed Proffers</li> <li>3) Redline Version of Proposed Proffers</li> <li>4) Existing Proffers (2012)</li> <li>5) Proffer Impact Analysis prepared by Greenway Engineering</li> <li>6) Design Guidelines</li> <li>7) MOU between Town and County for proffer analysis</li> <li>8) Warren County Staff Comments</li> <li>9) Ch 11 Land Use Law Book</li> </ol>                   |



## **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  
Amended December 22, 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 as set forth in Chapter 175 of the Town of Front Royal Municipal Code (the “Town Code”) 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 with the exception of the payment of cash proffers.

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 (76<sup>th</sup>) 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 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.

9.2 The Applicant proffers that development of the subject property shall generally comply with all applicable provisions of Article 8 of Chapter 148 of the Front Royal Town Code (Subdivisions and Land Development), including those provisions pertaining to stormwater management, parking, and utility infrastructure.

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.

**THIS SPACE INTENTIONALLY LEFT BLANK.**

**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

# **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, totaling roughly 83.84 acres, will consist of 335 single family detached dwelling 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:                                                | 120 ft. |
| Minimum Lot Width:                                                | 50 ft.  |
| Minimum Setbacks:                                                 |         |
| Minimum Front Yard Setback to Dwelling:                           | 15 ft.  |
| Minimum Rear Yard Setback to Street:                              | 3 ft.   |
| Minimum Rear Yard Building Setback to<br>Other Lots/Open Space:   | 25 ft.  |
| Minimum Rear Yard Porch/Deck Setback<br>To Other Lots/Open Space: | 10 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 UNIT 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 Townhome 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<br>(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.





## Council Agenda Statement

Item # 7D

Meeting Date: January 23, 2023

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**Agenda Item:** PUBLIC HEARING - Receive Public Input and Take Action on a Request for Vacation of a Portion of Public Alleyway located Adjacent to 1202 Virginia Avenue and 111 & 117 W. 12<sup>th</sup> Street – Mr. & Mrs. Wade Holloway and Mr. & Mrs. William Holloway.

**Summary:** Council is requested to receive input from the public, pursuant to Va. Code §15.2-2006, pertaining to an application from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway requesting the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12<sup>th</sup> Street, with the intent to purchase the vacated alleyway from the Town. Council is further requested to take action on the application request.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motions:** Council is requested to take action on one of the motions below:

- 1) I move that Council deny the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12<sup>th</sup> Street.
- 2) I move that Council appoint viewers to view the public alleyway and report any inconveniences to Council that would result from granting approval of the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12<sup>th</sup> Street.
- 3) I move that Council approve the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12<sup>th</sup> Street and pursue the sale of the property through a public hearing to be held on February 27, 2023. I further move that Council negotiate a price for the sale prior to the public hearing in a closed meeting.

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Morris \_\_\_\_\_ Rappaport \_\_\_\_\_ Rogers \_\_\_\_\_ Sealock \_\_\_\_\_



2200368

# VACATION OF STREETS AND ALLEYS and OTHER TOWN RIGHTS-OF-WAYS APPLICATION

## APPLICANT INFORMATION

(please print)

Name Mr. and Mrs. William Holloway Mr. and Mrs. Wade Holloway

Mailing Address C/O 117 W 12th St. Front Royal, VA.

Phone # 540-671-6068-6086 E-mail wadeholloway@yahoo.com

## VACATION INFORMATION

**Description** (please select all that apply)

☐ Street/Portion of Street

☒ Alley/Portion of Alley

☐ Other (please specify) \_\_\_\_\_

**Location**

Adjacent to 1202 Virginia Ave, 111 & 117 W 12th St.

**Reason for request**

Vacate for purchase

Extend garage at 1202 Virginia  
Add garage at 117 W 12th St ) per phone conversation  
w/ Wade Holloway  
10-19-2022

☒ Current Plat Attached Showing Property to be Vacated

Applicant's Signature

[Signature]

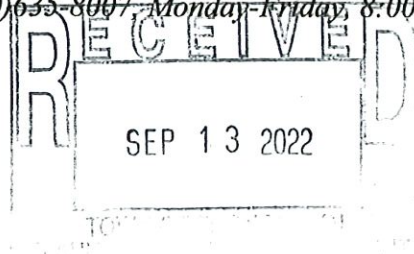
Date

9-13-22

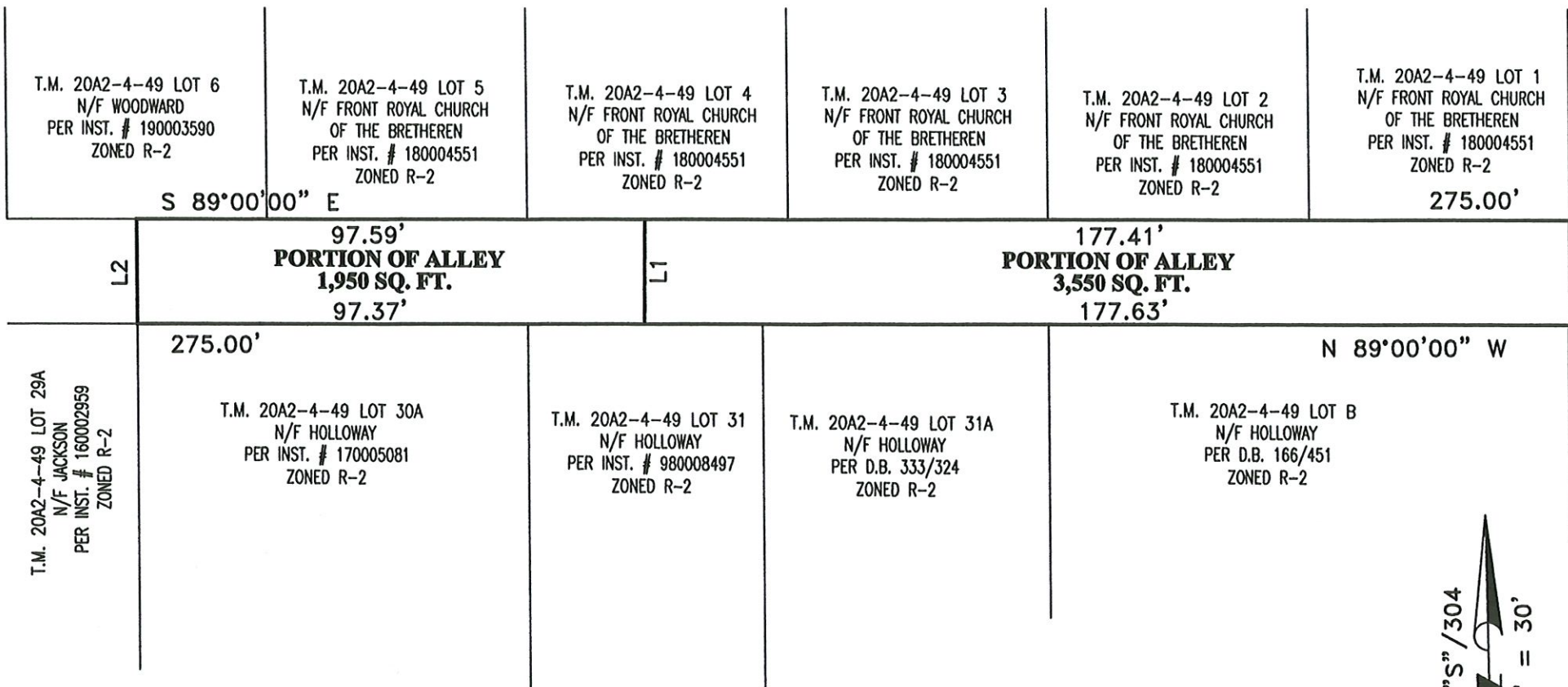
Completed application shall be returned by mail or delivery to:

Town Manager's Office, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630

Additional Information: Town Manager's Office (540) 635-8007 Monday-Friday, 8:00am - 5:00pm



Revised 3/1/22



**VIRGINIA AVE.**  
60' WIDE R/W  
EX. CONC CURB AND GUTTER

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 01°37'54" W | 20.00'   |
| L2   | N 01°00'00" E | 20.00'   |
| L3   | S 01°00'00" W | 20.00'   |

PER D.B. "S"/304  
SCALE 1" = 30'

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

PLAT REF: D.B. "S" PAGE 304.

SURVEY OF TWO PORTIONS OF ALLEY SITUATED WEST OF VIRGINIA AVENUE  
BLOCK 49 MAP OF FRONT ROYAL RIVERTON IMPROVEMENT CO. INC.

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

PREPARED BY:  
BROGAN LAND SURVEYING, PLC  
P.O. BOX 1578  
FRONT ROYAL, VA. 22630-0034  
TEL. & FAX (540) 635-5657  
AUGUST 25, 2022

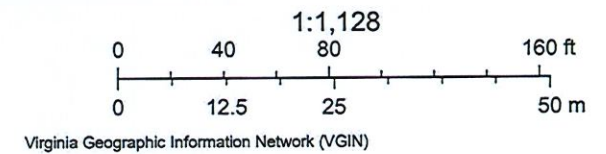




# 2200368\_Holloway\_Alley Vacation



October 20, 2022





## Connie Potter

---

**From:** Mary Lynn  
**Sent:** Thursday, September 15, 2022 10:33 AM  
**To:** Connie Potter; Robbie Boyer  
**Cc:** Karen Williams  
**Subject:** RE: Vacation of Alley Application

Connie,

There are no concerns from the Electric Department.

Thanks,

Mary Ellen Lynn  
Interim Director  
Department of Energy Services  
P.O. Box 1560  
Phone: 540.635.3027  
Fax: 540.631.3620  
[mlynn@frontroyalva.com](mailto:mlynn@frontroyalva.com)



**From:** Connie Potter <cpotter@frontroyalva.com>  
**Sent:** Thursday, September 15, 2022 9:33 AM  
**To:** Robbie Boyer <rboyer@frontroyalva.com>; Mary Lynn <mlynn@frontroyalva.com>  
**Cc:** Karen Williams <kwilliams@frontroyalva.com>  
**Subject:** Vacation of Alley Application

Good morning,

Can you please let me know if you have any concerns with the attached application for a request by Mr. and Mrs. William Holloway and Mr. and Mrs. Wade Holloway to vacate/purchase the alleyway adjacent to 1202 Virginia Avenue and 11 & 117 W. 12<sup>th</sup> Street.

Thank you,  
Connie

**Connie L. Potter**  
Executive Assistant



#2200368 – Alley Vacation\_Wade Holloway

Planning & Zoning Comments

The Planning & Zoning Department has concerns due to the fact that the alley provides a mechanism for the installation of future utilities including but not limited to fiber optics, cable, underground electric, water services, sanitary and storm sewer lines outside of paved streets. Basically, it lets construction activities occur without tearing up the streets.

## Connie Potter

---

**From:** Robbie Boyer  
**Sent:** Monday, September 19, 2022 8:57 AM  
**To:** Connie Potter; Mary Lynn  
**Cc:** Karen Williams  
**Subject:** RE: Vacation of Alley Application

Connie,

Public Works has checked this location and we have no utilities in that area.

Thanks,

**Robert B. Boyer**  
**Director of Public Works**  
Town of Front Royal Public Works  
PO Box 1560  
800 Crosby Rd-Extended  
Front Royal, VA 22630  
540-635-7819 (P)  
[rboyer@frontroyalva.com](mailto:rboyer@frontroyalva.com)  
[www.frontroyalva.com](http://www.frontroyalva.com)

---

**From:** Connie Potter <[cpotter@frontroyalva.com](mailto:cpotter@frontroyalva.com)>  
**Sent:** Thursday, September 15, 2022 9:33 AM  
**To:** Robbie Boyer <[rboyer@frontroyalva.com](mailto:rboyer@frontroyalva.com)>; Mary Lynn <[mlynn@frontroyalva.com](mailto:mlynn@frontroyalva.com)>  
**Cc:** Karen Williams <[kwilliams@frontroyalva.com](mailto:kwilliams@frontroyalva.com)>  
**Subject:** Vacation of Alley Application

Good morning,

Can you please let me know if you have any concerns with the attached application for a request by Mr. and Mrs. William Holloway and Mr. and Mrs. Wade Holloway to vacate/purchase the alleyway adjacent to 1202 Virginia Avenue and 11 & 117 W. 12<sup>th</sup> Street.

Thank you,  
Connie

**Connie L. Potter**  
Executive Assistant

---

Town of Front Royal, VA | Dept. of Planning and Zoning



102 E. Main St | Front Royal, VA 22630  
Office: (540) 635-4236  
Facsimile: (540) 631-2727  
Website: [www.frontroyalva.com](http://www.frontroyalva.com)

## Town Council Front Royal

In regards to the request for the town to vacate the alley behind the Front Royal Church of The Brethren.

I am a member of the Front Royal Church of the Brethren and have been for over twenty years and am a member of the safety team there. We are responsible for the safety of the members at all times. With that I believe for the best interest of all of the members the alley should remain.

Example: If there would be a fire across the street or at the church the street would be blocked off. Now we at least have access to the alley that people can get in their cars and leave. It also gives the fire department access to some of the houses if needed. I know that some of the alley has overgrown but for our part of the alley has been keep open. It would also give access to rescue workers if 13<sup>th</sup> street was blocked and someone needed medical attention at church. It could be as simple as a car accident at the entrance to the parking lot and people would not be able to leave.

I ask you to consider these issues and others before vacating the alley and it get closed.

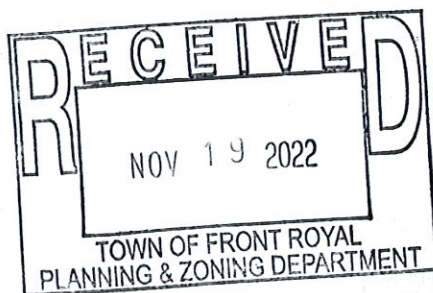
Thank You,

Albert Lambert

112 Cedar Park Ct

Front Royal, Va. 22630

540 336 7727



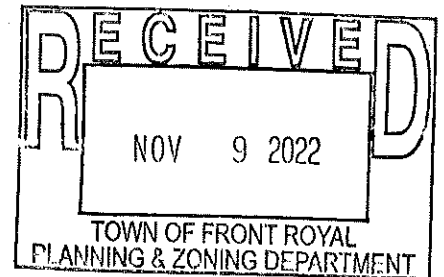


# CHURCH OF THE BRETHREN OFFICERS

BOARD CHAIR. STEVE LONG. Steve Long  
Vice chair. Becky Lilly  
Treasure. Diane Wickham. Diane Wickham  
Financial sec. Heather Clatterbuck. Heather Clatterbuck  
Recording Sec. Debbie long. Debbie Long

## BOARD MEMBERS

Lee Keeler. Lee Keeler  
Elsie Kirk. Elsie Kirk  
Dee Dee Mauck. Dee Dee Mauck  
Sue Miller. Sue Miller  
Debbie Smoot. Debbie Smoot  
Donna Strahley. Donna Strahley  
Frank Lake. Frank Lake  
Julie Riley. Julie Riley  
Debbie Rosenberry. Debbie Rosenberry  
Tim Clatterbuck. Tim Clatterbuck  
Don Hilton. Moved and left area  
Al Lambert. Al Lambert  
Diane Kelly. Diane Kelly  
Ruth Hammon. Ruth Hammon



We have had this exit for about 28 years. Thank God we haven't had to use it. This is considered to be an emergency exit. This was considered just in case any emergencies arise

On the north side of our main entrance. We have a safety team

In place and this alley is included in our plans for evacuation.

Hopefully we never have to use it but we can't if fences and buildings are put up. That's why we strongly object to this

Vacating this property.

*As Pastors, we agree with those above and the statement church has prepared -*

*J. Diane Whitel & Bobby Whitel*

We have had this exit for about 28 years. Thank God we haven't had to use it. This is considered to be an emergency exit. This was considered just in case any emergencies arise

On the north side of our main entrance. We have a safety team in place and this alley is included in our plans for evacuation.

Hopefully we never have to use it but we can't if fences and buildings are put up. That's why we strongly object to this

Vacating this property.

Church Members

- 1) Al Lambert
- 2) Eugene Miller
- 3) Wade Aubert
- 4) Sam Miller
- 5) Diane Wickham
- 6) Carol A. Campbell
- 7) Dee Dee Maerck
- 8) Dorothy Smart
- 9) William B. Fox
- 10) Joseph Podson
- 11) Edgar J. West
- 12) R. W. Wickham
- 13) Joyce Woodward
- 14) Linda Aubert
- 15) Donna Strahley
- 16) Lee Wines
- 17) Betty Wines
- 18) Stanley Woodward
- 19) Betty Kilburn
- 20) Norman Williamson
- 21) Egna Skidman
- 22) Sten E. Debra Long

- 23)
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- 63)

Timothy R. Clark  
Wyatt Clatterbuck  
Heather Clatterbuck  
Gabe Reilly  
Amy Clatterbuck  
MELVIN BAUGHER  
PAT BAUGHER  
Wanda Oden  
Linda McCann  
Mike Mase  
Christina Mase  
Scott Kasper  
Kimberly Runk  
Mary Rhodes  
Dana Evans  
RICK Hurdley  
Shirley Vaughn  
Geraldine Lee  
Evelyn Liddell  
Ann Krause  
Jeane Seger  
Ker Kelley  
Ruthie Hamman

The alley in question is a big part of our safety at our Church. We have a 9 member safety team with a plan for evacuation in case of fire, gas leaks , etc. . If a situation arises in front of Church , we must exit in rear of Church. Pictures show 3 doors, # 4-5-6 for our evacuation. In most evacuations 100 ft. Is required for safe distance. As you can see from our pictures we have about 50 - 60 ft. Of parking lot . We need this 20 ft. alley for safety and then we can shift to either side for safety. In case of emergency we have designated this alley as a safe place to gather so we can keep a headcount of our people. We don't want them getting in their cars and leaving , because that could cause more problems.

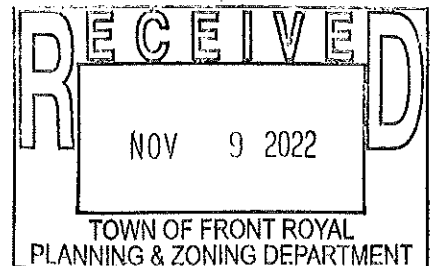
If any issues come up on w 13th street , such as house fire, water break, car accident, we need this alley open for car evacuation.

This is just one of our concerns for the safety of our people.

FRONT ROYAL CHURCH OF THE BRETHREN

Dave Aikant

Safety Team



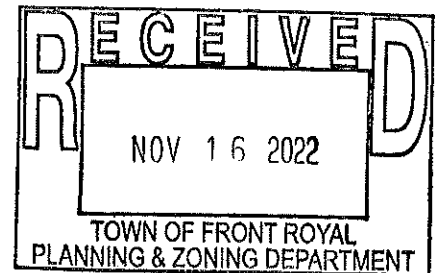


Our Church has used this alley for our family fun day . We have had a bouncy house , we have had Steve Foster's Amazing Grace mule for mule shows, and we have had Easter egg hunts. All our activities have been west of our emergency exit so we don't block anyone from exiting. We have not had this for several years because of Covid . We do have plans to use it again. This is why we strongly oppose vacating this alley .

Debbie Smoot - Sunday School Director

Just to add to the above, we use part of the grass area for our 2-4 year olds every Easter for the egg hunt.

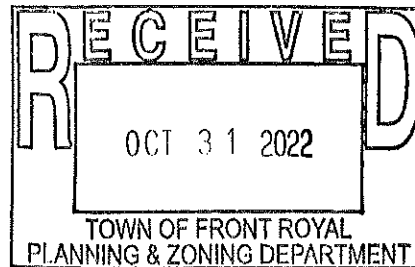
When we have our Vacation Bible school we use it for games for the children.



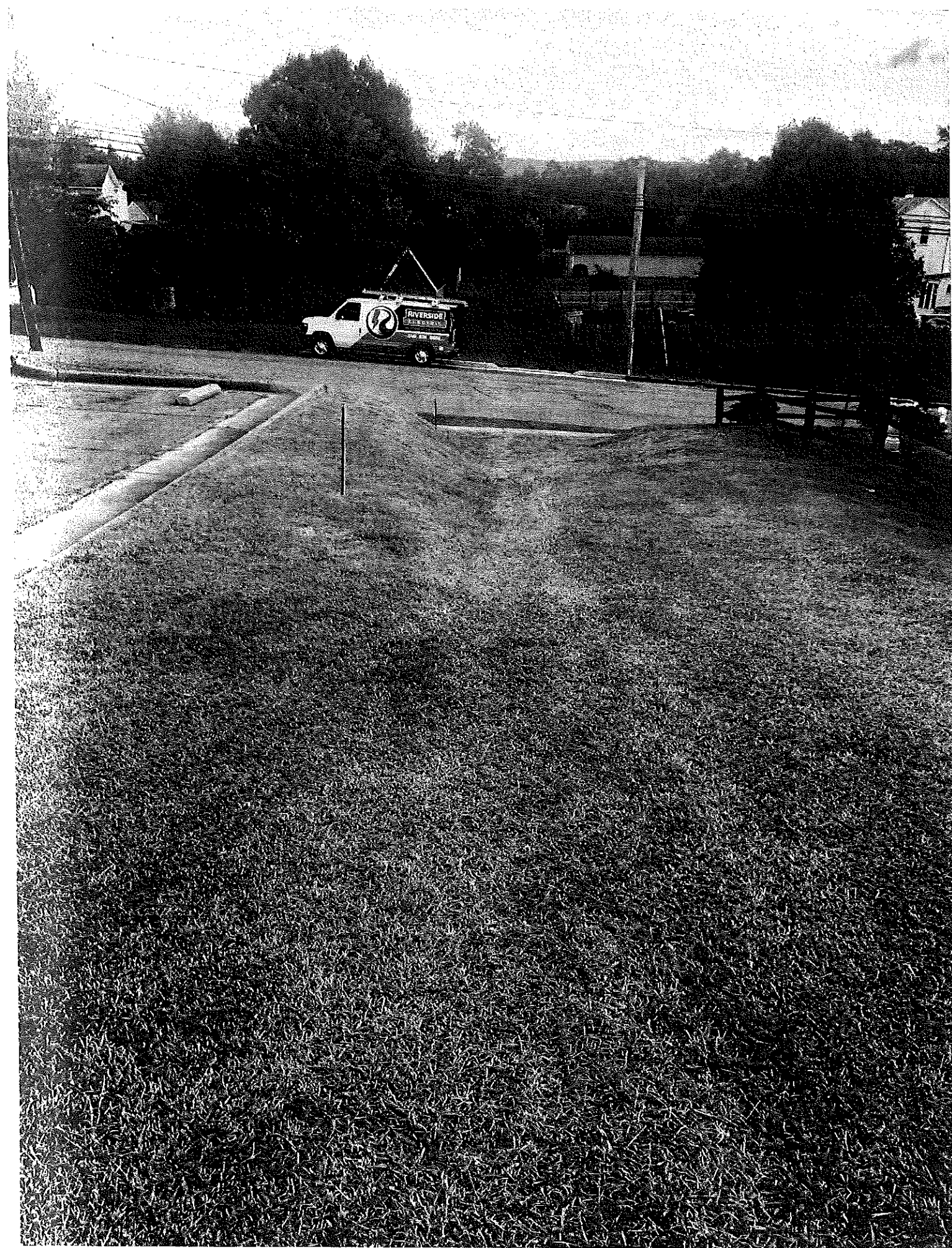
**We have had this exit for about 28 years. Thank God we haven't had to use it , but this is considered to be an emergency exit. When we added on our addition , this was considered just in case any emergencies arise on the north side of our Church. We have a safety team in place and this property is included in our plans for evacuation. Hopefully we never have to use it but we can't use it if buildings and fences are put up. That's why we strongly oppose the vacating of this property. We pray for your understanding on this matter.**

FRONT ROYAL CHURCH OF THE BRETHREN

David Albright

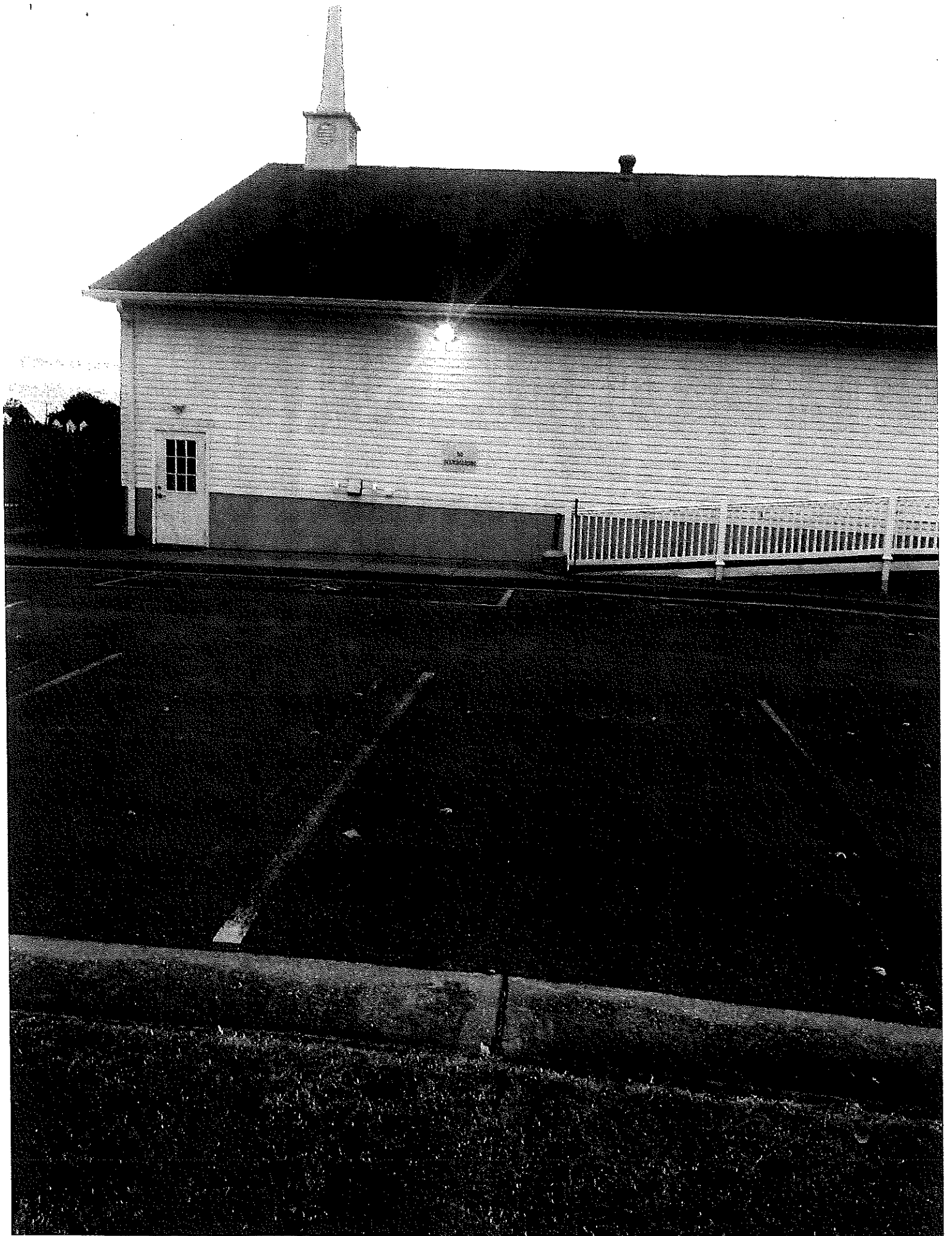








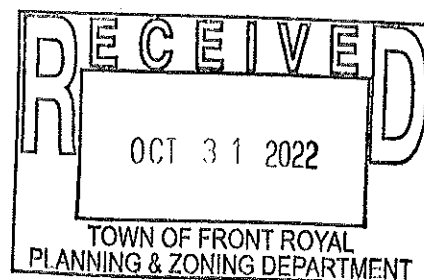








R.W. WOODWARD  
120 West 13<sup>th</sup> Street  
Front Royal Va. 22630



October 28, 2022

To: Lauren Kopishke  
Director of Planning & Zoning

Hello,

I am writing this letter in response to your October 20 notice of the 20 foot alley that the Holloway family is attempting to take from us. Since this is so important to us, my first thought is, please do not do this. There are numerous reasons that we would like to leave the right of way as is and has been for many years.

We had to do a lot of work to our home and the alley was a blessing for bringing in heavy objects to the back door of our home. This alley serves other reasons such as bringing in pellets for our pellet stove . These things get pretty heavy at my age . It makes a huge difference when we can just use the alley and back my truck right up to the back door . Actually it is the only way out for brush etc. and it was the only way to get a storage building into our back yard . Well I could go on and on with reasons such as emergency reasons , replacing my basement floor , overflow parking for the church next door whom I have given permission to simply pull down the right of way to our backyard. This alley was one of the reasons that we bought our home and it has been a back door to our place that we have certainly enjoyed . As I have said earlier in this letter , PLEASE LEAVE THIS ALLEY AS IT IS . It would be devastating to us and especially the church next door if it was abandoned . THANKS ,

Wayne and Joyce Woodward

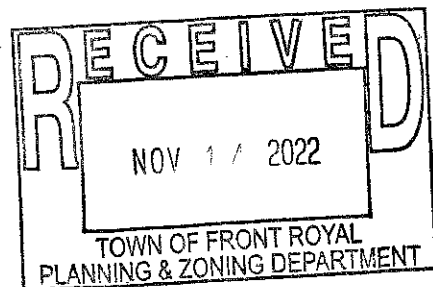


To whom it may concern  
Re: Right of Way at Church of the Brethren

The Right of Way was put there for a reason. I am opposed to vacating the right of way. It serves the church and other houses as a way to get in back of property.

It is used as a emergency exit to the church. If a fire broke out on 13th St. The Right of Way would be the only way out of church parking lot.  
Respectfully Submitted

William (Bob) Williamson



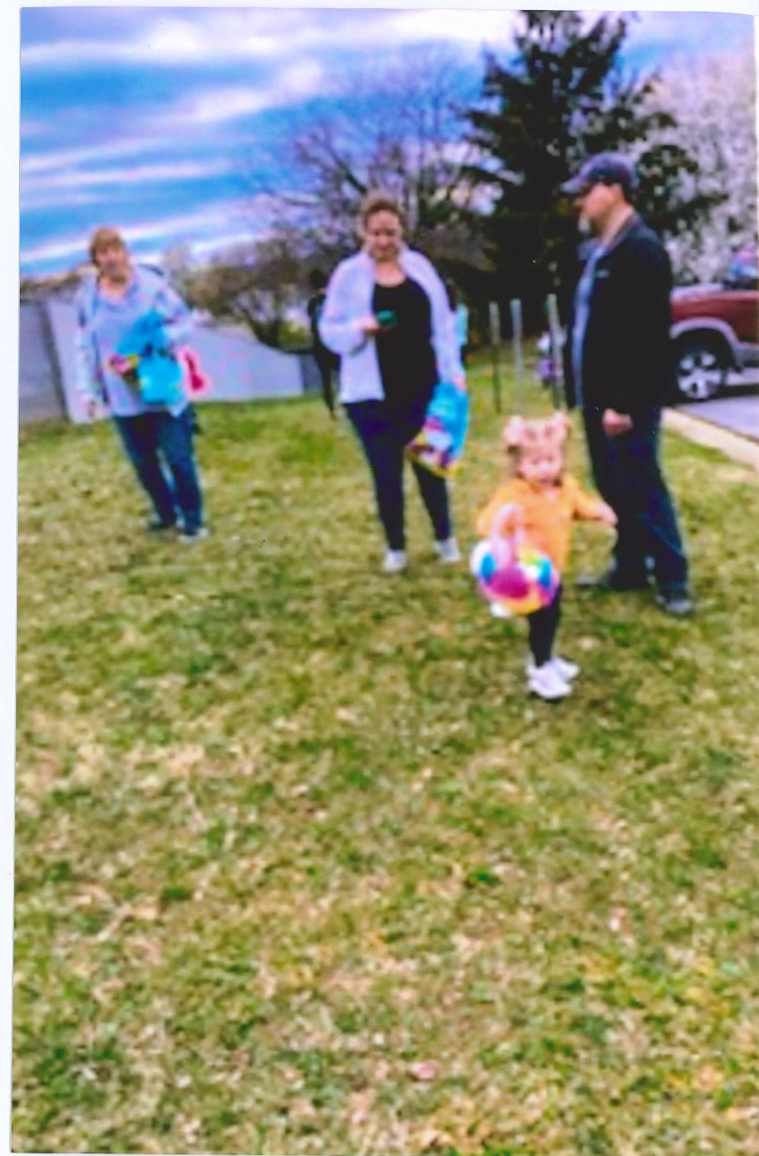
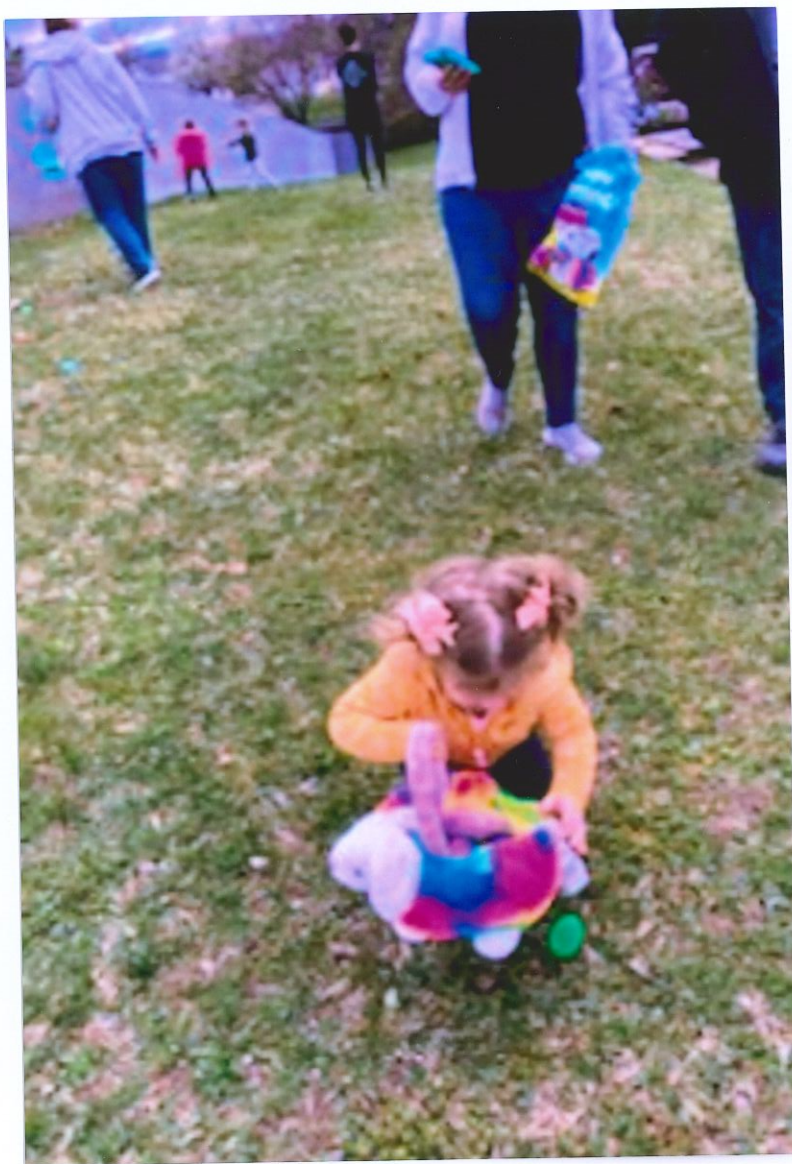














VA. Ave

yard

yard

SANCTUARY

yard

yard

grass

ALLEY  
meet here for headcount

grass

EXIT

handicap ramp

1

6

5

4

3

2



door

curb

evacuation Route

13<sup>th</sup> St.



## Council Agenda Statement

Item # 7E

Meeting Date: January 23, 2023

---

**Agenda Item:** PUBLIC HEARING – Appeal of a decision of the Board of Architectural Review (BAR) denying applicant SEESUU LLC's request for issuance of a Certificate of Appropriateness.

**Summary:** Council is to hear the appeal of the applicant, receive public input, receive any additional evidence in addition to the record, and take action on an appeal of a decision of the Board of Architectural Review (BAR) denying the request for the issuance of a certificate of appropriateness. The appeal is brought following action by the BAR denying a Certificate of Appropriateness application submitted by SEESUU LLC to demolish and remove a portion of a contributing structure on a property located at 131 E. Main Street (tax map 20A7, Section 4, Parcel 37). The property is zoned C-2, Downtown Business District, and is located in the Historic District. Council action is required.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motions:**

- 1) Upon consideration of the record and the additional evidence, I move that Council reverse the decision of the Board of Architectural Review (BAR) denying the issuance of a Certificate of Appropriateness, and approve the issuance of a Certificate of Appropriateness on the application submitted by SEESUU LLC to demolish and remove a portion of a contributing structure on a property located at 131 E. Main Street (tax map 20A7, Section 4, Parcel 37).
- 2) Upon consideration of the record and the additional evidence, I move that Council affirm the decision of the Board of Architectural Review (BAR) denying the issuance of a Certificate of Appropriateness on the application submitted by SEESUU LLC to demolish and remove a portion of a contributing structure on a property located at 131 E. Main Street (tax map 20A7, Section 4, Parcel 37).

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Morris \_\_\_\_\_ Rappaport \_\_\_\_\_ Rogers \_\_\_\_\_ Sealock \_\_\_\_\_



**TOWN OF FRONT ROYAL  
DEPARTMENT OF PLANNING & ZONING**

**STAFF REPORT FOR THE  
BOARD OF ARCHITECTURAL REVIEW  
DECEMBER 13, 2022**

**APPLICATION #:**

Certificate of Appropriateness  
Application #2200483

**APPLICANT:**

SEESUU, LLC

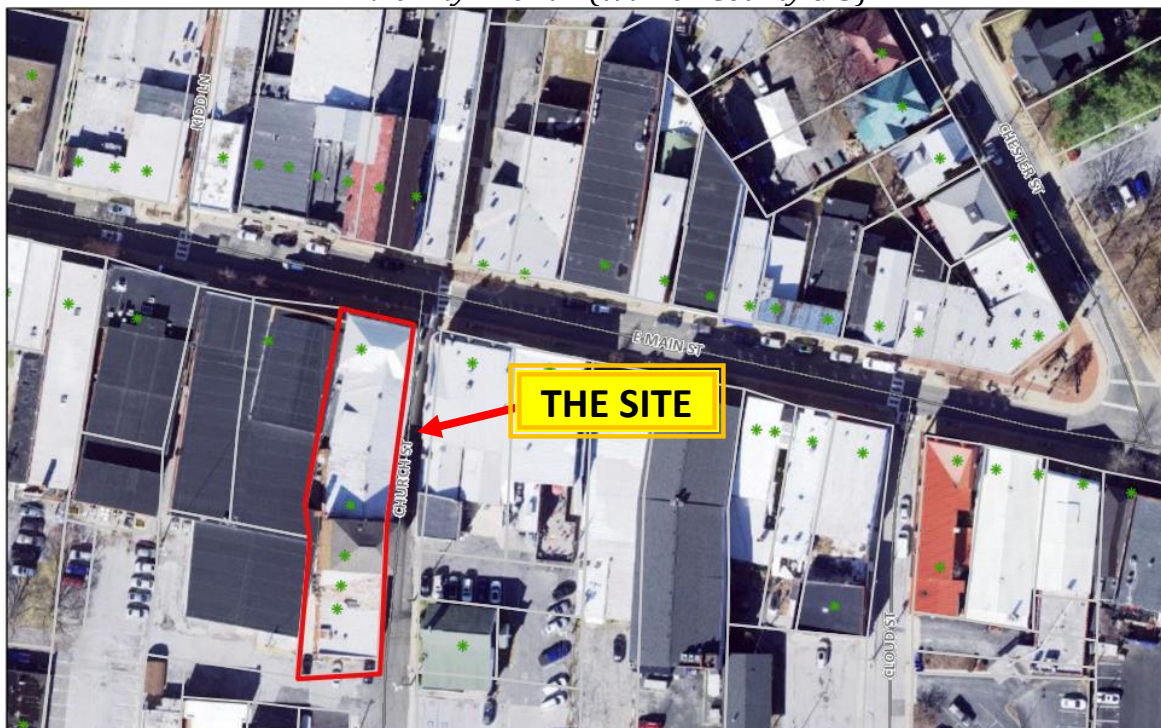
**APPLICATION SUMMARY:**

A Certificate of Appropriateness (COA) Application for partial demolition of a contributing structure in the Historic District. (See **Attachment A** – Application).

**GENERAL INFORMATION:**

|                           |                                                                                                                                             |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Site Addresses</i>     | 131 E Main Street                                                                                                                           |
| <i>Owner(s)</i>           | SEESUU, LLC                                                                                                                                 |
| <i>Zoning District</i>    | C-2 (Downtown Business) District & Historic District                                                                                        |
| <i>Historic District</i>  | Front Royal Historic District                                                                                                               |
| <i>Tax Identification</i> | 20A7-4-37                                                                                                                                   |
| <i>Location</i>           | The subject building is located on E. Main Street. It is at the Southwest corner of the intersection of East Main Street and Church Street. |

*Vicinity - Aerial (Warren County GIS)*





*Photo 1 – Front Elevation*



*Photo 2 – Front Left Side Elevation*





*Photo 3 – Rear Side Elevation*



*Photo 4 – Front Left Side Elevation*



*Photo 5 – Left Side Elevation*



*Photo 6 – Left Rear Side Elevation*



## SUPPLEMENTAL INFORMATION:

### ***Legal Authority***

The Board of Architectural Review (BAR) is established by the legal authority of Virginia Code §15.2-2306 and Sections 175-82 through 175-98 of the Town Code. The Town Code gives review authority to the BAR for major projects within the Historic Overlay District. The Historic Overlay District consists of the areas and structures identified within the Front Royal Historic District. Town Code, Section 175-82, states that the purposes of establishing the historic resource overlay areas include the following:

1. To preserve and improve the quality of life for residents of the Town of Front Royal by protecting familiar and treasured visual elements in the area.
2. To promote tourism by protecting historical and cultural resources attractive to visitors and thereby supporting local business and industry.
3. To stabilize and improve property values by providing incentive for the upkeep and rehabilitation of older structures and by encouraging desirable uses and forms of economic development.
4. To educate residents on the local cultural and historic heritage as embodied in the Historic District Overlay Areas and to foster a sense of pride in this heritage.
5. To promote local historic preservation efforts and to encourage the identification and nomination of qualified historic properties to the National Register of Historic Places and the Virginia Landmarks Register.
6. To prevent the encroachment of additions or new buildings and structures that are architecturally incongruous with their environs within areas of architectural harmony and historic character.

Except where administrative review authority is granted under Section 175-89.1, and where review is exempt under Section 175-90, the BAR is responsible for reviewing major projects in the Historic Overlay District in accordance with the guidelines found under Section 175-91 of the Town Code. These guidelines are listed at the end of this report.

### ***Historic Information***

The building (circa 1879) is a contributing building to the Front Royal Historic District. Below are notes about the structure, as found within the Historic District records. A full copy of the report is attached (**Attachment D**).

#### Architectural Description

-----  
131 East Main Street started out as the 1879 Front Royal Methodist Church, 5 arched opening bays on the Church Street side define this originally Italianate building. The retail building at the front features a commercial eclectic style incorporating Second Empire features such as the mansard roof; Classical Revival dormers and roof edge molding. The brick work on this section is sophisticated with recessed bays, projecting pilasters, corbeling. The arched-top sash at the front of the building were salvaged from the church section. The mansard roof is two level with a hipped top. The hollow-tile theatre addition was probably intended to be fire proof, and is obviously of utilitarian design. The projectionist's booth is still in the upper story, with an escape hatch on the roof. The balcony area of the theater still has its early twentieth century seating. The rear brick addition features some brick patterns, rectangles in the upper wall, parapet area.

|                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | <p>Additions and Alterations Description</p> <p>-----</p> <p>The 1879 church core has been added to at front and back. The front, 2.5 story brick retail section was added after 1908-09; the church space was converted into a theatre at this time; the terra cotta stage super structure, at the rear was added sometime before World War II. The brick addition at the very rear is probably the most recent, perhaps as early as the 1940s-1950s. Spaces behind the Main Street retail area are vacant. A retail space was built into the large church/theatre, but this area was vacant at the time of survey (1993).</p>        |
| <b><i>Incentives for Rehabilitation</i></b> | <ul style="list-style-type: none"> <li>• Partial Real Estate Tax Exemption. Pursuant to Section 175-97 of the Town Code, owners that engage in approved rehabilitation projects have the ability to seek a 10-year tax exemption equal to the increase in assessed value resulting from the rehabilitation.</li> <li>• State Tax Income Credit. The Virginia Rehabilitation Tax Credit Program allows property owners who complete a certified rehabilitation project to receive an income tax credit on 25% of their eligible expenses and an additional 20% credit through the Federal Rehabilitation Tax Credit Program.</li> </ul> |

| <b>GUIDELINES WORKSHEET FOR BAR EVALUATION</b>     |   |                                                                                                                                                                                                                |
|----------------------------------------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Historic Overlay District Guidelines</i></b> | 1 | The historic archaeological or architectural value and significance of a structure and its relationship to the historic value of the surrounding area                                                          |
|                                                    | 2 | The age and character of the historic structure, its condition, and its probable life expectancy and the appropriateness of the proposed changes to the period or periods during which the structure was built |
|                                                    | 3 | The general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used                                                                                      |
|                                                    | 4 | The view of the structure or area from a public street or road, present or future                                                                                                                              |
|                                                    | 5 | The present character of the setting of the structure or area and its surroundings                                                                                                                             |
|                                                    | 6 | The probable effect of proposed construction on trees, wooded areas, or historic sites                                                                                                                         |
|                                                    | 7 | Any other factors, including aesthetic factors, which the reviewing bodies deem to be pertinent                                                                                                                |



|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | The appropriateness of the exterior architectural features of such building or structure to the compatibility with the exterior architectural features of landmarks, buildings, or structures in the district, taking into consideration the following: <ul style="list-style-type: none"> <li>a. General design</li> <li>b. Character and appropriateness of design</li> <li>c. Form</li> <li>d. Proportion and scale</li> <li>e. Mass</li> <li>f. Configuration</li> </ul> |  |
|  | Additional Guidelines: <ul style="list-style-type: none"> <li>• The reviewing bodies shall not adopt or impose any specific architectural style in the administration of this Article.</li> <li>• The reviewing bodies shall also be guided by the purposes for which landmarks, landmark sites and historic districts are designated and by the standards and considerations contained in the Secretary of the Interior's Standards for Rehabilitation.</li> <li>• See Demolition Review Guidelines Addendum for demolition of structures.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |

## STAFF COMMENTS:

In addition to the application, the applicant has provided the Existing Conditions – Demolition Exhibit plan.

Town Staff has provided the following attachment for additional information purposes:

- Addendum to Historic Overlay District Guidelines, Demolition Review Guidelines. (Attachment C)

Although the applicant has submitted conceptual concepts of a future building, the applicant has only applied for demolition of the existing building. If the BAR determines that demolition is appropriate, **Town Staff recommends that such approval be conditional on the following: That a development surety be in-place before demolition and approved in form by the Town Attorney to guarantee that the demolition is completed once started.**

Attachments: A) Certificate of Appropriateness Application  
B) Addendum to Historic Overlay District Guidelines  
C) Demolition Exhibit Plan  
D) Historic Reconnaissance Survey

# ADDENDUM

## DEMOLITION REVIEW GUIDELINES

- 1) **Contribution to Historic District.** Is the building identified as a contributing structure? This is typically determined from the Front Royal Historic District records.

☐ **YES.** Continue.

☐ **NO.** The building is a candidate for demo. 

- 2) **Structural Integrity.** Does the building retain structural integrity? The following may be used to evaluate and determine if a building retains its structural integrity?

- A site visit by the BAR members to more closely inspect and evaluate the building.
- An unbiased report from a licensed structural engineer or licensed architect that addresses structural integrity.
- A report from the local building official.
- Testimony of expert witnesses at the public hearing at which the demolition request is being considered.

☐ **YES.** Continue.

☐ **NO.** The building is a candidate for demo. 

- 3) **Feasibility.** Upon review of the facts of the application, public testimony, and Town records, what factors limit renovation of the building instead of demolition, as determined by the BAR.

- ☐ Significantly higher costs than new construction.
- ☐ Poor Marketability, due to location or lack of usable space.
- ☐ Environmental Factors.
- ☐ Local, State, or Federal Regulations.
- ☐ The building is recognized as blighted.

☐ **1-2 box checked.**  The building is NOT a candidate for demo.

☐ **3 or more boxes checked.** Continue.

- 4) **Due Diligence.** Has the applicant given due diligence? Due diligence includes seeking renovation of the property for an extended period of time; allowing the relocation of the building (if offered by a 3<sup>rd</sup> party); and salvaging portions of the building.

☐ **YES.** The building is a candidate for demo. 

☐ **NO.**  The building is NOT a candidate for demo.

The Town of Front Royal Board of Architectural Review (BAR) shall give consideration of the following review factors when considering an application to demolish a building or structure. Each factor shall be considered in the order they are listed as outlined in the left hand column of this page.

- 1) Contribution to the Historic District
- 2) Structural Integrity
- 3) Feasibility
- 4) Due Diligence

### REVIEW FACTORS

If the applicant successfully demonstrates that the building is a candidate for demolition, the Board of Architectural Review MAY consider the following:

- The BAR may require that the applicant conduct a reconnaissance or intensive-level survey in accordance with the Virginia Department of Historic Resource's Guidelines for Conducting Cultural Resource Surveys in Virginia.
- The applicant must conduct a Phase 1 archaeological study to document historic information that is important to the Town of Front Royal.
- The BAR may require that demolition application be reviewed concurrently with plans for new construction.
- Assurance that the demolition will be completed once started. A surety, such as a performance bond, from the contractor is a suitable method for assuring completion.
- Assurance that the completion of the demolition will occur in a reasonable amount of time.

**DISCLAIMER:** All required local, state, and federal permits or approvals are required separate from, and in addition to, the BAR's consideration of a Certificate of Appropriateness for demolition.

# CERTIFICATE OF APPROPRIATENESS APPLICATION TOWN OF FRONT ROYAL

☐ New Construction     ☐ Rehabilitation     ☒ Demolition\*     ☐ Sign  
☐ Other \_\_\_\_\_

Application is hereby made for a Certificate of Appropriateness and is made subject to the local Historic District Ordinance, other local ordinances, and State laws which are presently in force or that may hereafter be enacted affecting or regulating thereto. The undersigned applicant agrees to these requirements which are a necessary condition for approval of this certificate.

This application for a Certificate of Appropriateness may be approved administratively in accordance with Section 175-89.1 of the Town Code.

Name of Applicant: SEESUU, LLC

Address of Applicant: PO Box 1317

FRONT ROYAL, VA. 22630

Phone Number: 540 622-4711 E-Mail: WETNOSEFARM@GMAIL.COM

Property in Question:

Street Address: 131 E. MAIN ST

Business Name (if applicable) \_\_\_\_\_

Tax Map Number: DB 370, PG 65 DB 423 Pg 109 DB 426 PG 669

Historic District: ☐ Downtown Residential Area

☒ Downtown Business Area

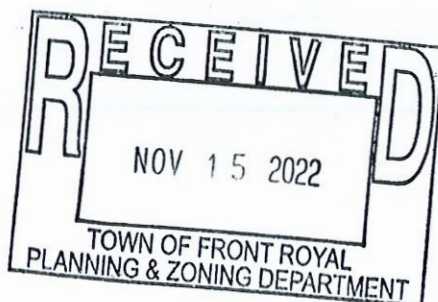
Are there any other applications relevant to this property or the proposed modifications being considered by any other regulatory or administrative agency?

☐ Yes     ☒ No

If Yes, please describe:

Revised 6-25-12

PLEASE COMPLETE REVERSE SIDE





Description of Proposal, including materials and colors used with each modification (List for foundation, walls, doors, windows, trim gutters/downspouts, roofing, sign, lighting, sidewalk, fencing and gutters as applicable) (attach separate sheets if necessary):

Demolition of A Portion of  
the Building

*\*Please submit seven (7) complete application packages. If color photos are submitted, please submit seven (7) complete sets of colored photographs.*

*\*One (1) set of material samples shall be provided together with the application.*

Also include the following as applicable:

- \_\_\_\_\_ Attached map with property under consideration marked
- \_\_\_\_\_ Site Plan
- \_\_\_\_\_ Sketch, drawing, elevations
- \_\_\_\_\_ Photographs or slides showing property in question

**\* NOTE: A public hearing is required for demolition work. The names and addresses of property owners immediately adjacent and opposite the property must be submitted.**

Signature of Applicant: Seesun, LLC Date 11/2/22

Signature of Representative (if applicable): By [Signature]

**\$100.00 Fee** **BAR Review** Receipt #          Date 11-15-2022

**\$200.00 Fee** **Demolition of Historically Significant Structure**

pd check # 1216 \$200.-

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.

**OFFICE USE ONLY**

Date Received 11-15-2022 BAR Meeting Date: 12-13-2022

Action Taken: \_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator

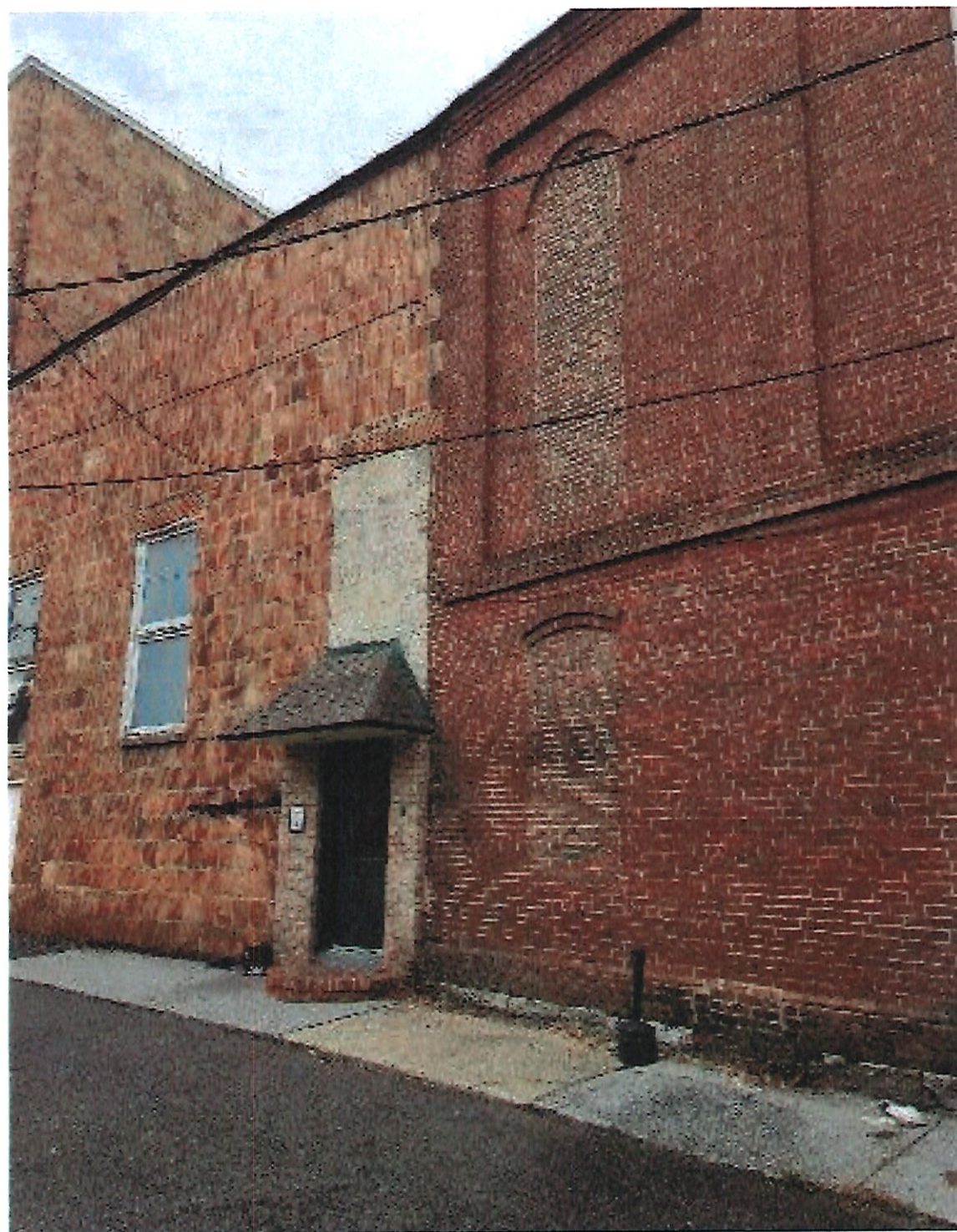




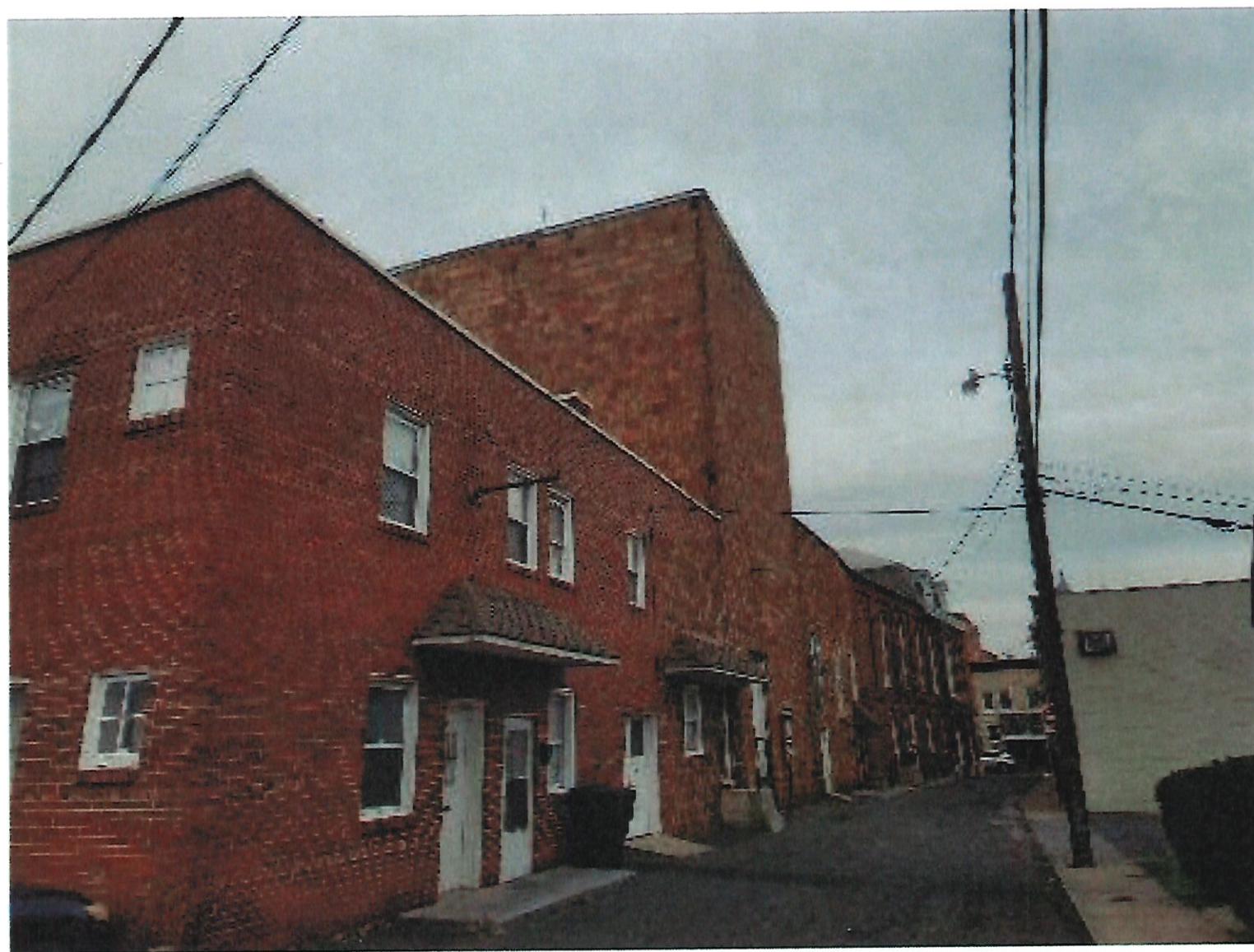




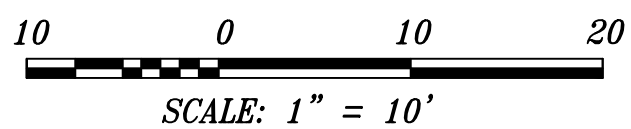




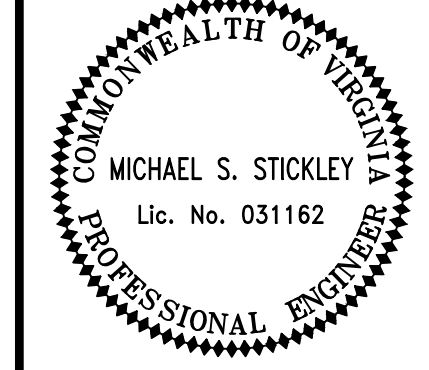






[illegible]

|         |                               |
|---------|-------------------------------|
| SURVEY  | BROGAN LAND<br>SURVEYING, PLC |
| DESIGN  | MSS                           |
| DRAWN   | MSS                           |
| CHECKED | MSS                           |
| DATE    | NOV. 14, 2022                 |
| SCALE:  | HORIZ: 1" = 10'               |
|         | VERT: N/A                     |
| SEAL    | .....                         |



INTENSIVE SURVEY FORM

IDENTIFICATION

=====

VDHR IDENTIFICATION #: 112-0033-000

Property Names

-----

|                              |          |
|------------------------------|----------|
| 131 East Main Street         | Address  |
| Royal Oak Computer Shop      | Current  |
| Royal Quality Shop           | Historic |
| Front Royal Methodist Church | Historic |
| Murphy's Theater             | Historic |

NR Resource Type: Building  
VDHR Historic Context: Commerce/Trade

ADDRESS/LOCATION

=====

Addresses

-----

|     |                  |         |
|-----|------------------|---------|
| 131 | East Main Street | Current |
|-----|------------------|---------|

Vicinity of: Municipality: Front Royal  
County/Independent City: Warren  
State: VA ZIPCode 22630-  
Magisterial District: South River District  
USGS Quad Name: FRONT ROYAL

Local Tax Code: Section Parcel  
20A7 4-37

Location: The south west corner of the intersection of East Main and Church Streets.

Name of Historic District:  
Name of Potential Historic District: Front Royal Historic District

SITE DESCRIPTION

=====

Site plan on file at VDHR? Yes

Square Footage of Lot: 0

Physical Character of General Surroundings: Town  
Physical Character of Immediate Setting: Commercial

Site Description Notes/Notable Landscape Features

-----

The building fills out an urban lot comprised of a row of commercial buildings. The building is at the end of the row, with church street on its east side.

PROPERTY BOUNDARIES  
=====

Verbal Boundary Description:

Acreage: 0.0

Verbal Boundary Justifaction:

CLASSIFICATION AND COUNT  
=====

NR Resource Type: Building Ownership Categories: P

| NR Resource Count  |          | C/NC/NE      |              |   |
|--------------------|----------|--------------|--------------|---|
| #of Resource Types |          |              |              |   |
| 1                  | Building | Contributing | TOTAL:       | 1 |
|                    |          |              | Contrib:     | 1 |
|                    |          |              | Non-Contrib: | 0 |

| Wuzits Type Count |                     | C/NC/NE      |              |   |
|-------------------|---------------------|--------------|--------------|---|
| #of Wuzits Type   |                     |              |              |   |
| 1                 | Commercial Building | Contributing | TOTAL:       | 1 |
|                   |                     |              | Contrib:     | 1 |
|                   |                     |              | Non-Contrib: | 0 |

INDIVIDUAL RESOURCES DATA  
=====

WUZIT: COMMERCIAL BUILDING C/NC: Contributing

Name: Royal Computer Shop

Location: Front Royal, Va.

131 East Main Street Current

Estimated Date of Construction: 1879 Source: Site Visit

Physical Status: Existing  
Condition: Fair Threat: None

FUNCTIONS:

| Dates | Function           | Explanation      |
|-------|--------------------|------------------|
| 1879  | Religious Facility | Historic         |
| 1912  | ca Commerce/Trade  | Historic/Current |
| 1912  | ca Post Office     | Historic         |
| 1915  | Theater            | Historic         |

EXTERIOR COMPONENT DESCRIPTION:

| Component | # | Type or Form | Materials | Treatment |
|-----------|---|--------------|-----------|-----------|
|-----------|---|--------------|-----------|-----------|



|         |   |               |             |                    |
|---------|---|---------------|-------------|--------------------|
| Chimney | 1 | Exterior side | Concrete    | Concrete Block     |
| Door    | 1 | Double        | Wood        | Panelled/Glazed    |
| Dormer  | 5 | Gable         | Wood        | Pedimented         |
| Roof    | 0 | Mansard       | Slate       | Scalloped Shingle  |
| Roof    | 0 | Gable         | Metal       | Standing Seam      |
| Roof    | 0 | Hipped        | Metal       | Standing Seam      |
| Roof    | 0 | Flat          |             | Not Visible        |
| Walls   | 0 | Masonry       | Brick       | 5-course Amer.Bond |
| Walls   | 0 | Masonry       | Terra Cotta | Glazed             |
| Walls   | 0 | Masonry       | Brick       | Random             |
| Walls   | 0 | Parapet       | Brick       | Capped             |
| Windows | 0 | Double hung   | Glass       | 6/6                |
| Windows | 0 | Casement      | Glass       | 4-light            |
| Windows | 0 | Double hung   | Glass       | 1/1                |
| Windows | 0 | Fixed         | Glass       | Plate              |
| Windows | 0 | Double hung   | Glass       | 2/2                |

Materials/Treatment Notes

The building is comprised of three sections representing three periods of construction.

Architectural Style/Derivation: Mixed (more than 3 styles from different periods)

|                 |     |             |      |
|-----------------|-----|-------------|------|
|                 |     | Dimensions: |      |
| # of Stories:   | 2.5 | Height=     | 0.00 |
| # of Bays Wide: | 3   | Length=     | 0.00 |
| # of Bays Deep: | 14  | Width=      | 0.00 |

Footprint: Rectangle w/ additions

Additions and Alterations Description

The 1879 church core has been added to at front and back. The front, 2.5 story brick retail section was added after 1908-09; the church space was converted into a theatre at this time; the terra cotta stage super structure, at the rear was added sometime before World War II. The brick addition at the very rear is probably the most recent, perhaps as early as the 1940s-1950s. Spaces behind the Main Street retail area are vacant. A retail space was built into the large church/theatre, but this area was vacant at the time of survey (1993).

Interior Description

Interior Plan Type: Undivided Space (non-domestic)  
 Accessed? Yes                                      If not, why not?:

Interior Description: The front section, built sometime shortly after 1908 has the most architectural integrity. The first floor is an open retail area, updated for modern use. The upper floors include apartment spaces and meeting rooms, details include: four panel doors, beaded trim w/boss center corner blocks, door transoms, high beaded base boards, some half-glass doors, picture molding, pressed tin ceilings. The theater space has been gutted,



but the stage is in place, there are some pilasters with caps on the side walls, the former theater entrance at the west side of the primary elevation was originally open with light bulbs mounted in the semi-circular archway, this is now framed in, but all the fixtures are in place. The rear addition contains apartment spaces.

STRUCTURAL SYSTEMS AND MATERIALS:

| System Element       | System Type | System Material |
|----------------------|-------------|-----------------|
| Masonry, Brick       |             | Original Block  |
| Masonry, Hollow Tile |             | Addition        |

Structural System Notes

The building includes at least two, possibly three types of masonry construction methods - the rear addition may be brick veneer over concrete block.

Architectural Description

131 East Main Street started out as the 1879 Front Royal Methodist Church, 5 arched opening bays on the Church Street side define this originally Italianate building. The retail building at the front features a commercial eclectic style incorporating Second Empire features such as the mansard roof; Classical Revival dormers and roof edge molding. The brick work on this section is sophisticated with recessed bays, projecting pilasters, corbeling. The arched-top sash at the front of the building were salvaged from the church section. The mansard roof is two level with a hipped top. The hollow-tile theatre addition was probably intended to be fire proof, and is obviously of utilitarian design. The projectionist's booth is still in the upper story, with an escape hatch on the roof. The balcony area of the theater still has its early twentieth century seating. The rear brick addition features some brick patterns, rectangles in the upper wall, parapet area.

SECONDARY RESOURCES RELATIONSHIP

HISTORICAL EVENTS

Original Construction

Date (Start to Completion):     /     /1879           to  
Source of Information: Written Data  
Associated Cost:                 0

Brief Remarks:

First section of building constructed as the Front Royal Methodist Church. It replaced a late eighteenth or early nineteenth century building on the same site.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

Major Addition

Date (Start to Completion):     /   /1908       to  
Source of Information: Written Data  
Associated Cost:                0

Brief Remarks:

Front Royal Methodist Church moves and building is sold to become a commercial establishment. Stores, post office, and theater are all combined into the church and front addition.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

Date (Start to Completion):     /   /1910    ca to     /   /1950    ca  
Source of Information: Written Data  
Associated Cost:                0

Brief Remarks:

The theater is used for live performance and film.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

Addition

Date (Start to Completion):     /   /1915   -20 to  
Source of Information: Site Visit  
Associated Cost:                0

Brief Remarks:

Theater space enlarged with hollow tile addition.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

Addition

Date (Start to Completion):     /   /1940s       to  
Source of Information: Site Visit  
Associated Cost:                0

Brief Remarks:

Rear brick residential/commercial addition.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

Historical Event

Date (Start to Completion):     /     /1950s     to  
Source of Information: Written Data  
Associated Cost:                     0

Brief Remarks:

The theater space is used for movies only and eventually goes out of business.

| Names of Associated Individuals | Association/Function |
|---------------------------------|----------------------|
| -----                           |                      |

SIGNIFICANCE  
=====

Year Built:   1879           Source of Year Built: Written Data

VDHR Historic Context: Commerce/Trade  
VDHR Period Context: Reconstruction and Growth (1865 to 1914)

Potential for Meeting National Register Criteria:  
C   Architecture/Engineering

Association with Multiple Property Submission:

Potential Association with National Register Multiple Property:

Potential NR Criteria Considerations:

|                                               |                |     |
|-----------------------------------------------|----------------|-----|
| Property Retains Integrity of:<br>(Yes or No) | 1) Association | Yes |
|                                               | 2) Design      | Yes |
|                                               | 3) Feeling     | Yes |
|                                               | 4) Location    | Yes |
|                                               | 5) Material    | Yes |
|                                               | 6) Setting     | Yes |
|                                               | 7) Workmanship | Yes |

Significant Person (Criteria B):  
Areas of Significance:   Commerce  
                              Religion

Cultural Affiliation:  
Periods of Significance:       1879  
                                  1908

Significant Year and Explanation:  
-----

| Year | C Reason why significant | Description of significant date |
|------|--------------------------|---------------------------------|
| 1879 | Original Construction    | Original Construction Began     |
| 1908 | X Addition               | Front block constructed         |
| 1960 | X                        | Theater/Movie space closes      |

# ARCHITECTURAL AND HISTORICAL STATEMENT

131 Main Street is an example of the evolution of building use. From church to commercial/residential/entertainment space. The building is sited next ot Newberry's where Davis Hall, the main nineteenth century opera house was located. Murphy's theater probably competed with this space and also with the Park Theater. The Front Royal Methodists built the large Romanesque style building at the corner of Royal Avenue and Main Street.The front addition is one of the most substantial and sophisticated downtown commercial designs. Along with the fine facade of Trout Drugs, to the east, this area of Main Street is a visual focus point of fine architecture.

# BIBLIOGRAPHIC DATA

## Oral History

### Interview

Jim Gibbs, realtor for Vaughn, Gibbs, and Bennett takes PAV for full tour of building with Craig Laird, owner of Royal Oak Computer. Both relate stories about the building. Date: 2/25/93.

## Views/Historic

Warren Heritage Society Archives  
Photographs and files on religion consulted.

## VDHR File data

Pearson, John V., Jr.  
Architectural Survey Form  
Minimal information, exterior photography, date: 24 December 1970.

# GRAPHIC DOCUMENTATION

| Medium          | Media ID# | Frame(s) | Date      |
|-----------------|-----------|----------|-----------|
| B&W 35mm Photos | 12596     | 29- 36A  | 2/25/1993 |
| B&W 35mm Photos | 12595     | 1- 6     | 2/25/1993 |
| B&W 35mm Photos | 12596     | 17- 26   | 2/25/1993 |

# CURRENT OWNERSHIP INFORMATION

## SURVEYOR'S NOTES



=====

CULTURAL RESOURCE MANAGEMENT  
=====

| Date      | CRM Event        | Agency/Individual   | Assoc ID# |
|-----------|------------------|---------------------|-----------|
| -----     |                  |                     |           |
| 2/25/1993 | Intensive Survey | Pres. Assoc. of Va. |           |

1 RECORD IN THIS REPORT

TOWN OF FRONT ROYAL

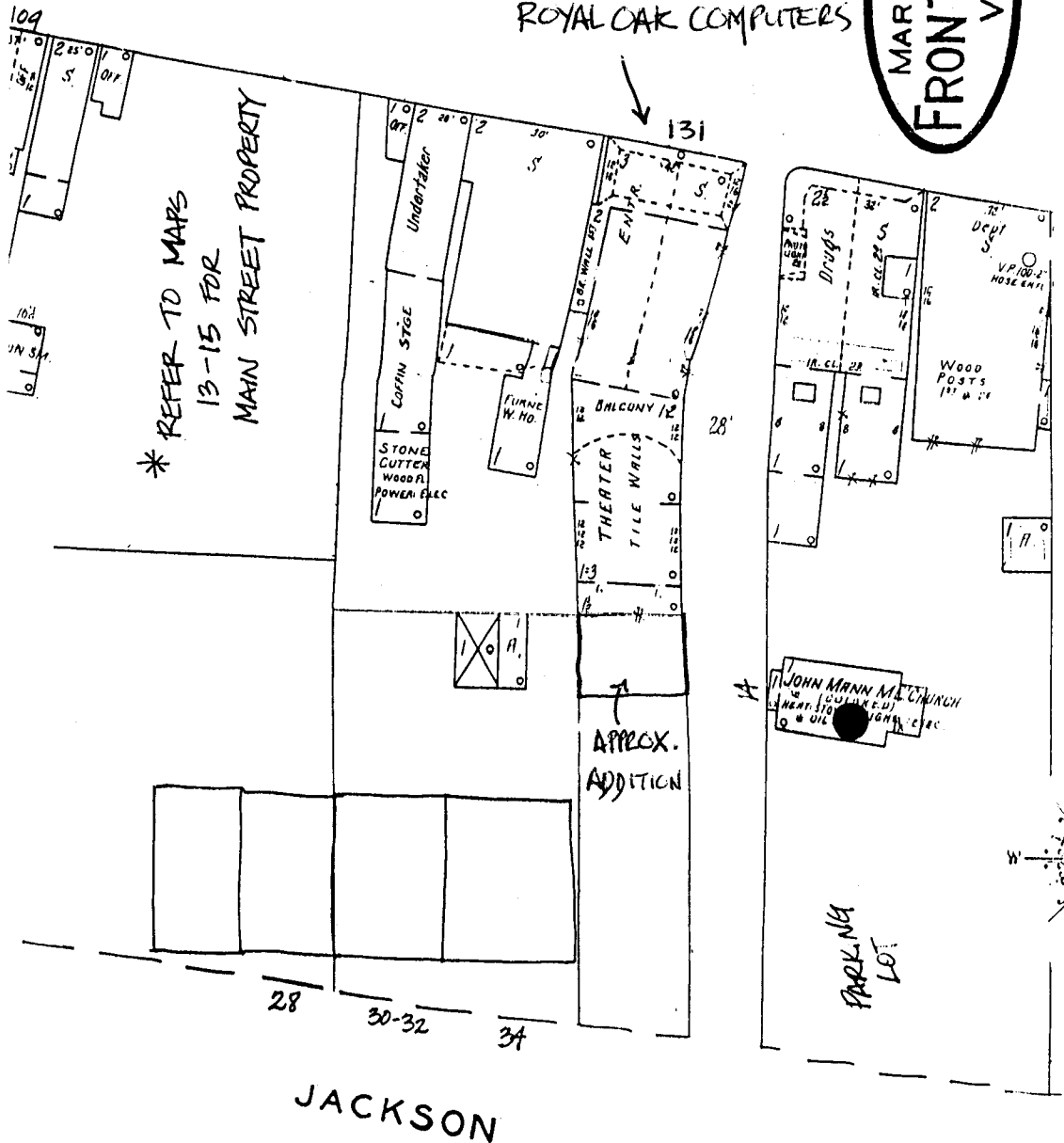
VDHR 112-0033-000

ROYAL OAK COMPUTERS



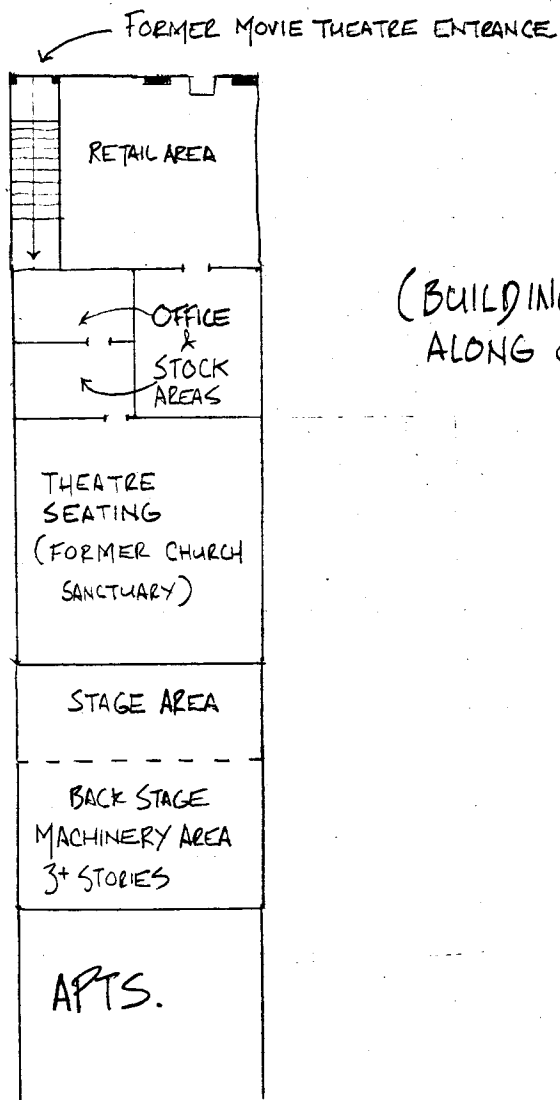
10

MAIN



131 EAST MAIN STREET / ROYAL OAK COMPUTERS

TOWN OF FRONT ROYAL



(BUILDING CURVES SLIGHTLY TO SOUTHEAST  
ALONG CHURCH STREET)

PRESERVATION ASSOCIATES OF VIRGINIA / M.C. WAGNER  
3/23/95

N.T.S.

ARCHITECTURAL SURVEY FORM

VIRGINIA HISTORIC LANDMARKS COMMISSION  
Room 1116, Ninth Street Office Building  
Richmond, Virginia 23219

1. County Warren  
Town Front Royal  
Street No. E. Main St.

USGS Quad Name Front Royal  
Quad Date 1967  
Scale 7.5"

Original Owner  
Original Use  
Present Owner  
Present Owner Address

Present Use Store

2. Historic Name  
Present Name Royal Quality Shop  
Date or Period  
Architect  
Builder, craftsman, etc.

Source of Date

3. No. stories (dormers count as  $\frac{1}{2}$  story):

2 $\frac{1}{2}$

Wall construction: brick  
Acreage

4. Historical Significance (Chain of Title, Families and Events, etc., connected with the property):

5. Architectural Significance (Note interesting interior and exterior details, etc. cite significant alterations and additions).

Front left door arch; 2nd story windows; added dormer.  
Also note buildings on left: Trout Rexall Drugs, & Weaver's Store

6. Condition of structure (check one):

(a) sound X (b) in need of minor repairs \_\_\_\_\_ (c) in need of major repairs \_\_\_\_\_  
(d) unsound \_\_\_\_\_

7. State potential threats to preservation of structure:

none



8. List Number of Photographs 3 Exterior        Interior        Outbuildings       

9. Sources and Bibliography:

A. Published Sources (author, title, date, page number, etc.)

B. Primary Sources (original or later drawings, old photographs, pictures, manuscripts and their location)

C. Names and Addresses of People Interviewed.

10. Name, Address and Title of Recorder:

John V. Pearson, Jr., Area Rep., Luray, Va.

Date of Record 24 Dec 70

11. First Floor Plan (Rough Plan indicating arrangement of rooms, doorways, window on ground floor)

12. Site Plan (Locate and identify outbuildings, dependencies, and significant farm structures).



**BOARD OF ARCHITECTURAL REVIEW  
Town Hall Council Chambers  
Regular Meeting**

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com).

A regular meeting of the Board of Architectural Review of the Town of Front Royal, Virginia was held on December 13, 2022, in the Town Hall East Conference Room.

**CALL TO ORDER**

Chairman Waters called the Board of Architectural Review meeting to order at 7:02 p.m..

**ROLL CALL**

Present: Collin Waters, Chairman  
Holly Rhodenhizer, Vice Chairman  
Gary Vaughan  
Angela Toler  
Katherine Snyder

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Staff Present: Lauren Kopishke, Director of Planning & Zoning  
John Ware, Deputy Zoning Administrator  
Connie L. Potter, Clerk for the Board of Architectural Review

**APPROVAL OF MINUTES**

- November 8, 2022, Regular Meeting.

***Vice Chairman Rhodenhizer moved, seconded by Mr. Vaughan to approve the minutes of November 8, 2022.***

VOTE: Yes – Waters, Rhodenhizer, Vaughan, Toler, Snyder  
No – N/A  
Abstain – N/A  
Absent – N/A

VOICE VOTE

**PUBLIC HEARING**

- **Application # 2200483 – SEESUU, LLC.** This is an application for a Certificate of Appropriateness to demolish and remove a portion of a contributing structure on a property within the Town of Front Royal Historic District located at 131 E. Main Street. The property is zoned C-2, Downtown Business District, and is identified as Tax Map 20A7, Section 4, Parcel 37.

Mr. Ware reviewed the application request to demolish and remove a portion of a contributing structure within the Town of Front Royal Historic District located at 131 E. Main Street. The estimated date of construction of this building occurred in 1879 with the building being used as the Front Royal Methodist Church. The building includes three (3) types of masonry construction methods with the rear addition being brick veneer over concrete block. In 1908-1909 additions were added to the core unit of the church in the front and the rear. At this time the church space was converted into a commercial establishment offering stores, post office and a theater. As noted in the Historic Reconnaissance Survey the front addition is one of the most substantial and sophisticated downtown commercial designs. Prior to 1920 the terracotta hollow tile super structure was completed and was probably intended to be fireproof. The ribbing on the sides of the hollow clay tiles provided a gripping surface that aided both in bonding structural clay tile courses and also in bonding plaster or stucco used to cover the tiles on the building interior or exterior. These hollow clay tiles are not hard-fired and do not usually have a glazed, weather-resistant surface. Being exposed to rain and water the tiles will chip, scale, and deteriorate rapidly. The use of hollow clay tiles for construction projects began in the 1850's and began disappearing from common use as architectural components of construction as early as 1930. The tiles were light weight, went up quickly and cost less than other building materials. The tiles were used for their fire resistance, sound, and heat-loss properties. (*Encyclopedia of Building & Environmental Construction, Diagnosis, Maintenance & Repair.*)

Around 1950 the rear brick addition which may be brick veneer over concrete block was added to the structure which was used as apartments.

Mr. Ware presented pictures in a power point presentation showing portions of the clay tile having water intrusion and cracks in the seam on a portion of the building on the side as well as the front of the building.

The application also requests part of the roof to be removed in the center section and replace with like materials. The application request for demolition is for the terracotta block and the brick veneer in the very rear of the building. The demolition does not include the portion of the building where the church was located.

Staff finds the terracotta hollow tiles do not add any significant historical element to the main structure.

The applicant Gary Wayland explained the process he has gone through to get to this point and noted he has been working on this process for 3-4 years. Mr. Wayland said he has met with staff and various Boards on what he might be able to do with the building. He and those he has spoken



with have always expressed concern for parking if the building is made into apartments. When he first obtained the building he fixed the front part of the building where water was leaking in and destroying the inside of the building. His original intent was to have his business located in the building but has moved the business to Luray. Mr. Wayland stated he wants to do the best for the Town and the merchants; however, he needs to know what he can do with the structure.

Chairman Waters asked Mr. Wayland to explain his overall idea of what his vision was for the building and what maintenance has he done to the terracotta portion of the building.

Mr. Wayland said that until he knows what he can do he cannot move decide and move forward. He explained he could install 600 square foot dwelling units with the idea of catering to young professionals and people over 55 that want less maintenance. Have a concierge service to benefit the people living there and the community. If he is able to take the building up to 60' here could have a rooftop viewing area for the public to utilize. Mr. Wayland explained he has not done any maintenance to the terracotta portion of the building.

Chairman Waters asked if Mr. Wayland had brought in a structural engineer.

Mr. Wayland explained he does not want to bring in a structural engineer until he knows what he has the possibility of doing. He noted he is trying to preserve the most important part of the building.

Chairman Waters noted that he believes the terracotta has its own value and that as a Board they have to make sure all efforts have been exhausted to provide restoration vs. demolition to a historically significant structure. He would like to see a structural engineer report or any kind of a cost analysis between restoration vs. demolition.

Mr. Wayland expressed that from his perception the Board is to look at the application and say if it is historically significant and need to make sure it will be standing for the next thirty (30) years. He has to decide how much money he is going to put into the building or sell the building.

Chairman Waters opened the public hearing.

Keith Menefee, Downhome Comfort Bakery owner at 128 E. Main Street said he has family ties to the area and loves the history of Front Royal and Main Street. He wants the structure in the front to be maintained and feels it is still a structurally sound building. Mr. Menefee questioned what material would be used when reconstructing the portion of the building to be demolished. He expressed concern of parking availability if the building is made into apartments and if those apartments are constructed from shipping containers as he has heard was going to be done.

John Vander Wijst, Schewels store manager located at 125 E. Main Street. He expressed concern for the safety and maintenance of the building because their building is located next to the building in question. Mr. Vander Wijst also expressed concern for parking availability and their access to the back lot of his building.

Bill Barnett, 1115 Buck Mountain Road, Bentonville, VA. Mr. Barnett shared he had been working with Mr. Wayland on this project for the past 3-1/2 years and they have gotten nowhere. They have been through a number of town managers, planners, and directors. The building in question is a terracotta building and is empty all the way to the top and is functionally obsolete. He believes there could be something really nice at this location.

Suzanne Silek, 295 W. Main Street stated she was the former owner of 131 E. Main Street in the 1970s and 80s. Ms. Silek mentioned there was a grave still under a portion of the building, specifically “Mrs. Sumption” and possibly other graves. She spoke about the various uses in the building.

Ellen Aders, lives on E. Prospect Street and owns and works at 23 Church Street. The Murphy Theater building has been bringing people in the community together since the 1800s. People have worshiped there, watched a theater show, picked up mail, obtained news, and had lunch and coffee there. Over 100 years later we are still talking about the Murphy Theater building. Stories and history bring communities together and builds civic pride. She does not think that tearing down a portion of the building is the only option. From a website called Livingplaces.com which is a company that has done some historic research made the statement that “the most prominent example of historic adaptive reuse is the former Front Royal Methodist Church at 131 E. Main Street”. Someone outside our community recognizes all the different pieces of the building and the historical significance.

Barbara Samuels, 400 E. Jackson Street. Ms. Samuels expressed that if the door is opened for “train cars” how many other landlords and property owners on Main Street will be allowed to put “train cars” on their property. She is concerned this will set precedence.

Phil Foster, 130 E. Main Street has long family and personal ties to the downtown area. He does not want to see the structure overly changed. He is concerned of the number of units, parking, and aesthetic appeal. Mr. Foster said that Mr. Wayland had a whole lot of vision but no answers to the questions asked at the meeting. He does not want to see something torn down without a guarantee that something will be built back. If making a decision tonight he would like to see the Board either table the application for more information to be provided or vote no.

Lewis Moten, 1132 Kesler Road. Mr. Moten questioned how long it will take to have something built back once a portion of the structure is taken down. He noted he did not want to see “shipping containers” towering over Main Street but would like to see store fronts on the side of the building.

Millie Andrews rents 201 A&B E. Jackson Street where she runs an alteration shop. Ms. Andrews expressed that if the terracotta façade is the problem then why not renovate it if it is failing. As a business owner she expressed concern for the lack of parking.

Nina Thayer, co-owner of C&C Frozen Treats at 409 E. Main Street. As a business owner and owner on Main Street she is concerned on whether or not studies have been done to construct a sixty (60) dwelling unit apartment and can the existing pipes handle that much water and the

electric handle the usage. At 409 E. Main Street they have outages and if the usage on Main Street is going to be increased she is concerned about more outages.

William Huck, 409 E. Main Street and co-owner of C&C Frozen Treats. When renting his building he saw what needed to be done and started fixing it. They were then able to purchase the building and put their hard-earned money back into the building to provide a future for those that come after them. Without a structural engineer saying it needs to come down then it should not come down. At times though he feels a property owner should be able to do what they want to do with their own property. However, what an owner does to the property has to better themselves and the community.

David Silek, 165 Hickerson Hollow Road, Front Royal, VA, beneficiary of 217 E. Main Street. Mr. Silek said they sold the property at 131 E. Main Street in approximately 1992 when it then went into a state of deterioration. While attending this meeting he was made aware that the terracotta tile portion of the building was not supposed to be an exterior element or feature of the building. Terracotta does last a while but when exposed to the elements it does deteriorate as seen with water lines and pipes. The exterior walls are not designed to carry any weight in the middle of the building. Mr. Silek noted that if the building is unearthed the Town has a responsibility to have an archeological survey conducted to determine if there are bodies there. He expressed concern that there is no clear plan of what is going there if a portion of the building is demolished. Mr. Silek said a performance bond should be required of the owner/builder to assure compliance with the proffered conditions of what they want to do at the location. He expressed concern of the availability of parking and noted that it should also be addressed in the proffers.

Kerry Barnhart, owner of 122 and 205 E. Main Street, developer, President of Vibrissa Beer, and the Chair of the tourism committee Discover Front Royal. Ms. Barnhart explained that their buildings are historic, and they were required to submit a detailed site plan when wanting to do renovations and bring new life to the buildings. She does not understand why this applicant has not been required to submit a detailed site plan with what they propose doing with the building. Ms. Barnhart explained they went through the process the right way and noted they have won a Northern Virginia and DC American Institute of Architecture Award for urban catalyst and for restoration. When they presented their application and plans to the Board of Architectural Review they submitted an entire plan and did exactly what they said they were going to do. She would like to see this from any developer proposing changes to a historic structure and see a whole plan and make the changes in the context of the whole plan.

Brian Conley, 370 Wesley Lane, Bentonville, VA, owner of Turning Leaf Realty Group located at 28 E. Jackson Street. Mr. Conley expressed concern that the applicant is proposing a demolition without having a plan in place moving forward. He recommended that the Board of Architectural Review deny the application if there is no plan in place other than demolition.

Chairman Waters closed the public hearing.

Mr. Ware reiterated that the application is only for demolition of the rear section of the building from the terracotta block to the rear of the building. The building encompasses 90 some percent

of the lot. The building on Church Street all the way to the back is the property line. Going forward where it comes up to the terracotta next to Schewels it deviates off the building and runs with the Schewels property. There would be no encroachment on parking in the back. Properties on E. Main Street from S. Royal Avenue to the bridge at Happy Creek are exempt from meeting the parking requirements. Properties on E. Jackson Street from S. Royal to Church Street are exempt from the parking requirements. Mr. Ware mentioned again that the only application before the Board is for demolition. New construction or conversion of the existing structure, which is allowed by matter of right, would be brought back to the Board for approval with a separate application. In addition, it would require approval by the Planning Commission. He noted the Board can put conditions with the vote or table the decision.

Both Chairman Waters and Board members agreed they would like to see a structural engineer report submitted. Mr. Wayland said he was not willing to provide such a report because of the cost it would take without knowing what he is allowed to do moving forward and confirmed he had done zero maintenance to that portion of the building.

Board members went through a portion of the demolition review guidelines. Mr. Wayland was asked if he had done any stabilization to the building, and he answered he had not done any stabilization to the area of the building where the terracotta is located.

Mr. Barnett added that he had the building at 131 E. Main Street for sale for a time. Several people brought structural engineers in however he had not seen any reports. Every proposal they had to keep that section of the building would require them to cover the outside of the building with 1 or 2 inches of cementitious material, drill holes and pump it inside the terracotta.

***Chairman Waters moved, seconded by Ms. Snyder to deny the application because they do not have enough information to justify demolition.***

Ms. Kopishke explained the process if the Board wanted to table the application they could ask the applicant for additional information.

Chairman Waters asked Mr. Wayland if they tabled the application would he be willing to provide a structural engineer report and what was his justification for demolishing a portion of the building.

Mr. Wayland said it was for the benefit of the Town and working with the Town to put the best thing there that they possibly can.

Mr. Barnett expressed that they were following the process that was given to them by staff and were not trying to take shortcuts.

Mr. Wayland said he has no problem working with the Town management to do what is best for this space and that it is totally unutilized at this point.



Ms. Kopishke said that staff had tried to steer them in a way that gets the ball rolling. She explained the different options of moving forward and that staff felt the best first step was the demolition.

Mr. Wayland mentioned that he would not spend the money to demolish the building if something wasn't determined on how to move forward.

Board members and staff continued some discussion on the process moving forward with either denying, approving with conditions, or tabling the application. They also discussed stabilization of the front portion of the building if taking down the other portion of the building. Mr. Wayland said at that point he would bring in a structural engineer if granted demolition approval. He noted that if the application is denied for demolition he will sell the building.

Chairman Waters expressed they are not seeing any effort from the applicant to determine if the building needs demolition or that it can be preserved.

***Chairman Waters reiterated his motion to deny the application, seconded by Ms. Snyder.***

VOTE: Yes – Rhodenhizer, Toler, Snyder, Waters  
No – Vaughan  
Abstain – N/A  
Absent – N/A

ROLL CALL

#### **NEW BUSINESS**

There were no items for new business.

#### **OLD BUSINESS**

There were no items for old business.

#### **OTHER**

There were no additional comments.

#### **ADJOURNMENT**

***Chairman Waters moved, seconded by Mr. Vaughan to adjourn the meeting.***

VOTE: Yes – Vaughan, Snyder, Waters, Toler, Rhodenhizer  
No – N/A  
Abstain – N/A  
Absent – N/A

VOICE VOTE

The meeting adjourned at 8:37 p.m.

Approved by Board of Architectural Review  
Date: \_\_\_\_\_

Virginia:

IN THE COUNCIL OF THE TOWN OF FRONT ROYAL

IN THE MATTER OF

SEESUU, LLC. REQUEST TO  
DEMOLISH PARTS THE BUILDING  
LOCATED AT 131 E. MAIN STREET,  
FRONT ROYAL VA.

PETITION FOR APPEAL

---

This is a Petition for Appeal from a decision of the Board of Architectural Review under Section 175-94 of the Zoning Ordinance of the Code of the Town of Front Royal (1984), as amended.

1. Name of Petitioner: SEESUU, LLC.
2. Doing business as: SEESUU, LLC.  
131 East Main Street, Front Royal, Va.
3. Street address of property that is the subject of this appeal: Va.
4. Date the hearing before the Board of Architectural Review was held at which the decision being appealed was made: Dec. 13, 2022.
5. Description of the request for the Certificate of Appropriateness was sought from the Board of Architectural Review: SEESUU, LLC. was seeking to demolish the rear portion of the building located at 131 East Main Street. The proposed portion to be demolished is constructed of terra cotta tile and brick. The original church and façade addition fronting Main Street will be preserved. The proposed demolition would permit the reconstruction of the existing structure to a more useful and stable condition.
6. Grounds for the appeal: SEESUU, LLC. believes that the BAR made a hasty decision based on the limited information that they had at the time. SEESUU also believes that with additional pictures and communication that reversal or modification of their decision would be in the best interest of the Town of Front Royal.
7. Name, title, address and telephone number of person who will represent the Petitioner before Town Council. Gary Wayland  
Vice-President  
P. O. Box 317  
Front Royal, Va. (540)622-4711

WHEREFORE, your Petitioner requests that the action of the Board of Architectural Review be reversed or modified and that a Certificate of Appropriateness be granted.

Signature of owner:

Deesun LLC by Gary Walker

Signature of Petitioner's Representative:

Gary Walker

TO BE COMPLETED BY TOWN CLERK: (See Below)

Received by: Town Clerk out of office of 12/22/22

Date: \_\_\_\_\_

Red: 12/22/22  
J. Walker



## Council Consent Agenda Statement

Item # 10A

Meeting Date: January 23, 2023

---

**Agenda Item:** Purchase of Cab and Chassis for Public Works Department

**Summary:** Council is requested to approve the purchase of a one (1) Dump Truck Cab and Chassis from Excel Truck Group in the amount of \$91,025.00. This dump truck chassis will be used to perform road work and snow removal duties for the Public Works Department. If awarded by Council, the cab and chassis will be put on the build list for the second quarter of next year. The cab and chassis will then be sent to the manufacturer awarded for the stainless-steel dump body, hoist, and hydraulic system, to be installed.

**Budget/Funding:** 4500-47005 Highway Maintenance Motor Vehicles - \$91,025.00

**Meetings:** Work Session held January 9, 2023

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

**Proposed Motion:** I move that Council approve the purchase of a one (1) Dump Truck Cab and Chassis from Excel Truck Group in the amount of \$91,025.00 to be used in the Public Works Department.

---

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_



**Prepared for:**  
BJ Wilson  
FRONT ROYAL TOWN OF  
102 E MAIN ST

FRONT ROYAL, VA 22630  
Phone: 540-636-6889

**Prepared by:**  
Dan Smith  
V.T.C. FREIGHTLINER  
3243 LEE HIGHWAY  
WEYERS CAVE, VA 244860096  
Phone: 540-234-0999

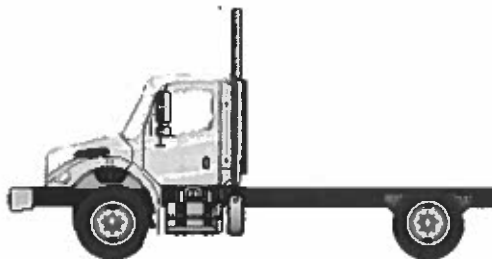
*A proposal for*  
**FRONT ROYAL TOWN OF**

*Prepared by*  
**Excel Truck Group**  
*Dan Smith*

*Dec 15, 2022*

**Freightliner M2 106**

VSA # 22-03-0721R



Components shown may not reflect all spec'd options and are not to scale

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## S P E C I F I C A T I O N   P R O P O S A L

| Data Code                    | Description                                                                                     | Weight<br>Front | Weight<br>Rear | Retail Price |
|------------------------------|-------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| <b>Price Level</b>           |                                                                                                 |                 |                |              |
| PRL-27M                      | M2 PRL-27M (EFF:MY24 ORDERS)                                                                    |                 |                | STD          |
| <b>Data Version</b>          |                                                                                                 |                 |                |              |
| DRL-023                      | SPECPRO21 DATA RELEASE VER 023                                                                  |                 |                | N/C          |
| <b>Vehicle Configuration</b> |                                                                                                 |                 |                |              |
| 001-172                      | M2 106 CONVENTIONAL CHASSIS                                                                     | 5,709           | 3,450          | \$105,355.00 |
| 004-224                      | 2024 MODEL YEAR SPECIFIED                                                                       |                 |                | STD          |
| 002-004                      | SET BACK AXLE - TRUCK                                                                           |                 |                | STD          |
| 019-001                      | TRAILER TOWING PROVISION AT END OF<br>FRAME FOR TRUCK                                           | 10              | 10             | \$1,027.00   |
| 003-001                      | LH PRIMARY STEERING LOCATION                                                                    |                 |                | STD          |
| <b>General Service</b>       |                                                                                                 |                 |                |              |
| AA1-003                      | TRUCK/TRAILER CONFIGURATION                                                                     |                 |                | N/C          |
| AA6-002                      | DOMICILED, USA (EXCLUDING CALIFORNIA AND<br>CARB OPT-IN STATES)                                 |                 |                | N/C          |
| A85-011                      | CONSTRUCTION SERVICE                                                                            |                 |                | N/C          |
| A84-1GM                      | GOVERNMENT BUSINESS SEGMENT                                                                     |                 |                | N/C          |
| AA4-003                      | DRY BULK COMMODITY                                                                              |                 |                | N/C          |
| AA5-002                      | TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN<br>TRANSIT, IS SPENT ON PAVED ROADS                    |                 |                | STD          |
| AB1-008                      | MAXIMUM 8% EXPECTED GRADE                                                                       |                 |                | STD          |
| AB5-001                      | SMOOTH CONCRETE OR ASPHALT PAVEMENT -<br>MOST SEVERE IN-TRANSIT (BETWEEN SITES)<br>ROAD SURFACE |                 |                | STD          |
| 995-091                      | MEDIUM TRUCK WARRANTY                                                                           |                 |                | STD          |
| A66-99D                      | EXPECTED FRONT AXLE(S) LOAD : 12000.0 lbs                                                       |                 |                |              |
| A68-99D                      | EXPECTED REAR DRIVE AXLE(S) LOAD :<br>21000.0 lbs                                               |                 |                |              |
| A63-99D                      | EXPECTED GROSS VEHICLE WEIGHT CAPACITY<br>: 33000.0 lbs                                         |                 |                |              |
| A70-99D                      | EXPECTED GROSS COMBINATION WEIGHT :<br>80000.0 lbs                                              |                 |                |              |



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| Data Code                    | Description                                                                          | Weight<br>Front | Weight<br>Rear | Retail Price |
|------------------------------|--------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| <b>Truck Service</b>         |                                                                                      |                 |                |              |
| AA3-004                      | END DUMP BODY                                                                        |                 |                | N/C          |
| AF3-1V4                      | GODWIN MANUFACTURING COMPANY                                                         |                 |                | N/C          |
| AF7-99D                      | EXPECTED BODY/PAYLOAD CG HEIGHT ABOVE<br>FRAME "XX" INCHES : 32.0 in                 |                 |                |              |
| <b>Engine</b>                |                                                                                      |                 |                |              |
| 101-3BN                      | CUM L9 300 HP @ 2200 RPM; 2200 GOV RPM,<br>860 LB-FT @ 1200 RPM                      | 640             | 30             | \$11,662.00  |
| <b>Electronic Parameters</b> |                                                                                      |                 |                |              |
| 79A-075                      | 75 MPH ROAD SPEED LIMIT                                                              |                 |                | N/C          |
| 79B-000                      | CRUISE CONTROL SPEED LIMIT SAME AS ROAD<br>SPEED LIMIT                               |                 |                | N/C          |
| 79M-001                      | PTO MODE BRAKE OVERRIDE - SERVICE<br>BRAKE APPLIED                                   |                 |                | N/C          |
| 79S-001                      | PTO MODE CANCEL VEHICLE SPEED - 5 MPH                                                |                 |                | N/C          |
| 79U-007                      | PTO GOVERNOR RAMP RATE - 250 RPM PER<br>SECOND                                       |                 |                | N/C          |
| 80G-002                      | PTO MINIMUM RPM - 700                                                                |                 |                | N/C          |
| 80J-002                      | REGEN INHIBIT SPEED THRESHOLD - 5 MPH                                                |                 |                | N/C          |
| <b>Engine Equipment</b>      |                                                                                      |                 |                |              |
| 99C-021                      | 2010 EPA/CARB/GHG21 CONFIGURATION                                                    |                 |                | STD          |
| 99D-010                      | NO 2008 CARB EMISSION CERTIFICATION                                                  |                 |                | N/C          |
| 13E-001                      | STANDARD OIL PAN                                                                     |                 |                | STD          |
| 105-001                      | ENGINE MOUNTED OIL CHECK AND FILL                                                    |                 |                | STD          |
| 014-099                      | SIDE OF HOOD AIR INTAKE WITH FIREWALL<br>MOUNTED DONALDSON AIR CLEANER               |                 |                | STD          |
| 124-1D7                      | DR 12V 160 AMP 28-SI QUADRAMOUNT PAD<br>ALTERNATOR WITH REMOTE BATTERY VOLT<br>SENSE |                 |                | STD          |
| 292-235                      | (2) DTNA GENUINE, FLOODED STARTING, MIN<br>2000CCA, 370RC, THREADED STUD BATTERIES   | 10              |                | \$13.00      |
| 290-017                      | BATTERY BOX FRAME MOUNTED                                                            |                 |                | STD          |
| 281-001                      | STANDARD BATTERY JUMPERS                                                             |                 |                | STD          |
| 282-001                      | SINGLE BATTERY BOX FRAME MOUNTED LH<br>SIDE UNDER CAB                                |                 |                | STD          |
| 291-017                      | WIRE GROUND RETURN FOR BATTERY CABLES<br>WITH ADDITIONAL FRAME GROUND RETURN         |                 |                | STD          |
| 289-001                      | NON-POLISHED BATTERY BOX COVER                                                       |                 |                | STD          |
| 87P-001                      | CAB AUXILIARY POWER CABLE                                                            | 5               |                | N/C          |

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| Data Code | Description                                                                                                         | Weight Front | Weight Rear | Retail Price |
|-----------|---------------------------------------------------------------------------------------------------------------------|--------------|-------------|--------------|
| 293-058   | POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT                               | 2            |             | \$206.00     |
| 295-029   | POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER                                          | 2            |             | \$88.00      |
| 107-032   | CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE                                             |              |             | STD          |
| 108-002   | STANDARD MECHANICAL AIR COMPRESSOR GOVERNOR                                                                         |              |             | STD          |
| 131-013   | AIR COMPRESSOR DISCHARGE LINE                                                                                       |              |             | STD          |
| 152-041   | ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM                                                               |              |             | STD          |
| 128-076   | CUMMINS ENGINE INTEGRAL BRAKE WITH VARIABLE GEOMETRY TURBO ON/OFF                                                   | 20           |             | N/C          |
| 016-1C2   | RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH B-PILLAR MOUNTED VERTICAL TAILPIPE | 30           | 25          | \$823.00     |
| 28F-002   | ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND DASH MOUNTED REGENERATION REQUEST SWITCH     |              |             | STD          |
| 239-038   | 11 FOOT 06 INCH (138 INCH+0/-5.9 INCH) EXHAUST SYSTEM HEIGHT                                                        |              |             | N/C          |
| 237-1CR   | RH CURVED VERTICAL TAILPIPE B-PILLAR MOUNTED ROUTED FROM STEP                                                       |              |             | N/C          |
| 23U-001   | 6 GALLON DIESEL EXHAUST FLUID TANK                                                                                  |              |             | STD          |
| 30N-003   | 100 PERCENT DIESEL EXHAUST FLUID FILL                                                                               |              |             | STD          |
| 43X-002   | LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION                                                          |              |             | STD          |
| 23Y-001   | STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING                                                                         |              |             | STD          |
| 43Y-001   | STANDARD DIESEL EXHAUST FLUID TANK CAP                                                                              |              |             | STD          |
| 242-011   | ALUMINUM AFTERTREATMENT DEVICE/MUFFLER/TAILOPIPE SHIELD(S)                                                          |              |             | N/C          |
| 273-058   | AIR POWERED ON/OFF ENGINE FAN CLUTCH                                                                                |              |             | STD          |
| 276-002   | AUTOMATIC FAN CONTROL WITH DASH SWITCH AND INDICATOR LIGHT, NON ENGINE MOUNTED                                      |              |             | \$10.00      |
| 110-003   | CUMMINS SPIN ON FUEL FILTER                                                                                         |              |             | STD          |
| 118-008   | COMBINATION FULL FLOW/BYPASS OIL FILTER                                                                             |              |             | N/C          |
| 266-013   | 1100 SQUARE INCH ALUMINUM RADIATOR                                                                                  | 70           |             | N/C          |
| 103-039   | ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT                                           |              |             | STD          |



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| Data Code | Description                                               | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|-----------------------------------------------------------|-----------------|----------------|--------------|
| 171-007   | GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT             |                 |                | STD          |
| 172-001   | CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES            |                 |                | STD          |
| 270-016   | RADIATOR DRAIN VALVE                                      |                 |                | STD          |
| 168-002   | LOWER RADIATOR GUARD                                      |                 |                | STD          |
| 138-011   | PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK HEATER            | 4               |                | \$92.00      |
| 140-022   | CHROME ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR     |                 |                | \$6.00       |
| 134-001   | ALUMINUM FLYWHEEL HOUSING                                 |                 |                | STD          |
| 132-004   | ELECTRIC GRID AIR INTAKE WARMER                           |                 |                | STD          |
| 155-058   | DELCO 12V 38MT HD STARTER WITH INTEGRATED MAGNETIC SWITCH |                 |                | N/C          |

#### Transmission

|         |                                                            |     |    |            |
|---------|------------------------------------------------------------|-----|----|------------|
| 342-584 | ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION | 200 | 60 | \$6,711.00 |
|---------|------------------------------------------------------------|-----|----|------------|

#### Transmission Equipment

|         |                                                                                                                     |  |  |     |
|---------|---------------------------------------------------------------------------------------------------------------------|--|--|-----|
| 343-339 | ALLISON VOCATIONAL PACKAGE 223 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODELS RDS, HS, MH AND TRV |  |  | N/C |
| 84B-012 | ALLISON VOCATIONAL RATING FOR ON/OFF HIGHWAY APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES                       |  |  | N/C |
| 84C-023 | PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY      |  |  | N/C |
| 84D-023 | SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY    |  |  | N/C |
| 84E-000 | PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE                 |  |  | STD |
| 84F-000 | SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE               |  |  | STD |
| 84G-000 | PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE                    |  |  | STD |
| 84H-000 | SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE                  |  |  | STD |

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| Data Code | Description                                                                                                                  | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 84J-000   | ENGINE BRAKE RANGE PRESELECT<br>RECOMMENDED BY DTNA AND ALLISON, THIS<br>DEFINED BY ENGINE AND VOCATIONAL USAGE              |                 |                | STD          |
| 84K-000   | ENGINE BRAKE RANGE ALTERNATE<br>PRESELECT RECOMMENDED BY DTNA AND<br>ALLISON, THIS DEFINED BY ENGINE AND<br>VOCATIONAL USAGE |                 |                | STD          |
| 84N-200   | FUEL SENSE 2.0 DISABLED - PERFORMANCE -<br>TABLE BASED                                                                       |                 |                | STD          |
| 84U-000   | DRIVER SWITCH INPUT - DEFAULT - NO<br>SWITCHES                                                                               |                 |                | STD          |
| 353-022   | VEHICLE INTERFACE WIRING CONNECTOR<br>WITHOUT BLUNT CUTS, AT BACK OF CAB                                                     |                 |                | \$49.00      |
| 34C-001   | ELECTRONIC TRANSMISSION CUSTOMER<br>ACCESS CONNECTOR FIREWALL MOUNTED                                                        |                 |                | \$23.00      |
| 362-818   | CUSTOMER INSTALLED CHELSEA 870 SERIES<br>PTO                                                                                 |                 |                | N/C          |
| 363-002   | PTO MOUNTING, RH SIDE OF MAIN<br>TRANSMISSION ALLISON & EATON FULLER                                                         |                 |                | N/C          |
| 341-018   | MAGNETIC PLUGS, ENGINE DRAIN,<br>TRANSMISSION DRAIN, AXLE(S) FILL AND<br>DRAIN                                               |                 |                | STD          |
| 345-003   | PUSH BUTTON ELECTRONIC SHIFT CONTROL,<br>DASH MOUNTED                                                                        |                 |                | N/C          |
| 97G-004   | TRANSMISSION PROGNOSTICS - ENABLED 2013                                                                                      |                 |                | N/C          |
| 370-015   | WATER TO OIL TRANSMISSION COOLER, IN<br>RADIATOR END TANK                                                                    |                 |                | STD          |
| 346-003   | TRANSMISSION OIL CHECK AND FILL WITH<br>ELECTRONIC OIL LEVEL CHECK                                                           |                 |                | N/C          |
| 35T-001   | SYNTHETIC TRANSMISSION FLUID (TES-295<br>COMPLIANT)                                                                          |                 |                | STD          |

#### Front Axle and Equipment

|         |                                                                         |  |  |     |
|---------|-------------------------------------------------------------------------|--|--|-----|
| 400-1A6 | DETROIT DA-F-12.0-3 12,000# FF1 71.5 KPI/3.74<br>DROP SINGLE FRONT AXLE |  |  | STD |
| 402-020 | MERITOR 15X4 Q+ CAM FRONT BRAKES                                        |  |  | STD |
| 403-002 | NON-ASBESTOS FRONT BRAKE LINING                                         |  |  | STD |
| 419-001 | CAST IRON OUTBOARD FRONT BRAKE DRUMS                                    |  |  | STD |
| 409-006 | FRONT OIL SEALS                                                         |  |  | STD |
| 408-001 | VENTED FRONT HUB CAPS WITH WINDOW,<br>CENTER AND SIDE PLUGS - OIL       |  |  | STD |
| 416-022 | STANDARD SPINDLE NUTS FOR ALL AXLES                                     |  |  | STD |
| 405-002 | MERITOR AUTOMATIC FRONT SLACK<br>ADJUSTERS                              |  |  | STD |
| 536-050 | TRW THP-60 POWER STEERING                                               |  |  | STD |

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| Data Code                      | Description                                                                                     | Weight<br>Front | Weight<br>Rear | Retail Price |
|--------------------------------|-------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 539-003                        | POWER STEERING PUMP                                                                             |                 |                | STD          |
| 534-015                        | 2 QUART SEE THROUGH POWER STEERING<br>RESERVOIR                                                 |                 |                | STD          |
| 40T-001                        | MINERAL SAE 80/90 FRONT AXLE LUBE                                                               |                 |                | STD          |
| <b>Front Suspension</b>        |                                                                                                 |                 |                |              |
| 620-1D8                        | 13,300# TAPERLEAF FRONT SUSPENSION                                                              | 75              |                | \$313.00     |
| 619-005                        | MAINTENANCE FREE RUBBER BUSHINGS -<br>FRONT SUSPENSION                                          |                 |                | STD          |
| 410-001                        | FRONT SHOCK ABSORBERS                                                                           |                 |                | STD          |
| <b>Rear Axle and Equipment</b> |                                                                                                 |                 |                |              |
| 420-009                        | RS-21-160 21,000# R-SERIES SINGLE REAR<br>AXLE                                                  |                 | 180            | \$976.00     |
| 421-538                        | 5.38 REAR AXLE RATIO                                                                            |                 |                | N/C          |
| 424-001                        | IRON REAR AXLE CARRIER WITH STANDARD<br>AXLE HOUSING                                            |                 |                | STD          |
| 386-073                        | MXL 17T MERITOR EXTENDED LUBE MAIN<br>DRIVELINE WITH HALF ROUND YOKES                           | -20             | -20            | (\$421.00)   |
| 452-001                        | DRIVER CONTROLLED TRACTION<br>DIFFERENTIAL - SINGLE REAR AXLE                                   |                 | 20             | \$734.00     |
| 878-018                        | (1) DRIVER CONTROLLED DIFFERENTIAL LOCK<br>REAR VALVE FOR SINGLE DRIVE AXLE                     |                 |                | N/C          |
| 878-004                        | BLINKING LAMP WITH EACH MODE SWITCH,<br>DIFFERENTIAL UNLOCK WITH IGNITION OFF,<br>ACTIVE <5 MPH |                 |                | N/C          |
| 423-020                        | MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR<br>BRAKES, DOUBLE ANCHOR, FABRICATED<br>SHOES            |                 |                | STD          |
| 433-002                        | NON-ASBESTOS REAR BRAKE LINING                                                                  |                 |                | STD          |
| 434-012                        | BRAKE CAMS AND CHAMBERS ON REAR SIDE<br>OF DRIVE AXLE(S)                                        |                 |                | N/C          |
| 451-001                        | CAST IRON OUTBOARD REAR BRAKE DRUMS                                                             |                 |                | STD          |
| 440-006                        | REAR OIL SEALS                                                                                  |                 |                | STD          |
| 426-100                        | WABCO TRISTOP D LONGSTROKE 1-DRIVE<br>AXLE SPRING PARKING CHAMBERS                              |                 |                | STD          |
| 428-002                        | MERITOR AUTOMATIC REAR SLACK<br>ADJUSTERS                                                       |                 |                | STD          |
| 41T-002                        | CURRENT AVAILABLE SYNTHETIC 75W-90 REAR<br>AXLE LUBE                                            |                 |                | STD          |
| <b>Rear Suspension</b>         |                                                                                                 |                 |                |              |
| 622-003                        | 23,000# FLAT LEAF SPRING REAR SUSPENSION<br>WITH HELPER AND RADIUS ROD                          |                 | 120            | (\$1,145.00) |
| 621-001                        | SPRING SUSPENSION - NO AXLE SPACERS                                                             |                 |                | N/C          |

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3243 LEE HIGHWAY  
WEYERS CAVE, VA 244860096  
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| Data Code                    | Description                                                                                        | Weight<br>Front | Weight<br>Rear | Retail Price |
|------------------------------|----------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 431-001                      | STANDARD AXLE SEATS IN AXLE CLAMP GROUP                                                            |                 |                | N/C          |
| 623-005                      | FORE/AFT CONTROL RODS                                                                              |                 |                | N/C          |
| <b>Brake System</b>          |                                                                                                    |                 |                |              |
| 018-002                      | AIR BRAKE PACKAGE                                                                                  |                 |                | STD          |
| 490-100                      | WABCO 4S/4M ABS                                                                                    |                 |                | N/C          |
| 871-001                      | REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES                                    |                 |                | STD          |
| 904-001                      | FIBER BRAID PARKING BRAKE HOSE                                                                     |                 |                | STD          |
| 412-001                      | STANDARD BRAKE SYSTEM VALVES                                                                       |                 |                | STD          |
| 46D-002                      | STANDARD AIR SYSTEM PRESSURE PROTECTION SYSTEM                                                     |                 |                | STD          |
| 413-002                      | STD U.S. FRONT BRAKE VALVE                                                                         |                 |                | STD          |
| 432-003                      | RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE                               |                 |                | STD          |
| 480-088                      | WABCO SYSTEM SAVER HP WITH INTEGRAL AIR GOVERNOR AND HEATER                                        |                 |                | STD          |
| 479-015                      | AIR DRYER FRAME MOUNTED                                                                            |                 |                | STD          |
| 460-001                      | STEEL AIR BRAKE RESERVOIRS                                                                         |                 |                | STD          |
| 477-001                      | PULL CABLE ON WET TANK, PETCOCK DRAIN VALVES ON ALL OTHER AIR TANKS                                |                 |                | STD          |
| <b>Trailer Connections</b>   |                                                                                                    |                 |                |              |
| 914-001                      | AIR CONNECTIONS TO END OF FRAME WITH GLAD HANDS FOR TRUCK AND NO DUST COVERS                       |                 |                | N/C          |
| 296-010                      | PRIMARY CONNECTOR/RECEPTACLE WIRED FOR SEPARATE STOP/TURN, ABS CENTER PIN POWERED THROUGH IGNITION |                 |                | N/C          |
| 297-001                      | SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME                               |                 |                | N/C          |
| 335-004                      | UPGRADED CHASSIS MULTIPLEXING UNIT                                                                 |                 |                | N/C          |
| 32A-002                      | UPGRADED BULKHEAD MULTIPLEXING UNIT                                                                |                 |                | N/C          |
| <b>Wheelbase &amp; Frame</b> |                                                                                                    |                 |                |              |
| 545-387                      | 3875MM (153 INCH) WHEELBASE                                                                        |                 |                | N/C          |
| 546-099                      | 9/32X3-7/16X10-1/16 INCH STEEL FRAME (7.14MMX255.6MM/0.281X10.06 INCH) 120KSI                      | -170            | 40             | (\$89.00)    |
| 552-030                      | 1600MM (63 INCH) REAR FRAME OVERHANG                                                               |                 |                | STD          |
| 55W-006                      | FRAME OVERHANG RANGE: 61 INCH TO 70 INCH                                                           |                 |                | N/C          |
| 549-093                      | 8 INCH BOLT ON FRONT FRAME EXTENSION                                                               | 55              |                | \$607.00     |
| AC8-99D                      | CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 87.01 in                                                |                 |                |              |



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| Data Code                | Description                                                                  | Weight<br>Front | Weight<br>Rear | Retail Price |
|--------------------------|------------------------------------------------------------------------------|-----------------|----------------|--------------|
| AE8-99D                  | CALCULATED EFFECTIVE BACK OF CAB TO<br>REAR SUSPENSION C/L (CA) : 84.01 in   |                 |                |              |
| AE4-99D                  | CALC'D FRAME LENGTH - OVERALL : 244.94 in                                    |                 |                |              |
| FSS-0LH                  | CALCULATED FRAME SPACE LH SIDE : 52.29 in                                    |                 |                | N/C          |
| FSS-0RH                  | CALCULATED FRAME SPACE RH SIDE : 34.58 in                                    |                 |                | N/C          |
| 553-001                  | SQUARE END OF FRAME                                                          |                 |                | STD          |
| 550-001                  | FRONT CLOSING CROSSMEMBER                                                    |                 |                | STD          |
| 559-001                  | STANDARD WEIGHT ENGINE CROSSMEMBER                                           |                 |                | STD          |
| 561-001                  | STANDARD CROSSMEMBER BACK OF<br>TRANSMISSION                                 |                 |                | STD          |
| 562-001                  | STANDARD MIDSHIP #1 CROSSMEMBER(S)                                           |                 |                | STD          |
| 572-001                  | STANDARD REARMOST CROSSMEMBER                                                |                 |                | STD          |
| 565-001                  | STANDARD SUSPENSION CROSSMEMBER                                              |                 |                | STD          |
| <b>Chassis Equipment</b> |                                                                              |                 |                |              |
| 556-1AP                  | THREE-PIECE 14 INCH PAINTED STEEL<br>BUMPER WITH COLLAPSIBLE ENDS            | 30              |                | \$65.00      |
| 558-001                  | FRONT TOW HOOKS - FRAME MOUNTED                                              | 15              |                | \$74.00      |
| 574-001                  | BUMPER MOUNTING FOR SINGLE LICENSE<br>PLATE                                  |                 |                | N/C          |
| 586-024                  | FENDER AND FRONT OF HOOD MOUNTED<br>FRONT MUDFLAPS                           |                 |                | STD          |
| 551-007                  | GRADE 8 THREADED HEX HEADED FRAME<br>FASTENERS                               |                 |                | STD          |
| <b>Fuel Tanks</b>        |                                                                              |                 |                |              |
| 204-215                  | 50 GALLON/189 LITER SHORT RECTANGULAR<br>ALUMINUM FUEL TANK - LH             | 20              |                | \$348.00     |
| 218-005                  | RECTANGULAR FUEL TANK(S)                                                     |                 |                | STD          |
| 215-005                  | PLAIN ALUMINUM/PAINTED STEEL<br>FUEL/HYDRAULIC TANK(S) WITH PAINTED<br>BANDS |                 |                | STD          |
| 212-007                  | FUEL TANK(S) FORWARD                                                         |                 |                | STD          |
| 664-001                  | PLAIN STEP FINISH                                                            |                 |                | STD          |
| 205-001                  | FUEL TANK CAP(S)                                                             |                 |                | STD          |
| 122-1H3                  | DETROIT FUEL/WATER SEPARATOR WITH<br>WATER IN FUEL SENSOR                    | -5              |                | N/C          |
| 216-020                  | EQUIFLO INBOARD FUEL SYSTEM                                                  |                 |                | STD          |
| 202-016                  | HIGH TEMPERATURE REINFORCED NYLON<br>FUEL LINE                               |                 |                | STD          |
| <b>Tires</b>             |                                                                              |                 |                |              |
| 093-12C                  | HANKOOK AL21 11R22.5 14 PLY RADIAL FRONT<br>TIRES                            | 12              |                | (\$426.00)   |

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|---------------------|-----------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 094-2EU             | HANKOOK DH06 11R22.5 14 PLY RADIAL REAR TIRES                                           |                 | 64             | (\$824.00)   |
| <b>Hubs</b>         |                                                                                         |                 |                |              |
| 418-060             | CONMET PRESET PLUS PREMIUM IRON FRONT HUBS                                              |                 |                | STD          |
| 450-060             | CONMET PRESET PLUS PREMIUM IRON REAR HUBS                                               |                 |                | STD          |
| <b>Wheels</b>       |                                                                                         |                 |                |              |
| 502-545             | MAXION WHEELS 90260 22.5X8.25 10-HUB PILOT 6.13 INSET 2-HAND HD STEEL DISC FRONT WHEELS | 40              |                | \$74.00      |
| 505-753             | MAXION WHEELS 91262 22.5X8.25 10-HUB PILOT 5-HAND STEEL DISC REAR WHEELS                |                 | 20             | (\$8.00)     |
| 496-011             | FRONT WHEEL MOUNTING NUTS                                                               |                 |                | STD          |
| 497-011             | REAR WHEEL MOUNTING NUTS                                                                |                 |                | STD          |
| <b>Cab Exterior</b> |                                                                                         |                 |                |              |
| 829-071             | 106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB                                        |                 |                | STD          |
| 650-003             | LEAF SPRING REAR CAB SUSPENSION                                                         |                 |                | \$232.00     |
| 678-001             | LH AND RH GRAB HANDLES                                                                  |                 |                | STD          |
| 646-011             | STATIONARY PAINTED FULL GRILLE FOR CHASSIS WITHOUT INTEGRAL FRONT FRAME EXTENSIONS      | 10              |                | \$352.00     |
| 65X-001             | ARGENT SILVER HOOD MOUNTED AIR INTAKE GRILLE                                            |                 |                | N/C          |
| 644-004             | FIBERGLASS HOOD                                                                         |                 |                | STD          |
| 690-017             | HOOD LINER, ADDED FIREWALL AND FLOOR HEAT INSULATION                                    | 5               |                | \$190.00     |
| 727-1AF             | SINGLE 14 INCH ROUND HADLEY AIR HORN UNDER LH DECK                                      | 4               |                | \$82.00      |
| 726-001             | SINGLE ELECTRIC HORN                                                                    |                 |                | STD          |
| 728-001             | SINGLE HORN SHIELD                                                                      |                 |                | N/C          |
| 575-001             | REAR LICENSE PLATE MOUNT END OF FRAME                                                   |                 |                | STD          |
| 312-093             | INTERGRAL LED HEADLIGHTS; NON-COMPLIANT WITH FMVSS 108 HEADLIGHT HEIGHT REQUIREMENT     |                 |                | \$930.00     |
| 302-047             | LED AERODYNAMIC MARKER LIGHTS                                                           |                 |                | \$34.00      |
| 294-001             | INTEGRAL STOP/TAIL/BACKUP LIGHTS                                                        |                 |                | STD          |
| 300-015             | STANDARD FRONT TURN SIGNAL LAMPS                                                        |                 |                | STD          |
| 744-1BC             | DUAL WEST COAST BRIGHT FINISH HEATED MIRRORS WITH LH AND RH REMOTE                      |                 |                | \$286.00     |
| 797-001             | DOOR MOUNTED MIRRORS                                                                    |                 |                | STD          |

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| Data Code | Description                                                                             | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|-----------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 796-001   | 102 INCH EQUIPMENT WIDTH                                                                |                 |                | STD          |
| 743-204   | LH AND RH 8 INCH BRIGHT FINISH CONVEX<br>MIRRORS MOUNTED UNDER PRIMARY<br>MIRRORS       |                 |                | N/C          |
| 729-001   | STANDARD SIDE/REAR REFLECTORS                                                           |                 |                | STD          |
| 677-054   | RH AFTERTREATMENT SYSTEM CAB ACCESS<br>WITH PLAIN DIAMOND PLATE COVER                   |                 |                | \$70.00      |
| 768-043   | 63X14 INCH TINTED REAR WINDOW                                                           |                 |                | STD          |
| 661-003   | TINTED DOOR GLASS LH AND RH WITH TINTED<br>NON-OPERATING WING WINDOWS                   |                 |                | STD          |
| 654-011   | RH AND LH ELECTRIC POWERED WINDOWS                                                      | 4               |                | \$218.00     |
| 663-013   | 1-PIECE SOLAR GREEN GLASS WINDSHIELD                                                    |                 |                | STD          |
| 659-019   | 2 GALLON WINDSHIELD WASHER RESERVOIR<br>WITHOUT FLUID LEVEL INDICATOR, FRAME<br>MOUNTED |                 |                | STD          |

#### Cab Interior

|         |                                                                                    |  |  |          |
|---------|------------------------------------------------------------------------------------|--|--|----------|
| 707-1AM | OPAL GRAY CLOTH INTERIOR                                                           |  |  | STD      |
| 706-013 | MOLDED PLASTIC DOOR PANEL                                                          |  |  | STD      |
| 708-013 | MOLDED PLASTIC DOOR PANEL                                                          |  |  | STD      |
| 772-006 | BLACK MATS WITH SINGLE INSULATION                                                  |  |  | STD      |
| 785-001 | DASH MOUNTED ASH TRAYS AND LIGHTER                                                 |  |  | \$13.00  |
| 691-008 | FORWARD ROOF MOUNTED CONSOLE WITH<br>UPPER STORAGE COMPARTMENTS WITHOUT<br>NETTING |  |  | STD      |
| 742-007 | (2) CUP HOLDERS LH AND RH DASH                                                     |  |  | STD      |
| 680-007 | GRAY/CHARCOAL WING DASH                                                            |  |  | \$357.00 |
| 860-004 | SMART SWITCH EXPANSION MODULE                                                      |  |  | \$198.00 |
| 700-002 | HEATER, DEFROSTER AND AIR CONDITIONER                                              |  |  | STD      |
| 701-001 | STANDARD HVAC DUCTING                                                              |  |  | STD      |
| 703-005 | MAIN HVAC CONTROLS WITH RECIRCULATION<br>SWITCH                                    |  |  | STD      |
| 170-015 | STANDARD HEATER PLUMBING                                                           |  |  | STD      |
| 130-041 | VALEO HEAVY DUTY A/C REFRIGERANT<br>COMPRESSOR                                     |  |  | STD      |
| 702-002 | BINARY CONTROL, R-134A                                                             |  |  | STD      |
| 739-034 | PREMIUM INSULATION                                                                 |  |  | \$187.00 |
| 285-013 | SOLID-STATE CIRCUIT PROTECTION AND<br>FUSES                                        |  |  | STD      |
| 280-007 | 12V NEGATIVE GROUND ELECTRICAL SYSTEM                                              |  |  | STD      |
| 324-011 | DOME DOOR ACTIVATED LH AND RH, DUAL<br>READING LIGHTS, FORWARD CAB ROOF            |  |  | N/C      |

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| Data Code | Description                                                                                                               | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|---------------------------------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 657-001   | DOOR LOCKS AND IGNITION SWITCH KEYED<br>THE SAME                                                                          |                 |                | STD          |
| 78G-003   | KEY QUANTITY OF 3                                                                                                         |                 |                | \$9.00       |
| 655-005   | LH AND RH ELECTRIC DOOR LOCKS                                                                                             |                 |                | \$99.00      |
| 284-124   | (1) DUAL 2.1 AMP USB CHARGERS IN DASH                                                                                     |                 |                | \$92.00      |
| 756-338   | BASIC ISRINGHAUSEN HIGH BACK AIR<br>SUSPENSION DRIVERS SEAT WITH<br>MECHANICAL LUMBAR AND INTEGRATED<br>CUSHION EXTENSION | 30              |                | \$167.00     |
| 760-337   | BASIC ISRINGHAUSEN HIGH BACK NON<br>SUSPENSION TOOL BOX PASSENGER SEAT                                                    |                 |                | \$236.00     |
| 711-004   | LH AND RH INTEGRAL DOOR PANEL ARMRESTS                                                                                    |                 |                | STD          |
| 758-036   | VINYL WITH VINYL INSERT DRIVER SEAT                                                                                       |                 |                | STD          |
| 761-036   | VINYL WITH VINYL INSERT PASSENGER SEAT                                                                                    |                 |                | STD          |
| 763-101   | BLACK SEAT BELTS                                                                                                          |                 |                | STD          |
| 532-002   | ADJUSTABLE TILT AND TELESCOPING<br>STEERING COLUMN                                                                        | 10              |                | \$478.00     |
| 540-015   | 4-SPOKE 18 INCH (450MM) STEERING WHEEL                                                                                    |                 |                | STD          |
| 765-002   | DRIVER AND PASSENGER INTERIOR SUN<br>VISORS                                                                               |                 |                | STD          |

#### Instruments & Controls

|         |                                                                                                    |  |  |     |
|---------|----------------------------------------------------------------------------------------------------|--|--|-----|
| 732-004 | GRAY DRIVER INSTRUMENT PANEL                                                                       |  |  | STD |
| 734-004 | GRAY CENTER INSTRUMENT PANEL                                                                       |  |  | STD |
| 87L-001 | ENGINE REMOTE INTERFACE WITH PARK<br>BRAKE INTERLOCK                                               |  |  | N/C |
| 870-001 | BLACK GAUGE BEZELS                                                                                 |  |  | STD |
| 486-001 | LOW AIR PRESSURE INDICATOR LIGHT AND<br>AUDIBLE ALARM                                              |  |  | STD |
| 840-002 | 2 INCH PRIMARY AND SECONDARY AIR<br>PRESSURE GAUGES                                                |  |  | STD |
| 198-025 | INTAKE MOUNTED AIR RESTRICTION<br>INDICATOR WITHOUT GRADUATIONS                                    |  |  | STD |
| 149-017 | ELECTRONIC CRUISE CONTROL WITH<br>SWITCHES ON AUXILIARY GAUGE PANEL (B<br>DASH PANEL)              |  |  | N/C |
| 156-007 | KEY OPERATED IGNITION SWITCH AND<br>INTEGRAL START POSITION; 4 POSITION<br>OFF/RUN/START/ACCESSORY |  |  | STD |
| 811-042 | ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28<br>LED WARNING LAMPS AND DATA LINKED                    |  |  | STD |
| 160-038 | HEAVY DUTY ONBOARD DIAGNOSTICS<br>INTERFACE CONNECTOR LOCATED BELOW LH<br>DASH                     |  |  | STD |
| 844-001 | 2 INCH ELECTRIC FUEL GAUGE                                                                         |  |  | STD |





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| Data Code | Description                                                                                                                    | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|--------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 148-070   | ENGINE REMOTE INTERFACE WITH PRESET FAST IDLE                                                                                  |                 |                | \$88.00      |
| 163-001   | ENGINE REMOTE INTERFACE CONNECTOR AT BACK OF CAB                                                                               |                 |                | N/C          |
| 856-001   | ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE                                                                                    |                 |                | STD          |
| 864-001   | 2 INCH TRANSMISSION OIL TEMPERATURE GAUGE                                                                                      |                 |                | STD          |
| 830-017   | ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY                                                                     |                 |                | STD          |
| 372-036   | (1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP - PARK BRAKE INTERLOCK                                                         | 10              |                | \$61.00      |
| 852-002   | ELECTRIC ENGINE OIL PRESSURE GAUGE                                                                                             |                 |                | STD          |
| 679-001   | OVERHEAD INSTRUMENT PANEL                                                                                                      |                 |                | N/C          |
| 786-113   | GENERIC TELEMATICS PREWIRE (CONSTANT BATTERY POWER/IGNITION/GROUND/J1939); RP1226 TYPE CONNECTOR AT PASSENGER SIDE OF DASH END |                 |                | \$34.00      |
| 746-137   | AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH, USB AND AUXILIARY INPUTS, J1939                                                     | 10              |                | \$490.00     |
| 747-001   | DASH MOUNTED RADIO                                                                                                             |                 |                | N/C          |
| 750-002   | (2) RADIO SPEAKERS IN CAB                                                                                                      |                 |                | N/C          |
| 753-001   | AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF                                                                                       |                 |                | \$47.00      |
| 810-027   | ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER                                                          |                 |                | STD          |
| 817-001   | STANDARD VEHICLE SPEED SENSOR                                                                                                  |                 |                | STD          |
| 812-001   | ELECTRONIC 3000 RPM TACHOMETER                                                                                                 |                 |                | STD          |
| 162-011   | IDLE LIMITER, ELECTRONIC ENGINE                                                                                                |                 |                | STD          |
| 329-012   | FOUR ON/OFF ROCKER SWITCHES IN THE DASH WITH INDICATOR LIGHTS AND WIRE ROUTED TO CHASSIS AT BACK OF CAB, LABEL OPT             |                 |                | \$98.00      |
| 482-001   | BW TRACTOR PROTECTION VALVE                                                                                                    |                 |                | N/C          |
| 883-001   | TRAILER HAND CONTROL BRAKE VALVE                                                                                               |                 |                | N/C          |
| 836-015   | DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY                                                                           |                 |                | STD          |
| 660-008   | SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY                                                                              |                 |                | STD          |

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| Data Code | Description                                                                                                                                               | Weight<br>Front | Weight<br>Rear | Retail Price |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------|--------------|
| 304-038   | MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH AND SINGLE CONNECTOR AND SWITCH FOR CUSTOMER FURNISHED SNOW PLOW LIGHTS, LOW BEAMS OFF WITH HIGH BEAMS |                 |                | \$146.00     |
| 882-004   | TWO VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR                                                                                                     |                 |                | N/C          |
| 299-013   | SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE                                                                          |                 |                | STD          |
| 298-039   | INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS                                                                           |                 |                | STD          |

#### Design

|         |                        |  |  |     |
|---------|------------------------|--|--|-----|
| 065-000 | PAINT: ONE SOLID COLOR |  |  | STD |
|---------|------------------------|--|--|-----|

#### Color

|         |                                                         |  |  |         |
|---------|---------------------------------------------------------|--|--|---------|
| 980-5F6 | CAB COLOR A: L0006EY WHITE ELITE EY                     |  |  | STD     |
| 986-020 | BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT           |  |  | STD     |
| 962-974 | POWDER GRAY (N0020EA) FRONT WHEELS/RIMS (PKG21, G, PG1) |  |  | \$46.00 |
| 966-974 | POWDER GRAY (N0020EA) REAR WHEELS/RIMS (PKG21, G, PG1)  |  |  | N/C     |
| 964-6Z7 | BUMPER PAINT: FP24812 ARGENT SILVER DUPONT FLEX         |  |  | STD     |
| 963-003 | STANDARD E COAT/UNDERCOATING                            |  |  | STD     |

#### Certification / Compliance

|         |                                                             |  |  |     |
|---------|-------------------------------------------------------------|--|--|-----|
| 996-001 | U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS |  |  | STD |
|---------|-------------------------------------------------------------|--|--|-----|

#### Sales Programs

NO SALES PROGRAMS HAVE BEEN SELECTED

### TOTAL VEHICLE SUMMARY

#### Adjusted List Price

Adjusted List Price \*\* \$131,583.00

#### Weight Summary



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|                 | <b>Weight<br/>Front</b> | <b>Weight<br/>Rear</b> | <b>Total<br/>Weight</b> |
|-----------------|-------------------------|------------------------|-------------------------|
| Factory Weight* | 6837 lbs                | 3999 lbs               | 10836 lbs               |
| <hr/>           |                         |                        |                         |
| Total Weight*   | 6837 lbs                | 3999 lbs               | 10836 lbs               |

**I T E M S   N O T   I N C L U D E D   I N   A D J U S T E D   L I S T  
P R I C E**

**Other Factory Charges**

|         |                               |            |
|---------|-------------------------------|------------|
| PMV-021 | GHG21 ENHANCEMENT PRICE       | \$510.00   |
| RAG-020 | CUMMINS TARIFF CHARGE - \$205 | \$205.00   |
| RFY-022 | FRONT TIRE SURCHARGE          | \$40.00    |
| RFU-022 | REAR TIRE SURCHARGE           | \$80.00    |
| RFZ-024 | MY24/CY23 PRICING SURCHARGE   | \$3,750.00 |
| P73-2FT | STANDARD DESTINATION CHARGE   | \$3,375.00 |

(+) Weights shown are estimates only.

If weight is critical, contact Customer Application Engineering.

(\*\*) Prices shown do not include taxes, fees, etc... "Net Equipment Selling Price" is located on the Quotation Details Proposal Report.

(\*\*\*) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.



Prepared for:  
BJ Wilson  
FRONT ROYAL TOWN OF  
102 E MAIN ST

FRONT ROYAL, VA 22630  
Phone: 540-636-6889

Prepared by:  
Dan Smith  
V.T.C. FREIGHTLINER  
3243 LEE HIGHWAY  
WEYERS CAVE, VA 244860096  
Phone: 540-234-0999

## QUOTATION

### M2 106 CONVENTIONAL CHASSIS

SET BACK AXLE - TRUCK  
CUM L9 300 HP @ 2200 RPM; 2200 GOV RPM, 860 LB-FT  
@ 1200 RPM  
ALLISON 3500 RDS AUTOMATIC TRANSMISSION WITH  
PTO PROVISION  
RS-21-160 21,000# R-SERIES SINGLE REAR AXLE  
23,000# FLAT LEAF SPRING REAR SUSPENSION WITH  
HELPER AND RADIUS ROD

DETROIT DA-F-12.0-3 12,000# FF1 71.5 KPI/3.74 DROP  
SINGLE FRONT AXLE  
13,300# TAPERLEAF FRONT SUSPENSION  
106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL  
CAB  
3875MM (153 INCH) WHEELBASE  
9/32X3-7/16X10-1/16 INCH STEEL FRAME  
(7.14MMX255.6MM/0.281X10.06 INCH) 120KSI  
1600MM (63 INCH) REAR FRAME OVERHANG

|                           |                      | PER UNIT  | TOTAL     |
|---------------------------|----------------------|-----------|-----------|
| VEHICLE PRICE             | TOTAL # OF UNITS (1) | \$ 91,176 | \$ 91,176 |
| EXTENDED WARRANTY         |                      | \$ 0      | \$ 0      |
| DEALER INSTALLED OPTIONS  |                      | \$ 0      | \$ 0      |
| CUSTOMER PRICE BEFORE TAX |                      | \$ 91,176 | \$ 91,176 |

### TAXES AND FEES

|                          |          |          |
|--------------------------|----------|----------|
| FEDERAL EXCISE TAX (FET) | \$ (151) | \$ (151) |
| TAXES AND FEES           | \$ 0     | \$ 0     |
| OTHER CHARGES            | \$ 0     | \$ 0     |

### TRADE-IN

|                    |        |        |
|--------------------|--------|--------|
| TRADE-IN ALLOWANCE | \$ (0) | \$ (0) |
|--------------------|--------|--------|

|             |                  |           |           |
|-------------|------------------|-----------|-----------|
| BALANCE DUE | (LOCAL CURRENCY) | \$ 91,025 | \$ 91,025 |
|-------------|------------------|-----------|-----------|

### COMMENTS:

Projected delivery on \_\_\_ / \_\_\_ / \_\_\_ provided the order is received before \_\_\_ / \_\_\_ / \_\_\_.

### APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_.

**Daimler Truck Financial**

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at [Information@dtfoffers.com](mailto:Information@dtfoffers.com).

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at [www.daimler-truckfinancial.com](http://www.daimler-truckfinancial.com).





# MEMORANDUM

TO: B.J. Wilson, Director Finance.

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase of a Cab and Chassis for Public Works

DATE: December 6, 2022

Public Works has a single axle dump truck in this year budget. I have been working with Excel Truck Group on a cab and chassis. This dump truck chassis will be used to preform road work and snow removal duties for Public Works Department. Excel truck group uses the VSA Contract # 22-03-0721R. The last two dump trucks have we have purchased where Freightliners and have performed will. If awarded by council, this cab and chassis will be put on build list for second quarter of next year to be built. Then the cab and chassis will be sent to the manufacture awarded for the stainless-steel dump body, hoist, and hydraulic system to be installed.



# Council Consent Agenda Statement

Item # 10B

Meeting Date: January 23, 2023

---

**Agenda Item:** Various Council Appointments

**Summary:** Council is requested to appointment members of Council to the following boards and committees

- Northern Shenandoah Valley Regional Commission Elected Representative
- Audit/Finance Committee
- Discover Front Royal Board
- Scholarship Committee

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

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

**Proposed Motion:** I move that Council appoint

Vice Mayor Sealock as the Elected Representative to the Northern Shenandoah Valley Regional Commission, said term to expire upon Mr. Sealock's term ending

Councilmember Morris and Rappaport to the Audit/Finance Committee, said terms to expire December 31, 2023

Councilman Rogers as the councilmember representative to the Discover Front Royal Board, said term ending upon Mr. Rogers' term ending

Councilmembers Morris and Ingram to the Scholarship Committee, said terms ending December 31, 2023.

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Morris \_\_\_\_\_ Rappaport \_\_\_\_\_ Rogers \_\_\_\_\_ Sealock \_\_\_\_\_



## Council Agenda Statement

Item # 11A

Meeting Date: January 23, 2023

---

**Agenda Item:** Appointment to the Planning Commission

**Summary:** Council is requested to appoint a member to the Planning Commission to an unexpired term left vacant by Councilman Ingram being elected to Council.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motion:** Council is requested to appoint Michael S. Williams to the Planning Commission to an unexpired term ending August 31, 2025.

---

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_



## Council Agenda Statement

Item # 11B

Meeting Date: January 23, 2023

---

**Agenda Item:** Appointments to the Local Board of Building Code Appeals

**Summary:** Council is requested to appoint members to the Local Board of Building Code Appeals (LBBCA). Council appointed two (2) members to the LBBCA in December 2022. After tonight's action the LBBCA will be fully represented.

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

**Proposed Motion:** I move that Council appoint Gary I. Gillispie, Ellen Aders and Charles Gornowich to the Local Board of Building Code Appeals, said terms to be determined in adopted by-laws.

---

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_





## Council Agenda Statement

Item # 11C

Meeting Date: January 23, 2023

---

**Agenda Item:** Nomination to the Board of Zoning Appeals (BZA)

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

**Budget/Funding:** None

**Meetings:** Work Session held January 9, 2023

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

---

*Moved* \_\_\_\_\_ *Seconded* \_\_\_\_\_

*Ingram* \_\_\_\_\_ *Morris* \_\_\_\_\_ *Rappaport* \_\_\_\_\_ *Rogers* \_\_\_\_\_ *Sealock* \_\_\_\_\_



## Council Agenda Statement

Item # 12

Meeting Date: January 23, 2023

---

### CLOSED MEETING

#### Motion to go into Closed Meeting

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

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

- 1) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically, Town of Front Royal v. Warren County EDA, et al., and,
- 2) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically, appointments to fill vacancies on Town Council.

#### Motion to Certify Closed Meeting at its Conclusion

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

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

---

Moved \_\_\_\_\_ Seconded \_\_\_\_\_

Ingram \_\_\_\_\_ Morris \_\_\_\_\_ Rappaport \_\_\_\_\_ Rogers \_\_\_\_\_ Sealock \_\_\_\_\_