



REGULAR TOWN COUNCIL MEETING

Monday, April 24, 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 March 27, 2023, Work Session Minutes of April 3, and April 10, 2023, as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS
[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
 - A. Report from Community Development and Tourism Manager Lizi Lewis
 - B. Recognition of Employee from Energy Services – Carey Saffelle
 - C. Proclamation for Sexual Violence Awareness Month
 - D. Proclamation for National Administrative Professionals Day
 - E. Proclamation for 54th Annual Municipal Clerk’s Week
 - F. Proclamation for Arbor Day
7. PUBLIC HEARINGS
 - A. Setting Real Estate and Personal Property Tax Rates and Ordinance Amendment to Chapter 75-44
 - B. Ordinance Amendments to Town Code Chapter 134 Pertaining to Increase of Sanitary Sewer Service Rates
 - C. Annual Appropriation Ordinance for Year July 1, 2023 – June 30, 2024
 - D. Special Use Permit for Lodging House at 200 N. Royal Avenue for Warren Coalition
 - E. Amend Previously Approved Proffers for Anna Swan Estates – HEPTAD LLC
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. Bid for 2022 Manhole Rehabilitation Project
 - B. Bid for Engineering Services to Replace the 8th Street Bridge
 - C. Task Order for Water Treatment Plant Clear Wells Inspection and Evaluation
 - D. FY23 Budget Amendment for Relocation of Utilities for Rockland Road VDOT Project
 - E. Virginia Municipal League (VML) Policy Committee Nominations
 - F. Re-Nomination to the Board of Zoning Appeals
 - G. Resolution for Extension of Penalty and Interest Charges for 2023 Real Estate and Personal Property Taxes
 - H. Resolution Authorizing Participation in the Virginia Department of Housing and Community Development’s Virginia Main Street Program: Exploring Main Street – Downtown Front Royal, Inc.
11. BUSINESS ITEMS –
 - A. Waiver of Curb and Gutter Installation at 709 and 711 Crosby Road for Jason & Christine Sine
12. CLOSED MEETING
13. Adjourn



TOWN COUNCIL REGULAR MEETING MINUTES

March 27, 2023@ 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.

Moment of Silence

Pledge of Allegiance led by Sophia Wagner

ROLL CALL BY CLERK OF COUNCIL

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

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

APPROVAL OF MINUTES – Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Regular Meeting minutes of February 27, 2023, Special Work Session Minutes of March 6 and 22, and Work Session Minutes of March 13, 2023, as presented.

Councilwoman DeDomenico-Payne noted that her name was misspelled throughout the minutes but advised that it has since been corrected.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS – None

RECOGNITIONS/AWARDS/REPORTS –

Proclamation for 50th Anniversary for the Karate Club

Councilwoman Morris moved seconded by Vice Mayor Sealock to approve a Proclamation proclaiming April 7, 2023 as the Front Royal Karate Club 50th Anniversary Celebration in the Town of Front Royal as presented.

Mayor Cockrell read the proclamation and Joe Duggan accepted it on behalf of Sensei Drago who was teaching a class. She noted that she would be attending the celebration.

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

Proclamation for Skyline Hawks Boys Varsity Basketball Team

Councilwoman Morris moved seconded by Councilman Rappaport that Council approve a Proclamation proclaiming the recognition of the Skyline High School Hawks Boys Varsity Basketball Team as presented.

Mayor Cockrell expressed her pride in the team and their success.

Councilman Rappaport quoted “If you want to go fast, go alone. If you want to go far, go together”. He advised of his attendance at games and thanked them “for the ride”.

Councilman Rogers noted that there were many disciplined and caring coaches in the community.

Councilwoman Morris advised of her attendance at the games and noted the energy in the gym. She too expressed her pride in the success of the team.

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

PUBLIC HEARINGS

Special Use Permit for a Commercial Outdoor Recreation Facility at 1847 N. Royal Avenue – Jeffrey Kelble
Mayor Cockrell opened the public hearing.

Robert Sealock, 437 Belair Avenue noted that the applicant gave back to the community by allowing the youth to practice football at no charge. He opined that the new facility would have a positive impact on the community and the traffic scheduling would help cut down on the number of vehicles going to and from the facility.

Mayor Cockrell closed the public hearing and opened it up to Council.

Councilwoman Rogers moved seconded by Councilwoman Morris that Council approve a request from Jeffrey Kelble for a special use permit for a commercial outdoor recreation facility at 1847 N. Royal Avenue (tax map 20A3-1-1 & 2) with the following conditions: 1)The applicant shall comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use; 2) the hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per Town Code §175-10.10-D. and 3) that the length of stay be no more than fourteen (14) calendar days at one time excluding caretakers.

Councilwoman Morris advised that this was the first time a recreation facility of this kind would be in the Town limits and thanked the Planning Commission for their assistance on this project.

Vice Mayor Sealock thanked Mr. Kelble for helping the youth and confirmed that the facility would be mobile to move during a flood event.

Councilman Rappaport expressed his excitement for the facility noting it was a plus for tourism and great use of the property. He voiced concern about the traffic at the 14th Street and North Royal Avenue intersection with vehicles trying to make a left. Councilwoman Morris noted that the intersection had been an issue for a long time noting it would be a perfect opportunity for the Virginia Department of Transportation (VDOT) to recognize the Town's need.

Councilman Ingram noted that Front Royal was designated as the Canoe Capital of Virginia; however, there was never any canoe companies within the Town limits. He mentioned that the facility would be a trailhead for the Shenandoah Rails Trail as well.

Councilman Rogers thanked Mr. Kelble for his positive influence for children in the community. He expressed hope for more development along the river.

Councilwoman DeDomenico-Payne expressed her appreciation to Mr. Kelble for all the information that was given to Council noting his vision was well thought out and planned.

Mayor Cockrell praised Mr. Kelble for a great job answering questions from the Planning Commission during their public hearing. She opined that he would have a "gold mine" when the Shenandoah Rails Trail was completed. She complimented him on an organized business plan.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Ordinance Amendment to Town Code Chapter 4-1

Mayor Cockrell opened the public hearing. Since there were no speakers, the public hearing was closed.

Vice Mayor Sealock moved seconded by Councilman Rappaport that Council approve an ordinance amendment to Town Code Chapter 4-1 as presented.

Councilwoman Morris noted that bringing back the additional work session that was removed a few years ago will help decrease time spent at one work session.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Bid Award and Budget Amendment for the Fleet Maintenance Building Project

Mayor Cockrell opened the public hearing. Since there were no speakers, the public hearing was closed.

Councilman Ingram moved seconded by Councilwoman Morris that Council approve a bid to LCW Construction for the Fleet Maintenance Building Project in the amount of \$1,995,000.00 and approve a budget amendment in the amount of \$2,450,000.00.

Councilwoman Morris commented on the “amazing talent” currently working in the Fleet Maintenance Department. She opined that the new building would pay for itself and thanked the staff for their hard work along with Finance Director BJ for his work on the financing for this project.

Councilman Ingram advised that he toured the current facility and voiced amazement on what was being done in-house. He noted that the Fleet Maintenance Building was put in motion by the former Council.

Councilman Rappaport advised that the current building was approximately 50 years old with no air conditioning.

Councilman Rogers advised that he too toured the facility and gave a “hats off” to the staff for what they do with what they have.

Councilwoman DeDomenico-Payne advised that during her tour of the current facility, she saw a trash truck taking up the entire space inside the building. She commented on the amount of aging fleet Town Staff kept running noting they deserved the new space.

Mayor Cockrell thanked the staff for their patience.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Resolution for Bond Purchase and Loan Agreement Related to Fleet Maintenance Building Project

Mayor Cockrell opened the public hearing. Since there were no speakers, the public hearing was closed.

Councilman Ingram moved seconded by Councilwoman Morris that Council approve the Resolution entitled “RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA, AUTHORIZING THE ISSUANCE AND SALE OF ITS GENERAL OBLIGATION BOND, SERIES 2023 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,450,000, AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH, as written and presented, approving a Bond Purchase and Loan Agreement with Webster Bank in the amount of \$2,450,000 for a term of 20 years to be used for the Fleet Maintenance Building Project and authorize the appropriate Town officials and officers to execute the necessary documents.

Councilwoman Morris questioned the revision to the motion as it was different than was presented in the agenda packet. Town Attorney George Sonnett advised that he preferred the motion be expanded and clear for the record as it was essential for the bond package.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Christopher Morgenstern, 197 Woodthrush Way, Front Royal, advised that he was the owner of 1989 Vape Company located across from Martins Food Store on South Street. He voiced concern on the number of vape stores in Town and how it was negatively affecting his business. He explained that the products he offered help those who were looking to stop smoking in a healthy and safe way with products that were proved to be 95% safe. The other vape stores sell products related to illicit substance use and tobacco products and opined that they were not true vape stores. He noted that there was a difference between a vape store being in Town to help the community and create a positive health benefit versus stores who sell products for drug use. He suggested having a zoning ordinance that placed specific stores selling products that were not healthy and safe for the community in one location in Town.

Mayor Cockrell thanked Mr. Morgenstern for educating Council and that they would have the opportunity to reach out to him at a later time if they wanted more information.

Clare Schmitt, 337 W. 10th Street, read the following to Council:

Dear Mayor and Town Council,

I know most of you already know me in some capacity, but I wanted to introduce myself as the newly appointed President and Chairman of Discover Front Royal.

As I'm sure you know, our mission is "to promote the common economic interests of all the commercial tourism enterprises in the Town of Front Royal and Warren County." Our intention was to be the Destination Management Organization (DMO) and be the backbone of regional tourism, supporting the town and the county and increasing tourism revenue for our community. When Kerry Barnhart (DFR's prior Chair and now a current board member) approached me to join the board, knowing how critical tourism is to our community and how much time and effort she has poured into this, I said yes, on the condition she stayed on the board to support me in the transition and help me get up to speed, which she has graciously done. While I am still absorbing the 1000+ pages of reading in 2 weeks, I am happy to say I'm getting my arms around things now. I encourage you all to check out some of the information here on our website <https://www.discoverfrontroyal.com/tourism-partnership-resource.html> if you have not already done so. All of our meeting agendas, minutes, and stakeholder and marketing reports are housed here.

I am incredibly grateful to Kerry and the previous Board of Directors for their work in getting DFR to this point and supporting the town and the county in their tourism efforts. I believe the combined lodging tax has grown, as well as all other leading and lagging indicators of tourism (followers, SEO positioning, number of visitors, meals tax, etc.). While I know we don't currently have any active agreements with either the town or county, I am optimistic that the Town of Front Royal, Warren County, and Discover Front Royal can work together to improve and advance tourism growth in our region. Our entire board is committed to our mission. In addition to myself and Kerry, we also have Ellen Aders and Hannah MacKinnon on our board. Ellen is the owner of Ellen Aders Insurance, is very active in our community, and, in addition to being a board member of Discover Front Royal, she is also the President of the Downtown Front Royal board and Vice President of the Rotary Club. Hannah is the General Manager of DoubleTree by Hilton Front Royal/Blue Ridge Shadows and is the "voice of lodging" for our board. We will also be adding a new board member during our special board meeting this Thursday. Please feel free to contact me if you have any questions or concerns.

REPORTS

A. Town Manager Report –

Thank you, Mayor,

I wanted to touch on a few items tonight to include Tourism and the Council Retreat.

First Tourism, we continue to pursue an agreement with Discover Front Royal who will be our DMO, Destination marketing organization to allow a collaborative approach with Tourism. We are also pursuing an agreement with the County to help facilitate this joint effort with Tourism. In the meantime, we are making progress on returning the Visitor Center back to normal operations, I'm pleased to announce we have transition back to 7-days a week. On the retreat, Town Council met on Wednesday, March 15 to begin the goal setting and priorities list for this Council as we move forward. The retreat focused on team building, communications, and understanding the issues as they relate to the bigger picture. While we only created a few goals that night, we developed a framework moving forward for Council to develop goals. We practiced how to move issues and themes from big picture to a more actionable language with specific benchmark. The idea is to develop a core of strategic themes and then develop goals in the themes with objective listed to complete the goals. We plan to discuss our goals in more detail at a future work session.

That concludes my report, Thank you Mayor.

B. Town Council Reports –

Councilwoman DeDomenico-Payne thanked everyone for speaking tonight and wanted to learn more about the vape issue.

Councilman Rogers noted the headway with tourism and looked forward to building tourism along with a relationship with the County of Warren. He agreed that vape shops were an issue and expressed appreciation to Mr. Morgenstern for the explanation of the differences in shops.

Vice Mayor Sealock thanked Mr. Morgenstern for his explanation of the vape shops. He also noted that he was glad to see that the new outdoor facility was moving forward and thanked Mr. Kelble for giving the youth a place for football.

Councilwoman Morris thanked Kerry Barnhart [former President/Chairman of Discover Front Royal] for her hard work and dedication to tourism. She welcomed Clare Schmitt to the new position left vacant by Mrs. Barnhart. She expressed hope that efforts will be joined together to move forward with tourism. She thanked Town Manager Joe Waltz for organizing the most recent Council retreat as it was nice to see Council come together. She thanked Mr. Morgenstern for his educational information regarding vape shops. She gave an update on the Transportation Subcommittee noting that transportation was not just the way you drive but walkability, accessibility, ADA compliance and much more.

Councilman Ingram advised that the Virginia Department of Transportation (VDOT) was working on a study for the Transportation Subcommittee. He noted that he attended the Shenandoah Rails Trail meeting advising that it was planned as a 49-mile section of trails from Broadway to Front Royal and urged the community to visit their website for more information.

Councilman Rappaport thanked Mr. Morgenstern for his comments related to vape shops noting that he learned something tonight. He suggested establishing bike lanes to connect with the new recreation facility. He asked that the use of the former Youth Center building located on 8th Street keep moving forward so that 13 - 16-year-olds would have a place to go.

C. Mayor Report – Mayor Cockrell welcomed Mrs. Schmitt and thanked her for the additional information she presented tonight. She thanked Kerry Barnhart for her efforts and dedication to tourism. She advised that the next Warren County Drug Court Advisory Committee Meeting was July 7th and thanked former colleague Gary Gillispie for seeing this vision and being a part of it from the beginning. She advised that she too attended the Shenandoah Rails Trail meeting with approximately 100 other people. She reminded the community it was a long-term project slated for completion in 2030. She urged the community to visit their website as there will be additional public input meetings scheduled. Mrs. Cockrell advised that she attended a resident's 106th birthday party. She thanked everyone who attended the most recent Council retreat.

CONSENT AGENDA ITEMS**A. Riverton Pump Station Engineering Proposal**

Council approved a task order for Potesta Engineering in the amount of \$162,900 to investigate the Riverton Pump Station.

B. Financial Audit Services

Council approved a contract for financial audit services to UHY LLP for a period of one year with the option to renew the contract for four additional one-year terms at the following costs:

<i>Year Ending June 30</i>	<i>Financial Audit</i>	<i>Single Audit (per major program)</i>
<i>FY23</i>	<i>\$50,000</i>	<i>\$5,000</i>
<i>FY24</i>	<i>\$50,000</i>	<i>\$5,000</i>
<i>FY25</i>	<i>\$51,500</i>	<i>\$5,100</i>
<i>FY26</i>	<i>\$53,000</i>	<i>\$5,200</i>
<i>FY27</i>	<i>\$54,500</i>	<i>\$5,300</i>

C. Various Single-Phase Pad-Mounted Transformers

Council approved the purchase of (5) 25 kVA and (5) 50 kVA Single-Phase URD Pad-Mounted Transformers in the amount of \$47,855.00 from Jerry's Electric, Inc. of Colman, SD.

D. Three-Phase Pad-Mounted Transformer

Council approved the purchase of a 1000 kVA Three-Phase Pad-Mounted transformer, totaling \$63,941.47 with a lead time of 3-5 weeks, to Wesco/Anixter, of Ashland, VA.

E. Resolution Approving Town's Participation in Proposed Settlement of Opioid-Related Claims Against Pharmaceutical Manufacturers and Distributors with Settlement Funds to be Used to Help Remediate Damages Caused by the Opioid Epidemic

Council approved a resolution for the Town's participation in the proposed settlement of opioid related claims against pharmaceutical manufacturers and distributors with settlement funds to be used to help remediate damages caused by the opioid epidemic, as presented. Council further moved that Council authorize the Town Manager to execute all necessary documents.

Councilwoman Morris moved, seconded by Councilman Rogers to approve the consent agenda as presented.

Councilwoman Morris advised that the Town would not receive the funds, but the County of Warren would.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS –**A. Nomination to the Board of Zoning Appeals (BZA)**

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council nominate Claire F. Schmitt to the Circuit Court Judge for appointment to the Board of Zoning Appeals (BZA) to fill an unexpired term ending May 1, 2027.

Councilwoman Morris questioned whether there was a conflict of interest since Mrs. Schmitt was also the President/Chairman of Discover Front Royal. Town Attorney George Sonnet advised that he could not confirm that at the present time. Council thanked Mrs. Schmitt for serving.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Appointments to the Joint Towing Advisory Board

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the reappointment of the Joint Towing Advisory Board as presented retroactive from August 2022 said terms ending August 31, 2026.

Towing/Recovery Business Representatives

- *Gloria Knott – Keens Towing*
- *Louis C. “Peanut” Tharpe – Tharpe’s Towing*
- *Alan Crawford – Midway Towing*

Law Enforcement Members

- *WCSO Sergeant Travis Cave*
- *FRPD Sergeant David Fogle*
- *VSP Sergeant Brian Davis*

Councilwoman Morris thanked everyone on the Board for volunteering to serve. Mayor Cockrell reminded the citizenry that the Citizen Appointment on this Board was currently open and to contact the County of Warren if interested in applying.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned at 8:32pm.

Approved by Town Council

Date: _____



TOWN COUNCIL SPECIAL WORK SESSION MINUTES

Monday, April 3, 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.

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

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

ABSENT: Councilman Joshua L. Ingram

CONTINUED BUDGET DISCUSSION –

A. Appropriation Ordinance (FY23-24 Budget) - Finance Director BJ Wilson asked Council if they had any questions about the budget. With no questions, there was consensus to advertise a public hearing for the April 24th regular meeting.

B. Ordinance Amendment to Town Code Chapter 134 Pertaining to Sewer Rates – Mr. Wilson advised that there would be a 2.25% increase in sewer rates as discussed previously in other meetings, noting the rate would continue for another two years at least until the next proposed rate study. With no questions, there was consensus to advertise a public hearing for the April 24th regular meeting.

C. Resolution for the Extension of Due Date for Real Estate & Personal Property Taxes – Mr. Wilson advised that there would be an extension on collecting penalties and interests on tax bills due to the late mailing of the bills. He explained the due date for taxes was still June 5th; however, penalties and interests would not be added until after June 20th, giving taxpayers an additional 15 days to pay without penalties and interest. It was suggested to send a public notice to assist with the confusion the extension may cause. With there being no further discussion, there was consensus to add the resolution to the consent agenda for the April 24th regular meeting.

ITEMS SLATED FOR A PUBLIC HEARING

A. Special Use Permit for Lodging House at 200 N. Royal Avenue – Warren Coalition – Director of Planning Lauren Kopishke noted that the Planning Commission voted unanimously to approve the special use permit contingent upon two conditions [presented in packet], noting there was adequate space for parking.

Vice Mayor Sealock questioned the maximum of ten residents. It was confirmed that the applicant was aware of the Town Code requirements and the intention was not to go to the maximum allowed.

Councilman Rappaport questioned whether the residents would receive treatment while they were staying in the house. Christa Shifflett, Executive Director of the Warren Coalition, was in attendance and gave an overview of the house noting the following: 1) treatment was one of the stipulations of residing in the house; 2) a counselor would be in place 24 hours a day seven days a week with one living in the house and others having the residents as part of their case load. She herself would be working part-time; 3) treatment would occur outside the house; 4) residents were not allowed to stay if misusing drugs; 5) will have visiting days; 6) door locked at 11:00pm with grounds for dismissal if reason of tardiness is unreasonable; 7) will be drug-tested to get back in the house; 8) will press charges if drugs are present in the house.

Mr. Rappaport also questioned the success rate. Ms. Shifflett said that those residents who are not willing to get treatment would “drop away” and those who are willing will do well. It was confirmed that the residents would have to be actively involved in treatment to be in the house.

Councilman Rogers questioned medication. Ms. Shifflett advised there would be no nurse in the house, but pills would be counted every day with a medication distribution time that would be monitored carefully.

Councilwoman DeDomenico-Payne advised that the Warren Coalition had been in existence since the 1990's under Ms. Shifflett's leadership noting the amount of respect she had for her and the organization as they were a great investment to the community.

Councilwoman Morris noted that this specific property had the lowest impact in the community as well as being easy for law enforcement to get to if needed to address issues. Mayor Cockrell confirmed that Ms. Shifflett has a long-standing relationship with the local police and sheriff departments.

Ms. Shifflett confirmed that the Warren Coalition was working on transportation for residents since a lot of people cannot drive. Ms. Morris advised that there was work in collaboration with the Inland Port and Family Dollar to get people to work. She also noted that additional trolley stops installed throughout Town was one of the Council's focuses.

Since there was no further discussion, Council gave consensus to advertise for public hearing on April 24th Regular Meeting.

B. Amend Previously Approved Proffers for Anna Swan Estates – HEPTAD LLC – Ms. Kopishke gave Council a handout labeled 3/30/23 Swan Farm Project by Van Metre Homes. She gave statistical facts between the previous proffers and the current proffers including: transportation modifications, Leach Run Parkway and Inter parcel connectors; reduction of dwelling units; reduction in lot size; modification of the per-unit cash proffers; county proffers and credits.

Councilman Rappaport advised of a math error in the right-of-away dedication for the 3.4 acres. Representatives related to the project (Attorney for HEPTAD, LLC Joe Silek, Marissa Whitacre from Greenway Engineering and Ron Llewellyn from HEPTAD, LLC.) were in attendance. Ms. Whitacre admitted the mistake in calculation. Mr. Silek advised the changes would be made before the public hearing.

Mr. Rappaport voiced concern over the calculation of projected students since it focused on single family attached as opposed to single family detached. Ms. Whitacre explained the projected number was based on actual properties that were rezoned, not those properties that were by-right.

Councilman Rogers expressed that there was an overwhelming amount of information to digest since this project had been in existence for many years. Mr. Llewellyn gave a history of the project along with the reputation of the builders for the project.

Vice Mayor Sealock confirmed that the connector road would be wide enough for buses and fire apparatus. Councilwoman Morris noted that the connector road was nice to have but commented that the land was undevelopable without Leach Run Parkway.

Councilwoman DeDomenico-Payne questioned who would make certain that their plans would be enforced as approved. Ms. Kopishke explained the process, noting that the developers were legally bound by proffers once the proffers were recorded. Occupancy permits were not given if the amenities were not completed as presented. It was also noted that a bond would be posted.

Mayor Cockrell noted that the proffers from 2012 were more financially beneficial for the area versus the new proffers which were less. It was noted that the proffer laws changed in 2017 giving way to an updated proffer analysis under today's environment. It was then explained further about the unknown costs of building Leach Run Parkway in 2012.

Mrs. Cockrell reminded Council that Council was making decisions that impacted the County and that Town taxpayers were County taxpayers. It was confirmed that the County was aware of this project.

Ms. Morris voiced concern over the 2012 proffers that related to the per unit amount reduction and the six acres for the Leach Run Parkway right-of-way. She opined that the Town was giving up a lot and suggested that the right-of-way be a donation that allowed Leach Run Parkway to be developed.

It was confirmed that if the County did not want the park [included in the project] it would become part of the Homeowners Association (HOA) and would be maintained by them.

Since there was no further discussion, Council gave consensus to advertise for public hearing on April 24th Regular Meeting.

WAIVER OF CURB AND GUTTER REQUEST FOR 709 AND 711 CROSBY ROAD – JASON & CHRISTINE SINE –

Ms. Kopishke gave an overview of the request advising Council that the property owner wanted to develop two duplexes on a street that currently had no curb and gutter installed on the street. She noted that it was just outside the floodway and flood zone.

Mayor Cockrell questioned why there were rules if they were not being followed since this was the second request in two months to waive the installation of curb and gutter requirement. She noted that this street was not in the 5- or 10-year plans to install curb and gutter.

Councilman Rogers noted that it was Council's choice to assume the responsibility to enforce the curb and gutter installation on everyone moving forward. Councilwoman Morris advised that this project was a private developer creating new townhomes for a profit voicing concern that moving forward Council would be dealing with profit vs nonprofit situations.

Vice Mayor Sealock advised that he looked at the property and curb and gutter was needed to funnel water down the street since it was near the carnival lot.

Town Attorney George Sonnett advised that the Town Code has specific criteria and suggested to either tighten or amend the criteria.

It was agreed to add to a future work session the discussion of waivers for curb and gutter installation.

Councilwoman DeDomenico-Payne questioned the benefits if only one or two lots have curb and gutter. Ms Kopishke advised that it made water move faster and protected the road.

Councilman Rappaport suggested only low impact development as an option for waivers.

It was agreed that this was a tough problem in older neighborhoods and that it could set the precedent on how the Town develops in the future.

It was agreed to add the request for the waiver to the April 24th regular meeting for action.

VIRGINIA MUNICIPAL LEAGUE (VML) POLICY COMMITTEE APPOINTMENTS – Mayor Cockrell and Councilwoman Morris gave a brief explanation of what to expect from each committee since they attended the meetings in the past. Council agreed to the following to be added to the April 24th regular meeting:

Community/Economic Development – Councilwoman Morris and Town Manager Joe Waltz

Finance – Councilman Rogers and Finance Director BJ Wilson

General Laws – Vice Mayor Sealock and Town Attorney George Sonnett

Human Development & Education – Councilwoman DeDomenico-Payne

Infrastructure – Councilman Rappaport and Director of Public Works Robbie Boyer

OPEN DISCUSSION

Councilman Rappaport advised Council of a resident who voiced concern over the traffic situation that may occur at N. Royal Avenue and 14th Street from the new recreation facility at the former VFW. He also mentioned that the resident did not know about the public hearing. There was much discussion on how the Town notifies the public of public hearings. It was also suggested to keep an eye on the intersection in question once it gets up and running.

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Rogers that Town Council convene in a closed meeting,

- 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, Warren County EDA v. Town of Front Royal, CL# 22000490., and,*

2. *pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, proposed agreement with Discover Front Royal, Inc.*

Vote: Yes – Councilmembers DeDomenico-Payne, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – Councilman Ingram

Abstain – N/A

ROLL CALL

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

No – N/A

Absent – Councilman Ingram

Abstain – N/A

ROLL CALL

Adjourned 9:15pm

Approved by Town Council

Date: -----



TOWN COUNCIL SPECIAL WORK SESSION MINUTES

Monday, April 10, 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.

ROLL CALL BY CLERK OF COUNCIL

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

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

ADDITION TO THE AGENDA: *Councilwoman Morris moved seconded by Vice Mayor Sealock to add an item to the agenda after #4 to discuss and consider a Resolution regarding a 509 (a) (2) applying for Explore Main Street status.*

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Rezoning Application Amendment of the Zoning Map of the Town of Front Royal to Reclassify Approximately 43.9 Acres Identified at Tax Map #20A221-3A from Estate Residential District (R-E) to Residential District (R-1A) from NVR, Inc. – Saddle Crest – Planning Director Lauren Kopishke showed Council a PowerPoint of the proposed Saddle Crest Neighborhood. She explained that the rezoning was R-1A designation for 44.183 acres with 128 single family detached homes with two-car garages with 3.03 units per acre. She continued that there would be public streets with sidewalks on both sides, existing public sanitary sewer and water and landscaping along the property. She continued by noting the various changes to address comments raised at the December 7th Planning Commission Work Session. Those changes were: the approximately 5.5 acres right-of-way reservation be for the extension of the future Leach Run Parkway, reduce the number of lots from 142 to 128; add walking trails in open space, add play fields in open space and proffers include \$3,600 per unit for schools (24% credit/by-right zoning). There was much discussion about the 5.5-acre right-of-way. The PowerPoint also included various views of the

property along with overlay of the reserved area over the initial plan, revised conceptual development plan and examples of homes to be built.

Mayor Cockrell questioned what the Virginia Department of Transportation (VDOT) suggestions were. Ms. Kopishke noted that they did not offer comments only focused on the East/West Connector Road [Connector Road].

Councilman Ingram questioned whether there was an estimate of those already living elsewhere in Town who would purchase a home in this new neighborhood. Ms. Kopishke advised that the Comprehensive Plan showed there was a housing shortage in Front Royal but no data as to who would move there. She also noted that both Comprehensive Plans (old/new) designated this area as an urban growth area. Councilwoman DeDomenico-Payne opined that the prices for the homes did not match Front Royal's median household income.

Mr. Ingram questioned whether the Connector Road was still in the Comprehensive Plan. Ms. Kopishke advised that it was in the Transportation Chapter. Councilwoman Morris advised that NVR was one of the developers that had attended the Transportation Subcommittee [Subcommittee] and was willing to do their part on the Connector Road. Councilman Rappaport questioned whether the Connector Road could affect the proffered 5.5 acres and the flyover mentioned in the documents. It was noted that the Virginia Department of Transportation (VDOT) advised the Subcommittee that the flyover was out. Ms. Kopishke confirmed that NVR was not removing the 5.5 acres for the flyover.

Thomas Moore Lawson (Ty), Richard Lanham, and Ariel Goldring, representatives of NVR were in attendance. Mr. Lawson explained that if Council desired the Connector Road to be the new entrance instead of Shenandoah Shores Road, they could build it. He reiterated that the 5.5 acres would remain an amenity for a trail network and open space. Vice Mayor Sealock opined that he would like to see two entrances and exits.

Ms. Morris noted that it would be approximately six months for the VDOT Safety Study to be completed. She advised that other property owners in the area were willing to give portions of their land towards the construction of the Connector Road. She learned in the Subcommittee Meetings that residential developments were not economic development, making the ranking for funding from VDOT on the lower end of the scale. Mr. Ingram added that there was a lot of discussion during the Subcommittee meeting regarding the SMART SCALE Program through VDOT for the Happy Creek Road Phase II; however, the Town would not qualify due to no significant new economic development planned for the area.

Mr. Lawson advised that he currently sits on the VDOT Transportation Committee and opined that economic development was growth and should be counted as such. He voiced hope that the definition would change using the hospital as an example should it be expanded in the future. Mr. Lawson reiterated that NVR was committed to working with the Town explaining that the Connector Road would be built over time and suggested getting developers to assist in building it. He stated that a four-lane boulevard was not needed at this time and opined that Interstate 66 could be used in dire situations as VDOT wants to save lives. Mr. Lawson advised that Ms. Kopishke had the number for Norfolk Southern Railroad's Head of Rail Services for the state that she could share with anyone.

Ms. Morris reminded Council of the difference between the primary and secondary entrances and that Happy Creek Road was still there, noting all roads will coincide during this approximately 20-year project. Mr. Rappaport questioned the timeframe for the second entrance given the 20-year time frame for the

project. Ms. Morris advised that more information should be available after the VDOT Safety Study was completed. She agreed that a second exit was needed once construction began; and that Christendom College had discussed a temporary entrance/exit upon their property. Mr. Lawson advised that the plans had been reviewed by the Town and various agencies and the one entrance was sufficient for fire and rescue services. He noted that once the Connector Road was constructed past the other properties there would be no concern for emergencies and that the mechanism in place was for only one entrance. Mr. Ingram reiterated that there would not be any answers without the VDOT Safety Study.

Councilman Rogers noted that this was a growing community; however, his concern was the ingress and egress for emergency services. He opined that there was a problem with the railroad creating a potential disaster. Mr. Sealock understood Mr. Rapport's concerns, noting the road could be blocked during an emergency. Mr. Lawson advised the old entrance could be used in case of an emergency. There was much discussion about laying stone down for emergency exits, noting that it would be strictly for emergency purposes. It was advised that NVR would continue to review this situation.

Mr. Rapport asked if there was feedback from the County regarding the schools. Ms. Kopishke advised that comments had not been received from the County since the initial comments and it was not over the schools. Mrs. Cockrell questioned who would be responsible for the parks in the plan. Mr. Lawson advised that they would be maintained, along with the trails, through the Homeowners Association (HOA) reminding them it would not be a Town or County burden.

ITEMS SLATED FOR A PUBLIC HEARING

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne to remove #3B Ordinance Amendment to Chapter 98 Pertaining to Business License Tax – Mobile Food Units

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Text Amendment to Town Code Chapter 175 to Permit the Creation of a Cemetery in the R-3 Zoning District with a Special Use Permit Application – Director of Planning Lauren Kopishke gave Council an overview of the Town Code amendments. She noted that the Planning Commission has recommended approval of the amendments as presented.

Councilman Rogers questioned gaining approval of neighboring residents. Ms. Kopishke reminded Council that they would be discussing amending the Town Code first and once the amendments were approved by Council during a public hearing, the applicant would have to apply for a special use permit and Planning Commission and Council would be discussing and taking action on that during another public hearing. Councilman Rappaport voiced concern that the amendment was focused only on R-3.

Council agreed to advertise for a public hearing during a special meeting to be held on Monday, May 1st at 6:30pm in the Town Hall upstairs Conference Room.

ITEMS SLATED FOR THE CONSENT AGENDA ON APRIL 24TH

Purchasing Manager Michelle Campbell was available for any questions for A-C. Finance Director BJ Wilson was available for D. Clerk of Council Tina Presley was available for E and F.

- A – Bid for 2022 Manhole Rehabilitation Project – Council had no comments
- B – Bid for Engineering Services for 8th Street Bridge – Council had no comments
- C – Task Order for Water Treatment Plant Clearwell Inspection and Evaluation – Council had no comments
- D – FY23 Budget Amendment-Relocation of Utilities-Rockland Rd VDOT Project – Council had no comments
- E – Proclamation for Municipal Clerk’s Week – move to Recognition on April 24th Agenda
- F – Proclamation for Administrative Professional Day – move to Recognition on April 24th Agenda

ADDITION TO THE AGENDA – to discuss and consider a Resolution regarding a 509 (a) (2) applying for Explore Main Street status. – Mayor Cockrell asked Ellen Aders, representative for Downtown Front Royal, Inc., to give Council an update on what she was looking for from Council. Ms. Aders advised that this was a potential grant opportunity for Downtown Front Royal, Inc., of which she is a board member. She explained that the grant opportunity is through participation in the Virginia Department of Housing and Community Development’s Virginia Main Street Program that currently provides an Exploring Main Street option for communities. She advised that after attending a conference recently she learned that the Program had been restructured and required a Resolution of Support to move forward with the deadline being April 28th.

Councilwoman DeDomenico-Payne questioned how she envisioned working with Discover Front Royal. Ms. Aders advised that the Discover Front Royal Board focused on tourism efforts within a 50-mile radius and Downtown Front Royal Inc. focused on those who lived here in Front Royal. She noted that they would at times overlap but that they had different missions entirely.

Councilman Rogers was glad to see the work going on with both boards as the community will benefit but questioned the difference of the non-profit status. Ms. Aders explained the corporate structure between 509(a)(2) and 501(c)(3) and the differences they held. She advised that the maximum amount of the matching grant was \$15,000, specifically noting the Council would not be asked for funding as she had other ideas on how to raise the funds.

Councilwoman Morris noted that Main Street had lacked vision for a long time and voiced excitement over things happening in the buildings downtown. There was more discussion about the opening and closing of various businesses on Main Street and hoped that this would attract more. Council thanked Ms. Aders for all she does for the community.

Council suggested placing the resolution on the April 24th regular meeting agenda once Town Attorney George Sonnett reviewed it.

Liaison Committee Meeting Items for April 20th Meeting – Discussion ensued around the meeting as a whole specifically attendance. The following items were determined to be placed on the agenda.

- Liaison Committee Agenda Policy
 - Town Manager Joe Waltz suggested placing it on the agenda and letting the committee vet it out for what they would like to achieve.
- Town Comprehensive Plan Update
- Ad Hoc Transportation Subcommittee Update
- Redundant Water Line Update
- Vape Shops Discussion
 - Much discussion about vape shops specifically as to what they were selling. Council thought it would be a good item to discuss with County as it affects them as well.

GOAL SETTING – Town Manager Joe Waltz recapped four themes as goals moving forward: Walkability, Town/County Pride in Community, Land Use Planning, and Redevelopment of Entryways/Aesthetics. He advised that he was working on a goal sheet that would list goals to measure. He continued that he was looking into federal grants for sidewalks through the Virginia Transportation Alternative Program (TAP). He explained that the Program opened every two years with this year being in May and funds available October 2024. His concentration would be East Criser Road.

Councilman Rogers complimented Mr. Waltz on his week reports. Councilwoman Morris voiced excitement about TAP as she was concerned about Criser Road with no sidewalks for years.

OPEN DISCUSSION

Vice Mayor Sealock attended the Local Board of Building Code Appeals (LBBCA) training last Thursday night, noting that he learned a lot about the process and function of the board. Mr. Sealock praised the Police Department for getting predators off the street.

Councilman Rappaport thanked the Chief for gathering information by using the speed cameras around the schools. He questioned the status of the alley at 12th Street. Town Manager Joe Waltz advised that staff was taking care of the cleanup as it was being used as a dump site, noting signs will be installed to deter dumping in that area. Mr. Waltz advised that the discussion pertaining to unimproved alleys would be placed on the May 1st work session.

Councilwoman Morris praised the Police Department as being the first on the scene at her son's school during at lockdown incident as there was no resource officer on site. She reminded Council that the HEPTAD Public Hearing would be held on April 24th and that they did not have to take action that night if they so desired and encouraged them to not feel pressured into having to make a decision if they were not ready. Mrs. DeDomenico-Payne questioned the deadline for action. It was confirmed that it was a year, and they were three months in.

Councilwoman DeDomenico-Payne questioned how Council responded to citizens who contacted them. Ms. Morris advised that she answered her own emails and did not always hit "replay all". Discussion ensued that it was challenging sometimes since there were different inquiries that required specific people to answer and some inquiries that Council or the Town had no control over. She stated that there was much emotion over the EDA Scandal and that she was making her decision based on what was before her and what the best direction was for the Town. Councilman Ingram noted that decisions made now affected the future of the community.

CLOSED MEETING

Councilman Ingram moved, seconded by Councilwoman Morris that Town Council convene in a closed meeting for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically, the establishment, powers, duties and limitations of the Front Royal EDA, pursuant to §2.2-3711(A)(8) of the Code of Virginia.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilwoman Morris left at 10:06 due to a family matter.

Councilman Ingram 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 DeDomenico-Payne, Ingram, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – Councilwoman Morris (left due to family matter)

Abstain – N/A

ROLL CALL

Adjourned 10:38pm

Approved by Town Council

Date: -----

DRAFT



Council Agenda Statement

Item # 06C

Meeting Date: April 24, 2023

Agenda Item: Proclamation for Sexual Violence Awareness Month

Summary: Council is requested to approve a Proclamation proclaiming April as Sexual Violence Awareness Month in the Town of Front Royal as presented.

Budget/Funding: None

Meetings: None

Proposed Motion: I move that Council approve a Proclamation proclaiming April as Sexual Violence Awareness month in the Town of Front Royal as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____

PROCLAMATION

SEXUAL VIOLENCE AWARENESS MONTH

WHEREAS, Sexual Violence Awareness month is intended to draw attention to the fact that sexual violence is widespread and impacts every community member of Front Royal; and,

WHEREAS, the problem of sexual violence is not confined to any group or groups of people but across all economic, racial, affectional preference, and societal barriers; and,

WHEREAS, the crime of sexual violence violates an individual's privacy, dignity, security, and humanity; and,

WHEREAS, we must work together to educate our community about sexual violence prevention, supporting survivors and speaking out against harmful attitudes, and actions; and,

WHEREAS, with leadership, dedication, and encouragement, there is evidence that we can be successful in preventing sexual violence in Front Royal through increased education, awareness, and community involvement; and,

NOW, THEREFORE in recognition of the important work done by The Laurel Center, and The Phoenix Project the Mayor and Town Council of the Town of Front Royal, do hereby proclaim the month of April as Sexual Violence Awareness month and urge all citizens to actively participate in all scheduled activities and programs sponsored by The Laurel Center and The Phoenix Project work toward the elimination of personal and institutional violence.

APPROVED:

Lori A. Cockrell, Mayor

Attest:

Tina L. Presley, Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, VA on April 24, 2023



Council Agenda Statement

Item # 06D

Meeting Date: April 24, 2023

Agenda Item: Proclamation for National Administrative Professional's Day

Summary: Council is requested to approve a Proclamation proclaiming April 26, 2023 as National Administrative Professional's Day in the Town of Front Royal, as presented.

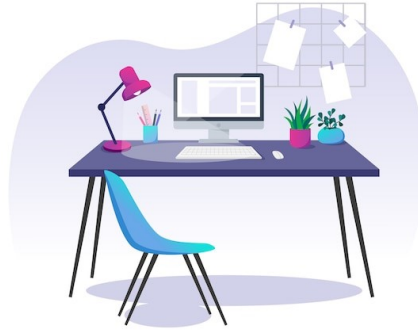
Budget/Funding: None

Meetings: Work Session held April 10, 2023

Proposed Motion: I move that Council approve a Proclamation proclaiming April 26, 2023 as National Administrative Professional's Day in the Town of Front Royal as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



PROCLAMATION

National Administrative Professionals Day

April 26, 2023

WHEREAS, National Administrative Professionals Day, also known as Secretaries Day or Admin Day, recognizes the work of secretaries, administrative assistants, receptionists and other administrative support professionals who keep an office running smoothly and efficiently every day; and,

WHEREAS, the day in the life of an administrative professional is varied but organization, flexibility and ability to handle the unexpected are key to their success requiring advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service and other vital office management responsibilities, and,

NOW THEREFORE the Mayor and Town Council hereby recognize and proclaim April 26, 2023 as Administrative Professionals Day in the Town of Front Royal, saluting the valuable contributions of administrative professionals on the Town's staff and encourage all employers to support continued training and development for administrative staff, recognizing that a well-trained workforce is essential for success.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, Virginia on April 24, 2023.



Council Agenda Statement

Item # 06E

Meeting Date: April 24, 2023

Agenda Item: Proclamation for 54th Annual Municipal Clerk's Week

Summary: Council is requested to approve a proclamation proclaiming April 30 – May 6, 2023 as the 54th Annual Municipal Clerk's week in the Town of Front Royal as presented.

Budget/Funding: None

Meetings: Work Session held April 10, 2023

Proposed Motion: I move that Council approve a proclamation proclaiming April 30 – May 6, 2023 as the 54th Annual Municipal Clerk's week in the Town of Front Royal as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



Proclamation

54th ANNUAL MUNICIPAL CLERKS WEEK

April 30 - May 6, 2023

WHEREAS, The Municipal Clerk, a time honored and vital part of local government exists throughout the world; and,

WHEREAS, the Municipal Clerk provides the professional link between the citizens and the local governing body as well as serving as the information center on functions of local government and community; and,

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and,

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Municipal Clerk through participation in education programs, seminars, workshops and the meetings of their professional organizations, and,

NOW, THEREFORE, the Mayor and Town Council do recognize and proclaim the week of April 30 through May 6, 2023, as Municipal Clerks Week in the Town of Front Royal and further extend appreciation to all Municipal Clerks for their vital services and exemplary dedication to the communities they represent.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, Virginia on April 24, 2023.



Council Agenda Statement

Item # 06F

Meeting Date: April 24, 2023

Agenda Item: Proclamation for Arbor Day

Summary: Council is requested to approve a Proclamation proclaiming April 22, 2023 as Arbor Day in the Town of Front Royal, as presented.

Budget/Funding: None

Meetings: None

Proposed Motion: I move that Council approve a Proclamation proclaiming April 22, 2023 as Arbor Day in the Town of Front Royal as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, **The Mayor and Town Council** of the Town of Front Royal, do hereby proclaim April 22, 2023, as **ARBOR DAY** In the Town of Front Royal, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and we* urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

APPROVED:

Lori A. Cockrell, Mayor

Attest:

Tina L. Presley, Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, VA on April 24, 2023





Council Agenda Statement

Item # 07A

Meeting Date: April 24, 2023

Agenda Item: PUBLIC HEARING – Setting Real Estate and Personal Property Tax Rates and Ordinance Amendment to Chapter 75-44

Summary: Council is requested to consider the real estate tax rate at \$0.10 per \$100 assessed value based upon equalization of real estate taxes, which represents a decrease of \$0.03 from the current year's rate; and the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year's rates; and the personal property tax relief rate (PPTR) for qualifying vehicles at a rate of 46% pursuant to Virginia Code §58.1-3524. Once the tax rates are approved Council is requested to approve an ordinance amendment to Town Code Chapter 75-44.C. accordingly with an effective date of July 1, 2023.

Budget/Funding: FY24 Proposed Budget includes revenues based upon equalization of real estate tax rates.

Meetings: Work Session held March 22, 2023

Proposed Motion: I move that Council approve the real estate tax rate at \$0.10 per \$100 assessed value based upon equalization of real estate taxes, which represents a decrease of \$0.03 from the current year's rate; the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year's rates; and the personal property tax relief rate (PPTR) for qualifying vehicles at a rate of 46% pursuant to Virginia Code §58.1-3524. I further move that Council approve an ordinance amendment to Town Code Chapter 75-44.C to reflect the new tax rate as presented and effective July 1, 2023.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____

**AN ORDINANCE TO AMEND SECTION 75-44.C. OF THE FRONT ROYAL TOWN
CODE PERTAINING TO REAL ESTATE AND PERSONAL PROPERTY TAX RATES**

75-44 REAL AND PERSONAL PROPERTY TAXES AND RATES

C. There is hereby imposed upon all real property within the limits of the Town of Front Royal, Virginia, an effective tax rate in the amount of thirteen ~~(\$0.13)~~ **\$0.10** per one hundred dollars (\$100.00) of assessed valuation and a tax upon all tangible personal property located within the limits of the Town of Front Royal, Virginia, in the amount of sixty-four cents (\$0.64) per one hundred dollars (\$100.00) of assessed valuation. The tax on all personal property shall include all Machinery and Tools. The tax on all real property shall include all mobile homes.

This ordinance shall become effective July 1, 2023.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne __ Yes __ No
Joshua L. Ingram __ Yes __ No
Amber F. Morris __ Yes __ No

H. Bruce Rappaport __ Yes __ No
Duane R. "Skip" Rogers __ Yes __ No
R. Wayne Sealock __ Yes __ No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on _____.

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



Council Agenda Statement

Item # 07B

Meeting Date: April 24, 2023

Agenda Item: PUBLIC HEARING – Ordinance Amendments to Town Code Chapter 134 Pertaining to Increase of Sanitary Sewer Service Rates

Summary: Council is requested to approve ordinance amendments to Town Code Chapter 134-22.1 and 134-22.4 to increase Sanitary Sewer Service Rates as presented. The increase of approximately 2.25% was recommended based upon the Town consultant's updated water and sewer rate analysis and using funds from the American Rescue Plan Act for major water and sewer capital projects. A monthly charge for 5,500 gallons of sewer usage is \$55.82; the recommended rate increase would equate to a monthly charge of \$57.07; an increase of \$1.25 monthly. If approved the increase would begin July 1, 2023.

Budget/Funding: Sewer rate increase has been incorporated into the FY24 Proposed Budget

Meetings: Work Session held April 3, 2023

Proposed Motion: I move that Council approve an ordinance amendment to Town Code Chapter 134-22.1 and 134-22.4 to increase Sanitary Sewer Service Rates as presented and effective July 1, 2023.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____

**AN ORDINANCE TO AMEND AND RE-ENACT FRONT ROYAL TOWN CODE
CHAPTER 134-22.1 & 134-22.4 PERTAINING TO SANITARY SEWER SERVICE RATES**

134-22.1 SANITARY SEWER SERVICE RATES

The monthly base rates for sanitary sewer service usage shall be as follows:

A. Base rate, up to three thousand (3,000) gallons per month: ~~seventeen dollars and seventy-two cents (\$17.72)~~ **eighteen dollars and twelve cents (\$18.12).**

B. All sanitary sewer service usage exceeding three thousand (3,000) gallons per month: ~~fifteen dollars and twenty-four cents (\$15.24)~~ **fifteen dollars and fifty-eight cents (\$15.58)** per month, for each one thousand (1,000) gallons thereafter.

134-22.4 SEWER SERVICE RATES-COMMERCIAL AND INDUSTRIAL LAUNDRIES

A. In-Town Laundries: The monthly rates for sewer service usage by licensed commercial or industrial laundries located within the corporate limits of the Town of Front Royal shall be as follows:

1. All sanitary sewer service usage for the first one hundred thousand (100,000) gallons: ~~sixteen dollars and thirty-four cents (\$16.34)~~ **sixteen dollars and seventy-one cents (\$16.71)** per one thousand (1,000) gallons.

2. All sanitary sewer usage from one hundred thousand one (100,001) gallons to five hundred thousand (500,000) gallons: ~~fourteen dollars and eighty-five cents (\$14.85)~~ **fifteen dollars and eighteen cents (\$15.18)** per one thousand (1,000) gallons.

3. All sanitary sewer service usage above five hundred thousand (500,000) gallons: ~~fourteen dollars and eleven cents (\$14.11)~~ **fourteen dollars and forty-three cents (\$14.43)** per thousand (1,000) gallons.

This ordinance shall become effective July 1, 2023.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne	☐ Yes ☐ No
Joshua L. Ingram	☐ Yes ☐ No
Amber F. Morris	☐ Yes ☐ No

H. Bruce Rappaport	☐ Yes ☐ No
Duane R. "Skip" Rogers	☐ Yes ☐ No
R. Wayne Sealock	☐ Yes ☐ No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on _____.

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



Council Agenda Statement

Item # 07C

Meeting Date: April 24, 2023

Agenda Item: PUBLIC HEARING – Annual Appropriation Ordinance for Year July 1, 2023 - June 30, 2024

Summary: Council is requested to approve the Annual Appropriation Ordinance for the Town of Front Royal Fiscal Year beginning July 1, 2023 and ending June 30, 2024 in the amount of \$49,676,435.00.

Note: The packet contains the advertisement for the budget. The entire proposed budget can be located online at <https://www.frontroyalva.com/714/Portal---2022>.

Budget/Funding: None

Meetings: Various Work Sessions on the Budget. Consensus to Advertise was Work Session held April 3, 2023

Proposed Motion: I move that Council approve the Annual Appropriation Ordinance for the Town of Front Royal Fiscal Year beginning July 1, 2023 and ending June 30, 2024 in the amount of \$49,676,435.00.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____

APPROPRIATION ORDINANCE

ANNUAL APPROPRIATION ORDINANCE

OF THE

TOWN OF FRONT ROYAL, VIRGINIA

FOR THE FISCAL YEAR ENDING JUNE 30, 2024

**AN ORDINANCE MAKING APPROPRIATIONS OF SUMS OF MONEY FOR ALL
NECESSARY EXPENDITURES OF THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE
FISCAL YEAR ENDING JUNE 30, 2024 TO PRESCRIBE THE PROVISOS, TERMS,
CONDITIONS, AND PROVISIONS WITH RESPECT TO THE TERMS OF
APPROPRIATION AND THEIR PAYMENTS, AND TO REPEAL ALL ORDINANCES
WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ALL
ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH
INCONSISTENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA:

SECTION I

That the following sums of money are hereby appropriated for the general government purposes herein specified for the fiscal year ending June 30, 2024

GENERAL FUND EXPENDITURES

General Government	598,100
Financial Administration	995,045
Legal	476,600
Law Enforcement Services	6,062,770
General Property Maintenance	1,392,930
Planning & Zoning	550,895
Community Development/Special Events/Tourism	403,115
Risk Management/Insurance	1,036,660
Economic Development	77,785
Information Technology	631,870
Transfers/Contingency Reserve	614,780
TOTAL GENERAL FUND EXPENDITURES	12,840,550

STREET FUND EXPENDITURES

Public Works	429,505
State Highway Maintenance System	2,633,100
TOTAL STREET FUND EXPENDITURES	3,062,605

ECONOMIC DEVELOPMENT/DEBT SERVICE FUNDS

Principal on Debt	589,335
TOTAL DEBT SERVICE FUND EXPENDITURES	589,335

SPECIAL REVENUE FUND

Community Development Projects	369,685
Asset Forfeiture	12,000
TOTAL SPECIAL REVENUE FUND EXPENDITURES	381,685

and the following sums of money are hereby appropriated for the enterprise operations specified for the year ending June 30, 2024.

ELECTRIC FUND EXPENDITURES

Operations	3,654,890
Purchase of Bulk Electricity	14,500,300
Transfer to General Fund	1,960,000
TOTAL ELECTRIC FUND EXPENDITURES	20,115,190

WATER FUND EXPENDITURES

Administrative Office	153,500
Water Plant Operations	2,024,245
Maintenance of Lines	1,356,605
Meter Reading	117,895
Debt Service	972,540
Contingency & Transfers to Other Funds	480,000
TOTAL WATER FUND EXPENDITURES	5,104,785

SEWER FUND EXPENDITURES

Administrative Office	151,030
Wastewater Treatment Plant Operations	3,017,270
Maintenance of Lines	679,315
Debt Service	1,968,880
Contingency and Transfers to Other Funds	575,000
TOTAL SEWER FUND EXPENDITURES	6,391,495

REFUSE FUND EXPENDITURES

Operations	1,095,790
Contingency and Transfer to General Fund	95,000
TOTAL REFUSE FUND EXPENDITURES	1,190,790

TOTAL ALL FUNDS EXPENDITURES	49,676,435
-------------------------------------	-------------------

REVENUES

TO BE PROVIDED AS FOLLOWS

GENERAL FUND

Real Estate Property Tax	927,940
Public Service Property Tax & Tax Penalties	66,065
Personal Property Tax	731,915
Other Local Taxes	6,975,380
Permits and Fees	53,900
Fines and Forfeitures	123,300
Revenue from Use of Money and Property	112,000
Public Rights-of-Way Use Fee	2,160
Intergovernmental	626,330
Interfund Transfers:	
Electric Fund	1,960,000
Water Fund	480,000
Sewer Fund	575,000
Refuse Fund	95,000
Miscellaneous Receipts	111,560
TOTAL GENERAL FUND REVENUE	12,840,550

STREET FUND

State Highway Maintenance Funds	2,395,625
Revenue from Use of Money and Property	52,200
Transfers from General Fund	614,780
TOTAL STREET FUND REVENUE	3,062,605

ECONOMIC DEVELOPMENT/DEBT SERVICE FUND

Real Estate Property Tax	589,335
TOTAL DEBT SERVICE FUND REVENUE	589,335

SPECIAL REVENUE FUND

Asset Forfeiture Grant Funding	12,000
Community Development	369,685
TOTAL SPECIAL REVENUE FUND	381,685

ELECTRIC FUND

Revenue from Use of Money & Property	225,200
Connection Fees	110,000
Sale of Service	19,752,290
Miscellaneous Receipts	27,700
TOTAL ELECTRIC FUND REVENUE	20,115,190

WATER FUND

Revenue from Use of Money and Property	112,235
Antenna Rentals	115,635
Sale of Service and Commodities	4,588,275
Connection Fees	286,140
TOTAL WATER FUND REVENUE	5,104,785

SEWER FUND

Revenue from Use of Money and Property	112,235
Sale of Service and Commodities	5,874,220
Connection Fees	278,540
Miscellaneous Receipts	126,500
TOTAL SEWER FUND REVENUE	6,391,495

REFUSE FUND

Revenue from Use of Money and Property	52,000
Sale of Services/Bags/Other	1,138,790
TOTAL REFUSE FUNDS REVENUES	1,190,790

TOTAL ALL FUNDS REVENUES **49,676,435**

This ordinance is proposed to become effective on July 1, 2023. A true copy of the complete text of the ordinance is available by request at the Town Manager's Office, 102 E Main Street, Front Royal, Virginia during normal business hours.

A Public Hearing on this ordinance will be held at the Town Council Meeting of April 24th, 2023, beginning at 7:00pm in the Warren County Government Center, located at 220 N Commerce Avenue in Front Royal, Virginia. All citizens of the Town of Front Royal who have a desire to be heard on this subject will be given a reasonable opportunity to be heard. The Presiding Officer, in his sole discretion, may impose a time limit on each speaker at the beginning of the Public Hearing.

BY AUTHORITY OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA

Tina Presley, Clerk of Council

Publish: Northern Virginia Daily (classified) - April 2023



Council Agenda Statement

Item # 07D

Meeting Date: April 24, 2023

Agenda Item: PUBLIC HEARING – Special Use Permit for Lodging House at 200 N. Royal Avenue for Warren Coalition

Summary: Council is requested to consider approval of a special use permit requested by the Warren Coalition for a lodging house at 200 N. Royal Avenue (*tax map 20A5-13-80-1 & 2*). The property is zoned C-2, Downtown Business District and located in the Historic Overlay District. The applicant is asking permission to have a lodging home for no more than nine (9) males, for approximately six to nine month stays. The Planning Commission held a public hearing on March 15th with the following recommendations: 1) the total number of lodging rooms or units shall not exceed ten (10) and 2) the applicant is to provide parking to accommodate eight (8) spaces.

Budget/Funding: None

Meetings: Work Session held April 3, 2023

Below are suggested motions for Council Action.

- 1) I move that Council **approve** a special use permit requested by the Warren Coalition for a lodging house at 200 N. Royal Avenue (*tax map 20A5-13-80-1 & 2*) with the following recommendations: 1) the total number of lodging rooms or units shall not exceed ten (10) and 2) applicant is to provide parking to accommodate eight (8) spaces.

- 2) I move that Council **continue this public hearing until Date/Time** on a special use permit requested by the Warren Coalition for a lodging house at 200 N. Royal Avenue (*tax map 20A5-13-80-1 & 2*) PUBLIC HEARING MUST NOT BE CLOSED BY THE MAYOR

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – 2300075

MEETING DATE: March 15, 2023

SUMMARY: Warren Coalition – A request for a Special Use Permit for a lodging house located at 200 N. Royal Avenue, identified by Tax Map 20A5-13-80-1 & 2. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District.

STAFF RECOMMENDATION:

DRAFT MOTION: “I move that the Planning Commission forward a recommendation of approval with the following conditions:

1. The total number of lodging rooms or units shall not exceed ten (10).
2. Applicant to provide parking to accommodate eight (8) spaces.

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

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Merchant _____ Wells _____ Marshner _____ Wood _____ Williams _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



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

**Planning Commission Regular Meeting
March 15, 2023**

APPLICATION #:

2300075

APPLICANT:

Warren Coalition

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a lodging house located at 200 N. Royal Avenue.

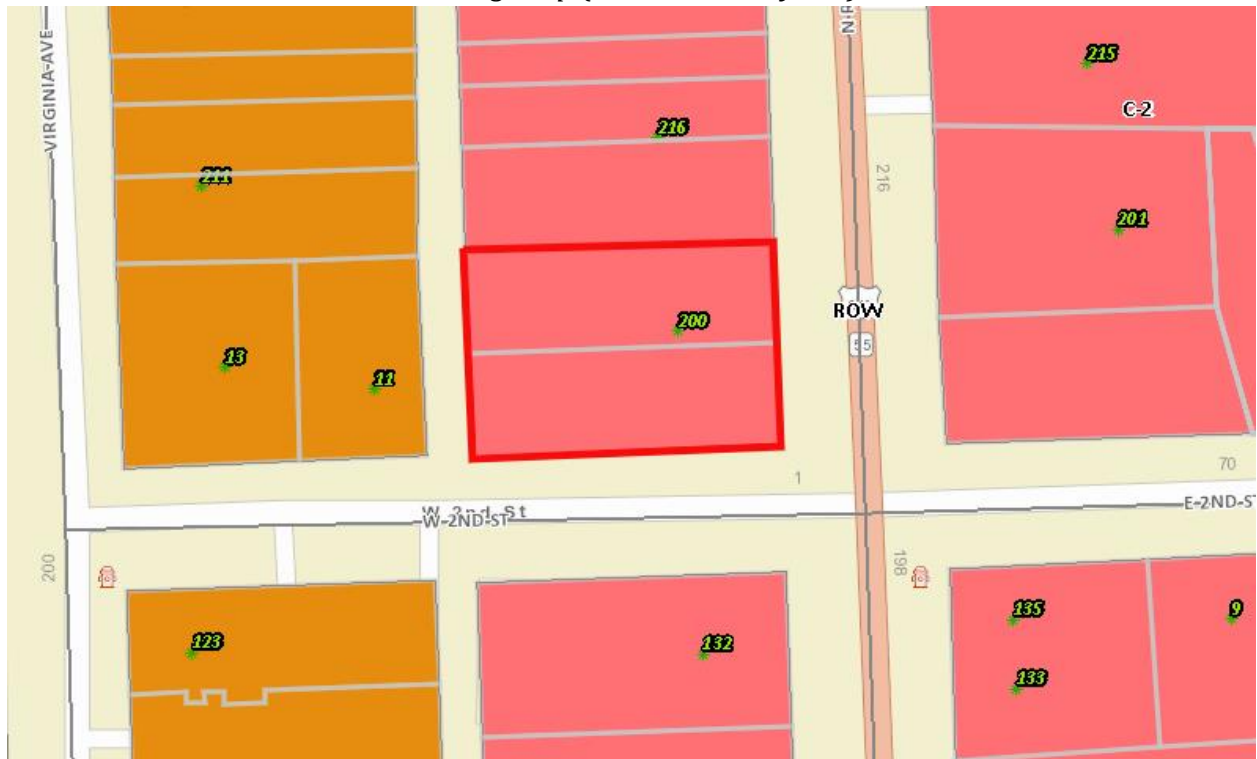
GENERAL INFORMATION:

Site Addresses	200 N. Royal Avenue
Property Owner(s)	Vaught Real Estate, LLC
Existing Zoning	C-2, Downtown Business District
Historic District	Yes
Proposed Use	Lodging House
Tax Identification	20A5-13-80-1, 2
Location	The property is located in the NW corner of the intersection of N. Royal Avenue and W 2 nd Street.

Vicinity Map (Warren County GIS)



Town Zoning Map (Warren County GIS)



Aerial (Warren County GIS)



Existing Site Conditions(Staff Photos of the Property)



Existing Site Conditions – Continued (Staff Photos of the Property)



INFORMATION ON THE APPLICATION:

Town Code

175-3, LODGING HOUSE - A residential building, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a regular basis, pursuant to previous arrangements, but which is not open to the public or transient guests. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The maximum number of rooms or units shall be controlled by the area requirements of the district in which the use is located, but in no case shall the total number of lodging rooms or units exceed ten (10). A "Lodging House" shall also be known as a "Rooming House" or a "Boarding House."

175-48, USES PERMITTED BY SPECIAL PERMIT (C-2)

A. The following uses are permitted within the C-2 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-2 District:

RESIDENTIAL:

Apartments located in buildings constructed after January 1, 1999, in accordance with the area requirements in Section 175-49.

COMMERCIAL:

Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.

Automobile service stations, in accordance with 175-110.

Automobile and truck sales lots and leasing agencies, in accordance with 175-52.D.

Bed & Breakfasts, as set forth in Section 175-107.3.

Day Care Facilities, subject to the provisions of Section 175-107.1F, and any necessary improvements or changes to address the considerations of that section.

Farmers' markets, in accordance with 175-52.E.

INDUSTRIAL:

	<u>ORGANIZATIONAL:</u> Schools <u>MISCELLANEOUS:</u> Conservation areas. Lodging houses and boarding houses
<i>Project Summary</i>	A Special Use Permit (SUP) Application has been submitted for a lodging house located at 200 N. Royal Avenue by the Warren Coalition. The property is zoned C-2, downtown business district. The lodging house use is required by Special Use permit per 175-48. Records indicate the property has been used as a lodging house in the past, from 1989 to 2019. At the time the use was commenced the Towns Ordinance did not require an SUP. After the adoption of the most recent iteration of 175-48, the use was considered to be legally non-conforming, meaning if the use ceased for more than two years it must be brought into compliance. Due to change in ownership, the use was discontinued for 3 years. The applicant is now asking permission to have a lodging home for no more than 9 males, for approximately 6 to 9 month stays. The applicant will be utilizing 6 bedrooms and 3 bathrooms for the use and therefore is required to provide 8 parking spaces. Staff conducted a site visit and determined the property has room for adequate parking.
<i>Staff Recommendation</i>	Staff recommends approval with the following conditions: 1. The total number of lodging rooms or units shall not exceed ten (10). 2. Applicant to provide parking to accommodate eight (8) spaces.

ATTACHMENTS: 1) Application and associated documents from the Applicant.
2) Email from the Applicant.

2300075

2300075



TOWN OF FRONT ROYAL

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

Main: 540.635.4236
 Fax: 540.631.2727
 www.frontroyalva.com

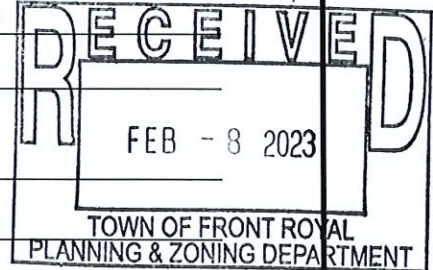
SPECIAL USE PERMIT REQUEST

FRSPU _____

* APPLICANT:

NAME Warren Coalition PHONE 540-636-6385 x 1001ADDRESS 538 Villa Ave. Front Royal, VA 22600E-MAIL Christa.c.warrencoalition.org

* PROPERTY OWNER:

NAME # Vaughn Real Estate, LLC PHONE _____ADDRESS 200 N. Royal Ave. Front Royal, VA 22630E-MAIL philipvaughn@gmail.com

PROPERTY DESCRIPTION

PROPERTY ADDRESS 200 N. Royal Ave. Front Royal, VA 22600TAX MAP 20A5 SECTION 13 BLOCK 80 LOT 1.12SUBDIVISION NAME _____ ACREAGE 15,000 sq ft.

REQUEST

ZONING DISTRICT C2PROPOSED USE OF PROPERTY Lodging Hse

* SPECIFIC SPECIAL USE PERMIT REQUEST Seeking an approval of a
lodging house which was the use of this building from 1989-2019.

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

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application Pd by clc
3. Application Fee of \$400.00 Receipt # _____ Date Paid 2-8-23 CS
4. Additional information as required by the Dept. of Planning & Community Development.

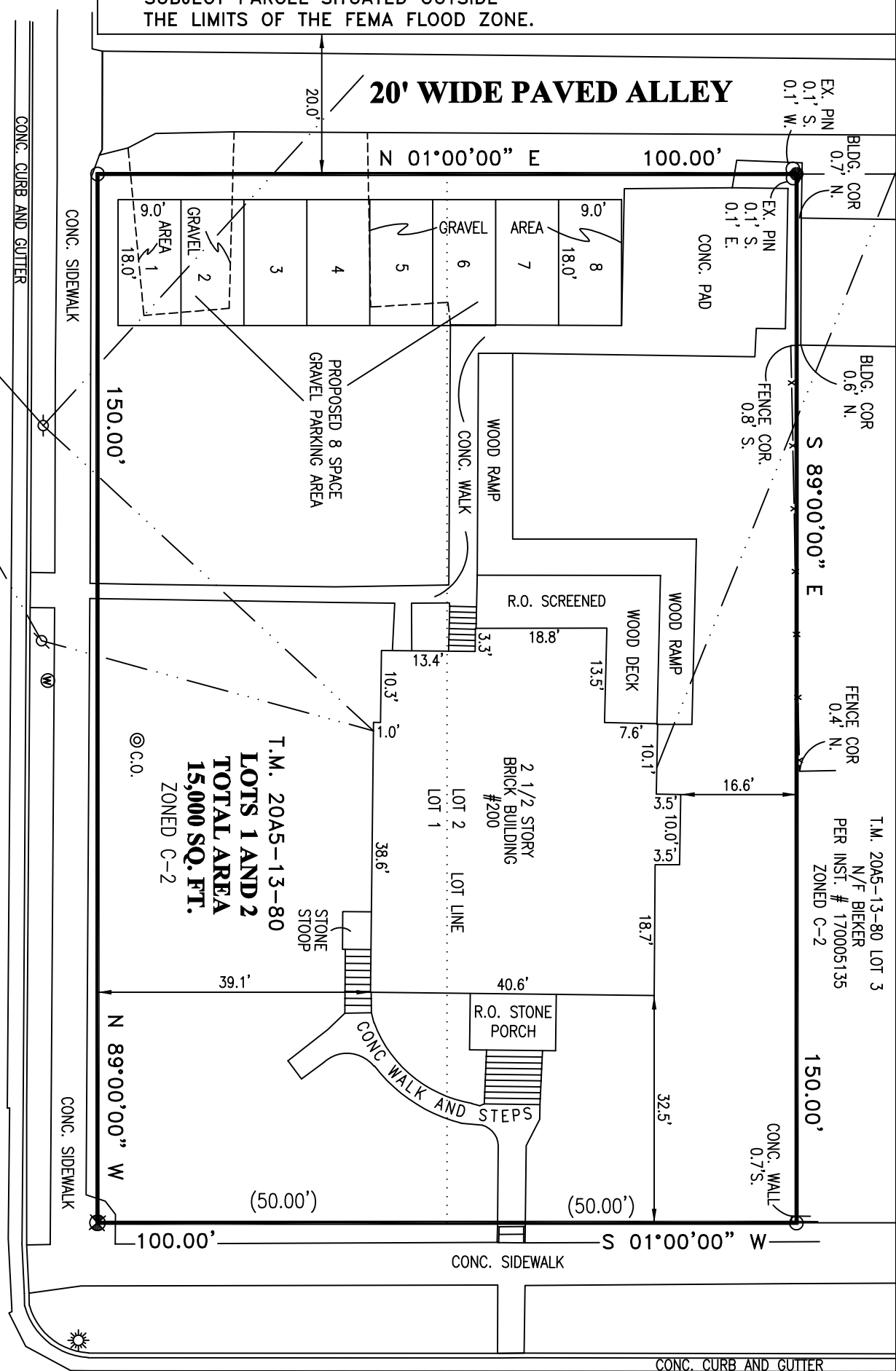
CERTIFICATION

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

Signature (Leasee) Date 2/8/23

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.

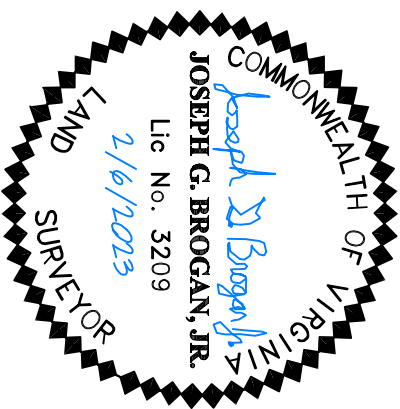
NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: VAUGHT REAL ESTATE, LLC. PER INST. # 190006706.
PLAT REF: DEED BOOK "X" PAGE 444.
SUBJECT PARCEL SITUATED OUTSIDE THE LIMITS OF THE FEMA FLOOD ZONE.



SURVEY OF LOTS 1 AND 2, BLOCK EIGHTY
FRONT ROYAL AND RIVERTON IMPROVEMENT CO.
FORK MAGISTERIAL DISTRICT

W. 2ND ST. 60' WIDE R/W
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
FEBRUARY 6, 2023



- N. ROYAL AVE**
80' WIDE R/W
- PER D.B. "X"/444
- DENOTES DRILL HOLE IN CONC.
 - ⊙ DENOTES LIGHT POLE.
 - ⊙ DENOTES WATER METER.
 - ⊙ DENOTES PIN FOUND.
 - ⊙ DENOTES PIN SET.
 - ⊙ DENOTES UTILITY POLE.
 - ⊙ DENOTES OVERHEAD WIRES.
 - ⊙ DENOTES PRIVACY FENCE LINE.

From: Julia Laurent <Julia@WARRENCOALITION.ORG>

Sent: Wednesday, January 18, 2023 1:24 PM

To: Lauren Kopishke <lkopishke@frontroyalva.com>

Subject: The Landing-200N Royal Ave

Good Afternoon,
Per our conversation:

We will have anywhere from 8-10 males in the home at a time; however, we don't anticipate 10 being a frequent number.

Residents will sign a lease with us for no less than 9months, but no more than 12.

Residents are responsible for obtaining their own supplies, living items, and proof of employment to reside in the premises.

Residents will be required to work with The warren coalition staff to create a savings plan and work towards goals of paying off fines, obtaining transportation, and stability.

Residents must live in Page, Warren, or Shenandoah counties.

Residents must be involved in some form of outpatient treatment; including but not limited to counseling, MAT, AA, or NA.

Residents can be terminated from their rental agreement for substance misuse or violence.

Residents have the ability to choose their room and rent is based on size. Some rooms are two men to a room.

Residents are responsible for their own meals. And share living spaces; this includes a large kitchen, living room, dining room, and outdoor areas.

Residents will be required to participate in Urine drug screens as requested.

Residents clean their own rooms and will coordinate with their fellow residents to clean the shared spaces.

Residents will have their own toiletries, linens, clothes, and dishware.

There are currently 5-7 parking spaces in the rear of the building.

There are currently 3 full restrooms

There are 7 rooms that could be utilized as bedrooms. Presently only 6 are being considered for use.

Please let me know if you have any further questions or need any more clarification.

If there is another of better way that we can go about this please let us know



Council Agenda Statement

Item # 07E

Meeting Date: April 24, 2023

Agenda Item: PUBLIC HEARING – Amend Previously Approved Proffers for Anna Swan Estates – HEPTAD LLC

Summary: Council is requested to amend the previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax map parcel #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 Council approved an amendment to the original proffers. The Planning Commission held a public hearing on December 21, 2022 and recommended approval to amend previously approved proffers for Anna Swan Estates with 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.

Proffer amendment dated March 15, 2023 adds the following language: *Each proffer listed herein and made in connection with this application is made voluntarily and complies with applicable law.* (page 2 - redlined)

Proffer amendment dated April 4, 2023 corrects the amount per residential dwelling unit (whether single-family detached or single-family attached) from \$1,044.31 to \$699.40 (page 13 - redlined).

Budget/Funding: None

Meetings: Work Sessions held January 9, 2023, February 12, March 6 and April 3, 2023. A Public Hearing was scheduled for January 23, 2023 but was removed by Council the same night.

PROPOSED MOTIONS

1) I move that Council **approve** amending the previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax map parcel #20-A21-2-1 and #20A20-2-11) dated February 2, 2012 to the Amended Proffers dated April 4, 2023 as presented.

2) I move that Council **continue this public hearing until Date/Time** amending the previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax map parcel #20-A21-2-1 and #20A20-2-11) dated February 2, 2012 to the Amended Proffers dated April 4, 2023 as presented. **PUBLIC HEARING MUST NOT BE CLOSED BY THE MAYOR**

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

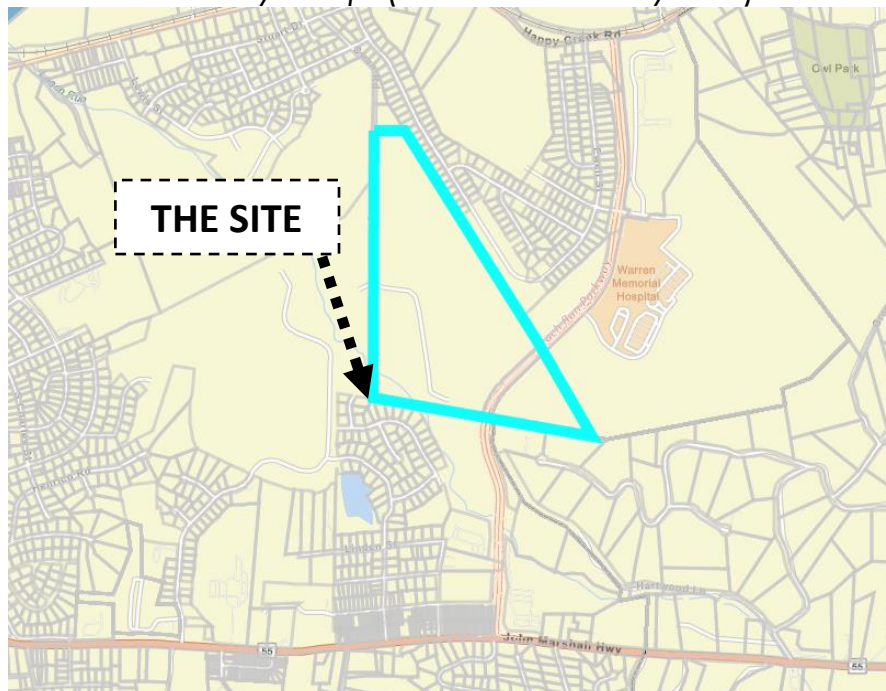


STAFF REPORT FOR THE DECEMBER 18, 2022 PLANNING COMMISSION MEETING

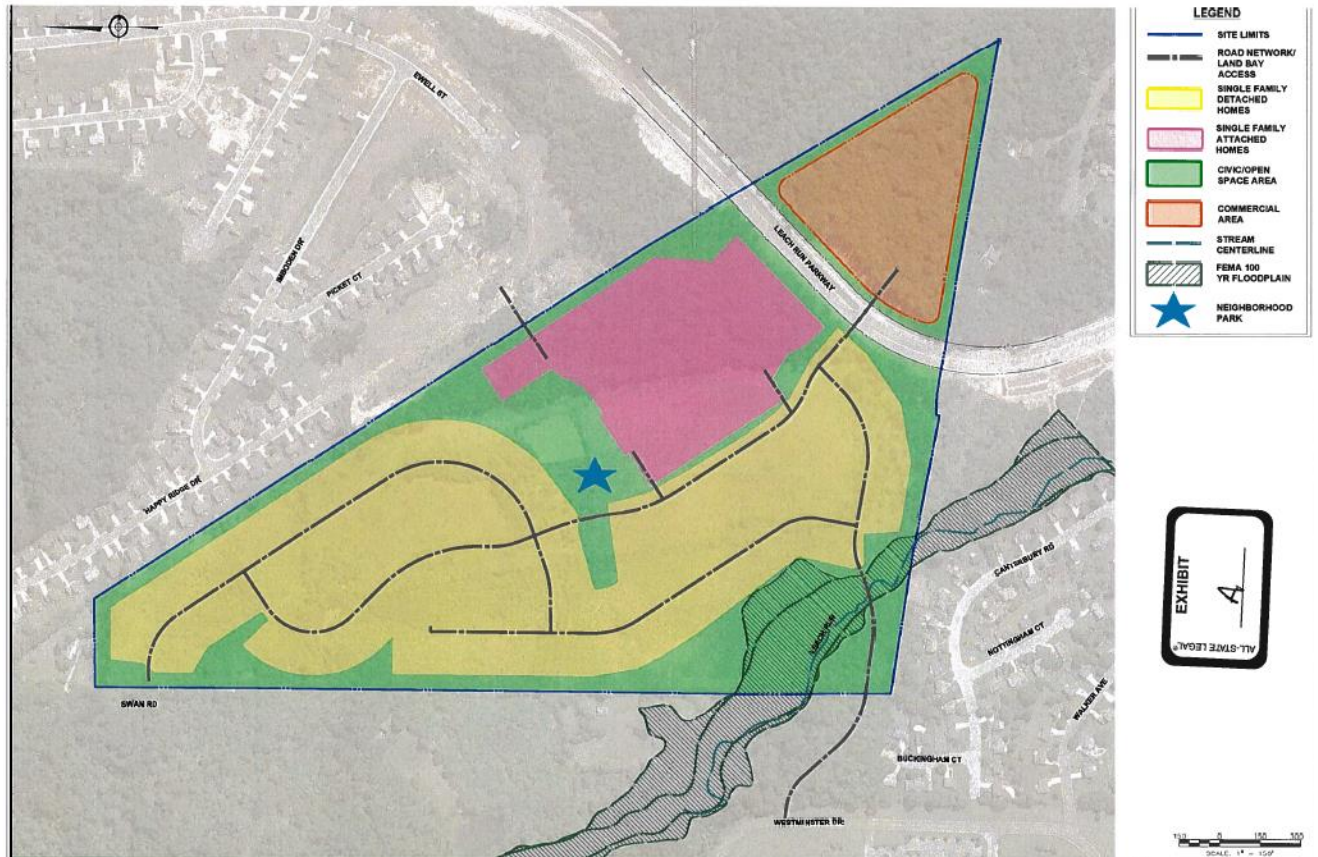
GENERAL INFORMATION:

Application #	2200422
Applicant	HEPTAD LLC
Summary of Request	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.
Site Addresses	None (Vacant Land)
Zoning District	PND- Planned Neighborhood Development
Tax Identification	Tax Parcels #20-A21-2-1 & #20A20-2-11
Location	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

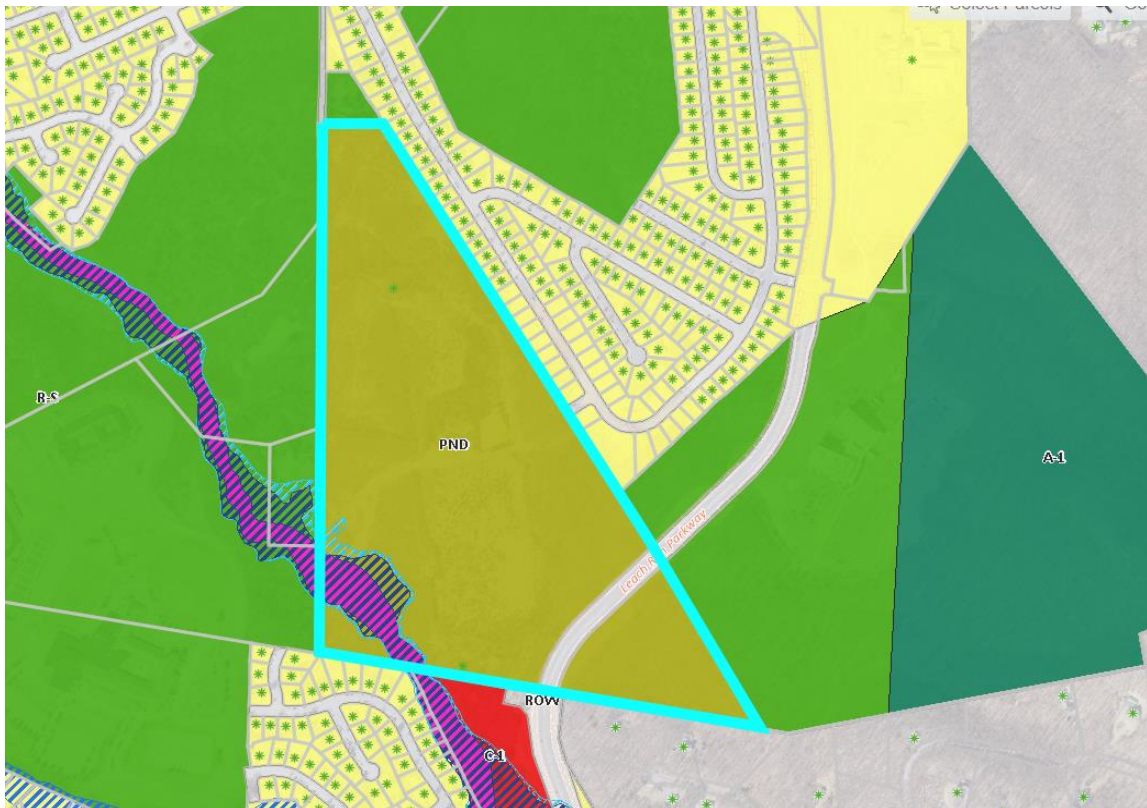
Vicinity Map (Warren County GIS)



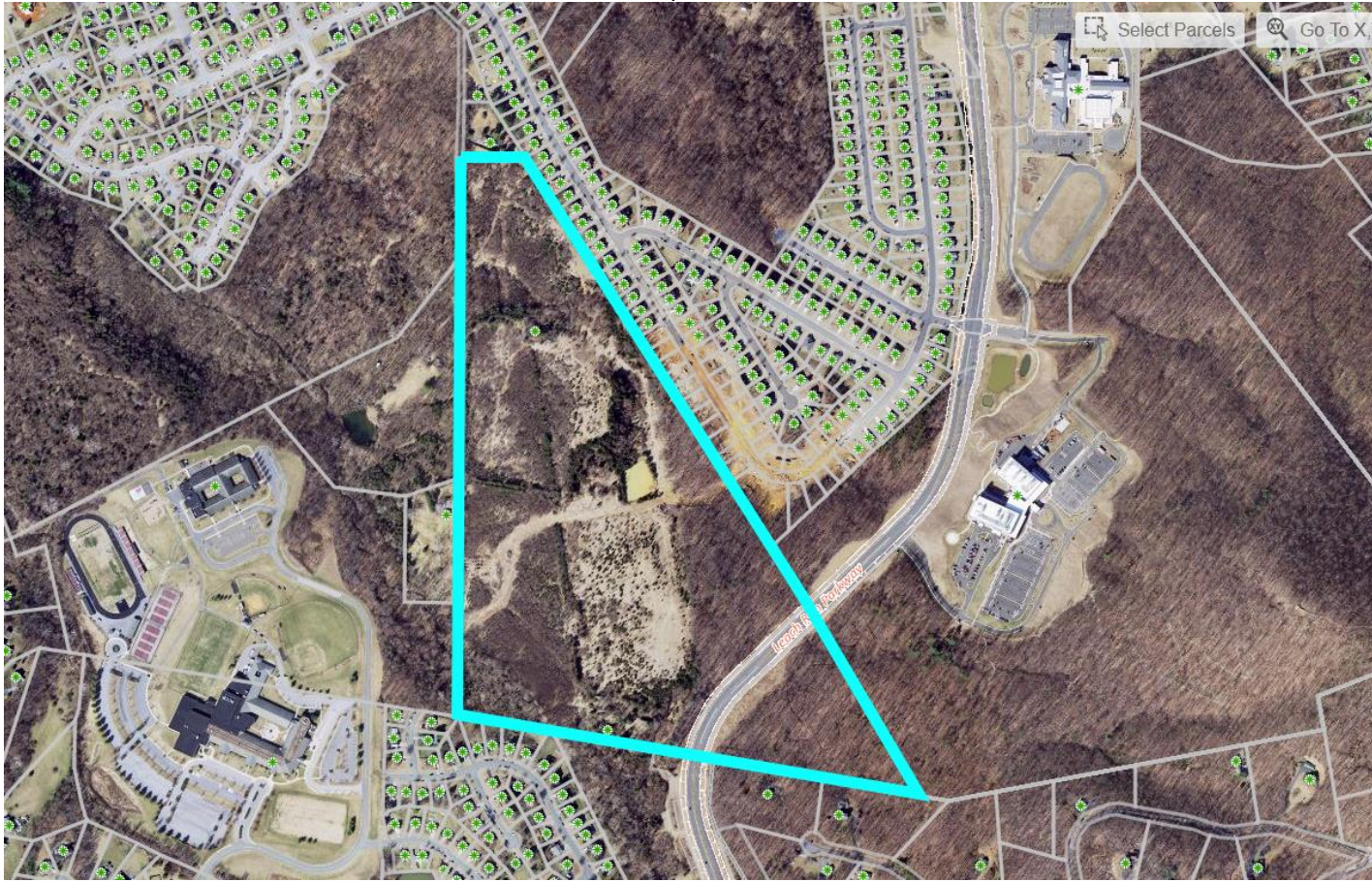
Map of HEPTAD Properties (Survey Illustration)



Town Zoning Map (Warren County GIS)



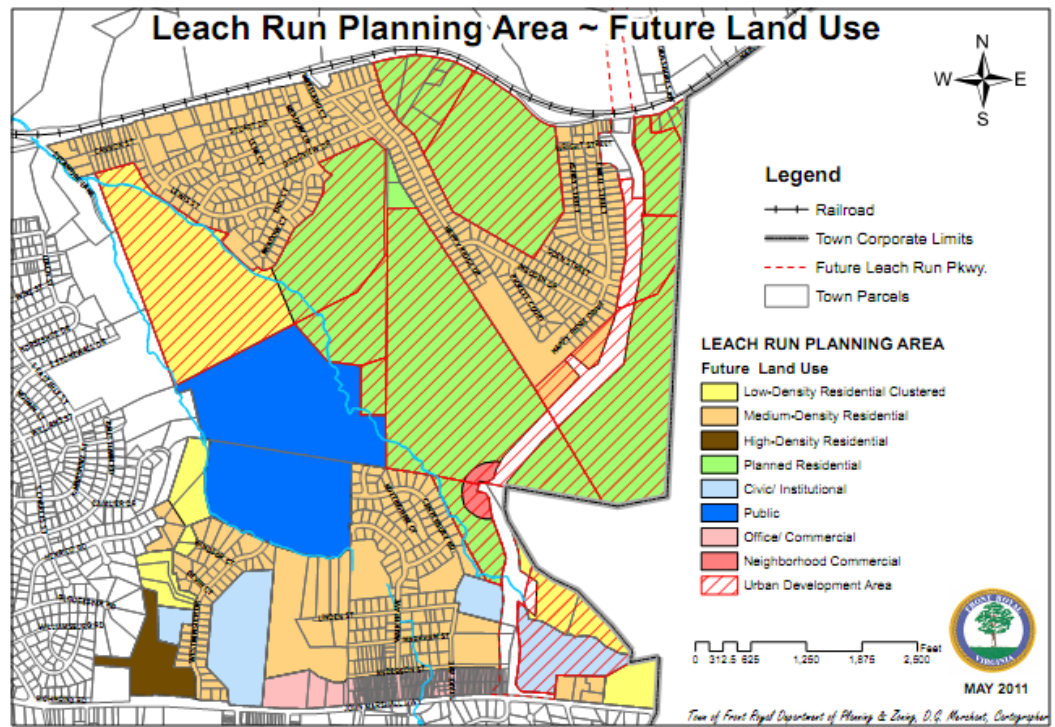
Aerial Map



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

	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. 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. (Added Entire Section 8-28-89-Effective Upon Passage)
Proffer Definition	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.
Proposed Proffer Amendments	Below is a summary of the proffer changes proposed by the Applicant: ❖ Transportation Modifications ➤ 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. Staff Comment: <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> ➤ 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.

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).

	Staff Comment: The existing 2012 proffers state: 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. 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. The total proposed amount proffered the Town after credits is approximately \$1,983,116.25. The total proposed amount proffered the County is approximately \$1,073,075.35. 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 deficit of \$2,246,184.65 for the impact of development per Warren County. The proposed total to both entities is approximately \$3,056,191.60. However, the project is smaller by 115 dwelling units.
Attorney Comments	Water and Sewer Is the applicant proffering to connect to public water and sewer? If

	so, are they solely responsible for the cost thereof? Staff will address this comment with a recommended condition. Stormwater Infrastructure Is the applying proffering to include stormwater facilities on the site? If so, are they solely responsible for the cost thereof? Staff will address this comment with a recommended condition. The applicant is responsible for the cost and installation of stormwater mitigation on site.
Attachments	1) Applicant's Application 2) Clean Copy of Proposed Proffers 3) Redline Version of Proposed Proffers 4) Existing Proffers (2012) 5) Proffer Impact Analysis prepared by Greenway Engineering 6) Design Guidelines 7) MOU between Town and County for proffer analysis 8) Warren County Staff Comments 9) Ch 11 Land Use Law Book

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 Other Lots/Open Space:	25 ft.
Minimum Rear Yard Porch/Deck Setback 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 (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.

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
Amended March 15, 2023
Amended April 4, 2023

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).

Each proffer listed herein and made in connection with this application is made voluntarily and complies with applicable law.

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

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

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

5.8 Schools Sidewalk

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

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

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

VI. Creation of a Homeowner's Association

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

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

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

VII. **Cash Proffers.**

7.1 **Town Proffers.**

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

7.2 **Credits Against Town Proffers.** As per the Proffer Analysis dated September 8, 2022 and prepared by Greenway Engineering, Inc., the fair market value of the land previously dedicated by the Applicant as part of Leach Run Parkway was \$234,300.00. Therefore, notwithstanding the foregoing Proffer 7.1.1, the Applicant shall be entitled to a credit against the proffer amounts specified in Proffer 7.1.1 above equal to \$699.40 ~~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 _____, 2023, by Ronald Llewellyn, in his capacity as Manager of HEPTAD, LLC.

My commission expires: _____.

Notary Registration Number: _____.

NOTARY PUBLIC



Council Consent Agenda Statement

Item # 10A

Meeting Date: April 24, 2023

Agenda Item: Bid for 2022 Manhole Rehabilitation Project

Summary: Council is requested to approve a bid to purchase services for the 2022 manhole rehabilitation project to Standard Pipe services, LLC, out of Newark, Delaware, in the amount of \$926,213.50.

Budget/Funding: Funding has been budgeted for and is available in the following line items:

9802-47998 Sewer Line Maintenance I&I Abatement \$926,213.50

Meetings: Work Session held April 10, 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 a bid to purchase services for the 2022 manhole rehabilitation project to Standard Pipe services, LLC, out of Newark, Delaware, in the amount of \$926,213.50.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



March 15, 2023

Mr. Robert B. Boyer
Director of Public Works
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

**Re: Award Recommendation
Town of Front Royal – 2022 Manhole Rehabilitation
(IFB #08-2023); CHA Project No. 060948**

Dear Mr. Boyer:

On Wednesday, March 1, 2023, the Town received bids for the 2022 Manhole Rehabilitation contract. This contract includes replacing approximately 165 sanitary sewer manhole frames and covers, approximately 500 vertical linear feet of cementitious lining of sanitary sewer manholes, and associated work.

The Town received three bids as summarized below. A detailed bid tabulation is also enclosed.

Bidder Name	Total Base Bid
Standard Pipe Services, LLC	\$926,213.50
Triangle Contracting, LLC	\$1,246,112.90
AM-Liner East, Inc.	\$1,508,540.24

Standard Pipe Services, LLC was the lowest responsive and responsible Bidder for the contract.

Standard Pipe Services, LLC specializes in trenchless rehabilitation, including sanitary sewer manhole and pipe rehabilitation, along with ancillary support services. They have successfully completed numerous similar rehabilitation projects. CHA contacted selected municipality references for similar projects provided in the Bid, and Standard Pipe Services received favorable reviews from each of the respondents. Based upon our knowledge of the Bid and Standard Pipe Services' credentials, CHA recommends award of the 2022 Manhole Rehabilitation contract to Standard Pipe Services, LLC in the amount of \$926,213.50.

We appreciate the opportunity to work with the Town on this project. If you should have any question with respect to this recommendation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Earl Smith'.

Earl Smith, P.E.
Project Manager

EES\ees
Enclosure

BID TABULATION

Owner: Town of Front Royal

Project: 2022 MANHOLE REHABILITATION (IFB #08-2023)

Bid Date: Wednesday, March 1, 2023 2:00 PM

CHA Project Number: 060948

BIDDER				STANDARD PIPE SERVICES, LLC		TRIANGLE CONTRACTING, LLC		AM-LINER EAST, INC.	
Item	Description	Unit	Est Qty	Unit Price	Extended Total Price	Unit Price	Extended Total Price	Unit Price	Extended Total Price
1	Bonds, Insurance, Mobilization	LS	1	\$30,000.00	\$30,000.00	\$66,750.00	\$66,750.00	\$196,950.00	\$196,950.00
2	Water-Resistant Frame & Cover (Not in Pavement)	EA	53	\$3,000.00	\$159,000.00	\$3,000.00	\$159,000.00	\$2,994.00	\$158,682.00
3	Water-Resistant Frame & Cover (In Pavement)	EA	117	\$3,500.00	\$409,500.00	\$5,200.00	\$608,400.00	\$4,243.00	\$496,431.00
4	Grade Rings (<= 12" total height) (Not in Pavement)	EA	15	\$800.00	\$12,000.00	\$475.00	\$7,125.00	\$731.00	\$10,965.00
5	Grade Rings (<= 12" total height) (In Pavement)	EA	36	\$1,200.00	\$43,200.00	\$665.00	\$23,940.00	\$687.00	\$24,732.00
6	Seal Existing Manhole Frame (Not in Pavement)	EA	3	\$500.00	\$1,500.00	\$450.00	\$1,350.00	\$2,369.00	\$7,107.00
7	Seal Existing Manhole Frame (In Pavement)	EA	1	\$600.00	\$600.00	\$2,250.00	\$2,250.00	\$3,344.00	\$3,344.00
8	Seal Existing Bolt-Down Manhole Cover (Not in Pavement)	EA	7	\$500.00	\$3,500.00	\$2,250.00	\$15,750.00	\$1,106.00	\$7,742.00
9	Seal Chimney with Cementitious Liner (<=4' dia.) (Not in Pavement)	EA	10	\$600.00	\$6,000.00	\$550.00	\$5,500.00	\$981.00	\$9,810.00
10	Seal Chimney with Cementitious Liner (<=4' dia.) (In Pavement)	EA	14	\$600.00	\$8,400.00	\$550.00	\$7,700.00	\$3,031.00	\$42,434.00
11	Seal Joint Connection (<= 4' dia.) (Not In Pavement)	EA	31	\$450.00	\$13,950.00	\$900.00	\$27,900.00	\$956.00	\$29,636.00
12	Seal Joint Connection (<= 4' dia.) (In Pavement)	EA	11	\$600.00	\$6,600.00	\$900.00	\$9,900.00	\$3,000.00	\$33,000.00
13	Seal Pipe Connection (Not in Pavement)	EA	12	\$500.00	\$6,000.00	\$575.00	\$6,900.00	\$956.00	\$11,472.00
14	Seal Pipe Connection (In Pavement)	EA	15	\$600.00	\$9,000.00	\$575.00	\$8,625.00	\$3,000.00	\$45,000.00
15	New Bench (<= 4' dia.) (Not in Pavement)	EA	2	\$2,300.00	\$4,600.00	\$1,450.00	\$2,900.00	\$1,206.00	\$2,412.00
16	New Bench (<= 4' dia.) (In Pavement)	EA	5	\$2,500.00	\$12,500.00	\$1,450.00	\$7,250.00	\$3,275.00	\$16,375.00
17	Seal Invert (<= 4' dia.) (Not in Pavement)	EA	12	\$600.00	\$7,200.00	\$1,200.00	\$14,400.00	\$987.00	\$11,844.00
18	Seal Invert (<= 4' dia.) (In Pavement)	EA	53	\$700.00	\$37,100.00	\$1,200.00	\$63,600.00	\$3,081.00	\$163,293.00
19	Seal Invert (> 4' dia., <= 5' dia.) (In Pavement)	EA	1	\$800.00	\$800.00	\$1,200.00	\$1,200.00	\$3,081.00	\$3,081.00
20	Repair Crack/Hole (Not in Pavement)	EA	16	\$350.00	\$5,600.00	\$1,200.00	\$19,200.00	\$981.00	\$15,696.00
21	Repair Crack/Hole (In Pavement)	EA	1	\$400.00	\$400.00	\$1,200.00	\$1,200.00	\$3,031.00	\$3,031.00
22	Line Manhole with Cementitious Liner (<= 4' dia.) (Not in Pavement)	VLF	73.37	\$350.00	\$25,679.50	\$395.00	\$28,981.15	\$263.00	\$19,296.31
23	Line Manhole with Cementitious Liner (<= 4' dia.) (In Pavement)	VLF	388.80	\$310.00	\$120,528.00	\$395.00	\$153,576.00	\$495.00	\$192,456.00
24	Line Manhole with Cementitious Liner (> 4' dia., <= 5' dia.) (In Pavement)	VLF	6.39	\$400.00	\$2,556.00	\$425.00	\$2,715.75	\$587.00	\$3,750.93
Total Base Bid				\$926,213.50		\$1,246,112.90		\$1,508,540.24*	

* Denotes a correction of an arithmetic error present in the Bid Form; the correct sum shall govern per Article 1.15-A.3 of the Instructions to Bidders.

** Denotes non-responsive bid

Apparent Low Bidder: Standard Pipe Services, LLC

Prepared By: Earl Smith, P.E. - CHA Consulting, Inc.



Council Consent Agenda Statement

Item # 10B

Meeting Date: April 24, 2023

Agenda Item: Bid for Engineering Services to Replace the 8th Street Bridge

Summary: Council is requested to approve a bid to Mattern & Craig, Inc., out of Roanoke, Virginia, in the amount of \$315,640.00 for engineering services to replace the 8th Street Bridge.

Budget/Funding: Funding has been budgeted for and is available in the following line item:

4500-R47926 Highway Maintenance Bridge Repairs \$315,640.00

Meetings: Work Session held April 10, 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 a bid to Mattern & Craig, Inc., out of Roanoke, Virginia, in the amount of \$315,640.00 for engineering services to replace the 8th Street Bridge.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____

Memo



Town of Front Royal Public Works

TO: BJ Wilson, Director of Finance
FROM: Steve Scheulen, Infrastructure Manager
CC: Michelle Campbell, Purchasing Manager
DATE: March 31, 2023
RE: 8th Street Bridge Engineering Services

Public Works requests using the services of Engineering firm Mattern & Craig for all four phases of the 8th Street Bridge replacement project to include Preliminary Design, Final Design, Bidding/Negotiation and Construction Phases.

Public Works has reviewed a proposal provided by Mattern & Craig for these services. The Department has formerly worked with M&C on similar projects and approves their proposal. The 8th Street Bridge Project has been approved as a State Revenue Sharing Project using Vdot and Town funds.

Steve Scheulen, Infrastructure Manager

Robert Boyer, Director of Public Works

RFP #29-2022 ENGINEERING SERVICES

8th STREET BRIDGE

SCORE CARD TABULATION

Mattern + Craig

	<u>Weight</u>	<u>Weighted Evaluation</u>	<u>Eval #1</u>	<u>Eval#2</u>	<u>Eval#3</u>
Experience	15	195	11	14	14
Financial Responsibility	10	83	8	8	9
Qualifications	10	97	9	10	10
Capacity and Skill	10	90	9	9	9
Methodology	10	97	10	9	10
Responsibility	15	205	12	14	15
Responsiveness	15	200	12	14	14
Workload	10	100	10	10	10
Location	5	18	3	4	4
Total		10.9			

AMT

	<u>Weight</u>	<u>Weighted Evaluation</u>	<u>Eval #1</u>	<u>Eval#2</u>	<u>Eval#3</u>
Experience	15	190	12	13	13
Financial Responsibility	10	90	9	8	10
Qualifications	10	90	9	9	9
Capacity and Skill	10	93	10	9	9
Methodology	10	80	8	8	8
Responsibility	15	210	13	14	15
Responsiveness	15	180	10	13	13
Workload	10	67	8	7	5
Location	5	20	4	4	4
Total		10.2			

Racey Engineering

	<u>Weight</u>	<u>Weighted Evaluation</u>	<u>Eval #1</u>	<u>Eval#2</u>	<u>Eval#3</u>
Experience	15	85	5	7	5
Financial Responsibility	10	50	7	4	4
Qualifications	10	60	7	5	6
Capacity and Skill	10	53	8	4	4
Methodology	10	57	8	4	5
Responsibility	15	115	9	7	7
Responsiveness	15	130	10	8	8
Workload	10	60	7	6	5
Location	5	25	5	5	5
Total		6.4			



Council Consent Agenda Statement

Item #10C

Meeting Date: April 24, 2023

Agenda Item: Task Order for Water Treatment Plant Clear Wells Inspection and Evaluation

Summary: Council is requested to approve a task order for CHA Engineering in the amount of \$48,000.00 for the inspection of the Water Treatment Plants clear wells. This proposal covers the engineering services to inspect and evaluate the clear wells at the Water Treatment Plant and to provide recommendations of repairs, needed maintenance, and future modifications. The clear wells serve as the treated water storage that feeds the Town and downstream pump stations/tanks, by gravity.

Budget/Funding: Funds were previously budgeted for the Clearwell 1 & 2 Repairs and Upgrades under the following line item:

9601-43002 Water Treatment Plant Professional Services \$48,000.00

Meetings:

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

Proposed Motion: I move that Council approve a task order for CHA Engineering in the amount of \$48,000.00 for the inspection of the Water Treatment Plants clear wells.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Manager of Purchasing

CC: B.J. Wilson, Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: March 29, 2023

SUBJECT:

We have reviewed the proposal submitted by CHA Engineering out of Blacksburg, VA for the inspection of the water treatment plant clear well's. We recommend Town Council approve this task order in the amount of \$48,000.00 to allow the inspection to be completed and the engineer provide recommendations of repairs and maintenance needed for these clear wells located at the water treatment plant. There is current funding available for in the 9601 budget.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



March 23, 2023

Mr. Robert Boyer
Director of Public Works
Town of Front Royal
800 Crosby Road
Front Royal, VA 22630

Re: Proposal for Water Treatment Plant Clearwell Inspection and Evaluation; CHA Proposal X78375-P1

Dear Mr. Boyer:

CHA Consulting, Inc. (CHA) is pleased to submit this proposal to provide engineering services to the Town of Front Royal for inspecting and evaluating the Water Treatment Plant Clearwells.

Our project understanding, scope, schedule, and fees are outlined in the following paragraphs.

PROJECT UNDERSTANDING

The Front Royal Water Treatment Plant, located on Aqueduct Lane, has two onsite clearwells. Clearwell #1 is 300,000 gallons and Clearwell #2 is 415,000 gallons. These clearwells serve as the treated water storage that feeds the Town and downstream pump stations/tanks by gravity.

CHA understands that a structural inspection and recommendations for future modifications to the clearwells are desired. This includes:

- Visual inspection of the structure of the clearwells to determine any evident damage from settling, chemical attack or original installation defects;
- Evaluation of the existing clearwell roof membranes;
- Recommendations on how to resolve any discovered structural or roof defects;
- Plan detailing new access hatches in locations as proposed by plant staff; and
- Conceptual description of means of increasing the clearwell volume so that regular plant shutdowns overnight can be accomplished, primarily to reduce water plant staffing requirements.

SCOPE OF SERVICES

CHA will schedule and conduct an online project kickoff meeting. As part of that meeting, we will review the existing information and data available for the clearwells, including any documented upgrades, changes or improvements made to the clearwells in the past 20 years. In addition, we will schedule the inspections and ensure that all available information on the clearwells is provided to the structural engineer.

Tank Inspection

CHA proposes to provide a structural inspection of both clearwells, performed by a Virginia licensed structural engineer.

This inspection will occur on two separate site visits to allow the Town to take one tank out of service at a time, keeping the plant in service during both inspections. We will inspect the tank using onsite video communication with plant staff operating video equipment on the interior of the tank without entering the tank. The plant staff with video equipment will perform all work at the structural engineer's specific direction, but with all required safety protocols understood and in place. The structural engineer will evaluate all interior structures and the roof of the clearwell for integrity and deficiencies.

All inspection that can be made from the top of the tank will be performed by the engineer without the use of video equipment. Included in the inspection will be noting of any major or minor structural defects or other problematic issues. A process engineer with CHA will also be onsite during both inspections to assist with any questions and view the video captured during the inspection.

Proposed Improvements Evaluation

As part of the structural evaluation, a means of resolving all deficiencies noted will be identified and explained. If alternatives are available for mitigation, these will be discussed, and a recommendation made. Beyond these improvements, CHA will evaluate a means of adding additional access hatches to the tanks.

Report Development

A preliminary engineering report will be developed that will describe the current condition and usage of the clearwells and provide recommendations for improvements that will allow for continued beneficial use of the clearwells for at least the next 20 years. The report will provide background on the clearwells construction and piping configuration as well as a review and description of how the clearwells are and can be operated (ie, in parallel or series).

All structural issues identified in the inspection described with their current conditions and likely impacts to the structure and function of the clearwells. Any deficiencies will be documented on a figure of each clearwell to clarify their locations. Supporting photographs will be provided in an appendix.

CHA will provide plan drawings and descriptions of all recommended improvements including maintenance upgrades, structural improvements, access additions, and other improvements identified in the report. The benefits (and drawbacks, if any) of the recommended improvements will be clearly identified.

In evaluating potential upgrades, CHA will specifically include a conceptual plan and evaluation of the benefits and drawbacks of adding additional storage at the site. This will include a description of the necessary infrastructure and the impacts the additional storage will have on water quality, safety, and site security. Approximately 700,000 gallons in clearwell volume is currently available. Water demand is typically less than 3 MGD, but the water treatment plant can produce up to 5.94 MGD daily. Based upon the discrepancy between production rate and demand, an initial assessment would indicate that the addition of approximately 800,00 gallons of clearwell storage would be beneficial because it would



allow the water plant to be offline for approximately 10-12 hours each day. Daily plant flow records for the past year) will be used to determine how much total storage would be required to allow for a 12 hour down time at current demands. After this determination, we will evaluate a means of adding the required amount of storage, while maintaining the existing or similar hydraulic conditions. Any onsite alternatives will be identified, and a recommendation will be detailed. The evaluation will include an estimate of the costs of construction, as well as a recommendation on the volume of storage (if any) that will provide the most benefit to the Town, based upon current and projected future water demand.

All proposed work will be prioritized based on the urgency of the upgrade and utility to the Town's operation relative to the estimated costs.

CHA will develop the report and deliver it in draft form to the Town. After the draft has been delivered and Town staff have had time to review it, CHA will schedule and conduct a meeting to review and discuss the recommendations, alternatives and estimated costs. Following this meeting, CHA will revise the report based upon comments received, and provide a final report for the Town's use.

The final report will be submitted to VDH for approval as a preliminary engineering report if the Town wishes to add additional storage, and CHA will work with VDH to obtain approval of the report. If desired, CHA will apply for grant and loan funding through VDH's FCAP program. These applications are due in May, we anticipate an application going into VDH in May of 2024.

CHA's scope specifically does not include detailed design documents or permitting. A separate proposal for these services can be provided upon completion of the report.

SCHEDULE

CHA will complete the evaluation and draft report within 60 days of Authorization to Proceed from the Town.

PROPOSED FEE

We propose a lump sum fee of \$48,000 for the scope of services. We will submit invoices for our services on a monthly basis.

We appreciate the opportunity to provide this proposal to you. We will initiate work on this project upon written receipt of Notice to Proceed. If you have any questions with respect to this scope of work and associated costs, please do not hesitate to contact me at (540) 251-7502 or eanderson@chacompanies.com.

Sincerely,



Eric Anderson, PE
Project Manager II



Doug Hudgins, PE
Vice President

ETA/DBH/egl





Council Consent Agenda Statement

Item #10D

Meeting Date: April 24, 2023

Agenda Item: FY23 Budget Amendment for Relocation of Utilities for Rockland Road VDOT Project

Summary: Council is requested to approve a FY23 Budget Amendment in the amount of \$23,195.32 to receive funds from the Virginia Department of Transportation (VDOT) for the expense associated with relocating water service near Rockland Road for a VDOT project.

Budget/Funding:	9601-3410206	Water Fund Revenue	Reimbursement	\$23,195.32
	9602-47513	Waterline Maintenance	Waterline Upgrade	\$23,195.32

Meetings:

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

Proposed Motion: I move that Council approve a FY23 Budget Amendment in the amount of \$23,195.32 to receive funds from the Virginia Department of Transportation (VDOT) for the expense associated with relocating water service near Rockland Road for a VDOT project.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

March 24, 2023

Route: 658
State Project: 0658-093-R13, R201
Federal Project: STP-093-8(054)
County: Warren
UPC: 112945

UTILITIES – Authorization to Relocate Facilities

Mr. Robert Boyer
Town of Front Royal
800 Crosby Road
Front Royal, Virginia 22630

Dear Mr. Boyer:

You are authorized to proceed with relocating your facilities on this project as covered by your estimate dated January 25, 2023, in the amount of \$23,195.32. This authorization is given with the understanding that the work will be performed with town forces and equipment. You must secure written approval before using contract forces on this project. Prior arrangements must be made with this office for any utility work to be performed in connection with the highway construction.

This estimate approval is subject to the following exceptions and conditions. Federal funds are being utilized in this relocation. All materials are subject to Federal MAP 21 S.1518 "Buy America" requirements. You must certify with your final billing that materials used on this project meet these requirements.

Final billing will be made as soon as practical after completion of relocation work to facilitate finalizing and closing of the state project. All costs, records, and accounts are subject to audit by authorized representatives of the state and/or U. S. Department of Transportation prior to payment of final billing. The state will not be liable for payment of any bill received more than 12 months after the utility relocation work is completed. During the progress of construction and for a period of three years from the date final payment has been received by the utility, the records pertaining to the adjustment and accounting therefore will be available for inspection by authorized representatives of the state and the U. S. Department of Transportation.

(EXCEPTIONS AND CONDITIONS)

All utility adjustment work performed on existing highways and temporary or detour roads shall be performed in such a manner as to protect traffic and workmen by the erection of adequate protective devices in accordance with the latest Virginia Department of Transportation "Work Area Protection Manual". When flagging is necessary, it shall be done in accordance with Section 512 of the "Virginia Department of Transportation Road and Bridge Specifications".

Letter to Mr. Boyer
Page 2
March 24, 2023

[ADDITIONAL INFORMATION]

You must notify Steve Ray at (434) 238-3538 before you begin any utility construction work.

A land use permit will not be required prior to you beginning utility construction work. However, if you will be closing a lane of traffic please notify the VDOT Edinburg Residency. This notification should be made no later than the Wednesday of the week prior to the lane closure on primary roads.

It is the responsibility of the utility owner to obtain any required environmental permits from the appropriate agencies.

We appreciate your cooperation in the development of plans for this project. If additional information is needed, please call me at (434) 856-8260.

Sincerely,

Hall Mathew
hvs37758

Digitally signed by Hall
Mathew hvs37758
Date: 2023.03.28
11:55:03 -0400

Mathew Hall
Regional Utilities Manager

MJH:smr

cc: Tony Rogers - Town of Front Royal
Karen Williams - Town of Front Royal



Council Consent Agenda Statement

Item # 10E

Meeting Date: April 24, 2023

Agenda Item: Virginia Municipal League (VML) Policy Committee Nominations

Summary: Council is requested to nominate members and staff to the following Virginia Municipal League (VML) Policy Committees for 2023.

Community & Economic Development – Councilwoman Morris and Town Manager Joe Waltz

Finance – Councilman Rogers and Finance Director BJ Wilson

General Laws – Vice Mayor Sealock and Town Attorney George Sonnett

Human Development & Education – Councilwoman DeDomenico-Payne

Infrastructure (covering Transportation & Environment/Natural Resources) – Councilman Rappaport and
Director of Public Works Robbie Boyer

Budget/Funding: None

Meetings: Work Session held April 3, 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 nomination of the following councilmembers and staff to the 2023 VML Policy Committees:

Community & Economic Development – Councilwoman Morris and Town Manager Joe Waltz

Finance – Councilman Rogers and Finance Director BJ Wilson

General Laws – Vice Mayor Sealock and Town Attorney George Sonnett

Human Development & Education – Councilwoman DeDomenico-Payne

Infrastructure (covering Transportation & Environment/Natural Resources) – Councilman Rappaport and
Director of Public Works Robbie Boyer

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____



March 13, 2023

To: VML Managers and Clerks
From: Michelle Gowdy, Executive Director
Subject: 2023 VML Policy Committee Appointments and Meetings

VML's 2023 policy process is getting underway!

VML has five policy committees that meet in late July to learn about current issues, review current VML policy positions, revise current positions and propose new ones, and recommend issues for consideration by VML's legislative committee.

Who's eligible to serve? Full-member local governments may nominate their governing body members and appointed staff to serve on a committee

How do committees meet? Committee meeting dates and times will be announced soon; all meetings will be held on Zoom.

Who serves from my community? We are attaching the 2022 committee lists so you can see who from your local government served on policy committees last year. Your representatives can stay on the same committees, or they can move to a different committee.

If no one served on a committee last year, you can make some appointments this year! Just remember that an individual can only serve on one committee per year.

Sign us up! Please use the nominations form to fill in your committee nominees for this year and email the form to Keyara Johnson at kjohnson@vml.org by May 15.

An explanation of the areas covered by the policy committees and the policy process is attached.

Please email Janet Areson (jareson@vml.org) if you have any questions.

VML's Policy Committee Process

Each year the Virginia Municipal League convenes policy committees to involve members in the development of policy statements to guide the League staff and members through the coming year.

Policy committees give members an opportunity to hear from subject matter experts on issues of interest and to talk with colleagues from across VML's member localities about issues of common concern.

The policy committees also help develop potential positions for inclusion in VML's Legislative Program by looking at issues referred to the committee by the Legislative Committee and providing input to that Committee.

The policy committees meet once during the year, typically in late July. Meetings will be held via Zoom.

FAQs about policy committees

What is the role of the policy committees?

Policy committees receive briefings on select statewide issues, consider additions and updates to the policy statement, and develop legislative recommendations for the Legislative Committee to consider.

How are policy committees appointed?

Policy committee membership consists of elected and appointed officials of full-member local governments. Nomination information is sent in the spring to each locality, and each local government determines which of its officials will be nominated for each of the five policy committees. Each local government may nominate up to two people per policy committee, at least one of whom must be an elected official.

What are the benefits of serving on a policy committee?

VML policy committees offer members an opportunity to learn about current and emerging statewide issues affecting local governments, to develop through policy statements the broad philosophical framework that guides the league, and to network with local officials with similar policy interests.

How many policy committees are there?

There are five policy committees: 1) community and economic development; 2) finance; 3) general laws; 4) human development and education; and 5) infrastructure (comprised of transportation and natural resources issues).

What issues does each policy committee cover?

- **Community & Economic Development:** Authority, administration, and funding of local governments to manage a full range of community and economic development issues, including business development and retention, international competitiveness, infrastructure development and investment, planning, land use and zoning, blight, enterprise zones, housing, workforce development and historic preservation.

- **Finance:** Powers, organization, and administration of local government financing, including taxing authority, debt financing, state aid to local governments and federal policies affecting local finance issues.
- **General Laws:** Powers, duties, responsibilities, organization, and administration of local governments, including state-local and inter-local relations, conflicts-of-interest, freedom-of-information, information management and personnel, telecommunications, utilities, and law and courts issues.
- **Human Development and Education:** Management and funding of social services, prek-12 education, health, behavioral health, juvenile justice and jails, recreation, and aging.
- **Infrastructure:** Development, management, maintenance, and funding of environmental programs including water resources and quality, air quality, and waste management as well as transportation system management and funding.

What is a policy statement?

Each policy committee develops a policy statement that covers issues in its respective area. The policy statement expresses the agreement of VML's membership on matters of interest to local governments. The statement generally addresses broad, long-term, philosophical positions. The VML membership approves the policy statements at its annual meeting.

How do policy statements differ from VML's legislative program?

Policy statements are general in nature. They reflect local governments' positions on a range of issues. The Legislative Program is more specific and immediate. It is limited to legislative positions that VML expects to lobby on during the upcoming legislative session.



Council Consent Agenda Statement

Item # 10F

Meeting Date: April 24, 2023

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

Summary: Council is requested to re-nominate a member to the Board of Zoning Appeals (BZA) to a five-year term to the Judge of the Circuit Court for appointment.

Budget/Funding: None

Meetings: Closed Meeting held February 27, 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 re-nominate Amanda McCarthy to the Judge of the Circuit Court for approval of a five-year term on the Board of Zoning Appeals.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



Council Consent Agenda Statement

Item # 10G

Meeting Date: April 24, 2023

Agenda Item: Resolution for Extension of Penalties and Interest Charges for 2023 Real Estate and Personal Property Taxes

Summary: Council is requested to approve a Resolution to extend the charges for penalties and interest related to 2023 real estate and personal property taxes by a period of fifteen (15) days to allow adequate time for processing and mailing of bills as presented. Upon approval of the resolution the extension of the due date will be June 20, 2023.

Budget/Funding: None

Meetings: Work Session held April 3, 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 a Resolution to extend the charges for penalties and interest related to 2023 real estate and personal property taxes by a period of fifteen (15) days to allow adequate time for processing and mailing of bills, as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____

RESOLUTION

Extension of Penalty and Interest for 2023 Real Estate and Personal Property Taxes

WHEREAS, the Town of Front Royal Municipal Code Section 75-44 (B) declares a penalty of 10% of the tax past due or ten dollars (\$10.00), whichever is greater, shall be added to any tax not paid by the aforesaid due date, provided that in no case may the penalty exceed the amount of the tax assessed. In addition, interest shall be added to any delinquent taxes and penalties at the rate of 10% per year, with interest commencing on the first day of the month following the date on which any such taxes became due and payable; and,

WHEREAS, the Town intends to extend the date in which penalties and interest shall commence for the 2023 Real Estate Taxes and Personal Property Taxes for a period of fifteen (15) days from the date on which any such taxes become due and payable; and,

NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Front Royal, Virginia, that Town Council approves this resolution extending penalties and interest for 2023 Real Estate and Personal Property Taxes for a period of fifteen (15) days, as presented.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne	__Yes __No	H. Bruce Rappaport	__Yes __No
Joshua L. Ingram	__Yes __No	Duane R. "Skip" Rogers	__Yes __No
Amber F. Morris	__Yes __No	R. Wayne Sealock	__Yes __No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



Council Consent Agenda Statement

Item #10H

Meeting Date: April 24, 2023

Agenda Item: Resolution Authorizing Participation in the Virginia Department of Housing and Community Development's (VDHC) Virginia Main Street Program: Exploring Main Street with Downtown Front Royal, Inc.

Summary: Council is requested to approve a Resolution requested by Downtown Front Royal, Inc. representative Ellen Aders, that upon approval of Council, authorizes the Town of Front Royal's participation in the Virginia Department of Housing and Community Development (VDHC) Virginia Main Street Community Revitalization Program Tier One: Exploring Main Street with Downtown Front Royal, Inc., as presented. Downtown Front Royal, Inc. will complete and submit the application and commitment statement with the Mayor being the authorized agent from local government.

Budget/Funding: None

Meetings: Work Session held April 10, 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 a Resolution requested by Downtown Front Royal, Inc. representative Ellen Aders, that upon approval of Council, authorizes the Town of Front Royal's participation in the Virginia Department of Housing and Community Development (VDHC) Virginia Main Street Community Revitalization Program Tier One: Exploring Main Street with Downtown Front Royal, Inc., I further move that Council authorize the Mayor to execute the application and commitment statement on behalf of the Town of Front Royal as required.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____

**RESOLUTION AUTHORIZING PARTICIPATION IN THE VIRGINIA DEPARTMENT
OF HOUSING AND COMMUNITY DEVELOPMENT’S VIRGINIA MAIN STREET
COMMUNITY REVITALIZATION PROGRAM TIER ONE: EXPLORING MAIN
STREET STATUS**

WHEREAS, the Virginia Main Street Program housed in the Virginia Department of Housing and Community Development nurtures successful local revitalization programs across the state and has three levels of participation known as Community Revitalization Programs Three Tiers; and,

WHEREAS, Downtown Front Royal, Inc. a 501(c)(3) nonprofit organization plans to apply for Tier One: Exploring Main Street in partnership with the Town of Front Royal; and,

WHEREAS, Downtown Front Royal, Inc would complete and submit the Exploring Main Street Program Application and Commitment Statement with the appropriate signatures; and,

NOW, THEREFORE, BE IT RESOLVED that the Front Royal Town Council of Front Royal, Virginia, supports Downtown Front Royal, Inc. to submit an Application and Commitment Statement for participation in the Virginia Department of Housing and Community Development’s Virginia Main Street Community Revitalization Program Tier One: Exploring Main Street and authorize the Mayor as the authorizing agent for the Town of Front Royal to execute the application and commitment statement on behalf of the Town of Front Royal.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne	__Yes __No	H. Bruce Rappaport	__Yes __No
Joshua L. Ingram	__Yes __No	Duane R. “Skip” Rogers	__Yes __No
Amber F. Morris	__Yes __No	R. Wayne Sealock	__Yes __No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT
Partners for Better Communities



Exploring Main Street Program Application

The Exploring Main Street option is for communities that are exploring downtown revitalization, that are preparing for designation or that may not be eligible for Advancing Virginia Main Street designation. It provides access to all Virginia Main Street training and limited on-site assistance, as resources permit. The applicant may be the local government, or a partnership of local government and a private sector organization. Please see the [Virginia Main Street Program Guidelines](#) for more information.

Submission Instructions

Applications for Exploring Main Street status may be submitted at any time, and should be submitted on the forms provided by the Department of Housing and Community Development (DHCD). All questions must be answered in the space provided.

Applications should be typed and transmitted in electronic format (i.e. pdf, doc)

Attachments, such as maps, should fit within the 8 1/2" x 11" application.

If you have questions, please contact:

Virginia Main Street Program
Virginia Department of Housing & Community Development
600 East Main Street, Suite 300
Richmond, VA 23219
mainstreet@dhcd.virginia.gov
(804) 371-7171

Applications Should Be submitted via email to*:

mainstreet@dhcd.virginia.gov

*In the subject line of the transmittal email, please include your community name and affiliate application.

Applicant Information

Community:

Population:

Private Sector Organization (if applicable):

Designated Contact Person:

(include Name, Title/Affiliation, Address, Phone, Fax and E-mail)

Date:

Commitment Statement

_____ agrees to meet the requirements of an Exploring Main Street community as outlined in the [VMS Program Guidelines](#) and will eligible to receive Exploring Main Street services from DHCD as long as the requirements are met. *(Attach a resolution adopted by the local government – and by the private sector partner organization, if applicable – authorizing this application)*

Signature of Authorizing Agent from Local Government (please print name and title)

Signature of Authorizing Agent from Private Sector Organization, if applicable (please print name and title)

Community Information

1. **Briefly describe the economic and physical characteristics of your downtown or commercial district** (attach an 8½" X 11" map with building footprints showing district boundaries; include an aerial photo, if available).
2. **Briefly describe the structure of your organization** (attach list(s) of Board or committee members)
3. **Briefly outline the efforts made to improve the downtown or commercial district over the past five years.**
4. **Briefly describe what you hope to achieve by participating in Exploring Main Street.**

INTRODUCTION

Main Street is a national model created by the National Main Street Center (NMSC), a subsidiary of the National Trust for Historic Preservation, to bring jobs, dollars, and people to small towns and commercial districts. It is a powerful, grassroots network consisting of over 40 Coordinating Programs and more than 2,000 neighborhoods and communities across the country committed to creating high-quality places and to building stronger communities through preservation-based economic development. Main Street programs leverage private and public investment and capitalize on the unique appeal of historic downtowns and communities. The result is one of the most successful economic revitalization strategies in the country.



As a Main Street America™ Coordinating Program, the Virginia Main Street (VMS) program, housed in the Virginia Department of Housing and Community Development (DHCD), nurtures successful local revitalization programs across the state based on the Main Street Approach™.¹ From 1985 to 2021, the VMS program has created more than 7,500 businesses; 25,000 jobs; and generated more than \$2.1 billion in public and private investment in Virginia.²

Three Tiers of Participation

The VMS program provides technical assistance, consulting services, training, and grant funding to communities of all sizes with different levels of experience in, and commitment to, commercial district revitalization. There are three levels of participation in the VMS program:



1

**Exploring
Main Street**



2

**Mobilizing
Main Street**



3

**Advancing
Virginia Main Street**



VMS works with all three tiers - utilizing local and regional assets, community vision, and market understanding to create qualitative and quantitative outcomes through targeted design, economic, organization, and promotional strategies and activities. Layering grant opportunities and technical assistance with economic development, entrepreneurship, urban design, and fundraising, VMS strives to provide each

¹ National Main Street Center; Main Street America; Main Street; Main Street Four Points; and Main Street Approach are registered trademarks of the National Main Street Center.

² Adjusted to 2020 dollars using the Consumer Price Index.

community with individualized support.

Communities in all three tiers are encouraged to leverage VMS training, information, and consulting services, along with other DHCD programs and funding such as Community Development Block Grants (CDBG), Community Business Launch (CBL), and the Industrial Revitalization Fund (IRF) – just to name a few.

COMMUNITY REVITALIZATION PROGRAM TIERS

Tier One: Exploring Main Street

The Exploring Main Street (EMS) tier is open to all communities, including incorporated and unincorporated municipalities and urban neighborhood commercial districts, who are exploring the Main Street Approach for downtown commercial or neighborhood revitalization. EMS communities have access to organizational development services and grant opportunities through VMS.

Eligibility: EMS communities are people-centered commercial areas that are interested in community and historic revitalization practices that spur local economic activity. At the heart of every EMS community are local stakeholders that are working to adopt the Main Street Approach as the foundation of their long-term sustainable revitalization efforts.

Application Process: Communities complete a non-competitive application. Applications are accepted on a rolling basis and must include an adopted resolution from the local government noting their support and authorization. Visit dhcd.virginia.gov/vms to download a PDF version of the application. To learn more, contact VMS at mainstreet@dhcd.virginia.gov.

Requirements: EMS communities must keep their community contact information updated with VMS and are expected to attend VMS trainings or request VMS technical assistance at least once a year, as well as give an annual update each January of the program's progress. Participants are also encouraged to join Main Street America (MSA) as a Community Member at the Affiliate level. To join, visit mainstreet.org.

Grants: EMS communities are eligible to apply for VMS grants such as Community Vitality Grants (CVG) and Financial Feasibility Grants (FFG), which can provide additional funding for projects such as: organizational development consulting services, entrepreneur support programs, place-making projects, façade programs, and environmental design consulting services. Please consult the VMS Grant Manual for additional information.

Services: VMS provides EMS communities with technical assistance as resources permit. VMS can assist with organizational issues including roles and responsibilities of staff and Board/Committee and work plan development (either on-site or virtual).

Exploring Main Street	
Follow the Main Street Approach	The Main Street Approach is the foundation of long-term sustainable revitalization.
Active Participation	Each year, EMS staff or volunteers must attend a minimum of one VMS-sponsored training from the calendar at virginiamainstreet.com or reach out to their VMS program administrator at least once per year.

Progress Reporting	EMS communities must maintain updated contact information with VMS and must give an annual report of their program's progress each January.
Main Street America Membership at Affiliate level	EMS communities are encouraged to join MSA as a Community Member at the Affiliate level. This membership provides access to additional resources, contacts, and examples.
Work in a pedestrian-oriented commercial district	EMS programs should generally have a people-centered commercial area with a focus on economic development through locally owned businesses and fostering entrepreneurship.
Organizational Visit	VMS assists with organizational issues including roles and responsibilities of staff and Board/Committee. Work planning assistance is also provided. (On-site or Virtual)
Grants	Grants are available for services such as organizational development, facilitating visioning or mission statements; brand development; and physical enhancement projects. May be eligible for other DHCD grants.

Tier Two: Mobilizing Main Street

Mobilizing Main Street (MMS) is a two-year program that provides targeted organizational development support to build a community's revitalization program using the Main Street Approach. Through grassroots leadership and a commitment to holistic preservation-based economic development, downtown champions can create lasting impact for the local economy and community as a whole.

Alongside fellow MMS cohort members, participants will work to better position their community for economic opportunity. The program's curriculum focuses on building the capacity of the local Main Street initiative to further their local mission. VMS will work closely with MMS communities to build a solid organizational foundation and enhance their implementation of the Main Street Approach, which will ultimately prepare participants for the responsibilities of Advancing Virginia Main Street (AVMS) designation and Main Street America Community Accreditation.

At the end of the MMS two-year program, communities will be eligible to apply for AVMS designation. Completion of the MMS curriculum is a requirement for communities that intend to pursue application for AVMS designation.

Eligibility: Active EMS communities that are looking to further their Main Street work and aspiring to pursue AVMS designation should consider MMS. MMS communities should:

- Meet the description of a Main Street District;
- Have an existing 501(c)(3) nonprofit with a mission for commercial district revitalization OR an existing Main Street steering committee consisting of a chairman and minimum of five (5) stakeholder members, and;
- Have local government support and commitment to Main Street as an economic development strategy, which could be a recent EMS or MMS resolution, financial contribution to Main Street program operations, and/or municipal letter of support.

Interested communities are strongly encouraged to contact VMS staff to discuss their goals, level of need, potential for investment, and available resources to determine whether MMS is the right fit.

Application Process: Communities complete a competitive application. The application includes an organizational assessment, commitment statement, and an adopted resolution from the local government noting their support. Applications are available on a biannual basis and new communities will be accepted into this tier as resources allow. Visit

Virginia Main Street Grants Fiscal Year (FY) 2024

Background

The Virginia Department of Housing and Community Development's (DHCD) Virginia Main Street Program (VMS) is a community economic development program that follows the Main Street Approach™ of the National Main Street Center. Each year local Main Street organizations work to attract the necessary public and private investment to their historic commercial districts in order to: (1) breathe new life into blighted and vacant buildings; (2) establish and expand independent businesses that make downtowns fun and unique consumer destinations; and (3) create mixed-use downtowns where people once again live above bustling commercial establishments and property owners maximize the productive use of every floor of downtown buildings.

The cumulative success of the Main Street Approach™ and local programs has earned Main Street the reputation as a powerful economic revitalization tool. In 2021 alone, VMS designated communities reported:

- Over \$61 million in privately funded improvements to downtown historic buildings;
- Over \$14 million in public improvements to help encourage private investment in downtowns;
- More than 221 unique businesses created, expanded or retained in historic commercial districts, and;
- More than 717 jobs created or retained for local community members seeking employment.

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VMS Grants at a Glance

Each year, DHCD and VMS offer a number of grant opportunities to further the revitalization and preservation of Virginia's historic downtowns and neighborhood commercial districts with a goal of creating vibrant and thriving local economies.

The grant opportunities are outlined below.

	Downtown Investment Grants (DIG)	Community Vitality Grants (CVG)	Financial Feasibility Grants (FFG)	Virginia Business District Resurgence Grants
Who is eligible?	Advancing Virginia Main Street (AVMS) organizations	Exploring (EMS) & Mobilizing Main Street (MMS) communities*	All VMS communities with priority to AVMS*	Local governments, economic development organizations, planning district commissions, non-profit organizations, and Chambers of Commerce
Maximum Award	\$75,000	EMS: \$15,000 MMS: \$30,000	\$50,000	\$150,000**
Match Requirement	2:1***	2:1	N/A	5:1
Project Types	Downtown economic improvement & community revitalization	Downtown revitalization & organizational development	Downtown redevelopment	Organizational capacity building, small business support & technical assistance
Application Deadline	April 28, 2023	April 28, 2023	Rolling****	April 28, 2023
Expected Project Completion	May 31, 2024	May 31, 2024	May 31, 2024	May 31, 2024

*Grant can be administered through the designated local Main Street organization or local government.

**Up to \$50,000 for organizational capacity building projects and up to \$100,000 for small business support projects.

***Ratio is DHCD grant funds to grantee match. For every \$2 of grant funding applied for, there must be \$1 in match funding committed.

****Applications will open on February 1, 2023. Applications will be reviewed and awarded on a first come, first serve basis and will remain open until program funding is fully obligated.

VMS Priorities

Across all grant opportunities, VMS seeks projects that:

1. Promote a community's unique, identity-defining assets—both built and cultural;
2. Promote inclusive collaboration and engagement with a vast and diverse set of local partners, leaders, stakeholders, and residents;
3. Promote local entrepreneurs, small businesses, women- and/or minority-owned businesses, entrepreneurial ecosystems, and small-scale development;
4. Promote equal access to opportunity and thoughtfully acknowledge and address diversity, equity, inclusion, and accessibility (DEIA) challenges and opportunities; and
5. Promote the awareness, growth and financial sustainability of the local Main Street organization.

How-to-Apply Webinars

DHCD will offer virtual How-to-Apply Webinars for VMS grants on January 10, 2023. These will be recorded and shared on the VMS page of the DHCD website: <https://dhcd.virginia.gov/vms>. Prospective applicants are also encouraged to reach out to DHCD staff as soon as possible to discuss any projects in development.

Community Vitality Grants

Overview

Community Vitality Grants (CVGs) are designed to assist Main Street communities/organizations achieve their downtown revitalization goals. CVG projects are momentum generators that spark Main Street efforts and create long lasting positive impact on the historic downtown or neighborhood commercial district. CVG grants are available for downtown revitalization activities, including, but not limited to:

- Non-profit organizational development;
- Strategic planning (including vision/mission development);
- Work plan and budget development;
- Market studies;
- Downtown organization website development;
- Design projects;
- Entrepreneur support programs;
- Wayfinding system development;
- Economic vitality projects; and
- Consultant services that will positively contribute to the historic downtown or neighborhood commercial district and for which other funds are not available.

Eligibility

Grants are available to all of Virginia's active Exploring Main Street (EMS) and Mobilizing Main Street (MMS) communities and organizations. "Active" as defined in the [2022 VMS Program Guidelines](#). Applicants must be current on all VMS and DHCD reports (as applicable) and comply with DHCD's financial auditing requirements denoted below.

Award Amount

The total funding for FY24 is \$330,000. The maximum award amount for an EMS community or organization is \$15,000. The maximum award amount for a MMS community or organization is \$30,000.

Match Requirements

All projects require a 2:1 match. For every \$2 of grant funding applied for, there must be \$1 in match funding committed. In-kind services provided by local government, consultants, and other stakeholders and partners may be included. Time contributed solely to the implementation of the project by volunteers may be included.

Funding Priorities & Anticipated Outcomes

A strong application will clearly explain how the proposed project or service is an effective organizational or economic development strategy for the commercial district. Proposed organizational development projects via consultant services must advance the sustainability of the local organization through the development of bylaws and organizational structure, mission/vision statements, work and budget plans, market studies, or the creation of entrepreneur support programs that will positively contribute to the revitalization of downtown. Proposed economic vitality, promotion or design related projects must directly support existing work plans and identified strategies for improving the functionality and/or usage of the downtown district. Projects or services that enhance or complement other DHCD resources the community or organization is currently receiving will be prioritized.

Competitive applications will make it clear that the applicant is capable of successfully completing the service or project and that it will increase organizational readiness, strengthen entrepreneurial ecosystems, or enhance the built environment for the district. As noted above (in the “VMS Grants at a Glance” section), projects that will result in one or more of the preferred outcomes will be prioritized.

Unallowable Activities

Funds are not available for continuing operations, program administration, or any other ongoing operational expenses. Funds are not available for predictable expenses for which the community or organization could have reasonably planned (for example, general marketing materials, financial management expenses, etc.).

Scoring Rubric

Grant applicants are scored on a 0-100 point scale. Grant funds are limited and only those proposals exceeding the minimum 70-point threshold will be considered for funding. Funds will be allocated from top scoring until all funds are exhausted.

The project scoring methodology is as follows:

Criteria	Points
Project impact on organizational development or the commercial district	40
Relation to community/organization’s strategies/goals	25
Organizational capacity/readiness	15
Realistic project work plan and budget	15
Alignment with VMS’s priorities	5
Total	100

Sample Projects from Previous Grant Recipients

1. [Nelson County’s Lovington Market Study](#) - Building upon previous Community Development Block Grant (CDBG) planning grant efforts, Nelson County received a \$7,000 CVG to hire a consultant to conduct a market and retail gap analysis of Lovington's commercial district.
2. [Main Street Petersburg Community Listening and Planning Project](#) - Main Street Petersburg leveraged a \$7,000 CVG to implement a community listening and planning project to identify what its residents want most for downtown and how to achieve it.
3. [Pulaski on Main’s Pocket Park and Mural Project](#) - A \$7,500 CVG supplemented the cost of a mural in a new pocket park in Pulaski’s Downtown Historic Commercial District, which was originally funded by a CDBG through DHCD.

Timeline

Register your Organization in CAMS (See below)	ASAP
--	------

Application Submittal Deadline	April 28, 2023
Application Review	May & June 2023
Anticipated Award Announcement	Summer 2023
Successful Projects Under Contract	Fall 2023
Project Completion & Outcomes Achieved	May 31, 2024

All projects must be underway no later than October 1, 2023. Projects must be completed, all disbursements made, and final reports on project activities and outcomes submitted no later than May 31, 2024.

Application Deadline

All grant applications and supporting documentation must be submitted in DHCD's Centralized Application Management System (CAMS) by 11:59 p.m. on April 28, 2023. (See Additional Information below for more information about CAMS.) Applicants must submit completed responses to all appropriate questions and include all required attachments. Applications not submitted accordingly may be disqualified. Additional information can be found below in the "Additional Information & Requirements" section.

Application Questions (Project Description)

Enter the following information into the relevant text box within the Narrative Information tab on CAMS. Please limit responses to no more than 500 words per text box (about one written page).

1. Provide a detailed description of the proposed project. What activities are you proposing to do with this funding? Where will this project take place – within the entire district or a specific location? Include as an attachment any design renderings, façade program guidelines or other supporting documents to demonstrate the scope of your project.
2. How and when will the proposed project be accomplished? Include a fully completed work plan with a detailed timeline. (See the template linked in the "Application Attachment" section.)
3. Who will be working on this project? List any/all organizational or municipal staff, committee members and/or volunteers that will be working to implement this project. What role(s) will they play and how will they contribute? (Note: This should provide more detail than the simple team member list included in the work plan.)
4. Describe how the proposed project furthers the community's vision for the commercial district, addresses one or more of the community's strategies/goals for the district, and aligns with VMS's priorities (page 3).
5. What impact will the project have on sustainable organizational development? OR what impact will the project have on the improved functionality or usage of the commercial district?
6. Describe all outcomes that are expected from this project, both quantitative and qualitative. Outcomes might be increased visitors, new jobs created, additional private investment or changes in perception of the district. For projects involving technical services from a consultant, describe how the end project will be used, communicated and/or lead to a more sustainable organization.

Application Attachments (Supporting Documents)

The below supporting documents are **required**:

1. Vision/Mission: Include the community's vision statement for the district and mission statement for the organization (if applicable).
2. Strategic Plan/Transformation Strategies: Include any community or organizational strategic plans that outline goals for the commercial district.
3. Project Work Plan: Provide an effective and appropriate work plan for the project that includes tasks, responsible individuals, timeline, and budget. Please use this [template](#) or a similar format.
4. Budget/Cost Estimates/Match Documentation:
 - a. Project Budget – Provide a project budget that includes all project related line items for expenditures and all project related line items for funding sources. Please use this [template](#) or a similar format.
 - b. Explanation of Cost Estimates – Provide detailed information on the source of the cost estimates and the date the estimates were received.
 - c. Leverage Verification – Provide verification of leverage funds including contracts, memorandums of understanding/agreements, award letters, and other documentation that confirms the commitment of other resources for the project. Include documentation and calculations for in-kind contributions and volunteer hours.

The below supporting documents are **optional** based on the project type:

- Design Projects – Include a map of the downtown with the location of the project identified on the map along with current photos of the proposed project area. Also, include design renderings of the project, if available.
- Program Designs/Programs – Include draft documents of proposed façade program, loan pools, or other plans and documents as appropriate.
- Plans/Studies – Upload any recent economic development plans or studies the organization or locality has completed that includes the downtown area. Include any plan or study that supports the proposed project.

Additional Information & Requirements

Note: The below sections are applicable to all VMS grants.

Audit Requirements

DHCD has instituted an agency-wide audit policy. All applicants must upload a copy of the organization's W-9 and most recent audit or financial statements, as applicable, to DHCD's Centralized Application Management System (CAMS) by the grant's application deadline. All grantees that receive funding during a specific program year are required to submit financial documents or audits in accordance with the agency policy. The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at: <https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf>

Memorandum of Understanding

If the application is selected for funding, a Memorandum of Understanding (MOU) between DHCD and the grantee must be executed and the organization must be in compliance with DHCD's audit policy (denoted above) before any funds are disbursed. The MOU will outline project deliverables, conditions, fund disbursement, and termination.

Grant Payments (Remittances)

Funds may only be used for eligible expenses incurred after the signing of the MOU. Funds will be disbursed as outlined in the MOU. Financial support documentation for all project related expenses and leverage must be uploaded to CAMS prior to closeout as outlined in the MOU.

DHCD reserves the right to end funding at any point should the project prove nonviable. This includes, but is not limited to, lack of progress in conformance with the approved MOU.

To apply for direct deposit of funds, register for Electronic Data Interchange with the Virginia Department of Accounts. Forms must be mailed via post mail and can be downloaded here: <https://www.doa.virginia.gov/forms.shtml#edi>.

Reporting

Reporting through CAMS is required for projects. This includes interim progress reports and/or a final report as outlined in the MOU.

Administrative Costs

A portion of the awarded grant funds (up to 10% of total award amount) must be used to cover administrative costs. The administrative section of the project budget will be based on activities completed or milestones achieved—such as completing progress and final reports—rather than for time and materials. These milestones are negotiated between DHCD and the grantee and outlined in the MOU.

Calculating Volunteer Hours

Volunteer hours are calculated at the rate of \$29.95 per hour based on: https://www.independentsector.org/volunteer_time.

CAMS

Applications for funding must be submitted through DHCD's Centralized Application Management

System (CAMS). You can access CAMS using the following link:

<https://dmz1.dhcd.virginia.gov/camsportal/Login.aspx>.

Google Chrome is the recommended browser for CAMS. Please remember to SAVE often.

In order to access CAMS and complete an application for funding, a locality must establish a CAMS profile. A profile request can be made by going to the CAMS site and selecting the “Registration” option. In order to register your organization, you will need your organization's Unique Entity ID (UEI) and Federal Employer Identification Number (FEIN). Please allow up to five business days for DHCD to process and approve your registration request.

Once your organization has been registered, you may log in with your username and password and select the “Applications and Programs” option. From this page, select the “Apply” option and select the program from the dropdown menu. A description of the program will appear. Click the “Apply” button next to the pencil icon to begin an application.

As you complete the application, be sure to save each page. You have the option to close out of CAMS and return to the application at any time until the application is submitted or the deadline has passed.

The CAMS User Guide can be found online at:

<https://dmz1.dhcd.virginia.gov/camsportal/ResourceDocs/CAMS%20User%20Guide%202021.pdf>. CAMS technical support is available weekdays Monday-Friday between 8:30 a.m. and 4:30 p.m. If you need assistance with registration or the completion of the application in CAMS, please reach out to the CAMS Help Desk at camshelp@dhcd.virginia.gov.

Application Instructions

The application in CAMS will require the organization to complete each tab:

1. **Project Information:** Include the primary point of contact, primary location of the project and service area.
2. **Project Budget:** Complete budget information, including grant requested funding and other match funding. Within the budget narrative space, describe how the budget was derived and sources of other funding.
3. **Narrative Information:** Answer narrative questions related to the project, timeline, budget and outcomes. For additional information, please see respective “Application Questions” sections for each grant.
4. **Attachments:** Upload multiple supporting documents as attachments. For additional information, please see respective “Application Attachments” sections for each grant.
5. **Additional Information:** This is not necessary to complete, but if you have additional information to describe or share that was not asked in the application, please include it here.

For more information please contact:

Virginia Department of Housing and Community Development
600 East Main Street, Suite 300
Richmond, Virginia 23219
(804) 371-7171
mainstreet@dhcd.virginia.gov



Council Agenda Statement

Item # 11

Meeting Date: April 24, 2023

Agenda Item: Waiver of Curb and Gutter Installation at 709 and 711 Crosby Road for Jason & Christine Sine

Summary: Council is requested to consider the waiver of the curb and gutter requirement requested of Jason & Christine Sine for their two lots located at 709 and 711 Crosby Road which was created via a Minor Subdivision Plat and approved by the Town on November 19, 2022. The House Location Plan to construct the duplexes on the lots was approved by the Town on February 16, 2023. Curb and gutter is required along the frontage of the applicant's lots and may be waived by Council per Town Code 148-850.C.

Town Code 148-850.C. "For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval of Town Council in residential areas where the majority of surrounding development properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters."

Budget/Funding: No direct impact. May have an impact on future budgets.

Meetings: Work Session held April 3, 2023

Two Options for Proposed Motions:

I move that Council approve the waiver of the curb and requirement requested of Jason & Christine Sine for their two lots located at 709 and 711 Crosby Road which was created via a Minor Subdivision Plat and approved by the Town on November 19, 2022.

I move that Council deny the waiver of the curb and requirement requested of Jason & Christine Sine for their two lots located at 709 and 711 Crosby Road which was created via a Minor Subdivision Plat and approved by the Town on November 19, 2022.

Moved _____ Seconded _____

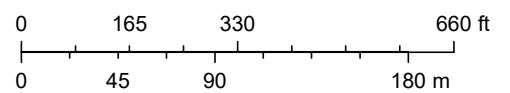
DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____

709 & 711 Crosby Road



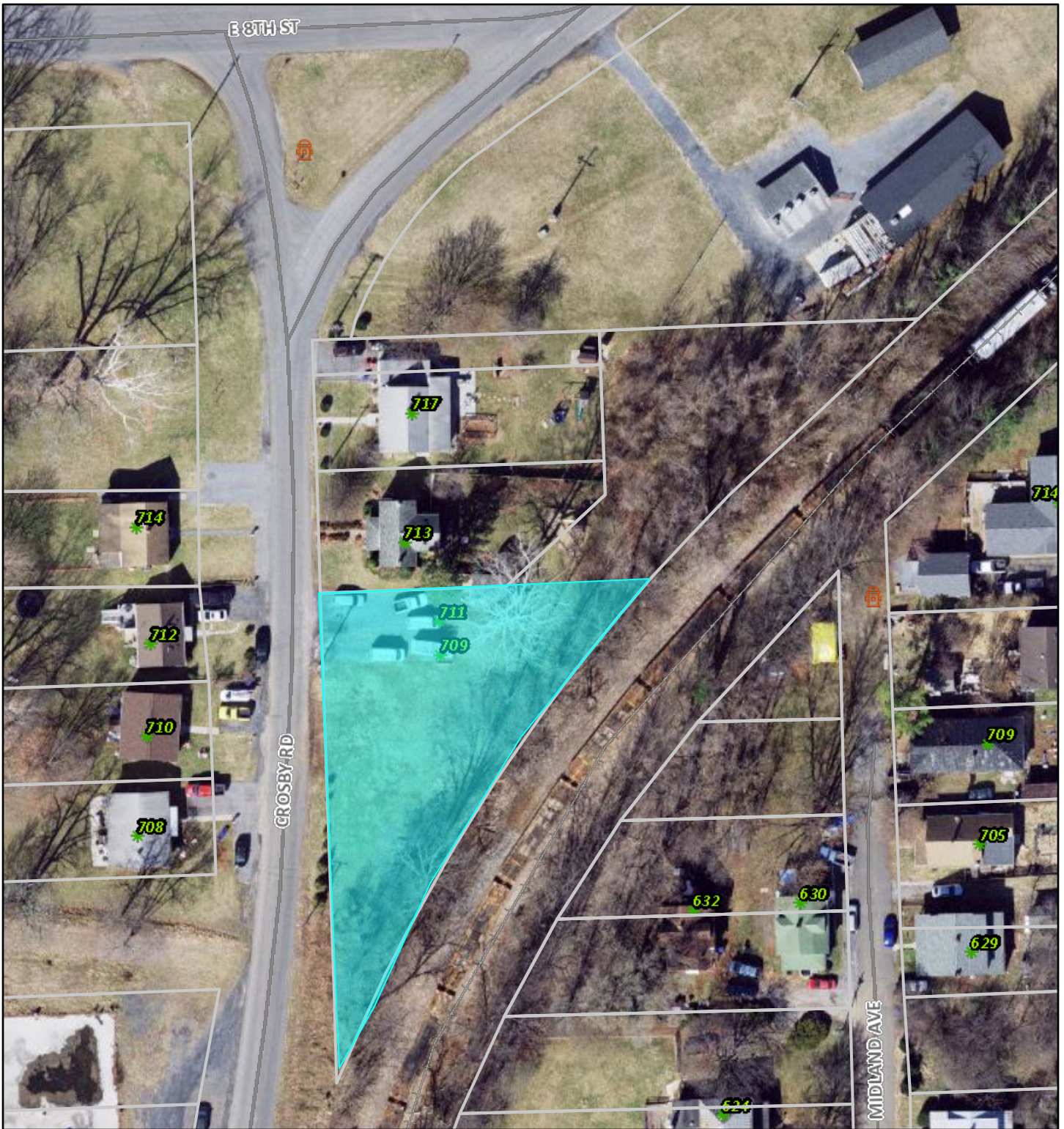
March 28, 2023

1:4,514



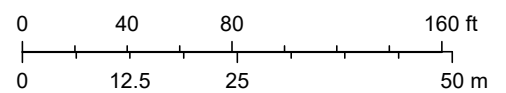
Map data © OpenStreetMap contributors, Microsoft, Facebook, Inc. and its affiliates, Esri Community Maps contributors, Map layer by Esri

709 & 711 Crosby Road



March 28, 2023

1:1,128



Virginia Geographic Information Network (VGIN)



Traveling South on Crosby Road towards E. 6th Street. Proposed New Duplex Site is on the Left Side of the Street.



Traveling South on Crosby Road. Proposed New Duplex is on the Left Side of the Street.



Traveling North on Crosby Road towards E. 8th Street. Proposed New Duplex Site is on the Right Side of the Street.

Jason A. Sine
Christie L. Sine
1561 Ida Rd.
Luray, VA 22835
03/21/2023

Town of Front Royal Town Council
RE: Waiver for curb and gutter installation
Subject Property: 709 and 711 Crosby Rd. Front Royal, VA
Tax Map: 20A4-1-4 and 20A4-1-4A
Zoning: R3

Dear Town of Front Royal Town Council:

We are writing to formally request consideration of a waiver, as permitted by the Town of Front Royal, of curb and gutter in association with the lot development/construction of a duplex residential dwelling on the property located at 709 and 711 Crosby Road.

We are requesting this waiver on the basis that provision of curb and gutter along the street would cause the subject property to become the only lot/parcels on the street with curb and gutter.

The subject portion of Crosby Rd. is a well-established residential area with minimal potential for significant redevelopment that would deem the installation of curb and gutter necessary.

While the majority of homes on this street have unpaved/gravel driveways, our waiver request would include an agreement to develop and pave the driveways at 709 and 711 Crosby Rd. to accomplish protection of the Crosby Rd. roadway.

Thank you for your time and consideration.

Sincerely,

Jason and Christie Sine

148-850 STREET IMPROVEMENTS

A. Streetlights.

1. Streetlights shall be installed to illuminate streets and other public highways. The installation of streetlights shall be accordance with the design standards and specifications of the Town.
2. Streetlights shall be spaced at a maximum of three hundred (300) feet apart and staggered on opposite sides of the street with one streetlight every six hundred (600) feet on both sides of the road.

B. Monuments.

1. Street Monuments. Street right-of-way lines shall be marked at all points of tangent and points of curve with a steel rod or iron pipe not less than one-half (1/2) inch in diameter and eighteen (18) inches in length. Following completion of road work, a steel rod or iron pipe shall also be placed at street centerline, centerline points of tangent and points of curve and the radius point of each new cul-de-sac.
2. Corner Monuments. All lot corners shall be marked with a steel rods or iron pipe not less than one-half (1/2) inch in diameter and eighteen (18) inches in length, driven flush with the finished grade.
3. In the event a steel rod or iron pipe cannot be set due to an obstruction, an offset monument may be set or the point may be marked by drill hole, chisel mark or other method deemed appropriate by the professional and so documented to the Director.
4. All required monuments shall be installed by the subdivider or developer. Upon completion of subdivision streets, sewers and other improvements, the subdivider or developer shall make certain that all monuments required by the Town are clearly visible for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

C. Curb and Gutter.

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the Construction Standards and Specifications Manual.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This

requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb & gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb & gutter is not currently present within 200 feet of the property.

D. Sidewalks.

1. Sidewalks shall be installed by the applicant along both sides of all new streets. *For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets.* This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within 1000 feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the Construction Standards and Specifications.
3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and activity centers. In reviewing the location of alternative walkway systems, the Town shall consider safety, practical accessibility and aesthetics.
5. Public easements shall be granted for sidewalks and/or walkways located outside the public right-of-way.
6. All sidewalks shall be constructed in accordance with Town standards and specifications and shall conform to the requirements of Section 15.2-2021, Code of Virginia, as amended, requiring curb ramps for the handicapped. Curb ramps shall comply with the Virginia Department of Transportation's Road and Bridge Standards.

E. Solid Waste Disposal and Collection.

1. All developments with exterior trash disposal or collection areas shall locate these sites so as to facilitate collection and minimize the negative impact on residents, neighboring properties

and public rights-of-way.

2. All visible trash disposal or collection and storage areas shall be screened from neighboring residential properties and from public property, including streets, parks, sidewalks and other public areas.
3. Screening shall consist of a combination of landscaping and fencing. A solid wood or masonry fence at least six (6) feet in height shall be provided on three (3) sides, with a solid opaque gate on the fourth side. Landscaping shall be incorporated to improve the visual appearance.
4. All permanently installed trash containers shall be adequately sized to handle the needs of the facility or development and shall be equipped with fitted lids to prevent odor leakage and infestation from rodents, insects, and other pests.



Council Agenda Statement

Item # 12

Meeting Date: April 24, 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 in a closed meeting pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, proposed agreement with Discover Front Royal, Inc.

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 _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____