



REGULAR TOWN COUNCIL MEETING

Monday, July 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 June 26 and Work Session Minutes of July 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. Proclamation to Recognize Front Royal Little League 8, 9, 10-year-old All Stars
7. PUBLIC HEARINGS
 - A. Receive Public Input Concerning a Request from Donald McCarty to Vacate a Portion of North Street and a Portion of an Unimproved Alley
 - B. Rezoning of Approximately 43.9 Acres from R-E District to R1-A District – NVR Inc for Saddle Crest Project
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 Award for Curb & Gutter Installation
 - B. FY24 Budget Amendment to Accept Funds from VRSA for Pavilion Damage
 - C. Solid Waste Utility Cost of Service Fee/Rate Study Contract and FY24 Budget Amendment
 - D. Reappointment of Planning Commission Member
 - E. Recommendation to the Board of Zoning Appeals
11. CLOSED MEETING
12. Adjourn



TOWN COUNCIL REGULAR MEETING MINUTES

June 26, 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 for a limited time.

Moment of Silence

Pledge of Allegiance led by Emma Morris and Logan Morris

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 – Councilman Ingram moved seconded by Councilwoman Morris that Council approve the Joint Meeting with the Planning Commission Minutes of May 22, Regular Meeting Minutes of May 22, Work Session Minutes of June 5 and June 12, 2023, as presented.

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

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that Consent Item 10 G FY24 Budget Amendment and Transfer for Speed Camera Enforcement Services in School Zones be moved as Business Item 11C.

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

RECOGNITIONS/AWARDS/REPORTS –

A. Presentation by Michael Williams of the Rotary Club of Warren County – Mr. Williams read the following statement: *Good Evening, Madam Mayor, and Councilmembers. My name is Michael Williams, and I live here in the beautiful Town of Front Royal. I have had the joy of being part of this beautiful community for over 25 years. My Rotary club, The Rotary Club*

of Warren County, would like to help our beautiful town become even more inviting to visitors and our own residents. We would like to invest \$4,000.00, with the hopes of a matching grant of \$4,000 (totaling \$8,000.00) from our Rotary District, in order to purchase trees, seasonal flowers, and other needs for the entrance to our Town on John Marshall Highway. With the help of Mr. Proctor [Town Arborist], our Tree Stewards, and other non-profit groups. The total investment from all groups would not require any taxpayer dollars to make this goal a reality. All we would ask for from the Town is approval to use the land for this purpose, some in-kind labor to help remove the current invasive trees, especially those that are near power lines. As far as upkeep (watering, weeding, and mulching), we would envision our club working with other non-profits to keep this looking nice for years to come. Like most of you, I look forward to seeing the smiles on people's faces when they come to visit our beautiful town, spend lots of money in our town and then kindly leave. I hope that you will all support this effort, and I look forward to answering any questions.

Mayor Cockrell confirmed that Rotary was seeking a matching grant of \$4,000 and that no tax dollars were going into the project. She also confirmed that the Town's Environmental Sustainability Advisory Committee (ESAC) along with others were supplying the work and funding. Councilman Rogers acknowledged that this type of project was what the community needed. Councilman Rappaport confirmed that the Tree Stewards were part of laying out the types of trees that would be planted.

B. Proclamation for Employee Appreciation Week for All Employees of the Town of Front Royal

Councilwoman Morris moved seconded by Councilman Ingram that Council approve a Proclamation proclaiming July 23 – 29, 2023 as "Employee Appreciation Week" for all employees of the Town of Front Royal, as presented.

Mayor Cockrell read the proclamation. Council voiced their support and appreciation to the employees.

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

A. Special Use Permit for Short-Term Rental at 211 S. Royal Avenue – Vesta Property Management

Mayor Cockrell opened the public hearing. There were no speakers. The public hearing was closed.

Councilman Rappaport moved seconded by Vice Mayor Sealock that Council approve the request from Vesta Property Management for a Special Use Permit allowing a Short-Term Rental at 211 S. Royal Avenue (tax map 20A7-4-105) as presented.

There was no discussion.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Special Use Permit for Short-Term Rental at 1121 John Marshall Highway – Cook Realty

Mayor Cockrell allowed the applicant, Shelly Cook, to speak before the public hearing was opened. Ms. Cook gave copies of a letter to the Clerk from Skyline Baptist Church who stated that they were "delighted in what Shelly had done with their property" and endorsed the project. She advised that there were several other neighbors who also voiced their support of the project. She explained that she planted over (50) trees

on the property for beautification. Ms. Cook advised that “Washingtonians” traveled to the community and that an Airbnb fit the model for her property versus long term rentals. She reminded Council that the project was in line with the proposed Comprehensive Plan for mixed use.

Councilman Rappaport questioned the potential events that would occur on the property and whether there would be enough parking for those events. Ms. Cook advised that there were (25) parking spaces and large events were not being envisioned only small get togethers, conference, etc. Mayor Cockrell confirmed that Skyline Baptist Church had offered overflow parking allowing several days if needed.

Mayor Cockrell opened the public hearing.

Connie Bradley, 411 Duncan Avenue, voiced her support of Ms. Cook’s project stating it was a “tasteful and updated establishment, a breath of fresh air”. She applauded her efforts.

Shannon Brickey, 1415 Markham Street and neighbor of the project. She stated that the project offered a lot more than a hotel or motel could.

Andi Robinson, 413 Viscose Avenue, voiced support of the project and the need for luxury accommodations that beautifies the area and uplifts the community.

Joe Brogan, 143 Brogans Lane, applauded the work and urged Council to support it.

Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Councilman Ingram that Council approve the request from Cook Realty LLC for a Special Use Permit to allow a Short-Term Rental at 1121 John Marshall Highway (tax map 20A103-8) as presented and upon the following condition: 1) The Special Use Permit is contingent upon the units passing staff inspection before commencement of use.

Councilwoman Morris explained that she added only one condition to the permit because the second condition proposed a one-year restriction on the permit and Council had not placed this restriction on the other permits they approved, deeming it unfair to do so on this one.

Mayor Cockrell thanked Ms. Cook for taking something that had been part of the community for a long time and improving it. Vice Mayor Sealock agreed that it had not looked that good in a long time.

Councilman Rapaport moved seconded by Councilman Rogers to amend the motion to include condition #2 The Special Use Permit is valid for one year; at which time the applicant must reapply. The application fee will be waived.

Councilwoman Morris reiterated that the validation for one year only was not placed on other short-term rentals that Council had approved, and it was not fair that Ms. Cook would have to come back in a year. She reminded Council that the recommended conditions on the permit were from the Planning Commission. Councilman Ingram agreed with Ms. Morris. Councilman Rogers noted that the project was an outstanding addition to the community but was unique and preferred to see what transpired in a year. Vice Mayor Sealock preferred to not have the applicant reapply in a year. Councilwoman DeDomenico-Payne noted that there was not sufficient justification to ask for a year to reapply.

Deputy Zoning Administrator/Town Planner John Ware confirmed that the proposed Comprehensive Plan had this area as mixed use and short-term rentals were allowed.

Councilman Rappaport reminded Council that the Planning Commission was only asking for one year to see how the project impacted the area. Councilwoman Morris noted that Ms. Cook's past works showed her integrity. She voiced concern that it was not business friendly to place the one-year restriction on this property. Chief Magalis confirmed that there had been no calls to any short-term rentals previously approved by Council.

Vote: Yes – Councilmembers Rappaport, Rogers

No – Councilmembers DeDomenico-Payne, Ingram, Morris, Vice Mayor Sealock

Absent – N/A

Abstain – N/A

ROLL CALL – On Amendment to add condition #2 - Failed

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

No – Councilmembers Rappaport, Rogers

Absent – N/A

Abstain – N/A

ROLL CALL on original motion - Passed

C. Special Use Permit for Short-Term Rental at 1125 John Marshall Highway – Cook Realty

The applicant, Shelly Cook, declined the invitation to speak before the public hearing was opened.

Mayor Cockrell opened the public hearing. All the speakers who signed up and spoke at the previous public hearing had signed up to speak at this public hearing; however, they advised the Mayor that they concurred with their previous statements.

Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that Council approve the request from Cook Realty LLC for a Special Use Permit to allow a Short-Term Rental at 1125 John Marshall Highway (tax map 20A103-8A) as presented and with the following conditions: 1) The Special Use Permit is contingent upon the units passing staff inspection before commencement of use and 2) The applicant must connect the two accessory structures to create a primary and accessory structure on the lot in compliance with the Town's Zoning and Subdivision ordinances.

Councilman Rappaport voiced support of the Planning Commission's recommendation of placing the one-year validation on the permit.

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

No – Councilmembers Rappaport, Rogers

Absent – N/A

Abstain – N/A

ROLL CALL

D. Special Use Permit for Short-Term Rental at 1135 John Marshall Highway – Cook Realty

The applicant, Shelly Cook, declined the invitation to speak before the public hearing was opened.

Mayor Cockrell opened the public hearing. All the speakers who signed up and spoke at the previous public hearings had signed up to speak at this public hearing; however, they advised the Mayor that they concurred with their previous statements.

Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Councilman Ingram that Council approve the request from Cook Realty LLC for a Special Use Permit to allow a Short-Term Rental at 1135 John Marshall Highway (tax map 20A103-9) as presented and with the following condition: 1) The Special Use Permit is contingent upon the units passing staff inspection before commencement of use.

Councilman Rappaport voiced support of the project, but again noted that it was not a lot to ask for the one-year validation. Councilman Rogers questioned a project that consisted of three or four buildings coming together and agreed with Mr. Rappaport that one year was not a lot to ask.

Councilwoman DeDomenico-Payne complimented the applicant on a job well done. Councilwoman Morris advised that the applicant did go through the process.

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

No – Councilmembers Rappaport, Rogers

Absent – N/A

Abstain – N/A

ROLL CALL

E. Special Exception from Parking Requirements at 15 Chester Street – Peter Lemmon/Scott Lloyd

Mayor Cockrell allowed the applicant, Scott Lloyd, to speak before the public hearing was opened. Mr. Lloyd gave Council a brief history of the property. He continued that to achieve the required parking of nine spaces it would mean cutting hedges and renovating the grassy area in the back of the property due to a low spot. He advised that extra parking was available in the public parking lot adjacent to the property.

Mayor Cockrell opened the public hearing. There were no speakers. The public hearing was closed.

Town Attorney George Sonnett suggested a revision to the proposed motion for clarification. It is noted below in the motion.

Councilwoman Morris moved seconded by Vice Mayor Sealock approve a request from Peter Lemmon and Scott Lloyd for a Special Exception from the parking requirements of Town Code §148-870.A.2. pursuant to §148-870.A.18 with the conditions of §148-211.A.1 being satisfied for 15 Chester Street as presented and with the following condition: 1) That the maximum number of parking spaces required on this property be four (4) spaces

Councilwoman Morris reminded Council that this was not the first time an exception was asked for on Chester Street.

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

No – None

Absent – N/A

Abstain – N/A

ROLL CALL

F. Ordinance Amendment to Town Code §158-6 Adoption by Reference of State Vehicular Laws

Mayor Cockrell opened the public hearing. There were no speakers. The public hearing was closed.

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve an ordinance amendment to Town Code §158-6 Adoption by Reference of the State Vehicular Laws, as presented.

Mayor Cockrell reminded Council that this amendment was voted on each year by July 1st.

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

No – None

Absent – N/A

Abstain – N/A

ROLL CALL

G. Continued Public Hearing to Amend Previously Approved Proffers for Anna Swan Estates - HEPTAD

Property owner, Ron Llewellyn, declined the invitation to speak before the public hearing was opened, but noted he was there to answer any questions.

Mayor Cockrell opened the public hearing. There were no speakers. The public hearing was closed.

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that Council further continue this public hearing until August 28, 2023, to allow time for the completion of a proffer analysis for this property.

Councilman Rappaport confirmed that the proffer analysis would be completed in thirty days. Councilwoman Morris advised that the Council had requested the proffer analysis.

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

No – None

Absent – N/A

Abstain – N/A

ROLL CALL

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

A. Town Manager Report – Town Manager Joe Waltz advised that the river levels had increased taking the Town out of Voluntary Water Conservation. He expressed his appreciation to those employees who had been working on the Prospect Bridge. He advised that the Town Business Offices would be closed on Tuesday, July 4th in observance of Independence Day, noting that trash and recycling for the 4th would be collected on Wednesday, July 5th.

B. Town Council Reports –

Councilwoman DeDomenico-Payne advised that she attended the Virginia Municipal League (VML) Virginia Local Elected Official Conference on June 14th.

Councilman Rogers voiced disappointment that Council was not using the guide for goals and vision as was determined and discussed during Council's retreat in March. He encouraged the Mayor and Council to review the goals and vision and bring them back to life.

Councilwoman Morris read the following statement *"My report tonight will focus on the subject of Blue Line's services in response to the 4 to 5 complaints I've received so far about engaging in this matter. Most people who know me know that I witnessed a traumatizing event in town several years ago as a new mother to three. I stopped to a yielded group of young boys on bicycles only to watch them cross in front of me safely and then one be struck by an inattentive motor vehicle driver across the road. Obviously, his mother or father couldn't have known their child was in distress, he was only up the street surrounded with friends moments before. I stayed with him until the ambulance could whisk him away to Warren memorial where he was later medevacked out to Northern VA for surgery. Close your eyes for a moment and imagine being the parent or grandparent to receive that call! Thankfully he's alright today.*

Fast forward to school year 2022-2023 where I personally witnessed chaos and recklessness as I visited 2 of our schools 4 times a day. One repeat offender, often passing double lines on stonewall Dr to pass everyone to rush into the drop offline barely missing people each day finally caused me to file a formal complaint with the administration to which they responded it was a faculty member of theirs the said person almost hit that day and they were very aware. At the time we were down SRO's so they asked if the town may help patrol the area. There was increased front royal town pd in that neighborhood when staffing allowed. The remainder of the school year my kids and I would just pull over and be late even to avoid this person and their antics on the road. I had no idea a company such as blue line existed then. I'm glad I do now.

The public schools are in the town limits which is why it's a matter of town governing and the reports of speeding, concerns for safety etc. are reported to the town and the towns police department. I do not often speak for my fellow council members, but I feel confident in saying not a single one of us sitting on this Dias saw this proposed exploration as a quote end quote cash cow. Actually, money was the furthest thing from our minds aside from funding a project of this magnitude. The health and safety of not only students but also fellow drivers, bikers, walkers, etc. was and is at the forefront.

Furthermore, if you watched the work session you will know the statistic of the number of reckless, criminal, drivers drastically decreases in the first 6 months of implementation of a program such as this. Why? Because you can't pay the fine you don't do the crime as my mom said. It's not about the fines though. 20+ miles per hour over a posted speed limit is felony wreck-less driving. And boy do I wish we had the staffing at this law enforcement agency to enforce those deserved felonies. Furthermore, if one of our policemen or women staffing these areas do in fact pull someone over for this felonious behavior 10+ vehicles likely pass during that time. It's impossible to enforce this to the extent it deserves to be enforced. If you do not plan and prepare to leave your home in time to make it where you need to go without driving 20+ miles per hour over the speed limit, you are in fact the problem. It is my opinion that it is not the governments job to be "friendly" in law and order. The civil penalty incurred for this is a MUCH friendlier version than what I would prefer seen be done with in contact policing and charging (which in some cases carry's jail time in the state of Virginia.)

If enforcing the speed for only 4 hours a day, only on school days, for ONLY 4 of our most trafficked school zones burdens your travels then stay off of the roads during those times or simply obey the law. It's not even 10 mph that will be cited. It's 11+ mph over. And for those critiquing the company's potential discrepancies these citations will go through our own town police department to be investigated and dispersed.

As for WHY the school board wouldn't be notified or receive this alleged pile of cash we could potentially receive (depending on how many criminals there are) it is because the school board does not install our town sidewalks or pay for the town infrastructure leading to their schools. Furthermore, nobody, not even council was aware of the dates of study because that would very obviously miscue data as it would rightfully deter reckless behavior of motor vehicle drivers that we've seen. If you've followed along at all during my tenure on Council you know I have complained about the lack of sidewalks and safety issue not only throughout town but between heavily foot trafficked schools for my tenure as well as several constituents. Skyline high school, I know from experience, I am an alum, uses the greenway trail for track, cross country, gym class, as well as the everyday citizens. There is no sidewalk there on Luray Avenue. We've discussed this for well over a year. AS Rhodes elementary has students that walk to school on what we now presume as our most dangerous school zone with no sidewalks. Warren county middle which I frequent has many everyday bicycle and skateboard rides to and from school. And I often witness on those four lanes one lane to stop and yield as required by law for the car flying up behind to swerve out around the stopped vehicle in an attempt to pass them. Our beautiful leach run parkway has become Front Royal's own auto Bahn track with no regard to safety, this has been discussed by prior councils even. This council discussed using any supposed funds to put in sidewalks for these kids and pedestrians' safety, which come at a massive cost might I add.

Blue line safety was not an initiative of mine or any council members here today. A potential for resolution was presented by our chief and we had a consensus to explore this option that I still support. Bottom line is obey the law and you have no worry with being a victim of an unfriendly case of law and order. Being required to obey the law isn't a hate crime."

Councilman Ingram gave an update on the Transportation Subcommittee.

Councilman Rappaport thanked Mr. Waltz for installing a sign at the Town Employee Parking Lot [Crescent Street/Royal Avenue] advising that parking was available during non-business hours. He expressed excitement on the redevelopment of the Downtown Area with businesses moving in. He advised that every Friday he stops in at the Visitor Center. Mr. Rappaport advised that pursuant to the statistics previously given to Council, those going over 11mph was over 20,000 potential violations.

C. Report of the Mayor – Mayor Cockrell advised of the many events she attended and upcoming events: Attended the opening of an art gallery on Main Street; Friday Flicks was cancelled due to the rain; every Thursday evening was Gazebo Gathering from Blue Ridge Arts Council (BRAC); July 1 was the Red, White, Blue Block Party; July 3 was the Town Sponsored Fireworks after the Cardinals Game. She also advised that the Town was seeking applications for the Planning Commission, Board of Zoning Appeals and Front Royal Economic Development Authority. She wished all citizens a Happy 4th of July.

CONSENT AGENDA ITEMS

A. FY23 Budget Amendment for Auction Proceeds from Selling Transformers

Council approved a FY23 Budget Amendment in the amount of \$136,500.00 to allocate revenue received from auction proceeds for the sale of electric transformers and allocate this additional revenue to the Happy Creek Substation Expansion Project.

B. Sole Source Traffic Signal Camera Detection System Replacement at N. Shenandoah Ave/14th St

Council approved a Sole Source procurement from Econolite for the replacement of the Traffic Signal Detection Systems at the Shenandoah Avenue and W. 14th Street intersection in the amount of \$26,872.89.

C. Sole Source Traffic Signal Cabinet Replacement at S. Royal Avenue/Criser Road Intersection

Council approved a Sole Source procurement from Econolite for the replacement of the Traffic Signal Cabinet at the S. Royal Avenue/Criser Rd. intersection, in the amount of \$31,086.05.

D. Sole Source for Turbidimeters and Controller Water Analysis Equipment for Water Plant

Council approved a Sole Source procurement from Hach, the sole manufacturer of the Low Range Laser Turbidimeters, necessary accessories, and service to monitor filtered water to comply with the Virginia Department of Health and Federal water regulations, for the Public Works Water Treatment Plant, in the amount of \$48,841.25.

E. Receive Donation of Used Tasers from Loudon County Sheriff's Office

Council approved the receipt of a donation of (42) used Taser X26 Less Lethal Conductive Electrical Weapons (CEW) from Loudoun County Sheriff's Office.

F. Receive Donation of Police Bicycles from Winchester Police Department

Council approved the receipt of donations of one (1) Cannodale and four (4) Trek Mountain Police Bicycles from the Winchester Police Department.

G. FY24 Budget Amendment and Transfer for Speed Camera Enforcement Services in School Zones

MOVED AS BUSINESS ITEMS 11C

H. Reappointment of Non-Elected Representative to the Northern Shenandoah Valley Regional Comm

Council reappointed Director of Planning Lauren Kopishke as the non-elected representative to the Northern Shenandoah Valley Regional Commission (NSVRC) to a three-year term ending June 30, 2026.

I. Refer to the Planning Commission a Text Amendment to the Urban Agriculture Ordinance

Council referred to the Planning Commission a text amendment to Town Code §175-110.5 Performance Standards for Urban Agriculture that would allow up to 10 chickens in Town limits based on square footage of coop and run space and report back to Council with recommendations.

J. FY23 Budget Amendment to Trade and Purchase Police Firearms

Council approved the trade and purchase of Police Department firearms to and from Atlantic Tactical totaling \$16,938.00 and approve a FY23 Budget Amendment in the amount of \$16,938.00 to allow the use of asset forfeiture funds to be used for the purchase.

K. Resolution to Cancel the Regular Scheduled Work Session of July 3, 2023

Council approved a Resolution to Cancel the Regular Scheduled Work Session of July 3, 2023, as presented.

Councilman Rappaport moved seconded by Councilwoman Morris that Council approve the Consent Agenda without 10G FY24 Budget Amendment and Transfer for Speed Cameras Enforcement Services in School Zones, as presented.

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. Resolution of Support for a Joint Project between the Town of Front Royal's ESAC, Public Works Department and the Rotary of Warren County for Renovation and Beautification of Front Royal's Easter Corridor located at the Corner of John Marshall Highway and South Commerce Avenue

Councilwoman DeDomenico-Payne moved seconded by Councilman Rappaport that Council approve a Resolution of Support for a Joint Project between the Town of Front Royal's ESAC, Public Works Department and the Rotary Club of Warren County for Renovation and Beautification of the Front Royal's Eastern Entrance Corridor located at the Corner of John Marshall Highway and South Commerce Avenue as presented.

There was no discussion.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Reappointment to Front Royal Economic Development Authority

Councilwoman Morris moved seconded by Councilman Rappaport that Council reappoint David Gedney to the Front Royal Economic Development Authority (FREDA) to a four-year term ending December 13, 2026.

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

No – N/A

Absent – N/A

Abstain – Councilman Rogers

ROLL CALL

C. FY24 Budget Amendment and Transfer for Speed Camera Enforcement Services in School Zones

Moved from Consent Agenda 10G

Councilwoman Morris moved seconded by Councilman Ingram that Council approve a FY24 Budget Amendment and FY24 Budget Transfer for the procurement of Speed Camera Enforcement Services in School Zones in the amount of \$112,500.00 utilizing a Cooperative Contracting Procurement Agreement between Wythe County and Blue Line Solutions. I further move that all proceeds benefit the construction of new sidewalks around the area schools.

Councilwoman DeDomenico-Payne moved seconded by Councilman Rappaport to amend the motion to move this item to a work session and possibly a public hearing.

Mayor Cockrell advised that the Council discussed this item in two work sessions and there were still some lingering questions from citizens. The following were confirmed: The project was put out to bid, the cameras are calibrated every six months, there are no sales or personal data collected, there is an appeals process through the court system as it is a civil penalty, owner of the vehicle gets the citation not the driver, camera times are set locally by the police, Town is not responsible for installing infrastructure, the Police Department will field calls from citizens and there is the ability to get out of the contract.

Chief Magalis explained that the cameras were an answer to the many complaints and concerns pertaining to speeding throughout Town, making it a matter of public safety. He explained that the camera enforcement is not for revenue since it was about gaining compliance not compensation. He explained that if the 2-year contract were broken before the two years expired there would be costs involved.

Mayor Cockrell confirmed that the Town was not putting up any money, the civil penalty was \$100.00, and the Town would remit \$25.00 processing fee to Blue Line that would go toward payment of the infrastructure. She voiced concern if the State were to amend their code. Town Attorney George Sonnet speculated that they would institute a sunset clause.

Councilwoman DeDomenico-Payne questioned the fine and court costs associated with an officer giving a speeding ticket in a school zone. It was noted it would be up to \$250.00. Chief Magalis advised that it was the same technology an officer uses. Mrs. DeDomenico-Payne confirmed that the camera would have the speed and the license plate. Chief Magalis advised that the camera would also detect whether the flasher was working when the citation was issued. He also advised that he had spoken with Warren County Public Schools Director of Transportation.

Councilman Rogers voiced concern on the costs and using cameras to “nail people”. He questioned how police patrols could be enhanced. Chief Magalis reiterated that there was no money being spent upfront unless the Town did not comply with the contract.

Vice Mayor Sealock confirmed that the Town would need to hire approximately six more police officers to do the work of the cameras in these four locations. He opined that the cameras would help. Mayor Cockrell reminded Council that the School Resource Officers (SROs) at the schools were not there to write speeding tickets and hoped this project could be done without increasing manpower.

Councilwoman Morris advised that the schools have been notified and drew attention to the numbers given to Council in an earlier work session of the speeders some of which were considered reckless driving. She noted that the police chose the locations not Blue Line and there was no comparison to a “speed trap”.

Councilman Ingram read statistics on children who are injured by speeding drivers. He supported the installation of the cameras as the accidents are human error not camera error and it was different than getting a ticket from a police officer.

Councilman Rappaport questioned the cameras usage during summer school. Chief Magalis advised that there was the ability to set the schedule for summer school, but it depended on what Council desired. Mr. Rappaport questioned whether there were enough police personnel to accomplish what Blue Line expected of them. Chief Magalis advised that an officer would be assigned each day to vet the citations; however, Blue Line puts together the appeals package and the officer vetting would go to court. Town Attorney George Sonnet read an excerpt from the Virginia State Code about school zones and that only certified officers can certify in court. Chief Magalis reiterated that after two years the Town was not beholding to anything.

Councilwoman DeDomenico-Payne advised that she wanted people to obey the law and speeding was against the law. She noted that the proceeds were to go specifically toward the installation of sidewalks near the schools as needed.

Town Attorney George Sonnett advised that it was the intent of Council that the amendment to the original motion was a substitute motion and therefore would not need two separate votes.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL on Substitute Motion

CLOSED MEETING

Councilman Rappaport moved seconded by Councilwoman Morris that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, more specifically, “McKay Springs”, and
- 2) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Town Attorney and the Town Manager.

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 moved seconded by Councilman Ingram 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, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned at approximately 10:48pm.

Approved by Town Council

Date: _____

DRAFT



TOWN COUNCIL WORK SESSION MINUTES

Monday, July 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 for a limited time.

Roll Call by Clerk of Council

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

ABSENT: Councilwoman Melissa DeDomenico-Payne

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

CLOSED MEETING

Councilwoman Morris moved seconded by Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically, Town Manager and appointment to the Board of Zoning Appeals, 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, more specifically, 1999 Front Royal-Warren County Voluntary Settlement Agreement, as amended.

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

No – N/A

Absent – Councilwoman DeDomenico-Payne

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 Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – Councilwoman DeDomenico-Payne

Abstain – N/A

ROLL CALL

Update on Tourism and Future Direction – Community Development & Tourism Manager Lizi Lewis passed out a map of various locations and destinations in the Front Royal/Warren County area. She then gave a presentation “Front Royal Tourism – July 2023 Update”, that included: The Plan; Visitor Center Fast Facts; Partnership Leverage; Visitor Center Activations; New Marketing Logo/Tagline; Merchandise Mockups; Visitor Center Merchandise; Outreach; Segment Targeting (day trippers & motorcycle tourism); Communication (external & internal); Target Markets (51-250 miles); Main Street Eats; New Info Maps. Council thanked Ms. Lewis on a job well done.

Old Business

A. Continued Discussion of Revitalization of Former Youth Center – Mayor Cockrell asked whether any members of *Reaching out Now (RON)* wanted to speak. In attendance were Sina May, Marlena Conner, Jennifer DeHaven and Robert Hupman. They chose to be available for questions. Mayor Cockrell referred to Councilwoman DeDomenico-Payne’s questions and concerns that were previously emailed to each member of Council since she could not attend tonight’s meeting. She confirmed with the RON members that the amount being requested had increased from \$50,000 for (2) years to \$125,000 for (2 ½) years. Ms. May explained that after further review of the budget and timeline the increase was necessary. Mayor Cockrell also confirmed that \$25,000 was being requested now and \$50,000 in January 2024 for a total of \$75,000, noting that the Town’s budget had already been set for this fiscal year.

Mayor Cockrell explained that Council did not fund non-profits but suggested that this could be considered as a pilot project by granting seed money with the hopes of a revenue stream for them in a few years. She voiced concern that if this project were to move forward how would Council handle the next group that requested funding for their project. She hoped to find a way to make this work but not set a precedent.

Mayor Cockrell confirmed that the program would welcome all students including those from R-MA, private and home schooled. Ms. Conner and Mr. Hupman gave a brief update on the programs being offered and reiterated that it would be open to anyone who was able to use it not just those students in public schools. Mrs. Cockrell noted that she would like to see more input from the students to make sure they were going to use the programs and facility. She voiced concern that 8th – 12th graders would not be attending once they received their driver’s license and suggested opening it up to 6th and 7th graders during special events and activities. Ms. May advised that there have been discussions about incorporating events for the younger students.

Each of the four board members introduced themselves and gave a brief history of how they became involved with *Reaching Out Now*. Ms. Conner advised that the students would lead the youth center and have the ideas, noting that the buy-in would come from the students. Ms. May advised that there was a relationship with the schools for assistance in various activities such as art and building furniture. Ms. Conner advised that she had reached out to R-MA and they were interested. Mayor Cockrell suggested a presentation from RON to help educate the public on this project. Councilman Rogers looked forward to the day the youth center opened and to see the impact.

Councilman Rappaport confirmed the funding RON was asking for and questioned whether \$25,000 bi-annually prorated for 6 months would work. Ms. May advised that they were open to any discussions. She confirmed that they were going to institute minimal membership dues and that security camera installation was the most important item before the doors could open. Mayor Cockrell confirmed that the Town's contribution would be for staffing, games, and electronic costs. Ms. May reiterated that security was first and foremost. Mrs. Cockrell voiced concern that security was part of the building and Town funds should not go towards the building since it belonged to the County.

Councilman Rappaport confirmed that the timeline changed because of sewer work in the building as well as asbestos in the flooring and mold issues pushing the timeline to possibly the first of the year.

Councilwoman Morris thanked RON members for attending and advised that Council would give staff direction on a possible memorandum of agreement (MOA), budget amendment and public hearing to receive public input. She noted that as councilmember she was to validate and justify expenses to the Town taxpayers. Town Attorney George Sonnet's agreed that Ms. May could begin the process of writing the MOA. Mrs. Cockrell noted that Council needed to hear Town citizens say they wanted Council to do this and support it. Councilman Ingram advised that the quote of \$12,000 a year for the video surveillance was high but the initial costs were matching. He advised that there were grants for nonprofits. Ms. May advised that it was an educated guess and that they were looking at other vendors.

Ms. Morris advised that school begins August 9th and there were some "behind the scenes" that needed to be worked out.

Council agreed to a public hearing to receive public input on this item on August 28th.

Items Slated for Public Hearings on August 28th

A. Comprehensive Plan [Comp Plan] – Planning Director Lauren Kopishke gave a presentation "Town of Front Royal Comprehensive Plan Update" that included: What is a Comp Plan and is it a Law?; Purpose; Why is it Important; When was the Last Time the Town Comp Plan was Adopted; What is a Comp Plan; Process; Rewrite Process; Key Milestones; Comp Plan Organization; Vision/Big Ideas/Core Topics; Small Town Character; Future Land Use Map; Planning Areas; North East Planning Area; Next Steps: Subdivision & Zoning Ordinance Rewrite. It was noted that the Town Code would be amended once the Zoning and Subdivision Ordinances were ready. Ms. Kopishke explained the mixed-use zoning and how it was easier to redevelop in the future. Ms. Kopishke advised that the Comp Plan would be reviewed and possibly revised every five years. Mayor Cockrell advised that she would send Councilwoman DeDomenico-Payne's comments to Ms. Kopishke.

Council agreed to advertise for a public hearing on August 28th.

B. Rezoning, Ramsey Inc – Director of Planning Lauren Kopishke advised that Ramsey Inc was requesting an amendment of the Zoning Map to reclassify a portion of his parcel from Commercial District C-3 to Residential District R-2, noting that C-3 excludes residential uses. She explained that the purpose of the rezoning request was to allow for the construction of a multi-family structure, noting that the applicant currently had approval for a lodging house but that would be revoked if the rezoning was approved. The Planning Commission recommended approval and the proposed Comp Plan would support it. She advised that this was a portion of a larger parcel that was located in the County.

Vice Mayor Sealock questioned access to the Town's pumping station. Ms. Kopishke advised that it was being worked on and final approval would not be made until access was resolved.

Councilman Rappaport confirmed that the structure would not face Guard Hill Road and indicated that it was spot zoning. Town Attorney George Sonnett advised that spot zoning was discussed during the Planning Commission meeting, noting that it was out of character with surrounding zones. Ms. Kopishke agreed that the remainder of the parcel located in the County was agriculture. Councilman Ingram agreed that it was spot zoning and questioned how it was determined when the boundary line adjustment was approved. Mr. Rappaport questioned the maintenance of the road from Guard Hill Road. Mr. Sonnett reiterated that access was an issue and would have to be resolved.

Council agreed to advertise for a public hearing on August 28th.

C. Ordinance Amendment to Town Code Chapter 75 Pertaining to Transient Occupancy Tax – Director of Finance BJ Wilson advised that the amendment to Chapter 75 was allowed pursuant to state code revisions.

Council agreed to advertise for a public hearing on August 28th.

Consent Agenda Items for July 24th

A. Bid Award for Curb & Gutter Installation – Director of Finance BJ Wilson advised that Arthur Construction was the lowest bidder, and it was budgeted. He advised the streets that would be receiving the installation were Braxton, Manassas, & a 50/50 on Marshall.

B. FY24 Budget Amendment to Accept Funds from VRSA for Pavilion Damage – Mr. Wilson explained that the budget amendment was for reimbursement from Virginia Risk Sharing Association (VRSA) for damage to the pavilion on Main Street. Town Manager Joe Waltz advised that he would provide Council with an update on the schedule once he received it.

C. Comprehensive Solid Waste Utility Cost of Service Fee/Rate Study Contract and FY24 Budget Amendment – Mr. Wilson advised that Council was to award a contract to Mid-Atlantic Solid Waste Consultant and approve a FY24 Budget Amendment. He advised that the solid waste ordinance in the Town Code had not been updated in many years. He confirmed that Mid-Atlantic was not a potential vendor.

New Business

A. Liaison Committee Meeting Items for July 20th Meeting – Council agreed to all the items listed in the packet and included three more. The following items were agreed upon: Revision to the Liaison Committee Policy; Delay of Mailing of Real Estate and Personal Property Tax Bills the last Five Years; Citizen Appointments to the Front Royal/Warren County Joint Towing Advisory Board; Discussion of Revitalization of Former Youth Center; Update on Tourism; School Zone Speeding and Enforcement; Update on Comprehensive Plans; Update on Progress of Avtex Conservancy and Update from Transportation Ad Hoc Committee. Vice Mayor Sealock is slated to attend the meeting with the Mayor.

Adjourned meeting at 9:52pm

Approved by Town Council

Date: -----



Council Agenda Statement

Item # 07A

Meeting Date: July 24, 2023

Agenda Item: Receive Public Input Concerning a Request from Donald McCarty to Vacate a Portion of North Street and a Portion of an Unimproved Alley

Summary: Council is requested to receive public input, pursuant to Virginia Code 15.2-2006, pertaining to an application from Donald McCarty requesting the Town to vacate 13,001 square feet of North Street Extended terminus south of the intersection of North Street and Orchard Street; and a 14-foot portion of an unimproved alley adjacent to the southern property boundary. The reason for the request is to increase the area of parcels for development that will front Orchard Street and with the intent to purchase the 13,001 square footage and a portion of the unimproved alley from the Town. The Departments of Planning, Public Works and Energy Services did not have any comments or concerns. The adjacent property owners were notified thirty days in advance of tonight's public hearing.

Budget/Funding: None

Meetings: Work Session held June 12, 2023

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

- 1) I move that Council appoint viewers to view the vacation request from Donald McCarty for the Town vacate 13,001 square feet of North Street Extended terminus south of the intersection of North Street and Orchard Street; and a 14-foot portion of an unimproved alley adjacent to the southern property boundary and report any inconveniences to Council that would result from granting approval of the request of Donald McCarty.
- 2) I move that Council deny the request from Donald McCarty for the Town vacate 13,001 square feet of North Street Extended terminus south of the intersection of North Street and Orchard Street; and a 14-foot portion of an unimproved alley adjacent to the southern property boundary.
- 3) I move that Council approve the request from Donald McCarty for the Town vacate 13,001 square feet of North Street Extended terminus south of the intersection of North Street and Orchard Street; and a 14-foot portion of an unimproved alley adjacent to the southern property boundary and pursue sale of the property through a public hearing to be held _____. I further move that Council negotiate a price prior to the public hearing in a closed meeting.

Moved _____ Seconded _____

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



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

APPLICANT INFORMATION

(please print)

Name Donald M. Carty
Mailing Address 12425 Chapel Rd
Clifton, VA 20124
Phone # 703-407-7559 E-mail jay1mccarty@G-mail.com

VACATION INFORMATION

Description (please select all that apply)

☒ Street/Portion of Street

☐ Alley/Portion of Alley

☐ Other (please specify)

40' X 100' (dimensions noted on plat in yellow)

Southern portion of
Vacate N. St (entire area) a variable width alley

Location North Street extended terminus at intersection total inc 13, 201 St

of North Street and Orchard Street On survey

see attached plat of a variable
width alley +
the unimproved
portion of N.

Reason for request

Side yard expansion
increase the area of parcel to be
developed which fronts Orchard St.

☒ Current Plat Attached Showing Property to be Vacated highlighted in Orange

Applicant's Signature Donald M. Carty Date 5/10/22

Completed application shall be returned by mail or delivery to:

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

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

Revised 8/3/2020

Tina Presley

From: Lauren Kopishke
Sent: Tuesday, May 9, 2023 6:21 PM
To: Tina Presley
Cc: Connie Potter
Subject: Fwd: McCarty Street and Alley Vacation
Attachments: McCarty Vacation info.pdf

These documents show how the town acquired the ROW for the McCarty vacation. Public works and energy services had no comments.

Lauren

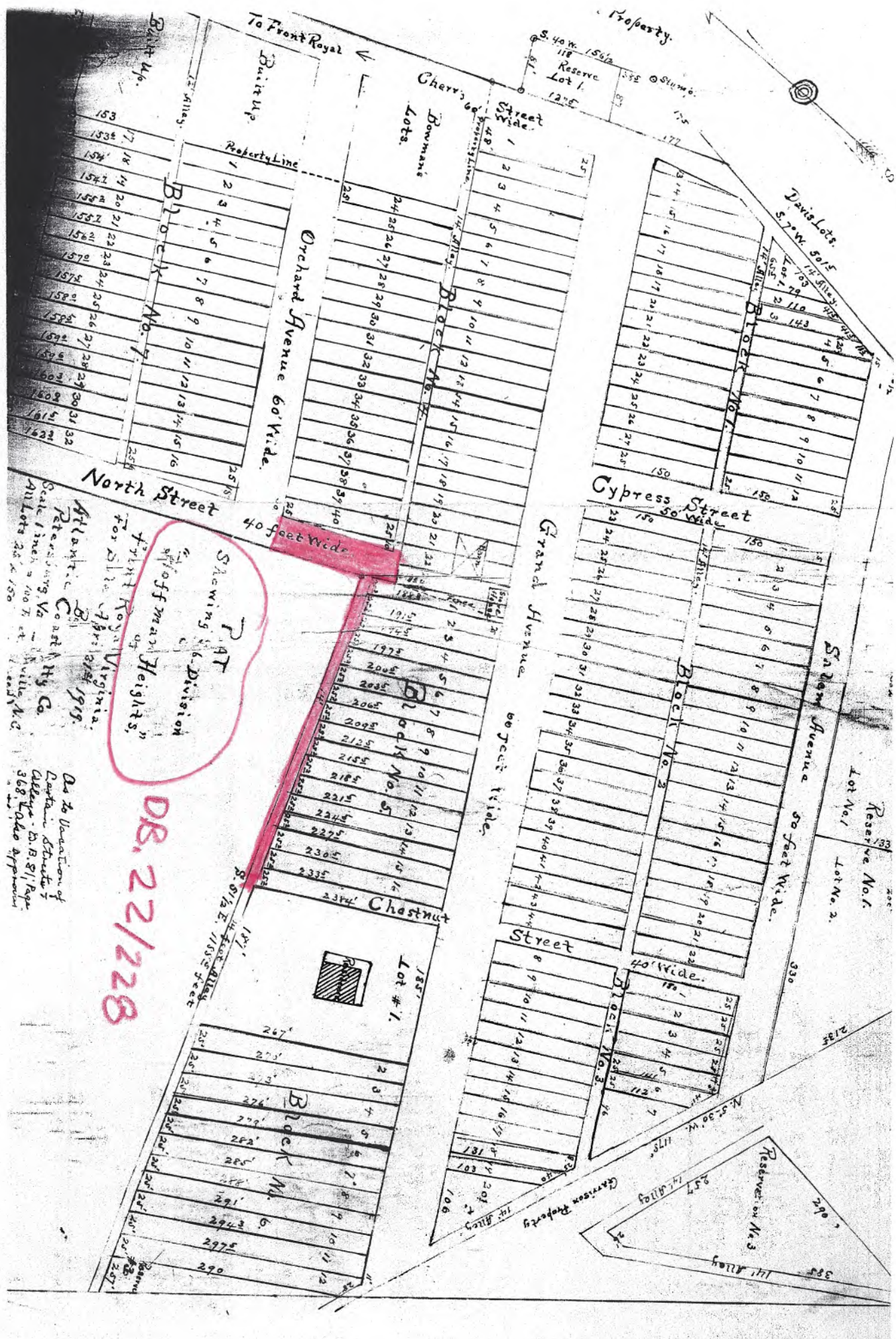
Get [Outlook for Android](#)

From: JOSEPH BROGAN JR <broganpls@comcast.net>
Sent: Tuesday, May 9, 2023 6:09:23 PM
To: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: McCarty Street and Alley Vacation

Hi Lauren, Attached is the Plat of Hoffman Heights which is recorded in D.B. 22/228 showing the portion of North Street and 14' alley to be vacated, also attached is a plat my father did in for Orchard St re-alignment in 1968 that also shows the the proposed vacation areas in red.
if you need any other info just let me know.

Thanks, Joe.

Brogan Land Surveying PLC
P.O. Box 1578
Front Royal Va. 22630
(540) 635-5657 Tel and Fax
(540) 974-6013 Cell





Council Agenda Statement

Item # 07B

Meeting Date: July 24, 2023

Agenda Item: Rezoning of Approximately 43.9 Acres from R-E District to R1-A District – NVR Inc for Saddle Crest Project

Summary: Council has received a request from NVR Inc. for a rezoning application amendment of the Zoning Map of the Town of Front Royal to reclassify approximately 43.9 acres (Tax Map #20A221-3A), from Estate Residential District (R-E) to Residential District (R1-A). The stated purpose of the rezoning request is to allow for the construction of a 128-lot subdivision. The property is located at the southwest intersection of Happy Creek Road and Shenandoah Shores Road. The Town Code identifies the R-E Residential District as composed of quiet, very low-density residential areas, on estate-sized lots (1 du/acre) connected to public water and sewer. The R1-A Residential District is designed to accommodate single-family residential development of a medium density on smaller individual lots. The Comprehensive Plan envisions this area of Town developed as residential land (Urban Growth Area designation).

Proffers and a concept plan have been submitted for the site. It should be noted that proffers take a credit for by-right housing. The applicant has chosen to remove cash proffers in exchange for construction of a portion of the East-West Connector, and the reservation of 5.5 acres for extension of the Leach Run Parkway flyover if it is ever deemed necessary. The concept plan shows the construction of walking trails and park areas which will be maintained by a Homeowners Association (HOA).

The traffic study performed by Kittleson Engineering demonstrates no need for right-of-way improvements because of this development.

The original proffers were submitted September 14, 2022 and have been revised December 28, 2022, March 6, 2023, April 27, 2023, May 25, 2023 and the current revision of June 27, 2023.

The Planning Commission held their public hearing on February 15, 2023. There was a tie vote and the motion to approve with conditions failed. (Minutes of this meeting are attached)

Budget/Funding: None

Meetings: Work Sessions held April 10 and June 12, 2023

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

- 1) I move that Council continue this public hearing until Date/Time.
- 2) I move that Council approve the rezoning application amendment of the Zoning Map of the Town of Front Royal from NVR Inc to reclassify approximately 43.9 acres (Tax Map #20A221-3A), from Estate Residential District (R-E) to Residential District (R1-A) for Saddle Crest Project, as presented.

Moved _____ Seconded _____

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

SADDLE CREST

CONCEPT PLAN

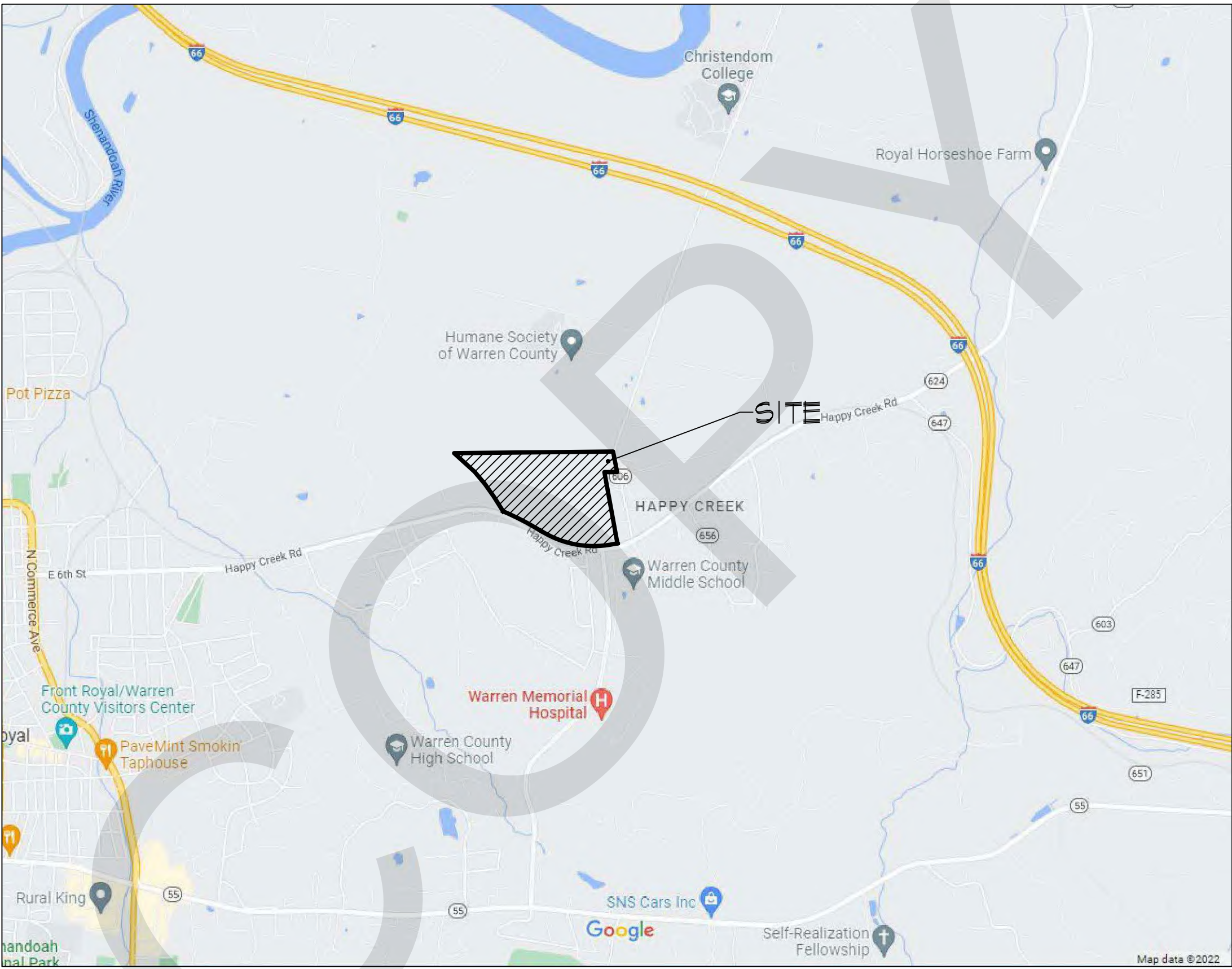
FRONT ROYAL, VIRGINIA

GENERAL NOTES

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

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

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



VICINITY MAP
SCALE: 1"=2000'

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

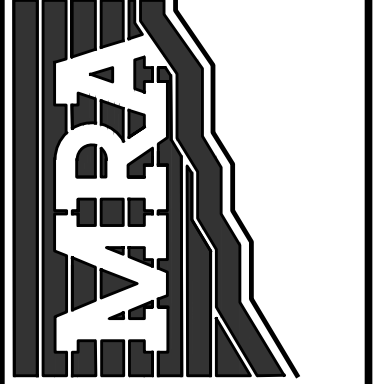
APPLICANT
MR. RICHARD LANHAM
NVR, INC.
3926 PENDER DRIVE, SUITE 200
FAIRFAX, VA 22030

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

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

DATE	REVISIONS
12/23/2022	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
04/26/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
05/23/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
06/27/2023	REVISED PER FRONT ROYAL COMMENTS

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
PHONE: (703) 984-4047
MRAGTA.COM
Copyright 2022 Morris & Ritchie Associates, Inc.



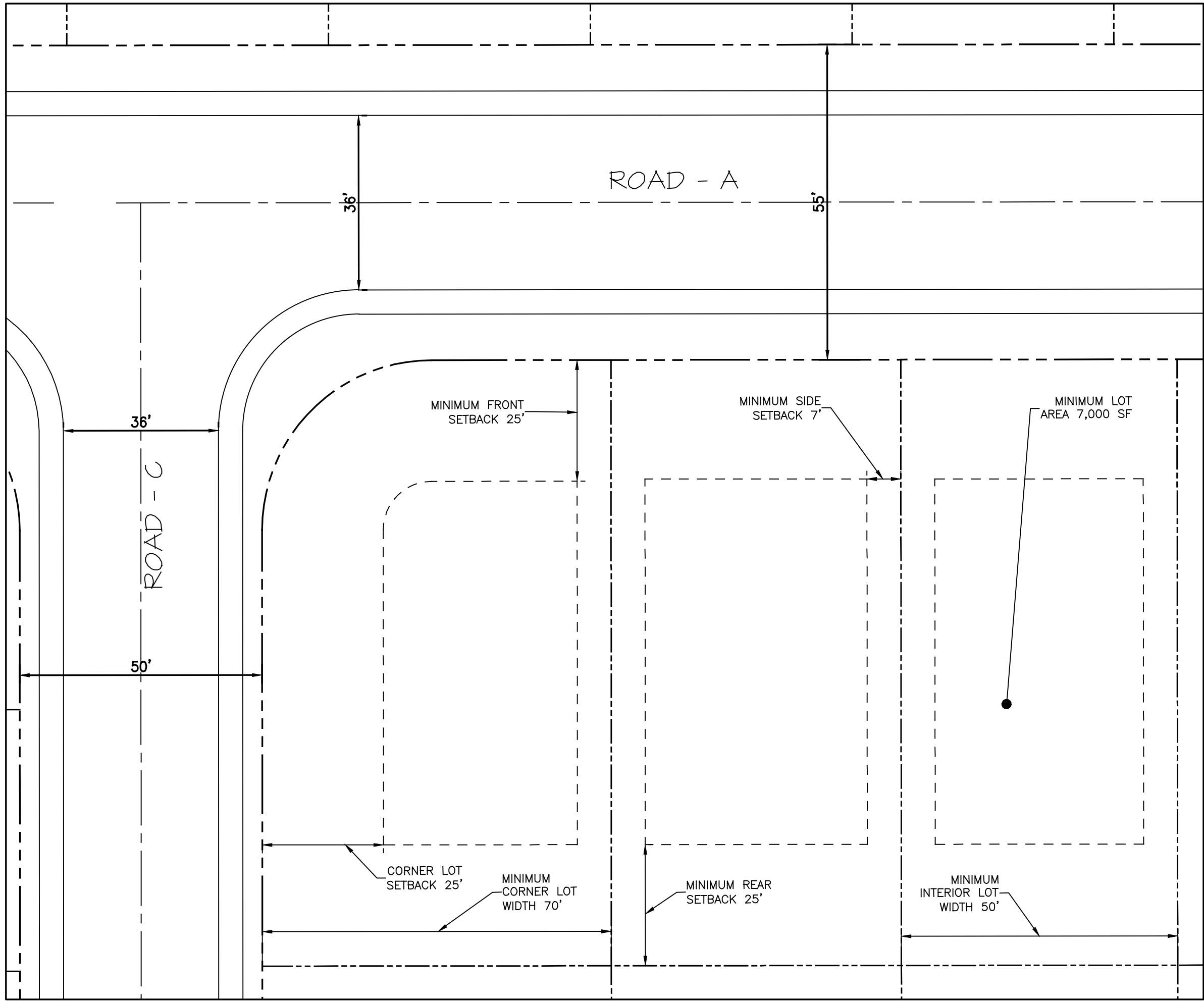
COVER SHEET

SADDLE CREST
CONCEPT PLAN

FRONT ROYAL, VA

JOB NO.: 21115
SCALE: AS SHOWN
DATE: 2022–08–24
DRAWN BY: JAE
DESIGN BY: JAE
REVIEW BY: JKE
SHEET: 1 OF 6

L:\Projects\Soysa Property_Front Royal-Ryan Homes\REZONING SHEETS\NOTES & DETAILS.dwg, 6/27/2023 8:28:17 AM, C:\stephenson, 1:1, Copyright 2022 Morris & Ritchie Associates, Inc.



TYPICAL LOT DETAIL

LEGEND

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

PROJECT NOTES

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

ZONING REQUIREMENTS

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

DENSITY SUMMARY

ZONE	UNITS	ACRES	UNITS PER ACRES
R-1A	130	44.183	2.942

NOTE:
THE TOTAL NUMBER OF HOMES CONSTRUCTED SHALL NOT EXCEED 130 SINGLE FAMILY DETACHED UNITS.

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

175-18.3 AREA (R-1A)

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

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

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

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

175-18.4 HEIGHT(R-1A)

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

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

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

- D. Accessory buildings and structures:

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

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

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

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

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

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

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

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

175-18.6 LOT COVERAGE (R-1A)

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

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

- A. Space requirements:

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

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

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

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

604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
PHONE: (703) 984-4047
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NOTES & DETAILS

SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

JOB NO.: 21115

SCALE:

DATE: 2022-08-24

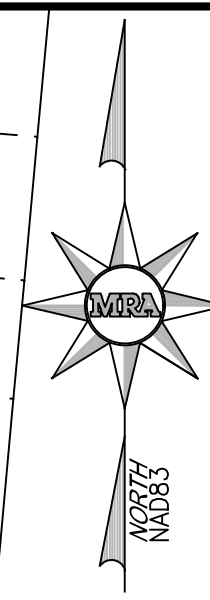
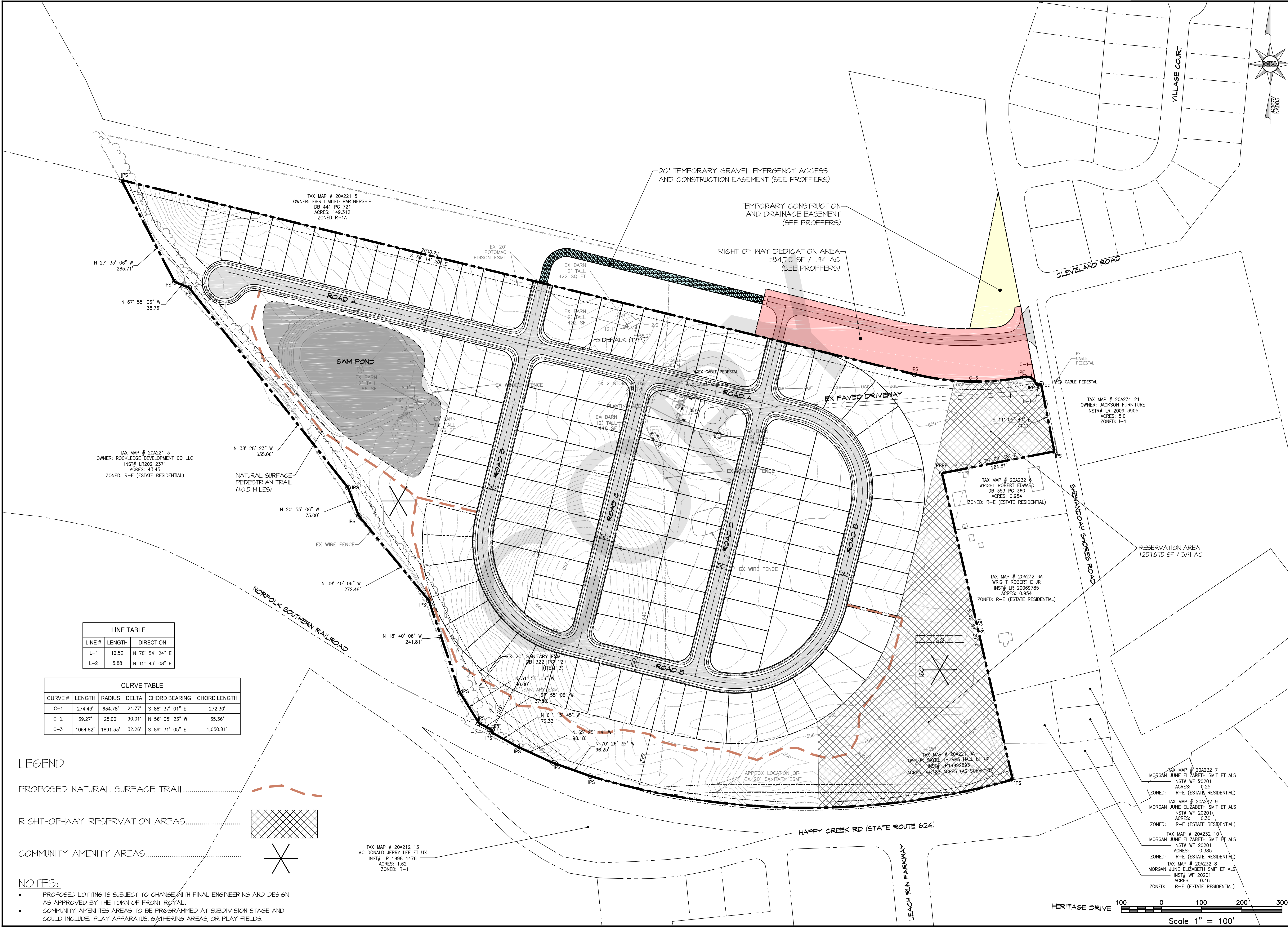
DRAWN BY: JAE

DESIGN BY: JAE

REVIEW BY: JKE

SHEET: 2 OF 6

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DATE	REVISIONS
12/23/2022	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
04/26/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
05/23/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
06/27/2023	REVISED PER FRONT ROYAL COMMENTS

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LAYOUT PLAN	JOB NO.: 21115
SADDLE CREST CONCEPT PLAN	SCALE: AS SHOWN
	DATE: 2022-08-24
	DRAWN BY: JAE
	DESIGN BY: JAE
FRONT ROYAL, VA	REVIEW BY: JKE
	SHEET: 4 OF 6

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

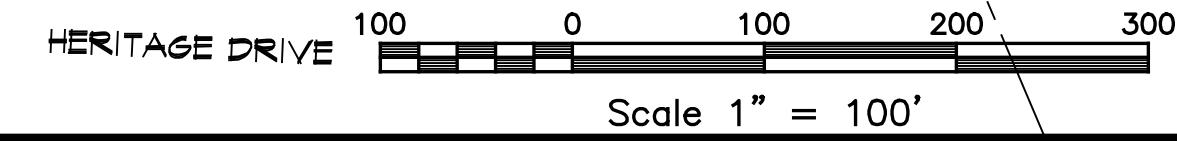
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C-1	274.43'	634.78'	24.77°	S 88° 37' 01" E	272.30'
C-2	39.27'	25.00'	90.01°	N 56° 05' 23" W	35.36'
C-3	1064.82'	1891.33'	32.26°	S 89° 31' 05" E	1,050.81'

LEGEND

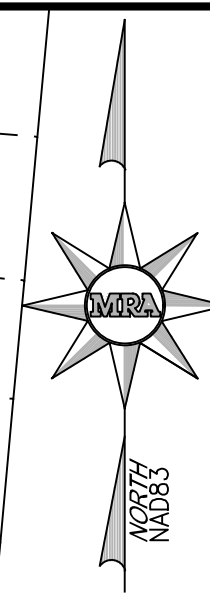
- PROPOSED NATURAL SURFACE TRAIL.....
- RIGHT-OF-WAY RESERVATION AREAS.....
- COMMUNITY AMENITY AREAS.....

NOTES:

- PROPOSED LOTTING IS SUBJECT TO CHANGE WITH FINAL ENGINEERING AND DESIGN AS APPROVED BY THE TOWN OF FRONT ROYAL.
- COMMUNITY AMENITIES AREAS TO BE PROGRAMMED AT SUBDIVISION STAGE AND COULD INCLUDE: PLAY APPARATUS, GATHERING AREAS, OR PLAY FIELDS.



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DATE	REVISIONS
12/23/2022	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
04/26/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
05/23/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
06/27/2023	REVISED PER FRONT ROYAL COMMENTS

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LAYOUT PLAN - B	JOB NO.: 21115
SADDLE CREST CONCEPT PLAN FRONT ROYAL, VA	SCALE: AS SHOWN
	DATE: 2022-08-24
	DRAWN BY: JAE
	DESIGN BY: JAE
	REVIEW BY: JKE
	SHEET: 5 OF 6

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

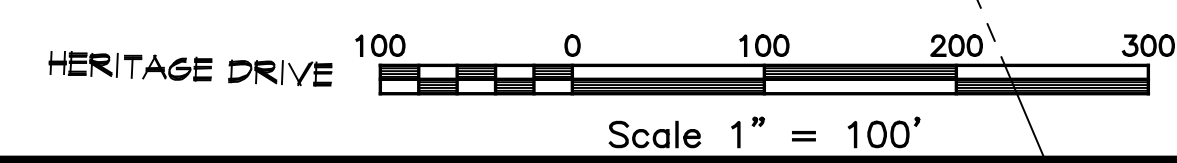
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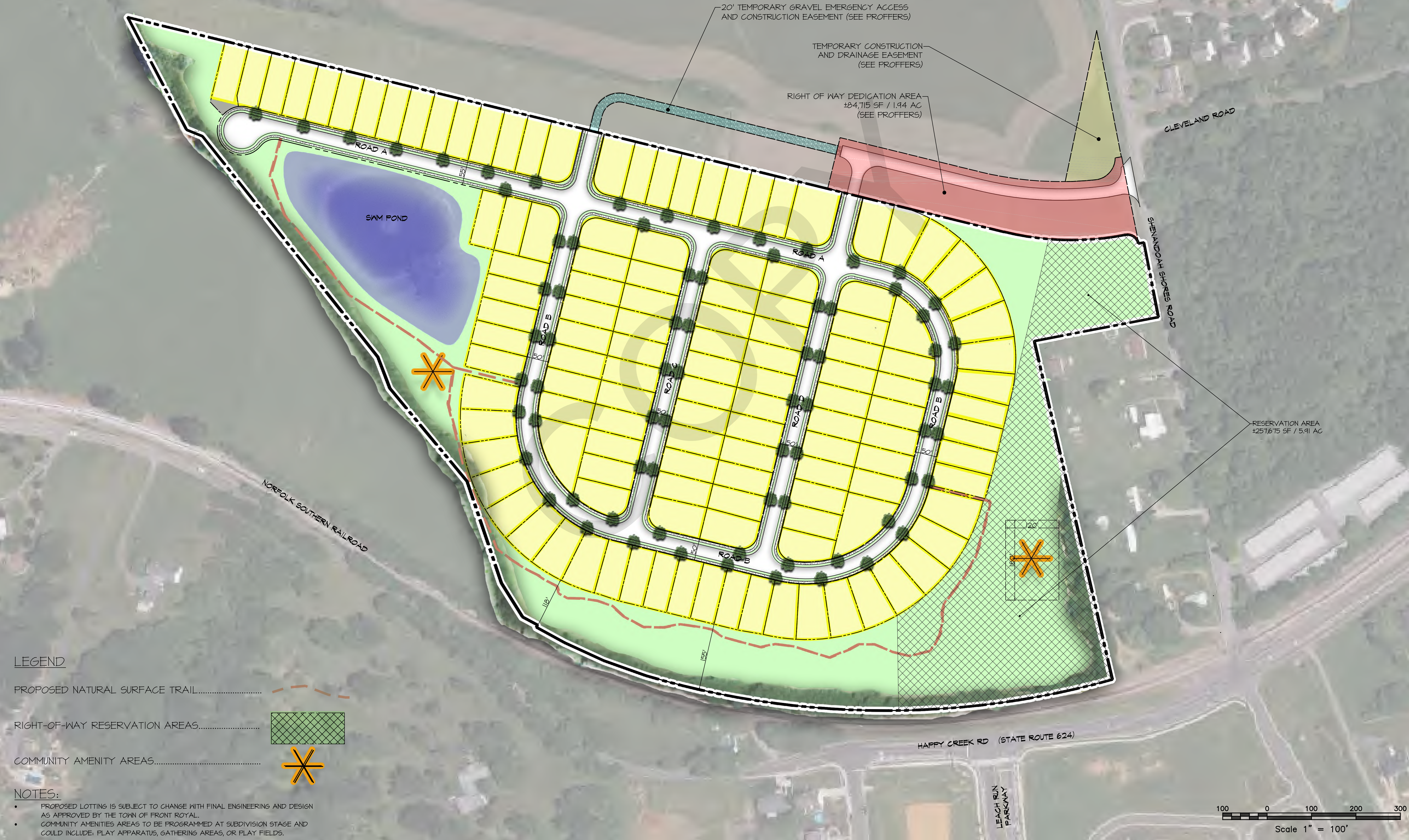
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THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY!



DATE	REVISIONS
12/23/2022	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
04/26/2023	REVISED PER FRONT ROYAL AND CLIENT COMMENTS
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MRA

COMPLIANCE HEALTH OFFICIAL
JON K. ERICKSON
Lic. No. 32355
06/21/2023
PROFESSIONAL ENGINEER

ILLUSTRATIVE PLAN

**SADDLE CREST
CONCEPT PLAN**

FRONT ROYAL, VA

JOB NO.: 21115

SCALE: AS SHOWN

DATE: 2022-08-24

DRAWN BY: JAE

DESIGN BY: JAE

REVIEW BY: JKE

SHEET: 6 OF 6

PROFFER STATEMENT

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

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

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

APPLICANT: NVR, INC. ("Applicant")

ORIGINAL DATE
OF PROFFERS: September 14, 2022

REVISION DATE(S): December 28, 2022; March 6, 2023; April 27, 2023; May 25, 2023;
June 27, 2023

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

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

Each proffer made in connection with this application was made voluntarily and complies with applicable law. Each proffer is reasonably related both in nature and extent to the impacts of the proposed development. No agent of the Town of Front Royal, Virginia has suggested or demanded a proffer that is unreasonable under applicable law.

1. Land Use

- 1.1 The Property shall be developed as a residential single-family detached community.
- 1.2 The number of homes constructed on this Property shall not exceed 130 single family detached units.

2. Site Development

- 2.1 Applicant shall develop the Property in conformance with the Saddle Crest Concept Plan dated ~~May 23~~ June 27, 2023 (“Concept Plan”) to include walking trails, which is attached hereto and incorporated herein by reference as “Exhibit A.”
- 2.2 Applicant shall incorporate a mixture of vegetative screening/existing vegetation, where appropriate fencing, other appropriate barriers, and open space on the Property’s shared boundary with the Norfolk Southern railroad line to minimize the impacts of the railroad to the future residents of the Property. Applicant proffers to submit a detailed plan as part of the subdivision approval process with the Town of Front Royal. Said planting scheme shall include where appropriate native species to promote plant longevity.
- 2.3 The Property shall be served by public water and sewer which shall be installed by the Applicant and dedicated to the Town of Front Royal, Virginia (the “Town”). Applicant shall be responsible for the cost of construction of the aforementioned public water and sewer.
- 2.4.1 The open space areas labeled as “Reservation” shall be available for dedication to the Town for the construction of the extension of Leach Run Parkway at such time as funding is available for said construction. At such time and after a demand is made in writing by the Town for the dedication of the land for Leach Run Parkway, the Property shall be dedicated within 30 days by the owner which is anticipated to be the future homeowners’ association for the subdivision. At all times before the aforementioned dedication, the Property will be held in title by the Applicant and then the future homeowners’ association for the subdivision and maintained for trails and recreational uses for the benefit of the residents of Saddle Crest.
- 2.5 Applicant shall install appropriate storm water management facilities on the Property including a storm water retention pond. The pond shall be located in the open space which shall be conveyed to the future homeowners’ association for the subdivision. The homeowners’ association shall be responsible for the maintenance of the pond. Applicant shall be responsible for the cost of construction of the aforementioned facilities.
- 2.6 A portion of the Property shall be reserved as open space. Such open space shall be conveyed to and maintained by the future homeowners’ association for the subdivision constructed on the Property.

- 2.7 Applicant may install one or more entrance features on the open spaces depicted on the attached and incorporated Concept Plan, which are adjacent to Shenandoah Shores Road and also adjacent to the East-West Connector, all at the discretion of the Applicant. Once installed, the entrances features(s) shall be maintained by the future homeowners' association for the subdivision.
- 2.8 The Layout Plan on Sheet 4 of the attached and incorporated Concept Plan provides for the installation of a two-lane road in the area dedicated for the East-West Connector drainage improvements along with a twenty foot (20') emergency access gravel driveway as depicted on the attached and incorporated Concept Plan. The aforementioned construction shall occur provided the portion of the East-West Connector has been dedicated by the owner of said real property prior to the approval of this proffered rezoning.
- 2.9 In the event the above-referenced dedication in the alignment of the East-West Connector has not been executed, recorded and delivered by the owner of said real property prior to the approval of this proffered rezoning then the Applicant proffers to construct an entrance as depicted on Layout B on Sheet 5 of the attached and incorporated Concept Plan to provide vehicular access to Shenandoah Shores Road. The connection and road shall be in substantial conformity with Layout B and the Layout Plan referenced in Proffer 2.8 above shall be void and of no effect.
- i. Further, in the event the road connection is installed pursuant to this Section 2.9 then the Applicant does voluntarily proffer to make a payment of \$3,551.25 to the Town at the time of the issuance of each Certificate of Occupancy for each single-family detached residence. Said funds shall be used to address public school and/or transportation needs, all at the discretion of the Town of Front Royal.

3. Transportation

- 3.1 The roads within the subdivision on the Property shall be public, constructed to Town or VDOT standards, as appropriate, dedicated to the Town and maintained by the Town. Applicant shall be responsible for the cost of construction of the aforementioned roads and other public features, including, but not limited to, sidewalks.

4. Homeowners' Association

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

5. The Front Royal/Warren County Student Union and Leadership Center

5.1 Applicant does voluntarily proffer to make a payment of \$200.00 to the Town at the issuance of each Certificate of Occupancy for each single-family detached residence.

[remainder of page intentionally left blank]

Respectfully submitted,

OWNER:

THOMAS HALL SAYRE

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

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by THOMAS HALL SAYRE.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

CARLA A. SAYRE

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

The foregoing instrument was acknowledged before me this _____ day of _____,
2023, by CARLA A. SAYRE.

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 15, 2023

C. 2200385 – Rezoning NVR Ryan Homes – This application was submitted by NVR Inc., for the conditional rezoning of approximately 43.9 acres from the R-E District to the R1- A District. Proffers and a concept plan have been submitted for the site. Ms. Kopishke explained that the applicant is proposing to rezone 44 acres located at the southwest intersection of Happy Creek Road and Shenandoah Shores Road from R-E to R1-A. The difference between those zoning districts is that the density would be from one (1) dwelling unit per acre to approximately three (3) dwelling units per acre. The applicant is requesting to create 134 lots which is a reduction from the original plan of 142 lots. At previous work sessions the Planning Commission requested that the applicant resubmit to accommodate comments from Warren County to include walking trails, a connection to the future East-West Connector and the proposed flyover. Ms. Kopishke gave a virtual presentation of the resubmitted plan. The revised plan shows approximately 5.5 acres that provide for the flyover, shows an area for trails, reduced the lots from 142 to 134 and provided a second entrance off of the proposed East-West Connector so there would be 2 entrances. In addition, the proffers were amended to include approximately \$3500 per unit for public schools. Staff recommends approval with the five (5) conditions listed in the staff report.

Chairman Merchant noted that the East-West Connector, the flyover, and Leach Run Parkway Extended are not constructed at this point but are merely shown on the Town transportation plan as future improvements to that area. He then asked the applicant to make a presentation. Ty Lawson spoke on behalf of the applicant. Mr. Lawson attended two (2) Planning Commission works sessions where they heard the Planning Commissions comments and addressed those comments. The plan is for 134 single-family detached homes as opposed to the 142 at the original submission. The biggest change is the layout to accommodate the future Leach Run Parkway Extended and the modification that when the East-West Connector is built the entrance into the development will be in the green space and the old entrance terminate. They have added 5.5 acres of green space with opportunities for playing fields and walking trails at the request of the County regarding parks and recreation for the community. They have also built into the proffers a mechanism to convey a tract of land for the Leach Run Parkway. The existing connection went through the traffic study done by Kittelson & Associates, and it works very nicely with the existing road network. Mr. Lawson noted they were able to maintain a level of Service B even after a full buildout. The applicant is proffering to pay for the public streets, sidewalks, and water and sewer connection and will comply with all local ordinances before these items are accepted into the system. Mr. Lawson explained the mathematical equation used to calculate the proffers for each single-family dwelling unit to provide the monetary amount for schools. He noted there are more children generated from townhouse units vs. single-family dwelling detached units.

Chairman Merchant opened the public hearing.

John Lundberg, 203 Peach Tree Court, Front Royal. Mr. Lundberg spoke strongly against approval of the rezoning application. He felt the proposed development would significantly increase the number of vehicles backed up on Shenandoah Shores Road which then cause long backups on Happy Creek Road. These backups pose health, welfare and safety problems for residents, schools and businesses located north of the tracks. Mr. Lundberg expressed that no land in this area should be rezoned that encourages large housing developments until the land-locked status of communities in this area has been resolved.

Steve Cherry, 212 W. Main Street, Front Royal. Mr. Cherry shared his support for the rezoning amendment if access to the Shenandoah Shores Road community is addressed first.

John Stanmeyer, 75 Stonegate Court, Front Royal. Mr. Stanmeyer expressed he was against the proposed rezoning until roads are constructed to access the area properly and noted he is concerned that emergency services will not have appropriate access to the area until new roads are constructed.

Zachary Wendt, 27 Hillvue Street, Front Royal. Mr. Wendt stated he was representing his father-in-law who is against approving the rezoning application until the roads can support the additional traffic.

Ari Henrique, 68 View Drive, Front Royal. Mr. Henrique shared he was opposed to exposing the public to unsafe conditions and is against approval of the rezoning application until the safety of the community is guaranteed.

Stephen Pilon, 1138 Happy Ridge Drive, Front Royal. Mr. Pilon stated he was not against development however the roads need to be addressed first. He questioned how long it would be before the flyover and the East-West Connector would be constructed.

Eileen Hilleary, 1394 Riverview Shores Drive, Front Royal. Ms. Hilleary expressed that she is against approval of the rezoning application noting there should be no construction north of the railroad crossing unless plans and funding is in place to improve the roadway infrastructure. She mentioned that this is already a stressed area and more development without the proper road infrastructure would cause risk to the health and welfare of citizens and potentially impact critical hospital and emergency access along Happy Creek Road.

Gene Kilby, 836 Shenandoah Shores Road, Front Royal. Mr. Kilby agreed that there needs to be development in this area but that it is landlocked. He is for development but not until the EastWest Connector and flyover are in place.

Mike Foeckler, 2827 Shenandoah Shores Road, Front Royal. Mr. Foeckler said he was representing Christendom College. The college is not opposed to growth in the area but is opposed to poor planning. The road infrastructure needs to be addressed and planned prudently and properly for the growth.

Jane Elliot, 59 Woodward Court, Front Royal. Ms. Elliot shared that she is against approving the rezoning application. The one-way in and one-way out problem has to be resolved either by a flyover or another way in. She expressed concern that when a train is present on the tracks there is no way in or out to this area which is a safety issue.

Robert MacDougall, 2370 Shenandoah Shores Road, Front Royal. Mr. MacDougall expressed concern of the traffic in the area and noted that he was not against development however the road infrastructure had to be resolved and in place before development occurs.

Jesse Brooks, 82 Overbrook Lane, Front Royal. Mr. Brooks believes there needs to be another entrance and exist into the Shenandoah Shores community. He is not against development but wants things to happen in the correct order. Mr. Brooks noted that he has been impacted by the train crossing many times.

There were no additional speakers.

Chairman Merchant closed the public hearing.

Vice Chairman Marshner had questions about parking. Mr. Lawson responded that parking had been discussed in their work session and that the streets will be designed to Town standards and will meet the parking requirements of the Town Ordinance with the dwelling units having 2-car garages and parking in the driveway. The properties are designed to allow parking on-site and street parking. He noted the parking more than meets the ordinance requirements.

Commissioner Wood ask when construction would begin. Mr. Lawson stated that site development would begin in 2025. Commissioner Wood asked when the East-West Connector would be done. Ms. Kopishke stated that the initial construction of the East-West Connector was proffered by a landowner in 2012. Staff cannot give an accurate estimate when that will be done. Commissioner Wood asked how many houses had been approved for that development. Ms. Kopishke answered that per the proffers of Front Royal Limited Partnership over 300 homes have been approved but that is predicated on construction of the East-West Connector.

Chairman Merchant shared that the issue of the flyover is no longer a Planning Commission issue. They have planned for this since 1978 when it was annexed. Planning Commission and the Town understood that there has to be a way to get across the railroad or the interchange. The second phase of planning was the execution. He explained that the Planning Commission has no authority for funding or for pushing these projects forward. The Town has to start looking at funding the transportation infrastructure in this area. Either approving or denying this application has no impact on the train and it will still block access moving forward. From what he is hearing from the citizen comments, now is the time for this area to be addressed. This is not a time for division between the Town and the County. The majority of the traffic is coming from the county with Shenandoah Shores becoming a full-time subdivision, Christendom College has grown to 500 plus students and the construction of two (2) chapels. Chairman Merchant encouraged citizens to push Town Council and the Board of Supervisors that it is time for this to be addressed.

It was mentioned that there are 500 houses out in this area with only 30 of those house being located within Town limits. The biggest question is who pays for this? He noted that there is no way a developer of 140 acres can build a 33-million-dollar flyover. There has to be collaboration between the Town and the County. As the traffic study indicated the Saddle Crest Development will not lower the level of service at the intersection to lower than B which is a perfect method of effort. The master plan north of the railroad has primarily been designated for residential development. East of Shenandoah Shores Road is primarily industrial, and the majority of the remaining land is for higher density residential as the recent Comprehensive Plan surveys indicated. In 2016 the Town constructed a portion of the Leach Run Parkway from Route 55 John Marshall Highway to Happy Creek Road. It was originally designed to be a flyover at that point and connect into Shenandoah Shores Road further west of where the location is now. He agrees with VDOT that an engineer needs to review this and noted the Town no longer has an engineer on staff. He would recommend to Town Council to fund or look at real cost numbers for these improvements.

Chairman Merchant spoke about the money proffered to the schools and referred to an email from the Warren County staff questioning if the contributions are enough. The proposed proffer 5.1 calls for \$3,551.00 to be proffered per lot for schools and apparently the county analysis requests \$4,735.00 for schools and \$4,000.00 for parks for a total of \$8,770.00. Negotiation of proffers are a matter of Town Council and not the Planning Commission. He would recommend to Council that we develop some type of process to negotiate the proffers that is fair and equitable for all parties involved. He expressed concern to how many units would be developed per year and noted that the Planning and Zoning staff has been reduced and does not have enough staff to process the number of proposed units per year and noted he would like to see Council clarify how many houses per year to be developed.

Commissioner Wood stated that currently Mr. Sayre could build thirty houses there by-right without a Special Use Permit. The County has no moratorium on building. Housing is needed in the community however the Town and County need to do it in a smart way. Critical infrastructure is needed, and he will vote no for this rezoning application. After some additional discussion the following motion was made.

Commissioner Wells moved, seconded by Commissioner Wood that the Planning Commission forward a recommendation of approval to Town Council for Application # 2200385 to reclassify approximately 43.9 acres identified as Tax Map #20A221-3A from Estate Residential District R-E to Residential District R1A with the following conditions:

1. 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.

2. The applicant will amend their proffers to include language addressing their responsibility for the cost of installing stormwater facilities on site in compliance with the subdivision ordinance (Ch 148 of Town Code) and the maintenance of the stormwater structures by the HOA.

3. The applicant will amend their concept plan to provide the size and location of open space areas.

4. The applicant will construct the entrance in accordance with Town and VDOT standards.

5. The applicant will amend the proffer statement including the concept plan, to address the comments and concerns raised by the Town's outside counsel to the Town's satisfaction.
After further discussion the vote was taken.

VOTE: Yes – Merchant, Wells

No – Wood, Marshner

Abstain – N/A

Absent – N/A

ROLL CALL

Because there was a tie vote the motion died.

Chairman Merchant asked if there were any other motions and there were none



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

~~FRREZON~~ 2200385

REZONING APPLICATION

APPLICANT

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

PROPERTY OWNER OF RECORD

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

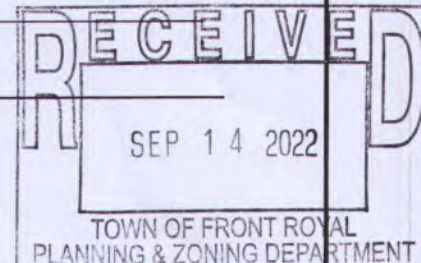
PROPERTY DESCRIPTION

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

Subdivision Name (if applicable) Saddle Crest

REQUEST

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



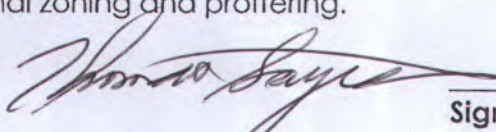
ATTACHMENTS

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

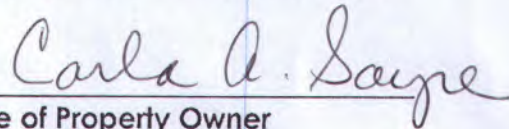
1. Application Fee (Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines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

CERTIFICATION

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



Signature of Property Owner



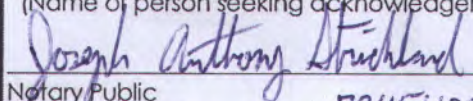
Signature of Applicant (if different)

see attached

City/County of Warren, Commonwealth of Virginia

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

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



Notary Public

Notary registration number: 7845422

My commission expires: September 30, 2023

NOTICES

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

OFFICE USE ONLY

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

Planning Commission Hearing Date: _____ Recommendation: _____

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

ATTACHMENTS

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

see attached
Signature of Property Owner

[Signature]
Signature of Applicant (if different)

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

Amy Catherine Negvesky
Notary Public

Notary registration number: 7981887 My commission expires: 11-30-2026

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OFFICE USE ONLY

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

January 2019

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



September 7, 2022

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

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

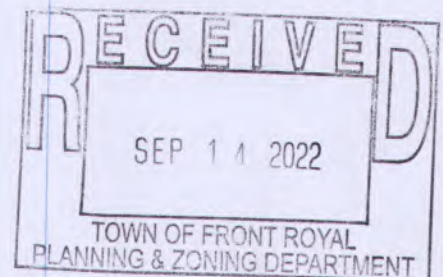
Dear Ms. Kopishke,

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

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

Sincerely,
Morris, Ritchie Associates, INC.

Christopher Stephenson, PLA
Sr. Project Manager



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

www.mragta.com

Abingdon, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (540) 974-5334

SADDLE CREST

CONCEPT PLAN

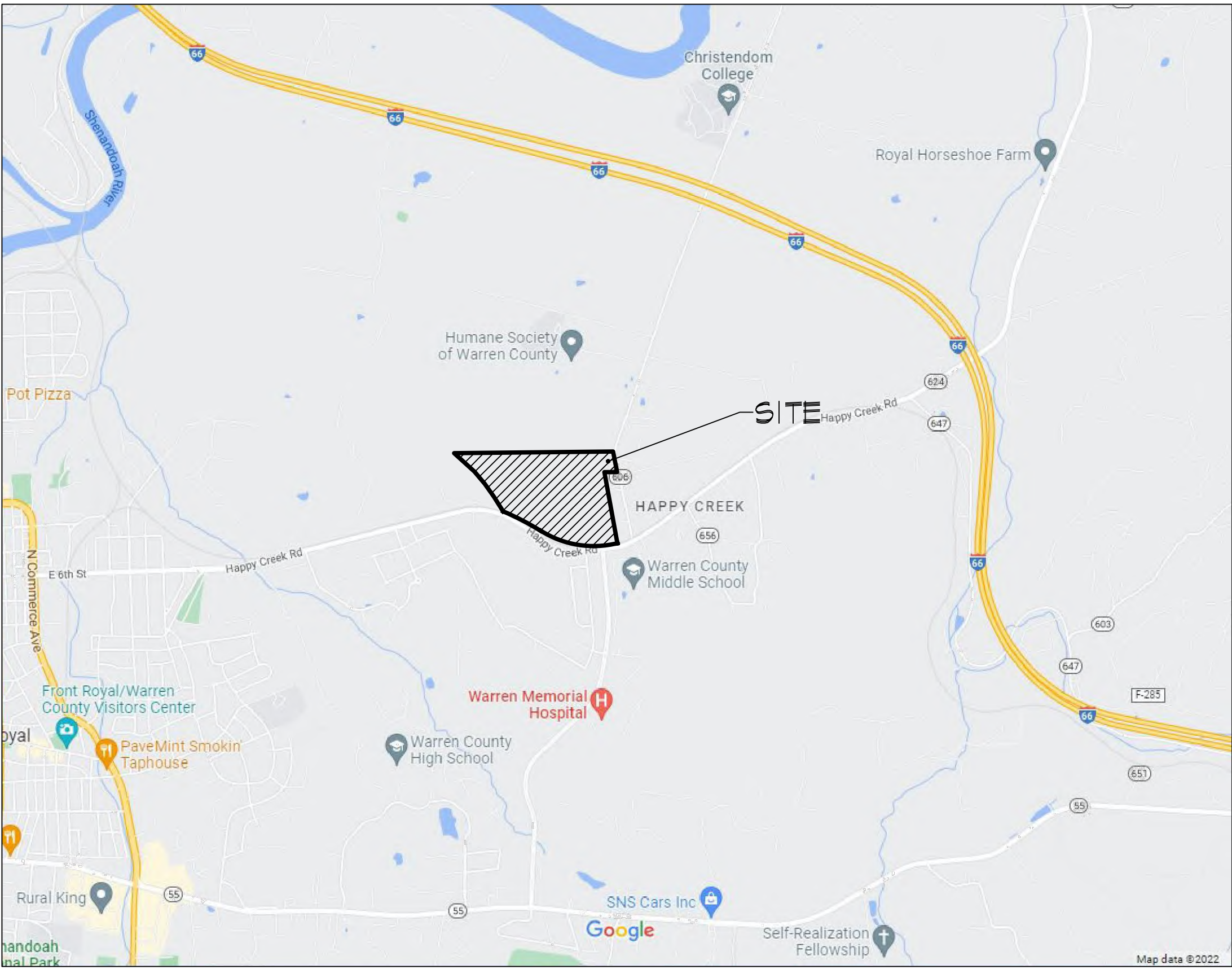
FRONT ROYAL, VIRGINIA

GENERAL NOTES

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

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

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



VICINITY MAP
SCALE: 1"=2000'

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

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

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

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

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



COVER SHEET

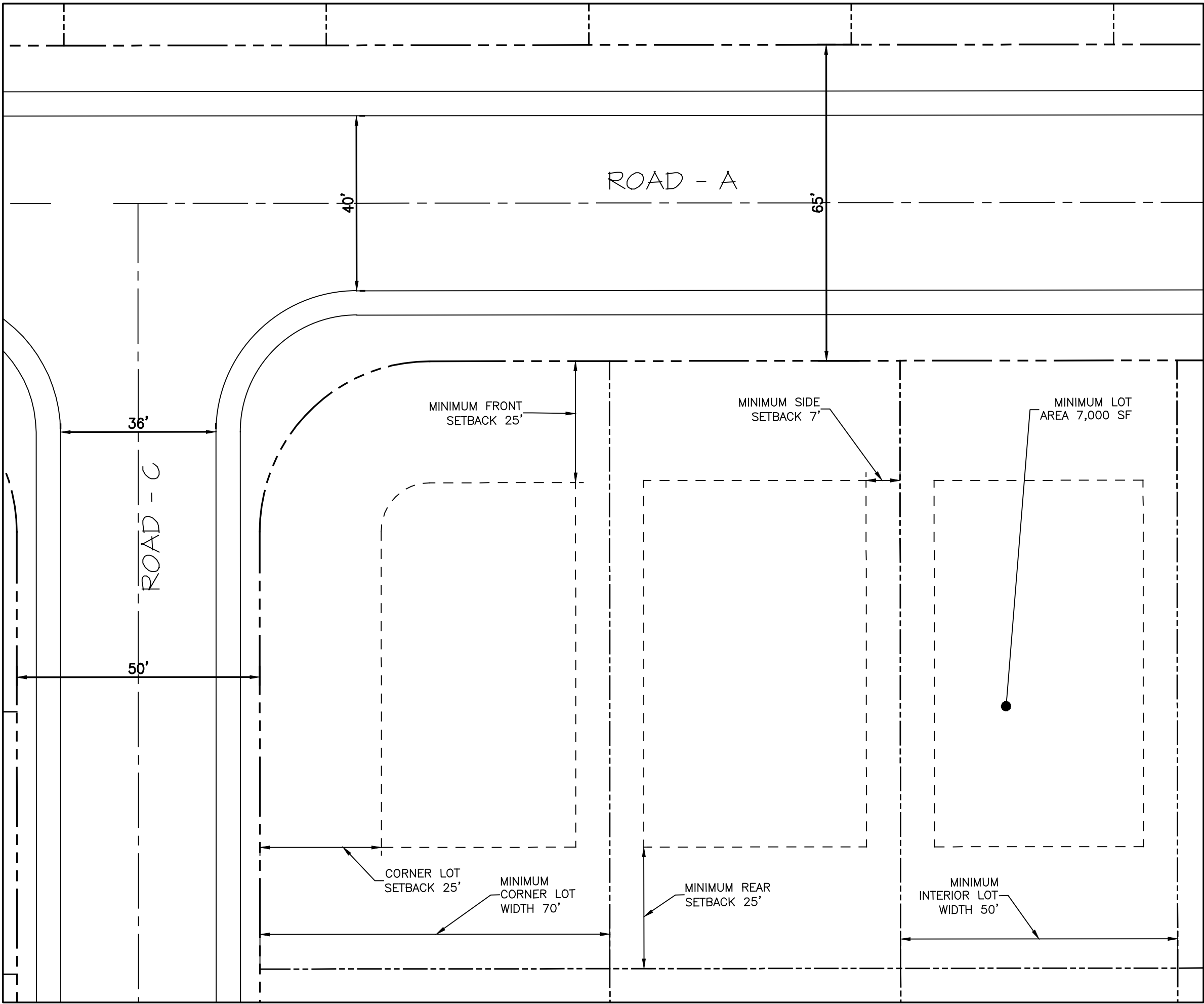
SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

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

DATE

REVISIONS

Copyright 2022 Morris & Ritchie Associates, Inc.



TYPICAL LOT DETAIL

LEGEND

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

PROJECT NOTES

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

ZONING REQUIREMENTS

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

DENSITY SUMMARY

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

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

175-18.3 AREA (R-1A)

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

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

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

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

175-18.4 HEIGHT(R-1A)

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

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

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

- D. Accessory buildings and structures:

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

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

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

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

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

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

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

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

175-18.6 LOT COVERAGE (R-1A)

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

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

- A. Space requirements:

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

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

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

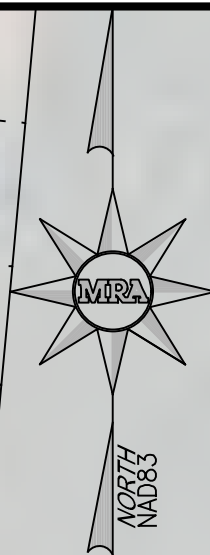
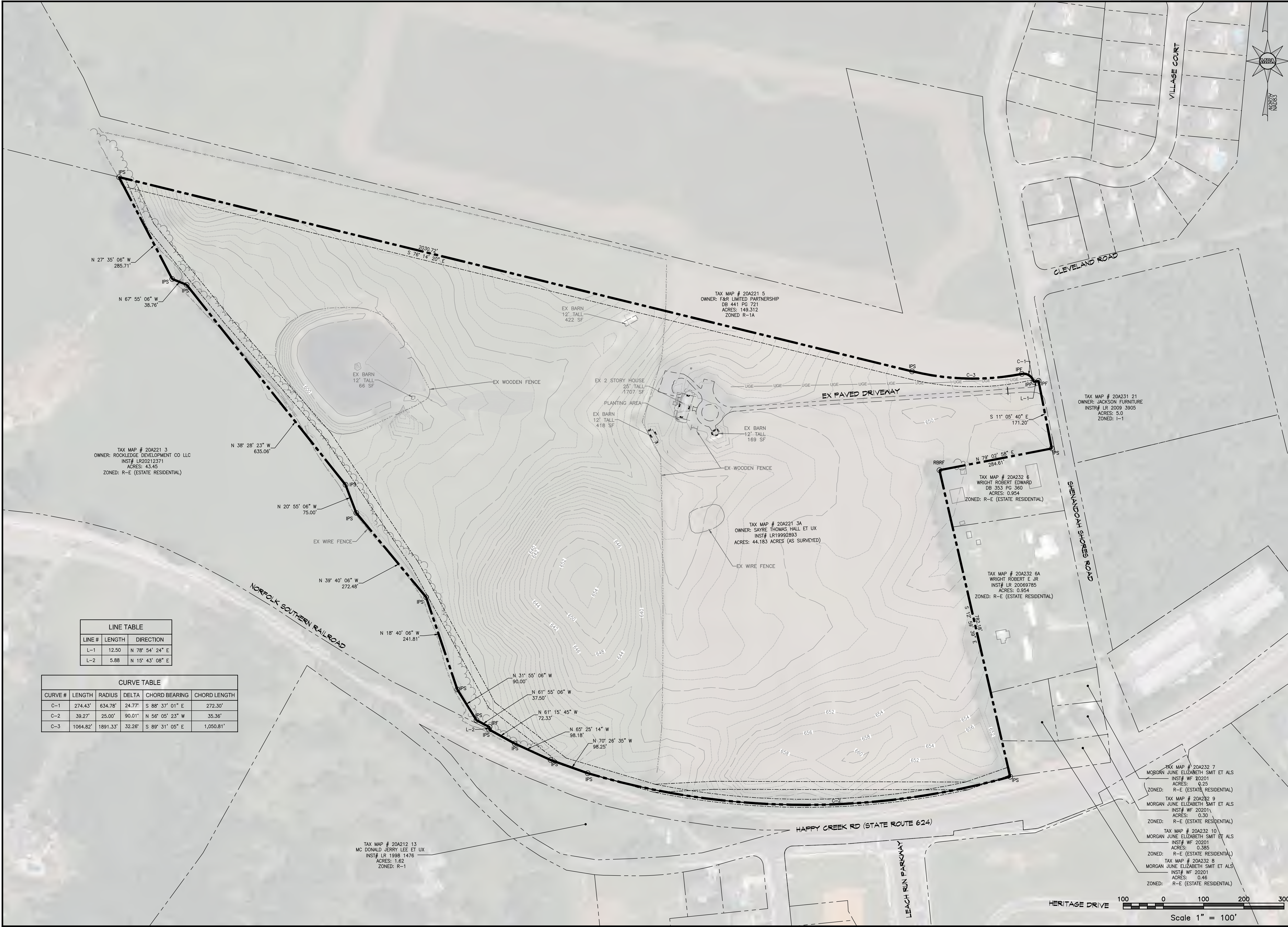
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS



NOTES & DETAILS

SADDLE CREST
CONCEPT PLAN
FRONT ROYAL, VA

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



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

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

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

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

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

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

DATE

REVISIONS

REVISIONS

DATE

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

604 SOUTH KING STREET, SUITE 200

LEESBURG, VA 20175

PHONE: (703) 984-4047

MRA@GTA.COM

Copyright 2022 Morris & Ritchie Associates, Inc.

MRA

COMMUNITY HEALTH OF VIRGINIA

JOHN K. ERICKSON

PROFESSIONAL ENGINEER

04/13/2022

EXISTING CONDITIONS

SADDLE CREST
CONCEPT PLAN

FRONT ROYAL, VA

JOB NO.: 21115

SCALE: AS SHOWN

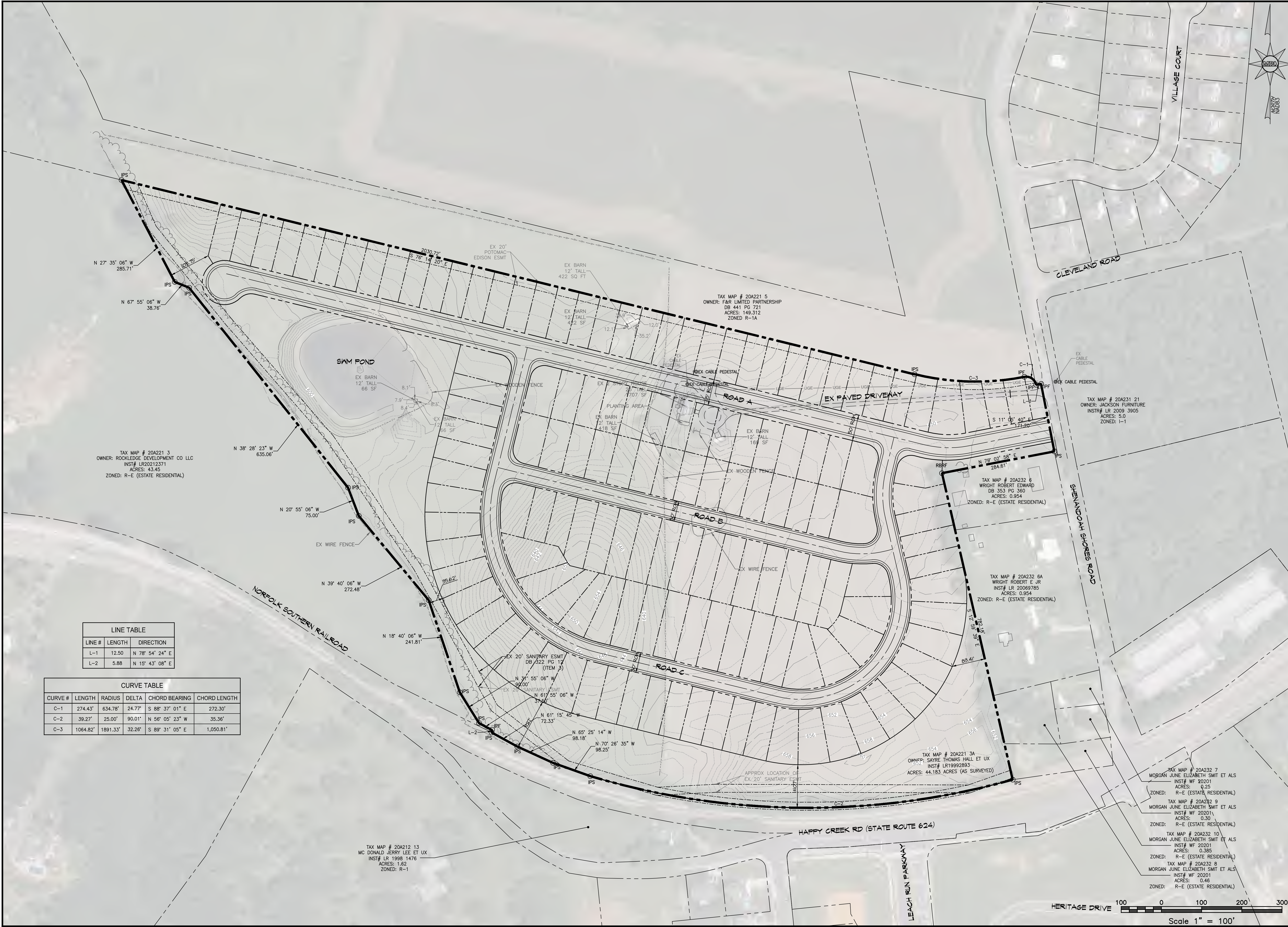
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DRAWN BY: JAE

DESIGN BY: JAE

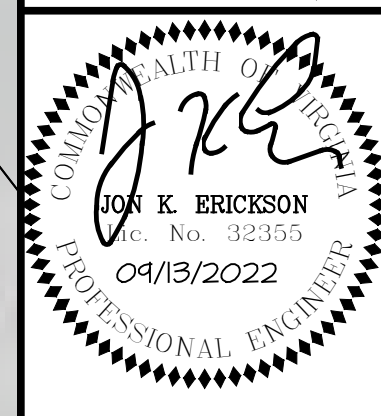
REVIEW BY: JKE

SHEET: 3 OF 5



DATE	REVISIONS

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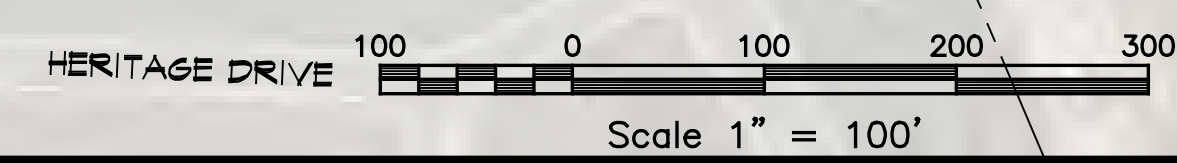


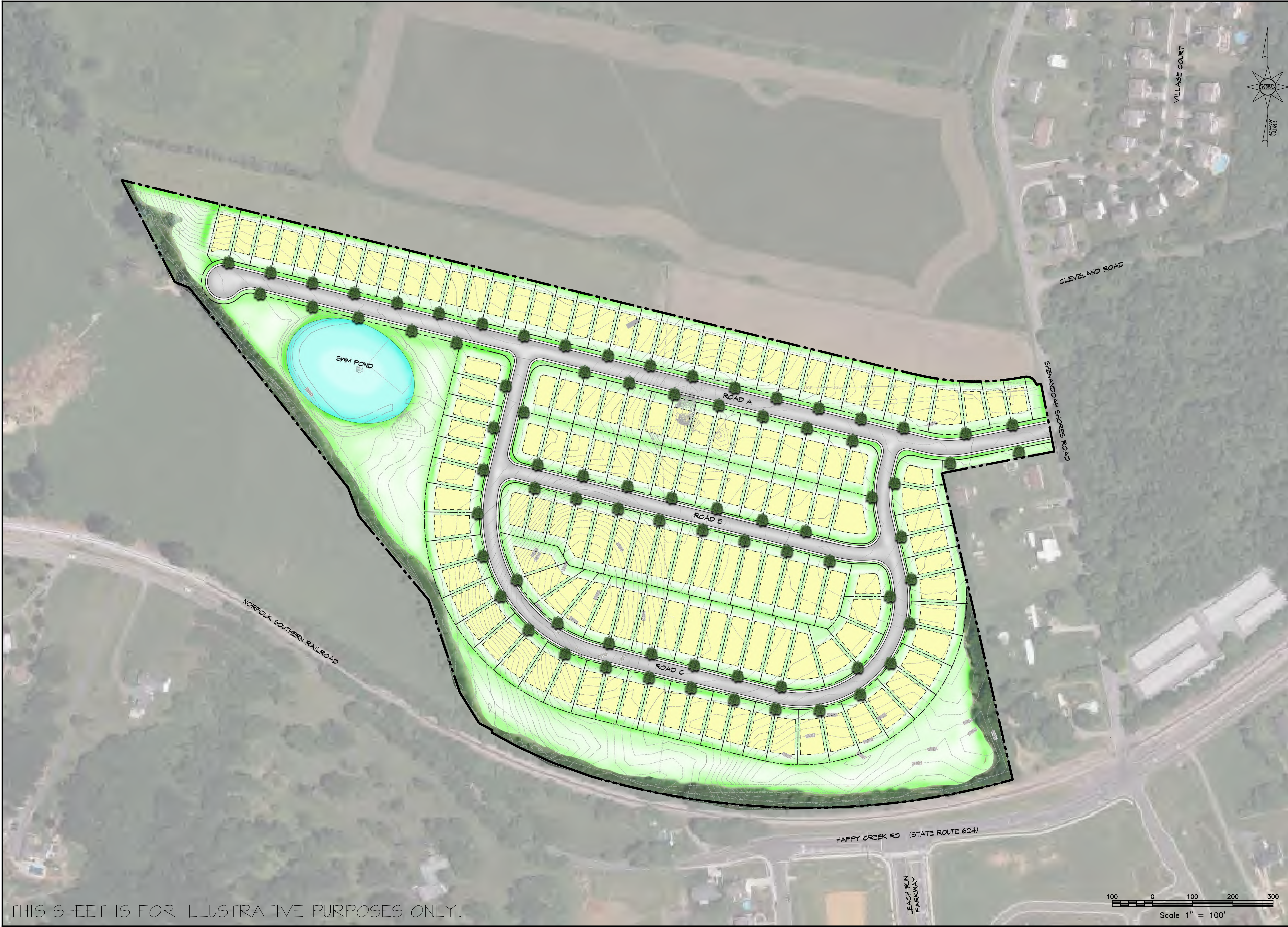
**SADDLE CREST
CONCEPT PLAN**
FRONT ROYAL, VA

JOB NO.: 21115
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DATE: 2022-08-24
DRAWN BY: JAE
DESIGN BY: JAE
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SHEET: 4 OF 5

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THIS SHEET IS FOR ILLUSTRATIVE PURPOSES ONLY!

ILLUSTRATIVE PLAN	
SADDLE CREST	
CONCEPT PLAN	
FRONT ROYAL, VA	
JOB NO.: 21115	
SCALE: AS SHOWN	
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DRAWN BY: JAE	
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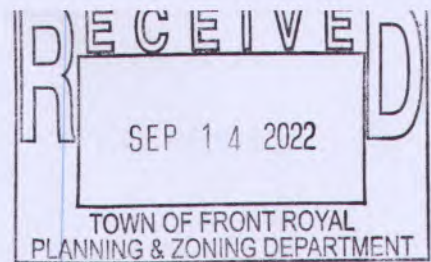


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604 SOUTH KING STREET, SUITE 200
LEESBURG, VA 20175
PHONE: (703) 984-4047
MRA@GTA.COM



Jon K. Erickson
No. 32355
04/13/2022
PROFESSIONAL ENGINEER

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PROFFER STATEMENT

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

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

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

APPLICANT: NVR, INC. ("Applicant")

ORIGINAL DATE
OF PROFFERS: September 14, 2022

REVISION DATE(S): _____

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

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

1. Land Use

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

2. Site Development

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

3. Transportation

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

4. Homeowners' Association

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

[remainder of page intentionally left blank]

Respectfully submitted,

OWNER:

THOMAS HALL SAYRE

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

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

NOTARY PUBLIC

My commission expires: _____
Registration number: _____

CARLA A. SAYRE

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

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

NOTARY PUBLIC

My commission expires: _____
Registration number: _____



September 13, 2022

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

Re: Saddle Crest Rezoning Application

Dear Ms. Kopishke:

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

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

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

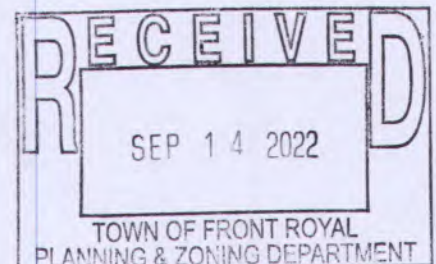
I appreciate the tremendous amount of time and advice you have provided over the last 6 to 7 months and look forward to working with you on the successful completion of this community.

Please let me know if you have any questions.

Sincerely,

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

Richard A. Lanham
Land Entitlement Manager



STATEMENT OF JUSTIFICATION

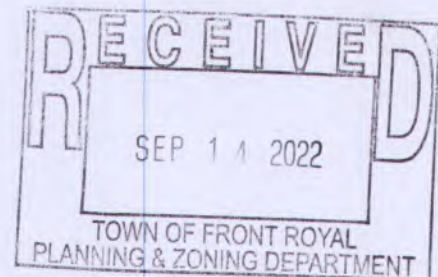
Owner and Applicant request the rezoning of a 44.18 acre parcel known as Tax Map No. 20A221-3A located in the Town of Front Royal, Virginia (the "Property") from Estate Residential District (R-E) to Residential District (R-1A). The Applicant proposes to develop 142 single-family detached lots on the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

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

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

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

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



September 9, 2022

Project# 27646

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

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

RE: Saddle Crest Development – Transportation Assessment

TRANSPORTATION ASSESSMENT

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

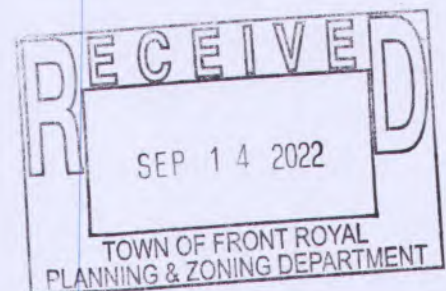
- Trip generation estimate
- Left- and right-turn lane warrant analyses of the proposed site-access driveway on Shenandoah Shores Road.
- Year 2026 operational analysis of the Shenandoah Shores Road/Site Driveway intersection

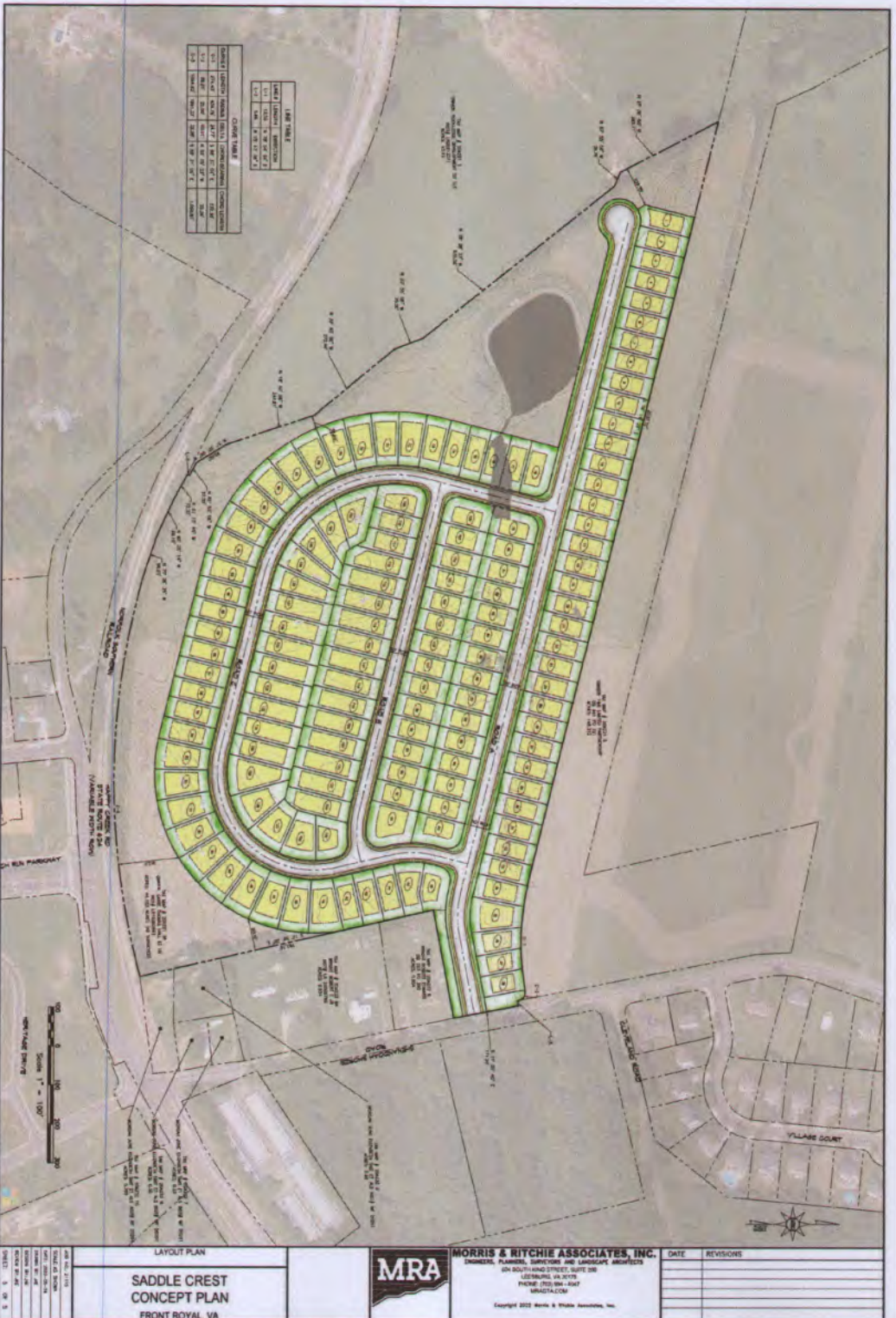
Preliminary findings are summarized below.

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

Development Description

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





Volume Development

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

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

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

Table 1. Estimated Trip Generation

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

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

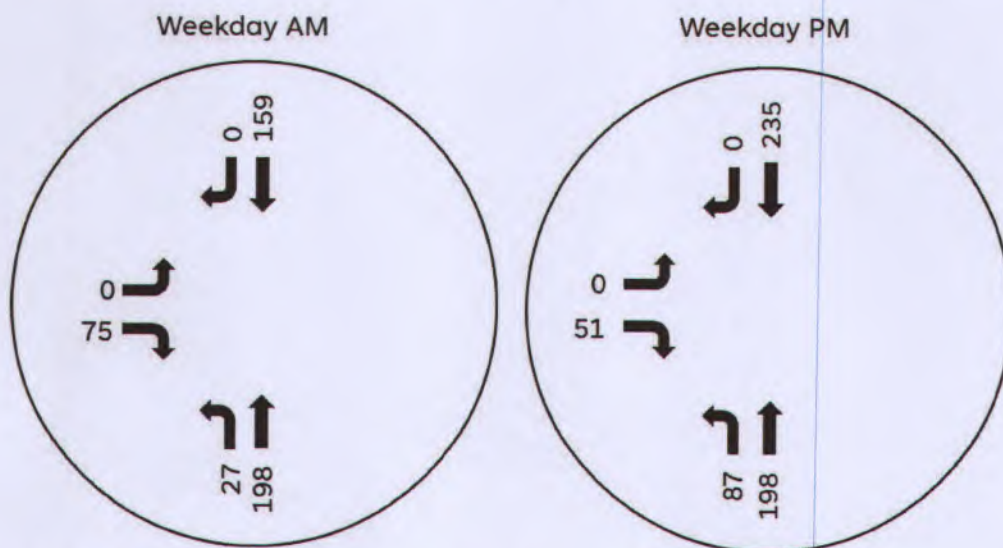


Figure 2. Projected Traffic Volumes – Shenandoah Shores Road/Site Driveway - 2026 Post-Build-Out – Weekday AM & PM Peak Hours

VDOT Turn Lane Warrant Evaluation

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

RIGHT-TURN LANE WARRANTS

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

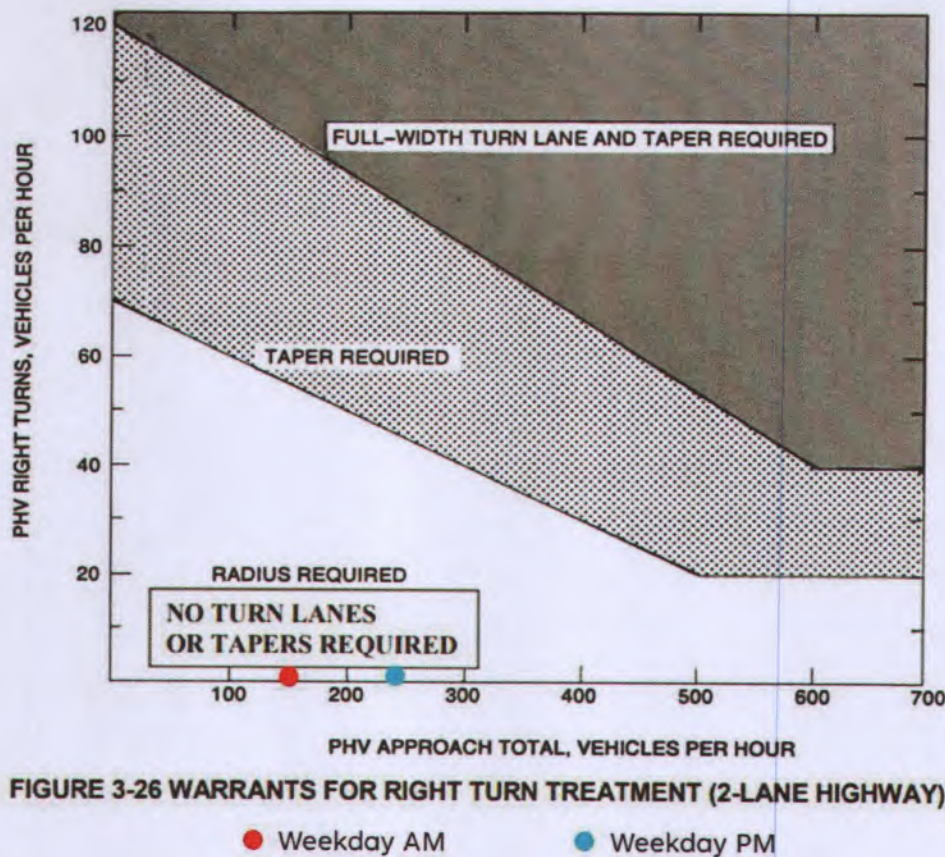


Figure 3. VDOT Right-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM & PM Peak Hours

LEFT-TURN LANE WARRANTS

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

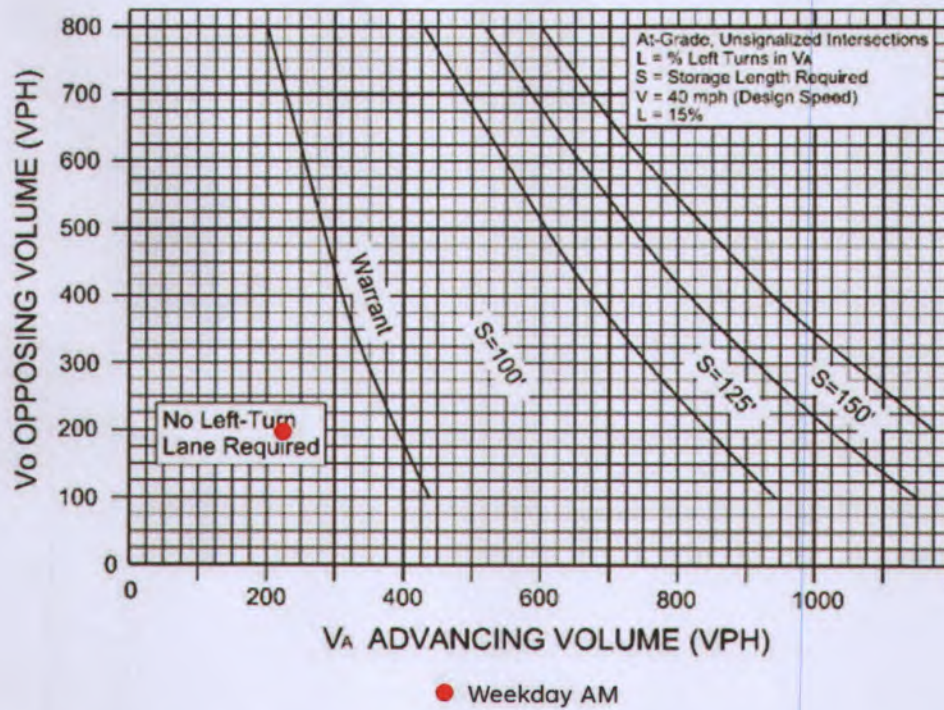


Figure 4. VDOT Left-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM Peak Hour

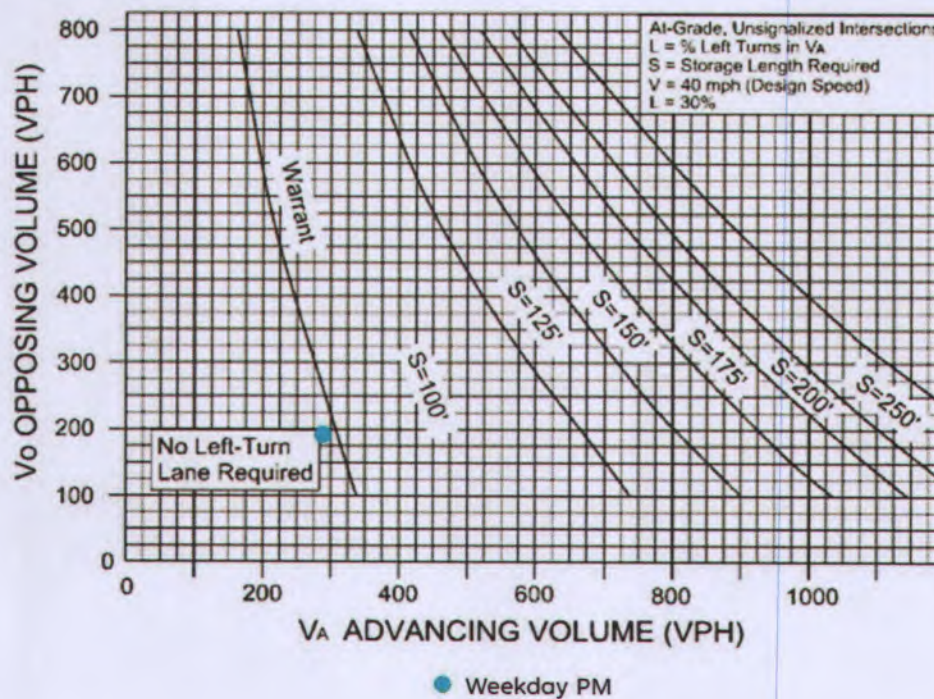


Figure 5. VDOT Left-Turn Lane Warrants – Shenandoah Shores Road – 2026 Post-Build-Out Weekday AM Peak Hour

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

FUTURE TRAFFIC OPERATIONS

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

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

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

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

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

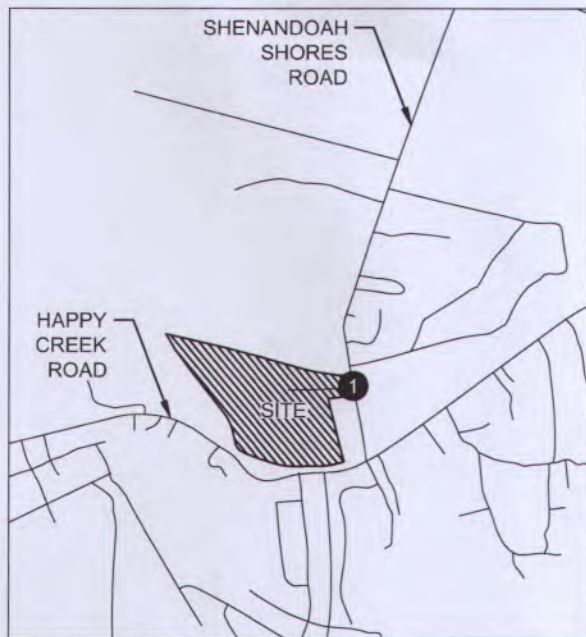
Conclusions

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

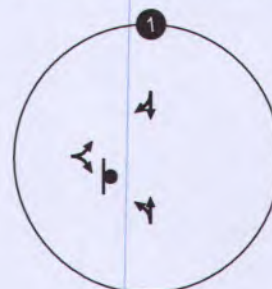
- The proposed site driveway intersection is forecast to operate at LOS B or better during the weekday a.m. and p.m. peak hours after build-out of the site.
- VDOT southbound right-turn lane warrants are not forecast to be met at the site driveway.
- VDOT northbound left-turn lane warrants are not forecast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

References

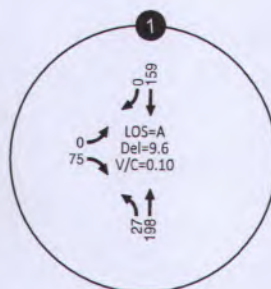
1. Institute of Transportation Engineers. Trip Generation, 11th Edition. 2021.
2. Virginia Department of Transportation. Road Design Manual.
3. Transportation Research Board. Highway Capacity Manual, 6th Edition. 2016.
4. Virginia Department of Transportation. Traffic Operations and Safety Analysis Manual.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



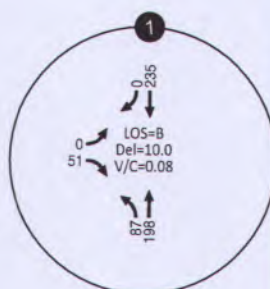
2026 ASSUMED LANE CONFIGURATION



WEEKDAY AM



WEEKDAY PM



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

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

Figure
6

Attachment A
Traffic Data

Type of report: Tube Count - Volume Data

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

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

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

Type of report: Tube Count - Volume Data

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

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

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

Type of report: Tube Count - Volume Data

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

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

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

Attachment B

Year 2026

Traffic Operations Worksheets

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

Saddle Crest Development
2026 Total AM

Intersection						
Int Delay, s/veh	2					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	75	27	198	159	0
Future Vol, veh/h	0	75	27	198	159	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	85	31	225	181	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	468	181	181	0	-	0
Stage 1	181	-	-	-	-	-
Stage 2	287	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	553	862	1394	-	-	-
Stage 1	850	-	-	-	-	-
Stage 2	762	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	539	862	1394	-	-	-
Mov Cap-2 Maneuver	539	-	-	-	-	-
Stage 1	829	-	-	-	-	-
Stage 2	762	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	9.6	0.9		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1394	-	862	-	-	
HCM Lane V/C Ratio	0.022	-	0.099	-	-	
HCM Control Delay (s)	7.6	0	9.6	-	-	
HCM Lane LOS	A	A	A	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.3	-	-	

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

Saddle Crest Development
2026 Total PM

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



Council Consent Agenda Statement

Item # 10A

Meeting Date: July 24, 2023

Agenda Item: Bid Award for Cub and Gutter Installation

Summary: Council is requested to award a bid to Arthur Construction Company, Inc. of Dulles, VA for curb and gutter installation on Braxton Road, Manassas Avenue and 50/50 on Marshall Street in the amount of \$43,475.00.

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

4500-47941	Concrete	\$43,475.00
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Meetings: Work Session held July 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 the bid award to Arthur Construction Company, Inc. of Dulles, VA for curb and gutter installation on Braxton Road, Manassas Avenue and 50/50 on Marshall Street in the amount of \$43,475.00.

Moved _____ Seconded _____

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



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Purchasing Manager

CC: B.J. Wilson, Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: June 27, 2023

SUBJECT: Recommendation to award curb and gutter installation

The Public Works Department would like to recommend awarding the installation of curb and gutter to Arthur Construction Company out of Dulles, VA. The total cost for installing the 800 linear feet of CG-6 Curb and Gutter and 325 linear feet of CG-9 Driveway aprons. The funding for this work is already budgeted under budget code 4500-7941.

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

Thank You.

VENDOR SPREAD SHEET



Town of Front Royal, VA

IFB #18-2023 CURB & GUTTER INSTALLATION

BID/PROPOSAL OPENING DATE: 6/8/2023

BID/PROPOSAL OPENING TIME: 2:00 PM

		IMPERIO CONSTRUCTION FALLS CHURCH,VA	STONEBRIDGE CIVIL ASHBURN, VA	ARTHUR CONSTRUCTION DULLES,VA	M&F CONCRETE INC. MANASSAS, VA	PINE KNOLL CONSTRUCTION CLEARBROOK,VA	NORTH CONSTRUCTION INC. ASHBURN,VA	FINLEY ASPHALT & SEALING MANASSAS,VA	ASBURN CONTRACTING CORP. STERLING, VA
QTY	ITEM DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
800 LF	PER LINEAR FOOT INSTALLATION OF CG-6 CURB & GUTTER PER TECHNICAL SPECIFICATIONS	\$58.37 LF	\$58.00 LF	\$40.00 LF	\$65.38 LF	\$48.00 LF	\$80.00 LF	\$59.05 LF	\$80.00 LF
	SUBTOTAL	\$46,696.00	\$46,400.00	\$32,000.00	\$52,304.00	\$38,400.00	\$64,000.00	\$47,240.00	\$64,000.00
325 SQ/FT	PER SQUARE FOOT INSTALLATION OF CG-9 CONCRETE APRONS TECHNICAL SPECIFICATIONS	\$30.00 SQ/FT	\$30.00 SQ/FT	\$15.00 SQ/FT	\$43.15 SQ/FT	\$7.75 SQ/FT	\$38.00 SQ/FT	\$29.04 SQ/LF	\$20.00 SQ/FT
	SUBTOTAL	\$9,750.00	\$9,750.00	\$4,875.00	\$14,023.75	\$2,518.75	\$12,350.00	\$9,438.00	\$6,500.00
220 LF	REMOVAL OF EXISTING CURB	\$15.00 LF	\$18.90 LF	\$30.00 LF	\$13.18 LF	\$85.00 LF	\$20.00 LF	\$10.00 LF	\$20.00 LF
	SUBTOTAL	\$3,300.00	\$4,158.00	\$6,600.00	\$2,899.60	\$18,700.00	\$4,400.00	\$2,200.00	\$4,400.00
Total Bid		\$59,746.00	\$60,308.00	\$43,475.00	\$69,227.35	\$59,618.75	\$80,750.00	\$58,878.00	\$74,900.00

*DENOTES NON-RESPONSIVE BID

The VENDOR SPREAD SHEET is generated from the initial, raw information collected. No award decision has been made.

Prepared by: Megan Clark, VCA

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889



Council Consent Agenda Statement

Item # 10B

Meeting Date: July 24, 2023

Agenda Item: FY24 Budget Amendment to Accept Funds from VRSA for Pavilion Damage

Summary: Council is requested to approve a FY24 Budget Amendment in the amount of \$23,404.20 to receive funds from Virginia Risk Sharing Association (VRSA) for damage to the Town's Pavilion located near the Gazebo on E. Main Street.

Budget/Funding:	1000-3410205	General Fund Insurance Recovery	\$23,404.20
	4302-43004	General Properties – Repairs & Maintenance	\$23,404.20

Meetings: Work Session July 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 FY24 Budget Amendment in the amount of \$23,404.20 to receive funds from Virginia Risk Sharing Association (VRSA) for damage to the Town's Pavilion located near the Gazebo on E. Main Street.

Moved _____ *Seconded* _____

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



Council Consent Agenda Statement

Item # 10C

Meeting Date: July 24, 2023

Agenda Item: Solid Waste Utility Cost of Service Fee/Rate Study Contract and FY24 Budget Amendment

Summary: Council is requested to award a contract to Mid-Atlantic Solid Waste Consultants in the amount of \$39,500 for a Comprehensive Solid Waste Utility Cost of Service Fee and Rate Study and approve a FY24 Budget Amendment in the same amount.

Budget/Funding:	<u>FY24 Budget Amendment</u>	
	4203-3510110 Solid Waste Appropriated Funds Forward	\$39,500.00
	4203-43002 Solid Waste Professional Services	\$39,500.00

Funds transferred from 4203-47005 Solid Waste Motor Vehicles PO#29655 <\$39,500>

Meetings: Work Session July 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 the award of a contract to Mid-Atlantic Solid Waste Consultants in the amount of \$39,500 for a Comprehensive Solid Waste Utility Cost of Service Fee and Rate Study and approve a FY24 Budget Amendment in the same amount.

Moved _____ Seconded _____

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

ATTACHMENT A – SCOPE OF WORK

1. PROJECT UNDERSTANDING

The Town of Front Royal, located in Warren County, provides residential and commercial waste and recycling collection within Town limits. The Department of Public Works Division of Solid Waste serves approximately 5,700 residential accounts and 18 commercial/industrial accounts with 12 full-time employees and a budget of just over \$1 million. Residential households receive a 96- or 32-gallon refuse cart, while commercial customers may receive cart or dumpster service. Single-stream recycling, excluding glass, is provided to residents using smaller bins. Customers pay monthly fees for trash and recycling collection. The Town will pick up bulky items and out-of-cart setouts for an additional fee, which increases on successive uses to discourage abuse of the service.

At the current time, the Town is interested in comparing its current solid waste costs against industry standards, comparing its municipally provided service cost versus an outsourced third-party vendor, developing baseline rate and fee structures to fund solid waste operations and capital improvement requirements, exploring alternative rate and fee structures for non-standard services, and optimizing the communication of these utility costs to its citizens.

2. APPROACH

PHASE 1 – PROJECT INITIATION

Task 1.1 – Information Request & Review of Data: MSW Consultants will submit a written request for information to be provided by the Town within 7-10 business days or as otherwise discussed. We will also review publicly available information provided on the Town website. Data requested will include (but is not limited to) the following:

- ◆ Current solid waste and rate ordinances;
- ◆ Historical and projected operating expenses and revenues;
- ◆ Proposed and adopted budgets;
- ◆ Current rates, charges, and revenue mechanisms;
- ◆ Historical customer billing data or household counts, as appropriate;
- ◆ Capital asset and rolling stock lists;
- ◆ Capital improvement plan details;
- ◆ Disposal or processing contracts, historical and current tip fees being incurred;
- ◆ Division organization chart and employee roster;
- ◆ Tonnage information for all materials managed from prior collection periods; and
- ◆ Any other information that would be useful to the study.

Task 1.2 – Kick-off Meeting: MSW Consultants will conduct a kick-off meeting to clarify project expectations, confirm schedules and review remaining data needs.

Task 1.3 – Contract Review: MSW Consultants will review any disposal and processing contracts the Town currently has in effect, noting any exceptions from industry standards and best management

ATTACHMENT A – SCOPE OF WORK

practices if applicable. We will also review the Town's interlocal or other agreements with the County governing use of the County's facilities.

Task 1.4 – Market Research: MSW Consultants will inventory local private haulers, recycling facilities, and other local and regional vendors that may enable the Town to most easily evolve its system, make good strategic decisions, and capitalize on market competition to secure favorable terms for waste management services.

Task 1.5 – Introductory Council Meeting: The Town correctly recognizes the importance of keeping Council informed on projects that may impact residents directly through their pocketbooks, their curbside services, or both. MSW Consultants will collaborate with staff at the outset of the project to prepare introductory slides and conduct a meeting with the Town Council. This meeting will seek to inform Council about the project, and to solicit feedback, concerns, or expectations that the Council has for the project.

PHASE 2 – FULL COST-OF-SERVICE ANALYSIS & RATE DESIGN

This task includes development of a full cost-of-service model to uncover the full cost and cost-per-customer to provide each individual service (e.g., collection of garbage, recycling, etc.)

Task 2.1 – Cost of Service Analysis: MSW Consultants will perform a cost-of-service analysis to identify the actual cost per customer for all Town-provided collection services. The cost-of-service analysis will compile full costs – including direct operating expense, vehicle replacement plans, capital improvement plans, and debt service (if appropriate) – and allocate these costs to appropriate collection and management/administrative functions. Allocated full costs and current customer counts will be used to estimate the full cost and unit cost per customer that are needed to achieve system revenue sufficiency.

Our cost-of-service model allocates collection and disposal cost components separately to inform Town staff of the actual differences in the cost to provide the fixed and variable portions of these service costs. Such data are critical to achieving best management practices.

Task 2.2 – CIP & Vehicle Replacement Plan Review: MSW Consultants will review the Town's capital replacement program and policies and factor these into the revenue sufficiency analysis. If necessary, we will compare the Town's current vehicle replacement plans and policies with other collection systems and/or facilities to identify opportunities for improvement.

Task 2.3 – Ten-Year Financial Projections & Rate Sufficiency Analysis: MSW Consultants will project full costs for a 10-year period incorporating CIP and vehicle replacement plans spanning the next 10 years. We will then project the full-cost rates that would be needed to achieve break-even financial performance for five- and ten-year periods. These full cost rates will be compared to current revenue mechanisms to identify deficiencies and potential changes to the existing revenue structure.

Task 2.4 – Working Meeting 1: At this time, MSW Consultants will assemble findings and conduct a meeting with the Town staff to discuss findings and various approaches for rate design and gather Town input.

Task 2.5 – Rate Design Analysis: This exercise will define rate classes for curbside residential and commercial customers and provide the range of rate setting options available to recoup full costs. For the residential rates, it is expected that MSW Consultants will compare flat rates and a range of variable rate combinations. For commercial collection, MSW Consultants can calculate the appropriate container rate matrix, as well as the range of special service fees that are warranted using proprietary modeling.

ATTACHMENT A – SCOPE OF WORK

PHASE 3 – REPORTING

MSW Consultants will collaborate with the Town to summarize and publicize project findings and rate recommendations.

Task 3.1 – Draft Report: MSW Consultants will incorporate the results of the financial modeling activities into a concise Technical Report. The report will include any recommendations for changes to rate structure, revenue mechanisms, and administration of the system based on the findings of the study.

Task 3.2 – Draft Report Comments Meeting: MSW Consultants will conduct a virtual meeting with Town staff to present the draft report and its findings at least one week after submittal of the report for comments.

Task 3.3 – Draft Report Public Information Meeting: MSW Consultants will conduct a public information meeting to present the draft report findings to the Town customers and stakeholders. All comments submitted during the meeting will be compiled in a digital format for Town staff.

Task 3.4 – Town Council Draft Report Meeting: MSW Consultants will conduct a meeting with the Town Council to present the draft report findings and address all comments provided by Town staff and customers from prior meetings.

Task 3.5 – Ordinance Revisions: Based on the findings of the evaluation and any recommendations, MSW Consultants will identify areas of the Town ordinance requiring update and provide suggested ordinance language for consideration by the Town. Note that MSW Consultants does not employ attorneys and that our suggested revisions will require legal review by the Town.

Task 3.6 – Final Report: Upon addressing comments from Town staff, customers, and Town Council, MSW Consultants will finalize the fee and rate structures and report for delivery to the Town.

Task 3.7 – Final Town Council Meeting: MSW Consultants will conduct a meeting with the Town Council to present the finalized findings from the Final Report.

Optional Task – Benchmarking: MSW Consultants will conduct a benchmarking study comparing Front Royal and five other Virginia municipalities of similar population and providing at least some similar solid waste services. The data points to compare will include size, service provider, service levels, user fees, and other system attributes as available. MSW will prepare a draft list of benchmark entities before finalizing the list following Town feedback.

3. BUDGET & SCHEDULE

The budget for the described services is provided in the table below. Due to the additional time and travel expenses involved, we have provided the baseline budget with meetings to be conducted virtually along with incremental costs for meeting the Town chooses to hold in person. These services will be performed by MSW Consultants on a milestone fixed fee basis.

ATTACHMENT A – SCOPE OF WORK

Tasks	Hours	Total
1 - Project Initiation	39	\$5,600
1.1 - Information Request & Review of Data	13	\$1,800
1.2 - Kick-Off Meeting (Virtual)	4	\$600
1.3 - Contract Review	5	\$700
1.4 - Market Research	9	\$1,200
1.5 - Introductory Council Meeting (Virtual)	8	\$1,300
2 - Full Cost-of-Service Analysis and Rate Design	107	\$14,400
2.1 - Cost-of-Service Analysis	45	\$5,800
2.2 - CIP & Vehicle Replacement Plan Review	21	\$2,800
2.3 - Ten Year Financial Projections & Rate Sufficiency Analysis	14	\$2,000
2.4 - Working Meeting I (Virtual)	10	\$1,500
2.5 - Rate Design Analysis	17	\$2,300
3 - Reporting	124	\$17,900
3.1 - Draft Report	46	\$6,600
3.2 - Draft Report Comments Meeting (Virtual)	11	\$1,600
3.3 - Draft Report Public Information Meeting (Virtual)	12	\$1,800
3.4 - Town Council Draft Report Meeting (Virtual)	12	\$1,800
3.5 - Ordinance Revisions	12	\$1,700
3.6 - Final Report	20	\$2,800
3.7 - Final Town Council Meeting (Virtual)	11	\$1,600
Grand Total	270	\$37,900
In-Person Presentations		Incremental Cost
1.5 – Introductory Council Meeting (In-Person)		+\$2,000
3.3 - Draft Report Public Information Meeting (In-Person)		+\$2,000
3.4 - Town Council Draft Report Meeting (In-Person)		+\$2,000
3.7 - Final Town Council Meeting (In-Person)		+\$2,000
Optional Task		
Benchmarking	20	\$1,600

Additional tasks may be added and charged with prior written authorization.

A feasible schedule to complete this project is less than six months, as shown in the chart below. We understand that various city calendars may prescribe different timing for some of the meetings and presentations.

ATTACHMENT A – SCOPE OF WORK

Task No.	Task Name	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Project Initiation																								
1.1	Information Request & Review of Data																								
1.2	Kick-Off Meeting (Virtual)																								
1.3	Contract Review																								
1.4	Council Meeting (Virtual)																								
1.5	Benchmarking (Optional Task)																								
2	Full Cost-of-Service Analysis and Rate Design																								
2.1	Cost-of-Service Analysis																								
2.2	CIP & Vehicle Replacement Plan Review																								
2.3	Ten Year Financial Projections & Rate Sufficiency Analysis																								
2.4	Working Meeting I (Virtual)																								
2.5	Rate Design Analysis																								
2.6	Working Meeting II (Virtual)																								
3	Reporting																								
3.1	Draft Report																								
3.2	Draft Report Comments Meeting (Virtual)																								
3.3	Draft Report Public Information Meeting (Virtual)																								
3.4	Town Council Draft Report Meeting (Virtual)																								
3.5	Ordinance Revisions																								
3.6	Final Report																								
3.7	Final Town Council Meeting (Virtual)																								



Council Consent Agenda Statement

Item # 10D

Meeting Date: July 24, 2023

Agenda Item: Reappointment of Planning Commission Member

Summary: Council is requested to reappoint Connie Marshner to the Planning Commission to a four-year term ending August 31, 2027.

Budget/Funding: None

Meetings: Work Session held June 5, 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 reappoint Connie Marshner to the Planning Commission to a 4-year term ending August 31, 2027.

Moved _____ *Seconded* _____

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



Council Consent Agenda Statement

Item # 10E

Meeting Date: July 24, 2023

Agenda Item: Recommendation to the Board of Zoning Appeals

Summary: Council is requested to give a recommendation to the Judge of the Circuit Court to appoint a member to the Board of Zoning Appeals (BZA) for an unexpired term ending May 1, 2026. Per Town Code Chapter 175-138 and State Code §15.2-2308 one of the five appointed members may be an active member of the Planning Commission

Budget/Funding: None

Meetings: Work Session held July 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 recommend Michael Williams to the Judge of the Circuit Court for appointment to the Board of Zoning Appeals (BZA) for an unexpired term ending May 1, 2026, pursuant to Town Code Chapter 175-138 and State Code §15.2-2308.

Moved _____ *Seconded* _____

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



Council Regular Agenda Statement

Item # 11

Meeting Date: July 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 a closed meeting, pursuant to Sections 2.2-3711 of the Code of Virginia, for the following purpose:

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

Motion to Certify Closed Meeting at its Conclusion

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

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