



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.

The Planning Commission meeting of the Town of Front Royal, Virginia was held on November 15, 2023, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Chairman Wells called the meeting of the Planning Commission to order at 7:00 p.m.

Ms. Potter was absent, and Chairman Wells asked the Planning Commission for a motion to appoint John Ware as the Clerk "pro tempore".

Commissioner Williams moved, seconded by Commissioner Wood to appoint John Ware as the Clerk pro tempore.

VOTE: Yes - Matthiae, Marshner, Wood, Wells, Williams
 No – N/A
 Abstain – N/A
 Absent – N/A

VOICE VOTE

ROLL CALL

Present: Daniel Wells, Chairman
 Connie Marshner, Vice Chairman
 Glenn Wood, Commissioner
 Michael Williams, Commissioner
 Brian Matthiae, Commissioner

Staff Present: Lauren Kopishke, Planning Director/Zoning Administrator
 George Sonnett, Assistant Town Attorney
 John Ware, Deputy Zoning Administrator

Absent: Connie L. Potter, Executive Assistant, Planning Commission Clerk

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no changes to the agenda.



APPROVAL OF MINUTES

- October 18, 2023 – Regular Meeting

Commissioner Wood moved, seconded by Vice Chairman Marshner to approve the minutes as presented for the October 18, 2023 meeting.

VOTE: Yes - Matthiae, Marshner, Wood, Wells, Williams
No – N/A
Abstain – N/A
Absent – N/A

ROLL CALL

CITIZEN COMMENTS

Kate Heneberry, 129 Luray Avenue, Front Royal, VA. Ms. Heneberry said that her concerns are because of an increase in organizational uses operating by-right in a residential district. In the vicinity of Luray Avenue there is a concentration of multiple schools and churches in a space of a few blocks including the Skyline Middle School, Blueridge Technical Center, Front Royal Presbyterian Church, St. John the Baptist Catholic Church and extending down Union Street are the United Methodist Church and the First Baptist Church. In addition, there are now private schools operating out of existing single-family houses on Luray Avenue, Oak Street, Main Street, and the Baptist and Methodist church halls. With the addition of these private schools and an increase in attendees to the catholic church there has been an appreciable increase in on-street parking, vehicle stacking on Luray Avenue for pickup and drop-off and a resulting reduction in traffic flow. Existing single-family houses don't typically have the infrastructure that is needed to support the uses of a student body. Organizational uses such as schools and churches generate considerable daily vehicle trips and can have significant parking with ingress and egress needs which are unlikely to be available on a residential lot. The Baptist, Methodist and Presbyterian churches have large parking lots on their properties, but the Catholic church does not apparently have enough onsite parking to accommodate its parishioners and students. The increase in on-street parking particularly where Luray Avenue narrows in front of her house and narrows again in front of the Catholic church is creating bottle necks which are a public safety hazard. Private school students which she believes is operating out of a house behind the Catholic church on Oak Street and perhaps from the schools operating out of the Methodist, Baptist and Catholic church halls frequently use Bowman Park for recess and lunch and occasionally classes. As a result of this use of the public park by large private groups there is no longer any grass in the front of Bowman Park and the bare ground has compacted and eroded. This use seems inconsistent with a goal in the new Comprehensive Plan of preserving large trees in the Town and several of those specimen Oak trees in Bowmann Park were recently taken down. The private school groups are also using the fields in Eastham Park whereas a public school would have to provide its own sport fields. It is unclear whether or not these houses have adequate public safety infrastructure for students such as fire suppression, alarms and exits or whether daily occupancy by large groups is safe and



appropriate in a residential structure. Ms. Heneberry urged the Town to take steps to address these impacts during review and approval of applications that are associated with organizational uses in residential districts and to hold these uses to similar standards that would be required for public institutions and at a minimum to consider these uses by special permit other than by-right during any revisions to the Zoning Ordinance.

CONSENT AGENDA

- **2300695** – Warren Coalition. A request for a Special Use Permit for a lodging house located at 501 S. Royal Avenue, identified by Tax Map 20A7-8-1. The property is zoned C-1, Community Business District and is located in the Entrance Corridor.
- **2300700** – A Rezoning Application submitted by Skyline Realty Investments, LLC for a request to rezone 29 W. Duck Street, identified by tax map number 20A12-3-25 & 28 from C-1, Community Business District to R-3, Residential District.
- **2300736** – A Rezoning Application submitted by Cook Realty, LLC for a request to rezone 1121, 1125 and 1135 John Marshall Highway, identified by tax map number 20A10-3-8, 8A and 9A from R-1, Residential District to C-1, Community Business District.

Vice Chairman Marshner moved, seconded by Commissioner Wood that the Planning Commission approve the consent agenda as presented.

VOTE: Yes - Matthiae, Marshner, Wood, Wells, Williams
No – N/A
Abstain – N/A
Absent – N/A

ROLL CALL

PUBLIC HEARINGS

Chairman Wells reviewed the rules for speaking at the public hearings.

- **2300609** – An Ordinance text amendment request submitted by Magdalen Capital, LLLP to amend the current Zoning Ordinance Sections 175-37.3.C, 175-37.4.A & 175-37.17.A regarding the minimum acreage requirement for the Planned Neighborhood Development District (PND) from the existing 20 and 50-acre minimum lot requirements to a 2-acre minimum lot requirement.

Ms. Kopishke explained this was an ordinance text amendment submitted by Magdalen Capital, LLLP who are asking to amend the current Zoning Ordinance Sections 175-37.3.C, 175-37.4.A & 175-37.17.A regarding the minimum acreage requirement for the Planned Neighborhood Development District (PND) from the existing 20 and 50-acre minimum lot requirements to a 2-



acre minimum lot requirement. Staff has spoken to the consultant Summit who is working with staff to rewrite the Zoning and Subdivision Ordinances. Ms. Kopishke did not think the 2-acre minimum would work with some of the open space requirements but does think a 5-acre minimum would work, which is the staff's recommendation for a 5-acre minimum lot size requirement.

Commissioner Williams asked if what was being requested is actually in the new Comprehensive Plan that was recently approved by the Town Council.

Ms. Kopishke explained that the Comprehensive Plan lays out goals for increased mixed use and provisions for affordable housing. She believes this will open the door to reach those goals.

Vice Chairman Marshner asked what the process would be for an individual to rezone to PND.

Ms. Kopishke explained they would submit a rezoning application which would be reviewed by staff to determine if it was in conformance with the Comprehensive Plan. If so it would move forward to the Planning Commission and then on to the Town Council.

Chairman Wells opened the public hearing.

Lynda Turner, 901 Happy Creek Road, Front Royal, VA. Ms. Turner shared she has been a resident of the Town since 1980. Her property adjoins the tract of land that is under consideration for rezoning by Magdalen Capital. She has carefully reviewed the recently passed Comprehensive Plan and found that land currently zoned for Planned Neighborhood Development requiring 20-50 acres that are located in area 13 – Leach Run. Opportunities, challenges, and action strategies for this area have been carefully considered and she believes will offer distinct long-term advantages to the Town as they properly unfold. 20-50 acres as a baseline for Planned Neighborhood Development in her unique area is not only appropriate for the present but also provides a safeguard for the future. Reducing that requirement as requested by the applicant to only 2 or perhaps 5 acres opens the door to potential pop-up areas of development that could quickly transform our extraordinary small town into a mini-Manassas. The current zoning for the property under consideration already allows for the construction of approximately 22-27 single-family homes. That number alone will add significantly to the increasingly heavy traffic along the Happy Creek Corridor. While additional housing needs are a pressing concern our natural resources are not of themselves inexhaustible. Town residents are still under mandatory water restrictions. Infrastructure and natural resources are the tools of the planning trade. Front Royal is the gateway town to the Shenandoah Valley, and she does not want the town to lose its identity. Ms. Turner encouraged the Planning Commission to reject the text amendment request.

Megan Marrazzo, 316 Virginia Avenue, Front Royal, VA. Ms. Marrazzo said she had previously worked in construction with urban infill in Northern Virginia and Maryland. She has seen the impact firsthand of areas that were underutilized or had fallen into disrepair or various other states being changed into completely new communities. Ms. Marrazzo said she saw over and over how drastically it changed these areas. Front Royal is so different than what is seen in Northern Virginia and by changing something so drastically from 20 and 50 acres to 2 is something that opens up a



door that cannot be shut. She mentioned that even Leesburg has a 5-acre minimum noting that 2 acres is unheard of. Smart development and things beneficial to the community over time are necessary. Well thought out plans should be put into place.

There were no additional speakers. Chairman Wells closed the public hearing.

Alex Stieb of Magdalen Capital, LLLP said he understands the concern for rapid development like is seen in Leesburg and Manassas. The requirement for 20-50 acres inhibits small builders such as their company. He has no ability as a small builder to purchase a 20–50-acre lot. Mr. Stieb shared that he is fine with either 2-acre or 5-acre minimums which will keep it under certain thresholds which allows for smaller builders to obtain. There would still be a regulatory process in place.

Vice Chairman Marshner said she believes there is a terminology problem and when people hear Planned Neighborhood Development they think subdivision. She is of a mind that she does not want subdivisions but that a Planned Neighborhood Development is the alternative. Planned Neighborhood Development is small, local, and in harmony with the neighborhood, area and can be done by local builders.

Commissioner Wood thought that in a work session it was said there had been a Traffic Study done by VDOT.

Mr. Stieb explained that by VDOT standards and general civil engineering standards, anything that's exceeding a book rate of 5,000 trips per day is when a traffic study would be required. Magdalen Capital did a preliminary engineering check on how many trips based on the unit count they are looking for and they were at a little under 2000 trips per day which would not trigger the requirement for a traffic study. It would increase traffic but not to the level it would require massive infrastructure changes with VDOT. They intend to stay under 5000 trips per day.

Commissioner Williams asked if staff could respond to statements that were made with respect to the Comprehensive Plan and the 2 vs 5-acre and how many dwellings they can do by-right.

Ms. Kopishke said that currently in the R-1 district you are looking at a density of 1 per half acre which would be 20-22 units by-right. She noted that the Rezoning Application submitted by Magdalen Capital is contingent upon approval of the zoning text amendment. The Comprehensive Plan does recommend a mixture of uses, neotraditional development, which is what Magdalen Capital is proposing.

After some additional comments the following motion was made.



Vice Chairman Marshner moved, seconded by Commissioner Williams that the Planning Commission forward a recommendation of approval to the Front Royal Town Council to amend the current Zoning Ordinance sections 175-37.3.C, 175-37.4.A & 175-37.17.A regarding the minimum acreage requirement for the Planned Neighborhood Development District (PND) from the existing 20 and 50-acre minimum lot requirements to a 5-acre minimum lot requirement.

Vote: Yes – Matthiae, Marshner, Wood, Wells, Williams

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

- **2300537** – Rezoning Application submitted by Magdalen Capital, LLLP for a request to rezone 311 Leach Street, identified by tax map number 20A9-1-3, from R-S, Suburban Residential District to PND, Planned Neighborhood Development District and adjoining properties identified by tax map numbers 20A9-16-D1, 20A9-16-D2 and 20A9-16-D3 from R-1, Residential District to PND, Planned Neighborhood Development District.

Ms. Kopishke explained that as part of the rezoning the applicant has submitted an initial concept plan showing three (3) options. A virtual presentation was given showing the three (3) options.

- By-right use.
- Option as the highest density option with a mixture of housing types as well as mixing commercial and residential uses on the site.
- Option 3 as more of a single-family type of appearance with less density but still with a commercial component.

The applicant, Mr. Stieb spoke about the 3 options. If the rezoning is not approved they would immediately start the by-right building of single-family homes possibly up to 26-27 houses. A big reason they are looking at Planned Neighborhood Development is because the lack of commercial infrastructure removes a lot of the charm because it becomes tract housing with the by-right option. Option 1 and 2 both achieve similar goals which are mixed use which is in line with the Comprehensive Plan. They would like to attract a traditional neighborhood feel with commercial elements on the lower end of Happy Creek Road and possibly include a corner store. Option 2 is closer to dense single-family homes which would be more of attached single-family style homes, single-family detached and side by sides. Option 1 will have more of a higher density which would be a condo complex, apartments, and more affordable housing. This is still to be determined.

Chairman Wells opened the public hearing.



Tanya Jones, 20265 Rosedale Court, Ashburn, VA. Ms. Jones said she was Lynda Turner's daughter, and she would echo some of her mother's comments. Ashburn is the land of tract homes and infrastructure building. Ms. Jones and her mother feel that the current zoning on the property under consideration already allows for the construction of single-family homes which would be an appropriate strain on the Town infrastructure given the environmental challenges and potentially more traffic. The by-right option still gives the applicant the small builder friendly opportunity to maximize the investment. The high density and commercial raises concerns in terms of the usage on the land and potential traffic. Ms. Jones said that she and her mother would prefer that the current by-right option stay in place and for the Planning Commission not to recommend approval of the rezoning application.

There were no additional speakers. Chairman Wells closed the public hearing.

Commissioner Wood said he understands the concerns regarding an increase in traffic. He noted that the Town would see an increase in traffic whether it is by-right or PND. It gives him pause about the access onto Happy Creek Road. Commissioner Wood felt a traffic light might be needed at the intersection although VDOT would probably not agree with that.

Mr. Steib explained that based on standard engineering principles a turn-off lane would be required. They would mark the area coming from the hospital going into Town to mark a turn lane and some additional road work would be required as well for the turn lane. In addition, they are trying to make a connection at Northview and Leach Street which would allow for two (2) modes of ingress and egress.

Ms. Kopishke added that the ingress, egress, utilities, and infrastructure will all be reviewed by staff, Warren County, and the state to make sure it is in compliance with code. This will all be done during the site plan review.

Commissioner Williams moved, seconded by Commissioner Matthiae that item 2300537 Rezoning Application submitted by Magdalen Capital LLLP for a request to rezone 311 Leach St, identified as tax map number 20A9-1-3, from R-S, Suburban Residential District to PND, Planned Neighborhood Development District and adjoining properties identified by tax map numbers 20A9-16-D1, 20A9-16-D2 and 20A9-16-D3 from R-1, Residential District to PND, Planned Neighborhood Development District be forwarded to Town Council for approval.

Vote: Yes – Matthiae, Marshner, Wood, Wells, Williams

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL



COMMISSION MEMBER REPORTS

Vice Chairman Marshner shared there was a meeting of the ad hoc Transportation Committee earlier in the day. The hope at the meeting was to discuss corridor transportation however the people that were supposed to attend were not able to make it. Instead, they discussed the VDOT study that has been written up in the Northern Virginia Daily. A general sense of what they are thinking about is how to get local public transportation to be helpful to people who have jobs north of Town and the need to get to those locations.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the October monthly report.

Ms. Kopishke shared that she had a meeting with Summit earlier in the day regarding the Zoning and Subdivision Ordinance rewrite and she is very confident that a draft will be issued to the Planning Commission in the January – February timeframe to begin reviewing the changes. They have outlined what changes need to be made in the Zoning Ordinance based on the goals and implementation matrix of the new Comprehensive Plan and have also started sorting through and revising definitions where there were redundant or contradictory definitions. The Ordinance is also being updated to meet the state code.

ADJOURNMENT

Commissioner Williams moved, seconded by Commissioner Wood to adjourn the meeting.

VOTE: Yes – Wells, Marshner, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

The meeting was adjourned at 7:58 p.m.

Approved by Planning Commission

Date: 12/20/2023