



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 December 20, 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 pm.

ROLL CALL

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

Absent: Connie Marshner, Vice Chairman

Staff Present: John Ware, Deputy Zoning Administrator
George Sonnett, Assistant Town Attorney
Connie L. Potter, Executive Assistant, Clerk of the Planning Commission

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no changes to the agenda.

APPROVAL OF MINUTES

- November 15, 2023 – Regular Meeting

Commissioner Williams moved, seconded by Commissioner Wood to approve the meeting minutes as written.

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

ROLL CALL



CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Chairman Wells reviewed the guidelines for speaking at the public hearing.

- **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.

Mr. Ware presented an overview of the application. Application number 2300695 is a request for a lodging house at 501 S. Royal Avenue. The property is located in the C-1, Community Business District, and the Entrance Corridor near the intersection of S. Royal Avenue and Ay View Drive. Town Code Chapter 148-870.A.2 requires one (1) parking space per room and two (2) parking spaces for employees. The application has listed eight (8) rooms thus requiring a total of ten (10) parking spaces. Currently the parking lot does not have adequate parking for the lodging house. Mr. Ware gave a power point presentation showing site photographs and the revised survey plat showing proposed parking. Lodging houses are permitted by Special Use Permit in the C-1, Community Business District.

Commissioner Wood asked if the parking lot would be gravel or pavement. He also had questions regarding the adjacent alley.

Mr. Ware explained that parking lots less than 4500 square feet can be gravel noting that this site meets that threshold. The applicant can ask for the parking lot to be gravel vs. asphalt or concrete. He confirmed that the adjacent alley is a Town alley.

Commissioner Williams asked if the building has been used as a residence in the past and if the proposed use would be in line with the Comprehensive Plan.

Mr. Ware stated that to his knowledge the property had not been used as a residence. He confirmed that the use would fall in line with the updated Comprehensive Plan.

The applicant Christa Shifflett, Executive Director of the Warren Coalition, 305 Hunters Ridge Road, Winchester, VA mentioned they currently have a men's recovery residence on Royal Avenue called "The Landing" that has been open since May 2022. That house was filled very quickly. The lodging house in question will allow more beds thinking they will have fifteen (15) beds. The Landing will be used as a residence for females and the new location at 501 S. Royal Avenue will be used as a residence for men. She noted they do not provide meals to the residents. An onsite house manager will be present. Ms. Shifflett shared they had good reports from the Town



police and probation and hoped that the Planning Commission would vote favorably on the application noting that the need is huge in this area.

Commissioner Wood asked Ms. Shifflett to speak about The Landing on Royal Avenue that was previously approved by the Commission and Town Council.

Ms. Shifflett shared that it had gone as they would predict. People come and go for different reasons. Some have relapsed. If that is the case the individual is given three (3) choices: 1) inpatient treatment; 2) outpatient treatment; or 3) would you like to pack and leave the next morning. The house manager is very good at getting them into treatment. As long as the residents are following the rules they will be welcomed back in the future. Probation can show up whenever they want to inspect. Neighbors who originally shared concerns at the first public hearing have since become friends with the residents in the house and have even brought meals over.

Chairman Wells opened the public hearing.

Barbara Samuels, 400 E. Jackson Street, Front Royal, VA. Ms. Samuels expressed that her concern is the location and she felt that the commercial area around this potential location would be devalued. Landlords may have trouble attracting new tenants and local businesses losing clientele. She owns the adjacent property and has concerns about the parking at the lodging house and any overflow parking ending up in her parking lot. At no time will vehicles be allowed to park on her property and the property will be properly posted. Ms. Samuels encouraged the Planning Commission to deny the application.

Drew Bacallao, 200 N. Royal Avenue. Mr. Bacallao said he had been at The Landing for the past seven (7) months, and it had been a great experience noting he has remained sober. The Landing provides coping mechanisms and accountability. He has been able to get a great paying job through their resources and spoke in favor of approving the application.

Commissioner Wood asked Mr. Bacallao if he had a car. Mr. Bacallao said that one of the staff members is letting him borrow a car.

Hunter Sibert, 200 N. Royal Avenue. Mr. Sibert said he had been at The Landing since October 10, 2023 and it had been a great resource in his recovery. Because of their resources he has also obtained a good job at Sysco.

Commissioner Wood asked if Mr. Sibert had a car and Mr. Sibert answered no.

Michael Hall, 413 W. Sprint Street, Woodstock, VA. Mr. Hall explained he is a Peer Recovery Specialist with the Warren Coalition. He said that the most important things about these homes is that they provide a place of safety. A lot of the time when people get clean they don't have a safe place to lay their head. Mr. Hall said they listen to their problems, help them find jobs, and we care. He stated that we need people to look at us with the potential we have noting that they had



done wrong, but they step up and admit it when they have a place like this to go. Mr. Hall said they become people the community can be proud of.

Commissioner Wood asked how many folks typically have cars. He also mentioned that one of the concerns was visitors hanging around outside and asked Mr. Hall to address that concern.

Mr. Hall said that most of the clients don't have cars and don't have a driver's license. The residents are not allowed to have visitors every day and they are not allowed to stay overnight. Parking hasn't been an issue at The Landing. To his knowledge the parking lot has never been full.

Commissioner Wood asked if the police or rescue squad had been there.

Mr. Hall believed there had been two (2) phone calls to the police. Once the police came looking for an individual who had already been asked to leave and the other time probation came by to check rooms. There have been no problems and no rescue squad calls.

Commissioner Wood said that neighbors who spoke at the previous public hearing for The Landing expressed concern of the potential for drug dealings and asked how the neighbors have responded at that location.

Mr. Hall shared that some of the men have offered to help neighbors with projects. Some of the neighbors have brought meals over. They have never had any problems with noise or rowdiness. Group meetings are held inside most of the time. The men go to work, come home, grocery shop, etc. None of the neighbors have had any problems with what has gone on at the house.

Katie Brumett, 1154 Happy Ridge Drive, Front Royal, VA. Ms. Brumett spoke in favor of the application. She is a woman in recovery and has been sober for about 3-1/2 years. Ms. Brumett said that she had to go to Roanoke during her recovery. She is a Peer Recovery Specialist with the Northwestern Community Services for their Drug Court Program. Because there needs to be a house in the area for females she was in favor of approving the application.

Kristy Harlow, 5338 Main Street, Apartment 4, Stephens City, VA. Ms. Harlow shared she came out of prison in August 2023 and went directly to a sober living home and that had provided a structuring and nurturing environment for stability, growth, and reintroduction into society.

James Funkhouser, 200 N. Royal Avenue, Front Royal, VA. Mr. Funkhouser said he is a Peer Recovery Specialist and the house manager at The Landing. He shared that the biggest challenge is when individuals come home from treatment. Their options are going back to the same environment they came from or go out of the area to a Sober Living location. Currently locations for women are Winchester, Arlington, and Roanoke. He spoke to the issue of parking noting that only one (1) client came into the house from the start with a vehicle and one has been able to acquire his license and obtain a vehicle since he's been there. Visitors are sporadic. The main vehicles at the house are his and one vehicle for residents to use to go to work. At most there are four (4) vehicles in the parking area at one time. He noted that The Landing lends out parking to



the adjacent church, so they don't have to park on the street. In order to give back to the community, residents at the house volunteer at community events. Mr. Funkhouser stated that three (3) of the housing residents work at local businesses.

Commissioner Wood asked how many people at the house are working.

Mr. Funkhouser said there are seven (7) men in the house and all but two (2) are working and those two (2) individuals have only been at the house for a week.

Commissioner Williams asked what their relationships were with the people in the community that had shared concerns at the previous public hearing.

Mr. Funkhouser shared that at first the people right beside the house were standoffish, however now they bring food over for the guys. Referencing the house on Virginia Avenue that had concerns about their kids there has been no issues and those kids wave when they're outside.

Commissioner Williams mentioned the concerns that are already expressed at the BP Station across the street from the proposed new house location.

Mr. Funkhouser said he had already had conversations with probation and the activities that go on at that location. Because it is a high traffic area it is very well watched. Any of their house residents that would be seen there would be reported to probation.

Philip Vaught, 1042 Harmony Hollow Road, Front Royal, VA. Mr. Vaught said that the Sober Living House at 200 N. Royal Avenue has been a positive experience. As concerned citizens we speak a lot about what Front Royal needs, and he can't think of anything more needed than a second recovery house. This is an essential service we need in our community. Substance abuse is one of the biggest challenges in our area wreaking havoc in our schools, work force, the local economy, our families and in our homes. This property will provide a safe regulated home for fifteen (15) participants whose lives can be forever changed by this recovery program. If you seek to change Front Royal's future for the better your support for the Warren Coalition and this program is a way to do that. With regard to the location. He believes it is a dangerous misconception that this property will not be maintained, and he thinks this is the unfair stigma associated with the wrong attitude about those who are in recovery. Mr. Vaught asked if not here then where? The Landing is a place of help and healing. In the absence of these programs that is where you see real sadness materialize and homelessness. The Landing has been a success, and he is confident this location will be as well.

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

Commissioner Wood moved, seconded by Commissioner Williams to approve the Special Use Permit give that we enforce the staff recommendations:



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

VOTE: Yes – Wells, Williams, Wood, Matthiae

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

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- **2300700** – A Rezoning Application submitted by Skyline Realty Investments, LLC for a request to rezone 29 W. Duck Street, identified by Tax Map 20A12-3-25 & 28 from C-1, Community Business District to R-3, Residential District.

Mr. Ware stated that the applicant is requesting an amendment to the zoning map of the Town of Front Royal to reclassify 29 W. Duck Street and the adjoining vacant property from C-1, Community Business District to R-3, Residential District. One lot has a structure on it and the adjacent parcel is vacant. The Comprehensive Plan calls for this area to be commercial and of mixed use in the adjacent areas. No proffers were made by the applicant.

Commissioner Wood asked if the intent to change it from commercial to R-3 was for townhouses noting that there is a need for affordable housing. He asked if curb, gutter, and sidewalk would be required and should that be proffered.

Mr. Ware explained that site development requires curb and gutter. The applicant can ask for a waiver of the requirement from the Town Council. Curb and gutter would be required on the street frontage.

The applicant Chris Holloway said the existing house is falling apart. He said the property is too narrow there to do any commercial development. With the close proximity of I-66 and shopping they would like to rezone the property to R-3 in order to build townhomes. He does not believe there is enough room for sidewalks and on-street parking.

Commissioner Wood stated he would like to see sidewalks on the street frontage.

After some additional comments regarding curb, gutter and sidewalks Chairman Wells opened the public hearing.

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

Commissioner Matthiae moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Rezoning Application number 2300700 to amend the zoning map of the Town of Front Royal to reclassify 29 W. Duck Street, identified by tax map 20A12-3-25 and adjoining property identified by tax map 20A12-3-28 from C-1, Community Business District to R-3, Residential District.



VOTE: Yes – Williams, Wood, Matthiae, Wells

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

- **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 20A10-3-8, 8A and 9A from R-1, Residential District to C-1, Community Business District. District.

Mr. Ware explained the application was a request to reclassify 1121, 1125 and 1135 John Marshall Highway. The property is located east of the intersection of Hillvue Street and John Marshall Highway. The subject properties were previously approved for short-term rentals and noted that the Special Use Permits for those have not yet been issued. The Comprehensive Plan calls for this area to be zoned medium density mixed use which allows for office, commercial, residential and hotels.

Chairman Wells asked if the applicant had met the conditions of the previous applications.

Mr. Ware said the conditions of the Special Use Permits have not been met, which is why they have not been issued.

Commissioner Wood asked if the rezoning of the property would make the conditions go away.

Mr. Ware said that the Special Use Permit runs with the property and not the owner. Whether or not the owner uses the Special Use Permit, it is still valid for the property.

Commissioner Wood restated his question that if the property is rezoned to commercial will the conditions the applicant has not met with the Special Use Permit still be a valid concern if rezoned.

Mr. Ware explained that if the owner is operating with the Special Use Permit the conditions are required. They could potentially change the use of the ones listed; however, the Special Use Permit is for the property.

Town Attorney, George Sonnett explained that the Special Use Permit is for a tourist home, short-term rentals. He asked if the property is rezoned to C-1 would it become a by-right use.

Mr. Ware said a Special Use Permit is required in all zoning districts to operate a short-term rental.

The applicant, Shelly Cook resides at 65 Lee Burke Road, Front Royal, VA. The one condition that hasn't been met is a roof on top of the gazebo that ties the two (2) buildings together on the second parcel. She mentioned she is a Class A contractor. Ms. Cook thought it a little ridiculous to her because when you tie a building together the gazebo joins them and makes it one building. She will be putting the roof on it when the weather permits. She noted all other conditions have



been met. If the rezoning is approved there are other uses she can apply for that would allow her to not keep it only as a short-term rental and that is her intention moving forward. Ms. Cook believes that a hotel/motel in that district would be a better use for this location. She shared that the property has been sought after by the public noting there had been quite a few open houses, baby showers, professional meetings in the evenings, and fundraisers.

Commissioner Wood asked Mr. Ware to address a couple of police reports that were included in their meeting packet.

Mr. Ware said there were police reports, letters and emails received from concerned residents that were included in the meeting packet the director though pertinent for review of this rezoning application.

Ms. Cook explained that the second event at the property was a wedding. A call was made to the Police Department, and they were not issued a citation. The police report showed the guests were not doing anything wrong. To the right of the property there was a concerned citizen complaining there was too much bass in the music. She noted there was a letter of support from the church across the street in the meeting packet stating they had no problems. There's going to be music and cookouts. Ms. Cook believes she will have more control when you have a hotel, motel, or Airbnb because you can actually tell the occupants you have to abide by such and such or you can't stay at the property.

Commissioner Matthiae asked how much parking is available at the venue and what is available for overflow.

Ms. Cook said that other than the two (2) events that were opened to the public they didn't have to use overflow parking. There are twenty-seven (27) spots for parking which have always been more than ample.

Commissioner Matthiae asked what the venue stipulates regarding the hours of loud music.

Ms. Cook explained that each room has a packet of information which includes the Town Ordinance and states they are to abide by the ordinance. In their contract they stipulate that the music cannot go beyond a certain decibel. Prior to a gentleman calling the police, that decibel requirement was not included in the contract. It has been added to the contract that guests are required to sign. The contract also states that the music has to be lowered at 8 p.m., lowered at 9 p.m. and off by 10 p.m.

Chairman Wells opened the public hearing.

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



Commissioner Williams moved, seconded by Commissioner Matthiae that the Planning Commission forward a recommendation of approval to Front Royal Town Council for Rezoning Application 2300736 to amend the zoning map of the Town of Front Royal to reclassify 1121, 1125 and 1135 John Marshall Highway, identified by tax map 20A10-3-8, 8A and 9A from R-1, Residential District to C-1, Community Business District. District.

VOTE: Yes – Wells, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

COMMISSION MEMBER REPORTS

There were no comments by Commissioner members.

PLANNING DIRECTOR REPORT

Mr. Ware reviewed the November monthly report.

Staff continue to have weekly meetings with Summit on the Zoning Ordinance and Subdivision Ordinance rewrite. In addition, staff are working on the Capital Improvement Plan (CIP) for 2025 – 2029.

ADJOURNMENT

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

VOTE: Yes – Wells, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – Marshner

ROLL CALL

The meeting was adjourned at 8:27 p.m.

Approved by Planning Commission

Date: 1/17/2024