



Moment of Silence

Pledge of Allegiance led by Mia Perea

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

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

APPROVAL OF MINUTES – *Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Regular Meeting Minutes of December 11, 2023 and Work Session Minutes of January 2, and January 8, 2024, as presented.*

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

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 Vice Mayor Sealock to revise the Order of Business by moving Public Hearings 7C and 7D up and make them 7A and 7B.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS

A. Recognition of Retirement for Major Jason A. Ryman – Mayor Cockrell read a brief history of Mr. Ryman's work history with the Town. The Mayor and Council presented him with a plaque and congratulations.

B. Recognition of Promotions within the Police Department – Chief Magalis introduced his newest officers Casey Burns and Jaron Moore. He proceeded with promotions of Corporals Brad Pennington and Tyler Smith, Sergeants Kevin Orndorff and Michael Gallagher, and Captain Zach King. The Mayor and Council congratulated the officers and the Chief for their achievements.

PUBLIC HEARINGS

A. Rezoning Request from Skyline Realty Investments LLC to Rezone 29 W. Duck Street from C-1 to R-3
Mayor Cockrell opened the public hearing. Since no one spoke the public hearing was closed.



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.

Councilman Rappaport moved seconded by Councilman Wood that in furtherance of the purposes and objectives contained in Town Code §175-1 (B), Council approve the rezoning request from Skyline Realty Investments, LLC to rezone 29 W. Duck Street, (tax map# 20A12-3-25 & 28) from C-1, Community Business District to R-3, Residential District.

Councilmembers Rappaport and Morris stated that this was the right decision for this area, falling in line with what was already on Duck Street.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Rezoning Request from Cook Realty to Rezone 1121, 1125, 1135 John Marshall Hwy. from R-1 to C-1.
Mayor Cockrell opened the public hearing. Since no one spoke the public hearing was closed.

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that in furtherance of the purposes and objectives contained in Town Code §175-1 (B), Council approve the rezoning request from Cook Realty, LLC to rezone 1121, 1125 and 1135 John Marshall Highway (tax map# 20A10-3-8, 20A10-3-8A and 20A10-3-9A) from R-1, Residential District to C-1, Community Business District.

Councilman Wood voiced concern for the residents in the nearby area that dealt with the overflow parking and inappropriate and/or loud music from the outside pavilion.

Councilman Ingram stated that the property was used as a motor inn in the past and was glad to see it being used as commercial again.

Councilman Rappaport questioned whether C-1 allowed for an event center. Planning Director Lauren Kopishke advised that there was no definition in the Town Code for event centers. She clarified that if the rezoning was approved tonight an approved zoning permit would begin the process of how the property could be used. Mr. Rappaport voiced concern over the outdoor noise complaints and that the Town did not have a meter to measure the decibels. Ms. Kopishke advised that per the Town's noise ordinance, violations were considered after 10:00pm. Town Attorney George Sonnett and Chief Magalis confirmed that distance from the noise complaint was also a standard that officers used. Councilwoman DeDomenico-Payne suggested advising applicants what the distance was to assist them in using their judgment when needed.

Ms. Kopishke clarified that the (25) spaces for parking were adequate but noted it would be reviewed once the establishment of use was determined after the rezoning. Councilwoman Morris advised that this property fell in line with the Town's Comprehensive Plan as commercial mixed use and that (25) parking spaces was a non-issue since there was a lease with the neighboring church for additional parking. Councilman Rappaport reiterated the concern of being close to R-1 and the live music.

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

No – Councilman Rappaport

Absent – N/A

Abstain – N/A

ROLL CALL



C. Ordinance Text Amendment Request by Magdalen Capital, LLLP to Amend Zoning Ordinance Pertaining to Minimum Acreage Requirement for Planned Neighborhood Development District (PND)

Mayor Cockrell opened the public hearing. She asked Planning Director Lauren Kopishke to give her presentation on this subject. Ms. Kopishke began with how the request was made, including meeting dates and the recommendation from the Planning Commission. She continued with an overview of the Planned Neighborhood Development (PND) Zone including permitted and prohibited uses, criteria, and rezoning process. She showed undeveloped land within Town limits concluding that not every parcel of land would be suitable for PND development. Council questioned the site plan review process and Ms. Kopishke advised that the Town, County and State would be involved, noting that the Town Code stated provisions for steep slopes and floodplain requirements.

Mayor Cockrell allowed Magdalen Capital, LLLC applicants/partners John Fidero and Alex Stieb to speak and give a brief presentation. Mr. Fidero shared a little about himself and Magdalen Capital, LLLP. He focused on creating a place for the youth to stay in Front Royal by creating job opportunities and affordable housing making Front Royal economically viable. He stressed opening the door for small developers to be part of the solution opposed to larger developers, creating a level playing field. Mr. Stieb showed the presentation to Council noting their intent, research, and impact of the text amendment. He explained segmentation vs integration along with the amount of research collected from various localities in Virginia and from the Town's existing Zoning Ordinance that included PNDs permitted uses. He concluded with the impact of the proposed text amendment.

Megan Marrazzo, 316 Virginia Avenue, opined that the text amendment would have a drastic change to Front Royal. She voiced concern on having a councilmember serve on the Planning Commission due to being able to cast votes in both meetings. Mayor Cockrell asked her to stay on topic and asked the Town Attorney if this was a good time to explain her concern. Town Attorney George Sonnett advised that it was not appropriate to respond to speakers but could be discussed during Council's discussion time.

Melanie Salins, 95 Murrays Drive, Middletown, reminded Council that there was only one property zoned PND in the community. She voiced concern that once site plans were approved developers did not adhere to their commitments to the community and that there were no mechanisms in place to ensure that they did. She stressed that an acreage reduction without first putting safety protections in place would be unwise and disastrous referencing the growth in Loudoun County. Mrs. Salins suggested allowing structure variances that provided revitalization preserving the small-town charm character while making community projects more achievable for local small developers.

Mike Salins, 95 Murray Drive, Middletown, opined that the text amendment was not in the best interest of the community. He urged Council to keep from becoming Loudon County and to question everything.

Matthew Perdie, 138 Trent Trail Court, voiced concern that the text amendment was an unnecessary risk to the Town, suggesting that Council go over each project one at a time.

Aiden Miller, 630 BelAir Avenue, noted that the current PND Zoning was established in 2005 and questioned the point of the ordinance now. He stated that overdevelopment could run rampant doubling population and increasing taxes. He encouraged common sense and smart growth asking the Council to vote no.



Cameron S. Williams, 1117 Kesler Road, advised that his family has had seven generations in Warren County and pleaded for Council to vote no.

Luke Miller, 65 Rollason Drive, advised he owned a small business in Town and would like to see affordable housing to support the youth and see them grow up in Front Royal. He voiced support of the text amendment.

Ben Ferri, 300 Sky Meadow Lane, advised he was a local business owner in Town and supported the text amendment noting it was a measured adjustment of change benefiting local developers and creating opportunities for affordable housing. He opined it was the role of the current zoning laws to maintain integrity and respectable growth, preservation, and enhancement.

Thomas Hinnant, 510 E Stonewall Drive, opined that the text amendment was a radical change and was more than just a simple text amendment. He voiced support for local small developers and using variances on a case-by-case basis.

Rick Novak, 273 Jacson Place, Middletown, advised that he was a private business owner in Town and owns rental properties in Town. He noted the many years of volunteer work and committees he had served on since he moved to Front Royal in 1990. He pointed out that property can be developed by-right noting a need for housing in the community. He advised that the PND Ordinance was nineteen years old and needed revision. Mr. Novak voiced support for local developers and urged Council to vote for this simple text amendment.

Marie O'Brien, Massanutten Farms Road, stated that affordable housing was needed in the community noting that tonight was not about Magdalen Capital's project but about an ordinance text amendment pertaining to PND development. She asked Council to consider the tax increase that comes with overdeveloping an area and what the change would do to the community as a whole not just one area. Ms. O'Brien voiced concern with a councilmember also being a planning commission member. She encouraged Council to vote no and consider variances within the PND ordinance.

John Lundberg, 203 Peachtree Court, asked that Council delay the vote tonight until the average voter was aware of the impact and the answers to the following questions: 1) What will really be the impact of the proposed change on Front Royal's small-town charm? 2) What local builders or national builders will benefit the most from the proposed change and why? 3) If 5-acre PND parcels are not attractive to big developers, is there some way big developers can get around the law and obliterate Front Royals small-town charm? and 4) What does PND really mean?

Sloan Casey, 4103 Remount Road, agreed with most other speakers and asked Council to vote no and allow variances on a case-by-case basis.

Evan Casey, 4103 Remount Road, voiced concern that the simple text amendment had the potential for a big impact, noting that no one disagrees with affordable housing.

Connie Marshner, 804 Rodney Avenue, and a member of the Town's Planning Commission clarified the 5-acre minimum as suggested by the Planning Commission. She stated that this project was not a townhouse subdivision but compared it to Main Street being replicated in another area of Town. She noted that it was one change in one specific area of the zoning code.



There were no more speakers, but Mayor Cockrell did not close the public hearing.

Vice Mayor Sealock moved seconded by Councilwoman DeDomenico-Payne that Council continue the public hearing to February 26, 2024.

As a substitute motion Councilman Ingram moved seconded by Councilwoman Morris that Council in furtherance of the purposes and objectives contained in Town Code §175-1 (B) Council deny an amendment to the Town's Zoning Ordinance Sections 175-37.3.C., 175-37.4.A. and 175-37.17.A pertaining to Planned Neighborhood Development District (PND) minimum acreage requirement.

Councilman Rappaport referred to "small town charm" as stated in the Town's Comprehensive Plan, voicing concern that the Town was a little over 10 square miles and reducing the size of the lots would create congestion and impact on infrastructure. He noted that he could not support the text amendment at this time. Councilman Ingram echoed Mr. Rappaport's concerns noting that the text amendment would impact the future of the Town.

Councilwoman Morris explained that she was not in favor of delaying the public hearing since it would only be "kicking the can down the road". She stated that she did not oppose PNDs as they beautified the community giving diverse options of housing but how to approach them for the future and strategize for growth was a concern. She continued that she was opposed to "mega" homes that priced the local citizens out. Ms. Morris advised that the situation could be addressed with variances and by-right. She reiterated that delaying action would not help or benefit the applicant.

Councilman Wood advised that this was a platform for the future. He noted it was a mixed-use community generating tax revenue and using local developers to build single family homes, condos, duplexes, and apartments over commercial buildings labeling it a small walking community. He noted that whatever was done there will be an increase in traffic. He voiced support of the text amendment.

Councilwoman DeDomenico-Payne agreed that she did not like "kicking the can down the road" but encouraged looking at the Town Code to see how to address the situation. She advised that she preferred to see ten acres versus five creating less housing but a more reasonable step.

Councilwoman Morris reminded Council that tonight's action was a text amendment to the Zoning Ordinance and reiterated that she was not against PNDs.

Mayor Cockrell asked Town Attorney George Sonnett if he would explain the legalities of a councilmember serving also in a planning commission role. Mr. Sonnett stated that state law allowed one member of Council to serve on both. Councilman Wood also asked for an explanation of allowing the substitute motion. Mr. Sonnet stated that Council adopted the Roberts Rule of Order allowing for the process of substitute motions. He also advised that the Mayor does not need to close the public hearing for Council to take action since it was clear that a vote was to be taken therefore closing the public hearing.

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

No – Councilman Wood

Absent – N/A

Abstain – N/A

ROLL CALL



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.

D. Special Use Permit Request from the Warren Coalition for a Lodging House at 501 S. Royal Avenue

Mayor Cockrell opened the public hearing.

Andrea Wright, 2168 Harvest Drive, Winchester, voiced support for the lodging house on behalf of those in recovery since she herself had been in recovery for (24) years. She advised Council on the stigma addicts face affecting them psychologically.

Hugh McGee, 96 Marsh Lane, White Post, voiced support for the lodging house, noting it was an asset to the community and was needed.

Michael Hall, 413 W. Spring Street, Woodstock, Peer Recovery Specialist, voiced support for the lodging house, noting that it provided hope, love, and structure to those in recovery.

Heather Rollins, 96 Marshal Lane, White Post, voiced support for the lodging house and the Warren Coalition, noting she had been an addict for (20) years and recovery houses helped her see the problem was hers.

James Funkhouser, 200 N. Royal Avenue, Peer Recovery Specialist and House Manager at The Landing located on N. Royal Avenue voiced support for the lodging house since there needed to be space for men. He explained that there were set rules for the tenants, they worked hand in hand with probation and supported Drug Court.

Alijah Alexander, 200 N. Royal Avenue, voiced support of the lodging house, noting how his life had been saved twice and they helped him find his way.

Tara Crawford, 96 Marsh Lane, White Post, Assistant Director of Rivendell Recovery Center, voiced concern that there were not a lot of options for those in recovery and expressed support for the lodging house.

Christa Shifflett, Executive Director of the Warren Coalition, thanked all those who had come forward to tell the public their stories. She expressed the need to make a difference in someone's life. She advised that tenants were drug tested and she along with others were dedicated and committed to the people residing in the house. She explained that The Landing would be for females and the lodging house on tonight's agenda would be for males.

Philip Vaught, Harmony Hollow Road, voiced support for the lodging house, noting that it was a resource for substance abusers. He stated that the Warren Coalition was the only safety net for those seeking recovery. He voiced concern over the negative fears some people may have and asked that Council concentrate on the facts.

Mayor Cockrell closed the public hearing.

Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris that, in furtherance of the purposes and objectives contained in Town Code §175-1 (B), Council approve a Special Use Permit to The Warren Coalition for a lodging house/apartment at 501 S. Royal Avenue (tax map# 20A7-8-1), contingent upon the following conditions: 1) The total number of lodging rooms or units shall not exceed eight (8) and, 2) Applicant to provide parking to accommodate ten (10) spaces prior to the commencement of the use.



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.

Councilman Rappaport confirmed that the Director of the House would be living in the accessory structure behind the main building.

Councilwoman Morris thanked everyone for sharing their stories and apologized for the negative feedback they may have received. She advised that a Special Use Permit was approved by Council for The Landing a few months ago and voiced her support of the lodging house tonight.

Councilwoman DeDomenico-Payne thanked the speakers for sharing their stories, noting the importance of the community to build each other up.

Councilman Rappaport echoed the sentiments of the other councilmembers, stating that it was owed to the community.

Mayor Cockrell advised that it was needed, and it played a role in the community.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS - None

REPORTS

A. Town Manager Report – No Report

B. Town Council Reports –

Vice Mayor Sealock thanked the Public Works Department for their hard work during the recent snow events. He attended the Fire Department's Annual Awards Banquet, noting his great nephew was recognized. He thanked all fire fighters for what they do every day.

Councilwoman DeDomenico-Payne attended the Liaison Committee Meeting, the VML Elected Officials Conference virtually and met with constituents on various issues.

Councilman Wood asked the following to be placed in the record:

Tina please read into the record tonight 1/22/23.

Madam Mayor and fellow councilmembers. I would like to address the recent interest in me continuing to serve out my term on the Planning Commission after being elected to the Town Council. As our town attorney Mr. Sonnet has stated, VA code 15.2-2212 allows one member to serve on both boards. Last summer I completed the recertification class for Commissioners at a cost of well over \$1,000 at the town's expense and 4 days of my life. My term on the Commission expires this August. After discussing this with all fellow commissioners except Mr. Mathie who has only been there two months, and receiving their support, I decided to offer my 10 years of knowledge and experience by serving out this term and giving the town a better return on their investment in me. As a Commissioner I promise to study all concerns brought before us, perform site visits research, listen to staff and applicant reports, ask questions, as well as listen to the public input in making decisions. I am not the only one to serve in dual capacities in our area per the Northern Virginia Daily article.

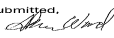
I also want to point out that since the rezoning request by Mr. Sayre the middle of last year, that the Planning Commission has voted unanimously on all issues brought before it other than one abstention, on a vote for an ordinance change requested by council. To think I exert any influence over the Commission is just not true.

As a town council member, I am aware that more information is usually presented to council than was to the PC and the Public Input can be great especially on controversial issues. Once again, I will

listen to all input and information provided before reaching my decision.

I am not a developer and the only property I own in town or in the county is our home. I plan to complete my term by serving all citizens faithfully and honestly as your public servant.

Respectfully submitted,

Glenn Wood 



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.

Councilman Morris had no report.

Councilman Ingram attended the Fire Department's Annual Awards Banquet and thanked all those who were recognized especially those who had many years of service.

Councilman Rappaport attended the VML Elected Officials Conference virtually and thanked the Chief of Police for his well-trained officers referencing an encounter he had with one.

C. Report of the Mayor – Mayor Cockrell noted several events she attended: Commonwealth Senior Living at Front Royal Christmas Party reading to the residents; Warren County Drug Court Meeting; Northern Shenandoah Valley Community Star Event honoring John and Joyce Marlow; the swearing in of Virginia Delegate Delores Oates, Open House for Reaching Out Now, and the Fire Department's Annual Awards Banquet. She thanked staff for their hard work during the recent snow events and water breaks.

CONSENT AGENDA ITEMS

A. Order of Business for 2024 Regular Meeting Agendas

Council approved the Order of Business for 2024 Regular Meeting Agendas, as presented, representing no change from 2023 agendas.

B. Council Appointments to Audit/Finance Committee and Town Scholarship Committee

Council appointed Councilmembers De-Domenico-Payne and Ingram to the 2024 Audit/Finance Committee and Councilmembers Morris and Wood to the 2024 Town Scholarship Committee, said terms ending December 31, 2024.

C. FY24 Budget Amendment to Receive Funds from Northern Virginia/District of Columbia Internet Crimes Against Children (NOVA/DC ICAC) Task Force

Council approved a FY24 Budget Amendment in the amount of \$3,000 to increase FY23 budgeted revenues to receive funds from the Northern Virginia/District of Columbia Internet Crimes Against Children (NOVA/DC ICAC) Task Force and allocate \$3,000 to reimburse for the purchase of two screens, four I-pads, and four Apple pencils.

D. Purchase and Replacement of Vehicles for the Police Department

Council approved the purchase and replacement of three (3) vehicles to be used within the Patrol Division of the Police Department. The purchase includes three (3) Ford Interceptor utility vehicles replacing two (2) 2017 utility units and one (1) 2018 utility unit at a cost of \$149,085.63.

E. Task Order for Contract Administration and Resident Representation Services Pertaining to the Sanitary Sewer Project Awarded to Snyder Environmental Services

Council approved a task order to CHA Consulting Inc for contract administration service in the amount of \$50,000 and resident representation services up to \$195,000 for the recently awarded \$2.7 million sanitary sewer project awarded to Snyder Environmental Services.

Councilman Ingram moved seconded by Vice Mayor Sealock that Council approve the Consent Agenda as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



BUSINESS ITEMS

A. Resolution of Financial Support Reaching Out Now, Inc. and The Santmyers Student Union and Leadership Center (Formerly the Raymond E. Santmyers Youth Center)

Mayor Cockrell clarified that the title of the Resolution was revised to remove the word "LEADERSHIP" and replace it with "ACTIVITY".

Councilman Rappaport moved seconded by Councilwoman Morris that Council approve the Resolution of Financial Support for Reaching Out Now, Inc., as presented, with the Mayor to execute the Resolution on behalf of the Town.

Councilwoman Morris explained that typically the Town did not make contributions to nonprofits, but this was a unique situation. Councilman Rappaport stated that this was a community project, and the goal was to keep children straight and follow a path. Mayor Cockrell expressed her gratefulness to Founder/President Samanth Barber and her group on their hard work.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Rappaport 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: pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, First Bank and Trust; and, Town of Front Royal v. Front Royal Limited Partnership

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

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

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned approximately 10:55pm

Approved by Town Council
Date: 2/26/24