



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 April 17, 2024, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Vice Chairman Marshner called the meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

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

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

ADDITION/DELETION OF ITEMS FROM THE AGENDA

Vice Chairman Wood moved, seconded by Commissioner Williams to amend the agenda to add election of officers due to Chairman Daniel Wells resignation from the Commission.

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

ROLL CALL

APPROVAL OF MINUTES

- March 20, 2024 – Regular Meeting

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



VOTE: Yes – Wood, Marshner, Matthiae, Williams

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA *(Consent to Advertise for public hearing)*

- **2400019 – Abode of Liberation** – A request for a Special Use Permit for a lodging house located at 1324 Old Winchester Pike, identified by Tax Map 20A12-4-6. The property is zoned R-3, Residential District.

Vice Chairman Marshner moved, seconded by Commissioner Wood to approve the consent agenda.

VOTE: Yes – Williams, Wood, Marshner, Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PUBLIC HEARING

Vice Chairman Marshner explained the process for speaking at the public hearing.

- **2400193 – Karen Reynoso** – A request for a Special Use Permit to allow a short-term rental located at 1400 Old Winchester Pike, identified by tax map 20A12-8-3. The property is zoned R-2, Residential District.

Mr. Ware reviewed the Special Use Permit application stating this was a request for a short-term rental located at 1400 Old Winchester Pike. The property is located at the intersection of Old Winchester Pike and Queens Highway. This will be a whole house rental with three (3) bedrooms and six (6) occupants. A site inspection was conducted on March 27, 2024 and found to be in full compliance with the requirements for a short-term rental. Off-street parking is available in the driveway to accommodate three (3) vehicles in the carport area and additional parking next to the carport.



The applicant Karen Reynoso stated that she and her family have been renovating the property. She thanked the Planning Commission for their review of the application.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.

Commissioner Wood moved, seconded by Commissioner Matthiae to approve the request for a Special Use Permit to allow a short-term rental at 1400 Old Winchester Pike identified by Tax Map 20A12-8-3.

VOTE: Yes – Marshner, Williams, Wood Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- **2400194 – Short Street Properties LLC** – A request for a Special Use Permit to allow a ground floor dwelling unit at 519 Short Street, identified by tax map 20A8-19-6-9 & 10. The property is zoned C-1, Community Business District.

Mr. Ware explained this was a request for a ground floor dwelling unit at 519 Short Street. He referred to Town Code Chapter 175-126 which states that a Special Use Permit is required “if a legally nonconforming use is discontinued for a period exceeding two (2) years after the enactment of this chapter it shall be deemed abandoned and any use thereafter shall conform to the requirements of this chapter”. The property is zoned C-1 and has a former residential structure in the front of the lot and a commercial use in the rear of the lot. Under Town Code Chapter 175-39.B. under Residential for the C-1 district the following uses are permitted only by approval of a Special Use Permit “Apartments or dwelling units with four (4) or more or where located on the ground floor”. The applicant would like to restore the interior and exterior of the structure and use the ground floor as a dwelling unit. Off-street parking is available in a paved driveway and additional gravel parking is available in the rear of the structure which is sufficient.

The applicant Chris Grady said “they” were purchasing the property and wanted to put it back to residential use on the ground floor.

Commissioner Williams expressed concern that renovations to the structure need to be completed before the proposed use of the property.

Ms. Kopishke explained that a recommended condition was addressed in the staff report requiring that the applicant must obtain all necessary zoning and building permits prior to staff issuing the final Special Use Permit.



Commissioner Wood asked about the commercial garage operating in the rear of the property and noted that the area contained numerous vehicles, a boat and many items being stored there.

Mr. Grady explained that a commercial garage is operating there as Dillbuilt Automotive. He is trying to have them clean up the area before he goes to closing on the property. Mr. Grady stated this was going to be an investment property for long-term rentals with one-year leases.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.

Commissioner Matthiae moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400194 for a ground floor dwelling unit located at 519 Short Street with the following conditions:

- 1. The applicant must obtain all necessary zoning and building permits for the alteration/repair of the structure.*
- 2. The applicant must establish the use pursuant to obtaining an occupancy permit with Warren County.*

VOTE: Yes – Williams, Wood, Marshner, Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

- **2400199 – Edwin S. Wright** – A request for a Special Use Permit to allow a ground floor dwelling unit at 514 S. Royal Avenue, identified by tax map 20A7-9-B-11A, 12 & 13. The property is zoned C-1, Community Business District.

Mr. Ware explained this was a Special Use Permit application requesting a ground floor dwelling unit at 514 S. Royal Avenue. The property is located in the C-1, Community Business District and is very similar to the previous application. This is a discontinuance of the use for a period exceeding two (2) years as explained in Chapter 175-126. In Town Code Chapter 175-39.B the use can only be approved by a Special Use Permit. Off-street parking is available in the driveway in the front of the structure to accommodate one (1) vehicle. The applicant has submitted a parking plan with a total of six (6) parking spaces that will meet Town Code parking requirements.

As with the previous application the applicant must obtain all necessary zoning and building permits for the exterior and interior renovations prior to staff issuing the final Special Use Permit.



The applicant Edwin Wright was present to answer questions.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.

Commissioner Williams moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400199 for a ground floor dwelling unit located at 514 S. Royal Avenue with the following conditions:

- 1. The applicant must obtain all necessary zoning and building permits for the alteration/repair of the structure.***
- 2. The applicant must establish the use pursuant to obtaining an occupancy permit with Warren County.***
- 3. The applicant must provide adequate off-street parking to be inspected by staff prior to the issuance of the Special Use Permit.***

VOTE: Yes – Marshner, Matthiae, Williams, Wood

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- **2400200 – Edwin S. Wright** – A request for a Special Use Permit to allow a ground floor dwelling unit at 512 S. Royal Avenue, identified by tax map 20A7-9-B-9, 10, & 11. The property is zoned C-1, Community Business District.

Mr. Ware explained this was a Special Use Permit application requesting the use of a ground floor dwelling unit at 512 S. Royal Avenue. Just as with the two previous Special Use Permit applications the situation is the same with a discontinuance of the use for a period of more than two (2) years therefore rendering the use abandoned. Off-street parking is available in the driveway in front of the structure to accommodate one (1) vehicle. A parking plan has been submitted showing five (5) available parking spaces that will be installed during the renovation process.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.



Commissioner Matthiae moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400200 for a ground floor dwelling unit located at 512 S. Royal Avenue contingent upon the following:

- 1. The applicant must obtain all necessary zoning and building permits for the alteration/repair of the structure.*
- 2. The applicant must establish the use pursuant to obtaining an occupancy permit with Warren County.*
- 3. The applicant must provide adequate off-street parking to be inspected by staff prior to the issuance of the Special Use Permit.*

VOTE: Yes – Wood, Williams, Matthiae, Marshner

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- **2400201 – Chris King-Archer** – A request for a Special Use Permit to allow a short-term rental located at 331 Kerfoot Avenue, identified by tax map 20A6-7-9-1 & 2. The property is zoned R-1, Residential District.

Mr. Ware said this was a Special Use Permit application requesting a short-term rental at 331 Kerfoot Avenue. The request is for a whole house rental of a single-family dwelling for four (4) bedrooms and eight (8) occupants. Off-street parking is available in the driveway to accommodate three (3) vehicles. An inspection was conducted on April 15, 2024 and the structure was found to be in compliance with the Town Code short-term rental requirements.

Commissioner Wood asked if the available parking meets the Town Code requirements for a short-term rental.

Mr. Ware explained that one (1) parking space per bedroom is required. There are four (4) bedrooms and three (3) off-street parking spaces available.

The applicant Chris King-Archer stated their plan is to offer the short-term rental to one (1) family with grandparents or such and not to multiple parties. They would expect only 1-2 vehicles with this type of situation.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.



Vice Chairman Marshner closed the public hearing.

Commissioner Wood moved, seconded by Commissioner Matthiae to forward a recommendation of denial to the Front Royal Town Council for Special Use Permit #2400201 for a Short-Term Rental located at 331 Kerfoot Avenue due to the insufficient off-street parking.

Commission members discussed the parking requirements and possible solutions to the insufficient parking such as enlarging the existing driveway.

Ms. Kopishke noted that staff cannot recommend approval of an application if it does not meet Town Code requirements. The Planning Commission can forward a recommendation of denial however the Town Council will make the final decision.

Commissioner Wood mentioned that the Town Council has the ability to overrule their own ordinance.

In addressing Commissioner Williams' question, Mr. Sonnett explained that a substitute motion of approval could be made on the condition that an additional parking space be provided.

Commissioner Williams moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400201 for a short-term rental located at 331 Kerfoot Avenue with the understanding that the applicant would comply with the requirements for off-street parking.

VOTE: Yes – Marshner, Williams, Wood Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- **2400207 – CCC Enterprises LLC of VA** – A request for a Special Use Permit to convert a three (3) story motel into a 39-unit apartment building located at 10 S. Commerce Avenue, identified by tax map 2-A8-22-6. The property is zoned C-1, Community Business District.

Mr. Ware reviewed the Special Use Permit request to convert a three (3) story motel into a 39-unit apartment building located at 10 S. Commerce Avenue noting that the property is located in the C-1, Community Business District.

Town Code Chapter 175-39.B “The following uses are permitted within the C-1 District only by approval of a special use permit... apartments or dwelling units, with four (4) or more units or where located on the ground floor, subject to the provisions of Section 175-113 Apartments.



Mr. Ware gave a virtual presentation showing the proposed changes to the 3-story hotel with each floor having 13 apartments for a total of 39 apartment units. The proposed use of the structure is what the Planning Commission is considering with this Special Use Permit application. Mr. Ware noted that green space and parking requirements were not before the Planning Commission for review with the Special Use Permit application. Additional information was submitted by the applicant for their goal of the project for interior renovations. Mr. Ware noted again that review of the interior renovations was a separate process. He reviewed 2 options submitted by the applicant for the floor plans. The applicant's goal is to provide 1-bedroom and 2-bedroom units for workforce housing. Mr. Ware reiterated that the application before the Planning Commission was for the conversion of the structure not the renovation of the structure.

Architect for the project Kyle Hopkins with Four Square Architects and Sam Sharma one of the owners of the hotel introduced themselves. Mr. Hopkins explained that the owners are trying to take an old building and turn it into an asset for the Town. The proposed 39 units will be aimed at working Front Royal people, with rental prices that are neither too high nor too low. This is a great location downtown and will create a more walkable lifestyle and additional profit to the businesses downtown. By offering 1- and 2-bedroom units it will not be taxing to the school system. Amenities will include a pool, ample green space, laundry, coworking lounge areas, storage lockers, and an elevator for ADA access. Two parking spaces per unit will be provided meeting Town Code requirements. However, the parking spaces will be 9' x 18' vs. 10' x 20' which is acceptable in other districts and uses.

Commissioner Wood expressed that he thought this to be a great plan for workforce and affordable housing. Downtown businesses will want to know what type of tenants will be residing at the apartment. They do not want it to become a low-income rental property. Commissioner Wood wanted the applicant to be prepared to address that concern moving forward.

Mr. Sharma said they are looking for local tenants only and workforce housing tenants such as teachers, firefighters, police, and even local business owners on Main Street. They are not trying to reach individuals from Northern Virginia and are trying to keep it as local as possible.

Commissioner Williams agreed there is potential for a positive outcome with this project, but he also has concerns for the potential of what the Town doesn't want to happen. He would share the same concerns as the downtown business owners.

Mr. Hopkins stated that approachable/affordable has a very challenging meaning depending on who you talk to. Their goal is to be in the middle level.

Vice Chairman Marshner asked if it was their intention to have tenants by lease and those that will pay their own rent.



Mr. Sharma explained they are looking for yearly leases and the tenants would be paying their own rent after application; security deposits and background checks are conducted. A standard apartment process will be followed.

Vice Chairman Marshner asked if the applicant was anticipating third party payments in rent.

Mr. Sharma stated no.

Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.

Commissioner Matthiae moved, seconded by Commissioner Williams to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400207 for a 39-unit apartment building located at 10 S. Commerce Avenue with the following condition:

- 1. The applicant must provide adequate off-street parking per 148-870 parking and loading Areas.***

VOTE: Yes – Williams, Wood, Marshner, Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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- 2400208 – CCC Enterprises LLC of VA** – A request for a Special Exception to reduce the parking requirements from 2 spaces per unit to 1 space per unit, a reduction in the required parking space size from 10' x 20' to 9' x 18', and a reduction of the required parking along the front of the building located at 10 S. Commerce Avenue, identified by tax map 2-A8-22-6. The property is zoned C-1, Community Business District.

Mr. Ware explained that the Special Exception application is for 10 S. Commerce Avenue. With the conversion of the motel to apartments Town Code Chapter 175-113 comes into play. Apartments require parking spaces to be 10' x 20' in size. The applicant is asking for a special exception to reduce that size requirement to the standard requirement of 9' x 18', which is required in all other uses. The existing parking spaces at the hotel are 9' x 18'. In addition, the requirement within the apartment portion of the code requires parking spaces to be thirty feet (30') from the property line. The applicant is asking for a special exception that the parking spaces can be closer than the required thirty feet (30') to the property line. The applicant would meet the requirement for two (2) required parking spaces per dwelling unit with a few extra spaces.



Vice Chairman Marshner opened the public hearing.

There were no speakers present.

Vice Chairman Marshner closed the public hearing.

Commissioner Matthiae moved, seconded by Commissioner Wood to forward a recommendation of approval to the Front Royal Town Council for Special Exception #2400208 for property located at 10 S. Commerce Avenue, to reduce the required parking spaces size from 10' x 20' to 9' x 18', and a reduction of the required parking area setback of thirty feet (30') from the property lines per the submitted concept plan.

VOTE: Yes – Marshner, Williams, Wood, Matthiae

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

OTHER

Election of Officers

- Chairman

Commissioner Wood moved, seconded by Commissioner Matthiae to nominate Connie Marshner as the chairperson of the Planning Commission for the unexpired term of the previous Chairman.

VOTE: Yes – Matthiae, Wood, Williams, Marshner

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

- Vice Chairman

Commissioner Wood moved, seconded by Commissioner Matthiae to nominate Michael Williams as Vice Chairman to the Planning Commission.

VOTE: Yes – Wood, Marshner, Matthiae

No – N/A

Abstain – Williams

Absent – N/A

ROLL CALL



COMMISSION MEMBER REPORTS

Commissioner Wood read the following statement into the record.

April 17th 2024

Madam Chairman

It is with mixed emotions that I submit my letter of resignation from the Front Royal Planning Commission effective May 16th 2024. My resignation at this time will enable the Town Council to advertise one time, interview and hopefully appoint two Commissioners on May 28th 2024 due to Daniel Wells resignation also.

It has been a great honor to serve the Front Royal community for over 10 years on the Front Royal Planning Commission and work alongside dedicated individuals serving our community.

Thank you for your understanding and I wish the commissioners continued success in their efforts to better our community.

Respectfully

Glenn E Wood

Commissioner Williams moved, seconded by Commissioner Matthiae to accept Commissioner Wood's resignation effective May 16, 2024.

VOTE: Yes – Williams, Marshner, Matthiae, Wood

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the March monthly report.

Staff has spoken with the consultant Summit and the Draft of the Zoning Ordinance should be presented to the Planning Commission by the end of June.



Daniel Wells has been hired as the new Code Enforcement Officer/Property Maintenance Official.

Answering Commissioner Woods' question, Ms. Kopishke stated there are two (2) vacancies on the Planning Commission and one (1) vacancy on the Local Board of Building Code Appeals.

Commissioner Wood encouraged citizens to submit their resumes to be on various boards noting that the work of the Planning Commission is very important and rewarding.

ADJOURNMENT

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

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

ROLL CALL

The meeting was adjourned at 8:22 p.m.

Approved by Planning Commission
Date: 5/15/2024