



Moment of Silence

Pledge of Allegiance led by Aaliyah Koryn Porter

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 2024 Council Meeting minutes of May 28th Regular Meeting, June 3rd Work Session and June 10th Work Session, 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 – N/A

RECOGNITIONS/AWARDS/REPORTS

Proclamation for Marlow Motor Company - Mayor Cockrell read the proclamation and along with Council awarded it to Emily Marlow who was in attendance.

Proclamation for Drinking Water and Wastewater Professionals Day – Mayor Cockrell read the proclamation and along with Council thanked the employees who work hard to make our water safe.

Proclamation for Town Employee Appreciation Week – Mayor Cockrell read the proclamation and along with Council and those in attendance gave applause to the employees of the Town of Front Royal.

PUBLIC HEARINGS

A. Special Use Permit for Lodging House at 1324 Old Winchester Pike for Abode of Liberation - Mayor Cockrell asked staff to update Council on the request and gave Council the opportunity to ask them questions. John Ware, Deputy Zoning Administrator/Town Planner I showed them various pictures of the property along with a summary of the request. He explained that it was formerly a bed and breakfast, and if approved the owner would be bringing the property into compliance for a lodging house.

Mayor Cockrell allowed the applicant to speak and gave Council the opportunity to ask her questions. Jennelle Embrey, owner/applicant, advised that the lodging house welcomed at-risk and intellectually disabled people who had failed in group homes and needed an alternative living situation.



No one else spoke and the public hearing was closed.

Councilwoman DeDomenico-Payne moved seconded by Councilman Wood that Council grant a Special Use Permit for a lodging house to Abode of Liberation at 1324 Old Winchester Pike (tax map 20A12-4-6) as presented.

Councilmembers expressed their appreciation to the applicant for providing a service to those in need and voiced their support.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Special Use Permit to Convert a Motel into a 39-Unit Apartment Building at 10 Commerce Avenue for CCC Enterprises of VA - Mayor Cockrell asked staff to update Council on the request and gave Council the opportunity to ask them questions. Mr. Ware showed them various pictures of the property noting that that the request was for a Special Use Permit (SUP) to convert a three-story motel into a 39-unit residential building with the requirement of off-street parking. He explained that the property currently had (102) parking spaces and residential requirements were two parking spaces per dwelling unit thus requiring (78) parking spaces, noting that off-street parking was available in the provided parking lot on the property. Per the application the intended use was to provide housing for young professionals and/or workforce housing, not affordable housing or Section 8 Housing. He reviewed the allowable size of dwelling units, number of dwelling units and areas of open space as defined in the Town Code. Mr. Ware showed renderings of the completed project along with three interior options for the units. He continued that renovating the structure would require plans to be submitted to appropriate agencies for review of current and applicable building codes, fire codes and ADA accessibility. He stated that the project was part of the approved Comprehensive Plan (Goals, Vision and Strategies) showing accessibility and walkability to area restaurants, stores, etc.

Councilman Rappaport confirmed that the units were not less than 600 square feet.

Councilman Wood confirmed that all minimum requirements would be reviewed. He asked whether the Planning/Zoning Department was aware of the development of a motel into apartments in Roanoke. Mr. Ware advised that they were aware and had spoken with them.

Councilwoman DeDomenico-Payne voiced concern over the SUP changing from workforce housing after approval. Town Attorney George Sonnett advised that workforce housing or Section 8 were not defined or addressed in the Town Code. Planning Director Lauren Kopishke explained that if the business model changed the owners would have to come in and reapply. Council was reminded that they had no dictation in the intended use only what was appropriate within the C-1 District.

Councilman Wood suggested the applicant submit a timeframe for their plan. Councilman Ingram suggested adding one year to the motion to reapply for a SUP. Ms. Morris suggested hearing from the public first. Ms. DeDomenico-Payne voiced concern that one year was not long enough.



Mayor Cockrell allowed the applicant/owner and his architect to speak and gave Council the opportunity to ask them questions. Sam Sharma owner/applicant and Kyle Hopkins, representative from Four Square Architects, LLC Winchester VA, gave Council a couple of handouts before the meeting (*Petition of Those in Support of the Conversion, Bullet Points of the Conversion and a PowerPoint named "The Baymont Special Use Permit 6.24.24"*). Mr. Hopkins reiterated that the project was a 39-unit apartment building that was not Section 8 housing. He expected his work to take approximately six months and voiced concern that one year was not enough time for completion of the entire project.

Sam Sharma advised that the project was being constructed with private funding and no bank loans. He advised that there would be background checks on applicants as well as a deposit collected with a yearly lease. He stressed that he would deny those that he was not comfortable with. His vision for the renters, he noted, was local law enforcement, teachers, traveling nurses, etc. and not Section 8 tenants. He advised that there was a lot of money being spent on the project and did not want to see his property destroyed. He voiced distress that the new hotels off I-66 made it difficult for him to stay afloat, putting him in a dire situation as a hotel with a decrease in occupancy. He understood and was sensitive to the fact that the hotel was a legacy in the community. Mr. Sharma advised that the electricity would be included in the rent, but the water would be separated. He explained how this would work in detail to Council. Councilman Wood confirmed that there would be a manager on site 24-7.

Mayor Cockrell opened the public hearing.

David Silek, 164 Hickerson Hollow Road, voiced shock at seeing how children lived in the hotels he had visited as a guardian ad litem. He voiced concern that there was nothing to prevent changes to the business model once the SUP was approved. He suggested the owner upgrade the existing hotel.

Sonny Meta, owner of Baymont Hotel, voiced his dissatisfaction with the previous speaker, noting over two million dollars had been spent to upgrade the hotel and the hotel was still not able to make it. He noted that when he bought the property 40 years ago his intent was to do everything possible to keep the old Quality Court, but he could only do so much.

Tom Eshelman, 1451 Lakeview Drive, opened with a statement from a 2023 study from the Department of Virginia Housing. He complimented the Planning Commission on their presentation noting the project was in line with the Comprehensive Plan and recommended by the Planning Commission. He advised that he researched the Town's loss of revenue from converting the hotel to apartments and it would be approximately \$20,000. He encouraged Council to move forward with the project.

Debra Siksay, 118 W. Stonewall Drive, voiced concern about what the project would become in 10 – 20 years, specifically the outside maintenance of the building comparing it to the Afton Inn's current condition.

Sam Sharma invited Council to tour the facility to see the upgrades to the rooms. He encouraged Council to allow him to move forward and make the property nice.

No one else spoke and the public hearing was closed.

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council grant a Special Use Permit for CCC Enterprises LLC of VA for a Special Use Permit to convert a three-story motel into a three-story apartment building, with a maximum of (39) dwelling unit sized apartments, located at 10 S. Commerce



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Avenue (tax map 20A8-22-6) subject to the following condition(s): 1) the applicant must provide adequate off-street parking per Town Code Chapter 175-104 Off-Street Parking and Chapter 148-870 Parking and Loading Areas and 2) the Special Use Permit be renewed every three (3) years.

Councilwoman Morris explained that she had asked a lot of questions about this project and understood the need for housing. She reminded everyone that there were school children living in hotels that offered weekly rentals. She mentioned that the Afton Inn was not a good example for comparison since it was part of the EDA scandal and got caught in litigation.

Councilman Ingram stated that the owner was trying to improve his property but voiced concern over chiental. He noted that three years would be long enough for a review.

Vice Mayor Sealock voiced concern on how the hotel was currently operating based on the small number of cars in the parking lot. He suggested doing something now or the Town will have another Afton Inn.

Councilman Rappaport noted that times had changed with the completion of I-66. He advised that based upon his research, hotels needed an average of 35 – 40% occupancy to be successful and felt like Baymont was not at this capacity. He noted that while there would not be lodging tax collected as an apartment building the Town would benefit from off-site revenue.

Councilwoman DeDomenico-Payne stated that the property was a historical landmark and advised the owners/applicant that it was their time to shine by making a commitment to the community to build a nice and livable facility. She asked whether the owner/applicant could take into consideration the displacements of weekly renters that may be affected in the transition.

Councilman Wood stated that the project fulfilled the need in Front Royal. He read the following letter from Warren County Public Schools employee Jody Lee and asked that it be made part of the record. He spoke in favor of allowing the property owner to redevelop the property.



Warren County Public Schools
200 West Commerce Street
Front Royal, Virginia 22642
Phone (540) 631-1177
Fax (540) 636-6381
www.warrenschools.net

Dear Mr. Councilman:

Mr. Front Royal Town Council
Attn: Jody Lee, Director of Human Resources
Date: 6/20/2024
Subject: New Teacher Hiring

As the Director of Human Resources for Warren County Public Schools, I would absolutely support the idea of converting the Afton Inn into hotel/apartment units. This would be a tremendous opportunity for our school system to support our new employees. We also have amazing teachers that are forced to look elsewhere for housing, thus causing them to leave where they want to work, close to home. Providing them the opportunity to live in the community they love would allow us to retain them longer and provide a consistency of qualified education for our students. Please consider this request.

Respectfully submitted,

Jody Lee

"Learning through experiences, The greatest, deepest, and most precious - every student, every day."

At this point there was much discussion between councilmembers and the Town Attorney regarding when the three-year renewal mentioned in the original motion would begin and end and how many amendments could be made. After much discussion the following amendment was made to the original motion.



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Councilman Wood moved seconded by Councilman Rappaport to amend the original motion to remove the second condition the Special Use Permit be renewed every three (3) years.

Vote: Yes – Councilmembers Sealock, Rappaport, Wood

No – Councilmembers Ingram, Morris, DeDomenico-Payne

Absent – N/A

Abstain – N/A

ROLL CALL

Mayor Cockrell voted NO to break the tie.

The motion to amend original motion failed

The original motion was on the floor for action.

Original Motion: Councilwoman Morris moved seconded by Vice Mayor Sealock that Council grant a Special Use Permit for CCC Enterprises LLC of VA for a Special Use Permit to convert a three-story motel into a three-story apartment building, with a maximum of (39) dwelling unit sized apartments, located at 10 S. Commerce Avenue (tax map 20A8-22-6) subject to the following condition(s): 1) the applicant must provide adequate off-street parking per Town Code Chapter 175-104 Off-Street Parking and Chapter 148-870 Parking and Loading Areas and 2) the Special Use Permit be renewed every three (3) years.

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that Council amend the original motion to add to the second condition **“at time of occupancy”**.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

on Amended Original Motion to add “at time of occupancy” to the second condition

C. Special Exception to Parking Requirements at 10 S. Commerce Avenue for CCC Enterprises of VA - Mayor Cockrell asked staff to update Council on the request and gave Council the opportunity to ask them questions. Mr. Ware highlighted the parking area currently on the property, noting that parking should be (30) feet from the property line and required parking spaces should be 10' x 20'. He explained that the exception, if approved, would include keeping the remaining size of the parking spaces at 9' x 18' and reduce the setback of (30) feet from the property line.

Mayor Cockrell opened the public hearing. No one spoke and the public hearing was closed.

Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris that Council grant a Special Exception to the parking requirements of Town Code Chapter 175-104 Off-Street Parking and Chapter 148-870 Parking and Loading Areas for CCC Enterprises LLC of VA at 10 Commerce Avenue (tax map 20A8-22-6) specifically 1) an exception from the required parking space size from 10' x 20' to 9' x 18' and 2) an exception from the required parking area setback of thirty feet (30') from the property lines, with the granting of this Special Exception conditioned upon the granting and issuance of a Special Use Permit to convert the motel into a 39-unit apartment building at 10 Commerce Avenue.

Councilwoman Morris stated that the parking requirements needed to be revisited in the Town Code.



Councilman Wood called the question.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

D. An Ordinance to Amend Town Code Chapter 158-6 Adoption by Reference of the State Vehicular Laws -
Mayor Cockrell opened the public hearing. No one spoke and the public hearing was closed.

Councilman Ingram moved seconded by Councilman Rappaport that Council adopt an ordinance amendment to Town Code Chapter 158-6, effective July 1, 2024, pertaining to re-adoption by reference of the state vehicular laws, as presented.

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

David Silek, 164 Hickerson Hollow Road, advised that he met with the Mayor and the Town's Community Development/Tourism Director voicing his concern that the Town of Front Royal was not mentioned in several magazines and asked whether a task force or blue-ribbon committee could be formed to assist with enhancing the tourism for the Town. He also suggested the possibility of acquiring various sites in Town for a big hotel(s) noting the need for a tax base.

REPORTS

A. Town Manager Report – None

B. Town Council Reports -

Vice Mayor Sealock gave a welcome speech at the Elks Convention held at Doubletree by Hilton Front Royal.

Councilman Ingram thanked Town Manager Joe Waltz and his staff for their hard work organizing and attending the Town's Open House.

Councilwoman DeDomenico-Payne attended the Annual Salvation Army Dinner and the Open House.

Councilman Wood attended a Webinar: *Crossing to Success: Navigating the Rail Crossing Elimination Program*, the *VML Small-Town Conference* in Abingdon, the Reaching Out Now Open House and the Juneteenth Celebration downtown. He invited everyone to the FREE shred day at the Fire Department on Thursday and gave a shout out to Starbucks for their donation of food to the Salvation Army.

Councilman Morris gave no report.

Councilman Rappaport attended the Town's Open House.



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C. Report of the Mayor – Mayor Cockrell attended the Ribbon Cutting for the 5th Anniversary of Battle Ground Fitness; an interview with Royal Examiner, Annual Salvation Army Dinner; meeting with David Silek on the Town's tourism efforts; Friends of Shenandoah Rail Trail Meeting, Juneteenth Celebration where she gave the welcome address, Town's Open House and a carnival at Commonwealth Senior Living Center. She gave a shout out to Town Staff for their efforts in making the Open House a successful event and invited everyone to enjoy the boys/girls all star games.

CONSENT AGENDA ITEMS

A. Bid for Tree Trimming Services

Council approved the award of a contract to Thompson's Tree Service LLC for tree trimming services requested by the Department of Energy Services in the firm, fixed, hourly rates of 1) normal working hours, \$107.00; 2) emergency outside of normal working hours, \$156.45; 3) stump removal, \$107.10; and 4) two-man flag crew with appropriate signs, \$60.90.

B. FY24 Budget Amendment and Transfer for Additional Revenue

Council approved a FY24 budget amendment and transfer for additional revenues totaling \$535,000 to be allocated toward the Town's 20% of the West Criser Sidewalk Project and direct staff to seek additional fund of \$94,782 in the FY25 Adopted Budget.

C. Blanket Resolution for Project Funding Commitment/Projects Under Agreement with VDOT

Council approved a "blanket resolution" for project funding commitment and projects under agreement with the Virginia Department of Transportation (VDOT) specifically Happy Creek Road Phase II VDOT SMART SCALE Program application.

Councilwoman Morris moved seconded by Councilman Ingram 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. Approve Offer from Property Connection LLC to Purchase 3,390 Square Feet of 7th Street at its Intersection with Kibler Street

In furtherance of the Ordinance Approving the Closure and Vacation of Public Rights-of-Way of Approximately 3,390 Square Feet of E. 7th Street Abutting 225 E. 7th Street, Councilman Rappaport moved seconded by Vice Mayor Sealock that Council approve the offer to purchase received by the Town Manager from the Applicant in the amount of \$ 6,800.00 conditioned upon satisfaction of all of the terms and conditions stated in the ordinance.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



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CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Ingram 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)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, the Town of Front Royal v. Jennifer McDonald, 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, the dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne
No – Councilman Wood
Absent – N/A
Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne 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 10:00 pm.

Approved by Town Council
Date: 7/22/24