



TOWN COUNCIL SPECIAL CLOSED MEETING

MONDAY, OCTOBER 28, 2024 @ 6:00 PM

Warren County Government Center Caucus Room

View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

6:00pm 1. Roll Call

2. Closed Meeting

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move 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, *Clatterbuck Pavement Markings, Inc. v. Town of Front Royal*; and,
- 2) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Board of Architectural Review (BAR)

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move 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.

7:00pm 3. Adjourn



CLOSED MEETING BEGINS AT 6:00PM IN THE CAUCUS ROOM

TOWN COUNCIL REGULAR MEETING

October 28, 2024 @ 7:00pm

Warren County Government Center

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

4. **APPROVAL OF MINUTES** – *I move that Council approve the 2024 Council Meeting minutes of the September 23rd Regular Meeting and October 7th Work Session as presented.*

5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS

6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS

- A. Recognition of the Retirement of Police Chief Kerry L. “Kahle” Magalis II
- B. Recognition of Employees in Energy Services Responding to Mutual Aid for Other Municipalities – Joe Waltz
- C. Recognition of the Town of Front Royal Community Service During Wildfire Events in March 2024

7. PUBLIC HEARINGS

- A. Special Use Permit (SUP) for a Mural at 296 South Street for The Salvation Army
- B. Rezoning Application to Reclassify a Vacant Parcel on W Strasburg Road from C-1 to R-3 from Karen Alexander

8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

9. REPORTS

- A. Report of Town Manager
- B. Report of Councilmembers
- C. Report of the Mayor

10. CONSENT AGENDA ITEMS

- A. Bid Award for Two Stainless Steel Dump Bed Bodies with Hoists and Hydraulic Systems
- B. Bid Award for Various Grades of Asphalt for FY2025
- C. Purchase and Replacement of Three Police Department Vehicles
- D. FY25 Budget Amendment to Accept/Allocate Funds from Internet Crimes Against Children (ICAC) Task Force
- E. Retail Recruitment Services Contract with Retail Strategies
- F. Reappointment to the Board of Architectural Review (BAR)
- G. Reappointment to the Local Board of Building Code Appeals (LBBCA)
- H. Reappointment to the Front Royal Economic Development Authority (FREDA)

11. Business Items

- A. BAR Appeal from Teddy Stout Construction, Inc. for a Certificate of Appropriateness for 240 Blue Ridge Avenue
- B. Resolution Authorizing the Execution of Blue Creek Wind Schedule with American Municipal Power, Inc (AMP)
- C. Direct Planning Commission to Draft a Proposed Vape Ordinance
- D. Amendment to the Town Attorney’s Contract
- E. Request for Town Public Water and Sewer for Industrial Use – Plien-Smith, LLC (Baugh Drive LLC)
- F. Request for Town Public Water and Sewer for Industrial Use – Rory Byrnes Rushmark Properties (Rushmark Rockland Road LLC)

12. Adjourn



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.

Moment of Silence

Pledge of Allegiance led by Audrey Veitenthal

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

ABSENT DURING ROLL CALL: Councilman H. Bruce Rappaport (entered meeting at 7:09pm)

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

APPROVAL OF MINUTES – Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne that Council approve the 2024 Council Meeting minutes of August 26th Regular Meeting, September 3rd Work Session and September 9th Work Session, as presented.

Vote: Yes – Councilmembers Sealock, Ingram, DeDomenico-Payne, Wood
No – N/A
Absent – Councilman Rappaport
Abstain – Councilwoman Morris (she was not in attendance at one of the meetings)

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS

Councilwoman Morris moved seconded by Councilman Ingram that Items #7 and #8 be switched so that the number of people in attendance to speak under Public Comment could be heard first.

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

ROLL CALL

Councilman Rappaport entered the meeting at 7:09pm.

RECOGNITIONS/AWARDS/REPORTS

Recognition of Police Officers Scott Baker and Benjamin Baker from the Chief of Police – Police Chief Kahle Magalis recognized the promotion of Scott Baker to Corporal and that Benjamin Baker was released from field training to regular duty. The Mayor, Council and those in attendance congratulated them.

Certificate of Achievement for Excellence in Financial Reporting to the Finance Department – Mayor Cockrell read the letter from the Government Finance Officers Association notifying the Town of its Certificate of Achievement and the award of Financial Reporting Achievement to the Finance Director BJ



Wilson and his department. The Mayor, Council and those in attendance congratulated Mr. Wilson and his staff on a job well done.

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Melanie Salins, 95 Murrays Drive, Middletown, spoke about the various healthcare needs in the community comparing what the former Warren Memorial Hospital offered to what the current hospital offers specifically focusing on no intensive care unit or maternity care, and the consequences the community has suffered the last six years without these services. She expressed the importance of the Council to pass the resolution requesting additional healthcare providers and services in the community.

Jennelle Embry, 1324 Old Winchester Pike, urged Council to take the existence of vape shops in the community seriously. Earlier in the day, she sent the Mayor and Council various documents on an ordinance from Smithfield, Virginia that required special use permits for vape shops and encouraged them to read through the ordinance to assist them in deciding on an ordinance for the community.

Roger Hamilton, Town Resident, referenced vape shops and stated, *"we could do better"*.

Candy Brookman, Town Resident, referenced vape shops and stated, *"it would make the Town better"*.

Cameron Williams, 1117 Kesler Road, felt that the community was being deprived of high-quality healthcare and needed options specifically women and children. He encouraged Council to pass the resolution requesting additional healthcare providers and services in the community.

Matthew Perdie, 138 Trent Trail Court, felt the community did not have a quality maternity center and traveling to Winchester was unacceptable. He urged Council to focus on making mothers and their babies matter by passing the resolution requesting additional healthcare providers and services in the community.

Anne Miranda, 507 Apple Orchard Drive, urged Council to pass the resolution requesting additional healthcare providers and services in the community.

Katie Blair, address unknown, explained the difference between her vape shop and other vape shops in the community specifically noting that she did not sell tobacco products but provided education to those who wanted to quit smoking. She encouraged Council to put an end to tobacco stores to protect the youth.

PUBLIC HEARING

A. A Proposed Ordinance to Amend and Re-enact Chapter 85 of the Town Code Pertaining to Garbage, Rubbish, Refuse and Solid Waste Management

Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilman Ingram moved seconded by Councilman Rappaport that Council adopt an ordinance to amend and re-enact Front Royal Town Code Chapter 85, Garbage, Rubbish, Refuse and Solid Waste Management as presented.

Councilman Ingram noted that Council received a lot of information before considering amending the ordinance.



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Councilwoman Morris advised that the ordinance amendment was discussed prior to the County of Warren increasing tipping fees that affected all citizens of Front Royal and Warren County.

Mayor Cockrell noted that the ordinance allowed residents on private roads the choice to take their solid waste to the road, hire a private hauler or take it directly to the Transfer Station themselves.

Councilman Rappaport stated that the ordinance would allow the Town to save money in the long run.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. A Proposed Ordinance Adopting and Enacting a Republished Code for the Town of Front Royal, Virginia
Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council adopt an ordinance enacting a republished Town Code for the Town of Front Royal as presented.

Councilman Rappaport stated that the new Town Code made it easier for the public to find what they were looking for. Mayor Cockrell agreed and thanked Clerk of Council Tina Presley for her hard work

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

C. A Proposed Ordinance to Amend Town Code Chapter 1 and Repeal Chapter 43 and Chapter 180
Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilman Rappaport moved seconded by Councilman Wood that Council adopt an ordinance to amend and re-enact Front Royal Code Chapter 1, General Provisions and to repeal Chapter 43, Air Pollution and Chapter 180 Franchise Agreements as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

REPORTS

A. Town Manager Report – Mr. Waltz advised that the new Town of Front Royal Citizens Academy had their first meeting last week and that work had been scheduled for the traffic signal at South Street and Commerce Avenue. He thanked Chief Magalis on his upcoming retirement and his commitment to the community and invited everyone to wish him well on October 24th at the Front Royal Volunteer Fire & Rescue Department located on Commerce Avenue.



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B. Town Council Reports

Councilwoman DeDomenico-Payne attended the Warren Heritage Society's Open House.

Councilman Wood advised of St. Luke Clinic's upcoming fundraiser. He congratulated Samuels Public Library on being awarded 2024 *Virginia Library of the Year* and advised that early voting had begun.

Vice Mayor Sealock thanked Chief Magalis for his service and congratulated him on his retirement.

Councilwoman Morris noted that she was not in attendance at the last regular council meeting and therefore was not able to participate in voting on the items included on that agenda. She expressed disappointment that Council did not extend a courtesy to keep a public hearing open so that all of Council could be in attendance to vote. Ms. Morris continued that during the same meeting she was disappointed to hear that Valley Health executives were claiming to be victims and voiced her appreciation to all the daily hard-working employees of Valley Health noting she never attacked the employees. She voiced appreciation to those from the public who spoke and agreed that there was a need for additional healthcare providers and services in the community. She concluded by thanking Chief Magalis for his service and dedication to the community, congratulating him on his retirement.

Councilman Ingram gave an update on the Transportation Subcommittee Meeting and congratulated Chief Magalis on his retirement.

Councilman Rappaport apologized for being late to the meeting. He attended the Rotary of Warren County's *Boots and Bourbon* event that benefited Blue Ridge Opportunities. He congratulated Chief Magalis on his retirement. He advised that he read an article under the JAMA Health Forum, "*Rural Hospital Administrators' Beliefs About Safety, Financial Viability, and Community Need for Offering Obstetric Care*" authored by Kate Kozhimannil, PhD, MPA and others that focused on the importance of rural obstetric unit closures and the declining access to obstetric care being a concern in rural communities.

C. Report of the Mayor – Mayor Cockrell attended the first Town of Front Royal Citizens Academy, the Warren County Youth Cheerleading Association's Duck Race, the ARC of Warren County's 3rd Annual "*Navigating the Maze*". She advised of the upcoming Warren Coalition's Kid's Day. She concluded by stating that while door-knocking she heard a lot of good stories about Town Employees and expressed her pride in them.

CONSENT AGENDA ITEMS

Councilwoman Morris moved seconded by Councilman Wood that Council approve the consent agenda as presented

A. Bid Award for De-Icing Road Salt

Council approved the bid award for de-icing road salt to Morton Salt, Inc., at \$88.20 per ton.

B. Bid Award for Water and Wastewater Treatment Chemicals

Council approved the following water and wastewater treatment chemicals at firm fixed pricing as follows:
Chemrite Inc., Buford, GA: Sodium Permanganate \$778.45 / drum; Univar Solutions USA, Inc., Morrisville, PA: (Polyaluminum Hydroxy, Chlorosulfate, DelPAC 2020 - \$2.75 / ga); Sodium Hypochlorite - \$2.23 / gal; Carbon (Aqua Nuchar) - \$1,940 / ton; Sodium Fluoride - \$3,301.54 / ton; Potassium Permanganate, Tech Grade - \$4,920.00 / ton; Momar, Inc., Atlanta, GA: Glycerin - \$2.28 / gal; USALCO, Baltimore, MD: DELPAC-XG - \$4.75 / gal



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C. Bid Award for Various Types of Stone

Council approved a bid from Carmeuse Americas and Carmeuse Lime & Stone, for various types of stone for the streets, water and sewer maintenance departments for FY25 for an estimated annual amount of \$65,150.00.

D. Request from Salvation Army to Waive the SUP Application Fee for Proposed Mural at 296 South Street
Identifying that the Salvation Army is a tax exempt, nonprofit organization, Council approved the waiver of the \$400.00 Special Use Permit (SUP) application fee required for a new mural proposed for the Salvation Army Family Store located at 296 South Street.

E. DMV Matching Grant for Police Department and FY24 Budget Amendment

Council approved the Division of Motor Vehicles (DMV) matching grant funds for specific enforcement of speed and impaired driving for overtime costs associated with the selective enforcement efforts in the amount of \$37,798 (Police Traffic Services/Speed Enforcement: \$20,198 and Alcohol Enforcement: \$17,600) and further approved a FY 24 budget amendment in the amount of \$ 37,798.

Councilwoman Morris stated that the Salvation Army had done a lot of good in the community and their waiver was well deserved.

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 to Cancel October 15th and November 4th Regular Work Sessions

Councilman Wood moved seconded by Vice Mayor Sealock that Council approve a Resolution to cancel the October 15th and November 4th Regular Work Session meetings.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Resolution Requesting Additional Healthcare Providers and Services for the Town of Front Royal and Warren County

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve a Resolution requesting additional healthcare providers and services for the Town of Front Royal and Warren County as presented.

Mayor Cockrell read the Resolution. Councilwoman Morris felt adequate services would be welcomed in the community and expressed the importance of knowing that obstetrics and gynecology care provides regular preventive care to all women.

Councilwoman DeDomenico-Payne explained the importance of listening to not only data and statistics, but real-life experiences, noting it was not just about maternity care but various health situations concluding that there was nothing wrong with options. Mayor Cockrell noted the importance of taking care of needs locally with the hope that other providers would expand into Front Royal and Warren County.



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Councilman Rappaport stated that residents were looking for "full service" in the community similar to what it was before.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

C. Resolution Calling for the Dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia and the Appointment of a Receiver

Councilwoman Morris moved seconded by Councilman Ingram that Council approve a Resolution calling for the Dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia and the Appointment of a Receiver as presented.

Councilwoman Morris stated that this issue was written about in various local news outlets.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

D. Board of Architectural Review (BAR) Appeal – Certificate of Appropriateness (COA) for 240 Blue Ridge Avenue – Teddy Stout Construction, Inc.

Director of Planning Lauren Kopishke gave Council a presentation that included: Background; how it was relevant to Town Code Sections 175-89.A and 175-91; and the applicant's proposed structure that included vinyl siding, asphalt shingle roof, decorative siding in the gable, bay window, metal roof on portico and setbacks. She advised Council that there were two parking spaces for each duplex and that there were regulations for setbacks. Council had other questions that were advised by Town Attorney George Sonnett to ask of the applicant. He also reminded Council to only ask questions specific to the appeal, noting that there would be time to discuss the matter thoroughly at the next meeting.

Colin Waters, Chairman of the BAR read a prepared statement: *The BAR's decision to deny the application for 240 Blue Ridge Ave was not made lightly. In its current state, we understand that the existing structure is a safety hazard and a constant reminder of the tragedy that occurred and needs to be remedied as soon as possible. The BAR also understands that rebuilding such a home, or anything to a similar standard of craftsmanship today, would be costly, time-consuming, and potentially, financially fruitless. The BAR members unanimously voted to deny the application because the proposed design was conceived without the compatibility of the historic district in mind. We concluded that the "copy and paste" approach, that is, building what sells rather than what fits, runs counter to the BAR's vision for the historic district. While the applicant offered several potential concessions and alterations, these amounted to little more than camouflage to mask the design's unsuitability for the historic district, a point that the Secretary of the Interiors Standards made clear, is one to avoid. The proposed design is meant to be built quickly and within a specific budget. The materials are selected based on cost, ease of installation, and future maintenance. From a developer's perspective, we can agree that this makes perfect sense. As the applicant noted in our meeting, it's what sells. The question that the BAR is confronted with is, How does this design, one that we can see many examples of elsewhere, contribute to the historic district? Does it add to or subtract from the charm and character of the neighborhood? This challenging and subjective question represents the basis of all the BAR's decisions. We also looked at the scale and setback of the proposed design. In addition to the design's front facade being wider than the typical home on the street, the front facade was setback significantly farther than the original home and nearly all other homes along the street. This issue seriously disrupts the flow and continuity of the streetscape. We accept that this setback issue is out of the applicant's control as they must meet requirements for the town code, which enforces a minimum setback and off-street parking requirement that directly conflicts with the compatibility of new*



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construction within the historic district. Personally, I see our decision to deny this application as a failure. Not because I think we made the wrong judgment but because our process, or more specifically, lack of a process, led to this outcome. Currently, the BAR lacks a straightforward, proactive process to guide applicants and, in turn, our decisions for new construction within the historic district. This was painfully obvious for all present at our last meeting, which resulted in little more than a frustrating, circular argument. Resolving this issue and crafting updated guidelines are top priorities for the BAR moving forward.

Mr. Waters explained to Council that updated processes/guidelines would assist applicants and guide the construction process more effectively. Ms. Kopishke advised that there was a process for the BAR in place, however it was 10 years old and needed updating.

Applicant Daryl Stout advised Council that there were very few new constructions in the historic district, noting that building a Victorian style house was not common and very expensive to construct. She expressed her desire to keep the historical look of the townhomes through scalloped edges, metal roofs and limestone foundations, noting that 50% of the homes on Blue Ridge Avenue were vinyl siding and shingled roofs with there being no consistency. She expressed frustration that the BAR meeting accomplished nothing, explaining that was why she was before Council tonight. She agreed with the Chairman that there were not enough guidelines in place for new construction. The Mayor suggested that Council go through staff with their questions before the next meeting.

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Wood 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 purposes and that Council consider taking action on these matters in open session: 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Town Attorney.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilman Wood 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

The meeting adjourned at approximately 9:30pm.

Approved by Town Council

Date: _____



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

ABSENT FOR ROLL CALL: Councilwoman Amber F. Morris (entered meeting at 7:21pm)

OTHERS PRESENT: Town Manager Joseph E. Waltz
Assistant Town Attorney Amanda M. Wisely
Clerk of Council Tina L. Presley
Various members of the staff and public

ABSENT: Town Attorney George M. Sonnett, Jr.

Retail Strategies Presentation (Virtual) – Director of Community Development/Tourism Lizi Lewis introduced Sarah Beth Stewart, Retail Strategies Vice President of Community Partnerships who gave a virtual presentation. She began with a brief background of herself and the company explaining how Retail Strategies assisted communities find retailers that fit their community. She touched on the needs and goals of the community that would be reviewed along with any challenges to overcome through data and analytics. She stressed the importance of how Front Royal was seen by retailers, advising that Retail Strategies would review customized trade areas, gap analysis and real estate analysis to include retail real estate and property mapping. The deliverables included a market analysis, retail recruitment plan and marketing guide with prospects and site criteria.

Council questioned the success based on a population base under 16,000 and distance away from an interstate. Mrs. Stewart advised that retailers were looking at where the data drives them. Town Manager Joe Waltz confirmed that the intent was for the focus to be within the Town limits. Mrs. Stewart agreed and noted that they would be cataloging real estate in the Town and there would be opportunity for input on what the Town wanted.

Councilwoman Morris entered the meeting at 7:21pm

Mr. Waltz advised that the Town had a previous relationship with Retail Strategies, and they recently reached back out to him. He confirmed that the Town could latch onto a cooperative agreement with Stafford County, explaining that it would be a three-year contract at 55,000/year with the option to terminate after the 1st or 2nd year if not satisfied. The first year would be collecting data and inventory of assets. He stressed the importance of having someone recruit retailers such as hotels and grocery stores for the Town. Ms. Lewis stated that Retail Strategies will give the Town an unbiased opinion with fresh eyes while using their expertise to give a finished project. She advised that they would be looking for vacant land as well as existing structures. Mr. Waltz advised that Director of Planning Lauren Kopishke would be involved with some recommendations on what specific property may require. He confirmed that this would be FREDA's first project. It was asked that existing businesses be considered when bringing in other businesses. Council agreed to place under the October 28th consent agenda for approval.



Blue Creek Wind Power Purchase Agreement (PPA) with American Municipal Power (AMP) – Director of Energy Services Carey Saffelle introduced AMP's Assistant Vice President of Power Supply Planning Craig Kleinhenz. Mr. Kleinhenz gave Council a presentation that included - Front Royal 's 2025 Energy Sources; Recommendation for the purchase of Blue Creek Wind PPA at 6.0MW noting the final price would be December 2024; Forward Energy Market Prices Average of 2025 through 2028; Overall Portfolio of Front Royal Energy Supply; Transmission and Installed Capacity; Delivery of Power noting 75% energy, 10% transmission and 15% installed capacity; Transmission Charge Impact to Overall Rates; and Front Royal Annual Power Rates noting a possible one cent increase. Mr. Kleinhenz explained the purchase of Blue Creek Wind Power previously and why it was being purchased again. He advised that with the retirement of some plants, new ones have not been cleared yet and data centers are coming in affecting the capacity. Mr. Kleinhenz explained the different purchases and the ones phasing out. Council agreed to move to the October 28th agenda as a Business Item.

New Business

A. Purchase and Bid Awards – Purchasing Manager Michelle Campbell gave an update on the following:

1. Two Stainless Steel Dump Bed Bodies with Hoists and Hydraulic Systems – It was confirmed that the cooperative procurement was checked first by Fleet Maintenance. Director of Finance BJ Wilson explained that vehicles were purchased off state contract, and it was cheaper for the Town to purchase items separately for industrial vehicles. Council agreed to add to the October 28th consent agenda.

2. Replacement Police Department Patrol Vehicles – It was confirmed that the Town's Fleet Maintenance did the outfitting of the vehicles and that there were approximately 100,000 to 110,000 miles on each of the older vehicles. Mr. Wilson explained that the older vehicles would be used within the other departments first then auctioned when the time came. Council agreed to add to the October 28th consent agenda.

3. Various Grades of Asphalt FY25 – It was confirmed that the product would be produced locally and in Winchester. Council agreed to add to the October 28th consent agenda.

B. FY25 Budget Amendment for Internet Crimes Against Children Funds – Mr. Wilson explained that the funds were for the purchase of technology equipment in the investigations division. Council agreed to add to the October 28th consent agenda.

C. Proposal Acceptance from Stantec for Comprehensive Water & Wastewater Utility Cost of Service Fee and Rate Schedule – Mr. Wilson advised that the study was performed every five years with the last one in 2019 and an update in 2021 due to receiving ARPA funds. He explained that the sewer was decreased at that time with the water remaining the same. He proposed to have the figures from Stantec before the proposed budget in February 2025. He confirmed that the funds would come from each of the water and sewer funds and the contract would be reviewed by legal. Council agreed to add to the October 28th consent agenda.

D. Rezoning Application to Reclassify Land on Strasburg Road from C-1 to R-3 – Karen Alexander – Director of Planning Lauren Kopishke gave a presentation explaining how the lots were rezoned from R-2 to C-1 in 1980 and that Ms. Alexander was requesting they be rezoned/reclassified from C-1 to R-3. She showed the area of the request as well as the need to amend the Comprehensive Plan if the rezoning were approved. Council agreed to advertise for a public hearing on October 28th.



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E. Special Use Permit (SUP) for a Mural at 296 South Street – Salvation Army – Ms. Kopishke gave a presentation explaining that the proposed artistic mural was triggering the SUP because it was over 60 square feet. She confirmed that there would be no deviation from the mural shown in the packet. Council agreed to advertise for a public hearing on October 28th.

F. Request for Town Public Water and Sewer in the Corridor for Industrial Use – Town Manager Joe Waltz advised that he has received four out-of-town utility connections in the corridor for industrial use and two of those requests were before Council tonight.

1. Plien-Smith LLC (Baugh Drive LLC) – Mr. Waltz advised that this request was for a contractor storage yard and landscaping service employing 72 people and estimating the use of 611 gallons of water per day. Mr. Waltz explained that applications were reviewed and evaluated based on usage, noting that another user would have to apply and be evaluated. He also explained the size of the pipe determined what could be pulled from the system. He advised that he needed to review with legal to confirm whether the agreement with the applicant would be transferable to another. Council agreed to add to the October 28th agenda under Business Items once legal has reviewed.
2. Rushmark Rockland Road LLC – Mr. Waltz advised that this request was for a warehouse and distribution center employing 136 people and estimating the use of 675 gallons of water per day.

Mr. Waltz confirmed that there were challenges at the Riverton Pump Station, but the two requests would have minimal impact on the system. Director of Public Works Robert Boyer advised that the Town lost a large user two years ago, which has helped the current situation. It was confirmed that the two requests would pay double fees, including fire suppression, with the plans showing normal bathrooms and a breakroom, noting a well being installed for the landscaping services on Baugh Drive. Council agreed to add to the October 28th agenda under Business Items once legal has reviewed.

Old Business

A. Vape Ordinance Discussion – Mayor Cockrell reminded Council that this was discussed last month and since then more information had been presented, therefore prompting the question on how Council wanted to proceed. Council asked whether a moratorium could be placed on opening any new vape shops until an ordinance was adopted. Assistant Town Attorney Amanda Wisely advised that this could not be done since they were by-right uses. There was discussion on getting something approved right away but it was realized that the ordinance was required to go before Planning Commission before final Council approval. Council agreed to refer a proposed vape ordinance to the Planning Commission at the October 28th meeting under Business Items.

B. Liaison Committee Meeting Items – Mayor Cockrell questioned whether Council wanted to add anything else to the agenda beyond the four items already listed. While there was discussion on the regional shooting range it was agreed to leave it on the agenda. Three additional items were added to make the list reflect the following items to be added: 1) Increase in Solid Waste Tipping Fees, 2) Vape Shops, 3) Transportation Subcommittee Update, 4) Regional Shooting Range Facility Update, 5) Town/Couty/ School Communication, 6) Water Usage Outside Town Limits During Town Water Conservation and 7) Healthcare Resolution Next Steps.



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.

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Wood 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 purposes 1) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, more specifically the Town Attorney, Board of Architectural Review (BAR); Local Board of Building Code Appeals (LBBCA); Front Royal Economic Development Authority (FREDA) and Advisory Committee For Environmental Sustainability (ACES) and, 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 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, 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

Councilman Ingram 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

Adjourned approximately 10:00pm

Approved by Town Council

Date: -----



TOWN OF FRONT ROYAL

DEPARTMENT OF ENERGY SERVICES

1101 MANASSAS AVENUE
P.O. BOX 1560
FRONT ROYAL, VA 22630-1560
www.frontroyalva.com

CAREY SAFFELLE

DIRECTOR

csaffelle@frontroyalva.com

(540) 635-3027

(540) 631-3620 fax

Tonight, I would like to take a moment to recognize the extraordinary efforts of our Department of Energy Services in the wake of Hurricane Helene's devastation. In the spirit of mutual aid, a four-man crew – Line Crew Supervisor Alan Bell, A-Class Linemen Joe Roberts and Cody Lohmann, and C-Class Lineman Trever Griffith – along with four support vehicles, was dispatched to assist our sister municipally-owned utilities in their recovery efforts. For nine days, they worked 16-hour shifts, beginning with four days in Bristol, Virginia, followed by five more in Clinton, South Carolina, helping to restore power in these hard-hit areas.

The conditions they faced were severe – downed power lines, uprooted trees, broken infrastructure, and widespread outages, which left many residents without power for days. Storm restoration is among the most dangerous work a lineman can do, especially in these hazardous conditions, and it's incredibly important to recognize the courage and commitment these men have shown.

This deployment is part of a long-standing tradition of mutual aid between municipalities during times of crisis, made possible by our Mutual Aid Agreements with the American Public Power Association and the Municipal Electric Power Association of Virginia.

And let's not forget the rest of our Line Crew – our team consists of only eight linemen, so those who stayed behind had the crucial responsibility of ensuring our electrical system here at home remained fully operational.

We are grateful for their hard work, dedication, and selflessness, and we are proud to have such an outstanding team representing our town.



October 7, 2024

HAND-DELIVERED

Mr. Carey Saffelle, Director
Front Royal Department of Energy Services
P.O. Box 1560
Front Royal, VA 22630

Re: Mutual Aid to BVUA for Hurricane Helene Storm Recovery

Dear Carey,

Thank you for your generous assistance as BVU recovered from the storm damage caused by Hurricane Helene.

BVU was one of the first electric utilities in the area to fully restore power largely due to the assistance of the following MEPAV Utilities: Harrisonburg Electric Commission, Salem Electric Department, Front Royal Department of Energy Services, and Martinsville Electric Department.

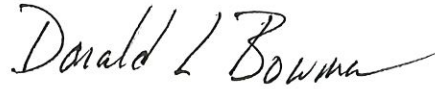
Each line worker who worked storm recovery did an excellent job. They worked hard, long hours, and worked safely throughout numerous projects. I have listed their names below:

Wes Dewalder, Foreman, HEC
Ross Detamore, HEC
Cole Wiseman, HEC
Corey Harmon, Foreman, Salem Electric
Jarret Williams, Salem Electric
Nathan Phillips, Salem Electric
Dawson Harvey, Salem Electric
Tyler Hall, Salem Electric
Alan Bell, Foreman, Front Royal Energy Services
Trevor Griffith, Front Royal Energy Services
Joe Roberts, Front Royal Energy Services
Cody Lohmann, Front Royal Energy Services
Jimmy Rigney, Foreman, Martinsville Electric Department
Jimmy Harris, Martinsville Electric Department
Chase Cooper, Martinsville Electric Department
Tim Agee, Martinsville Electric Department
Brian Collins, Martinsville Electric Department
Kelon Penn, Martinsville Electric Department

October 7, 2024

Again, we are so grateful for your utility's assistance and the hard work of your line workers. Please do not hesitate to contact us if you ever need mutual aid from BVU.

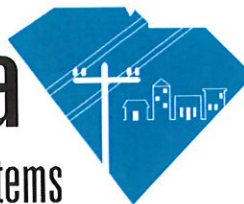
Sincerely,

A handwritten signature in black ink that reads "Donald L. Bowman". The signature is written in a cursive, flowing style.

Donald L. Bowman, P.E.
President and CEO
BVU Authority

South Carolina

Association of Municipal Power Systems



Front Royal Energy Services
Carey Saffelle
P.O. Box 1560
Front Royal, VA 22630

Dear Carey Saffelle,

On behalf of the South Carolina Association of Municipal Power Systems, I want to extend our sincere appreciation for the assistance your organization provided during the recent storm recovery following Hurricane Helene. Your team's quick response and dedication played an essential role in helping us restore power safely and efficiently across communities in South Carolina.

Please extend our deepest thanks to the crews who worked tirelessly throughout the restoration process. Their efforts made a significant difference, and we are extremely grateful for their dedication to public service. Their hard work not only helped us restore vital services but also brought much-needed relief to residents who were without power for extended periods.

Collaborating with out-of-town utilities like yours highlights the strength of our industry's mutual aid system, and we truly appreciate your willingness to help during this critical time. We look forward to continuing our partnership and are ready to reciprocate should the need arise. Thank you once again for your support.

Sincerely,

Jimmy Bagley

South Carolina Mutual Aid Coordinator

Deputy City Manager
City Management
City of Rock Hill
P.O. Box 11706
757 South Anderson Road (29730)
Rock Hill, South Carolina 29731-1706
o: 803-329-5518
f: 803-817-5104



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 07A

Agenda Item: PUBLIC HEARING – Special Use Permit (SUP) for a Mural at 296 South Street for The Salvation Army

Summary: Council is requested to consider approval of a Special Use Permit (SUP) application submitted by The Salvation Army for an artistic mural, exceeding 60 square feet in size, to be placed on the west side of their building located at 296 South Street. The property is identified by tax map 20A8-16-B and zoned C-1, Community Business District. The SUP is required because the symbology contained within an artistic mural constitutes a sign and its proposed size exceeds 60 square feet.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Proposed Motions:

- 1) I move that Council approve a Special Use Permit for an artistic mural, exceeding 60 square feet in size, to be placed on the west side of The Salvation Army building located at 296 South Street
- 2) I move that Council deny a Special Use Permit for an artistic mural, exceeding 60 square feet in size, to be placed on the west side of The Salvation Army building located at 296 South Street

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit Application #2400483

MEETING DATE: September 18, 2024

SUMMARY: The application for review is a request for an artistic mural, exceeding 60 sq. ft., on the west side of the building located at 296 South Street, identified by Tax Map 20A8-16-B. The property is zoned C-1, Community Business District.

STAFF RECOMMENDATION:

The special use permit is required because the symbology contained within an artistic mural constitutes a sign and its proposed size exceeds 60SF. Due to the subjective nature of an artistic mural, staff will not make recommendations on the content however, mural signs can be removed and altered with minimal effort and staff supports the application as a whole.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit Application #2400483 for an artistic mural, exceeding 60 square feet on the west side of the building located at 296 South Street, identified by Tax Map 20A8-16-B."

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Marrazzo _____ Neel _____ Brooks _____ Gillispie _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400483
PLANNING COMMISSION REGULAR MEETING – SEPTEMBER 18, 2024

APPLICATION #:

Special Use Permit Application
#2400483

APPLICANT:

The Salvation Army

SUMMARY OF REQUEST:

The application for review is a request for an artistic mural, exceeding 60 sq. ft., on the west side of the building located at 296 South Street, identified by Tax Map 20A8-16-B. The property is zoned C-1, Community Business District.

GENERAL INFORMATION:

Site Addresses	296 South Street
Property Owner(s)	The Salvation Army
Existing Zoning	C-1, Community Business District
Tax Identification	20A8-16-B.
Location	The property is located at the corner of South Street and Cloud Street.

AERIAL VICINITY MAP – (Warren County GIS)



INFORMATION ON THE APPLICATION:

Application Documents

Proposed Mural – 296 South Street



Statement of Justification:

Over the past two years, numerous civic groups and local community members have come together to support the renovation of our Front Royal Salvation Army. More than \$40,000 was raised to rebuild the entire facade of the store and repaint the building as well. Simultaneously, Front Royal's Advisory Committee for Environmental Sustainability (ACES) helped remove dead trees and replace them with above ground planters filled with multi-stem crape myrtles. The results of these projects have significantly improved the look and feel of the entire property, which now visually portrays the importance and value that the Salvation Army brings to our community.

One final piece of this multi-phase project remains that we are all very excited about, and that is the addition of a mural to the west-facing outer wall of the store. Whitney Waller is taking the lead on that mural. Previously a DC based artist, Waller moved to Browntown in 2016, then into the town of Front Royal in 2019. She is involved in multiple downtown art initiatives, such as the developing Stone Branch Center for the Arts and the current group show at Melissa Ichiuji's Gallery, and can frequently be found drawing musicians on weekends at many downtown businesses.

The proposed mural will consist of an adult black bear and its cub embracing the Salvation Army shield. The shield will be in color and will adhere to Salvation Army's branding standards. The scene will be bordered by a row of native Virginia Bluebells. See mock-up below. With the prospective mural wall facing traffic on South Street, one of Front Royal's main corridors for accessing Shenandoah National Park, we feel that highlighting our native wildlife and flora aligns well with our Town's connectivity to the great outdoors, the Appalachian Trail, and our "Settle In, Venture Out" motto.

The mural will be approximately 14.5' x 18.5' in size, in gray, black, and white, with the shield and bluebells in color.

The mural will be entirely funded by community donors and will require 5 days to complete. Painting the mural will not impede traffic flow or parking. Safety of the artist will be prioritized at all times. The mural has been approved by the Salvation Army Board of Directors.

Zoning Ordinance

As per Town Code 175-106-A.4 **(Definitions) Sign**, *Any device employing letters, words, symbols, etc., used or intended to attract the attention of the public from streets, sidewalks, or other outside public right-of-ways. For the purpose of this Article, the term "sign" shall include all structural members.*

As per Town Code 175-106-A.4 **(Definitions) Wall Sign**, *A sign attached to a wall, or painted on or against a flat vertical surface of a structure, which displays only one (1) advertising surface.*

As per Town Code 175-106-B-2.b.3a **Wall or Marquee Sign**, *One (1) square foot per linear foot of building width on which the sign is to be attached, up to a maximum of sixty (60) square feet...Artistic murals containing business or product advertising may be approved for a size exceeding sixty (60) square feet by a special permit, pursuant to Section 175-136, when located outside the Historic Overlay District...*

Findings and Analysis & Staff Recommendation

The special use permit is required because the symbology contained within an artistic mural constitutes a sign and its proposed size exceeds 60SF.

Due to the subjective nature of an artistic mural, staff will not make recommendations on the content however, mural signs can be removed and altered with minimal effort and staff supports the application as a whole.

Attachments: A. Application
B. Rendering
C. Statement of Justification



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 22630

RECEIVED
AUG 15 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT
Main: 540.635.4236
Fax: 540.631.7271
Internet: www.frontroyalva.com

SUP #2400483

SPECIAL USE PERMIT REQUEST

APPLICANT
NAME The Salvation Army PHONE 540-635-4020
ADDRESS 357 Cloud St. Front Royal
E-MAIL frontroyalva@us.salvationarmy.org

PROPERTY DESCRIPTION
PROPERTY ADDRESS 296 ^{South} ~~SHORT~~ STREET
TAX MAP - SECTION 20A816B BLOCK - LOT -
SUBDIVISION NAME - ACREAGE .1286

REQUEST C-1
ZONING DISTRICT SOUTH RIVER
PROPOSED USE OF PROPERTY NEW MURAL
SPECIFIC SPECIAL USE PERMIT REQUEST MURAL ON WEST
SIDE OF BUILDING. PLEASE SEE
ATTACHED SHEET FOR MORE DETAILS.

ATTACHMENTS --The following must be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application → REQUESTING EXEMPTION
3. Application Fee of \$400.00 (Checks payable to the Town of Front Royal)
4. Additional information as required by the Department of Planning & Zoning.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature Altman Date 7/6/24

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

Receipt # Pd \$400.00 CK#1004 Date Paid 8-15-24

To the Town of Front Royal,

Over the past two years, numerous civic groups and local community members have come together to support the renovation of our Front Royal Salvation Army. More than \$40,000 was raised to rebuild the entire facade of the store and repaint the building as well. Simultaneously, Front Royal's Advisory Committee for Environmental Sustainability (ACES) helped remove dead trees and replace them with above ground planters filled with multi-stem crape myrtles. The results of these projects have significantly improved the look and feel of the entire property, which now visually portrays the importance and value that the Salvation Army brings to our community.

One final piece of this multi-phase project remains that we are all very excited about, and that is the addition of a mural to the west-facing outer wall of the store. Whitney Waller is taking the lead on that mural. Previously a DC based artist, Waller moved to Browntown in 2016, then into the town of Front Royal in 2019. She is involved in multiple downtown art initiatives, such as the developing Stone Branch Center for the Arts and the current group show at Melissa Ichiuji's Gallery, and can frequently be found drawing musicians on weekends at many downtown businesses.

The proposed mural will consist of an adult black bear and its cub embracing the Salvation Army shield. The shield will be in color and will adhere to Salvation Army's branding standards. The scene will be bordered by a row of native Virginia Bluebells. See mock-up below. With the prospective mural wall facing traffic on South Street, one of Front Royal's main corridors for accessing Shenandoah National Park, we feel that highlighting our native wildlife and flora aligns well with our Town's connectivity to the great outdoors, the Appalachian Trail, and our "Settle In, Venture Out" motto.

The mural will be approximately 14.5' x 18.5' in size, in gray, black, and white, with the shield and bluebells in color.

The mural will be entirely funded by community donors and will require 5 days to complete. Painting the mural will not impede traffic flow or parking. Safety of the artist will be prioritized at all times. The mural has been approved by the Salvation Army Board of Directors.

Thank you for your time and consideration of this project.

Captain Ann Hawk, Corps Officer, Potomac Division, 540-323-4095, Ann.Hawk@uss.salvationarmy.org

Justin Proctor, ACES Member, 607-229-6255, c.justin.proctor@gmail.com

Whitney Waller, Artist

(Mural mockup on next page)





REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 07B

Agenda Item: PUBLIC HEARING – Rezoning Application to Reclassify a Vacant Parcel on W Strasburg Road from C-1 to R-3 from Karen Alexander

Summary: Council is requested to consider approval of a rezoning application submitted by Karen Alexander requesting a zoning map amendment to reclassify a vacant parcel (tax map 20A12-3-27) located on W. Strasburg Road from C-1, Community Business District to R-3, Residential District. The vacant parcel is situated between 44 and 52 W. Strasburg Road. The parcel was rezoned on July 28, 1980, from R-2, Residential District to C-1, Community Business District. The “uses” along this section of W. Strasburg Road have continued to be utilized as Residential. Staff has recommended to the Planning Commission that an amendment to the Comprehensive Plan be initiated to show this portion of West Strasburg Road as neighborhood residential.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Proposed Motions:

- 1) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council approve a rezoning application submitted by Karen Alexander to reclassify a vacant parcel located on W. Strasburg Road from C-1, Community Business District to R-3, Residential District (tax map 20A12-3-27.)
- 2) In furtherance of the purposes and objectives contained in Town Code §175-1 (B), I move that Council deny a rezoning application submitted by Karen Alexander to reclassify a vacant parcel located on W. Strasburg Road from C-1 Community Business District to R-3 Residential District (tax map 20A12-3-27.)

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

Town of Front Royal, Virginia

Planning Commission Regular Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Rezoning Application # 2400436

MEETING DATE: September 18, 2024

SUMMARY: The application for review is requesting a zoning map amendment to the Zoning Map of the Town of Front Royal to reclassify a vacant parcel on W. Strasburg Road, identified by Tax Map 20A12-3-27 from C-1, Community Business District to R-3, Residential District.

STAFF RECOMMENDATION:

Staff supports the recommendation of the rezoning from C-1 to R-3.

Staff also recommends the PC send a recommendation to Town Council to amend the Comprehensive Plan to show this portion of Town as neighborhood residential.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Rezoning Application # 2400436 to amend the Zoning Map of the Town of Front Royal to reclassify a vacant parcel on W. Strasburg Road, identified by Tax Map 20A12-3-27, from C-1, Community Business District to R-3, Residential District.

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Marrazzo _____ Neel _____ Brooks _____ Gillispie _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING

STAFF REPORT - REZONING APPLICATION #2400436
PLANNING COMMISSION REGULAR MEETING – SEPTEMBER 18, 2024

APPLICATION #:

Rezoning Application #2400436

APPLICANT:

Karen Alexander

SUMMARY OF REQUEST:

The application for review is requesting a zoning map amendment to the Zoning Map of the Town of Front Royal to reclassify a vacant parcel on W. Strasburg Road, identified by Tax Map 20A12-3-27 from C-1, Community Business District to R-3, Residential District.

GENERAL INFORMATION:

Site Addresses	W. Strasburg Road
Property Owner(s)	Stefan D. And Karen E. Alexander Trustees
Existing Zoning	C-1, Community Business District
Proposed Zoning	R-3, Residential District
Tax Identification	20A12-3-27
Location	The vacant parcel is located on W. Strasburg Road between 52 and 44 W. Strasburg Road.

AERIAL VICINITY MAP – (Warren County GIS)



AERIAL MAP – ZONING DISTRICTS



INFORMATION ON THE APPLICATION:

Application Documents

ATTACHMENT A: APPLICATION

- **Application Form.** This is the standard application form used to initiate rezoning applications in the Town.
- No proffers were made by the applicant.

ATTACHMENT B: STATEMENT OF JUSTIFICATION LETTER.

"Currently the subject property is zoned C-1. This lot is in between two pieces of property that are currently being used as residential property. After exhausting the possibilities of using the lot and some previously owned adjoining property for commercial use we would like to request that this property be re-zoned to R-3. The property is located on the service road that was created during the construction of the quadrant restricted intersection and is insufficient to support any commercial application."

ATTACHMENT C: PLAT

- **Plat.** A survey plat of the property showing property.

The statements of intent of the two (2) identified zoning districts as set forth in the Front Royal Zoning Ordinance are as follows:

C-1 Community Business District, Zoning Ordinance Sec. 175-38

The Community Business C-1 District is intended to accommodate general business areas, highway-oriented commercial uses, and selected retailing operations. The Community Business C-1 District recognizes the demand for a variety of land uses near or adjacent to the major traffic arteries in Town.

R-3 District, Zoning Ordinance Sec. 175-28

The R-3 Residential District is composed of medium-to-high density concentrations of residential uses. The standards for this district are designed to stabilize and protect the essential character of the area so designated and to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for families desiring the amenities of apartment living and the convenience of being closest to shopping, employment centers and other community facilities. Development is, therefore, limited to medium- to high-density concentration, and permitted uses are limited to single-family, two-family and multifamily dwellings, plus selected additional uses, such as schools, parks, churches and certain public facilities. Home occupations, as defined by this chapter, are permitted. Mobile homes are prohibited.

Differences between C-1 and R-3 Zoning Districts

The main difference in these districts is the distinction between commercial and residential uses. The R-3 designation allows for and encourages, higher density residential uses.

The area is currently used as residential, not commercial. Despite the Comprehensive Plan calling for this area to be utilized in a commercial fashion, the lots are simply too small for any commercial use to conform to the standards for commercial development. A developer would need to acquire several adjoining parcels to build a commercial development. In the future, the Comprehensive Plan should be amended to at least a mixed use to allow both commercial and residential development to continue.

Findings and Analysis & Staff Recommendation

Staff supports the recommendation of the rezoning from C-1 to R-3.

Staff also recommends the PC send a recommendation to Town Council to amend the Comprehensive Plan to show this portion of Town as neighborhood residential.

Attachments: A. Application
B. Statement of Justification Letter
C. Plat
D. Review Comments from David Beahm, Building Official and
Gerry Maiatico, Fire Marshal
E. Review Comments from Public Works
F. Review Comments from Energy Services





TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ 540-635-4236
Department of Planning & Zoning

RECEIVED
JUL 23 2024

TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

#2400436

REZONING APPLICATION

APPLICANT

Name Karen Alexander Phone [REDACTED]
Address [REDACTED]
E-mail [REDACTED]

PROPERTY OWNER OF RECORD

Name Stefan D. Karen E. Alexander Revocable Trust Phone [REDACTED]
Address [REDACTED]

PROPERTY DESCRIPTION

Location/Street Address W. Strasburg Rd. Front Royal, VA 22630
Number of lots: 1 Total Acreage .50
21,739 square feet

Tax Map Identification for each parcel (Map, Section, Block, & Lot):

Tax Map # 20A123 27

Subdivision Name (if applicable) _____

REQUEST

Existing

Zoning

C-1

Proposed

Zoning

R-3

Existing Use vacant

Proposed Use _____

Traffic Impact Analysis not required

Lauren Kershner

Phase I+II Environmental Assessment waived

ATTACHMENTS

The following should be submitted with a completed copy of this application. Additional information may be determined necessary depending on the nature of the request.

1. Application Fee (Checks should be made out to the Town of Front Royal. Fees are as follows: 1 acre or less = \$500, over 1 acre = \$500 + \$100 per acre after 1st acre, Downzoning = \$400)
2. Survey/Plat of the property with metes and bounds descriptions for all existing and proposed property lines and zoning district boundaries (8 copies and a digital copy).
3. Environmental Site Assessment Phase I and Phase II (unless waived by Director).
4. Traffic Impact Analysis (if required)
5. Written proffers. Proffers are voluntary but should be submitted in a written format approved by the Director.
6. Statement of Justification. As a separate document, provide a statement or statements that explain why you believe the property should be rezoned.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge. The proffering system has been explained to me and I have read Sections 175-149 and 175-150 of the Town of Front Royal Zoning Ordinance pertaining to conditional zoning and proffering.



[Signature]
Signature of Property Owner

Signature of Applicant (if different)

City/County of WARREN, Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 23 day of July, 2024 by

Karen Ellen Alexander
(Name of person seeking acknowledgement)

Connie E. Potter

Notary Public

Notary registration number: 7076929 My commission expires: 08/31/2027

NOTICES

- Staff will notify adjacent property owners of the rezoning request and the scheduled public hearing dates with the Planning Commission and Town Council.
- Town Staff will place an advertisement in the local newspaper as required under Virginia Code §15.2-2204.
- Town Staff will place a public hearing sign(s) at the location of the proposed rezoning.
- Submission of this application does not establish a vested right as outlined under Virginia Code §15.2-2307.
- By submitting this application, the applicant grants permission to the Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.
- When the applicant is different than the fee simple property owner, the signature by the fee simple property owner on this application shall be considered as authorization for the applicant to act as an agent for matters concerning this application.

OFFICE USE ONLY

Receipt # _____ Date Paid _____
Planning Commission Hearing Date: _____ Recommendation: _____
Town Council Hearing Date: _____ Date Sent to Clerk: _____

January 2019

Stefan D. Alexander
Karen E. Alexander



July, 21, 2024

Town of Front Royal Zoning Administration
102 East Main Street
Front Royal, Virginia 22630

RE: Tax Map # 20A123 27Part B ROWE Prop. SUBD Lots 27 & 31 .50 acres
Re-Zoning Application (Unimproved)

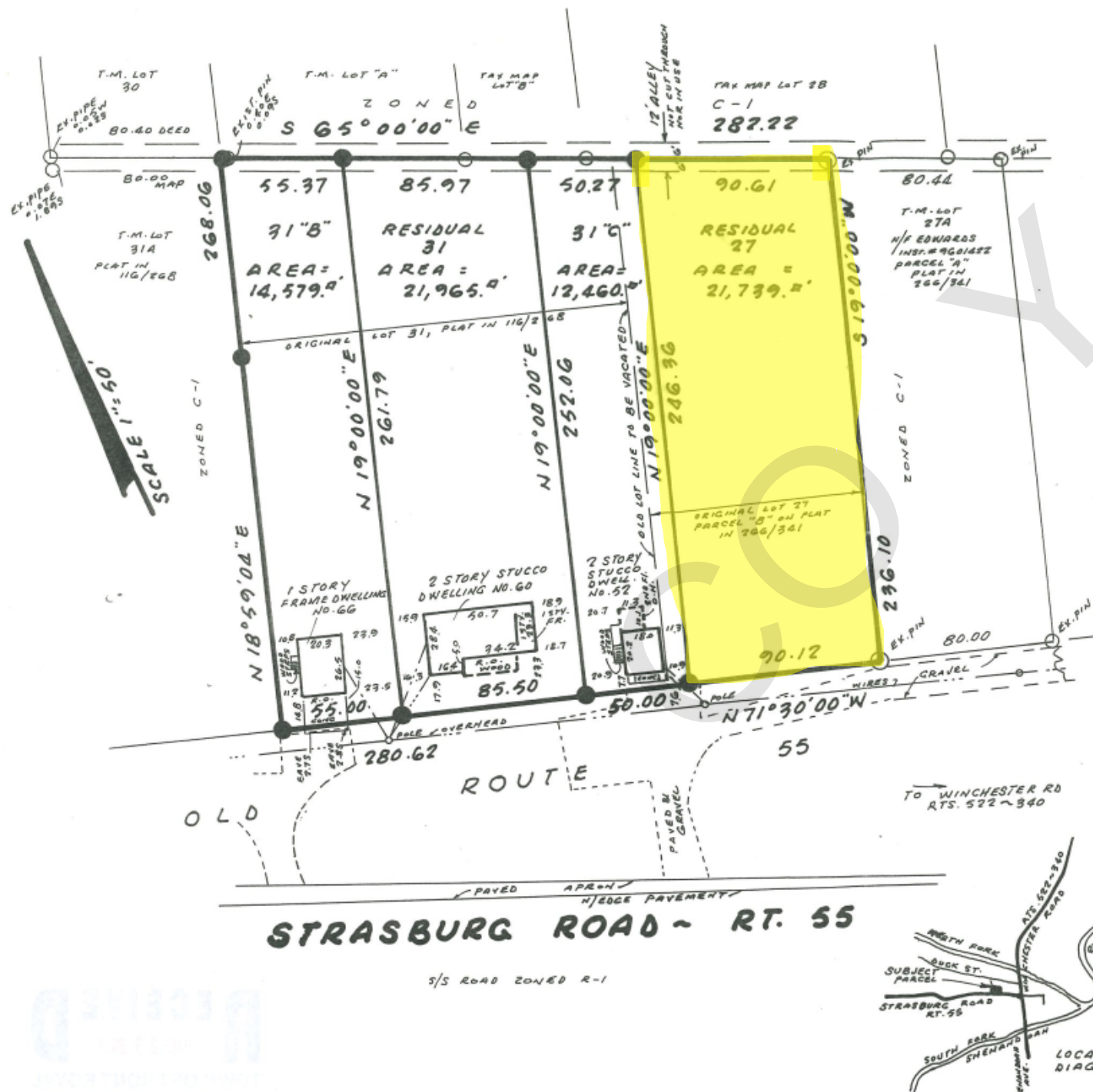
Currently the subject property is zoned C-1. This lot is in between two pieces of property that are currently being used as residential property. After exhausting the possibilities of using the this lot and some previously owned adjoining property for commercial use we would like to request that this property be re-zoned to R-3.

The property is located on the service road that was created during the construction of the quadrant restricted intersection and is insufficient to support any commercial application.

Respectfully submitted,



Karen D. Alexander, Trustee for the
Stefan D. and Karen E. Alexander Revocable Trust



**SUBDIVISION OF LOTS 27 & 31
AS SHOWN ON TAX MAP 20-A-12 (5) LOTS 27&31
FORK MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL, VIRGINIA**

prepared by
JOSEPH G. BROGAN, SR.
PROFESSIONAL LAND SURVEYOR
P.O. BOX 1578, FRONT ROYAL, VA. 22630
TEL. & FAX 540-635-5657
APRIL 29, 1998



NO TITLE REPORT FURNISHED TO THIS OFFICE. SUBJECT TO ANY & ALL EASEMENTS OF RECORD.
○ DENOTES EXISTING PIN OR PIPE.
● DENOTES PIN SET.
DERIVATION OF TITLE TO STEFAN D. & KAREN E. ALEXANDER FOR LOT 31 IN 349/346 & LOT 27 IN INST. #980001104.
OWNERS ADD. P.O. BOX 258, FLINT HILL, VA. 22627; TEL. 540-696-6972.
TAX MAP SEC. 20A 12 (5) 27&31.
PROPERTY ZONED C-1.
VARIANCE GRANTED BY TOWN OF FRONT ROYAL.
NOT IN FLOOD ZONE. ZONE X PER FIRM MAP PANEL NO. 510167 0001 B, EFFECTIVE DATE JULY 15, 1988.

THIS PLAT WAS MADE WITH THE FREE CONSENT AND DESIRE OF THE UNDERSIGNED OWNERS.
Stefan D. Alexander Karen E. Alexander
STEFAN D. ALEXANDER KAREN E. ALEXANDER
ACKNOWLEDGED BEFORE ME THIS 10th DAY OF May 1998.
MY COMMISSION EXPIRES 9/30/2000
Patricia A. Giles
NOTARY

APPROVED BY TOWN OF FRONT ROYAL
PLANNING COMMISSION Kimberly P. Foyle SEC.
13 May 1998 DATE
TOWN COUNCIL Tom J. Carr VICE MAYOR
Blair D. North IN. CLERK
5-26-98 DATE

Connie Potter

From: David Beahm <Dbeahm@warrencountyva.gov>
Sent: Tuesday, July 30, 2024 4:51 PM
To: Connie Potter
Cc: Gerry Maiatico; Gordon Foster; Inspections; Kevin Perry; Matthew Byers
Subject: RE: Request for Comments – Rezoning Application – Tax Map 20A123 27 – W. Strasburg Rd., Front Royal – 2400436
Attachments: 2400436_Approved Subdivision Plat_W Strasburg Rd_20A123 27.pdf; 2400436_Rezoning Application_W Strasburg Rd_20A123 27.pdf; 2400436_Statement of Justification_W Strasburg Rd_20A123 27.pdf

Comments – Karen Alexander – Rezoning Application C-1 to R-3 – 2400436:

- Erosion and Sediment Control (ESC) Items:
 - It appears that either a single-family dwelling or a duplex may be intended to be built at some point and if so, each would require an Agreement In Lieu of to be obtained if work is in conjunction with those structures.
 - If work is done prior to the building permit being applied for an application and permit are required for ESC, which would be a normal submission including a full plan review application.
- Site Plan Review:
 - It does not appear that this will be required for the scope of work that appears to be completed after this request is approved. However, if the scope of work expands it would need to be reevaluated at that time. At that time, it may require a Site Plan Review and Permit for Building Code Compliance to be completed for emergency access, utilities, structure placement for required fire separation, fire hydrants, fire lane markings, required fire signage, etc.
- Building Inspections Items:
 - If or when any building construction related activity (structure, electrical, plumbing, mechanical, fire suppression, energy, etc.) were to start, it would be subject to the normal requirements of application, review and approval prior to work beginning.
- Fire Marshal's Office Comments (standard):
 - We would defer all comments for the site development/new construction/retrofit/change of use to the Building Official. Upon approval and issuance of the CO, the facility (as applicable) shall be maintained in accordance with the Virginia Statewide Fire Prevention Code.

If anything should change in the scope, additional requirements may be required.

Respectfully,

David C. Beahm, CBO
Building Official
County of Warren
540-636-9973
Fax 540-636-4698
dbeahm@warrencountyva.gov
www.warrencountyva.gov

THIS MESSAGE IS INTENDED SOLELY FOR THE INDIVIDUAL(S) NAMED IN THE HEADER. THIS MESSAGE MAY CONTAIN MATERIAL THAT IS PRIVILEGED OR CONFIDENTIAL. IF YOU ARE NOT ONE OF THE INTENDED RECIPIENTS, PLEASE DO NOT READ, COPY, USE, OR DISCLOSE THIS



Date: 09/12/2024

Permit #: 2400436

Permit Date: 07/23/2024

Review Date: 07/23/2024

Permit Type: Rezoning

Review Type: Application Review

Target Date: 08/06/2024

Scheduled Time: 00:00

Completed Date:

Description: Rezoning

Review Status: Complete

Assigned To: Robert B. Boyer

Time In: 00:00

Time Out: 00:00

Hours: 0.0

Notes

07/26/2024 Public Works has no comment or concerns regarding this request at this time.

Property Information

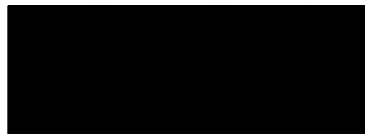
Parcel#: 20A123 27

ALEXANDER STEFAN D & KAREN E TTEES

0

Zoning: C-1Lot: 27Block:

ALEXANDER STEFAN D & KAREN E TTEES





Date: 09/12/2024

Permit #: 2400436

Permit Date: 07/23/2024

Review Date: 07/23/2024

Permit Type: Rezoning

Review Type: Application Review

Target Date: 08/06/2024

Scheduled Time: 00:00

Completed Date:

Description: Rezoning

Review Status: Approved

Assigned To: Mary Lynn

Time In: 00:00

Time Out: 00:00

Hours: 0.0

Notes

07/23/2024 No concerns from the Department of Energy Services

Property Information

Parcel#: 20A123 27

ALEXANDER STEFAN D & KAREN E TTEES

0

Zoning: C-1Lot: 27Block:

ALEXANDER STEFAN D & KAREN E TTEES





REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10A

Agenda Item: Bid Award of Two Stainless Steel Dump Bed Bodies with Hoists and Hydraulic Systems

Summary: Council is requested to consider approval of a bid from Godwin Manufacturing Co., Inc. in the amount of \$106,542.00 for the purchase of two (2) stainless-steel dump bed bodies with hoists and hydraulic systems for Dump Truck Chassis.

Budget/Funding: Funding has been budgeted for and is available in the following line items:

4500-47005	Highway Maintenance Motor Vehicles	\$26,542
4500-R47005	Encumbered on PO #31039	\$80,000
	Highway Maintenance Motor Vehicles	

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from Godwin Manufacturing Co., Inc. in the amount of \$106,542.00 for the purchase of two (2) stainless-steel dump bed bodies with hoists and hydraulic systems for Dump Truck Chassis.

Moved _____ **Seconded** _____

VM Sealock _____ **Ingram** _____ **Morris** _____ **Rappaport** _____ **DeDomenico-Payne** _____ **Wood** _____

MEMORANDUM

TO: Michelle Campbell Purchasing Manager

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase of two Dump bodies, two Hoist, and two Hydraulic systems.

DATE: September 9, 2024

We have received bids for the Dump body, Hoist, and Hydraulic system for the public works dump truck chassis. Godwin Manufacturers was the only bid we received at a price of \$53,271.60 x 2 = \$106,542.00 for both. They have met our specifications. I recommend the purchase. this bid.

VENDOR SPREAD SHEET



Town of Front Royal, VA

Bid Tabulation Summary
IFB #16-2024 SS Dump Bed Bodies
w/Hoist & Hydraulics – 2 ea.
Hydraulics
Bid Opening Date: 9/5/2024
Opening Time: 1:00 PM

	GODWIN MANUFACTURING CO., INC.	NO-BID	NO-BID
Description	LUMP SUM		
Provide 2 ea. Stainless Steel Dump Bed Bodies with Hoist and Hydraulic System	\$106,542.00		

The VENDOR SPREAD SHEET is generated from the initial, raw information collected.
No award decision has been made.



Prepared by: Michelle Campbell, Purchasing Manager

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com

MAILING
P. O. BOX 1147 DUNN, NC 28335
892-0141



LOCATION
17665 HWY 421S. DUNN, NC 28334
FAX: 910 892-7402

QUOTE NUMBER 0155115
Customer Number: 04-TWNFRON

QUOTE DATE 8/30/2024
Salesperson: Steve Pantis

Quote Valid For:

spantis@godwin-group.net

Sold To:

TOWN OF FRONT ROYAL
PO BOX 1560
FRONT ROYAL, VA 22630-0033

Ship To:

TOWN OF FRONT ROYAL
800 CROSBY RD
FRONT ROYAL, VA 22630-3496

ATTENTION:

F.O.B.	Delivery Terms	Ship VIA UPS	Payment Terms NET 30	
Item Code	Description	Ordered	List Price	Amount
FB 16-2024 - TOWN OF FRONT ROYAL STREET DEPARTMENT				
403U10/30SS	BODY 403U 10 X 30 X 36 STAINLE	2.00	17,900.00	35,800.00
WITH DUAL LADDERS, BODY STEPS AND HANDLES AT FRONT BOTH SIDES				
OVALS IN FACE AND SIDES OF CAB PROTECTOR FOR STROBES				
DUAL OVALS IN REAR POSTS				
BARN DOOR 6 PANEL TAILGATE WITH AIR RELEASE LATCH FOR DUMP THRU				
INVERTED V ON TOP OF TAILGATE FOR DIRT SHEDDING				
18" QUARTER CAB PROTECTOR				
GRIP STRUT WALK ROD ON BOTH SIDES OF BODY				
820SFDA-10 P22	HOIST 820SF DA 10 FT P22	2.00	3,310.00	6,620.00
HTARP	HYDRA TARP ASSEMBLY COMPLETE	2.00	1,995.00	3,990.00
OAKSIDEBD10	OAK SIDE BOARD 10' (STD 6- 8")	2.00	450.00	900.00
INSSINGLEFB	INSTALL SINGLE AXLE FULL BLOWN	2.00	4,550.00	9,100.00
QUICK DISCONNECTS THRU DRIVERS SIDE OF FRONT BUMPER AND PASSENGER SIDE BEHIND MUD FLAP				
INSPH300	HITCH PINTLE RIGID 36 TON	2.00	640.00	1,280.00
WITH RIGID D RINGS				
INSREINFFB	INSTALL FRONT BUMPER REINFORCE	2.00	1,530.00	3,060.00
INSFRTMUDSTL	MUD GUARD STEEL FRONT	2.00	325.00	650.00
TOOL30	TOOLBOX 18 X 18 X 30	2.00	510.00	1,020.00
INSGLADHAND	GLAD HANDS	2.00	240.00	480.00
PC18424	LICENSE PLATE BRACKET GLOVE	2.00	27.00	54.00
MOUNTED ON LEFT SIDE OF PINTLE HITCH				
INSABD	LABOR TO INSTALL ABD	2.00	145.00	290.00
INS4PIN	INSTALL 4-PIN ELECTRIC PLUG	2.00	140.00	280.00
INS6PIN	INSTALL 6-PIN ELECTRIC PLUG	2.00	140.00	280.00

continued

MAILING
P. O. BOX 1147 DUNN, NC 28335
892-0141



LOCATION
17665 HWY 421S. DUNN, NC 28334
FAX: 910 892-7402

QUOTE NUMBER 0155115
Customer Number: 04-TWNFRON

QUOTE DATE 8/30/2024
Salesperson: Steve Pantis

Quote Valid For:

spantis@godwin-group.net

Sold To:

TOWN OF FRONT ROYAL
PO BOX 1560
FRONT ROYAL, VA 22630-0033

Ship To:

TOWN OF FRONT ROYAL
800 CROSBY RD
FRONT ROYAL, VA 22630-3496

ATTENTION:

F.O.B.	Delivery Terms	Ship VIA UPS	Payment Terms NET 30	
Item Code	Description	Ordered	List Price	Amount
INS7PINRND	INSTALL 7-PIN ELECT PLUG ROUND	2.00	140.00	280.00
P88594	HARNESS 88 REAR LED STT B/U AN	2.00	140.00	280.00
P89903	HARNESS MAIN POWERFEED WITH M/	2.00	40.00	80.00
PLOWLIGHTKIT	PLOW LIGHTS, BRACKET, HARNESS	2.00	465.00	930.00
INSSTT	INSTALL STT AND BACK-UP LED	4.00	360.00	1,440.00
COMBO STT/BACKUP LIGHT IN REAR POSTS, CLUSTER OF 3 STT/BU INSTALLED IN PINTLE AREA				
97DB BUALARM	97db BACK UP ALARM - STANDARD	2.00	0.00	0.00
INS6HEAD	INSTALL 6-HEAD FLASHING LED	2.00	855.00	1,710.00
6 CLEAR/WHITE STROBES MOUNTED IN FACE AND SIDES OF CAB PROTECTOR AND IN REAR POSTS				
PTOMUNCIE	PTO MUNCIE HOT SHIFT	2.00	1,695.00	3,390.00
PM-507	LIGHT INCD 4 WORK LIGHT RUBBER	2.00	289.00	578.00
WORK LIGHT UNDER DRIVERS SIDE REAR CORNER OF BODY ON INDEPENDENT SWITCH				
AM-ENV BASEA	ENVISION BASE SYSTEM from AMS	2.00	16,105.00	32,210.00
HYDRAMAX IS NO LONGER OFFERED AND HAS BEEN REPLACED/UPGRADED WITH ENVISION - SYSTEM USES A TOUCH SCREEN INSTEAD OF A TOUCH PAD AND OPERATES ALL HYDRAULICS FUNCTIONS, ADDING SAFETY FEATURES AND REPORTING THAT IS NOT AVAILABLE WITH HYDRAMAX				
DELIVERY325	DELIVERY CHRG 300-349 MILES	2.00	920.00	1,840.00

QUOTE PRICE 106,542.00
Steel Surcharge Amt: 0.00

Quote prepared by:
Jash Cumbie
910 591-5220
jcumbie@godwinmfg.com

Total: 106,542.00



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10B

Agenda Item: Bid Award for Various Grades of Asphalt for FY25

Summary: Council is requested to consider approval of a bid from Stuart M. Perry, Inc. for firm fixed pricing on various grades of asphalt for general street patching and surfacing of Town streets for FY25 in the following amounts of price per ton: base \$83.00; intermediate \$83.00; and finish, \$85.00.

Budget/Funding: Funding has been budgeted and is available for FY25 as follows:

4500-45407	Highway Maintenance Repair & Supplies	\$ 120,000
74102-45407	Streets – Non VDOT Maint. Repair & Supplies	\$ 10,000

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid from Stuart M. Perry, Inc. for firm fixed pricing on various grades of asphalt for general street patching and surfacing of Town streets for FY25 in the following amounts of price per ton: base \$83.00; intermediate \$83.00; and finish, \$85.00.

Moved _____ **Seconded** _____

VM Sealock _____ **Ingram** _____ **Morris** _____ **Rappaport** _____ **DeDomenico-Payne** _____ **Wood** _____

Memo



Town of Front Royal Public Works

TO: Michelle Campbell, Manager of Purchasing
FROM: Steve Scheulen, Infrastructure Manager
CC: BJ Wilson, Director of Finance
DATE: September 25, 2024
RE: IFB Asphalt

Public Works approves bid award to Stuart M. Perry for supply of hot mix asphalt needed to do street maintenance repairs. Funding is available from Streets 4500-5407 and 4102-5407.

Steve Scheulen, Infrastructure Manager

A handwritten signature in blue ink, appearing to read "Steve Scheulen", is written over a horizontal line.

Robert Boyer, Director of Public Works



Town of Front Royal, VA

BID TABULATION

IFB #21-2024 ASPHALT-REISSUE

BID OPENING DATE: SEPTEMBER 19,2024

BID OPENING TIME: 2:00 PM

			STUART M. PERRY INC.
Item	Description	Unit	Unit Price
1	BASE ASPHALT, TYPE BM-25.0, STANDARD MATERIAL	ton	\$83.00
2	INTERMEDIATE ASPHALT, TYPE IM-19.0A, STANDARD MATERIAL	ton	\$83.00
3	FINISH ASPHALT, TYPE SM-9.5A, STANDARD MATERIAL	ton	\$85.00
Total Base Bid			\$251.00

***DENOTES NON-RESPONSIVE BID**

This spreadsheet is generated from the initial, raw information collected. No award decision has been made.

Prepared By: Michelle Campbell, VCO



**REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT**

Meeting Date: October 28, 2024

Item# 10C

Agenda Item: Purchase and Replacement of Three Police Department Vehicles

Summary: Council is requested to consider the purchase and replacement of three Ford Interceptor Utility vehicles for three 2013 Chevrolet Impalas (#202, #211, #298) from Halls Automotive in the amount of \$153,136.98 for the Police Department Patrol Division. The remaining \$46,863.02 will be utilized to outfit and complete the vehicles for patrol duty.

Budget/Funding: 3102-47005 Police Patrol – Motor Vehicles \$200,000

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the purchase and replacement of three Ford Interceptor Utility vehicles for three 2013 Chevrolet Impalas (#202, #211, #298) from Halls Automotive in the amount of \$153,136.98 for the Police Department Patrol Division.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

MEMORANDUM

TO: Michelle Campbell Purchasing Manager

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase of three new Ford Utility Police vehicles.

DATE: September 5, 2024

The Police Department has three vehicles to be replaced this 2025 budget year. We are still able to order from this contract to purchase three more police SUV Interceptors. The contract is through the Virginia Sheriff's Association # 22-05-0917RR. Hall Automotive is the vendor and they are out of Virginia Beach.

Hall Automotive - Fleet Team

More Cars. Great People.

(a MileOne company)

3148 Virginia Beach Blvd

Virginia Beach, VA 23452

Phone 757.498.2303 Fax 757.498.2310

Proposal

DATE:

8/29/2024

SALESPERSON	CONTACT	CUSTOMER	SHIPPED VIA	F.O.B. POINT	TERMS
Jake Clarke	Donald McPaters	Town of Front Royal	Hall Automotive	Front Royal	Net 30
DESCRIPTION			QUANTITY	UNIT PRICE	AMOUNT
<u>Virginia Sheriff's Association 22-05-0917RR</u>					
Spec #139 - 2025 Ford Police Interceptor Utility w/ V6			3	\$ 46,101.26	\$ 138,303.78
Options to Include:					
> UM - Agate Black Exterior			3	Incl	Incl
> FW - Onyx Cloth Front Buckets w/ Cloth Rear			3	\$ 65.80	\$ 197.40
> 99B - 3.3L V6 Gasoline Engine			3	Incl	Incl
> 44U - 10-Speed Automatic Transmission			3	Incl	Incl
> 67H - Ready for the Road Package			3	\$ 3,572.00	\$ 10,716.00
> 21L - Front Warning Auxiliary LED Lights			3	\$ 545.20	\$ 1,635.60
> 51T - Driver's Side LED Spotlamp			3	\$ 394.80	\$ 1,184.40

> 59G - Keyed Alike 0151X	3	\$ 47.00	\$ 141.00
> 63B - Side Marker Lamps-Sideview Mirror	3	\$ 319.60	\$ 958.80
> Delivery	3	Incl	Incl
Proposal Accepted by:			
Printed name:		TOTAL	\$ 153,136.98
Date :			

Make all POs to HALL AUTOMOTIVE

If you have any questions, contact Jake Clarke, Fleet & Commercial Dir, 757.498.2303, jake.clarke@hallauto.com

THANK YOU FOR YOUR BUSINESS!

Hall Automotive - Fleet Team

Proposal

More Cars. Great People.

(a MileOne company)

3148 Virginia Beach Blvd

Virginia Beach, VA 23452

Phone 757.498.2303 Fax 757.498.2310

DATE:

10/1/2024

SALESPERSON	CONTACT	CUSTOMER	SHIPPED VIA	F.O.B. POINT	TERMS
Jake Clarke	Donald McPaters	Town of Front Royal	Hall Automotive	Front Royal	Net 30
DESCRIPTION			QUANTITY	UNIT PRICE	AMOUNT
<u>Virginia Sheriff's Association 22-05-0917RR</u>					
Spec #139 - 2025 Ford Police Interceptor Utility w/ V6			3	\$ 46,101.26	\$ 138,303.78
Options to Include:					
> UM - Agate Black Exterior			3	Incl	Incl
> FW - Onyx Cloth Front Buckets w/ Cloth Rear			3	\$ 65.80	\$ 197.40
> 99B - 3.3L V6 Gasoline Engine			3	Incl	Incl
> 44U - 10-Speed Automatic Transmission			3	Incl	Incl
> 67H - Ready for the Road Package			3	\$ 3,572.00	\$ 10,716.00
> 21L - Front Warning Auxiliary LED Lights			3	\$ 545.20	\$ 1,635.60
> 51T - Driver's Side LED Spotlamp			3	\$ 394.80	\$ 1,184.40
> 59G - Keyed Alike 0151X			3	\$ 47.00	\$ 141.00
> 63B - Side Marker Lamps-Sideview Mirror			3	\$ 319.60	\$ 958.80
> Delivery			3	Incl	Incl
Proposal Accepted by:					
Printed name:				TOTAL	\$ 153,136.98
Date :					

Make all POs to HALL AUTOMOTIVE

If you have any questions, contact Jake Clarke, Fleet & Commercial Dir, 757.498.2303, jake.clarke@hallauto.com

THANK YOU FOR YOUR BUSINESS!



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10D

Agenda Item: FY25 Budget Amendment to Accept and Allocate Funds from Internet Crimes Against Children (ICAC) Task Force

Summary: Council is requested to consider approval of a FY25 Budget Amendment in the amount of \$3,000 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 technological equipment.

Budget/Funding:	1000-3410209	General Fund Reimbursement	\$3,000.00
	3103-47001	Police Investigations - Equipment	\$3,000.00

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a FY25 Budget Amendment in the amount of \$3,000 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 technological equipment.

Moved _____ **Seconded** _____

VM Sealock _____ **Ingram** _____ **Morris** _____ **Rappaport** _____ **DeDomenico-Payne** _____ **Wood** _____



COMMONWEALTH OF VIRGINIA

Colonel Gary T. Settle
Superintendent

(804) 674-2000

DEPARTMENT OF STATE POLICE

P.O. Box 27472 Richmond, VA 23261

(804) 674-2000

Lt. Colonel Kirk S. Marlowe
Deputy Superintendent

August 23, 2024

Chief Kahle L. Magalis
Town of Front Royal Police Department
900 Monroe Avenue
Front Royal, VA 22630

Dear Chief Kahle L. Magalis,

We sincerely appreciate your continued partnership as an affiliate of the Northern Virginia/District of Columbia Internet Crimes Against Children (NOVA/DC ICAC) Task Force. Fortunately, we have received Fiscal Year 2025 funding from the Virginia Department of Criminal Justice Services (DCJS) that enables us to further allocate monies to our task force affiliates who are in good standing. As stated in our Inter-Agency Agreement dated July 1, 2014:

Should additional funds become available during the agreed upon period, this agreement may be amended by written correspondence from the NOVA/DC ICAC Commander to permit the Town of Front Royal Police Department to expend the additional funds in accordance with this established IA.

As such, we can allocate additional funds to your agency in the amount of **\$3,000.00**. It should be noted that this funding is NOT grant-related. These are NOVA/DC ICAC funds that have been identified to support your ICAC work. Your allocation may be used towards expenses that include salary, overtime, equipment, software, and for training that is specifically and exclusively related to the NOVA/DC ICAC Task Force's overall mission of combating internet crimes against children. Please see the attachment to this letter for examples of in-scope and out-of-scope expenses. *All expenditures, except payroll expenses, require prior approval via email to SSA Michael J. Brown (michael.brown@vsp.virginia.gov) or First Sergeant Robert Brown (rob.brown@vsp.virginia.gov) and must be made in accordance with your agency's financial procedures and regulations. Reimbursement requests may also include ICAC expenses made between July 1, 2024, and the date of this letter.*

For reimbursement to be made to your locality, your staff will be asked to complete a reimbursement invoice, to provide proof of payment for the expense, and include the email granting approval of the expense. Proof of payment may be copies of checks, credit card receipts or statements, or accounting ledger reports showing the obligation of funds. Proof of payment is also copies of payroll records and timesheets if the reimbursement request is for salary or overtime. Please send your reimbursement requests via email with scanned attachments to Crystal Hopson (crystal.hopson@vsp.virginia.gov).

To allow for more accurate fund management and sufficient time for processing, reimbursement requests should be made quarterly or semi-annually.

- **Final** reimbursement requests should be received by our office no later than **May 1, 2025**.
- *Please submit written notification to Crystal Hopson (crystal.hopson@vsp.virginia.gov) no later than **May 1, 2025** of your intent to use allocated funds for payroll through May 31, 2025. **Completed payroll reimbursement requests should be submitted no later than June 10, 2025.***

Unless prior written notice is received by Crystal Hopson (crystal.hopson@vsp.virginia.gov), unexpended funds from your allocation may be redistributed for other purposes after **May 1, 2025**.

Your continued partnership with the NOVA/DC ICAC Task Force is vital to the task force's overall success and we hope you find this additional funding beneficial to your efforts to combat child sexual predators and child pornography.

Note: Please respond to us no later than November 1, 2024 via *postal or electronic mail* to verify that you will take receipt of the funds. Should we not receive verification, the respective funds must be reallocated to another affiliate to permit timely expenditures.

Again, I thank you for all you do in support of the NOVA/DC ICAC Task Force. Should you have any questions, please do not hesitate to contact me at (804) 674-2767.

Sincerely,



Captain Alan C. Worsham
Division Commander
Bureau of Criminal Investigation
High Tech Crimes Division

ACW/clh

Attachment

Attachment

In-scope or Authorized Expenses (may include, but are not limited to):

- Desktop computers (Mac, Windows based, etc.)
- Peripherals for computers (keyboards, mice, monitors, cables, adapters, etc.)
- Laptops & cases (Mac, Windows based, etc.)
- Tablets & cases (Apple, Android, Windows based, etc.)
- Undercover Cell Phones, Digital Recorders
- Printers, Digital Scanners, Digital Cameras
- Headphones, Screen Protectors, etc.
- Digital Storage (pocket drives, external storage, thumb drives, SD Cards, etc.)
- Software for undercover operations (Camtasia, Wireshark, Commview, Net limiter, MS Office, Adobe Acrobat Pro, VM Fusion, Parallels, etc.)
- Forensic Triage Software (ADF Triage-G2, Investigator)
- Child Interviewing courses & certifications (Child First, NCAC Center, Reid, etc.)
- NCMEC related training (Lodging, airfare, meals registrations, etc.)
- Costs associated with ICAC conferences and/or training (Lodging, airfare, meals, registrations)
- School Resource Officer training and certifications (Lodging, airfare, meals, registrations)
- ICAC training (NCJTC, NW3C, SEARCH training courses (lodging, meals, airfare, registrations)
- Educational materials (anatomical dolls, Ident-a-kid kits, brochures, logoed key chains and pencils, coloring books, magnets, stickers, Netsmartz materials, etc.)
- Overtime for ICAC investigations
- Salary & fringe off-set for full time ICAC investigators.

Out of Scope or Unauthorized Expenses: The following equipment and software will be considered non-approved purchase requests due to the full service digital forensic laboratory dedicated specifically for ICAC affiliate members. Out of scope or unauthorized expenses will include, but are not limited to:

- All computer-based forensic machines (Forensic Recovery of Evidence Device (FRED) by Digital Intelligence, EDAS FOX Recovery Computer, SOLO Forensic Box, etc.)
- Full Service Digital Forensic Courses and Software
 - SANS Institute courses, software, and tools
 - IACIS training and certification (CFCE, CAWFE, etc.)
 - CompTIA training and certification (A+, Net+, Security+, etc.)
 - TEEL Technologies training and certifications (JTAG, BGA Chip-off, etc.)
 - FLETC training and certifications (SCERS, MFTP, IDEA, etc.)
 - BlackBag Technologies products and training certifications (Data Inspector, Data Collector, Softblock, CBE, MiCFE, etc.)
 - Nuix software, tools, and intrusion kits
 - PassMark software products (OS Forensics)
 - X-Ways Forensic Software
 - SYS-Tools and Forensic Software
 - ADF-Digital Evidence Investigator software and training courses by ADF Solutions
 - AccessData software and training courses (Forensic Tool Kit (FTK), BootCamp, ACE, etc.)
 - Guidance products software and training courses (EnCase, ENCE, Tableau Forensic Bridges, Write Blocks, etc.)
- CRU-INC products and software (WiebeTech Forensic Bridges, Write Block Bays, etc.)
- SIRCHIE products and training certifications (computer forensics)
- Server Storage (Blade, JBOD, VTrak, Promise, etc.)
- Large progressive copy machines



REGULAR COUNCIL MEETING
CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10E

Agenda Item: Retail Recruitment Services Contract with Retail Strategies

Summary: Council is requested to award a contract to Retail Strategies in the amount of \$55,0000 for a period of one year with the option to renew for two additional one-year periods; total amount including optional renewals equals \$165,000 for a period of three years. Retail Strategies will be contracted with the Town of Front Royal and will work with the Front Royal Economic Development Authority (FRED) to provide retail recruitment services.

The method of procurement used is cooperative contracting from Stafford County's procurement of retail recruitment services with Retail Strategies.

Budget/Funding: 8105-R45608 Dept Economic Development – Town EDA \$55,000.00 (Year 1)

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a contract with Retail Strategies in the amount of \$55,0000 for a period of one year with the option to renew for two additional one-year periods; total amount including optional renewals equals \$165,000 for a period of three years.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



Front Royal, Virginia

Revitalize your local economy

Attract new Businesses

Enhance the quality of life for your residents



There's a lot of opportunity here.

Retail Strategies

With over 8 years of working in the state of Virginia, Sarah Beth understands and appreciates the diversity of each locality. Whether you are a rural underserved community to a thriving metropolis Sarah Beth knows retail, placemaking and small businesses make up the uniqueness of your community.

Sarah Beth brings a consultative background and approach to Retail Strategies' clients with her passion for helping communities reach their untapped potential.

Prior to Retail Strategies, she worked in the media industry at both FOX and NBC affiliates. She utilized data and local drivers to assist small businesses in promoting their brands and services.

In 2020, she was named Top 35 Under 35 for her efforts through Retail Strategies and her contribution to local economies.



Sarah Beth Stewart

Vice President of
Community Partnerships



Industry Involvement



retail strategies

Trusted Partner

Industry Leaders

- Worked with 800 communities since 2011
- Vast network of retail and restaurant industry professionals
- Only municipal firm with in-house commercial real estate team



Success in the Commonwealth

Experience in Virginia

- 14 Current Retail Recruitment Partnerships
- 23 Current Retail + Downtown Partnerships
- Connections with retailers, brokers, and developers throughout the Commonwealth
- Attends ICSC Mid-Atlantic yearly on behalf of our communities in the Commonwealth





Extension of City Hall

Our Role

NEEDS:

Every city has the goal to increase tax revenue and job creation, often through new businesses. A combination of these goals increases the quality of life for citizens, spurring on more growth.

CHALLENGES:

Communities have challenges to overcome, such as finding enough time, building a network, the collateral and resources, and the specific experience needed in the retail industry.

NEEDS

Network

Time

Resources

Experience

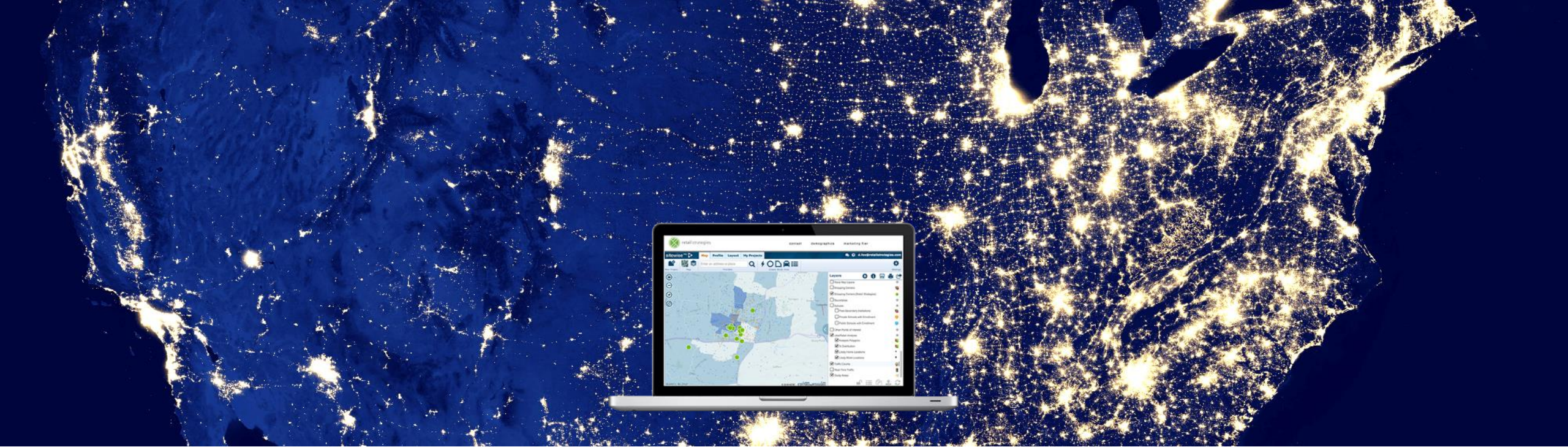
Tax Revenue

Job Creation

Quality of Life

New Business

GOALS



Data & Analytics

Customized Trade Area // GAP Analysis // Peer Analysis // Prospects & Site Criteria



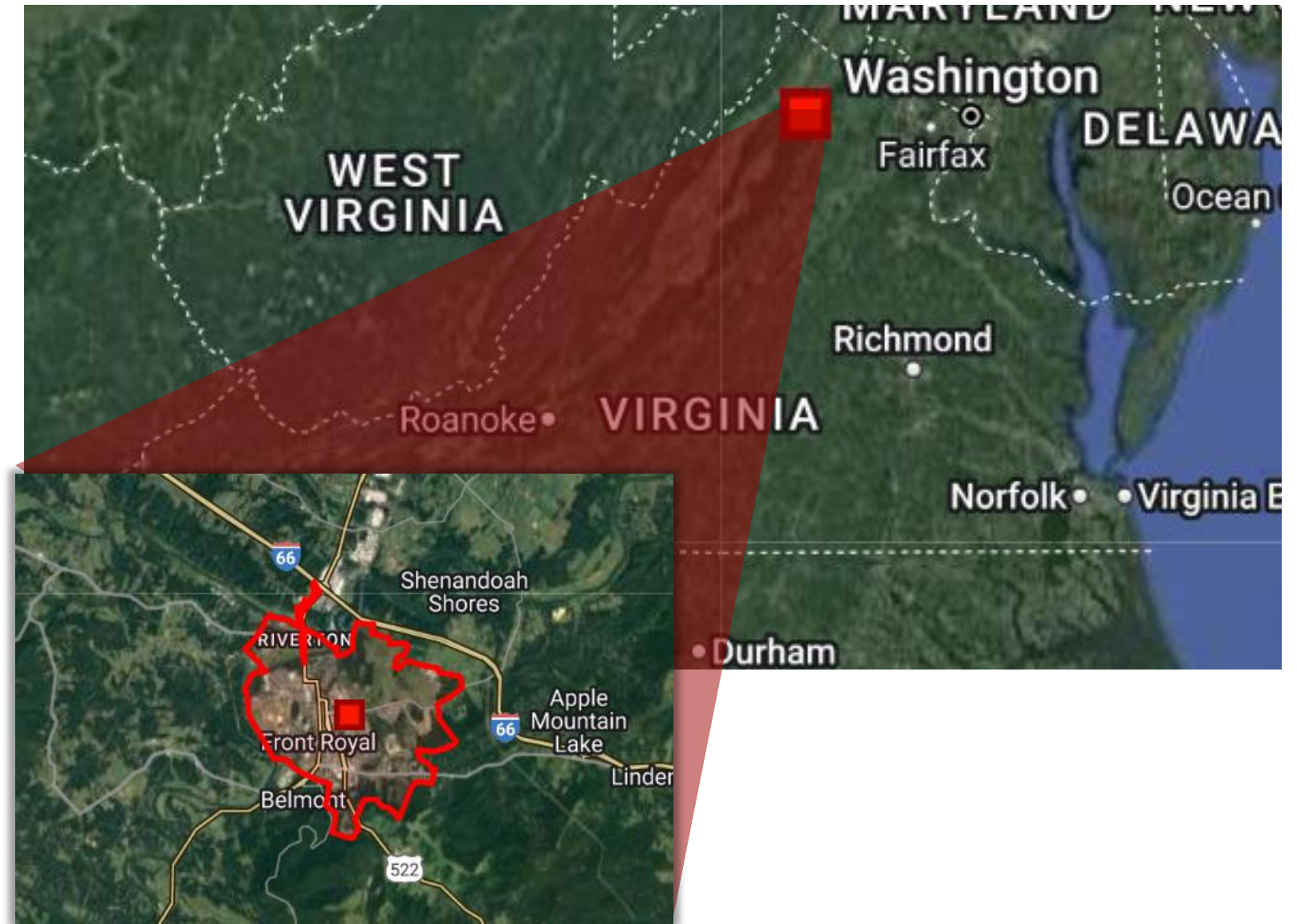
DISCOVER

How you see Front Royal



15,000+

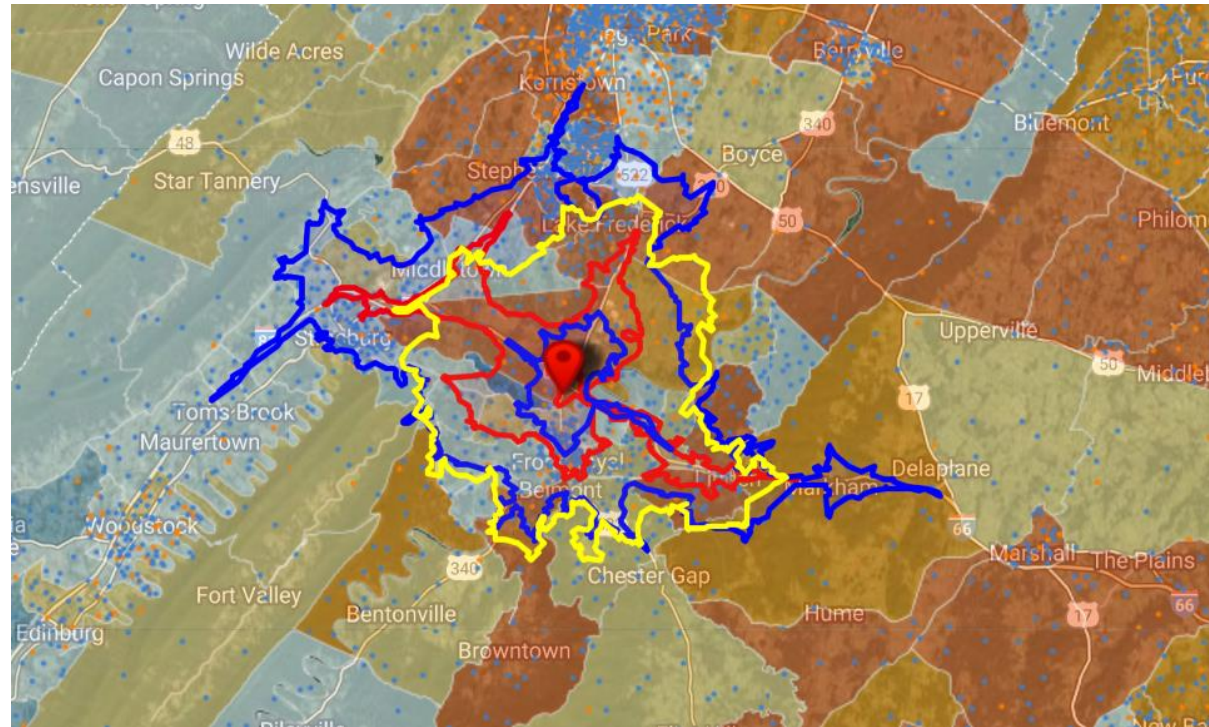
2024 estimated population



How Retailers see Front Royal



3-Mile	237
5-Mile	6,181
10-Mile	35,040
10-Minute Drive Time	15,464
15-Minute Drive Time	51,498



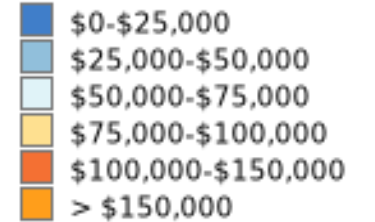
Residential Population
Density

• 1 dot = 100

Daytime Employee
Population Density

• 1 dot = 100

Median Household Income

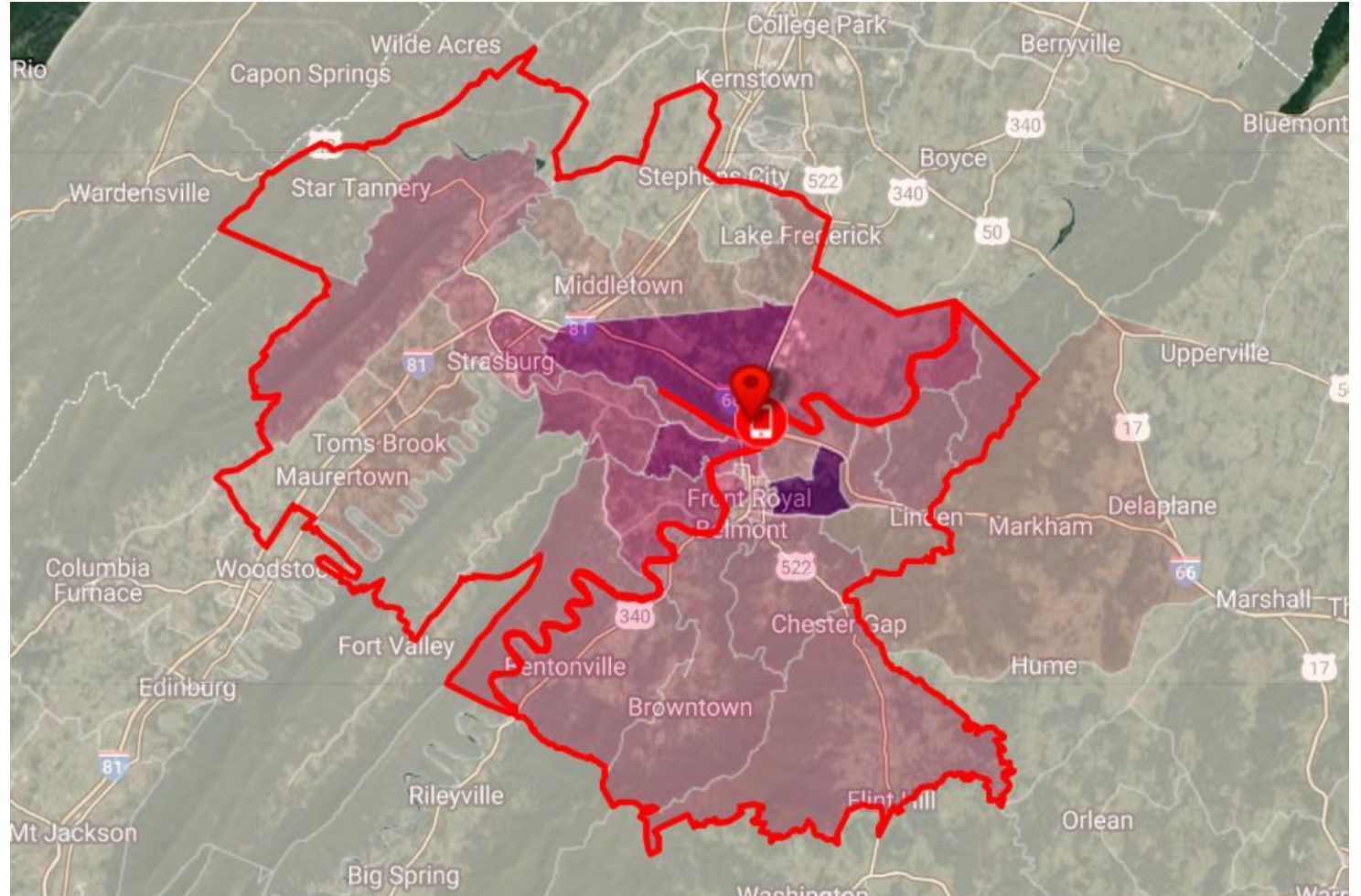


Customized Trade Area



74,000+

2024 estimated population

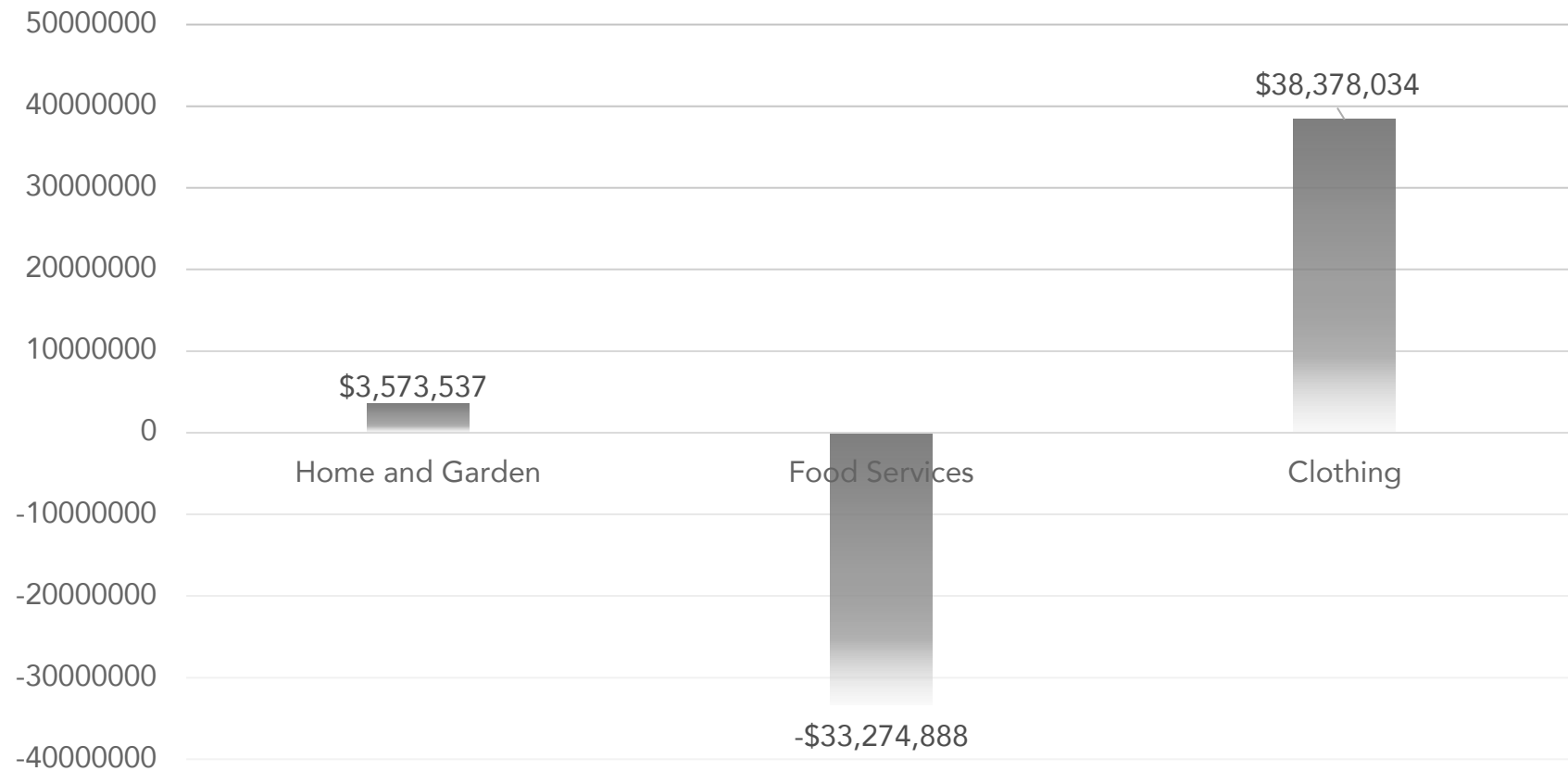


GAP Analysis



\$335 Mil

Total Retail Leakage





Real Estate Analysis

Universal Site Metrics // Property Inventory

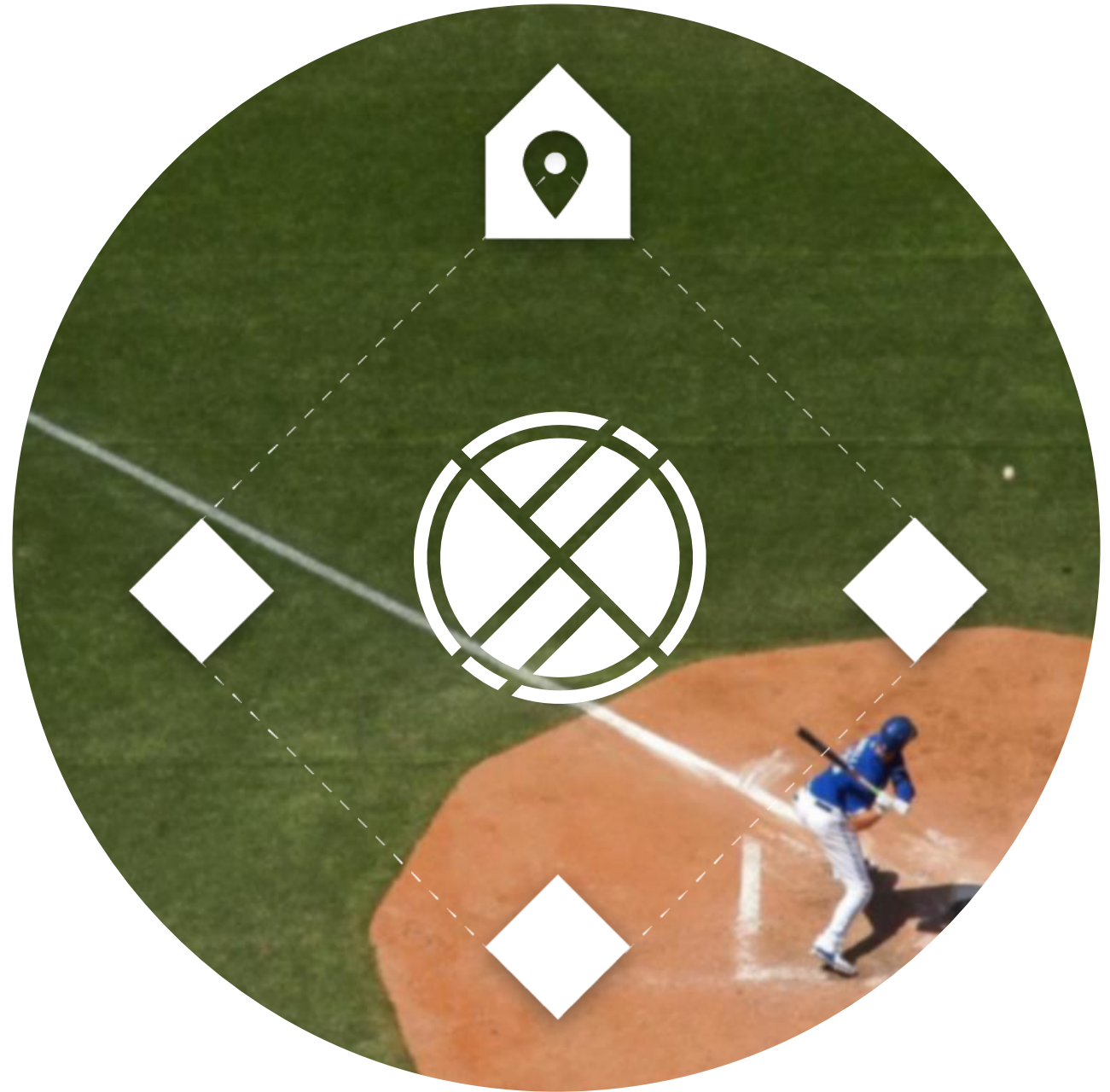


CONNECT

Home Run Real Estate

Universal Site Metrics

- Parking
- Traffic
- Co-tenancy
- Signage
- Ingress / Egress



Inventory

Retail Real Estate
Property Mapping



Pulaski County, VA

Summary

Property Type:	Strip Center
Rank:	High Priority
Focus Property:	No

Actions

⚡ ⚙️ 🚗 📝 🗑️

Edit Shopping Centers (Retail Strategies)

Details Documents

Street View

Client Name
Pulaski County, VA

Opportunity
For Sale

City
Pulaski

State
VA

Zip
24301

Address
1400 Bob White Blvd

Property Type
Strip Center

Property Name
Food City OP

Rank
High Priority

Focus Property
No

Property Comments
Pad Site/ OP for sale
Pretty sure there's a gas restriction here



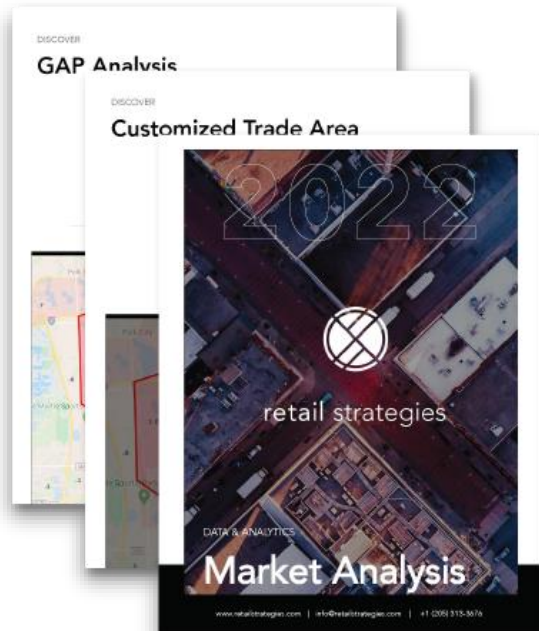
Our Partnership

Your Deliverables // The Team // Our Relationships

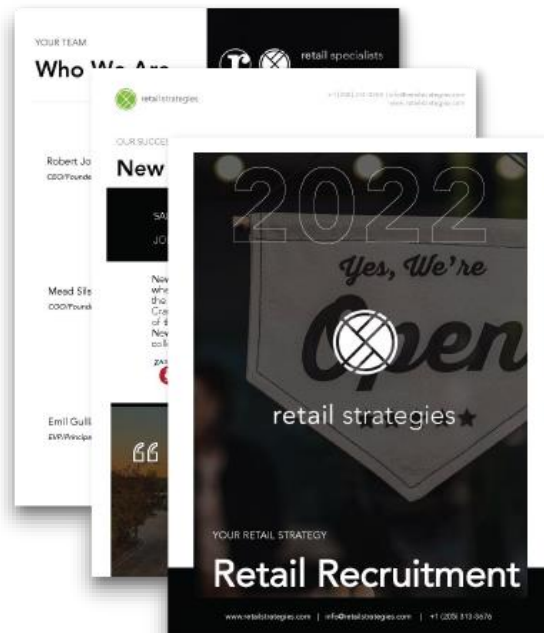


ADVANCE

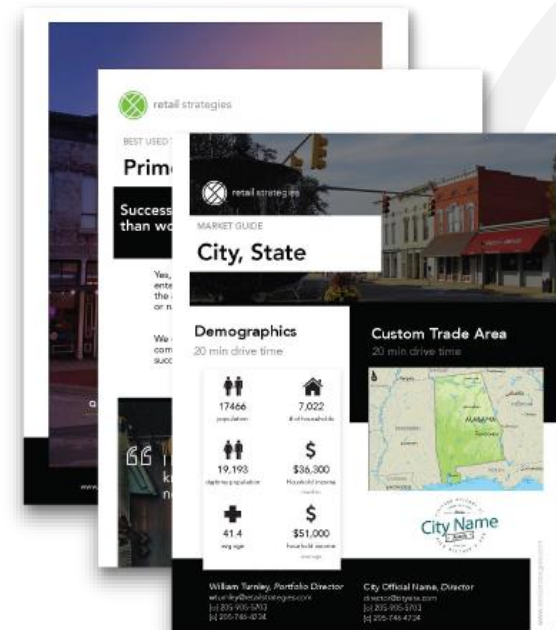
Deliverables



Market
Analysis



Retail Recruitment
Plan



Marketing
Guide

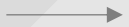
Prospects & Site Criteria

Retail
Category

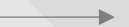
Appropriate
Retailer



DUNKIN'



**COBBLESTONE
HOTELS**



Publix



Food & Beverage

**Demographic Radius
Ring Requirement:**

3

**Minimum Population
Requirement:**

9,000

**Household Income
Requirement**

\$65,000

Traffic Count

20,000 VPD

Number of SF or AC:

1,100 SF

Location Comments:

Standard "Vanilla" shell with improvements. Morning side of roadway, drive-thru window preferred. Free standing, shared pad, or end cap located in mix use "major tenant" community shopping center with national or regional tenant.

The Team

With a 5:1 client to staff ratio,
we are dedicated to our client
communities' needs.



Sarah Beth Thornton
Vice President of
Business Development



Michael Warsaw
Portfolio Director



John Marks
Retail Development Manager



Courtney Hall
Chief Marketing Officer



Ryder Richards
Creative Director



Chandler O'Neal
Research Associate



Lacy Beasley
President



Scott VonCannon
Chief Operating Officer



Clay Craft
Vice President, Client Services

Conference Representation

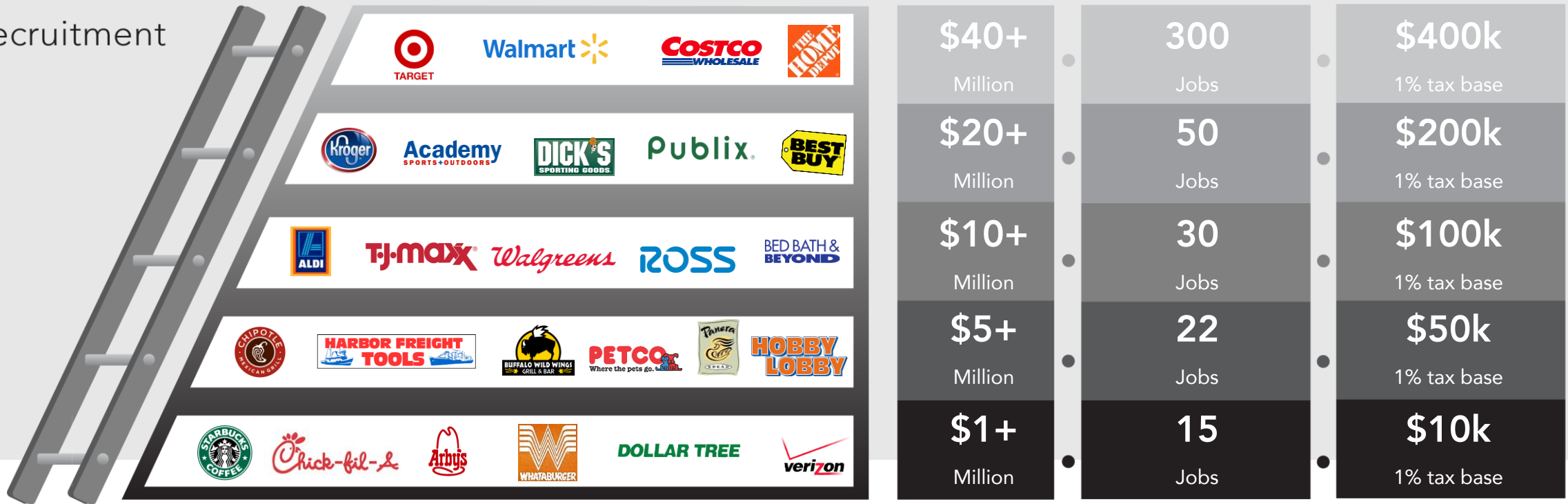
Our Network is Your Network



RETAIL LIVE!

CICSC

retail recruitment ladder



- Retail builds on retail.
- Retail economic impact adds up quickly.
- Retail attracts the workforce that attracts the primary jobs.
- Retail influences executives looking to locate their company in your community.
- Retail enhances quality of life that brings your children home.
- Retail builds tax base.
- Retail adds jobs from entry level to managerial.
- Retail builds communities.



Questions?

We are here to help



Client Success

Testimonials & retail wins

EXPERIENCE

Success in the Commonwealth



\$374,280

Annual Local Sales
Tax Revenue Collected

\$37.4M

New Annual Retail Sales
in Client Communities

204

Jobs Created
(Estimated)

Success

Cookeville, Tennessee

Population

35,100

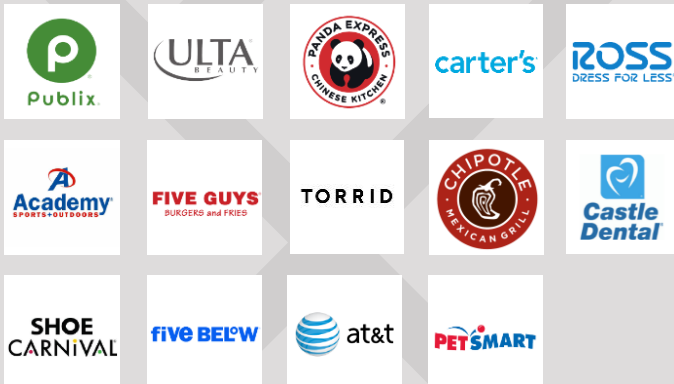
Sales Tax Collections

\$2.5M Annually

Job Creation

400+

Retailers Recruited



The Story

Cookeville lost a large primary job prospect because the CEO's spouse couldn't imagine living in a community without retail and restaurant amenities. Cookeville hired Retail Strategies to help solve the problem. After a 5-year journey and strong public-private partnership, the city now has a shopping center anchored by Publix and Academy Sports.

"Having them on our team is huge. I think the real news here is (our) retail market is still emerging. These are new tax dollars and not just a shuffle."

Melinda Keifer,
Economic Development Coordinator
Cookeville, Tennessee

www.retailstrategies.com/success

Success

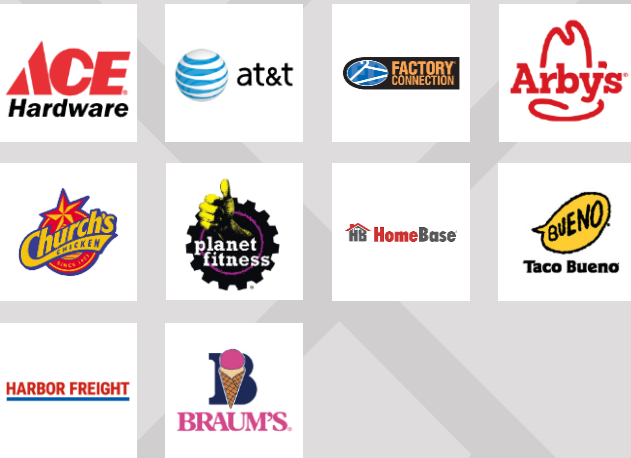
Plainview, Texas

Population
20,500

Sales Tax Collections
\$413,784 Annually

Job Creation
143

Retailers Recruited



The Story

Historically the city of Plainview simply allowed retail development to organically occur. In 2014 city leadership decided to take a proactive approach towards retail and restaurant development and since then 10 new retail and restaurant companies have opened.

Sutherlands HomeBase backfilled an old Kmart building that had been vacant for 30 years. The building supply and garden retailer invested \$3M into the facility and created 15 new jobs.

"Sutherlands is a really great opportunity to bring new life in this facility. Filling that location falls in line with the city's strategy to fill existing retail space around town. They're looking to make a total investment of about \$2.5 to \$3 million with a taxable inventory of an additional \$3 million."

Jeffrey Snyder,
City Manager
Plainview, Texas

www.retailstrategies.com/success

Success

Emporia, Virginia

Population

57,000

Sales Tax Collections

\$967,000 Annually

Job Creation

125

Retailers Recruited



The Story

Originally a part of the Virginias Growth Alliance, Emporia started working with Retail Strategies in 2017 to take a proactive approach to retail development. Even when the VGA changed direction, Emporia saw the importance of having Retail Strategies taking on their retail development.

Since our partnership began Emporia has experienced retail growth unseen by other localities of its size and in the region, thanks to a partnership with Retail Strategies.

Chick-fil-A breaks ground in Emporia

By Kayla Hardersen, Staff Writer Jul 3, 2024



Members of the Emporia-Greenville business community, elected officials and the team from Chick-fil-A Emporia attended a groundbreaking ceremony on July 1. Owner Jason Riddle hopes to open the restaurant by December 2024.
Kayla Hardersen/Independent-Messenger

"We are confident that this partnership will be mutually beneficial and contribute to the sustained progress of our city."

William E. Johnson III,
City Manager
Emporia, Virginia

www.retailstrategies.com/success



retail strategies



Retail Recruitment Proposal



Prepared for:
Front Royal, Virginia

Sarah Beth Stewart
Vice President of Business
Development

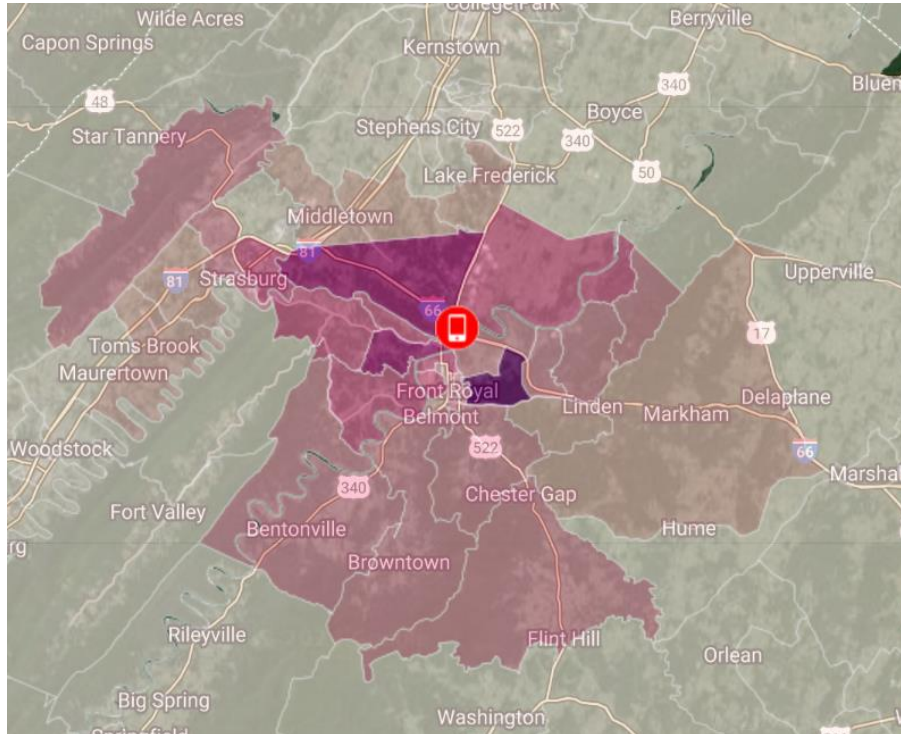
September 2024



retail strategies

Opportunity in

Front Royal



Preliminary Analysis

In a preliminary analysis Retail Strategies has identified a trade area of **74,195+** consumers with a **5.56%** growth rate over the next 5 years. Even so, the strong income levels and buying power showcases the demand and potential for new business in the community.

In addition to studying the market size, we ran two analysis that show the demand for new business in the community. These analysis showed **\$335,836,00** being spent on goods and services outside of the community, and **20+** businesses who have located in similar communities but have yet to land in Front Royal.

If given the *privilege* of being your retail partner, your dedicated team will identify national and regional retailers, develop an extensive asset-based recruitment plan, proactively recruit desirable retail and restaurant concepts, and report back on progress. Retail Strategies has the time, experience, and connections to attract higher end retail concepts.



retail strategies

Retail Recruitment

Our Process

Your dedicated team will act as an extension of your staff to create and execute a tailored retail recruitment strategy.



Data Analysis

The first step is to understand who your consumers are, not just your constituents. Utilizing mobile data, we can uncover where people are coming from and what is their buying power.

Real Estate Analysis

Every retail site in your market will be catalogued by your team at Retail Strategies; shopping centers needing to be backfilled, open land ready for development, or under-utilized retail space all will be assessed by a licensed real estate professional

Retail Recruitment Plan

Based off your data, real estate assets, community input and retail trends, we will develop a Retail Recruitment Plan with specific restaurant, grocery, home improvement, entertainment, and hospitality targets.

National Recruitment and Representation

This is where the rubber meets the road. Front Royal will receive a dedicated team that will implement the Retail Recruitment Strategy by connecting with brokers, retailers, property owners, tenant reps and any other industry players to get new retail to open in your market.



DISCOVER

Discover: Research

The cycle begins with market analysis. We take the deep dive in to data, advanced analytics, and proprietary tools developed in house to uncover and define the potential in your community.

After interviewing more than a dozen research firms, Retail Strategies chose STI Popstats (Synergos Technologies) as our primary data source. This data source consistently delivers the highest level of accuracy and allows our team to analyze and deliver over 3,365 individual variables (per geography) providing the deepest, most reliable, information possible to our Clients.



Trade Area Identification

By utilizing mobile data collection, data and analytics, and real estate acumen, our team will identify shopping patterns within your community that will answer key questions for retailers.

Business Recruitment Categories

After reviewing key demographic information, we will deliver a list of uses, businesses, and opportunities for your community. These potential businesses will elevate your downtown.

Mobile Data Collection

An industry leading report which utilizes cell phone data to identify the home and work location of consumers that visit a defined shopping area within the community.

Psychographic Analysis

Defines the type of consumers in your market by breaking down consumers demographic characteristics, consumer preferences, consumer expenditures, and cultural ideals.

GAP Analysis

Examining the market supply and market demand within the trade area to uncover the categories of retail being desired by your community.

Consumer Expenditures

Drilling down into each retail segment to identify and understand what your consumers spending patterns are.



DISCOVER

Discover: Real Estate Analysis & Communication

Real Estate is the key to every business expansion. Our team features over 150+ years of retail real estate experience and we utilize our collective experience to provide the most thorough, and creative, assessment of your community.

To accomplish this, we bring our team of retail real estate professionals to your community to uncover your strategic and underutilized real estate assets. The inventory of properties our team believes is viable for new development, redevelopment highest and best use or vacancies that need to be filled are logged and recorded in our custom software program to be used by your team during the recruitment process.

The information we gather is immediately put to work through making outreach to the property owners, developers, and brokers who represent these properties to learn their goals for the property and how Retail Strategies can assist them on behalf of the community leaders.



Communication: The Key to Our Partnerships

During our onboarding process we will schedule a time to speak with you to get a first-hand understanding of your goals, desired businesses, past experiences, etc. In addition, we send a questionnaire that can be filled out by one, or many, community leaders to provide Retail Strategies further information on your goals and vision.

From day one, our process is built around creating a relationship with you and getting communication and information flowing to one another. This is partnership. We know that no one knows your community better than you. Through our partnership we will be able to harness your local knowledge and pair it with our resources and connections to make an economic impact. In addition, this free flow of communication will allow you to always share feedback with our team which we will utilize on your behalf.



DISCOVER

Discover: Recruitment Strategy and Marketing

Retail Recruitment Strategy

At the end of our Discovery process - we combine your data, analytics, real estate, and community vision to create your Retail Recruitment Plan and Strategy.

This 70+ page document highlights our research on the community, demographic information, retail analysis and our Boots on the Ground real estate analysis.

Identified are the top prospects (minimum of 30) where our team of experts will perform outreach to match your real estate and market opportunities.

Retail Strategies will present the Plan for approval before implementation. As your partner, your buy-in is vital to our efforts and our success.

Once approved, your dedicated team will kick into high gear to connect with the retail, restaurant, hospitality and real estate community to move the needle on business recruitment.



Marketing Guide

You will receive a customized Marketing Guide that showcases critical market intelligence, data, real estate information, and advanced analytics to illustrate the top facts to industry professionals that position you for economic growth. These flyers can be printed and/or uploaded to your website.

Your dedicated team will utilize these flyers at conferences to showcase the opportunities in the market.



CONNECT

Connect: Retail Recruitment

This is where we take the information we have collected for your community, package it in the appropriate format, and begin showcasing opportunities in your community. The benefit of partnering with Retail Strategies is that we do not just hand you fancy gadgets and a CRM tool to conduct recruitment, our Virginia management team will conduct every piece of outreach to the appropriate contact on your behalf.

This includes connecting with local, regional, and national brokers, developers, tenant reps and retailers. Our role is to influence those decision makers to make Front Royal a part of their growth plan.

Dedicated Team

Front Royal will receive a dedicated team of retail real estate professionals to act as the extension of the staff to take on the heavy burden of connecting with the retail community. Retail Strategies maintains a 5-1 client to staff ratio to best serve our client communities and take on a limited number of communities per state each year.

The Virginia Portfolio is one of our most experienced teams; this group of retail real estate professionals have over 35 years of experience with local brokers, developers and tenant reps.



Clay Craft
VP Client Services



Michael Warsaw
Portfolio Director



John Marks
Retail Recruiter



Sarah Beth Stewart
VP Community
Partnerships



Joe Strauss
VP Development

Conference Representation

Each year our team attends more than a dozen retail real estate conferences including ICSC Chicago, ICSC Vegas and RetailLive!

At the conferences we will conduct meetings with targeted retailers, restaurants, brokers, and developers on your behalf. Following each conference, you will receive Recap Report on who we met with, what was said, and what our next steps are.





Scope of Services

Data & Analytics | Real Estate Analysis | Community Input | Retail Strategy

- Retail Real Estate Analysis performed by Licensed Retail Real Estate Professionals
- Identify and Evaluate priority commercial properties for development, re-development and higher and best use opportunities
- Identification of priority business categories for recruitment and/or local expansion
- Target List of Retailers and Restaurants (minimum of 30). National and Regional
- Customized Marketing Guide (four pages)
- Identify market retail trade area using political boundaries, drive times and radii and custom trade area boundary geographies
- Perform market and retail GAP analysis for trade area (i.e. leakage and surplus)
- Conduct retail peer market analysis
- Leverage mobility data to understand retail market performance and trade area identification
- Analyze the community's growth potential through peer analysis and GAP analysis
- Tapestry lifestyles – psychographic profile of trade area/market segmentation analysis
- Consumer Spending Pattern Reports
- Market Outlook Reports
- Aerial imagery of trade area(s)
- Provide updates on retail industry trends
- Custom on-demand demographic research – historical, current, and projected demographics – to include market trade areas by radius/drive time, and custom trade area

Recruitment | Representation | Outreach | Connectivity

- Pro-active retail recruitment for entire community
- Will contact a minimum of 30 overall retailers, restaurants, brokers and/or developers each year
- Updates on new activity will be provided to Client's designated primary point of contact via Basecamp, telephone, or email.
- Quarterly Business Reviews will be conducted on a quarterly basis to provide an aggregate update on our market efforts
- ICSC and Retail Live conference representation- updates provided according to the yearly conference schedule
- Active outreach to local brokers and landowners



retail strategies

A commitment to retail will pay you back
for years beyond the initial investment.

Investment

We appreciate the opportunity to partner with Front Royal!

Our services will help reduce your **\$335 Million in annual retail leakage**, pay a return by adding jobs, increasing property taxes, and new businesses that enhance your community

Retail Recruitment	Fees
Year 1	\$55,000
Year 2	\$55,000
Year 3	\$55,000

Retail Strategies' agreements are annual with defined prices for up to two additional years of service. The Client will have the option to extend or discontinue the agreement each year.

The lead time on a real estate transaction is typically 18-36 months. To fully realize the benefits of the investment and maximize the seeds we plant in year 1, we recommend a 3-year partnership.

The total fee for completion of work is due upon execution of agreement. Should the Client request a special assignment, additional work, and/or additional travel needs not specifically referenced in the contract, we will prepare written authorization to be signed by the Client in advance of commencing any additional work.



retail strategies

Amplification

RECAP

Retail recruitment is a marathon, not a sprint. Our partnerships are built to provide the foundational support and relationships to take your community forward as quickly as possible.

We Multiply and Enhance Your Staff



We Make Sure Your Story is Heard





REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10F

Agenda Item: Reappointment to the Board of Architectural Review (BAR)

Summary: Council is requested to reappoint a member to the Board of Architectural Review (BAR) for a 4-year term beginning November 13, 2024 and ending November 13, 2028.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council reappoint Collin Waters to the Board of Architectural Review (BAR) to a 4-year term beginning November 13, 2024 and ending November 13, 2028.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10G

Agenda Item: Reappointment to the Local Board of Building Code Appeals (LBBCA)

Summary: Council is requested to consider a reappointment of a member to the Local Board of Building Code Appeals (LBBCA) to a 4-year term beginning November 1, 2024 and ending November 1, 2028.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council reappoint George E. Cline, Jr. to the Local Board of Building Code Appeals to a 4-year term beginning November 1, 2024 and ending November 1, 2028.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 10H

Agenda Item: Reappointment to the Front Royal Economic Development Authority (FREDA)

Summary: Council is requested to consider reappointment of a member to the Front Royal Economic Development Authority (FREDA) to a 4-year term beginning December 13, 2024 and ending December 13, 2028.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council reappoint Aiden Miller to the Front Royal Economic Development Authority (FREDA) to a 4-year term beginning December 13, 2024 and ending December 13, 2028.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11A

Agenda Item: BAR Appeal from Teddy Stout Construction, Inc. for a Certificate of Appropriateness (COA) for 240 Blue Ridge Avenue

Summary: Applicant, Teddy Stout Construction, is appealing the denial of a Certificate of Appropriateness (COA) from the Board of Architectural Review (BAR) made September 10, 2024, to construct duplexes in the Historic District located at 240 Blue Ridge Avenue. Pursuant to Town Code 175-94, Council heard this matter at their regularly scheduled meeting held September 23, 2024, and will render a decision on the appeal at tonight's meeting. Council has received additional submissions that are relevant to this appeal since September 23rd and they have been included in this agenda.

NOTE: Town Code 175-94(A) - Any applicant aggrieved by a final decision of the Board of Architectural Review may appeal said decision to the Front Royal Town Council, provided that such appeal is filed, in writing, with the Town Clerk within ten (10) days after the final decision is rendered by the BAR. The Town Council will hear the matter at its next regularly scheduled meeting and will render its decision on the appeal at the following regularly scheduled meeting. The Council, in its discretion, may consider additional evidence and submissions during the period between meetings and at the second regularly scheduled meeting prior to rendering its decision.

Meetings: Regular Meeting held September 23, 2024

Proposed Motions:

- 1) I move that Council affirm the decision of the Board of Architectural Review (BAR) and deny a Certificate of Appropriateness (COA) for 240 Blue Ridge Avenue from Teddy Stout Construction, Inc.
- 2) I move that Council reverse the decision of the Board of Architectural Review (BAR) and approve a Certificate of Appropriateness (COA) for 240 Blue Ridge Avenue from Teddy Stout Construction, Inc.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____

9-12-84

To whom it may concern

Daddy Short Constructors, Inc

owner of 240 Blue Ridge Ave

Front Royal, VA would like

to appeal the denial on Sept 10

by the Board of Arch-review

to the town council

Thanks

Daddy Short, VP



DEPARTMENT OF PLANNING & ZONING

T: (540) 635-4236
F: (540) 631-2727

Town Hall, 102 E. Main St.
P.O. Box 1560, Front Royal, VA 22630-1560

September 12, 2024

Teddy Stout Construction, Inc.
P.O. Box 1489
Front Royal, VA 22630

Re: COA Application 2400480
240 Blue Ridge Avenue

Dear Mr. and Mrs. Stout,

The Board of Architectural Review (BAR), at their regular meeting on September 10, 2024 denied the application for the construction of a new duplex at 240 Blue Ridge Avenue for the following reasons:

1. It is not compatible in the design with the character of the Historic District.
2. It is not respectful of the surrounding historic buildings.
3. There has been no alternative design proposed other than the one submitted with the application.

In accordance with § 175-94 of the Zoning Ordinance you may appeal the BAR decision to the Town Council provided that such appeal is filed in writing with the Town Clerk within ten (10) days of the decision rendered by the BAR or by September 20, 2024.

175-94 - APPEALS (Historic District)

- A. Any applicant aggrieved by a final decision of the Board of Architectural Review may appeal said decision to the Front Royal Town Council, provided that such appeal is filed, in writing, with the Town Clerk within ten (10) days after the final decision is rendered by the BAR. The Town Council will hear the matter at its next regularly scheduled meeting and will render its decision on the appeal at the following regularly scheduled meeting. The Council, in its discretion, may consider additional evidence and submissions during the period between meetings and at the second regularly scheduled meeting prior to rendering its decision.

Please contact the Planning and Zoning office at 540-635-4236 should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Connie L. Potter".

Connie L. Potter
Clerk of the Board of Zoning Appeals

Zoning Denied

Town of Front Royal

102 E. Main Street

Front Royal, VA 22630

540-635-4236

Permit Number: 2400480

**APPLICATION
DENIED**

Josh M. Warr
9/12/24



Job Location: 240 BLUE RIDGE AVE
City, State, Zip: FRONT ROYAL, VA 22630
Tax Map #: 20A7 4 178
Square Feet: [Square Feet]
Valuation:
Status: DENIED

Request Description: Duplex

Plan Type: Certificate of Appropriateness - Board of Architectural Review

Work Class:

Project:

District:

Completion Date: 09/12/2024

Company Name: Teddy Stout Construction, Inc.
Applicant Name: Teddy Stout Construction, Inc.
Address: PO Box 1489
City, State, Zip: Front Royal, VA 22630
Phone: 540-660-5538
Email: daryl@teddystout.com

Owner: TEDDY STOUT CONSTRUCTION, INC.
Address: P.O. BOX 1489
City, State, Zip: FRONT ROYAL, VA 22630
Phone: 5406605538
Email: daryl@teddystout.com

REVIEW INFORMATION

	Pass/Fail
Application Review	Complete
Board of Architectural Review Ms. Snyder moved, seconded by Ms. Rhodenhizer to deny the application because it is not compatible in the design with the character of the historic district or respectful of the surrounding historic buildings and because there has been no alternative design proposed other than just the one that they have given us. VOTE: Yes – Snyder, Waters, Rhodenhizer, Vaughan No – N/A Abstain – N/A Absent – Aders	DENIED

Contractors:

Fee	Amount	Payment Date	Amount
Board of Architectural Review Request	\$100.00	08/13/2024	\$100.00
Total Fee: \$100.00		Total Paid: \$100.00	



BOARD OF ARCHITECTURAL REVIEW
7:00 PM, Tuesday, September 10, 2024
TOWN HALL, 102 E. Main Street Front Royal, VA
2nd Floor, East Conference Room
Regular Meeting

AGENDA

I. CALL TO ORDER

II. APPROVAL OF MINUTES

- July 9, 2024 – Regular Meeting
- April 9, 2024 – Work Session
- May 14, 2024 – Work Session

III. NEW BUSINESS

- **COA Application #2400479** – A Certificate of Appropriateness Application submitted by Julie Wise to construct a 25' x 35' garage and connect it to the house by a covered walkway at 241 Church Street, identified by Tax Map 20A7-4-119A. The property is zoned R-3, Residential District and is located in the Historic Overlay District.
- **COA Application #2400480** – A Certificate of Appropriateness Application submitted by Teddy Stout Construction, Inc. to construct a duplex at 240 Blue Ridge Avenue, identified by Tax Map 20A7-4-178. The property is zoned R-3, Residential District and is located in the Historic Overlay District.

IV. OTHER

V. ADJOURNMENT

COA Application #2400480

A Certificate of Appropriateness Application submitted by Teddy Stout Construction, Inc. to construct a duplex at 240 Blue Ridge Avenue, identified by Tax Map 20A7-4-178. The property is zoned R-3, Residential District and is located in the Historic Overlay District.



**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**

**STAFF REPORT FOR THE
BOARD OF ARCHITECTURAL REVIEW
SEPTEMBER 10, 2024**

APPLICATION #:

Certificate of Appropriateness
Application #2400480

APPLICANT:

TEDDY STOUT CONSTRUCTION, INC.

APPLICATION SUMMARY:

A Certificate of Appropriateness (COA) Application submitted by Teddy Stout Construction, Inc. for the construction of a duplex located at 240 Blue Ridge Avenue.

GENERAL INFORMATION:

Site Addresses	240 Blue Ridge Avenue
Owner(s)	Teddy Stout Construction, Inc.
Zoning District	R-3, Residential
Historic District	Front Royal Historic Overlay District
Tax Identification	20A7-4-178
Location	The subject building is located at the northeast corner of the intersection of Blue Ridge Avenue and East Prospect Street.

Vicinity - Aerial (Warren County GIS)



Photo 1 – Front Elevation – Reconnaissance Survey 10/05/1996



Photo 2 – Front Left Elevation – Warren County GIS – April 8, 2014



Photo 3 – Front Elevation – Google Maps – September 2023



Photo 4 – Front Left Elevation – Google Maps – September 2023



SUPPLEMENTAL INFORMATION:

Legal Authority	The Board of Architectural Review (BAR) is established by the legal authority of Virginia Code §15.2-2306 and Sections 175-82 through 175-98 of the Town Code. The Town Code gives review authority to the BAR for major projects within the Historic Overlay District. The Historic Overlay District consists of the areas and structures identified within the Front Royal Historic District. Town Code, Section 175-82, states that the purposes of establishing the historic resource overlay areas include the following: 1. To preserve and improve the quality of life for residents of the Town of Front Royal by protecting familiar and treasured visual elements in the area. 2. To promote tourism by protecting historical and cultural resources attractive to visitors and thereby supporting local business and industry. 3. To stabilize and improve property values by providing incentive for the upkeep and rehabilitation of older structures and by encouraging desirable uses and forms of economic development. 4. To educate residents on the local cultural and historic heritage as embodied in the Historic District Overlay Areas and to foster a sense of pride in this heritage. 5. To promote local historic preservation efforts and to encourage the identification and nomination of qualified historic properties to the National Register of Historic Places and the Virginia Landmarks Register. 6. To prevent the encroachment of additions or new buildings and structures that are architecturally incongruous with their environs within areas of architectural harmony and historic character. Except where administrative review authority is granted under Section 175-89.1, and where review is exempt under Section 175-90, the BAR is responsible for reviewing major projects in the Historic Overlay District in accordance with the guidelines found under Section 175-91 of the Town Code. These guidelines are listed at the end of this report.
Historic Information	The building (circa 1890) is a contributing building to the Front Royal Historic District. Below are notes about the structure, as found within the Historic District records. A full copy of the report is attached. Architectural Description ----- Three-story corner tower w/conical roof and ball finial. Windows have multiple small panes around outside edge. Two-story bay window on side. 1-story, 6-bay wrap-around porch w/ turned posts, spindle frieze, sawn brackets. Double front doors. ARCHITECTURAL AND HISTORICAL STATEMENT ===== Good example of Queen Anne style dwelling. One of the finest examples of this style in Front Royal. Original wooden shingles may be underneath later asphalt shingles. The house anchors an prominent corner and the corner makes a significant gesture towards the intersection. The site also includes nice trees.

Incentives for Rehabilitation

- Partial Real Estate Tax Exemption. Pursuant to Section 175-97 of the Town Code, owners that engage in approved rehabilitation projects have the ability to seek a 10-year tax exemption equal to the increase in assessed value resulting from the rehabilitation.
- State Tax Income Credit. The Virginia Rehabilitation Tax Credit Program allows property owners who complete a certified rehabilitation project to receive an income tax credit on 25% of their eligible expenses and an additional 20% credit through the Federal Rehabilitation Tax Credit Program.

Historic Overlay District Guidelines**GUIDELINES WORKSHEET FOR BAR EVALUATION**

1	The historic archaeological or architectural value and significance of a structure and its relationship to the historic value of the surrounding area	
2	The age and character of the historic structure, its condition, and its probable life expectancy and the appropriateness of the proposed changes to the period or periods during which the structure was built	
3	The general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used	
4	The view of the structure or area from a public street or road, present or future	
5	The present character of the setting of the structure or area and its surroundings	
6	The probable effect of proposed construction on trees, wooded areas, or historic sites	
7	Any other factors, including aesthetic factors, which the reviewing bodies deem to be pertinent	
8	The appropriateness of the exterior architectural features of such building or structure to the compatibility with the exterior architectural features of landmarks, buildings, or structures in the district, taking into consideration the following: a. General design b. Character and appropriateness of design c. Form d. Proportion and scale e. Mass f. Configuration	

Additional Guidelines:

- The reviewing bodies shall not adopt or impose any specific architectural style in the administration of this Article.
- The reviewing bodies shall also be guided by the purposes for which landmarks, landmark sites and historic districts are designated and by the standards and considerations contained in the Secretary of the Interior's Standards for Rehabilitation.
- See Demolition Review Guidelines Addendum for demolition of structures.

STAFF COMMENTS:

The Historical guidelines provide direction as to which exterior materials would be most appropriate. From a historical context, vinyl siding and asphalt shingle roofs are not appropriate for this district. Exterior window and door materials should be historically accurate as well. It is well within the BARs purview to determine which materials should be used.

Attachments:

- Certificate of Appropriateness Application and Supporting Documents
- Historic Reconnaissance Survey

COPY

CERTIFICATE OF APPROPRIATENESS
APPLICATION
TOWN OF FRONT ROYAL

☒ New Construction ☐ Rehabilitation ☐ Demolition* ☐ Sign
☐ Other _____

Application is hereby made for a Certificate of Appropriateness and is made subject to the local Historic District Ordinance, other local ordinances, and State laws which are presently in force or that may hereafter be enacted affecting or regulating thereto. The undersigned applicant agrees to these requirements which are a necessary condition for approval of this certificate.

This application for a Certificate of Appropriateness may be approved administratively in accordance with Section 175-89.1 of the Town Code.

Name of Applicant: Teddy Stout Construction, Inc
Address of Applicant: PO Box 1489
Front Royal, VA 22630
Phone Number: 540-660-5538 E-Mail: Daryl@teddystout.com
Property in Question:
Street Address: 240 Blue Ridge Ave Front Royal, VA 22630
Business Name (if applicable) _____
Tax Map Number: 20A7-4-178
Historic District: ☒ Downtown Residential Area
☐ Downtown Business Area

Are there any other applications relevant to this property or the proposed modifications being considered by any other regulatory or administrative agency?

☐ Yes ☒ No

If Yes, please describe:

Revised 6-25-12

PLEASE COMPLETE REVERSE SIDE

RECEIVED
AUG 12 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

Description of Proposal, including materials and colors used with each modification (List for foundation, walls, doors, windows, trim gutters/downspouts, roofing, sign, lighting, sidewalk, fencing and gutters as applicable) (attach separate sheets if necessary):

See a Hache

****Please submit seven (7) complete application packages. If color photos are submitted, please submit seven (7) complete sets of colored photographs.***

****One (1) set of material samples shall be provided together with the application.***

Also include the following as applicable:

- _____ Attached map with property under consideration marked
- _____ Site Plan
- _____ Sketch, drawing, elevations
- _____ Photographs or slides showing property in question

*** NOTE: A public hearing is required for demolition work. The names and addresses of property owners immediately adjacent and opposite the property must be submitted.**

Signature of Applicant: Dayle Stat, Jr Date 7/31/24

Signature of Representative (if applicable): _____

\$100.00 Fee **BAR Review** Receipt # 194306 Date 8/12/24

\$200.00 Fee **Demolition of Historically Significant Structure**

Check #
1735

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

OFFICE USE ONLY

Date Received _____ BAR Meeting Date: _____

Action Taken: _____

Zoning Administrator

Duplex-Blue Ridge Ave Scope of Work

30 year Architectural Shingles- Black in color

Vinyl Siding (sage in color) entire house

Limestone water table on front on both units (see sample and photos)

Standing Seam Black Metal Roof over front porches and bay windows

Decorative Fypon Trim Pieces (see photo) on porch at front door

Decorative Fypon Trim Piece (see photo) in A on front of house in peak

Front Elevation in A gable scallop or shake vinyl siding (see pic and samples)

12X16 Rear Treated Deck and stairs with Treated Handrails

6 Foot Wooden Privacy Fence along rear Property Line with green giant/evergreen trees

Front Door to be Black Metal (see photo)

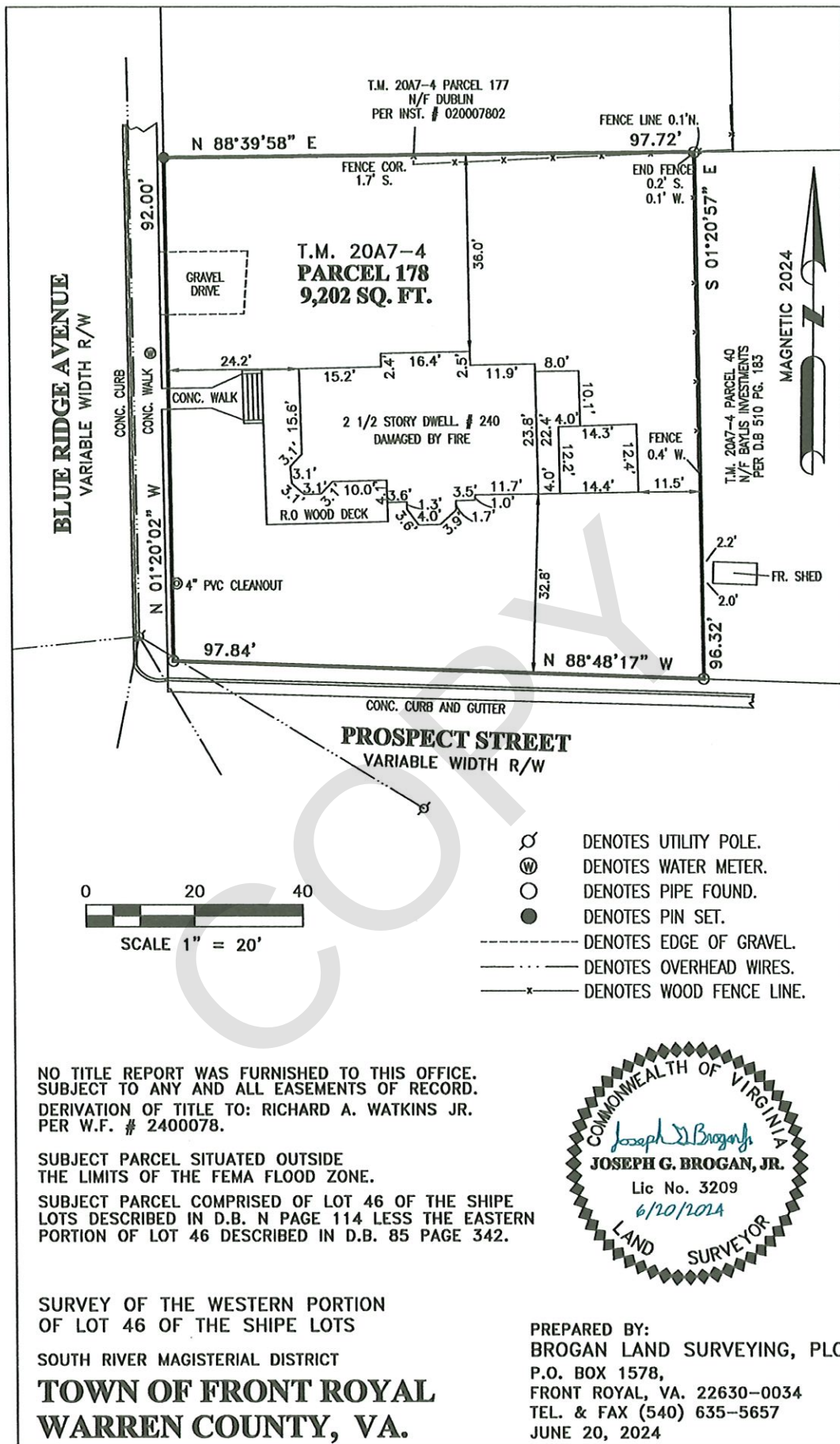
Concrete foundation, sidewalks and front stoops

White Aluminum gutters, downspout, and white soffit/trim

Double Hung White Vinyl windows with no grills (see sample provided)

Sod Yard/ landscape in front of each unit (see pic)

Driveway-



No Grills in windows



brighi MLS

Front Blue Ridge Ave



Prospect Street

Blue Ridge Ave

Right Elevation

Neighbors House



Left Elevation

Blue Ridge Ave



Front Door w/ Decorative Roof

Example to Recreate Original House



Both front and Prospect St Bay Windows
to have scallop appearance on bay windows



130 W 9th St Project
To Rn Down Above House and built
Below townhomes





RECONNAISSANCE SURVEY FORM

IDENTIFICATION
=====

VDHR IDENTIFICATION #: 112-0055-248

Property Names

House, 240 Blue Ridge AveCommon

NR Resource Type: Building
VDHR Historic Context: Domestic

ADDRESS/LOCATION
=====

Addresses

240Blue Ridge AvenueCurrent

Vicinity of: Municipality: Front Royal
County/Independent City: Warren
State: VA ZIPCode 22630
Magisterial District: South River District
USGS Quad Name: FRONT ROYAL

Local Tax Code: Section Parcel
20A74-178

Location: northeast corner of intersection of Blue Ridge Avenue and Prospect Street

Name of Historic District:
Name of Potential Historic District: Front Royal Historic District

SITE DESCRIPTION
=====

Site plan on file at VDHR? Yes

Physical Character of General Surroundings: Town
Physical Character of Immediate Setting: Residential

Site Description Notes/Notable Landscape Features

The house sits at the front of a flat lot that includes several mature trees.

CLASSIFICATION AND COUNT
=====

NR Resource Type: BuildingOwnership Categories: P

NR Resource Count

1 Building	Contributing	TOTAL:	1
		Contrib:	1
		Non-Contrib:	0

1 Single Dwelling	Contributing	TOTAL:	1
		Contrib:	1
		Non-Contrib:	0

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Name :

Condition: Good Threat: None

Component	#	Type or Form	Materials	Treatment
Bay window	0	2-story	Wood	
Door	0	Double	Wood	Panel/Transom
Foundation	0	Solid		
Porch	0	Wrap-around	Wood	Queen Anne
Roof	0	Hipped-complex	Metal	Standing Seam
Roof	0	Conical	Metal	Pressed Shingle
Tower	0	Corner	Wood	Queen Anne
Walls	0	Frame	Asphalt	Shingle
Windows	0	Sash, double-hung	Wood	Queen Anne sash

of Bays Wide: 2

Architectural Style/Derivation: Queen Anne

Interior Description

Accessed?	If not, why not?:
-----------	-------------------

Interior Description:

Architectural Description

Three-story corner tower w/conical roof and ball finial. Windows have multiple small panes around outside edge. Two-story bay window on side. 1-story, 6-bay wrap-around porch w/ turned posts, spindle frieze, sawn brackets. Double front doors.

SECONDARY RESOURCES DESCRIPTION

An outbuilding exists on the property which may or may not be a contributing resource. Regardless, this structure needs to be documented photographically.

SIGNIFICANCE

Year Built: 1890 Source of Year Built: Site Visit

ARCHITECTURAL AND HISTORICAL STATEMENT

Good example of Queen Anne style dwelling. One of the finest examples of this style in Front Royal. Original wooden shingles may be underneath later asphalt shingles. The house anchors an prominent corner and the corner makes a significant gesture towards the intersection. The site also includes nice trees.

BIBLIOGRAPHIC DATA

GRAPHIC DOCUMENTATION

Medium	Media	ID#	Frame(s)	
B&W 35mm Photos	12820	37	0	2/ /1993

CURRENT OWNERSHIP INFORMATION

SURVEYOR'S NOTES

CULTURAL RESOURCE MANAGEMENT

Date	CRM Event	Agency/Individual	Assoc ID#
------	-----------	-------------------	-----------

2/ /1993 Reconnaissance
Survey

Preservation Assoc.- Neville
Neville

COPY

Tina Presley

From: Lauren Kopishke
Sent: Wednesday, October 16, 2024 11:07 AM
To: Tina Presley
Cc: Joe Waltz; Connie Potter
Subject: FW: Blue Ridge Avenue BAR appeal

Katie Snyder, one of the BAR members has drafted an email she would like shared with Town Council.



Lauren E. Kopishke

Director of Planning & Zoning
Zoning Administrator
Town of Front Royal
Dept. of Planning and Zoning
102 E Main St | PO Box 1560
Front Royal, VA 22630
T./540-635-4236

From: Katie Snyder [REDACTED]
Sent: Wednesday, October 16, 2024 10:39 AM
To: Lauren Kopishke <lkopishke@frontroyalva.com>
Subject: Blue Ridge Avenue BAR appeal

Hi Lauren,

I am sending the following email to the Town Council.

Dear Mayor Cockrell, Vice Mayor Sealock, and Members of Town Council:

My name is Katie Snyder. I have been a member of the Board of Architectural Review for several years, and I was the member who made the motion to deny the application for the duplex on Blue Ridge Avenue at the meeting on September 10th.

I would like to briefly share a few points that I hope you will consider regarding our decision.

- This was (for our current BAR members) the first application we have considered for a new dwelling in the historic district. We are treading very carefully since there has only ever been one other new dwelling under the BAR's consideration, which took place in 2016 under different BAR members, for a single family home, not a duplex.

- The applicants proposed a duplex design that, in my opinion, had a very modern, "cookie cutter" design that looks just like any other townhomes that can be found in new developments around the valley. Their justification was that there were a few elements added on to make the townhome look "historic".

- The BAR guidelines state, "to 'paste on' historic details on a modern unadorned design... [is not] appropriate for architecture that relates to its historic context and yet still reads as a contemporary building."
- The applicants were told that the design did not fit the aesthetic of the neighborhood.
- The applicants were asked if they had looked at any other designs for this lot. They answered "no", that they had used this same design about "30 times", because "it works".
- BAR members asked to see other designs. The applicants refused. BAR members suggested a single family home, or a duplex designed to resemble a single family home. The applicants declined.
- BAR members suggested the vote could be tabled until more designs could be submitted and considered, which was refused, and the applicants demanded the BAR vote on their application immediately.

Front Royal's citizens have remarked that what makes this town special is its history and charm. It is the BAR's job to uphold these standards. The BAR ruled that the applicants' design for Blue Ridge Avenue does not contribute to the character, nor does it respect the current historic homes in the neighborhood.

I ask that the Town Council uphold the BAR's decision. I hope in a future meeting the BAR can work with the applicants to reach an agreement in which both parties are satisfied and the historic district can maintain its standard which citizens and visitors alike find so charming.

I appreciate your time and consideration in this important matter.

Sincerely,

Katie Snyder

240 Blue Ridge Ave
9/23/24
R1.2

The BAR's decision to deny the application for 240 Blue Ridge Ave was not made lightly. In its current state, we understand that the existing structure is a safety hazard and a constant reminder of the tragedy that occurred and needs to be remedied as soon as possible. The BAR also understands that rebuilding such a home, or anything to a similar standard of craftsmanship today, would be costly, time-consuming, and potentially, financially fruitless.

The BAR members unanimously voted to deny the application because the proposed design was conceived without the compatibility of the historic district in mind. We concluded that the "copy and paste" approach, that is, building what sells rather than what fits, runs counter to the BAR's vision for the historic district. While the applicant offered several potential concessions and alterations, these amounted to little more than camouflage to mask the design's unsuitability for the historic district, a point that the Secretary of the Interiors Standards made clear, is one to avoid.

The proposed design is meant to be built quickly and within a specific budget. The materials are selected based on cost, ease of installation, and future maintenance. From a developer's perspective, we can agree that this makes perfect sense. As the applicant noted in our meeting, it's what sells. The question that the BAR is confronted with is, How does this design, one that we can see many examples of elsewhere, contribute to the historic district? Does it add to or subtract from the charm and character of the neighborhood? This challenging and subjective question represents the basis of all the BAR's decisions.

We also looked at the scale and setback of the proposed design. In addition to the design's front facade being wider than the typical home on the street, the front facade was setback significantly farther than the original home and nearly all other homes along the street. This issue seriously disrupts the flow and continuity of the streetscape. We accept that this setback issue is out of the applicant's control as they must meet requirements for the town code, which enforces a minimum setback and off-street parking requirement that directly conflicts with the compatibility of new construction within the historic district.

Personally, I see our decision to deny this application as a failure. Not because I think we made the wrong judgment but because our process, or more specifically, lack of a process, led to this outcome. Currently, the BAR lacks a straightforward, proactive process to guide applicants and, in turn, our decisions for new construction within the historic district. This was painfully obvious for all present at our last meeting, which resulted in little more than a frustrating, circular argument. Resolving this issue and crafting updated guidelines are top priorities for the BAR moving forward.

If this council decides to overturn the BAR's decision, we ask that you take a moment to consider the factors that we have. Compatibility, first and foremost. Does the front facade of the proposed structure fall in line with surrounding homes when looking down the street? Does the roofline far exceed the height of the neighboring buildings? Does the design's width, depth, or overall scale not fit with surrounding homes? Do the materials used at least compare to those used most prominently throughout the historic district? Has the applicant approached the design from the perspective of continuity and harmony or from a cost-benefit viewpoint? Does the design add anything unique to the character of the neighborhood?

What should the historic district look and feel like in 10, 20, or 50 years? Why should we care? Do we settle for cheap imitations or strive to set a new, higher standard? These difficult questions require more ideas, designs, and input from the community. In conclusion, our decision prioritized compatibility over potential resale value. We see this as a positive move towards serving the community's best interests and safeguarding our historic district. We look forward to further discussions between the BAR and Town Council to better align our vision for preserving our historic district and to address special considerations for new construction within it.

HISTORIC OVERLAY DISTRICT GUIDELINES

TOWN OF FRONT ROYAL BOARD OF ARCHITECTURAL REVIEW (BAR)



APRIL 2013

PURPOSE

The purpose of this document is to serve as a guide, and supplementary set of standards, for the evaluation of construction activities taking place within the Front Royal Historic District. This document is intended to assist property owners, business owners, contractors, developers, and citizens to better understand what standards and requirements are expected for new construction activities, including demolitions, new construction, major renovations, and signs within the Front Royal Historic District.

TABLE OF CONTENTS

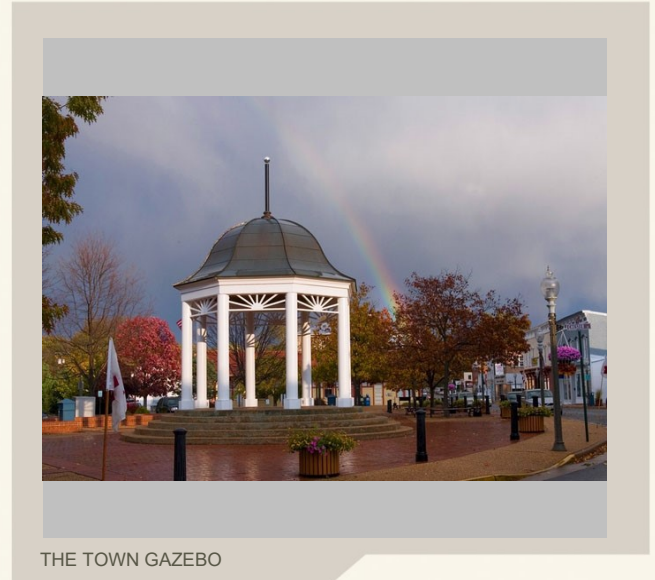
This document is organized into the following chapters.

Chapter	Pages
Signs	3-4
Cornices and Roofing	5-6
Additions	6
Entrances, Porches & Doors	7
Windows	8
Masonry	9-10
Site Improvements	11-12
Wood	13-14
New Construction	15-17
Review Checklist	18
Map and Contacts	19

IMPORTANT LEGAL FACTS

The regulations of the Front Royal Historic Overlay District, and the authority of the BAR, are granted by Town Council by Sections 175-82 - 175-98 of the Town Code, under the authority granted by the Commonwealth of Virginia by §15.2-2306 of the Virginia Code. The Front Royal Historic District was established on December 4, 2002 by the Governor and Virginia Department of Historic Resources. Section 175-84.B.5. of the Town Code establishes that one of the BAR's duties is to create supplemental standards.

The restrictions within the Historic Overlay District are in addition to all other applicable zoning requirements, as well as building code requirements that are regulated by Warren County.



BOARD OF ARCHITECTURAL REVIEW

The Board of Architectural Review (BAR) determines the appropriateness of signs and construction activities, including demolitions, proposed to take place on property within the Front Royal Historic District. The Historic Overlay District was created to preserve and enhance the historic character of this important area of the Town so it can be enjoyed by future residents of the Town. As of August 2022, the members of the BAR include the following citizens:

Angela Toler
Gary Vaughan
Katherine Snyder
Collin Waters (Vice-Chairman)
Holly Rhodenhizer (Chairman)

BAR MEETINGS: 2nd Tuesday of each Month at 7PM at the Town Administration Building.

STAFF CONTACTS

Lauren Kopishke, Planning & Zoning Director
Connie Potter, Senior Administrative Assistant

SIGNS

The Board of Architectural Review (BAR) has developed the sign guidelines of this Chapter to create greater understanding of the types of signs that are appropriate for properties located within the Front Royal Historic Overlay District, particularly when such signage is subject to the issuance of a Certificate of Appropriateness. These sign standards are in addition to the sign requirements found within Section 175-106 of the Town Code.

GENERAL PLACEMENT

Sign design must be compatible with the architecture of the building and the streetscape. Signs should not mask windows or other important architectural features of the building. Signs should be placed within the line of sight for pedestrians and be no higher than 15 feet above the sidewalk or the bottom of the second-floor windows. On narrow streets, such as Main Street, projecting signs placed at the upper first floor are encouraged because of their appeal to pedestrians, historic compatibility, and visibility. Sign messages may be creative but shall not include offensive language.

SIZE

Bigger is not necessarily better when it comes to signs. A small inviting sign that is well-placed in the pedestrian's view is often more effective than a much larger sign. The size of a proposed sign should be in proportion with the wall on which it is located. Signs should not exceed one square foot for each linear foot of building width, as based on the side of the building on which the sign is located.

COLOR

Muted, neutral and earth tones are the most compatible in the Historic District. However, some brighter tones may be perfectly suitable if used as an accent.

LIGHTING

Lighting design should be selected based on its compatibility to the style of the sign, building, and surrounding buildings and streetscape. Internally lit signs are discouraged. Light fixtures should be designed for indirect lighting of a particular location. Shielding may also be necessary to minimize glare.

MATERIALS

Material selection should be based on ease of maintenance and compatibility with the materials associated with the architectural features of the building and surrounding buildings.



Illustration 1: The picture above illustrates an appropriate example of sign placement in proportion to the building and surroundings.



Illustration 2: This sign is a good example of how the sign color can become an extension of the building.

SIGNS

QUANTITY

It is recommended that the quantity of signs be limited to no more than two permanent signs per establishment. Temporary window signs should cover no more than 25% of the window.

TYPE OF SIGNS

Wall mounted or projecting signs are generally recommended for most uses within the Historic Overlay District.

New freestanding signs are not recommended unless there is a substantial yard area on the property, and the sign is a monument type sign.

Pylon and interior illuminated box signs are discouraged.

CERTIFICATE OF APPROPRIATENESS

A sign permit is required for most types of signs within the Town of Front Royal, and a building permit may be required by the Warren County Department of Building Inspections, depending on the type of sign. In addition, signs within the Historic Overlay District require the issuance of a Certificate of Appropriateness. The Zoning Administrator is authorized to approve signs that meet the guidelines of the Board of Architectural Review (BAR). Signs that do not conform to these guidelines require review by the BAR.



Illustration 3: The above sign is a good example of a freestanding directory sign. Each tenant in the building has a location on the sign.



Illustration 4: Above is a creative and artistic sign that helps make the location a point of interest.

CORNICES AND ROOFING

CORNICE

The cornice occurs at the junction between the roof and the exterior wall. It is comprised of soffit fascia, frieze, and corner boards. On commercial buildings it may be a decorated classical projection or a flat decorative band within the wall material.

The following rules are recommended for cornices:

1. Keep the cornice well sealed and anchored and maintain the gutter system and flashing.
2. Repair, rather than replace, the cornice. Do not remove original elements such as brackets or blocks, without replacing them with new ones of a like design.
3. Match materials, decorative details, and profiles of the existing original cornice design when making repairs.
4. Do not replace an original cornice with a new one that conveys a different period, style, or theme from that of the building. If the cornice is missing, the replacement of it should be based on physical or documented evidence of the original architectural style of the building.

ROOFING

One of the most important elements of a structure is the roof. It serves to protect the building from the elements. Good roof maintenance is absolutely critical for the preservation of the entire structure.

The following rules are recommended for roofs:

1. Retain elements such as chimneys, skylights, and light wells that contribute to the style and character of the building.
2. When replacing a roof, match original materials as closely as possible.
3. Slate is a historic roofing material found in the districts. Before replacing slate with new slate, or a substitute material, make sure that it is the slate that is deteriorating and not the roof flashing or slate hangers. Buckingham slate used on many local structures should last approximately 175 years or longer, and repairs may be possible instead of wholesale replacement. Rusted fasteners cause slate to slip and leaks to develop. Re-hang slate with new fasteners. Pennsylvania slate lasts approximately 75 years before it begins delaminates and needs to be replaced. Artificial slate and standing seam metal roofing materials are reasonable alternatives to slate within the Front Royal Historic District.



Illustration 5: Above is a good example of well maintained cornice to a residential house in the Historic District.



Illustration 6: Metal, slate and wood shingle roofs are compatible with the original architecture of the buildings in the historic district. Above is a picture of a roof with cedar shingles.

4. Keep metal surfaces painted (except for copper roofs) and use the appropriate primer for the particular type of metal roof.
5. Antennas and solar collectors should be located on portions of the roof that are less prominent and do not diminish the architectural character of a historically significant building.
6. Do not add new architectural elements, such as, skylights, or additional stories that would be visible on the primary elevation of the building.

ADDITIONS

An addition to a historic building may radically alter its appearance. When an addition is necessary, it should be designed and constructed in a way that complements the character of the historic building.

1. Function. Attempt to accommodate needed functions within the existing structure without building an addition.
2. Size. Limit the size of the addition so that it does not visually overpower the existing building.
3. Location. Attempt to locate the addition on rear or side elevations that are not visible from the street. If additional floors are constructed on top of a building, set the addition back from the main façade so that its visual impact is minimized. If the addition is located on a primary elevation the façade of the addition should be treated under the new construction guidelines. A primary elevation is typically the side, or sides, of a building that faces the public street or other prominent location regularly attended by the public.
4. Design. New additions should be distinct, and not attempt to mimic the original structure. They should be designed with a similar architectural style, but not confuse the viewer as to what the original structure is.
5. Materials and Features. Use materials, windows, doors, architectural detailing, roofs, and colors which are compatible with historic buildings in the districts.
6. Attachment to Existing Building. Wherever possible, new additions or alterations to existing buildings and structures should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the original building or structure would be unimpaired. Therefore, the new design should not use the same wall plane, roof line, or cornice line of the existing structure.



Illustration 7: Slate roofing, such as that shown above, is among the most durable roofing material.



Illustration 8: Unique architectural aspects of a roof/building should be maintained. Above is an example of a unique Victorian/Gothic tower with a widow's walk.

ENTRANCES, PORCHES & DOORS

The important focal point of an entrance or porch is the door. Doors are often a character-defining feature of the architectural style of a building. Residences may have any of a variety of door types reflecting the variety of styles of residential buildings.

1. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.
2. Repair damaged elements, matching the detail of the existing original material. Reuse hardware and locks that are original or important to the historical evolution of the building.
3. Replace an entire porch only if it is too deteriorated to repair or is completely missing. The new porch should match the original as closely as possible.
4. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.
5. Avoid substituting the original doors with stock doors that do not fit the openings properly.
6. Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.
7. Do not enclose porches on primary elevations and avoid enclosing porches on secondary elevations in a manner that radically changes the historic appearance.
8. Paint aluminum storm doors to match other doors or trim.
9. On any buildings, provide any needed barrier-free access through removable or portable ramps when possible, rather than permanent ramps that may alter features of the historic building.



Illustration 9: Above is one of many unique and grand entrances that exist within the historic district.



Illustration 10: Above is a good example of a restored porch in the historic district.

WINDOWS

Windows may be placed at regular intervals or in asymmetrical patterns. Their size may highlight various bay divisions in the building. All of the windows may be the same in one house or there may be a variety of types which give emphasis to certain parts of the building.

1. Retain original windows if possible. Ensure that all hardware is in good operating condition, that caulk and glazing putty are intact, and that water drains off the sills.
2. Repair original windows by patching, splicing, consolidating, or otherwise reinforcing the material. Wood that appears to be in bad condition because of peeling paint or separated joints often can be repaired.
3. Replacement of original windows, muntins and mullions will have a profile in like manner and style. Replacement of non-original windows will be done with windows of a style that match the architecture of the building. For example, two over two or two over one window's will be replaced with the same style.
4. Replace windows only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame.
5. Do not change the number, location, size, or glazing pattern of windows by cutting new openings, blocking in windows, or installing replacement sashes that do not fit the window openings.
6. Improve thermal efficiency with weather stripping, storm windows, caulking, interior shades, and if appropriate, blinds and awnings.
 - A. Install interior storm sashes with airtight gaskets, ventilating holes, and removable clips to allow proper maintenance and to avoid condensation.
 - B. Install exterior storm windows that do not damage or obscure the windows.
7. Use shutters only on windows and doors that show evidence of their use in the past. They should be wood (rather than metal or vinyl) and should be mounted on hinges. Shutters should be sized to cover the window opening when closed. Avoid shutters on bay windows.



Illustration 11: Above is a unique window in the historic district.



Illustration 12: Repair original windows instead of purchasing new windows.

MASONRY

Masonry Maintenance

1. Retain masonry features such as walls, brackets, railings, cornices, window surrounds, pediments, steps, and columns that are important in defining the overall character of the building. The size, texture, color, and pattern of masonry units, as well as mortar joint size and tooling should be respected.
2. Monitor the effects of weather on the condition of mortar and the masonry units and ensure that improper water drainage is not causing deterioration.
3. Prevent water from gathering at the base of a wall by ensuring that the ground slopes away from the wall or by installing drain tiles and/or downspout feed aways.
4. Do not apply waterproof, water-repellent, or non-historic coatings in an effort to stop moisture problems; they often trap moisture inside the masonry and cause more problems in freeze/thaw cycles.
5. Repair cracks, which may indicate structural settling or deterioration and allow moisture penetration. Always match the color of the mortar when adding new mortar.
6. Caulk the joints between masonry and window frames to prevent water penetration. Use a color of caulk that blends in with the existing color of the mortar.

Masonry Cleaning

Clean masonry only when necessary to halt deterioration or to remove heavy soiling. Use knowledgeable contractors and check their references and methods. Look for damage caused by the improper cleaning such as chipped or pitted brick, washed-out mortar, rounded edges of brick, or a residue or film. Cleaning of masonry should follow these guidelines:

1. Clean unpainted masonry with the gentlest means possible. The best method is low-pressure water wash with detergents and natural bristle brushes.
2. Test the cleaner on a small inconspicuous part of the building, beginning with the gentlest method and moving to harsher treatments only if necessary. Let the masonry in the test patch dry thoroughly and look for surface deterioration or discoloration. Older brick may be too soft to clean and can be damaged by detergents and by the pressure of the water. Building owners applying for federal rehabilitation tax credits must conduct test patches before cleaning masonry.
3. Do not use abrasive cleaning methods such as sandblasting or excessively high-pressure water washes. These methods remove the hard outer shell of a brick and can cause rapid deterioration. Sandblasted masonry buildings cannot receive federal tax credits.
4. Use chemical cleaners cautiously. Do not clean with chemical methods that damage masonry and do not leave chemical cleaners on the masonry longer than recommended.
5. Avoid using water or water-based chemicals in freezing conditions.

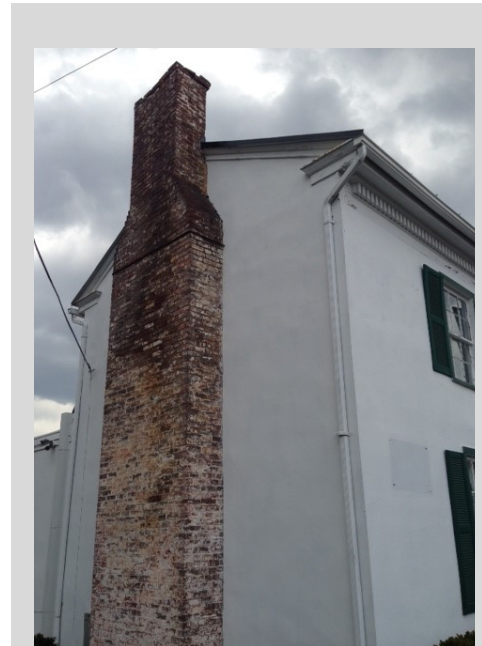


Illustration 13: Above is a masonry chimney in the historic district with what appears to be historic paint.



Illustration 14: Proper maintenance of masonry will help prevent expensive repairs in the future.

Masonry Repair: Repointing

Disintegrating mortar, cracks in mortar joints, loose bricks, or damaged plaster work may signal the need for repair of masonry.

1. Remove deteriorated mortar by carefully hand raking the joints to avoid damaging the masonry. Do not remove mortar with electric saws or hammers that damage the surrounding masonry.
2. Duplicate mortar in strength, composition, color, and texture.
 - A. **Strength:** Do not repoint with mortar that is stronger than the original mortar and the brick itself. Brick expands and contracts with freezing and heating conditions. When this change occurs, old mortar moves to relieve the stress. If only portland cement is used, the mortar does not flex as much and the brick can crack, break, or spall. Do not repoint with a synthetic caulking compound.
 - B. **Composition:** Mortar of older brick buildings has a high lime and sand content. Replacement mortar should be composed primarily of lime (one part) and sand (two parts) with some (no more than 20 percent of the lime and cement combined) portland cement (ASTM C-150 Type 1) for workability. In newer buildings the lime content would be decreased and the portland cement content increased.
 - C. **Appearance:** Duplicate old mortar joints in width and profile. Cut out old mortar to a depth of one inch. Repoint to match original joints and retain the original joint width. The color of new mortar should match the original mortar.

Masonry Repair: Other

1. Repair damaged masonry features if possible, by patching, piecing in, or consolidating to match the original instead of replacing an entire masonry feature.
2. Repair stucco by removing loose material and patching with a new material that is similar in composition, color, and texture.
3. Patch stone in small areas with a cement-like material which, like mortar, should be weaker than the masonry being repaired and should be mixed accordingly. This type of work should be done by skilled craftsmen.
4. Use epoxies for the repair of broken stone or carved details. Application of such materials should be undertaken by skilled craftsmen.

Masonry Painting and Waterproofing

1. Generally, leave unpainted masonry unpainted.
2. Remove deteriorated paint to the next sound layer by hand scraping. Do not completely remove paint that is well-adhered, as breaking that bond could damage the masonry.
3. If masonry needs repainting, follow these steps:
 - A. Clean with a low-pressure water wash (garden hose) if the building is dirty.
 - B. Allow masonry to dry for at least fourteen days before applying paint.
 - C. Prime with an appropriate masonry primer.
 - D. Repaint with an appropriate masonry paint system recommended by a paint manufacturer.
 - E. Use water-repellent coatings that breathe, but only as a last resort after water penetration has not been arrested by repointing and correcting drainage problems.
 - F. Dryvit or synthetic stucco may be appropriate for use in the Historic District on a case-by-case basis.

SITE IMPROVEMENTS

Driveways, Off-street Parking, and Walks

1. In general, driveways should be located only on large or medium size lots that can accommodate such a feature.
2. Avoid placing driveways on small narrow lots if the drive will have a major visual impact on the site.
3. New parking should be located to the sides and rears of existing houses and should be screened with landscaping if the area is prominently visible from a public right-of-way.
4. Retain existing historic paving materials used in walks and driveways, such as brick, limestone, and patterned concrete from earlier eras.
5. Replace damaged areas with materials that match the original paving.
6. Ensure that new paving materials are compatible with the character of the area. Brick pavers in traditional patterns and scored concrete are examples of appropriate applications. Color and texture of both surfaces should be carefully reviewed prior to installation. Avoid large expanses of bright white or gray concrete surfaces.
7. Consider using identical or similar materials or combination of materials in both walks and driveways.
8. Avoid demolishing historic structures to provide areas for parking.

Garages, Outbuildings, and Site Features

Many houses in Front Royal have garages, outbuildings, and distinctive site features. Some typical outbuildings include garages or carriage houses.

1. Retain existing historic garages, outbuildings, and site features.
2. Design new garages or outbuildings to be compatible with the style of the major buildings on the site, especially in materials and roof slope.
3. New garages or outbuildings should be located to the rear of the main house, or they should be placed to the side of the main house without extending in front of the center line of the house.
4. The scale of new garages or outbuildings should not overpower the existing house or the size of the existing lot.
5. The design and location of any new site features should relate to the existing character of the property.



Illustration 15: Many things other than buildings contribute to the historic district.



Illustration 16: Accessory buildings can also be significant assets of the historic district.

Fences and Walls

Fences in Historic District neighborhoods help define the streetscape. Low fences or walls give character to a street scene and help give uniformity to properties, particularly in residential neighborhoods. Fences and walls help define outdoor spaces by marking the limits of a property, serving as a means of limiting access, or making a distinction between public, semi-public and private open space.

These guidelines have been established to assist the Historic District property owner in the selection and placement of an appropriate fence and wall designs. All fences in the Historic District require a Certificate of Appropriateness and a zoning permit. Larger retaining walls also require a building permit in addition to the Certificate of Appropriateness and zoning permit.

Where a proposed fence conforms to these guidelines, a Certificate of Appropriateness can be issued by the Zoning Administrator. Fences that do not meet these Guidelines require approval of a Certificate of Appropriateness by the Board of Architectural Review.

1. Retain traditional fences, walls, and hedges. When a portion of a fence needs replacing, salvage original parts for a prominent location from a less prominent location if possible. Match old fencing in material, height, and detail. If this is not possible, use a simplified design of similar materials and height.
2. Respect the existing condition of the majority of existing lots or streets in a subarea when planning new construction or a rehabilitation of an existing site.
 - o If the majority of buildings on the street have a fence or wall, incorporate one into new site improvements.
 - o If the majority of buildings on the street have an open yard leading to the street, do not add a fence or wall to the front of the lot.
3. The design of new fences and walls should blend with materials and designs found in the district. Commonly used materials are brick, stucco, iron, wood, and shrubbery hedges. Often the materials relate to the materials used elsewhere on the property and on the structures.
4. The scale and level of ornateness of the design of any new walls and fences should relate to the scale and ornateness of the existing house. Simpler and smaller designs are more appropriate on smaller lots.
5. The height of the fence or wall should not exceed the average height of other fences and walls of surrounding properties. See the zoning ordinance for detailed requirements.
6. Avoid the use of solid masonry walls which would visually enclose the property from more open neighboring sites.
7. Do not use materials such as chain-link fencing and concrete block walls where they would be visible from the street.



Illustration 17: Above is a picture of a fence that enhances the property of this historically significant residence.



Illustration 18: Here is an example of a fence consisting of masonry posts.



Illustration 19: Chain-link fence is not recommended inside of the historic district.

WOOD

Wood Maintenance

The main objective in wood maintenance is to keep it free from water infiltration and wood-boring pests. Moisture encourages wood-boring insects so that these two conditions frequently occur together.

1. Inspect wood surfaces for signs of water damage, rot, and pest infestation.
2. Keep all surfaces primed and painted in order to prevent water infiltration.
3. Use appropriate pest poisons with extreme caution and follow product instructions.
4. Remove vegetation that grows too close to wood surfaces.
5. Repair leaking roofs, gutters, downspouts, and flashing, and insure proper ventilation.
6. Maintain proper drainage around the foundation to prevent standing water.
7. Re-caulk joints where moisture might penetrate a building:
 - A. Remove old caulk and dirt.
 - B. Use a high-quality caulk.
 - C. Do not caulk under individual siding boards or windowsills. This action seals the building too tightly and can lead to moisture problems within the frame walls and to failure of paint.



Illustration 20: Rather than covering a building with vinyl, it is preferred that the natural wood be maintained. Above is a good example of maintained wood.

Preparing Wood Surfaces for Painting

Proper surface preparation is the most important (and time-consuming) prerequisite to a successful paint job. The objective is for the surface to be thoroughly dry, free from loose dirt or paint, and sanded.

1. Remove damaged or deteriorated paint to the next sound layer using the gentlest means possible such as hand sanding and hand scraping. Do not completely remove paint when it is adhered soundly to the wood.
2. Remove all paint down to the bare wood only in extreme cases where the paint has blistered and peeled or there is excessive paint buildup or moisture.
3. Do not completely remove paint to achieve a natural finish.
4. Use electric heat guns on decorative wood features and electric heat plates on flat wood surfaces when additional paint removal is required.
5. Use chemical strippers when more effective removal is required. Thoroughly neutralize chemicals after use or new paint will not adhere. Do not allow wood to be in contact with chemical stripping agents for long periods of time; it may raise the wood grain or roughen the surface.
6. Do not use potentially destructive and dangerous paint removal methods such as a propane or butane torch, sandblasting, or waterblasting.
7. Remove dirt with household detergent and water and allow the surface to dry completely before applying paint.

Painting Wood

Most older frame buildings have been painted with an oil-based paint and so an oil-based paint should be used when repainting. Latex paint will not adhere to chalked oil paint. Also, it shrinks more during drying than oil-based paint and can pull off the old paint. If latex paint is used, the surface should first be primed with an oil-based primer.

Wood Repair

Rather than replacing all of the siding, restore the sections of the original siding that are rotten, missing or in need of repair.

Be sure to test for rotten wood. To test for rotten wood, jab a screwdriver into the wetted wood surface at an angle and pry up a small section. Sound wood will separate in long fibrous splinters while decayed wood will separate in short irregular pieces. Alternatively, insert the screwdriver perpendicular to the wood. If it penetrates less than one-eighth inch, the wood is solid; if it penetrates more than one-half inch it may have dry rot.

1. Use epoxies to patch, piece, or consolidate parts.
2. Match existing materials and details.

Wood Replacement and Reconstruction

1. Replace wood elements only when they are rotted beyond repair.
2. Match the original in material and design, by substituting materials that convey the same visual appearance or by using surviving material. Upon review and approval by the BAR, PVC or composite wood can be used.
3. Base the design of reconstructed elements on pictorial or physical evidence from the actual building rather than from similar buildings in the area. Complement the existing details in size, scale, and materials.
4. Modern composite materials will be considered on a case-by-case basis.



Illustration 21: Above is another example of a house with a maintained wood exterior.



Illustration 22: Some sidings may be appropriate for a renovation project when it is unfeasible to restore wood siding. Above is picture of hardiplank siding, which is difficult to distinguish from wood.

NEW CONSTRUCTION

Planning a New Construction Project

The following guidelines offer general recommendations on the design for all new buildings in Front Royals Historic Districts. These guidelines are intended to provide a general design framework for new construction. The following criteria are all important when considering whether proposed new buildings are appropriate and compatible.

Foundation

The foundation forms the base of a building. On many buildings it is indistinguishable from the walls of the buildings. On others it is a different material or texture or is raised well above ground level. Solid masonry or concrete foundations are common for residential buildings. Masonry piers, most often of brick, support many porches.

1. Distinguish the foundation from the rest of the structure through the use of different materials, patterns, or textures.
2. Respect the height, contrast of materials, and textures of foundations on surrounding historic buildings.

Materials and Textures

1. The selection of materials and textures for a new building should be compatible with and complement neighboring buildings. In order to strengthen the traditional image of the residential areas of the historic districts, brick and wood siding are the most appropriate materials for new buildings.
2. On large-scale, multi-lot buildings, primary facades should be divided into different bays and planes to relate to existing neighboring buildings. Varying materials, shades, and textures also should be considered.
3. Synthetic sidings, including vinyl, aluminum, and synthetic stucco-like finishes, are not historic cladding materials in the historic districts and their use should be avoided.

Architectural Details and Decorative Features

The details and decoration of Front Royals historic buildings vary tremendously with the different styles, periods, and types. Such details include cornices, roof overhang, chimneys, lintels, sills, brackets, brick patterns, shutters, entrance decoration, and porch elements.

It is a challenge to create new designs that use historic details successfully. One extreme is to simply copy the complete design of a historic building and the other is to "paste on" historic details on a modern unadorned design. Neither solution is appropriate for designing architecture that relates to its historic context and yet still reads as a contemporary building. More successful new buildings take their clues from historic images and reintroduce and reinterpret designs of traditional decorative elements.

Building Types Within the Historic Districts

1. **Infill:** Residential infill buildings are new dwellings that are constructed on the occasional vacant lot within a block of existing historic houses. Setback, spacing, and general massing of the new dwelling are the most important criteria that should relate to the existing historic structures.
2. **Institutional:** Churches, schools, and other civic buildings are all structures that represent a unique aspect of community life and frequently have special requirements that relate to their distinct uses. For these reasons, these buildings usually are freestanding, and their scale and architectural arrangements may be of a different nature than their residential and historic neighbors. However, their materials should blend with the character of the district.

Orientation

New buildings should be orientated in the same direction as the surrounding buildings, and where possible, the front face of the building should match the existing front setbacks of the existing buildings in the vicinity.

Height and Width

The size of a new building can either contribute to or be in conflict with an historic area. Height and width create scale, or the relationship between the size of a building and the size of a person. Scale also can be defined as the relationship of the size of a building to neighboring buildings and of a building to its site.

The design features of a building can reinforce a human scale or can create a monumental scale. In terms of scale, most buildings in the historic districts relate to the human scale and are not monumental. Houses in the historic districts for the most part range from one to three stories with the majority being two stories.

Reinforce the human scale of the historic districts by including elements such as porches, entrances, storefronts, and decorative features depending on the character of the particular sub-area.

Massing and Building Footprint

New construction should relate in footprint and massing to the majority of surrounding historic dwellings.

Roof

Roof design, materials, textures, and orientation should be consistent with the existing structures in the historic districts. Common forms include hipped roofs, gable roofs, cross gables, and gambrel roofs as well as combinations of the above.

1. **Roof Forms and Pitches:** In general, the roof pitch of an older dwelling is steeper than a new tract house. This factor is more important than the type of roof in most neighborhoods. Shallow pitched roofs and flat roofs generally are inappropriate in historic residential areas.
2. **Roof Materials:** Common roof materials in the historic districts include metal, slate, and asphalt shingles.
 - A. For new construction in the historic districts use traditional roofing materials such as metal or slate.
 - B. Avoid using thick wood cedar shakes if using wood shingles; instead use more historically appropriate wood shingles which are thinner and have a smoother finish.
 - C. In using asphalt shingles, do not use light colors. Consider using darker textured shingles that resemble slate or wood shingles.
3. **Rooftop Screening:** If roof-mounted mechanical equipment is used, it should be screened from public view on all sides. The screening material and design should be consistent with the design, textures, materials, and colors of the building. The screening should not appear as an afterthought or addition to the building.

Openings: Doors and Windows

1. The rhythm, patterns, and ratio of solids (walls) and voids (windows and doors) of new buildings should relate to and be compatible with adjacent facades.
2. The size and proportion (ratio of width to height) of window and door openings of primary facades should be similar to and compatible with those on surrounding facades.
3. Traditionally designed openings generally are recessed on masonry buildings and have a raised surround on frame buildings. New construction should follow these methods in the historic districts as opposed to designing openings that are flush with the rest of the wall.
4. Many entrances of Front Royals buildings have special features such as transoms, sidelights, and decorative elements framing the openings. Consideration should be given to incorporating such elements in new construction.
5. Darkly tinted or mirrored glass is not an appropriate material for windows in new buildings within the historic districts.
6. If small paned windows are used in a new construction project, they should have true divided lights and not use clip-in muntin bars.

Porches

Most of Front Royals historic houses have some type of porch. There is much variety in the size, location, and type of porches and this variety relates to the different residential architectural styles. Since this feature is such a prominent part of the districts, strong consideration should be given to including a porch or similar form in the design of any new structure in the district.

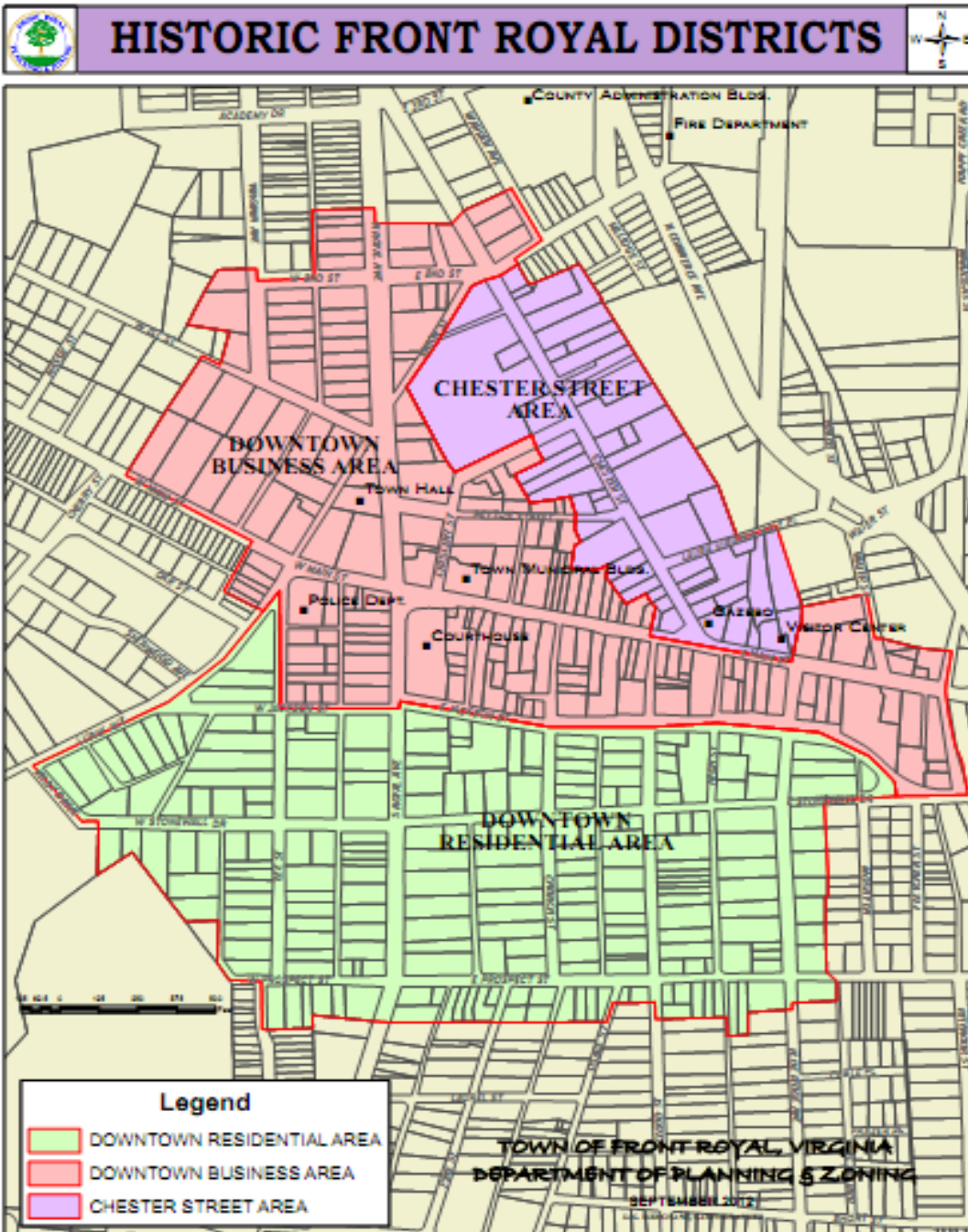
Materials and Textures

1. The selection of materials and textures for a new building should be compatible with and complement neighboring buildings. In order to strengthen the traditional image of the historic district, brick and wood siding are the most appropriate materials for new buildings.
2. On large-scale, multi-lot buildings, primary facades should be divided into different bays and planes to relate to existing neighboring buildings. Varying materials, shades, and textures also should be considered.
3. Synthetic sidings, including vinyl, aluminum, and synthetic stucco-like finishes, are not historic cladding materials in the historic districts and their use should be avoided.



Illustration 23: Building additions can be done in an architectural style that maintains the prominence of the original structure and enhances it, such as in the above example.

GUIDELINES WORKSHEET FOR BAR EVALUATION		
Guideline Checklist	1	The historic archaeological or architectural value and significance of a structure and its relationship to the historic value of the surrounding area.
	2	The age and character of the historic structure, its condition, and its probable life expectancy and the appropriateness of the proposed changes to the period or periods during which the structure was built.
	3	The general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used.
	4	The view of the structure or area from a public street or road, present or future.
	5	The present character of the setting of the structure or area and its surroundings.
	6	The probable effect of proposed construction on trees, wooded areas, or historic sites.
	7	Any other factors, including aesthetic factors, which the reviewing bodies deem to be pertinent.
	8	The appropriateness of the exterior architectural features of such building or structure to the compatibility with the exterior architectural features of landmarks, buildings, or structures in the district, taking into consideration the following: - General design. - Character and appropriateness of design. - Form. - Proportion and scale . - Mass. - Configuration. - Arrangement. - Texture. - Material. - The permanent color of exterior materials (excluding paint). - The relationship of such elements to similar features of structures in the immediate surroundings. - Congruity with the character of the Historic District.
	Additional Guidelines: - The reviewing bodies shall not adopt or impose any specific architectural style in the administration of this Article. - The reviewing bodies shall also be guided by the purposes for which landmarks, landmark sites and historic districts are designated and by the particular standards and considerations contained in the Secretary of the Interior's Standards for Rehabilitation.	



HISTORIC DISTRICT MAP

To the left is a map of the Front Royal Historic District/Historic Overlay District. Please consult with Town Planning & Zoning Staff for a larger copy, as well as a copy of the Town Zoning Map and Floodplain District Map.

PARTIAL REAL ESTATE TAX EXEMPTION

While there are special regulations that properties within the Historic Overlay District must follow, there are also special benefits. One such benefit is the Partial Real Estate Tax Exemption on Rehabilitated Structures that is available to qualifying rehabilitation projects. Please consult with Town Staff and/or the Warren County Commissioner of Revenue for more information about this program.

IMPORTANT CONTACTS

Front Royal Dept. of Planning & Zoning

Virginia Department of Historic Preservation

Warren County Department of Building Inspections

Economic Development Authority

Chamber of Commerce

Down Town Front Royal

Front Royal Business Alliance

Warren County Heritage Society

540-635-4236

804-367-2323

540-636-9973

540-635-2182

540-635-3185

540-631-0099

540-636-7064

540-636-1446

www.frontroyalva.com

www.dhr.virginia.gov

www.warrencountyva.net

www.wceda.com

www.frontroyalchamber.com

www.downtownfrontroyal.org

www.frontroyaliba.com

<http://www.warrenheritagesociety.org>



COA APPLICATION APPEAL

#2400480

A CERTIFICATE OF APPROPRIATENESS APPLICATION SUBMITTED BY
TEDDY STOUT CONSTRUCTION, INC. TO CONSTRUCT A DUPLEX AT 240
BLUE RIDGE AVENUE, IDENTIFIED BY TAX MAP 20A7-4-178. THE
PROPERTY IS ZONED R-3, RESIDENTIAL DISTRICT AND LOCATED IN THE
HISTORIC OVERLAY DISTRICT.



Background

- The property was involved in a house fire on November 24, 2023
- May 24, 2024- unsafe structure notice sent
- Property was sold and abatement plan submitted to Staff
- July 17, 2024 BAR approved demolition of the structure
- August 13, 2024 applied for COA for a duplex
 - BAR denied the COA at the September 10, 2024 meeting

Relevant Town Code 175-89.A

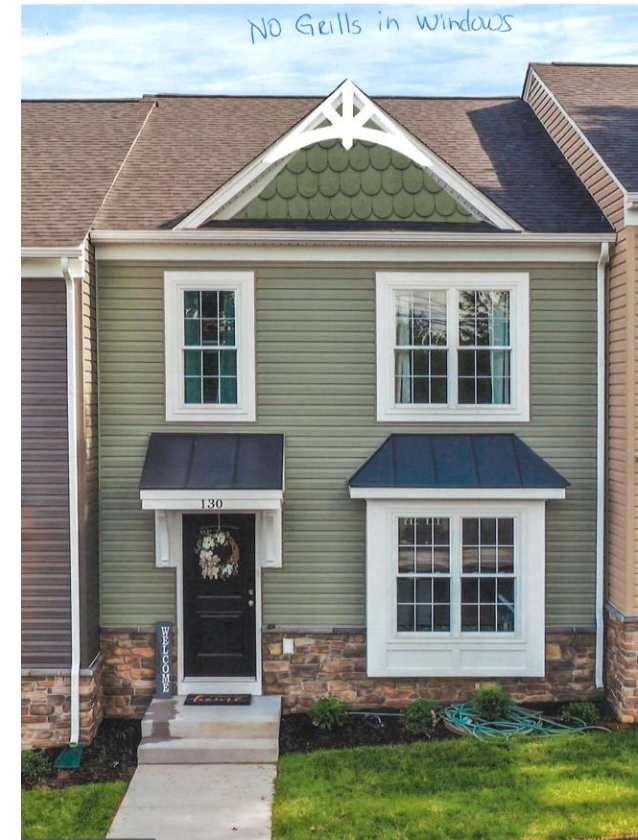
A. The following major actions and any other actions not specifically exempted by the terms of this ordinance or which, in the opinion of the Administrator, may constitute a major permanent and detrimental change to the character of an historic district shall be approved only after a public meeting and favorable action by a majority vote of the Board of Architectural Review:

1. The razing, demolishing or moving of a designated landmark or contributing structure.
2. Construction of any new main building, or an accessory building which exceeds five hundred (500) square feet in size within a designated historic district or on a site adjacent to a designated landmark site.

Relevant Town Code 175-91

A. All reviewing bodies shall be guided by the following guidelines and criteria:

1. The historic archaeological or architectural value and significance of a structure and its relationship to the historic value of the surrounding area.
 2. The age and character of the historic structure, its condition, and its probable life expectancy and the appropriateness of the proposed changes to the period or periods during which the structure was built.
 3. The general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used.
 4. The view of the structure or area from a public street or road, present or future.
 5. The present character of the setting of the structure or area and its surroundings.
 6. The probable effect of proposed construction on trees, wooded areas or historic sites.
 7. Any other factors, including aesthetic factors, which the reviewing bodies deem to be pertinent.
8. The appropriateness of the exterior architectural features of such building or structure to the compatibility with the exterior architectural features of landmarks, buildings or structures in the district, taking into consideration the following:
- a. General design.
 - b. Character and appropriateness of design.
 - c. Form.
 - d. Proportion and scale.
 - e. Mass.
 - f. Configuration.
 - g. Arrangement.
 - h. Texture.
 - i. Material
 - j. The permanent color of exterior materials (excluding paint).
 - k. The relationship of such elements to similar features of structures in the immediate surroundings.
 - l. Congruity with the character of the Historic District.

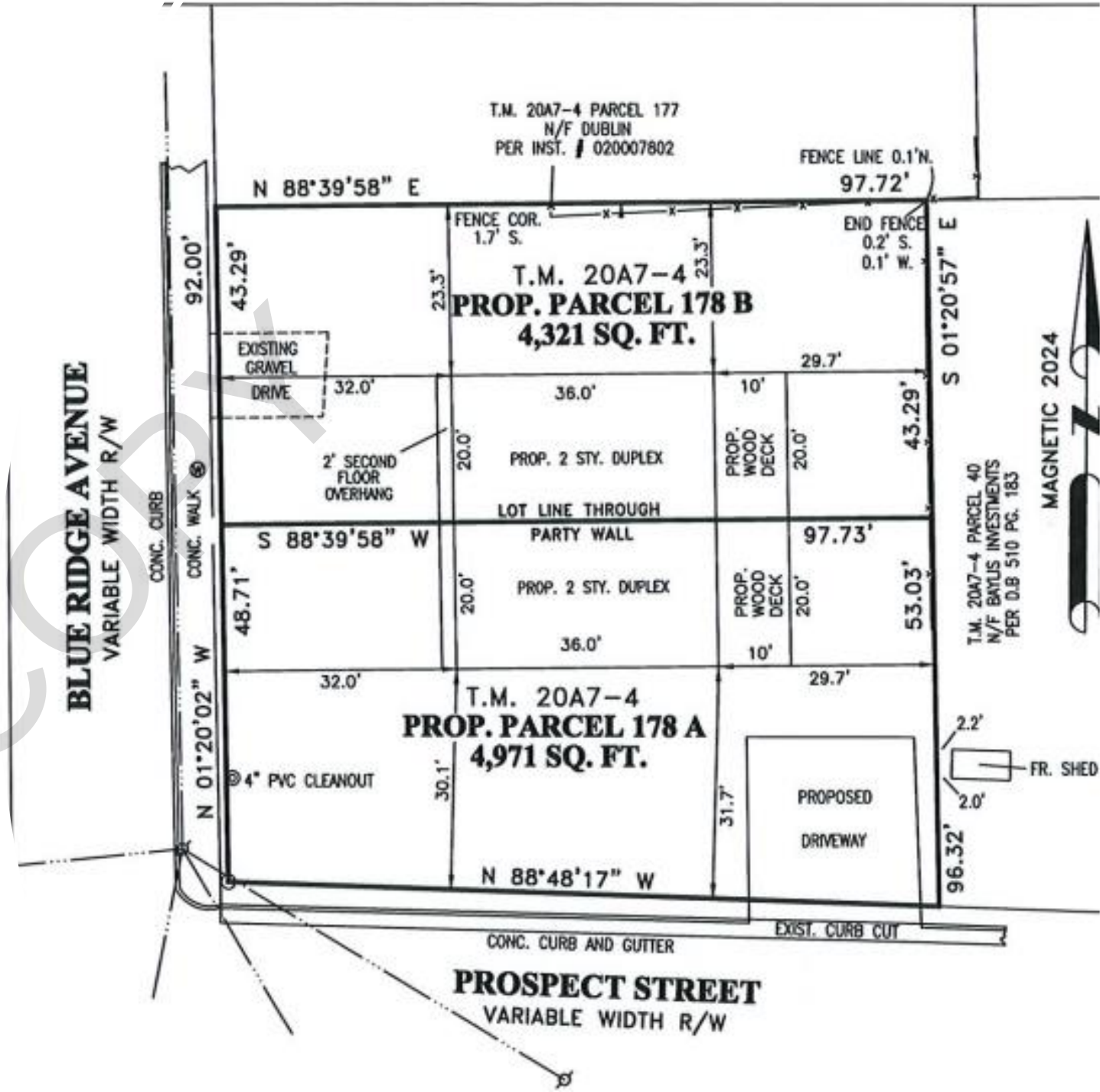


Applicants proposed structure

- Vinyl siding, asphalt shingle roof
- Decorative siding in the Gable, similar to the original scalloped siding on the turret
- A bay window facing Prospect St
- Metal roof on portico extending over the front doors

Applicants proposed structure

- 175-32: Structures shall be located thirty (30) feet or more from any street right-of-way which is fifty (50) feet or greater in width or fifty-five (55) feet or more from the center of any street right-of-way less than fifty (50) feet in width; however, no building need be set back more than the average of the setbacks of the immediately adjoining structures on either side. A vacant lot fifty (50) feet or more in width may be assumed to be occupied by a building having a minimum setback.
- Side: Each side yard shall be a minimum of seven (7) feet.
- Rear: Each rear yard shall be a minimum of twenty-five (25) feet.
- Front: The required depth of the front yard shall be as provided in Section 175-32. The main or front building facade and entrance for any single-unit residential structure, including duplexes and townhouses, shall be oriented toward the front yard of the property, unless an administrative variance is granted pursuant to Section 175-147.1.



Relevant Town Codes 175-94

- A. Any applicant aggrieved by a final decision of the Board of Architectural Review may appeal said decision to the Front Royal Town Council, provided that such appeal is filed, in writing, with the Town Clerk within ten (10) days after the final decision is rendered by the BAR. The Town Council will hear the matter at its next regularly scheduled meeting and will render its decision on the appeal at the following regularly scheduled meeting. The Council, in its discretion, may consider additional evidence and submissions during the period between meetings and at the second regularly scheduled meeting prior to rendering its decision.
- B. Any applicant aggrieved by a final decision of the Board of Architectural Review following the decision rendered on appeal to the Front Royal Town Council, may appeal said decision to the Circuit Court of Warren County, Virginia, by filing a petition at law setting forth the alleged illegality of the BAR's action, provided that such petition is filed with the Circuit Court within thirty (30) days after the appealed decision of the Front Royal Town Council. The filing of said petition with the Circuit Court shall stay the decision of the BAR pending the outcome of the appeal, except that the filing of such petition shall not stay the decision of the BAR if such decision denies the right to raze or demolish an historic landmark, building or structure. The Circuit Court may reverse or modify the decision of the BAR, in whole or in part, if the Court finds, upon review, that the decision is arbitrary and constitutes an abuse of discretion. The Circuit Court may also affirm the decision of the BAR.



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11B

Agenda Item: Resolution Authorizing the Execution of Blue Creek Wind Schedule with American Municipal Power, Inc. (AMP)

Summary: Council is requested to consider approval of a Resolution Authorizing the Execution of Blue Creek Wind Schedule with American Municipal Power, Inc. (AMP) for Six Megawatts (6MW) of Power beginning in January 2025, for a term of Five (5) Years: 2025-2029 as presented.

Budget/Funding: Pricing- Not to Exceed \$59.00/MWh with 0% Escalation for Term

Meetings: Work Sessin held October 7, 2024

Proposed Motion: I move that Council approve a Resolution Authorizing the Execution of Blue Creek Wind Schedule with American Municipal Power, Inc. (AMP) for Six Megawatts (6MW) of Power beginning in January 2025, for a term of Five (5) Years: 2025-2029 as presented.

Moved _____ *Seconded* _____

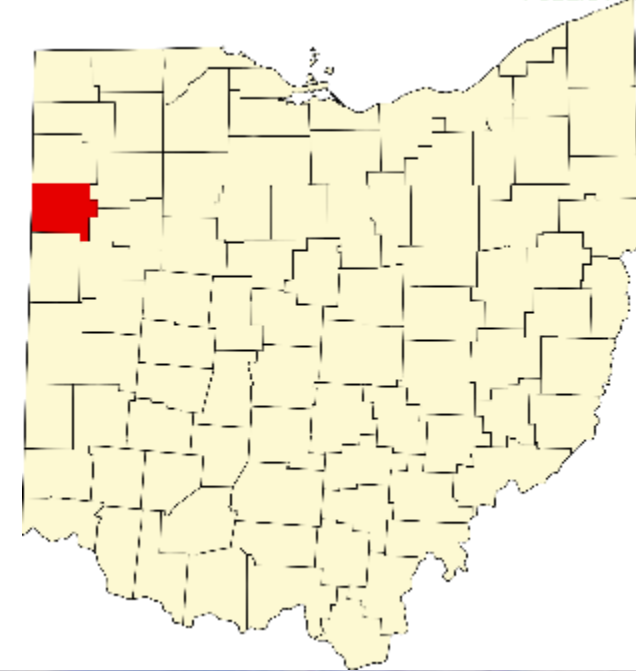
VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

Blue Creek Wind Farm PPA



Blue Creek Wind Farm

- 304 MW of Installed Capacity
 - 152 Wind Turbines (2 MW each)
- Located Near Van Wert, Ohio
 - Operational in 2012
- AMP Purchased 52.16 MW for 10 Years
 - July of 2012 – June of 2022
 - Average Load Factor 30%

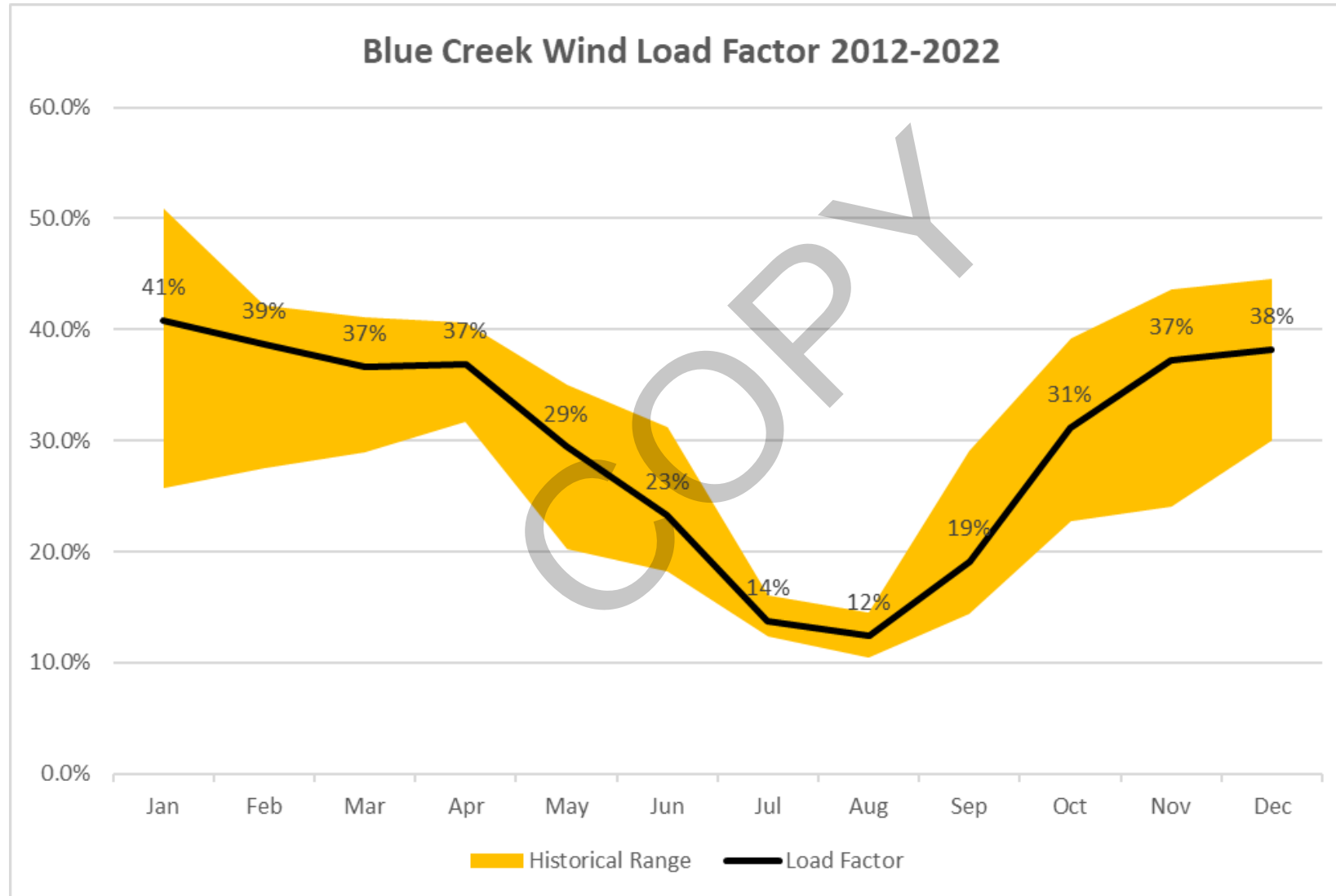


Proposed PPA

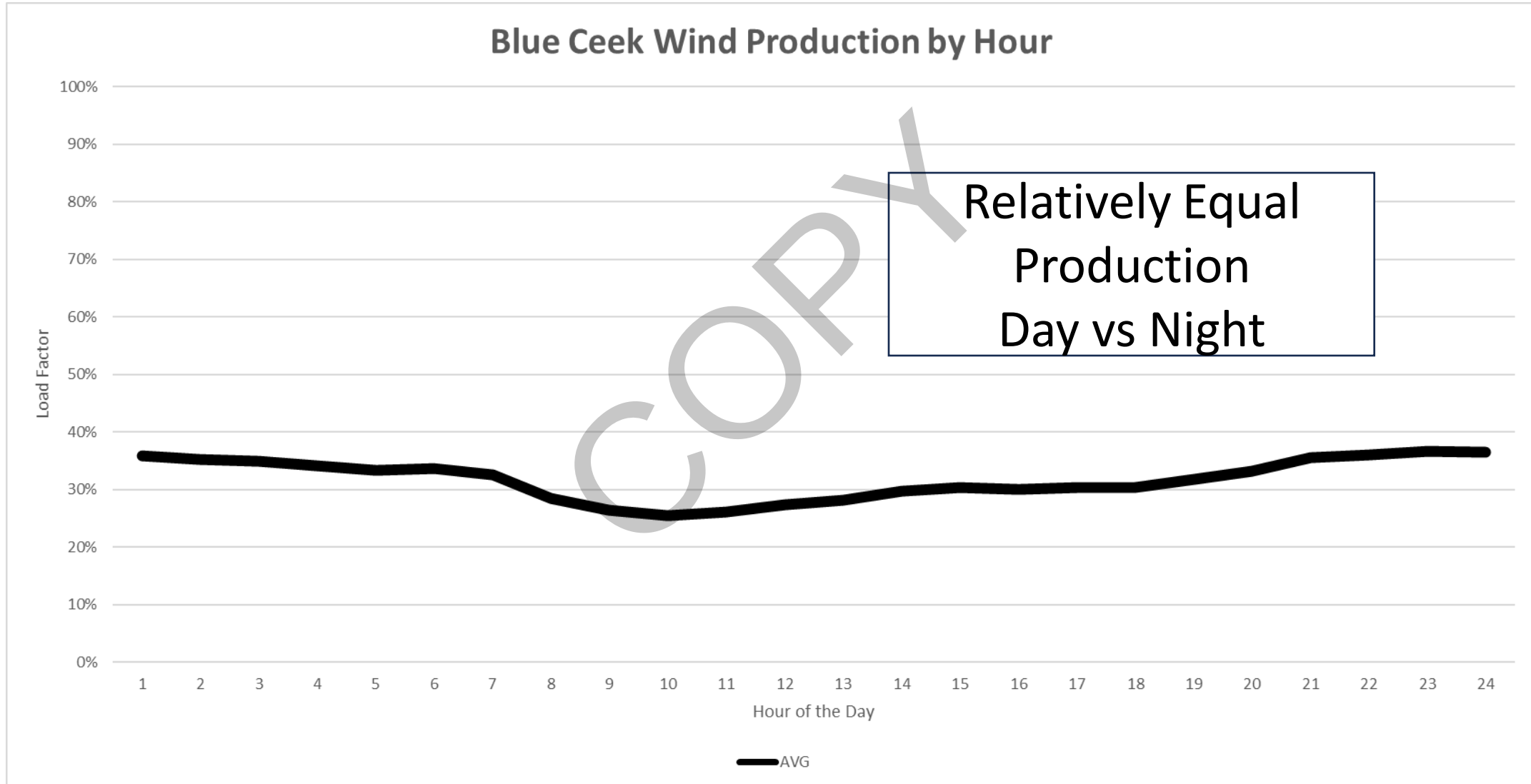
- Term – 2025 through 2029
 - Or 2026-2029 / 2027-2029
- Price not to exceed \$59 / MWh
 - Current quote \$56.05 / MWh
- Other Value from Project
 - PJM Capacity $\approx$ \$13 / MWh
 - RECs $\approx$ \$3 / MWh
 - Net Energy Rate $\approx$ \$40 / MWh
- PPA is currently cheaper than market and provides price certainty in volatile times from a renewable resource



Historic Production = 30% Load Factor



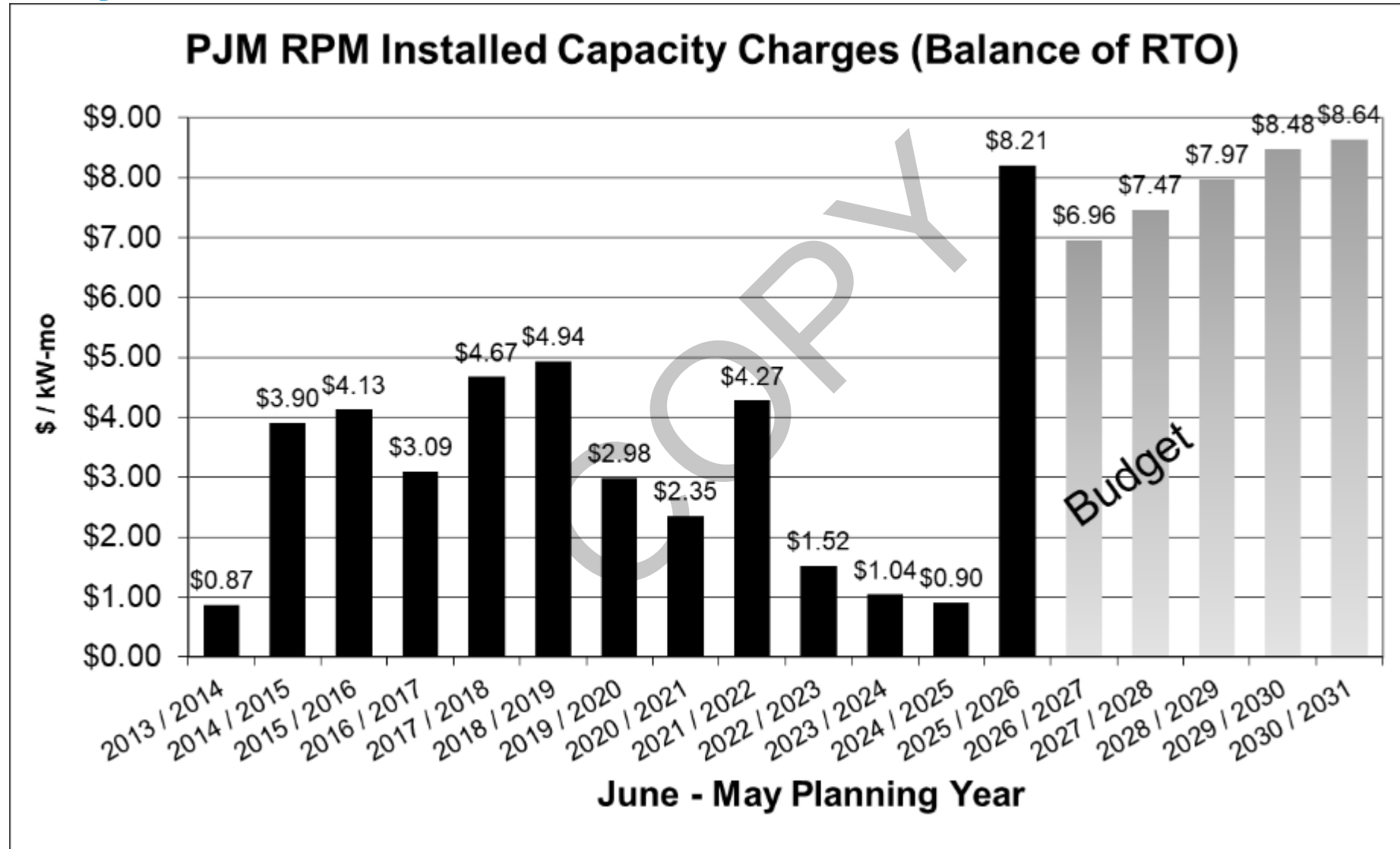
3 MW of Wind = Approximately 1 MW of 7x24 Power



PJM Installed Capacity Credit

- Members will receive capacity credits from PJMs capacity process
 - PJM pays generators to be available to produce during emergencies
 - Payments billed to PJM loads
 - Wind installed capacity credits offset load expenses
- **Current Capacity Benefit = \$13 / MWh**
 - 2025/2026 Capacity price \$8.21 / kW-mo
 - Benefit of each 1 MW (1,000 kW)
 - $\$8.21 / \text{kW per month} * 12 \text{ month} * 1,000 \text{ kw} * 35\% = \$34,482 / \text{Year}$
 - 35% based on expected production across PJM Peaks
 - $\$13 / \text{MWh} = \$34,482 / (8760 \text{ hrs / year} * 30\% \text{ capacity factor})$
 - Based on 30% Capacity Factor of Blue Creek project
- Future prices expected higher due to generation retirements and load increases
- Range of potential Prices
 - 5 Year Budget of $\$7.90 / \text{kW-mo} = \$12 / \text{MWh}$
 - Past 5 Year Historical Price of $\$2.00 / \text{kW-mo} = \$3 / \text{MWh}$
 - Potential Installed Capacity Max Price of $\$13.73 / \text{kW-mo} = \$22 / \text{MWh}$

Capacity Prices



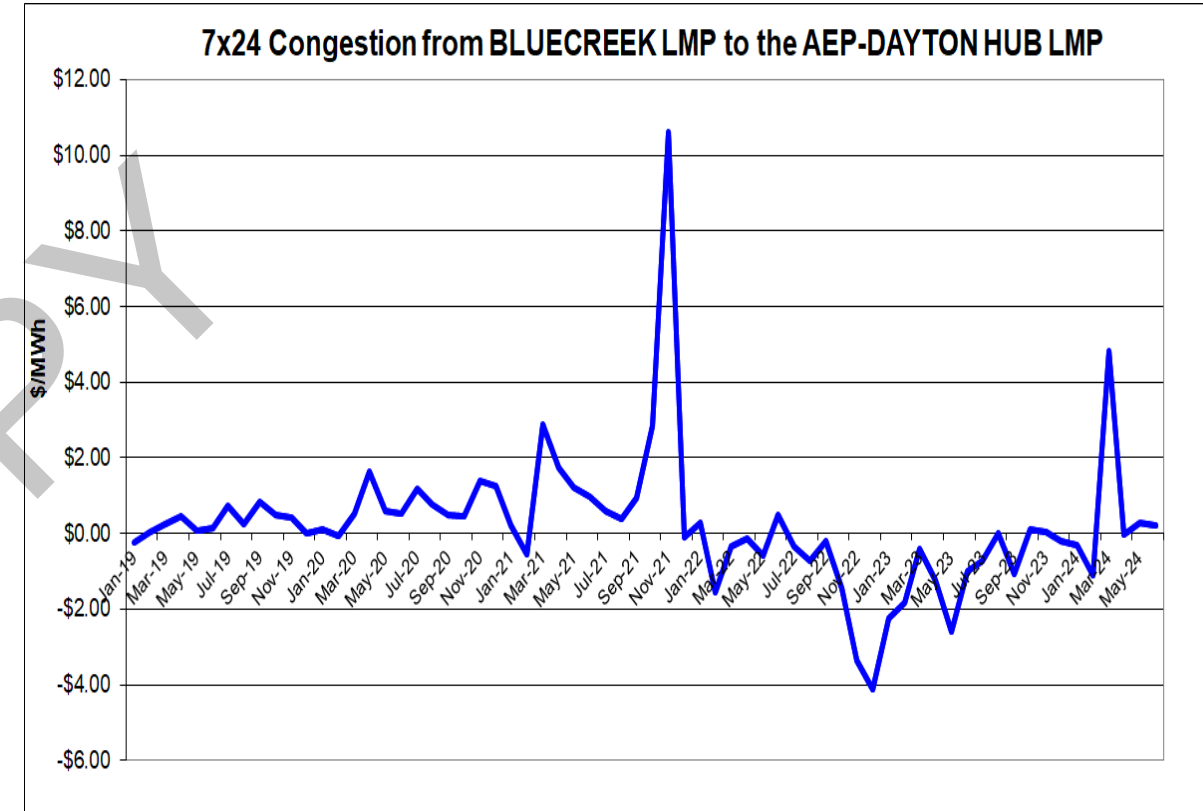
RECs (Renewable Energy Credits)

- AMP will receive wind power environmental attributes including RECs
 - Right to call the power green
- National Green-e RECs $\approx$ \$3 / MWh
 - Based on current market prices
 - Can come from a generator anywhere in United States
 - Same RECs as EcoSmart Choice
- Members who do not need RECs can sell them to the market
 - **Lowering PPA cost by \$3 / MWh**

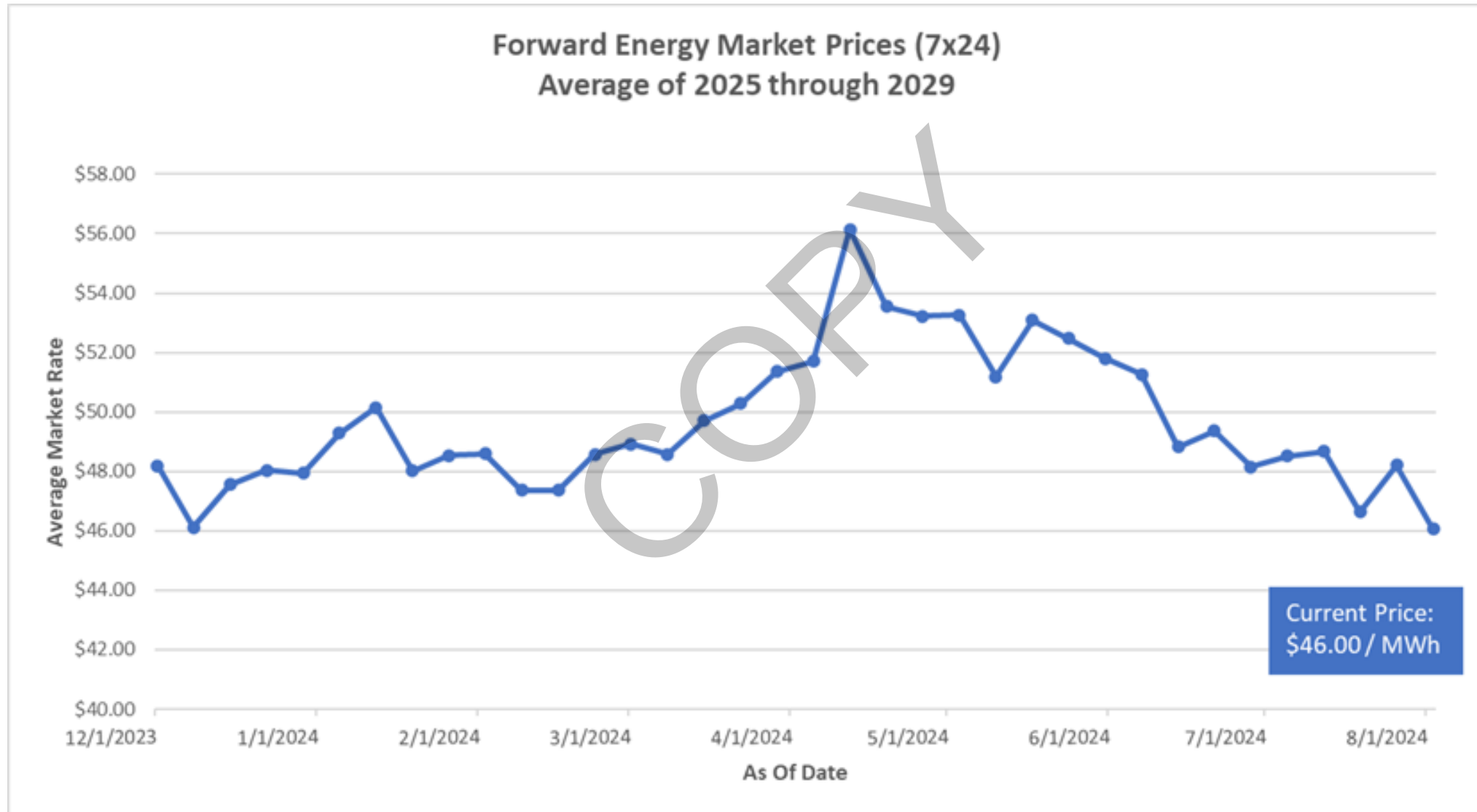


Expected Transportation Costs

- Power Delivered at Blue Creek LMP
- Cost to Move Power to AD Hub
 $\approx \$0.25 / \text{MWh}$
 - 5 Year Average
 - AD Hub = AEP/Dayton Hub
 - Price point where most members buy power
- **Minimal Transportation Cost / Risk**



Market Prices Have Been Volatile



Next Steps

- Pass and sign PPA ordinance and schedule
 - Up-to price in ordinance is \$59.00 / MWh
- Deadline December 1st, 2024
- Reach out to AMP with:
 - Questions
 - Need for further information
 - Council presentation requests

Contacts

- Paul Beckhusen – Senior VP Power Supply and Energy Marketing
 - pbeckhusen@amppartners.org
 - 614-540-6910
- Mike Migliore – VP Power Supply
 - mmigliore@amppartners.org
 - 614-540-0921
- Craig Kleinhenz – Asst. VP of Power Supply Planning
 - ckleinhenz@amppartners.org
 - 614-623-7553
- Harry Phillips – Director of Marketing / Member Relations
 - hphillips@amppartners.org
 - 614-540-0846
- Lisa McAlister – General Council
 - lmcalister@amppartners.org
 - 614-540-6400

Pertaining to AMP Contract No. 2025-010381-SCHED

TOWN OF FRONT ROYAL, VIRGINIA

RESOLUTION NO. 10/28/24

**TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF
BLUE CREEK WIND SCHEDULE WITH
AMERICAN MUNICIPAL POWER, INC.
AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH**

WHEREAS, the Town of Front Royal, Virginia ("Municipality") owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its customers; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. ("AMP"), of which Municipality is a member; and

WHEREAS, AMP is a nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members ("Members"), such Members, including Municipality, being political subdivisions that operate, or whose members operate, municipal electric utility systems; and

WHEREAS, Municipality, acting individually, and through AMP with other political subdivisions of this and other states that own and operate electric utility systems jointly, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-12-2007-6255 (the "MSA"), which contemplates that Municipality may enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including Municipality, have determined that they can utilize additional sources of reliable and economical wind-generated electric capacity and energy on a long-term basis, and have requested that AMP arrange for

the same by acquiring interests through a purchased power agreement (PPA) in certain wind energy facilities; and

WHEREAS, in furtherance of this purpose, AMP has entered into a purchase power agreement ("Blue Creek Wind PPA") with Avangrid Renewables, LLC (the "Developer") under the terms of which AMP will purchase and Developer will supply and sell up to 254 MWac of capacity and associated energy and environmental attributes from the Blue Creek Wind generation project located in PJM footprint for a period of up to five (5) years; and

WHEREAS, it is necessary and desirable for Municipality to enter into a schedule to the MSA to provide for an additional source of capacity, energy and environmental attributes; and

WHEREAS, through approval and execution of the Blue Creek Wind Schedule authorized below, Members now have the right, but not the obligation, to authorize and request AMP to acquire capacity and energy through the Blue Creek Wind PPA; and

WHEREAS, prior to the adoption of this Resolution AMP has (i) informed Municipality of the terms of the Blue Creek Wind Schedule; (ii) provided Municipality the opportunity to review the anticipated form of the Blue Creek Wind PPA; and (iii) offered representatives of Municipality the opportunity to ask such questions, review data and reports, conduct inspections and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the Blue Creek Wind Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, Municipality requests and authorizes AMP to explore an arrangement whereby AMP may prepay all or a portion of AMP's obligations to purchase energy, capacity and environmental attributes at some point during the term of the Blue Creek Wind PPA and finance the prepayment on behalf of Municipality through the issuance of bonds by AMP in order to achieve additional savings on the capacity, energy and environmental attributes derived from the Blue Creek Wind PPA that AMP can pass through to Municipality ("Prepay Agreement") subject to the additional requirements set forth in the Blue Creek Wind Schedule.

WHEREAS, after due consideration, Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from the Developer upon the terms and conditions set forth in the Blue Creek Wind PPA.

NOW, THEREFORE, BE IT [ORDAINED/RESOLVED] BY THE COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA:

SECTION 1. That the Blue Creek Wind Schedule between Municipality and AMP, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto, is approved, and the Authorized Representative of Municipality,

identified below, is hereby authorized to execute and deliver the Blue Creek Wind Schedule with such changes as the Authorized Representative may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, his or her execution of the Blue Creek Wind Schedule to be conclusive evidence of such approval. For purposes of this Resolution, Municipality's Authorized Representative is: Town Manager Joseph E. Waltz.

SECTION 2. That the Authorized Representative is hereby authorized to (i) acquire under the Blue Creek Wind Schedule, authorized above, at a price of up to \$59.00/MWh, a Contract Amount as defined in that Schedule of up to 6,000 kW, without bid, and (ii) make any determinations and approvals required thereunder, if any, as the Authorized Representative shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision or any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of this Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That this Resolution shall take effect at the earliest date allowed by law.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on October 28, 2024 upon the following recorded vote:

R. Wayne Sealock	☐ Yes ☐ No	H. Bruce Rappaport	☐ Yes ☐ No
Joshua L. Ingram	☐ Yes ☐ No	Melissa DeDomenico-Payne	☐ Yes ☐ No
Amber F. Morris	☐ Yes ☐ No	Glenn A. Wood	☐ Yes ☐ No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____

COPY



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11C

Agenda Item: Direct the Planning Commission to Draft a Proposed Vape Ordinance

Summary: Council is requested to consider directing the Planning Commission to draft a proposed Vape Ordinance for the Town of Front Royal with a proposed recommendation to Town Council when complete.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Proposed Motion: I move that Council direct the Planning Commission to draft a proposed vape ordinance for the Town of Front Royal with a proposed recommendation to Town Council when complete.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11D

Agenda Item: Amendment to Town Attorney's Contract

Summary: Council is requested to approve an amendment to the Town Attorney's contract as presented.

Budget/Funding:

2201-41001 Town Attorney Regular Salaries

2201-42001 Town Attorney FICA

2201-42002 Town Attorney VRS

Meetings: Numerous meetings

Proposed Motion: I move that Council approve an amendment to the Town Attorney's contract as presented, with the Mayor to execute the amendment on behalf of the Town.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

AMENDMENT TO TOWN ATTORNEY AGREEMENT

THIS AMENDMENT TO TOWN ATTORNEY AGREEMENT (hereinafter "Amendment") is entered into this ____ day of _____ 2024, by and between **THE TOWN OF FRONT ROYAL, VIRGINIA**, a Municipal Corporation by and through its Mayor and Town Council (hereinafter "Town"), and George M. Sonnett, Jr. (hereinafter "Attorney"), collectively "Parties".

RECITALS

The following recitals are made for purposes of this Amendment:

1. The Town desires to continue the employment of George M. Sonnett, Jr. as Town Attorney of the Town of Front Royal, Virginia pursuant to the terms and conditions of the Town Attorney Employment Agreement entered into effective the 1st day of July 2022 ("Agreement"), and,
2. The Parties desire to amend the Agreement regarding certain terms and conditions of employment to reflect the performance of the Town Attorney.

IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS HEREIN CONTAINED; the parties agree as follows:

SECTION 3.A SALARY.

The Town will increase the pay of Town Attorney for Duties performed pursuant to the Agreement to an annual base salary of One Hundred Forty Thousand Four Hundred Sixty-two Dollars and Forty Cents (\$140,462.40), effective January 1, 2024.

All terms and conditions of the Agreement not specifically amended by this Amendment shall continue and remain in full force and effect.

IN WITNESS WHEREOF, the Parties execute this Amendment effective on the date above entered, the Town causing this Agreement to be signed and executed on its behalf by its Mayor and duly attested by the Clerk of the Council.

TOWN:

TOWN ATTORNEY:

Lori Athey Cockrell, Mayor Date

George M. Sonnett, Jr. Date

ATTEST:

Clerk of Council

DRAFT



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11E

Agenda Item: Request for Town Public Water and Sewer for Industrial Use – Plien-Smith, LLC (Baugh Drive LLC)

Summary: Council has received a joint request from Warren County and Plien-Smith LLC (Baugh Drive LLC) for water and sewer service on Baugh Drive (tax map 5C as parcel 6) for a contractor storage yard for landscaping and horticultural services. The landscaping storage area will be served by a private well, but the buildings (if approved) will be served by Town water and sewer. The applicant estimates 611 gallons of water use per day. No amendment to the Extension Moratorium Area, Town Code §134-1(D), is required.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Proposed Motion: I move that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Plien-Smith LLC (Baugh Drive LLC) for water and sewer service on Baugh Drive (tax map 5C as parcel 6) for an industrial contractor storage yard for landscaping and horticultural services and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.

Moved _____ *Seconded* _____

VM Seacock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
Email: edaley@warrencountyva.gov

Dr. Edwin C. Daley
County Administrator

MEMORANDUM

TO: Matt Wendling, Planning Director

FROM: Zach Henderson, Deputy Clerk of the Board

SUBJECT: Request for Town of Front Royal Public Sewer and Water for Plien-Smith LLC (Baugh Dr. LLC)

DATE: 09/18/2024



The Board of Supervisors, at its meeting on September 17th, 2024, approved the request for acceptance of the properties identified on Tax Map 5C, as parcel 6, into the Town of Front Royal Sewer and Water District as an Industrial zoned property to be forwarded to the Town Council.

CHAIR, Cheryl L.
Cullers
South River District

VICE CHAIR, Jerome K. Butler
Happy Creek District

Vicky L. Cook
Fork District

John W. Stanmeyer
Shenandoah District

Dr. Richard A.
Jamieson
North River District

Dr. Edwin C. Daley
County Administrator



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
September 17, 2024	K.5.	Request for Town of Front Royal Public Sewer and Water for Plien-Smith LLC (Baugh Dr. LLC)
EXPLANATION & SUMMARY: This request is being made for the property located on Baugh Drive and identified on Tax Map 5C as parcel 6. The property has been approved a conditional use permit for a Contractor Storage Yard and a by-right use as a Landscaping and Horticultural Services (for wholesale landscaping). The landscaping storage area is proposed to be served by a private well but the buildings will be served by Town Sewer and Water if approved. The Town of Front Royal requires that prior to the "Application for Out-of-Town Utility Connection" being submitted, the Town Council must receive a request from the County to bring the property into the boundaries of the Town's Sewer and Water district. These properties are currently vacant and a site plan has been submitted. The application for out-of town utilities connection was submitted to the Town Public Works department at the time the site plan was submitted for comments but Planning staff later became aware that this was a requirement.		
COST & FINANCING:		
PROPOSED OR SUGGESTED MOTION: I motion that the Board of Supervisors approve the request for acceptance of the properties identified on Tax Map 5C, as parcel 6, into the Town of Front Royal Sewer and Water District as an Industrial zoned property to be forwarded to the Town Council.		
SUBMITTED BY:	ATTACHMENTS:	
Matt Wendling, Planning Director	1. Plien-Smith 0 Baugh Dr SP2024-06-01 Out of Town Utility 2. Plien Smith Ventures LLC 2024-01-05 FR Public Works Comments 3. Plien Smith Ventures LLC 2024-01-05 Location Map	



APPLICATION FOR OUT-OF-TOWN UTILITY CONNECTION

Town of Front Royal
Public Works
800 Crosby Rd – PO Box 1560
Front Royal VA 22630
(540) 635-7819 (O) • (540) 635-8973 (F)
www.frontroyalva.com

Application Date: 06/07/2024
Owner(s) / Applicant(s) Full Name: Baugh Dr. LLC
Mailing Address: 8040 Industrial Park Court
City/State/Zip: Bristow, VA 20136
Daytime Phone: (703) 932-2002 Email: wsmith@ktenterprises.com
Property Address/Lot #: 0 Baugh Drive, Front Royal (Parcel #5C 6)

IF RESIDENTIAL:

Type of Unit: ☐ Single Family ☐ Townhouse ☐ Duplex/Multi Family

IF COMMERCIAL or INDUSTRIAL:

Type of Business: Industrial (note most employees work off-site)
Number of Employees: 72 on main shift Hours of Operation: 6AM-5PM
Estimated Usage: 611 gallons per day

ALL APPLICANTS:

Number of Toilets: 12 Urinals: 8 Sinks: 8 Tubs/Shower: 2
Size of Meter (Must match water service size): TBD
Fire Suppression Required: (Yes) / No Meter size TBD (Buildings will have fire sprinkler system)

THIS SECTION TO BE COMPLETED BY WARREN COUNTY PLANNING DEPARTMENT

Application Approved by Board of Supervisors: _____ Date: _____
Application Approved by Building Department: _____ Date: _____
Application Approved by Planning Staff: _____ Date: _____
Director of Planning Signature: Matthew P. Hendrix Date: 6/11/2024

TOWN APPROVAL PROCESS

- ✓ Approval of Connection by Town Council if applicable (Four Weeks)
- ✓ Review of Site Plans if applicable (Three Weeks per submittal)
- ✓ If Commercial-Completion of PILOT Agreement, if applicable-through Town Attorney's Office (Two Weeks)
- ✓ Payment of Applicable Fees through Finance Department (One Week)
- ✓ Developer provides and installs all equipment (pipes, valves, meters, etc.)

THIS SECTION TO BE COMPLETED BY PUBLIC WORKS

Water & Sewer Availability: _____

Utility Extension Required: _____

Utility Plans Reviewed & Approved: _____

PILOT Agreement Completed: _____

Confirmation from Director of Finance that Taxes have been paid in full: ____ Date: _____

Signature: _____

FEES:

Water Connection Fee _____

Water Additional Fee _____

Fire Suppression Fee _____

Sub Total (Water) _____

Sewer Connection Fee _____

Sewer Additional Fee _____

Sub Total (Sewer) _____

TOTAL _____

Public Works Director Signature: _____ Date: _____

134-71.1 PURCHASE OF WATER AND SEWER TAPS

- A water and sewer connection can be purchased from the Town of Front Royal only for a specific, designated building site or lot.
- Once an application to purchase a water and sewer connection has been received, the connection shall not be transferrable to another site.
- If the water and sewer connection is not installed within twelve (12) months from the date of purchase because the purchaser is not ready for actual installation, the purchase shall be voided and the purchase price alone shall be refunded without interest.
- Water and sewer connection fees shall be paid upon application. However, when a single developer in a single application requests the purchase of six (6) or more water and sewer taps for six (6) or more building units, the connection fee for each tap may be paid upon actual installation of each respective tap. (Ord. No. 2-86 Added Entire Section 2-10-86-Effective Upon Passage)

GENERAL INFORMATION

1. A site plan or plat depicting the utility connection locations to the Town water and sewer mains must be included with this application. Warren County may release building permit upon Town approval of site plans.
2. All owner information must be completed and Warren County approvals received prior to processing by the Town.
3. The tax map number can be found on your Zoning or Building permit. If you do not know this number, it can be obtained from the County Planning Department (540-636-3354).
4. Connection fee information can be obtained from the Town website www.frontroyalva.com or by contacting Public Works (540) 635-7819.
5. For tenant occupied structures, separate water meters must be provided for each unit.
6. Information about the Town's PILOT program and Out-of-Town Water & Sewage Service Agreement can be obtained from the Town website www.frontroyalva.com or by contacting the Town Attorney at (540) 635-8007. Warren County may release Occupancy Permit upon completion of PILOT Agreement.
7. Out-of-Town residential & industrial fees & rates are 200% in-Town rates.



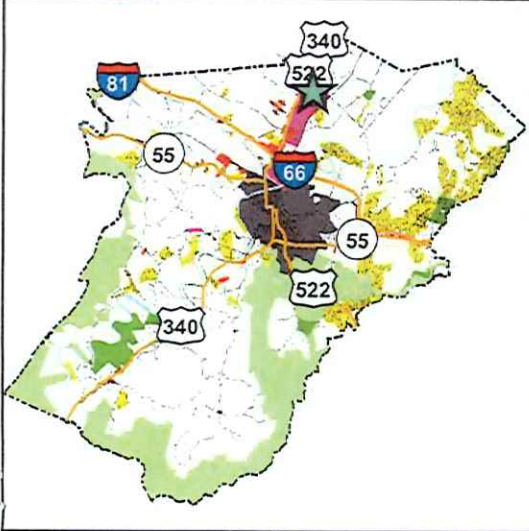
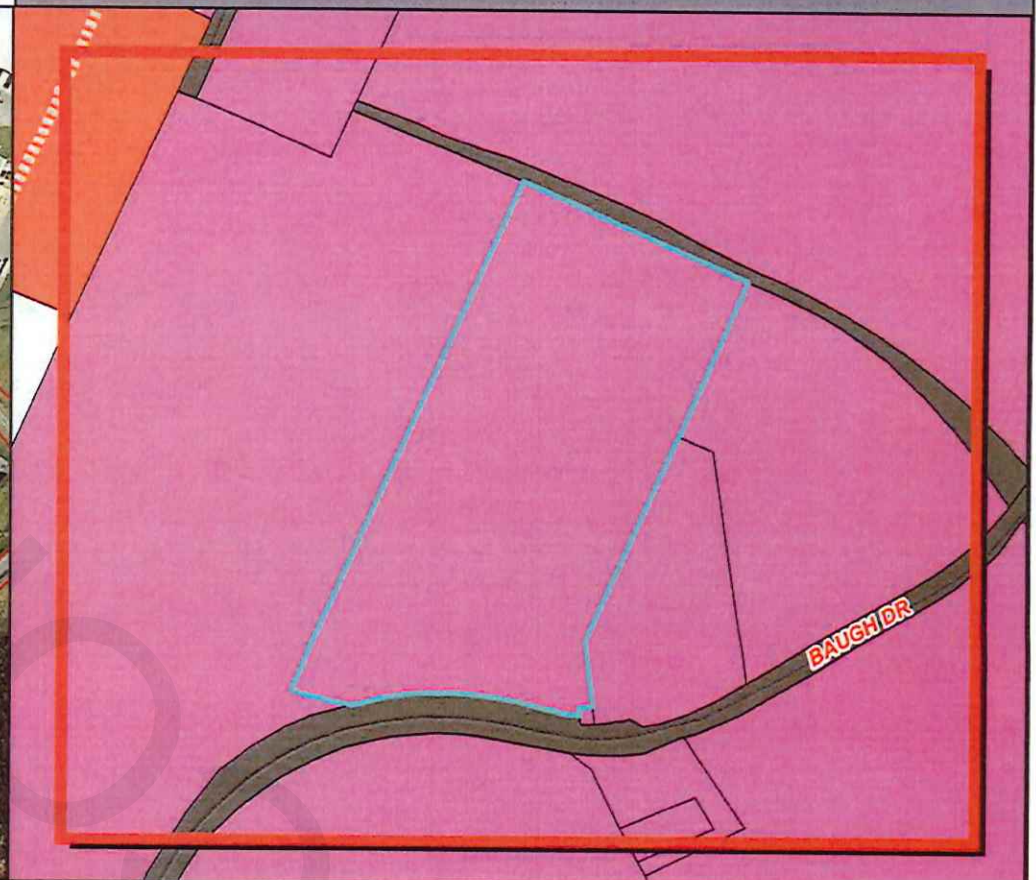
Warren County VA

CUP Location Map



CUP: Contractor Storage Yard
Applicant: Plain Smith Ventures LLC

TM# 5C-----6
0 Baugh Drive



Zoning

Agricultural	Rural Residential
Commercial	Right of Way
Industrial	Front Royal
Residential One	Federal Land
Residential Two	State Land
Suburban Residential	Water
Village Residential	VOF Conservation Easements
	WC Conservation Easements

Map produced by
Warren County GIS 2023
Department of Planning



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: October 28, 2024

Item# 11F

Agenda Item: Request for Town Public Water and Sewer for Industrial Use – Rory Byrnes Rushmark Properties (Rushmark Rockland Road LLC)

Summary: Council has received a joint request from Warren County and Rory Byrnes of Rushmark Properties (Rushmark Rockland Road LLC) for water and sewer service at the southeast corner of Rockland Road and Winchester Road Intersection (tax map 12A, Section 1, Block 16 as parcels A1 and A3) for a warehouse and distribution center. The applicant estimates 675 gallons of water use per day. No amendment to the Extension Moratorium Area, Town Code §134-1 (D), is required.

Budget/Funding: N/A

Meetings: Work Session held October 7, 2024

Proposed Motion: I move that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Rory Byrnes of Rushmark Properties (Rushmark Rockland Road LLC) for water and sewer service at the southeast corner of Rockland Road and Winchester Road Intersection (tax map 12A, Section 1, Block 16 as parcels A1 and A3) for an industrial warehouse and distribution center and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____



COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
Email: edaley@warrencountyva.gov

Dr. Edwin C. Daley
County Administrator

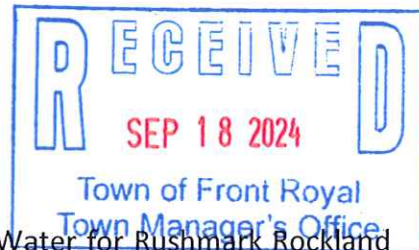
MEMORANDUM

TO: Matt Wendling, Planning Director

FROM: Zach Henderson, Deputy Clerk of the Board

SUBJECT: Request for Town of Front Royal Public Sewer and Water for Rushmark Rockland Road LLC

DATE: 09/18/2024



The Board of Supervisors, at its meeting on September 17th, 2024, approved the request for acceptance of the properties identified on Tax Map 12A, Section 1, Block 16, as parcels A2 and A3 into the Town of Front Royal Sewer and Water District as an Industrial zoned property to be forwarded to the Town Council.

COPY

CHAIR, Cheryl L.
Cullers
South River District

VICE CHAIR, Jerome K. Butler
Happy Creek District

Vicky L. Cook
Fork District

John W. Stanmeyer
Shenandoah District

Dr. Richard A.
Jamieson
North River District

Dr. Edwin C. Daley
County Administrator



COUNTY OF WARREN, VIRGINIA

BOARD OF SUPERVISORS AGENDA ITEM

DATE	ITEM	SUBJECT:
September 17, 2024	K.4.	Request for Town of Front Royal Public Sewer and Water for Rushmark Rockland Road LLC
EXPLANATION & SUMMARY: This request is for the properties in the Class A subdivision submitted by Rushmark Rockland Road LLC currently under review by Planning staff to allow the Industrial zoned parcels shown on Tax Map 12A, section 1, block 16 as parcels A2 and A3 to be accepted into the Town of Front Royal Sewer and Water District for the land-use as a Warehouse and Distribution center. The Town of Front Royal requires that prior to the "Application for Out-of-Town Utility Connection" being submitted, the Town Council must receive a request from the County to bring the property into the boundaries of the Town's Sewer and Water district. These properties are currently vacant and a site plan has been submitted for Phase 1 of the Industrial area on lot A3 for two warehouses and is under review. The application for out-of town utilities connection was submitted to the Town Public Works department at the time the site plan was submitted for comments. COST & FINANCING: PROPOSED OR SUGGESTED MOTION: I motion that the Board of Supervisors approve the request for acceptance of the properties identified on Tax Map 12A, Section 1, Block 16, as parcels A2 and A3 into the Town of Front Royal Sewer and Water District as an Industrial zoned property to be forwarded to the Town Council.		
SUBMITTED BY:		ATTACHMENTS:
Matt Wendling, Planning Director		1. Out of Town Utliity App Signed 2. VAB220087.00BLA2_Unsigned_Class A Subdivision Plat_2 Draft 3. 2022-10-01_Rushmark Rockland Road LLC&Cedarville LLC_Comments from Town of Front Royal 4. Location Map



APPLICATION FOR OUT-OF-TOWN UTILITY CONNECTION

Town of Front Royal
Public Works
800 Crosby Rd – PO Box 1560
Front Royal VA 22630
(540) 635-7819 (O) • (540) 635-8973 (F)
www.frontroyalva.com

Application Date: 1/11/2024

Owner(s) / Applicant(s) Full Name: Rory Byrnes - Rushmark Properties

Mailing Address: 2900 Fairview Park Drive

City/State/Zip: Falls Church, VA 22042

Daytime Phone: (703) 289-9233

Email: RByrnes@rushmark.com

Property Address/Lot #: SE Corner of Rockland Road/Winchester Road Intersection

IF RESIDENTIAL:

Type of Unit:

☐ Single Family

☐ Townhouse

☐ Duplex/Multi Family

IF COMMERCIAL or INDUSTRIAL:

Type of Business: Industrial Warehouse - TBD

Number of Employees: 136

Hours of Operation: 12

Estimated Usage: 675 gallons per day

ALL APPLICANTS:

Number of Toilets: 12

Urinals: 4

Sinks: 4

Tubs/Shower: 0

Size of Meter (Must match water service size): 1 1/2"

Fire Suppression Required: (Yes) / No Meter size 3"

THIS SECTION TO BE COMPLETED BY WARREN COUNTY PLANNING DEPARTMENT

Application Approved by Board of Supervisors: _____ Date: _____

Application Approved by Building Department: _____ Date: _____

Application Approved by Planning Staff: _____ Date: _____

Director of Planning Signature: Matt Handling Date: 1/11/2024

TOWN APPROVAL PROCESS

- ✓ Approval of Connection by Town Council if applicable (Four Weeks)
- ✓ Review of Site Plans if applicable (Three Weeks per submittal)
- ✓ If Commercial-Completion of PILOT Agreement, if applicable-through Town Attorney's Office (Two Weeks)
- ✓ Payment of Applicable Fees through Finance Department (One Week)
- ✓ Developer provides and installs all equipment (pipes, valves, meters, etc.)

THIS SECTION TO BE COMPLETED BY PUBLIC WORKS

Water & Sewer Availability: _____

Utility Extension Required: _____

Utility Plans Reviewed & Approved: _____

PILOT Agreement Completed: _____

Confirmation from Director of Finance that Taxes have been paid in full: ____ Date: _____

Signature: _____

FEES:

Water Connection Fee _____

Water Additional Fee _____

Fire Suppression Fee _____

Sub Total (Water) _____

Sewer Connection Fee _____

Sewer Additional Fee _____

Sub Total (Sewer) _____

TOTAL _____

Public Works Director Signature: _____ Date: _____

134-71.1 PURCHASE OF WATER AND SEWER TAPS

- A water and sewer connection can be purchased from the Town of Front Royal only for a specific, designated building site or lot.
- Once an application to purchase a water and sewer connection has been received, the connection shall not be transferrable to another site.
- If the water and sewer connection is not installed within twelve (12) months from the date of purchase because the purchaser is not ready for actual installation, the purchase shall be voided and the purchase price alone shall be refunded without interest.
- Water and sewer connection fees shall be paid upon application. However, when a single developer in a single application requests the purchase of six (6) or more water and sewer taps for six (6) or more building units, the connection fee for each tap may be paid upon actual installation of each respective tap. (Ord. No. 2-86 Added Entire Section 2-10-86-Effective Upon Passage)

GENERAL INFORMATION

1. A site plan or plat depicting the utility connection locations to the Town water and sewer mains must be included with this application. Warren County may release building permit upon Town approval of site plans.
2. All owner information must be completed and Warren County approvals received prior to processing by the Town.
3. The tax map number can be found on your Zoning or Building permit. If you do not know this number, it can be obtained from the County Planning Department (540-636-3354).
4. Connection fee information can be obtained from the Town website www.frontroyalva.com or by contacting Public Works (540) 635-7819.
5. For tenant occupied structures, separate water meters must be provided for each unit.
6. Information about the Town's PILOT program and Out-of-Town Water & Sewage Service Agreement can be obtained from the Town website www.frontroyalva.com or by contacting the Town Attorney at (540) 635-8007. Warren County may release Occupancy Permit upon completion of PILOT Agreement.
7. Out-of-Town residential & industrial fees & rates are 200% in-Town rates.

COPY

NOTES:

1. THE PROPERTIES SHOWN HEREON ARE THE LANDS OF RUSHMARK ROCKLAND ROAD, LLC AS RECORDED IN INSTRUMENT NUMBERS 220004507 AND 230005303, ALL AMONG THE LANDS RECORDS OF WARREN COUNTY, VIRGINIA AND HAVING A TAX MAP NUMBERS OF 12A-116-28, 12A-116-29, 12A-116-30, 12A-116-31, & 12A-116-32A. PER THE DEPARTMENT OF ASSESSMENTS.
2. DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 192004384, DATED MAY 24, 2022 AND COMMITMENT NO. 19004421, DATED FEBRUARY 23, 2023 AND REVISED MAY 1, 2023.
4. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, WARREN COUNTY, VIRGINIA AND INCORPORATED AREAS, PANEL 110 OF 250", MAP NUMBER 51187G0110C, WITH A MAP EFFECTIVE DATE OF JUNE 3, 2008.
5. GRANTEE'S ADDRESS FOR RUSHMARK ROCKLAND ROAD, LLC IS 2900 FAIRVIEW PARK DRIVE, FALLS CHURCH, VA 22042

OWNERS CONSENT AND DEDICATION

THE PLAT SHOWING SUBDIVISION, VACATION, AND RIGHT-OF-WAY AND EASEMENT DEDICATION ON THE LANDS OF RUSHMARK ROCKLAND ROAD, LLC, AS SHOWN HEREON IS WITH THE DESIRE OF THE UNDERSIGNED OWNER, PROPRIETORS AND TRUSTEES, IF ANY.

SIGNATURE: _____ DATE _____

APPROVED:

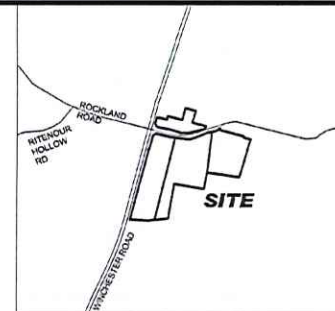
TOWN OF FRONT ROYAL _____ DATE _____

VIRGINIA DEPARTMENT OF TRANSPORTATION _____ DATE _____

AREA TABULATION

ORIGINAL AREA	
12-32C1	28.394 ACRES
12A-116-8	0.179 ACRES
12A-116-20A	1.436 ACRES
12A-116-28	46.028 ACRES
12A-116-1	0.043 ACRES
12A-116-2	0.045 ACRES
12A-116-3	0.047 ACRES
12A-116-4	0.048 ACRES
12A-116-5	0.066 ACRES
PORTION OF JACKSON AVE. (ABANDONED)	0.067 ACRES
TOTAL	77.051 ACRES

AFTER CONSOLIDATION AND DEDICATION	
LOT A1	23.943 ACRES
LOT A2	27.880 ACRES
LOT A3	16.121 ACRES
LOT B	7.944 ACRES
(IMPROVEMENTS ALONG WINCHESTER ROAD)	
DEDICATED FOR PUBLIC STREET	
AREA "A"	0.203 ACRES
AREA "B"	0.010 ACRES
TOTAL	77.051 ACRES



VICINITY MAP
SCALE: 1"=2000'

MATCHLINE - SHEET 2

LEGEND

- (P) IRON PIPE FOUND
- (R) IRON ROD FOUND
- (M) CONC. MONUMENT W/ DISK FOUND
- PROP. CORNER TO BE SET

NOTARY CERTIFICATE

CITY/COUNTY OF _____

THE COMMONWEALTH OF VIRGINIA

I, _____, THE UNDERSIGNED NOTARY PUBLIC DO HEREBY CERTIFY THAT

WHOSE NAME(S) IS SIGNED TO THE FOREGOING OWNER'S CONSENT APPEARED AND ACKNOWLEDGED THE SAME BEFORE ME THIS ____ DAY OF _____, 2024.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

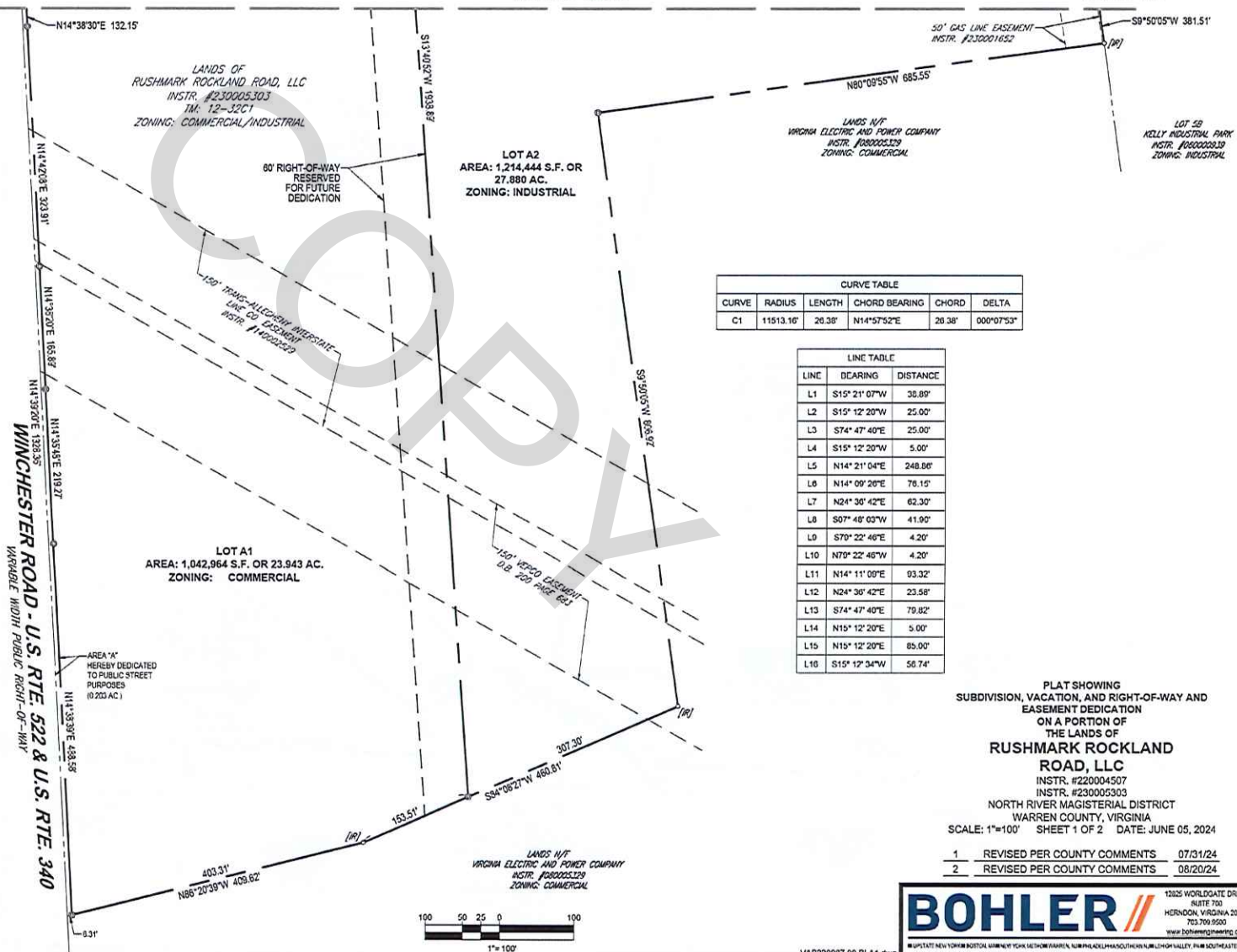
REVIEWED AND CERTIFIED AS EXEMPT FROM THE WARREN COUNTY SUBDIVISION ORDINANCE UNDER SECTION 155-3 B (1) (A), ALLOWING BOUNDARY ADJUSTMENTS AND MAY BE COMMITTED TO RECORD.

PLANNING DIRECTOR _____ DATE _____

SURVEYOR'S CERTIFICATE

I, ROBERT C. HARR, JR., A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THIS PROPERTY SHOWN HEREON IS IN THE NAME OF RUSHMARK ROCKLAND ROAD, LLC BY DEEDS RECORDED IN INSTRUMENT NUMBER 220004507 & 230005303, ALL RECORDED AMONG THE LAND RECORDS OF WARREN COUNTY, VIRGINIA

I FURTHER CERTIFY THAT THE LAND HEREON LIES ENTIRELY WITHIN THE BOUNDS OF THE ORIGINAL TRACT, THAT THIS PLAT IS BASED ON A BOUNDARY SURVEY PERFORMED BY BOHLER ON MAY 15, 2023, AND ALL COURSES ARE REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 GRID NORTH.



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
C1	11513.16'	20.38'	N14°57'52"E	20.38'	000°07'53"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S15°21'07"W	36.89'
L2	S15°12'20"W	25.00'
L3	S74°47'40"E	25.00'
L4	S15°12'20"W	5.00'
L5	N14°21'04"E	248.06'
L6	N14°09'20"E	76.15'
L7	N24°30'42"E	62.30'
L8	S07°48'03"W	41.90'
L9	S70°22'46"E	4.20'
L10	N70°22'46"W	4.20'
L11	N14°11'09"E	93.32'
L12	N24°30'42"E	23.58'
L13	S74°47'40"E	79.82'
L14	N15°12'20"E	5.00'
L15	N15°12'20"E	85.00'
L16	S15°12'34"W	56.74'

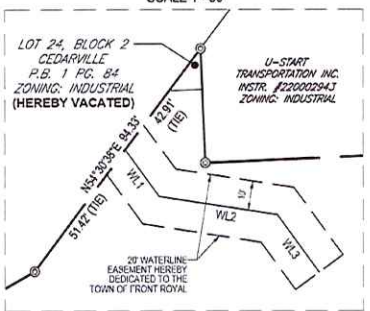
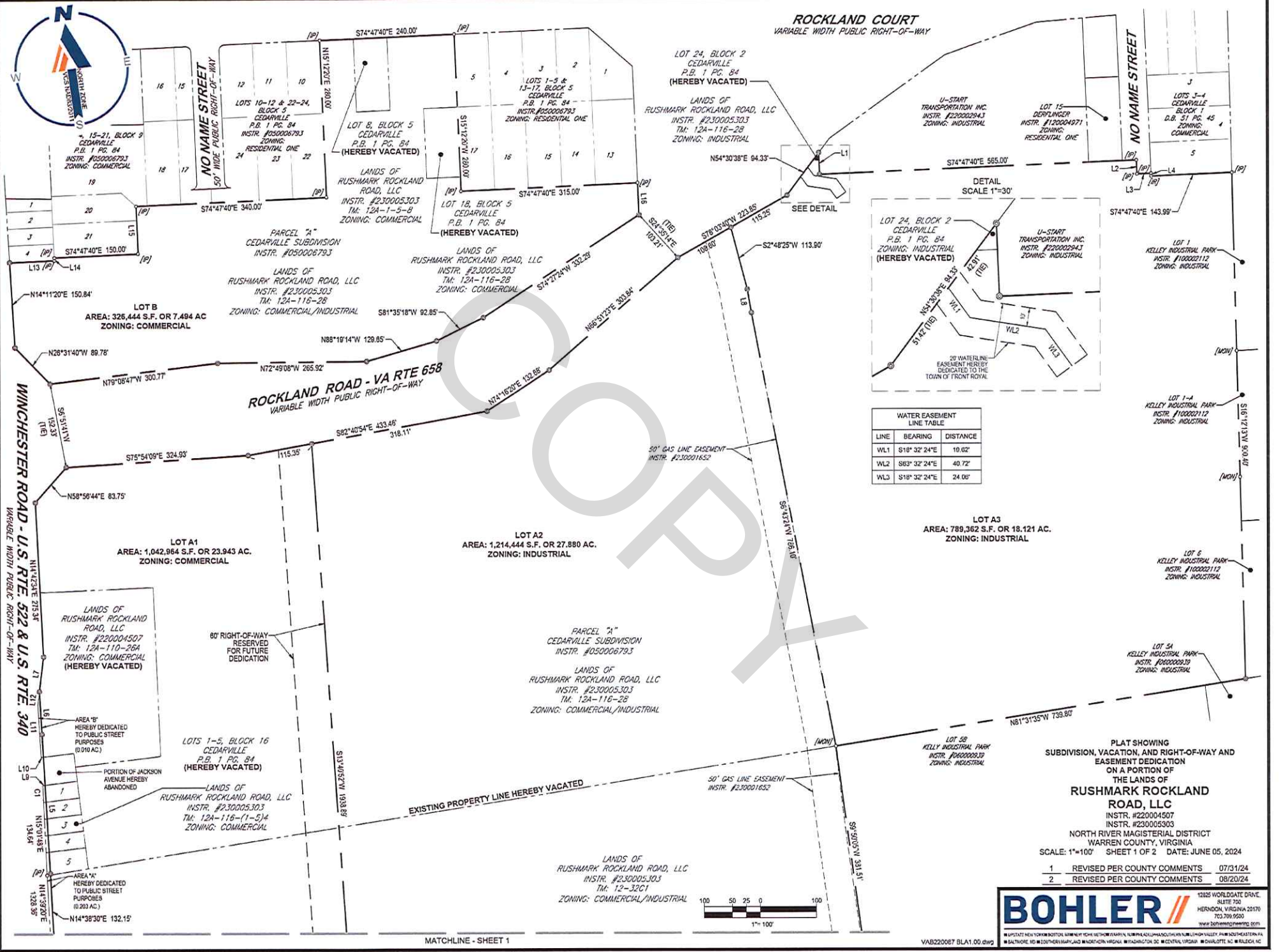
PLAT SHOWING
SUBDIVISION, VACATION, AND RIGHT-OF-WAY AND
EASEMENT DEDICATION
ON A PORTION OF
THE LANDS OF
**RUSHMARK ROCKLAND
ROAD, LLC**
INSTR. #220004507
INSTR. #230005303
NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1"=100' SHEET 1 OF 2 DATE: JUNE 05, 2024

1 REVISED PER COUNTY COMMENTS 07/31/24
2 REVISED PER COUNTY COMMENTS 08/20/24

BOHLER 12025 WORLDGATE DRIVE,
SUITE 700
HERNDON, VIRGINIA 20170
703.709.9500
www.bohlerinc.com

BOHLER HAS LOCATIONS THROUGHOUT THE UNITED STATES AND CANADA. LOCATIONS IN: ALABAMA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, ILLINOIS, INDIANA, IOWA, KANSAS, KENTUCKY, LOUISIANA, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, OHIO, OKLAHOMA, OREGON, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA, TENNESSEE, TEXAS, UTAH, VERMONT, VIRGINIA, WISCONSIN, WYOMING.

VA2200007.00 01A1.dwg



WATER EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
WL1	S18° 32' 24"E	10.62'
WL2	S63° 32' 24"E	40.72'
WL3	S18° 32' 24"E	24.06'

PLAT SHOWING
SUBDIVISION, VACATION, AND RIGHT-OF-WAY AND
EASEMENT DEDICATION
ON A PORTION OF
THE LANDS OF
RUSHMARK ROCKLAND ROAD, LLC
INSTR. #220004507
INSTR. #230005303
NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA
SCALE: 1"=100' SHEET 1 OF 2 DATE: JUNE 05, 2024

1	REVISED PER COUNTY COMMENTS	07/31/24
2	REVISED PER COUNTY COMMENTS	08/20/24

13025 WORLDGATE DRIVE,
SUITE 700
HERNDON, VIRGINIA 20170
703.799.9500
www.bohlerengineering.com

Location Map



{P1231465.DOCX / 1 Location Map 007511 000068}

 The Property