



TOWN COUNCIL REGULAR MEETING

January 27, 2025 @ 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 Council Meeting minutes of the December 2, 2024 Work Session, December 9, 2024 Regular Meeting, December 16, 2024 Special and Special Closed Meetings, January 9, 2025 Work Session and January 13, 2025 Work Session as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA (REQUIRES UNANIMOUS VOTE) OR
REVISION TO ORDER OF BUSINESS (REQUIRES MAJORITY VOTE)
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
7. PUBLIC HEARINGS
 - A. Special Exception Request from COL Samuel R. Millar VFW Post 1860 for Relief of Existing Parking Requirements at 654-B W 11th Street
 - B. Receive Public Input Pertaining to the Town Vacating a Portion of Kibler Street
 - C. Ordinance Amendment to Chapter 175 Pertaining to Tobacco, Smoke or Vape Shops
 - D. Comprehensive Plan Amendment for the Area between Strasburg Rd and Duck St to Rugby St
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
 - A. Report of Interim Town Manager
 - B. Report of Councilmembers
 - C. Report of the Mayor
10. CONSENT AGENDA ITEMS - None
11. BUSINESS ITEMS
 - A. Final Subdivision Plat for a Major Subdivision [Squirrel Hill Development] Located at 344 W. Main Street - McCarty
12. CLOSED MEETING
13. 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 Dominic Giovinazo and Isabella Giovinazo

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris (stated her last name was now Veitenthal)
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

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

APPROVAL OF MINUTES – Councilman Ingram moved seconded by Vice Mayor Sealock that Council approve the 2024 Council Meeting minutes of the October 28th Special Closed and Regular Meetings and November 12th Work Session, as presented.

Councilman Wood stated that he would be abstaining since he was not in attendance for the November 12, 2024 Work Session.

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

ROLL CALL

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

Councilwoman Veitenthal moved seconded by Vice Mayor Sealock that Council add items 11B-To Acquire a Deed of Easement from Front Royal Limited Partnership Granting an Easement to the Town of Front Royal Across Tax Map Nos. 20A221-9 and 20A221-11 in the Town of Front Royal for Construction of a Portion of the Route 522 North Corridor Redundant Waterline Project and 11C- Reconsider and Amend Motion/Resolution Initiating a Zoning Text Amendment on October 28, 2024 to the Planning Commission to the agenda.

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

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS

Recognition of Holly Rhodenhizer for Service on the Board of Architectural Review (BAR) – Mayor Cockrell along with Council presented her with a Certificate of Recognition and thanked her for her service.

Presentation from Chief Whited – Chief Whited gave Council an update on two recruits who just completed the academy. He also advised that he had filled the Community Resource Officer position who would spend time on Main Street. He introduced Captain Zach King as being promoted to Major. Mayor and Council thanked Chief Whited on the updates and congratulated Major King on his promotion.



PUBLIC HEARINGS - None

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Kerry Barnhart, owner of 120-124 E. Main Street, voiced concern over the increase in commercial trash service rates. She gave Council a list of suggestions to consider as they entered further discussion on trash services at their work session on Monday night. She looked forward to a new account identification process and an equitable rate structure that will work for all businesses and residences in the Town. A handout was given to the Clerk of Council to be distributed to the Mayor and Council.

Shane Briggs, 205 E. Main Street, voiced concern over the increase in the trash service rates at his store on Main Street identifying it as a small gift shop. He preferred opting out of the charge.

REPORTS

Town Manager Report – Mr. Waltz advised that the concerns pertaining to Main Street's solid waste area would be discussed at Council's Work Session on November 12th. He advised that the Town Business Offices would be closed for Thanksgiving and gave an updated trash collection schedule. He wished everyone a Happy Thanksgiving.

Town Council Reports

Vice Mayor Sealock thanked the Police Department for their canine visit at Heritage Hall Nursing Home.

Councilman Wood congratulated the mayor and fellow councilmembers who were re-elected and those who came out to vote. He noted that the Salvation Army would be hosting a Thanksgiving meal Wednesday evening at the First Baptist Church, and that there were 160 Angel Tree participants who would receive gifts from the Salvation Army. He welcomed all volunteers to assist with these events.

Councilwoman Veitenthal congratulated the mayor and fellow councilmembers who were re-elected.

Councilwoman DeDomenico-Payne thanked all the voters who came out to vote. She attended Fussell Florist's Ribbon Cutting. She reminded everyone of the Salvation Army Bell Ringing Program. She stated that this part of the meeting was a reminder that the mayor and council were involved in the community.

Councilman Rapaport congratulated the mayor and fellow councilmembers who were re-elected. He attended Fussell Florist's Ribbon Cutting, the Raymond E. Santmyers Student Union and Activity Center's Event and the NAACP Annual Freedom Fund Banquet.

Councilman Ingram congratulated the mayor and fellow councilmembers who were re-elected. He thanked law enforcement for keeping the recent "leaf traffic" flowing.

Report of the Mayor – Mayor Cockrell attended a presentation from the House of Delegates honoring former Mayor John Marlow, the NAACP Annual Freedom Banquet, a Young Life Event, Veterans Day Ceremony, and Joint Meetings with the Warren County Board of Supervisors and School Board. She thanked all the candidates who ran in the election and the citizens who gave her their concerns during the campaign. She gave thanks for all the blessings in her life and wished everyone a Happy Thanksgiving.



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CONSENT AGENDA ITEMS

Task Order for Additional Dam Evaluation Tasks and to Acquire an Operation/Maintenance Certificate

Council approved a task order for Potesta Engineering in the amount of \$101,100.00 to perform additional dam evaluation tasks and to acquire an Operation and Maintenance Certificate with the Virginia Department of Conservation & Recreation.

Task Order for the Performance of Sanitary Sewer Flow Monitoring Program for FY2025

Council approved a task order for CHA Engineering in the amount of \$272,700.00 for the performance of the Sanitary Sewer Flow Monitoring Program for FY2025.

FY25 Budget Amendment for Helene Storm Recovery Mutual Aid Reimbursement

Council approved a FY25 Budget Amendment in the amount of \$55,226.50 to receive funds from Clinton, South Carolina and Bristol, Virginia to reimburse the Town's Department of Energy Services for costs associated with labor and equipment providing assistance for Helene Storm Recovery efforts.

FY25 Budget Amendment to Receive Funds from Virginia Risk Sharing Association (VRSA) for Reimbursement of a Pedestrian Project and Camera/GPS System for Solid Waste Department

Council approved a FY25 Budget Amendment in the amount of \$5,000.00 to receive funds from Virginia Risk Sharing Association (VRSA) to reimburse the Town for a pedestrian project in the amount of \$2,000.00 and \$3,000.00 for a camera/G.P.S. system for the Department of Solid Waste.

Appointment to the Board of Architectural Review (BAR)

Council appointed Dede Nash to the Board of Architectural Review (BAR) to a 4-year term ending November 13, 2028.

Appointment to Advisory Committee for Environmental Sustainability (ACES)

Council appointed Celeste Horton to the Advisory Committee of Environmental Sustainability (ACES) to a 4-year term beginning December 13, 2024 and ending December 13, 2028.

Reappointment to the Front Royal Economic Development Authority (FREDA)

Council reappointed C. Frank Stankiewicz to the Front Royal Economic Development Authority (FREDA) to a 4- year term beginning December 13, 2024 and ending December 13, 2028.

Recommendation to the Judge of the Circuit Court for Appointment on Board of Zoning Appeals (BZA)

Council recommended James V. Jackson to the Judge of the Circuit Court for appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending May 1, 2028.

Mayor Cockrell read the names of those who were appointed, reappointed and recommended to various boards.

Councilman Ingram moved seconded by Vice Mayor Sealock that Council approve the consent agenda as presented

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



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BUSINESS ITEMS

Viability of the Industrial Development Authority of the Town of Front Royal and County of Warren, Virginia, A Political Subdivision of the Commonwealth of Virginia

Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council direct the Town Attorney to refer the matter of the viability of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, a political subdivision of the Commonwealth of Virginia, to the Office of the Attorney General of Virginia.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Added 11B - To Acquire a Deed of Easement from Front Royal Limited Partnership Granting an Easement to the Town of Front Royal Across Tax Map Nos. 20A221-9 and 20A221-11 in the Town of Front Royal for Construction of a Portion of the Route 522 North Corridor Redundant Waterline Project

Councilwoman Veitenthal moved seconded by Vice Mayor Sealock that Council approve and accept a Deed of Easement from Front Royal Limited Partnership for the sum of \$50,000 for the construction and maintenance of a portion of the Route 522 North Corridor Redundant Waterline Project across Tax Map Nos 20A221-9 and 20A221-11 in the Town of Front Royal as presented, and authorize the Town Attorney and the Town Manager to execute all necessary documents.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Added 11C- Reconsider and Amend Motion/Resolution Initiating a Zoning Text Amendment on October 28, 2024 to the Planning Commission to the agenda.

Councilman Rappaport moved seconded by Vice Mayor Sealock that Council reconsider the motion to initiate a zoning text amendment passed during the previous regular meeting on October 28, 2024 in order to state the public purpose therefore, made and seconded by councilmembers voting with the prevailing side. I further move that upon approving the reconsideration of the October 28, 2024 motion/resolution, that Council amend the initiating motion/resolution of October 28, 2024 by resolving to direct the Planning Commission to recommend a proposed tobacco, smoke and vape shop ordinance (or ordinances) to promote the health, safety and general welfare of the public, with a recommendation to Town Council within ninety (90) days from October 28, 2024.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

The meeting adjourned at approximately 7:48pm.

Approved by Town Council

Date: _____



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Roll Call by Clerk of Council

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

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Director of Elections & General Registrar Matthew Reisinger presented certificates to Mayor Cockrell, Vice Mayor Sealock, Councilwoman DeDomenico-Payne and Councilman Wood for their most recent election to the mayor and councilmember seats.

ADDITION TO THE AGENDA

Amber Veitenthal moved seconded by Vice Mayor Sealock that Council add an item to the agenda as 3D – Purchase Wood Media for Wastewater Treatment Plant

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

ROLL CALL

Main Street Solid Waste Service Area Discussion (Virtual) – John Culbertson and Cynthia Momile from MSW Consultants gave a virtual presentation that recapped their most recent Solid Waste Utility Cost of Service Rate Study for the Town. The presentation included: 1) an overview of the three customer classes (residential, commercial dumpsters and Main Street shared containers); 2) map of the Main Street service area; 3) cost of service vs. rate revenue; 4) service summary table that showed a breakdown of confirmed residential and commercial customers on Main Street; 5) Main Street evaluation process; 6) possible cost recovery options (solid waste tax, solid waste assessment and utility bill) giving an overview of each option; 7) summary of the outreach the Town did about the options to the customers; 8) Main Street recommendation approved by Town Council and Town Code Chapter 85 revisions; 9) focus on large business/restaurant (Class III) showing dumpsters outside of Main Street, market research on containerized waste service and commercial container service options; 10) status report for first month invoiced showing a subsidy required of \$24,776; and 11) other rate options that included OPTION 1: all accounts pay the same, no subsidy; OPTION 2: increase residential and commercial to full cost; OPTION 3: increase commercial rate same % as residential increase and retain large commercial subsidy; OPTION 4: increase commercial more than option 3 but less than full cost and retain small commercial subsidy; OPTION 5: remove Class III, retain other classes; and OPTION 6: remove Class III, adjust Class I and Class II higher. Other considerations included 1) have generators establish their own collection to alleviate overflow and billing controversy and 2) consider central compactor containers for Main Street.



Council questioned whether the models were ever based on businesses revenue. Mr. Culbertson advised they had not but reminded Council that solid waste was a “tonnage base industry” noting there was no correlation between business revenue and waste collection.

Council questioned who was categorizing the businesses into their classes. Mr. Culbertson explained that customers being placed in the wrong class were expected and adjustments are necessary noting the Public Works Director was often the one making the determination. Town Manager Waltz explained that while executing the classes there were some flaws, but they had been addressed. Council noted that 99% of the businesses on Main Street had less than ten employees but it was stated that the study was based on solid waste usage not the number of employees. It was stated that businesses serving food could become a human services issue if the waste was not properly disposed of.

There was much discussion and explanation regarding the residential units on Main Street and how their utility accounts were established. Director of Finance BJ Wilson explained the billing process for both residential and commercial meters. Mr. Culbertson reminded Council that the focus was on large businesses and the Class III establishment noting that they generated more and heavier waste. He also noted that Main Street customers receive three times a week collection services vs customers outside the Main Street service area who receive once a week collection. He explained the efficient use of a front load truck with a single operator compared to other trucks that cost more to operate in difficult areas.

Council questioned what the Main Street service area covered since some customers on Main Street were not included. Mr. Wilson explained that those businesses most likely have their own container. The service area includes only those businesses that have shared containers. Discussion ensued about how to exclude access to the shared dumpsters who were not customers and/or who were illegally dumping. Director of Public Works Robbie Boyer explained that cameras were used on Peyton Street at one time because of illegal dumping but have since been removed.

Discussion ensued about the option not to collect commercial waste and have businesses go to the private market or suggest large generators of solid waste go to the private market explaining that this would reduce the operating expense in the downtown area; however, this would not alleviate the overflow issue and would likely take away parking spaces. At this point a central compactor for solid waste was discussed noting it could hold a lot more and eliminate smaller containers but would increase the level of difficulty depositing the solid waste since walking was required and parking spaces would be lost. The rate structure could stay the same for a compactor but the consultant recommended to think more about implementation in the midterm to see how things work out. Mr. Waltz advised that staff was exploring the compactor and will bring forth when there was more information.

Council voiced concern that there were some residentials not paying anything and asked for some way to “fix” the situation. There was discussion on how other areas in Town handled individual apartments and how solid waste was collected. Mr. Wilson explained the process between landlord and tenant with some of the buildings in town. He advised that there were no more than twenty residential units on Main Street who were not paying for solid waste.

Council discussed the various options recommended by the consultant noting that subsidizing was a great concern. It was noted that a lot of businesses that located on Main Street were “built” on the former rate, and they could not react to the current increase. Mr. Waltz confirmed that the new rates have been implemented. He reiterated that the Town has a community dumpster system being used by residential



and commercial customers, explaining that if the commercial customers get their own dumpster the Town still had to serve the residential customers. It was noted that approximately two parking spaces were being used per enclosure and that a majority of dumpsters sat on town property with a few on private property. Much discussion continued on what option to choose, noting various charges by adjusting the individual class rates to create no subsidy or lower subsidy. Mr. Waltz reminded Council that any changes in rates would require a public hearing and the earliest would be January 2025. Mr. Culbertson reiterated that the basis of subsidization was the lack of existing utility meter accounts, therefore some customers were not getting billed. Mr. Waltz advised that currently no one was being billed for Class III. He suggested keeping the rates for Class I and II and coming back to them on January 6th to discuss Class III options. Council suggested that staff look into a process to retrieve more information on the residential units on Main Street.

New Business

A. Purchase and Replacement of Truck for Department of Energy Services – Mr. Wilson advised that money was budgeted, and everything was in order for procurement. Council agreed to add it to the December 9th Consent Agenda.

Mayor Cockrell moved the addition of 3D - Purchase Wood Media for Wastewater Treatment Plant to 3B – Mr. Wilson advised that this was a sole source and was budgeted. Council agreed to add it to the December 9th Consent Agenda.

B. Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for Five Years – Mr. Waltz advised that the current agreement had expired, and this was an amendment to accept another 5-year extension. He gave the ridership statistics and noted the trolley was being utilized. Council agreed to a public hearing on December 9th. It was clarified that the advertisement had already been completed.

C. Request to Donate Utilities for Salvation Army's Angel Tree Drop-Off Location at 419 South Street – Mr. Waltz advised that the Salvation Army was asking for assistance to pay three months' worth of utilities for their Angel Tree Drop-Off location located in the former Domino's Pizza location. Councilman Wood disclosed that he was on the Salvation Army Board. There was discussion about setting a precedence if approved. The consensus was to donate up to \$250.00 ending December 31, 2024. After further discussion Mayor Cockrell agreed that she would personally donate the \$250.00.

Requests for Town Water and Sewer in the Corridor for Industrial Use – Mr. Waltz handed out information to Council that included: Water System Volume Available Capacity and Sewer System Volume Available Capacity noting the various limits at each station.

A. Continued discussion – Equus Development LP (Executive Land Holdings IV, LLC) – Baugh Drive – Mr. Waltz advised that they estimated 4,200 gallons per day assuming twenty gallons per day per employee.

B. Continued Discussion – Toray Plastics Inc. (TC MidAtlantic Development V, Inc) – Toray Drive - Mr. Waltz advised they were estimating 1,800 gallon a day without a projection of the number of employees.

Council questioned the issues with the Riverton pump station. Mr. Boyer advised that the early 80's pump station needed upgraded, and the plans were currently being reviewed. He explained the difference between peak days and daily average and how it affected the numbers. He continued that the current daily average could handle these two requests. Mr. Waltz advised Council of the fees the two industries would bring in monthly. Council agreed to place items under Business Items on the December 9th agenda.



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CLOSED MEETING

Councilwoman Veitenthal 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 purpose: 1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a) the insolvency of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, b) supplying water and sewer to industrial users outside of Town limits, and c) imposition of road impact fees.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilwoman Veitenthal 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, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Adjourned approximately 10:15pm

Approved by Town Council

Date: -----



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Moment of Silence

Pledge of Allegiance led by Reese Schurtz

ROLL CALL BY CLERK OF COUNCIL

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

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

APPROVAL OF MINUTES – Councilman Ingram moved seconded by Councilwoman Veitenthal that Council approve the 2024 Council Meeting minutes of the November 25th Regular Meeting and December 2nd Work Session, as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

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

Councilwoman Veitenthal moved seconded by Councilman Rappaport that Council add a Closed Meeting as Item 12 to the agenda.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS

Recognition of Retirement for Jon J. McDonald, Sr – Mayor Cockrell along with Council presented Mr. McDonald a plaque and wished him a happy retirement.

Recognition of Service on the Advisory Committee for Environmental Sustainability (ACES) for Jeromé Ray – Mayor Cockrell along with Council presented Mr. Ray a certificate and thanked him for his service.

Recognition of Promotion of Sergeant Eric Seuss – Chief Whited introduced Sergeant Eric Seuss and advised of his recent promotion to Sergeant. The Mayor and Council congratulated Sergeant Seuss.

PUBLIC HEARINGS

Special Use Permit for Short Term Rental at 132 W. Criser Road for Theresa Roberson –

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

Councilman Ingram moved seconded by Councilwoman Veitenthal that Council approve a Special Use Permit (SUP) application submitted by Theresa Roberson to allow a short-term rental at 132 W. Criser Road (Tax Map 20A6-33-B1-1B).



Councilman Wood suggested a moratorium be placed on future short term rental requests until the issue of taxation was finalized. He requested that it be placed on a future work session for further discussion.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, DeDomenico-Payne

No – Councilmembers Rappaport, Wood

Absent – N/A

Abstain – N/A

ROLL CALL

Special Use Permit to Construct Multi-Family Pats on E. Criser Rd for Surber Development & Consulting LLC

Mayor Cockrell allowed Staff to give a presentation. Deputy Zoning Administrator/Town Planner I John Ware showed and explained various sections of the Town Code as it related to uses permitted in the C-1 District and residential apartment/dwelling unit provisions. He specifically noted that the Town Code allowed new apartment buildings in C-1 and R-3 with a special use permit and rezoning was not required. He showed an aerial map of the property along with the ½ and ¼ walkability of the property to various locations including a school, library and shopping center. Mr. Ware continued with how the project aligned with the Town's Comprehensive Plan. He noted that a portion of the property was in the floodplain, however the apartments would be built on the portion that was not in the floodplain. He briefly explained the Low-Income Housing Tax Credit (LIHTC) and the Leadership in Energy and Environmental Design (LEED). Mr. Ware advised that the applicant did more than one Traffic Analysis but was not required to. He stressed that tonight the Council would be voting on what was appropriate for the site, stressing that it was not a rezoning, therefore proffers were not needed. He explained that the site plan was the next step insuring it would come back before Planning Commission and Council at that time.

Council voiced concern on whether there would be a full time property manager on site and lighting at the entrance. The applicant stated that there would be a full-time property manager along with a regional manager and maintenance manager. The lighting for the entrance would be addressed during the site plan phase. There was some discussion on adjacent properties encroaching specifically a portion of Burrell Brooks, Jr. Community Park and the Happy Creek Walking Trail. It was determined that this situation was a private property issue with the owners.

Mayor Cockrell allowed the applicant to speak at this time. Jen Surber gave a handout to Council Rent & Income Limit Calculator and explained LIHTC Income Limits for 2024, LIHTC Rent Limits for 2024 and LIHTC Rent Limits with Utility Allowance Reduction for 2024. She advised that this was based on 2024 Multifamily Tax Subsidy Projects (MTSP) Income Limits noting the various levels (30%, 50%, 60%, 80%, 140%) of people living in apartments and their income levels. Council voiced concern over the rent once it was established. Ms. Suber understood that the rent was locked in once approved to live there noting American Median Income (AMI) was calculated every April and rents are adjusted accordingly. Ms. Suber continued by adding that every unit was universally designed meaning they could be retrofitted to fit someone disabled with no problem. Everything was fully ADA compliant as well as energy efficient on site reiterating the walkability and accessibility of various places adjacent to the apartments.

Mayor Cockrell opened the public hearing.

Matt Wendling, Warren County Planning Director/County Floodplain Manager, advised that he was in support of the recommendation from staff. He explained the County's Urban Development Area's and that the project followed the County's Comprehensive plan. He suggested keeping the walking trails paved and keeping the trash from going into the creek.



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No one else spoke and Mayor Cockrell closed the public hearing.

Councilman Wood moved seconded by Councilman Rappaport that Council approve a Special Use Permit (SUP) application submitted by Surber Development and Consulting LLC for multi-family apartments containing (90) units in two separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off E. Criser Road (Tax Map 20A18-5-5A1) with the condition that the portion of the lot which is zoned R-3 be used exclusively for ingress and egress and approved signage.

Councilwoman DeDomenico-Payne agreed that the trash along the creek was an issue noting the apartments may help with that situation.

Councilwoman Veitenthal stated that it was nice to see developers offer affordable housing and thanked them for the traffic analyses.

Councilman Wood voiced his excitement about the project hoping it will get some families out of hotels.

Councilman Rappaport advised that it was a perfect location.

Mayor Cockrell advised that she had meetings with members of the Board of Supervisors and School Board and their concerns were the traffic during the elementary school drop offs and pickups hours.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

An Ordinance Amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services and Approval of a Utility Disconnection Policy and Procedures

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

Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne that Council adopt an ordinance amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services for additional requirements placed on disconnection of utilities by localities of the Commonwealth of Virginia pursuant to Pursuant to §15.2-2121.1, §15.2-2121.2 and §15.2-2121.3; and to approve a Utility Disconnection Policy and Procedures, as presented.

Councilman Rappaport questioned how those that did not have access to the Town's website could get a copy of the Policy/Procedures. Director of Finance BJ Wilson advised that those opening new accounts would get them automatically and it would be available upon request. It was suggested to outline only those things in the ordinance that had changed for the existing customers so it would be easier to understand.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for 5 Yrs.

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



The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council adopt an ordinance amendment to extend for a period of five (5) years a Franchise Agreement for Public Passenger Bus Service (Trolley) with Virginia Regional Transit (VRT) to occupy and use the streets, roads, avenues, alleys and other public places of the Town, as presented.

Mayor Cockrell noted that she saw firsthand how the trolley was being utilized and expressed gratitude that the Town had the service.

Councilman Rappaport advised that the Virginia Regional Transit was picking up 68% of the cost.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

FY25 Budget Amendment and Budget Transfer for Outstanding Purchase Orders

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

Councilwoman Veitenthal moved seconded by Councilman Rappaport that Council approve an amendment in the amount of \$22,981,279.78 to the FY2024-2025 Budget to carry forward unpaid balances on purchase orders not completed as of June 30, 2024 and to carry funds forward to fiscal year 2025 to complete unfinished projects; and a FY25 Budget Transfer from the Special Project Fund to General Fund in the amount of \$220,000.00 to allocate additional funds for paving of the Public Works Department and Fleet Maintenance Department located at 800 Crosby Road.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS - None

REPORTS

Town Manager Report – Mr. Waltz advised that the Town Business Offices would be closing at 11:30 on Wednesday, December 11th for the Employee Holiday Luncheon and reopen on Thursday, December 12th. He thanked all the Town employees for their hard work and dedication this year, especially those who were working through the holidays keeping operations running 24 hours a day.

Town Council Reports

Councilman Ingram echoed what Mr. Waltz said and thanked all those involved in organizing the Christmas Parade. He noted it had been a successful year and looked forward to 2025.

Councilman Rappaport expressed happiness that the Town could do this [parade] for the community and thanked the Town staff for their participation in organizing the parade. He attended Reaching Out Now's Holiday Program. He wished everyone a Merry Christmas.

Councilwoman Veitenthal expressed her regret for missing the annual Christmas Parade. She wished everyone a Merry Christmas.



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.

Vice Mayor Sealock expressed his regret for missing the parade and wished everyone a Merry Christmas and a Happy New Year.

Councilman Wood thanked the Front Royal-Warren County Chamber of Commerce for organizing the Christmas Parade and thanked the Town staff for their assistance. He thanked Royal Cinemas for showing free Christmas movies to the community. He wished everyone a Merry Christmas and a Happy New Year.

Councilwoman DeDomenico-Payne advised she had taken her oath as a councilmember and echoed sentiments of other councilmember with regard to the parade thanking Town crews. She visited Melissa Ichijji Studio Gallery on Main Street.

Report of the Mayor – Mayor Cockrell attended Warren Memorial Hospital's Annual Celebration of Lights. She rode in the Christmas Parade with other council members. She lit the community Christmas Tree with Santa Claus. She thanked Fussell Florist for decorations in the planters downtown. She wished everyone a Merry Christmas.

CONSENT AGENDA ITEMS

Purchase and Replacement of Pickup Truck for Energy Services Department

Council purchased a 2024 Ford F-150 four-wheel drive pickup truck to replace a 2005 Colorado pickup truck from Hall Automotive in the amount of \$48,091.00.

Purchase of Wood Media for Wastewater Treatment Plant

Council purchased 170 yards of wood media for the Autothermal Thermophilic Aerobic Digestion Digesters at the Wastewater Treatment Plant to eliminate odors from Thermal Process Systems in the amount of \$59,041.79.

Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council approve the consent agenda as presented

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS

Request for Water and Sewer in the Corridor for Industrial Use from Equus Development LP (Executive Land Holdings IV, LLC on Baugh Drive

Councilman Rappaport moved seconded by Councilman Ingram that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Equus Development LP (Executive Land Holdings IV, LLC) for water and sewer service off Baugh Drive (tax map 13, Section 1 as Parcel 2) 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.

Mayor Cockrell compared the number of gallons being requested to the number of households.

Councilwoman Veitenthal voiced excitement that the two requests tonight would create jobs.



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.

Councilwoman DeDomenico-Payne noted that the higher rate would go towards water and sewer infrastructure

Councilman Ingram noted that this item was discussed in two work sessions to allow for additional information and thanked staff for the additional information

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Request for Water and Sewer in the Corridor for Industrial Use from Toray Plastics Inc. (TC MidAtlantic Development V, Inc) on Toray Drive/Baugh Drive.

Councilman Ingram moved seconded by Vice Mayor Sealock that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Toray Plastics, Inc. (TC MidAtlantic Development V, Inc) for water and sewer service off Toray Drive/Baugh Drive (tax map 12G, Section 1, Block 2 as Parcels 5A, 7A, and 8A) for an individual 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.

Councilman Ingram reiterated that that this item was discussed in two work session to allow for additional information and thanked staff for the additional information

Mayor Cockrell noted that there was no estimate on the number of employees and that the rates would be 100% more than in town customers

Councilman Rappaport noted that the industries in the Route 522 North Corridor began in the 1970's to spur economic development with jobs.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION OF CLOSED MEETING

Councilwoman Veitenthal moved seconded by Councilman Ingram that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purposes: 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, HEPTAD, LLC v. Town Council; and, 2) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, HEPTAD, LLC's appeal of zoning administrator's enforcement order.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



Town Council Regular Meeting Minutes of 12/09/24 - Page | 7

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Councilman Ingram moved seconded by Councilwoman Veitenthal 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, Veitenthal, 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: _____

DRAFT



8:10pm

ROLL CALL BY CLERK OF COUNCIL

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

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz

CLOSED MEETING

Councilwoman DeDomenico-Payne moved seconded by Councilwoman Veitenthal 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 §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 Manager.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

The meeting adjourned at approximately 9:20pm.

Approved by Town Council

Date: _____



The following minutes are a summary. This meeting was audio recorded and available in the Clerk of Council's Office

ROLL CALL BY CLERK OF COUNCIL

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

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

HEPTAD, LLC's Appeal of Zoning Administrator's December 4, 2024 Issuance of Notice Noncompliance with Proffered Conditions and Enforcement Order

Mayor Cockrell read the summary: HEPTAD, LLC appeals the Issuance of Notice of Noncompliance with Proffered Conditions and Administrative Enforcement by the Zoning Administrator on December 4, 2024. She gave the procedures on how the meeting would be conducted by stating specifically that each speaker would have 15 minutes, and each question/answer period would be 15 minutes allowing an hour for the hearing.

- Town Staff speaks
- Council asks any questions of staff they might have
- Representative from HEPTAD speaks
- Council asks any questions of the representative they might have
- Mayor entertains a motion

Council agreed to the procedures. Mayor Cockrell called up Town Zoning Administrator/Director of Planning/Zoning Lauren Kopishke. She gave a brief history of the appeal and Council had several questions. The Mayor then called HEPTAD, LLC representative Doug Napier, 195 Parkridge Court. Mr. Napier advised that Mr. John Foote was HEPTAD, LLC's attorney, however he could not make it tonight and asked that he attend in his place. Council had several questions. Once presentations and questions/answer periods were over, Mayor Cockrell called for a motion.

Councilwoman Veitenthal moved seconded by Vice Mayor Sealock that Council, having considered the record and presentation from the zoning administrator and the representative for HEPTAD, LLC, affirm the decision of the Zoning Administrator in issuing and ordering the Notice of Noncompliance with Proffered Conditions and Administrative Enforcement on December 4, 2024.

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

No – Councilman Wood

Absent – N/A

Abstain – N/A

ROLL CALL

The meeting adjourned at approximately 8:02pm.

Approved by Town Council

Date: _____



Note: The January 6, 2025, Work Session was cancelled due to a snow event and rescheduled to tonight.

Roll Call by Clerk of Council

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

OTHERS PRESENT: Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

ACTION ITEM - Appointment of Vice Mayor

Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne that Council appoint Councilwoman Veitenthal as Vice Mayor of the Town of Front Royal, said term to expire December 31, 2026.

Councilwoman Veitenthal thanked Council for nomination and expressed her reasons for wanting the position.

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

ROLL CALL

ACTION ITEMS

A. Set Regular Meeting Agenda's Order of Business for 2025

Councilman Wood moved seconded by Vice Mayor Veitenthal that Council approve the order of business for regular Council meetings for 2025 as presented.

Amber asked about re-instituting a second reading for public hearings. It was suggested that Council take this under advisement for another time since it did not have a bearing on the Order of Business.

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

ROLL CALL

B. Appointments of Councilmembers to Various Committees

Transportation/Infrastructure – lori – explained what it involves

Councilman Ingram moved seconded by Councilman Wood that Council approve the following appointments:



2025 Audit and Finance Committee Councilman Sealock and Councilman Rappaport until December 31, 2025

2025 Town Scholarship Committee Vice Mayor Veitenthal and Councilman Ingram until December 31, 2025

2025 Joint Town/County Transportation/Infrastructure Committee Councilman Rappaport and Councilman Wood until December 31, 2025

2025 Northern Shenandoah Valley Regional Commission Representative Councilwoman DeDomenico-Payne until elected term expires (December 31, 2028)

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

NEW BUSINESS

A. Special Exception by VFW for Relief of Existing Parking at 654-B W. 11th Street – Director of Planning/Zoning Lauren Kopishke advised that this application was for relief of the parking requirements pursuant to the Town Code that required all new uses to comply with the off-street parking requirements. She confirmed that the business was “Assembly Use” and explained (17) parking spaces was required for the use. Council was informed that the applicant tried to get overflow parking from the nearby Warren County Economic Development Authority (WCEDA) lot located on Kendrick Lane and the Front Royal of the Nazarene Church on Monroe Avenue to no avail. Council agreed to a public hearing to be heard on January 27th.

B. Zoning Text Amendment Pertaining to Performance Standards for Tobacco, Smoke or Vape Shops – Ms. Kopishe advised that this was a request forward to the Planning Commission from Council. She explained that there was a by-right mechanism and a special use mechanism, noting that once the primary retail product becomes tobacco, smoke or vape merchandise, the Special Use Permit becomes necessary. By-right she continued, would regulate any retailer selling any type of tobacco, smoke or vape product to a distance of 1,000 linear feet from the property boundary of a day-care or school within the C-1 and C-3 districts. She stated that state code was incorporated in these ordinances. Town Attorney George Sonnett advised that the state code allows localities to adopt an ordinance if they choose but must be less restrictive. He explained that if the state code changes the Town's ordinance would be unenforceable. Council agreed to a public hearing to be heard on January 27th.

C. Comprehensive Plan Amendment for the Area between Strasburg Rd/Duck St to Rugby St – Ms. Kopishke advised that the Planning Commission presented this Comprehensive Plan amendment to show a future land use designation of neighborhood residential in response to two previous rezoning requests. She advised that this area was very difficult for commercial use. Council agreed to a public hearing to be heard on January 27th.

D. Final Subdivision Plat for a Major Subdivision (33) dwelling units and 1 existing Single-Family Dwelling at 344 W. Main Street from McCarty – Ms. Kopishke advised that this by-right development was called “Squirrel Hill” comprised of (18) lots and (33) dwelling units (16 duplexes and 1 existing single-family dwelling). She explained that the approval of the plat is good for 36 months and the next phase would be the site plan that would include a stormwater management plan. She confirmed that sidewalks and lighting were required by the Town's Subdivision Ordinance. It was confirmed that the original McCarty house would be kept. Council agreed that this would be a Business Item on the January 27th Agenda.

E. Liaison Committee Meeting Items for January 16th – Mayor Cockrell advised that she received a message that the County wanted to reschedule the Liaison Meeting suggesting January 30th. Council discussed various items, and the following were suggested to be added to the agenda: 1) Clarification on the Fiscal Impact Analysis that shows how



numbers are calculated for a developer during a rezoning request. More specifically the formula used for calculation and who's doing the calculations; and 2) Plans to increase Solid Waste Tipping Fees explaining that the Town needed to know this now and not in June. Mr. Sonnett suggested a Memorandum of Agreement (MOU) between the Town and County to alleviate the mystery. There was also the suggestion to add Town fees that might impact the County. Other suggestions but not confirmed are 1) Joint Towing Board Continued Discussion since nothing was finalized at the last meeting; 2) update from the Joint Transportation/Infrastructure Committee; 3) Continued discussion of water usage outside Town Limits during Town water conservation and 4) Town/County cooperative approach regarding Valley Health Pilot Fees. After further discussion it was advised to wait on the water usage outside town limits until after Council hears an update from CHA on McKay Springs on February 3rd and to add the suggestion of Valley Health Pilot fees during another work session.

Councilman Wood agreed to attend the meeting with Mayor. Clerk of Council Tina Presley advised she would contact the County with the suggested date of January 30th.

F. FY26 Budgetary Items for Review – Finance Director BJ Wilson provided Council with a list of items that may be included in the FY26 budget, highlighting specific items of interest. He confirmed that a consultant to assist with health insurance would hopefully be on board at the end of the month. He noted that there would be a creation of a new department under street fund named "Traffic Signalization" advising that there would no staffing changes and staff salary would fall under Energy Services. He explained that this change would help with VDOT funding. He noted the seed money for a Timeclock System that was electronic time keeping for the Town and their employees. Mr. Wilson explained the VRA Bond on Leach Run Parkway noting that it was a bond Warren County obtained for the construction of Leach Run Parkway. Councilman Rappaport voiced concern that there was no seed money for the West Main Connector and there should be for safety purposes explaining the long route to get to the Police Department. It was agreed to talk more about the \$650,000 allocated to build that road at the retreat.

OLD BUSINESS

A. Main Street Solid Waste Service Area 3 Continued Discussion – Mayor Cockrell recapped and advised it was in Council's hands as to what they wanted the fee structure to look like. Mr. Wilson reviewed the memo from MSW Consultants that included options [Table 1 – Confirmed accounts and approved by Council on September 23, 2024] and [Table 2 – Class III monthly rates minus \$25.00 increments with annual subsidy required]. There was much discussion about what some businesses are already paying to private companies, how many times the businesses are having trash picked up, sales tax collection, meals tax collection, discounts of 4% given to businesses who pay their bills on time, subsidizing the costs, trash fees collected for all utility accounts, parking spaces eliminated if privatize, and whether to provide trash collection for Class III at all. Council agreed to keep the \$425.00 rate and directed Mr. Wilson to advise the businesses of the rate and to provide the Town a plan if they decide to provide their own dumpsters giving them (60) days to respond.

9:10pm - Vice Mayor Veitenthal left the meeting due to a personal matter.

CLOSED MEETING

Councilman Wood moved seconded by Councilman Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Town Manager position.

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



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.

No – N/A

Absent – Vice Mayor Veitenthal

Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilman 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 Wood, Sealock, Rappaport, Ingram, DeDomenico-Payne

No – N/A

Absent – Vice Mayor Veitenthal

Abstain – N/A

ROLL CALL

MOTION OUT OF CLOSED

Councilwoman DeDomenico-Payne moved seconded by Councilman Wood that Council appoint BJ Wilson as Interim Town Manager for the Town of Front Royal, effective January 13, 2025 with a salary increase of 10% during the period of service as Interim Town Manager.

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

No – N/A

Absent – Vice Mayor Veitenthal

Abstain – N/A

ROLL CALL

Adjourned approximately 10:15pm

Approved by Town Council

Date: -----



Roll Call by Clerk of Council

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

OTHERS PRESENT: Interim Town Manager BJ Wilson
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

NEW BUSINESS

A. Request to Vacate a Portion of Kibler Street Adjoining 219 E. 7th Street for Carlos Camacho – Director of Planning Lauren Kopishke explained that this request began as an appeal of a zoning variance to the Board of Zoning Appeals (BZA) but was denied due to the structure being built within the setback. The request to vacate a 180 square foot portion of Kibler Street [alley] was another option and if approved by Council would create a lot consolidation and therefore comply with building setback requirements and not be encroaching on Kibler Street. After Ms. Kopishke explained what happened with the contractor, excavator and the County's Inspection Department, Council voiced concern over how the process was handled and how to avoid similar situations in the future. Ms. Kopishke advised that there had been discussions with the building officials with the hopes of this kind of situation not to happen moving forward.

Town Attorney George Sonnett stated that the owner of the property is Apple Contractors, Inc and Mr. Camacho is the President. He suggested that the application be amended to reflect this accurately before the public hearing is held. He noted that vacation requests were on a case by case basis and this in no way will set a precedent if approved by Council. Council agreed to the public hearing to be held on the 27th.

OLD BUSINESS

A. Request for Town Water and Sewer in the Corridor for Industrial Use – 444 Baugh LLC – Interim Town Manager BJ Wilson advised that this request was for out-of-town industrial water and sewer utilities in the Route 522 Corridor. He recommended denying the request since additional information that was requested has not been provided. Mr. Sonnett explained the difference between industries asking for water and sewer in the Corridor and Commercial asking based on the Voluntary Settlement Agreement. He noted that industries are covered by an agreement on a case by case basis where commercials are covered by pilot. It was confirmed that they pay double tap fees and double rates in the Corridor. Council agreed to bring back to a work session once the additional information is received by staff.

B. License Agreement with Downtown Front Royal, Inc (DFRi) for a Sign Installation at the Intersection of Commerce Avenue and Main Street – Mr. Sonnett advised that a draft agreement was sent to DFRi but no comments regarding the agreement have been received. He suggested that Council take no formal action until Exhibit A [the sign] was received and reviewed by Council. Council voiced general support of the sign and agreed to add this item to the work session in February.



CLOSED MEETING

Vice Mayor Veienthal 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 Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, HEPTAD, LLC v. Town, 2) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, the insolvency and dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, and, 3) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Town Manager position.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Vice Mayor Veienthal 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 Wood, Veienthal, Sealock, Rappaport, Ingram, DeDomenico-Payne

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Adjourned approximately 9:30pm.

Approved by Town Council

Date: -----



REGULAR WORK SESSION ACTION AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 07A

Agenda Item: PUBLIC HEARING – Special Exception Request from COL Samuel R. Millar VFW Post 1860 for Relief of Existing Parking Requirements at 654-B W 11th Street

Summary: Council has received a request from COL Samuel R. Millar VFW Post 1860, Commander Jeffrey D. Cook for relief of parking requirements in Town Code Chapter 148-870.A.2. The property is located at 654-B W. 11th Street (tax map 20A1-2-3-3 and 4) and zoned C-1, Community Business District. The property does not have adequate off-street parking. The Town Code requirement for this use requires seventeen parking spaces, there are currently nine. The applicant is seeking a special exception to waive the off-street requirements and allow the use to operate with less than the required amount of parking. Attempts by the applicant to secure additional parking via lease agreement have failed. The adjoining property owners have been notified. On December 18, 2024, the Planning Commission made a recommendation for denial.

Budget/Funding: N/A

Meetings: Work Session held January 6, 2025

Proposed Motions:

- 1) I move that Council approve the request from COL Samuel R. Millar VFW Post 1860, Commander Jeffrey D. Cook for relief of parking requirements at 654-B W. 11th Street (tax map 20A1-2-3-3 and 4).
- 2) I move that Council deny the request from COL Samuel R. Millar VFW Post 1860, Commander Jeffrey D. Cook for relief of parking requirements at 654-B W. 11th Street (tax map 20A1-2-3-3 and 4).

Moved _____ Seconded _____

Wood _____ Veitenthal _____ Sealock _____ Rappaport _____ Ingram _____ DeDomenico-Payne _____

2400523 – A Special Exception Application submitted by COL Samuel R. Millar VFW Post 1860, Commander Jeffrey D. Cook for relief of existing parking Town Code requirements located at 654-B W. 11th Street, identified by Tax Map 20A1-2-3-3 and 4. The property is zoned C-2, Community Business District.

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Exception – #2400523

MEETING DATE: October 16, 2024

SUMMARY: A Special Exception Application for relief of existing parking requirements listed in Town Code Chapters 148-870-A.2, 148-870-A.6, 148-870-A.8, and 148-870-A.10. The property is located at 654-B W. 11th Street. The property is zoned C-1, Community Business District.

STAFF RECOMMENDATION: Staff recommends denial due to the fact that the applicant was aware of the hardship imposed by Town Code prior to acquiring the property and failed to demonstrate how they are going to mitigate the impacts to the neighboring community.

DRAFT MOTION: “I move that the Planning Commission forward a recommendation of denial to the Town Council due to the applicant’s inability to mitigate the negative impacts to the surrounding neighborhood.”

Or

“I move that the Planning Commission forward a recommendation of approval to the Town Council with the following conditions: “

State conditions....

Or

“I move that planning commission keep the public hearing open for further consideration until the regular scheduled meeting on November 20, 2024.”

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

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Marshner _____ Neel _____ Marrazzo _____ Gillispie _____ Brooks _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



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

**Planning Commission Regular Meeting
October 16, 2024**

APPLICATION #:

Special Exception #2400523

APPLICANT:

Col Samuel R. Millar, VFW Post 1860,
Commander: Jeffrey D. Cook

APPLICATION SUMMARY:

A Special Exception Application for relief of existing parking requirements listed in Town Code Chapters 148-870-A.2, 148-870-A.6, 148-870-A.8, and 148-870-A.10. The property is located at 654-B W. 11th Street. The property is zoned C-1, Community Business District.

GENERAL INFORMATION:

Site Addresses	654-B W. 11 th Street
Property Owner(s)	Hope & SB Property LLC
Zoning District	C-1, Community Business District
Historic District	No
Tax Identification	20A1-2-3-3

Aerial Map (Warren County GIS) – 654-B W. 11th Street



654-B W. 11th Street – Front Elevation



654-B W. 11th Street – Front Elevation



**Background
Information &
Relevant Codes:**

The VFW is attempting to reestablish themselves in Front Royal following a fire. The site they have purchased does not have adequate parking per Town Code. The assembly hall use requires 17 parking spaces calculated based on floor area of the use. Town Code provides a mechanism for Town Council to waive the parking requirements with a Special Exception.

Code Sections:

175-104

All new uses or developments, and changes of use, shall comply with the off-street parking requirements of Chapter 148.”

The Business License Application #2400308 for “Assembly Use” was denied because of insufficient parking.

148-870.A.2

Assembly Use

“One (1) parking space per four (4) fixed seats in the main assembly area or one (1) parking space per one hundred (100) net square feet.

Net square feet is defined as “*The total of all floor areas of a building, excluding stairwells, elevator shafts, equipment rooms, etc...*”

Basically, paint to paint minus interior walls.

The building has a Total Gross Square Footage of 1692 according to the submitted parking sketch. Thus, resulting in the requirement of 17 parking spaces.

Chapter 148-870-A.6-A.10

“Up to 20 percent of the total number of required off-street parking spaces may be designated for compact cars if signage is posted in front of the space to notify vehicles that the space is only for compact spaces.”

“With the exception of off-street compact car spaces, and off-street parallel spaces, off-street parking spaces shall include an area of not less than 162 square feet (9’ x 18’). Compact car spaces shall include an area of not less than 144 square feet (8’ x 18’).

The width of all interior parking lot aisles providing direct one-way access to individual parking spaces shall be as follows:

Minimum Aisle width twelve (12) feet, the minimum width of all interior parking lot aisle designed for two-way traffic flow shall be twenty (20) feet, except where 90-degree aisles are used, which shall require twenty-two (22) feet.

“A parking space shall be at least three (3) feet from a side or rear property line”....

“Parking space shall be setback a minimum of five (5) feet from any building or structure. This setback area may be used for sidewalks or landscaping.”

Chapter 148-870-A.18

“As with the standards of this chapter, off-street parking requirements may be waived by a special exception, in accordance with Section 148-211 of this Chapter.”

Decision Making Guidelines from Town Code

148-211-A.1

“When the strict adherence to the general regulations would result in substantial injustice or hardship; provided that, the special exception would not diminish public health, safety or general welfare, including, but not limited to consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.”

148-211-D

“Prior to approval or denial of any request for an exception, the Planning Commission shall hold a public hearing, in accordance with Virginia Code §15.2-2204, to review and provide recommendations to Town Council.”

STAFF RECOMMENDATION:

Staff recommends denial due to the fact that the applicant was aware of the hardship imposed by Town Code prior to acquiring the property and failed to demonstrate how they are going to mitigate the impacts to the neighboring community.

CONSIDERATIONS:

1. Number of Events the VFW is permitted to hold annually, both internal and external? What is the duration of potential events?
2. Is parking containment possible, how can the applicant mitigate the impact to the surrounding neighborhood?
3. What is the maximum number of people that can utilize the structure at one time? How does this align with membership. The Warren County Occupancy Permit was issued for seventy-five (75) occupants.

The job of the Planning Commission is to make a recommendation as to whether or not the hardship to the applicant is present and how does the applicants situation impact the public.

ATTACHMENTS: 1) Application and associated documents from the Applicant
2) Warren County Certificate of Occupancy for Existing Building

2400523

SPECIAL EXCEPTION APPLICATION

TOWN OF FRONT ROYAL ~102 East Main Street, Front Royal, Va. 22630 ~ Main: 540-635-4236 ~ Fax: 540-631-2727

APPLICANT**PROPERTY OWNER (if different)**

APPLICANT'S NAME: COL SAMUEL R. MILLAR VFW POST 1860 COMMANDER: JEFFREY D. COOK	PROPERTY OWNER'S NAME: HCPEN SB PROPERTY LLC
ADDRESS: [REDACTED]	OWNER'S ADDRESS: [REDACTED]
PHONE NUMBER: [REDACTED]	
EMAIL: [REDACTED]	

SECTION A - Property Information

Tax Map No. <u>20A1 2 3 3</u>	Zoning District: <u>C1</u>
Site Address: <u>1054-B W 11th St, Front Royal, VA</u>	
☐ Entrance Corridor ☐ Historic District ☐ Floodplain	

SECTION B - Details of Request

Project Name: <u>VFW Post 1860 Change of Use</u>
Special Exception Code Section(s): <u>175-104; 148-870; 175-127</u>
General Describe of the request (please attached supporting information, such as plats, plans, details, etc.): <u>VFW POST 1860 request Special Exception Application approval for relief of existing parking code(s). Attachments included are: (1) Special Exception Application; (2) Post 1860 Time Line cover letter; (3) Revised PLAT with new parking; (4) D8 JUN 23 - VFW POST 1860 REQUEST TO EDA.</u>

SIGNATURE OF APPLICANT: Jeffrey D. CookDate: 09 SEP 24PRINT NAME OF APPLICANT: Jeffrey D. CookSIGNATURE OF PROPERTY OWNER: Satya BenDate: 09/09/24PRINT NAME OF PROPERTY OWNER: Satya Ben

By the submission of this application, permission is hereby granted to Town Officials and employees to enter upon the subject property during reasonable hours for purposes related to the review of this application. The Applicant will be the designated contact person for this permit application.

(APPLICATION FEE: \$250.00)

June 2015.

RECEIVED
SEP 09 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

08 June 2023

Post 1860 Request to EDA

Background: Col. Samuel R. Millar, Veterans of Foreign Wars, Post 1860 in Front Royal, VA was destroyed by an arsonist in July 2015. Post 1860, a leader within VFW District 7, had 300 + members. Without a permanent home, our beloved Front Royal community suffers from a reduced Veteran exposure, our VFW sponsored monetary and civic contributions have not met our expectations and our 1860 Combat Veterans have no sanctuary. Despite hardships, 190 + Post 1860 members have identified an ideal property for our new home.

Target Property: Ben's Family Cuisines, located at 654 W. 11th Street, Front Royal, VA. is VFW Post 1860's future. This thriving, yet modest business, has blossomed for 9 years and counting. With limited private & public parking, loyal customers patronize Ben's, customers find parking, they enjoy great cuisine and our community loves Ben's!

Planning & Zoning (P & Z): This past winter, Post 1860 officers and our agent, Ms. Andi White, met with Front Royal P & Z officials in January 2023 regarding feasibility of a new VFW Post. Despite all efforts and discussions, Post 1860 was informed our purchase would require a "rezoning classification" from "Use by Right" to a "Social Club". The result would require VFW Post 1860 to secure a Special Use Permit (SUP) and we would be required to meet current Front Royal Town parking code(s).

Upon our analysis, Front Royal P & Z codes do not adequately capture or reflect 1860's 501(c)(19) nonprofit organizations focusing solely on making life better for veterans or current members of the Army, Marine Corps, Air Force, Navy, Space Force, Coast Guard nor the community they serve. VFW's are private and public!

Significance: The initial Front Royal P & Z judgment of "Private/Social Club" will indisputably harm our Post's attempt to purchase said property. Our VFW post will be open to the Public on multiple days, within a calendar year per Commonwealth law.

Our Post 1860's mitigation strategy is to purchase EDA owned acreage sufficient to obtain Front Royal and Warren County approvals. Post 1860 is seeking a fair market purchase of acreage for "parking".

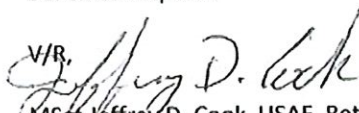
The Final Cut: P & Z determined we need to conform to existing "parking regs/codes".

- Target building is: ~1700 sq ft.
- 1 parking spot per 100 Sq Ft of target building; 17 by code, (20) to be safe.
- Seeking acreage: ¼ acre to 1.5 acre (negotiable)

Bottom Line: VFW Post 1860 is seeking a purchase of a portion of the former EPA designated Super Fund Site, AVTEX property directly located behind Ben's Family Cuisines, located at 654 W. 11th Street, Front Royal, VA.

- Existing black top property; kept intact and follow all EPA and FEMA guidance's.
- Seeking access from Monroe Street to newly purchased property.
- All acreage, location and stipulations negotiable despite the minimum to secure town and county SPU.

This, our final opportunity within Front Royal and Warren County, I trust you will wield just consideration for our small request.

V/R,

 MSgt Jeffrey D. Cook, USAF, Retired
 Commander, VFW Post 1860

VFW Post 1860

09 September 2024

VFW Post 1860 Restoration Effort

Section 230102 of the Veterans of Foreign Wars Congressional Charter:

The purpose of this corporation shall be fraternal, patriotic, historical, charitable and educational: to preserve and strengthen comradeship amongst its members; to assist worthy comradeship among its members and history of our dead, and to assist their surviving spouses and orphans; to maintain true allegiance to the Government of the United States of America, and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend the institutions of American freedom; and to preserve and defend the United States from all enemies whomsoever.

Past Post 1860 Reconstruction Efforts:

Immediately following the 2015 crime of arson against VFW Post 1860, post members pursued reconstruction of its damaged building. During 2015 and 2016 era, Post 1860 officers, Front Royal Planning and Zoning and Warren County officials conducted multiple meetings and discussions. Despite 1860's attempts to reconstruct, Front Royal Planning and Zoning Commissioner, Mr. Jeremy Camp, ruled and informed Post 1860 rebuilding would not be permitted as damage was too extensive, and the damaged VFW structure would require a complete demolishing. On 09 Jun 2016, Post 1860 began the sad undertaking of demolition.

From June 2016 to November 2017, Post 1860 researched and investigated multiple avenues to reconstruct a home on its own 12 ½ acres of Shenandoah River front property. Membership elected to purchase a modest sized steel building to reestablish its home. On 17 November 2017, Post 1860 members gleefully took receipt of a "to-be-constructed" building.

Once again, Post 1860 engaged Front Royal and Warren County officials seeking their guidance and their approvals of its new building construction. Post 1860 contracted with Racey Engineering to develop its plan to meet all codes, laws and regulations (Local, State and Federal). After meeting with Front Royal and Warren County officials, Post 1860 was confronted with the distinction of Flood Plain verses Flood Zone restrictions.

In the end, our new construction required, at a minimum, a 10-15 ft. buffer elevation from ground level. 1860 accordingly adjusted its engineering package. With FEMA and Commonwealth of Virginia rules incorporated into our design, 1860 priced the complete rebuilding effort. Astonishingly, 1860 received restoration packages from \$1.2M to \$1.7M, far exceeding our existing funds. Out of options to rebuild on our property, 1860 faced its hard reality.

Desperate to find and fund a new post home, 1860 sold both our cherished river front property and our unconstructed steel building in 2019 to acquire sufficient funds to reestablish ourselves. Since the sale of our home, we continued to investigate any opportunity to recreate at home. We look and review every possibility when they become available. On 08 January 2023, Post 1860's hope met Ms. Hope/owner of Bens Cuisine @ 654 W 11Th Street and 1860's hope sprung eternal once again!

Post 1860 Purchase of Ben's Cuisine:

Jan 13, 2023 Planning and Zoning Meeting (P&Z): 1860 Post Commander Cook, Andi White and Planning and Zoning Officials/John and Lauren regarding concept of establishing a VFW post at the former Ben's Cuisine property. P & Z officials graciously evaluated all Town code for possibilities to match a VFW Post to existing use categories currently identified. P & Z's initial determination was VFW Post more closely matched a "Social Club" designation which required a significant parking increase. Thus, Post 1860 began its search to meet P & Z guidance.

09 September 2024

VFW Post 1860 Restoration Effort

Jan 17, 2023 EDA Meeting – EDA Chairman, Jeffrey Browne, the Director of the EDA, Joe Petty, Post 1860 Commander, Jeff Cook and Andi White met to discuss the possibility of leasing, purchasing or obtaining an easement on the Avtex property located on the corner of Kendrick Lane and Monroe Ave. Sole purpose of inquiry – Post 1860 secure “off-street parking” conforming to Town of Front Royal Planning & Zoning officials’ guidance.

Feb 15, 2023 Correspondence – Post 1860 received e-mail from the EDA Chairman, Jeffrey Browne, stating the EDA could not guarantee any transfer of property. None of Post 1860’s request for a sale in part or whole, long-term lease, rent or an easement were possible. EDA officials indicated their focus was in actively pursuing sale of the target property, in part, or in whole, with two other interested developers.

Feb 22, 2023 Correspondence - The EDA Director, Joe Petty, referred Post 1860 representatives to Greg Harold (EDA Asset Committee) regarding potential VFW purchase for Avtex property. Post 1860 representatives contacted Mr. Harold. During a 45-minute phoncon, Post 1860 reps were informed of EDA’s rationale for the EDA’s disinterest in Post 1860’s inquiry/offer. The EDA officials explained their desires for formerly designated Super fund Avtex property.

VFW Post 1860’s small request for acquiring property allowing 10-15 parking spaces required meeting Front Royal code and re-establish of a Front Royal Veterans of Foreign Wars (VFW) post wasn’t within the EDA’s on-going plans nor worth further consideration. Post 1860 had no interest in interrupting the EDA’s aspirations to develop Condo communities on the long dormant and highly regulated property.

May 18, 2023 Meeting – VFW Reps, Jeff Cook and Andi White met with the EDA Director, Joe Petty, to revisit a grant/purchase/lease of a portion of the Avtex lot for parking. Following recent elections results or appointments, 1860 reps hoped to readdress its needs with the EDA. With a changed board, we felt new board members may view 1860’s request differently.

Jun 8, 2023 EDA Property Request – VFW Post 1860 Commander, Jeff Cook, submitted formal request to EDA for consideration of sale, or lease or any agreed to terms for purpose of VFW Post 1860 securing space for “off-street parking”.

June 15, 2023 EDA Meeting – Andi White met with the EDA Asset Committee to revisit the VFW purchasing a portion of the Avtex lot for parking since there were new members on the EDA Board.

June 22, 2023 EDA Feedback - EDA denied the request from the VFW to purchase any of the property on the corner of Kendrick Ln and Monroe Ave to meet off-street parking requirements set forth by the Town for 654 W. 11th St.

July 27, 2023 Response - Received an email from Jorie Martin (Asset Committee) informing me that the EDA had denied the VFW’s request.

Neighboring Properties Inquiries – On multiple occasions, Kristinia/listing agent and Andi/Post 1860 agents contacted the property owners directly adjacent (The Family Grocery) to 654 W 11Th Street property. Post 1860’s sought to strike and agreement, at our cost, to secure additional parking. On-site visits, e-mail and phone calls were ignored, not responded to or rejected.

1860 Post Commander directly reached out to Steve Guizar/Lead Pastor of Front Royal Church of the Nazarene regarding any possibility to secure rental of parking or leasing spots or other means. All attempts were ignored or avoided outright.

09 September 2024

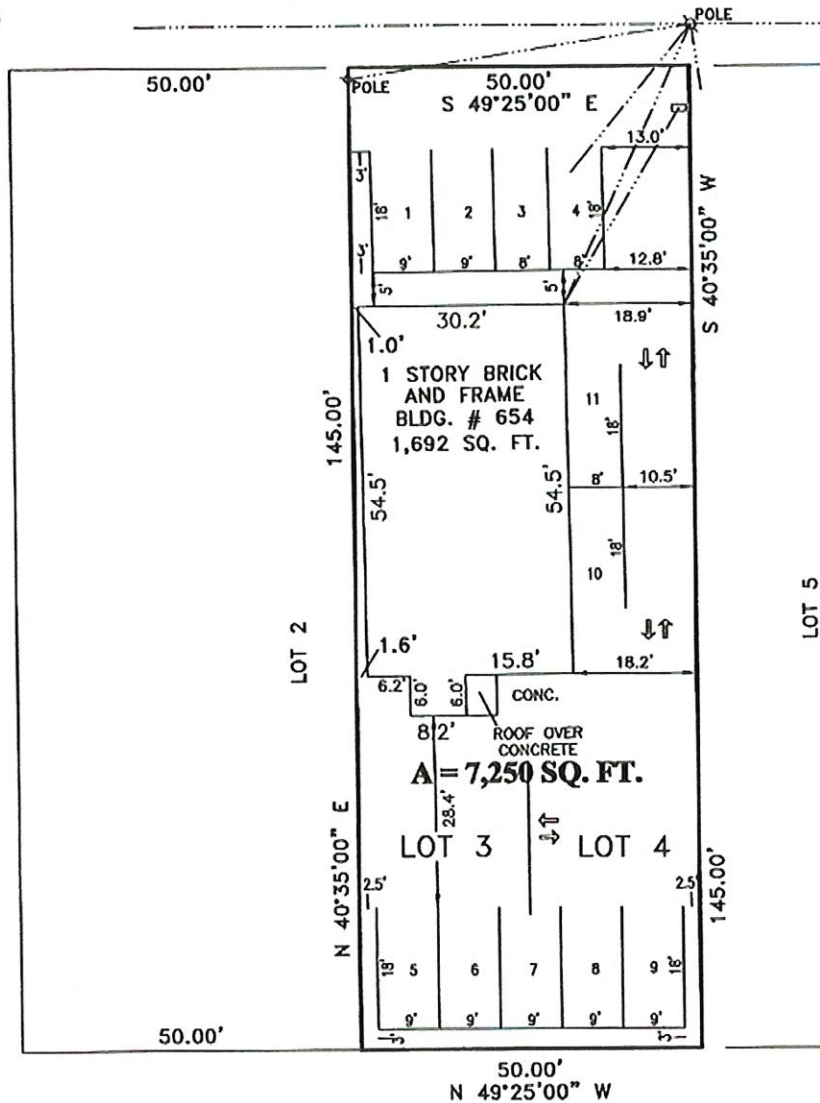
VFW Post 1860 Restoration Effort

May 08, 2024 Application for Zoning Approval for a Business License - 1860 Commander submitted package to Planning and Zoning requesting property use change to "Assembly Hall". If successful, Post 1860 assessed existing Front Royal code would support establishment of our new home with no additional parking needed.

29 May, 2024 Rezoning Request Denied – P & Z rejected Zoning Approval for a Business License leaving one remaining option to continue with its effort to purchase the Ben's Cuisine property. Post 1860 last effort before abandoning property purchase is submission and approval of a "Special Exception Application (SEA) waiving/amending existing parking requirements. This will exhaust all possible avenues for Post 1860 purchase of the 654 W 11Th Street property.

60' WIDE

MONROE AVE.



SKETCH SHOWING PROPOSED PARKING
ON LOTS 3 AND 4, BLOCK 3
ROYAL VILLAGE SUBDIVISION
NORTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.



PREPARED BY
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630
tel&fax (540)635-5657
JANUARY 18, 2024

COUNTY OF WARREN
220 N COMMERCE AVE
SUITE 400
FRONT ROYAL, VA 22630

Certificate of Occupancy

Permit Number: 0001007-2007

Permit Type:BLD2

Date Issued: 9/20/2007

Owner Name: WILLIAMS, TAMMIE/ROYAL VILLAGE TAV.
Site Address: 654 W 11 ST
FRONT ROYAL, VA
22630

Contractor: Owner Contracted

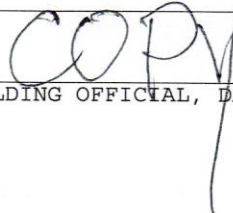
Map Number: 20A1
District:
Area: 1 TOWN OF FRONT ROYAL
Sub Division: N/A
Zoning: N/A
Occupant Load: 75 Health Permit#: TOWN
Number of Bedrooms->Approved: N/A Built: N/A
Date Completed: 9/20/2007

Lot: 3 Section: 2 Block: 3
USBC Edition: 2003
Use Group: A-3 ASSEMBLY-WORSHIP/REC/AMUS
Usage: N/A
Construction: 5B COMBUSTIBLE/UNPROTECTED
Water: PUBLIC
Sewer: PUBLIC
Sprinkler: Required:

Nature of Work: CERTIFICATE OF OCCUPANCY FOR EXISTING BUILDING

Modifications:
Modifications:
(C.O.)

CERTIFICATE OF OCCUPANCY FOR EXISTING BUILDING
MAXIMUM OCCUPANTS -- 75 PERSONS


BUILDING OFFICIAL, DAVID C. BEAHM

Date



REGULAR WORK SESSION ACTION AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 07B

Agenda Item: PUBLIC HEARING to Receive Public Input Pertaining to the Town Vacating a Portion of Kibler Street

Summary: Pursuant to Virginia Code §15.2-2006, Council will receive input from the public pertaining to an application received from the owner of record APPLE CONTRACTORS, Inc., requesting that the Town vacate a 180 square foot portion of Kibler Street abutting 219 E. 7th Street. Adoption of a conditional street vacation ordinance will allow the applicant to pursue the purchase of the vacated portion and a lot consolidation necessary to comply with Town building setback requirements. The adjoining property owners have been notified.

Budget/Funding: N/A

Meetings: Work Session held January 13, 2025

Proposed Motions:

- 1) I move that Council appoint viewers to view the vacation request from the applicant to vacate 180 square feet of Kibler Street that adjoins 219 E. 7th Street and to report in writing any inconvenience to the public that would result from discontinuance of the right-of-way.
- 2) I move that Council adopt an ordinance as presented conditionally approving the vacation and sale request from the applicant.
- 3) I move that Council deny the vacation and sale request from the applicant.

Moved _____ *Seconded* _____

Wood _____ *Veitenthal* _____ *Sealock* _____ *Rappaport* _____ *Ingram* _____ *DeDomenico-Payne* _____

**AMENDED APPLICATION BY APPLE CONTRACTORS, INC. FOR PARTIAL
VACATION OF KIBLER STREET
ORIGINALLY FILED BY CARLOS CAMACHO**

Carlos Camacho, by counsel, hereby amends his application for Town Council to partially vacate a small portion, up to two feet (2') of Kibler Steet, in order to allow and substitute as Applicant for said amendment the true title holder, Apple Contractors, Inc., which company is solely owned by Carlos Camacho, regarding the property described herein, on the following grounds:

1. Apple Contractors Inc. ("Apple Contractors") is the owner of record of improved real estate located at 219 East 7th Street, Town of Front Royal (the "Town"), Warren County, Virginia (the "Property").
2. Gualberto Carlos Camacho-Perez ("Camacho") is the President, sole stockholder and owner, and Registered Agent for Petitioner Apple Contractors.
3. Apple Contractors demolished a derelict structure located at 219 E. 7th Steet in Front Royal in 2023 and constructed a new dwelling house on the Property. However, Apple Contractors had accidentally built the new house along Kibler Street approximately 9.6 inches too close to Kibler Street inside the Town's required side yard setback. Kibler Street is a Town right of way and is effectively an unmaintained alleyway. The details of how this happened is more fully explained in the following Paragraph no. 9, attachment "A", attached hereto.
4. The Zoning Administrator of the Town properly issued a ruling that a building permit for the new house as it was improperly located in violation of the Town's side yard setback requirements.
5. Camacho, *pro se*, filed an Application for a variance with the Front Royal Board of Zoning Appeals ("BZA"). The BZA on December 19, 2023, denied his request for the variance.
6. Camacho is an ordained minister and is Pastor of Iglesia Baptista Church of Front Royal, Virginia ("Rev. Camacho"). Iglesia Baptista Church worships in the church building facilities of First Baptist Church of Front Royal. Rev. Camacho is an acquaintance of the Rev. Michael Williams ("Williams"), a member and Associated Pastor of First Baptist

Church. Williams approached Douglas W. Napier (“Napier”), an attorney in Front Royal and a member of First Baptist Church, if Napier could assist Camacho in resolving this matter. Napier, who did not know and had not previously met Camacho, agreed to speak to Camacho about this matter.

7. On December 26, 2023, Camacho met Napier and explained to Napier what Camacho understood to be the situation about the issue described in paragraph no. 3 above. Napier agreed to assist, *gratis*, in trying to allow the new structure on the Property to be preserved in its location.
8. In January, 2024, Camacho, by counsel, filed an Application for partial Vacation of a portion of Kibler Street with the Town, a copy of which is attached hereto. At the time of filing the Application, Napier had not yet had time to conduct a title search of the Property. The Application was filed in the name of Camacho, who is the name of the applicant who filed the application for a variance with the BZA. However, the Property was and is actually titled in the name of Apple Contractors, which company is solely owned and managed by Camacho, and the Application should properly have reflected that the title owner of the property in question was Apple Contractors.
9. About the same time the Application for Vacation of a portion of Kibler Street was filed with the Town, Camacho and Apple Contractors, by their counsel Napier, filed a Petition with the Circuit Court of Warren County, Virginia, to review the decision of the BZA denying the application for a variance to the side yard setback for the Property. The Petition was filed in case Camacho’s Application for a partial vacation of Kibler Street was denied by the Town. By the time of the filing of the Petition, Napier had done sufficient title work on the Property to realize the title holder of the Property is Apple Contractors. A copy of the Petition and its Exhibits are attached hereto as Attachment “A”. However, the Application for a partial Vacation of Kibler Street was not then also amended to reflect the true title holder of the Property. No hearing has been held on said Petition pending Town Council’s decision upon the Application for vacation and purchase of a small portion of Kibler Street.
10. On or about January 13, 2025, the Town Attorney noticed that the Petition filed with the Circuit Court properly listed the proper title holder, Apple Contractors, of the Property, but

the proper title holder had not been substituted for the Application for Vacation of a portion of Kibler Street, and the Town Attorney notified Napier of this fact.

11. From January 13, 2025, until today, January 17, 2025, Napier has been extremely ill with the flu or some other related viral infection, whereby Napier has not been mentally or physically able to responsibly prepare and file an Amendment to the Application for Vacation of a portion of Kibler Street on behalf of Apple Contractors, which Amendment Napier hereby files this January 17, 2025.
12. This Amendment, if granted by Town Council, will properly reflect the proper title ownership of the Property.
13. Attached, as Attachment “B” hereto, is plat dated 22 July, 2024, prepared by Darryl G. Merchant, Consulting Land Surveyor, which outlines the two feet (2’) of Kibler Street which Apple Contractors respectfully requests be vacated and sold to Apple Contractors. Apple Contractors needs, in order to meet the Town’s side yard setback requirements. While only about 9.6 inches of Kibler Street, is needed to be vacated and added and the Application for a partial Vacation of Kibler Avenue, Apple Contractors requests that two feet (2’) of Kibler Steet be vacated and sold to Apple Contactors to allow Apple Contractors an additional buffer between Kibler Street and the Property.

WHEREFORE, Apple Contractors, Inc., and Carlos Camacho, by counsel respectfully request that this Amended Application and this partial Vacation of Kibler Street be granted by the Town Council of the Town of Front Royal.

Respectfully submitted,
Apple Contractors, Inc.
and
Carlos Camacho
By Counsel:

Douglas W. Napier
Attorney at Law
VSB No. 16136

[REDACTED]
Front Royal, VA 22630
[REDACTED]

DOUGLAS W. NAPIER

Attorney at Law
VSB No. 16136



January 20, 2025

Honorable Lori Athey Cochrell, Mayor
Members of Town Council of Town of Front Royal
B. J. Wilson, Interim Town Manager
George M. Sonnett, Jr., Town Attorney
Lauren Kopishke, Director of Planning & Zoning

Re: Carlos Camacho and Apple Contractors, Inc.
Application for Vacation of Portion of Kibler Street
219 East 7th Street

Dear Mayor Cockrell, Members of Town Council, and Staff:

The reason Carlos Camacho and Apple Contractors, Inc., filed a lawsuit in January, 2024, **appealing the decision of the Board of Zoning Appeals of the Town of Front Royal** which denied a variance to allow side yard setback of 9.6 inches closer to Kibler Street than the required side yard setback, is that there is a statute in the Code of Virginia which requires appeals from decisions of BZAs to be filed *within 30 days of the decision*. The Applicants are more interested in obtaining the required property from the Town in order to meet the side yard setback; however, it did not appear likely to the Applicants that Town Council would be able to meet to decide the Application for a vacation of a small portion of Kibler Street within that 30 day period. Accordingly, the Applicants, on advice of counsel, filed the appeal from the BZA, but did not have the Circuit Court appeal formally “served” upon the Town, meaning the appeal remained dormant within the Circuit Court, so as to allow time to have the Application for a Vacation of a small portion of Kibler Street to be decided by Town Council, as opposed to the Circuit Court.

The Applicants wish to make it clear that they do not wish to be in an antagonistic position with respect to the Town, but rather wish to work collaboratively with the Town in order to allow the placement of the new home on 219 East 7th Street in place of the old, derelict structure previously there, thereby enhancing the Town’s livability, beauty, and tax base.

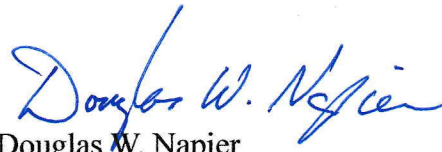
Respectfully submitted,

Carlos Camacho

Apple Contractors, Inc.

[SIGNATURE NEXT PAGE FOLLOWING]

By:



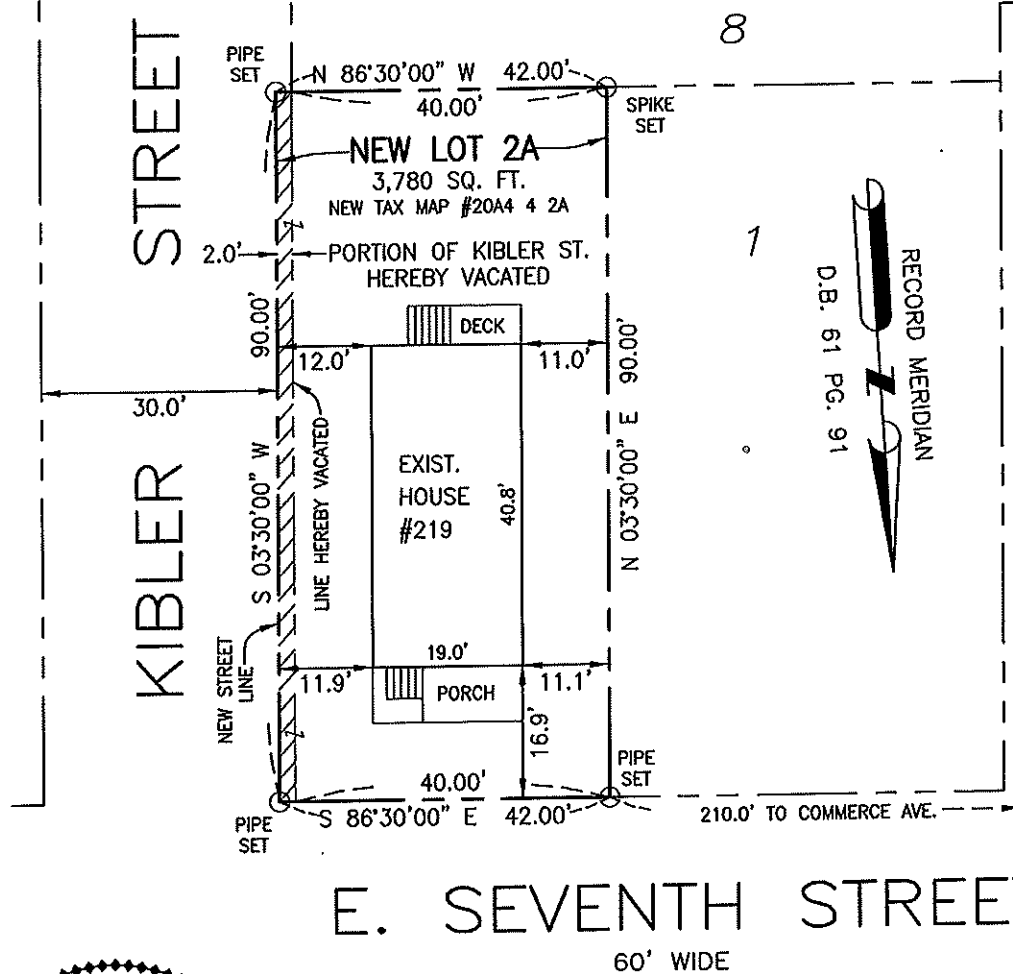
Douglas W. Napier

Counsel for Applicants

COPY

NOTES:

1. NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO EASEMENTS
AND RESTRICTIONS OF RECORD.
2. PLAT REF.: DB 61 PG 91 (SLIDE 65)
3. DEED REF.: LR 22-4123
4. TAX MAP REF.: 20A4 4 2, ZONED C-1



 DENOTES PORTION OF KIBLER STREET
HEREBY VACATED AND ATTACHED TO
THE ADJACENT LOT 2

AREA TABULATION

3,600 SQ. FT. = ORIG. LOT 2
180 SQ. FT. = VACATED PORTION OF KIBLER ST.
3,780 SQ. FT. = NEW LOT 2A

BOUNDARY INFORMATION SHOWN
HEREON BASED ON FIELD RUN
SURVEY.

www.measure-map.com
540-636-4949

Darryl G. Merchant
Consulting Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA 22630

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23-F128 DWG. No. AM-1825-2

PLAT SHOWING VACATION OF A PORTION OF
KIBLER STREET
OF THE MAP OF LOTS FOR
C.D. BINNS

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

0' 20' 40' 60'



DATE: 22 JULY 2024

SCALE: 1" = 20'

DOUGLAS W. NAPIER

Attorney at Law
VSB No. 16136



September 20, 2024

Honorable Lori A. Cockrell, Mayor
Town Council of the Town of Front Royal
VIA: Joseph Waltz, Town Manager

Re: Updated Typed Copy of Application to Vacate Streets and Alleys With Current Plat Showing 2' Part of Alley (Kibler Street) Requested to Be Vacated

Dear Mayor Cockrell and Members of Town Council:

Attached is an Amended (updated) Application for Vacation of a two-foot (2') portion of an Alley (Kibler Street) with a current plat dated 7-22-2024 showing the two-foot (2') portion requested to be vacated, filed on behalf of the owner, Carlos Camacho.

Please let me know when this matter is scheduled to be heard by Town Council. I will be out of town from September 21, 2024, until September 28, 2024.

Please let me know if you have any questions.

Sincerely,

Douglas W. Napier,
For: Carlos Camacho

A handwritten signature in black ink that reads "Douglas W. Napier".

RECEIVED
SEP 20 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

RECEIVED
SEP 20 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT



VACATION OF STREETS AND ALLEYS and OTHER TOWN RIGHTS-OF-WAYS APPLICATION

APPLICANT INFORMATION

(please print)

Name CARLES CAMACHE (GUARANTE CARLES CAMACHE-PEREZ)

Mailing Address

Phone #

E-mail

VACATION INFORMATION

Description (please select all that apply)

☒ Street/Portion of Street

☒ Alley/Portion of Alley

☐ Other (please specify) WANT TO ACQUIRE 200 FT. OR MORE OF KIDLEY ST. (TWO)

CAUSE ALONG LENGTH OF APPLICANT'S ADJOINING PROPERTY
LOCATED AT 219 E. 7TH ST.
Location KIDLEY ST., NEXT TO 219 E. 7TH ST. (LOT 2 OF MAP
OF LOTS FOR C.D. BINNS).

Reason for request NEED TO ADD ENOUGH CT KIDLEY ST. (A GRAVELLED

ALLEY) TO APPLICANT'S PROPERTY TO MEET SIDEYARD SETBACK. LOT

WAS SURVEYED PRIOR TO START OF CONSTRUCTION BUT CONTRACTOR EXCAVATOR
ACCIDENTALLY DUG UP PINS, & PINS RESET IN SLIGHTLY WRONG LOCATIONS.

☒ Current Plat Attached Showing Property to be Vacated

Applicant's Signature

Date 03-01-24

Completed application shall be returned by mail or delivery to:

Town Manager's Office, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630

Additional Information: Town Manager's Office (540)635-8007, Monday-Friday, 8:00am - 5:00pm

Revised 3-1-22





**VACATION OF STREETS AND ALLEYS
and OTHER TOWN RIGHTS-OF-WAY
APPLICATION**

**(Amended typed copy with plat showing
portion of alley to be vacated)**

Name

Mailing Address

Phone

Email

VACATION INFORMATION

Description Portion of Street or Alley

Want to acquire 2.0 (two) feet or more of Kibler Street (alley along length of Applicant's adjoining property located at 219 E. 7th Street).

Location Kibler Street next to 219 E. 7th Street (Lot 2 of Map of Lots for C.D. Binns.

Reason for Request Need to add enough of Kibler Street (a graveled alley) to Applicant's property to meet side yard setback. Lot was surveyed prior to start of construction, but contractor excavator accidentally dug up pins, and pins re-set in slightly wrong locations. Variance denied by Board of Zoning Appeals (see attached).

1. Plat dated 2-20-23, attached, shows old house relative to Kibler Street prior to new house construction.
2. Plat dated 9-27-2023, attached, shows newly constructed house relative to Kibler Street.

3. Plat dated 7-22-2024, attached, shows portion of Kibler Street requested to be vacated.
4. Applicant's Signature on attached original hand-written Application.
Dated 03-01-24.

Carlos Camacho, Applicant

By: Douglas W. Napier

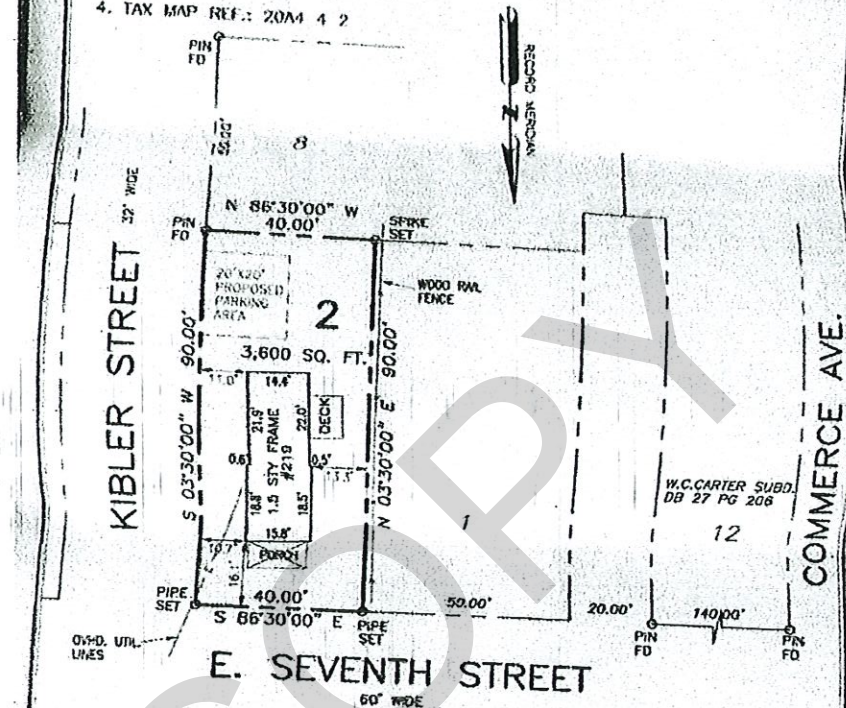
VSBB No. 16136

RECEIVED
SEP 20 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

NOTES:

1. NO TITLE REPORT FURNISHED. PLAT SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
2. PLAT REF.: DB 61 PG 91 (SLIDE 65)
3. DEED REF.: LR 22-4123
4. TAX MAP REF.: 20M 4 2

THE PROPERTY SHOWN HEREON IS LOCATED WITH FEMA 1% ANNUAL FLOOD ZONE AE (FLOODWAY) AS PER FIRM MAP #51187C0112C, JUNE 3, 2008.



SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE SURVEYED THIS PROPERTY ON THE GROUND; THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

www.measure-map.com
540-636-4949
Darryl G. Merchant
Consulting Land Surveyor
P.O. BOX 1508
FRONT ROYAL, VA 22630

HOUSE LOCATION SURVEY
LOT 2
OF THE MAP OF LOTS FOR
C.D. BINNS
TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

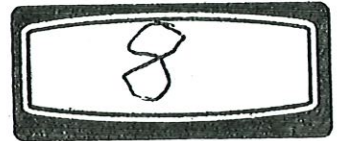


23-F104 DWG. No. AM-1825

DATE: 20 FEBRUARY 2023

SCALE: 1" = 25'

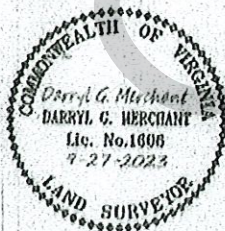
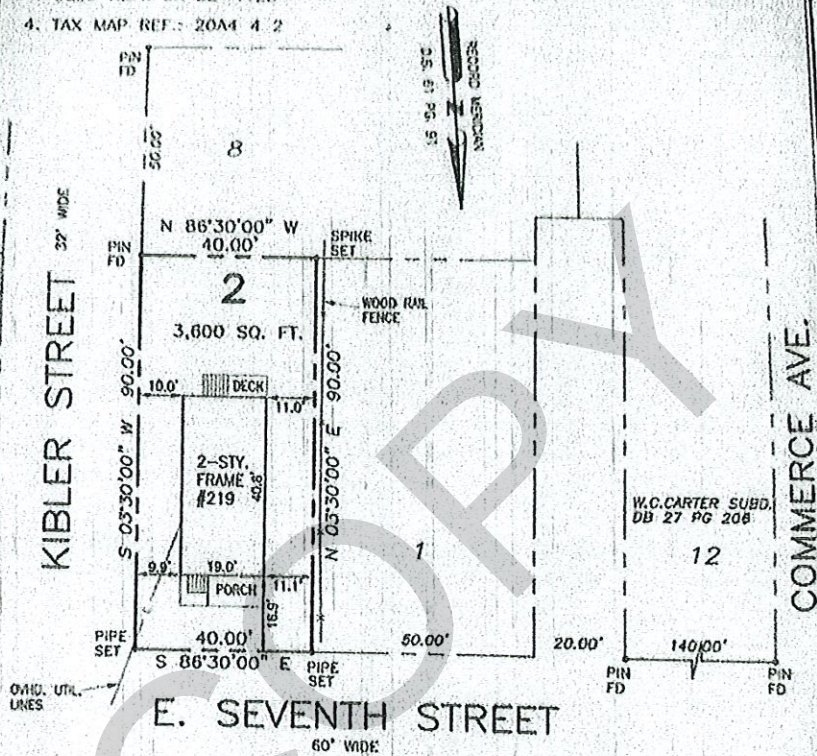
RECEIVED
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT



NOTES:

1. NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO EASEMENTS
AND RESTRICTIONS OF RECORD.
2. PLAT REF.: DB 61 PG 91 (SLIDE 65)
3. DEED REF.: LR 22-4123
4. TAX MAP REF.: 20A4 4 2

THE PROPERTY SHOWN HEREON IS
LOCATED WITH FEMA 1% ANNUAL
FLOOD ZONE AE (FLOODWAY) AS PER
FIRM MAP #6118/C0112C, JUNE 3, 2008.



SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE SURVEYED THIS PROPERTY
ON THE GROUND; THAT THIS PLAT IS CORRECT TO THE
BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; AND
THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS
PROPERTY LINES EXCEPT AS SHOWN.

www.inaasure-map.com
540-636-4949

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FRONT ROYAL, VA 22630

HOUSE LOCATION SURVEY

LOT 2
OF THE MAP OF LOTS FOR
C.D. BINNS

TOWN OF FRONT ROYAL -- WARREN COUNTY, VIRGINIA



23-F128 DWG. No. AM-1825-1

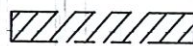
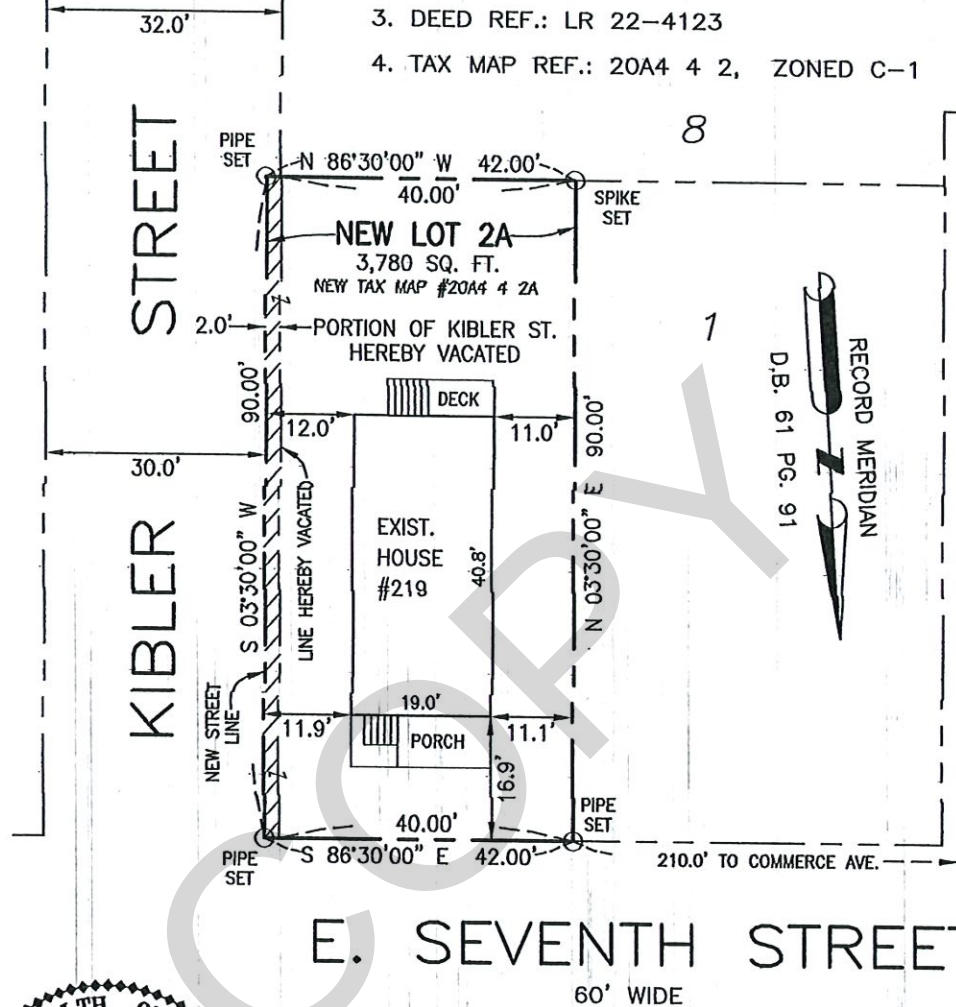
DATE: 27 SEPTEMBER 2023

SCALE: 1" = 25'

RECEIVED
JAY ROYAL TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

NOTES:

1. NO TITLE REPORT FURNISHED.
PLAT SUBJECT TO EASEMENTS
AND RESTRICTIONS OF RECORD.
2. PLAT REF.: DB 61 PG 91 (SLIDE 65)
3. DEED REF.: LR 22-4123
4. TAX MAP REF.: 20A4 4 2, ZONED C-1



DENOTES PORTION OF KIBLER STREET
HEREBY VACATED AND ATTACHED TO
THE ADJACENT LOT 2

AREA TABULATION

3,600 SQ. FT. = ORIG. LOT 2
180 SQ. FT. = VACATED PORTION OF KIBLER ST.
3,780 SQ. FT. = NEW LOT 2A

BOUNDARY INFORMATION SHOWN
HEREON BASED ON FIELD RUN
SURVEY.

www.measure-map.com
540-636-4949

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FRONT ROYAL, VA 22630

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23-F128 DWG. No. AM-1825-2

PLAT SHOWING VACATION OF A PORTION OF
KIBLER STREET
OF THE MAP OF LOTS FOR
C.D. BINNS

TOWN OF FRONT ROYAL - WARREN COUNTY, VIRGINIA

0' 20' 40' 60'



DATE: 22 JULY 2024

SCALE: 1" = 20'

TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA

**ORDINANCE APPROVING THE PARTIAL CLOSURE AND VACATION OF PUBLIC
RIGHTS-OF-WAY OF APPROXIMATELY 180 SQUARE FEET OF KIBLER STREET
ABUTTING 219 E. 7TH STREET**

WHEREAS, pursuant to Virginia Code §§15.2-2006 and 15.2-2008, abutting property owner APPLE CONTRACTORS Inc. ("Applicant") has applied for the vacation and sale of approximately 180 square feet of public rights-of-way, being a portion of Kibler Street abutting 219 E. 7th Street as shown and described on plat of survey entitled "Plat Showing a Vacation of a Portion of Kibler Street of the Map of Lots for C.D. Binns" prepared by Darryl G. Merchant, Consulting Land Surveyor, dated July 22, 2024 ("Rights-of-Way"), said plat of survey being attached hereto and incorporated herein by reference; and,

WHEREAS, following notice to affected landowners and a duly advertised public hearing held on January 27, 2025, upon the evidence (including any report issued by a duly appointed committee of viewers finding that no public inconvenience would result from the discontinuance of the Rights-of-Way) it being the judgment of Town Council that said Rights-of-Way should be discontinued, closed and vacated subject to certain conditions being met within one hundred twenty (120) days of the adoption of this ordinance approving of the vacation; and,

WHEREAS, Virginia Code §§15.2-1800 and 15.2-2100 authorize towns to dispose of and sell its real property following a duly advertised public hearing.

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Town Council of the Town of Front Royal, Virginia, that the public rights-of-way in the Rights-of-Way are discontinued, closed and vacated subject to the following stated conditions being satisfied within one hundred twenty (120) days of the adoption of this Ordinance, and that if the conditions are not satisfied within that time that this Ordinance shall be null and void:

1. That following a second duly advertised public hearing, the Rights-of-Way be sold and conveyed to the Applicant and/or other abutting property owner by quit claim deed with plat of survey attached, at a sale price to be as negotiated by the Town Manager with abutting property owner(s), along with payment of the statutorily prescribed costs and fees of publication (and appointment of viewers, if any), and approved by Council, and,

2. The Town Manager and Town Attorney are authorized to approve and execute all documents prepared by Applicant and/or other abutting property owner necessary to effectuate the sale and conveyance of Rights-of-Way by quit claim deed, and,

3. The Applicant and/or other abutting property owner shall re-subdivide, vacating internal boundary lines necessary to consolidate abutting portions of Rights-of-Way into approved lot(s).

The Clerk of Council, upon the satisfaction of all conditions to this Ordinance, shall cause a certified copy of this Ordinance to be delivered to the Clerk of the Circuit Court for filing and

recording in the land records, indexed with "Town of Front Royal" as Grantor, and with Applicant, and/or other abutting property owner acquiring an interest in Rights-of-Way as Grantee, necessary to further effectuate this Ordinance.

This ordinance shall be effective upon enactment.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____ 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. Veienthal	__Yes __No	Glenn E. Wood	__Yes __No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on _____.

APPROVED AS TO FORM AND LEGALITY:

George M. Sonnett, Jr.
Town Attorney

Date



REGULAR WORK SESSION ACTION AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 07C

Agenda Item: PUBLIC HEARING – Ordinance Amendment to Chapter 175 Pertaining to Tobacco, Smoke or Vape Shops

Summary: Council is requested to consider an amendment to Chapter 175 Zoning to define and permit tobacco, smoke or vape shops by right with performance standards or by Special Use Permit (SUP) in the Town's C-1 and C-3 Commercial Districts, as presented. Council referred this request to the Planning Commission on October 28, 2024 asking for a recommendation on a proposed ordinance.

Budget/Funding: N/A

Meetings: Work Sessions held September 9, 2024, October 7, 2024 and January 6, 2025. Regular Meetings held October 28 and November 25, 2024.

Proposed Motion: I move that Council, for the purpose of promoting the general welfare of the public, adopt an ordinance amendment to Chapter 175 defining and permitting tobacco, smoke or vape shops as presented.

Moved _____ *Seconded* _____

Wood _____ *Veitenthal* _____ *Sealock* _____ *Rappaport* _____ *Ingram* _____ *DeDomenico-Payne* _____



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

**Planning Commission Regular Meeting
December 18, 2024
Staff Report**

Application #	2400599 - Zoning Text Amendment	
Applicant	Town of Front Royal	
Request/Summary	On October 29, 2024 at their regular meeting, the Front Royal Town Council directed their Planning Commission to draft a zoning text amendment to define and permit vape shops by special use permit. Staff presented a draft text amendment to Planning Commission on 11/06/2024 and again on 12/04/2024.	
Enabling Statute <i>§15.2-912.4. Regulation of tobacco, nicotine, and hemp product retail sale locations.</i>	Any locality may by ordinance regulate the retail sale locations of tobacco products, nicotine vapor products, alternative nicotine products, as such terms are defined in § 18.2-371.2, or hemp products intended for smoking, as such term is defined in § 3.2-4112, for any such retail sale location and may prohibit a retail sale location on property within 1,000 linear feet of a child day center as defined in § 22.1-289.02 or a public, private, or parochial school. An ordinance adopted pursuant to this section shall not affect (i) a licensee holding a valid license under § 4.1-206.3 or (ii) any retail sale location of tobacco products, nicotine vapor products, alternative nicotine products, or hemp products intended for smoking operating before July 1, 2024. "Child day center" means a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) 13 or more children at any location. https://law.lis.virginia.gov/vacode/title15.2/chapter9/section15.2-912.4/	
Ordinance Language	By-right Ordinance 175-39.A Use Regulations COMMERCIAL Tobacco, smoke or vape shop <i>in accordance with provisions of 175-152</i> 175-53.2.A Use Regulations COMMERCIAL Tobacco, smoke or vape shop <i>in accordance with provisions of 175-152</i>	Special Use Permit Ordinance 175-39.B Use Regulations COMMERCIAL Tobacco, smoke or vape shop 175-53.2.B Use Regulations COMMERCIAL Tobacco, smoke or vape shop 175-3 Definitions <i>Tobacco, smoke, or vape shop: A business involving the sale of tobacco</i>

	175-152 Tobacco, Smoke, or Vape Shop Performance Standards A. Definitions <i>Tobacco, smoke, or vape shop:</i> A business involving the sale of tobacco products, nicotine vapor products, alternative nicotine products, as those terms are defined in the Code of Virginia § 18.2-371.2, and hemp products intended for smoking, as such term defined in §3.2-4112, and any kratom products as regulated by the Code of Virginia § 59.1-200, and paraphernalia. “Paraphernalia” refers to any objects, devices, or equipment that are primarily used to facilitate or enhance the act of smoking or vaping. This includes but not limited to; cigarette rolling papers, Cigarette filters, Pipes, Bongs, Hookahs, Vape Pens and E-Cigarettes, Grinders, Rolling Machines, Screens and Dab Rigs. B. Performance Standards 1. Shall not be located within 1,000 feet of any child or day care center, as defined in §22.1-289.02 or a public, private, or parochial school. a. Measurements made to verify compliance shall be made in a straight line, without regard for structures or objects, for, 1,000 feet from the boundaries of the property on which	products, nicotine vapor products, alternative nicotine products, as those terms are defined in the Code of Virginia § 18.2-371.2, and hemp products intended for smoking, as such term defined in §3.2-4112, and any kratom products as regulated by the Code of Virginia § 59.1-200, and paraphernalia and where such products are twenty-five (25) percent or more of the store's total inventory or fifteen (15) percent or more of the store's total display area. “Paraphernalia” refers to any objects, devices, or equipment that are primarily used to facilitate or enhance the act of smoking or vaping. This includes but not limited to; cigarette rolling papers, Cigarette filters, Pipes, Bongs, Hookahs, Vape Pens and E-Cigarettes, Grinders, Rolling Machines, Screens and Dab Rigs.
--	---	---

	a public or private school or day care center	
Staff Recommendation	Staff recommends adoption of both the by-right text amendment and the Special Use Permit amendment. The main distinction between the two uses can be discerned from the definition. Once the primary retail product becomes tobacco, smoke or vape merchandise, the Special Use Permit becomes necessary. The by-right mechanism would relegate any retailer selling any type of tobacco, smoke or vape product to a distance of 1,000 linear ft from the property boundary of a day-care or school. Essentially, in keeping with regulations for community health, safety and welfare, all tobacco, smoke or vape products would be regulated in some form within the C-1 and C-3 districts. While determining whether a Special Use Permit could prove difficult, staff discourages the adoption of only one mechanism. If using the justification of protecting the public from the dangers and proliferation of tobacco and nicotine products, especially children, then any regulatory mechanism, in staff's opinion, should be all encompassing.	

ORDINANCE TO AMEND CHAPTER 175-ZONING OF THE FRONT ROYAL TOWN CODE TO DEFINE AND PERMIT VAPE SHOPS

WHEREAS, on November 25, 2025, Council directed the Front Royal Planning Commission to recommend a proposed tobacco, smoke and vape shop ordinance to promote the health, safety and general welfare of the public; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia that Chapters 175-3, 175-39.A. 175-39.B., 175-53.2.A., 175-53.2.B. and 175-152 of the Front Royal Town Code hereby be amended and enacted as follows:

CHAPTER 175 ZONING

175-3 DEFINITIONS

TOBACCO, SMOKE, OR VAPE SHOP: A business involving the sale of tobacco.

175-39 USE REGULATIONS (C-1)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District, the following uses of land and buildings are permitted by-right in the C-1 District:

RESIDENTIAL:

Up to three (3) dwelling units of any type, but not on the ground floor.
Caretaker quarters.

COMMERCIAL:

Appliance stores and repair services.
Assembly Halls.
Automobile and truck sales lots and leasing agencies, in accordance with Section 175-44.E.
Automobile service stations, in accordance with Section 175-110.
Bakeries, when products are sold as retail on the premises.
Banks, branch banks, and financial institutions.
Barber and beauty shops.
Car washing.
Catering Services.
Contractor's offices, display rooms and storage.
Commuter parking facilities.
Department Stores.
Drugstores.

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores.

Hardware stores.

Laundries, Laundromats and dry cleaners.

Lumber and building supply, with storage under cover.

Machinery sales and service.

Motels, hotels, and tourist homes.

Newspaper and other printing establishments.

Personal Services.

Retail Stores, as defined in Section 175-39.C.

Pharmaceutical Center.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, including drive-in restaurants.

Special childcare services.

Technology business, as defined in Section 175-3, provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Tobacco, smoke or vape shop in accordance with provisions of 175-152.

Veterinary hospitals.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open Space.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section 175-106.

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. The following uses are permitted within the C-1 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District:

RESIDENTIAL:

Apartments or dwelling units, with four (4) or more units or where located on the ground floor, subject to the provisions of Section 175-113.

COMMERCIAL:

Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.

Automobile Parking Lots, commercial.

Bed and Breakfasts, as set forth in Section 107.3.

Day Care Facilities and schools, subject to the provisions of Section 175-107.1.F, and any necessary improvements or changes to address the considerations of that section.

Farmers' markets, and flea markets, in accordance with Section 175-44.F.

Kennels.

Shopping centers as set forth in Section 175-111.

Tobacco, smoke or vape shop

INDUSTRIAL:

Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.

Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.

ORGANIZATIONAL:

Schools.

MISCELLANEOUS:

Any use permitted under Section 175-39, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-41, subject to the requirements of Section 175-136. Additional heights approved by a

special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Conservation areas.

Communication towers, in accordance with Section 175-110.4.

Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.

Boarding Houses, Clubs and Lodging Houses.

Mini-warehouses, subject to the standards of Section 107-44.G.

Nursing homes, as set forth in Section 175-107.

Parking Structures.

Structures with a height between forty-five (45) feet and seventy (70) feet, and any residential structure not in conformance with the height limitation of Section 175-41.

Structures with a gross floor area of fifty thousand (50,000) square feet or more.

Townhouse-style commercial development, where the intent is to divide the property into individual lots.

- C. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.

175-53.2 USE REGULATIONS (C-3)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-3 District, the following uses of land and buildings are permitted by-right in the C-3 District:

RESIDENTIAL:

Caretaker quarters.

COMMERCIAL:

Appliance stores and repair services.

Assembly Halls.

Automobile and truck sales lots and leasing agencies, in accordance with Section 175-44.E.

Automobile service stations, in accordance with Section 175-110.

Bakeries, when products are sold as retail on the premises.

Banks, branch banks, and financial institutions.

Barber and beauty shops.

Billiard parlors and poolrooms.

Bowling alleys.

Commuter parking facilities.

Department Stores.

Drugstores.

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores.

Hardware stores.

Lumber and building supply, with storage under cover.

Machinery sales and service.

Motels, hotels, and tourist homes.

Personal Services.

Retail Stores, as defined in Section 175-53.2.D.

Pharmaceutical Center.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, including drive-in restaurants.

Technology business, as defined in Section 175-3, provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Tobacco, smoke or vape shop in accordance with provisions of 175-152.

Veterinary hospitals.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches.

Boarding Houses, Clubs and Lodging Houses.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open Space.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section 175-106.

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. The following uses are permitted within the C-3 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-3 District:

RESIDENTIAL:

COMMERCIAL:

Automobile Parking Lots, Commercial.

Shopping centers as set forth in Section 175-111.

Tobacco, smoke or vape shop.

INDUSTRIAL:

Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.

Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.

ORGANIZATIONAL:

MISCELLANEOUS:

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in Section 175-110.4.

Conservation Areas.

Parking Structures.

Structures with a gross floor area of fifty thousand (50,000) square feet or more.

Structures with a height between forty-five (45) feet and seventy (70) feet.

- C. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive

of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.

175-152 TOBACCO, SMOKE, OR VAPE SHOP PERFORMANCE STANDARDS

A. Definitions

Tobacco, smoke or vape shop. A business involving the sale of tobacco products, nicotine vapor products, alternative nicotine products, as those terms are defined in the Code of Virginia §18.2-371.2, and hemp products intended for smoking, as such term defined in §3.2-4112, and any kratom products as regulated by the Code of Virginia §59.1-200, and paraphernalia.

Paraphernalia refers to any objects, devices, or equipment that are primarily used to facilitate or enhance the act of smoking or vaping. This includes but not limited to; cigarette rolling papers, cigarette filters, pipes, bongs, hookahs, vape pens and e-cigarettes, grinders, rolling machines, screens and dab rings.

B. Performance Standards

1. Shall not be located within 1,000 feet of any child or day care center, as defined in §22.1-289.02 or a public, private, or parochial school.

a. Measurements made to verify compliance shall be made in a straight line, without regard for structures or objects for 1,000 feet from the boundaries of property on which products, nicotine vapor products, alternative nicotine products, as those terms are defined in the Code of Virginia §18.2-371.2, and hemp products intended for smoking, as such term defined in §3.2-4112, and any kratom products as regulated by the Code of Virginia §59.1-200, and paraphernalia and where such products are twenty-five (25) percent or more of the store's total inventory or fifteen (15) percent or more of the store's total display area.

“Paraphernalia” refers to any objects, devices or equipment that are primarily used to facilitate or enhance the act of smoking or vaping. This includes but not limited to; cigarette rolling papers, cigarette filters, pipes, bongs, hookahs, vape pens and e-cigarettes, grinders, rolling machines, screens and dab rigs.

THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

(vote on next page)

This Ordinance was adopted at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2025 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 E. Wood	☐ Yes ☐ No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on January 13, and January 21, 2025.

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____

DRAFT



REGULAR WORK SESSION ACTION AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 07D

Agenda Item: PUBLIC HEARING – Comprehensive Plan Amendment for the Area between Strasburg Road and Duck Street to Rugby Road [Riverton Planning District]

Summary: Council is requested to approve a Comprehensive Plan amendment, initiated by the Planning Commission, to amend the area between Strasburg Road and Duck Street to Rugby Road from a future land use designation of Commercial to Neighborhood Residential known as the Riverton Planning District.

Budget/Funding: N/A

Meetings: Work Session held January 6, 2025.

Proposed Motion: I move that Council, to promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants including the elderly and persons with disabilities, approve a Comprehensive Plan amendment, initiated by the Planning Commission, to amend the area between Strasburg Road and Duck Street to Rugby Road from a future land use designation of Commercial to Neighborhood Residential known as the Riverton Planning District, as presented.

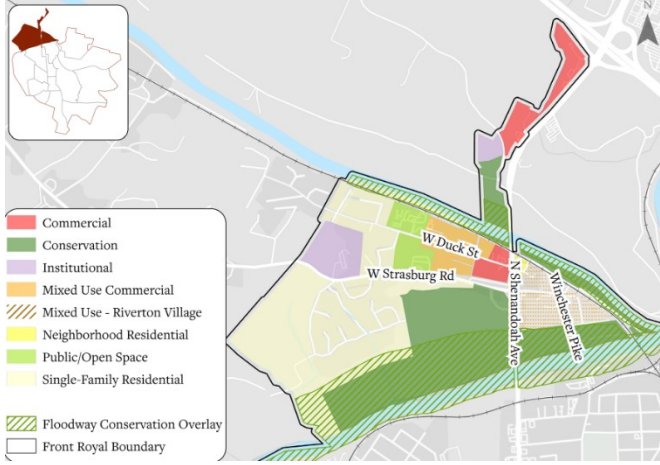
Moved _____ *Seconded* _____

Wood _____ *Veitenthal* _____ *Sealock* _____ *Rappaport* _____ *Ingram* _____ *DeDomenico-Payne* _____



TOWN OF FRONT ROYAL DEPARTMENT OF PLANNING & ZONING

Planning Commission Regular Meeting December 18, 2024 Staff Report

Application #	2400652 Comprehensive Plan Amendment
Applicant	Town of Front Royal
Request/Summary	The Planning Commission, in response to two previous rezoning requests in the Riverton Planning District, more specifically in vicinity of Strasburg Road and Duck St, have taken up a Comprehensive Plan amendment to show a future land use designation of neighborhood residential. The current plan projects this portion of the district to be developed as a mixed-use commercial area. The current zoning is C-1, Commercial Business District. Staff presented a draft Comprehensive Plan amendment to the Planning Commission on 12/04/2024.
Background	 The current Comprehensive Plan adopted in May of 2023, designates this area of Town for commercial use. In the 1980s, this portion of Town was rezoned from residential to C-1 Commercial however the underlying land uses have always been residential in nature.
Staff Recommendation	The recommendation from staff is that the area, for the purposes of good planning, should be designated as neighborhood residential. In the past year, there have been two rezoning applications to downzone and revert parcels in this area to R-3 Residential. As this part of town has seen limited commercial development since the initial rezoning, and because the dimensional standards set forth in the Zoning Ordinance and Subdivision Ordinance have the capacity to severely limit viable commercial development.



REGULAR WORK SESSION ACTION AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 11A

Agenda Item: Final Subdivision Plat for a Major Subdivision [Squirrel Hill Development] Located at 344 W. Main Street - McCarty

Summary: Council has received a request for a final subdivision plat approval for a major subdivision [Squirrel Hill Development] submitted by Jay McCarty, Neal McCarty and Dennis McCarty to divide approximately 4.34 acres into (34) lots and (33) dwelling units which is (16) duplexes and one existing single-family dwelling located at 344 W. Main Street. The property is zone R-2, Residential District requiring a minimum lot size of 8,000 square feet which can be further subdivided for duplexes to 4,000 square feet.

Budget/Funding: N/A

Meetings: Work Session held January 6, 2025.

Proposed Motion: I move that Council approve the final subdivision plat for a major subdivision [Squirrel Hill Development] submitted by Jay McCarty, Neal McCarty and Dennis McCarty to divide approximately 4.34 acres into (34) lots and (33) dwelling units which is (16) duplexes and one existing single-family dwelling located at 344 W. Main Street as presented.

Moved _____ *Seconded* _____

Wood _____ *Veitenthal* _____ *Sealock* _____ *Rappaport* _____ *Ingram* _____ *DeDomenico-Payne* _____



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

**STAFF REPORT – FINAL PLAT APPROVAL MAJOR SUBDIVISION
PLANNING COMMISSION– December 18, 2024**

APPLICATION #:

Final Plat Approval Major Subdivision
#2400641

APPLICANT:

Jay McCarty, Neal McCarty, Dennis McCarty

SUMMARY OF REQUEST:

A request for final plat approval for a major subdivision submitted by Jay McCarty, Neal McCarty, and Dennis McCarty for a subdivision containing thirty-four (34) lots for thirty-three (33) dwelling units (16 duplexes and 1 existing SFD) located at 344 W. Main Street. The original land area was comprised of 3 lots, 2 lots were undeveloped open space with the original dwelling unit situated on the remaining lot.

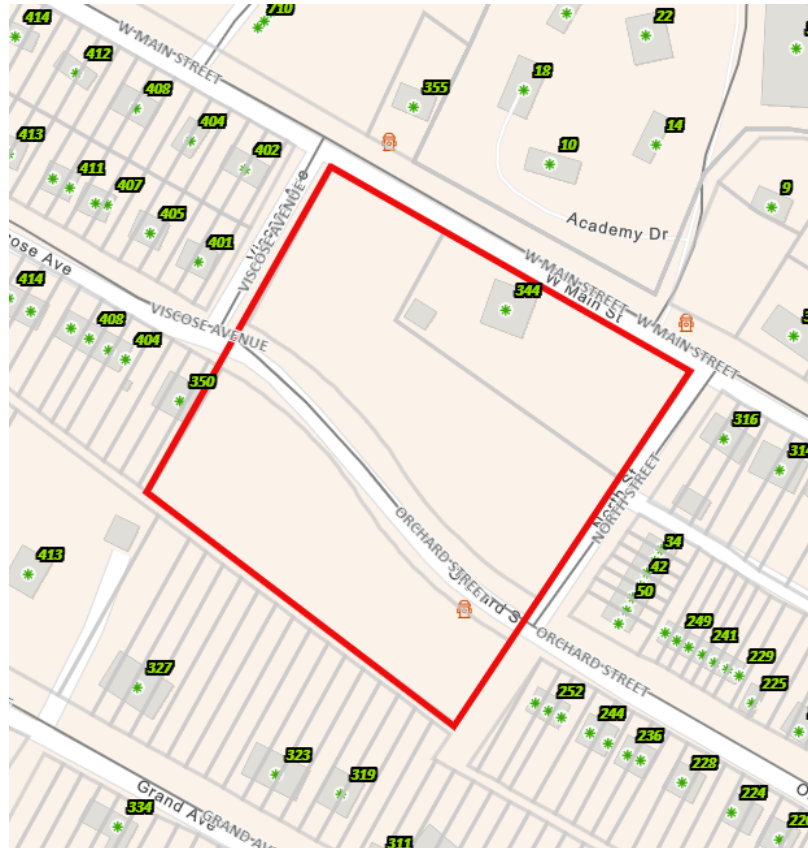
GENERAL INFORMATION:

<i>Site Addresses</i>	344 W. Main Street
<i>Property Owner(s)</i>	McCarty Donald J/McCarty Dennis P/McCarty Douglas Neil
<i>Zoning District</i>	R-2, Residential District
<i>Tax Identification</i>	20A6-5-8, 8A, 8B
<i>Location</i>	The subject property is located on W. Main Street between North Street and Viscose Avenue with Orchard Street running behind the property.
<i>Existing Use</i>	Single Family Dwelling and Vacant Lots
<i>Proposed Use</i>	Thirty-three (33) dwelling units (16 duplexes and 1 existing SFD)

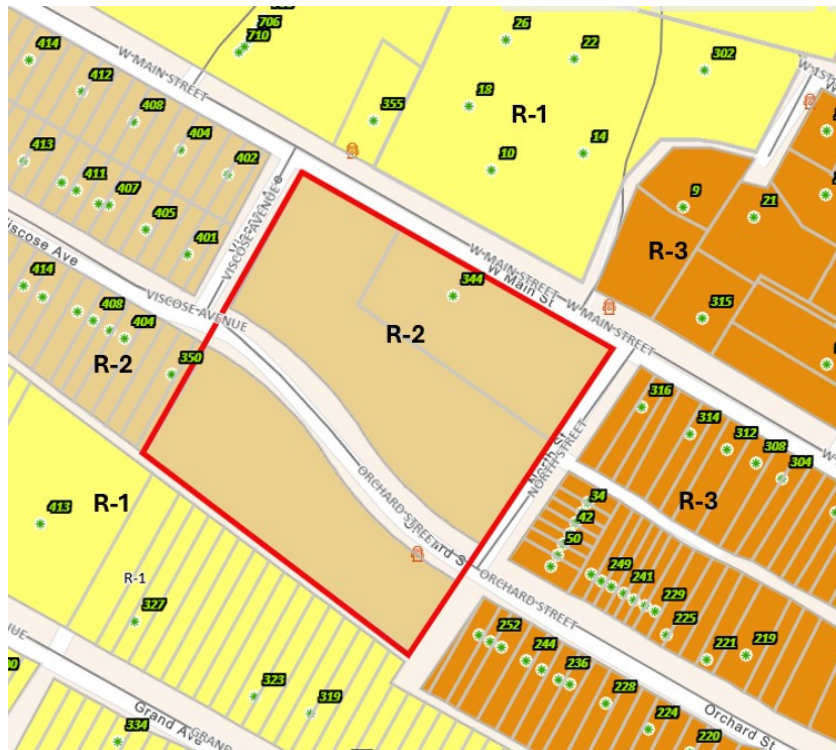
AERIAL MAP – 344 W. Main Street – Warren County GIS



VACINITY MAP – 344 W. Main Street – Warren County GIS



ZONING MAP – 344 W. Main Street – Warren County GIS



[illegible]

INFORMATION ON THE APPLICATION:

<i>SUMMARY</i>	The proposed subdivision divides approximately 4.34 acres over three lots into a 34 lot subdivision for 33 dwelling units. The existing dwelling unit has been subdivided out and will remain. The property is zoned R-2, Residential District which requires a minimum lot size of 8,000 SF but may be further divided into 4,000 SF duplex lots.
<i>PRELIMINARY SUBDIVISION PLAN</i>	Town Code, Chapter 148, Section 310, specifies that “(a) Preliminary Plan is required for all proposed major subdivisions. The Preliminary Plan review process includes review and approval of the subdivision design before submission of a Subdivision Plan and Final Plats. The Planning Commission has approval authority for Preliminary Plans. The Planning Commission approved the Preliminary Plan at the August 21, 2024. The Preliminary Plan approval is effective beginning September 13, 2024. The Preliminary Plan shall be valid for a period of five (5) years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one (1) year of such approval or such longer period as may be prescribed by the commission, and (ii) thereafter diligently pursues approval of the final subdivision plat.
<i>FINAL SUBDIVISION PLAT</i>	Town Code 148-315 of the Town Code requires major subdivisions to obtain approval of a subdivision plan and final plats within thirty-six (36) months of approval of the preliminary plan. This will be the current step in the process for approval of this subdivision prior to recordation of the lots and development. Unlike Preliminary Plans, Subdivision Plans and Final Plats require approval by Town Council. In addition, bonding is required.
<i>CONCLUSION</i>	Staff supports approval of the Final Subdivision Plat.

ATTACHMENTS: 1) Application and supporting documentation.



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

RECEIVED
NOV 12 2024
Main: 540.635.4236
Fax: 540.631.2727
Internet: www.frontroyalva.com
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT
PERMIT#2400641

APPLICATION FOR FINAL PLAT APPROVAL
(involving new streets, utilities or more than 8 lots)
MAJOR SUBDIVISIONS

Application is hereby made for approval of a final plat of a major subdivision as shown on the accompanying documents.

1. Applicant's name Jay, Neal & Dennis Phone 703-407-7559
McCARTY
Applicant's Address [REDACTED]
2. Subdivision name Squirrel Hill Revel
3. Present owner (if other than #1) _____
4. Location of Subdivision 344 W. MAIN ST
5. Tax Map Number 2046-5 Parcel Number 8, 8A, 8B
6. Total Acreage 1.34 AC Zoning Classification R-2
Number of Existing Lots/Parcels 3
Total Number of Lots ~~30~~ 34
7. Acreage of adjoining land in same ownership (if any) 0
8. Date of Preliminary Plat Approval by Planning Commission _____
9. List any changes made in this plat since preliminary plat approval _____

(attach additional sheets if needed)
10. Number of lots proposed for final approval ~~30~~ 34

PLEASE COMPLETE REVERSE SIDE

11. Attach: (A) Eight copies of Final Plat, along with a *digital copy*
- (B) Street Cross - Sectional Drawings showing existing & proposed grades (Section 148-14)
- (C) Land Disturbing Permit (obtained through Building Inspector's office)
- (D) Surface Drainage/Erosion & Sediment Control Information
- (E) Landscaping Plan (Section 148-46)
- (F) Performance Bond in amount determined by Town Engineer and approved by Town Attorney
- (G) Additional documents required by Sections 148-14 and 148-15 of the Subdivision and Land Development Ordinance

The above information is correct and the proposed subdivision will conform with the regulations of the Town of Front Royal Subdivision and Land Development Ordinance and the Standards and Specifications for Water & Sewer, adopted January 11, 1988, as amended.

11/12/24
Date

[Signature]
Signature of Applicant

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.

Designated contact for applicant: Joe BROGAN, Jr. [Redacted]

Fee \$ 4,400.00 *

Date Paid 11-12-24
CK# 1027

*Final plat fee is \$1,000.00 per plat, plus \$100.00 per lot.



CLOSED MEETING AGENDA STATEMENT

Meeting Date: January 27, 2025

Item# 12

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes. Council may take action in open session following closed meeting].

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 §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, more specifically, the Town Manager position.

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.

Moved _____ Seconded _____

Wood _____ Veitenthal _____ Sealock _____ Rappaport _____ Ingram _____ DeDomenico-Payne _____