



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

The Planning Commission meeting of the Town of Front Royal, Virginia was held on February 19, 2025, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Chairman Marshner called the February 19, 2025 meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Present: Connie Marshner, Chairman
Allen Neel, Vice Chairman
Megan Marrazzo, Commissioner
Andrew Brooks, Commissioner
Vacancy

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

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF MINUTES

- January 15, 2025 – Regular Meeting

Commissioner Brooks moved, seconded by Vice Chairman Neel to approve the minutes of the January 15, 2025 regular meeting as written.

VOTE: Yes – Marrazzo, Brooks, Marshner, Neel
No – N/A
Abstain – N/A
Absent – N/A

ROLL CALL



CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

- **2500049** – A request for a Special Exception from Town Code Chapter 148-820.D.6 submitted by Rappahannock HC LLC for property located at 1321 Happy Creek Road, identified by Tax Map 20A21-2-4 to reduce the required minimum street pavement width from thirty-six feet (36') to twenty-nine (29'). (*Consent to advertise for a public hearing at the March 19, 2025 regular Planning Commission meeting.*)
- **2500051** – An Ordinance Amendment to amend Front Royal Town Code Chapter 175-137 pertaining to fees. (*Consent to advertise for a public hearing at the March 19, 2025 regular Planning Commission meeting.*)
- **2500062** – A zoning text amendment to Town Code Chapter 175-12.1 to allow lodging houses by Special Use Permit in the R-1 zoning district. (*Consent to advertise for a public hearing at the March 19, 2025 regular Planning Commission meeting.*)

Vice Chairman Neel moved, seconded by Commissioner Marrazzo to approve the consent agenda to publicly advertise for a public hearing in March as presented.

Vote: Yes – Marshner, Brooks, Neel, Marrazzo

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

NEW BUSINESS

- **2500002** – Exterior Renovations to the structure located in the entrance corridor located at 1355 N Shenandoah Avenue, identified by tax map 20A2, section 4, block 57, parcels 23-34. The property is zoned C-1, Community Business District.

Mr. Ware explained this was a request for exterior renovations for a structure located within the entrance corridor at 1355 N. Shenandoah Avenue. The proposed exterior renovations were presented virtually. The applicant is proposing metal panels, some stucco, and some cedar siding on the exterior of the structure.



The following are some items for the Planning Commission to consider:

- The finish on the metal panels so not to cause a glare.
- Painted finishes should be of earthen tones.

Rick Hysong a representative of the applicant was present to answer questions.

Rick Hysong, Scheer Hysong Architecture stated he was the Project Manager for this project. Mr. Hysong explained that the idea was to give the building a more modern and smoother look. The intent of the metal panel is to have a matte finish so not to be reflective, be aesthetically pleasing, and something that would last a long time. Mr. Hysong stated they can accommodate colors per the desire of the Planning Commission. Their intent is to make the brick and the existing stucco that runs along the bottom of the roof blend into the background and let the new screen walls be the feature of the building.

Commissioner Marrazzo asked the applicant how they considered other existing buildings in the entrance corridor when considering their design elements.

Mr. Hysong explained there were a lot of masonry buildings in the entrance corridor. With the existing look of the building, they wanted to modernize the look. He noted that across from their building is the Verizon building which displays the look they would like to achieve, and they believe the two structures would complement each other being in the entrance corridor.

Chairman Marshner asked the applicant to comment on the proposed exterior lighting.

Mr. Hysong said he had provided some general specs on the lighting. The proposed lighting will meet the dark sky lighting requirements. Each of the columns will have a dark sky sconce light. On the cap on top of all the walls there will be concealed lighting that will give a slight glow. There will be no yard lights pointing up at the building or into the sky. The main entrances will have recessed lighting in the ceiling of the canopies to light the entranceway.

Vice Chairman Neel moved, seconded by Commissioner Brooks that the Planning Commission approve the proposed exterior materials with the following conditions:

- 1. All metal panels will have a finish other than gloss to not cause glare or distraction.***
- 2. All painted finishes will be muted, earthen tones.***

Vote: Yes – Marshner, Brooks, Neel

No – Marrazzo

Abstain – N/A

Absent – N/A

ROLL CALL



- **2500022** – A request for revisions to Subdivision Plan FRSUB1521-2019 for Happy Creek Knolls, Section 4 regarding lots 4, 5, 6, 29, and 30, submitted by Maronda Homes, Inc.

Mr. Ware explained that the request submitted by Maronda Homes, Inc. was for a revision of the previously approved subdivision plan FRSUB1521-2019 Happy Creek Knolls, Section 4 regarding lots 4, 5, 6, 29 and 30.

Mr. Ware reviewed portions of Town Code Chapter 148-315 related to the project stating any revision of the approved subdivision development plan must be approved by the Town in accordance with the procedures of this chapter prior to making design changes in the field. The extent of the revisions will determine whether or not the revision can be approved administratively or requires re-review by the Planning Commission and re-approval by the Town Council. This application request cannot be approved administratively. Mr. Ware continued to review portions of the Town Code regarding steep slopes and how it affects the revision request.

Retaining walls are encouraged to reduce the steepness of manmade slopes. As-built plans are required to be submitted for the steep slopes that were altered from the previously approved subdivision plan.

Mr. Ware gave a virtual presentation showing renderings of the existing created steep slopes, previously approved plans containing retaining walls, and the proposed plans without retaining walls for lots 4, 5, 6, 29 and 30. He explained and showed virtually the areas of the steep slopes that could not be altered to create housing on these particular lots.

As per the geotechnical report for the original plan approval, no slopes were to be created greater than a 3 to 1 ratio.

Lot 4 was approved with one (1) retaining wall.

Lot 5 was approved with two (2) retaining walls with the plan showing a 3 to 1 slope from the retaining wall to the back of the house.

Lot 6 was approved with one (1) retaining wall with the finished slope from the retaining wall to the back of the house at a 3 to 1 slope.

Lots 29 and 30 were approved with two (2) retaining walls on each lot with a 3 to 1 slope on the finished grade.

After the newly constructed houses were nearly complete the applicant decided to do a slope analysis on lots 4, 5, 6, 29 and 30 after the fact of the approval with retaining walls. The geotechnical reports from the applicant's engineer were included in the meeting packets that



analyzed the steep slopes on these lots. The engineer's conclusion was that in their professional opinion based on the results of their evaluation the slopes will be stable.

The applicant submitted new plans showing no retaining walls based on the soils analysis conducted by their engineer.

Mr. Ware gave a virtual presentation showing a grading chart, new plats without retaining walls, and renderings of the existing slopes. He explained that after reviewing the new plats staff found the following slope calculations:

- Lot 4 – Slope 2.2 to 1
- Lot 5 – Slope 1.9 to 1
- Lot 6 – Slope 2.5 to 1
- Lot 29 – Slope 2.5 to 1
- Lot 30 – Slope 1.4 to 1

These revisions cannot be approved administratively because they are revisions to an already approved plan.

Marty Rhodes stated he was the Vice President of construction for Maronda Homes. Mr. Rhodes gave a history of purchasing the lots. Other lots identified by 23, 24, 25 and 26 is when the first questions came up regarding slope concerns. Permits for construction on these lots were initially denied because of the slope ratio and Maronda Homes resubmitted those applications showing retaining walls to be constructed. In order to keep the application process moving forward on lots 4, 5, 6, 29 and 30 their engineer showed retaining walls in the application on these lots so they could receive zoning approval because they were told they could not obtain permits without retaining walls because they exceeded the slopes. Mr. Rhodes said they were told they could go back for revisions and once they received the engineers' geotechnical report they submitted the revisions showing no retaining walls on lots 4, 5, 6, 29 and 30.

Vice Chairman Neel referred to a note in the report that mentioned one part of the analysis was not complete and said that when that part of the analysis was complete it might alter their opinion.

Mr. Rhodes stated the report was finalized and he had not seen that comment.

Vice Chairman Neel mentioned that where the core samples were taken was at the level of the house and not the level of hillside or up on top of the hill. He asked Mr. Rhodes why he felt that was representative of the stability of the soils and the slope.

Mr. Rhodes explained they could see the veins where the soil ran and could tell they were the same soil types throughout this whole area and could determine where they needed to pull the soil samples based off of what they saw onsite.



Vice Chairman Neel said it was mentioned there was no future development proposed at the top of the hill. He asked if they were eluding the people above might do something later on.

Mr. Rhodes said he did not think anything could be developed there, and there was a tree conservation area that backs up behind lots 4, 5, and 6.

Vice Chairman Neel said that much of the earth, which is primarily clay has been cutaway, replaced, and driven over to create the new slopes. He asked Mr. Rhodes why that was considered stable.

Mr. Rhodes explained the areas that were “cut back out”.

Vice Chairman Neel stated he watched the excavators cut out the hill and then they went to the top of the hill and cut off the top of the hill and dumped it down to fill in where they had cut it out.

Mr. Rhodes said they did a thin layer of topsoil on the surface to place matting on it so something would grow. They did not want to put matting on rocks as it would not grow.

Vice Chairman Neel said the soil is probably consistent all the way to the fill based on how it was done. The way water flows through clay, it has the risk of going down some feet, flowing down and causing it to slip. He expressed this was a big concern with these slopes.

Vice Chairman Neel moved, seconded by Commissioner Marrazzo that the Planning Commission forward a recommendation of denial to the Town Council for application #2500022 for revisions to the approved Subdivision Plan FRSUB1521-2019 for Happy Creek Knolls, Section 4 regarding lots 4, 5, 6, 29 and 30, Tax Map No. 20A21-3-4 submitted by Maronda Homes, Inc.

Vice Chairman Neel stated that the studies are not representative of the risks. With the hillside, he can see no way that a retaining wall is not needed for some sort of engineered structure to hold this back. He said that watching the hill with the small amount of rain we have had is already showing up. Because this is fill dirt it changes the whole game. Town Code requirements are to minimize how much land disturbance there is and there has been substantial disturbance on these lots. Some of these lots require two (2) retaining walls. If that is still the case that top wall would now have to be constructed on fill dirt which adds a whole new dimension. Vice Chairman Neel said he sees the risk to a future homeowner for a mudslide into their kitchen or basement as well as the liability of the Town if we were to approve something like this.

Commissioner Marrazzo expressed that she sympathized with a developer not delivering the land with what the applicant thought it would be. However, when it comes to the safety of the people living in these homes she agrees with Vice Chairman Neel with what they are seeing in the reports and the actual grade of the land vs. what it could be with the installation of the retaining walls.



Commissioner Brooks expressed that he agreed with the previous Commissioners comments. He understands that the homeowners are eager to move in however we need to acknowledge why the Town Code is written as it is, and he believes that the only answer is to deny the application.

Vote: Yes – Marshner, Neel, Marrazzo, Brooks

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

- **2500023** - A request for Final Subdivision Plat approval for a major subdivision submitted by Ali Billoo from one (1) 3.52-acre parcel into eight (8) residential lots, one (1) stormwater management lot, and a residue lot located at 336 W. Strasburg Road, identified on tax map 20A11, section 4, parcel 23B. The property is zoned R-2, Residential District.

Mr. Ware explained this was a request for a Final Subdivision Plat for a major subdivision from (1) 3.52-acre parcel into eight (8) residential lots, one (1) stormwater management lot, and a residue lot located at 336 W. Strasburg Road. A preliminary plan application for this property was previously approved by the Planning Commission. The lots will come off of Forest Hill Drive with the residue remaining off of W. Strasburg Road. The final plat is the next phase of this development creating the lots. The applicant has met all the criteria for a final plat for a major subdivision. The next step will be for the applicant to submit the subdivision plan. That plan will be reviewed by Warren County for erosion and sediment control, DEQ for stormwater, Public Works, Energy Service, and Zoning.

This application was discussed in length at a Planning Commission work session and there were no additional concerns or comments.

Commissioner Marrazzo moved, seconded by Commissioner Brooks that the Planning Commission forward a recommendation of approval to Town Council for Final Subdivision Plat application #2500023 located at 336 W. Strasburg Road, identified by tax map number 20A11-4-23B.

Vote: Yes – Marshner, Marrazzo, Neel, Brooks

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

**ELECTION OF OFFICERS**

- **Chairman**

Commissioner Marrazzo moved, seconded by Commissioner Brooks to nominate Connie Marshner to stay in the Chairman position.

Chairman Marshner accepted the nomination.

Vote: Yes – Marrazzo, Neel, Brooks
No – N/A
Abstain – Marshner
Absent – N/A

ROLL CALL

- **Vice Chairman**

Commissioner Brooks moved, seconded by Commissioner Marrazzo to nominate Vice Chairman Neel as the Vice Chair.

Vice Chairman Neel accepted the nomination.

Vote: Yes – Marrazzo, Marshner, Neel, Brooks
No – N/A
Abstain – N/A
Absent – N/A

ROLL CALL

COMMISSION MEMBER REPORTS

Vice Chairman Neel said he was continuing the Citizens Academy.

PLANNING DIRECTOR REPORT

Ms. Kopishke reviewed the January monthly report.

Staff is working on updating the current draft Zoning Ordinance to incorporate the changes the Planning Commission had requested at the work sessions. She will be meeting with the Town Attorney to review the changes thus far before moving forward with reviewing the next articles. The next sections of the Zoning Ordinance are the actual zones themselves. Ms. Kopishke stated she wanted to make sure the administrative sections of the ordinance is “buttoned up” before proceeding to the zoning district sections.



Ms. Kopishke stated she was finalizing updates to the Capital Improvement Plan (CIP) and hoped to bring that to the Planning Commission in March or April.

ADJOURNMENT

Commissioner Marrazzo moved, seconded by Vice Chairman Neel to adjourn the meeting.

VOTE: Yes – Marrazzo, Neel, Brooks, Marshner
No – N/A
Abstain – N/A
Absent – N/A

VOICE VOTE

The meeting was adjourned at 7:56 p.m.

Approved by Planning Commission

Date: 3/19/2025