

## TOWN COUNCIL WORK SESSION

Monday, October 3, 2016 @ **6:45PM**

Front Royal Administration Building

### **1. Board of Zoning Appeals (BZA) Interview**

**Summary:** Stephen McKee Braddock verbally resigned from the Board of Zoning Appeals (BZA) in May 2016. Mr. Braddock was recommended by Council to a 5-year term on May 13, 2013. All BZA recommendations are 5-year terms and all recommendations are considered by the Judge of the Warren County Circuit Court for appointment. Due to this being a recommendation to the Judge of the Warren County Circuit Court and not an appointment by Council, Council will interview one candidate for the recommendation in open session. The candidate will fill an un-expired term, term to end May 1, 2018.

### **Council Discussion:**

Council interviewed Mr. Ron Flores. Council will discuss at a later time and choose a candidate.

### **2. Royal Lane Apartments Special Use Permit** – *Director of Planning/Zoning*

**Summary:** SUP16-04-264, Special Use Permit Application, submitted by Pennoni Associates Inc, c/o Patrick Sowers, for a project proposed by the Economic Development Authority (EDA), for the development of three (3) 12-unit apartment buildings, consisting of a total of 36 apartment units, at the end of Royal Lane, on Tax Map Parcel 20A171-14B. The apartment units are intended to be used for workforce housing in the community. The property is zoned C-1 District, and the property consists of approximately 3 ½ acres. The proposed density is approximately 10 units per acre. The applicant's Special Use Permit (SUP) application request includes a request for a special exception to allow the street to be extended. This may be granted by Town Council pursuant to Town Code 148-211.A.2.a. for affordable housing projects. The EDA is proposing to reserve right-of-way for the Town to allow the road to be extended in the future. The applicant's request also includes the dedication of a small portion of land to the Town as part of Royal Lane. This property was reserved to the Town in the past and is required to be dedicated to the Town at this time so the applicant's lot has road frontage. A preliminary site plan was submitted with the application that provides a layout of the proposed development. The applicant also submitted an elevation drawing that is illustrated within the attached Staff Report.

**Staff Evaluation:** The Planning Commission recommended approval of the application with 9 conditions. These are noted in the Staff report, quoted here:

A bio-retention facility is proposed on the site. The location is illustrated on the preliminary site plan, but the stormwater facility still must be fully engineered for the final site plan approval. A permit from the Virginia Department of Environmental Quality (DEQ) will be required.

The Applicant's impact analysis reports that the site will require 7200 gallons per day of sewer flow, as well as water. The preliminary site plan does not include full engineering plans for the extension and service of utility connections. This will need to be completed on the final site plan and applicable connection fees will need to be addressed by the Applicant.

A sidewalk is illustrated on the east side of the proposed access road

extension of Royal Lane. Curb & gutter is also included. The proposed access road extension of Royal Lane can be broken down into two sections (See illustration on the following page). The northern section, referred to herein as Section A, is illustrated as existing public right-of-way in the County and Town GIS systems. However, this section was only reserved for dedication to the Town by a plat dated March 25, 1995. Such reservation was created when the adjacent lot was subdivided from the property to create the current site of Meadowland Learning Center. With this application, the EDA has submitted a draft dedication plat to finalize the dedication of Section A (See **Attachment 2**). A new commercial entrance to the adjacent lot is also shown on the preliminary site plan within this area. The southern section of the access road, referred to herein as Section B, extends into the property and would be reserved for dedication by the Town. Such dedication to the Town would be needed if the Town ever decides to extend Royal Lane to Remount Road to improve access and connectivity.

Town Code Section 148-820.H. prohibits dead-end streets, except as stubs to allow future extensions to adjoining land. It also limits cul-de-sac streets to a length of 800 feet in length and 25 lots. However, a Special Exception may be granted in accordance with Town Code 148-211.

The Applicant submitted an impact analysis statement prepared by Pennoni. This report shows that Royal lane is presently estimated with an average daily traffic count of 1,502 vehicles. This calculation is based on the existing uses, including 9 single family dwellings, 90 apartment dwellings, a 7,000 square foot day care facility, and a professional office building of 10,000 square feet. The proposed development is estimated to generate 252 average daily vehicle trips, bringing the total for Royal Lane to 1,754 ADT. Peak hour trips is estimated at 193 vehicles.

John Marshall Highway has a traffic count of 12,000 total trips (VDOT 2014). The Applicant's report addresses the estimated traffic at this intersection and identifies that a westbound left turn lane and right turn taper are warranted, based on VDOT's Road Design Manual. Pennoni's report identifies that the existing right-turn lane and center turn lane are adequate. The report also concludes that the traffic generated by the 36 apartment units would be significantly less than if it was developed with a commercial use, and that the residential development is more in keeping with the primarily residential character of the street.

**Review Comments of the Preliminary Site Plan are noted below.** A final site plan application will need to be submitted if the special use permit application is approved. The final site plan should adequately address all noted review comments.

## **A. PLANNING & ZONING REVIEW COMMENTS**

1. **General Detail Requirements for a Site Plan.** If the SUP is approved by Town Council, a site plan application is required prior to issuance of zoning and building permits by the Town and County. The site plan is required to include the contents of Town Code 148-1020.
2. **ROW Dedication.** The area shown as right-of-way that is located on Tax map #20A171-14A (Basil C. Hudson), referred to above as Section A, should be dedicated to the Town so that the subject parcel has frontage on a public street.
3. **Electric Service.** Please show the proposed source of connection to the Town electric utility service lines, and confirm with the Department of Energy Services that existing capacity is adequate.
4. **Water & Sewer Utilities.** Please show the proposed source of connection to the Town water & sewer utility lines and confirm with the Department of Environmental Services that existing capacity is adequate. Please specify the size of the proposed water and sewer lines for review and evaluation of tap fees. Please show the location of water meters. Please seek input from the Department of Environmental Services regarding the appropriate locations for such meters.
5. **Recreational Area Details.** Please provide details of the proposed recreation area, including the amount of area and the type of amenities. Town Code 175-113.F.2 requires a minimum area based on the gross square feet of the proposed apartments. Based on the information on the site plan regarding the gross square feet, a minimum of 12,050 square feet of recreational space is needed. Town Staff would recommend a playground and sitting areas for adults. However, alternative ideas of the applicant can certainly be considered. Bicycle racks are also recommended.
6. **Building Elevation / Design.** It may be helpful for the Planning Commission and Town Council if you were to provide an illustration showing the intended design of the proposed apartment buildings.
7. **Dumpster Enclosure.** A dumpster enclosure is required around the proposed dumpsters.
8. **Building Height.** Town Code 175-113.D. stipulates a maximum height of 3 stories, but not to exceed 35 feet. The preliminary site plan shows that each building will be 35 feet, but specifies that the maximum height is 42'.
9. **Curb & Gutter Option for Parking.** Curb & Gutter is optional for the parking area perimeter
10. **Cul-de-Sac length.** Approval of this development requires

authorization of a special exception by Town Council. Such authorization would be allowed by the Town Code since the project targets affordable housing.

11. **Landscaping.** Landscaping is required, including Development Tree Plantings (156-6), Street Trees (156-7) and Parking Lot Landscaping (156-8). Please designate existing canopy areas on the site plan where trees can be preserved. This will reduce the amount of new landscaping required by 156-6.

12. **Lighting.** Please show all proposed lighting and ensure that such lighting is designed to minimize glare and is designed to meet dark-sky compliance standards or such equivalent standards.

13. **Project Narrative.** Please include a project narrative on the final site plan that explains the intent of the site to provide needed workforce to the community.

14. **Right-of-Way Reservation and Easement Area.** The reservation of the right-of-way should run with the land and authorize the Town to dedicate the right-of-way when, and if, decided by Town Council in the future. The area should also include an easement for utility and access purposes. A portion of the proposed cul-de-sac and cross slopes are located outside of the right-of-way reservation and easement area. Please extend the right-of-way reservation and easement area to include these additional areas, which would be needed if the roadway is modified and extended in the future.

15. **Fire Hydrants and Fire Suppression.** Please provide a fire hydrant(s) and fire suppression as necessary to comply with the building and fire codes. If sprinklers are required, an independent fire suppression line would be necessary and should be coordinated with the Department of Environmental Services.

16. **Roadway Width.** Royal Lane is currently between 39.5-39.6 feet in pavement width. It would be appropriate to extend the access road/potential future public right-of-way to more closely match the existing roadway. Based on the total ADTs for the road, Town Code 148-820.D.6. specifies a minimum roadway width of 36 feet, with the following specifications: *Surface Course: 1½" (SM 9.5A), Base Course: 3" (BM 25.0); and Subbase: 6" (21-B).*

## **B. TOWN DEPARTMENT OF ENERGY SERVICES**

Staff has reviewed the plans for the proposed three (3) 12-unit Apartment buildings. Town Code 70-50.1 requires a charge of \$2,500 per building, for a total of \$7,500 for the 3 units.

## **C. TOWN FINANCE DEPARTMENT**

Taxes are paid.

#### **D. TOWN MANAGER**

The following comments are provided for the subject SUP:

- 1) Sheet 3 – The proposed 24' width for the street does not meet Town standards. Please refer to Town Standard Construction Detail RC-1.
- 2) Sheet 3 – Please confirm if a tot lot is to be provided.
- 3) Sheet 3 – Handicapped parking signs will be required at the designated spaces.
- 4) Sheet 3 – Provision of additional parking for visitors should be considered.
- 5) Sheet 3 – Please consider extension of sidewalk and placement of ramp for handicapped parking spaces; also include ramp at the terminus of the public sidewalk.
- 6) Sheet 4 – Please include standard typical section for extension of Royal Lane (Detail RC-1).
- 7) Sheet 4 – Please include standard typical section for sidewalk within the Right-of-Way
- 8) Sheet 4 – Due to the elevation and planned two story design, please confirm if booster pumps are necessary to provide sufficient water pressure at the apartments.

#### **E. TOWN DEPARTMENT OF ENVIRONMENTAL SERVICES**

- ☐ A full utility plan of water and sewer is needed. Show line sizes, both existing and future. Provide water demand per unit/building.
- ☐ Provide details on needed water and sewer extension.
- ☐ Needs to meet all town standards – water, sewer and concrete.
- ☐ Concrete/Sidewalk – change 4" 21B to 6" 21B, add expansion joints every 50 feet, each side of manholes, inlets and driveways.
- ☐ Remove existing cul-de-sac and add curb.
- ☐ Include details for entrance road, including curb, concrete, sidewalk, and apron.

#### **F. WARREN COUNTY DEPARTMENT OF FIRE & RESCUE SERVICES**

4/28/15 - No notable comments.

1/12/16 – After review of the site/concept for Royal Lane Apartments (36 units) with regards to a single entrance/exit, the Department of Fire and Rescue Services provides the following comments: There is no objection with the site being restricted to a single entrance/exit. The fire apparatus access road, entrance and parking areas shall meet design standards and be approved by the Warren County Building Official and maintained in accordance with the Virginia Statewide Fire Prevention Code. Should you require additional information or further assistance, please let me know.

## **G. WARREN COUNTY DEPARTMENT OF BUILDING INSPECTIONS**

Comments for SUP16-04-264 – Residential Apartments Royal Lane:

☐ Erosion and Sediment Control Items:

o Application and permits are required for ESC permit, which would be a normal submission including a full plan review application.

o The area of disturbance exceeds one (1) acre and requires a Stormwater permit through the Department of Environmental Quality (DEQ). Approval by DEQ is required prior to anything being issued by Warren County.

☐ Building Inspections Items:

o This submission does not provide any real details of the structure that is being proposed, but the project will require permits to be obtained as normal for structure, electrical, plumbing, mechanical, etc. and it would be subject to review and approval prior to work beginning.

## **CONCLUSIONS & RECOMMENDED CONDITIONS:**

The following conditions are recommended in association with this special use permit application. Condition #7 is a standard condition placed on all SUP applications with conditions:

1) The special use permit is only valid for 36 apartment units on the subject property, and includes a special exception to Town Code 148-820.H.3 for the proposed extension of Royal Lane as shown on the preliminary site plan. The apartment units shall be marketed as workforce housing.

2) The portion of the proposed access road extension of Royal Lane that is part of the adjacent parcel, identified as Tax Map Parcel 20A1-7-1-14A, shall be dedicated to the Town prior to issuance of any construction permits.

3) The remaining portion of the proposed access road extension of Royal Lane, as identified on the preliminary site plan, shall include all necessary access and utility easements, as well as a right-of-way reservation to the Town. Such reservation shall legally authorize the Town to dedicate the roadway as a public street when determined by Town Council, such as, but not limited to, when extension of the road is feasible.

4) All site improvements and utilities shall be constructed and paid for by the Applicant, and all applicable utility connection fees shall be paid at the time of application for a zoning permit to construct the apartments, unless otherwise waived by Town Council.

5) A complete final site plan application shall be submitted that adequately addresses the technical requirements of the Town Code and the review comments included in the staff report. Provided that the final site plan generally conforms to the preliminary site plan, as submitted with this application, Town Staff is authorized to approve the final site plan.

6) A playground, sitting area, and bicycle racks shall be provided. The playground shall

meet the standards of the Public Playground Safety Handbook (2010), published by the U.S. Consumer Product Safety Commission, or comparable alternative standard approved by the Building Official and Planning Director.

7) Town Council, or other designated representative, may inspect the property at any reasonable time to ensure compliance with local regulations, including, but not limited to, the conditions placed on this special use permit. Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

**UPDATE:** In August 17, 2016, the Planning Commission passed a motion to recommend approval of the EDA's application for workforce housing. The motion was conditioned on the 7 conditions noted above, and the following to additional conditions added by the Planning Commission at the meeting.

8) The proposed apartment units shall be marketed as workforce housing, and shall not



be used as subsidized housing for "very-low" or "extremely low" incomes, as classified by HUD.

9) The final design of the apartment buildings shall substantially conform to the building elevation drawings submitted by the EDA (shown below).

The application was originally considered in June at a public hearing where some citizens that lived on Royal Lane attended. A few citizens spoke in opposition to the application during the public hearing, and stating concerns about low income housing, and to a lesser extent traffic and crime. The Planning Commission tabled the application in July for the purpose of allowing the EDA to speak to the neighbors about the project in more detail. The EDA also agreed to submit a building elevation drawing for additional information on the project.

Following the meeting, the EDA stated that they sent notices and met with the citizens that responded. The Planning Commission added conditions #8 and #9 at their August meeting as part of their motion.

**Legal Evaluation:** The Town Attorney drafted the attached license agreement in consideration of the Lutheran Church's request for an encroachment license. The Town Attorney will be available at the work session for any legal questions.

**FROM STAFF REPORT:**

The Town is authorized to require a special use permit for certain uses within

any zoning district under the legal authority of Virginia Code §15.2-2286. Some specific uses are granted protection from regulation from localities by the Virginia Code, including agriculture uses, small scale conversion of biomass to alternative fuel, certain residential uses, private tents, farm wineries, assisted living facilities, and group homes.

The issuance of a special use permit is subject to such conditions as are deemed necessary by the Front Royal Town Council after recommendations of the Front Royal Planning Commission. Prior to an action by Town Council or a recommendation by the Planning Commission, a public hearing is required for special use permits.

A site plan application would be required prior to issuance of any permits for construction activity. The applicant has submitted a preliminary site plan with this special use permit as required by the Town Code.

**Council Discussion:**

Mayor Darr asked about the road width; Mr. Camp noted that the EDA would match the road width of the current roadway. Councilman Tewalt asked about the traffic increase to the area. Mr. Camp noted that technically it was one lot. Councilman Egger noted that her concern would be the traffic increase as well and she would feel more comfortable if there were two ways in and out of the site. Councilman Hrbek stated that he would like the traffic numbers as well, noting that he would like more workforce housing as well.

Councilman Hrbek asked who the property owner would be. Mrs. McDonald stated that the EDA would be the owner for at least five years. Mr. Hrbek noted that the EDA would not be paying taxes on the property, nor would the tenants. Mr. Hrbek expressed concerns with the large blacktop parking lot and expressed hope with having some trees in the parking lot.

Mrs. McDonald noted that this would be the only apartments in Town that would not be subsidized housing. Council noted that most likely the road would probably never be built to Remount Road.

Council chose to move forward with the public hearing. Mrs. McDonald noted that ground-breaking would most likely be spring with a 6-9 month build process.

**3. Good Shepherd Evangelical Lutheran Church Sign Encroachment License**

**Summary:** The Good Shepherd Evangelical Lutheran Church, located at 18 W. 6th Street, has applied for a right-of-way encroachment license from Town Council for the sign installed on 6th Street in front of the church. The sign was originally installed without permits, and was not in compliance with three separate requirements of the Town Sign Ordinance (chapter 175-106), including the following: 1) minimum setbacks (10 feet), 2) maximum size of changeable copy area (50%), and 3) the maximum number of ground mounted signs on the property (up to 1). The Board of Zoning Appeals directed the applicant to make modifications, including removal of one of the church signs and the reduction to the changeable copy area portion of the sign. These modifications addressed the ordinance violations 2) and 3) shown above. The BZA approved a variance for the sign

setbacks conditioned on the church either move the sign out of the right-of-way or obtain approval from Town Council for the right-of-way encroachment.

**Staff Evaluation:** The Church as requested the right-of-way encroachment license to allow the sign to remain in its current location, at least for the next few years. The representatives of the church stated that the church cannot afford to relocate the sign at this time and could use the five years to save for the cost of moving the sign. The sign does not present any sight distance issues, nor has any complaints been made in regards to the sign.

**Legal Evaluation:** The Town Attorney drafted the attached license agreement in consideration of the Lutheran Church's request for an encroachment license.

**STAFF REPORT:**

Good Shepherd Evangelical Lutheran Church has submitted a variance application related to the sign installed along 6th Street in front of the church. The variance application seeks remedy of the sign not complying with the minimum setbacks, maximum number of signs, and maximum percentage amount of changeable copy area.

The church installed the subject sign without a permit. A picture of the subject sign is shown below. It is classified as an Institutional Sign. It is also classified as a Ground Mounted Sign and a Changeable Copy Sign.

The Code Enforcement Officer for the Town observed the sign after it was constructed and informed the church that they needed to apply for a sign permit. Upon review of the sign by the Zoning Administrator, the location and details of the sign were determined to NOT comply with the Town Code requirements for new signage. In addition, the Town Surveyor's determination was that the sign is partially encroaching within the public right-of-way.

The sign permit was denied, as submitted, and the church has followed with this application for a variance. The church proposes to move the sign further back from the street so that it is placed outside of the public right-of-way. If approved, this variance application would address the nonconforming elements of the sign in regards to the Town's Zoning Ordinance. Below is a listing of the Town Code sections of the Zoning Ordinance that the sign is not in compliance with:

1) **175-106.B.1.a[1]** – requires a minimum setback for signs in residential zoning districts of 10 feet from the public right-of way.

Town Code 175-106.B.1.a[1] states the following:

“Minimum Setback: Ten (10) feet from all public rights-of-way unless further restricted by provisions of this section.”

Based on Virginia Code § 15.2-2309(2), that went into effect on July 1, 2015, the BZA *must grant a variance* if the evidence shows that the strict application of the terms of the zoning ordinance would “unreasonably restrict the utilization of the property or that

granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance”, and the following:

- (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2- 2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of §15.2-2286 at the time of the filing of the variance application.”  
*Virginia Code §15.2-2309(2).*

The applicant needs to demonstrate at the public hearing, to the satisfaction of the BZA, that the above criteria are met with the application. Staff recommends that the BZA review each criteria on its individual merits and make a finding of fact to support its decision.

#### **UPDATE:**

The Board of Zoning Appeals, at the June 21, 2016 meeting, voted unanimously to approve the applicant’s variance application with three conditions. This included a condition to reduce the changeable message area of the sign and removal of the other church sign on the property. It also included relocation of the new sign out of the right-of-way unless Town Council grants an encroachment license. The church has since addressed the changeable copy area and removal of the old church sign stipulations.

The church has submitted a request to Town Council to consider a right-of-way encroachment license. This is scheduled for consideration by Town Council on October 3, 2016. The BZA Staff report information is provided for information purposes only. The Town Attorney has drafted a right-of-way encroachment license that would be valid for 5 years if approved by Town Council.

#### **Council Discussion:**

Mr. Hrbek asked if the church has an attorney. Mr. Camp noted that the church noted they have been willing to move the sign if they had to, they just do not have the funding. Mr. Hrbek asked if there was any reason the Town need the 18” of encroached area. Mr. Tharpe noted that if the sidewalk was necessary then they can move the sign in the future. Council chose to move forward

with any process to make it possible for the sign to remain in place, noting that the church has been very willing to work with the Town in all aspects.

#### **4. CDBG Update – Downtown Revitalization Project – *Director of Planning/Zoning***

**Summary:** A number of activities are underway and scheduled over the next few months in regards to the Downtown Revitalization Project / Community Development Block Grant. Town Staff will provide a brief report/update during the October 3rd Town Council Work Session.

☐ **Facade Improvement Program:** The August 24th Public Information Meeting was well attended.

Following the meeting 22 Participation Agreements were obtained from property owners that are interested in using the program to renovate their building facades. Frazier Associates is underway in meeting with a couple of the property owners to prepare renderings that will be used in the Revitalization Plan.

☐ **Branding Program:** This includes marketing strategies, branding (logo, tagline, etc), and wayfinding signage, including entrance features for the downtown. Darwin was the firm selected to work with the Project Management Team (PMT) on the branding process. A “kick-off” meeting will be held on October 4th with the PMT. There will be a charrette, workshop and interviews with stakeholders scheduled for mid-October. A branding committee will be selected on October 4th to help guide the branding process with an emphasis on inclusion of all community stakeholders and a brand that can be used throughout the community of the Town of Front Royal and Warren County.

☐ **Other:** Energy Services is coordinating in the process and is working on a plan for streetlight replacements that may be included in the CDBG implementation grant that is due in March 2017. New taller light poles are being considered that can be used with decorative downtown lighting. A public bathroom, parking signage, parking access improvements, business retention and recruitment strategies are also all contemplated to be in the final plan and CDBG grant application.

#### **Council Discussion:**

Councilman Connolly and Councilman Hrbek noted that they would attend the meetings to assist the community efforts.

#### **5. Update on Police Headquarters – *Moseley Architects***

### **NEW POLICE HEADQUARTERS PROJECT UPDATE**

MOSELY ARCHITECTS

#### **OPTION 1**

- ☐ MODIFICATIONS TO OPTION 1 FROM CONCEPTUAL
- ☐ REVISED STRUCTURAL SYSTEM
- ☐ REVISED ROOF LINE
- ☐ REDUCED AMOUNT OF GLAZING

- USE OF EIFS ON BACK OF BUILDING

## PROJECT BUDGET

|                    | POLICE STATION<br>CONSTRUCTION<br>COST | SUPPORT<br>BUILDING<br>CONSTRUCTION<br>COST | SITEWORK    | TOTAL<br>CONSTRUCTION<br>COST | TOTAL PROJECT<br>COST |
|--------------------|----------------------------------------|---------------------------------------------|-------------|-------------------------------|-----------------------|
| JULY 18, 2016      | \$3,730,695                            | \$1,445,707                                 | \$1,672,377 | \$6,848,779                   | \$9,083,279           |
| SEPTEMBER 28, 2016 | \$3,611,547                            | \$1,495,956                                 | \$1,929,708 | \$7,037,210                   | \$9,291,710           |
| DIFFERENCE         | (\$119,148)                            | \$50,249                                    | \$257,331   | \$188,431                     | \$208,431             |

## PROJECT ESTIMATED CONSTRUCTION COST

### Cost Summary

- Contingencies
- Construction Cost Estimate includes \$334,836
- Total Project Cost Estimate includes \$850,000
- Total contingencies \$1,184,836
- Cost Control Items (Throughout Design)
- Lower building elevation by 2'-0"
- Simplified mechanical system
- Economical, low maintenance finishes

## PROJECT ESTIMATED CONSTRUCTION COST

### Front Royal Police Headquarters

Opinion of Probable Construction Cost

Increases and Reductions between SD and DD

| Department Building                                        | Estimated Costs        |
|------------------------------------------------------------|------------------------|
| Increases                                                  |                        |
| 1 Full House generator and hospital grade sound enclosure. | \$ 146,640.00          |
| 2 Walkway between buildings                                | \$ 12,721.22           |
| Reductions                                                 |                        |
| 1 Brick façade thickness reduction                         | \$ (21,320.02)         |
| 2 Steel design simplification                              | \$ (116,432.17)        |
| 3 Eliminate Access Flooring                                | \$ (24,433.12)         |
| 4 Reduction in glazing on in Communications area           | \$ (12,399.33)         |
| 5 Use of more efficient HVAC units                         | \$ (123,061.61)        |
| <b>SUBTOTAL</b>                                            | <b>\$ (138,285.03)</b> |

- ☐ Value Engineering Items
- ☐ Reduce tree count in buffer zone
- ☐ Masonry screen wall at parking lot versus metal fence
- ☐ Reduce parking spaces

## PROJECT SCHEDULE

### Construction Documents

- **Design Development Phase Approval/Start Construction Documents** 0 Monday, October 3, 2016
- Construction Documents to 50% complete 14 Monday, October 17, 2016
- Construction Documents to 75% complete 7 Monday, October 24, 2016
- Quality Control Review printing/100% Construction Documents 14 Monday, November 7, 2016
- Complete QC Review/incorporate review comments 14 Monday, November 21, 2016
- Submit Owner Review Set/Building Permit Review Set 0 Monday, November 21, 2016

### DEQ Review

- Submit Drawings to DEQ drawings Q 0 Friday, October 7, 2016
- DEQ Review Complete 90 Thursday, January 5, 2017
- Submit construction documents to Town representatives 0 Thursday, January 5, 2017

### Town Review

- Start Building Permit Review/Town Planning Review 0 Thursday, January 5, 2017
- Building Permit/Town Planning Review complete 14 Thursday, January 19, 2017
- Incorporate comments and complete construction documents 7 Thursday, January 26, 2017
- Resubmit drawings with comment responses 7 Thursday, February 2, 2017
- Submit construction documents to Town representatives 0 Thursday, February 2, 2017

### Bidding

- Advertise for bids 0 Thursday, February 2, 2017
- Receive bids 32 Monday, March 6, 2017

### Negotiations and Construction Administration

- Award construction contract and initiate construction 30 Wednesday, April 5, 2017
- Substantially complete construction 364 Wednesday, April 4, 2018
- Complete furniture installation and move-in 30 Friday, May 4, 2018

Councilman Meza noted that he was surprised that the Town would have to grade the site, prepare the pad and connect the utilities to the total of \$300,000. He asked about where the amount would finally “land” so when they go to construction documents and the amount would stay firm. Mr. Burke noted that the potential changes would cease as the big ticket items had ended. He stated that they would meet soon with Mr. Camp regarding the tree buffer as there were concerns that the trees would not grow there without much light. He added that the RFP was being finalized and Clerk of the Works was going to be hired as well. To answer Councilman Connolly’s question, Mr. Burke noted that this was the appropriate time for a Clerk of the Works.

Councilman Tewalt stated that he would not vote for a matter without funding being in place. Mr. Burke stated that the EDA has secured the loan for the that would be temporary until the program was finalized.

Councilman Hrbek noted that he would be comfortable moving forward with the matter as requested, as the funding for Mosely is already in place. Mr. Meza stated that unless one was trying to cut out of the project, there was no reason not to proceed. Mr. Tewalt stated he would like the Police Department built though he would like the funding in place.

Mrs. McDonald stated that the EDA has the funding available and they currently are just awaiting the attorneys to coordinate the resolution for the funding, including the \$236,000 for the expenses to reimburse the Town for the Mosely expenses thus far.

Council chose to place it on the agenda for vote the next regular meeting.

**6. Tamper Fee Relief from Puja Properties – 840 John Marshall Highway – *Town Manager***

**Summary:** On August 1, 2016, a tenant at 840 John Marshall Highway contacted the Department of Environmental Services to turn off water service to the building due to a water leak that required repair. Staff from the Department turn off the water service and advised the tenant to contact the Town to restore service. Upon reinspection of the meter on August 2nd, the water service had been restored without contact to the Town. Following this discovery, a Police Incident Report was completed and a Tampering Fee was assessed to the utility account. The property owner, Puja Properties LLC, paid the fee and is requesting relief from Town Council.

Council is requested to consider a request for relief from the Meter Tampering Fee paid by Puja Properties, LLC associated with the tampering incident on August 1, 2016.

**Staff Evaluation:** The repair work was apparently conducted by a plumbing firm, BG Plumbing, that has been previously advised by the Town in written and verbal communication that meter access can only be after contacting the Town's Police Department per Town Code 134-41 Meter Access. Staff agree that the property owner was unaware of the failure of its agent to follow Town Code.

**Staff Recommendations:** Staff recommend Council consider the request for relief of the Meter Tampering Fee for Puja Properties, LLC, and staff will investigate if any action can be considered by plumbers that continue to fail to comply with Town Code.

**Town Manager Recommendation:** The Town Manager recommends Council consider the request for relief of the Meter Tampering Fee for Puja Properties, LLC, and staff will investigate if any action can be considered by plumbers that continue to fail to comply with Town Code.

**Council Discussion:**

Council suggested that the plumber be notified that he is at fault for his actions. Council chose to give relief for the tamper fee. Mr. Burke noted that the plumber could be notified.

**7. Resolution for 2016 Holiday Home Decorating Contest – *Town Manager***

**Summary:** Council is requested to consider a Resolution to establish the 2016 Holiday Home Contest as presented. This will be the third year the Town of Front Royal has held the contest. It is held through the Town's Facebook Page and awards are given to the top three homes who received the most votes.

Council chose to place this on the consent agenda.

#### **8. Delinquent Tax List – Town Manager**

**Summary:** Council has requested that staff develop an advertisement of those property owners with outstanding Real Estate Tax payments due to the Town. The list is of delinquent tax payers is included with this memorandum Council Discussion: Council is requested to consider how advertisement of the list of delinquent Real Estate Tax payments should be advertised Staff Evaluation: Due to the large number of properties with delinquent Real Estate tax payments, staff would recommend Council consider adding the list to the Town's website and running periodic newspaper advertisements about the list. The list would be updated monthly by our Finance Department. The length of the list would require the Town to obtain a full page ad in the newspaper.

#### **Council Discussion:**

Councilman Connolly noted that he was not completely comfortable with the issue. He stated that it may expose record keeping issues that the Town is not fully up to date on. Mr. Hrbek noted that putting the list online is more helpful than placing it in the paper perhaps.

Council chose to put the list on the website and not post the matter in the paper.

#### **9. Board of Architectural Review (BAR) Terms Expire**

Council chose to re-interview the candidates that wished to stay.

#### **10. Council Discussion/Goals**

Councilman Egger asked about ITFederal's site plan. Mr. Camp noted that it has not been received as of yet.

Mayor Darr asked about the new building across from the Assembly of God. Mr. Camp noted that it was within the range of Code.

#### **11. CLOSED MEETING – Personal Matters**

##### **Motion to Go Into Closed Meeting**

*Councilman Connolly moved, seconded by Councilman Egger that Council convene and go into Closed Meeting for the following purposes: the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of a public body, pursuant to Section 2.2 3711. A. 1., of the Code of Virginia.*

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

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##### **Motion to Certify Closed Meeting at its Conclusion**

*Councilman Connolly moved, seconded by Councilman Egger 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 – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

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