



TOWN COUNCIL WORK SESSION
Monday, August 20, 2018 @ 7:00pm
Town Hall Council Chambers

TOWN/STAFF RELATED ITEMS

1. Request to Waive Curb/Gutter Installation at 419/423 Luray Ave – *Director of Planning/Zoning (15 min)*
2. Continued Discussion of Funding Radio System for Police Department – *Director of Finance (15 min)*

COUNCIL/MAYOR RELATED ITEMS:

3. Resignation from Urban Forestry Advisory Committee (UFAC)
4. Continued Discussion of Property Maintenance – *Mayor Thorpe*
5. Council Discussion/Goals (*time permitting*)

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Work Session Agenda Form

Item # 1

DATE: August 20, 2018

AGENDA ITEM: Curb & Gutter Waiver Request For 419 and 423 Luray Avenue

SUMMARY:

The Applicant owns two lots on Luray Avenue with one (1) single-family house under construction on each lot. The addresses are 419 and 423 Luray Avenue. The Applicant has requested that Town Council waive the curb & gutter requirement for these new houses. A letter of request from the Applicant is attached.

Curb & gutter is required for the Applicant's houses by Town Code 148-850.C. This requirement can be waived by the Town Engineer when there are not more than 2 dwellings and when curb & gutter is not present within 200 feet of the property. In this particular circumstance, there is curb & gutter within 200 feet, located directly across the street, so curb and gutter can only be waived by Town Council.

As explained in the Applicant's letter of request, the primary reason that a waiver is being sought is because of the additional cost for it. The Applicant identifies in the letter that the project has already had many additional costs that are atypical for house construction projects. The main reason for this is the fact that the lot has very steep terrain. The slope of the driveway is designed to have a grade of 20%. The Applicant was required, as determined by Town Code, to submit an engineered plan with driveway profiles. The Applicant was also required to pave the driveway and design it to mitigate additional stormwater runoff onto the public street. An as-built is required to ensure that the grading is done according to the approved plan.

The following supporting documents are attached with this cover sheet:

- Applicant's letter of request
- Town Code 148-850.C.
- House Location Plans for 419 and 423 Luray Avenue.
- Driveway Profile & Detail of Proposed Roof Drain/Pavement Detention Area
- Town of Front Royal Standard Construction Details

BUDGET/FUNDING:

No direct impact. May have an impact in future budgets.

STAFF RECOMMENDATION:

Curb and gutter is not necessary for the purpose of stormwater management for this particular development. However, if Town Council chooses to waive curb & gutter, the Town may incur additional costs if curb & gutter is added to Luray Avenue in the future. Furthermore, if curb & gutter is waived, installation of a 10" pipe culvert at the Applicant's entrances and regrading the drainage ditch is recommended.

Mark, Susan and Jessica Wines
16 East 17th Street
Front Royal, VA 22630
540-635-6703

Member of the Front Royal Town Council
102 E. Main Street
Front Royal, VA 22630

August 3, 2018

Members of Council,

We the undersigned are the owners of 419 Luray Avenue and 423 Luray Avenue, Front Royal, Virginia. We are requesting a waiver for the installation of curb and gutter for the following reasons:

- Town Code requires curb and gutter be installed for new construction if within 200 feet of existing curb and guttering. There is currently no curb and gutter from the top of Luray Avenue to Kerfoot Avenue on our side of the street. It is estimated the nearest curb and gutter on our side of the street is approximately 2,000 feet in one direction and 500 feet to the stop sign at Kerfoot;

- As property owners we were required by the Town Planner to obtain an engineered site plan because of the grade of property which included water runoff calculations per the Commonwealth of Virginia in order to eliminate additional water or erosion onto Luray Avenue.

According to the Warren County Building Inspector's Office, neither other builder nor property owner in Warren County has been required to spend the amount of money we spent in order to obtain this customized, specially engineered site plan which cost thousands of dollars. Additionally, as one can imagine this special engineered site plan came with an abundance of additional site work and surveys which in turn has cost us thousands of dollars. Due to the high level of detail in the engineered site plan, the excavation company was required by law to follow the plans precisely, which in turn again cost us many thousands of dollars. According the Engineered Site Plan we contribute 1% additional water run off on each property. The Engineer had us install "dry ponds" (one per each residence) to be constructed to handle the water run off from each roof to be dispersed into an under-ground dry pond (each dry pond cost over \$3,000).

Due to the massive amount of additional site work, the engineer did not design nor require culverts under our driveway nor curb and

guttering.

- According to a letter from Robert Brown, Town Engineer, he states the following, "In regard to the issue of installing curb and gutter along your property frontage, I can see no significant benefit or detriment, from an engineering standpoint." Our position is that if there is no benefit or detriment to installing curb and gutter, we should not have to incur the massive expense at this time above and beyond what we have already spent in order to ensure the least amount of water runoff.
- The Town Code's Water and Sewer Tap Fee was in excess of \$16,000 per property and we found out that the "hookup" is not an actual "hookup" but simply an access charge. We were told by the Utilities Department that the Town of Front used to actually "hookup" the property's plumbing to the Town's water system but stopped this practice approximately one year ago. Therefore, we were required to hire a plumber to conduct the physical "hookup" at an additional cost of \$4,000 per house. (As a side note, I would encourage council to consider clarifying and changing the ordinance to reflect this new policy.)
- Finally but not least. The culvert at the bottom road level of our properties as mentioned in the letter from Mr. Brown, that he assesses was created by water runoff was actually created from erosion from the undeveloped land slope and not water runoff from Luray ave. We have had record rainfall this year and our contractor and my husband went to the properties on every occasion to make sure any run off from the driveways were promptly cleaned up. Both they and I can attest in detail that there is no water that runs down the hill on our side of the street. The water runoff diverts at the top of Luray ave. and has created erosion in the road itself and is directed toward the other side of the street entirely. Therefore when it rains there is an eight inch trench of water that aggressively streams toward Criser rd and runs across the street. This is a hazard to the public right of way. For this very reason Jeremy Camp requested Va water runoff calculations be done and any measures put in place to avoid this direct stream of water crossing the adjoining roads. If curb and gutter is installed on our side of the street, this could and probably will very well add to the runoff problem as it did across the street. It would be beneficial for curb and gutter to actually have gutter to carry access water underground.

As stated, we are not builders who build dozens of homes per year or developers who develop acres of land. We are hard working people born and raised in Warren County and we wouldn't dream of living any other

place. We and our daughter wanted to build here, in our home town, to allow her to be close to her family. We are not pointing fingers at anyone but are only trying to explain the hardship we have endured just to build two quality houses, one for my daughter and one for our retirement. We understand and appreciate the law and the Town Code. We have abided by the Town Code and based upon what we have been told, we have gone well above what anyone else has been required in order to build our lovely homes. Considering the above stated reasons, we respectfully request a waiver so that we will not have to spend additional money putting curb and gutter and being the only two properties on our side of the street with curb and gutter especially considering there is no benefit as stated by our Engineer and the Town of Front Royal Engineer.

Sincerely,

Mark Wines

Susan Wines

Jessica Wines

for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

148-850

C. Curb and Gutter.

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the Construction Standards and Specifications Manual.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb & gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb & gutter is not currently present within 200 feet of the property.

D. Sidewalks.

1. Sidewalks shall be installed by the applicant along both sides of all new streets. For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets. This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within 1000 feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the Construction Standards and Specifications.
3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and

Notes:

1. Boundary and topography provided by Brogan Land Surveying, PLC and is based upon a current field survey.
2. This plot is subject to easements and restrictions of record.
3. No title report furnished.
4. Riprap shall be EC-1, Type A, 6" Min. dia.



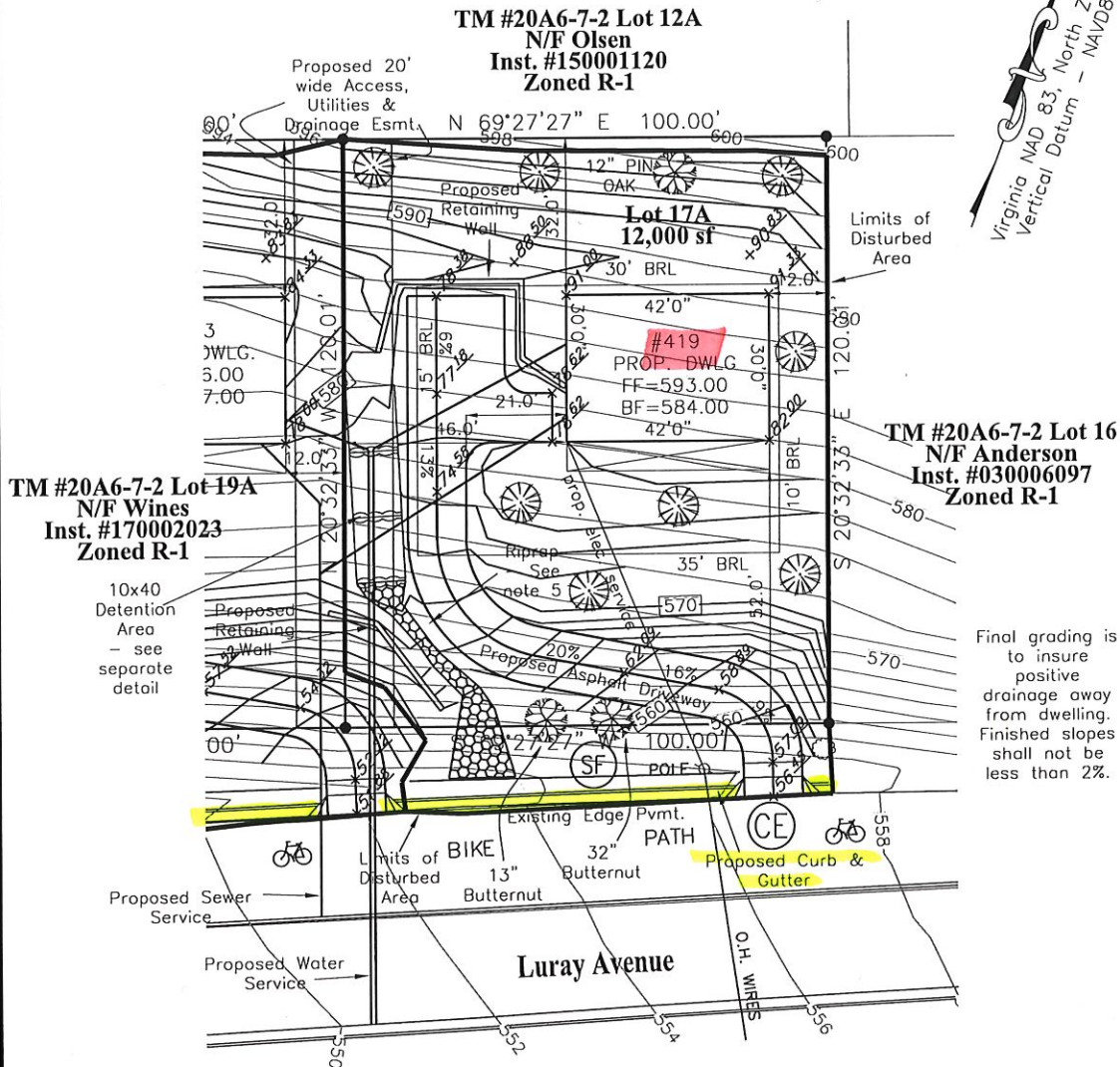
Canopy coverage - required plantings: 3 Sugar Maple, 2 Pin Oak, 3 Tulip Poplar; existing - (1) 12" Pin Oak
Street trees - existing: 13" & 32" Butternut



SILT FENCE (STD & SPEC. 3.05)



CONSTRUCTION ENTRANCE (STD. & SPEC. 3.02)



House Location Survey Lot 17A

Block 2, Viscose City

Fork District, Town of Front Royal, Warren County, Virginia
Scale: 1" = 30' Date: June 23, 2017

Present Owner:

Mark A. Wines & Susan L. Wines

TM #20A6-7-2-17A

Project SWNS1701



PREPARED BY:
PENNONI ASSOCIATES INC.

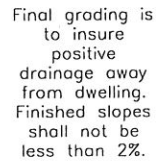


117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493

1. Boundary and topography provided by Brogan Land Surveying, PLC and is based upon a current field survey.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. Riprap shall be EC-1, Type A, 6" Min. dia.



CONSTRUCTION ENTRANCE (STD. & SPEC. 3.02)



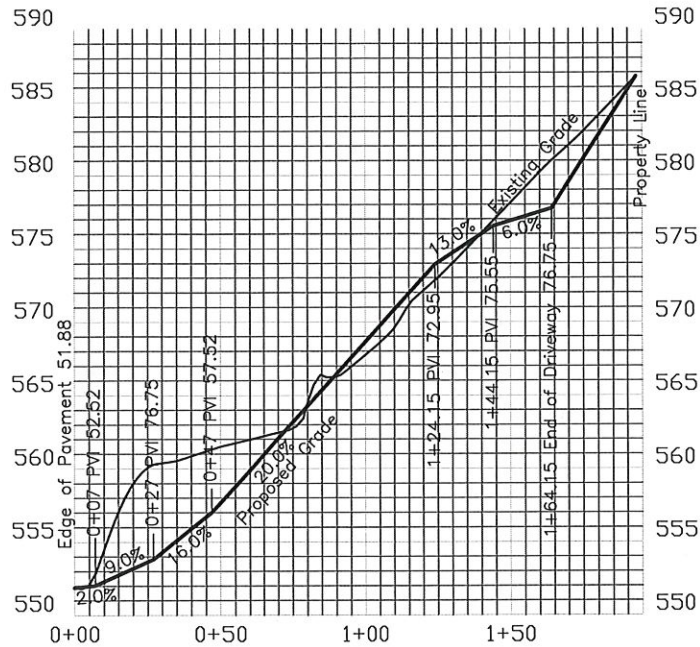
Project SWNS1701



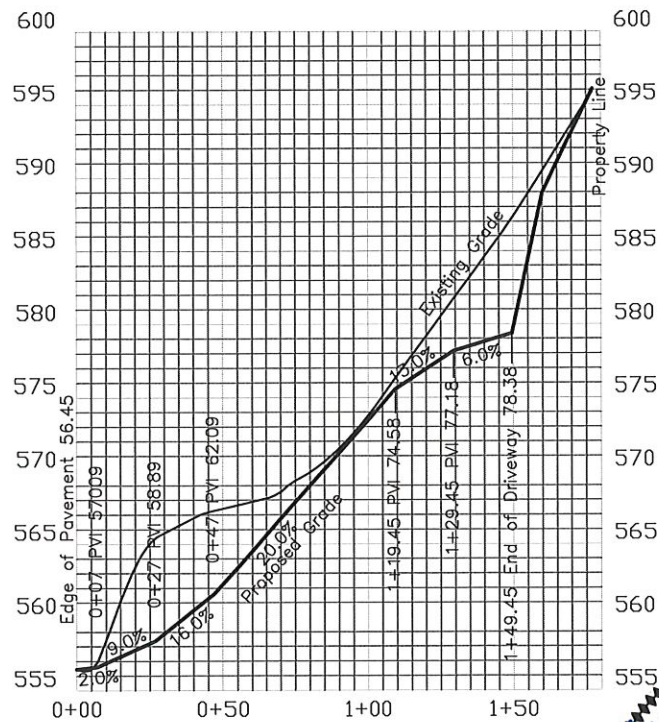
PREPARED BY:

Pennoni

117 East Piccadilly Street
Winchester, VA 22601
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Lot 19A
Driveway Profile
 1"=50 H : 1"=5' V

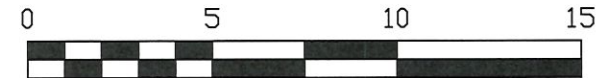
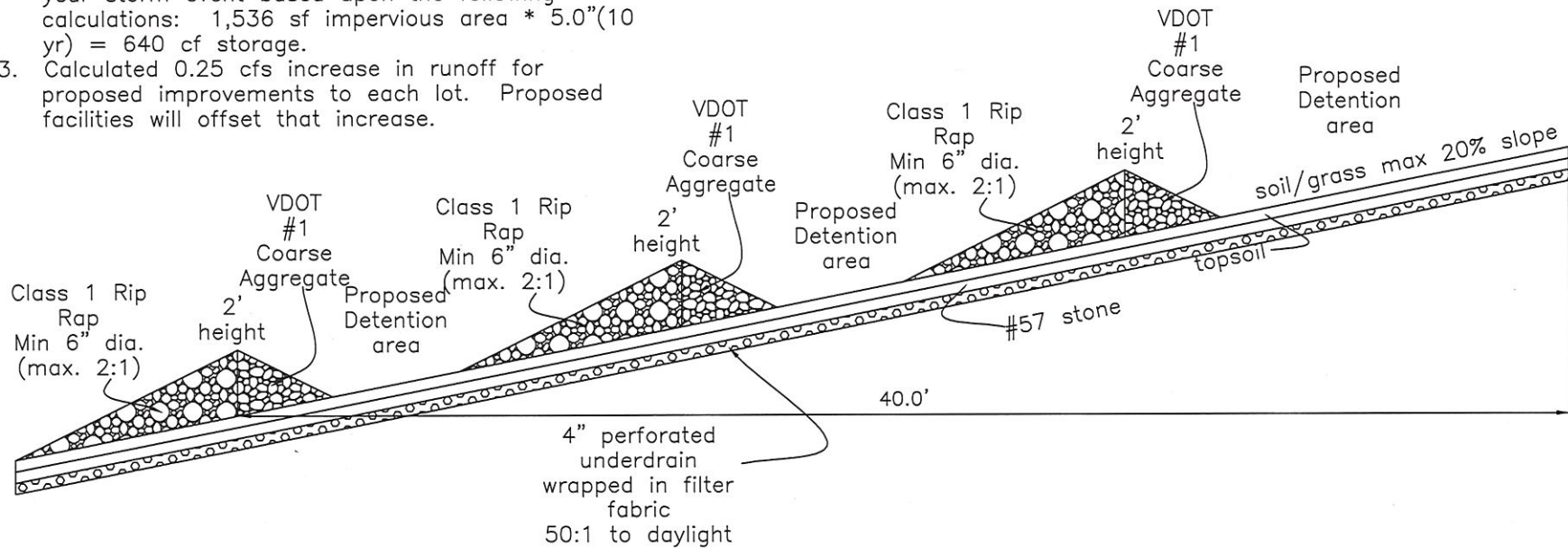


Lot 17A
Driveway Profile
 1"=50 H : 1"=5' V



Notes:

1. Proposed detention facility is designed as 10'x40' trapezoidal with 2:1 side slopes. Roof drains and portion of driveway are to be directed to the facility.
2. Facility is designed to store runoff from the 10 year storm event based upon the following calculations: 1,536 sf impervious area * 5.0"(10 yr) = 640 cf of storage.
3. Calculated 0.25 cfs increase in runoff for proposed improvements to each lot. Proposed facilities will offset that increase.



Detail of Proposed Roof Drain/Pavement Detention Area Lots 17A & 19A, Block 2, Viscose City

Town of Front Royal, Warren County, Virginia

Scale: 1" = 5'

Date: July 5, 2017

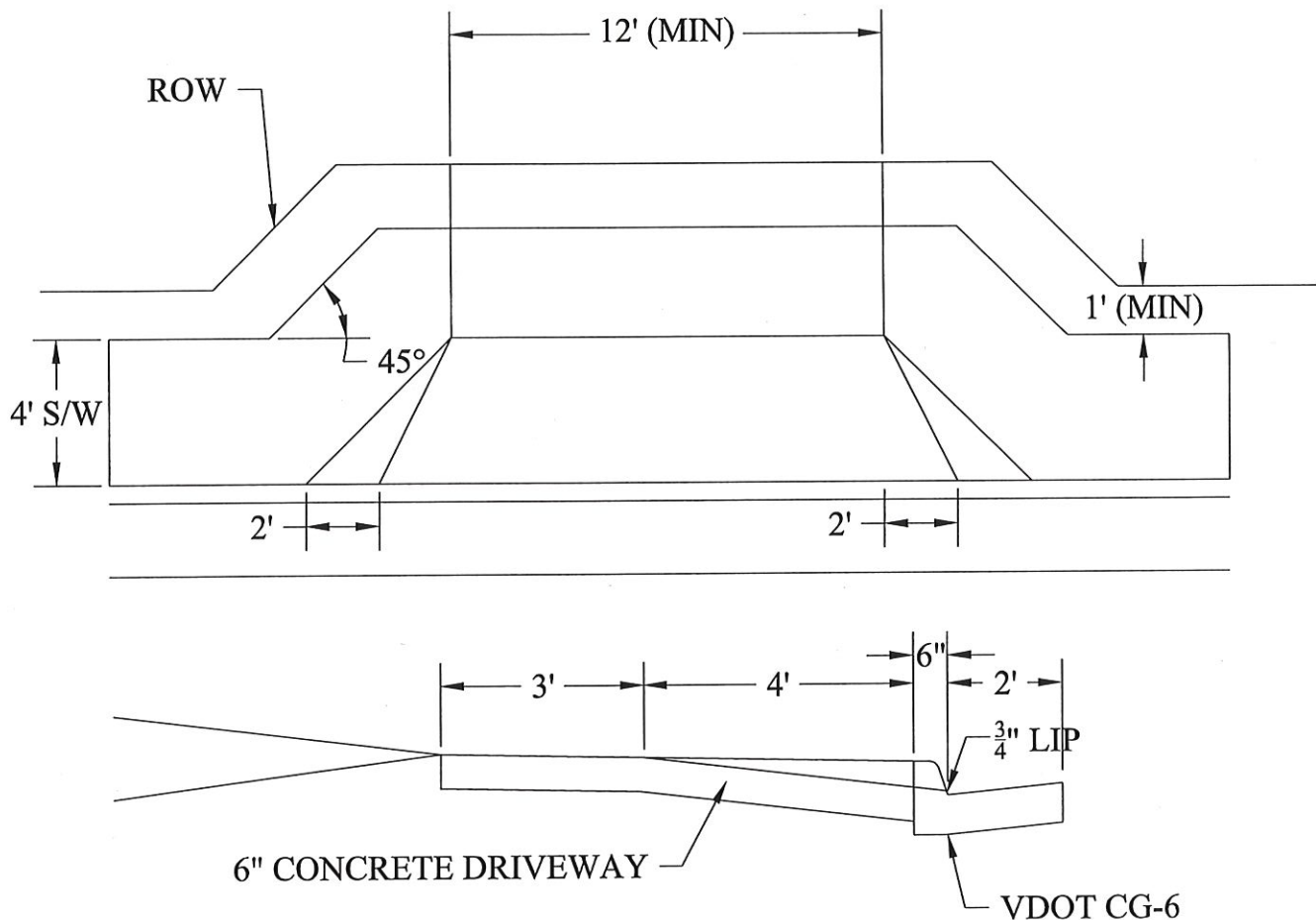
Project SWNS
1701



PREPARED BY:
PENNONI ASSOCIATES INC.



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Winchester, VA 22601
T 540.667.2139
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NOTES:

1. LOCATION OF DRIVEWAY SHALL BE PER PLAN UNLESS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
2. CONCRETE DRIVEWAY APRONS AND SIDEWALK CROSSING SHALL BE CONSTRUCTED OF CEMENT CONCRETE PAVEMENT (3000 PSI) (NATURAL SAND), 6" THICK REINFORCED WITH 6"X6" #10/#10 WELDED WIRE FABRIC (2" MINIMUM COVER FROM THE BOTTOM).
3. REMOVE TREE ROOTS WITHIN 10" OF PROPOSED GRADE.
4. LOT GRADING PLANS MUST PROVIDE FOR ADEQUATE VEHICULAR CLEARANCE FOR DRIVEWAY APPROACH, DEPARTURE, AND BREAKOVER TRANSITIONS. **DRIVEWAY PROFILES ARE REQUIRED WHERE STEEP GRADES PREVAIL.**

TOWN OF FRONT ROYAL STANDARD CONSTRUCTION DETAILS

RESIDENTIAL DRIVEWAY CONSTRUCTION

RC-5

DATE: MAY 2004
REVISION:

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Work Session Agenda Form

Item # 2

DATE: 8/20/18

AGENDA ITEM: Options for Financing Radio System for Police Department

SUMMARY: The Town has been provided pricing of \$545,000.00 for the purchase of new radio equipment for the Police Department and needs to determine how to finance/pay for the radio system. This amount does not include annual maintenance fees that will be incorporated into annual budget.

Motorola has proposed the following terms/rates:

- 4 Years @ 4.52% - approximately \$151,986.39 annually (\$62,946 interest expense)
- 5 Years @ 4.57% - approximately \$124,388.70 annually (\$76,944 interest expense)
- 7 Years @ 4.86% - approximately \$ 93,709.49 annually (\$110,966 interest expense)

VML Vaco has quoted the following terms/rates

- 5 Years @ 3.00% - approximately \$119,277.60 annually (\$51,388 interest expense)
- 7 Years @ 3.30% - approximately \$ 88,639.10 annually (\$75,474 interest expense)
- 10 Years @ 3.55% - approximately \$65,820.56 annually (\$113,205 interest expense)

Borrowing from General Fund Balance

- 5 Years with no interest - \$109,000.00 annually
- 7 Years with no interest - \$77,857.14 annually
- 10 Year with no interest - \$54,500.00 annually

Including with New Market Tax Credit Program

Interest Only @ 1.5% for 7 years = \$57,225

Annual payments for 20-30 years ranging from \$19,000-\$32,000 depending on terms/rates to pay principal balance of \$381,500.00.

Use Funds from General Fund Balance without repaying

No annual payment

BUDGET/FUNDING:

The adopted FY19 budget \$50,000 incorporated to be used for the purchase of radio equipment. Future budgets may need to incorporate additional funding.

STAFF RECOMMENDATION:

Staff recommends using the General Fund Surplus Funds to purchase the radio system and not to require repayment. The General Fund Surplus is approximately \$1.5 million. The surplus amount exceeds current obligations, the 3-month reserve levels, and outstanding encumbrances.

The General Fund Balance Surplus would be approximately \$968,000 after purchasing the radio system. This option would save the Town approximately \$51,000-\$113,000 in interest paid and possibly help assist in future budgets by help making additional funds available to pay toward those projects financed under the New Market Tax Program.

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Work Session Agenda Form

DATE: August 20, 2018

Item # 3

AGENDA ITEM: Urban Forestry Advisory Commission Resignation

SUMMARY: Staff has received the resignation of Lorraine Hultquist from the Urban Forestry Advisory Commission (UFAC) effective immediately. Ms. Hultquist was filling a 4-year term ending December 20, 2018.

E-Mail attached.

BUDGET/FUNDING: N/A

STAFF RECOMMENDATION: Council is requested to direct Staff on their desired action.

Work Session

Tina Presley

From: Lorraine Hultquist <outlook_D3FC742A747E558B@outlook.com>
Sent: Tuesday, August 7, 2018 5:36 PM
To: Tina Presley
Subject: Resigning from Urban Forest Board Lorraine Hultquist.

Sent from [Mail](#) for Windows 10

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Work Session Agenda Form

DATE: August 20, 2018

Item # 4

AGENDA ITEM: Continued Discussion of Property Maintenance

SUMMARY: Staff has prepared various Property Maintenance Enforcement Options for Council to review in the attached document.

BUDGET/FUNDING: N/A

STAFF RECOMMENDATION: Council takes desired action

Work Session

PROPERTY MAINTENANCE ENFORCEMENT OPTIONS

OPTIONS		PROS/CONS	ESIMATED STAFFING
A	<u>OPTION A:</u> No change.	N/A	N/A
B	<u>OPTION B:</u> Adopt Sections 104, 105 and 106 of the Property Maintenance Code Only. <i>Example: Town of Culpeper</i>	PROS: Additional legal path for enforcing unsafe structures. CONS: Does not expand powers beyond unsafe structures which can already be enforced by the public nuisance code.	.5 - 1 Requires Code Official.
C	<u>OPTION C:</u> Adopt the Property Maintenance Code in full without a Rental Inspection Program. <i>Example: Town of Strasburg (not enforced)</i>	PROS: Addresses all structures in the Town. Addresses maintenance issues. Can be enforced on a complaint basis or proactive enforcement. CONS: Legal costs from challenges from landlords.	1 – 1.5 Requires Code Official.
D	<u>OPTION D:</u> Adopt the Property Maintenance Code in full with a Rental Inspection Program . <i>Example: Planning Commission Draft</i>	PROS: Addresses property maintenance town-wide and addresses the condition of rental units inside of the designated Rental Inspection District. CONS: Moderate cost from higher staffing level need. Size of Rental Inspection District controls staffing level to some extent. Legal costs from challenges from landlords.	1.5 – 2 Requires Code Official.
E	<u>OPTION E:</u> Adopt the Property Maintenance Code in full with a Rental Inspection Program and a Building Inspections Department . <i>Example: City of Winchester, VA</i>	PROS: Addresses property maintenance town-wide and addresses the condition of rental units inside of the designated Rental Inspection District. Permit fees from building permits generate more income. Better communication link and control between property maintenance violations and building permits. All services in-house. CONS: Higher cost from higher staffing level need. Legal costs from challenges from landlords. Redundant services argument.	3 + outsourcing Requires Code Official.