

FINANCE/AUDIT COMMITTEE BEGINS AT 6:00PM



TOWN COUNCIL WORK SESSION

Monday, November 19, 2018 @ 7:00pm
Town Hall Council Chambers

TOWN/STAFF RELATED ITEMS

1. F.R.V. Fire Department Request for Financial Assistance on Utility Account – *Town Manager (10 min)*
2. Ordinance Amendment Request from David Downes to Exempt 14 and 16 Chester Street from the off-street parking requirements of the Town Code – *Director of Planning/ Zoning (20 minutes)*
3. HEPTAD, LLC – Request for 1-Year Extension to Submit Development Plan – *Dir P&Z (10 min)*
4. Proposed advertisement for invitation for bids pursuant to Va. Code §§15.2-2102 and 15.2-2103 for new, non-exclusive, franchises for cable television system and for fiber optic telecommunication System– *Town Attorney (10 minutes)*
5. Purchase and Financing of Refuse Truck – *Director of Financing (10 minutes)*

COUNCIL/MAYOR RELATED ITEMS:

6. Council Discussion/Goals *(time permitting)*
7. Closed Meeting – Consultation with Legal Counsel

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for Consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically, legal mechanisms relating to handling debt service serviced by the EDA related to prior and current budget years, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711.A.8. of the Code of Virginia.

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

1



Work Session Agenda Form

Item # 1

DATE: November 19, 2018

AGENDA ITEM: Front Royal Volunteer Fire Department Request or Financial Assistance on Utility Bill

SUMMARY: The Front Royal Volunteer Fire Department has requested financial assistance in an unspecified amount from the Town of Front Royal for the electric portion of their utility bill at 221 N. Commerce Avenue. The Town of Front Royal currently does not charge for water or sewer service to the Fire Departments located on Rockland Road and Commerce Avenue.

The Fire Department located on Commerce Avenue is billed for electric and garbage services with an average monthly bill of \$2,341.50 (electric: \$1,925.50). The Fire Department located on Commerce Avenue does not currently have a water meter, so the water usage for the property is unknown at this time.

The Fire Department located on Rockland Road consumes approximately 7,000 gallons of water each month. The average total bill for the Fire Department located on Rockland Road would be about \$342.16; which includes the monthly two-inch meter charge and out-of-town rates.

BUDGET/FUNDING: Water & Sewer Revenue

STAFF RECOMMENDATION: Council takes desired action

Work Session

From: "Front Royal Volunteer Fire Department" <frvfdoffice@comcast.net>

Date: October 16, 2018 at 12:04:17 PM EDT

To: <JWaltz@frontroyalva.com>

Subject: work session

Mr. Waltz

The Front Royal Volunteer Fire Dept. would like the opportunity to speak at the November 19th 2018 work session to request financial assistance on the electric portion of the Fire Company's utilities bill at 221 N. Commerce Ave Front Royal VA.

Respectfully,

Harry Kisner Jr.
President

2



Work Session Agenda Form

Item # 2

DATE: November 19, 2018

AGENDA ITEM: FRORDAM-000907-2018, Ordinance Amendment Request

SUMMARY: David Downes, the owner of 14 and 16 Chester Street (see aerial below), submitted an application for Town Council to consider amending the Town Code to exempt his property from the requirement to have off-street parking. This would be similar to the current exemption that applies to E. Main Street and on E. Jackson Street beside the courthouse (148-870.A.17). The applicant's property currently qualifies for a separate, "lesser", exemption that applies to all legally existing commercial and industrial buildings (175-127). This exemption does not require the Mr. Downes to meet the off-street parking quantity requirements of the Town Code, but it does require that existing parking not be eliminated. Therefore, the applicant is required to maintain the rear parking area of his property, and use it in conjunction with the businesses on the property (Beer Museum and Offices).

The Planning Commission unanimously recommended against the requested change after a public hearing held on September 19, 2018. During the public hearing a significant number of people spoke in favor of the Beer Museum. A few people also spoke in opposition to the request. The Planning Commission commended the Beer Museum's for their success at the location. However, the Planning Commission did not believe that it was appropriate to add more exemptions in the downtown area for any uses or properties until a parking strategy was developed to address the increasing demand in parking in the downtown area. There were three drafts included for consideration at the public hearing. These are attached with this coverletter, along with the Applicant's letter of request.

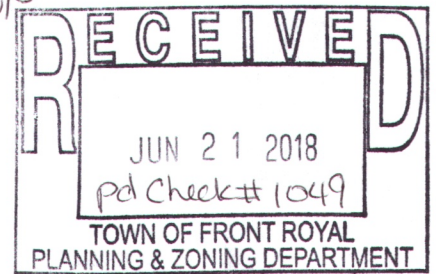


BUDGET/FUNDING: No direct impact.

STAFF RECOMMENDATION: After considerable review at work sessions and a public hearing, the Planning Commission unanimously recommended against any of the draft options. Their recommendation is for no action on the request at this time. Staff concurs.

FRORDAM-000907-2018

LAW OFFICE OF
DAVID A. DOWNES
14 Chester Street
Front Royal, Virginia 22630-3321



Admitted in Virginia
Admitted in Federal Courts

TELEPHONE (540) 636-8500
FACSIMILE (540) 636-8501
E-MAIL: ddownes14@gmail.com

June 21, 2018

Jeremy F. Camp, Zoning Administrator
Department of Planning & Zoning
102 East Main Street
Front Royal, VA 22630-1560

Hand Delivered

Re: Amendment to Town Code 175-127.3

Dear Mr. Camp:

As the property owner of 14 and 16 Chester Street, I would respectfully request the amendment of Town Code 175-127.3 to exempt the requirement of "off street parking" requirements for property located on Chester Street between Main Street and Laura Virginia Hale Place.

This amendment will enable property owners in the "Downtown" area of our town to be treated equally and fairly as other property owners located in designated areas of Main Street and other areas in town that currently enjoy public access to public parking.

This amendment would also enable my tenant, the Virginia Beer Museum, to utilize over half of the back yard, currently reserved for parking that is not and will not be used for parking, to exercise a special ABC license approved by the Virginia General Assembly and effective on July 1, 2018.

I would respectfully request this matter be considered at your next meeting scheduled for July 18th pursuant to our conversation this morning. Pursuant to that conversation, I have attached a check for Four Hundred Dollars to pay for the application fee of this request.

Very truly yours,

A handwritten signature in blue ink, which appears to read "David A. Downes". The signature is written over a large, loopy blue ink scribble that fills the space below the "Very truly yours," text.

David A. Downes

pc: Hollis Tharpe, Mayor of Front Royal

DRAFT AMENDMENT – OPTION 1 (Applicant’s Request)

“REQUEST TO AMEND OFF-STREET PARKING REQUIREMENTS”

START -----

Chapter 175

ZONING

175-127 PARKING EXEMPTION FOR THE REUSE OF EXISTING PROPERTIES

Regardless of Section 175-126, the reuse of properties with existing parking areas and/or loading spaces shall be exempt from the requirement to comply with the current parking area and loading space requirements of this Chapter, or Chapter 148; provided that, the following conditions are met.

1. A zoning permit was previously issued by the Town on the property for a business (commercial) or industrial use.
2. Town Council may require site improvements when a special use permit is required.
3. The number of existing parking spaces shall not be reduced for display or other purposes, except in areas that are exempt from off-street parking requirements, as found under Town Code 148-870.A.17.
4. When the existing parking area and/or loading spaces are in disrepair, the Zoning Administrator may require the following types of maintenance improvements at the time of issuance of a zoning permit:
 - a. Additional landscaping.
 - b. The demarcation of existing parking spaces by striping, restriping, wheel stops, or signage.
 - c. The resurfacing of the existing surface material.

except that the requirement of off street parking for property located on Chester Street between Main Street and Laura Virginia Hale Place shall be exempt from the off-street parking requirements.

Chapter 148

SUBDIVISION & LAND DEVELOPMENT

Section 148-870. PARKING & LOADING AREAS.

148-870.A. Parking Areas.

1. Off-street parking shall be provided in accordance with this subsection on every lot or parcel on which any use is established or expanded.
2. Based on the type of use, the minimum quantity of required off-street parking spaces is show in the following table.

TABLE 148-870.A.2

TYPE OF USE	REQUIRED OFF-STREET PARKING SPACES
Residential	Two (2) parking spaces per dwelling unit.
Motels/hotels	One (1) parking space per room and one (1) additional parking space for every ten (10) rooms.
Lodging/boarding/bed and breakfasts	One (1) parking space per room and an additional two (2) parking spaces for employees.
Shopping Centers	Five (5) parking spaces per one thousand (1,000) gross square feet for every shopping center facility ten thousand (10,000) square feet in size or less. Four (4) parking spaces per one thousand (1,000) gross square feet for every shopping center over ten thousand (10,000) square feet.
Commercial/retail	One (1) parking space per two hundred (200) gross square feet.
Furniture/appliance/lumber and building supply	One (1) parking space per four hundred (400) gross square feet.
Wholesale, storage and contractor's facilities	One (1) parking space per one thousand (1,000) gross square feet for non public areas. One (1) parking space per one hundred (100) net square feet for public sales areas.
Self-service storage facilities	One (1) parking space per twenty (20) individual units, and one (1) additional space per three hundred (300) gross square feet of office area.
Art galleries/museums	One (1) parking space per three hundred (300) gross square feet.
Professional offices	One (1) parking space per three hundred (300) gross square feet.

Medical/dental offices	One (1) parking space per two hundred (200) gross square feet.
Indoor recreation facilities	One (1) parking space per two hundred (200) gross square feet.
Bowling alleys	Three (3) parking spaces per alley.
Outdoor recreation facilities	One (1) parking space per two hundred (200) net square feet of improved area.
Personal service facilities	One (1) parking space per two hundred (200) gross square feet.
Churches/theaters/other assembly buildings/auditoriums	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.
Day-care/nursery facilities	One (1) parking space per employee and one (1) parking space for every ten (10) children.
Nursing homes	One (1) parking space for every four (4) beds, and one (1) parking space per employee.
Hospitals	One (1) parking space for every two (2) beds, and one (1) parking space for each employee, excluding medical doctors.
Funeral homes	One (1) parking space for every four (4) fixed seats or one (1) parking space per one hundred (100) square feet net visitation area, plus five (5) employee parking spaces.
Restaurants (sit-down)	One (1) parking space for every four (4) seats.
Restaurants (carry-out)	One (1) parking space per fifty (50) net square feet of customer service area.
Restaurants (drive-through)	Three (3) parking spaces plus stacking lanes for six (6) vehicles.
Industrial uses/office component	One (1) parking space per three hundred (300) gross square feet of office area.
Industrial use/manufacturing/distribution areas	One (1) parking space per employee and one (1) space for every vehicle used on-site, plus one (1) parking space per delivery/loading bay.
Automobile/motor vehicle service facilities	Two (2) spaces per service bay or two (2) spaces for every three hundred sixty (360) square feet. Every such facility shall have a minimum of three (3) parking spaces.
Car sales/rental facilities	One (1) parking space per each two thousand five hundred (2,500) square feet of open sales display area and one (1) parking space per employee. In addition, there shall be two (2) parking spaces per service bay or two (2) parking spaces for every three hundred sixty (360) square feet of service bay area. There shall be a minimum of three (3) spaces for the service bay areas of these facilities.
Car wash (self-service)	One (1) parking space for drying vehicles, plus two (2) stacked spaces per car wash bay.
Car wash (automatic)	Two (2) parking spaces for drying vehicles, plus five (5) stacking spaces per car wash bay.

Libraries	One (1) parking space per one thousand (1,000) gross square feet.
Public/private schools	One (1) parking space per employee, plus parking space for school auditoriums as noted above for auditoriums.
Greenhouse and landscape nursery facilities	One (1) parking space per four hundred (400) square feet of structured public selling area; one (1) parking space per one thousand (1,000) square feet of greenhouse/warehouse/plant storage areas; and one (1) parking space for each company vehicle.
Veterinary hospitals and kennels	One (1) parking space per three hundred (300) gross square feet.

3. When a use is not specifically listed above, the Director shall determine which of the above categories to use to determine the spaces required, based on similarities between the characteristics of the uses. When a use is not specifically listed above, the Director may also use information provided by the applicant or other sources of information to determine the number of spaces required.
4. Off-street parking areas shall be oriented to the buildings they are designed to serve and shall be within three hundred (300) feet walking distance. Before off-site parking facilities are approved, a written agreement thereto assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, and approved as to form by the Town Attorney, and for compliance with the requirements of this Chapter by the Director.
5. The access to off-street parking areas shall be designed so as not to obstruct the free flow of street traffic. There shall be adequate provision for ingress and egress to ensure ease of mobility, ample clearance and the safety of vehicles and pedestrians. For corner lots, the distance from the center line of the parking lot entrance to the curbline or pavement edge of the street intersection shall be adequate to, in the opinion of the Director, provide a safe and sufficient margin for normal traffic patterns and pedestrians at or about the intersection in question.
6. 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 vehicles.
7. 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 not less than 144 square feet (8' x 18').
8. The width of all interior parking lot aisles providing direct one-way access to individual parking spaces shall be as follows:

87 **TABLE 148-870.A.8.**

Parking Angle (degrees)	Aisle Width (feet)
30	12
45	15
60	18
90	22

*The minimum width of all interior parking lot aisles designed for two way traffic flow shall be twenty (20) feet, except where 90 degree aisles are used, which shall required twenty-two (22) feet.

- 88 9. parking space shall be at least three (3) feet from a side or rear property line,
 89 except where the parking is designed to be shared by the abutting property. No
 90 parking space for multiple-family dwelling shall be less than ten (10) feet from a
 91 residential structure.
- 92 10. Parking areas shall be setback a minimum of five (5) feet from any building or
 93 structure. This setback area may be used for sidewalks or landscaping.
- 94 11. Parking space already provided to meet off-street parking requirements for stores,
 95 office buildings and industrial establishments lying within three hundred (300)
 96 feet of the place of public assembly, as measured along lines of public access,
 97 which are not normally in use on Sundays or between the hours of 6:00 p.m. and
 98 12:00 midnight on other days may be used to meet not more than seventy-five
 99 percent (75%) of the off-street parking requirements of a church or other similar
 100 place of public assembly.
- 101 12. Any flea market, farmers' market or other open-air commercial activity not listed
 102 above shall provide one (1) parking space for each one hundred (100) square feet
 103 of land to be used by said flea market, farmers' market or other commercial
 104 activity in its open-air operations. The amount of land to be used shall be
 105 designated by the respective open-air business in its application for a special
 106 permit. If no special permit is required under this chapter, the land to be used shall
 107 be designated in the application for a business license. No business shall then use
 108 more land than has been designated in its application for special permit or
 109 business license without the filing of a new application for a special permit or
 110 business license as required herein and then complying with the parking space
 111 requirements of this section.
- 112 13. For every commercial or industrial parking area located within fifteen (15) feet of
 113 the side or rear boundary of a residentially zoned lot or a lot with a residential use,
 114 an opaque ornamental fence or masonry wall with a minimum height of four (4)
 115 feet shall be erected and maintained. The provisions of this section shall not
 116 compel such fence or wall to extend into the required front yard of the premises.
- 117 14. Parking areas, including aisles and maneuvering areas, shall be paved with
 118 bituminous concrete, or similar hard surface material. The Director may approve

- 119 stone, in lieu of pavement, for parking areas of no more than 4,500 square feet in
120 size.
- 121 15. Lights used to illuminate parking areas shall be arranged and shielded to minimize
122 light pollution to adjoining properties.
- 123 16. All parking areas shall meet the landscaping requirements of Section 156-6 of the
124 Town Code.
- 125 17. Off-street parking shall not be required for permitted uses that are located in the
126 following areas: ~~on any lot fronting on that portion of Main Street which extends~~
127 ~~from Royal Avenue to Happy Creek or upon that portion of Jackson Street which~~
128 ~~extends between South Royal Avenue and Church Street.~~
- 129 a. Any lot with frontage on E. Main St. from Royal Ave. to Happy Creek.
130 b. Any lot with frontage on E. Jackson St. from S. Royal Ave. to Church St.
131 c. Any lot with frontage on Chester St. from E. Main St. to Laura Virginia
132 Hale Pl.
133
- 134 For the purposes of the above, the term “frontage” shall mean where a lot
135 physically abuts the specific portion of public right-of-way that is specified.
- 136 18. As with the other standards of this chapter, off-street parking requirements may
137 be waived by special exception, in accordance with Section 148-211 of this
138 Chapter.
- 139 19. Off-street parking requirements shall be waived by the Zoning Administrator for
140 expansion of an existing use for any property located within the Historic Front
141 Royal District where the following criteria are met:
142
- 143 a. The development activity proposed includes the retention and/or the
144 substantial renovation of a contributing structure in the district.
145 b. The square footage of additions or new construction shall not be more than
146 twice that of the original structure.
147 c. The proposed project has been found by the Board of Architectural Review
148 to be in keeping with the scale of development in the surrounding area and
149 with the character of the district as a whole.
150 d. All efforts have been made to provide parking whenever possible.
151
- 152 20. Alleys shall be upgraded to a minimum pavement width of 24 feet when they are
153 used as the primary access to parking areas, excluding individual parking for
154 single-family, two-family, and duplex uses.
155
- 156 21. Existing parking facilities shall be maintained in a safe condition, including the
157 repair of damaged areas, restriping, and resurfacing when necessary.
158

159 -----END
160 **Editorial Notes:** All language shown in **yellow highlight** and *italics* is proposed new text. All language shown in ~~strikethrough~~ is
161 existing language that is proposed to be removed. Regular text shown is existing language with no changes proposed. No
162 changes are proposed to other portions of the section not shown. Editorial notes are shown in brackets ([...]) for reference
163 purposes only.
164
165 Drafted 08/08/18 (JFC).

DRAFT AMENDMENT – OPTION 2 (SUP ALTERNATIVE)

“REQUEST TO AMEND OFF-STREET PARKING REQUIREMENTS”

START -----

Chapter 175

ZONING

175-127 PARKING EXEMPTION FOR THE REUSE OF EXISTING PROPERTIES

Regardless of Section 175-126, the reuse of properties with existing parking areas and/or loading spaces shall be exempt from the requirement to comply with the current parking area and loading space requirements of this Chapter, or Chapter 148; provided that, the following conditions are met.

1. A zoning permit was previously issued by the Town on the property for a business (commercial) or industrial use.
2. Town Council may require site improvements when a special use permit is required.
3. The number of existing parking spaces shall not be reduced for display or other purposes, except in areas that are exempt from off-street parking requirements, as found under Town Code 148-870.A.17.
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except that the requirement of off street parking for property located on Chester Street between Main Street and Laura Virginia Hale Place shall be exempt from the off-street parking requirements.

Chapter 148

SUBDIVISION & LAND DEVELOPMENT

Section 148-870. PARKING & LOADING AREAS.

148-870.A. Parking Areas.

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Professional offices	One (1) parking space per three hundred (300) gross square feet.

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Nursing homes	One (1) parking space for every four (4) beds, and one (1) parking space per employee.
Hospitals	One (1) parking space for every two (2) beds, and one (1) parking space for each employee, excluding medical doctors.
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Car sales/rental facilities	One (1) parking space per each two thousand five hundred (2,500) square feet of open sales display area and one (1) parking space per employee. In addition, there shall be two (2) parking spaces per service bay or two (2) parking spaces for every three hundred sixty (360) square feet of service bay area. There shall be a minimum of three (3) spaces for the service bay areas of these facilities.
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3. When a use is not specifically listed above, the Director shall determine which of the above categories to use to determine the spaces required, based on similarities between the characteristics of the uses. When a use is not specifically listed above, the Director may also use information provided by the applicant or other sources of information to determine the number of spaces required.
4. Off-street parking areas shall be oriented to the buildings they are designed to serve and shall be within three hundred (300) feet walking distance. Before off-site parking facilities are approved, a written agreement thereto assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, and approved as to form by the Town Attorney, and for compliance with the requirements of this Chapter by the Director.
5. The access to off-street parking areas shall be designed so as not to obstruct the free flow of street traffic. There shall be adequate provision for ingress and egress to ensure ease of mobility, ample clearance and the safety of vehicles and pedestrians. For corner lots, the distance from the center line of the parking lot entrance to the curblin or pavement edge of the street intersection shall be adequate to, in the opinion of the Director, provide a safe and sufficient margin for normal traffic patterns and pedestrians at or about the intersection in question.
6. 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 vehicles.
7. 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 not less than 144 square feet (8' x 18').
8. The width of all interior parking lot aisles providing direct one-way access to individual parking spaces shall be as follows:

87 **TABLE 148-870.A.8.**

Parking Angle (degrees)	Aisle Width (feet)
30	12
45	15
60	18
90	22

*The minimum width of all interior parking lot aisles designed for two way traffic flow shall be twenty (20) feet, except where 90 degree aisles are used, which shall required twenty-two (22) feet.

88 9. parking space shall be at least three (3) feet from a side or rear property line,
89 except where the parking is designed to be shared by the abutting property. No
90 parking space for multiple-family dwelling shall be less than ten (10) feet from a
91 residential structure.

92 10. Parking areas shall be setback a minimum of five (5) feet from any building or
93 structure. This setback area may be used for sidewalks or landscaping.

94 11. Parking space already provided to meet off-street parking requirements for stores,
95 office buildings and industrial establishments lying within three hundred (300)
96 feet of the place of public assembly, as measured along lines of public access,
97 which are not normally in use on Sundays or between the hours of 6:00 p.m. and
98 12:00 midnight on other days may be used to meet not more than seventy-five
99 percent (75%) of the off-street parking requirements of a church or other similar
100 place of public assembly.

101 12. Any flea market, farmers' market or other open-air commercial activity not listed
102 above shall provide one (1) parking space for each one hundred (100) square feet
103 of land to be used by said flea market, farmers' market or other commercial
104 activity in its open-air operations. The amount of land to be used shall be
105 designated by the respective open-air business in its application for a special
106 permit. If no special permit is required under this chapter, the land to be used shall
107 be designated in the application for a business license. No business shall then use
108 more land than has been designated in its application for special permit or
109 business license without the filing of a new application for a special permit or
110 business license as required herein and then complying with the parking space
111 requirements of this section.

112 13. For every commercial or industrial parking area located within fifteen (15) feet of
113 the side or rear boundary of a residentially zoned lot or a lot with a residential use,
114 an opaque ornamental fence or masonry wall with a minimum height of four (4)
115 feet shall be erected and maintained. The provisions of this section shall not
116 compel such fence or wall to extend into the required front yard of the premises.

117 14. Parking areas, including aisles and maneuvering areas, shall be paved with
118 bituminous concrete, or similar hard surface material. The Director may approve

- 119 stone, in lieu of pavement, for parking areas of no more than 4,500 square feet in
120 size.
- 121 15. Lights used to illuminate parking areas shall be arranged and shielded to minimize
122 light pollution to adjoining properties.
- 123 16. All parking areas shall meet the landscaping requirements of Section 156-6 of the
124 Town Code.
- 125 17. Off-street parking shall not be required for permitted uses that are located in the
126 following areas: ~~on any lot fronting on that portion of Main Street which extends~~
127 ~~from Royal Avenue to Happy Creek or upon that portion of Jackson Street which~~
128 ~~extends between South Royal Avenue and Church Street.~~
- 129 a. Any lot with frontage on E. Main St. from Royal Ave. to Happy Creek.
130 b. Any lot with frontage on E. Jackson St. from S. Royal Ave. to Church St.
131 c. Upon submission, review and approval of a Special Use Permit for any lot
132 with frontage on Chester St. from E. Main St. to Laura Virginia Hale Pl.
133
- 134 For the purposes of the above, the term “frontage” shall mean where a lot
135 physically abuts the specific portion of public right-of-way that is specified.
- 136 18. As with the other standards of this chapter, off-street parking requirements may
137 be waived by special exception, in accordance with Section 148-211 of this
138 Chapter.
- 139 19. Off-street parking requirements shall be waived by the Zoning Administrator for
140 expansion of an existing use for any property located within the Historic Front
141 Royal District where the following criteria are met:
142
- 143 a. The development activity proposed includes the retention and/or the
144 substantial renovation of a contributing structure in the district.
145 b. The square footage of additions or new construction shall not be more than
146 twice that of the original structure.
147 c. The proposed project has been found by the Board of Architectural Review
148 to be in keeping with the scale of development in the surrounding area and
149 with the character of the district as a whole.
150 d. All efforts have been made to provide parking whenever possible.
151
- 152 20. Alleys shall be upgraded to a minimum pavement width of 24 feet when they are
153 used as the primary access to parking areas, excluding individual parking for
154 single-family, two-family, and duplex uses.
155
- 156 21. Existing parking facilities shall be maintained in a safe condition, including the
157 repair of damaged areas, restriping, and resurfacing when necessary.
158

159 -----END
160 **Editorial Notes:** All language shown in **yellow highlight** and *italics* is proposed new text. All language shown in ~~strikethrough~~ is
161 existing language that is proposed to be removed. Regular text shown is existing language with no changes proposed. No
162 changes are proposed to other portions of the section not shown. Editorial notes are shown in brackets ([...]) for reference
163 purposes only.
164
165 Drafted 08/08/18 (JFC).

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Work Session Agenda Form

Item # 3

DATE: November 19, 2018

AGENDA ITEM: HEPTAD, LLC – Request for 1-Year Extension to Submit Development Plan.
Director of Planning & Zoning

SUMMARY:

Attached is a letter from Robert J. Light, legal counsel for HEPTAD, LLC. The letter is a request for the Town to extend the Town Code deadline for HEPTAD, LLC to submit a development plan. Specifically, Town Code 175-37.18 requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan. However, the Town Code allows this deadline to be extended by Town Council. Last year Town Council approved a one-year extension that expires in December.

HEPTAD, LLC is the owner of the proposed development referred to as Swan Estates, or simply as HEPTAD. This property was conditionally rezoned to the PND District in 2012. The proffers include a limit of 450 dwellings on the 98.25-acre property. The portion of the property on the east side of LRP is designated for commercial uses and adjoins the property owned by Valley Health. Cash proffers are included to the Town for construction of LRP and to the County for impact to the public school system. A future road connection to Westminster Drive is also included in the proffers.

BUDGET/FUNDING:

N/A

STAFF RECOMMENDATION:

If the extension is not approved by Town Council, this would mean that HEPTAD, or a future owner of the property, would be required to submit a new master plan for the project. Staff does not object to an extension of one year but urges the owner(s) to sell the property while the housing market is strong.

Work Session

LAWSON AND SILEK, P.L.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
EMAIL: RLIGHT@LAWSONANDSILEK.COM

November 5, 2018

Jeremy F. Camp, Director
Department of Planning & Zoning
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

Email: jcamp@frontroyalva.com

RE: Heptad – Request for Extension on Development Plan

DELIVERED BY ELECTRONIC MAIL ONLY

Dear Jeremy:

As you know, pursuant to Town Code §175-37.18, the Town Council granted Heptad an extension on the requirement to file the Development Plan required by the Town Code. The extension is scheduled to expire on December 3, 2018. I am writing this letter on behalf my client to request from the Town Counsel an additional extension of the Development Plan requirement to at least December 3, 2019. Please treat this letter as Heptad's statement of justification for such a request.

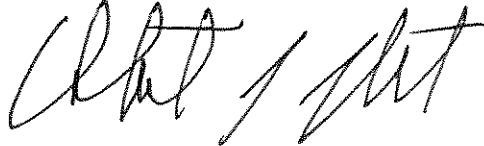
My client has continued to actively and diligently market the property. Indeed, since the first quarter of this year, the property has been actively listed with John Lesinski of Colliers International. Although Heptad has had multiple discussions with interested parties, those discussions have unfortunately not yet resulted in any firm offers. Thus, Heptad respectfully requests the extension so as to allow the continued listing of the property and to hopefully bring about a successful sale of the property for development as contemplated by the approved rezoning proffers.

We respectfully request that this matter be placed on the Town Council's regular meeting agenda for approval. We also ask that you copy us with any Town communications, notices, or meeting agendas referencing this request.

Jeremy F. Camp
November 5, 2018
Page Two (2)

Thank you in advance for your assistance, and please contact Joe or me with any additional questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'Robert J. Light', written in a cursive style.

Robert J. Light

Cc: Heptad, LLC

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Work Session Agenda Form

Item # 4

DATE: November 19, 2018

AGENDA ITEM: Proposed advertisement for invitation for bids pursuant to Va. Code §§15.2-2102 and 15.2-2103 for new, non-exclusive, franchises for cable television system and for fiber optic telecommunication system.

SUMMARY: Comcast of California/Maryland/Pennsylvania/Virginia/West Virginia, LLC, ("Comcast"), did not pursue renewal of its non-exclusive cable franchise with the Town, pursuant to Va. Code §15.2-2108.30, which has now expired. Shenandoah Telephone Company ("Shentel") had a non-exclusive, short-term, fiber optic telecommunication system, of limited scope with the Town and seeks a Town-wide franchise. Comcast and Shentel each desire to enter into new franchise agreements with the Town following completion of the advertisement for invitation for bids process. Full text versions of each proposed franchise would be prepared and made available to the public at the time of advertisement.

Council is asked to provide direction to staff to proceed accordingly.

BUDGET/FUNDING: N/A

STAFF RECOMMENDATION: The Town Manager recommends advertising for invitation for bids pursuant to Va. Code §§15.2-2102 and 15.2-2103 for new, non-exclusive, franchises for cable television system and for fiber optic telecommunication system.

Work Session

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Work Session Agenda Form

Item # 5

DATE: 11/19/18

AGENDA ITEM: Purchase & Financing of Refuse Truck

SUMMARY: The Department of Solid Waste would like to purchase a new Freightliner M2-112 with Loadmaster Excel 25s body at a cost of \$176,928.00 from Richmond Machinery based on the Town's invitation to bid results.

VML VACo has been able to obtain financing for the Town at an interest rate of 3.85% for a 5-year term with annual payments totaling \$39,239.14 to purchase the truck. The FY2019 approved budget for the Solid Waste Department includes funding to cover the payment for the first year.

If approved, Town Council will also need to approve a budget amendment to receive the funds from the loan.

BUDGET/FUNDING:	4203-341001 – Solid Waste Bond Proceeds	\$176,928.00
	4203-47001 – Solid Waste Building & Structures	\$176,928.00

STAFF RECOMMENDATION: Staff recommends approval of the purchase and financing as presented.

Work Session



VML/VACo - Equipment Leasing Program
Town of Front Royal, Virginia
Equipment Lease Purchase - Refuse Trucks

Preliminary

<u>Date</u>	<u>Principal</u>	<u>Rate</u>	<u>Interest</u>	<u>Payment</u>	<u>Balance</u>
11/30/2018	-		-	-	176,928.00
5/30/2019	16,213.70	3.850%	3,405.86	19,619.57	160,714.30
11/30/2019	16,525.82	3.850%	3,093.75	19,619.57	144,188.48
5/30/2020	16,843.94	3.850%	2,775.63	19,619.57	127,344.54
11/30/2020	17,168.19	3.850%	2,451.38	19,619.57	110,176.35
5/30/2021	17,498.67	3.850%	2,120.89	19,619.57	92,677.68
11/30/2021	17,835.52	3.850%	1,784.05	19,619.57	74,842.16
5/30/2022	18,178.86	3.850%	1,440.71	19,619.57	56,663.30
11/30/2022	18,528.80	3.850%	1,090.77	19,619.57	38,134.50
5/30/2023	18,885.48	3.850%	734.09	19,619.57	19,249.02
11/30/2023	<u>19,249.02</u>	3.850%	<u>370.54</u>	<u>19,619.57</u>	-
	176,928.00		19,267.68	196,195.68	