



TOWN OF FRONT ROYAL, VIRGINIA TOWN COUNCIL MEETING
Monday, October 24, 2016 @ 7:00pm
Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Approval of the Regular Council Meeting minutes of October 17, 2016
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager.
 - * **Report from EDA Executive Director Jennifer McDonald**
 - * **Report from Northern Shenandoah Valley Regional Commission (NSVRC)**
 - b. Requests and inquiries of Council members.
 - c. Report of the Mayor
 - d. Proposals for addition/deletion of items to the Agenda.
7. **CONSENT AGENDA ITEMS** – (ROLL CALL VOTE REQUIRED) **NONE**
8. **PUBLIC HEARING** – Special Use Permit Application - Royal Lane Apartments (*1st Reading*)
9. **PUBLIC HEARING TO RECEIVE PUBLIC INPUT/APPROVAL OF RESOLUTION**
for Proposed Sale of Town Property aka 24 W Main Street
10. **PUBLIC HEARING TO RECEIVE PUBLIC INPUT/APPROVAL OF RESOLUTION**
for VDOT Transportation Alternatives Grant Application for Criser Road Trail Project
11. **COUNCIL APPROVAL** – Special Exception Application for FRLP (*2nd Reading*)
12. **COUNCIL APPROVAL** – Acceptance of Candy for Hometown Halloween
13. **COUNCIL APPROVAL** – Liaison Committee Meeting Items

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Town of Front Royal, Virginia Council Agenda Statement

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Item No. 11

Meeting Date: October 24, 2016

Agenda Item: COUNCIL APPROVAL – Special Exception Application for FRLP (2nd Reading)

Summary: Council is requested to adopt on its second and final reading a Special Exception Application by Front Royal Limited Partnership (FRLP), c/o David Vazzana, for a special exception to Town Code 148-820.D.6 that would permit a reduction of four (4) feet from the minimum pavement width, base course width, and sub base width for both local and collector streets. The special exception would only apply to FRLP's property that is presently zoned R-1A, as identified by Tax Map Number 20A221 5, consisting of approximately 149.3 acres. The request is submitted pursuant to the provision of Town Code 148-211.A.2.b&c. Council held a public hearing on this application on August 22, 2016 where action was deferred. The first reading was held on September 12, 2016 and was postponed until the next regular meeting. The first reading was held on September 26, 2016.

Budget/Funding: None

Attachments: Staff Report and Letter from Mr. Vazzana

Meetings: Work Session held August 1, 2016; Public Hearing held August 22, 2016; Regular Meetings held on September 12 (postponed) and September 26 (1st Reading).

Staff

Recommendation: Approval X Denial _____

Proposed Motion: I move that Council adopt on its second and final reading a Special Exception Application by Front Royal Limited Partnership (FRLP), c/o David Vazzana, for a special exception to Town Code 148-820.D.6., that would permit a reduction of four (4) feet from the minimum pavement width, base course width, and sub base width for both local and collector streets. I further move that this special exception shall not alter the Town Code regulation that requires the minimum street width to be increased to meet the guidelines of the Virginia Department of Transportation (VDOT) Road Design Manual where additional widths are necessary, such as, but not limited to, streets that are designated as school bus access roads. I continue to further move that the planned East/West Connector road shall also be specifically excluded from the special exception and that the special exception shall only apply to FRLP's property that is presently zoned R-1A, as identified by Tax Map Number 20A221 5, consisting of approximately 149.3 acres.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: SB

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING



STAFF REPORT FOR THE JUNE 15, 2016 PLANNING COMMISSION MEETING

Updated for Town Council Work Session – August 1, 2016

APPLICATION #:

SPEXP15-10-01

APPLICANT:

Front Royal Limited Partnership

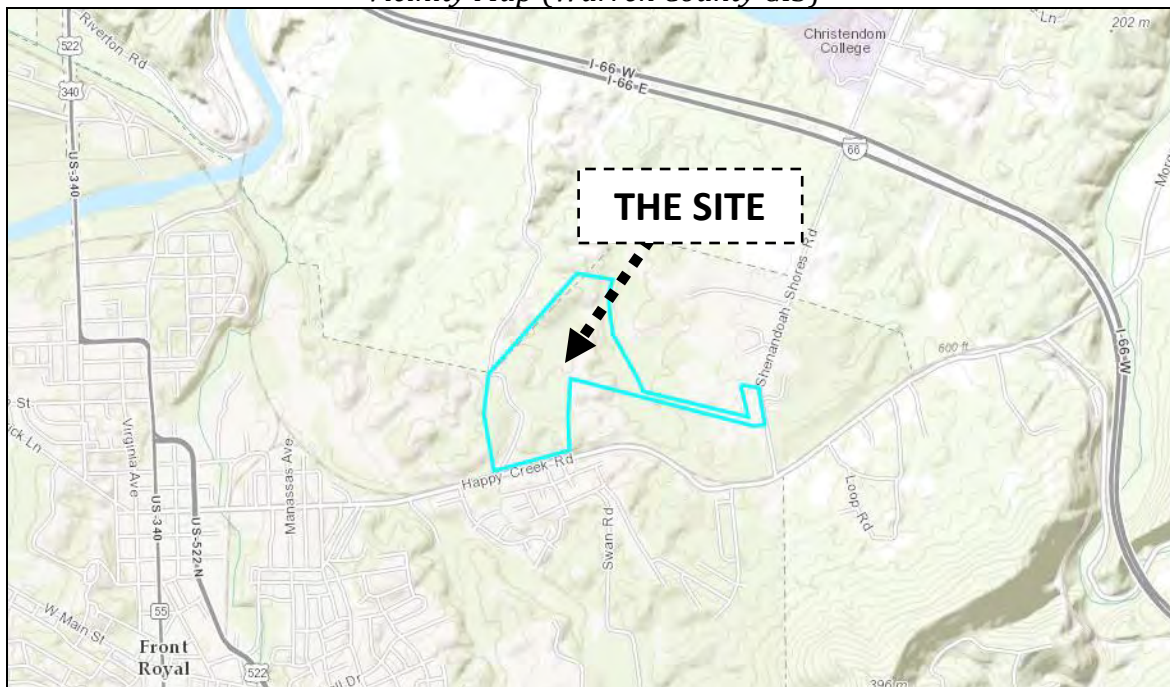
SUMMARY OF REQUEST:

Front Royal Limited Partnership has applied for a special exception, pursuant to Town Code Section 148-211.A(2)(c), for alternative standards to Town Code Section 148-820.D.6, including table 148-820.D.6, that would allow a reduction to street widths on FRLP's property that is presently zoned R-1A and consisting of approximately 149-acres. (See **Attachment 1** – Applicant's May 20, 2016 Submission)

GENERAL INFORMATION:

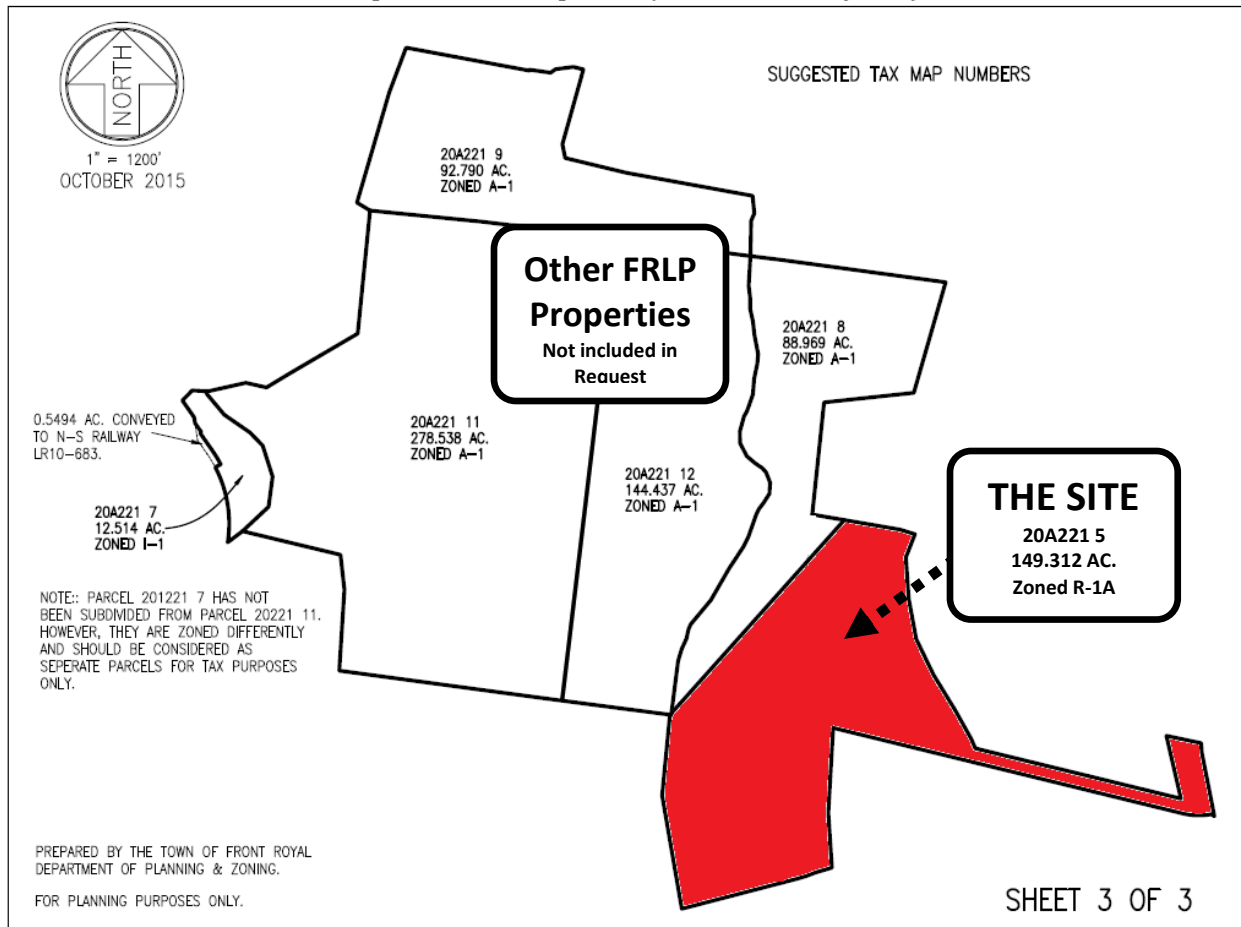
<i>Site Addresses</i>	None (Vacant Land)
<i>Property Owner(s)</i>	Front Royal Limited Partnership
<i>Zoning District</i>	R-1A (Residential) District
<i>Tax Identification</i>	20A221 5
<i>Location</i>	The property is located north of Happy Creek Road and Norfolk Southern Railroad, presently accessible via Marys Shady Lane.

Vicinity Map (Warren County GIS)

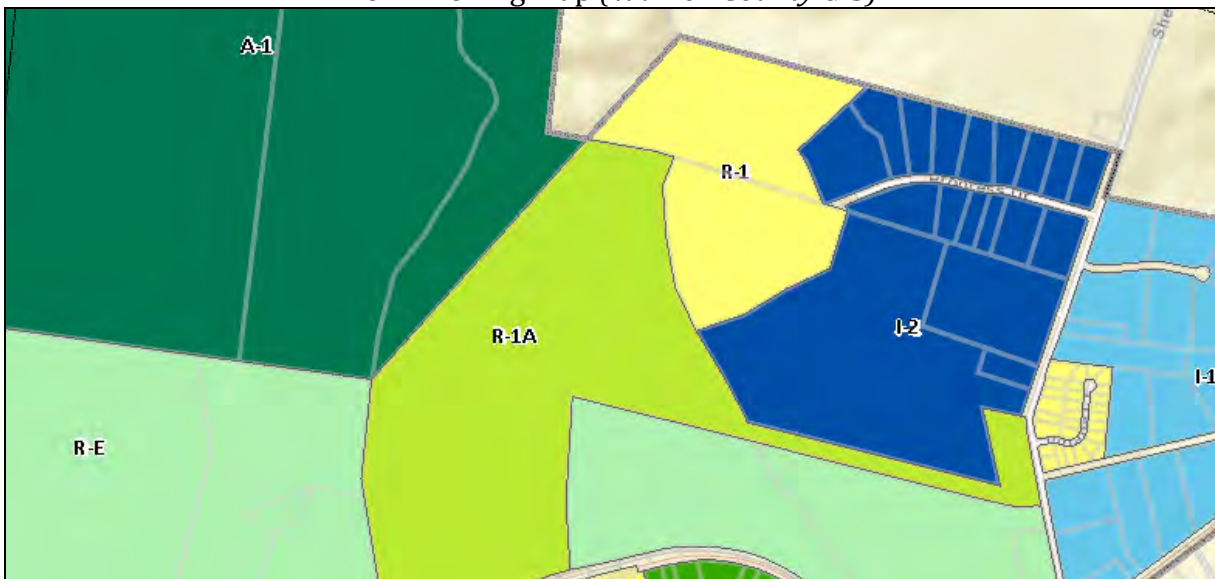


ILLUSTRATIONS

Map of FRLP Propertie (Warren County GIS)



Town Zoning Map (Warren County GIS)



Aerial Map (WC Online GIS)



SUPPLEMENTAL INFORMATION:

Legal Review

Virginia Code § 15.2-2310 authorizes localities to consider special exceptions when adopted as part of the localities ordinances.

Town Code 148-211 authorizes Town Council to issue special exceptions to the standards of the Subdivision & Land Development Ordinance, after review and recommendation by the Planning Commission, and under certain criteria, including a determination that the special exception will help facilitate the creation of affordable housing; will better facilitate traditional neighborhood design principles; or will better facilitate the conservation of natural features to protect water and open space resources. The entire code language of Town Code 148-211 is as follows:

148-211 SPECIAL EXCEPTIONS

A. A special exception to the general regulations of this Chapter may be granted by Town Council, for either of the following circumstances:

1. When strict adherence to the general regulations would result in substantial injustice or hardship; provided that, the special exception would not diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.
2. When it is demonstrated that use of alternative regulations for a particular development would better achieve at least one of the goals listed below; provided that, the special exception would not diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.
 - a. Creation of affordable housing.
 - b. Design emphasis on the principles of traditional neighborhood design, including pedestrian-friendly roads, interconnection of new local streets with existing local streets, connectivity of pedestrian networks, and mixed-use neighborhoods.
 - c. Conservation or use of on-site natural features to protect water quality or open spaces.

B. Any request for an exception, shall be submitted to the Director, and shall include a signed and completed application form, any application fees, and any supporting documentation submitted by the applicant.

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

D. Prior to approval or denial of any exception to the design standards of this Chapter, Town Council shall hold a public hearing, in accordance with Virginia Code § 15.2-2204.

E. Town Council may impose such conditions or restrictions upon the premises benefited by an exception as may be necessary to comply with intent of this Chapter and to protect the public interest, safety and/or general welfare.

Summary of Applicant's Request

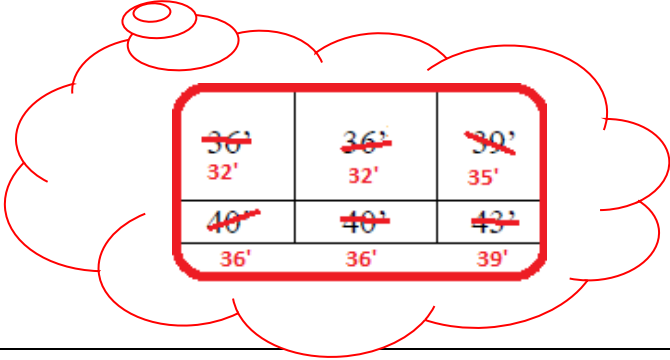
The Applicant's May 20th submission is a change from FRLP's original request. The original submission included a request to modify subsections A through N under Town Code 148-820. During work session discussions with the applicant, the Planning Commission expressed concerns about the original special exception requests. This include concerns about bonding, entrance road requirements, maintenance, street parking, emergency vehicular access, private streets, VDOT review and interpretations, and more. The Planning Commission expressed the need for a development plan before such significant changes to the Town's development standards. The current modified special exception requested was then submitted by the Applicant that just pertained to street widths. Furthermore, the street widths requested were less narrow than the original submission.

The current special exception requested submitted by the applicant pertains to Town Code Section 148-820.D.6., related to minimum street widths. In general, the requests proposes a 4' wide reduction to the minimum street widths. However below is a more detailed comparison of the current requirements of Town Code 148-820.D.6. and the modified requirements requested by the Applicant.

Applicant's Requested – Modifications to Town Code 148-820.D.6.

6. The minimum design standards of the following table shall be required for all Local Streets, Collector Streets and Alleys. Arterial Streets design standards shall comply with the Virginia Department of Transportation Road Design Manual, and associated Appendixes.

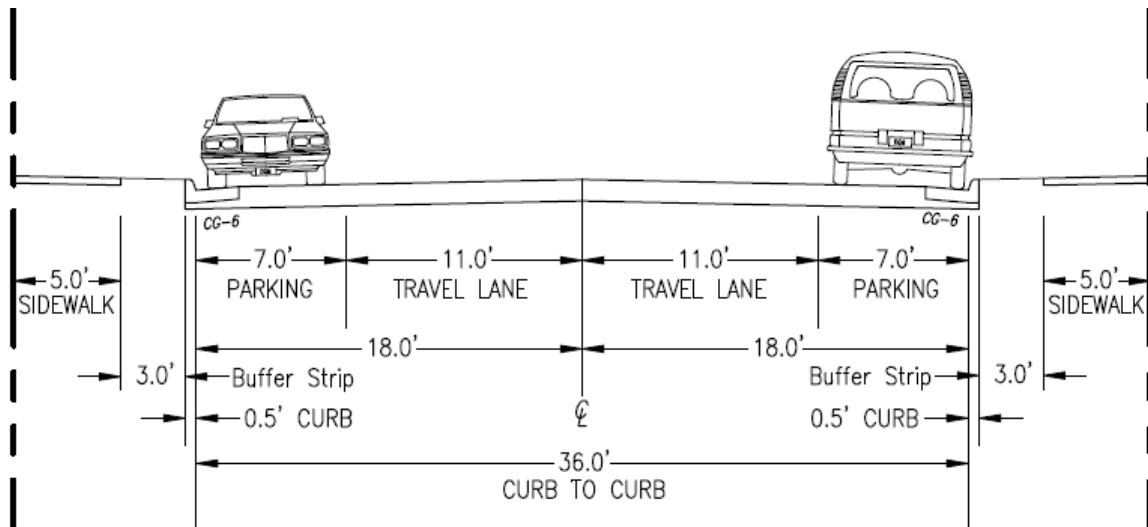
	Pave ment Width (SM- 9.5A) ²	Base Course Width (BM 25.0) ³	Sub Base Width (21- B) ⁴	Surface Course Pave ment Depth (SM- 9.5A)	Base Course Depth (BM 25.0)	Sub Base Depth (21-B) ⁵
Alleys	12'	N/A	N/A	1 ^{1/2} "	N/A	6"
Local Streets: Up to 2,000 ADT	36'	36'	39'	1 ^{1/2} "	3"	6"
Collector Streets⁶:	40'	40'	43'	1 ^{1/2} "	3"	6"



36' 32'	36' 32'	39' 35'
40' 36'	40' 36'	43' 39'

CONCLUSIONS:

The current request limits the special exception to address only the minimum street width requirements. If approved, the special exception would allow street widths of 32' and 36' in lieu of the current code requirements of 36' and 40'. This is effectively a reduction in street widths by 4' for all roads. For comparison and point of reference purposes, existing examples of roads that are approximately 32' in width include Chester Street and W. Main Street from Royal to Massie. Virginia Avenue and Kerfoot Avenue are examples of 36-foot wide streets. A street profile of a 36-foot wide street is shown below. A 32-foot wide street would include travel lanes 9' in width (combined width of 18 feet).



The widths of 32', 36', and 40' were previously recommended by the Planning Commission when the Subdivision and Land Development Ordinance was drafted and reviewed in 2014/2015. The proposed change does differ in that the 40' wide street widths are proposed to be removed entirely, regardless of ADTs. For this reason, the special exception should not be accepted for the East/West Connector Road.

Town Staff does not object to the proposed street widths but recommends that the Planning Commission specify in their motion that the street width reduction not apply to the East/West Connector Road that is planned to traverse the applicant's property from Shenandoah Shores Road to 8th Street/Commerce Ave.

UPDATE: During the June 15, 2016 Planning Commission Regular Meeting, Vice Chairman Jones moved "to recommend approval of Special Exception Application #15-10-01, for a special exception to Town Code 148-82.D.6, to allow alternative standards to the minimum required pavement, base course, and subbase widths for local and collector streets with the applicant's property that is presently zoned R-1A. The alternative standards shall reduce the pavement, base course and subbase widths by 4 feet, as outlined in the Staff Report and the applicant's submission." Mr. Jones extended his motion to "further move to recommend that the special exception specifically not apply to the East/West Connector Road, the primary access road into the proposed future development by FRLP. The motion was seconded and approved by the Planning Commission.

Attachments to Staff Report:

- 1) Attachment 1 – Applicant's May 20, 2016 Modified Request Submission

Front Royal Limited Partnership

May 20, 2016

Mr. Jeremy Camp
Director of Planning
Town of Front Royal, VA.
Front Royal, Va. 22630

Dear Mr. Camp,

As discussed at the Planning Commission's work session on Wednesday please find attached an amended Chapter 148 Special Exception Request, which was originally filed on October 19, 2015. In addition, we are thankful for the time and patience of so many members of the Commission with us on this issue.

Most notably, and based on input from the Town Staff and Planning Commission, we have narrowed the scope of this Special Exception Request to street widths *only*. For reference and comparison, the proposed widths changes are as follows:

Existing Town Chapter 148 Street Widths (on left)
FRLP's October 16, 2015, Submission (middle)
FRLP's May 20, 2016 Submission (on right)

	Pavement Width (Existing Ch. 148)	Pavement Width October 16, 2015	Pavement Width May 20, 2016
Local Streets: (ADT 0-2000)	36'	29'	<u>32'</u>
Collector Street (ADT 2001+)	40'	36'	<u>36'</u>

As you are well aware, this is our (and the Town's) first "Special Exception" that has been filed pursuant to the Town's new Chapter 148 land development ordinance permitting such exceptions. As such, I think it was a learning experience for FRLP, and we appreciate staff's time and assistance throughout this process. As always, please do not hesitate to contact me should you have any questions or suggestions as to the format etc. of the Special Exception.

Sincerely,

David Vazzana
202-215-0038
dvazzana@gmail.com

**FRONT ROYAL LIMITED PARTNERSHIP (FRLP) SPECIAL EXCEPTION TO
CHAPTER 148 FOR TOWN REZONING# RZ09-02-64**

PROPERTY: Parcel 5A, containing approximately 149.3 acres, as shown on “Plat Showing Vacation of Boundary Line on the Property of F&R Limited Partnership” and as recorded in the Land Records of Warren County as Instrument Number 060012763

ORIGINAL DATE OF SPECIAL EXCEPTION REQUEST: October 16, 2015

REVISION DATES: May 11, 2016
May 20, 2016

Pursuant to section 148-211.A(2)(c) of the Town Code, FRLP requests a Special Exception that would allow it to use alternative street design standards instead of the Town’s standards in Chapter 148 (Subdivision and Land Development Ordinance).

Specifically, FRLP requests a Special Exception to Town Code Section 148-820.D.6, and including Table 148-820.D.6, that would permit a reduction of four (4) feet for “Pavement Width”, “Base Course Width”, and “Sub-Base Width” for both “Local Streets: Up to 2,000 ADT” and “Collector Streets”, and, as follows:

TABLE 148-820.D.6.	Pavement Width	Base Course Width	Sub Base Width
Local Streets: Up to 2,000 ADT	32’	32’	35’
Collector Streets:	36’	36’	39’

This Special Exception shall not alleviate the applicant of any other requirements of the Town Code (and as it may be amended), or of the Town Construction Guidelines 2005 (and as it may be amended), except that it shall permit the above widths as a matter of right, or by right, on the Property.

However, and in addition, *in no event* shall the road design standards permitted hereby fail to meet the current, or then current, applicable minimum V-DOT road design standards for neighborhood streets width (Secondary Street Design Guidelines (SSARS)).

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**Town of Front Royal, Virginia
Council Agenda Statement**

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Item No. 12

Meeting Date: October 24, 2016

Agenda Item: COUNCIL APPROVAL – Acceptance of Candy for Hometown Halloween

Summary: Council is requested to approve the acceptance of candy in an approximate value of \$150.00 from Skyline High School Friends of Rachel Club to be used for Hometown Halloween

Budget/Funding: None

Attachments: E-mail from Ms. Chichester of Skyline High School Friends of Rachel Club

Meetings: None

Staff Recommendation: Approval X Denial

Proposed Motion: I move that Council approve the acceptance of candy in an approximate value of \$150.00 from Skyline High School Friends of Rachel Club to be used for Hometown Halloween.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: SB

From: Sarah Chichester [<mailto:chisarah10@gmail.com>]

Sent: Friday, September 23, 2016 5:03 PM

To: Felicia Hart; Steven Burke

Subject: Trick-or-Treat Main Street Candy Donation

Dear The Town Of Front Royal,

My name is Sarah Chichester and I am a member of the Skyline High School's Friends Of Rachel Club. Our goal as a club is to spread kindness in our school and community.

If You recall, last year for Trick-or-Treat Main Street we donated a large sum of candy so that way store owners would be supplied with enough candy for the night. We would like to do the same this year.

The club hopes to donate even more this year. We hope to donate over 100\$ worth of candy and maybe even some toys for those who may have food allergies.

We would like your approval in order to make sure of the town ordinance allows this type of donation. The Skyline High School F.O.R. club would like to make this years Trick-or-Treat Main Street a blast and we thank you for all you do for our town. We hope to hear from you soon.

Sincerely,
Sarah Chichester
on behalf of the Skyline High School
Friends Of Rachel Club

You can contact our advisers if you have any questions

Ms. Sonia Hopkins

shopkins@wcps.k12.va.us

Ms. Anne Cobb

acobb@wcps.k12.va.us