

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

The Planning Commission meeting of the Town of Front Royal, Virginia was held on February 15, 2023, at 7:00 PM.

CALL TO ORDER

Chairman Merchant called the meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Present: Darryl Merchant, Chairman
 Connie Marshner, Vice Chairman
 Daniel Wells, Commissioner
 Glenn Wood, Commissioner
 Michael Williams, Commissioner

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

ADDITION/DELETION OF ITEMS FROM THE AGENDA

Chairman Merchant stated they would add the Election of Officers under Item 9, New Business.

MINUTES

- January 18, 2023 – Regular Meeting

Commissioner Williams moved, seconded by Vice Chairman Marshner to approve the meeting minutes as written.

VOTE: Yes – Marshner, Wells, Williams, Wood, Merchant
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

CITIZEN COMMENTS

There were no citizen comments.

CONSENT AGENDA

Consent to advertise for public hearing.

- **2300075** – Warren Coalition. A request for a Special Use Permit for a lodging house located at 200 N. Royal Avenue and identified by Tax Map 20A5-13-80-1 & 2. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District.

Vice Chairman Marshner moved, seconded by Commissioner Wood to approve the consent agenda.

VOTE: Yes – Wood, Wells, Williams, Merchant, Marshner
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

PUBLIC HEARINGS

Chairman Merchant explained the process for speaking at the public hearing.

- **2300021** – Jeffrey Kelble. A request for a Special Use Permit for a commercial outdoor recreation facility located at 1847 N Royal Avenue and identified by Tax Map 20A3-1-1 & 2. The property is zoned A-1, Agriculture and Open Space Preservation District.

Ms. Kopishke reviewed the application and staff report. The Special Use Permit Application was submitted by J & J Shores, LLC to operate an outdoor recreation facility at 1847 N. Royal Avenue offering inner tubing, canoes, kayak rentals, shuttle service, boat rentals, and rustic light camping facilities. The application included a Statement of Justification, location, proposed activities, potential future activities, flood action plan, transportation maps, survey plat and a site plan. This is an 11.44-acre parcel located at the intersection of N. Royal Avenue and Depot Avenue and is situated in the entire FEMA floodplain zone. The applicant noted that peak season would be from Memorial Day to Labor Day with the busiest days being Saturdays and Sundays and the highest projected volume would be from June to the third week of August. Ms. Kopishke gave a virtual presentation showing the proposed site plan to include routing maps of pick up and drop off locations as well as the pavilion area and possible campsites in the future.

The applicant Jeff Kelble thanked staff and Commissioners for considering his application. Since he purchased the property, Mr. Kelble has worked with the VFW to continue for them to be present on the property and use the property until the VFW finds a new home. Their hope by selling the

property was to give them the cash to purchase another property. Any business that operates on the property will be required to donate off the top 1% of the revenue to create a revenue source for the VFW to continue to operate and have a budget to do so until such time they find a new location. Mr. Kelble explained why he purchased the property and the proposed uses of the property. He mentioned that he has a very successful business in West Virginia operating the same as his proposal in this application. Mr. Kelble said he thought through the potential difficulties of the property which were floodplain concerns and passageway concerns. The property is fairly isolated, and he noted that the business is inherently fairly quiet. He noted that he will implement “quiet hours” when there are campers present. All camping will be within the Health Department guidelines. He would like to have up to 75 campsites. Potential future uses of the property would include the Rail to Trail project should it come to fruition. He has delineated an easement across the property in order to connect to the Rail to Trails. Mr. Kelble also explained the evacuation plan when flooding occurs.

Chairman Merchant opened the public hearing.

Robert Sealock, 437 Bel Air Avenue, Front Royal, VA. Mr. Sealock spoke in favor of the Special Use Permit. He believes it will offer more to do in the summer and fall for the youth in the community and will draw more people into the Town and County.

Fred Andreae, 367 Overall Road, Bentonville, VA. Mr. Andreae stated he owns the adjacent property, and he is excited about the proposed recreation facility. He believes it will be a wonderful asset to the Town and County and will draw people into the Town.

Herschel Finch, 310 Oakridge Court, Front Royal, VA. Mr. Finch spoke in favor of the Special Use Permit.

There were no additional speakers. Chairman Merchant closed the public hearing.

Commissioner Wood said that RVs had been discussed at a work session and the concern about long-term stays. He asked Mr. Kelble if he had thought about this concern.

Mr. Kelble explained that he is happy to limit the length of stay in a way the Planning Commission feels is fit. He suggested no longer than 14 days.

Commissioner Wood expressed concern with RVs and asked if Mr. Kelble planned on having a dump station.

Mr. Kelble stated that the health code requires a dump station. He said he was not planning on having RVs in the beginning. If he receives a lot of RV requests in the future he will create a dump station and do all that is required.

Commissioner Wood commented that it was a well thought out and well-prepared plan.

Commissioner Williams expressed that he was excited to see something like this coming to our Town. With Mr. Kelble mentioning possibly 75 tent units, how many toilets/showers are there onsite?

Mr. Kelble explained that the Health Department provides a grid. The first threshold is sixteen (16) and the second threshold is thirty-two (32). The sixteen (16) threshold requires two (2). It has to be even between men and women. The existing bathhouse currently has two (2) women's, two (2) enclosed for the men, and two (2) latrines. It would currently be suitable for up to sixteen (16) sites. Mr. Kelble noted that these numbers are the best to his recollection. The health code allows mobile toilets and because he is doing a "rustic" camp experience he would most likely employ those.

Chairman Merchant mentioned that the Town Ordinance does not define campground. Campgrounds are regulated by the Virginia Health Department. Part of the condition of any approval will be on getting a permit issued from the Health Department. Chairman Merchant noted that the health code requires camp spaces to be marked and asked if the applicant would be doing that.

Mr. Kelble answered yes and stated the spaces are required to be thirty feet (30') wide and 1600 square feet. He stated they would most likely be 40' x 40'.

Chairman Merchant expressed that the primary concern would be getting the Health Department permit which would be required before obtaining a Town business license.

Mr. Kelble assured the Commissioner's that he would acquire all permits before opening the facility.

Chairman Merchant asked for the definition of a "light camper" as mentioned in Mr. Kelble's application.

Mr. Kelble explained it was a term he used and not necessarily an official term. It would be a "pull behind" pulled by a truck and not more than thirty-two feet (32') in length.

Chairman Merchant asked if the overflow parking would be gravel or paved.

Mr. Kelble stated it would be gravel and that he would not be installing any more pavement than what was currently there.

Chairman Merchant asked the applicant what his plan was regarding staff at the site.

Mr. Kelble explained that in the beginning while it will be for the rafting business, he will determine the location of where a call center would be. It will depend on the onsite reception. There will be staff on site. He explained the use of a mobile pad connected to their reservation site which explains check-in/check-out and also gives a safety briefing. The check-in staff who are doing pfd's and safety speeches will either be out in the open, under the pavilion or in a small "event" tent typically 20' x 40'. Staff will do an onsite orientation briefing, walk them to get the

equipment and get them on to transportation and will have a staff driver to transport them to drop off sites. When camping is added there will be staff that will stay onsite during the camping season. Mr. Kelble continued answering questions explaining the mode of transportation for equipment and noted that in the beginning 1 vehicle (van or bus that pulls a trailer) will be used and when possibly serving 1,000 guests in the future, there would eventually be 4-5 busses. As far as retail sales there will be no warm food. He would like to sell river shoes, hats, sunscreen, sun shirts, waterproof phone cases, ice, etc.

Chairman Merchant shared that he was glad to see this project coming to the Town and believes it will be an asset to the Town.

After some additional questions by Commissioners, Mr. Kelble explained the process for monitoring and evacuating during flooding.

Commissioner Williams moved that the Planning Commission forward a recommendation of approval.

Ms. Kopishke advised that the Planning Commission may want to include a condition for the length of stay.

Commissioner Williams amended his motion.

Commissioner Williams moved that the Planning Commission forward a recommendation of approval to Front Royal Town Council for Special Use Permit Application number 2300021 for an outdoor recreation facility located at 1847 N. Royal Avenue with the following conditions:

- 1. That the length of stay be no more than 14 calendar days at one time.***
- 2. The application shall comply with all performance standards of 175-10.1-D.***

Mr. Kelble asked if the motion could be clarified that the length of stay applies to a non-staff person. If he has a camp site he may have a staff person living onsite in a camper. He wants to make sure it doesn't preclude a staff person from being onsite overnight.

Commissioner Williams amended his motion to state that it would exclude caretakers, seconded by Commissioner Wood.

VOTE: Yes – Williams, Wood, Marshner, Merchant, Wells
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

OLD BUSINESS

None.

NEW BUSINESS

- Election of officers.

Chairman Merchant explained that the newly elected officer terms would begin on March 1, 2023.

Commissioner Williams moved, seconded by Vice Chairman Marshner to nominate Daniel Wells as Vice Chairman.

VOTE: Yes – Marshner, Merchant, Wood, Williams
 No – N/A
 Abstain – Wells
 Absent – N/A

ROLL CALL

Commissioner Wood moved, seconded by Vice Chairman Marshner to nominate Darryl Merchant to continue serving as Chairman of the Front Royal Planning Commission through either/or the term of office or the term of his Commission expires.

VOTE: Yes – Wood, Wells, Williams, Marshner
 No – N/A
 Abstain – Merchant
 Absent – N/A

ROLL CALL

COMMISSION MEMBER REPORTS

Vice Chairman Marshner shared she had been appointed to the joint Town and County Transportation Subcommittee. She noted it is an ad hoc transportation committee.

Commissioner Williams stated he had read through the Draft Comprehensive Plan twice and with the understanding that it is a “living” document he questioned what was stopping the Planning Commission from moving it forward as is and make adjustments as we move along.

Chairman Merchant explained it would be discussed at the March 1st Planning Commission work session. He noted that the Planning Director has been talking with VDOT and that the Planning Commission needs to look at the transportation network. There has been some preliminary planning and now there is some interest in the area and it was time to move to the next phase which is tightening up the plan and may require looking at some land use bays in the area that may be more commercial and light industrial to help us qualify for VDOT grants moving forward.

PLANNING DIRECTOR REPORT

- January Monthly Report
- 2022 Annual Report

Ms. Kopishke reviewed the monthly report and noted that staff had provided the 2022 Annual Report which is required by the state to be published yearly.

Vice Chairman Marshner said she would meet with staff to correct some minor typos in the Annual Report.

Commissioner Williams moved, seconded by Commissioner Wood to approve the January Monthly Report and the 2022 Annual Report.

VOTE: Yes – Merchant, Williams, Wood, Marshner, Wells
No – N/A
Abstain – N/A
Absent – N/A

ROLL CALL

ADJOURNMENT

Chairman Merchant asked for a voice call for adjournment. All those in favor say aye.

VOTE: Yes – Merchant, Wells, Williams, Wood, Marshner
No – N/A
Abstain – N/A
Absent – N/A

VOICE VOTE

The meeting adjourned at 8:09 p.m.

Approved by Planning Commission
Date: 3/15/2023