

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](http://www.frontroyalva.com).

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

### **CALL TO ORDER**

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

### **ROLL CALL**

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

**Staff Present:** Lauren Kopishke, Planning Director/Zoning Administrator  
John Ware, Deputy Zoning Administrator  
Connie L. Potter, Executive Assistant, Clerk of the Planning Commission

### **ADDITION/DELETION OF ITEMS FROM THE AGENDA**

There were no items for addition or deletion to the agenda.

### **MINUTES**

- February 15, 2023 – Regular Meeting

*Commissioner Williams moved, seconded by Commissioner Wood 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**

- **Comprehensive Plan** – Certification and recommendation of the new Comprehensive Plan document which shall update and supersede the Front Royal Comprehensive Plan, adopted March 23, 1998. Chapter 22, Article 3: §15.2-2223 through §15.2-2232 of the Code of Virginia outlines the legal authority and requirements that all localities prepare, recommend, and adopt a Comprehensive Plan.

*Commissioner Williams moved, seconded by Vice Chairman Wells to approve the consent agenda.*

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

ROLL CALL

This item will be discussed at the Planning Commission work session on April 5<sup>th</sup> and go to a public hearing on April 19, 2023.

**PUBLIC HEARING**

Chairman Merchant explained the process for speaking at the public hearing. He asked speakers to try and keep their comments to 3 minutes.

- **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.

Mr. Ware reviewed the application request and noted that the definition of a Lodging House was provided in the staff report and he also read the definition. He explained uses permitted by Special Use Permit in the C-2 Zoning District and pointing out the parking requirements. The structure at 200 N. Royal Avenue was formally used as a lodging house from 1989 to 2019 when the use was discontinued. Town Code 175-126 for discontinuance states that “If any legally nonconforming use is discontinued for a period of exceeding two (2) years after the enactment of this chapter, it shall be deemed abandoned, and any use thereafter shall conform to the use requirements of this chapter. However, the Town Council may approve, by a special use permit, the use to be reinstated and continued”. With that, Chapter 175-104 of the Town Code requires all new uses or developments and change of use shall comply with off-street parking requirements of Chapter 148. Section 148-870.A.2 Lodging/boarding/bed and breakfasts requirements for off-street parking are one (1) parking space per room and an additional two (2) parking spaces for employees. In

addition, Chapter 148-870.A.7 requires 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'). Mr. Ware virtually reviewed photographs noting that the property can accommodate eight (8) spaces. This would be two (2) for the employees and six (6) for the residents. Part of the provisions noted in the meeting packet is that the applicant is to provide parking to accommodate eight (8) spaces.

Christa Shifflett, 305 Huntersridge Road, Winchester, VA. Ms. Shifflett stated she is the Executive Director of the Warren Coalition. The Warren Coalition is looking to open a facility for up to nine (9) adult male residents. There will be an onsite live-in house manager who is also a peer recovery specialist. The facility will not be providing any meals, however the residents have access to a fully provisioned kitchen where they can fix their own meals. Individuals coming to the facility are required to be in active recovery. This will not be a detox facility and will have no medical staff onsite. If individuals follow the rules they will stay 6-9 months. All individuals have their own savings plan to pay fines, child support, etc. There will be regular drug testing. A positive test will result in immediate release. Sex offenders are not allowed in the house. Dads will have the opportunity to see their children on Saturdays where they can play in the yard, have cookouts, etc. They plan to hold AA meetings at the house. Each individual is required to have a job and they will pay for their individual lodging at the facility. Ms. Shifflett mentioned they are aware of the parking requirements and will address those requirements before housing tenants.

Chairman Merchant opened the public hearing.

Michelle Smeltzer, 6 Morain Street, Front Royal, VA. Ms. Smeltzer explained that she was not involved in the project but was familiar with it and noted it was a good organization. She stated this is something that is needed in Front Royal where individuals can go to be safe and continue their recovery journey. She spoke in favor of granting the Special Use Permit.

Phil Caslavka, 211 Virginia Avenue. Mr. Caslavka said he is located directly behind 200 N. Royal Avenue and expressed concern for the lodging house noting there is currently a drug problem in the 200 block of Virginia Avenue. He has seen many drug deals and is consistently picking up beer bottles. He has been cursed out in his front yard with his three (3) young children present. A knife was found under his daughter's bedroom window. There have been fireworks shot at his house. He was told by the police to build a fence. When emailing Chief Magalis, the response he received was that there was not much the Town could do to help them. Mr. Caslavka expressed great concern by adding a recovery facility directly behind his house and saying that it was not an appropriate location. He is against approving the application.

Rusty Sutherly, 628 Watson Avenue, Winchester, VA. Mr. Sutherly spoke highly of the Warren Coalition and explained that he had benefitted from their drug recovery program. He was in favor of approving the application.

James Funkhouser, 547 Washington Street, Woodstock, VA. Mr. Funkhouser said he was a Peer Recovery Specialist with the Warren Coalition. He explained his recovery history noting that he

had to stay in Richmond as there were no recovery facilities in the Front Royal area and said the area would benefit from this facility. Mr. Funkhouser spoke in favor of approving the application.

Christine Mahoney, 705 W. 11<sup>th</sup> Street, Front Royal, VA. Ms. Mahoney explained that she was currently living at a recovery house in Winchester. She spoke in favor of approving the application nothing that this area needs a recovery facility.

Michael Hall, 413 W. Spring Street, Woodstock, VA. Mr. Hall said he is a Peer Recovery Specialist and will be the specialist at the recovery house in Front Royal. He shared his recovery history and expressed the need for a safe environment to go to while in active recovery. The facility will be structured with house chores, going to work and he noted each individual will be drug tested. This facility will give them stability for the first time in their lives. Mr. Hall spoke in favor of granting the Special Use Permit.

Brandon Butler, 1972 Artz Road, Woodstock, VA. Mr. Butler shared that he had worked very closely with the Peer Recovery Specialist at the Warren Coalition and expressed his gratitude for the help he had received. He agreed with the other speakers that people in recovery need a place to go where they have a sense of self worth and restore their self-confidence. Mr. Butler spoke in favor of approving the application.

Stephen Bieker, 216 N. Royal Avenue, Front Royal, VA. Mr. Bieker agreed with the previous speaker regarding the drug problems in the area. His property is next door to the proposed lodging house. He has found needles in his yard and had men blurting out foul language at him when this location was a home for mentally challenged individuals. Mr. Bieker applauded the men and women for going into recovery but felt this was not the right location for the lodging house and was against approving the application.

Claudia Bieker, 216 N. Royal Avenue, Front Royal, VA. Mrs. Bieker expressed the same concerns as her husband Stephen Bieker and was not in favor of approving the application.

Yvonne Rathore, 1403 Macedonia Church Road, Stephens City, VA. Ms. Rathore spoke in favor of granting the Special Use Permit application. She has conducted recovery classes for women at RSW every weekend for the last nine (9) years and understands the benefit of having the recovery house. Part of recovery is incorporating family and children and she believes this house would be very successful as Christa Shifflett has a lot of experience and any problems that come up will be dealt with immediately.

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

Commissioner Williams asked Ms. Shifflett to explain where referrals would come from as she mentioned that individuals coming to the house would come with referrals. Other questions from Commissioner Williams were answered by Ms. Shifflett.

Ms. Shifflett explained where the referrals would come from. She also answered there would be no children living at the facility. Mental health services would be provided, and she noted that they deal with agencies in Winchester. Ms. Shifflett said they have full authority to conduct drug tests.

If the individual tests positive for drug use or refuses to be tested staff has the authority to call the police and evict them from the property. There will be 36 surveillance cameras at the property.

After some additional discussion the following motion was made.

*Commissioner Williams moved, seconded by Commissioner Marshner that the Planning Commission forward a recommendation of approval with the following conditions:*

- 1. The total number of lodging rooms or units shall not exceed ten (10).*
- 2. Applicant to provide parking to accommodate eight (8) spaces.*

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

ROLL CALL

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**COMMISSION MEMBER REPORTS**

There were no additional comments from Commission members.

**PLANNING DIRECTOR REPORT**

- February Monthly Report

Ms. Kopishke reviewed the February monthly report.

**ADJOURNMENT**

*Commissioner Williams moved, seconded by Vice Chairman Wells to adjourn the meeting.*

VOTE: Yes – Merchant, Williams, Wood, Wells, Marshner

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

The meeting adjourned at 7:56 p.m.

Approved by Planning Commission

Date: 4/19/2023