

**PLANNING COMMISSION REGULAR MEETING MINUTES**

May 17, 2023 @ 7:00 PM in the Warren County Government Center

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).

**CALL TO ORDER**

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

**ROLL CALL**

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

**Absent:** Glenn Wood, Commissioner

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

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

The Comprehensive Plan was added for discussion under Old Business.

**MINUTES**

- April 19, 2023 – Regular Meeting

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

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

ROLL CALL

**CITIZEN COMMENTS**

There were no citizen comments.

**CONSENT AGENDA**

**2300225 Rezoning Application – Ramsey Inc.** An application request to rezone 1.2837 acres located at 10160 Winchester Road from C-3, Highway Corridor Business District to R-2, Residential District. The property is identified by tax map 20A24-1-7.

*Commissioner Marshner moved, seconded by Vice Chairman Wells to accept the consent agenda.*

VOTE: Yes – Marshner, Merchant, Williams, Wells

No – N/A

Abstain – N/A

Absent – Wood

ROLL CALL

**PUBLIC HEARINGS**

Chairman Merchant explained the public hearing process.

**2200402 – Vesta Property Management** – A request for a Special Use Permit to allow a short-term rental located at 211 S. Royal Avenue and identified on tax map 20A7-4-105. The property is zoned C-1, Community Business District and is located in the Historic Overlay District.

Mr. Ware gave a brief overview of the application request noting this will be a whole house rental with three (3) bedrooms for six (6) people. The parking area provided can accommodate six (6) vehicles. A site inspection was conducted on April 28, 2023 and was found to meet all requirements.

The applicant was present but chose not to speak.

Chairman Merchant opened the public hearing.

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

There was no discussion.

***Commissioner Williams moved, seconded by Vice Chairman Wells to forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2200402 for a Short-Term Rental located at 211 S. Royal Avenue.***

VOTE: Yes – Williams, Marshner, Merchant, Wells

No – N/A

Abstain – N/A

Absent – Wood

ROLL CALL

**2300184 – Peter Lemmon and Scott Lloyd** – An application requesting a Special Exception from the parking requirements of 148-870.A.2 pursuant to 148-870.A.18 & 148-211.A.1. for the property located at 15 Chester Street and identified on Tax Map 20A8-5-3. The property is zoned C-2, Downtown Business District and is located in the Historic Overlay District.

Mr. Ware reviewed the application stating this was a Special Exception application requesting a special exception to the parking requirements at 15 Chester Street. The property is located on the corner of Chester Street and Laura Virginia Hale Place. Currently the parking area can accommodate four (4) parking spaces and is located behind the Town parking lot at the Gazebo at the corner of Chester Street and Laura Virginia Hale Place. Mr. Ware explained Town Code parking requirements in the C-2 zoning district. The proposed use of the property is professional offices.

The applicant Scott Lloyd clarified that the previous owners of the property had received a Special Use Permit for residential use of the property and that is why they are redesignating it as full commercial use which is creating the parking issue. In the 80s there was commercial use in the front of the building and the back portion of the building was rented out for residential use. Mr. Lloyd shared the historic value of the property and landscaping aesthetic that he believes adds to the downtown area. He also offered information for other areas in the immediate area that are available for parking.

Chairman Merchant opened the public hearing.

Ellen Aders, 219 E. Prospect Street. Ms. Aders spoke in favor of the special exception request noting that the shrubs and greenery add to the area and the small-town charm. If those shrubs and greenery are removed to install paving for a parking lot it does not keep with the “small-town” charm proposed in the Comprehensive Plan.

Hearing no additional speakers Chairman Merchant closed the public hearing.

Ms. Kopishke confirmed that the construction of a parking area would be required to go before the Board of Architectural Review.

Chairman Merchant mentioned that the Planning Commission had discussed the parking exemption for all of the businesses on Main Street and some on Chester Street many times. It makes sense that this Chester Street area should be included in the parking exemption, and it is noted that this needs to be changed by Town Council.

Commissioner Williams said that he agrees that the Town Council needs to look at expanding the parking area exemption to include this area of Chester Street. He does not believe the special exemption application should be denied at the risk of ruining a beautiful area of downtown.

After some additional discussion the following motion was made.

***Commissioner Williams moved, seconded by Vice Chairman Wells to forward a recommendation of approval to the Front Royal Town Council for Special Exception Permit #2300184 with the following condition:***

- 1. That the maximum number of parking spaces permitted on this property is four (4) spaces.***

VOTE: Yes – Marshner, Wells, Merchant, Williams

No – N/A

Abstain – N/A

Absent – Wood

ROLL CALL

Chairman Merchant explained that the following three (3) applications are for similar uses by the same applicant on three (3) adjacent lots. Each application requires individual public hearings however if a person speaks at the first public hearing and wishes to offer the same comments on the 2<sup>nd</sup> and 3<sup>rd</sup> public hearings they may simply state that what they said before also applies to the subsequent application public hearings.

**2300213 – Cook Realty** – A request for a Special Use Permit to allow a short-term rental located at 1125 John Marshall Highway and identified on tax map 20A103-8A. The property is zoned R-1, Residential District.

Commissioner Williams recused himself from reviewing and voting on the three (3) applications.

Mr. Ware reviewed the request of application #2300213 for 1125 John Marshall Highway. He stated this would be a whole house rental of the main building labeled as cottages 3 and 4. This contains two (2) bedrooms for four (4) people and has one (1) accessory use dwelling unit, cottage 5 with one (1) bedroom for two (2) people. A total of three (3) parking spaces is required.

As of the date of this meeting structures identified as cottage 3 and 4 have not been connected to make one (1) main building. The parking area to accommodate at least three (3) parking spaces has not been completed. Therefore, a final inspection of the site has not been conducted. Town Code 175-3 requires no more than one accessory dwelling to be located on each property. Staff recommends conditions be placed on this special use permit.

At the meeting the applicant distributed binders to Commission members with information regarding her request and property history. Ms. Cook explained the history of the property and prior uses. It had previously been called “Wilson’s Motorcoach Lodge”. It was then sold to the “Halls” for the same use and then sold again. Ms. Cook shared that she had met with previous Planning & Zoning Staff when she first purchased the property and was told she did not need to

rezone the property and that she should continue to use the property as previously used. After meeting with the current Director, Ms. Kopishke the path moving forward has changed somewhat. It was determined they would need to have three (3) lots with Cottages 3, 4 and 5 being on one lot, the main house on one lot and the last two cottages on a separate lot. She noted it was approved in the 1950s to be a motorcoach lodge. The new Comprehensive Plan that has not yet been approved designates this area as mixed use. Currently it is considered to be in a low-density area, which she disagrees with noting that the property is surrounded by commercial properties. The best use of the property offered by the Town is for it to be used as an Airbnb. Ms. Cook expressed that individuals coming from Northern Virginia will have a beautiful place to stay as well as Town residents that want to have family reunions, small group reunions, small vow renewals, small birthday parties, will have a place to house guests and entertain for such occasions. She stated she has made this property something the community can be proud of and hopes that the Planning Commission will support her.

Chairman Merchant opened the public hearing.

Andi Robinson, 413 Viscose Avenue, Front Royal, VA reviewed the binder that was distributed to Commissioner members. Ms. Robinson shared that the “Trellis” works with the proposed Comprehensive Plan. She reviewed the surrounding zoning districts to the property. The Comprehensive Plan supports, encourages, and promotes small town character and the “Trellis” provides that small town character.

Connie Bradley, 411 Duncan Avenue, Front Royal, VA. Ms. Bradley spoke in favor of approving the special use permit application and believes it will be a place to create good memories.

Shannon Brickey, 1415 Markham Street. Ms. Brickey spoke in favor of the project.

Sheree Jennings, 29 Pine Branch Drive, Bentonville, VA 22610. Ms. Jennings shared that she was grateful to Ms. Cook for putting the time and energy back into the community. She believes this will impact local businesses in a positive way and is in favor of application approval.

Ellen Aders, 219 E. Prospect Street, Front Royal, VA. Ms. Aders explained she had met Ms. Cook 2 weeks ago when she toured the property. She stated it is beautiful and well done with a sound business plan. Ms. Aders believes this project is a tremendous asset to the community and she is in favor of approving the application.

Joe Brogan, 143 Brogans Lane, Bentonville, VA. Mr. Brogan spoke in favor of the project. He noted he was the surveyor for the project. This was a dilapidated property, and everyone can appreciate Ms. Cooks renovations. He feels that bringing this back to a tourist property is a good fit for the community. Mr. Brogan noted that utilities had to be run separately, a subdivision of the property was required and address primary and secondary use issues. They have been working with the Planning Department and said they are pretty close to the finish line.

Jennifer Ruffner, 705 New Avenue, Front Royal, VA. Ms. Ruffner shared her history in Front Royal noting that she moved back to Front Royal in 2020 and the property looked horrible. She

commented that the property is now beautiful, and she is in favor of approving the application request.

Mandy Newman, 138 Passage Manor Drive, Strasburg, VA. Ms. Newman shared that she strongly supports approving the application request and that Ms. Cook has shown her commitment to the community with these renovations. She believes this will benefit the local economy and the community as a whole.

Scott Lloyd, 1149 Happy Ridge Drive, Front Royal, VA. Mr. Lloyd stated that Ms. Cook's project is the exact thing that will drive interest and foster a sense of community. He is in support of the project.

Amanda Kindall, 325 Walker Farm Drive, Front Royal, VA. Ms. Kindall stated that she supports Ms. Cook and the project. She mentioned that it would be nice for people to have somewhere to stay that is not a rundown hotel.

Ann Shaffer, 350 Viscose Avenue, Front Royal, VA. Ms. Shaffer spoke in favor of the application request noting that the Town needs places to stay other than the hotels which are not the greatest.

Hearing no additional speakers, Chairman Merchant closed the public hearing.

Chairman Merchant stated that he is in opposition of short-term rentals in residential zones. He noted that this application has tested the limits of the current short-term rental ordinance. This is a residential zone, but he believes this is a very appropriate use for this location but believes this property should have been rezoned. The upcoming Comprehensive Plan designates this area for mixed use but the question that keeps coming to mind is would we want this type of arrangement, for example in Vaught Estates, Marlow Heights or any other R-1 subdivision located in the Town. What he doesn't want to occur is "greenlighting" future instances of people putting 5 or 6 units on a single residential lot. People have bought adjacent to this property as an R-1 single-family zone. Chairman Merchant expressed that he was torn as to what recommendation to send to Town Council. When the ordinance was created for short-term rentals, the Town Council assured him that it would be implemented and then looked at in a year or two to determine if it was being abused or if there are problems. Maybe this would be a situation where the Town Council could revisit short-term rentals being allowed in residential districts. He has heard tonight that this application before them is now going to be an event center and that is something they do not want in a residential zone.

Vice Chairman Wells shared that this is a great looking property that fills a need in the community for this type of project. He believes it will align with the future Comprehensive Plan.

***Commissioner Marshner moved, seconded by Vice Chairman Wells that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2300213 for a Short-Term Rental located at 1125 John Marshall Highway with the following conditions:***

1. *The special use permit is contingent upon the units passing Staff inspection before commencement of the use.*
2. *The applicant must connect the two accessory structures to create a primary and accessory structure on the lot in compliance with the Town's Zoning and Subdivision ordinances.*
3. *The special use permit is valid for one year, at which time the applicant must reapply. The application fee will be waived.*

VOTE: Yes – Merchant, Marshner, Wells

No – N/A

Abstain – Williams

Absent – Wood

ROLL CALL

**2300214 – Cook Realty** - A request for a Special Use Permit to allow a short-term rental located at 1121 John Marshall Highway and identified on tax map 20A103-8. The property is zoned R-1, Residential District.

Mr. Ware reviewed the application request for a short-term rental at 1121 John Marshall Highway. The request is for a whole house rental of the main house with three (3) bedrooms for six (6) people. Three (3) parking spaces are required. As of the date of this meeting the structure and the required parking areas are not complete therefore a final inspection has not been conducted. Town Staff recommends that conditions be placed on the special use permit.

Ms. Cook shared that she tried to enhance the property so that it could be used as the primary structure with three (3) other cottages so they can be used individually or all together. The last thing they need to do is connect cottages 3 and 4, which should be done in another week and the main house should be complete in the middle of June.

Chairman Merchant opened the public hearing.

The following individuals echoed their comments made for application # 2300213:

Shannon Brickey  
Connie Bradley  
Andi Robinson  
Sheree Jennings  
Ellen Aders  
Joe Brogan  
Jennifer Ruffner  
Mandy Newman

Hearing no additional speakers Chairman Merchant closed the public hearing.

There was no additional discussion.

***Vice Chairman Wells moved, seconded by Commissioner Marshner that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2300214 for a Short-Term Rental located at 1121 John Marshall Highway with the following conditions:***

- 1. The special use permit is contingent upon the units passing Staff inspection before commencement of the use.***
- 2. The special use permit is valid for one year, at which time the applicant must reapply. The application fee will be waived.***

VOTE: Yes – Marshner, Merchant, Wells

No – N/A

Abstain – Williams

Absent – Wood

ROLL CALL

**2300215 – Cook Realty** - A request for a Special Use Permit to allow a short-term rental located at 1135 John Marshall Highway and identified on tax map 20A103-9. The property is zoned R-1, Residential District.

Mr. Ware reviewed application #2300215 for a short-term rental at 1135 John Marshall Highway. The request is for a whole house rental of the main building denoted as cottage 2 with one (1) bedroom for two (2) people and one accessory use dwelling unit with cottage 1 containing one (1) bedroom for two (2) people requiring a total of two (2) parking spaces. As of the date of this meeting the structure and required parking area are not complete therefore a final inspection has not been conducted. Town Staff recommends conditions to be placed on this special use permit.

Chairman Merchant opened the public hearing.

The following individuals echoed their comments made for application # 2300213:

Shannon Brickey  
 Connie Bradley  
 Andi Robinson  
 Sheree Jennings  
 Ellen Aders  
 Joe Brogan  
 Jennifer Ruffner  
 Mandy Newman

Hearing no additional speakers Chairman Merchant closed the public hearing.

***Commissioner Marshner moved, seconded by Vice Chairman Wells that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2300215 for a Short-Term Rental located at 1135 John Marshall Highway with the following conditions:***



- 1. The special use permit is contingent upon the units passing Staff inspection before commencement of the use.*
- 2. The special use permit is valid for one year, at which time the applicant must reapply. The application fee will be waived.*

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

ROLL CALL

## **NEW BUSINESS**

**2300152 – 116 South Street, LLC** – A Site Plan Application has been submitted for a 1,260 square foot building expansion; an addition of a 219 square foot trellis and patio located at 116 South Street and identified on tax map 20A7-6-36A. The request also includes a new parking lot with 39 new spaces located at 351 Pine Street and identified by tax map 2-A7-6-22 & 23. The properties are zoned C-1, Community Business District.

Mr. Ware explained that the Site Plan Application for 116 South Street was a major site plan application for a 1,260 square foot building expansion; a 219 square foot trellis and patio seating area; a new parking lot expansion to furnish 22 parking spaces as well as a new reconfiguration of the current parking lot and drive-thru.

Plan review from the Planning Department, Public Works and Energy Services offered very few comments as the site was very well designed. As of the date of this meeting the Civil Engineering firm Potesta and Associates has not received any comments from Warren County regarding their portion of plan review which entails corrosion and sediment control and stormwater management. The applicant will demolish the current drive-thru, reconfigure part of the parking lot and go across Pine Street to create additional parking on two (2) lots. Landscaping will be provided around the edge of the parking lot as required by the Town Code.

Staff recommended to the Civil Engineer that the plans should not be resubmitted until all agencies have commented on the first submission. Town Staff recommends approval of the submitted site plan application with the following condition:

1. All comments from Town Staff and other agencies be appropriately addressed before final approval is granted.

The applicant and representative were present to answer questions.

Chairman Merchant asked if the parking lot lighting was dark sky compliant.

Mr. Ware explained that the model that was submitted in the 1<sup>st</sup> submission was not dark sky approved. That is one of Staff's comments to be addressed.

Chairman Merchant mentioned the existing 2-story dwelling located on the Pine Street lot and asked how it would be used.

The applicant Steven Antonelli, 166 Timber Ridge Drive, Front Royal, VA. Mr. Antonelli explained they were currently using it for storage. Depending on the buildout, they could potentially use that building as something besides storage.

Chairman Merchant said this was a good facility but expressed his concern with the traffic situation.

Mr. Antonelli stated he hoped that the proposed modifications would alleviate most of the traffic problems.

***Commissioner Marshner moved, seconded by Vice Chairman Wells that the Planning Commission approve Site Plan Application #2300152 for a 1,260 square foot building expansion; a 219 square foot trellis addition and patio; and the addition of a new parking lot containing 39 spaces with the following condition:***

- 1. That the application approval not be finalized until Warren County, Energy Services and Public Works comments have been received and complied with and all comments have been received and approved before the application is granted.***

VOTE: Yes – Merchant, Williams, Marshner, Wells

No – N/A

Abstain – N/A

Absent – Wood

ROLL CALL

## **OLD BUSINESS**

### **Comprehensive Plan.**

Chairman Merchant explained that at the last Planning Commission meeting they deferred action on the motion to approve the Comprehensive Plan to recommend Council approval of the document until the finalized document is in hand. There is technically a motion and a second.

Staff would like to schedule a special meeting on June 7, 2023 to certify the document and then go to a Town Council meeting in June.

***Vice Chairman Wells moved, seconded by Commissioner Williams to postpone the pending motion until the next special meeting scheduled for June 7, 2023.***

VOTE: Yes – Williams, Marshner, Merchant, Wells

No – N/A

Abstain – N/A

Absent – Wood

ROLL CALL

**COMMISSION MEMBER REPORTS**

Chairman Merchant noted that Vice Chairman Wells had completed and passed the Certified Planning Commissioners Program.

Chairman Merchant stated there was lots of high grass in the Town and mentioned that the Town does have something in the Town Ordinance regarding high grass and encouraged residents in Town to comply with the ordinance.

Commissioner Marshner mentioned there has been a truck with a pink donut on it parked on Stonewall Drive for several months.

**PLANNING DIRECTOR REPORT**

Ms. Kopishke reviewed the April monthly report.

VDOT and a representative from Norfolk Southern Railroad attended the Transportation Subcommittee meeting. There was a general discussion of the impacts the railroad has on the northern portion of the Town.

Chairman Merchant asked if there were minutes available for the Transportation Subcommittee meetings. Ms. Kopishke said there are video recordings of the meetings and Warren County should have minutes of those meetings.

**ADJOURNMENT**

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

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

VOICE VOTE

The meeting was adjourned at 8:37 p.m.

Approved by Planning Commission  
Date: 6/21/2023