

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 August 18, 2021, at 7 PM.

ROLL CALL – Determination of Quorum

Present: Douglas Jones, Chairman
Connie Marshner, Vice Chairman
William Gordon, Commissioner
Darryl Merchant, Commissioner
Joshua Ingram, Commissioner

Staff: Lauren Kopishke, Planning Director/Zoning Administrator
Alfredo Gutierrez Velasquez, GIS Coordinator / Planner I
Connie L. Potter, Executive Assistant

CALL TO ORDER

Chairman Jones called the meeting of the Planning Commission to order at 7 PM.

APPROVAL OF MINUTES

- July 21, 2021, Planning Commission regular meeting minutes.

Commissioner Merchant moved seconded by Commissioner Gordon to approve the meeting minutes of July 21, 2021 regular meeting as written.

VOTE: Yes – Marshner, Gordon, Merchant, Jones
Absent - Ingram
No – N/A
Abstain – N/A

Commissioner Ingram arrived after the vote.

CITIZEN COMMENTS

There were no speakers.

PUBLIC HEARINGS

- **Zoning Ordinance Text Amendment #FRZORDAM 2519-2021** initiated by resolution of the Front Royal Town Council. The purposes of the proposed amendments are to change the use regulations of the C-2 Downtown Business District pertaining to the administrative permitting of residential units and the special use permitting of apartments by Town Council.

Chairman Jones opened the public hearing.

Chairman Jones introduced and welcomed the new Planning Director, Lauren Kopishke.

Ms. Kopishke spoke briefly about the proposed text amendment mentioning that Staff had changed the definition of “conversion” and made some alterations to the off-street parking exception (Chapter 175-113).

Ellen Aders, 219 E. Prospect Street. Ms. Aders expressed concern that the Planning & Zoning Department has been asked to look at turning the building on Church and Jackson Street into an apartment building containing 30-60 units that will be 300 square feet per unit.

Ms. Aders explained that she lives on Prospect Street and owns and works at 23 Church Street which shares a parking lot to the existing building. She has been there for 11 years and every single day at noon about 12-15 people show up to hold a meeting at the structure. For about the first five (5) years she was at 23 Church Street she called the Front Royal Police Department on a regular basis because those people consistently parked in “no parking zones”. That was 12-15 people and now we are looking at maybe sixty (60) people living in this building. Parking is a legitimate concern. Ms. Aders described situations at the existing building where there have been gun shots, domestic disputes and the police arriving on many occasions. Her customers have expressed concern of what is going on in the area. She asked the Planning Commissioners to please consider who would be living in the units. The intentions are good, however when you open up rentals it is really hard to discriminate and pick and choose who resides in the units. She questioned where would trash be placed and mentioned that trash trucks currently have a hard time getting into the parking lot to pick up the trash. The proposed plan for the building is a gorgeous plan and would look beautiful in the downtown area, however she has concerns that there is no way to control who moves in after the units are sold and the next owner may not have such great intentions. Ms. Aders questioned if the plan goes along with what the merchants on Main Street and Downtown Front Royal are trying to make happen.

William Barnett, 1115 Buck Mountain Road, Bentonville, VA. Mr. Barnett said he is a Commercial and Industrial Real Estate agent and noted that he has sold ten (10) properties on Main Street in the last ten (10) years. For the record, the property

mentioned by the previous speaker is not on the Planning Commission agenda and noted that the proposed ordinance amendment does not involve any particular property. There has been no application for that property submitted to the Planning Commission. The proposed ordinance amendment addresses the enormous need for housing in Front Royal, particularly market rate affordable housing for the local public and private workforce, young people starting off and a place to live the elderly. Front Royal and Warren County loses an enormous number of elderly residents to other jurisdictions because there is almost no housing available between a single-family home, they no longer wish to take care of and an assistive living facility. Mr. Barnett stressed the importance of keeping young talent and the elderly in the Town of Front Royal and encouraged the Planning Commission to approve the proposed ordinance amendment.

William Huck, 409 E. Main Street, C&C Frozen Treats. Growth is needed in our community. It is proving difficult to bring our existing community together and our Main Street area. Thirty to sixty more apartments will bring 30-60 more vehicles on Main Street and the surrounding areas with no forethought on parking. Mr. Huck agrees there is a need for housing, but something larger than 300 square feet per unit. He stressed that there are already parking issues on Main Street. He would like to see all the buildings on Main Street come back to life and thousands visiting on a daily basis. A 30-60-unit apartment would bring customers to Main Street but at what cost. Let's restore Main Street and the Historic District for what it once was. Parking needs to be addressed.

Chairman Jones closed the public hearing.

Commissioner Merchant thanked the public speakers and acknowledged that public input was very important. He explained that the origin of the proposed ordinance amendment came from Town Council. Apartments are currently a by-right use on Main Street. The proposed ordinance will require a Special Use Permit (SUP) for newly constructed apartments over eight (8) units. A SUP requires an applicant to show that their project is an appropriate use for an area. By having eight (8) or more apartment units requiring a SUP it creates a situation where the Planning Commission can determine if the use is appropriate. Parking is a big problem for anything on Main Street. When reviewing a SUP application and it is determined that the parking situation creates a hazard to the public health, that could be a reason to deny a particular use in the Special Use Permit. Commissioner Merchant stated he was in favor of the proposed ordinance amendment for that reason alone. Currently they are in the process of revising the Comprehensive Plan which allows another opportunity to look at the ordinances in totality. In addition to the Planning Commission public hearing the proposed ordinance amendment will be going to a Town Council public hearing and he encouraged citizens to share their concerns/comments at that public hearing.

Commissioner Ingram shared that the Planning Commission was a recommendation Board, and he was in support of the proposed ordinance amendment. He believes the

Planning Commission gave their best effort with regard to the proposed amendment changes.

Vice Chairman Marshner thanked the speakers for sharing their comments and concerns. She expressed concern that the decision has the potential to make a permanent, irreversible change in Front Royal.

Commissioner Gordon stated he was in support of the proposed ordinance. The primary purpose of the conversion is to allow up to eight (8) units. Currently there are no limits on an existing building. The proposed ordinance will require a Special Use Permit on more than eight (8) units.

Commissioner Merchant moved, seconded by Commissioner Gordon that the Planning Commission forward a recommendation of approval to Town Council to adopt the zoning text amendment of the C-2 Zoning District regulations and to the performance standards for apartments, section 175-113 of the Front Royal Zoning Ordinance.

Commission members held some additional discussion regarding parking and square footage of the unit size.

Vice Chairman Marshner moved, seconded by Chairman Jones to propose 450 square feet as the minimum apartment size.

VOTE: Yes – Marshner, Ingram, Merchant, Jones

No – Gordon

Abstain – N/A

Absent - Ingram

Commissioner Merchant called for the question, seconded by Commissioner Gordon on the original motion.

VOTE: Yes – Merchant, Jones, Ingram, Marshner, Gordon

No – N/A

Abstain – N/A

Absent - Ingram

- **Zoning Ordinance Text Amendment FRZORDAM 2835-2021** an ordinance amendment to ease the regulations for bed and breakfasts (B&B) uses in residential districts to promote tourism. The proposed amendment would increase the permitted number of bedrooms from three (3) to six (6) for lots between 0.5 acres to 1.49 acres in area and from six (6) to ten (10) for lots 1.5 acres or greater in area.

Chairman Jones opened the public hearing.

William Barnett, 1115 Buck Mountain Road, Bentonville, VA. Spoke in support of the proposed amendment.

Chairman Jones closed the public hearing.

Currently Bed and Breakfast (B&B) are permitted in the residential district by Special Use Permit which can determine if that use is appropriate for that residential neighborhood. A B&B is an accessory use to a property which is why it is a requirement for owner occupation of said facility. Commissioner Merchant expressed that his main concern was parking and noted that it was the responsibility of the property owner to prove that it will be an appropriate use in that zoning district. He acknowledged that the Special Use Permit in a residential zone gives them the authority and the opportunity to evaluate an application.

Commissioner Gordon asked for clarification of the genesis of the proposed text amendment.

Ms. Kopishke said the proposed text amendment was initiated by Town Council at their last work session.

Vice Chairman Marshner moved, seconded by Commissioner Ingram to adopt agenda item FRZORDAM2835-2021, text amendment to the B&B Regulations in residential zoning districts of the Front Royal Zoning Ordinance. Recommend approval to the Town Council.

VOTE: Yes – Ingram, Jones, Gordon, Merchant, Marshner

No – N/A

Abstain – N/A

Absent – N/A

CONSENT AGENDA

There were no items for consent.

OLD BUSINESS

There were no items for old business.

NEW BUSINESS

Ms. Kopishke advised there would be three (3) application's coming to the Planning Commission in September. Two (2) Special Exception application's and one (1) Special Use Permit application.

Staff and Commission members agreed to hold a Planning Commission work session on September 9, 2021, at 6 pm in the Town Hall council meeting room.

COMMISSION MEMBER REPORTS

There were no additional comments.

ADJOURNMENT

Vice Chairman Marshner moved, second by Commissioner Merchant to adjourn the meeting.

The meeting adjourned at 8:00 pm.

Connie L. Potter

Connie L. Potter
Executive Assistant