

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on September 10th, 2025.

Present: Robert Myers, Chairman (Happy Creek District); Hugh Henry, Vice-Chairman (Fork District); Scott Kersjes (North River District); Brigitte Miller (South River District); William Gordon (Shenandoah District); also, present; Jordan Bowman, of Litten & Sipe LLP, attorney for the County; Chase Lenz, Zoning Administrator; Allison Mutter, Clerk to the Planning Commission

Absent: Kelly Wahl, Planner

Call to order and Pledge of Allegiance of the United States of America

Adoption of the Agenda

On a motion made by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission approved the Adoption of the Agenda.

Ayes: Myers, Henry, Kersjes, Gordon, Miller.

Adoption of Regular Meeting Minutes

On a motion made by Mr. Kersjes, seconded by Mr. Henry, and by the following vote, the Planning Commission approved the minutes from August 13th, 2025, as presented.

Ayes: Myers, Henry, Kersjes, Miller.

Abstention: Gordon

Public Presentations:

Public presentations are limited to issues that are not included on the meeting agenda. It is intended as an opportunity for the public to give input on relevant planning issues, and not intended as a question-and-answer period.

Public Hearings:

R2025-03-01 - Rezoning from Agricultural (A) and Commercial (C) to Industrial (I) - Tax Map #12-----6F, 4-----43A, 4-----44B, and a Portion of 4-----45B - A request to amend the Warren County Zoning Map to rezone tax map #12-----6F, 4-----43A, 4-----44B, and a portion of 4-----45B from Agricultural (A) and Commercial (C) to Industrial (I).

Mr. Lenz stated that this item was presented at the August 13th, 2025 Planning Commission meeting and the Commission elected to hold the public hearing open until the current meeting to give the applicant an opportunity to amend their voluntary proffer statement based on comments provided by Staff and the County Attorney. On September 3, 2025, staff received email correspondence from the applicant's legal representative indicating that in lieu of proffering traffic-related improvements identified in the Crooked Run Assemblage TIA and agreed with by VDOT, they would prefer to work through the

traffic improvements with VDOT during the site plan review phase of the development. The email correspondence has been included in the meeting packet.

Mr. Myers invited the applicant's representative to speak.

Nicholas Cumings, Walsh Colucci.

Mr. Cumings stated that the proposal is to rezone the subject property. It's about 28.2 acres an assemblage located on the west side of Winchester road east of Crooked Run and they are looking at about a 220,000 square foot industrial warehouse building. He then stated that they are also proposing a conditional use permit to allow for a building over 50,000 square feet in the highway corridor overlay district. He stated that the proposed building and associated parking will not be located in the flood area. He noted that they are still in discussion with the Town about public sewer and water hook-up.

He then stated that the TIA does recommend a turn lane on both North and South bound directions and that they are going to follow VDOT's lead on the necessity of those lanes instead of adding them to the proffers.

Mr. Myers opened the public hearing and, with no one coming forward, closed the public hearing.

Mr. Henry stated that, upon further investigation, there is an existing crossover at the location and one does not need to be added if it already exists.

On a motion made by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the rezoning to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Henry, Kersjes, Gordon, Miller

CUP2025-03-01 - Building in Excess of 50,000 SF within the Highway Corridor Overlay District – Tax Map #12-----6F, 4-----43A, 4-----44B, and 4-----45B - A request for a conditional use permit for a building in excess of 50,000 square feet in size within the Highway Corridor Overlay District. The properties are located at 6560, 6644, 6720, and (0) Winchester Road and are identified on tax map #12-----6F, 4-----43A, 4-----44B, and 4-----45B. The properties are currently zoned Agricultural and Commercial (C) and are located in the North River Magisterial District.

Mr. Lenz stated that the item was also on the agenda of the previous month and the Commission elected to hold the public hearing open until the current meeting to keep it in line with the previous item.

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors. Please note that additional conditions may be added after all agency comments have been received, prior to the Planning Commission public hearing.

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, Virginia Department of Environmental Quality and any other applicable regulations and requirements.
2. The applicant shall submit a formal site plan, building elevations, and exterior finishes color rendering samples to the County prior to issuance of a building permit and zoning permit.
3. Off-street parking shall be provided in the amount of 2.0 spaces per worker on the main shift, as required for a manufacturing establishment per Warren County Code §180-15.
4. The development shall meet the requirements of the Highway Corridor Overlay District set forth under Warren County Code §180-29.1.
5. The total developed area of the property shall not exceed 220,000 square feet.

Mr. Myers opened the public hearing and, with no one coming forward, closed the public hearing.

Mr. Kersjes stated that two parking spaces per employee seems excessive.

Mr. Lenz stated that warehousing and distribution has always been equated to manufacturing on the parking table because there is no set parking for warehousing and distribution.

Mr. Henry stated that you would need double the parking if there was a shift change.

Mr. Kersjes asked if the number of parking spaces can be adjusted when the project reaches the site plan phase?

Mr. Lenz stated the condition could be struck or the conditional use permit could be modified once a tenant was determined.

Mr. Kersjes also expressed concern about clearing out the existing plant life in the portion of the lot adjacent to Crooked run. He stated that doing so might cause erosion issues.

Deja Burke, The Engineering Group, 13850 Groupe Drive

Ms. Burke stated that the clearing is shown the way that it is on the plan to represent the outfall. The intent is not to clear the whole area, but stormwater management outfall still needs to be shown.

Mr. Kersjes asked where amount of water usage for the first application for out-of-town utilities came from?

Ms. Burke stated that she did not know where that number came from, but it was modified after consulting with builders and the Town of Front Royal.

Mr. Kersjes asked if they are willing to cap their usage at the current amount on the utility application?

Ms. Burke stated that they were.

On a motion made by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Henry, Kersjes, Gordon, Miller

Z2025-07-01 - Zoning Text Amendments for Building Service Establishment - An ordinance to amend Chapter 180 of the Warren County Code (zoning ordinance) to amend §180-8C to add a new definition for building service establishment, to enact §180-21D(51) to make building service establishment permissible only upon issuance of a conditional use permit in the Agricultural zoning district, and to enact §180-36.1 to add supplementary regulations for building service establishment.

Mr. Lenz stated that the text amendments are being requested by Ray Bramble of Bramble Enterprises, LLC, a local HVAC and plumbing company located on Commerce Avenue in Front Royal. The applicant is interested in establishing a secondary support facility for his business at 3812 Guard Hill Road primarily for the storage of residential HVAC and plumbing supplies, equipment, and materials and for the staging of units to be hauled offsite for installations. Upon review of this request, staff identified "Home Service Establishment such as exterminator, plumber, decorator or appliance service" as a currently undefined land use permitted by right only in the Commercial zoning district and by conditional use permit in the village residential district. Since the property in question is zoned Agricultural (A), text amendments are necessary for home/building service establishments to be permissible in the Agricultural zoning district. Staff is recommending the building service establishment land use be permissible only by conditional use permit in the Agricultural zoning district with supplementary regulations to reduce the impact on adjacent properties in the Agricultural zoning district. This text amendment application was filed concurrently with a conditional use permit application for a building service establishment at 3812 Guard Hill Road. The conditional use permit application and the applicability of this drafted ordinance to 3812 Guard Hill Road will be addressed in the next agenda item.

The proposed definition for building service establishment is, "A facility providing services for residential, commercial, institutional, or light industrial structures such as exterminator, plumber, decorator, electrician or heating, ventilation and air conditioning (HVAC) or other appliance service and related equipment storage, staging and repairs. This use shall comply with the supplementary regulations set forth in § 180-36.1 of this chapter."

The proposed supplementary regulations are intended for building service establishments in the Agricultural zoning district only. Staff believes many of the proposed supplementary regulations would not be applicable or may not be as necessary in the Commercial District. The proposed supplementary regulations include a requirement for the establishment to front upon and have direct access to a state-maintained road with VDOT approval for the entrance, an illustrative development plan requirement, a restriction on the total number of employees and customers exceeding the maximum occupancy approved by the Certificate of Occupancy or Operation Permit (for septic system), whichever is lesser, a restriction on onsite customer service and retail sales, a full screen and 25' setback requirement for outdoor storage and staging area from property lines, off-street parking, landscaping and lighting requirements, a requirement for the hours of operation to be set by condition placed on the conditional use permit, and a restriction on the use of the property for commercial auto repairs (unless approved separately by conditional use permit), for auto salvage, and as a junkyard.

Mr. Myers invited the applicant's representative to speak.

Paul Rosner, 702 North Commerce Avenue

Mr. Rosner stated the main intent of the use was for storage and prep for the HVAC business, with no more than two or three people on location over the course of the day.

Mr. Myers opened the public hearing and, with no one coming forward, closed the public hearing.

Mr. Henry asked if the text amendment would make the use by-right or would it be by conditional use permit?

Mr. Lenz stated that the text amendment itself would state if the modification was to be by-right or by conditional use permit.

Mr. Gordon stated that he does not believe that this is an appropriate use in the agricultural district and asked if the number of parking spaces required could be lessened to two spaces per employee because of the ordinance restricting on-site customers?

Mr. Bowman stated that the parking requirement was based off the parking requirement for office buildings and wasn't adjusted downwards when the retail use was removed.

Mr. Gordon suggested that the parking requirements be brought into line with manufacturing of two per worker on the main shift.

On a motion made by Mr. Gordon, seconded by Mr. Henry, and by the following vote, the Planning Commission moved to forward the zoning text amendment to the Board of Supervisors with the recommendation of approval and the modification of off street parking should be provided in the amount of two spaces per employee on the main shift.

Ayes: Myers, Henry, Kersjes, Miller

Nays: Gordon

CUP2025-07-06 - Building Service Establishment - 3812 Guard Hill Road - A request for a conditional use permit for a building service establishment. The property is located at 3812 Guard Hill Road and is identified on tax map 20 as lot 20. The property is zoned Agricultural (A) and is located in the North River Magisterial District.

Mr. Lenz stated that the applicant is requesting a conditional use permit for a building service establishment for the property located at 3812 Guard Hill Road. The applicant, the president of a local HVAC and plumbing company, would like to use the property as a secondary support facility for his business in town for the storage of residential HVAC and plumbing supplies, equipment, and materials and for the staging of units to be hauled offsite for installations. The applicant has concurrently submitted a zoning text amendment application, which, if approved, will add "Building Service Establishment" as a land use permissible only by conditional use permit in the Agricultural (A) zoning district with a new definition and supplementary regulations.

The subject property has had multiple conditional use permits issued since 1980: CUP80-09-01 for sales, service and rental of equipment (expired), CUP88-06-01 for warehousing & enclosed storage (enclosed storage still active), CUP91-11-01 for a commercial repair garage (expired), CUP92-07-01 for sales, service and rental of equipment (expired), CUP02-05-01 for an artisan and craftsman facility (never established, expired) and CUP06-12-01 for a commercial repair garage in conjunction with a single-family dwelling (active). The property is currently owned by Robert and Vivian Lake, who continue to use the property as a commercial repair garage and for enclosed storage.

Planning Staff is recommending the following conditions be added to this conditional use permit if the Planning Commission chooses to recommend approval of this permit to the Board of Supervisors.

1. The applicant shall comply with all Virginia Department of Transportation, Warren County Building Inspections, Warren County Health Department, and any other applicable agency regulations and requirements.
2. The number of employees onsite shall not exceed the maximum occupancy as determined by the certificate of occupancy issued for the building or the operation permit issued for the onsite sewage disposal system, whichever is lesser.
3. Onsite customer service and retail sales shall be prohibited.
4. The applicant shall submit an illustrative development including schematic details on ingress/egress, building locations, off-street parking, storage/staging areas with setback distances to property lines labeled, screening, landscaping, outdoor lighting, and signage. Planning staff shall review and approve the illustrative development plan prior to issuance of a

certificate of zoning.

5. Areas used for outdoor storage or staging of equipment shall be fully screened from view and shall be set back a minimum of twenty-five feet (25') from all adjacent property lines.
6. The hours of operation shall be between 7:00 AM and 6:00 PM, Monday through Friday.

Mr. Myers opened the public hearing and, with no one coming forward, closed the public hearing.

Mr. Gordon stated his preference would not to have this use in the agricultural district, but the location would be a good place for the use.

Mrs. Miller asked what the traffic impact of delivery vehicles and the workers would be?

Mr. Rosner stated that they had one delivery truck that would be doing deliveries and there would be some picking up of employees.

Mr. Lenz stated that, per VDOT's comments, there would be no increase in traffic from the current use. Their findings stated that it would actually generate less traffic.

On a motion made by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to forward the conditional use permit to the Board of Supervisors with the recommendation of approval.

Ayes: Myers, Henry, Kersjes, Gordon, Miller

New Business:

SP2024-08-01 - Preliminary Site Plan for Hyatt Studio - A request for final site plan approval for a hotel. Identified on tax map 12J as lot 2, the subject property is zoned Commercial (C) and is located in the North River Magisterial District.

Mr. Lenz stated that the preliminary site plan for Hyatt Studio submitted on behalf of Green Pearl Hospitality, LLC with agency approvals and subsequent permit-related comments from VDOT, Building Inspections, Front Royal Public Works, Warren County Health Department and Rappahannock Electric Cooperative. This site plan is for the development of a hotel on the property identified on tax map 12J as lot 2 (located on Hospitality Drive). The subject property is zoned Commercial (C) where a hotel is a land use permitted by right. The development was approved for a conditional use permit to allow for a building height in excess of 40 feet. The property is located entirely within the Highway Corridor Overlay District. The zoning administrator determined the proposed site plan is compliant with the relevant requirements of the zoning ordinance and that the necessary agency approvals, with an exception to final approval from VA DEQ, as of August 19, 2025. The applicant has indicated that VA DEQ is withholding their final

approval until final approval has been granted by County zoning, so final approval from the Planning Commission should be made contingent upon final approval from VA DEQ.

Per Warren County Code Section 180-64A(5)(C)[4]: *"The Planning Commission shall act on any preliminary site plan within 60 days after it has been officially submitted for approval to the Planning Commission. If the Planning Commission does not approve the preliminary site plan, the Planning Commission shall set forth in writing the reasons for such denial and shall state what corrections or modifications will permit approval by the Planning Commission. After the plan has been modified, the Planning Commission shall act on the plan that it previously disapproved within 45 days."*

On a motion made by Mr. Henry, seconded by Mr. Kersjes, and by the following vote, the Planning Commission moved to approve the Hyatt Studio site plan. This approval shall be contingent upon final approval from the Virginia Department of Environmental Quality.

Ayes: Myers, Henry, Kersjes, Gordon, Miller

Consent Agenda – Authorization to Advertise for Public Hearing:

On a motion made by Mr. Kersjes, seconded by Mr. Henry, and by the following vote, the Planning Commission approved the Authorization to Advertise.

Ayes: Myers, Henry, Kersjes, Gordon, Miller.

Commission Matters:

Attorney for the County:

Mr. Bowman had nothing.

Commission Members:

The Commissioners had nothing to add.

Zoning Administrator:

Mr. Lenz stated the Board of Supervisors has requested that he look into the front setback requirement in residential-one districts and wanted to hold a work session about it.

Mr. Henry asked if the Board was interested in tackling well and septic setbacks as well?

Mr. Lenz stated firstly, that is a different chapter of the ordinance, and secondly, the Health Department is inclined to leave them as they are. He suggested that Mr. Henry speak to his Board member about potentially making that a goal.

Mr. Gordon asked if it would be possible to get a list of properties that have setbacks that are smaller than the current one?

Ms. Mutter offered to provide the setback variances that had gone through the BZA for the Commissioners.

Clerk to the Planning Commission:

Ms. Mutter had nothing.

Adjournment:

On a motion made by and the following vote, the meeting was adjourned at 8:00PM.

Ayes: Myers, Henry, Kersjes, Gordon, Miller.



Warren County Planning Commission Chairman