APPENDIX A - Substantial Rehabilitation Tax Abatement Ordinance

EXISTING LANGUAGE

TAXATION

DIVISION 4. SUBSTANTIALLY REHABILITATED PROPERTY

SECTION 27-28. DEFINITIONS.
For the purpose of this division, the following words and phrases shall have the meanings, respectively ascribed to them:

(a) SUBSTANTIALLY REHABILITATED RESIDENTIAL REAL ESTATE, shall mean any residential real estate within the Historic Winchester District (HW), as defined by Article 14 of the Zoning Ordinance of the City of Winchester, 1976, as amended, upon which there is an existing structure which is no less than twenty-five (25) years old, and which has been so improved as to increase the assessed value thereof by no less than forty percent (40%), without increasing the total square footage by more than fifteen percent (15%).

(b) SUBSTANTIALLY REHABILITATED COMMERCIAL OR INDUSTRIAL REAL ESTATE, shall mean any commercial or industrial real estate within the Historic Winchester District (HW), as defined by Article 14 of the Zoning Ordinance of the City of Winchester, 1976, as amended, upon which there is an existing structure which is no less than twenty-five (25) years old, and which has been so improved as to increase the assessed value thereof by no less than sixty percent (60%), without increasing the total square footage by more than fifteen percent (15%).

(c) AMOUNT OF EXEMPTION, shall mean an amount equal to the increase in assessed value resulting from the rehabilitation of the structure as determined by the assessing officer, and this amount only shall be applicable to assessment commencing on the first day of January of the year following the rehabilitation. An increase in assessment occurring after the first year of such rehabilitation exemption shall not result in an increase in such exemption.

(d) TAXABLE YEAR, shall mean the calendar year from January first through December thirty-first for which such real property tax is imposed or exemption claimed. (Ord. No. 044-88, 11-15-88; Ord. No. 017-92, 11-10-92)

SECTION 27-29. EXEMPTIONS DECLARED.
The purpose of this division shall be to provide real estate tax exemptions for substantially rehabilitated residential, commercial, or industrial real estate for a period of ten (10) years, commencing on January first of the year following completion of such rehabilitation; provided, however, that no property owner may apply for exemption on the basis of a building permit issued prior to January 1, 1984. Owners of property on which such improvements were completed prior to January 1, 1984 shall not be eligible for the exemption herein prescribed, and further shall not be eligible for refund or adjustment of taxes payable prior to January 1, 1984. (Ord. No. 044-88, 11-15-88; Ord. No. 017-92, 11-10-92)

State Law Reference-- Code of Virginia, §§58.1-3220, *et seq.*

SECTION 27-30. ELIGIBILITY REQUIREMENTS.
Exemptions pursuant to this division shall not become effective unless the persons owning such property have:
(a) Obtained the required building permit and applied for the herein prescribed exemption on a form approved by the city assessor. Application for exemption must be filed before the work designated by the building permit is begun.

(b) Submitted the application for exemption prior to January first of the taxable year for which such exemption is claimed;

(c) Paid to the treasurer an application processing fee in the amount of twenty dollars ($20.00). No application for the exemption approved by this article shall be deemed to have been filed until the fee herein imposed has been paid. (Ord. No. 044-88, 11-15-88; Ord. No. 017-92, 11-10-92)

PROPOSED LANGUAGE

TAXATION
DIVISION 4. SUBSTANTIALLY REHABILITATED PROPERTY

SECTION 27-28. DEFINITIONS.
For the purpose of this division, the following words and phrases shall have the meanings, respectively ascribed to them:

(a) SUBSTANTIALLY REHABILITATED RESIDENTIAL REAL ESTATE, shall mean any residential real estate within the City of Winchester ~~Historic Winchester District (HW), as defined by Article 14 of the Zoning Ordinance of the City of Winchester, 1976, as amended~~, upon which there is an existing structure which is no less than twenty•five (25) years old, and which has been so improved as to increase the assessed value thereof by no less than forty percent (40%), ~~without~~ increasing the total square footage of the structure will have no restrictions on size, as long as the increases comply with city code; if structure is assessed at less than $50,000 said structure can be demolished if not a registered Virginia Landmark or is determined by the Department of Historic Resources not to have contributory significance if in a registered historic district. If demolished the replacement structure must be a single- family residence with an assessed value of at 125% of the median value of the other dwellings in the neighborhood.~~by more than fifteen percent (15%).~~

(b) SUBSTANTIALLY REHABILITATED COMMERCIAL OR INDUSTRIAL REAL ESTATE, shall mean any commercial or industrial real estate within the City of ~~Winchester~~Historic Winchester District ~~(HW), as defined by Article 14 of the Zoning Ordinance of the City of Winchester, 1976, as amended~~, upon which there is an existing structure which is no less than twenty•five (25) years old, and which has been so improved as to increase the assessed value thereof by no less than sixty percent (60%), without increasing the total square footage by more than one hundred percent (100%), and be designed for and suitable for commercial or industrial use after completion of such improvement. ~~fifteen percent (15%).~~

(c) AMOUNT OF EXEMPTION, shall mean an amount equal to the increase in assessed value resulting from the rehabilitation of the structure as determined by the assessing officer, and this amount only shall be applicable to assessment commencing on the first day of January of the year following the rehabilitation. An increase in assessment occurring after the first year of such rehabilitation exemption shall not result in an increase in such exemption.

(d) TAXABLE YEAR, shall mean the calendar year from January first through December thirty•first for which such real property tax is imposed or exemption claimed. (Ord. No. 044•88, 11•15•88; Ord. No. 017-92, 11-10-92)

SECTION 27-29. EXEMPTIONS DECLARED.

The purpose of this division shall be to provide real estate tax exemptions for substantially rehabilitated residential, commercial, or industrial real estate for a period of ten (10) years~~,~~ if the property is located in within the Historic Winchester district (HW), the exemption shall run for five(5) years in all other areas of the city commencing on January first of the year following completion of such rehabilitation; ~~provided,~~ however, residential structures located outside the Historic Winchester Distritict (HW) with an assessed value, prior to rehabilitation greater than $300,000 shall only receive the exemption for three(3) years.~~that no property owner may apply for exemption on the basis of a building permit issued prior to January 1, 1984. Owners of property on which such improvements were completed prior to January 1, 1984 shall not be eligible for the exemption herein prescribed, and further shall not be eligible for refund or adjustment of taxes payable prior to January 1, 1984. (Ord. No. 044-88, 11•15•88; Ord. No. 017-92, 11-10-92)~~

State Law Reference-- Code of Virginia, §§58.1-3220, *et seq*.

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(a) Obtained the required building permit and applied for the herein prescribed exemption on a form approved by the city assessor. Application for exemption must be filed before the work designated by the building permit is begun.

(b) Submitted the application for exemption prior to January first of the taxable year for which such exemption is claimed;

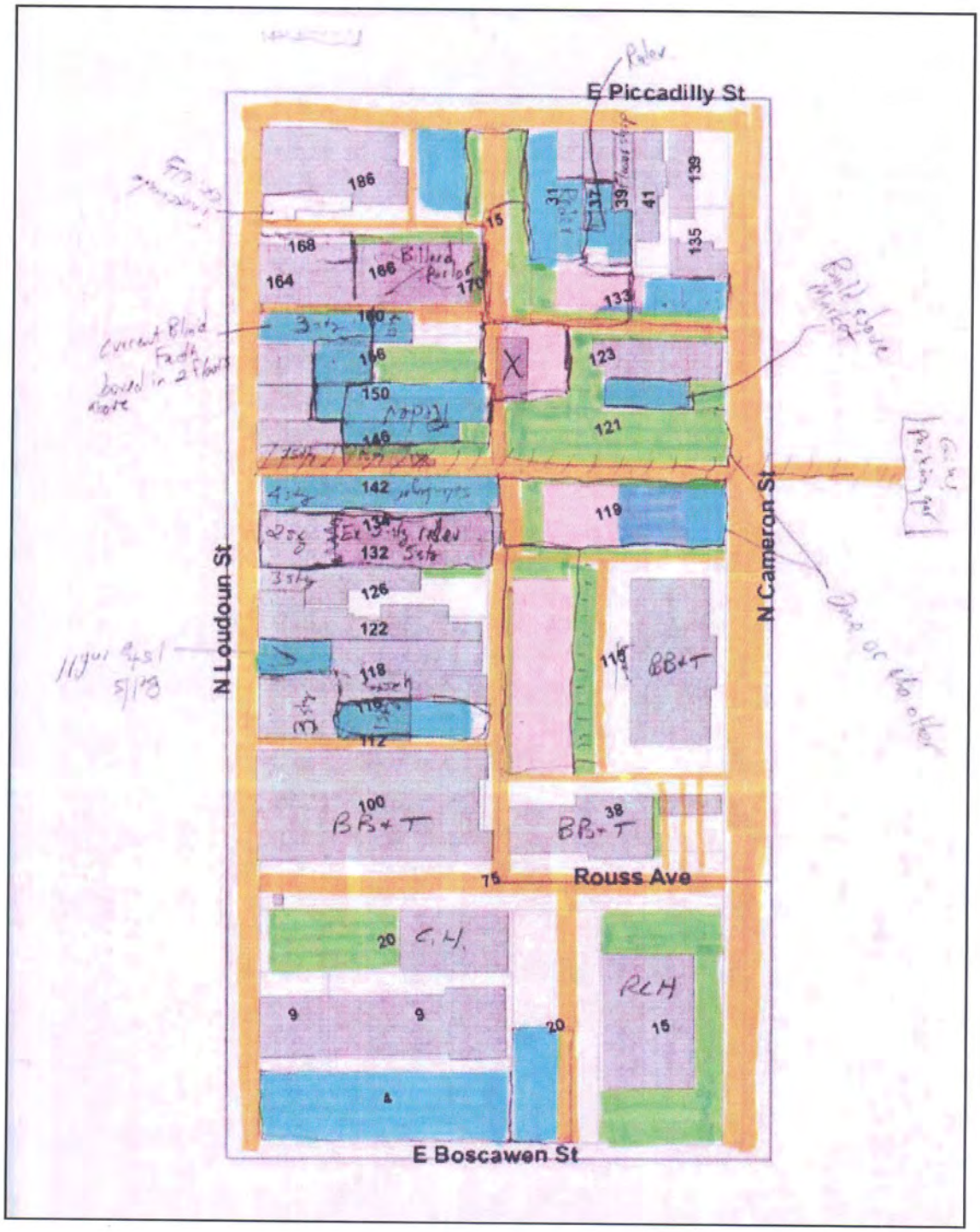
(c) Paid to the treasurer an application processing fee in the amount of one hundred ~~twenty~~ dollars ($100). ~~($20.00)~~ No application for the exemption approved by this article shall be deemed to have been filed until the fee herein imposed has been paid. (Ord. No. 044•88, 11•15•88; Ord. No. 017-92, 11-10-92)

APPENDIX B – Illustrative Master Plan for Strategic Development

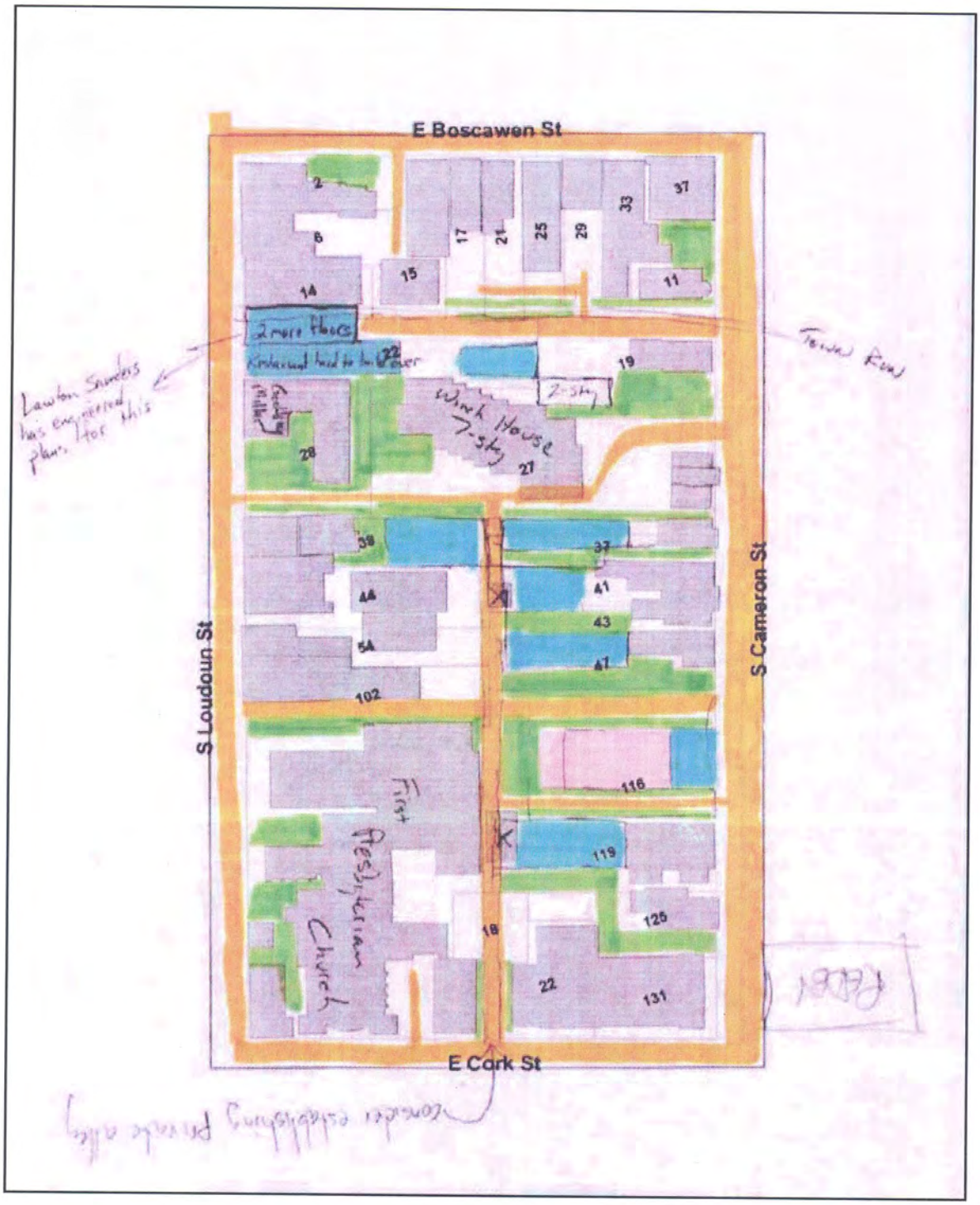
Illustrative Master Plan for Strategic Development

APPENDIX C- Inventory & Concept Sketches for 4 Mall Area Superblocks

NORTHEAST SUPERBLOCK

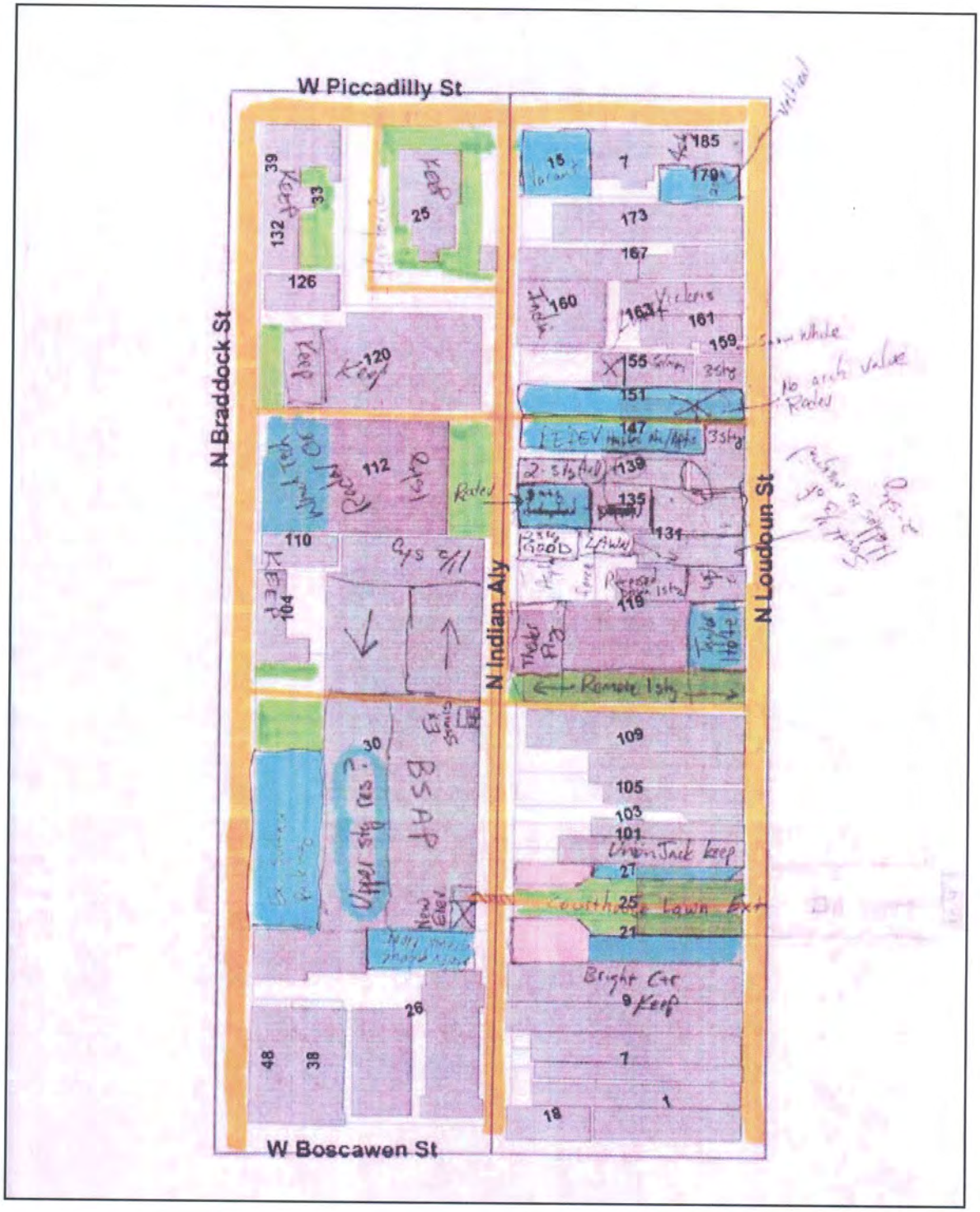


SOUTHEAST SUPERBLOCK



SOUTHWEST SUPERBLOCK

NORTHWEST SUPERBLOCK



APPENDIX D1 – 103 S. Loudoun St Concept Plan

PUBLIC SITE#1: 103 S. Loudoun St - the former Palace Hotel lot

The 11,237 square foot parcel which formerly housed the Palace Hotel now serves as a metered surface parking lot owned by the City and managed by the Winchester Parking Authority. A number of spaces are leased to specific persons. There is also an interparcel access to the gravel parking area between the front and rear buildings on the property immediately to the south.

Under current Zoning provisions, approximately 23 residential units could be constructed on the site. The density analysis assumes that all of the ground floor space and a small amount of the second floor space is allocated to nonresidential use. The Base Density of 11 units could easily be increased through density bonuses for Economic Development, Accessibility, Location within the Primary Assessment District, Inclusion of Residential Amenities, and LEED Certification. The aggregate density bonuses result in an additional twelve units allowable.

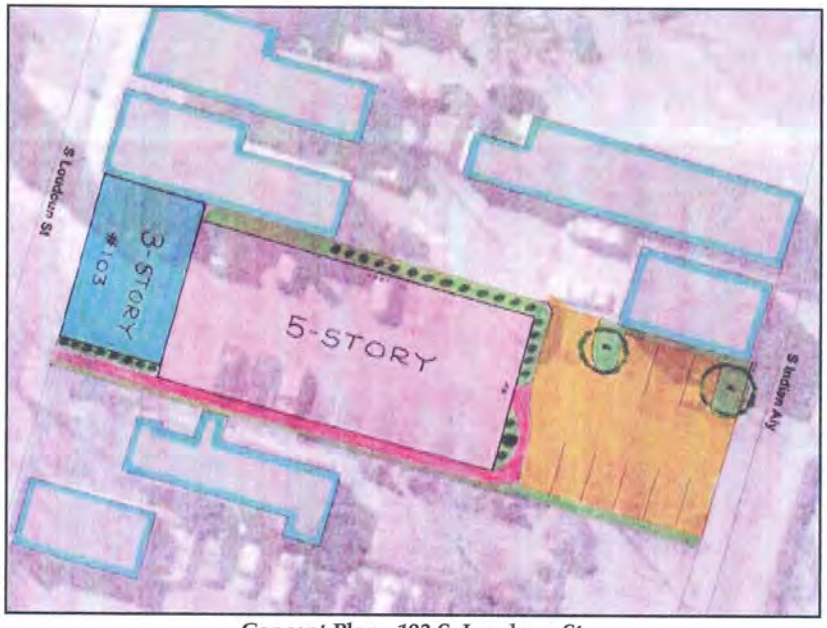
103 S. Loudoun St viewed from Old Town Mall looking west. Note the blank white wall of building to the left to which former Palace Hotel was attached.

The Team believes that this site would be an excellent candidate for a public-private partnership wherein the City would provide the land and a private developer would provide the cash to construct a mixed use development including 19 apartments marketed for rent to active seniors who would desire to live in close proximity to the First Presbyterian Church (directly across the Mall

on the east side) or the Braddock Street United Methodist Church (one block to the west). This location at the south end of the Mall would be more attractive to seniors who may not wish to be in close proximity to the nightlife and associated activity concentrated along the north end of the Mall.

Behind the 3-story front bay would be an attached 5-story flat roofed structured that would measure 100 feet deep by 48 feet across. It would be slightly offset from the front bay to allow for a five-foot offset from both the north and south side property lines. This amount of offset would allow for windows to be installed in compliance with Statewide Building Code, thus allowing air and light into the 19 apartments on the upper levels of the building.

The plan would retain 9 or 11 parking spaces at the rear of the site accessed from Indian Alley. Depending upon negotiations with the property or business owner to the south, one or two of the proposed parking spaces could be configured as an access drive to the adjoining gravel parking area on 111 S. Loudoun St. A walkway would be provided along the north side of the new structure providing pedestrian access between the parking area at the rear of the site and the pedestrian mall at the front of the site. Pedestrians using this walkway would benefit aesthetically from the garden cottage appearance of the landscaped lawn surrounding the Wisteria House site immediately to the north. The walkway would also provide direct access to one or more ground level building entrances along the north building elevation, including access to an elevator lobby providing convenient access to the upper-story apartments.



Concept Plan - 103 S. Loudoun St

DENSITY CALCULATIONS FOR FORMER PALACE HOTEL PROPERTY

Lot Area

103 S. Loudoun St	11,237	(approx.195' deep lot)
107 S. Loudoun St	0	(included in above)
Total sq.ft.	11,237	

Density Computation

Units	Rate	Area Reqd
11,237	1per 1000	11,237

Proposed Floor Area:

	Total	Non-res	Resid'l	# of units
1st Floor	6,200	6,200	0	0
2nd Floor	6,200	850	5,350	5
3rd Floor	6,200	0	6,200	6
4th Floor	4,800	0	4,800	4
5th Floor	4,800	0	4,800	4
TOTAL	28,200	7,050	21,150	19

Density Adjustments

A. Economic Impact (if min 25% of resulting GFA is nonresidential)
Assuming existing GFA remains unchanged:
28,200 *0.25= 7,050 (allows all upper floors for apts)

Graduated Base Density	11.24
Density Adjustment Factor	0.25
Additional Units=	2.81

B. AccessibilityBonus (at least 70% of upper floors have elevator access)

Base Density	11.24
20% Density Adjustment Factor	0.20
Additional Units=	2.25

C. Property Location Bonus (Primary Special Assessment District)

Base Density	11.24
20% Density Adjustment Factor	0.20
Additional Units=	2.25

D. Residential Amenity Bonus (fitness ctr, lounge, craft room, etc. where cumulative floor area is 5% or more of total residential floor area)
Tot. res sf
2,962 * 0.05= 148.1 sq.ft min amenity area required

Base Density	11.24
20% Density Adjustment Factor	0.20
Additional Units=	2.25

E. LEED Certification Bonus

	Factor:
Certified	0.20
Silver	0.30
Gold	0.40
Platinum	0.50

	Base Density	11.24
e.g. for "Certified level":	20% Density Adjustment Factor	0.20
	Additional Units=	2.25

TOTAL ACHIEVABLE DENSITY =	**23.04**
TOTAL PROPOSED DENSITY =	**19**

26-Oct-09

103 S Loudoun Parking lot redev

APPENDIX D2 – 30 N. Braddock St Concept Plan

PUBLIC SITE#2: 30 N. Braddock St - the Braddock St AutoPark site

For this site, the Team believes that Georgetown-styled row houses would be an excellent use of the front surface parking lot between the Braddock Street Autopark (BSAP) and Braddock Street. This could be a public-private partnership wherein the City would provide the land and a private developer would provide the cash to construct the 7 townhouses marketed for sale or rent to dual-income or dual-professional households with no children. These households would have little interest in the single-family lifestyle, and typically have more disposable income for luxury items and a desire to engage in cultural/social activities. They would desire to live in close proximity to the Pedestrian Mall, but not necessarily right on the Mall itself.

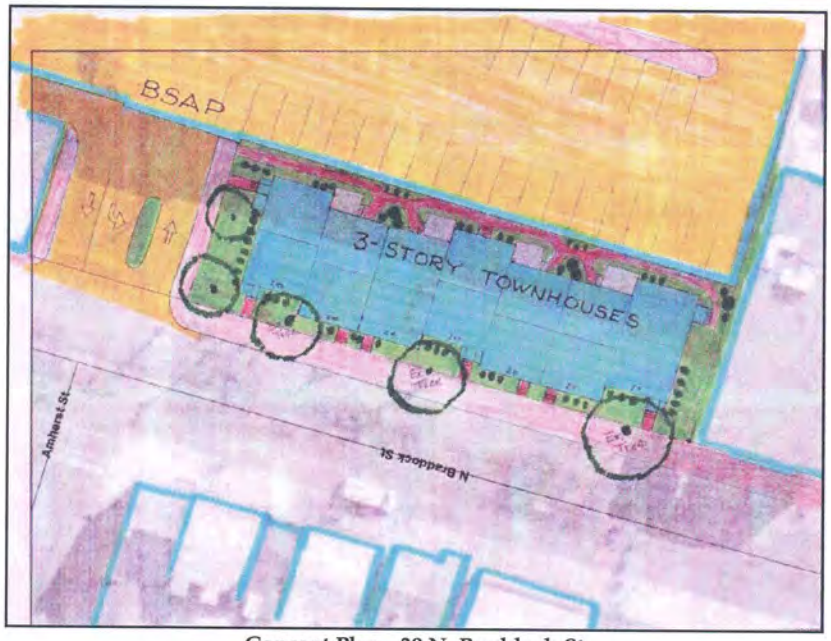
Surface parking lot at 30 N. Braddock St viewed from the upper level of the Braddock St Autopark. Note the scale and orientation of the structures on the opposite side of the street.

The Concept Plan calls for seven 3-story attached townhouse units each measuring 20 feet wide with front stoops and entries fronting along S. Braddock Street. Alternately, these could be constructed with English basements to allow for accessory apartments. The units measure 36 feet in depth and would be staggered with the three recessed units being located where large mature shade trees are situated along the public street frontage. The structure would be brick with pitched metal roofs matching the scale and character of the structures immediately across the street. No density analysis was conducted for this site

since the seven proposed units are well below even the base density, far less any bonus density, for the larger BSAP site.

Behind the townhouse structure would be a pedestrian walkway connecting to rear patios or rear entries. The units on the north and south ends would have side porches oriented toward a fenced in courtyard measuring 10-12 feet wide and running the full depth of the unit. for a five-foot offset from both the north and south side property lines. This offset at the north and south ends would allow for windows to be installed in compliance with Statewide Building Code, and allow air and light into the end units.

The plan would not retain any of the 15 surface parking spaces, but ample parking is available curbside along the public street and also in the autopark. With some further engineering, a second floor walkway from the townhouses to the second floor parking stalls in the autopark might be possible. If done, these upper-level parking spaces could be reserved for the occupants of the adjoining townhouse on a month-to-month contractual basis with the WPA.



Concept Plan - 30 N. Braddock St

APPENDIX D3 – 109 S. Cameron St Concept Plan

PRIVATE SITE#1: 109 S. Cameron St - First Presbyterian Church surface parking lot

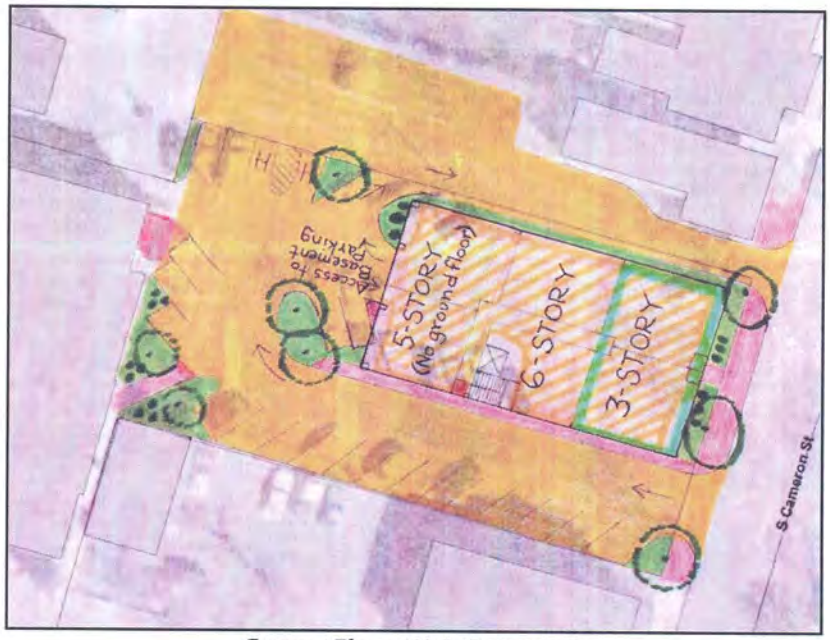
The Team believes that the large expanse of pavement on this site detracts from the historic streetscape and that it could be a good candidate for an infill mixed use development. The new structure could include 20-24 apartments marketed for rent to active seniors who would desire to live in close very proximity to the First Presbyterian Church (the owner of the property) or the nearby Market Street United Methodist Church (just to the south). With 4 apartments proposed on each of the upper floors beginning with the 4th floor, the yield would be 24 units for a 6-story building and 20 units for a 5-story building.

First Presbyterian Church parking lot at 109 S. Cameron St. Note the separate driveway for the neighboring property on the right.

The Concept Plan calls for a 3-story front bay structure measuring 60 feet along the S. Cameron Street frontage and 36 feet in depth. This 6,480 square foot portion of the new building would have a pitched roof matching the scale and character of the structures immediately to the north and south including the ones at 37-47 S. Cameron St to which the new structure would adjoin.

Behind the 3-story front bay would be an attached 6-story, 23,760 square foot, flat roofed structure that would measure 72 feet deep by 60 feet across. The entire structure would be offset five-foot from the north side property line to allow for windows to be installed in the apartments on the north side of the building. The rear-most 36-foot deep portion of this 6-story structure would not be enclosed on the ground level since it would provide clearance for accessing a lower level parking facility.

The sloped lower-level parking would daylight to the rear of the building and be available for parishioners or employees of the Presbyterian Church to easily access from within the existing parking lot. The 60-foot wide building module would conveniently support about 22 perpendicular parking spaces after netting out area for an elevator and staircase that would connect the parking to the upper 5-6 floors of the new building. The 60′ by 108′ footprint of the entire building would be situated on an area of the existing parking lot that contains 30 parking spaces. Therefore, the net loss of parking spaces would be only eight spaces (30-22=8). Twenty two existing angled surface parking spaces would be unaffected by the new building. This includes all of the stalls along the south and west portions of the lot as well as the handicap parking spaces in the northwest corner of the lot.



Concept Plan - 109 S. Cameron St

The plan does require cooperation with the property owner immediately to the north to jointly utilize an existing driveway. The incentive to that adjacent property owner is that the driveway could be widened to better support two-way movement by including some pavement widening onto the church's property. Another option would be for the church to grant an ingress easement to the neighboring property owner along the one-way inbound drive along the south portion of the church's parking lot in return for an egress easement across the neighbor's driveway. One of the biggest impediments to maximizing the use of properties along the west side of Cameron Street is that so many properties rely upon individual driveways extending from the street to the rear of the properties. In many instances, these driveways are situated side-by-side with just a concrete curb separating them.

APPENDIX D4 – 29 Wolfe St Concept Plan

PRIVATE SITE#2: 29 Wolfe St - Braddock St United Methodist Church surface parking lot

This 21,930 square foot parcel provides, perhaps, the most exciting opportunity for residential use with some ground floor commercial use downtown. The site, which formerly housed the Grand Piano and Home Furnishings until a fired destroyed the business in 1996, now serves as an often underutlized 67-space surface parking lot constructed in 1998 and owned by Braddock Street United Methodist Church. Some spaces are leased to specific persons or companies on a monthly basis. When the burned store was demolished to make way for the parking lot, a 50' by 160' partial basement area was filled in. This area is identified on the Concept Plan as a potential area that could support a 31-space basement parking facility by simply re-excavating it and widening an additional ten feet.

Braddock St United Methodist Church parking lot at 29 Wolfe St.

Under current Zoning provisions, approximately 51 residential units could be constructed on the site. The density analysis assumes that twenty-five percent of the total floor area is allocated to nonresidential use. This would include 12,836 square feet of the 18,624 square feet of ground floor space. The residential Base Density of 29 units could easily be increased through density bonuses as defined in the Zoning Ordinance for: 1) Economic Development; 2) Accessibility; 3) Location within the Secondary Assessment District;; and, 4) LEED Certification. The aggregate density bonuses result in an additional 21 units allowable.

This site would be an excellent candidate for a mixed use development including 34 apartments that could be marketed for rent to almost any of the targeted groups identified earlier in this report. This includes: young professionals who want to have ready access to work and social/cultural opportunities; empty nesters who also want access to the cultural and social activities; dual-income or dual-professional households with no children; and, active seniors who might

desire to live in close proximity to the Braddock Street United Methodist Church (across the street to the west).

The Concept Plan calls for a 3-story structure measuring 109 feet in length along both S. Braddock Street and Wolfe Street. The 12,000 square foot ground floor portion of this new building would be ideal for a specialty grocery store such as Trader Joes. This is exactly the size space that Trader Joes seeks. The corner location is ideally situated between the expanding residential market being created on the Old Town Mall to the east and the existing high-income single-family residential neighborhood to the west along Washington and Stewart Streets. Before the furniture store was established, the site housed an Acme Grocery store.

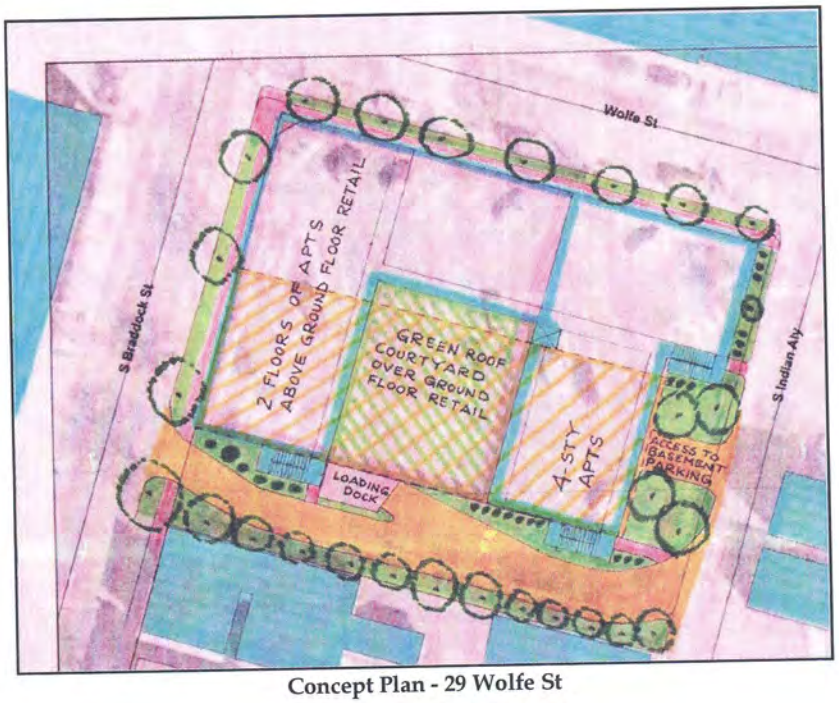
The upper two floors of this portion of the proposed structure would house 12 apartments that would be similar in layout to the recently constructed Corners I mixed use development at the corner of Valor Drive and Taft Avenue in the south part of the City. The apartments would be accessed via an unenclosed common porch/walkway on the elevation facing away from the public street frontages. The facades facing the streets could have balconies which would allow for eyes down on the street which has been found to be so important to perceived safety in urban residential environments. This design allows for windows at both the front and rear of all units. These units as well as ones on the eastern part of the site would enjoy a view down onto a landscaped courtyard which would actually be a 'green roof over a 4,500 square foot portion of the specialty grocery store on the ground level.

To the east and attached to the 3-story corner bay would be an attached 4-story flat roofed structured that would measure by 71 feet along Wolfe Street and 44 feet deep. This would house an 836 square foot commercial tenant space and 2 apartments on the ground floor. The Two units could face either Wolfe St or Indian Alley. On each of the three floors above that would be three apartments, totaling nine units.

The final wing of the development would be connected to the 4-story portion of the main structure by a roof covering common exterior porches/walkways. Other than the roof and a portion of the basement parking below, this structure would actually be freestanding from the remaining structure. It would consist of four levels of apartments with three apartments on each level. The ground-floor apartments would have a 6-7 foot wide rear access corridor to allow for egress and air in light since the ground floor of the structure would otherwise adjoin the east wall of the specialty grocery store space. The three floors of apartments above the ground floor would cantilever out over the 6-7 foot ground-level corridor and have views down over the green roof courtyard.

The plan would retain 31 parking spaces accessed from Indian Alley. In order to support deliveries and to provide perimeter increase under Fire Code, a 16-foot wide travelway is provided along the southern boundary of the site. It would facilitate convenient one-way vehicle movement for tractor trailers needing to access a loading dock at the rear of the specialty grocery store. Stair towers would be situated at the ends of the 'U' shaped upper-level residential areas surrounding the raised green roof courtyard. An elevator would provide access to all levels including the basement parking area.

Existing mature trees along the Braddock and Wolfe Street frontages would be preserved as would the numerous shade trees installed along the south edge of the church parking lot in 1998.



Concept Plan - 29 Wolfe St

DENSITY CALCULATIONS FOR BSUMC PARKING LOT SITE

Lot Area

29 Wolfe St	29,130
Total sq.ft.	29,130

Density Computation

Units	Rate	Area Reqd
29.13	1per 1000	29,130

Proposed Floor Area:

	Total GFA	Non-res	Resid'l	# of units
1st Floor	18,624	12,836	5788	4
2nd Floor	12,961	0	12,961	12
3rd Floor	12,961	0	12,961	12
4th Floor	6,306	0	6,306	6
TOTAL	50,852	12,836	38,016	34

Density Adjustments

A. Economic Impact (if min 25% of resulting GFA is nonresidential)
Assuming existing GFA remains unchanged:
50,852 *0.25= 12,713

Graduated Base Density	29.13
Density Adjustment Factor	0.25
Additional Units=	7.28

B. AccessibilityBonus (at least 70% of upper floors have elevator access)

Base Density	29.13
20% Density Adjustment Factor	0.20
Additional Units=	5.83

C. Property Location Bonus (Secondary Special Assessment District)

Base Density	29.13
10% Density Adjustment Factor	0.10
Additional Units=	2.91

D. Residential Amenity Bonus (fitness ctr, lounge, craft room, etc. where cumulative floor area is 5% or more of total residential floor area)
Tot. res sf
2,973 * 0.05= 148.65 sq.ft min amenity area required
NOT MET

Base Density	29.13
20% Density Adjustment Factor	0.00
Additional Units=	0.00

E. LEED Certification Bonus

	Factor:
Certified	0.20
Silver	0.30
Gold	0.40
Platinum	0.50

e.g. for "Certified level":

Base Density	29.13
20% Density Adjustment Factor	0.20
Additional Units=	5.83

TOTAL ACHIEVABLE DENSITY =	**50.98**
TOTAL PROPOSED DENSITY =	**34**

27-Oct-09

29 Wolfe BSUMC Parking lot redev density