

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 7/22/14 (work session), **CUT OFF DATE:** 7/16/14
8/12/14 (1st Reading) 9/9/14 (2nd reading)

RESOLUTION ___ **ORDINANCE** X **PUBLIC HEARING** X

ITEM TITLE:

RZ-14-350 AN ORDINANCE TO REVISE THE PROFFERS AND DEVELOPMENT PLAN ASSOCIATED WITH 1.295 ACRES OF LAND AT 1720 VALLEY AVENUE (*Map Number 231-04-K-8A*) CONDITIONALLY ZONED HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) AND CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY

STAFF RECOMMENDATION:

Approval

PUBLIC NOTICE AND HEARING:

Public hearing for 9/9/14 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval.

FUNDING DATA: N/A

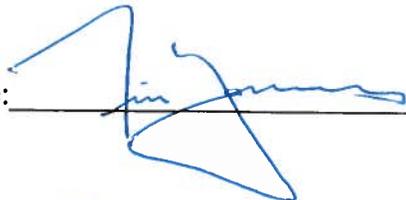
INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. City Attorney			7/17/2014
2. City Manager			7/17/14
3. Clerk of Council			



Initiating Department Director's Signature:
(Planning)



7/16/14



APPROVED AS TO FORM:


39 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Will Moore, Planner
Date: July 15, 2014
Re: **RZ-14-350** AN ORDINANCE TO REVISE THE PROFFERS AND DEVELOPMENT PLAN ASSOCIATED WITH 1.295 ACRES OF LAND AT 1720 VALLEY AVENUE (*Map Number 231-04-K-8A*) CONDITIONALLY ZONED HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) AND CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY

THE ISSUE:

The request is to amend the proffers and development plan that were approved by Council in October 2013 when PUD overlay was established on the former Coca-Cola property. The original approval included two options: Option A with 5,678sf of commercial space and 18 apartments; or, Option B with 8,049sf of commercial space and 16 apartments. The request is to add a third option for 5,678sf of commercial space and 23 apartments (consisting of fewer two-bedroom units and additional one-bedroom/studio units).

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: Grow the Economy

Goal 4: Create a more livable city for all

Vision 2028- Great neighborhoods with a range of housing choices

BACKGROUND:

See attached staff report

BUDGET IMPACT:

This mixed use project, including new high-quality multifamily development geared to empty nesters and young professionals, will generate direct and indirect revenue and create more demand for commercial development.

OPTIONS:

- Approve as proposed to add Option C to development plan and associated proffers
- Deny; leave existing development plan (with Options A and B only) in place

RECOMMENDATIONS:

Planning Commission recommended approval of the revision as proffered.

Council Work Session
July 22, 2014

RZ-14-350 AN ORDINANCE TO REVISE THE PROFFERS AND DEVELOPMENT PLAN ASSOCIATED WITH 1.295 ACRES OF LAND AT 1720 VALLEY AVENUE (Map Number 231-04-K-8A) CONDITIONALLY ZONED HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) AND CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY

REQUEST DESCRIPTION

The request is to amend the proffers and development plan that were approved by Council in October 2013 when Planned Unit Development (PUD) overlay was established on the former Coca-Cola property. The original approval included two options: Option A with 5,678sf of commercial space and 18 apartments; or, Option B with 8,049sf of commercial space and 16 apartments. The request is to add a third option for 5,678sf of commercial space with 23 apartments. The site layout plan with associated landscaping, buffering, parking, etc. remains unchanged with the additional proposed option, as do most of the previously approved proffers, including a maximum of two bedrooms in any apartment.

AREA DESCRIPTION

The site has its main frontage of about 220 feet along Valley Ave, but it actually fronts on three public streets. It adjoins Burton Avenue for 193 feet to the north, a poorly defined public street within a 40-foot right of way between the Coca-Cola property and the adjoining paint store/apartment building to the north. The site also extends 237 feet along Roberts Street to the east.

The adjoining vacant property to the south at 1726 Valley Ave is zoned B-2 with Corridor Enhancement (CE) District overlay. A used car lot is situated further to the south at the corner of Valley Ave and Bellview Ave.



All of the other land bordering the tract to the south is zoned Medium Density Residential (MR). Use of the 5 MR lots is single-family detached. Land across Roberts St to the east is zoned High Density Residential (HR) and contains apartment use and single-family use. Land to the north across Burton Ave is zoned B-2 (CE) and contains mixed use consistent with what is proposed for the subject property. Land across Valley Ave to the west is zoned MR and contains single-family homes and a couple of apartments.

STAFF COMMENTS

Mr. J.A. Scallan, managing member of the applicant (1720 Valley Avenue LLC) outlines the request in a letter dated May 30, 2014. The additional Option C would provide for fewer two bedroom units than Options A or B while providing for additional one bedroom and studio units. The primary area of difference in the floor plans for Option C is within the 1974 addition (the northern part of the building). Both Options A and B include eight two-bedroom units in this area, all of which are two-story units.

Option C would provide for thirteen units in this area: two would remain as two-bedroom, two-story units. The remaining eleven would consist of one two-bedroom unit and ten one-bedroom units, all of which would be single floor units.

Numerous criteria were evaluated in the previous rezoning to apply PUD overlay to the property, including consistency with the Comprehensive Plan, site development and buffering, open space, utility infrastructure, and design quality. These remain largely unchanged with the additional proposed development option. The related objectives in the Comprehensive Plan are still applicable: Citywide Design Objective #1- Employ New Urbanism Principles in new development and redevelopment; Citywide Design Objective #2- Protect significant public and private architectural and historic resources in the City; and, Citywide Housing Objective #6- Promote decent affordable housing, particularly to serve targeted populations such as young professionals and retirees.

As previously noted, the site development plan, buffering, and open space remain unchanged. Sanitary sewer issues in a nearby area that were raised by neighbors during the previous rezoning request were investigated and found to be related to a separate sewer main than the one serving the subject property. Design quality is ensured through proffered elevations and floor plans and situation within the Corridor Enhancement overlay District. Additionally, the owner is seeking tax credits for Historic Preservation and continues to proffer conformance to the Secretary of Interior's Standards for Rehabilitation.

Council also approved a waiver of the 5-acre minimum per Section 13-1-4.1 of the Zoning Ordinance to allow a 1.295 acre PUD because the applicant demonstrated that strict adherence would produce unnecessary hardship that would preclude development that is more compatible with the Comprehensive Plan than that which could be permitted without the PUD zoning.

The key consideration for the Commission and Council is the request to allow for the increased density under Option C. PUD overlay allows for consideration of up to 18 dwelling units per acre. At 1.295 acres, the previous approval for a maximum of 18 units under Option A translated to 13.9 units per acre. Option C for 23 units would maximize the density allowable for consideration (at 17.75 units per acre). As previously noted, this Option would provide for fewer two-bedroom units and additional one-bedroom/studio units.

RECOMMENDATION

At its July 15, 2014 meeting, the Planning Commission forwarded **RZ-14-350** to City Council recommending approval subject to the proffers in the revised Proffer Statement dated May 30, 2014 because the proposed revision continues to support mixed use and the expansion of housing serving targeted populations as called out in the Comprehensive Plan. The recommendation is based upon adherence with the Development Plan titled Conceptual Site Layout Plan, Rezoning Exhibit 'A' dated May 30, 2014.

AN ORDINANCE TO REVISE THE PROFFERS AND DEVELOPMENT PLAN ASSOCIATED WITH 1.295 ACRES OF LAND AT 1720 VALLEY AVENUE (*Map Number 231-04-K-8A*) CONDITIONALLY ZONED HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) AND CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY

RZ-14-350

WHEREAS, the Common Council on October 22, 2013 approved Ordinance 2013-30 to conditionally rezone the property at 1720 Valley Avenue to Highway Commercial (B-2) District with Planned Unit Development (PUD) and Corridor Enhancement (CE) District Overlay; and,

WHEREAS, the Common Council has received an application from J. A. Scallan on behalf of 1720 Valley Avenue LLC to revise the proffers and development plan associated with the previously approved rezoning; and,

WHEREAS, the Planning Commission has reviewed the request and at its July 15, 2014 forwarded the request to Council recommending approval subject to the proffers in the revised Proffer Statement dated May 30, 2014 because the proposed revision continues to support mixed use and the expansion of housing serving targeted populations as called out in the Comprehensive Plan; and,

WHEREAS, the aforesaid recommendation is based upon adherence with the Development Plan titled Conceptual Site Layout Plan, Rezoning Exhibit 'A' dated May 30, 2014; and,

WHEREAS, a synopsis of this Ordinance has been duly advertised and a Public Hearing has been conducted by the Common Council of the City of Winchester, Virginia, all as required by the Code of Virginia, 1950, as amended, and the said Council has determined that the revisions to the proffers and development plan continue to support mixed use and the expansion of housing serving targeted populations as called out in the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Winchester, Virginia that the proffers and development plan associated with Ordinance 2013-30 are hereby revised subject to the proffers in the revised Proffer Statement dated May 30, 2014.

BE IT FURTHER ORDAINED by the Common Council of the City of Winchester, Virginia that the revision is subject to adherence with the Development Plan titled Conceptual Site Layout Plan, Rezoning Exhibit 'A' dated May 30, 2014.

1720 Valley Avenue LLC
2200 Wisconsin Avenue NW, Suite 100
Washington DC 20007

May 30, 2014

Mr. Timothy Youmans
Planning Director
Rouss City Hall
15 North Cameron Street
Winchester VA 22601



Dear Mr. Youmans,

Please allow this letter to serve as a request to the City Council to allow Revisions to a previously approved Rezoning (Winchester Case # RZ-13-292, B-2 with Planned Unit Development overlay and Corridor Enhancement overlay) for 1720 Valley Avenue in the City of Winchester. 1720 Valley Avenue LLC is the owner of the land and buildings that housed the former Coca Cola Bottling Works at that location.

The previously approved rezoning for the site provided for a residential/retail mix with two different optional plans of development;

Option A

5,678 sf commercial space
18 du residential (13 two bedroom, 2 one bedroom with den, and 3 one bedroom)

Option B

8,049 sf commercial space
16 du residential (12 two bedroom, 2 one bedroom with den, and 2 one bedroom)

Our PUD Revision request is to add an Option C development plan as follows:

Option C

5,678 sf commercial space
23 du residential (10 two bedroom and 13 one bedroom/studio)

Option C does not require any change to the existing footprint of the building and the total amount of area in the development is not increased. Option C merely provides for different dwelling unit mix with more one bedroom/studio units in lieu of two bedroom units.

The previously approved plan included significant site improvement providing 45 on-site parking spaces and 14 street parking spaces (for a total parking count of 59 spaces) and extensive landscaping as part of the improved site plan. There are no changes to the previously approved site improvements with this Revision.

To accomplish this mix of units we respectfully request approval of our Revision to the previously approved Planned Unit Development overlay for the site to add the Option C development option with a maximum of 23 dwelling units which is in conformance with the allowable PUD density of 18 dwelling units per acre.

In line with the comprehensive plan for the City of Winchester this development will "respect the significant historic identity" of the building by maintaining the historically significant façade as a commercial space. Additionally this project will contribute to the comprehensive plan goal of making Winchester a "Community of Choice" by providing a unique residential experience that could appeal to a wide variety of potential renters.

Please feel free to contact our team should you have any further questions.

Yours faithfully,



Mr. J. A. Scallan

info@scallanproperties.com

(202) 544-6500 (ext. 701)

The Bottling Works
RZ-13-292
PLANNED DEVELOPMENT REVISION
(Conditions for this rezoning revision request)

Tax Map Number: 231-04-K-8A

Owner: 1720 Valley Avenue LLC



Dated: May 30, 2014

Property Information:

The undersigned applicant hereby proffers that in the event the Council of the City of Winchester approves the Planned Development Revision for the previously approved Planned Development Zoning (Case RZ-13-292) of 1.295 acres of land including existing buildings at 1720 valley Avenue from B-2 (Highway Commercial) to B-2 with a Planned Unit Development (PUD) overlay then the development and adaptive reuse of the existing buildings will be completed in conformity with the terms and conditions as set forth below, except to the extent that such terms and conditions may be subsequently revised by the applicant due to constraints and requirements of the Virginia Department of Historic Resources or the United States Department of the Interior. In the event that the Planned Development Revision is not granted these proffers shall be deemed withdrawn. These proffers shall be binding on the applicant and their legal successor and assigns.

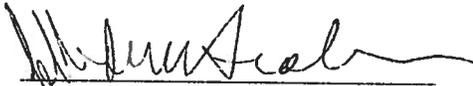
Improvements

1. The property will be developed and landscaped substantially in conformance with the Development Plan dated May 30, 2014, Option A and Option B Building Plans dated August 2, 2013 and Option C Building Plans and Elevations dated May 30, 2014. The site will be improved to include parking, storm water management and green space landscaping maintained by a landscape contractor. The drawings depict the style and character of the interior spaces.
2. The facades of the existing buildings will be developed substantially in conformance with the submitted Elevations, dated May 30, 2014, that depict the style and character of the design. The development will preserve the historic facades of the original 1940s Coke building while adding fenestration and other surface treatments to the more recent facades to improve their character. These improvements will make the newer facades more compatible with the historic Coke building and the new interior uses. The improvements on the facades include but may not be limited to stucco, glass entry systems, metallic panels, entry canopies and appropriate lighting.
3. The materials and methods used in the adaptive reuse of the existing building will conform to the rigorous standards and practices as described in the United States Secretary of the Interior's Rehabilitation Standards for Historic Buildings.

4. The maximum number of residential units shall be limited to 23. The units will be a mix of studio, 1 bedroom and 2 bedroom units. There will be no 3 bedroom units.
5. The maximum amount of rentable commercial/retail space will be 8,049 Sq. Ft.
6. The residential apartments will be constructed to a high standard of finish and designed to express the industrial style of the building. The units will be loft like spaces with high open ceiling spaces, exposed steel framing, exposed concrete floors and industrial stairs.
7. The interior of the commercial/retail space will meet the standards of the Virginia Department of Historic Resources and the US Department of the Interior to qualify for their Historic Preservation Certification program and will reflect the industrial character of the building.
8. The residential and commercial/retail space will be operated under a set of rules and regulations developed by the Owner to ensure a safe, high quality environment for all tenants. These rules and regulations may be amended by the Owner from time to time at its sole discretion.
9. The construction phase of the project will commence within 24 months of the Planned Development Revision approval. The construction of the project is estimated to require 12 months.

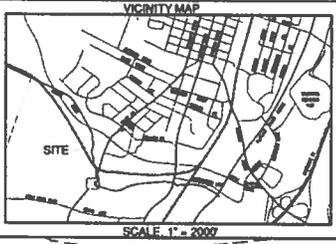
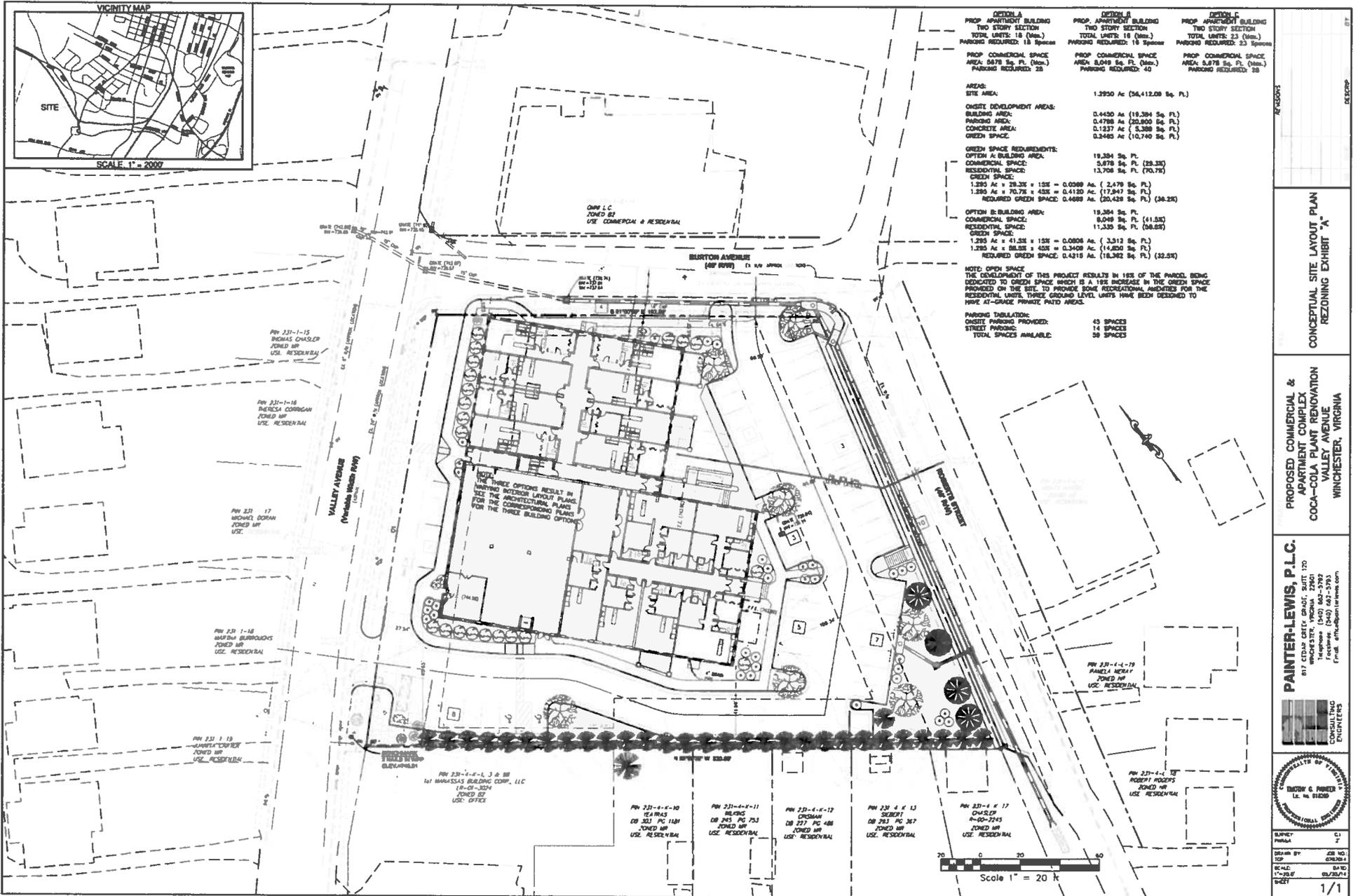
These proffers are offered in conjunction with the Development Plan, dated May 30, 2014, Option A and Option B Building Plans dated August 2, 2013 and Option C Building Plans and Elevations dated May 30, 2014. If the Planned Development Revision is approved by the City Council a full set of construction plans will be developed from these design documents and submitted for review and approval by the appropriate departments of the City of Winchester. If the plans are approved by the reviewing City departments these proffered conditions will apply to the rezoned land and existing buildings and be binding upon the applicant, their successors and assigns.

Applicant:



1720 Valley Avenue LLC

By Mr. J. A. Scallan
Managing Member



OPTION A	OPTION B	OPTION C
PROP. APARTMENT BUILDING TWO STORY SECTION TOTAL UNITS: 18 (Max.) PARKING REQUIRED: 18 Spaces	PROP. APARTMENT BUILDING TWO STORY SECTION TOTAL UNITS: 18 (Max.) PARKING REQUIRED: 18 Spaces	PROP. APARTMENT BUILDING TWO STORY SECTION TOTAL UNITS: 23 (Max.) PARKING REQUIRED: 23 Spaces
PROP. COMMERCIAL SPACE AREA: 8,878 Sq. Ft. (Max.) PARKING REQUIRED: 28	PROP. COMMERCIAL SPACE AREA: 8,049 Sq. Ft. (Max.) PARKING REQUIRED: 40	PROP. COMMERCIAL SPACE AREA: 8,878 Sq. Ft. (Max.) PARKING REQUIRED: 28
AREAS:		
SITE AREA: 1.2930 Ac (56,412.08 Sq. Ft.)		
ONSITE DEVELOPMENT AREAS:		
BUILDING AREA: 0.4450 Ac (19,384 Sq. Ft.)		
PARKING AREA: 0.4798 Ac (20,800 Sq. Ft.)		
CONCRETE AREA: 0.1237 Ac (5,388 Sq. Ft.)		
GREEN SPACE: 0.3465 Ac (14,740 Sq. Ft.)		
GREEN SPACE REQUIREMENTS:		
OPTION A: BUILDING AREA: 19,384 Sq. Ft.		
COMMERCIAL SPACE: 5,678 Sq. Ft. (20.2%)		
RESIDENTIAL SPACE: 13,706 Sq. Ft. (70.7%)		
GREEN SPACE:		
1.2930 Ac = 56,328 x 15% = 0.0089 Ac (2,479 Sq. Ft.)		
1.2930 Ac = 70.7% x 45% = 0.4120 Ac (17,847 Sq. Ft.)		
REQUIRED GREEN SPACE: 0.4689 Ac (20,428 Sq. Ft.) (36.2%)		
OPTION B: BUILDING AREA: 19,384 Sq. Ft.		
COMMERCIAL SPACE: 8,049 Sq. Ft. (41.5%)		
RESIDENTIAL SPACE: 11,335 Sq. Ft. (58.5%)		
GREEN SPACE:		
1.2930 Ac = 41.5% x 15% = 0.0096 Ac (3,313 Sq. Ft.)		
1.2930 Ac = 58.5% x 45% = 0.3408 Ac (14,826 Sq. Ft.)		
REQUIRED GREEN SPACE: 0.4219 Ac (18,362 Sq. Ft.) (32.3%)		
NOTE: OPEN SPACE THE DEVELOPMENT OF THIS PROJECT RESULTS IN 16% OF THE PARCEL BEING DEDICATED TO GREEN SPACE WHICH IS A 10% INCREASE IN THE GREEN SPACE PROVIDED ON THE SITE TO PROVIDE SOME RECREATIONAL AMENITIES FOR THE RESIDENTIAL UNITS. THESE GROUND LEVEL UNITS HAVE BEEN DESIGNED TO HAVE AT-GRADE PRIVATE PATIO AREAS.		
PARKING TABULATION:		
ONSITE PARKING PROVIDED: 43 SPACES		
STREET PARKING: 14 SPACES		
TOTAL SPACES AVAILABLE: 58 SPACES		

REZONING EXHIBIT A

CONCEPTUAL SITE LAYOUT PLAN

REZONING EXHIBIT A

PROPOSED COMMERCIAL & APARTMENT COMPLEX COCA-COLA PLANT RENOVATION VALLEY AVENUE WINCHESTER, VIRGINIA

PAINTER-LEWIS, P.L.C.
817 CEDAR CREEK DRIVE, SUITE 170
WINCHESTER, VA 22601
Telephone: (540) 662-5792
Facsimile: (540) 662-5793
E-mail: office@painter-lewis.com

CONSULTING ENGINEERS

REGISTERED PROFESSIONAL ENGINEER
VINCE W. BROWN
LICENSE NO. 10000

DATE: 08/14/17
DRAWN BY: JTB
SCALE: AS SHOWN
SHEET: 1/1