

CITY OF WINCHESTER, VIRGINIA

CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: September 8, 2015

ITEM TITLE: CUP-15-388 2413 Valley Ave (Grasso) Request of Peter S. Grasso Jr. of Grasso & Sons Development LLC for a Conditional Use Permit for a Single-Family Detached Dwelling at 2413 Valley Avenue Zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay Zoning.

PUBLIC HEARING DATE: September 8, 2015 at 6:00 PM

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. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.

Review:

Josh Crump	Completed	09/02/2015 4:00 PM
Anthony Williams	Completed	09/02/2015 4:49 PM
Eden Freeman	Completed	09/03/2015 11:59 AM

Josh Crump
Josh Crump, Planner

9/2/2015



APPROVED AS TO FORM:

Anthony Williams
CITY ATTORNEY

Eden Freeman
Eden Freeman, City Manager

9/3/2015

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Josh Crump, Planner
Date: September 8, 2015
Re: CUP-15-388 2413 Valley Ave (Grasso) Request of Peter S. Grasso Jr. of Grasso & Sons Development LLC for a Conditional Use Permit for a Single-Family Detached Dwelling at 2413 Valley Avenue Zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay Zoning.

THE ISSUE:

The applicant is requesting a conditional use permit (CUP) to allow for the use of a single-family detached dwelling at 2413 Valley Ave.

RELATIONSHIP TO STRATEGIC PLAN:

Goal #2- Promote and accelerate revitalization of catalyst and other areas throughout the city

BACKGROUND:

See attached staff report

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve with conditions as recommended by Planning Commission
2. Approve with modified conditions
3. Deny

RECOMMENDATIONS:

Recommend Option 2

CU-15-388 Request of Peter S. Grasso Jr. of Grasso & Sons Development LLC for a Conditional Use Permit for a single-family detached dwelling at 2413 Valley Avenue (Map Number 270-03- -13) zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay zoning.

REQUEST DESCRIPTION

The request is for Conditional Use Permit (CUP) approval under Section 8-2-11 of the Zoning Ordinance for a single-family detached dwelling on the subject property.

AREA DESCRIPTION

The subject property is located along the southern corridor of Valley Ave where an existing single-family detached dwelling has existed on the property. The “U” shaped parcel also includes two automotive repair service centers on site at 2409 & 2425 Valley Ave. The subject parcel surrounds the property known as 2417 Valley Avenue that was recently used as real estate office and is not affiliated with the applicant/owner. A majority of the surrounding parcels are zoned B-2 with Corridor Enhancement Overlay. The subject property also has access to Hillcrest Alley where residential properties zoned Low Density Residential back to the alley.



STAFF COMMENTS

The CUP request for conversion to a single-family detached dwelling use is outlined in a letter from the applicant, Mr. Peter Grasso, to the City received on July 7, 2015 (see attached). The applicant also provided supporting materials included in the packet including floor plans of the building and photos of the building. As indicated in the letter, the applicant wishes to utilize the existing dwelling as a residence occupation for a licensed acupuncture practice which would be located on the first floor of the building and the second floor would be residence, as shown in the attached floor plans. There was a site plan revision also submitted with the CUP application showing upgrades in parking for the site which include an addition 6 parking spot for parcel which includes 11 spots previously for a new total of 17 parking spots on site.

RECOMMENDATION:

In order for a CUP to be issued, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of residents and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood.

At the August 18, 2015 meeting, the Planning Commission forwarded **CU-15-383** to City Council recommending approval per Sections 8-2-11 of the Zoning Ordinance because the proposal, as submitted, will not adversely affect the health, safety or welfare of

persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to:

1. Staff review and approval of the required site plan.
2. The parking improvements as shown in the site plan are completed prior to the issuance of the Certificate of Occupancy.

At the August 25, 2015 Council work session, the request was reviewed. Concerns were raised regarding the permit transferring with the property should property owners change in the future. An additional condition was suggested by council, requiring having the CUP brought back to council for reapproval after five years.

MOVE, that City Council approve **CU-15-388** because the use, as proposed, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The approval is subject to:

1. Staff review and approval of the required site plan.
2. The parking improvements as shown in the site plan are completed prior to the issuance of the Certificate of Occupancy.
3. **After five (5) years, the applicant must seek reapproval of the CUP by City Council.**

**REQUEST FOR CONVERSION BACK TO SINGLE FAMILY DWELLING for
2413 Valley Avenue, Winchester, VA 22601**

CITY OF WINCHESTER - PLANNING

15 North Cameron Street

Winchester, VA 22601

Tuesday, July 07, 2015

TO WHOM IT MAY CONCERN:

This letter is affirm compliance to the "General Provisions" section 18-2 "Conditional Use Permit" (to include Subsections 18-2-1.1, 18-2-1.1a, and 18-2-1b) herewith.

- Grasso & Sons Development LLC., acknowledges and will subscribe to City conditions, and requirements imposed by the city to include it continuance of said conditions and requirements in accordance to Section 18-2-1.1 for 2413 Valley Avenue, Winchester, VA 22611.
- As stated in Section 18-2-1.1a, Grasso & Sons Development LLC, affirms that proposed "Conditional Use" will not affect adversely the health, safety, or welfare of person residing or working in the neighborhood of the proposed use; and will not be detrimental to public welfare or injurious to the property or improvements in the neighborhood. Additionally, matters to be considered in this connection will not negatively impact traffic congestion, noise, lights, dust, odor, fumes, and vibration, with due regard for timing of operation, screening, and other matters which might be regulated to mitigate adverse impact. Said property will be used primarily for in residence occupation with one small room on the main level for a licensed acupuncture practice.
- As stated in Section 18-2-1.1b, Grasso & Sons Development LLC, affirms that this "Conditional Use" will conform to the Comprehensive Plan, or to specific elements of such plan , and the official policies adopted in relation thereto, including the purposes and the expressed intent of this Ordinance.

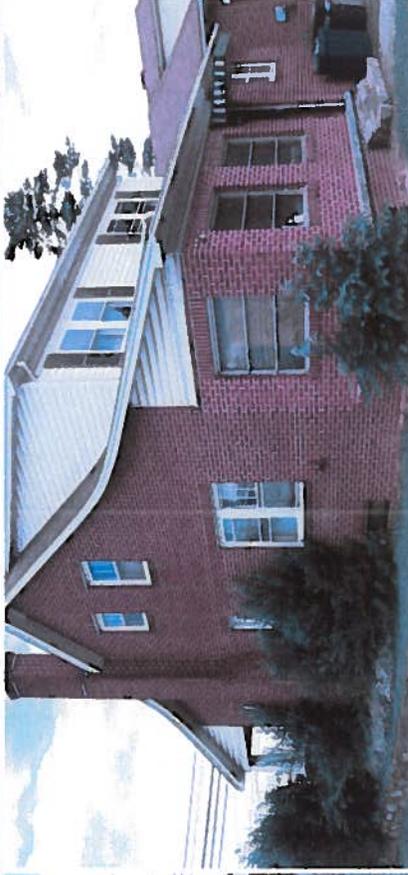
Most Respectfully,



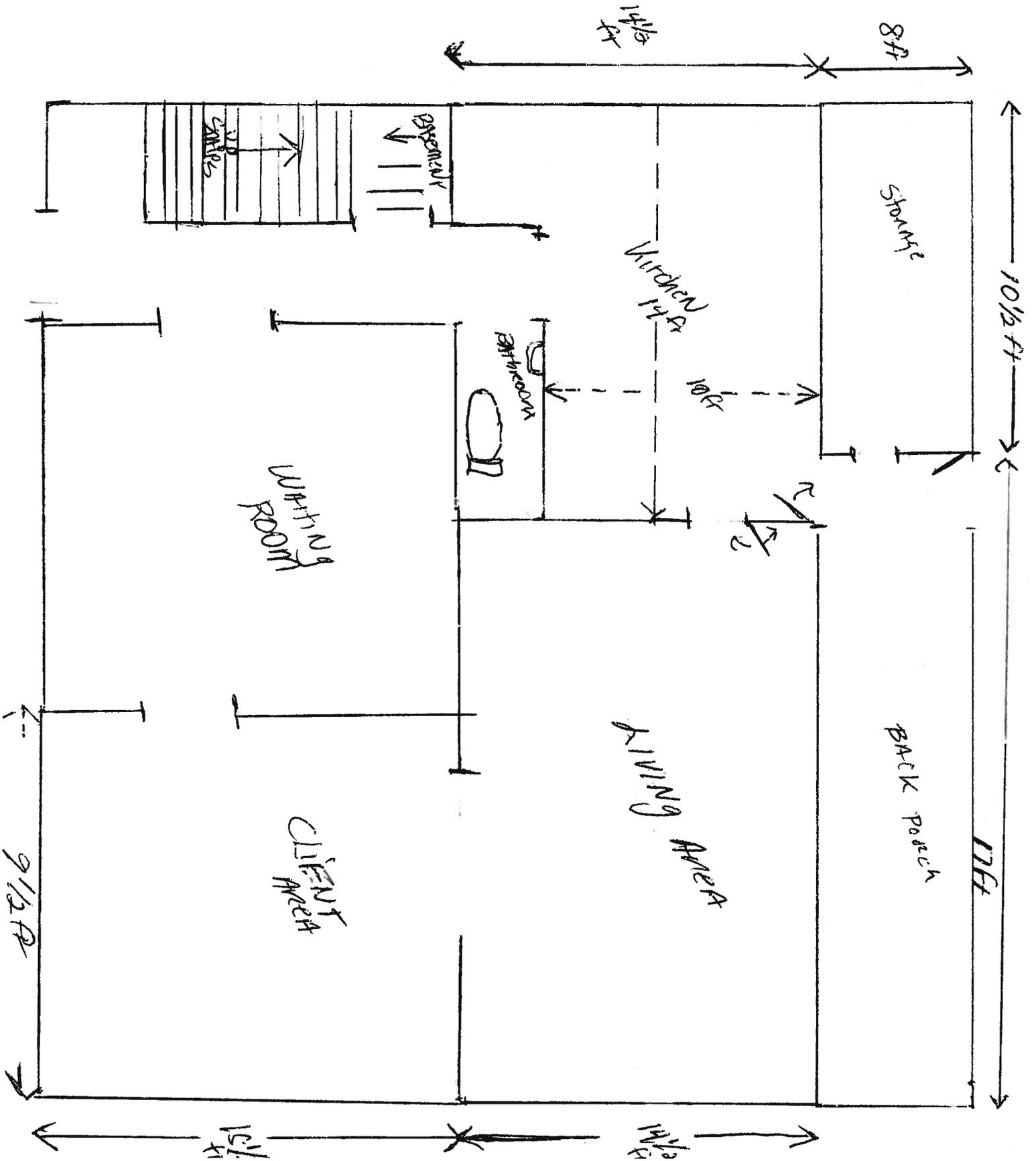
7 JULY 2015

Peter S. Grasso Jr.
President & CEO, Grasso & Sons Development LLC.

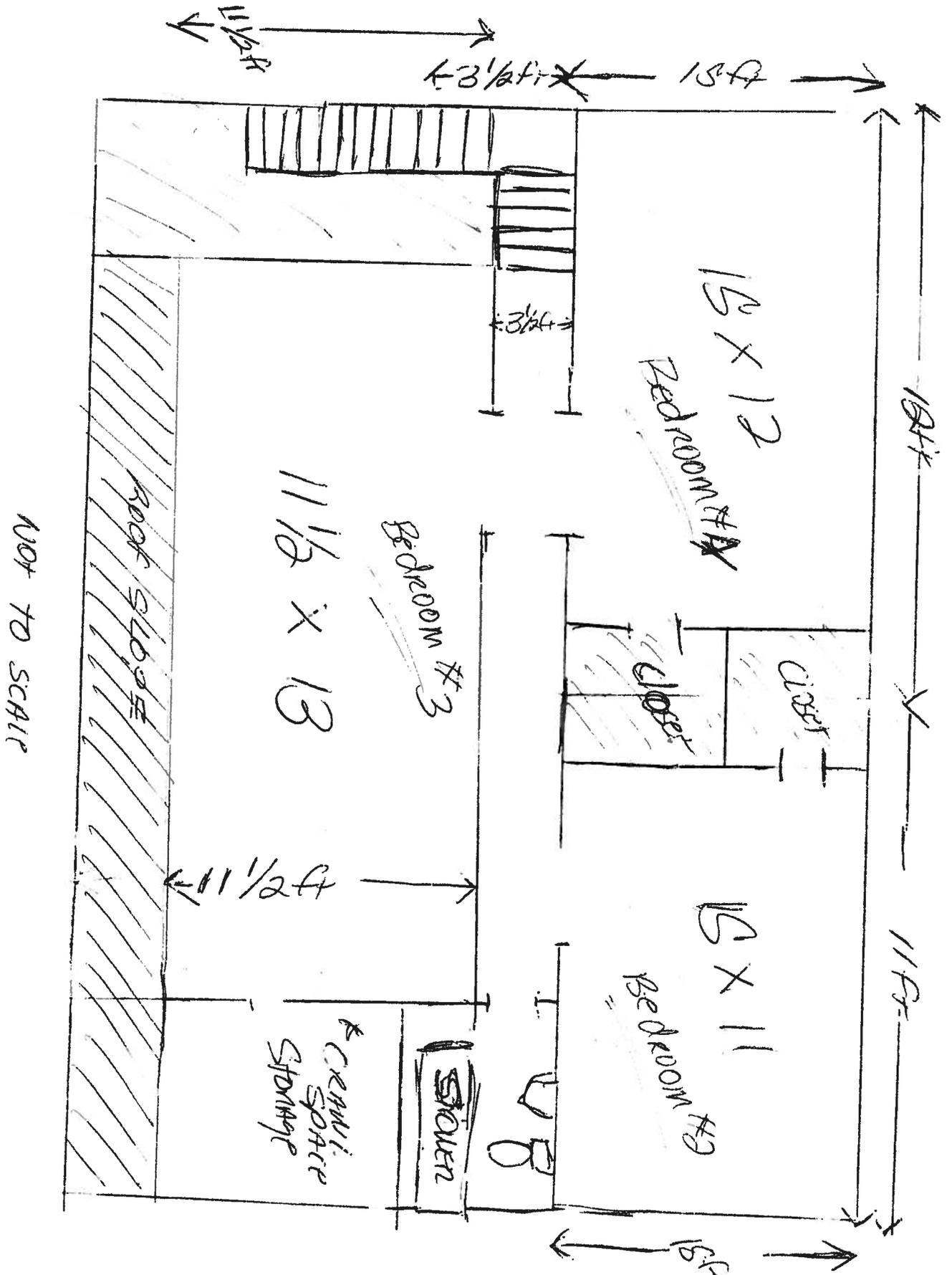
2413 Valley Ave., Winchester, VA 22601



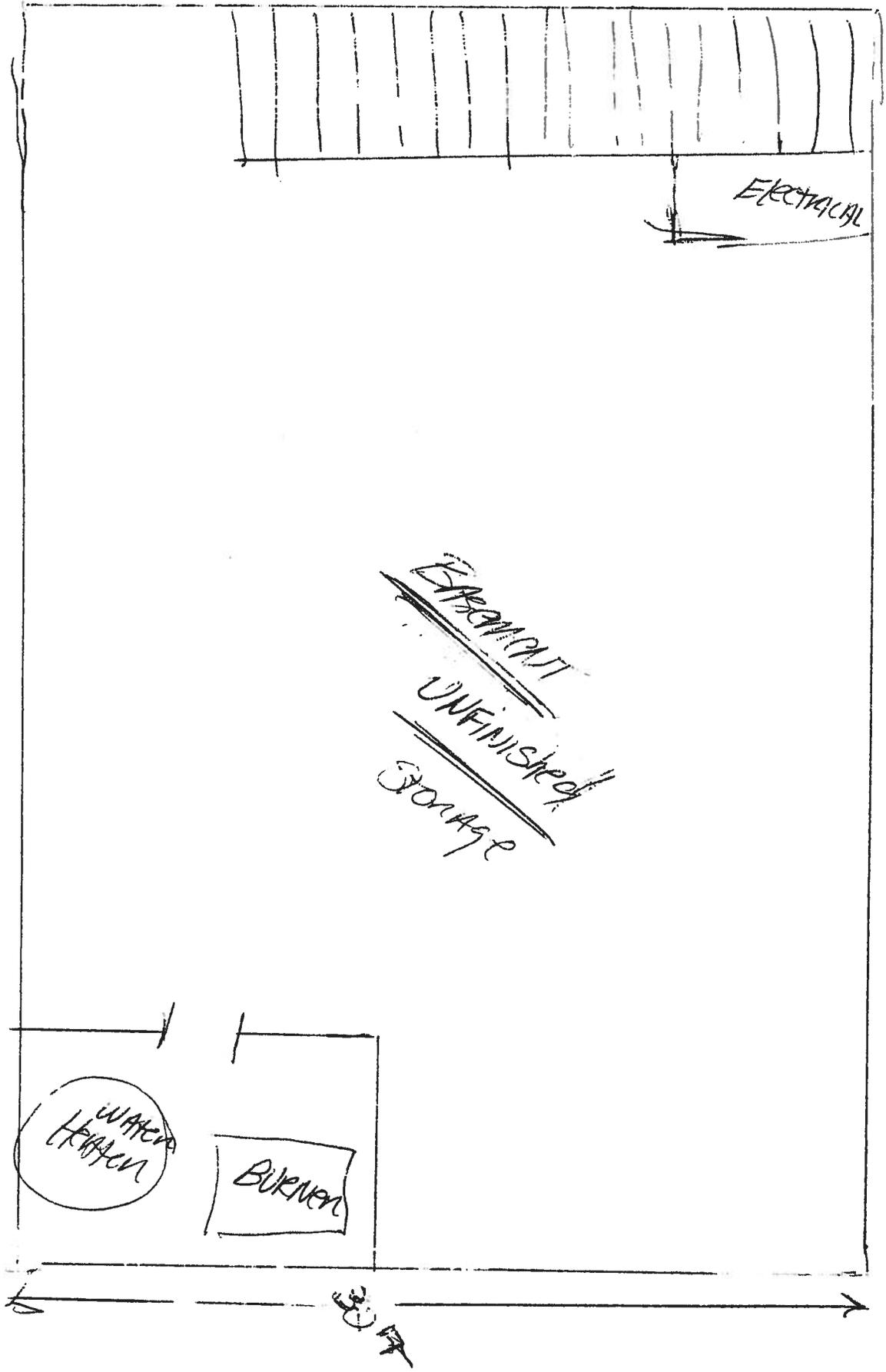
2413 VALLEY MAIN FLOOR



2413 Valley Ave
Second Floor



2413 Valley Ave
Basement



ELECTRICAL

Basement
UNFINISHED
Storage

WATER
HEATER

BURNER

8' 1/2'