

**PLANNING COMMISSION
WORK SESSION AGENDA
FEBRUARY 2, 2016 - 3:00 PM
Fourth Floor Exhibit Hall
Rouss City Hall**

1. Review agenda for February 16th regular meeting
2. Committee reports
3. Status of projects pending Council approval
4. Announcements
5. 2016 Planning Commission Retreat Topics and Date

**PLANNING COMMISSION
AGENDA
FEBRUARY 16, 2015 - 3:00 PM
Council Chambers - Rouss City Hall**

1. POINTS OF ORDER

- A. Roll Call
- B. Approval of Minutes
- C. Correspondence
- D. Citizen Comments
- E. Report of Frederick County Planning Commission Liaison

2. PUBLIC HEARINGS – New Business

- A. **CUP-15-746** Request of Stacie Smith Brown for a Conditional Use Permit for Extended Stay Lodging at 574 North Loudoun Street (Map Number 153-01-G-1) zoned Commercial Industrial (CM-1) District. **(Mr. Crump)**

3. PUBLIC HEARINGS – Continued

4. NEW BUSINESS

- A. **TA-16-65** AN ORDINANCE AMENDING SECTION 13-1-5 PUD OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO BONUS INCENTIVES TO INCREASE ALLOWABLE RESIDENTIAL DENSITY FOR PLANNED UNIT DEVELOPMENTS. **(Mr. Grisdale)**

5. OLD BUSINESS

6. OTHER BUSINESS

- A. **Site Plan Administrative Approvals**
- B. **CE Report**
- C. **Minor Subdivision Report**

7. ADJOURN

PLANNING COMMISSION MINUTES

The Winchester Planning Commission held its regular meeting on Tuesday, January 19, 2016, at 3:00 p.m. in Council Chambers, 15 N. Cameron Street, Winchester, Virginia.

CALL TO ORDER:

PRESENT: Vice Chairman Loring, Commissioner Wolfe, Commissioner Fieo, Commissioner Tagnesi

ABSENT: Chairman Slaughter, Commissioner Smith

EX OFFICIO: City Manager Freeman (absent)

FREDERICK CO. LIAISON: Commissioner Kenney (absent)

STAFF: Tim Youmans, Aaron Grisdale, Josh Crump, Carolyn Barrett

VISITORS: Vince Diem, Suellen Mills, Stan Corneal, Brian Bayliss, Kathleen Hamlin

ELECTION OF OFFICERS:

Mr. Youmans called for nominations for Chairman. Commissioner Fieo nominated Commissioner Slaughter for Chairman and Commissioner Loring as Vice Chairman. Commissioner Tagnesi seconded the nomination. Hearing no other nominations, Mr. Youmans closed the nominations.

Mr. Youmans then called for a motion to elect Commissioner Slaughter as Chairman and Commissioner Loring as Vice Chairman. Commissioner Fieo moved to elect as nominated for 2016. Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion passed unanimously.

At this time, Mr. Youmans relinquished control of the meeting to Vice Chairman Loring.

APPROVAL OF MINUTES:

Vice Chairman Loring called for corrections or additions to the minutes of December 15, 2015. Hearing none, he called for a motion. Commissioner Tagnesi moved to approve the minutes as submitted. Commissioner Wolfe seconded the motion. Voice vote was taken and the motion passed 4-0.

CORRESPONDENCE:

Mr. Youmans noted the revised agenda packet with updated staff reports for **RZ-15-718**, **CUP-15-719** and **CUP-15-723**.

CITIZEN COMMENTS:

None.

REPORT OF THE FREDERICK COUNTY PLANNING COMMISSION LIAISON:

None.

PUBLIC HEARINGS:

RZ-15-718 An ordinance to rezone 0.1366 acres at 18 East Clifford Street (Map Number 193-01-L-13) from residential business (RB-1) District with Historic Winchester (HW) zoning overlay to conditional central business (B-1) district with Historic Winchester (HW) zoning overlay. (Mr. Youmans)

Mr. Youmans presented the updated staff report which eliminated comments regarding payment of taxes. The property owner is now up-to-date. There is further information regarding proposed proffers and a revised motion. 14 East Clifford Street is the address of the accessory structure which straddles the property line separating the zoning districts. Both properties are in the Historical District. The request will bring 18 East Clifford Street into the same zoning district as 14 East Clifford Street. The proffers included eliminating the possibility of the applicant coming to City Council to request multi-family units with more than two bedrooms. There is also a height restriction limiting any new construction to a 50 foot maximum height limit. The Board of Architectural Review has approved removal of the accessory structure. The applicant intends to develop the rear portion with a multi-family structure with ground level parking.

Commissioner Tagnesi asked if the property owner decided to make a three-bedroom unit instead of two, would he have to come back to the Planning Commission. Mr. Youmans said yes and that it would be a proffer amendment and it would have to go through the public hearing process. Vice Chairman Loring clarified that the intent was to combine the two lots, tear down the rear building, keep the front building and build a multi-story residential building. Mr. Youmans confirmed that was the intention. Commissioner Wolfe asked if 18 East Clifford Street would be rented. It could be sold independently if the lots were combined. Mr. Youmans said it was already being rented out as two units. This request would add additional rental units.

Vice Chairman Loring opened the public hearing

No one spoke during the public hearing

Vice Chairman Loring closed the public hearing

Vice Chairman Loring called for discussion from the Commission. Hearing none, he called for a motion.

*Commissioner Tagnesi made a motion to forward **RZ-15-718** to City Council recommending approval of the rezoning request as depicted on an exhibit entitled "Rezoning Exhibit RZ-15-718 Prepared by Winchester Planning Department, January 5, 2016" because the proposed B-1 (HW) zoning supports neighborhood stabilization and the expansion of housing serving targeted populations. The recommended approval is subject to the signed proffer statement offered by the applicant in a document titled "RZ-15-718 Conditional Rezoning." Commissioner Fieo seconded the motion. Voice vote was taken and the motion passed 4-0.*

CUP-15-719 Request of Stanley C. Corneal on behalf of Fort Loudoun Properties, LLC for a Conditional Use Permit for the repair and maintenance of a nonconforming structure (Map number 173-01-L-1) at 2-8 Peyton Street zoned High Density Residential (HR) District. (Mr. Grisdale)

Mr. Grisdale outlined the request of the applicant to renovate a non-conforming structure. The property currently has 16 residential units and the lot is less than one acre. The use of the structure is a legal non-conforming use. Additionally, the structure does not meet some of the required front, side and rear yard setbacks but is allowed to continue in its current use. The zoning ordinance allows the property owners to perform routine maintenance on the property up to 35 percent of the replacement cost during a 12 month period. If that is going to be exceeded than it requires additional review via the conditional use permit. All renovations will be contained within the existing footprint of the building.

Commissioner Fieo asked if the applicant is applying for Federal Historic Tax Rehabilitation Credits, does that mean none of the facades will change. Mr. Grisdale replied that the owner was still exploring the details on how the renovation will be structured on the inside. The facades could potentially change; staff did not have details at this time.

Vice Chairman Loring asked if the landscaping and parking would change. Mr. Grisdale replied that there may be some enhancements to improve the overall aesthetics of the property but there were no specific details yet. Vice Chairman Loring asked what would happen if the City Council did not approve the application and was there any precedent in the city for projects like this one. Mr. Grisdale said City Council modified the non-conforming ordinance and increased the threshold for what property owners were allowed to do by-right in terms of maintenance. There had not been any other applications to take advantage of that provision at this point. Vice Chairman Loring asked if there had been any feedback and Mr. Grisdale said no, staff had not heard from any citizens.

Vice Chairman Loring opened the public hearing

Suellen Mills, 28 Peyton Street, said she had asked for rezoning of her plot back in 2010 and it was granted. She asked if the access to the Fort Loudoun Apartments was going to remain off Fort Loudoun Street. She also asked if all of the parking for the people that live there would be accommodated on the premises. Mr. Grisdale said there would not be any changes to entrance points off public streets. There is existing parking and any new or expanded parking would have to comply with current parking requirements and there were some parking areas already grandfathered in. There was discussion about the private alley and access behind the property and some previous issues with a trash service.

Stan Corneal said the alley would not be shut off from public use. There is a new trash service that does not use the alleyway. The units might be combined and then parking would be reduced. The facades will stay the same. There is a requirement for a handicapped unit which is still being planned out.

Vice Chairman Loring closed the public hearing

Vice Chairman Loring called for discussion from the Commission. Hearing none, he called for a motion.

*Commissioner Fieo made a motion to forward **CUP-15-719** to City Council recommending approval because the use, as proposed, should 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. The recommended approval is subject to the following conditions:*

- 1. Building permits for the proposed improvements must be submitted within twelve (12) months from the date of Council approval.*

Commissioner Tagnesi seconded the motion. Voice vote was taken and the motion passed 4-0.

RZ-15-720 An ordinance to conditionally rezone 1.683 acres at 205, 209, 225 and 229 Linden Drive (Map number 149-02-A, lots 17, 18, 19, 20) from Low Density Residential (LR) district to Conditional Medical Center (MC) district (Mr. Youmans)

Mr. Youmans reviewed the request to rezone four properties on Linden Drive to support expansion of the medical center campus. The rezoning is consistent with a request from 2008. He also reviewed the proffers being made by the applicant concerning property lines and traffic.

Vice Chairman Loring asked if it was just the rezoning being approved and not the road or the garage. Mr. Youmans said that was correct.

Vice Chairman Loring opened the public hearing

Brian Bayliss of 286 Linden Drive asked if the east side of Linden Drive would eventually go commercial. Mr. Youmans said yes, up to a point. Mr. Bayliss spoke about drainage issues on Linden Drive and that it should be addressed if more pavement gets put in. There was discussion about the current green space and the drainage in that area and what improvements may be made.

Vice Chairman Loring closed the public hearing

Vice Chairman Loring called for discussion from the Commission. Hearing none, he called for a motion.

*Commissioner Wolfe made a motion to forward **RZ-15-720** to City Council recommending approval subject to conformance with the general layout and phasing as depicted on the exhibit entitled "Winchester Medical Center, Main and Lakeside Development Precincts MC - Master Plan" prepared by Valley Engineering Surveying Planning, dated December 7, 2015, AND subject to proffers offered by the applicant in the document titled "Proffer of Conditions Related to the Rezoning Request, Winchester Medical Center, Inc., dated December 3, 2015". Approval is recommended because the request, as proffered, adequately addresses potential impacts associated with the rezoning, represents good planning practice in the master planned growth of the medical center campus, and is consistent with the Comprehensive Plan. Commissioner Fieo seconded the motion. Voice vote was taken and the motion passed 4-0.*

CUP-15-723 Request of Kathleen E. Hamlin on behalf of MK Boscawen, LLC for a Conditional Use Permit for ground floor apartments at 212-214 West Boscawen Street (Map number 172-01-C-3-2) zoned Central Business (B1) district with Historic Winchester (HW) zoning overlay (Mr. Crump)

Mr. Crump reviewed the updated staff report for the request. The applicant would like to renovate the ground floor into livable space. Three residential units are planned. Commissioner Fieo asked if there were two individual buildings on one lot. Mr. Crump said yes. Commissioner Fieo asked if they could disturb the sidewalk. Mr. Youmans said the City has approved foundation plantings in the public right of way in many applications. Commissioner Fieo asked if planters were allowed and Mr. Youmans said yes.

Commissioner Tagnesi asked if the last time they had sent something with a bedroom on an adjacent sidewalk to City Council, was it approved. Mr. Youmans said Council had expressed their dislike. They

do not want what was previously a non-residential front area of a building to become a private bedroom with direct public view from the sidewalk. Commissioner Tagnesi said if they had not approved it before, would they do so this time. Mr. Youmans said the plan was to have living space in the front and the bedroom in the back. Commissioner Wolfe said planters could be moved or not kept up. Mr. Crump said the Board of Architectural Review would look into that.

Vice Chairman Loring opened the public hearing

Kathleen Hamlin clarified the drawings shown. One of the entrances will be removed. They are still in the planning stages for the floor plans as they are not applying for building permits yet. There are no plans to do anything with 212 West Boscawen Street. There is no useful space in the downstairs. The second floor apartment mentioned is on the 214 side.

Commissioner Tagnesi noted that the motion included conformity with submitted floor plans. He asked if they should approve it or table until floor plans are received. Mr. Crump said if the applicant could provide floor plans, it could be forwarded on to Council. If they need more time, it can be tabled. Mr. Youmans said if the applicant could provide plans the next day then it could be approved.

Vice Chairman Loring closed the public hearing

Vice Chairman Loring called for discussion from the Commission. Hearing none, he called for a motion.

*Commissioner Fieo made a motion to forward **CUP-15-723** to Council recommending approval per Sections 9-2-16 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 based upon City Council finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor and is subject to:*

- 1. General conformity with submitted floor plans as revised to shift "Apartment #1" bedroom to the rear of the unit;*
- 2. Staff review and approval of the related site plan, to include a recommendation from the Board of Architectural Review on the proposed waiver of the minimum 30% green area.*

Commissioner Wolfe seconded the motion. Voice vote was taken and the motion passed 4-0.

NEW BUSINESS:

None

OLD BUSINESS:

None

OTHER BUSINESS:

Admin approvals – Site plans

SP-15-705 Commissioner Wolfe moved to approve. Commissioner Tagnesi seconded. Voice vote was taken and the motion passed 4-0.

SP-15-751 Commissioner Tagnesi moved to table. Commissioner Fieo seconded. Voice vote was taken and the motion passed 4-0.

ADJOURN

With no further business before the Commission, the meeting adjourned at 4:32pm.

DRAFT

CUP-15-746 Request of Stacie Smith Brown for a Conditional Use Permit for Extended Stay Lodging at 574 North Loudoun Street (Map Number 153-01-G-1) zoned Commercial Industrial (CM-1) District.

REQUEST DESCRIPTION

The request is for Conditional Use Permit (CUP) approval under Section 10-2-12 of the Zoning Ordinance pertaining to extended stay lodging.

AREA DESCRIPTION

The subject property is located at the southeastern corner of Gibbens and North Loudoun Street. The subject property and all adjoining properties to the east of North Loudoun are all zoned CM-1 with residential use to the south of Gibbens and commercial/industrial uses to the north of Gibbens. The adjoining properties to the west of North Loudoun are zoned Limited Industrial (M-1) District and mostly encompass the Winchester Cold Storage Company complex.



STAFF COMMENTS

The CUP request for conversion from former apartment use to extended stay lodging use is outlined in a letter from the applicant to the City received on December 18, 2015 (see attached). The applicant also provided supporting materials in the packet including a floor plan of the units and photos of the buildings.

Parking at the site consists of approximately two parking spaces to the rear of the property located off Gibbens Street. While these two spaces would accommodate the CUP requirement “of having a parking space conveniently located to each unit”, as mentioned in the applicant’s letter, an ingress/egress easement (as shown in the attached survey) exists on the site of the proposed parking which allows access for the adjoining property at 572 North Loudoun Street. In her letter, the applicant states she has a general understanding with the adjoining property owner regarding the off-street parking as well the availability of on-street parking along Gibbens and North Loudoun, should the access be needed for 572 North Loudoun. Lastly, in terms of parking, a waiver of section of 18-6-3.6 of the Winchester Zoning Ordinance to allow backing out of vehicles onto a public street from the off-street parking area would need to be granted by the Commission as part of the site plan approval.

In the provided floor plans, the applicant notes the structure was previously used as apartments with a total of two units, one on each floor, and each approximately 1050 sq. ft. The first floor unit would be a one-bedroom unit and have access points in the front and rear. In examining the floor plans, staff noticed the access to the kitchen having only one access point from the exterior along Gibbens Street. Staff reached out to the applicant who has clarified that the floor plan should also show an interior access to the kitchen facility. The second floor unit is proposed as a two bedroom unit, with separate stairway entrances along North Loudoun and Gibbens street.

The proposed Extended Stay Lodging use is one of the few options available to the property owner to use this former residential structure in a residential manner. The CM-1 industrial zoning does not permit single-family, two-family, townhouse, or multifamily use. The property, by itself, is too small to support

conversion to industrial use. The Comprehensive Plan calls out this area of the City as a Redevelopment Area and includes an illustrative exhibit depicting mixed residential and commercial use. The block immediately north of Gibbens St is shown to contain multi-story office or industrial buildings. Ideally, the best long-term action is to not perpetuate the current form of construction, but that places hardships on the property owner to do anything with existing building and the land until a larger consolidation of properties is undertaken. At best, CUP approval of the requested Extended Stay Lodging use for two units is an interim step toward the long-range vision for this part of the City.

This property was vacant for over two years and resulted in the property losing its legal nonconforming status as a two family dwelling. As a result prior to the re-occupancy of the structure, this conditional use permit must be approved and several variances must be obtained through the Board of Zoning Appeals for numerous dimensional standards (required lot area, lot width, front yard setback, corner side yard setback, and side yard setback). Additionally, since this property is located within one of the identified rental inspection districts, the residential units will be subject to life safety inspections by City Inspections staff.

The Commission can recommend, and Council can impose conditions on the approval of the CUP. Among the many conditions that were placed on the Extended Stay Lodging for the Elms Efficiencies on Valley Avenue was an automatic expiration of the CUP and restrictions on the occupancies in terms of total occupants and child occupancies. This type of restriction may be appropriate in this case.

RECOMMENDATION

For a conditional use permit to be approved, a finding must be made that the proposal 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.

If the Commission is satisfied with the proposal as presented, then a motion to forward the request with a favorable motion could read:

MOVE, that the Commission forward CU-15-746 to Council recommending approval per Sections 10-2-12 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. Weekly maid service provided for all units to ensure consistency with definition of the units as accommodations serving business travelers, not primary residences; and,
2. A typical floor plan to be submitted to City staff showing interior access to the ground floor unit kitchen;
3. The CUP approval expiring after 20____, after which time the site must convert to a different permitted use in the zoning district or be reapproved for Extended Stay Lodging; and,
4. Staff review and approval of the required site plan with a waiver of section of 18-6-3.6 of the Winchester Zoning Ordinance to allow backing out of vehicles into a public street from the off-street parking area.
5. Obtaining necessary variances from the Board of Zoning Appeals for dimensional deficiencies.
6. Notification to Zoning & Inspections Departments and completing requisite rental inspections prior to occupancy and per re-inspection procedures as provided in City Code Section 6-91.

-OR-

If the Commission feels that additional information or review is needed, then a motion to table could read:

MOVE, that the Commission table CUP-15-746 until the March 15th meeting to allow the applicant sufficient time to provide additional information addressing potential impacts.

-OR-

If the Commission is unsatisfied with the proposal as presented, then a motion to forward the request with an unfavorable recommendation from the Planning Commission to City Council should cite the reasons why the proposal as submitted or modified could negatively impact the health, safety or welfare of those residing or working in the area and/or why it would be detrimental to public welfare or damaging to property or improvements in the neighborhood.



CASE #: CU- 15-746
 FEE AM'T: \$575.00
 DATE PAID: 12/21/15

Rouss City Hall
 15 North Cameron Street
 Winchester, VA 22601
 540-667-1815
 TDD 540-722-0782

CONDITIONAL USE APPLICATION

Please print or type all information	Stacie Smith Brown		
434-760-3766	Applicant		
Telephone	101 Christa Ct		
	Street Address		
	Charlottesville	VA	22903
E-mail address	City	State	Zip

OWNER'S SIGNATURE (use reverse to list additional owners)	Stacie Smith Brown		
434-760-3766	Owner Name (as appears in Land Records)		
Telephone	101 Christa Ct		
	Street Address		
stacie.brown03@gmail.com	Charlottesville	VA	22903
E-mail address	City	State	Zip

TYPE OF REQUEST - Please mark type of request and complete information

CONDITIONAL USE	FEE	
Code Section: 10-2-12	\$550.00 575.00	
Type of Use: Extended Stay Lodging	\$500	\$25 – property list
	\$200 (if filed with site plan)	\$50 sign deposit
	\$1500 Telecommunications Facility/Tower (New, Modification, or Collocation)	

PROPERTY LOCATION

Current Street Address(es) 574 N. Loudoun Street, Winchester, VA 22601 Zoning CM1

Tax Map Identification - (sections, blocks, lots) 153-01-G-1

REQUIRED MATERIALS LIST

- 1 copy of application (this form completed)
- Letter addressing compliance with Section 18-2 of City's Zoning Ordinance and how impacts of use will be mitigated
- 10 copies of the Site Plans, Floor Plans, and elevations of proposed use.
- Fee (check made payable to the **Treasurer, City of Winchester**)
- List of adjacent property owners. List must provide name and mailing address as appears in Land Records for owners of all properties within 300 feet of any portion of the subject site. If provided by the City, there is a \$25 fee.
- Disclosure of Real Parties in Interest (list all equitable owners)

All public hearing materials must be submitted at one time by 5:00 PM on the deadline date for the next regular meeting in order to be placed on the agenda. **Only complete applications, which includes all the above materials, will be accepted.**

I/we hereby certify that the above information is complete and correct and that public notification will be properly posted on the site not later than 14 days before the public hearing and that all delinquent Real Estate taxes have been paid per Section 23-9.

SIGNATURE Stacie Smith Brown DATE 12/18/15
 APPLICANT

December 18, 2015

City of Winchester – Planning & Zoning
15 N. Cameron Street
Winchester, VA 22601

RE: Request for Conditional Use Permit for Extended Stay Lodging at 574 North Loudoun Street, Winchester

Dear Sir and Madam,

Thank you for your consideration of this CUP at this property;

It was previously used as two apartments and under the previous ownership, both were immaculately renovated with all modern amenities.

Under the CUP I intend to utilize the space for two executive-level extended stay units.

One unit per floor; each floor is approximately 1050 sf.

The first floor will be one bedroom and the second floor will be two bedrooms.

The entrance to the first unit is from N. Loudoun and there is a rear door on Gibbens.

Access for the second floor is through a separate stairway on N. Loudoun and also a separate, rear stairway on Gibbens.

Parking for two spaces can be easily accommodated with the shared easement and understanding I have with the neighboring property owner to park off-street behind my building. Additionally there is always plenty of available side-street parking on Gibbens Street and N. Loudoun.

Respectfully,

Stacie Brown
434-760-3766

Renfo Property Information Form

Property Information

Area	WING	Dist	Rec #	7,007.01	Map Id	150-01-C-1
Description	574 NORTH LOUDOUN STREET					
Address	574 N LOUDOUN ST				Acres	0.05
Land Value	10,000	Zoning	CM1	Elec / Gas	Y/Y	
Bldg Value	52,100	Esmt / ROW	PAVE / PUBL	Water / Sewer	PUBL / PUBL	
Total Value	70,100	Character	OPEN	Deed Ref Bk / Pg	13/3318	
LU value		Land Use	COMM	Sale Price / Parcels	75,000	
Tax Amount	637.91	Occupancy	SFAM	Sale Date	12/6/2013	

Owner Information

Name	BROWN STACIE SMITH					
Address	101 CHRISTA CT					
	CHARLOTTESVILLE, VA 22903					

Building Information

Bldg Sq Ft	2,172	Stories	2	Units	2	Year Built	1930
Bsmt Sq Ft		Air Cond	N	Garage / #		Condition	AVG
Bsmt Fin SF		Fireplace		Carport / #		Rooms	8
Basement	NONE	Flue		Heat	SPHT	Bedrooms	4
Foundation	CONC	Roof Type	GABL	Fuel	WDCL	Fullbaths	2
Walls Ex / In	VINL / DRWL	Roof Matl	METL	Floor	WOOD	Halfbaths	

The information contained herein is deemed reliable but NOT GUARANTEED. The official city or county records must be checked to verify the accuracy of this information.

574 N. Loudoun Street - Parking options for 2 extended-stay lodging units



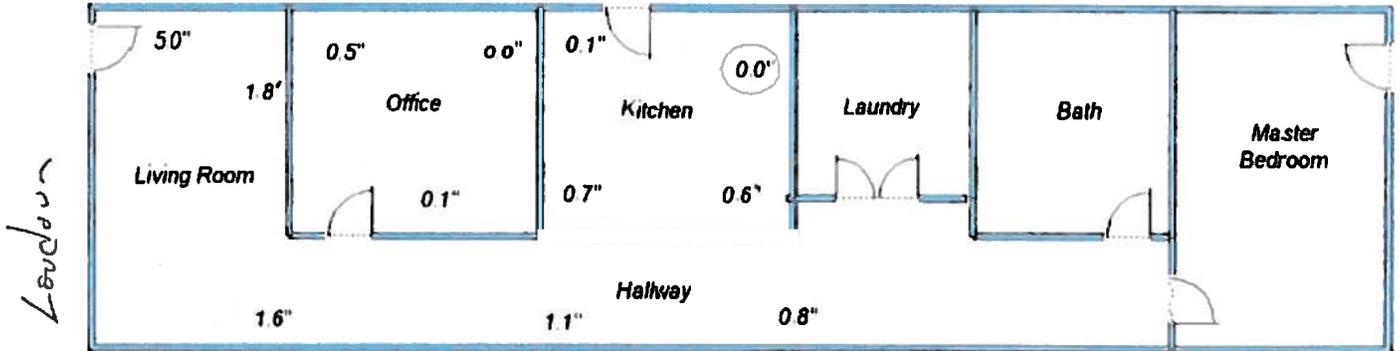
12/20/2014

FLOORING ELEVATION SURVEY

Gibbens

First Floor - Unit #1 - 1 BEDROOM

Window



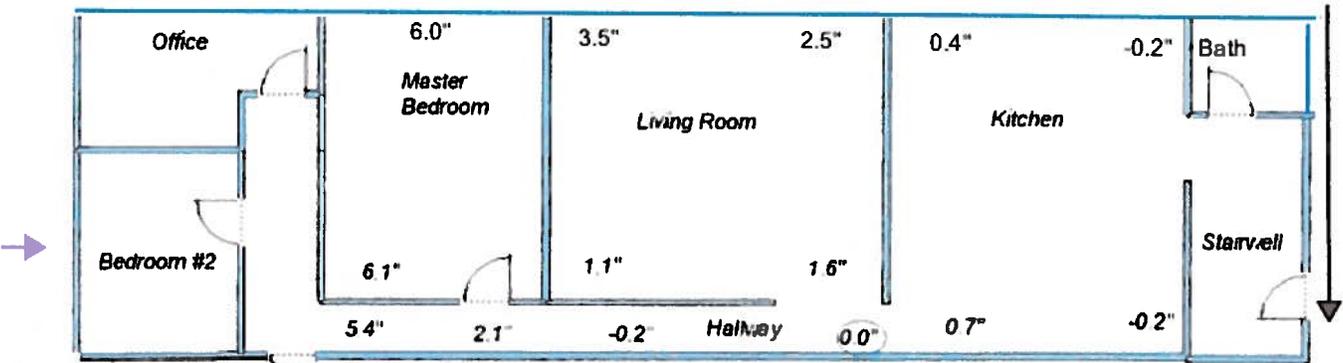
Second Floor - Unit #2 - 2 BEDROOMS

window



Stairway from Gibbens to 2nd floor

window



Stairway from Loudoun to 2nd floor



"Drawing Not to Scale"

Google Maps N Loudoun St



Image capture: Sep 2014 © 2015 Google

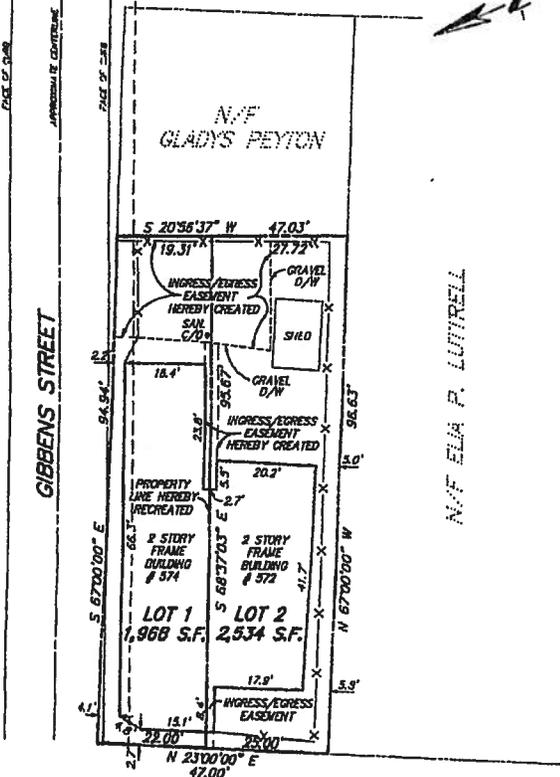
Winchester, Virginia

Street View - Sep 2014



BK 286 PG 0716

POSSIBLE PRESCRIPTIVE
EASEMENT LINE FOR GIBBENS
STREET



GIBBENS STREET

N/F ELA P. LUTRELL

N. LOUDOUN STREET

RECREATION OF PROPERTY LINE
& CREATION OF EASEMENTS

ON
THE PROPERTY OF
HATTIE E. PORTER
BEING

572 & 574 N. LOUDOUN STREET

DEED BOOK 218 PAGE 602
& DEED BOOK 283 PAGE 1370
CITY OF WINCHESTER, VIRGINIA

THIS IS TO CERTIFY THAT ON DECEMBER 3, 1997
I MADE AN ACCURATE SURVEY OF THE PREMISES
SHOWN HEREON, AND THAT THERE ARE NO EASE-
MENTS OR ENCROACHMENTS VISIBLE ON THE
GROUND OTHER THAN THOSE SHOWN HEREON.

- NOTES:
1. TAX ASSESSMENT MAP NO. 153-1-G-1 & 2
 2. CURRENT INSTRUMENT IN CHAIN OF TITLE IS DEED BOOK 283 PAGE 1370

SHEET 2 OF 3

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT
AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

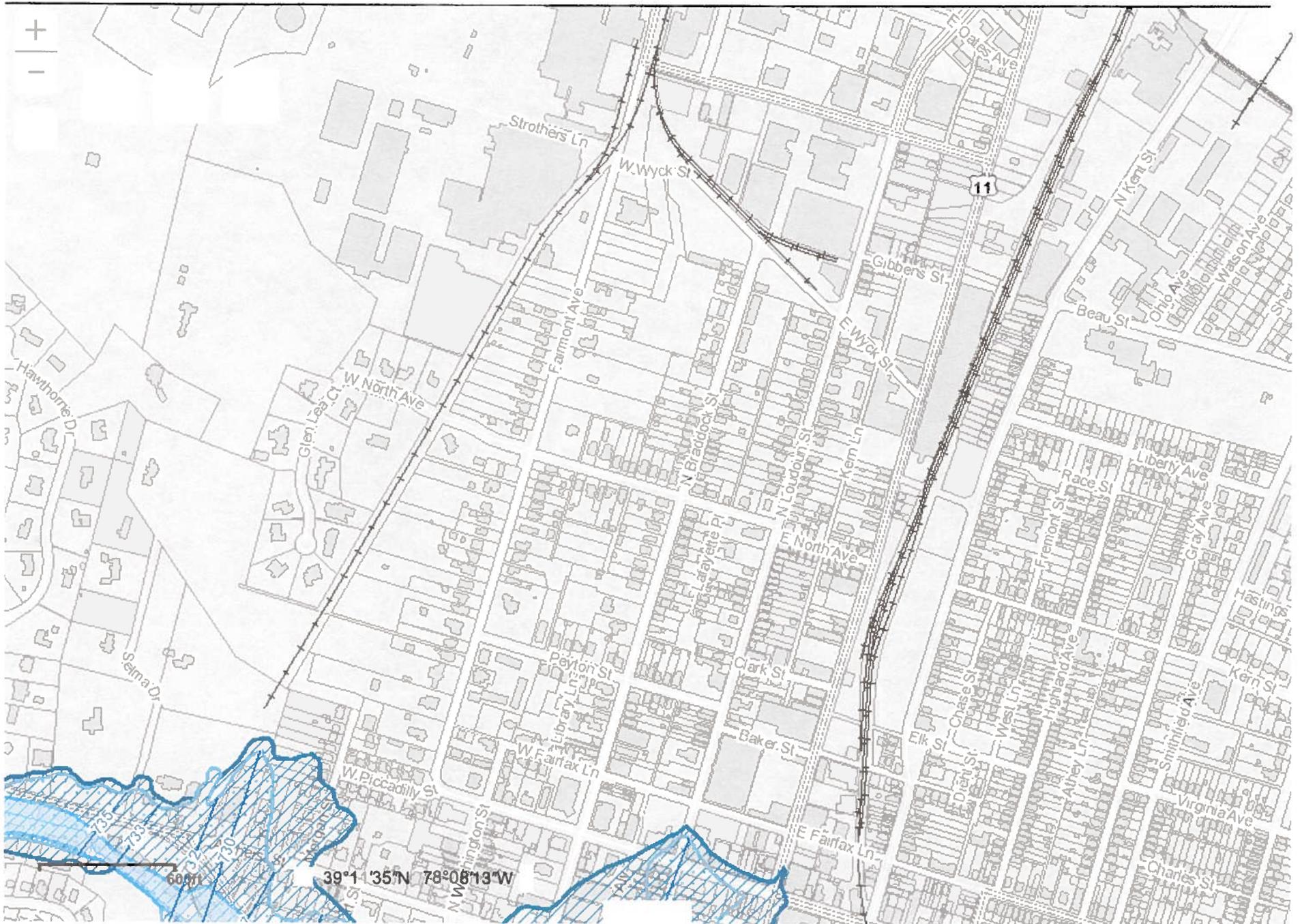
DATE: DECEMBER 3, 1997

SCALE: 1" = 20'

DRAWN: HATTIE E. PORTER



Floodplain Mapping



AN ORDINANCE AMENDING SECTION 13-1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO THE MAXIMUM PERMITTED RESIDENTIAL DENSITY IN THE PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT, AND BONUS INCENTIVES TO INCREASE ALLOWABLE RESIDENTIAL DENSITY FOR PLANNED UNIT DEVELOPMENTS BEYOND FOURTEEN UNITS PER GROSS ACRE.

TA 16-65

Draft 1 – (01/29/16)

Ed. Note: The following text represents excerpts of the Zoning Ordinance that are subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

ARTICLE 13

PLANNED UNIT DEVELOPMENT

SECTION 13-1 PLANNED UNIT DEVELOPMENT DISTRICT - PUD

13-1-5 DENSITY. The maximum density for a Planned Unit Development ~~may be approved for up to eighteen (18)~~ **is fourteen (14)** dwelling units per gross acre, except as provided for in Sections 13-1-5.1 ~~through 13-1-5.11~~ below. In determining the density to be allowed, the following shall be considered: anticipated population density; amount and type of open space provided; impact of the proposed density on surrounding residential areas; and the adequacy of the public streets providing access to the proposed development. (3/11/09, Case TA-08-12, Ord. No. 2009-10; 5/10/11, Case TA-11-66, Ord. No. 2011-10)

~~13-1-5.1 DENSITY ADJUSTMENT BASED UPON LEED® FOR HOMES CERTIFICATION. Where dwelling units are certified by the standards outlined in the United States Green Building Council LEED® for Homes program; and, with each dwelling unit having no more than two (2) bedrooms, the following Density Adjustment shall be applied: (3/11/09, Case TA-08-12, Ord. No. 2009-10)~~

<u>Level of Certification</u>	<u>Bonus Factor</u>
Certified	.20
Silver	.30
Gold	.40
Platinum	.50

13-1-5.1 DENSITY BONUS INTENT:

Residential density bonuses provided in Sections 13-1-5.3 through 13-1-5.11 below may be granted by City Council above the maximum of fourteen (14) units per gross acre when such bonuses are incorporated within a development agreement. As part of

a rezoning of a parcel or modification of a Development Plan, City Council may award any of the below bonuses when a project is identified as a catalyst site or redevelopment site within the Comprehensive Plan or is identified as a targeted site for redevelopment with the City's adopted Strategic Plan.

Residential density bonuses are intended to be reserved for those highest quality projects which incorporate the elements of New Urbanism specified within the Comprehensive Plan and incorporated in Sections 13-1-5.1 through 13-1-5.11, including, but not limited to mixed-use development, walkability, pedestrian scale development, sustainable development, and energy efficient building design. In addition to adherence to the principles of the Comprehensive Plan, projects shall be evaluated upon their consistency with the current Strategic Plan and Economic Master Plan which Council has adopted.

13-1-5.2 DENSITY BONUS CALCULATION:

In computing the density bonuses in Sections 13-1-5.3 through 13-1-5.11 below awarded by City Council, the Base Density shall be computed before applying the bonuses. Simple rounding shall be used in eliminating fractions. An Adjusted Base Density shall be computed by multiplying the Base Density by the Bonus Factor applicable to each bonus provision below. The product represents the number of dwelling units (Density Bonus) that may be added to the Base Density when determining the maximum number of units permitted. Density Bonuses may be cumulative, however the maximum Bonus Factor which can be applied shall not exceed 1.0 bonus factor.

13-1-5.3 DENSITY BONUS BASED UPON ECONOMIC IMPACT.

The PUD district benefits from a vibrant and economically stable mix of retail, office, and residential uses. In order to achieve this, the following Density Bonus may be applied:

<u>% of total building floor area on site subject to the PUD district in commercial use</u>	<u>Bonus Factor</u>
<u>20%</u>	<u>.10</u>
<u>30%</u>	<u>.15</u>
<u>40%</u>	<u>.20</u>
<u>50%</u>	<u>.25</u>

13-1-5.4 DENSITY BONUS BASED UPON RESIDENTIAL AMENITIES.

Where the below percentages of the resulting residential floor area in a multifamily project is committed to common amenities, as determined by the Planning Director, a Bonus Factor may be applied. Tenant storage space shall not constitute greater than 40% of the required floor area necessary to take advantage of the amenity bonus.

<u>% of residential floor area committed to common residential amenities</u>	<u>Bonus Factor</u>
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<u>2.5% (At least 1,000 sq. ft.)</u>	<u>.10</u>
<u>5%</u>	<u>.20</u>

13-1-5.5 DENSITY BONUS BASED UPON AVAILABILITY OF OFF-STREET PARKING.

Where one of the below percentages of provided off-street parking is provided in the form of an above ground or below ground parking structure, a residential density bonus may be applied:

<u>% of provided parking located within an above or below ground parking structure</u>	<u>Bonus Factor</u>
<u>40%</u>	<u>.15</u>
<u>60%</u>	<u>.20</u>
<u>80%</u>	<u>.25</u>
<u>100%</u>	<u>.30</u>

13-1-5.6 DENSITY BONUS BASED UPON ACCESSIBILITY.

Where all of the upper story dwelling units in a multifamily project are accessible by passenger elevator, a Bonus Factor of .05 may be applied.

13-1-5.7 DENSITY BONUS BASED UPON THE SITE BEING NEAR AND/OR IS ORIENTED TOWARDS COLLEGE/UNIVERSITY/MEDICAL CAMPUSES.

Where a multifamily project is located within the distances provided in Section 18-6-3.1a of a HE-1 or MC zoned parcel, a Bonus Factor of .15 may be applied.

13-1-5.8 DENSITY BONUS BASED UPON TRANSIT ORIENTED DEVELOPMENT.

Where a multifamily project is developed in a location that is within 300 feet of a City transit stop, within 300 feet of the Green Circle Trail, or within 300 feet of an extension provided within a MPO adopted plan a Bonus Factor of .15 may be applied.

13-1-5.9 DENSITY BONUS BASED UPON CONSTRUCTION OF COMMUNITY AMENITIES

Where the project incorporates construction of the below community amenities, the respective density Bonus Factor may be applied:

<u>Community Amenity Constructed</u>	<u>Bonus Factor</u>
<u>Green Circle Trail</u>	<u>.05</u>
<u>City Transit Stop</u>	<u>.05</u>
<u>Bike Share Station (minimum 5 bicycles)</u>	<u>.05</u>
<u>Vehicle Charging Station (minimum 3 stations)</u>	<u>.05</u>

13-1-5.10 DENSITY BONUS BASED UPON ENERGY EFFICIENCY AND ALTERNATIVE ENERGY

Where a multifamily project is developed incorporating design elements improving energy efficiency, environmental sustainability, and/or alternative energy, the following residential Bonus Factors may be applied:

<u>Design Element Incorporated in Design</u>	<u>Bonus Factor</u>
<u>Green Roof (50% roof coverage minimum)</u>	<u>.05</u>
<u>Renewable Energy System incorporated in project</u>	<u>.05</u>
<u>Sustainable Wastewater Management</u>	<u>.05</u>
<u>Use of Permeable Pavers on Driving/Parking Surfaces</u>	<u>.05</u>

13-1-5.11 DENSITY BONUS BASED UPON AFFORDABLE HOUSING

Where a multifamily project includes a minimum of 5% of the total dwelling units utilized as an affordable housing dwelling unit, a Bonus Factor of .05 may be applied.

For the purposes of this section, a dwelling unit shall be considered an affordable dwelling unit if the monthly rent charged does not exceed 30% of the tenant's gross income levels at 80% of the Winchester Metropolitan Statistical Area's median income, as determined by the United States Department of Housing and Urban Development.

13-1-12 Deviations from Development Standards

13-1-12.1 Consistent with the intent provisions in Section 13-1-1 for cluster-type development with the greatest amount of open space and preservation of natural features, Council may approve a proposal which deviates from the underlying zoning district development standards, specifically including main building setbacks, lot width, lot area, and building height.

13-1-12.1 In permitting such deviations, Council must find that the deviation from the established standard is necessary or desirable to provide for uniform development, enhance conformance with New Urbanism design, and/or allow for consistency with the established surrounding neighborhood design.

Bonus Factor Chart

ECONOMIC IMPACT

<u>% of total building floor area on site subject to the PUD district in commercial use</u>	Bonus Factor
20%	.10
30%	.15
40%	.20
50%	.25

RESIDENTIAL AMENITIES

<u>% of residential floor area committed to common residential amenities</u>	Bonus Factor
2.5% (At least 1,000 sq. ft.)	.10
5%	.20

Tenant storage space shall not constitute greater than 40% of the required floor area necessary to take advantage of the amenity bonus.

AVAILABILITY OF OFF-STREET PARKING

<u>% of provided parking located within an above or below ground parking structure</u>	Bonus Factor
40%	.15
60%	.20
80%	.25
100%	.30

ACCESSIBILITY

All of the upper story dwelling units in a multifamily project are accessible by passenger elevator	Bonus Factor .05
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SITE BEING NEAR AND/OR IS ORIENTED TOWARDS COLLEGE/UNIVERSITY/MEDICAL CAMPUSES

Where a multifamily project is located within the distances provided in Section 18-6-3.1a of a HE-1 or MC zoned parcel	Bonus Factor .15
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TRANSIT ORIENTED DEVELOPMENT

Where a multifamily project is developed in a location that is within 300 feet of a City transit stop, within 300 feet of the Green Circle Trail, or within 300 feet of an extension provided within a MPO adopted plan	Bonus Factor .15
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CONSTRUCTION OF COMMUNITY AMENITIES

<u>Community Amenity Constructed</u>	Bonus Factor
Green Circle Trail	.05
City Transit Stop	.05
Bike Share Station (minimum 5 bicycles)	.05
Vehicle Charging Station (minimum 3 stations)	.05

ENERGY EFFICIENCY AND ALTERNATIVE ENERGY

<u>Design Element Incorporated in Design</u>	Bonus Factor
Green Roof (50% roof coverage minimum)	.05
Renewable Energy System incorporated in project	.05
Sustainable Wastewater Management	.05
Use of Permeable Pavers on Driving/Parking Surfaces	.05

AFFORDABLE HOUSING

Where a multifamily project includes a minimum of 5% of the total dwelling units utilized as an affordable housing dwelling unit	Bonus Factor
	.05

A dwelling unit shall be considered an affordable dwelling unit if the monthly rent charged does not exceed 30% of the tenant's gross income levels at 80% of the Winchester Metropolitan Statistical Area's median income, as determined by the United States Department of Housing and Urban Development.