

City of Winchester
COUNCIL ACTION MEMO



Resolution Ordinance Discussion

To: Honorable Mayor and Members of City Council
From: Timothy Youmans, Planning Director
Subject: CU-20-438 Request of Sarah Zane Firehall LLC for a Conditional Use Permit to convert ground floor of a single-family detached dwelling to multi-family use, per Section 9-2-16 of the Zoning Ordinance, at 305 North Loudoun Street (Map #173-01-H-23-A) zoned Central Business (B-1) with Historic Winchester (HW) District overlay.
Meeting: City Council Regular Meeting - Oct 13 2020
Regular Meeting: October 13, 2020
Presenter: Tim Youmans, Planning Director

THE ISSUE:

The applicant seeks to convert a single-family structure into two units as part of a multi-family development. In the Central Business District, this would require a Conditional Use Permit.

STRATEGIC PLAN:

Goal II: Promote and accelerate revitalization of catalyst sites and other areas throughout the City.

BACKGROUND INFORMATION:

See staff report.

BUDGET IMPACT:

N/A

OPTIONS:

- Option A. Forward to public hearing
- Option B. Table for additional information

RECOMMENDATION:

Option A. Forward to public hearing

ATTACHMENTS:

- [CU-20-438 Staff Report for CC Mtg 10-13-20](#)
- [CU-20-438 Application and Letter](#)
- [CU-20-438 Floorplans](#)
- [CU-20-438 elevations](#)
- [CU-20-438 site plan](#)

REVIEW:

Timothy Youmans, Planning Director
Melisa Michelsen, City Attorney

Approved - Sep 17 2020
Approved - Sep 17 2020

MEETING HISTORY:

After a public hearing on September 15, 2020, Planning Commission forwarded this request to City Council with a recommendation for approval, subject to two conditions (see staff report).

September, 22, 2020 City Council Work Session:

Motion to forward CU-20-438 to the next City Council Regular Meeting with the following conditions. 1) BAR approval of any exterior changes if applicable; and, 2) Conformity with the submitted floor plans.

RESULT: Approved to Forward

MOVER: Councilor Willingham

SECONDER: Councilor Wiley

AYES: Vice-President Clark, Councilor Herbstritt, Vice-Mayor Hill, Councilor McKiernan, Councilor Sullivan, Councilor Veach, Councilor Wiley, Councilor Willingham, and Mayor Smith, Jr.

CU-20-438 Request of Sarah Zane Firehall LLC for a Conditional Use Permit to convert ground floor of a single-family detached dwelling to multi-family use, per Section 9-2-16 of the Zoning Ordinance, at 305 North Loudoun Street (Map #173-01-H-23-A) zoned Central Business (B-1) with Historic Winchester (HW) District overlay.

REQUEST DESCRIPTION

The request is for a Conditional Use Permit (CUP) under Section 9-2-16 of the Zoning Ordinance pertaining to the conversion of a single-family detached dwelling to multi-family use.

AREA DESCRIPTION

The subject property, as well as all immediately adjacent properties, are zoned (B-1) Central Business District with Historic Winchester District overlay. Beyond the separately owned parking lot to the north is High Density Residential (HR) zoning. There are two structures on the parcel. The largest structure at 301 N. Loudoun Street (former Sarah Zane Fire Co.), is proposed for adaptive reuse into four residential units on the second floor, and a rehabilitated commercial space on the ground floor. The single-family dwelling at 305 N. Loudoun Street is proposed in this Conditional Use Permit request to be converted into two dwellings that would then be the 5th and 6th residential units on site.



COMMENTS FROM THE PLANNING DEPARTMENT

BACKGROUND

As stated in the applicant's letter dated August 4, 2020, the desire is to convert the existing first floor of the detached house into a standalone residential unit. The second floor would become a second unit. The proposed floorplans, shown in the submitted materials, demonstrate that each apartment will have roughly 942 sq. ft. of finished space, along with two bedrooms and one full bathroom. Both proposed units meet the absolute minimum footage (725 sq. ft.) for a two-bedroom unit, and together the units meets the required average size of 900 sq. ft. The rear yard behind the single-family structure has been reimagined as a patio space for residential tenants of both structures, and is shown on the site plan currently under review, which would authorize the four proposed units in the Sarah Zane structure. That site plan will need to be revised if the Conditional Use Permit for two dwellings at 305 N. Loudoun Street is ultimately approved. When looking at the proposed density of six total units, there are no concerns due to the parcel containing over 12,000 square feet of lot area. Maximum allowable density is 1 unit per 1,000 sq. ft. of lot area in the B-1 Central Business District zone.

While the subject property is located within the 100% parking exemption district, the property does have 11 paved off-street parking spaces behind the fire hall building.

RELATIONSHIP TO COMPREHENSIVE PLAN

The Comprehensive Plan's character map identifies the subject property as part of the Old Town Revitalization area. In the Comprehensive Plan for the Old Town/North Central (OT & NC) geographic planning area states a major objective for the area is to "provide opportunities for new mixed-income and mixed dwelling-type residential use in higher density settings..." The proposed plan to convert an existing dwelling unit into two units, as part of a larger six unit project, is consistent with the Comprehensive Plan.

RECOMMENDATION

Staff supports this request for single-family conversion. In general, for a Conditional Use Permit to be approved, a finding must be made that the proposal as submitted or modified 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. Also, for converting the ground floor of single-family structure into multi-family units, the following conditions must be met:

1. Planning Commission makes a recommendation that multi-family use is as suitable as or preferable to other permitted uses on the ground floor
2. No units are situated facing a major commercial street as determined by the Planning Director.

After a public hearing held by Planning Commission on September 15th, 2020, during which no interested citizens spoke, this request was forwarded to City Council with a favorable recommendation,. This was based upon a finding that the use was as suitable as other permitted uses and a determination by the Planning Director that the unit does not face a major commercial street, and was subject to the following conditions;

- 1) BAR approval of any exterior changes; and,
- 2) Conformity with the submitted floor plans

At the September 22nd Work Session, City Council moved to forward **CUP-20-438** to a public hearing on October 13, 2020.

After public hearing, if City Council is inclined to approve the Conditional Use Permit, a favorable motion could read:

MOVE, that City Council approve Conditional Use Permit **CU-20-438** for a conversion of a single-family detached structure to multi-family use 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 finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor, the

Planning Director has determined that the residential units do not face a major commercial street, the proposal is consistent with the comprehensive plan, and is subject to the following:

- 1) BAR approval of any exterior changes, if applicable; and,
- 2) Conformity with the submitted floor plans

-OR-

If the proposal is found to be not suitable or preferable to other permitted uses on the ground floor, inconsistent with the Comprehensive Plan, and/or would create an adverse impact on the adjoining neighborhood due to potential noise, odor, lighting, loitering, hours of operation, and/or inadequate screening, and or the proposed multi-family units face a major commercial street, then an unfavorable motion could read:

MOVE, that City Council deny Conditional Use Permit **CU-20-438** because the use, as proposed, {pick any or all that apply}

- 1) is not suitable or preferable to other permitted uses on the ground floor; and/or,
- 2) is inconsistent with the Comprehensive Plan; and/or,
- 3) the Planning Director has determined that the residential units do not face a major commercial street; and/or,
- 4) would adversely affect the health, safety or welfare of residents and workers in the neighborhood and be injurious to adjacent properties or improvements in the neighborhood due to _____.

-OR-

A motion to table could read:

MOVE, that City Council table Conditional Use Permit **CU-20-438** until the {insert date} work session to allow adequate time for comments and concerns identified by Council to be addressed, including: {insert any that apply}

- 1) concerns that multi-family use is not as suitable as or preferable to other permitted uses on the ground floor
- 2) _____



CASE #: CU- 20-438
 FEE AM'T: 575.00
 DATE PAID: 8/10/2020

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

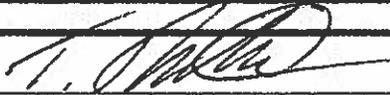
Kyle Hopkins
Applicant

540 550 5458
Telephone

502 Fairmont Ave
Street Address

Kyle@foursquarearchitects.com
E-mail address

Winchester VA 22601
City State Zip


OWNER'S SIGNATURE (use reverse to list additional owners)

Sarah Zane Firehall, LLC
Owner Name (as appears in Land Records)

571-332-0436
Telephone

630 First st #630
Street Address

tej@tejbuidls.com
E-mail address

Alexandria VA 22314
City State Zip

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

CONDITIONAL USE
 Code Section: 9-1

Type of Use: 2 Family Dwelling

FEE \$525 + \$50

\$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) 305 N. Loudoun St. Zoning B1

Tax Map Identification - (sections, blocks, lots) 173-01-H-23-7A

REQUIRED MATERIALS LIST

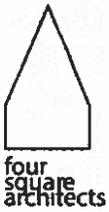
- 1 copy of application (this form completed)
- Letter addressing compliance with Section 18-2 of City's Zoning Ordinance and how impacts of use will be mitigated
- 10 copies of the Site Plans, Floor Plans, and elevations of proposed use.
- Fee (check made payable to the Treasurer, City of Winchester)
- 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  DATE 8/4/20
 APPLICANT

(rev 8/22/2013)



August 04, 2020

Attention: City of Winchester
15 N. Cameron St.
Winchester, VA 22601

Reference: 305 N. Loudoun Conditional Use Permit

Winchester Planning Commission,

This letter is in reference to the CUP application for 305 N. Loudoun Ave in Winchester, VA. The current structure at 305 N. Loudoun St. was a rented single family house (in poor condition). It is being improved as part of the Sarah Zane Apartments Phase I development, which includes its neighbor building on the same property, 301/303 N. Loudoun.

In Phase I we are hoping to add (4) units to the second floor of Sarah Zane. We are also trying to turn 305 N. Loudoun from a rented single-family property into a two-unit apartment (splitting by floor).

The current use already has residential on the first floor (combined with upstairs) and we do not feel that the change of use will have negative impacts on the surrounding properties (as there won't be much change at all from existing use). We are well below our lot density requirements, planting new street trees, enlarging public sidewalks, and adding additional exterior lighting, which should have a positive impact on the downtown district as a whole.

We request you allow us to turn this single-family structure into a two-unit building and bring this structure back to life.

Thanks much,

Kyle Hopkins, AIA

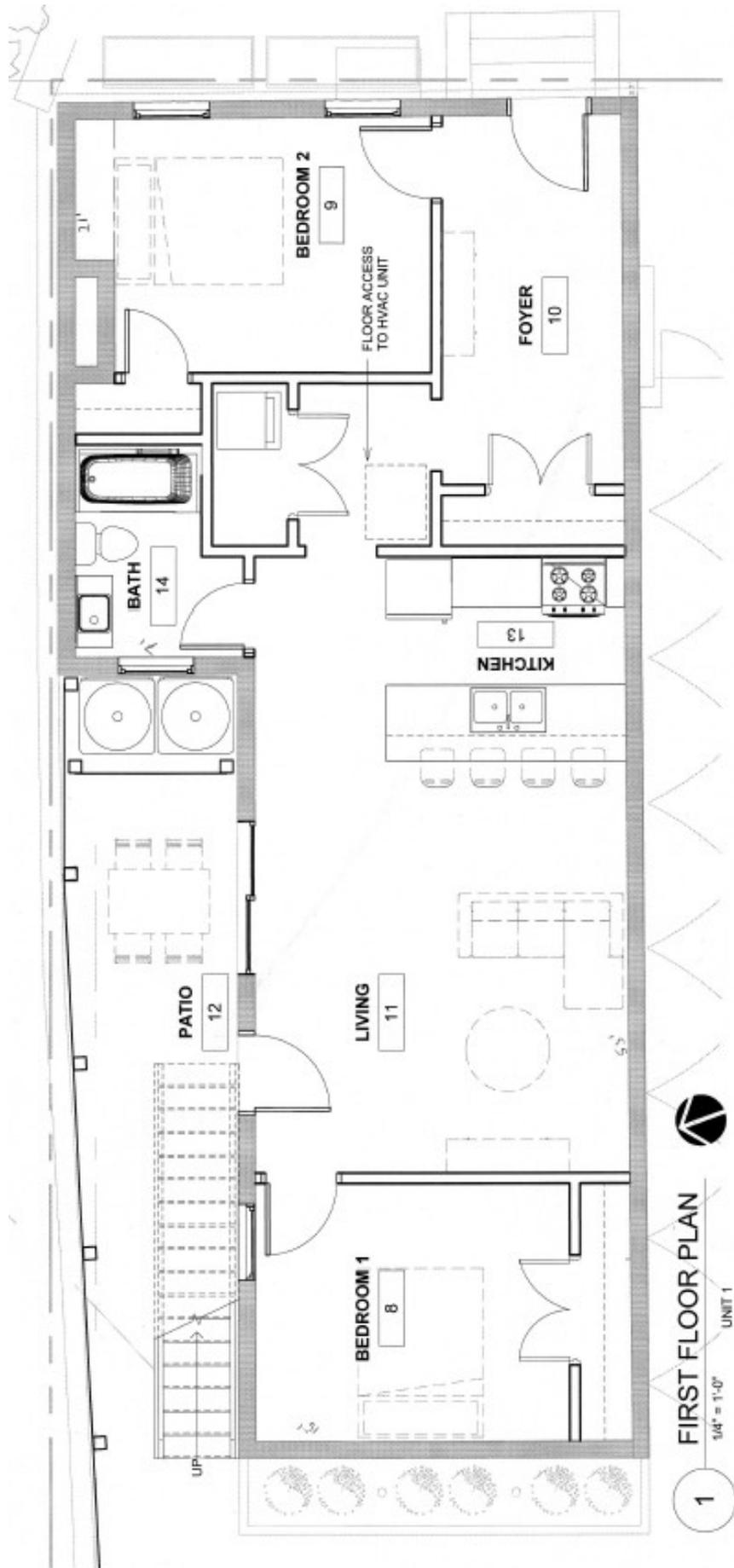
Architect

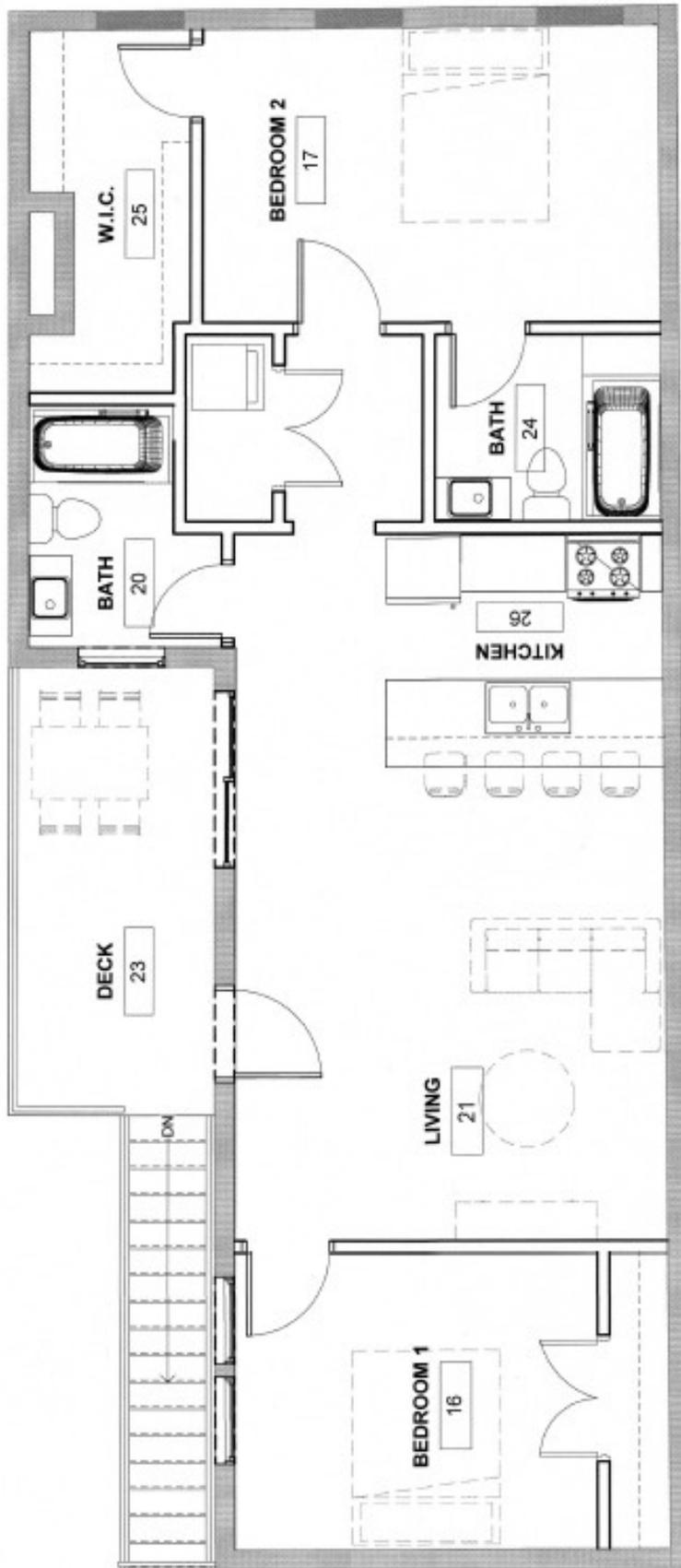
Phone: 540 550 5458

Kyle@foursquarearchitects.com

Attachment:

Owner/Architect Agreement





2 SECOND FLOOR PLAN

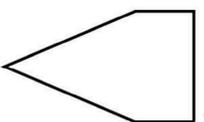
UNIT 2

1/4" = 1'-0"

2







four square architects
 Four Square Architects, LLC
 502 Fairmont Ave
 Winchester, VA 22601
 e: kyle@foursquarearchitects.com



DAMRON
 Engineering & Consulting



SARAH ZANE APARTMENTS
 301/303 N. LOUDOUN ST.
 WINCHESTER, VA 22601

No.	Description	Date

Project Number	202016
Date	08/07/2020
Drawn By	KSH
Checked By	KSH

SITE PLAN AND NOTES	
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AS101

SWORN STATEMENT BY OWNER:
 COMMITTS TO THE PROTECTION AND REPLACEMENT OF REQUIRED LANDSCAPING IN THE FOLLOWING FORM:
 EXISTING PUBLIC AND ON-SITE INTERIOR TREES ARE TO BE PROTECTED WHILE PROJECT IS UNDER CONSTRUCTION AND WILL BE REPLACED BY CURRENT AND SUBSEQUENT OWNER IF DAMAGED.

SWORN STATEMENT BY OWNER:
 COMMITTS TO THE MAINTENANCE OF REQUIRED LANDSCAPING IN THE FOLLOWING FORM:
 THE UNDERSIGNED ACKNOWLEDGES THAT THE LANDSCAPE PLANTING PLAN SHOWN ON THE ATTACHED SITE PLAN(S) FOR THE PROPERTY AT 301/303 AND 305 N. LOUDOUN ST., WINCHESTER VA, 22601 HAS, TO THE BEST OF THE UNDERSIGNED APPLICANT'S KNOWLEDGE, BEEN DESIGNED AND WILL BE INSTALLED, MAINTAINED, AND REPLACED AS REQUIRED TO MAINTAIN A TIDY APPEARANCE.

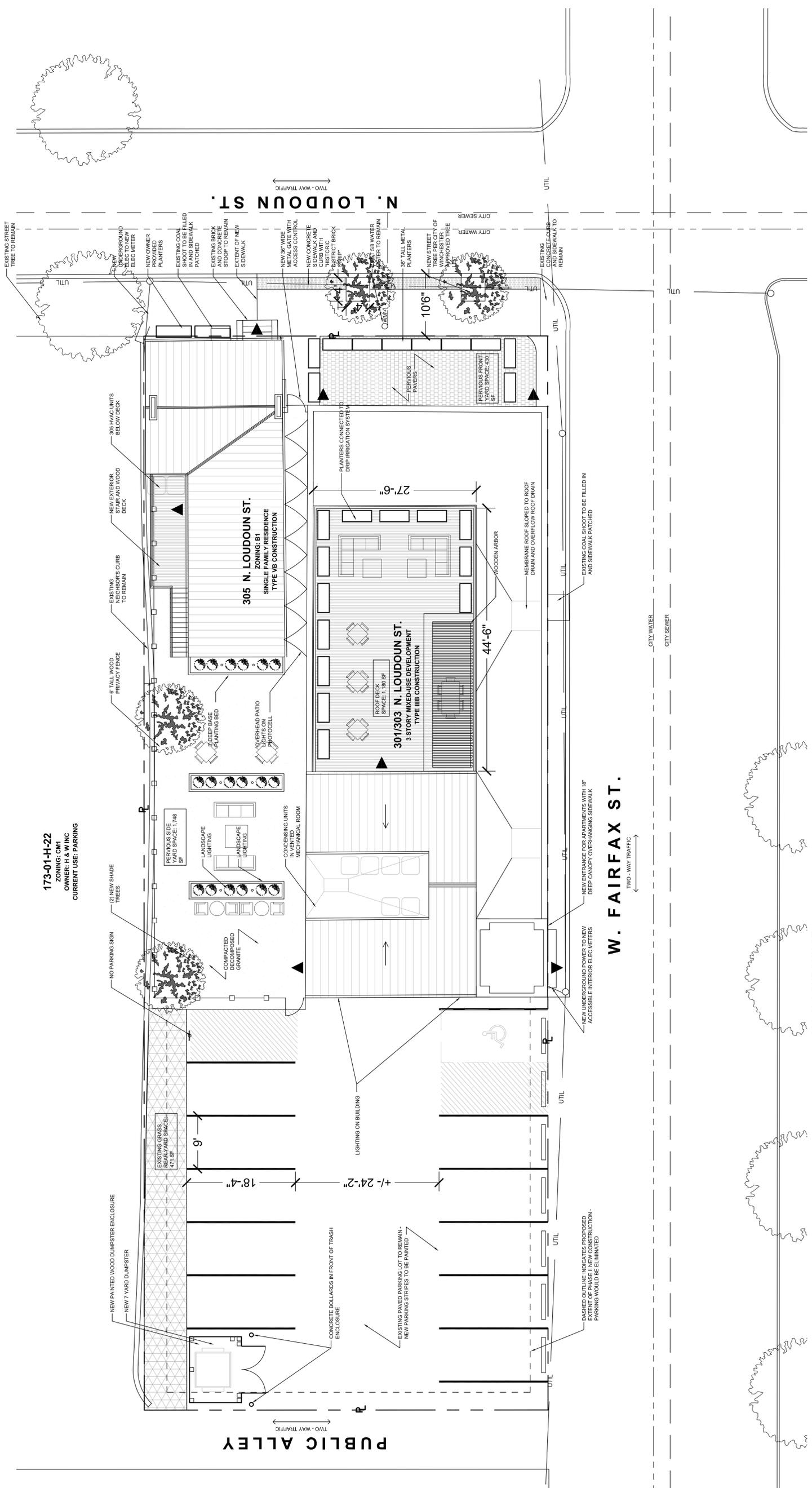
NAME _____ DATE _____

PHASE I	DENSITY CALCULATIONS
UNIT BREAKDOWN	12,360 SF
OFFICES:	1,000 SF/UNIT
1 BEDROOMS:	3
2 BEDROOMS:	2
COMMERCIAL:	1
ACTUAL DENSITY:	2,472 SF/UNIT

UNIT SIZES (NON-AGE RESTRICTED)	
1 BEDROOM MIN:	790 SF
1 BEDROOM MAX:	1,045 SF
2 BEDROOMS MIN:	1,145 SF
2 BEDROOMS AVG:	1,517 SF
COMMERCIAL:	3,556 SF

BUILDING SIZES	
BUILDING 1 TOTAL SF:	8,152 SF
BUILDING 2 TOTAL SF:	1,992 SF

173-01-H-22
 ZONING: CM1
 OWNER: H & W INC
 CURRENT USE: PARKING



1 SITE AND ROOF PLAN - PHASE I
 SCALE: 1/8" = 1'

INFORMATION TAKEN FROM:
 SURVEY BY: MARSH & LEGGE LAND SURVEYORS, P.L.C.
 DATED: APRIL 21, 2020
 FILE NUMBER: ID10180-PDB-COMPOSITE

CITY OF WINCHESTER APPROVAL

DIRECTOR OF PLANNING _____ DATE _____