

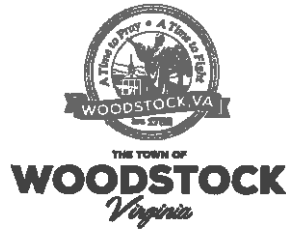
**PLANNING COMMISSION
AGENDA**

Monday, January 24, 2021

Woodstock Municipal Office, Municipal Office Town Council Chamber
7:00 pm

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- Call to Order
 - Roll Call and Existence of Quorum
 - Election of Officers
 - Adoption of the Agenda
 - Approval of Minutes – *September 27, 2021*
 - Commissioner Disclosures
 - Chairman's Statement
 - Remarks by Petitioners
 - Council Representative's Report
 - Staff and Committee Reports
 - Old Business
 - New Business
 - *Discussion of potential zoning text amendments pertaining to residential yard encroachments.*
 - *Presentation of a conceptual redevelopment plan at 752 South Main Street*
 - Adjournment
-

IF YOU REQUIRE ANY TYPE OF REASONABLE ACCOMMODATION AS A RESULT OF PHYSICAL, SENSORY OR MENTAL DISABILITY IN ORDER TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT JILL JEFFERSON, PLANNER, AT 459-3621. THREE DAYS NOTICE IS REQUIRED.



Staff Report

To: Planning Commission
From: Jill Jefferson, Urban Designer & Neighborhood Planner
Date: January 20, 2022
Re: Discussion of potential zoning text amendments to residential yard encroachments

Issue: The allowance of covered decks, patios, terraces to residential yard encroachments is being considered for modification. Potential zoning text amendments could include consideration of modifications of projections into yards or modifying setbacks generally.

History & Purpose: The November 22, 2021 Ordinance Committee met to discuss a citizen request to allow a covered deck into a residential yard setback. At the November committee meeting it was noted the town resident wanted to enclose an existing deck; however, the current ordinance only allows yard encroachment for uncovered and unenclosed porches/decks. The resident wanting to enclose his existing deck, Mr. Adam Richards, presented committee members with photos and signatures of adjacent in support of his ability to enclose the deck further into the yard.

The Ordinance Committee revisited the current allowances for encroachments into residential yards and setbacks. Following a discussion, the committee directed staff to draft options, including the modification of rear setbacks, for the Planning Commission to review.

The current Woodstock code addresses projections into the yard in *ARTICLE IV. -*

SUPPLEMENTARY REGULATIONS:

Section 90-376: (h) Projections into yards. The following projections shall be permitted into required yards in commercial and industrial districts and shall not be considered in the determination of yard size or lot coverage:

- (1) Terraces, patios or open porches; provided, that such terraces, patios or open porches are unroofed or otherwise unenclosed and are not closer than five feet to any adjacent lot line.
- (2) Open balconies for fire escapes; provided, that such balconies or fire escapes are not supported on the ground and do not project more than five feet into any yard or closer than three feet to any adjacent lot line.

(3) Projections into yards in residential districts. **Unenclosed and uncovered structures may extend 15 feet into a required rear yard and five feet by five feet into a front yard,** provided that the structure is not enclosed or covered and the structure floor is not constructed higher than the finished floor elevation of the primary entrance to the dwelling unit.

One alternative modification could be a text amendment to permit an encroachment of a patio, deck, or terrace (enclosed and unenclosed), as included in the City of Winchester's code noted below.

Section 18-9. - Special regulations regarding yards:

18-9-2.1 Unenclosed porches, decks, or terraces not over three feet above the ground except for railings and roof structures, may extend five feet into a required front yard or corner side yard, ten feet into a required rear yard, and three feet into a required non-corner side yard, provided that any such structure having a roof shall not extend into any required yard area to a greater distance than one-half the required yard depth or width.

18-9-2.2 An open, unenclosed paved terrace may project into the required front yard for a distance not exceeding ten feet.

18-9-2.5 An unenclosed carport, attached to a dwelling, may extend into any required side yard a distance of not more than five feet but not nearer to any side lot line than a distance of five feet.

Where unenclosed shall mean no walls except where attached to the primary structure. (Note, Winchester's definition of "unenclosed porch" is a porch with no side enclosure, other than the side of the building to which the porch is attached) that is more than 18 inches in height, exclusive of screens.)

Another modification discussed at the ordinance committee included elimination of deck encroachments into rear yards and reducing the overall rear setback to ten or fifteen feet.

Action: Staff requests direction from the Planning Commission if they desire to initiate a text amendment.

Potentially, the modification to our code could look like this:

ARTICLE IV. - SUPPLEMENTARY REGULATIONS

Sec. 90-376. - Generally.

(h) Projections into yards.

(3) Projections into yards in residential districts. Unenclosed structures may extend 15 feet into a required rear yard and five feet into a front yard, provided that the structure floor is not constructed higher than the finished floor elevation of the primary entrance to the

dwelling unit. For the purposes of this section an unenclosed structure shall mean a structure with no side enclosure (other than the side of the main building where attached) that is more than 18 inches in height exclusive of screens.

Redline version:

Sec. 90-376. - Generally.

(h) *Projections into yards.*

(3) Projections into yards in residential districts. Unenclosed ~~and uncovered~~ structures may extend 15 feet into a required rear yard and five feet ~~by five feet~~ into a front yard, provided that the ~~structure is not enclosed or covered and the~~ structure floor is not constructed higher than the finished floor elevation of the primary entrance to the dwelling unit. **For the purposes of this section an unenclosed structure shall mean a structure with no side enclosure (other than the side of the main building where attached) that is more than 18 inches in height exclusive of screens.**

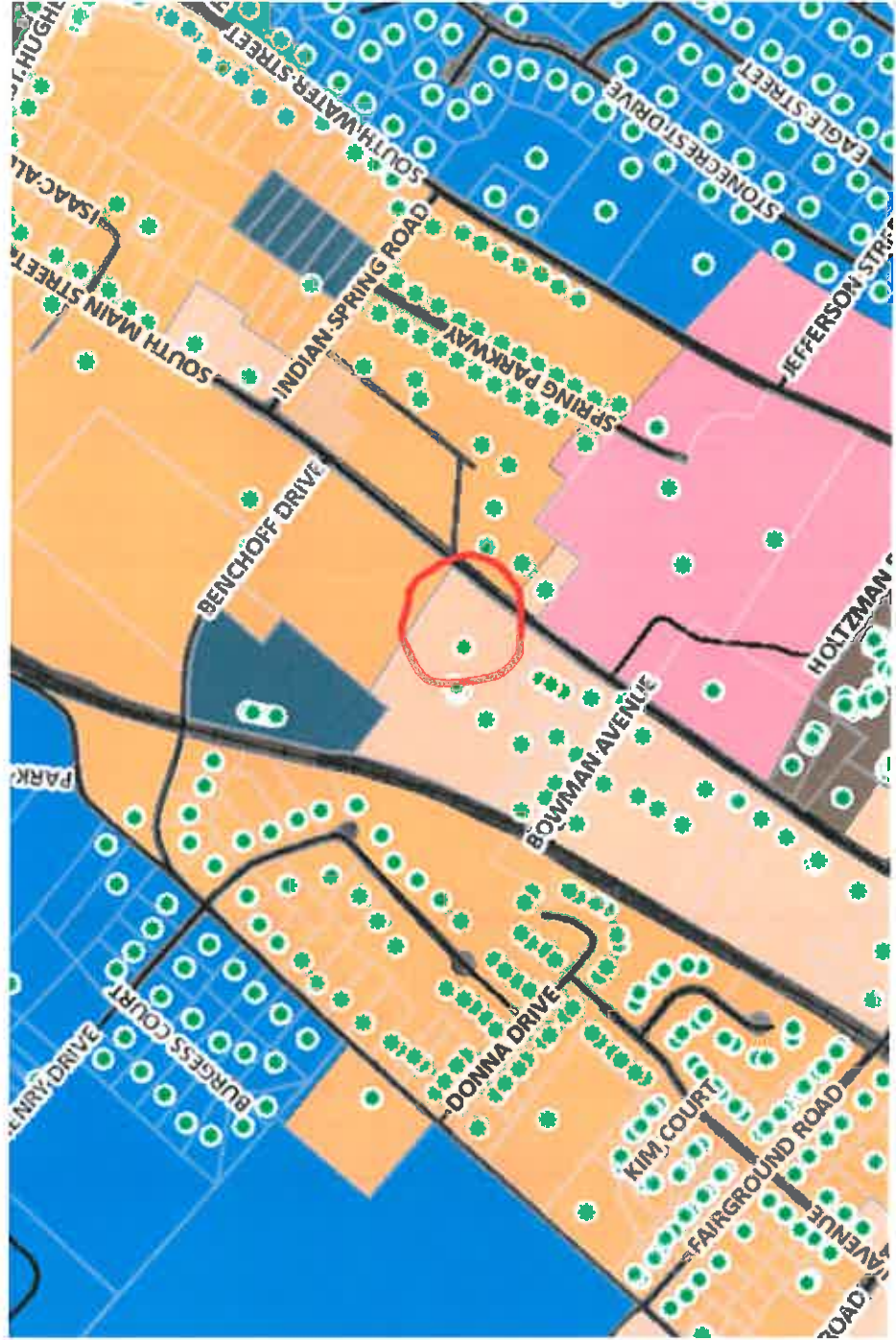
**752 South Main Street, Woodstock,
Virginia 22664**

**Planning Commission Meeting
January 24, 2022**



ROTH JACKSON
ROTH JACKSON GIBBONS CONDLIN, PLC

VICINITY MAP



PROPOSED PROJECT: MIXED-USE DEVELOPMENT

- **Building Use: Mixed-Use Development (1st Floor Commercial, 2nd – 4th Floors Residential)**
- **Building Footprint: 18,588 square feet**
- **Commercial Total Floor Area: 16,500 square feet**
- **Residential Total Floor Area: 57,352 square feet (> 54 apartment units)**
 - 12 Two Bedroom Units
 - 36 One Bedroom Units
 - 6 Studio Units
- **Proposed Building Height: 55 feet (including rooftop structure)
45 feet (not including rooftop structure)**





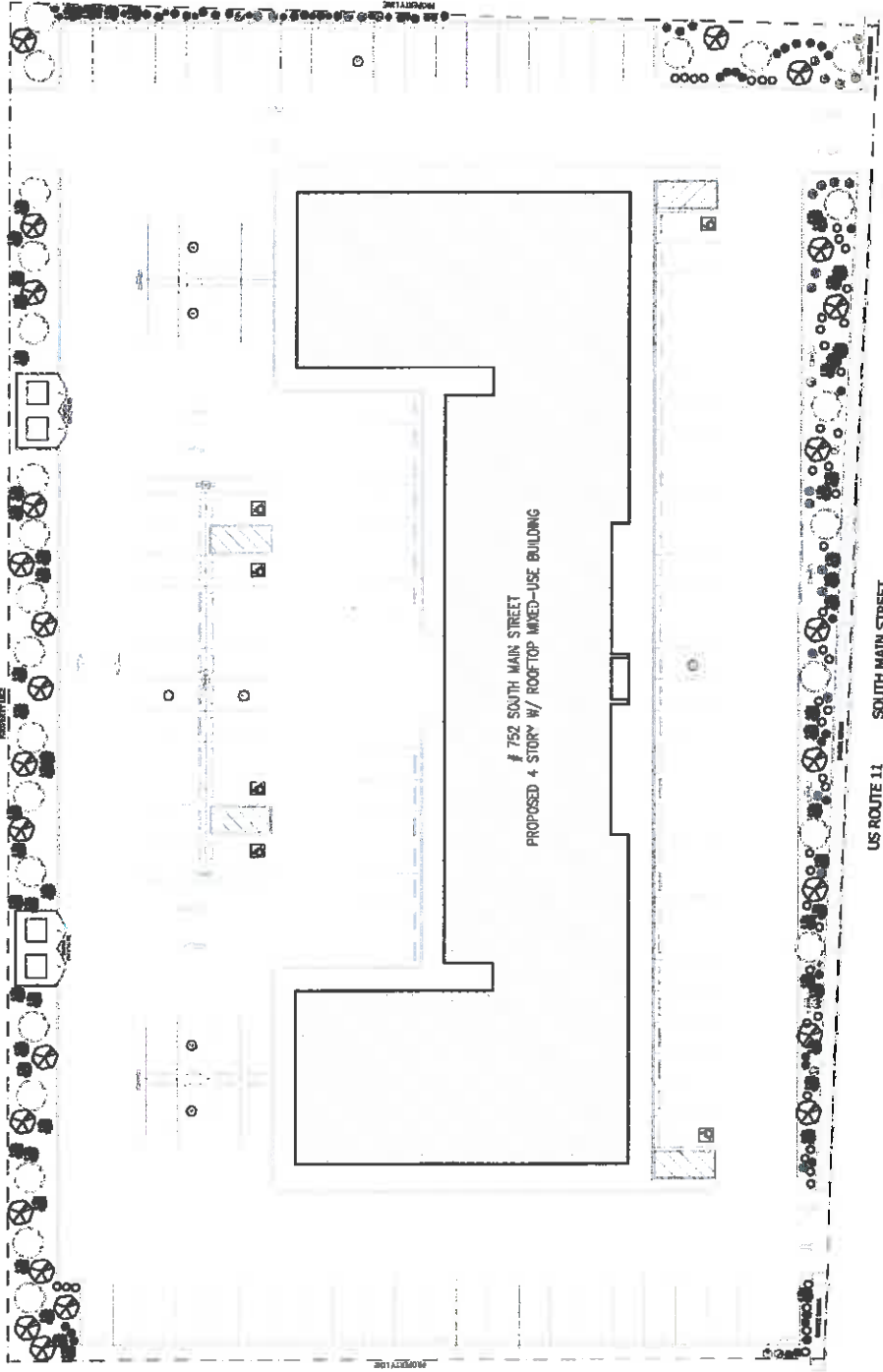
MIXED USE DEVELOPMENT

752 South Main Street Wood stock, VA 22664

REVISION 01.07.2019

A-1

PROPOSED SITE PLAN

PROPOSED SITE PLAN

US ROUTE 11 SOUTH MAIN STREET

BASIC PROPOSED BUILDING INFORMATION:
 BUILDING USE: MIXED-USE, FIRST FLOOR COMMERCIAL, / 2ND, 3RD & 4TH RESIDENTIAL
 BUILDING FOOTPRINT: 16,500 SF
 COMMERCIAL TOTAL FLOOR AREA: 16,500 SF
 RESIDENTIAL TOTAL FLOOR AREA: 57,352 SF > 54 APARTMENT UNITS
 • 12 TWO BEDROOM UNITS
 • 36 ONE BEDROOM UNITS
 • 6 STUDIO UNITS
 BUILDING HEIGHT: 55 FT



SEWER AND WATER MAINS 60" DIA.

696.160
 24.2100 =

COMPLIANT WITH CURRENT ZONING

- The property is zoned B-2 Highway Commercial District.
- Certain commercial uses are permitted by right in B-2 such as restaurants and pet shops. See Sec. 90-222. Other retail uses are permitted in B-2 because they are permitted in B-1 pursuant to Sec. 90-222(21). Examples of such permitted retail uses are drugstores, retail foodstores, and florist shops.
- The maximum building height in B-2 is 45 feet. The proposed building height complies with the maximum building height without the rooftop common area structure.

SPECIAL USE PERMIT AND CODE MODIFICATION

- **The proposed mixed-use development would require a special use permit and a code modification (if the rooftop common area structure is included).**
- **Apartments are permitted with a special use permit pursuant to Zoning Ordinance Sec. 90-224(6).**
- **The building height with the rooftop common area structure is 55 feet. A code modification is needed if the project includes the rooftop common area structure.**
 - Structure is approximately 10% of building footprint and includes a gym, party room, an elevator and stairs.
 - Code modification would propose to permit the additional height of the structure, but would be limited to approx. 15-20% of the building footprint, enough to cover the structure.
 - The proposed code modification would also require the structure to be placed as far back from the front façade as possible to reduce visibility from the street as well as a requirement for landscape screening.

POSITIVE COMMUNITY RESPONSE

- **Members of the community support this project.**
- **Shenandoah Memorial Hospital and Page Memorial Hospital supports this project because additional rental housing options are needed in the community.**
 - Assist in recruiting quality professionals.
 - Amenities appeal to employee demographic.
- **Numerous realtors have expressed a need for additional rental housing.**
 - Often little or no availability of rental housing.
 - Few existing options typically consist of a room or basement rental within a home.
 - Market shows a strong demand for this type of rental housing and units are anticipated to rent quickly.