



THE COMMON COUNCIL

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I, Kerri A. Mellott, Deputy Clerk of the Common Council, hereby certify on this 09 day of August 2022 that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 09 day of August 2022.

AN ORDINANCE TO CONDITIONALLY REZONE APPROXIMATELY 10.9 ACRES OF LAND AT 525, 527, 529, 531, 532, 534, 536, 540, 544, 546, 554 AND 700 FAIRMONT AVENUE, 205, 209 AND 213 W WYCK STREET AND 563 N BRADDOCK STREET (MAP# 153-01-A- LOTS 2, 3, AND 4 AND MAP# 153-01-B- LOTS 21 THROUGH 34, AND MAP# 153-01—LOT 1) FROM LIMITED INDUSTRIAL (M-1) DISTRICT WITH SOME PORTIONS HAVING CORRIDOR ENHANCEMENT (CE) OVERLAY TO HIGH DENSITY RESIDENTIAL (HR) DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH SOME PORTIONS HAVING CORRIDOR ENHANCEMENT (CE) OVERLAY RZ-22-379

WHEREAS, the Common Council has received a request by David Gum, Authorized Signatory for Fairmont Avenue Holdings LLC, who is joined by Grand River Investments, LLC which is the contract purchaser of the land to conditionally rezone with proffers 10.9 acres of real estate at 525, 527, 529, 531, 532, 534, 536, 540, 544, 546, 554 and 700 Fairmont Avenue, 205, 209 and 213 W Wyck St and 563 N Braddock St (Map# 153-01-A- Lots 2, 3, and 4 and Map# 153-01-B- Lots 21 through 34, and Map# 153-01—Lot 1), from the present designation of Limited Industrial (M-1) District, some with Corridor Enhancement (CE) District to High Density Residential (HR) District, some with Corridor Enhancement (CE) Overlay and all with Planned Unit Development (PUD) Overlay; and,

WHEREAS, the Comprehensive Plan describes the area as a Redevelopment Site and Residential Revitalization Area appropriate for mixed-use development. The proposed HR/CE/PUD zoning would permit up to two hundred and sixty two (262) apartments and townhouses in addition to commercial use; and,

WHEREAS, the Planning Commission of the City of Winchester has considered the aforesaid rezoning and, at its meeting of June 21, 2022, recommended approval of this action, because it is consistent with the Comprehensive Plan and represents good planning practice; 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 rezoning of the properties herein designated is generally consistent with the Comprehensive Plan and represents good planning practice.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Winchester, Virginia, that the following described properties are hereby conditionally rezoned from the present designation

Limited Industrial (M-1) District, some with Corridor Enhancement (CE) District, to High Density Residential (HR) District, some with Corridor Enhancement (CE) Overlay and all with Planned Unit Development (PUD) Overlay in the City's Zoning Ordinance as depicted on an exhibit entitled "Rezoning Exhibit RZ-22-379, Prepared 6-2-2022", prepared by the Winchester Planning Department and subject to the voluntary proffers and consistency with the Development Plan dated August 4 2022:

Approximately 10.9 acres of land at 525, 527, 529, 531, 532, 534, 536, 540, 544, 546, 554 and 700 Fairmont Avenue, 205, 209 and 213 W Wyck St and 563 N Braddock St.

Ordinance No. O-2022-22

ADOPTED by the Common Council of the City of Winchester on this 09 day of August 2022.

Witness my hand and the seal of the City of Winchester, Virginia.



A handwritten signature in black ink that reads "Kerri A. Mellott". The signature is written in a cursive style.

Kerri A. Mellott
Deputy Clerk of the Common Council