



Community Development
Department

STAFF REPORT COVER MEMO

Commission Meeting Date:	October 15, 2024
Agenda Title:	ZMA 2023-01 Warrenton United Methodist Church/Hero's Bridge
Requested Action:	Hold a Public Hearing
Staff Lead:	Denise M. Harris, Planning Manager
Decision Deadline:	October 24, 2024 Unless Applicant Defers

EXECUTIVE SUMMARY

The Owner, Trustees of Warrenton United Methodist Church, and the Applicants, Warrenton United Methodist Church and Hero's Bridge, seek a Zoning Map Amendment of approximately 9.8640 acres from R-10 (Residential) and RO (Residential Office) to R-PUD (Residential Planned Unit Development) located on and adjacent to the existing church located at 341 Church Street. The proposal requests approval to develop 22-two-family residential dwelling units for a total of 44 units to provide affordable senior housing to ages 65 and older. The application includes a Small Office/Community Center to be constructed in Phase 1. The Applicant is requesting waivers and modifications. The Future Land Use Map designates the parcels as Medium Density Residential. The GPINS are 6984-16-5101 portion (approximately 5.22 acres of the approximately 6.31 acre parcel), 6984-16-7013, 6984-15-1823 and 6984-15-1930.

On September 17, 2024, the Planning Commission held a Public Hearing. Twenty-eight citizens spoke to the application both for and against the proposal. The Applicant indicated the intention of revising the Rezoning application to remove Phase 2 and update the proffers. There were concerns regarding the legal considerations around the veterans' preference. Based on these items, the Planning Commission determined to hold open the Public Hearing until its October 15, 2024, Regular Meeting.

On September 24, 2024, the Applicant submitted updated Statement of Justification, proffers, and concept plans. Highlights of the modifications to the application include:

Proffers:

- Language related to the Fair Housing Act with the substitution of the word "veterans" with "persons".
- Remove Phase 2 and the 19,000 square foot multi-purpose recreational center.

- Add maintenance and operations provisions, including continuance requirements if the owner/operator should change.

Rezoning Concept Plan

- Removal of Phase 2 and the 19,000 square foot multi-purpose recreational center.
- Addition of sidewalk the length of Church Street.
- Removal of the road connection to Mosby Road; internal private street turnaround added with mountable curbs to Moser Road.
- Additional landscaping provided.

The Applicant's provided materials include a redline version of the Statement of Justification and Proffers.

BACKGROUND

The application for ZMA 2023-01 was accepted for processing on December 21, 2023. Agency reviews took place over two rounds of resubmissions. On July 16, 2024, the Planning Commission held Work Sessions during which the Applicant provided an overview of the proposal. The Planning Commission raised questions about Plan Warrenton 2040, water and sewer capacity, transportation, and draft proffers.

The Planning Commission held a second work session on August 27, 2024, at which the Town Attorney and Director of Public Utilities answered inquiries.

On September 3, 2024, the Applicants submitted updated executed proffers that were routed for agency reviews. The Attachment B Staff Analysis is based on these proffers and the previously submitted materials tied to the proffers, including:

- Concept Plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, PC, dated April 26, 2024
- Elevation entitled "Warrenton UMC Proposed Housing Elevation," prepared by Design Concepts Architecture + Interiors, and dated March 16, 2023
- Elevations entitled "Warrenton UMC Multi-Purpose Building," prepared by Design Concepts Architecture + Interiors, dated November 18, 2022, and consisting of two sheets

The Applicants are proposing a type of development that may fulfill parts of the Plan Warrenton 2040 goals; however, the Zoning Ordinance has not yet been updated to match the comprehensive plan. The Applicants chose to proceed with the Application by utilizing the Virginia Supreme Court ruling under Rowland vs. the Town of Warrenton that states "Because the acceptance of proffers by a locality has the force of law, the acceptance of a proffer which alters the rezoning requirements of a particular property is the functional equivalent of an amendment to the zoning ordinance." This means the Applicant may, in essence, propose their own suggested regulations for the proposal through the proffers.

The Staff Analysis goes into detail reviewing how the proposed Concept Plan, elevations, and executed proffers either meet or seek to amend the Zoning Ordinance. Updates to the previous Staff Analysis are

found in Attachment B based on the September 24th submission.

STAFF RECOMMENDATION

Hold a Public Hearing and make a recommendation for Town Council unless Planning Commission would like to defer until its November Meeting.