

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 08/25/15 (work session) CUT OFF DATE: 08/19/15
09/08/15 (regular mtg/public hearing)

RESOLUTION ___ ORDINANCE ___ PUBLIC HEARING X

ITEM TITLE:

CU-15-383 Request of ANS Property LLC. for a Conditional Use Permit for extended stay lodging at 2649 Valley Avenue zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay zoning.

STAFF RECOMMENDATION:

Approval with conditions.

PUBLIC NOTICE AND HEARING:

Public hearing for 09/08/2015 Council meeting.

ADVISORY BOARD RECOMMENDATION:

Planning Commission unanimously recommended approval with conditions.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Zoning & Inspections, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: [Signature] 8/18/15



TO FORM: [Signature] 8/19/2015 CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Tim Youmans, Planning Director

Date: August 19, 2015

Re: **CU-15-383** Request of ANS Property LLC. for a Conditional Use Permit for extended stay lodging at 2649 Valley Avenue zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay zoning.

THE ISSUE:

The applicant is requesting a conditional use permit (CUP) to allow for the use of extended stay lodging at 2649 Valley Ave.

RELATIONSHIP TO STRATEGIC PLAN:

Goal #2- Promote and accelerate revitalization of catalyst and other areas throughout the city

BACKGROUND:

See attached staff report

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve with conditions as recommended by Planning Commission
2. Approve with modified conditions
3. Deny

RECOMMENDATIONS:

Recommend Option 1

CUP-15-383 Request of ANS Property LLC. for a Conditional Use Permit for extended stay lodging at 2649 Valley Avenue (Map Number 290-06- -1) zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay zoning.

REQUEST DESCRIPTION

The request is for Conditional Use Permit (CUP) approval under Section 8-2-19 of the Zoning Ordinance pertaining to extended stay lodging.

AREA DESCRIPTION

The subject property is located along the southern corridor of Valley Avenue where a hotel (formerly the Americas Best Value Inn) has existed on the property. This corridor where the subject property is located is majority zoned B-2 with Corridor Enhancement Overlay with predominately retail and commercial uses. To the rear of the subject property is a City park (Rolling Hills) zoned Low Density Residential serving as an open space for the Rolling Hills subdivision located further behind the subject property.



STAFF COMMENTS

The CUP request for conversion of the hotel to extended stay lodging use is outlined in a letter from the applicant to the City received on July 6, 2015 (see attached). The applicant also provided supporting materials in the packet including a guest policy, floor plan of the remodeled units, and photos of the buildings.

Hotel use at the site has existed since the 1970's when the current hotel was first constructed and has gone through various ownership and business names over the years. The hotel site is set back well over 300 feet from Valley Ave. and the site consists of three buildings encompassing 76 units. Parking at the site consists of approx. 90 spaces, sufficient for the previous use and proposed use. In her letter, the applicant notes their desire to focus on providing extended housing to corporate businesses in surrounding area. The applicant also notes there have been extensive renovations/upgrades to the property and units recently and have future plans to improve the site such as: repairing the asphalt parking lot, add extensive landscaping, and convert the former swimming pool area into a business center- all which will require a subsequent site plan revision to be submitted to the city.

The Zoning Ordinance defines 'EXTENDED STAY LODGING' as: *"One (1) or more buildings containing individual sleeping rooms, designed for and used primarily by business travelers for more than thirty (30) consecutive days, with garage or parking space conveniently located to each unit. Cooking facilities are provided for each unit. Units are not intended to be primary residences."* Staff reached out to the applicant asking for clarification of the floor plan and providing a kitchen facility. In an email (see attached), the applicant indicated that kitchenettes will be installed in each unit upon approval. At the Planning Commission regular meeting on August 18th, the applicant provided a mock up and details of the proposed cooking facilities. Staff would still wish to be provided a floor plan with the cooking facilities incorporated into the layout of the units for a favorable recommendation from staff, otherwise staff feels this conversion from hotel to extended stay lodging use is an appropriate change of use.

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.

At the August 18, 2015 meeting, the Planning Commission forwarded **CU-15-383** to City Council recommending approval per Sections 8-2-19 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 76 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 kitchen facilities are provided for all 76 units; and,
3. No occupancy of any individual(s) shall be for a period of longer than 9 months within a 12 month period; and,
4. No more than three criminal police calls, as determined by the Chief of Police, may be attributable to the facility within a thirty day continuous period, after which a facility security management plan shall be submitted to and approved by the Chief of Police; and,
5. A six month review of compliance with the permit shall be conducted by staff. Any substantial issues of noncompliance shall cause the CUP to be brought back to City Council for modification or revocation of the permit; and,
6. Staff review and approval of the required site plan.



ANS PROPERTY LLC

PO Box, 4038, Winchester, VA 22604

To: Aaron Grisdale

ANS Inn and Suites vision for the property located at 2469 Valley Ave, is to create a clean, comfortable and affordable option for those in need of extended housing whether its work related or a transitional phrase. Our main focus will be corporations and business's to help support the economic growth in our community. ANS Property LLC has invested over half million dollars in renovations and upgrades to our property to ensure our guests are comfortable and provide everything needed during their stay with us. With your help we are dedicated and determined to create an environment that the City of Winchester will be proud of. We look forward to working with the City of Winchester to make this vision a reality.

Thank you

Priscilla Price

VP of Operations ANS Property LLC

PHONE
PHONE
540-662-2521
540-662-2521

FAX
FAX
540-662-6683
540-662-6683

WEB
WEB
www.ansinnandsuites.com
www.ansinnandsuites.com



ANS PROPERTY LLC

PO Box, 4038, Winchester, VA 22604

ANS Inn and Suites offers five acres in the center of town only minutes away from corporations, businesses and the Winchester Medical Center. We all have been working to put procedures in place to shift our position and perception of establishment in our community.

ANS is staffed with an office manager which is responsible for registering guest but more importantly to enforce our guest policy (see attached). She is also responsible for random room inspections once a week to ensure guest compliance and to relay any maintenance issues to our maintenance manager. Our Vice President of Operations, is responsible for the everyday operations of hotel concerning staff, advertising and sourcing out those in need of our services such as Government agencies, corporations, hospital staff, and utility and real estate companies. The Vice President of the company is on hand daily to ensure all staff is following protocol and procedures. We have maintenance and groundskeeper on staff that are responsible for maintaining property.

We have remodeled and updated all rooms which include new furniture, microwaves, flat screen T.V.'S, refrigerators, coffee makers, new flooring, paint and bathroom fixtures. Our facility will offer cable and WIFI as well. Our rooms are almost 400 sq. ft. of living space. Prices of rooms will reflect that of a professional income.

We have future plans of repairing asphalt, extensive landscaping, and coffee bar/café, business and meeting centers. We will also add a workout facility for our guests to enjoy. Our intent is to provide local and nationwide businesses and organizations all the comforts of home at an affordable price.

Thank you all for your support.

Sincerely,



ANS PROPERTY LLC

PO Box, 4038, Winchester, VA 22604

Guest Policy

We would like each and every resident to enjoy their stay and we ask the each resident consider the following rules:

- Do not obstruct the driveways, sidewalks, entries, stair or hallways
- Do not leave windows or doors in an open position during inclement weather
- Do not hang laundry, clothing, sheets etc., from any window, rail, porch, balcony
- Do not smoke on the interior of any unit or building
- Do not disable the smoke detectors that are in the units
- Do not consume alcoholic beverages outside of your rooms or inside the laundry room.
 - This is also precluded by the Winchester Police Department and you will be subjected to paying a fine and /or other penalties
- If you are returning from an outside job site, remove all mud from shoes/boots before entering the building or take foot wear off and carry to you apartment.
- Keep all lavatories, sinks, toilets and all other water and plumbing equipment in good order. They are to only be used for purposes they are intended for.
- Do not keep dangerous, flammable or explosive items inside of your room
- All trash, garbage, rubbish or refuse should be placed in a tied plastic bag and deposited in the designated area. Do not let trash pile up inside room
- Remember that all tenants are entitled to peace and quiet inside of their room. Keep this in mind when you are coming and going from your room and while adjusting the volume on TVs or radio. There will be no excessive noise after 10:00pm
- Only appliances that are provided by the hotel are to be used in the rooms
- Maintain orderly living space at all times.
- Candle burning is **NOT ALLOWED** in the rooms at any time

Your room has been furnished with

- Coffee maker
- Microwave
- Refrigerator
- TV
- Alarm clock
- Hairdryer- Available Upon request

PHONE
540-662-2521

FAX
540-662-6683

WEB
www.ansinnbedsuites.com

Josh Crump

From: priscilla.ansproperty@gmail.com
Sent: Wednesday, July 29, 2015 2:37 PM
To: Josh Crump
Subject: Re: CUP for 2469 Valley Ave Questions

Hey josh , yes we would convert all units approx 70 units

In rooms currently we have only mini fridge and micro

Kitchenettes will be installed upon approval . Home Depot putting together packages to include cabinets, cook top and sink along with mini fridge and microwave

Sent from my iPhone

On Jul 29, 2015, at 10:12 AM, Josh Crump <Josh.Crump@winchesterva.gov> wrote:

Hello Ms. Price,

I have two quick questions regarding your CUP.

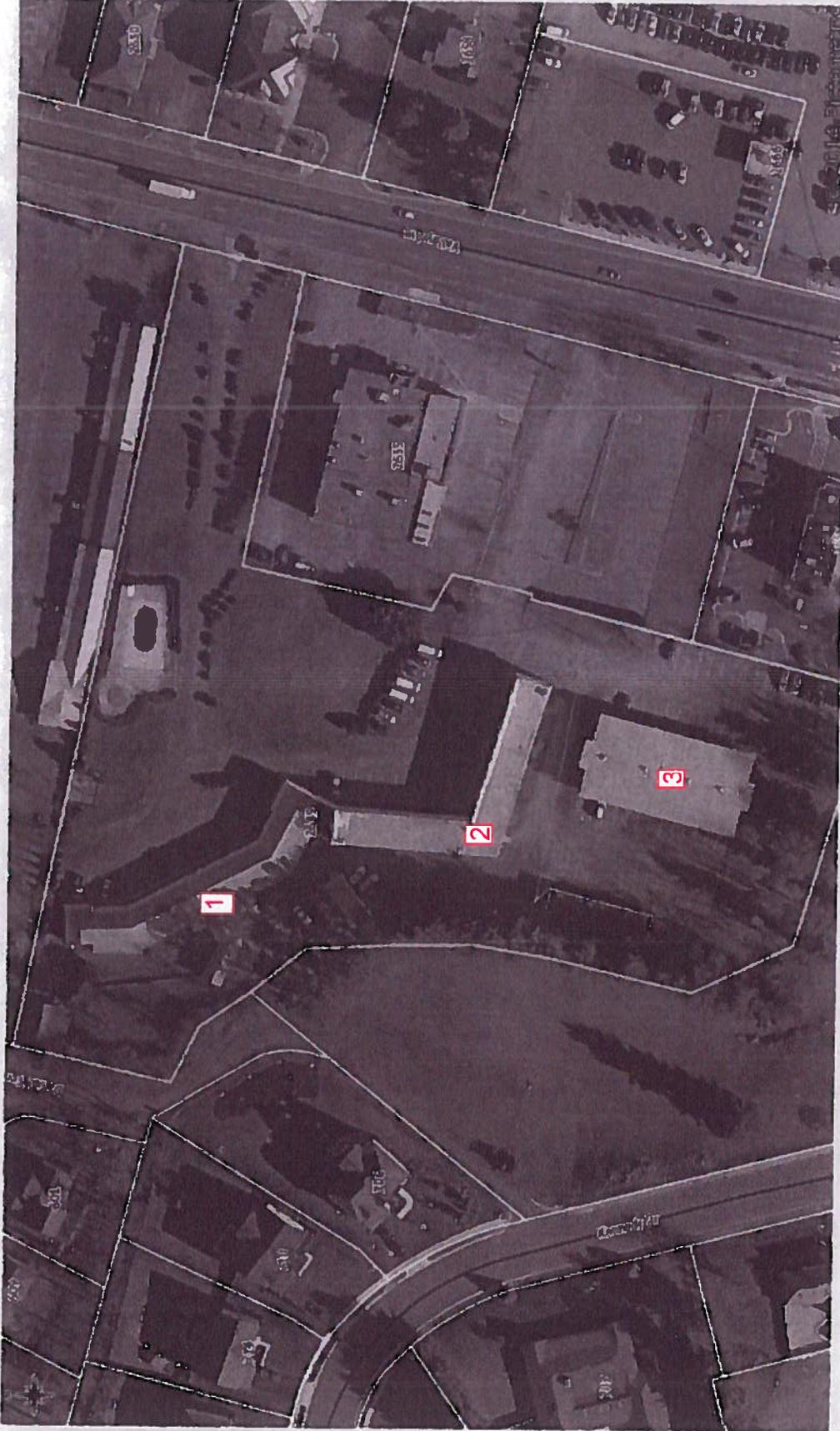
- 1) How many units do you have currently at the Americas Best Value Inn and how many do you plan to convert to extended stay lodging? All of them I presume?
- 2) Are there any kitchen/cooking facilities provided in each unit? The letter and floor layout plan does not give a clear picture if they are in the units or not.

Thanks,

--

Josh Crump
Planner
City of Winchester
15 N. Cameron Street
Winchester, VA 22601
Phone: (540) 667-2117 (direct)
Email: Josh.Crump@winchesterva.gov


www.winchesterva.gov/planning



2649 Valley Ave

Print Date: 06/08/2015

Image Date: 12/30/2014

Level: Community

Building #1

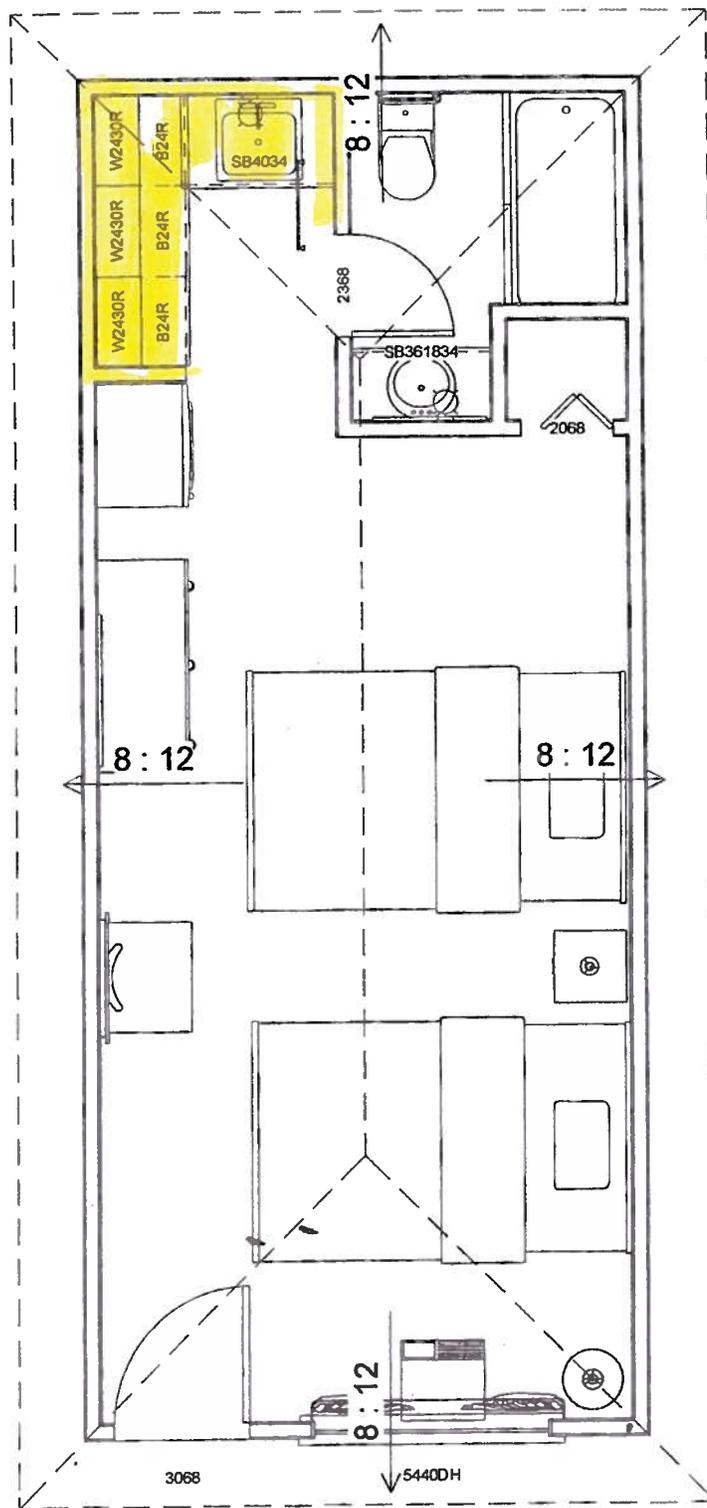


Building #2



Building #3





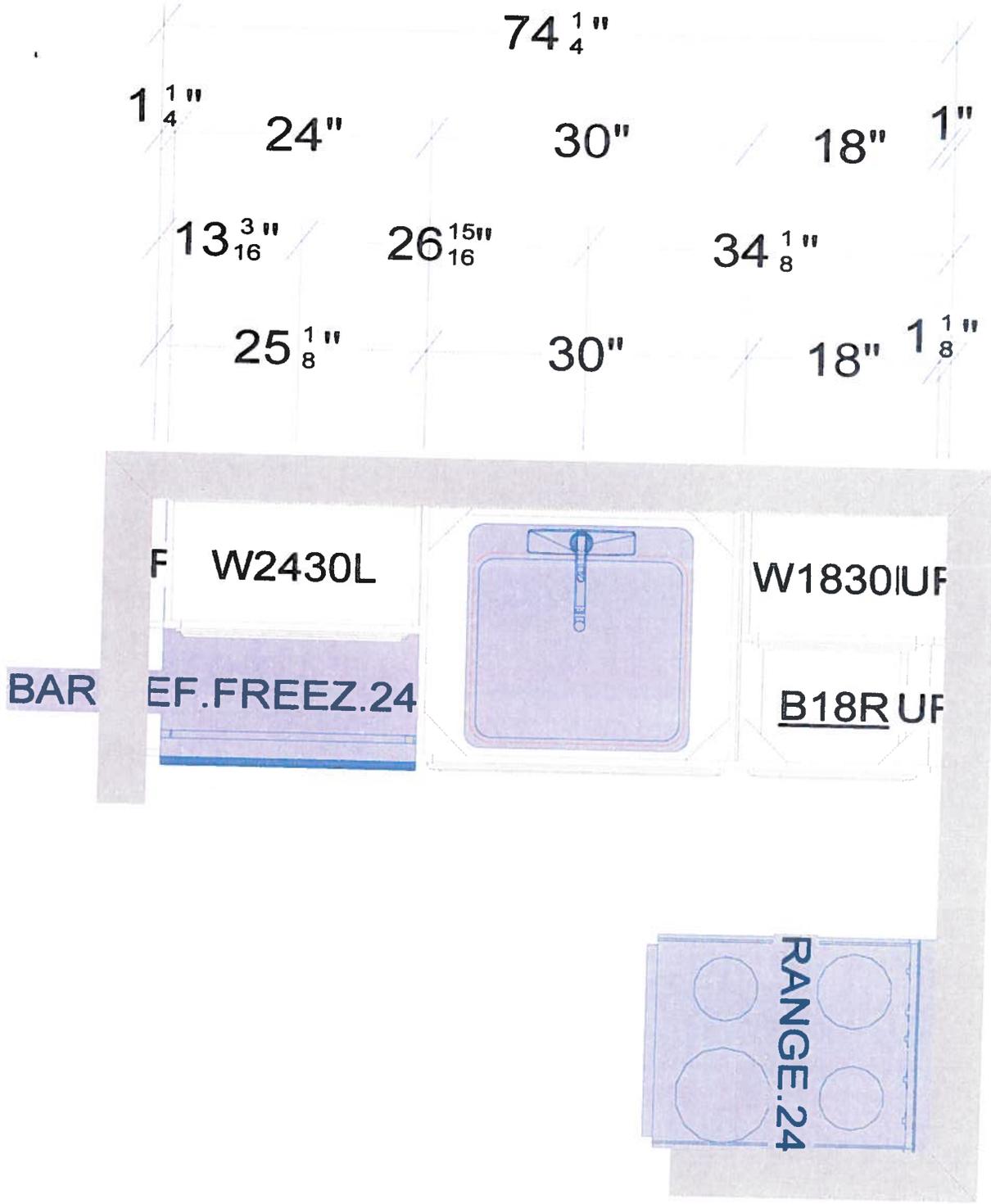
LIVING AREA
373 sq ft



Note: This drawing is an artistic interpretation of the general appearance of the design. It is not meant to be an exact rendition.



Designed: 8/7/2015
Printed: 8/11/2015



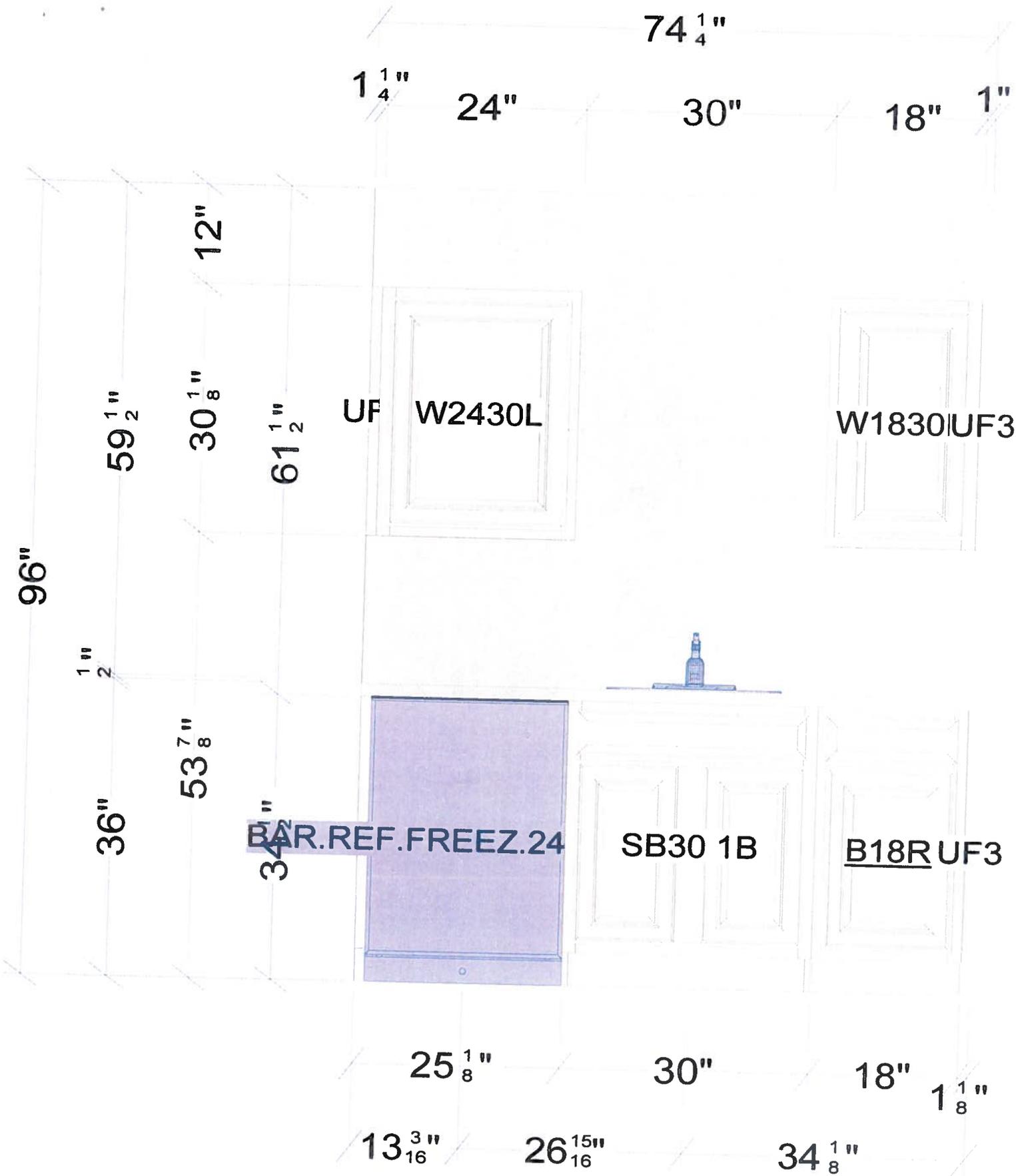
- 40 Total Rooms
- Ceiling Height 95"
- 8' Countertops
- 2 Side splashes

All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.



This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 8/7/2015
Printed: 8/11/2015



All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.



This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 8/7/2015
Printed: 8/11/2015



Tax Confirmation Form

Prior to the initiation of an application for a conditional use permit, variance, rezoning or other land use permit, or prior to the issuance of final approval, the applicant shall produce satisfactory evidence that any delinquent real estate taxes owed to the City which have been properly assessed against the subject property have been paid.

(Reference: Winchester Zoning Ordinance Section 23-9)

Applicant Complete This Portion:	
Property Owner Name (As Listed in Tax Records): <i>ANS Property LLC</i>	
Property Address: <i>2649 Valley Ave, Winchester, VA 22604</i>	
Tax Map ID: <i>290-06-1</i>	Real Estate Account ID: <i>5228</i>
Applicant Information:	
Applicant Name: <i>PRISCILLA PRILL</i>	Phone: <i>301-703-0195</i>
Mailing Address: <i>PO BOX 4088 Winchester, VA 22604</i>	Email Address: <i>priscilla.wasproperty@gmail.com</i>

FOR OFFICE USE ONLY	
As of the date of this form, the property presently has:	
<input checked="" type="checkbox"/> No delinquent taxes or liens on record	<input type="checkbox"/> Outstanding delinquent taxes owed the City
Treasurer: <i>JALB</i>	Date of Confirmation: <i>8/17/15</i>
Comments:	

Josh Crump

CUP-15-383

From: Timothy Youmans
Sent: Monday, August 17, 2015 8:09 AM
To: Josh Crump
Cc: Aaron Gridale
Subject: FW: CUP-15-383 Request of ANS Property LLC for a Conditional Use Permit for extended stay lodging at 2649 Valley Avenue

Josh,
Please check with the Police Dept as to the number of police calls at the property and be prepared to address the question at the public hearing tomorrow. We typically look at a 3-year history, but perhaps 2 years would be adequate to cover the transitional period of ownership and renovation.
Thanks,
Tim

From: Cathy McKee [<mailto:cmck147@yahoo.com>]
Sent: Sunday, August 16, 2015 9:30 AM
To: zzPL-PLNGDEPT
Cc: Eden Freeman
Subject: CUP-15-383 Request of ANS Property LLC for a Conditional Use Permit for extended stay lodging at 2649 Valley Avenue

I received a NOTICE TO ADJOINING PROPERTY OWNERS letter regarding the subject request. I do appreciate the ability to present my position on this request. I would like to tell you right away that I have never been the type to say "not in my neighborhood." I understand the need for low income housing and really do not understand why more isn't provided but I don't believe this property should allow extended stay lodging.

We moved into our home at 701 Kennedy Dr, which is located behind this property. We are retired and our living room looks right over this property and their tree line. I would love nothing better than to not look at the property but as one police officer noted, you can't help but see everything with the view we have. I do not know how my neighbors feel or whether they will even comment but their homes do not look over this property like ours does.

Almost immediately, we were shocked to discover drug deals going on right in front of our home. We called the police numerous times on this activity but the parties were long gone before the police arrived. The buyers always ran back to the property in question. I don't think a week has ever gone by where we have not see a police patrol car in that area. I know of a murder that happened there. An elderly man walking his dog was mugged and robbed across the street from my home. Kids were going under a tree in front of our house to do drugs and drink. Several young couples would go under the tree. One night we heard police sirens running through our development. We looked out to find 3 men running through our yard headed to this property. One night when I was out walking, I was approached by 3 men who wanted money. I told them I called the police when I saw them coming and they ran away. Guess where they ran to? Yes, this same property.

All of a sudden, all this activity stopped. I was thrilled. I could now walk outside after dark without fear. No more police cars in the middle of the night. No more muggings or drug activity. Little did I know the reason this all stopped was because the property was being renovated.

I knew exactly when this property reopened for business. That was the day I witnessed another drug deal going on. The next day, 3 children were throwing rocks at passing cars. I went outside and yelled at them and they ran back to this property. I can only image what else will happen now that people have moved back in. I do fear for my safety walking at night.

So, my challenge to your department. Please ask the Winchester Police Department for a running list of all police calls and activity in this area for the last 4 years. Then you will see that this activity stopped when the property closed for renovations. I know it will be starting back up again if this request is approved.

I respectfully request that this permit be denied. Thank you for taking the time to read this.

Sincerely,

Catherine McKee