

**PLANNING COMMISSION  
WORK SESSION AGENDA  
OCTOBER 4, 2016 - 3:00 PM  
Fourth Floor Exhibit Hall  
Rouss City Hall**

1. Review agenda for October 18, 2016 regular meeting
2. Committee reports
3. Status of projects pending Council approval
4. Announcements

**PLANNING COMMISSION  
AGENDA  
OCTOBER 18, 2016 - 3:00 PM  
Council Chambers - Rouss City Hall**

**1. POINTS OF ORDER**

- A. Roll Call
- B. Approval of Minutes- September 20, 2016 Meeting
- C. Correspondence
- D. Citizen Comments
- E. Report of Frederick Co Planning Commission Liaison

**2. PUBLIC HEARINGS – New Business**

- A. **CUP-16-536** Request Of Lynn Koerner of Shentel on behalf of Valley Proteins for a conditional use permit for a telecommunication facility at 501 West Jubal Early Drive (Map Number 230-04 -1) conditionally zoned Highway Commercial (B-2) District. **(Mr. Crump)**
- B. **CUP-16-559** Request of Ateethi Services LLC for a Conditional Use Permit for extended stay lodging at 2645 Valley Avenue (Map Number 290-04-4A) zoned Highway Commercial District (B-2) with Corridor Enhancement (CE) District Overlay zoning. **(Mr. Grisdale)**
- C. **RZ-16-562** AN ORDINANCE TO REZONE 0.11 ACRES OF LAND AT 110 LEE ST/312 W CORK STREET (Map Number 192-01-B-5) FROM CONDITIONAL ZONED HEALTH SERVICES (HS) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT. The Comprehensive Plan identifies the property as a redevelopment site and with plans to convert to a single-family residence; it is consistent with the comprehensive plan goals of increasing home ownership and promoting housing to the general population. **(Mr. Youmans)**
- D. **CUP-16-563** Request of Larry Yates on behalf of George M. Murphy for a Conditional Use Permit for a private museum located at 705 South Loudoun Street (Map Number 212-1-F-12) zoned Residential Business (RB-1) District. **(Mr. Youmans)**
- E. **CUP-16-565** Request of John Nelson on behalf of 32 Valley Ave LLC for a Conditional Use Permit to convert part of the ground floor from nonresidential use to residential use at 914 South Braddock Street (Map Number 212-1-H-7) zoned Central Business (B-1) District. **(Mr. Crump)**

**3. PUBLIC HEARINGS – Continued**

**4. NEW BUSINESS**

**5. OLD BUSINESS**

**6. ADJOURN**

Planning Commission  
October 18, 2016

**CUP-16-536** Request Of Lynn Koerner of Shentel on behalf of Valley Proteins for a conditional use permit for a telecommunication facility at 501 West Jubal Early Drive (Map Number 230-04 -1) conditionally zoned Highway Commercial (B-2) District.

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#### REQUEST DESCRIPTION

The request is for a new telecommunications facility, which includes a 100-foot monopole tower to be located on the Valley Proteins Property at 501 West Jubal Early Drive.

#### AREA DESCRIPTION

The adjoining area comprises of Planned Commercial (PC) District zoning to the north (across W. Jubal Early Drive) and west (across Harvest Drive) with office and commercial uses. To the south is the Stuart Hill Apartment Complex which is zoned High Density Residential (HR) District with Planned Unit Development (PUD) Overlay. To the east is a separate Conditionally Zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District Overlay that is used for auto sales.



#### STAFF COMMENTS

Shenandoah Personal Communications LLC (Shentel) is proposing to establish a new telecommunications facility at this site. The proposal involves the construction of a 1,368 sq. ft. telecommunication facility compound which will consist of a 100-foot telecommunications monopole tower to support the increased demand for wireless telecommunications. On July 26, 2016, City Council approved **O-2016-19** which revised the proffer for allowable uses at 501 W Jubal Early Drive, specifically adding telecommunication facilities to the list of uses allowed at the site.

In the applicant's letter dated, August 24, 2016, other potential sites and facility designs was considered prior to pursuing this option. Co-location at other sites was considered but was deemed not suitable as detailed in the Radio Frequency "RF" brief (see attached). A more stealth design was also explored with building mounted antennas at 501 W Jubal Early Dr., 480 W Jubal Early Dr., and 1955 Valley Ave. but none could achieve sufficient height to meet coverage needs. Included are photosimulations of the proposed tower showing the visual impacts of how the 100-foot monopole tower would appear in the surrounding area.

On August 31, 2016, staff received an email correspondence from Renny Manuel (see attached), Executive Director of the Winchester Regional Airport Authority. Ms. Manuel expressed concern of the height of the proposed tower and potential impacts it has on air navigation to the nearby Winchester Regional Airport, which is approx. 2 miles away from the proposed tower. Ms. Manuel requested that the proposed tower, if approved, have a condition for that the tower either be marked and/or have a light in accordance with FAA regulations. Staff reached out to the applicant and asked if the tower was in need of tower lighting. Mr. Koerner provided an FAA determination letter (see attached) stating the tower is of no hazard to air navigation, however if the Commission and Council determine that it is in the best interest of the airport to have a light, Shentel would install a red light on top of the tower. It is of staff's opinion since there are residential apartment complexes nearby, staff would want to refrain from lighting be used unless required.

While the Comprehensive Plan identifies the increase in mobile communication use in chapter 8 regarding Community Facilities & Services, there is no specific language regarding the development of telecommunication facilities in this geographic area of the Comprehensive Plan.

Section 18-2-1.2 of the Zoning Ordinance provides for several evaluation criteria which need to be satisfied as part of a proposal:

- 1) *All possible means for sharing space on existing towers or on existing building or other structures have been exhausted and no alternative other than constructing a new tower exists.*

As stated in the statement of compliance letter dated August 24, 2016, the site selection the proposed tower was carefully researched by the applicant. Consideration to other locations were considered but ultimately the location at 501 West Jubal Early Drive was selected examined for providing sufficient coverage, meeting capacity demands, and being a more desirable location.

- 2) *The applicant has executed a Letter of Intent to share space on their tower and negotiate in good faith with other interested parties.*

As noted in the email from the applicant dated September 29, 2016, the tower will have space to accommodate Shentel's antennas and up to two (2) additional carriers interested in collocating.

- 3) *The tower height is no more than the minimum to accomplish required coverage.*

As stated in the letter, the height of the tower structure is designed to be 100 feet and meets the 100 foot height restriction for the B-2 Zoning District. A note on the plans call for a 4-foot lighting rod to be attached to the top of the tower. A lighting rod does not count towards the height of a structure.

- 4) *The tower construction is of a design which minimizes the visual impact and the tower and other facilities have been camouflaged and/or screened from adjacent properties and rights-of-way to the maximum extent practicable.*

The facility has been designed as a monopole and will be sited to southern corner of the parcel. Access to the facility will be gained via the existing paved parking area towards the rear of the property. A small grove of trees nearby block the lower half of the tower and compound from most view sheds.

- 5) *The proposal must provide for the retention of existing stands of trees and the installation of screening where existing trees do not mitigate the visual impact of the facility. Such screening must, at a minimum, meet the requirements of Section 19-5-6.4d of the Ordinance. The Planning Commission may recommend and the City Council may require additional trees and screening when the minimum provisions do not mitigate adverse visual impacts of the facility.*

The applicant states there will be minimal tree clearing and additional landscaping will be provided to help mitigate any visual impact as shown in the landscape plan in the Site Plan.

- 6) *The electromagnetic fields do not exceed the radio frequency emission standards established by the American National Standards Institute (ANSI) or standard issued by the Federal Government subsequent to the adoption of this Ordinance.*

The applicant has indicated the proposed facility will be designed and operate in accordance with all applicable federal laws in regards to health and safety. An as-built emissions certification will be submitted after the facility is in operation

## RECOMMENDATION

Staff recommends approval of this proposal with conditions.

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.

A favorable motion could read:

**MOVE** the Commission forward **CUP-16-536** to Council recommending approval because the use, as proposed, should not adversely affect the health, safety, or welfare of residents and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood. The recommended approval is subject to the following conditions:

1. Submit an as-built emissions certification after the facility is in operation;
2. The applicant, tower owner, or property owner shall remove equipment within ninety (90) days once the equipment is no longer in active use; and,
3. Submit a bond at 150% of the estimated equipment removal costs guaranteeing removal of the facilities should the use cease.
4. Staff review and approval of the required site plan.

OR

An unfavorable recommendation from the Planning Commission to City Council should cite the reasons why the proposal as submitted or modified could negatively impact the health, safety or welfare of those residing or working in the area and/or why it would be detrimental to public welfare or damaging to property or improvements in the neighborhood.



*Lynn Koerner – 540-335-0030  
Site Acquisition and Project Development  
Contractor for Shentel*

**August 24, 2016**

**Planning and Zoning  
City of Winchester  
Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601**

**Re: Shenandoah Mobile LLC – Site 13789 – Orchard Hill**

**Dear Sir:**

**Shenandoah Mobile, LLC (Shentel) is in need of a telecommunications facility in the area west of the intersection of Jubal Early and Valley Avenue. This proposed site is to handle capacity issues for Shentel's Sprint PCS service as identified in the RF Brief that is included with the application for a Conditional Use Permit for this property. This site will provide the latest 4G service to the area and correct the current data capacity issues that we are experiencing with the network in this area.**

**Shentel considered the use of the rooftop of the Valley Protein building as well as across the street at 480 Jubal Early. Neither of these two structures would provide enough height to clear the surrounding trees and reach the target area. Shentel RF engineering also considered the Virginia Warehouse building on Valley Avenue. This building does not provide the height needed for our antennas to meet the coverage objective.**

**When getting into dense residential areas of communities, the search area for a site becomes very condensed and limited in size. Existing sites surrounding this location are Site 091 located on a pole by the hospital, Site 050 which is located on the roof of the Rehab Hospital, 099 which is behind the Sprint Store on South Loudoun and Site 531 located near the intersection of Texas and Valley Avenue. The location of these sites can be easily identified on the attached RF Brief. These surrounding sites all have**

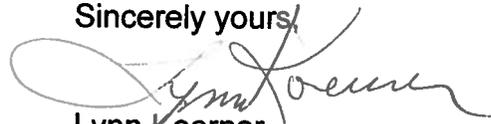
some limitations to coverage area because they are of a stealth design and the remote radio heads are ground mounted which limits some of the capabilities of the sites. The other is a rooftop and has limited height to cover a large area. A detailed RF brief is attached for more detailed information.

Attached also is a photo simulation package. These photo simulations were prepared by flying a (3) three foot balloon at a height of (100) one hundred feet and obtaining pictures and then simulating how we believe the tower will look once constructed for Shentel.

We feel that the proposed location will not affect adversely the health, safety, or welfare of persons residing or working in the neighborhood of the proposed facility. We feel that this installation will be a benefit to the citizens of Winchester and is in line with the goals of the Comprehensive Plan of continuing into the future without decaying or collapsing and meeting today's needs without sacrificing the future. Shentel engineering has determined that this site will provide the needed capacity signal to this area of Winchester.

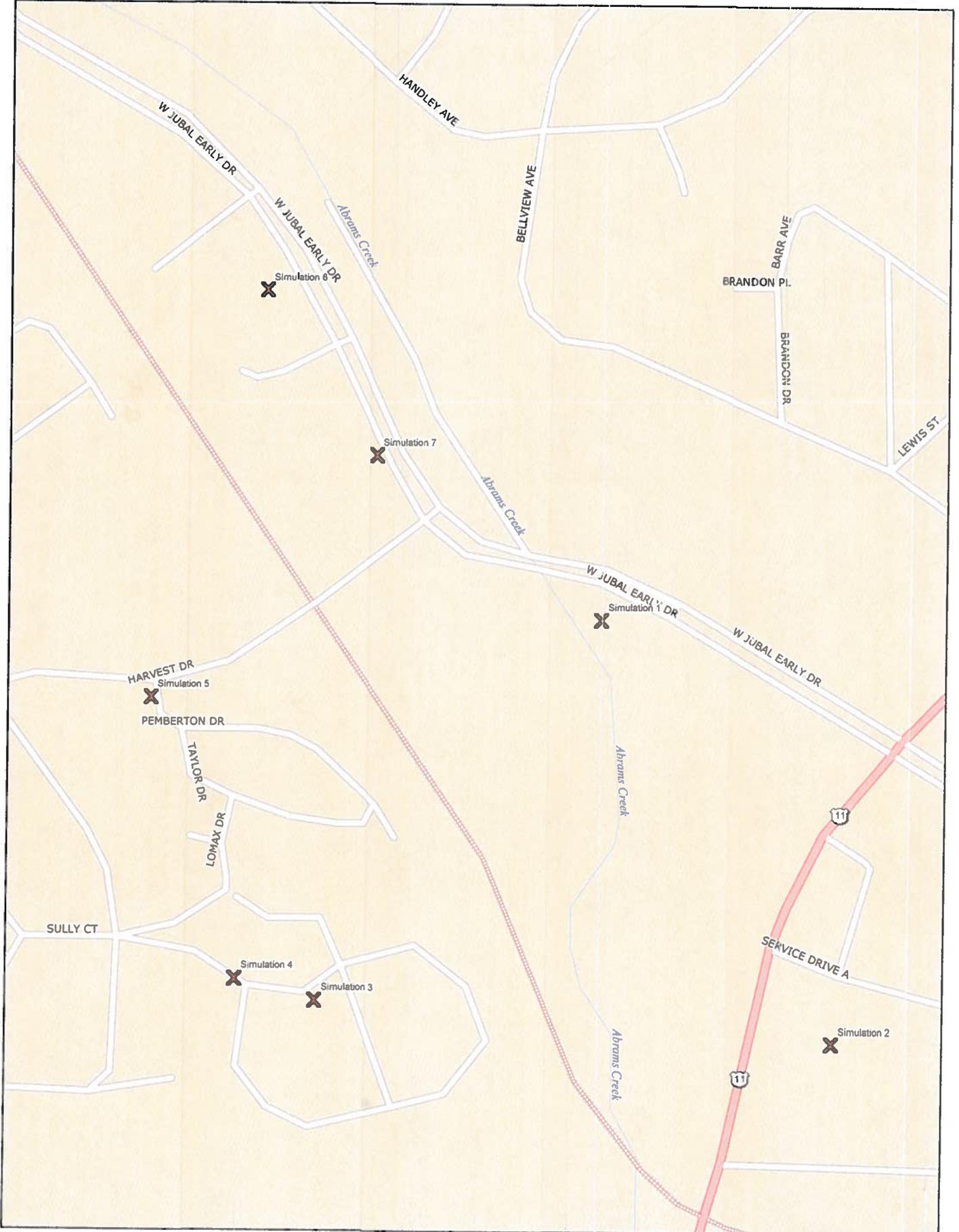
Please contact me at (540)335-0030 should you have any questions.

Sincerely yours,



Lynn Koerner  
Site Acquisition  
and Project Development  
Contractor for Shentel

Attachments  
as



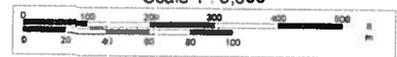
Data use subject to license.

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www.delorme.com



Scale 1 : 3,600



1" = 300.0 ft

Data Zoom 15-7



SITE

Simulation 1

Simulation 2

Simulation 4

Simulation 5

Simulation 7

Simulation 9

Simulation 2

© 2016 Google

Service Rd A

Valley Ave

Holmes St

Roberts St

Rte 11

Brandon Dr

Reaves St

Lewis St

Mosby

Wagon Ct

Lomax Dr

Taylor Dr

Pemberton Dr

Wagon Ct

**Pic #1**

**Entrance to Valley Protein from Jubal Early**



**Sim #1**

**Entrance to Valley Protein from Jubal Early**



**Pic #2**

**Across from Malloy Ford**



**Sim #2**

**Across from Malloy Ford**



**Pic #3**

**Stuart Hill Apartments**



**Sim #3**

**Stuart Hill Apartments**



**Pic #4**

**Stuart Hills Office**



**Sim #4**

**Stuart Hills Office**



**Pic #5**

**Entrance to Pemberton (By Mailboxes)**



**Sim #5**

**Entrance to Pemberton (By Mailboxes)**



**Pic #6**

**In parking lot of Daily Grind**



**Sim #6**

**In parking lot of Daily Grind**



**Pic 7**

**From along Jubal Early**



**Sim 7**

**From along Jubal Early**



## **RF Capacity Brief for the Proposed Orchard Hill Site # WA13SH789**

The city of Winchester, VA is a hub to some of Virginia's major highways and with the close proximity to and from Washington DC and other nearby metropolitan areas the area continues to grow. As the city progresses and more and more people are telecommuting and using new data based services, the neighborhood surrounding West Jubal Early Dr. and Harvest Dr. is rapidly increasing the amount of data used by wireless devices.

The continued growth in this part of Winchester has stimulated the need for additional resources and infrastructure for wireless data access. Mobile phone users may experience slow data or buffered data during high peak usage periods due to lack of resources from existing radio base stations and wireless towers serving the area. To serve customers data usage needs and to improve service strength, Shentel determined that there is a need to add another wireless site in the area. The addition of this site will increase capacity and improve customer's experience inside the buildings.

Shentel as well as the entire wireless industry has seen an increase in data usage over the past few years that doubles every 9 months. This is the case for the existing sites surrounding neighborhoods near the intersection of West Jubal Early Drive and Harvest Drive. These neighboring sites have experienced maximum usage resulting in slow data speeds or limited access.

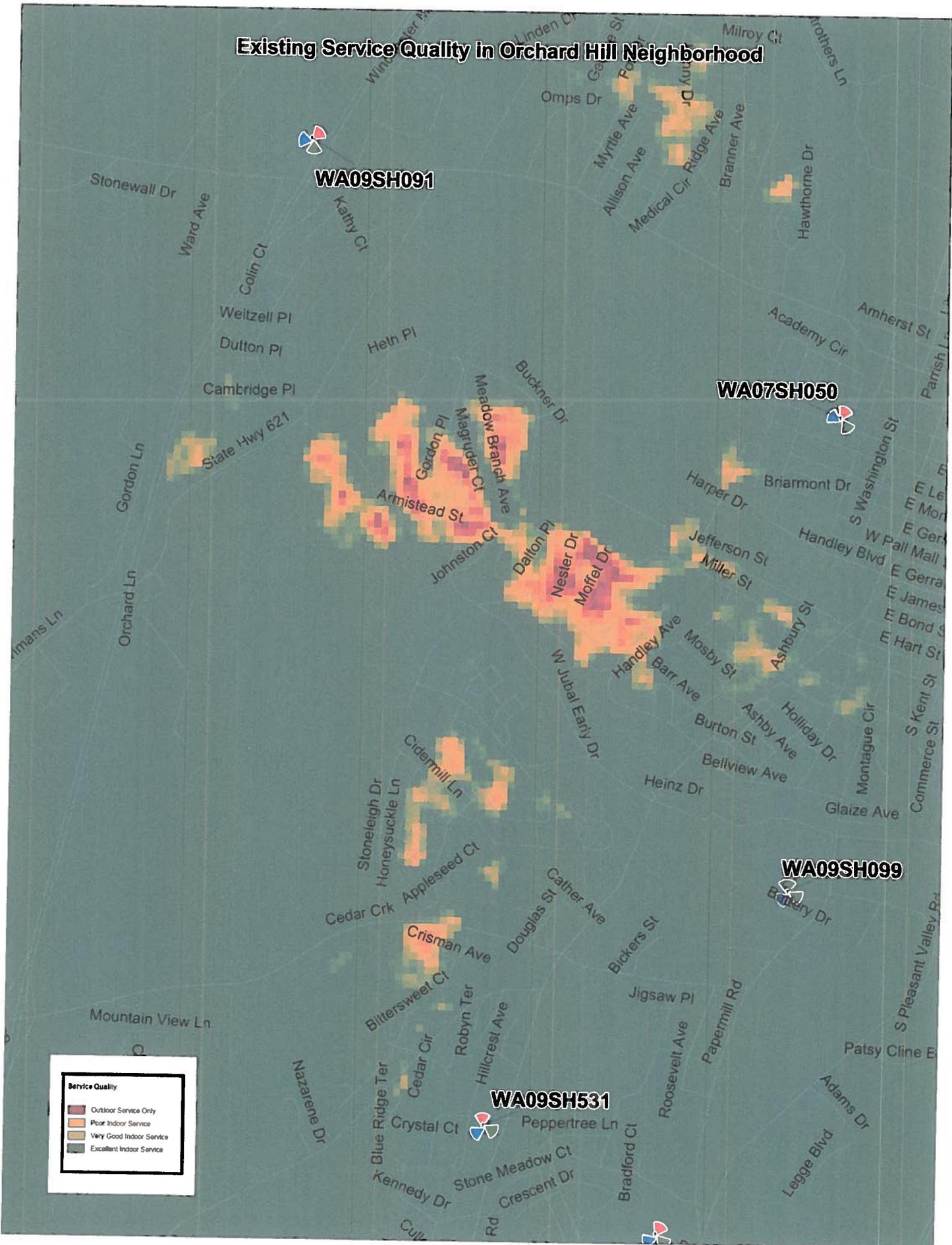
The proposed site (Site Number: WA13SH789) referred to as "Orchard Hill" is located at coordinates: Latitude: 39.168644° N and Longitude: 78.183119 W. The existing service levels in the surrounding neighborhoods to the west of this location do not have adequate signal strength to provide reasonable indoor service for Sprint customers. The reduced signal strength results in a significant reduction in data capacity as well in this area.

The proposed site will increase signal strength and provide capacity improvements to the surrounding neighborhood.

The colocation opportunity at the Virginia Warehouse building - on Valley Ave. along the railroad track was considered as a possible candidate but the predictions indicate that due to the very low antenna height the target area would receive little or no improvement and thus not be enough to justify the expense of installing equipment at this location.

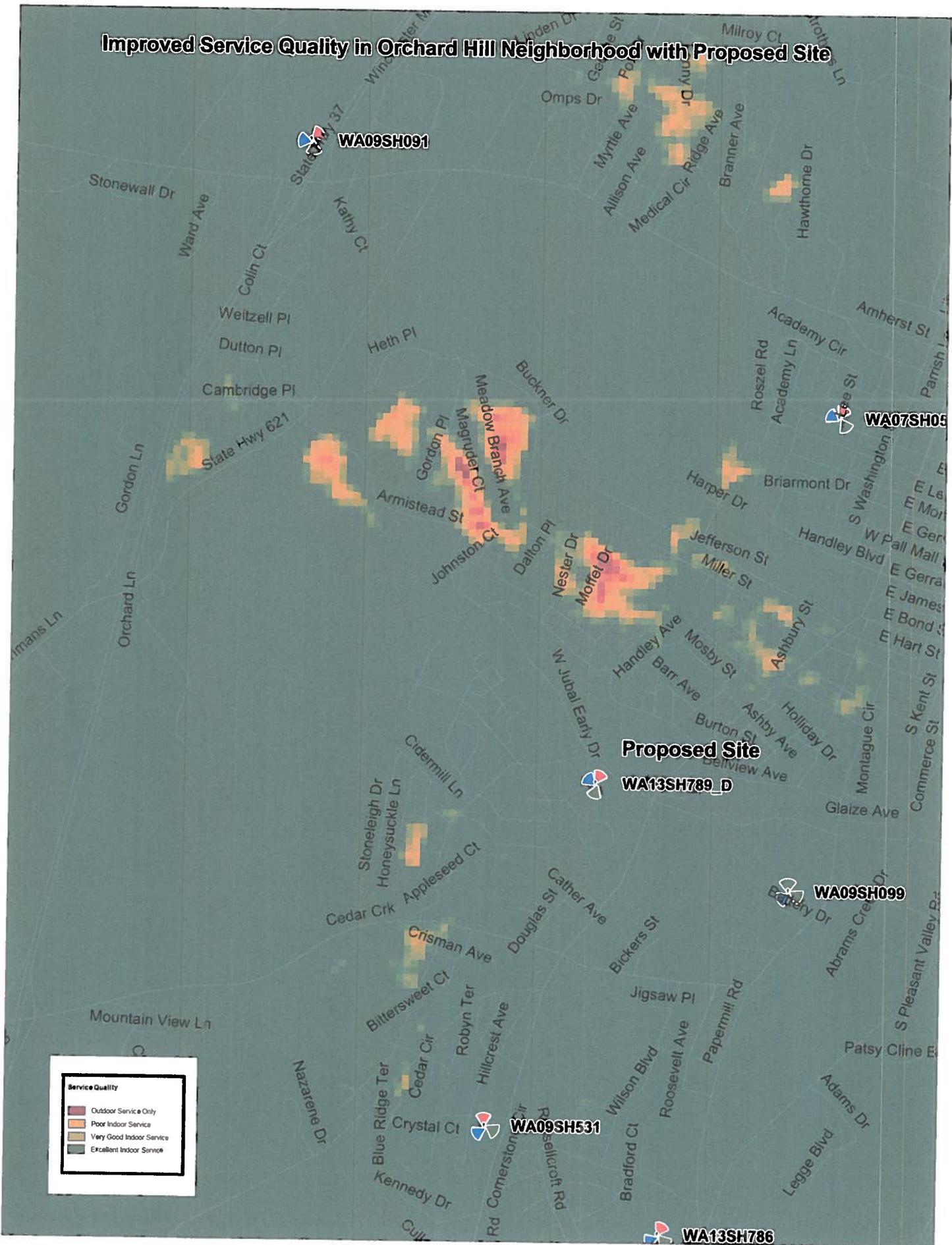
In conclusion it is evident from the data capacity analysis along with signal strength analysis that the addition of the proposed WA13SH789 Orchard Hill site on the Valley Protein property will improve data availability and in-building service. This will result in off-loading the present capacity burden from the neighboring sites. The proposed site at an antenna height of 95 feet. Will provide adequate in-building RF signal in this location and surrounding residential/commercial areas, thus fulfilling Shentel's desired data capacity objective and meet company standards for reliable wireless service.

# Existing Service Quality in Orchard Hill Neighborhood



Service Quality	
Dark Red	Outdoor Service Only
Orange	Poor Indoor Service
Light Green	Very Good Indoor Service
Dark Green	Excellent Indoor Service

# Improved Service Quality in Orchard Hill Neighborhood with Proposed Site



Service Quality	
<span style="display:inline-block; width:15px; height:10px; background-color:darkred;"></span>	Outdoor Service Only
<span style="display:inline-block; width:15px; height:10px; background-color:orange;"></span>	Poor Indoor Service
<span style="display:inline-block; width:15px; height:10px; background-color:yellow;"></span>	Very Good Indoor Service
<span style="display:inline-block; width:15px; height:10px; background-color:darkgreen;"></span>	Excellent Indoor Service

**From:** [Lynn Koerner](#)  
**To:** [Timothy Youmans](#)  
**Cc:** [Aaron Grisdale](#); [Josh Crump](#)  
**Subject:** RE: Jubal Early Tower  
**Date:** Tuesday, September 06, 2016 12:49:31 PM  
**Attachments:** [13789 FAA Determination 160817.pdf](#)  
[RE 13789 - Orchard Hill \(Jubal Early Drive\).msg](#)

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Tim:

Attached is the FAA determination that provides a Determination of No Hazard to Air Navigation. I double checked with our consultant that does the FAA paperwork and have attached his email as well. He indicates officially that no lighting is required.

However, in his Words of Wisdom, He indicates that sometimes we need to be a friendly neighbor and put a red light on the tower. Monitoring would not be required. He suggested that we could ask the airport to pay for it because they requested it, but I don't think that request would go very far. He indicated, "do not put a white light on this site because it could be confused with a runway end light".

Shentel wants to be a friendly neighbor and takes things as requested by Renny seriously. Although the FAA and our consultant have found a Determination of Not Hazard to Air Navigation, should the Commission and Council determine that it is in the best interest of the request, Shentel will voluntarily install a red light on the top of the tower as indicated and in accordance with Advisory Circular 70/7460-1 L.

My hope is that no aircraft be anywhere near 100 feet above ground and be 2.15 miles from the end of the runway.

Please let me know if you have and additional questions or concerns.

Regards

Lynn Koerner  
Site Acquisition and Project Development  
Contractor for Shentel

540-335-0030

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**From:** Timothy Youmans [mailto:Timothy.Youmans@winchesterva.gov]  
**Sent:** Wednesday, August 31, 2016 4:41 PM  
**To:** Lynn Koerner  
**Cc:** Aaron Grisdale; Josh Crump  
**Subject:** FW: Jubal Early Tower

Lynn,

Please see comments from Renny Manuel at the airport.

Can you respond re: need for tower lighting?

Thanks,

Tim

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**From:** Renny Manuel [<mailto:okvmanuel@comcast.net>]

**Sent:** Wednesday, August 31, 2016 2:30 PM

**To:** Timothy Youmans

**Cc:** Ken Brammer (Delta Airport Consultants); John Longnaker

**Subject:** Jubal Early Tower

Good afternoon Tim

I saw a notice of a proposed telecommunications tower in the Star this morning. I reviewed the 7460-1 that was filed with the FAA for an airspace study and I have some concerns.

Using the information provided to the FAA by the applicant regarding the coordinates, 104' structure height and site elevation the FAA is not requiring the tower to be marked/lighted. As a note crane, construction equipment, etc. operating at any height greater than 856' AMSL will require a separate 7460-1 applicant for an airspace study in accordance with Federal Regulations.

The proposed site is directly on the centerline for runway 14 and is about 2 miles from the runway end. Based on the information provided the finished max height of the structure being 104', it will be approximately 856' to 860' AMSL.

The proposed site is within the Part 77 surfaces of the Winchester Regional Airport and for aviation safety reasons of aircraft operating out of and into the Winchester Airport, I would respectfully request that as a condition of approval of the site plan the tower be marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 L.

I am forwarding a copy to our engineering firm Delta Airport Consultants to ensure the proposed tower/site does not impact any future planned improvements for the airport.

Please let me know if you have any questions or concerns. Thank you for any assistance you can provide. Renny



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2016-AEA-5689-OE

Issued Date: 08/17/2016

Lynn Koerner  
Shentel (LK)  
500 Shenter Way  
Edinburg, VA 22824

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Orchard Hill  
Location: Winchester, VA  
Latitude: 39-10-07.14N NAD 83  
Longitude: 78-10-58.82W  
Heights: 752 feet site elevation (SE)  
104 feet above ground level (AGL)  
856 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)  
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

This determination expires on 02/17/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5922. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-AEA-5689-OE.

**Signature Control No: 296364745-302153953**

( DNE )

Debbie Cardenas  
Technician

Attachment(s)  
Frequency Data

cc: FCC

**Frequency Data for ASN 2016-AEA-5689-OE**

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W



# SHENTEL

Shenandoah Mobile, LLC



500 SHENTEL WAY  
P.O. BOX 459  
EDINBURG, VA 22824-0280  
(540) 984-5123

SITE NUMBER: 13789

SITE NAME: ORCHARD HILL

ADDRESS: 501 W. JUBAL EARLY DRIVE WINCHESTER, VA 22603

PROJECT TYPE: NEW EQUIPMENT AND NEW ANTENNAS ON A NEW 100' MONOPOLE W/ 4' LIGHTNING ROD



2500 HIGHLAND ROAD, SUITE 201  
HERMITAGE, PA 16148  
www.t-sqrd.com

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### SUBMITTALS

NO.	DATE	DESCRIPTION	BY
4	07.21.16	REDLINE REVISION	TM
3	07.12.16	REDLINE REVISION	TM
2	06.30.16	REDLINE REVISION	WRS
1	06.07.16	REDLINE REVISION	TM
0	05.19.16	ISSUED FOR REVIEW	TM

PROJ NO: 10001

CHECKED BY: G.W. Clower, P.E.

THESE PLANS AND SPECIFICATIONS AS NO PORTION OF THESE PLANS AND SPECIFICATIONS ARE TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF T-SQUARED SITE SERVICES, LLC.



SITE INFORMATION:  
ORCHARD HILL  
SITE NO. 13789  
501 W. JUBAL EARLY DRIVE  
WINCHESTER, VA 22603

SHEET TITLE:  
TITLE SHEET

SHEET NUMBER:  
T-1

PROJECT SUMMARY	
SITE NUMBER:	13789
SITE NAME:	ORCHARD HILL
SITE ADDRESS:	501 W. JUBAL EARLY DRIVE
TOWER OWNER/ DEVELOPER:	SHENANDOAH MOBILE, LLC 500 SHENTEL WAY EDINBURG, VA 21740 PHONE: 800-768-5200
ZONING JURISDICTION:	CITY OF WINCHESTER
ZONING DISTRICT:	B2
ELECTION DISTRICT:	W
PROPERTY ID NUMBER:	230-4-1
PROPERTY AREA:	7.0719 ACRES
PROPERTY OWNER:	VALLEY PROTEINS, INC., 151 VALPRO DRIVE WINCHESTER, VA 22603
POWER PROVIDER:	SHENANDOAH VALLEY ELECTRIC
TELCO PROVIDER:	SHENTEL FIBER

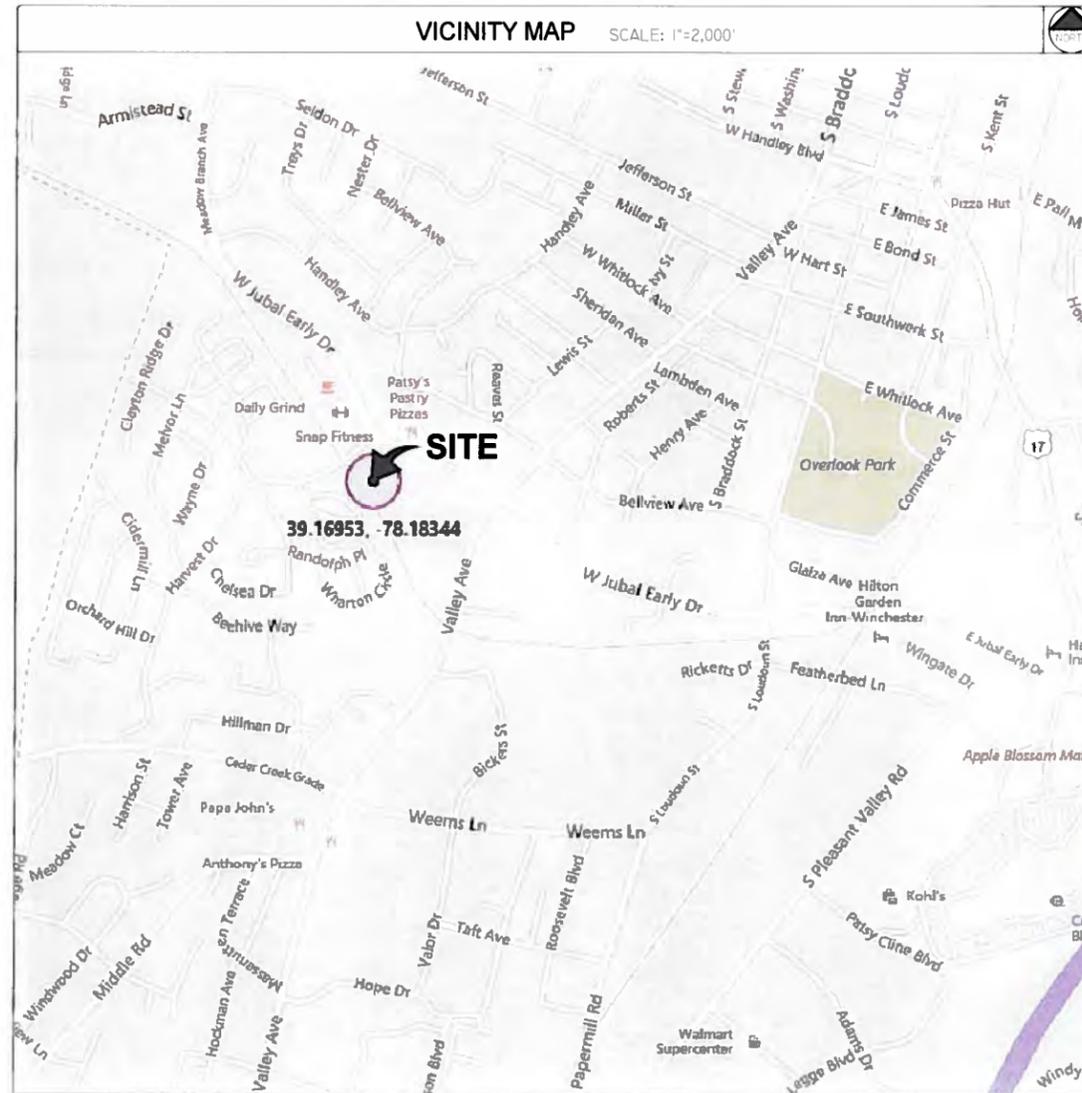
APPLICANT INFORMATION	
APPLICANT:	SHENTEL SHENANDOAH MOBILE, LLC. 500 SHENTEL WAY P.O. BOX 459 EDINBURG, VA 22824 PHONE: 540-984-5123

ARCHITECT/ENGINEER INFORMATION	
ENGINEER:	T-SQUARED SITE SERVICES 2500 HIGHLAND ROAD, SUITE 201 HERMITAGE, PA 16148 PHONE: 724-308-7855 CONTACT: MARK THOMPSON

PROJECT DESCRIPTION	
THIS PROJECT CONSISTS OF THE INSTALLATION OF PCS EQUIPMENT, CONCRETE SLAB, SUPPORT FRAMES, ICE BRIDGES, AND ANTENNA FRAMES AND CABLES ON A NEW 100' MONOPOLE W/ 4' LIGHTNING ROD WITHIN A NEW FENCED COMPOUND.	

BUILDING CODE	
USE GROUP: U (UTILITY)	FIRE CODE: NFPA 241 & NFPA 1 (CHPT 16)
CONST. TYPE: TOWER - 2C	

HANDICAP REQUIREMENTS	
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAP ACCESS IS NOT REQUIRED.	



**DRIVING DIRECTIONS**

FROM EXIT 313 INTERSTATE 81 PROCEED ON THE RAMP AND BEAR RIGHT TOWARDS WINCHESTER. PROCEED ON JUBAL EARLY FOR 1 2/10 MILES AND TURN LEFT AT HARVEST DRIVE. PROCEED TO THE FIRST DRIVEWAY ON THE LEFT. FOLLOW ACCESS PAST BUILDING TO SITE LOCATION ON THE RIGHT

(NAD 83)  
LATITUDE: 39.169530° N LONGITUDE: -78.183440° W

APPROVAL LIST	
SITE AC	_____
ZONING	_____
R.F.	_____
CONSTR. MANAGER	_____
NETWORK-TELCO	_____
NETWORK-POWER	_____
PROPERTY OWNER/REP.	_____
OPERATIONS	_____
G.C.	_____

SHEET INDEX	
SHEET	DESCRIPTION
T-1	TITLE SHEET
1 OF 3	SITE SURVEY (BY APEX LAND SOLUTIONS)
2 OF 3	SITE SURVEY (BY APEX LAND SOLUTIONS)
3 OF 3	SITE SURVEY (BY APEX LAND SOLUTIONS)
ES-1	EROSION & SEDIMENT CONTROL PLAN
ES-2	EROSION & SEDIMENT CONTROL DETAILS
GN-1	GENERAL NOTES
GN-2	GENERAL NOTES
C-1	GRADING / EBS CONTROL PLAN
A-1	SITE PLAN
A-2	COMPOUND PLAN
A-3	ELEVATION & ANTENNA PLANS
A-4	PLATFORM DETAILS
A-5	PLATFORM DETAILS
A-6	PLATFORM DETAILS
D-1	ANTENNA DETAILS
D-2	SITE DETAILS
D-3	MISC. DETAILS
E-1	ELECTRICAL DETAILS
E-2	SINGLE LINE AND PANEL SCHEDULE
E-3	UTILITY & GROUNDING DETAILS
E-3	RISER DIAGRAM
G-1	GROUNDING PLAN AND DETAILS
G-2	GROUNDING DETAILS
G-3	GROUNDING DETAILS

**DO NOT SCALE DRAWINGS**

CONTRACTOR SHALL VERIFY ALL PLANS & DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

**PLAN NOTES:**

- The boundary lines shown below are derived from available Deeds, Tax Maps, and Plans of Record, and does not represent an actual boundary survey.
- Site Address is 519 Harvest Drive, Winchester, VA 22603 (Frederick County)
- This plan is subject to all easements and restrictions of record.
- No significant noise, smoke, dust, or odor will result from this facility.
- The facility is unmanned and is not intended for human habitation, there is no handicap access required.
- The facility is unmanned and is does not require potable water or sanitary service.
- The proposed development does not include street signs of any type, and outdoor storage or any solid waster receptacles.
- Power to the facility will be monitored by a separate meter.
- The Floodplain Limits as shown hereon thus:  
Are taken from the Record Drawing, Instrument #080001038, recorded in the Land Records of Winchester, VA. See Sheet 3 of 3 for Tower location as shown on the FEMA Flood Insurance Rate Map for Frederick County, VA, Community Number 510173, Panel Number 216 D of 375.

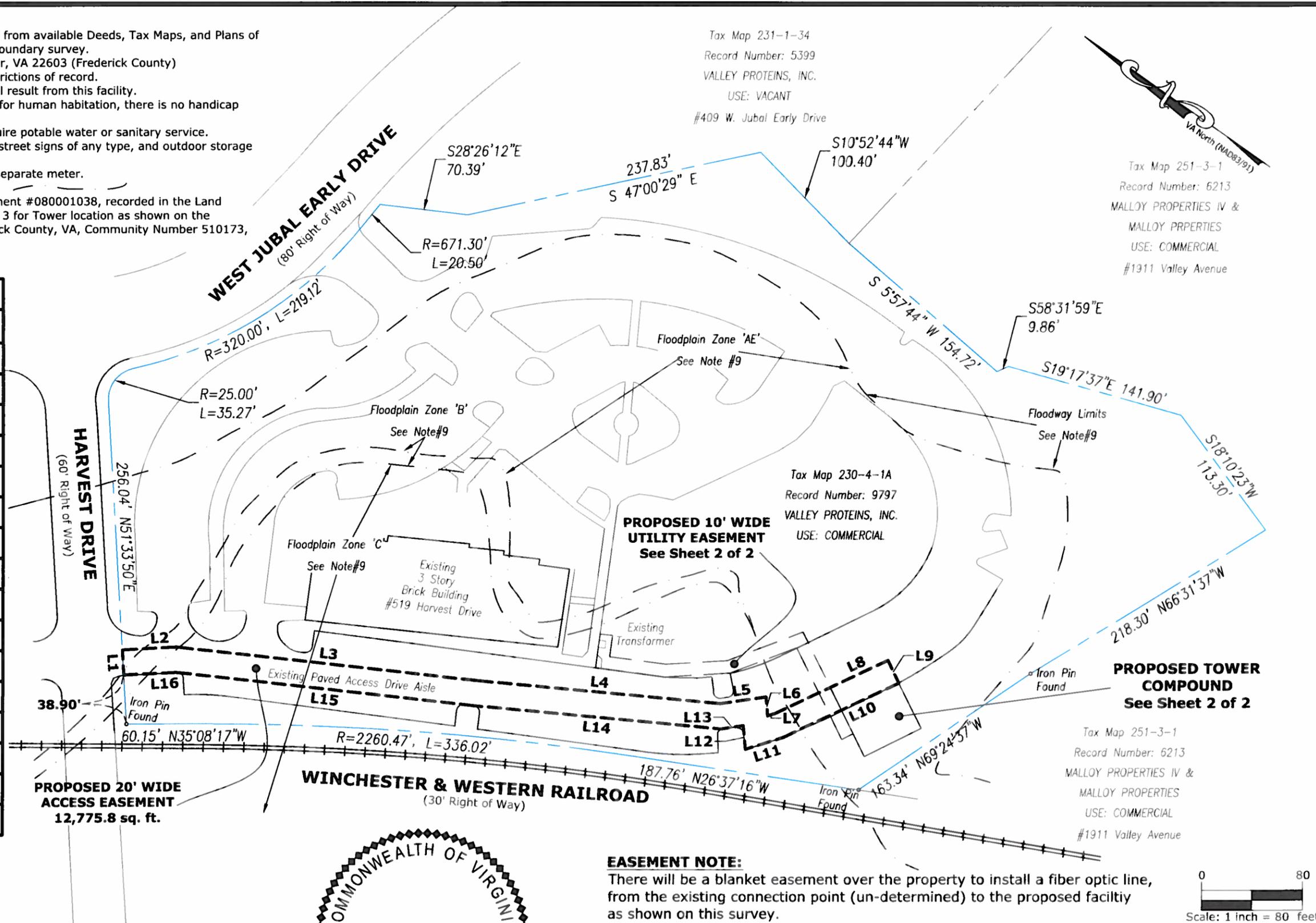
Tax Map 231-1-34  
Record Number: 5399  
VALLEY PROTEINS, INC.  
USE: VACANT  
#409 W. Jubal Early Drive

Tax Map 251-3-1  
Record Number: 6213  
MALLOY PROPERTIES IV &  
MALLOY PRPERTIES  
USE: COMMERCIAL  
#1911 Valley Avenue

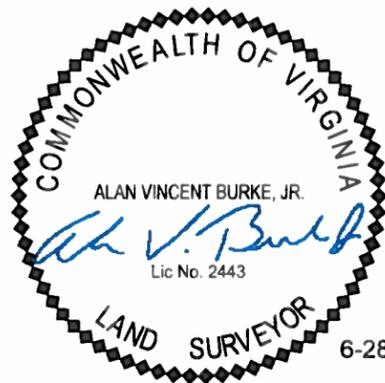
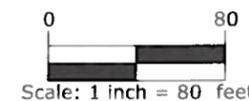
Tax Map 230-4-1A  
Record Number: 9797  
VALLEY PROTEINS, INC.  
USE: COMMERCIAL

Tax Map 251-3-1  
Record Number: 6213  
MALLOY PROPERTIES IV &  
MALLOY PROPERTIES  
USE: COMMERCIAL  
#1911 Valley Avenue

ACCESS EASMENT LINE TABLE		
Line No.	BEARING	Length
L1	N51°39'37"E	20.00'
L2	S37°56'12"E	42.85'
L3	S28°36'29"E	239.94'
L4	S29°36'24"E	193.56'
L5	S43°20'28"E	36.67'
L6	S49°44'33"W	15.08'
L7	S52°15'55"E	5.58'
L8	S60°14'20"E	99.32'
L9	S29°46'38"W	20.00'
L10	N60°13'22"W	100.91'
L11	N52°15'55"W	31.47'
L12	N49°44'33"E	18.67'
L13	N43°20'28"W	17.97'
L14	N29°36'24"W	196.14'
L15	N28°36'29"W	238.48'
L16	N37°56'12"W	41.08'



**EASEMENT NOTE:**  
There will be a blanket easement over the property to install a fiber optic line, from the existing connection point (un-determined) to the proposed facility as shown on this survey.



6-28-2016



Apex Land Solutions, LLC  
223 N. Prospect Street - Suite 304  
Hagerstown, Maryland 211740  
phone: (240) 455-5209  
fax: (866) 914-0344  
info.apexlandsolutions@gmail.com

**SITE SURVEY OF PROPOSED LEASE AREA & EASEMENT AT:  
THE PROPERTY OF VALLEY PROTEINS, INC. FOR:  
SHENANDOAH PERSONAL COMMUNICATIONS, LLC  
SITE # 13789 - ORCHARD HILL  
Tax Map 230, Parcel 4 - 1A - Frederick County, VA**

Drawn: S. M. Landis  
Checked: A. V. Burke, Jr.  
Date: June 28, 2016  
Project Number: 16-042  
Scale: 1 inch = 80 feet

SHEET 1 of 3

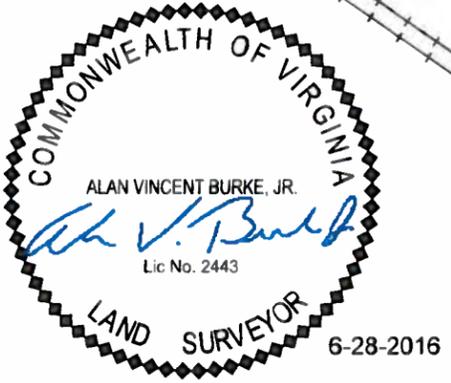
Tax Map 230-4-1A  
 Record Number: 9797  
 VALLEY PROTEINS, INC.  
 USE: COMMERCIAL

UTILITY EASEMENT LINE TABLE		
Line No.	BEARING	Length
L17	S61°24'19"E	10.00'
L18	S28°35'41"W	81.04'
L19	S55°48'12"E	56.60'
L20	S38°22'16"E	51.37'
L21	S27°25'14"E	55.79'
L22	S62°26'54"W	26.87'
L23	N28°35'14"W	10.00'
L24	N62°32'16"E	17.07'
L25	N27°25'14"W	44.89'
L26	N38°22'16"W	48.88'
L27	N55°48'12"W	64.14'
L28	N28°35'41"E	90.10'

LEASE LINE TABLE		
LINE #	DIRECTION	LENGTH
L29	N61°24'19"W	50.00'
L30	N28°35'41"E	40.00'
L31	S61°24'19"E	50.00'
L32	S28°35'41"W	40.00'

**PLAN NOTES:**

- The boundary lines shown below are derived from available Deeds, Tax Maps, and Plans of Record, and does not represent an actual boundary survey.
- Site Address is 519 Harvest Drive, Winchester, VA 22603 (Frederick County)
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 Are taken from the Record Drawing, Instrument #080001038, recorded in the Land Records of Winchester, VA. See Sheet 3 of 3 for Tower location as shown on the FEMA Flood Insurance Rate Map for Frederick County, VA, Community Number 510173, Panel Number 216 D of 375.



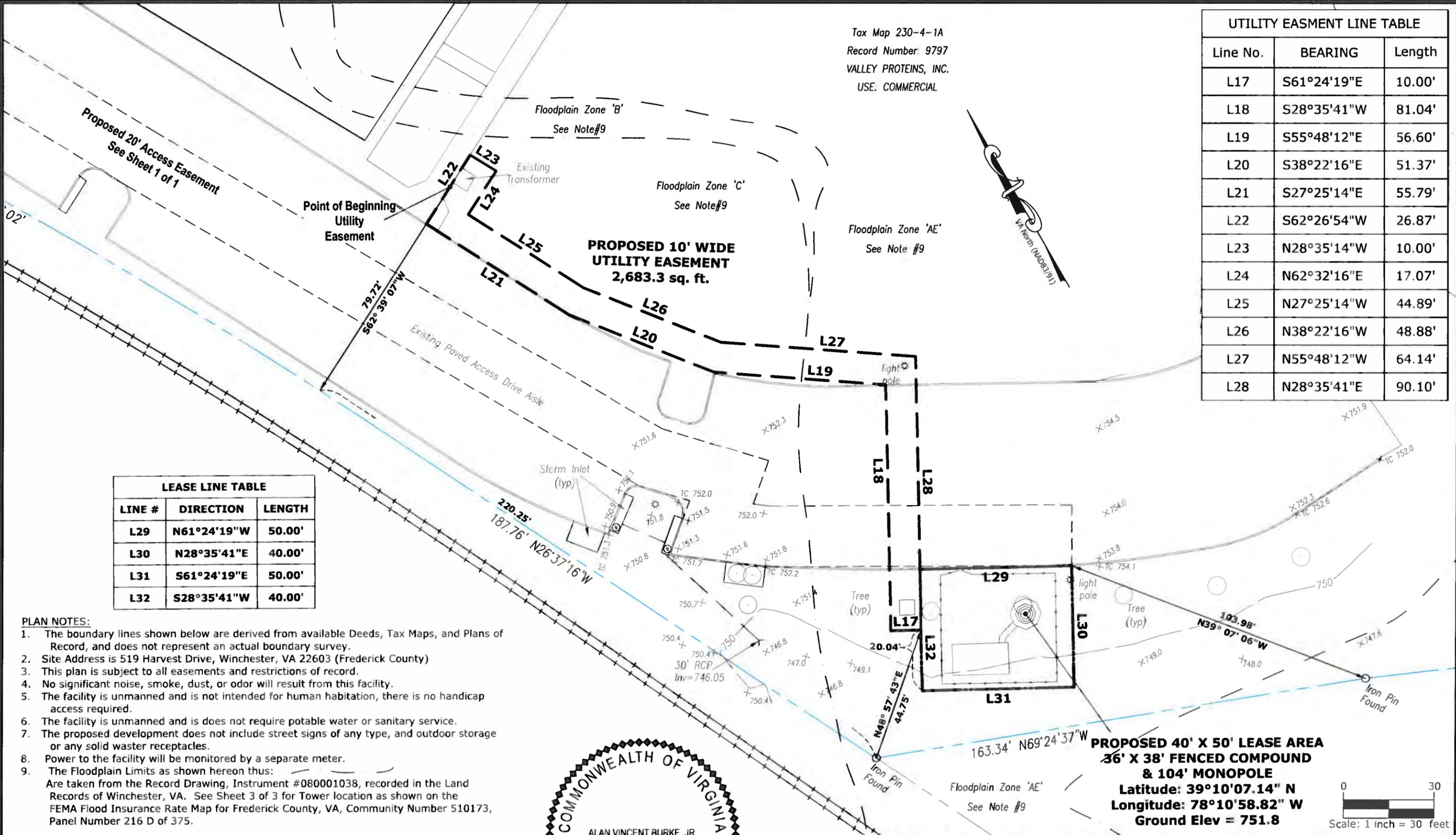
**SITE SURVEY OF PROPOSED LEASE AREA & EASEMENT AT:  
 THE PROPERTY OF VALLEY PROTEINS, INC. FOR:  
 SHENANDOAH PERSONAL COMMUNICATIONS, LLC  
 SITE # 13789 - ORCHARD HILL  
 Tax Map 230, Parcel 4 - 1A - Frederick County, VA**

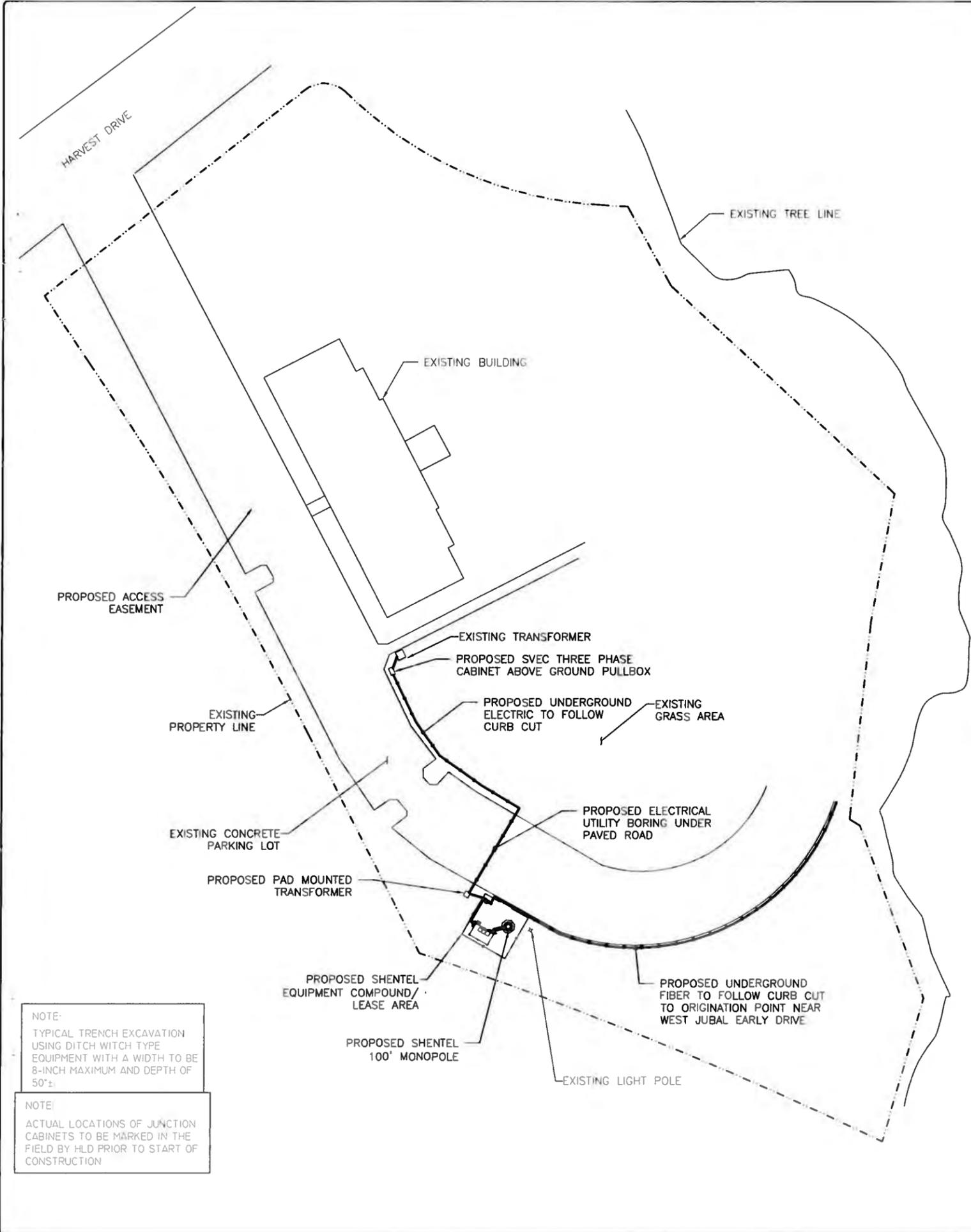
Latitude: 39°10'07.14" N  
 Longitude: 78°10'58.82" W  
 Ground Elev = 751.8

Scale: 1 inch = 30 feet

Drawn: S. M. Landis
Checked: A. V. Burke, Jr.
Date: June 28, 2016
Project Number: 16-042
Scale: 1 inch = 30 feet

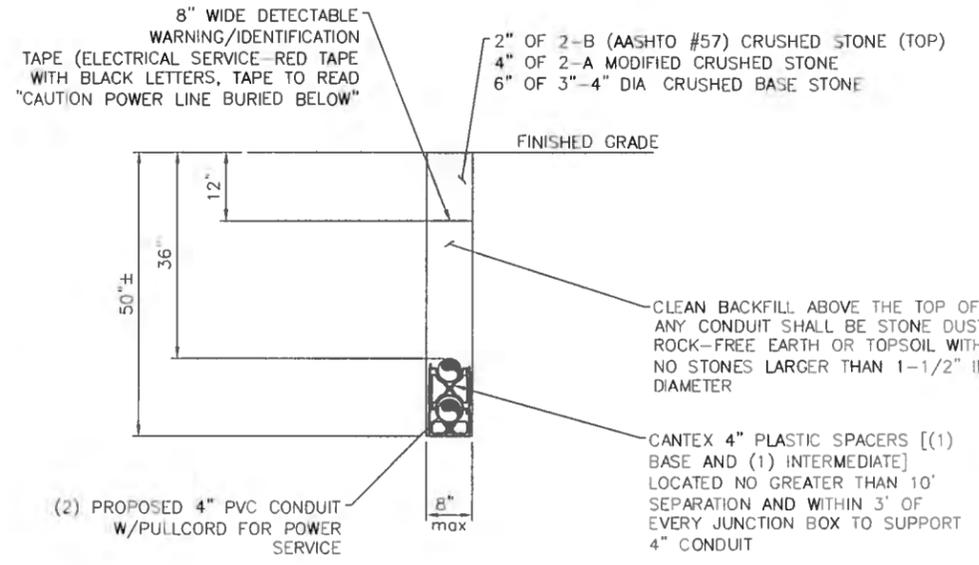
Apex Land Solutions, LLC  
 223 N. Prospect Street - Suite 304  
 Hagerstown, Maryland 211740  
 phone: (240) 455-5209  
 fax: (866) 914-0344  
 info.apexlandsolutions@gmail.com





NOTE:  
TYPICAL TRENCH EXCAVATION USING DITCH WITCH TYPE EQUIPMENT WITH A WIDTH TO BE 8-INCH MAXIMUM AND DEPTH OF 50"±.

NOTE:  
ACTUAL LOCATIONS OF JUNCTION CABINETS TO BE MARKED IN THE FIELD BY HLD PRIOR TO START OF CONSTRUCTION



- JURISDICTIONAL NOTES:**
1. MINIMUM COVER IS 24" FOR 600 VOLT CIRCUITS, 36" MINIMUM COVER FOR 4160-13,800 VOLT CIRCUITS.
  2. BACKFILL TO BE CLEAN AND COMPACTED IN 6 INCH LAYERS TO AVOID SETTLING.
  3. TRENCH TO BE 6" MINIMUM WIDTH.
  4. WHERE WIDTH OF TRENCH PERMITS, CONDUITS ARE TO HAVE 2 INCHES OF HORIZONTAL SEPARATION.
  5. IT IS PERMISSIBLE TO INCORPORATE COMMUNICATIONS CONDUITS IN TRENCH WITH HLD CONDUITS PROVIDED A 12" HORIZONTAL OR VERTICAL SEPARATION IS MAINTAINED.
  6. CONDUITS USED FOR ROAD CROSSINGS SHOULD BE OF SCHEDULE 80 THICKNESS, INCLUDING SPARE.

TO BE INSTALLED BY GENERAL CONTRACTOR

**TRENCHING DETAIL**  
SCALE: N.T.S.

- PROPOSED ELECTRIC LINE
- ▼— PROPOSED TELCO LINE
- - - - EXISTING WATER LINE

COMPOUND	1,368± S.F.
ACCESS	0± S.F.
TRENCH	250± S.F.
TRANSFORMER	20± S.F.
TOTAL S.F.	1,638± S.F.



**SITE PLAN**  
SCALE: N.T.S.



500 SHENTEL WAY  
P.O. BOX 459  
EDINBURG, VA 22824-0280  
(540) 984-5123

**T<sup>2</sup>**  
**T-SQUARED SITE SERVICES, LLC**  
2500 HIGHLAND ROAD, SUITE 201  
HERMITAGE, PA 16148  
www.t-sqrd.com

COPYRIGHT © 2016 T-SQUARED SITE SERVICES, LLC

SUBMITTALS		
4	07 21 16	REDLINE REVISION TM
3	07 12 16	REDLINE REVISION TM
2	06 30 16	REDLINE REVISION WRS
1	06 07 16	REDLINE REVISION TM
0	05 19 16	ISSUED FOR REVIEW TM

PROJ NO: 10001

CHECKED BY: G.W. Clower, P.E.

THESE PLANS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF T-SQUARED SITE SERVICES, LLC. ANY REVISIONS TO THESE PLANS OR SPECIFICATIONS SHALL BE MADE BY AN INSTRUMENT OF SERVICE TO THESE PLANS AND SPECIFICATIONS AND SHALL NOT BE USED BY ANY PERSON OR ENTITY OTHER THAN T-SQUARED SITE SERVICES, LLC WITHOUT THE WRITTEN CONSENT OF T-SQUARED SITE SERVICES, LLC.



**SITE INFORMATION:**  
ORCHARD HILL  
SITE NO. 13789  
501 W. JUBAL EARLY DRIVE  
WINCHESTER, VA 22603

SHEET TITLE  
**SITE PLAN**

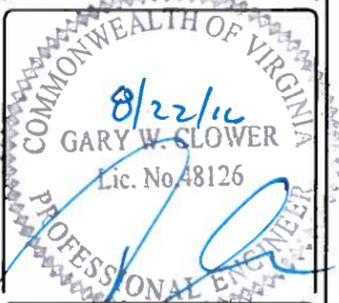
SHEET NUMBER  
**A-1**

SUBMITTALS			
4	07.21.16	REDLINE REVISION	TM
3	07.12.16	REDLINE REVISION	TM
2	06.30.16	REDLINE REVISION	WRS
1	06.07.16	REDLINE REVISION	TM
0	05.19.16	ISSUED FOR REVIEW	TM

PROJ. NO.: 10001

CHECKED BY: G.W. Clower, P.E.

THESE PLANS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE AND WILL REMAIN THE PROPERTY OF T-SQUARED SITE SERVICES, LLC. THEY ARE TO BE USED ONLY FOR THE PROJECTS AND LOCATIONS SHOWN AND NOT BE REPRODUCED OR USED FOR ANY OTHER PROJECTS WITHOUT PRIOR WRITTEN CONSENT OF THE ENGINEER.



PROJECT INFORMATION:

ORCHARD HILL  
SITE NO. 13789

501 W. JUBAL EARLY DRIVE  
WINCHESTER, VA 22603

SHEET TITLE:

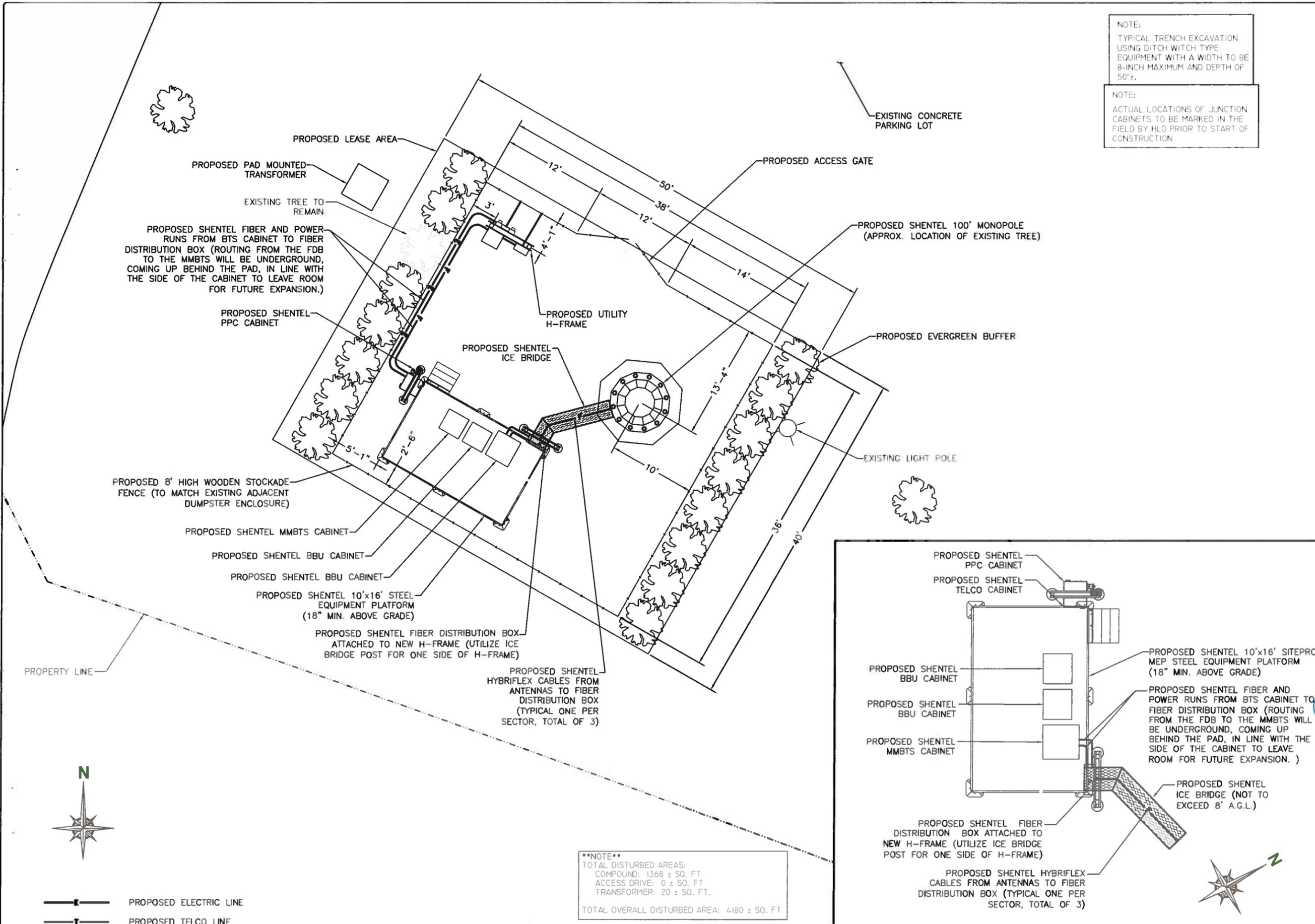
COMPOUND PLAN

SHEET NUMBER:

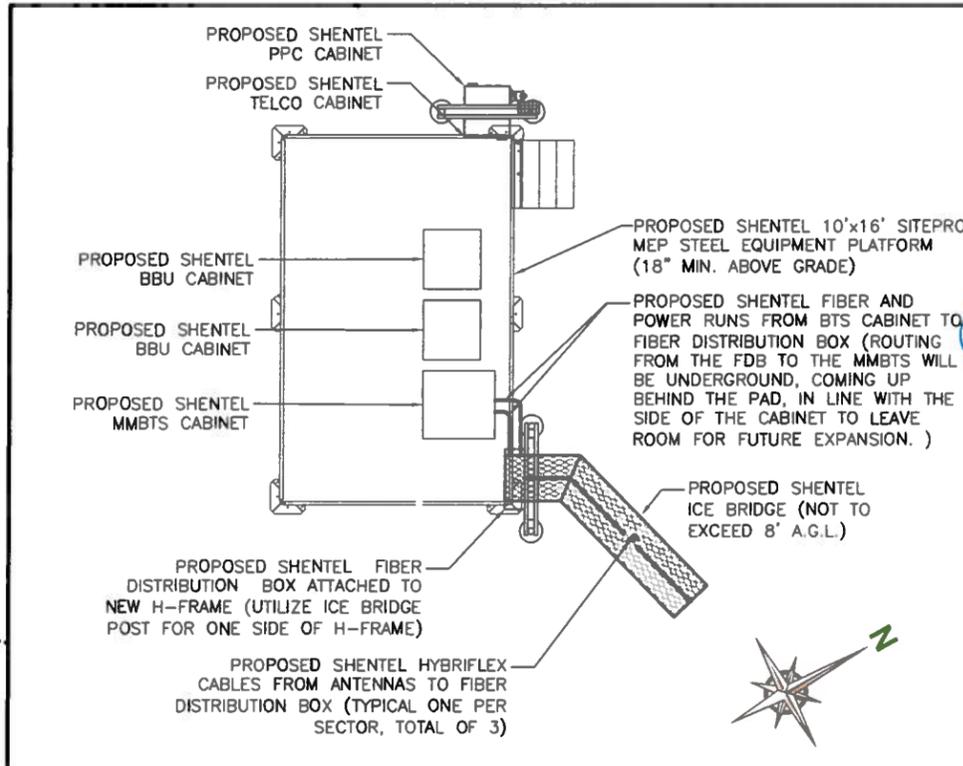
A-2

NOTE:  
TYPICAL TRENCH EXCAVATION USING DITCH WITCH TYPE EQUIPMENT WITH A WIDTH TO BE 8-INCH MAXIMUM AND DEPTH OF 50"±.

NOTE:  
ACTUAL LOCATIONS OF JUNCTION CABINETS TO BE MARKED IN THE FIELD BY HLD PRIOR TO START OF CONSTRUCTION



**\*\*NOTE\*\***  
TOTAL DISTURBED AREAS:  
COMPOUND: 1368 ± SQ. FT.  
ACCESS DRIVE: 0 ± SQ. FT.  
TRANSFORMER: 20 ± SQ. FT.  
TOTAL OVERALL DISTURBED AREA: 4180 ± SQ. FT.



—●— PROPOSED ELECTRIC LINE  
—T— PROPOSED TELCO LINE  
- - - - - EXISTING WATER LINE

**COMPOUND PLAN**  
SCALE: 3/32" = 1'-0" (3/16"=1'-0" ON 22"x34" SHEET) **1**

**EQUIPMENT PLAN**  
SCALE: 1/8" = 1'-0" (1/4"=1'-0" ON 22"x34" SHEET) **2**





Over the last several years, under both the current and previous owners, the City has documented numerous code violations pertaining to property maintenance, fire, and zoning codes. Furthermore the Commissioner of Revenue's office has had numerous concerns about the accuracy of tax filings over the same period of time.

Included within the code violations identified have been occupancy violations pertaining to the length of stay of guests. The current facility is approved as a *Motel*, which is defined in the Zoning Ordinance as: *"One (1) or more buildings containing individual sleeping rooms, designed for and used temporarily by tourists or transients for a maximum of thirty (30) consecutive days, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit. No more than 10 % of the total number of units may be occupied by individuals that exceed the 30 consecutive day maximum occupancy limit up to a maximum of nine (9) consecutive months."* In several instances over the past several years, the occupancy of the facility has included extended stay guests well over the 10% authorized by code and well over the maximum of nine (9) months of tenancy. As a result of recent code enforcement discussions with the property owner and manager, the owner decided to pursue the conditional use permit in order to continue allowing longer term stays at the facility.

The Comprehensive Plan for the Southwest (SW) geographic planning area states a major objective for the area is to "Proactively redevelop property where needed to achieve maximum sustainable potential." Further clarifying this objective is the action item: "Redevelop obsolete and blighted commercial properties along Rte 11 such as the three older motel sites and the Simbeck Truck Terminal site."

Staff has identified both positive and negative considerations with a potential CUP approval. On the positive side, an approval would necessitate certain prescribed building improvements take place thereby ensuring the elimination of unsafe and undesirable living conditions for non-transients, and further ensuring the use is not a detriment to public welfare. Alternatively, there are also issues with adherence to the Comprehensive Plan. As noted above, the Comp. Plan calls for the redevelopment of these obsolete motel sites, and a CUP approval may end up perpetuating this less than desirable use for an extended period of time. Lastly, there are continued compliance concerns pertaining accurate tax filings from the Commissioner of Revenue's office.

## 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.

*A favorable motion could read:*

**MOVE**, that the Commission forward **CU-16-559** to 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 twenty-one (21) rooms to ensure consistency with definition of the units as accommodations serving business travelers, not primary residences;
2. Submittal of applications for building permits and change of use to the Zoning & Inspections department to ensure compliance with the requirements of the Uniform Statewide Building Code. All necessary permit approvals and inspections must be completed prior to occupancy of the facility as extended stay;
3. Occupancy of each room is limited to the maximum occupancy permitted through the USBC;
4. No occupancy of any individual shall be for a period of longer than nine (9) months within a twelve (12) month period;
5. No more than four 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;
6. A twelve (12) month review of compliance with the permit shall be conducted by staff. After three (3) years the applicant must seek re-approval of the CUP by City Council, at which time, modifications or revocation of the permit may result of any substantial issues of noncompliance are found in the review.
7. Submission of a redevelopment concept plan to City Planning Department by \_\_\_\_\_ showing consistency with the Comprehensive Plan, and thereby demonstrating the property will be redeveloped in conformity with the Comprehensive Plan.
8. Retention of a staffed on-site lodging manager's office with proper directional signage so as to be easily identified by intended business travelers;
9. Strict compliance with payment of required taxes to the City;
10. Weekly smoke detector inspections by the property manager and annual inspection of the facility by the Fire Marshal's office. Appropriate records shall be kept by the on-site manager to document the required weekly inspections.
11. Revised business license obtained through the Commissioner of Revenue's office upon approval of the CUP and necessary building code changes.
12. Strict compliance with the Virginia Maintenance Code.

-OR-

*An unfavorable motion could read:*

**MOVE**, the Planning Commission forward **CU-16-559** to Council recommending denial because the proposal, as submitted, will adversely affect the health, safety, or welfare of persons residing or working in the neighborhood and be detrimental to public welfare or injurious to property or improvements in the neighborhood, with specific reasons being: (include any other reason for negative recommendation)

-OR-

*Possible Table Motion:*

**MOVE**, the Planning Commission table **CU-16-559**, because of  
(include any reasons for tabling).

The Law Office of C. Todd Gilbert, PLLC  
ATTORNEY AT LAW

8721 Orkney Grade  
Mount Jackson, Virginia 22842

Please reply to:  
P.O. Box 266  
Woodstock, VA 22664

Phone: (540) 975-2222  
Email: [tgilbert@shentel.net](mailto:tgilbert@shentel.net)  
Web: [toddgilbertlaw.com](http://toddgilbertlaw.com)

September 1, 2016

Mr. Timothy Youmans, Planning Director  
City of Winchester  
Rouss City Hall  
15 North Cameron Street, Suite 318  
Winchester, VA 22601

Re: Application for Conditional Use Permit for Ateethi Services, LLC

Dear Mr. Youmans:

Attached please find the application of the Ateethi Services, LLC DBA Relax Inn of Winchester for a conditional use permit to operate their facility under a conditional use permit to allow extended stay lodging pursuant to Section 9-2-19 of the Winchester Zoning Ordinance. As you are aware, my client's immediate neighbor, ANS Inn and Suites was recently granted such a permit.

As you will see from the attachments, each unit of the facility will be equipped with a stove, sink, refrigerator, microwave oven, R-2 fire extinguisher, smoke detector and any other extended stay requirement you may have. My client expects no changes to the amount of traffic, noise or other factors to be considered by the Planning Commission. Further, my client's immediate neighbors are largely commercial in nature. Unlike other properties, Relax Inn will have 24-hour on-site management present to address any needs or issues that may arise.

My client believes that this change will allow it to make improvements to the property and to attract a more stable clientele of business people, workers and others who require extended lodging. There is a demand locally for guests who are looking for a small property with a quiet and clean environment. As such, my client believes that the granting of this conditional use permit represents a positive outcome not only for their business but for the City of Winchester as well. We appreciate the consideration of the Planning Commission in this matter.

Sincerely,



C. Todd Gilbert, Esq.



Ann T. Burkholder, Commissioner of the Revenue  
15 North Cameron Street  
Winchester, VA 22601  
Email: commrevenue@winchesterva.gov

Telephone: (540) 667-1815  
FAX: (540) 667-8937  
TDD: (540) 722-0782  
Website: www.winchesterva.gov

To: Aaron Grisdale, Director of Zoning & Inspections  
From: Ann T Burkholder *ATB*  
Date: September 29, 2016

**RE: Request for Conditional Use Permit – Extended Stay  
Relax Inn, 2645 Valley Ave**

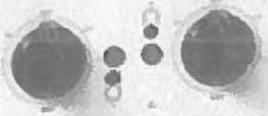
This memo is in response to your request for any active issues, history of violations or other considerations relevant to the Planning Commission and City Council in consider of the Relax Inn application for a conditional use permit for extended stay lodging at the facility located at 2645 Valley Ave.

The office of the Commissioner of the Revenue has an extensive history of concerns regarding the accuracy of filings submitted by this business for business tangible personal property; business, professional and occupational license (BPOL) taxes; and transient occupancy excise taxes.

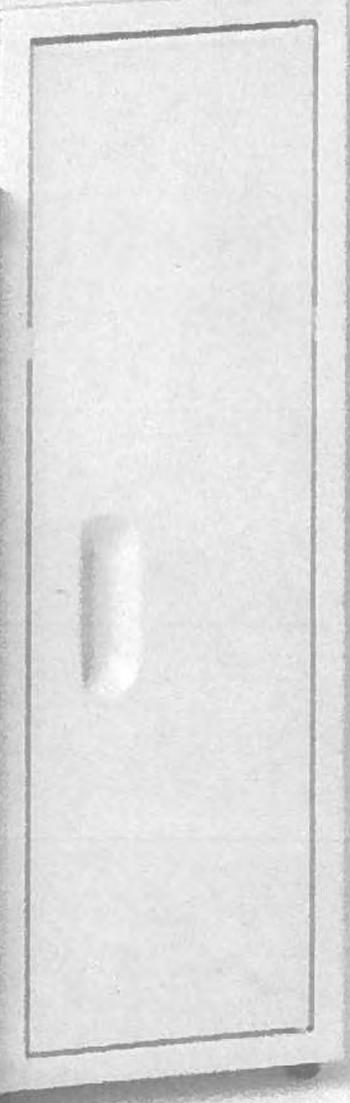
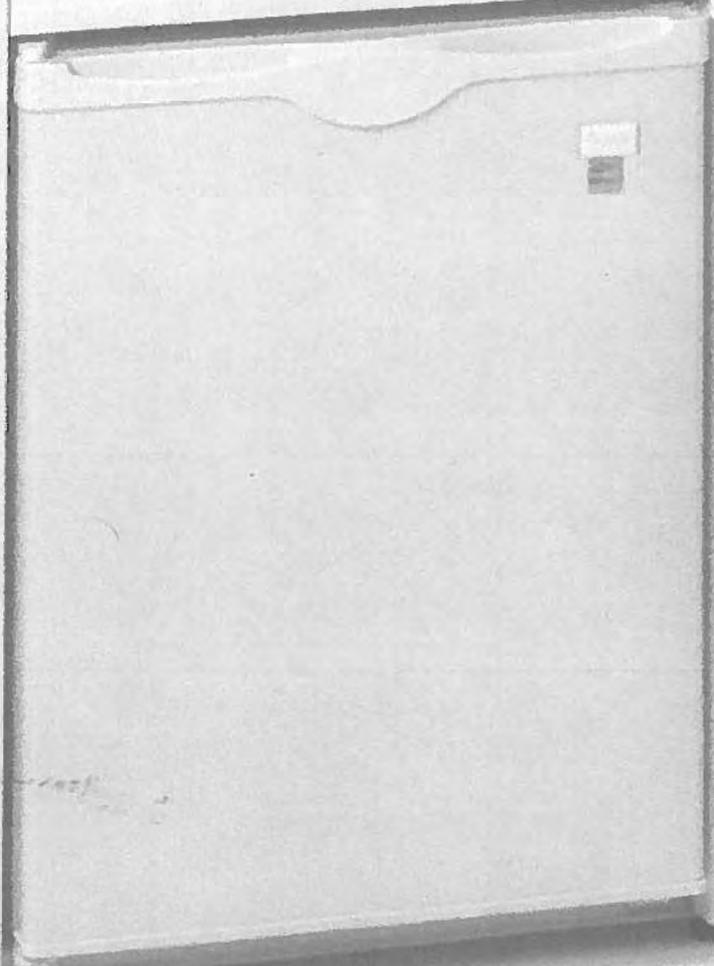
Of these the most notable concerns have related to the accuracy of filing transient occupancy taxes (Motel Tax Return) and the corresponding filings for extended stay residents (Motel Tax Schedule A Return). In the past five years, this office has had reason to conduct several major audits of the business, each of which has revealed inaccurate filings. These problems have risen to the level of legal action.

In recent months, this business has reported only two to three individuals as extended stay residents, yet an employee of the business has reported to another City official that most if not all the available rooms are being used for extended stay residents.

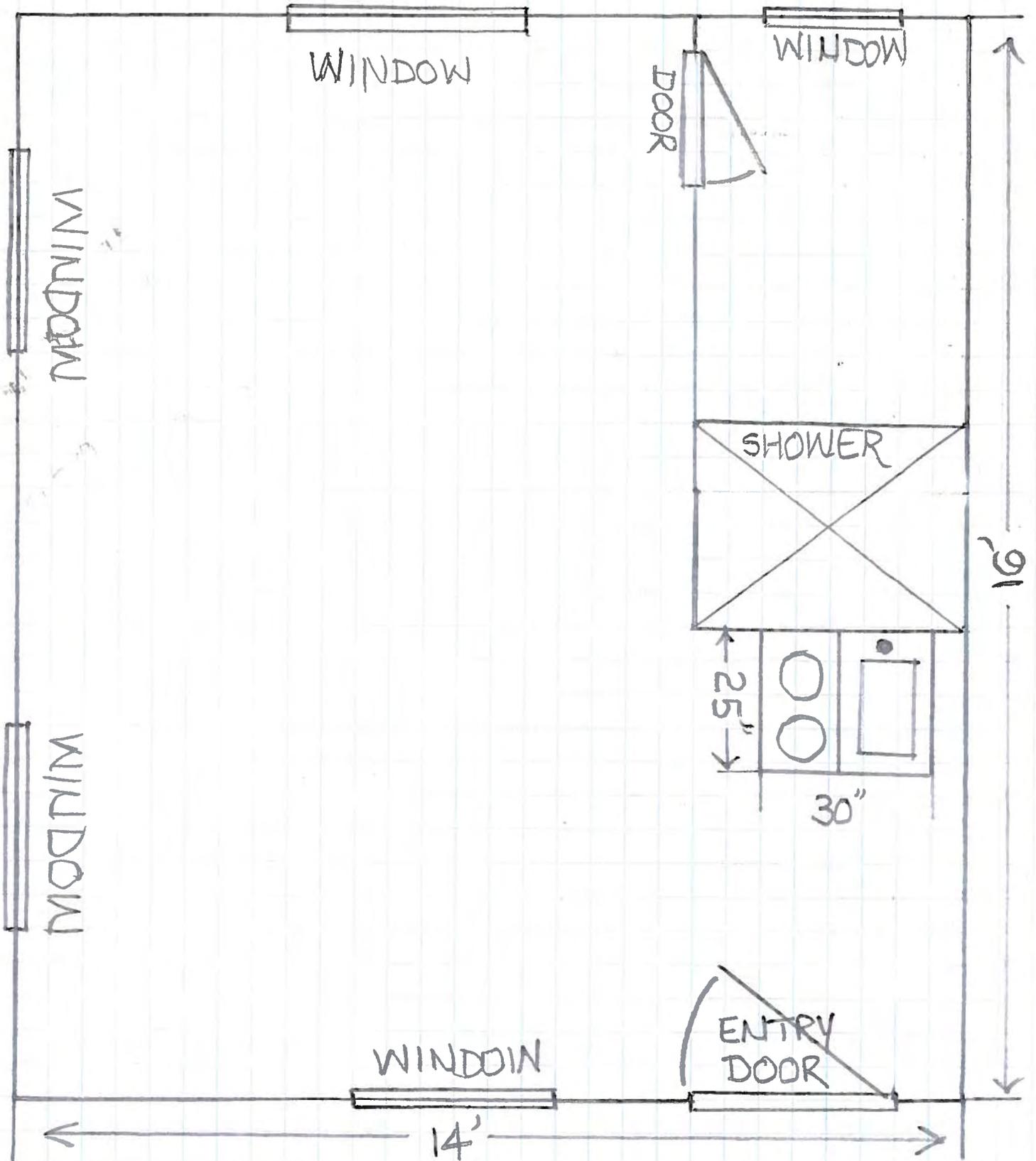
The office of the Commissioner of the Revenue can offer no evidence in support of the conditional use permit request.



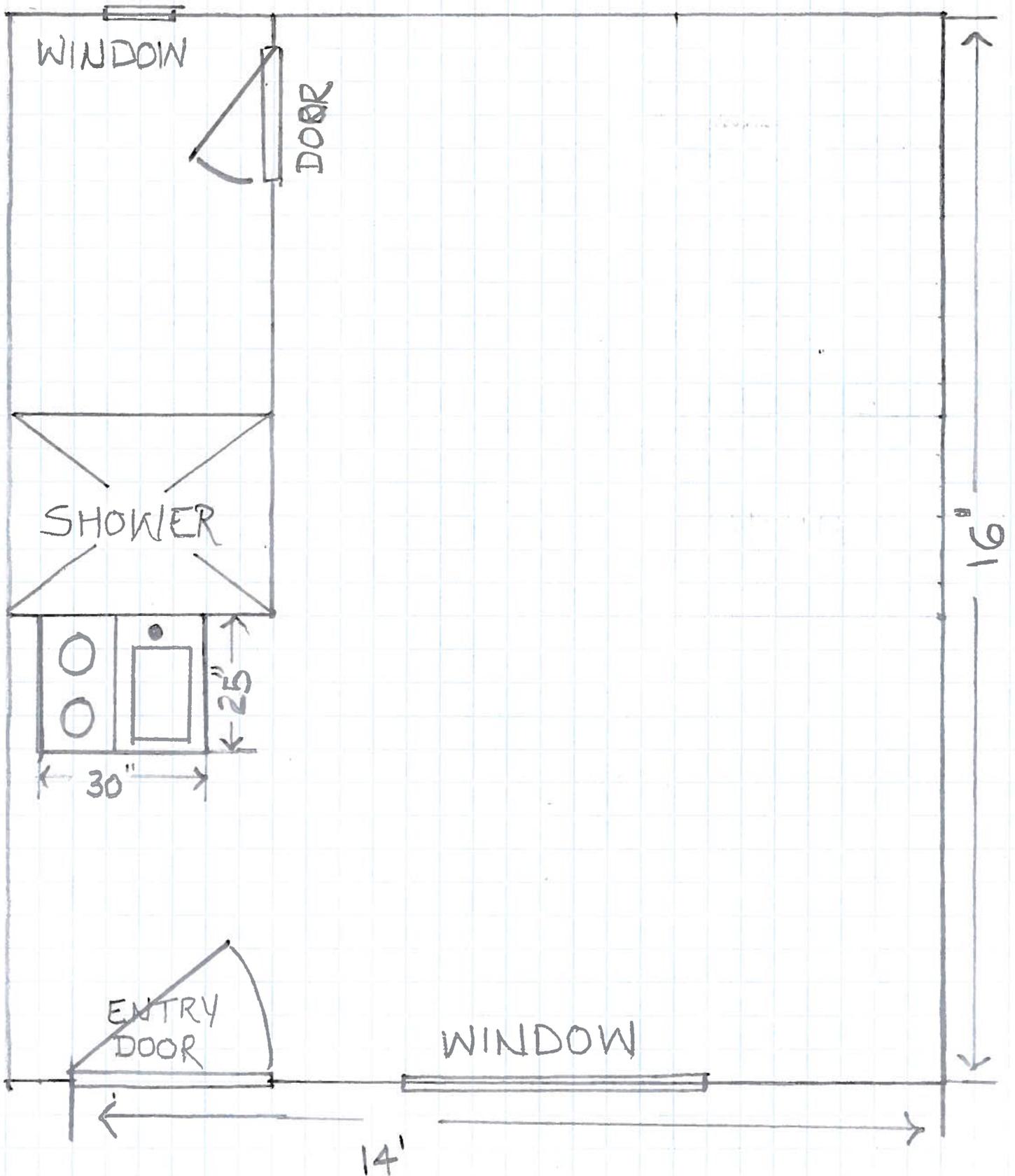
*Avanti*  
CAMPBELL SWAN



ROOM # 10

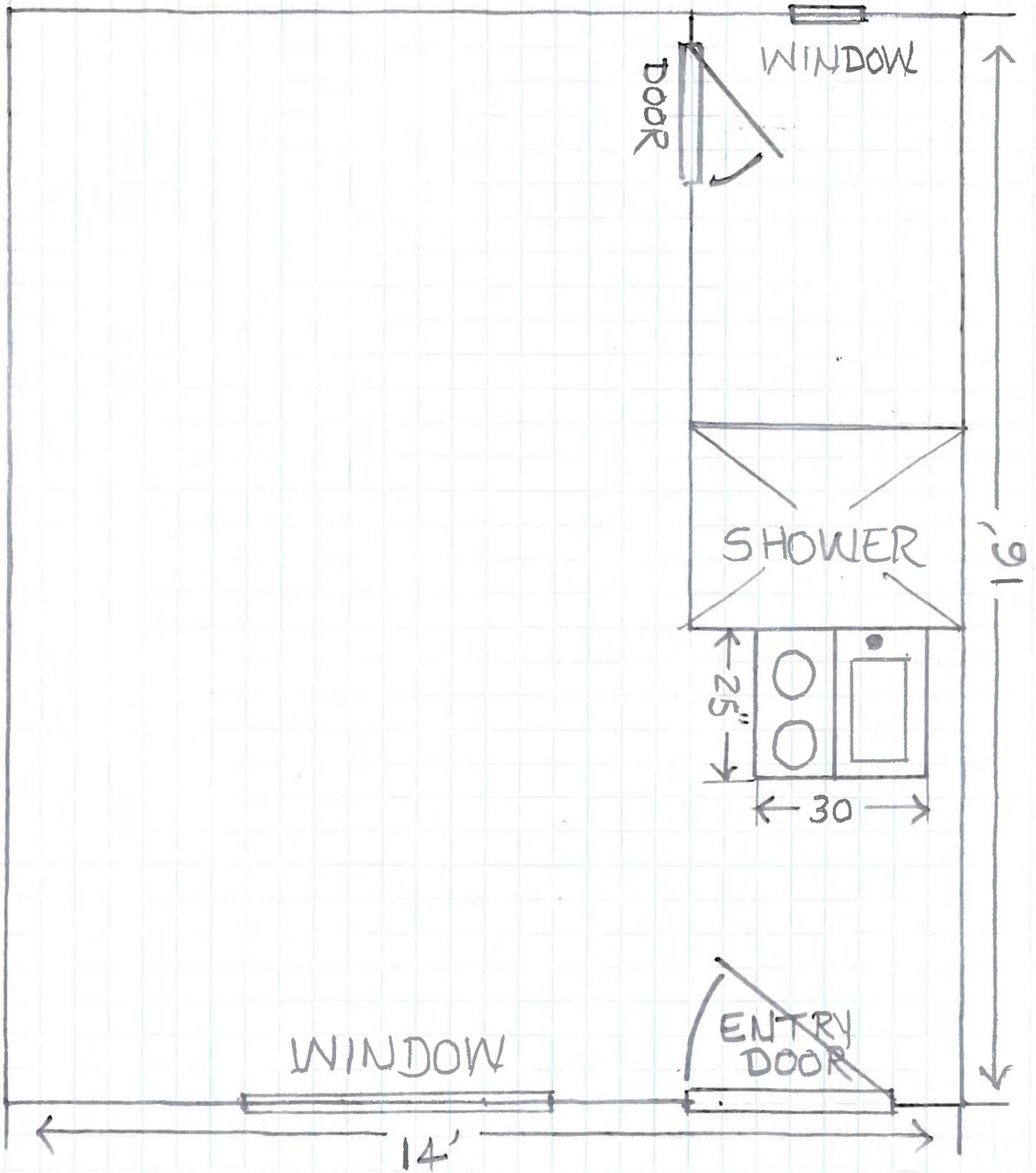


ROOM # 11, 14, 16, 17, 19, 21, 23

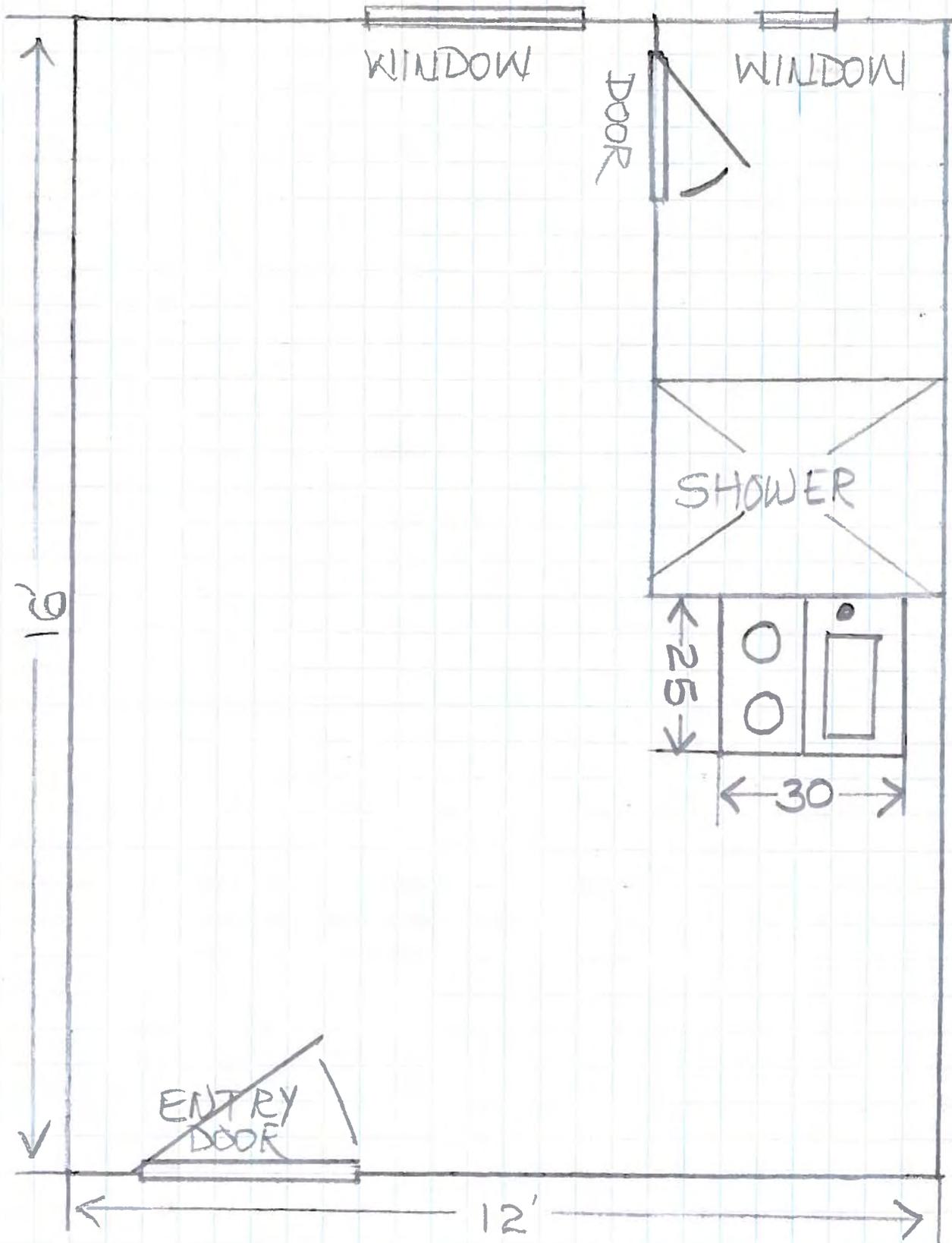


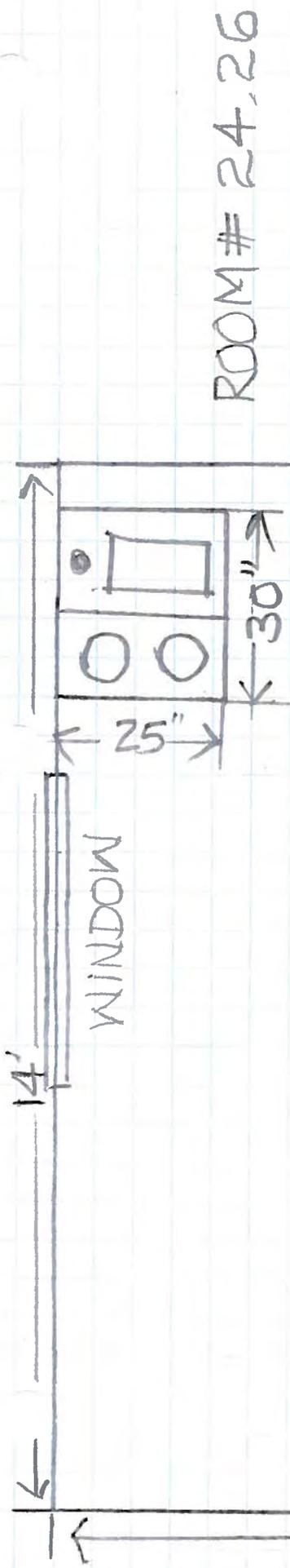
$\frac{1}{4}'' = 1 \text{ FOOT}$

ROOM # 12, 15, 18, 20



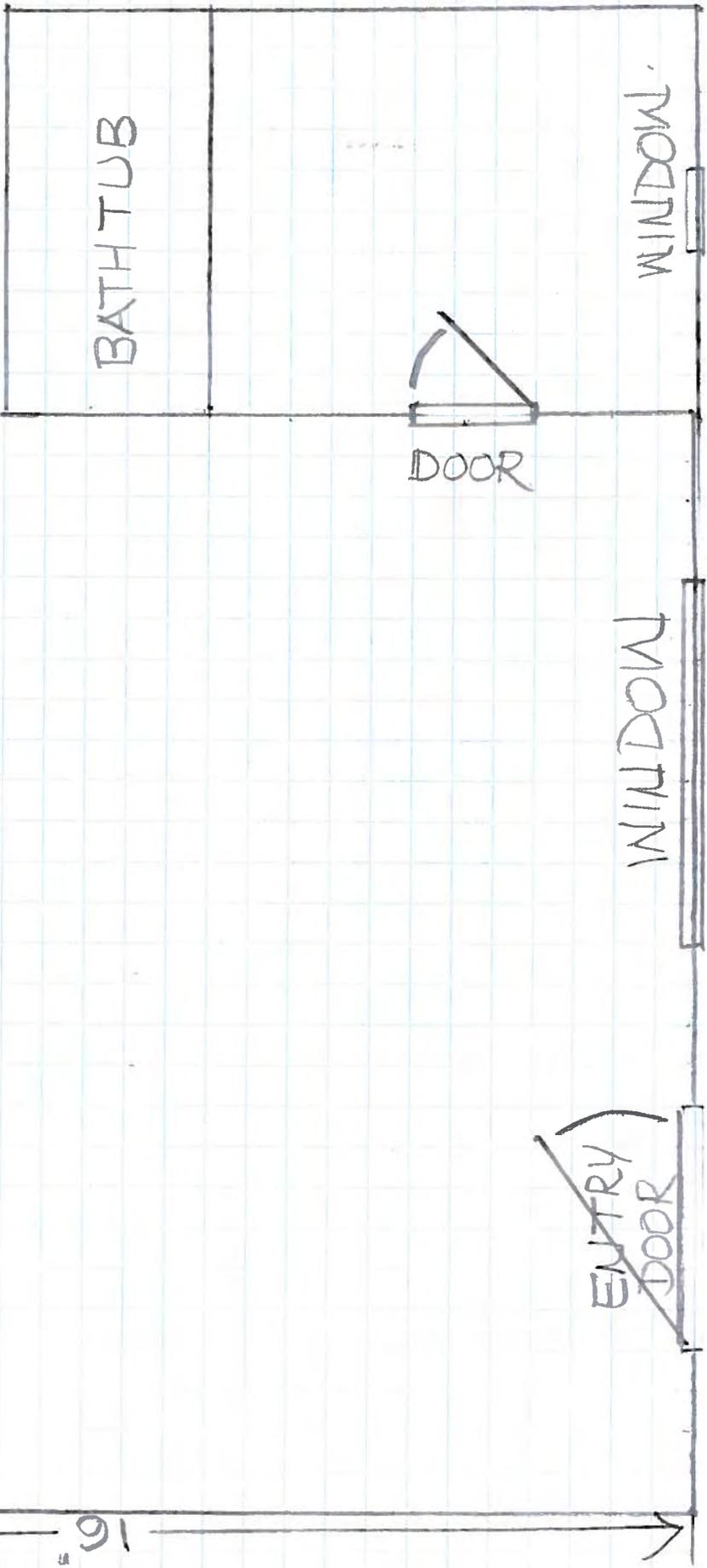
# ROOM # 22





ROOM # 24,26

1/4" = 1 FOOT



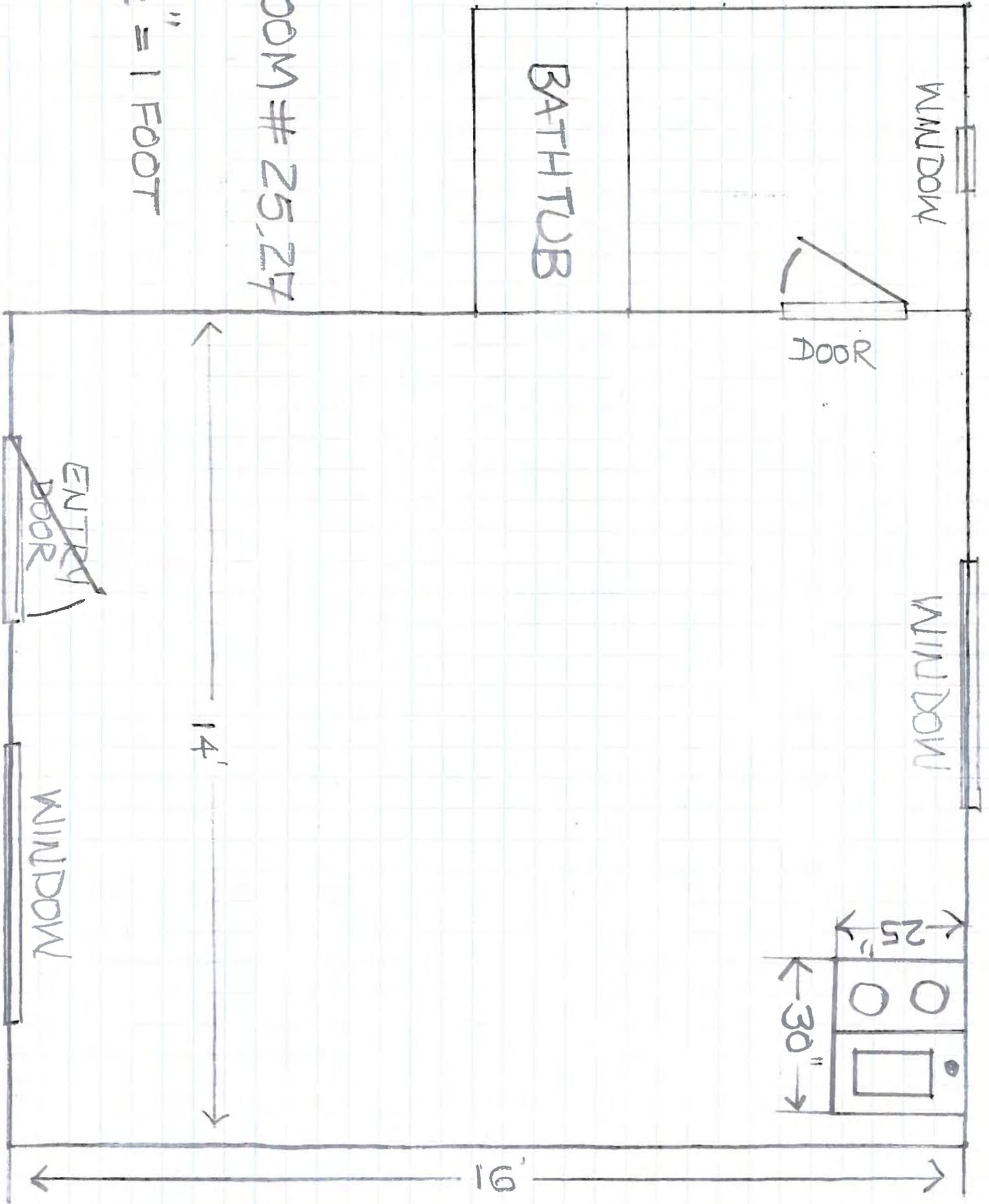
BATH TUB

DOOR

WINDOW

WINDOW

~~ENTRY DOOR~~



ROOM # 25, 27

1/4" = 1 FOOT

14'

16'

WINDOW

WINDOW

DOOR

BATH TUB

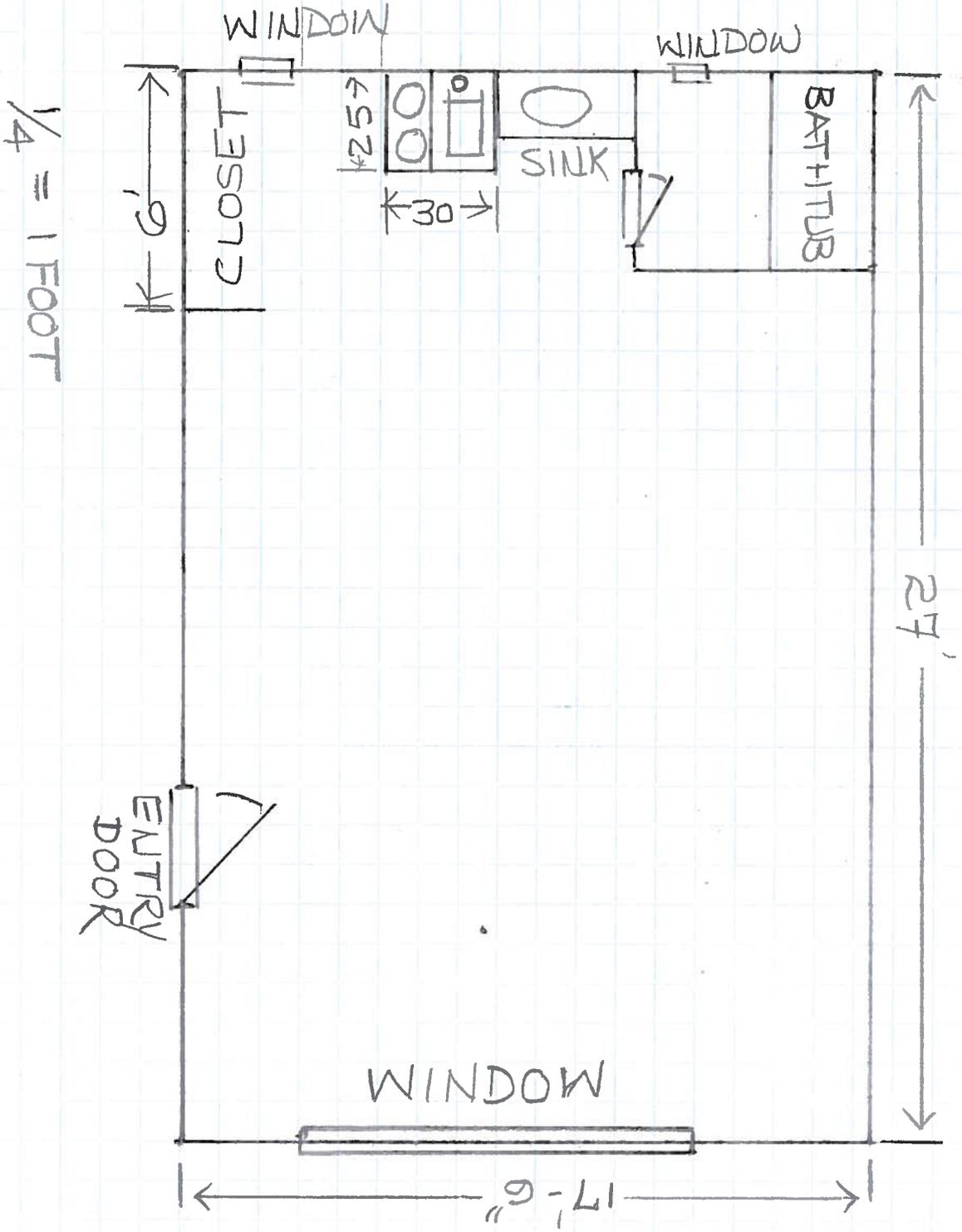
~~ENTRY DOOR~~

WINDOW

25"

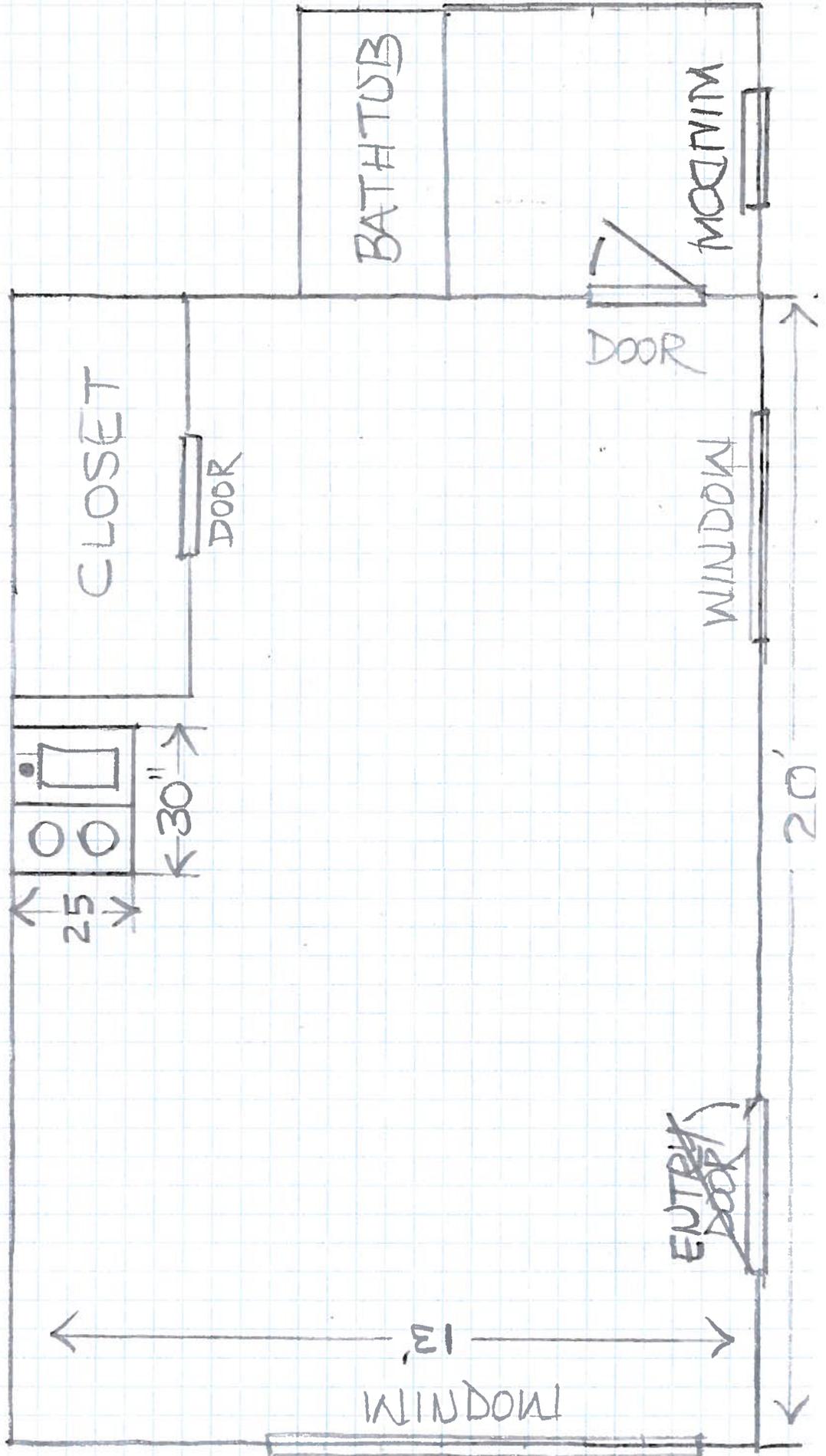
30"

# ROOM # 28



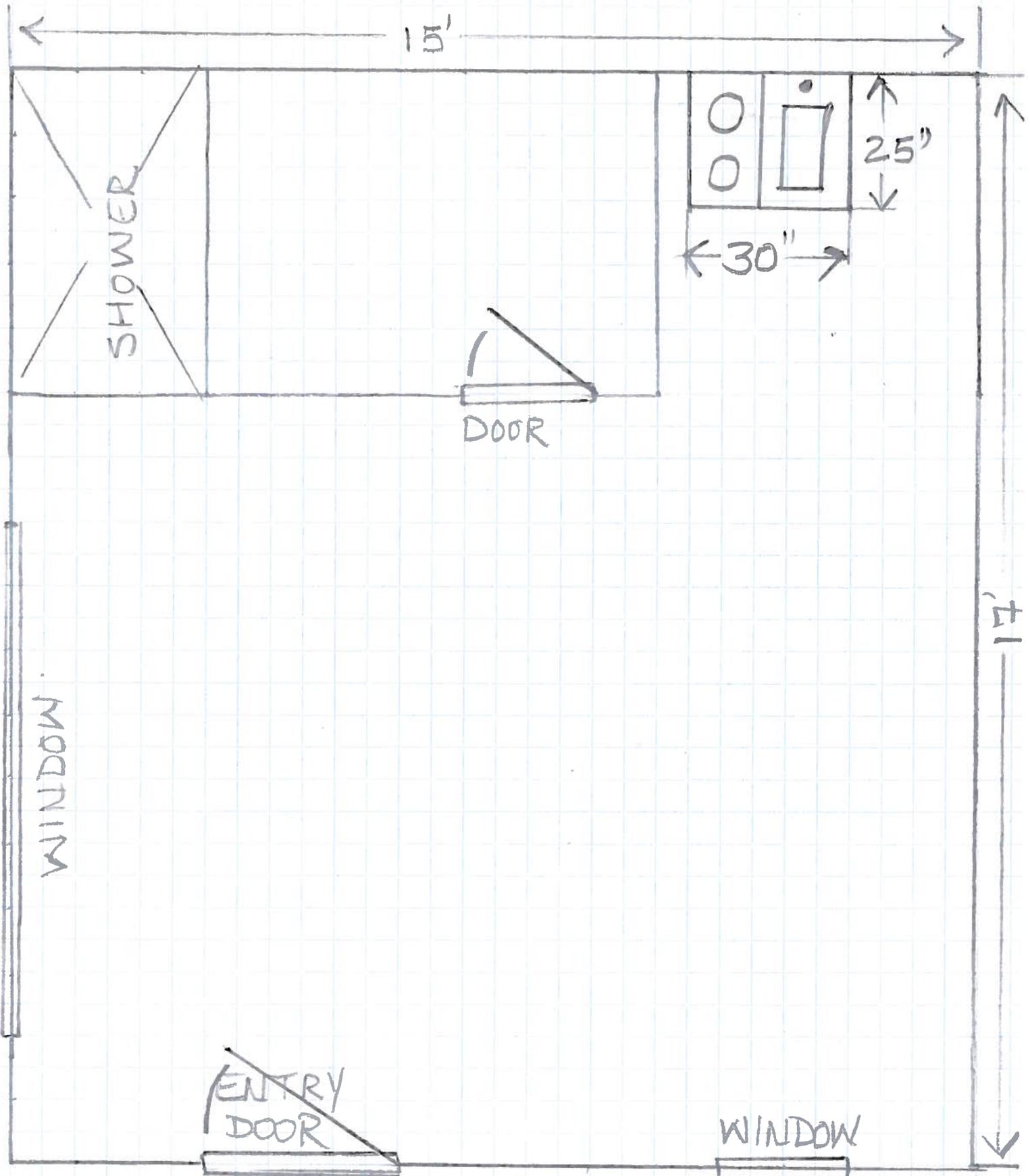
1 SQ = 1 FOOT

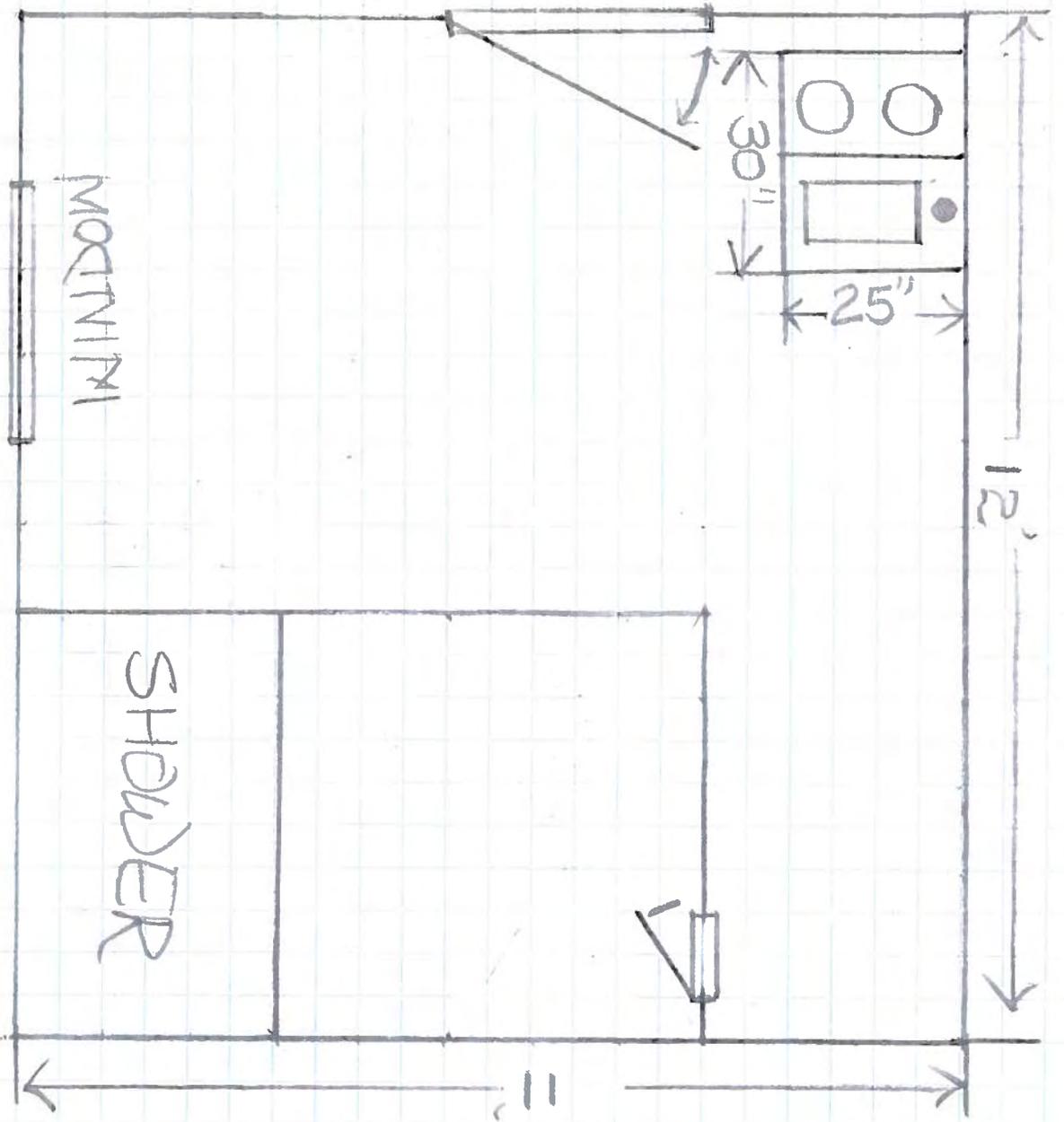
ROOM # 32



ROOM # 34

$\frac{1}{4}'' = 1 \text{ FOOT}$





$\frac{1}{4}'' = 1 \text{ FOOT}$

ROOM # 35

Planning Commission  
October 18, 2016

**RZ-16-562** AN ORDINANCE TO REZONE 0.11 ACRES OF LAND AT 110 LEE ST/312 W CORK STREET (*Map Number 192-01-B-5*) FROM CONDITIONAL ZONED HEALTH SERVICES (HS) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT.

#### REQUEST DESCRIPTION

The request of Norval S. (Tino) Peabody IV is to rezone a property at the northeast corner of W. Cork St and Lee St back to Medium Density Residential (MR) district as it had been prior to the conditional Health Services (HS) district rezoning in 1990 for the Shenandoah Valley Independent Living Center (SVILC). The proposed MR rezoning would facilitate the unconditional use of the existing two-story structure as a single-family dwelling.



#### AREA DESCRIPTION

The site is surrounded by MR zoning to the west, north and east. MR-zoned lots to the west and north along Lee St contain single-family dwellings. The MR-zoned land to the east comprises one of the multiple surface parking lots originally serving the Winchester Memorial Hospital. This parking lot was specifically allowed to remain after the hospital moved to the Amherst Street campus in 1990 as an approved Conditional Use in the MR District. Per Section 4-2-2 of the Zoning Ordinance, these lots can only be used to support uses in the adjacent Health Services District.

Land across W. Cork St to the south was rezoned from H-1 (Hospital District) to HS in 1990 following the elimination of the hospital use and now contains a mix of permitted HS District uses including hospice and medical offices.

#### COMMENTS FROM STAFF

The Comprehensive Plan identifies the property as a redevelopment site. The proposed plan to convert it to a single-family residence is consistent with the Comprehensive Plan goal of increasing home ownership and promoting housing to the general population.

The 4,800 square foot site contains a 4,682 square foot, two-story structure and has zero off-street parking spaces. In 1990, SVILC (former name of the entity now known as Access Independence) applied for and secured Council approval for very restrictive conditional rezoning to operate a group residence for 5 physically disabled adults on the upper level and SVILC offices for no more than 9 full-time employees in most of the area on the lower level. SVILC had an executed agreement with Winchester Medical Center to lease 8 of the parking spaces in the adjoining surface parking lot.

AI no longer operates an office in the building and has had the property listed for sale for quite some time. The lack of on-site parking and the inability to secure an off-site shared parking agreement makes the property unmarketable for uses otherwise permitted in the current HS district even if City Council approval could be secured to amend or rescind the voluntary proffers attached to the property with the 1990 conditional rezoning. As a single-family dwelling, the owner would be allowed to create a driveway accessed from W. Cork St serving 1 or 2 parking spaces.

#### RECOMMENDATION

The proposed rezoning back to MR district would, in itself mitigate potential negative impacts on adjoining MR-zoned properties, particularly those in single-family residential use. While the rezoning request does not include any proffers, there are few, if any uses permitted in the proposed MR District that would prompt staff to ask the applicant how they propose to mitigate impacts arising from the rezoning. The MR zoning is consistent with what City Council envisioned back in 1990 when the hospital moved out of the residential area west of Stewart Street. The current proffers attached to the conditional HS zoning are problematic for anyone other than Access Independence to adhere to.

A motion for a **favorable** recommendation could read:

**MOVE**, that the Planning Commission forward Rezoning **RZ-16-562** to City Council recommending approval residence because the request is consistent with the Comprehensive Plan goal of increasing home ownership and promoting housing to the general population in an area adjoining a stable residential neighborhood.

A motion for an **unfavorable** recommendation on the request could read:

**MOVE**, that the Planning Commission forward Rezoning **RZ-16-562** to City Council recommending disapproval because the application for the proposed MR zoning as submitted: *{include one or more reasons why the request is inconsistent with the Comprehensive Plan}*

**AN ORDINANCE TO REZONE 0.11 ACRES OF LAND AT 110 LEE ST/312 W CORK STREET FROM CONDITIONAL ZONED HEALTH SERVICES (HS) DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT.**

**RZ-16-562**

**WHEREAS**, the Common Council has received an application from Norval S. Peabody IV to rezone property at 110 Lee Street/312 W. Cork Street from Health Services (HS) District with proffers to Medium Density Residential (MR) District; and,

**WHEREAS**, the Planning Commission forwarded the request to Council on October 18, 2016 recommending approval of the rezoning request as depicted on an exhibit entitled “*Rezoning Exhibit RZ-16-562 Prepared by Winchester Planning Department, 09-26-2016*” because the proposed MR zoning is consistent with the Comprehensive Plan goal of increasing home ownership and promoting housing to the general populations; 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 associated with this property herein designated is consistent with the Comprehensive Plan goal of increasing home ownership and promoting housing to the general populations.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Winchester, Virginia that the following land is hereby rezoned from the existing zoning designation of Health Services (HS) District with proffers to Medium Density Residential (MR) District:

Approximately 0.11 acres of land at 110 Lee Street/312 W. Cork Street as depicted on an exhibit entitled ‘*Rezoning Exhibit RZ-16-562 Prepared by Winchester Planning Department, 09-26-2016.*’

**REZONING EXHIBIT**

**RZ-16-562**

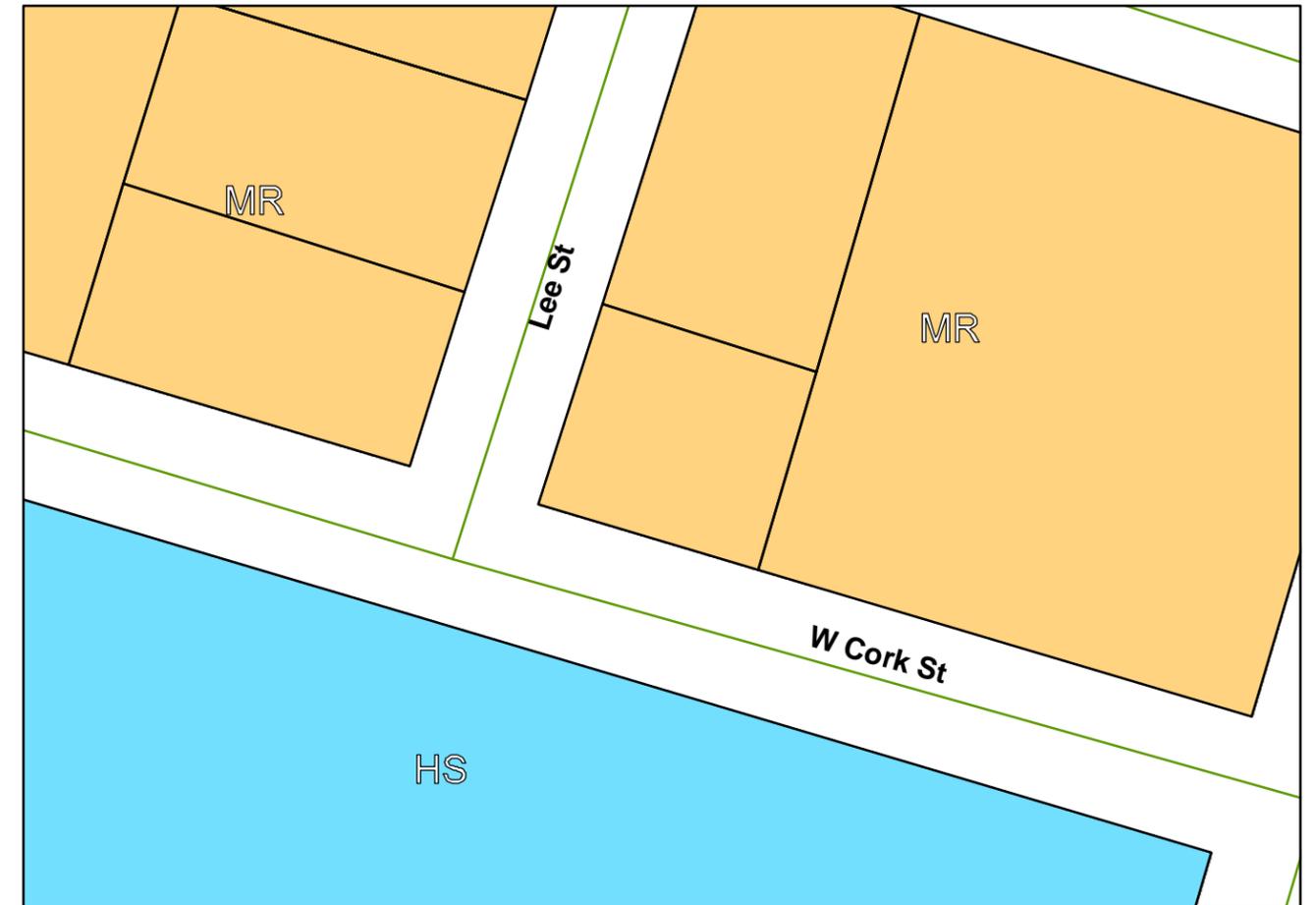
PREPARED BY WINCHESTER PLANNING DEPARTMENT

09-26-2016



**EXISTING**

CONDITIONAL ZONED HEALTH SERVICES (HS) DISTRICT ZONING  
FOR 110 LEE STREET/312 WEST CORK STREET



**PROPOSED**

MEDIUM DENSITY RESIDENTIAL DISTRICT (MR) ZONING  
FOR 110 LEE STREET/312 WEST CORK STREET



**Zoning**

-  Health Services District (HS)
-  Medium Density Residential District (MR)
-  Conditional

September 6, 2016

To:

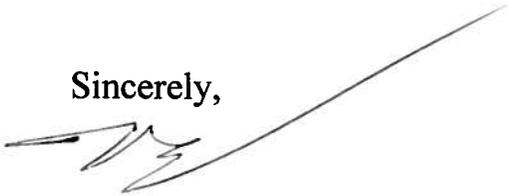
City of Winchester

My name is Norval S. Peabody IV, and I am under contract to purchase 112 Lee St./312 W. Cork St. in the City of Winchester. The property is currently zoned HS (with proffer), and I am applying to have the zoning changed to MR.

This change is consistent with the comprehensive plan for the neighborhood. The rezoning of the property to MD (a single family residence), should help increase home ownership (chapter 3) in the neighborhood and increase the general value of the neighborhood as well as promote housing to the general population specifically your professionals and empty nesters.

I hope the City of Winchester will view this change as an asset to the community and assist me with the plan by granting this request for rezoning.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norval S. Peabody IV', with a long, sweeping underline that extends to the right.

Norval S. Peabody IV

Planning Commission  
October 18, 2016

**CUP-16-563** Request of Larry Yates on behalf of George M. Murphy for a Conditional Use Permit for a private museum located at 705 South Loudoun Street (Map Number 212-1-F-12) zoned Residential Business (RB-1) District.

#### REQUEST DESCRIPTION

The request of Larry Lamar Yates is to create a small private museum called the Museum of Veiled Virginia History on the ground floor of the two-story structure of 705 S. Loudoun Street. The museum would be owned by Social Justice Connections, LLC of which Mr. Yates is the sole owner. The property is currently owned by Mr. George Murphy and had been in commercial use on the ground floor previously. The applicant has included a description of the proposed museum use and an overview of how the museum would comply with Conditional Use provisions per Section 18-2 of the Zoning Ordinance. A first floor layout of the museum space is also included (see attached).



#### AREA DESCRIPTION

The subject property is located on the west side of South Loudoun Street, between West Germain Street and West Pall Mall Street. The property is zoned Residential Business (RB-1) District. Surrounding properties have similar underlying zoning. Properties to the north and west also have Historic Winchester (HW) overlay zoning. Central Business (B-1) District zoning is situated further to the south, including some properties within the same city block. The area has a mix of residential and commercial uses.

#### STAFF COMMENTS

The request proposed museum use should not present much, if any, notable impact on traffic and parking in the mixed use area. As the applicant notes, the museum is not likely to attract tour buses as is the case with the Patsy Cline House Museum two blocks to the east. Unlike the Patsy Cline Museum, this property is situated within the City's 50% parking exemption district. There is currently space for two (2) vehicles to park at the rear of the site. Given the small size of the museum, there would not be any additional parking required.

The applicant notes that he would likely only have "a dozen or so" customers in the museum at any time. He notes that there could be large events for supporters a few

times a year and that he would “keep some evening hours” although most customers are expected to be during the day when residential neighbors are not competing for curbside parking spaces.

For both the Patsy Cline Museum and the Museum of the Shenandoah Valley, Council established conditions pertaining to hours of operation. Given the limited size of this museum and the fact that there is no room on the property for outdoor events (e.g. the amphitheater at MSV), most of the conditions applied to those establishments are not likely to be necessary.

The original conditions that City Council imposed when it granted a conditional use permit for a Patsy Cline Museum at 608 South Kent Street on May 12, 2009 were:

1. Review at the end of three years;
2. Taking into consideration the concerns of all of the neighbors and addressing them as they come up;
3. Museum use to begin no earlier than 10:00am and end no later than 6:00pm on Sunday through Saturday, except for up to four (4) annual fundraisers on either a Friday and Saturday night which may extend up until 11:00pm and require the use of shuttle buses to offset the negative impact of the neighborhood and up to six (6) private receptions on any evening which may extend up to 9:00pm and include no more [that] 55 attendees; and,
4. Employees and volunteers shall park in the off-street parking spaces on the E. Pall Mall St. lot during operating hours; and,
5. Idling of motorcoaches and other vehicles, other than personal automobiles, on S. Kent Street shall only occur out of the travel lanes of the public street and shall occur for the minimum amount of time needed to load and unload passengers, but in no case longer than fifteen (15) minutes.

On April 10, 2012 City Council reapproved the Patsy Cline Historic House (PCHH) museum. The City had received some complaints from neighbors in the neighborhood about parking and traffic concerns. Celebrating Patsy Cline, Inc. (CPC), the owner of the museum, provided an eleven point list of suggested conditions for the City to impose on them as part of a reapproval. With some adjustments to hours of operation, most of those suggested conditions were incorporated into the following conditions imposed by City Council which read:

1. CPC and the staff of the PCHH will continue to listen to and address the concerns of all the citizens in the neighborhood surrounding 608 South Kent Street and will make sure that no action should adversely affect the health, safety, or welfare of the citizens and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood;
2. The use of the PCHH will begin no earlier than 9:30a.m. and end no later than 6:00p.m. Sunday through Saturday with the exception of the use of up to three (3) annual fundraising events on either a Friday or Saturday afternoon and/or evening which may extend up until 10:00p.m., and could require the use of shuttle

buses to offset the negative impact of the neighborhood. During the regular opening hours of the PCHH, activities will include administrative and training functions, tours and other CPC and PCHH meetings;

3. In addition to the fund raising events PCHH on an annual basis will hold not more than ten (10) special events (i.e., Christmas and other seasonal tours, private receptions, etc.) which may extend up to 10:00p.m. Private receptions shall not include more than 55 attendees.
4. Employees and volunteers/docents of PCHH shall secure off-street parking, whenever possible, within a reasonable walking distance of 608 South Kent Street and shall not park directly in front of the historic house on the public street; nor, within one property either north or south of the historic house on the east side of South Kent Street. There will be no parking allowed in front of the house during regular tour hours and proper signage will be posted to this effect;
5. Idling of motor coaches and other vehicles, other than personal automobiles, on South Kent Street shall only occur out of the travel lanes of the public street and shall occur for the minimum amount of time needed to unload and load passengers;
6. Motor coaches and other vehicles, other than personal automobiles, shall arrive no sooner than thirty (30) minutes prior to the opening of the house for the purpose of regular tours;
7. Motor coaches and other vehicles, other than personal automobiles, shall secure off-street parking (i.e., CCAP South Kent Street parking lot on non-business days, the Winchester-Frederick County Visitor's Center and other approved locations) when more than one (1) hour is required for tours or events;
8. The PCHH will work co-operatively with the City of Winchester in its "Green Circle Trail Project" to incorporate plans for access to the Circle and the PCHH. PCHH will conform with the City of Winchester's Comprehensive Plan, or to specific elements of such plan, and the official policies adopted in relation to purposes and expressed intent of the conditional use permit Ordinance;
9. Operators and owners of motor coaches and other tour organizations will be informed of the conditions of the approved CUP in all contractual negotiations and agreements and will strongly urge their compliance. Repeated failures of specific individuals or organizations to comply, shall require PCHH to contact the Winchester-Frederick Visitor and Tourism Center for assistance with remediation;
10. Any exterior work done to the house and landscaping of the grounds including the addition of outside structures will take in consideration noise, lights, dust, odor, proper screening and other conditions which might adversely affect adjoining properties;
11. Any event or activity with the PCHH desires to pursue which is not included in the conditions of this CUP will require petition and/or application to the appropriate City committee or Council;
12. The CUP shall expire or be subject to revocation in accordance with the outlined provisions of Article 18, General Provisions, Section 18-2, Conditional Use Permits, of the Winchester Zoning Ordinance, as amended, and;
13. Review at the end of three (3) months.

In light of the 13<sup>th</sup> condition, City Council asked the applicant to come back to the July 24, 2012 Council work session and the August 14, 2012 Council meeting.

#### 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. For consistency, staff would suggest that conditions similar to the initial list of conditions applied to the Patsy Cline Museum may be appropriate although this museum is proposed in a mixed residential/business location whereas the Patsy Cline Museum was proposed in a residential-only district. For that reason, some of the conditions are more lenient.

A favorable motion could read:

**MOVE**, the Planning Commission forward **CU-16-563** to the Common Council of the City of Winchester recommending approval of a Conditional Use Permit to operate the private museum per Section 7-2-4 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. Review by the Zoning Administrator at the end of three years;
2. Taking into consideration the concerns of all of the neighbors and addressing them as they come up;
3. Museum use to begin no earlier than 9:00am and end no later than 7:00pm on Sunday through Saturday, except for up to four (4) annual fundraisers on either a Friday and Saturday night which may extend up until 11:00pm and require the use of shuttle buses to offset the negative impact of the neighborhood if more than 35 attendees are expected and up to six (6) private receptions on any evening which may extend up to 9:00pm and include no more than 55 attendees; and,
4. Employees shall park in the off-street parking spaces during operating hours; and,
5. Idling of motorcoaches and other vehicles, other than personal automobiles, on S. Loudoun Street shall only occur out of the travel lanes of the public street and shall occur for the minimum amount of time needed to load and unload passengers, but in no case longer than fifteen (15) minutes.

-OR-

An unfavorable motion could read:

**MOVE**, the Planning Commission forward **CU-16-563** to the Common Council of the City of Winchester recommending denial of a Conditional Use Permit to operate the private museum per Section 7-2-4 of the Zoning Ordinance because the proposal, as submitted, will 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 reasons being:

*(Include any other reason for negative recommendation)*

-OR-

Possible Tabling Motion:

**MOVE**, the Planning Commission table **CU-16-563**, because of  
*(Include any reasons for tabling)*

After a careful review of Section 18-2 of the City of Winchester's Zoning Ordinance, I am willing to make the following commitments:

- 1) the operations of the Museum of Veiled Virginia History [Museum] will be limited to activities inside the building at 705 S. Loudoun St., and to approved events at other locations. There will be no organized sidewalk or street activities.
- 2) The activities at the Museum will be intended to educate and engage people who have chosen to come to the Museum, as well as those who can be reached online or by publications. These activities will consist of participatory electronic exhibits, passive display of exhibits, discussions, forums, and information-sharing activities, and will be designed to be at a conversational level, inaudible beyond the sidewalk immediately in front of the building. There may on occasion be celebratory events that will include music, but the music will also be intended to be heard in the building only.
- 3) I do not expect that the operations of the Museum will produce any lights, dust, odor, fumes, or vibration not currently typical of the neighborhood, except in the case of necessary and approved exterior construction. The only construction I am considering is on a small scale and in the rear of the building.
- 4) While it is difficult to predict customer traffic and thus any impact on parking, the Museum will be designed in its ordinary operations to handle about a dozen people at a time. Once all programs are in operation, including the tour guide app I plan to implement, the Museum could have 40-50 customers in Winchester but only a dozen or so at a time in the building. While the Museum would keep some evening hours, probably most visitors would come during the day, resulting in less interference with resident parking. I do not expect that the Museum will be attractive to tour bus or other large groups. A few times a year, there might be larger events for supporters, but I believe the neighborhood has enough street parking nearby to accommodate such occasional activities.
- 5) My plan is to have one sign identifying the Museum in the front window, consistent with the sign ordinance.
- 6) While this is not a requirement under Section 18-2, the Museum will comply with Preservation Historic Winchester standards as far as the exterior of the front of the building is concerned. It is appropriate for any business in Winchester to conform to historic standards of appearance, but of course especially for a museum to so conform.

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To summarize, the Museum will be a location for learning, intended for those who are

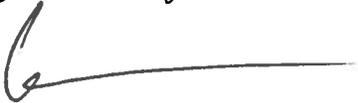
aware of it and wish to come there and learn. The Museum plan does not involve attracting significant traffic from passersby, and relies on marketing via the Internet and various media to people around Winchester, through the Valley, and into the Washington area.

The Museum's collaborative approach will include letting visitors know about other businesses and sites in Winchester, so to the extent the Museum is successful in attracting visitors, it will enhance the overall income of the Winchester area.

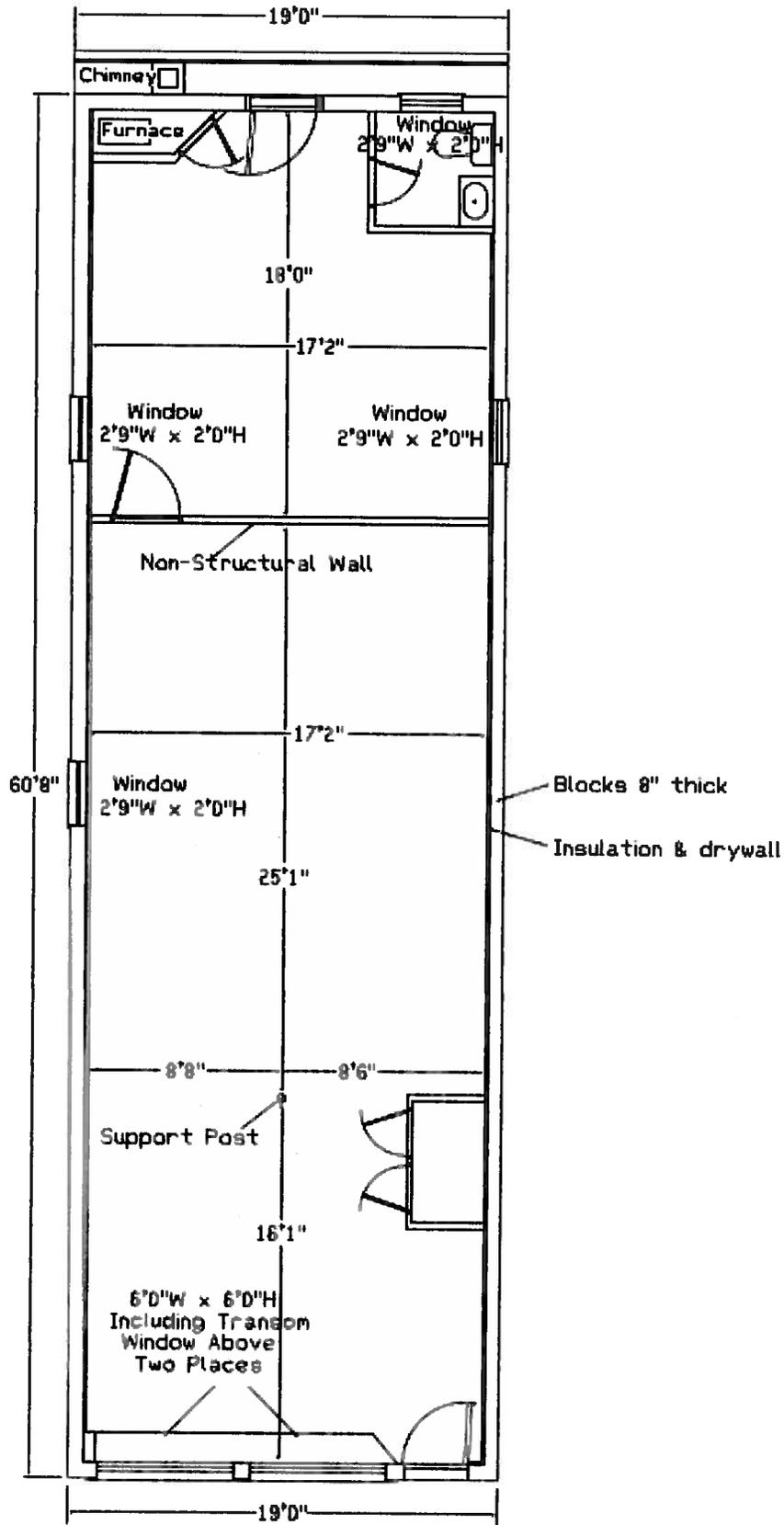
I believe the Museum's activities are consistent with the Comprehensive Plan, and will not cause any problems of the kind that Section 18-2 of the Zoning Ordinance has been crafted to prevent.

Building ownership and the operation of the Museum will be under the ownership of Social Justice Connections, LLC, of which I am the sole owner.

I therefore ask for approval of a Conditional Use Permit for the Museum of Veiled Virginia History at 705 South Loudoun Street.



Larry Lamar Yates  
Sole Owner  
Social Justice Connections



705 SOUTH LOUDOUN STREET  
 FIRST FLDDR PLAN  
 AUGUST 20, 2016

Planning Commission  
October 18, 2016

**CUP-16-565** Request of John Nelson on behalf of 32 Valley Ave LLC for a Conditional Use Permit for Ground Floor Apartments at 914 South Braddock Street (Map Number 212-1-H-7) zoned Central Business (B-1) District.

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#### REQUEST DESCRIPTION

The request is for Conditional Use Permit (CUP) approval under Section 9-2-16 of the Zoning Ordinance pertaining to the conversion of ground floor to a multifamily use.

#### AREA DESCRIPTION

The property is located in the triangular area bordered by South Braddock St, Gerrard St, and Valley Ave. All properties within the triangle are zoned B-1; uses include fast food restaurant, offices, and the Triangle Diner property. Properties further to the north and south are also zoned B-1 and contain a variety of commercial uses. To the west is the EIP-zoned Handley High School property. Properties to the east are zoned HR-1 and contain residential uses.



#### STAFF COMMENTS

As stated in the applicant's letter (see enclosed) the subject property's history has had a myriad of uses (commercial, office, residential) over the years and the current property owner is requesting for this space to be a legal residential use. The subject unit is approx. 1,500 sq. ft. and already contains a full kitchen, one bedroom, a bathroom and laundry facilities. The interior layout is such that the bedroom is oriented toward the middle of the building, away from the street. Staff recommends a portable planter be placed below the window along the front of the building to provide more privacy for the residence. It is not clear in the applicant's materials if any off-street parking spaces are provided. The applicant believes that the subject unit will better serve as a residential use than commercial use.

Adjacent to the north of the subject property, the property at 910 South Braddock Street was granted by City Council a CUP for ground floor apartments in 2014 (see CUP-14-212). Previously in CUP-14-212, the Planning Director determined that this segment of South Braddock St does not represent a major commercial street and suggested to City Council that the ground-floor residence to be as suitable as nonresidential reuse.

The Comprehensive Plan's character map identifies the subject property as a commerce area revitalization/infill site. 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 incorporate a residence into a higher density setting within a mixed use building is consistent with the Comprehensive Plan.

#### RECOMMENDATION

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.

A favorable motion could read:

MOVE that the Commission forward CUP-16-565 to City Council recommending approval per Sections 9-2-16 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 based upon City Council finding that the proposed ground-floor residential unit is as suitable or preferable to other permitted uses on the ground floor and is subject:

1. General conformity with submitted floor plans;
2. A portable planter placed below the window in the front of the building

-OR-

An unfavorable recommendation should cite:

1. why the proposed ground-floor residential unit is NOT as suitable or preferable to other permitted uses on the ground floor; and/or
2. why the proposal may adversely affect the health, safety or welfare of persons residing or working in the neighborhood or may be detrimental to public welfare or injurious to property or improvements in the neighborhood.

City of Winchester  
Department of Zoning and Inspections  
15 North Cameron Street  
Winchester VA 22601

RE: Conditional Use Permit  
914 South Braddock Street  
Winchester, VA 22601  
Site Name: "Handley Triangle"

**Applicant:**

32 Valley Ave LLC, John Nelson Sr.  
PO Box 3232, Winchester VA 22604

**To Whom It May Concern:**

This letter is to affirm with section 18-2 of the "General Provisions within the Winchester City Zoning Ordinance, specifically referring to the "Conditional Use Permit." Applicant is requesting the ~1300 sq foot of space, located within Handley Triangle, addressed as 914 South Braddock Street, be issued a CUP allowing for Ground Floor Conversion of Non-Residential to Residential, (per code section 9-2-16).

**Request Description:**

A Conditional Use Permit for Ground Floor Conversion of Non-Residential to Residential.

**Property Description:**

Approximately 1500 square feet in size, the property was leased in prior years as residential, then commercial use. It contains full kitchen, shower and laundry facilities, and is laid out from west to east with a single walkway throughout each room.

The layout, location and facilities benefit from use as a single-family residential, more so than for commercial use. (code: 9-2-16a)

**Area Description:**

The subject property is located directly across from John Handley High School and is situated facing the front Handley lawn and building (as opposed to a major commercial street, code: 9-2-16b). It is located within the "Handley Triangle" building, which in prior years was known as the E.E. Bayliss Building. It is zoned Central District (B-1).

Directly adjacent to the north, the property at 912 South Braddock Street was recently granted a CUP for Ground Floor Residential. Directly to the west, in the direction the property faces, there is no major commercial street. To the south is the "Handley Crossing" building, then residential homes and townhomes. Towards the east are homes located along Valley Ave and James Street.

*John N. N. N.*

*9/6/2016*

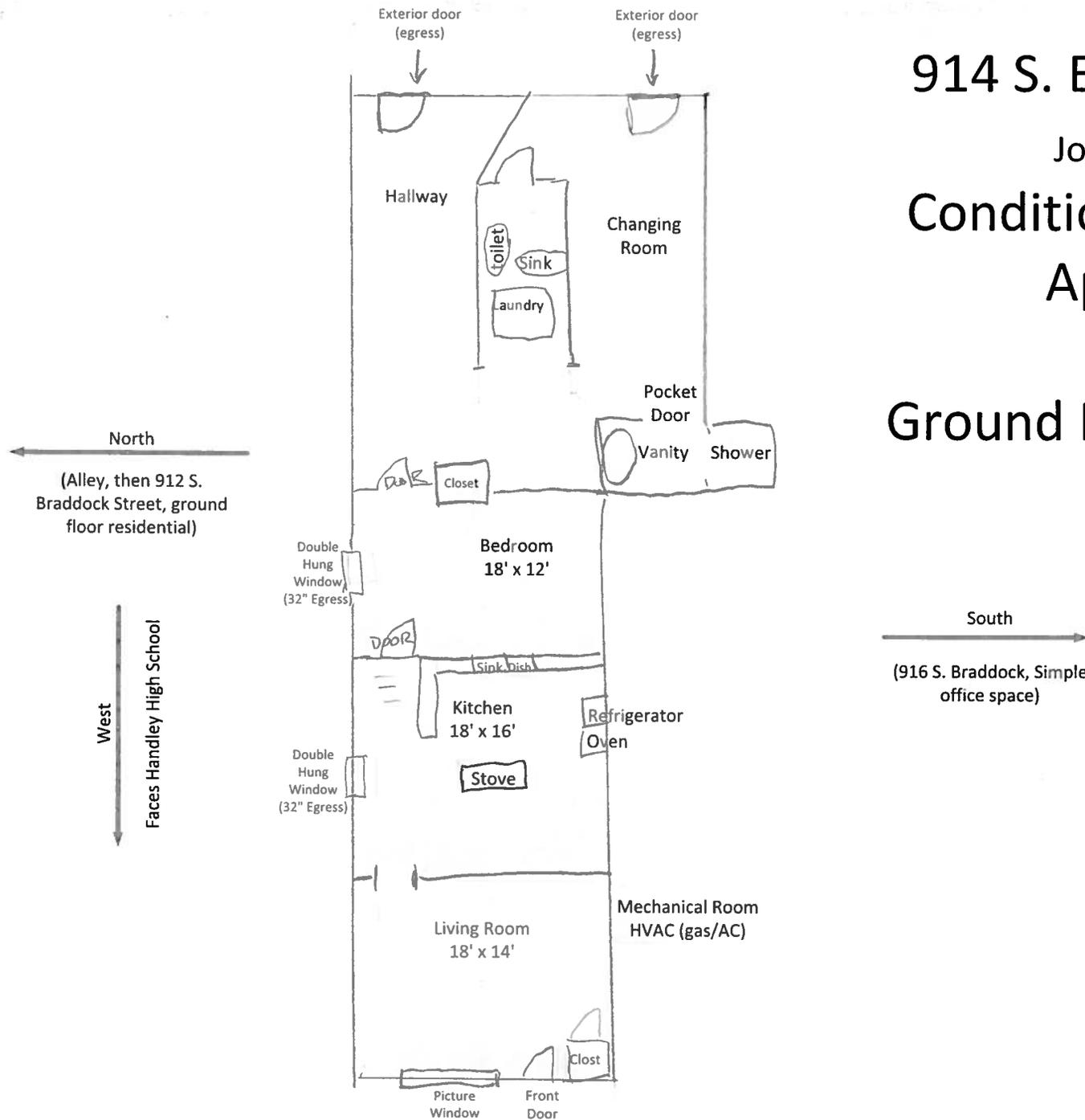
*32 Valley Ave, LLC.*

914 S. Braddock Street

John Nelson, Sr.

# Conditional Use Permit Application

## Ground Floor Residential



Sidewalk for S. Braddock Street



912 S. Braddock Street  
Apartments

914 S. Braddock Street  
Conditional Permit

918 S. Braddock Street - Simple Office (Professional)

