



THE COMMON COUNCIL

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I, Kerri A. Mellott, Deputy Clerk of the Common Council, hereby certify on this 24 day of May 2023 that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 23 day of May 2023.

RZ-23-96 AN ORDINANCE TO REZONE 4.562 ACRES OF LAND AT 151 HOPE DRIVE (MAP# 291-1-3A) FROM HIGHWAY COMMERCIAL (B-2) DISTRICT TO HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) OVERLAY

WHEREAS, the Common Council has received an application from Painter-Lewis, P.L.C., on behalf of The Aikens Group to rezone 4.5624 acres of property at 151 Hope Drive from Highway Commercial (B-2) District to Highway Commercial (B-2) District with Planned Unit Development (PUD) District overlay; and,

WHEREAS, the Planning Commission forwarded the request to Council on April 4, 2023 recommending approval of the rezoning because the 4.5624-acre rezoning request is generally consistent with the Comprehensive Plan which identifies the property as a Redevelopment Site and calls for providing opportunities for new mixed-income and mixed dwelling type residential use in higher density settings that incorporate quality design principles of New Urbanism and because the rezoning represents good planning practice; and,

WHEREAS, the Commission's recommended approval included support of a PUD comprising fewer than five contiguous acres and is subject to the consistency with the updated Concept Plan dated March 20, 2023 (the "Development Plan"), general conformity with the submitted floor plans and building elevations, other submitted documents including the rezoning exhibit titled "REZONING EXHIBIT RZ-23-96 PREPARED BY WINCHESTER PLANNING DEPARTMENT ON 3-3-2023"; 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 is consistent with the Comprehensive Plan which identifies the property as a Redevelopment Site and calls providing opportunities for new mixed-income and mixed dwelling type residential use in higher density settings that incorporate quality design principles of New Urbanism and because the rezoning represents good planning practice.

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 Highway Commercial (B-2) District to Highway Commercial (B-2) District with Planned Unit Development (PUD) District overlay:

4.5624 acres of property at 151 Hope Drive as depicted on an exhibit entitled
“REZONING EXHIBIT RZ-23-96 PREPARED BY WINCHESTER PLANNING DEPARTMENT
ON 3-3-2023”.

BE IT FURTHER ORDAINED by the Common Council of the City of Winchester, Virginia that the rezoning is subject to adherence with the with the Development Plan dated March 20, 2023 and general conformity with the submitted floor plans and elevations other submitted documents.

Ordinance No. O-2023-5

ADOPTED by the Common Council of the City of Winchester on this 23 day of May 2023.

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



A handwritten signature in black ink, reading "Kerri A. Mellott".

Kerri A. Mellott
Deputy Clerk of the Common Council