CUP Form 08/01/2010

TOWN OF CHRISTIANSBURG

100 East Main Street
Christiansburg, VA 24073
Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: PR Financing L.P. Agent: PREIT Services LLC

Address: 200 South Broad Street Address: 282 New River Road
Philadelphia, Pa. 19102-3803 Christiansburg, Va. 24073

Phone: 215-825-0700 Phone: 540-381-0004

I am requesting a Conditional Use Permit to allow KevaWorks, Inc to operate a carnival from June 14-24th, 2012. Arrival/setup on June 11th, 2012 on my property that is zoning classification B-3 under Chapter 30: Zoning of the Christiansburg Town Code.

My property is located at New River Valley Mall, 282 New River Road, Christiansburg, Va. 100 New Rive Road, N.W.

Tax Parcel(s): 007741 435-((A)) -41

CK# 35043 DW PAID APR 25 2012 TOWN OF CHRISTIANSBURG

Fee: $ 1000.00

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): _____ Date: 4-6-12

_____ Date: _____

_____ Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on _____. Any Conditions attached shall be considered requirements of the above request.

_____ _____
Town Manager Date

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Engineering Fax 540-381-7238

ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
RICHARD G. BALLENGEE

COUNCIL MEMBERS
D. MICHAEL BARBER
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
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DIRECTOR OF FINANCE/TOWN TREASURER
VALERIE L. TWEEDIE

CLERK OF COUNCIL
MICHELE M. STIPES

TOWN ATTORNEY
GUYNN, MEMMER & DILLON, P.C.

Town of Christiansburg
Planning Staff Report

Planning Commission Public Hearing Date: Monday, May 7, 2012 at 7:00 p.m.
Town Council Public Hearing Date: Tuesday, May 15, 2012 at 7:30 p.m.
Application Type: CUP Request
Applicant: PR Financing Limited Partnership
Location: 100 New River Road (tax parcel 435 – ((A)) – 41)

The Town of Christiansburg has received a Conditional Use Permit request by PR Financing Limited Partnership for a carnival at 100 New River Road (tax parcel 435 – ((A)) – 41) in the B-3 General Business District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property does not lie within a Historic District. The adjoining properties are zoned B-1 Limited Business, B-3 General Business, A Agriculture, and I-2 General Industrial. The adjoining properties contain businesses, agricultural land, residences, and railroad property. The property contains approximately 58.77 acres.

CUP: 100 NEW RIVER ROAD NW - CARNIVAL

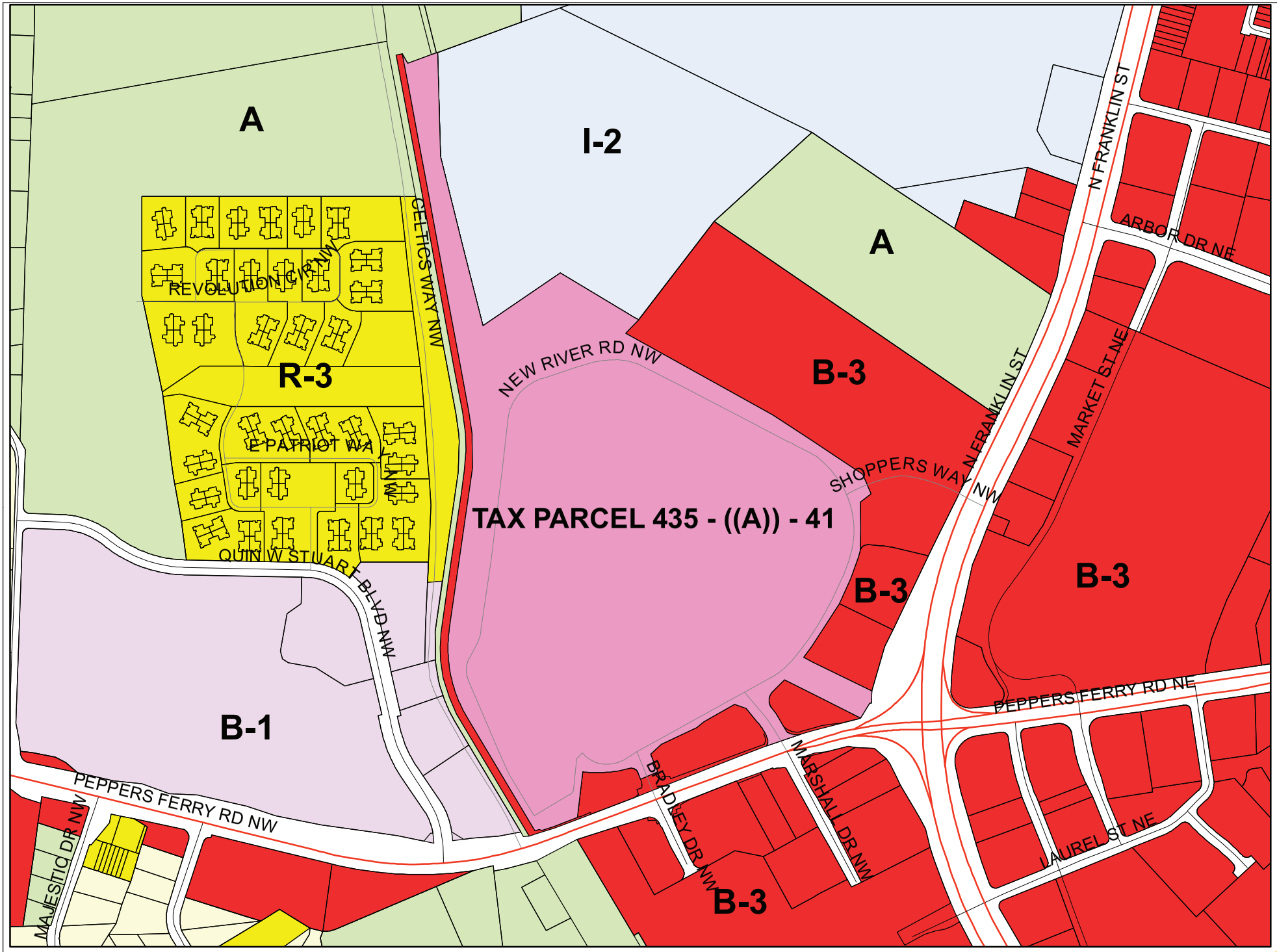
TAX MAP#	OWNER (S)		MAILING ADDRESS	CITY, ST, ZIP
405- A 15	QUALITY BUILDERS LLC		P O BOX 199	BLACKSBURG VA 24063
405- A 15A	MONTGOMERY COUNTY	BOARD OF SUPERVISORS		
405- A 18	CORNING GLASS WORKS	C/O CORNING INC TAX DEPT HQ-E2-4	1 RIVERFRONT PLAZA	CORNING NY 14831
435- A 40	HALBERSTADT FAMILY LTD PRTNRSHP	C/O RESOURCE ASSOCIATES INC	588 FORDS RD	MANAKIN SABOT VA 23103
435- A 41	PR FINANCING LMD PARTNERSHIP	C/O PREIT-RUBIN OP INC	782 NEW RIVER RD	CHRISTIANSBURG VA 24073
406- A 19	PR NEW RIVER OWNER LP	C/O CEDAR SHOPPING CENTERS PRTNRSHP LP	44 S BAYLES AVE SUITE 304	PORT WASHINGTON NY 11050
405- 5 N	PF VILLAS LLC		6912 THREE CHOPT RD SUITE C	RICHMOND VA 23226
436- 5 1	CHRISTIANSBURG MARKETPLACE LLC	C/O HILARY VAETH	7301 PARKWAY DR	HANOVER MD 21076
436- A 26	TOLER PROPERTIES LLC		1020 DISCOVERY RD SUITE 100	EAGAN MN 55121
436- 5 D	TACOMA INC		328 E CHURCH ST	MARTINSVILLE VA 24112
435- A 44	GMRI INC	DBA: 0010853	P O BOX 695019	ORLANDO FL 32869 9901
435- A 43	CHIEFTAIN LLC	C/O J DAVID SHIELDS	2221 YONGE ST SUITE 606	M4S-2B4-CA
436- 6 5	FRONTIER 0404 CBURG LLC		1801 SW 3RD AVE SUITE 500	MIAMI FL 33129
436- 1 1	CAMBRIA HOLDING CORP	C/O BB&T PROPERTY TAX COMPLIANCE	P O BOX 167	WINSTON SALEM NC 27102
435- 1 11	TIMES-WORLD CORP		P O BOX 2491	ROANOKE VA 24011
435- A 42	HEALTHCARE REALTY TRUST INC		3310 WEST END AVE SUITE 700	NASHVILLE TN 37203
435- 3 1	HAROLD R CADDEL AND	ROSEMARIE CADDEL LIV TRUST	6040 DUTCHMANS LN SUITE 400	LEWISVILLE KY 40205
435- 3 2	MVF RAJ HOSPITALITY LLC		108 BUCKEYE LN	RADFORD VA 24141
435- 3 3	WAL-MART REAL ESTATE BUSINESS TR	STORE #1292	P O BOX 8050	BENTONVILLE AR 72712 8050
435- A 2A,1	WILSON TRUMAN E ESTATE		300 PEPPERS FERRY RD NW	CHRISTIANSBURG VA 24073

CUP: 100 NEW RIVER ROAD NW

PC: MAY 7, 2012

TC: MAY 15, 2012

0 200 400 600
Feet



CUP: 100 NEW RIVER ROAD NW

PC: MAY 7, 2012

TC: MAY 15, 2012

0 200 400 600

Feet

Resolution of the
Town of Christiansburg
Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a Conditional Use Permit (CUP) request made by PR Financing Limited Partnership for a carnival on property at 100 New River Road (tax parcel 435 – ((A)) – 41) in the B-3 General Business District, has found following a duly advertised Joint Public Hearing with Council that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the issuance of a CUP to PR Financing Limited Partnership for property at 100 New River Road.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does not recommend**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. A bond in the amount of $5,000.00 shall be posted prior to final issuance of this CUP to insure adequate cleanup.
2. The carnival shall contact the Montgomery County Health Department for all necessary permits.
3. The carnival shall contact the Town Superintendent of Public Works in regards to water connections for any recreational vehicles, campers, vending areas, etc. A water meter deposit shall be required of the carnival and shall be applied toward usage.
4. The carnival shall provide portable toilets cleaned daily or more frequently as required by Virginia Department of Health standards for its patrons and shall provide holding tanks for septic on all recreational vehicles, campers, vending areas, etc. All holding tank materials shall be properly disposed of.
5. All sanitary and water connections be inspected by the Town prior to use and be maintained in a healthy and sanitary manner.
6. The carnival shall provide the Town with a list of all amusement devices including name of ride, manufacturer, and year manufactured.
7. A certificate of inspection for all amusement devices is to be issued by a person certified by the Commonwealth of Virginia to perform inspections of amusement devices prior to opening of the carnival.
8. Efforts shall be made to have all inspection conducted during regular Town office hours (Monday – Friday, 8:00 a.m. – 5:00 p.m.). The carnival shall reimburse the Town of Christiansburg for overtime pay for all inspections made after Town office hours.
9. A permit shall be obtained for each tent and a certificate of fire resistance for each tent shall be provided to the Christiansburg Fire Marshall prior to opening.
10. Proof of financial responsibility in the minimum amount of $1,000,000.00 per occurrence along with a statement indemnifying the Town of Christiansburg from any liability shall be provided to the Town prior to opening.
11. The carnival operators shall be responsible for disposal of all animal droppings and these shall not be disposed of in dumpsters, sanitary sewers, or storm water systems.
12. The carnival shall not operate beyond 11:00 p.m.
13. The carnival shall be required to staff the event with at least two uniformed Christiansburg Police Officers and the carnival shall be responsible for paying the overtime rate for each Officer.

Dated this the __st day of May 2012.

_____
Craig More, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by _____ seconded by _____ at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised public hearing on the above request on May 7, 2012. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Barry Akers				
Ann H. Carter				
Harry Collins				
M. H. Dorsett, AICP				
Steve Huppert				
Craig Moore, Chairperson				
Ashley Parsons				
Joe Powers, Vice-Chairperson				
Jennifer D. Sowers				

_____
Craig Moore, Chairperson

_____
Randy Wingfield, Secretary Non-voting

NEW RIVER VALLEY MALL

Dear Sir/Madam:

Michael's Enterprise, Inc. has permission to obtain the permits to host a carnival at the New River Valley Mall for the event dates of June 14th – 24th, 2012.

Please contact me with any questions as we look forward to having this wonderful event at our property then.

Best regards,

Michael J. Poldiak
General Manager

782 New River Road ▪ Christiansburg, VA 24073 ▪ 540.381.0005 ▪ www.shopnewrivervalleymall.com

A Pennsylvania Real Estate Investment Trust Property ▪ Managed and leased by PREIT Services, LLC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5/03/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Allied Specialty Insurance, Inc
10451 Gulf Blvd.
Treasure Island, FL 33706
800/237-3355

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : T.H.E. Insurance Company	12866
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Michael's Enterprises, Inc.
Michael's Amusements, Inc.
P.O. Box 64636
Fayetteville NC 28306

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC			CPP0100459-02	04/04/12	04/04/13	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 1,000,000
								$
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					WC STATU-TORY LIMITS OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Effective from 6/11/12 THROUGH 6/25/12
ADDITIONAL INSURED: PR NEW RIVER VALLEY MALL, PR LIMITED PARTNERSHIP, PREIT SERVICES, LLC & MEMBERS AND KEVAWORKS, INC. AS RESPECTS TO THE GENERAL LIABILITY OPERATIONS OF THE NAMED INSURED ONLY.

CERTIFICATE HOLDER

NEW RIVER VALLEY MALL
782 NEW RIVER ROAD
CHRISTIANBURG, VA 24073

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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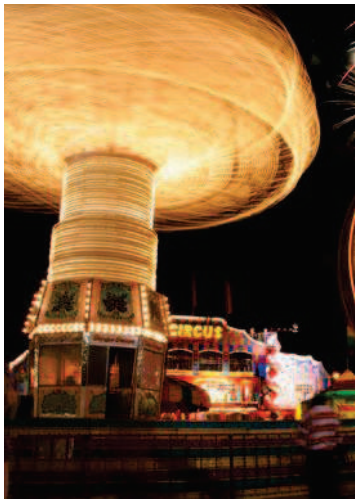
CARNIVAL CONSULTING

Our core business is very simple. We work on behalf of property owners, mangers, retailers and developers around the country to ensure they get the most qualified carnival operator for their events each and every time.

We are the real estate industry's leader in short-term amusement event consulting.



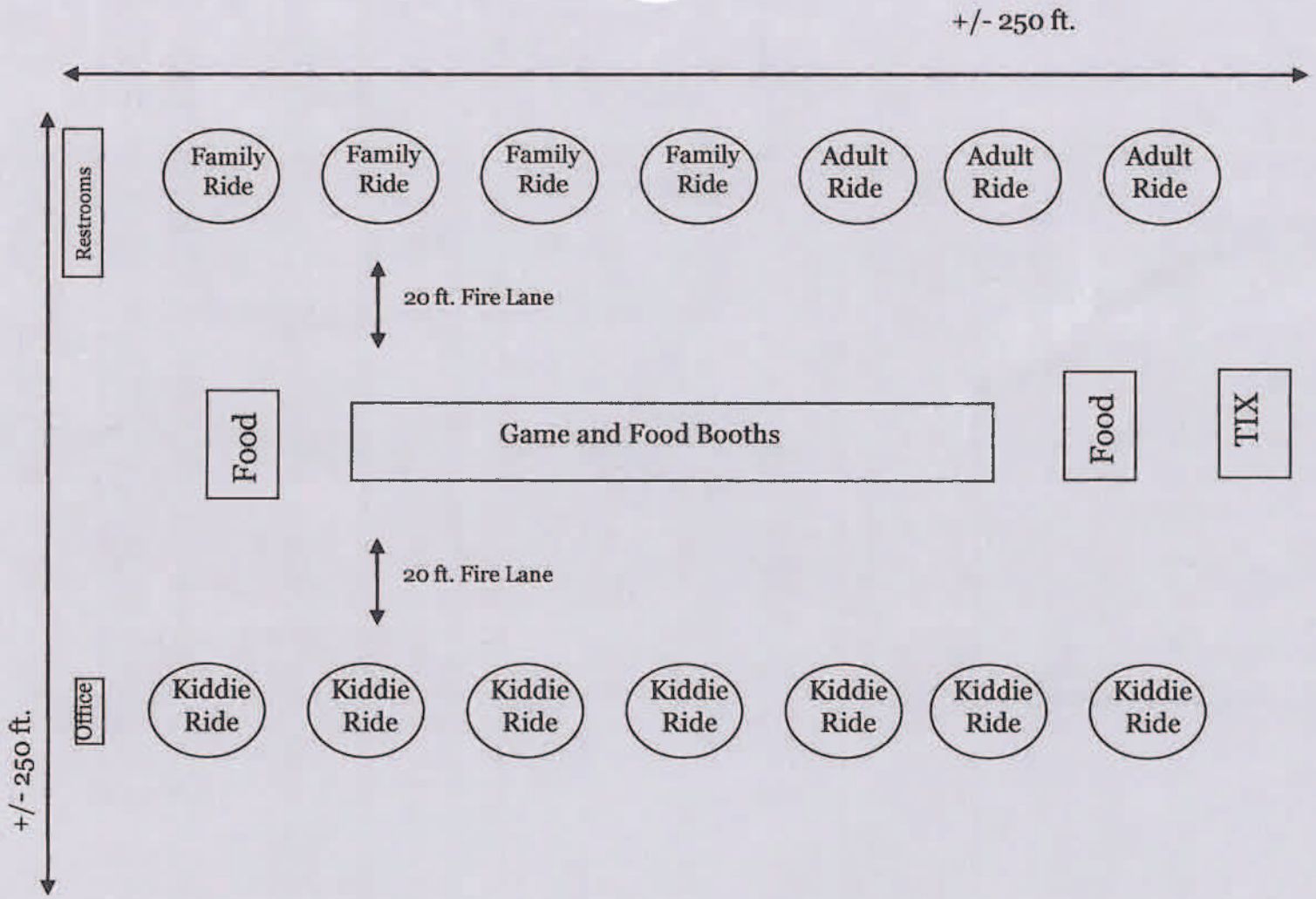
Carnival deals negotiated utilizing our industry experience and vendor expertise generate new revenue, draw customers and provide a safe, fun event for the communities you server. And better yet, a perfect parking lot deal is only three steps away:

- **First** – Give us the green light as your agent to pitch your properties to the most qualified amusement companies traveling the country today.
- **Second** - We then negotiate the best terms and rates using our exclusive insider industry information to maximize your return on each event.
- **Third** - We handle the details from setup through teardown to ensure the success of every carnival.

If you decide to have carnivals play your centers, please don't venture into these waters alone. We have consulted our clients on over 2000 carnival deals and have unparalleled success in this uniquely niched vein and are here to help you navigate the opportunities as well.

Some of our clients include:

74998 Country Club Dr., Suite 220-420, Palm Desert, CA 92260 - (760) 832-8620 – www.kevaworks.com

782 New River Rd in Christiansburg VA
New River Valley Mall

Detailed Layout