



## DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

### MUNICIPAL BUILDING

**February 7, 2023**

**7:00 PM**

**PRESIDING:** Alonzo L. Jones, Mayor

|                              |                            |                                |
|------------------------------|----------------------------|--------------------------------|
| <b>CITY COUNCIL MEMBERS:</b> | James B. Buckner           | Dr. Gary P. Miller, Vice Mayor |
|                              | L.G. "Larry" Campbell, Jr. | Sherman M. Saunders            |
|                              | Bryant Hood                | J. Lee Vogler, Jr.,            |
|                              | Barry P. Mayo              | Madison J. Whittle             |

|               |                                            |                                         |
|---------------|--------------------------------------------|-----------------------------------------|
| <b>STAFF:</b> | Ken F. Larking, City Manager               | W. Clarke Whitfield, Jr., City Attorney |
|               | Earl B. Reynolds, Jr., Deputy City Manager | Susan M. DeMasi, City Clerk             |

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

#### Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

#### Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on matters not listed on the agenda or on matters which do not have a public hearing, will be heard at this time. Citizens who desire to speak on agenda items that have a public hearing will be heard when the agenda item is considered and the public hearing is opened. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

#### Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have

been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

## **MEETING CALLED TO ORDER**

## **ROLL CALL**

## **INVOCATION - VICE MAYOR GARY P. MILLER**

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

## **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

- A. Proclamation: International Business Appreciation Day  
Presented to: Corrie Bobe, Director of Economic Development

## **COMMUNICATIONS FROM VISITORS**

*Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on matters not listed on the agenda or on matters which do not have a public hearing, will be heard at this time. Citizens who desire to speak on agenda items that have a public hearing will be heard when the agenda item is considered and the public hearing is opened.*

## **CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine, have previously been discussed by City Council and/or introduced for First Reading. There will be no separate discussion on these items and they will be enacted by one motion. If discussion is desired by a Council Member or a citizen, the item(s) will be removed from the consent process and considered separately.*

- A. Consideration of Approval of Minutes from Regular Council Meeting held on January 3, 2023.  
Council Letter Number CL - 33.

- B. Consideration of Amending the Fiscal Year 2023 Budget Appropriation for Litter Control and Recycling Efforts.  
Council Letter Number CL - 260.

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Anticipate Grant Funds from the Commonwealth of Virginia for Litter Control and Recycling Efforts in the Amount of \$14,536 and Appropriating Same.

### **FINAL ADOPTION**

- C. Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance in the Amount of \$741,024 from the Department of Criminal Justice Services.  
Council Letter Number CL - 278.

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services ARPA Law Enforcement Technology Grant in the Amount of \$741,024 and Appropriating Same.

### **FINAL ADOPTION**

## **APPOINTMENTS**

- A. Consideration of Appointments to Boards and Commissions.  
Council Letter Number CL - 283.

## **NEW BUSINESS**

- A. Consideration of Rezoning Parcel #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential.  
Council Letter Number CL - 13.
1. Public Hearing
  2. An Ordinance Rezoning Parcel ID #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential.
- B. Consideration of Amending Chapter 41 entitled “Zoning Ordinance” of the City of Danville to Remove Requirements of Curb and Gutter on all new Public Roads.  
Council Letter Number CL - 14.
1. Public Hearing
  2. An Ordinance Amending Chapter 41 Entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to Remove Requirements of Curb and Gutter on all new Public Roads.
- C. Consideration of Amending Chapter 35 entitled “Subdivision Ordinance” of the City of Danville, 1986 to Eliminate the Curb and Gutter Requirement and Create Item k. entitled “Streetlights”.  
Council Letter Number CL - 15.
1. Public Hearing
  2. An Ordinance Amending Chapter 35.5, Entitled “Subdivision Ordinance” of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 4, Section B, Item 1, Subsection H, to Eliminate the Curb and Gutter Requirement and to Create Subsection K, Entitled “Streetlights”.
- D. Consideration of the Donation of Facility Improvements by the Danville Science Center at the Old Southern Railway Administration Building Located at 657 Craghead Street.  
Council Letter Number CL - 277.
- A Resolution Approving and Authorizing the Acceptance of a Donation of Facility Improvements at the Danville Science Center.
- E. Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance for a Virginia Land Conservation Foundation Grant Appropriation  
Council Letter Number CL - 2.

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from a Virginia Land Conservation Foundation Grant in the Amount of \$500,000 and Appropriating the Same.

## **FIRST READING**

**COMMUNICATIONS FROM:**

- A. City Manager
- B. Deputy City Manager
- C. City Attorney
- D. City Clerk
- E. Roll Call

**ADJOURNMENT**

# Council Letter City of Danville, Virginia



**CL - 33**

**CONSENT AGENDA A.**

## **City Council REGULAR MEETING**

**Meeting Date:** February 7, 2023

**Subject:** Consideration of Approval of Minutes

**From:** Susan DeMasi, City Clerk

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## **COUNCIL ACTION**

Consideration of Approval of Minutes of Regular Council Meeting held on January 3, 2023.  
Council Letter Number CL - 33.

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## **Attachments**

1. Minutes
-

January 3, 2023

The Regular January meeting of the Danville City Council was held on January 3, 2023, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, City Attorney W. Clarke Whitfield, Jr., and City Clerk Susan M. DeMasi. Deputy City Manager Earl B. Reynolds, Jr., was absent.

Mayor Jones presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Campbell gave the Invocation followed by the Pledge of Allegiance.

### **ANNOUNCEMENTS AND SPECIAL PRESENTATIONS**

Mayor Jones thanked everyone for joining the meeting in person or watching at home, and to the individuals who have been sending messages regarding raises for employees, he wanted to take time to state that one of Council's priorities was taking care of its employees. Mayor Jones stated that he was taking this time to yield to the City Manager, Ken Larking and asked that everyone listen carefully.

City Manager, Ken Larking, made the following statement:

*In 2021, Chief Booth approached me with serious concerns about recruitment and retention within the Police Department. After learning about how many open positions we had, the possibility of more to come, and a lack of interest in applying for the jobs, I decided it was necessary to provide an increase in pay for the department to solve the crisis at hand. This is despite my deeply held belief that all employees in this organization should be treated the same. Last year, I met with Fire Department employees during shift meetings to discuss concerns that they had about police officers getting an increase when they did not get one. I acknowledged that fact and explained what happened and why. I also heard concerns from them that their pay is not competitive with others. As a result, we had a pay study commissioned to look at fire department pay and other positions that we've had difficulty filling. The results of that study were shared with City Council last month. The study showed that there are several positions within the City below the market average for actual pay. The issue is not unique to the Fire Department, which is why I do not recommend that we single the fire department out for an adjustment. To do so would cause morale issues throughout the organization. It is one of my core beliefs that every employee should be treated as equitably as possible. In my career, I can think of only one time that I've made a decision or recommendation that strays from this belief. This was when police officers received an increase due to severe recruitment and retention issues following the aftermath of the murder of George Floyd. Also, if we were to blindly provide an increase for one set of employees without understanding the total cost to get everyone a competitive wage, we may find ourselves unable to pay for competitive wages for other positions, some of which are even further behind market than those in the Fire Department.*

*Every position within the City, except most sworn police officers, had a budgeted-for increase this month. This will move the average actual pay for fire fighters from 87% of market to 90% of market. We do not have enough funds in the current budget to provide any additional increases. Normally, we plan for employee increases during the annual budget process, which is just now starting. It is*

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exceedingly rare to do unbudgeted pay increases mid-year. If we can afford it this year and in subsequent years, I will propose a \$1,000 across the board increase for all employees (except most sworn police officers) in the current fiscal year, which will get the average actual pay for fire fighters to 92% of market. I plan to recommend another pay-for-performance increase in July. I recognize that all this is not enough to get everyone up to 100% of market, but I can't responsibly recommend doing something I am not sure we can pay for next year. We are in the third year of a normal five-year cycle for pay studies. While it is not unusual to be off the market in the third year, it is unusual how far off we are for some positions as compared to recent history. I believe that we should pay our employees a competitive wage, which is why we are moving forward with a new pay study so that we can address all the positions within the City that are below market. This is a more efficient way to use our limited resources and, if we have the funds, will likely lead to another increase. Every year that I have been City Manager, I have recommended, and the Council has approved, pay-for-performance increases. In addition, we have provided bonuses, increased holidays, improved retirement for public safety, increased paid leave (maternity/paternity), opened an employee health clinic, and more, to show how much we value and appreciate our coworkers. The study showed that Danville offers better benefits than most localities. These benefits are typically expensive to provide. We are just now beginning to get a picture of what next year's revenues and expenditures will be to maintain current service levels. Preliminary estimates show at least a \$1.5M shortfall in the General Fund operational budget and a \$14M shortfall in the capital and special projects budget. We do not have any extra funds in this year's budget to provide a mid-year adjustment. A budget amendment approved by City Council is needed to provide any additional pay. However, even if we determine we have enough this year, we must be confident that we can do it next year. Since employee pay is a yearly cost, we need to make sure that we can afford to implement increases for years beyond the current one. I will not know what we can afford until March. I want to avoid a situation that would have Council needing to consider service cuts or tax increases to pay for a decision we made in haste. The budget amendment under consideration by City Council on tonight's agenda may help fund the \$1,000 increase in the current year at an annual cost of \$920,000. It would be prudent to have a good sense that we can pay for a full year of this increase or any increase in the following budget before providing additional pay increases.

To sum up, I appreciate those members of the public who care deeply about the issue of employee pay. The City Council and I believe that our employees should be paid a competitive wage and we are determined to find a way to make that happen in a responsible way. The pay studies that we have conducted since I have been with the City have resulted in adjustments to minimum pay for all employees to make them competitive with the market. We are determined to continue this practice. We are conducting a city-wide pay study to get a sense for the total cost to implement an organization-wide solution to provide competitive pay for all employees. We should have the results by June. Once we can determine what we can afford, we will provide a \$1,000 wage increase to all employees, except police officers. We will continue to monitor our revenue and expenditure outlook, and if it looks like we might be able to afford more than that, I will make sure City Council is aware. If any employee wants to speak with me about the terms of their employment, my door is always open and I am happy to sit down and talk to anybody. If any member of the public has a concern that they want to express to me about this or any other matter, my phone number is 434-799-5100 and my e-mail address is [klarking@danvilleva.gov](mailto:klarking@danvilleva.gov). I will do my best to answer any questions or concerns that anyone has about any actions that I recommend. Sometimes we won't agree on the way I do things, or the way I recommend things but I would still ask that people treat each other respectfully in this conversation; I expect that of the employees of the City of Danville and I hope to have that from the public.

January 3, 2023

Mayor Jones thanked Mr. Larking for his presentation, and noted Chief Coffey had also spoken to him regarding the pay situation and was here tonight. Mayor Jones asked Chief Coffey to come up to the podium to speak.

Chief Coffey thanked Council for the opportunity to speak, wished them all a Happy New Year and thanked Council for all that they do. *I just want to take a moment to express my gratitude for the time and effort Council has put forth on the issue of firefighter pay. I can only imagine based on the emails that I have received how much of your time has been consumed with text messages, emails, Facebook posts, and I apologize for that. It is a difficult issue and I think that we all realize it did not happen overnight therefore, it is unreasonable to think that it can be fixed overnight. It's the perfect storm with COVID affecting everyone in different ways and I think that was a big contributing factor to where we're at today. Ken and I have talked and I am conflicted on this issue. My entire life I have identified as a firefighter even now as the Chief of your Fire Department I still identify as a firefighter and I'm still a firefighter today putting out different types of fires, obviously. Since the onset of this issue Mr. Larking will tell you that I have advocated for better pay for our firefighters. I know that I would not want to work for a leader that did not advocate for me, I do not want to be that leader that does not advocate for his people, and I know that you do not want fire chief that does not stand up for his men and women. I am fortunate that I only have 145 people that I have to take care of, and I know Ken has almost 1100 employees that he takes care of. Mr. Larking, I apologize. His job is not easy, and I recognize that. Maybe it is a level of maturity, I never thought that I would mature. Dr. Miller I know you like a good joke, and we will leave it at that. You know we often talk about the difference between the Boy Scouts and the fire department is that Boy Scouts have adult leadership. I think I finally reached that level of maturity where I recognize the difficulties that Mr. Larking has and the difficulties that you have as City Council. The program or ideas that Ken had to find their pay at the cost of reducing services or raising taxes is not favorable to anybody. So, it is not an easy decision. I have the insight of being a division director and being in those meetings. I see Mr. Larking's ideas for the future of the City and the investments that we make in our economic growth, will pay dividends down the road. I know that it's shortsighted not to recognize that. I know that I have some firefighters behind me today that think I'm selling them out, but that is not it at all. I honestly want to thank you for your time and the effort that you're putting into this. I thank you for fielding those questions and concerns from the community. I want my firefighters to know that I respect them for what they do, and I love them for the sacrifices that they make. Mr. Larking, I thank you for the time that you have put into this I know it has not been easy and this is not an easy fix. I thank you for your time and your diligence in finding a fix for us. Thank you.*

Mayor Jones thanked Chief Coffey for speaking.

Council Member Vogler stated that as a City they were blessed to have great citizens, blessed to have over 1100 employees, to have a City Council that works so well together, and they were blessed to have such a great City Manager. Originally, there was an agenda item for tonight that would have increased the salary of three of Council's employees including the City Manager. At the same time, the City was undergoing a process to evaluate the fair market value for all of the employees, many of whom were not being paid what they deserve. The City Manager believes, as does City Council, that they need to treat all of their employees with dignity and fairness. With that in mind, it would not be fair to increase the salaries of a few employees tonight while asking the other employees to wait. Therefore, tonight's agenda item has been removed. City Council will bring this agenda item back when they were able to address all of the employees later this year. Mr. Vogler noted, to make it clear the three employees they were referencing tonight do tremendous work for the City; they were blessed to have them. Tonight's action was in no way a reflection on how Council feels about their quality of work. Tonight's action was about fairness,

something that was very important to the City Manager and to City Council. Mr. Vogler stated he wanted to touch on something briefly because he thought it was important, and believes Council thinks it was important as well. Over the last few weeks there has been a lot of public conversation about employee compensation. As the City Council, they were very aware of this issue. The City Manager was very aware of this issue. They know there were a lot of City employees who were not being paid like they should, including the firefighters. They know other localities have passed Danville by when it comes to pay for City employees, including firefighters. They were working to make this right just as this City Council has done time and time again on important issues related to their employees. Paid family leave for City employees never existed in Danville before, it was this City Council that made it happen. Early retirement for firefighters never existed in Danville before, it was this City Council that made it happen. A top-notch health clinic specifically for City employees never existed in Danville before, it was this City Council that made it happen. Now it was time to make sure they were paying the City employees what they deserve, it will be this City Council that makes it happen. Mr. Vogler noted he appreciated the City Manager speaking with Council tonight and they all agree that the agenda item should be removed. They all will be working diligently in the months ahead to move this City forward and taking care of those who work so hard for the City.

Mayor Jones asked the City Manager, with his presentation, the possibility of increases would be three to four increases if the budget permits, was that correct and Mr. Larking explained if they count the pay-for-performance increase in June/July of 2022, plus the increase in January, plus the potential of \$1,000 per employee increase, and then another pay-for-performance increase in July 2023 (if there was room in the budget); that would be four in one 12-month period. Again, once they received the results from the pay study, they normally implement those changes, so there was a possibility of five within a 12-month period. Mayor Jones stated that within a calendar year there was a possibility of five increases for all employees, and Mr. Larking stated that was correct except for sworn police officers who have already received an increase as of last year.

Mayor Jones once again thanked Chief Coffey and Council Member Vogler for their comments, and stated, *one of the things they have been known as, was a City that worked together and cared about their employees. One thing that the public does not know that we do not do here in Council, is that we do not make threats to our employees, and we do not allow it. There have been behaviors that are unfit for our great City. When people ride past the City Manager's home blowing the horn and disrupting his family, this is not who we are. We can agree to disagree, but it is very disturbing when you just heard the City Manager say to City Council that we are working to give up to five raises in a calendar year. It is almost impossible for us to ask our citizens to increase their taxes so that this can happen right now because as Chief Coffey stated we have over 1100 employees to look to. I am going to open the public hearing as I always do but I ask that you be respectable, and I will not allow anyone to disrespect you and we will not allow anyone to disrespect Council or City staff. To the City Manager I want to personally apologize to you and your family for what you have had to endure, that's not who we are.*

### **COMMUNICATIONS FROM VISITORS**

Mayor Jones recognized Geraldine Young, 157 Davenport Street, who spoke to Council about a situation regarding an issue she was having with the housing authority. She stated that when she moved here over a year ago she did so on housing vouchers through the Danville Housing Authority. Apparently, the woman that owned the house collected the money and did not properly do things as the Housing Authority requires. She and her son are now homeless and on top of that she has a chronic condition. She was looking for help and assistance for somewhere to live. Mayor Jones introduced them to Petrina Carter and asked that they speak with her before leaving tonight.

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Mayor Jones recognized Mary Massie Barnes, 105 Saint Paul's Circle, who thanked Council for their help in getting benefits for school employees in 2014. Ms. Barnes commented on what Danville was known for and stated that Danville should be known as a community that was the new home of inclusivity, diversity, and progressive economics. Council were the leaders in that, she was very proud of them being her representatives here in Danville, and thanked them for what they were doing.

Mayor Jones recognized Robert Walker, 209 Oakdale Street, Martinsville, VA, who stated he has been with the fire department for twenty-one years and was currently a Captain. He wanted to make Council aware that January was Firefighter Cancer Awareness Month, reviewed chemicals that firefighters come into contact with when dealing with fires, as well as statistics of certain cancers that firefighters end up with over their career.

Mayor Jones recognized Travis Poteat, 274 Carolina Avenue, who spoke about issues with the fire department, stated that he understands that Council was concerned about pay and raising taxes was not something that can be done. Individuals who have been doing this for ten or fifteen years were not going anywhere because this was home. Mr. Poteat discussed the cost and time to train a firefighter and stated he appreciated being able to speak with Council about this.

Mayor Jones recognized Alan Plummer, 122 Benefield Street, who stated that he was there as a concerned citizen and in support of his brothers and sisters of the Danville Fire Department, noting their pay does not reflect their work. He resigned because the pay did not provide the cost of living that it takes to raise his family, the lack of competitive pay has caused many firefighters to move on and asked Council to do right by the firefighters.

Mayor Jones recognized Scott McNealy, 217 Swain Drive, who stated he was there as a concerned citizen who happened to be a retired fire fighter. He served the City of Danville for thirty four years and four months where he worked through the ranks and retired as a Battalion Chief. Mr. McNealy asked Council to pay the firefighters a fair market value.

Mr. Larking once again explained the pay study, the \$1,000 across the board employee pay increase and the other plans the City has to get pay plans up to date for all employees.

Mayor Jones recognized Gordon Bartholomew, 610 Mt. Cross Road, who thanked Council for all that they do and stated pay needed to be increased for all police, fire fighters, and emergency service personnel.

Mayor Jones stated that City Council appreciated everything their employees do and asked Council Member Vogler to go back over the items that Council has implemented for their employees. Mr. Vogler stated that paid family leave for City employees never existed in Danville before, it was this City Council that made it happen. Early retirement for firefighters never existed in Danville before, it was this City Council that made it happen. A top-notch health clinic specifically for City employees never existed in Danville before, it was this City Council that made it happen. Mayor Jones stated that Council was aware of what firefighters and all employees do on the job and that was why they were working to get a pay study completed to compensate employees fairly.

Mayor Jones recognized Norman Campbell, 2519 Hatchett Road in Penhook, VA who addressed Council concerning pay, retention, and hiring for firefighters.

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Mayor Jones recognized Tom Collins, 909 Poplar Trace, who came before Council again to speak about the pay issues with the fire department, and questioned why would the members trust Council when they said they were going to do a pay study and fix it.

Mayor Jones stated that the comment made regarding why Council should be trusted was answered by Council Member Vogler when he stated the things that Council has done for City employees that had not previously been done by other Councils. They have mentioned what this Council was going to do along with the City Manager. Mayor Jones asked all firefighters to stand up and stated that it was mentioned that they were not Council's enemy, and Council was not theirs. The difference from their seat to Council's seat was that Council has over a thousand employees. Council appreciates what they do, they always have and always will.

### **CONSENT AGENDA**

Council Member Campbell **moved** for adoption of the following Consent Agenda items:

Minutes from the Regular Council Meeting held on December 6, 2022. Draft copies of the minutes had been distributed prior to the meeting.

Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance for a Grant from the Department of Criminal Justice.

An Ordinance entitled, Ordinance No. 2022-12.07, an Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from the Virginia Department of Criminal Justice Services – Fiscal Year 2023 School Resource Officer Grant Program in the Amount of \$88,398 and Appropriating Same.

Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance for a State Aviation Grant

An Ordinance entitled, Ordinance No. 2022, an Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Provide for Additional State Aviation Grant Funding for the Purpose of Seal Coating the Shoulder Areas of Runway 13/31 in the Amount of \$68,057 and the Local Share in the Amount of \$17,014 to be Provided by Local Bond Funds and Appropriating Same.

Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Grant Funds from the US Department of Housing and Urban Development

An Ordinance entitled, Ordinance No. 2022-12.09, an Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Projects to be or Being Undertaken to Improve the Danville Community Financed with Community Development Block Grant Funds and Home Investment Partnership Funds from the U.S. Department of Housing and Urban Development, and Estimated Program Income for a Total Appropriation of \$1,236,545.

Consideration of Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Fund Riverfront Park Construction and General Contingency

An Ordinance entitled, Ordinance No. 2022-12.10, an Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenues from Various Taxes to Fund Riverfront Park Construction and General Fund Contingency for an Appropriation in the Amount of \$2,500,000 and Appropriating the Same.

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The Motion was **seconded** by Council Member Vogler.

Council Member Whittle stated Item F would take the extra funds out of meals and lodging taxes and appropriate \$2.5M a year towards the Park, and Mr. Larking explained that it was \$2.1M for the park and \$400,000 for General Fund contingency. The budget amendment anticipated additional revenue in those categories to help pay for those two things, to help fund the gap needed to fund the park and the \$400,000 for general fund contingencies. Mr. Whittle questioned why the City didn't use the \$4M they were receiving from the Foundation first and then wait for the casino money to come in, in the increments they know they are going to get, why allocate it at this point. Mr. Larking explained, in order to award the contract for the bid for the park they need the funds in place to award the main part of the contract. It was a one-time expense that they do not have to anticipate paying every year. Because staff knows they have that potential of additional new revenue this year and can project they were going to have it, they feel confident it was a safe appropriation to make in order to make sure that project moves forward. The \$4M from the Foundation was already anticipated in the cost. Mr. Whittle noted the City has a lot of things coming and they should be using someone else's money first besides taxpayers; why don't they use the donations towards the park for this. Mr. Larking stated they have received between \$5M and \$6M in donations towards the park. Those donations were part of what was paying for the park. It was necessary to have all the money budgeted in order to award the bid.

Council Member Vogler stated he wanted to clarify that it was not \$2.5M per year, it was a one-time deal. The Park was initially \$10M when it was first discussed; the Park being built was contingent on this vote tonight, the pier will be a separate vote. Mr. Larking confirmed the park was contingent on the vote tonight and the pier will be a separate vote. The concern was that the individuals who donated money to have the park built were expecting it to be built the way it was presented and if it was not they may change the amount of their donations.

Council Member Campbell stated that the Foundation sponsored several members to go to other cities to see how they have developed their rivers. The longer the City waits, the more money they lose because costs were going up. Reverend Campbell stated he hoped they move forward on this and put it into action.

Vice Mayor Miller stated that inflation went up 6% since last year and was projected to go up another 3 to 4%; the longer they wait to start this park, the more it was going to cost them. The more they delay, the more expensive it was going to get. It was time, they have money allocated, they have a decent bid, and they need to do it now. Council promised their citizens years ago this park, and they have invested a lot of money.

Council Member Vogler stated he wanted to see this park get started. The pier and the dam removal were interlocked, was the dam still coming down regardless of the pier being built. Mr. Larking stated he could not give specific answers to those questions but in order to get a permit for the pier it was important to have the dam removed for the federal permit.

The Motion was carried by the following vote:

|       |                                                                           |
|-------|---------------------------------------------------------------------------|
| VOTE: | 8-1                                                                       |
| AYE:  | Buckner, Campbell, Hood, Jones, Mayo,<br>Miller, Saunders, and Vogler (8) |
| NAY:  | Whittle (1)                                                               |

January 3, 2023

## **NEW BUSINESS**

### **CONSIDERATION OF AMENDING ARTICLE 3.L OF THE ZONING CODE OF THE CITY OF DANVILLE, VIRGINIA**

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 20, 2022 and December 27, 2022. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of an Ordinance entitled:

#### **ORDINANCE NO. 2023-01.01**

AN ORDINANCE AMENDING CHAPTER 41, ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 3L., ENTITLED "TW-C, TOBACCO WAREHOUSE COMMERCIAL DISTRICT", TO ADD ITEM 16, ENTITLED "SINGLE FAMILY DWELLING (ONE PER PARCEL)" AS A USE PERMITTED UNDER SECTION C., ENTITLED "USES PERMITTED BY SPECIAL USE PERMIT".

The Motion was **seconded** by Council Member Whittle and carried the following vote.

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo,  
Miller, Saunders, Vogler and Whittle (9)  
NAY: None

### **CONSIDERATION OF GRANTING A SPECIAL USE PERMIT AT 820 LYNN STREET**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 820 Lynn Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 20, 2022 and December 27, 2022. No one present desired to be heard and the Public Hearing was closed.

Council Member Vogler **moved** for adoption of an Ordinance entitled:

#### **ORDINANCE NO. 2023-01.02**

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PZ22- 00235, FILED BY RICK BARKER ON BEHALF OF RJB HOLDING, LLC, REQUESTING A SPECIAL USE PERMIT TO ALLOW A SINGLE-FAMILY DWELLING (ONE PER PARCEL) IN ACCORDANCE WITH ARTICLE 3.L., SECTION C., ITEM 16. OF THE DANVILLE ZONING ORDINANCE AT 820 LYNN STREET (PARCEL ID #22279).

The Motion was **seconded** by Council Member Whittle and carried the following vote.

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo,  
Miller, Saunders, Vogler and Whittle (9)  
NAY: None

January 3, 2023

**CONSIDERATION OF REZONING PARCEL ID #S 50288, 50289, AND 54809 - NORTH MAIN STREET**

Mayor Jones opened the floor for a Public Hearing regarding Rezoning Parcels on North Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on December 20, 2022 and December 27, 2022. No one present desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of an Ordinance entitled:

**ORDINANCE NO. 2023-01.03**

AN ORDINANCE REZONING PARCEL ID #'S 50288, 50289, AND 54806 (NORTH MAIN STREET) FROM HIGHWAY RETAIL COMMERCIAL SUBJECT TO "CONDITIONS" TO HIGHWAY RETAIL COMMERCIAL (HR-C).

The Motion was **seconded** by Council Member Whittle and carried the following vote.

VOTE: 9-0  
AYE: Buckner, Campbell, Hood, Jones, Mayo,  
Miller, Saunders, Vogler and Whittle (9)  
NAY: None

**COMMUNICATIONS**

There were no Communications from the City Manager, City Attorney or City Clerk.

Vice Mayor Miller thanked all the citizens and staff that joined the meeting tonight, and thanked Chief Coffey and members of the fire department for coming and sharing their opinions. They appreciated their City employees and do not want to lose employees in any department. It was important that they compensate the employees with a fair salary. The City Manager has a hard job because he has to come up with the money, this was the taxpayers money, and Council has a charge to make sure they spend the money wisely. Dr. Miller noted they wish their best to Council Member Hood who had a harrowing experience the other night. Dr. Miller noted he did have a question for the City Manager concerning substations, there have been a lot of people attacking substations, does the City have cameras on these substations and Mr. Larking noted there were cameras that monitor all of the City's substations.

Council Member Vogler thanked everyone for coming out tonight and thanked all the firefighters who were there this evening. Mr. Vogler noted he talked about this at the last meeting, but a couple of weeks ago he and his son were in a car accident, and would like to again thank the Life Saving crew, police officers, and certainly the firefighters who were there within minutes. Mr. Vogler stated that budgets were about priorities and for him this year in the budget process, the top priority will be to do everything they can to make sure their City employees were being paid what they should be. Mr. Vogler wished everyone a Happy New Year.

Council Member Whittle congratulated Mayor Jones and Vice Mayor Miller for being reappointed earlier in the day, and stated if you keep spending money you can't take care of your top priorities.

Council Member Buckner thanked all the citizens that came out tonight, and thanked all the firefighters who came out, it was always great to hear from them, and they will work diligently

January 3, 2023

towards a resolution just as soon as possible. To the City Manager, thanks for all the work he does to make sure these things happen, and thanks to all the Council members as well.

Council Member Campbell wished everyone a Happy New Year and stated this was going to be a great year for the City of Danville. Prosperity was here and greater prosperity was coming. They have a good Council, good Mayor, a good administration and they work together well. Sometimes they agree and sometimes they disagree but even when they disagree, they don't make it personal. Reverend Campbell noted he was very much concerned about the firefighters and all 1100 employees of the City of Danville; they want their people to be paid right, and was for the study and their people being taken care of.

Council Member Hood noted there was a saying that goes "don't allow yourself to be knocked off your square" and even though they sometimes go through trials, it's the comeback that was the most impactful. This City has been excellent to him, this Council has been excellent to him, and moving forward citizens will see the dedication they have to their City employees, and to their firefighters. Firefighters were appreciated, and Council wants to assure them that the City of Danville will continue to do what was best to not only serve them all, but to serve the City.

Mayor Jones thanked everyone for being here tonight.

ADJOURNED: 8:43pm.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

# Council Letter City of Danville, Virginia



**CL - 260**

**CONSENT AGENDA B.**

## **City Council REGULAR MEETING**

**Meeting Date:** February 7, 2023

**Subject:** Litter Control Grant - Fiscal Year 2023 Appropriation

**From:** Rick Drazenovich, Director of Public Works

---

### **COUNCIL ACTION**

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance to Anticipate Grant Funds from the Commonwealth of Virginia for Litter Control and Recycling Efforts in the Amount of \$14,536 and Appropriating Same.

### **FINAL ADOPTION**

### **SUMMARY**

Each year, the City of Danville is awarded a grant from the Virginia Department of Environmental Quality for litter prevention and recycling program activities. The awarded grant amount for Fiscal Year 2023 is \$14,536. The funds are placed in a Special Grant Fund and appropriated annually to continue the City's litter prevention and recycling activities.

The Litter Prevention and Recycling Grant is used to promote recycling and to provide materials and supplies for educational programs and litter collection. The funds can be used to conduct educational programs, purchase trash receptacles and other small supplies and materials necessary, including equipment and solid waste disposal fees associated with voluntary cleanups.

### **RECOMMENDATION**

It is recommended that Council approve the attached ordinance appropriating funds from the Litter Control and Recycling Grant.

---

### **Attachments**

1. Ordinance
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2022-\_\_\_\_.\_\_\_\_

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE TO ANTICIPATE GRANT FUNDS FROM THE COMMONWEALTH OF VIRGINIA FOR LITTER CONTROL AND RECYCLING EFFORTS IN THE AMOUNT OF \$14,536 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the fiscal year 2023 budget appropriation ordinance be, and the same is hereby amended by increasing revenues to the Special Grants Fund from the Litter Control and Recycling Grant for the purpose of paying for equipment, materials, and supplies, such revenues and appropriating to be within the Special Grants Fund and to be as follows:

**ANTICIPATED REVENUES**

| <u>Description</u>                       | <u>Account No.</u> | <u>Amount</u>      |
|------------------------------------------|--------------------|--------------------|
| Categorical Aid:<br>Litter Control Grant | 60119000-47420     | <u>\$14,536.00</u> |

**ANTICIPATED EXPENDITURES**

| <u>Description</u> | <u>Account No.</u> | <u>Amount</u>      |
|--------------------|--------------------|--------------------|
| Litter Control     | 60119999-50        | <u>\$14,536.00</u> |

BE IT FURTHER ORDAINED, that all other accounts and provisions for the fiscal year 2023 budget appropriation ordinance as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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Clerk

Approved as to  
Form and Legal Sufficiency:

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City Attorney

# Council Letter

## City of Danville, Virginia



CL - 278

CONSENT AGENDA C.

### City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Department of Criminal Justice Services ARPA Law Enforcement Technology Grant

**From:** Scott Booth, Chief of Police

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### COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from Virginia Department Criminal Justice Services ARPA Law Enforcement Technology Grant in the Amount of \$741,024 and Appropriating Same.

### FINAL ADOPTION

### SUMMARY

Dispatch Center with Real Time Crime Center as a back up to the City of Danville's Main Dispatch Center.

Establishing a physical Real Time Crime Center that contains two full-service Computer Aided Dispatch (CAD) stations and work stations to monitor real-time video feeds, is the cornerstone of this project.

In the design and construction of our new police department headquarters building, staff anticipated the need for a Real Time Crime Center and 911 Dispatch Center, and created space to locate these assets at some future point. This grant opportunity will allow us to stand up these resources and quickly begin leveraging them in improving our response to crime. Additionally, the two full-service CAD stations will serve as a back-up to our current Emergency Communications Center, which does not have this redundancy within our jurisdiction. Currently, if the City of Danville Emergency Communications Center goes down, our roll-over location is located over 20 miles away in an adjoining jurisdiction. The co-location of a 911 Dispatch Center with the Real Time Crime Center builds our capacity to communicate and respond to crime with real-time information, especially in critical incidents, special events and planned operations.

The cost of this part of the project this \$434,890.

Forensic Technology Inc Integrated Ballistic Identification System (IBIS) NIBIN Cartridge Cases Acquisition and Triage Package.

IBIS solutions provide timely actionable intelligence for the investigation of firearm-related crimes, which has contributed to the arrest of thousands of criminals. IBIS uses specialized 3D microscopy to capture the unique markings left by firearms on fired bullets and cartridge casings. The powerful IBIS

correlation algorithms reveal the most likely matches in IBIS networks representing millions of bullets and cartridge casings. A match found in IBIS is often sufficiently apparent to provide an investigative lead, without having access to the physical evidence.

Forensic Technology Inc Integrated Ballistic Identification System (IBIS) NIBIN Cartridge Cases Acquisition and Triage Package capabilities allow for the sharing of vital information. Because criminals move from jurisdiction to jurisdiction, IBIS has been designed to automatically share ballistic evidence across local, regional, and national networks. IBIS is the backbone of the National Integrated Ballistic Information Network (NIBIN) providing a valuable database of ballistic intelligence that can help link firearm crimes nationwide. NIBIN links crimes more quickly, generates investigative leads that would otherwise not have been detected, shares intelligence across jurisdictional boundaries, and gives prosecutors admissible evidence to corroborate witness testimony. The Danville Police Department and agencies in this region currently submit their casings to the Virginia Department of Forensic Science's Western Lab in Roanoke, Virginia. The turnaround for submission and results is anywhere from 60 days to 120 days. This technology will allow us to decrease the turnaround on submissions and have results from 24 hours to 48 hours. In addition, all of the agencies in this region will have access to this resource as well.

The cost of this part of the project is \$170,246.

Fusus Real Time Crime Center software streamlines Emergency & Incident Management, by fusing all the community's video assets into a single platform. The software enables Real Time Crime Centers to efficiently gather intelligence. The product provides first responders with the tools to efficiently monitor and rapidly respond to evolving situations.

Fusus Real Time Crime Center software's Artificial Intelligence capabilities enable smaller teams of law enforcement personnel to cover more ground. It allows agencies to maximize resources and work more intelligently. It enables officers in the field to transmit their location. They can send panic alerts, text alerts and send/receive images to communicate directly with the command center. It saves time and enables investigations by creating a map of all the public and private security cameras in a location. The Fusus OPS app is available via iOS or android compatible devices.

The cost of this part of the project is \$150,000.

## **RECOMMENDATION**

It is recommended that City Council adopt the attached Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Anticipating Revenues in the amount of \$741,024 from the Department of Criminal Justice Services and appropriating the same.

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### **Attachments**

1. Ordinance
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023 - \_\_\_\_\_.\_\_\_\_\_

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM VIRGINIA DEPARTMENT CRIMINAL JUSTICE SERVICES ARPA LAW ENFORCEMENT TECHNOLOGY GRANT IN THE AMOUNT OF \$741,024 AND APPROPRIATING SAME.

WHEREAS, the City of Danville has been awarded a grant from the Virginia Department of Criminal Justice Services ARPA Law Enforcement Technology Grant in the amount of \$741,024; and

WHEREAS the funding will used to establish a Real Time Crime Center with a backup 911 Dispatch Center and purchase a NIBIN Integrated Ballistic Identification System; and

WHEREAS the grant does not require in-kind matching funds.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2023 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenue to anticipate the receipt of funds in the amount of \$741,024 from the Virginia Department of Criminal Justice Services ARPA Law Enforcement Technology Grant, such revenue and appropriation to be as follows:

**ANTICIPATED REVENUE**

| <u>Description</u>                         | <u>Account No.</u> | <u>Amount</u>    |
|--------------------------------------------|--------------------|------------------|
| DCJS ARPA Law Enforcement Technology Grant | 61838000-48060     | <u>\$741,024</u> |

**ANTICIPATED EXPENDITURES**

| <u>Description</u>                         | <u>Account No.</u> | <u>Amount</u>    |
|--------------------------------------------|--------------------|------------------|
| DCJS ARPA Law Enforcement Technology Grant | 61838999-50        | <u>\$741,024</u> |

AND BE IT FURTHER ORDAINED, that this appropriation shall be a continuing appropriation and shall carry forward from year to year until expended for the purpose for which appropriated; and

BE IT FINALLY ORDAINED, that all other accounts and provisions of the Fiscal Year 2023 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO  
FORM AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
City Attorney

# Council Letter

## City of Danville, Virginia



**CL - 283**

**APPOINTMENTS A.**

### City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Consideration of Appointments to Boards and Commissions.

**From:** Susan DeMasi, City Clerk

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### COUNCIL ACTION

1. A Resolution Appointing Morgan Clarke to the Planning Commission.
2. A Resolution Reappointing Sherman M. Saunders to the Staunton River Regional Industrial Facility Authority.
3. A Resolution Reappointing J. Lee Vogler, Jr., to the Staunton River Regional Industrial Facility Authority.
4. A Resolution Reappointing L.G. "Larry" Campbell, Jr., to the Staunton River Regional Industrial Facility Authority.

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### Attachments

1. Resolution
  2. Resolutions
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023 – \_\_\_\_.

**A RESOLUTION APPOINTING MORGAN CLARK AS A MEMBER OF THE  
PLANNING COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Morgan Clark be, and she is hereby appointed as a member of the Planning Commission for a four-year term commencing February 7, 2023 and ending December 31, 2026.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023 - \_\_\_\_.

**A RESOLUTION REAPPOINTING SHERMAN M. SAUNDERS AS A  
MEMBER OF THE STAUNTON RIVER REGIONAL INDUSTRIAL FACILITY  
AUTHORITY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Sherman M. Saunders, be, and he is hereby reappointed as a member of the Staunton River Regional Industrial Facility Authority for a four year term commencing January 1, 2023 and ending December 31, 2026.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023 – \_\_\_\_ . \_\_\_\_

**A RESOLUTION REAPPOINTING J. LEE VOGLER, JR., AS A MEMBER  
OF THE STAUNTON RIVER REGIONAL INDUSTRIAL FACILITY AUTHORITY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that J. Lee Vogler Jr., be, and he is hereby reappointed as a member of the Staunton River Regional Industrial Facility Authority for a four year term commencing January 1, 2023 and ending December 31, 2026.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023 – \_\_. \_\_

**A RESOLUTION REAPPOINTING L.G. “LARRY” CAMPBELL, JR., AS A  
AN ALTERNATE MEMBER OF THE STAUNTON RIVER REGIONAL INDUSTRIAL  
FACILITY AUTHORITY.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that L.G. “Larry” Campbell, Jr., be, and he is hereby reappointed as an alternate member of the Staunton River Regional Industrial Facility Authority for a four year term commencing January 1, 2023 and ending December 31, 2026.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK

# Council Letter City of Danville, Virginia



CL - 13

NEW BUSINESS A.

## City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Rezoning Application PZ22-222 from PAM, Inc. has requested to rezone Parcel #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential, to prepare for future development.

**From:** Renee Burton, Division Director of Planning

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## COUNCIL ACTION

1. Public Hearing
2. An Ordinance Rezoning Parcel ID #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential.

## SUMMARY

Rezoning Application PZ22-222 from PAM, Inc. has requested to rezone Parcel #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential, to prepare for future development.

## BACKGROUND

The subject property is 16.57 acres of undeveloped property located on Churchview Drive. Churchview Drive runs through the subject property to allow access to the Stratford Tennis Club. Bordering the subject property to the west is multifamily zoning and development, to the south is Piney Forest Road and to the east is additional undeveloped land.

The property is not currently served by public utilities. Development of the property would require extensions of water, gas and sewer lines. An estimate from the Utilities Department is that approximately 520' of pipe would need to be extended for water and approximately 620' of pipe for gas.

The sewer connection will be determined by its placement. There is currently sewer available at the rear of the property and along Piney Forest Road.

There are no development plans currently. The applicant would like to achieve multifamily classification prior to the expenditure of drawing development plans.

Development of the subject property with multifamily development is in character with the surrounding properties. The 2030 Comprehensive Land Use Plan identifies the area as Mixed Use.

On January 9, 2023, the City Planning Commission voted 6-0 to recommend approval of a request to rezone Parcel ID #73039 (Churchview Drive) from PS-C, Planned Shopping Center Commercial to M-

R, Multifamily Residential.

### **RECOMMENDATION**

It is recommended that City Council adopt an Ordinance rezoning Parcel ID #73039 (Churchview Drive) from PS-C, Planned Shopping Center Commercial to M-R, Multifamily Residential as submitted.

---

### **Attachments**

1. Ordinance
  2. Planning back up
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023 \_\_\_\_\_.\_\_\_\_\_

AN ORDINANCE REZONING PARCEL ID #73039 FROM PS-C PLANNED SHOPPING CENTER COMMERCIAL TO M-R MULTIFAMILY RESIDENTIAL.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, PAM, Inc. has requested to rezone from PS-C Planned Shopping Center Commercial zoning district to M-R Multifamily Residential zoning district Parcel ID #73039, of the City of Danville, Virginia Zoning District Map.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PZ22-00222, filed by PAM, Inc., requesting to rezone from PS-C Planned Shopping Center Commercial zoning district to M-R Multifamily Residential zoning district Parcel ID #73039, of the City of Danville, Virginia Zoning District Map, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Rezoning Application PZ22-00222, filed by PAM, Inc., requesting to rezone from PS-C Planned Shopping Center Commercial zoning district to M-R Multifamily Residential zoning district Parcel ID #73039, of the City of Danville, Virginia Zoning District Map, is hereby approved; and

BE IT FINALLY ORDAINED that Parcel ID #73039, of the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

---

Clerk

Approved as to  
Form and Legal Sufficiency:

---

City Attorney



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

# MEMORANDUM

DATE: JANUARY 9, 2023  
TO: CITY COUNCIL  
FROM: CITY PLANNING COMMISSION  
**RE:** SPECIAL USE PERMIT APPLICATION PZ22-002222

### REQUEST

Rezoning Application PZ22-00222 PAM, Inc. Has requested rezone Parcel #73039 from PS-C, Planned Shopping Center Commercial to M-R, Multifamily Residential

### RECOMMENDATION

The Planning Commission, at their January 9, 2023 meeting, voted 6-0 to recommend approval of Special Use Permit Application PZ22-00235.

Mr. Steve Petrick, Chair

### RESPONSES

Sixteen (16) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. There were no comments received.

### COMMENTS



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

### **STAFF REPORT**

**DATE:** January 9, 2022  
**TO:** Planning Commission  
**FROM:** Renee Burton, Planning Division Director  
**RE:** **REZONING APPLICATION – PARCEL 73039**

Rezoning Application PZ22-00222 PAM, Inc has requested to rezone Parcel # 73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential.

#### **BACKGROUND**

The subject property is 16.57 acres of undeveloped property located on Churchview Drive. Churchview Drive runs through the subject property to allow access to the Stratford Tennis Club. Bordering the subject property to the west is multifamily zoning and development, to the south is Piney Forest Road and to the east is additional undeveloped land.

#### **STAFF ANALYSIS AND RECOMMENDATION**

The property is not currently served by public utilities. Development of the property would require extensions of water, gas and sewer lines. An estimate from the Utilities Department is that approximately 520' of pipe would need to be extended for water and approximately 620' of pipe for gas. The sewer connection will be determined by its placement. There is currently sewer available at the rear of the property and along Piney Forest Road.

There are no development plans currently. The applicant would like to achieve multifamily classification prior to the expenditure of drawing development plans.

Development of the subject property with multifamily development is in character with the surrounding properties. The 2030 Comprehensive Land Use Plan identifies the area as Mixed Use.

The Planning Division recommends that City Planning Commission recommend approval of Rezoning Application PZ22-00222 to City Council. The City of Danville is currently experiencing a housing deficit. The development of multifamily dwelling units on the subject property should help address this need.

#### **CITY PLANNING COMMISSION ALTERNATIVE ACTIONS**

- Recommend continuation to a future meeting.
- Recommend approval as submitted.
- Recommend approval with conditions determined by the Planning Commission.
- Recommend denial.

RECEIVED BY:

DATE FILED:

PLANNING COMMISSION DATE:

CITY COUNCIL DATE:

**INFORMATION TO BE PROVIDED BY THE APPLICANT**

Exact legal description of property (Attach if insufficient space). Parcel ID# 73039

Gross Area/Net Area: 16.57 Acres Property Address: Churchview Drive

Property Location: N S E (W) Side of:

Between: Pineview Drive and Parker Road

Proffered Conditions (if any, please attach):

**PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):**

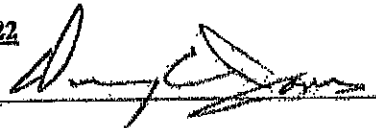
1. NAME: PAM, Inc. TELEPHONE: 434-797-2332

MAILING ADDRESS:

479 Piney Forest Road,  
Danville, VA 24540

SIGNATURE:

DATE: 10/06/2022

SIGNATURE: 

DATE: 10-6-22

EMAIL ADDRESS: brian.wilson@chhcgroupp.com

**APPLICANT (PLEASE TYPE OR PRINT):**

If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**EXPLANATION OF REQUEST:**

**1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:**

Please provide ten (10) sets, blue or black line copies, of a final site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.

- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

## **2. ALTERATION OF ZONING BOUNDARIES:**

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

## **3. RESIDENTIAL REZONING:**

Please provide a brief description of the request:

Rezone from PSC to M-R

---

REZONING DATA SHEET PZ22-222

---

PUBLIC HEARING DATE: JANUARY 9, 2023  
PLANNING COMMISSION AT 3:00 PM

---

LOCATION OF PROPERTY: CHURCHVIEW DRIVE (PARCEL ID 73039)

---

PRESENT ZONE: PS-C PLANNED SHOPPING CENTER COMMERCIAL

---

PROPOSED ZONE: M-R MULTIFAMILY RESIDENTIAL

---

ACTION REQUESTED: REZONING FROM PS-C TO M-R

---

PRESENT USE OF PROPERTY: NOT DEVELOPED

---

PROPOSED USE OF PROPERTY: NONE PROPOSED

---

FUTURE LAND USE DESIGNATION: MIXED USE

---

PROPERTY OWNER (S): PAM INC

---

NAME OF APPLICANT (S): PAM INC

---

PROPERTY BORDERED BY: COMMERCIAL TO NORTH, WEST, AND EAST;  
RESIDENTIAL TO SOUTH/SOUTHWEST,

---

ACREAGE: 16.38 ACRES TOTAL

---

CHARACTER OF VICINITY: COMMERCIAL

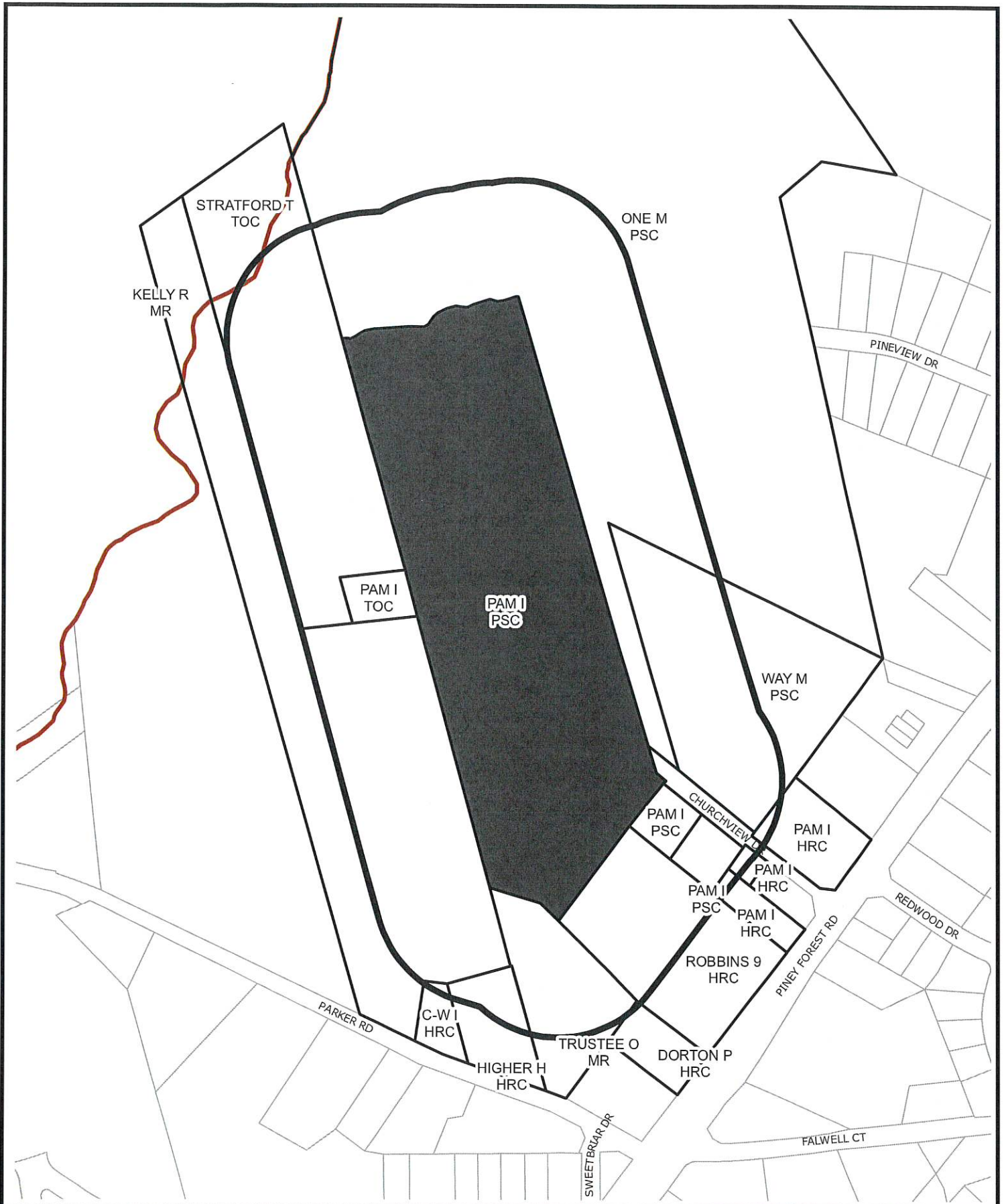
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INGRESS AND EGRESS: CHURCHVIEW DRIVE

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TRAFFIC VOLUME: LOW

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# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



Prepared by:  
Planning Division  
11/14/2022

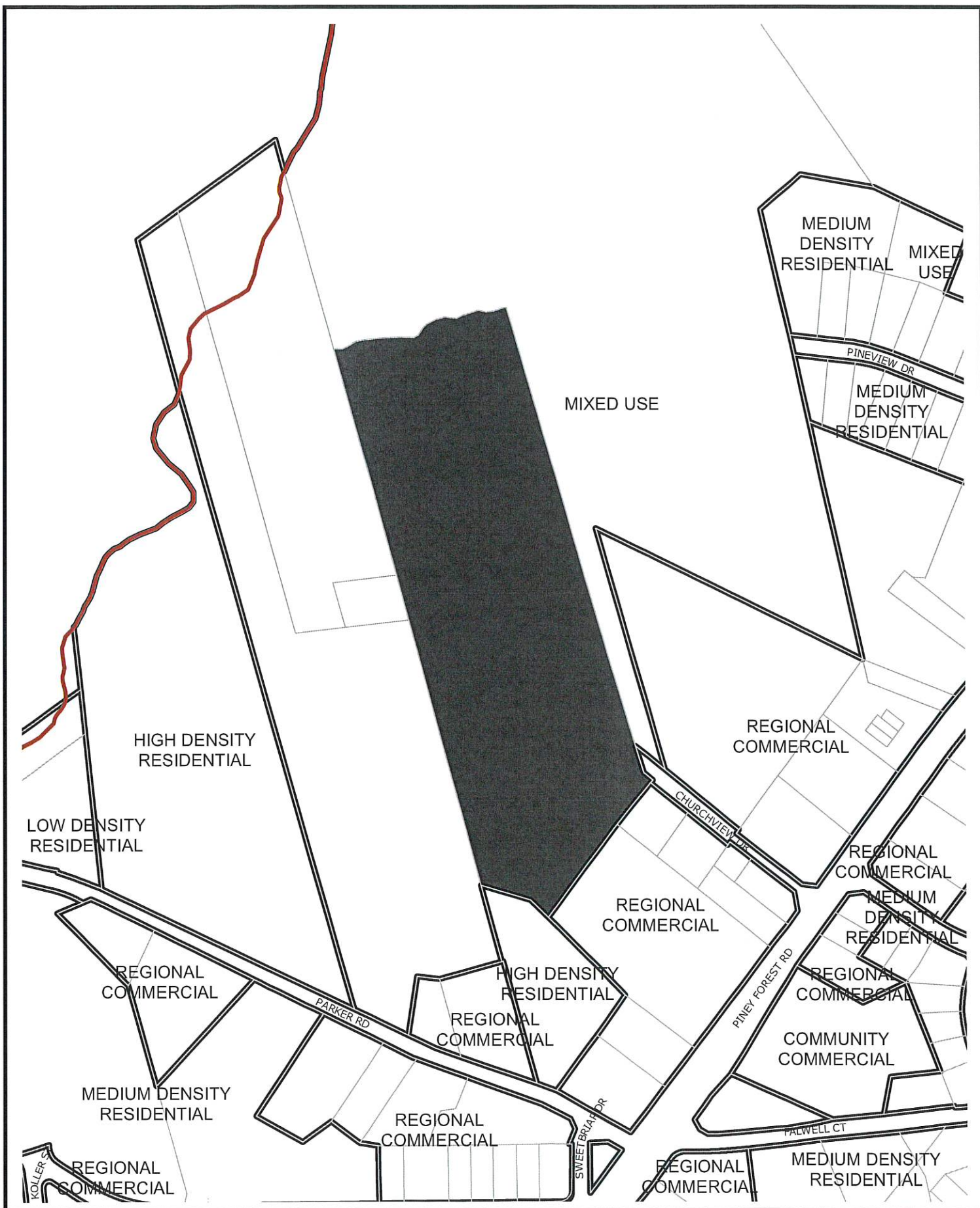
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
11/14/2022

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## YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
11/14/2022

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**Burton, Renee**

---

**From:** Brian Wilson <brian.wilson@chhcgroup.com>  
**Sent:** Wednesday, November 16, 2022 11:03 AM  
**To:** Burton, Renee  
**Subject:** Zoning Request

**CAUTION:** This email originated outside the City of Danville's email system.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Burton,

Please accept this official request to postpone the zoning request for PAM, Inc. scheduled for the upcoming session. We are still working on information pertaining to this request and we will need some additional time to complete our work.

Respectfully,

Brian P. Wilson

Brian P. Wilson, RCP

## MEMORANDUM

**DATE:** January 9, 2023

**TO:** PLANNING COMMISSION

**FROM:** PLANNING STAFF

**SUBJECT:** RESPONSE FROM NEIGHBORING PROPERTY OWNERS

**REQUEST:**

*Rezoning Application PZ22-222 PAM, Inc. has requested to rezone Parcel #73039 from PS-C Planned Shopping Center Commercial to M-R Multifamily Residential.*

**RESPONSES:**

Sixteen (16) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. (Zero) 0 responses were received. Zero (0). Zero (0) Opposed.

**COMMENTS:**

None

# Council Letter City of Danville, Virginia



CL - 14

NEW BUSINESS B.

## City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville to remove requirements of curb and gutter on all new public roads.

**From:** Renee Burton, Division Director of Planning

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## COUNCIL ACTION

1. Public Hearing
2. An Ordinance Amending Chapter 41 Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to Remove Requirements of Curb and Gutter on all new Public Roads.

## SUMMARY

Request PZ22-258 is to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended, specifically to amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to remove requirements of curb and gutter on all new public roads.

## BACKGROUND

The absence of curb and gutter in street development has been recognized as a best management practice for stormwater management. Curb and gutter construction on roadways are designed to collect and direct the path of stormwater from the street. However, it has been determined that this collection of water in curb and gutters may serve as a collector of pollutants and debris. Using green alternatives may reduce pollutants and create a more effective solution to roadway runoff.

In multiple zoning classifications, it is stated that the installation of curb and gutter is necessary for public road construction. Staff acknowledges this is an outdated practice required within the Zoning Code and requests approval of a Code Amendment to remove it from the Zoning Code. Elimination of the requirement for curb and gutter allows the City and future developers the option to practice alternative means of stormwater management that are recognized as best management practices for stormwater.

Staff has reviewed the City of Danville Zoning Code and has identified seven (7) zoning classifications that require curb and gutter with the construction of new public roadways. Staff

recommends the mention of curb and gutter be removed from the Zoning Code as presented below (words to be removed are stricken through) and replaced with language that assures best stormwater management practices (words to be added are in italics).

#### ARTICLE 3.B: - T-R, THRESHOLD RESIDENTIAL DISTRICT

##### A. - Purpose and Intent.

The T-R, Threshold Residential District is created to provide for single family detached residences at relatively low densities which are compatible with the Comprehensive Plan's goals for large lot residential development in selected locations in Danville. The average density of two units per net acre establishes the T-R District as the City's second lowest density district for detached residences. The T-R District shall require public water and sewer service, public streets, and pedestrian trails or sidewalks as minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the City, all new public roads in the T-R District shall be constructed with ~~a curb and gutter or other storm drainage water~~ conveyance system ~~equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

#### ARTICLE 3.C: - S-R, SUBURBAN RESIDENTIAL DISTRICT (Single Family Residential District)

##### A. - Purpose and Intent.

The S-R, Suburban Residential District is created to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville. The average density of three units per acre establishes the S-R District as the City's medium density district for detached residences. The S-R district shall require public water and sewer service, public streets, and sidewalks as minimum subdivision improvements. Recognizing prevailing storm water drainage deficiencies in and around the City, new subdivisions shall be constructed with ~~a curb and gutter or other storm drainage water~~ conveyance system ~~equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

#### ARTICLE 3.D: - NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT

##### A. - Purpose and Intent.

The NT-R, Neo-Traditional Residential District implements the "smart growth" residential neighborhood design strategies that have been successfully introduced to numerous American towns and cities in recent years. Invoking the popular "new urbanism" theories of residential development, the NT-R District promotes well planned, by-right single family subdivisions at higher densities and in much more compact configurations than Danville's other conventional residential districts. The subdivision are intended to be implemented at locations which have been recognized in designated Planning Areas and which are designed to fulfill the Comprehensive Plan's goals for encouraging:

1. The development of affordable housing;
2. The implementation of cost-effective and sustainable neighborhoods;
3. The efficient use of suitable vacant, infill, and redevelopment real estate;
4. The reduction of residents' dependency on the automobile for urban lifestyles;
5. The preservation of sensitive environmental features;

6. The employment of energy conservation measures in site and building design; and
7. The incorporation of open spaces, parks, and community activity areas.

The highly selective application of the NT-R District is to be applied to new single family residential subdivisions on tracts of five acres or greater, with the intent and objectives of:

- Encouraging an expanded supply of affordable detached housing;
- Creating residential architecture with attractive character and variety;
- Promoting human-scaled and harmonious neighborhoods;
- Increasing neighborhood interaction, community spirit, security, and safety;
- Creating pedestrian-friendly neighborhood circulation systems;
- Employing street systems which reduce through movements and promote "calming";
- Stimulating the application traditional neighborhood design concepts;
- Providing suitable landscaped open space and active recreation areas;
- Conserving areas of significant vegetation and sensitive ecological characteristics; and
- Reducing social barriers between poverty and affluence vis a vis the "gated community."

The average net residential density of five (5.0) to seven (7.0) units per acre establishes this district as the highest density district in Danville for single family detached residences. In instances where this district is to be applied, locational criteria must be integrated into the rezoning amendment to ensure that the subdivision is to be: (a) developed in a traditional urban grid arrangement, (b) located within close proximity to schools, churches, public facilities and neighborhood shopping opportunities, (c) served by public transit, urban infrastructure, sidewalks, private alleys and public streets equipped with ~~and curb and gutter~~ and adequate storm water drainage, (d) incorporates a sufficient allocation of on-site amenities to complement the subdivision density, and (e) subject to general development plan approval.

#### ARTICLE 3.E: - OT-R, OLD TOWN RESIDENTIAL DISTRICT (Urban Areas Single Family Residential District) A - Purpose and Intent.

The OT-R, Old Town Residential District provides for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing. The average density of five (5.0) units per acre establishes this district as one encompassing a reasonably high density for single family detached, two family, and duplex residences served by public water and sewer, public streets with ~~curb and gutter~~, adequate drainage systems, street lighting, and sidewalks.

#### ARTICLE 3.F: - A-R, ATTACHED RESIDENTIAL DISTRICT (Townhouse and Attached Residential District)

I. - Additional Regulations.

3. Private Travelways, Combined Travelways with Parking Bays and General Access:

A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), within a minimum twelve (12) foot private access easement of sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.

B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), with 18 feet allocated to the depth of each parking bay space.

C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.

D. All travelways and parking bays shall be constructed with ~~VDOT CG-6 or approved equivalent curb and gutter~~ a *storm water conveyance system*.

E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

ARTICLE 3.G: -M-R, MULTIFAMILY RESIDENTIAL DISTRICT (Multifamily Residential District)

I. - Additional Regulations

3. Private Travelways, Combined Travelways with Parking Bays and General Access:

A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), within a minimum twelve (12) foot private access easement of sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.

B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), with 18 feet allocated to the depth of each parking bay space.

C. Private travelways and combined travelways with parking bays shall be construed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.

D. All travelways and parking bays shall be constructed with ~~VDOT CG-6 or approved equivalent curb and gutter~~ *a storm water conveyance system*.

E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

ARTICLE 3.H: - MHP-R, MANUFACTURED HOME PARK RESIDENTIAL DISTRICT  
(Manufactured Home Park District).

I. - Additional Regulations

3. Private Travelways, Travelways with Parking Bays, and General Access:

A. Mobile and manufactured home dwellings shall have access to a private street with a minimum width of 22 feet (curb to curb edge of pavement to edge of pavement, excluding shoulders) contained within a platted, minimum private access easement of sufficient width to contain the travelway, adjacent sidewalks or trails, utility easements, and common area landscaping.

B. Private streets and travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual.

C. Travelways and parking bays shall have ~~CG-6 or equivalent curb and gutter~~ *a storm water conveyance system*.

On January 9, 2023, the City Planning Commission voted to recommend approval of Code Amendment PZ22-00258 as submitted.

**RECOMMENDATION**

It is recommended that City Council adopt an Ordinance amending Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to remove requirements of curb and gutter on all new public roads.

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**Attachments**

1. Ordinance
  2. Planning back up
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 3.B SECTION A, ARTICLE 3.C SECTION A, ARTICLE 3.D SECTION A, ARTICLE 3.E SECTION A, ARTICLE 3.F SECTION I, ARTICLE 3.G SECTION I, AND ARTICLE 3.H SECTION I, TO REMOVE REQUIREMENTS OF CURB AND GUTTER ON ALL NEW PUBLIC ROADS.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of an amendment to Chapter 41 entitled, "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, specifically, to amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, and Article 3.H Section I, to remove requirements of curb and gutter on all new public roads, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED, by the Council in consideration of said report and the public hearing this day held by Council, specifically, to amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, and Article 3.H Section I, to remove requirements of curb and gutter on all new public roads, of Chapter 41 entitled, entitled "Zoning Ordinance", of the Code of the City of Danville, Virginia, 1986, as amended, be and the same is hereby, amended and reordained to read as follows:

**ARTICLE 3.B: - T-R, THRESHOLD RESIDENTIAL DISTRICT**  
**Section A. - Purpose and Intent.**

The T-R, Threshold Residential District is created to provide for single family detached residences at relatively low densities which are compatible with the Comprehensive Plan's goals for large lot residential development in selected locations in Danville. The average density of two units per net acre establishes the T-R District as the City's second lowest density district for detached residences. The T-R District shall require public water and sewer service, public streets, and pedestrian trails or sidewalks as

minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the City, all new public roads in the T-R District shall be constructed with ~~a curb and gutter or other storm drainage~~ **water** conveyance system ~~equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

### **ARTICLE 3.C: - S-R, SUBURBAN RESIDENTIAL DISTRICT (Single Family Residential District)**

#### **Section A. - Purpose and Intent.**

The S-R, Suburban Residential District is created to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville. The average density of three units per acre establishes the S-R District as the City's medium density district for detached residences. The S-R district shall require public water and sewer service, public streets, and sidewalks as minimum subdivision improvements. Recognizing prevailing storm **water** drainage deficiencies in and around the City, new subdivisions shall be constructed with ~~a curb and gutter or other storm drainage~~ **water** conveyance system ~~equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

### **ARTICLE 3.D: - NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT**

#### **Section A. - Purpose and Intent.**

The NT-R, Neo-Traditional Residential District implements the "smart growth" residential neighborhood design strategies that have been successfully introduced to numerous American towns and cities in recent years. Invoking the popular "new urbanism" theories of residential development, the NT-R District promotes well planned, by-right single family subdivisions at higher densities and in much more compact configurations than Danville's other conventional residential districts. The subdivision are intended to be implemented at locations which have been recognized in designated. Planning Areas and which are designed to fulfill the Comprehensive Plan's goals for encouraging:

1. The development of affordable housing;
2. The implementation of cost-effective and sustainable neighborhoods;
3. The efficient use of suitable vacant, infill, and redevelopment real estate;
4. The reduction of residents' dependency on the automobile for urban lifestyles;
5. The preservation of sensitive environmental features;
6. The employment of energy conservation measures in site and building design; and
7. The incorporation of open spaces, parks, and community activity areas.

The highly selective application of the NT-R District is to be applied to new single family residential subdivisions on tracts of five acres or greater, with the intent and objectives of:

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- Creating residential architecture with attractive character and variety;
- Promoting human-scaled and harmonious neighborhoods;

- Increasing neighborhood interaction, community spirit, security, and safety;
- Creating pedestrian-friendly neighborhood circulation systems;
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- Stimulating the application traditional neighborhood design concepts;
- Providing suitable landscaped open space and active recreation areas;
- Conserving areas of significant vegetation and sensitive ecological characteristics; and
- Reducing social barriers between poverty and affluence vis a vis the "gated community."

The average net residential density of five (5.0) to seven (7.0) units per acre establishes this district as the highest density district in Danville for single family detached residences. In instances where this district is to be applied, locational criteria must be integrated into the rezoning amendment to ensure that the subdivision is to be: (a) developed in a traditional urban grid arrangement, (b) located within close proximity to schools, churches, public facilities and neighborhood shopping opportunities, (c) served by public transit, urban infrastructure, sidewalks, private alleys and public streets equipped with ~~and curb and gutter~~ and adequate storm ~~water~~ drainage, (d) incorporates a sufficient allocation of on-site amenities to complement the subdivision density, and (e) subject to general development plan approval.

### **ARTICLE 3.E: - OT-R, OLD TOWN RESIDENTIAL DISTRICT (Urban Areas Single Family Residential District)**

#### **Section A. - Purpose and Intent.**

The OT-R, Old Town Residential District provides for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing. The average density of five (5.0) units per acre establishes this district as one encompassing a reasonably high density for single family detached, two family, and duplex residences served by public water and sewer, public streets with ~~curb and gutter~~, adequate drainage systems, street lighting, and sidewalks.

### **ARTICLE 3.F: - A-R, ATTACHED RESIDENTIAL DISTRICT (Townhouse and Attached Residential District)**

#### **Section I. - Additional Regulations.**

3. Private Travelways, Combined Travelways with Parking Bays and General Access:
  - A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), within a minimum twelve (12) foot private access easement of

sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.

- B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), with 18 feet allocated to the depth of each parking bay space.
- C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.
- D. All travelways and parking bays shall be constructed with ~~VDOT CC-6 or approved equivalent curb and gutter~~ **a storm water conveyance system**.
- E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

### **ARTICLE 3.G: - M-R, MULTIFAMILY RESIDENTIAL DISTRICT (Multifamily Residential District)**

#### **Section I. - Additional Regulations**

- 3. Private Travelways, Combined Travelways with Parking Bays and General Access:
  - A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), within a minimum twelve (12) foot private access easement of sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.
  - B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**), with 18 feet allocated to the depth of each parking bay space.
  - C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.
  - D. All travelways and parking bays shall be constructed with ~~VDOT CC-6 or approved equivalent curb and gutter~~ **a storm water conveyance system**.

- E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

**ARTICLE 3.H: - MHP-R, MANUFACTURED HOME PARK RESIDENTIAL DISTRICT  
(Manufactured Home Park District).**

**Section I. - Additional Regulations**

- 3. Private Travelways, Travelways with Parking Bays, and General Access:
  - A. Mobile and manufactured home dwellings shall have access to a private street with a minimum width of 22 feet (~~curb to curb~~ **edge of pavement to edge of pavement, excluding shoulders**) contained within a platted, minimum private access easement of sufficient width to contain the travelway, adjacent sidewalks or trails, utility easements, and common area landscaping.
  - B. Private streets and travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual.
  - C. Travelways and parking bays shall have ~~CG-6 or equivalent curb and gutter~~ **a storm water conveyance system.**

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

# **MEMORANDUM**

**DATE:** JANUARY 9, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** SPECIAL USE PERMIT APPLICATION PZ22-00258

### **REQUEST**

Request PZ22-258 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to remove requirement of curb and gutter on all new public roads.

### **RECOMMENDATION**

The Planning Commission, at their January 9, 2023 meeting, voted 6-0 to recommend approval of Code Amendment Request PZ22-00258.

Mr. Steve Petrick, Chair



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

# **STAFF REPORT**

DATE: January 9, 2023  
TO: Planning Commission  
FROM: Renee Burton, Planning Division Director  
**RE: CODE AMENDMENT APPLICATION**

Request PZ22-258 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically amend Article 3.B Section A, Article 3.C Section A, Article 3.D Section A, Article 3.E Section A, Article 3.F Section I, Article 3.G Section I, Article 3.H Section I, to remove requirement of curb and gutter on all new public roads.

### **BACKGROUND**

The absence of curb and gutter in street development has been recognized as a best management practice for stormwater management. Curb and gutter construction on roadways are designed to collect and direct the path of stormwater from the street. However, it has been determined that this collection of water in curb and gutters may serve as a collector of pollutants and debris. Using green alternatives may reduce pollutants and create a more effective solution to roadway runoff.

In multiple zoning classifications, it is stated that the installation of curb and gutter is necessary for public road construction. Staff acknowledges this is an outdated practice required within the Zoning Code and requests approval of a Code Amendment to remove it from the Zoning Code. Elimination of the requirement for curb and gutter allows the City and future developers the option to practice alternative means of stormwater management that are recognized as best management practices for stormwater.

More information and alternatives for stormwater management can be found in the EPA literature attached to this report "Eliminating Curbs and Gutters".

### **STAFF ANALYSIS AND RECOMMENDATION**

Staff has reviewed the City of Danville Zoning Code and has identified seven (7) zoning classifications that require curb and gutter with the construction of new public roadways. Staff recommends the mention of curb and gutter be removed from the Zoning Code as presented below (words to be removed are stricken through) and replaced with language that assures best stormwater management practices (words to be added are in *italics*).

#### **ARTICLE 3.B: - T-R, THRESHOLD RESIDENTIAL DISTRICT**

##### **A. - Purpose and Intent.**

The T-R, Threshold Residential District is created to provide for single family detached residences at relatively low densities which are compatible with the Comprehensive Plan's goals for large lot residential development in selected locations in Danville. The average density of two units per net acre establishes the T-R District as the City's second lowest density district for detached residences. The T-R District shall require public water

and sewer service, public streets, and pedestrian trails or sidewalks as minimum subdivision improvements. Recognizing prevailing storm drainage deficiencies in and around the City, all new public roads in the T-R District shall be constructed with ~~a curb and gutter or other storm drainage water conveyance system equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

### **ARTICLE 3.C: - S-R, SUBURBAN RESIDENTIAL DISTRICT (Single Family Residential District)**

#### **A. - Purpose and Intent.**

The S-R, Suburban Residential District is created to provide for single family detached residences at subdivision densities which are compatible with the Comprehensive Plan's goals for traditional suburban-scaled residential development in Danville. The average density of three units per acre establishes the S-R District as the City's medium density district for detached residences. The S-R district shall require public water and sewer service, public streets, and sidewalks as minimum subdivision improvements. Recognizing prevailing storm water drainage deficiencies in and around the City, new subdivisions shall be constructed with ~~a curb and gutter or other storm drainage water conveyance system equivalent in performance and function and shall include Best Management Practices and stormwater management facilities.~~

### **ARTICLE 3.D: - NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT**

#### **A. - Purpose and Intent.**

The NT-R, Neo-Traditional Residential District implements the "smart growth" residential neighborhood design strategies that have been successfully introduced to numerous American towns and cities in recent years. Invoking the popular "new urbanism" theories of residential development, the NT-R District promotes well planned, by-right single family subdivisions at higher densities and in much more compact configurations than Danville's other conventional residential districts. The subdivision are intended to be implemented at locations which have been recognized in designated. Planning Areas and which are designed to fulfill the Comprehensive Plan's goals for encouraging:

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- Increasing neighborhood interaction, community spirit, security, and safety;
- Creating pedestrian-friendly neighborhood circulation systems;
- Employing street systems which reduce through movements and promote "calming";
- Stimulating the application traditional neighborhood design concepts;
- Providing suitable landscaped open space and active recreation areas;
- Conserving areas of significant vegetation and sensitive ecological characteristics; and
- Reducing social barriers between poverty and affluence vis a vis the "gated community."

The average net residential density of five (5.0) to seven (7.0) units per acre establishes this district as the highest density district in Danville for single family detached residences. In instances where this district is to be applied, locational criteria must be integrated into the rezoning amendment to ensure that the subdivision is to be: (a) developed in a traditional urban grid arrangement, (b) located within close proximity to schools, churches, public facilities and neighborhood shopping opportunities, (c) served by public transit, urban

infrastructure, sidewalks, private alleys and public streets equipped with ~~and curb and gutter~~ and adequate storm water drainage, (d) incorporates a sufficient allocation of on-site amenities to complement the subdivision density, and (e) subject to general development plan approval.

#### **ARTICLE 3.E: - OT-R, OLD TOWN RESIDENTIAL DISTRICT (Urban Areas Single Family Residential District)**

##### **A. - Purpose and Intent.**

The OT-R, Old Town Residential District provides for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing. The average density of five (5.0) units per acre establishes this district as one encompassing a reasonably high density for single family detached, two family, and duplex residences served by public water and sewer, public streets with ~~curb and gutter~~, adequate drainage systems, street lighting, and sidewalks.

#### **ARTICLE 3.F: - A-R, ATTACHED RESIDENTIAL DISTRICT (Townhouse and Attached Residential District)**

##### **I. - Additional Regulations.**

##### **3. Private Travelways, Combined Travelways with Parking Bays and General Access:**

A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), within a minimum twelve (12) foot private access easement of sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.

B. Travelways combined with single-loaded perpendicular parking bays shall be a minimum width of 42 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), 18 feet of which shall be allocated to and striped for parking. Travelways combined with double loaded perpendicular parking bays shall maintain a minimum width of 60 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), with 18 feet allocated to the depth of each parking bay space.

C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.

D. All travelways and parking bays shall be constructed with ~~VDOT CG-6 or approved equivalent curb and gutter~~ a storm water conveyance system.

E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

#### **ARTICLE 3.G: - M-R, MULTIFAMILY RESIDENTIAL DISTRICT (Multifamily Residential District)**

##### **I. - Additional Regulations**

##### **3. Private Travelways, Combined Travelways with Parking Bays and General Access:**

A. All dwellings shall have access to a private travelway providing for two-way traffic on twelve (12) foot travel lanes with a combined minimum width of 24 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), within a minimum twelve (12) foot private access easement of sufficient width to incorporate travel lanes, parking bays, and community sidewalks, and to be recorded with the subdivision plat.

parking bays shall maintain a minimum width of 60 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~), with 18 feet allocated to the depth of each parking bay space.

C. Private travelways and combined travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual, as revised.

D. All travelways and parking bays shall be constructed with ~~VDOT CG-6 or approved equivalent curb and gutter~~ a storm water conveyance system.

E. No on-street perpendicular parking may be established within a public right-of-way on a public street for access to an attached dwelling.

#### **ARTICLE 3.H: - MHP-R, MANUFACTURED HOME PARK RESIDENTIAL DISTRICT (Manufactured Home Park District).**

##### **I. - Additional Regulations**

##### **3. Private Travelways, Travelways with Parking Bays, and General Access:**

A. Mobile and manufactured home dwellings shall have access to a private street with a minimum width of 22 feet (~~curb to curb edge of pavement to edge of pavement, excluding shoulders~~) contained within a platted, minimum private access easement of sufficient width to contain the travelway, adjacent sidewalks or trails, utility easements, and common area landscaping.

B. Private streets and travelways with parking bays shall be constructed to geometric and pavement design standards as specified by the City's Design and Construction Standards manual.

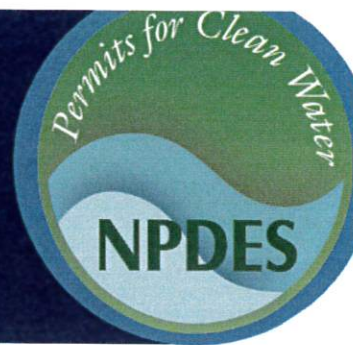
C. Travelways and parking bays shall have ~~CG-6 or equivalent curb and gutter~~ a storm water conveyance system.

##### **CITY PLANNING COMMISSION ALTERNATIVE ACTIONS**

- Recommend continuation to a future meeting.
- Recommend approval.
- Recommend denial.

# Stormwater Best Management Practice

## Eliminating Curbs and Gutters



**Minimum Measure:** Post Construction Stormwater Management in New Development and Redevelopment

**Subcategory:** Innovative Practices for Site Plans

### Description

Curbs and gutters quickly convey stormwater from the street to the storm drain and, ultimately, to a local receiving water. Consequently, they remove little to no stormwater pollutants. Instead, curbs often trap deposited pollutants in between storms that are washed away during the next storm.

Green infrastructure alternatives to curbs and gutters exist that—in addition to conveying stormwater—can address some of the problems associated with curbs and gutters. These alternatives include grassed swales, vegetated bioswales, bioretention systems or rain gardens, tree boxes and permeable pavement; all of these can provide a range of additional benefits, including stormwater discharge reduction, pollutant removal and enhanced curb appeal (Harris, 2013; Ruby & Gillespie, n.d.; U.S. EPA, 2007). Often, a community can best implement these practices as part of a larger Green Streets program.

Many communities require curbs and gutters as standard elements of road sections. Traditionally, the alternative to curbs and gutters has been grassed swales. In some cases, localities would need to revise current local road and drainage regulations to promote greater use of green infrastructure alternatives in lieu of curbs and gutters.

### Applicability

Alternatives to curbs and gutters vary according to site or neighborhood conditions. Alternatives that need more space, such as grassed or vegetated swales, are more suitable in low- and medium-density residential zones where the soils, slope and housing density may accommodate them. Developers can overcome space limitations, to an extent, if they implement swales in conjunction with narrower streets or alternative street designs and patterns. For applications in higher-density residential, commercial or industrial areas that require curbs for parking purposes, developers can use regularly spaced curb cuts to direct small accumulations of



Curb cuts that drain to green infrastructure practices can be used as an alternative to traditional curbs and gutters.

Credit: Photo by Center for Neighborhood Technology on Flickr (Creative Commons license)

stormwater to compact practices such as bioretention practices or tree boxes. Examples of successful curb cut applications appear in the City of Mesa's *Low Impact Development Toolkit* as well as the California Water Boards' guidance for low impact development projects.

### Siting and Design Considerations

Several factors—not just the space constraints mentioned above—determine whether eliminating curbs and gutters is appropriate and which green infrastructure alternative practices best suit a particular site.

The following fact sheets provide more detailed siting and design considerations for suitable green infrastructure alternatives to curbs and gutters:

- Grassed Swales
- Bioretention (Rain Gardens)
- Permeable Pavements
- Site Design and Planning Strategies
- Right-Sized Residential Streets

**Development density.** Practices such as grassed swales are often difficult to use when development density increases above four dwelling units per acre because the number of driveway culverts increases and the swale essentially becomes a broken-pipe system. In higher-density areas, other practices such as permeable pavement or tree boxes may be more appropriate.

**Contributing drainage area.** Most green infrastructure practices are for small or “micro” applications, not large drainage areas. For any individual green infrastructure practice serving as an alternative to curbs and gutters, where drainage areas are mostly—if not all—impervious, the drainage area should generally be smaller than 0.5 acres. In many cases, drainage areas less than 0.1 acres may be best.

**Soils.** Hydrologic soil groups A and B are most suitable for practices with an infiltration component. For hydrologic soil groups C and D, engineers may need to design practices with an underdrain to minimize the ponding of water.

## Limitations

A number of real and perceived limitations hinder the use of green infrastructure alternatives to curbs and gutters:

- **Snowplow operations can be more difficult without a defined road edge.** However, roadside swales can offer more room for snow storage at the road edge; thus, smaller snowplows may be adequate. Communities may also mark the road edge using poles to help guide snowplow operators.
- A pavement edge along a swale or pervious area can experience more cracking and structural failure, increasing maintenance costs. Developers can alleviate the potential for pavement failure at the road/grass interface by “hardening” the interface with grass pavers, permeable concrete or geosynthetics placed beneath the grass. Other options include placing a low-rising concrete strip along the pavement edge.
- **Local code can require the use of curbs and gutters.** Communities can consider initiating a local site-planning round table to change some of these regulations, starting with a collective effort to review local codes to promote better site design. The

following resources may be helpful in addressing and overcoming barriers to implementation:

- *Tackling Barriers to Green Infrastructure: An Audit of Local Codes and Ordinances*
- *Green Infrastructure Opportunities and Barriers in the Greater Los Angeles Region*
- *Barriers and Gateways to Green Infrastructure*
- EPA’s Water Quality Scorecard

## Maintenance Considerations

Curbs and gutters generally require little maintenance aside from regular street cleaning and debris removal. Communities can remove accumulated pollutants in curbs and gutters using street sweepers. Maintenance requirements for vegetated roadside practices are different and can be more demanding depending on the type of practice. Practices with grass, such as swales or open pervious areas, require mowing during the growing season, while vegetated systems such as bioretention practices require periodic trimming and debris removal. In addition, it may be necessary to remove sediment deposits from the bottom of the roadside practice if clogging becomes a concern.

## Effectiveness

Replacing curbs and gutters with green infrastructure practices can decrease peak flow rates and total discharge of stormwater and can provide enhanced pollutant removal in some cases. Developers can enhance the effectiveness of these approaches by implementing them within a comprehensive Green Streets design. EPA’s Green Streets handbook provides guidance on how to design and implement an effective Green Streets program. A groundbreaking project in Seattle, Washington, dubbed the [Street Edge Alternatives](#), incorporated vegetated swales, bioretention cells and narrower streets without curbs within a single neighborhood to reduce stormwater discharge and enhance infiltration. Compared to a conventional curb and gutter system, the project reduced the volume of stormwater discharge by 99 percent and reduced peak flows to pre-developed rates. There are additional examples of successful projects that eliminated curbs and gutters in the EPA report [Reducing Stormwater Costs through Low Impact Development \(LID\) Strategies and Practices](#).

## Cost Considerations<sup>1</sup>

The cost of curbs and gutters ranges from about \$20 to \$40 per linear foot (RS Means, 2019). This standalone cost is often used to justify the cost-effectiveness of this traditional approach. However, this cost does not include drainage pipes or downstream stormwater controls necessary to treat stormwater discharge that is generated by this practice. Especially for new development projects, a comprehensive comparison of all relevant costs of traditional curbs and gutters and alternative practices is necessary to provide a more accurate evaluation of cost-effectiveness. In many cases, sound design using green infrastructure can offer cost savings compared to traditional curb and gutter approaches. In the case of Seattle's *Street Edge Alternatives*, which incorporated bioretention and other

green infrastructure alongside curbless streets, the total cost was approximately \$1 million, compared to an estimated cost of \$1.3 million for a conventional curb and gutter approach. Moreover, at a total project length of 660 feet, curb and gutter costs would have only been around \$40,000 (3 percent of the total conventional cost), illustrating how small their direct costs are relative to total system costs. In a review of the cost of 12 green infrastructure projects compared to conventional counterparts, U.S. EPA (2007) similarly found average cost savings of 35 percent in 11 of the 12 projects.

<sup>1</sup> Prices updated to 2019 dollars. Inflation data obtained from the Bureau of Labor Statistics CPI Inflation Calculator Web site. <https://data.bls.gov/cgi-bin/cpi/calc.pl>. Reference dates for the calculation are January 2011 and January 2019.

### Additional Information

Additional information on related practices and the Finance II MS4 program can be found at EPA's National Menu of Best Management Practices (BMPs) for Stormwater website

## References

- Harris, H. (2013). *Alternatives to curb and gutter on streets: Benefits and challenges* [Fact sheet]. Kansas Local Technical Assistance Program.
- RSMeans. (2019). RSMeans data from Gordian [Online data file]. 3216 Curbs, gutters, sidewalks and driveways.
- Ruby, E., & Gillespie, D. (n.d.). *Low impact development (LID): A sensible approach to land development and stormwater management* [Fact sheet]. Office of Environmental Health Hazard Assessment and the California Water & Land Use Partnership.
- U.S. Environmental Protection Agency (U.S. EPA). (2007). *Reducing stormwater costs through low impact development (LID) strategies and practices* (EPA 841-F-07-006).

### Disclaimer

*This fact sheet is intended to be used for informational purposes only. These examples and references are not intended to be comprehensive and do not preclude the use of other technically sound practices. State or local requirements may apply.*

# Council Letter

## City of Danville, Virginia



CL - 15

NEW BUSINESS C.

### City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Consideration of Request to amend Chapter 35 entitled "Subdivision Ordinance" of the City of Danville.

**From:** Renee Burton, Division Director of Planning

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### COUNCIL ACTION

1. Public Hearing
2. An Ordinance Amending Chapter 35.5, Entitled "Subdivision Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 4, Section B, Item 1, Subsection H, to Eliminate the Curb and Gutter Requirement and to Create Subsection K, Entitled "Streetlights".

### SUMMARY

Request PZ22-259 is to amend Chapter 35 entitled "Subdivision Ordinance" of the City of Danville, 1986 as amended, specifically to amend Article 4.B. Section H to eliminate the curb and gutter requirement and create Item k. entitled "Streetlights".

### BACKGROUND

The City of Danville Subdivision Ordinance specifies the standards by which curb and gutter is to be installed during the construction of new public roadways. If it is not in the best interest of the development, a waiver of the requirement of curb and gutter installation may be granted by the Planning Commission. This process may be cumbersome and time-consuming for a project.

Staff recommends that the requirements for curb and gutter be eliminated from the Subdivision Ordinance. The absence of curb and gutter has been recognized as a best management practice for storm water management. Curb and gutter construction on roadways is designed to collect and direct the path of stormwater from the street. However, it has been determined that this collection of water in curb and gutters may serve as a collector of pollutants and debris. Using green alternatives may reduce pollutants and create a more effective solution to roadway runoff. Eliminating the requirement for curb and gutter allows developers the opportunity to explore other options for storm water management.

Streetlight requirements are present in Article 4.B. Section H. of the Subdivision Ordinance, however, it is not properly identified. Creating Item k. identifies streetlights as a separate item and corrects an error in the Ordinance.

## **RECOMMENDATION**

It is recommended that City Council amend Chapter 35 entitled "Subdivision Ordinance" of the City of Danville, 1986 as amended, specifically to amend Article 4.B. Section H to eliminate the curb and gutter requirement and create Item k. entitled "Streetlights".

---

## **Attachments**

1. Ordinance
  2. Planning back up
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 35.5, ENTITLED "SUBDIVISION ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 4, SECTION B, ITEM 1, SUBSECTION H, TO ELIMINATE THE CURB AND GUTTER REQUIREMENT AND TO CREATE SUBSECTION K, ENTITLED "STREETLIGHTS".

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of an amendment to Chapter 35.5, entitled "Subdivision Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, specifically, to amend Article 4, Section B, Item 1, Subsection h, entitled "Curbs and Gutters", to eliminate the curb and gutter requirement and to create Subsection k, entitled "Streetlights", be, and the same is hereby, received; and

BE IT FURTHER ORDAINED, by the Council in consideration of said report and the public hearing this day held by Council, specifically, to amend Article 4, Section B, Item 1, Subsection h, entitled "Curbs and Gutters" to eliminate the curb and gutter requirement and to create Subsection k, entitled "Streetlights", of the Code of the City of Danville, Virginia, 1986, as amended, be and the same is hereby, amended and reordained to read as follows:

## **Chapter 35.5 – SUBDIVISION ORDINANCE**

### **ARTICLE 4. - SUBDIVISION DESIGN STANDARDS**

#### **Section B. - Minimum Design Standards**

##### **Item 1. – Streets**

##### **Subsection h. – ~~Curbs and Gutters~~ Storm water**

- h. ~~Curbs and Gutters. Curbs and gutters shall be installed by the subdivider on both sides of the street as herein provided and in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specifications and Standards and any other pertinent regulations. Curbs and gutters shall be installed on both sides of each street in all new subdivisions within every zoning district in the City of Danville. Any decision to grant a waiver of the curb and gutter requirement shall be at the sole discretion of the Planning Commission.~~

~~Streetlights shall be installed by the subdivider on one or both sides of the street as herein provided in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specifications and Standards manuals or as per direction of the Planning Commission. Streetlights may be required on one or both sides of the street depending upon the topography, intensity of the development, location with respect to schools and other public or semi-public facilities and such other factors as the Planning Commission may determine in a particular case.~~

Storm water. Storm water conveyance system(s) and stormwater management devices shall be installed by the subdivider to appropriately manage storm water drainage as herein provided and in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specification and Standards and any other pertinent regulations. Storm water conveyance system(s) and stormwater management devices shall be installed to appropriately manage stormwater drainage in all new subdivisions within every zoning district in the City of Danville.

**Subsection k. – Streetlights**

- k. Streetlights. Streetlights shall be installed by the subdivider on one or both sides of the street as herein provided in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specifications and Standards manuals or as per direction of the Planning Commission. Streetlights may be required on one or both sides of the street depending upon the topography, intensity of the development, location with respect to schools and other public or semi-public facilities and such other factors as the Planning Commission may determine in a particular case.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to  
Form and Legal Sufficiency:

\_\_\_\_\_  
City Attorney



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

### **MEMORANDUM**

**DATE:** JANUARY 9, 2023  
**TO:** CITY COUNCIL  
**FROM:** CITY PLANNING COMMISSION  
**RE:** SPECIAL USE PERMIT APPLICATION PZ22-00259

#### **REQUEST**

Request PZ22-259 to amend Chapter 35 entitled "Subdivision Ordinance" of the City of Danville, 1986 as amended. Specifically amend Article 4.B. Section H to allow a waiver of curb and gutter requirements to be approved by the Zoning Administrator.

#### **RECOMMENDATION**

The Planning Commission, at their January 9, 2023 meeting, voted 6-0 to recommend approval of Code Amendment Request PZ22-00259.

Mr. Steve Petrick, Chair



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

### **STAFF REPORT**

DATE: January 9, 2023  
TO: Planning Commission  
FROM: Renee Burton, Planning Division Director  
**RE: CODE AMENDMENT APPLICATION**

Request PZ22-259 to amend Chapter 35 entitled "Subdivision Ordinance" of the City of Danville, 1986 as amended. Specifically amend Article 4.B. Section H to allow a waiver of curb and gutter requirements to be approved by the Zoning Administrator.

#### **BACKGROUND**

The City of Danville Subdivision Ordinance specifies the standards by which curb and gutter is to be installed during the construction of new public roadways. If it is not in the best interest of the development, a waiver of the requirement of curb and gutter installation may be granted by the Planning Commission. This process may be cumbersome and time consuming for a project. Staff requests that the Subdivision Ordinance be amended to allow the Zoning Administrator the authority to grant a waiver to the requirement of curb and gutter installation.

#### **STAFF ANALYSIS AND RECOMMENDATION**

Amending the Subdivision Ordinance to allow the Zoning Administrator to grant a waiver to the curb and gutter requirement allows a waiver to be completed during the plan review process. Each development is required to submit drawings for a plan review. The Zoning Administrator is part of this review process. Currently, the applicant is required to complete the review process, the review is set at pending as an application for a waiver is submitted and reviewed by the City Planning Commission. The requirement that a waiver is reviewed by the City Planning Commission extends the plan review lead times by at least thirty (30) days, potentially longer.

Staff recommends the following amendment to Article 4.B. Section h of Chapter 35 entitled "Subdivision Ordinance" of the City of Danville, 1986 as amended. Words to be removed are stricken through and language proposed to added is in *italics*.

#### **ARTICLE 4. - SUBDIVISION DESIGN STANDARDS**

##### **B. - Minimum Design Standards**

*h. Curbs and Gutters.* Curbs and gutters shall be installed by the subdivider on both sides of the street as herein provided and in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specifications and Standards and any other pertinent regulations. Curbs and gutters shall be installed on both sides of each street in all new subdivisions within every zoning district in the City of Danville. Any decision to grant a waiver of the curb and gutter requirement shall be at the sole discretion of the ~~Planning Commission~~ *Zoning Administrator*.

Standards manuals or as per direction of the Planning Commission. Streetlights may be required on one or both sides of the street depending upon the topography, intensity of the development, location with respect to schools and other public or semi-public facilities and such other factors as the Planning Commission may determine in a particular case.

#### Option 2

After additional research, Staff believes that the City of Danville would be best served with an amendment of Section h that would eliminate the curb and gutter requirement, not just allow a waiver, and create a separate section (k) for streetlights. Therefore, Staff requests that the City of Danville Planning Commission consider the following amendment. The proposed amendment below goes beyond the scope of the advertised amendment but may be considered and acted upon by the City Planning Commission if desired.

### **ARTICLE 4. - SUBDIVISION DESIGN STANDARDS**

#### **B. - Minimum Design Standards**

h. Storm water. Storm water conveyance system(s) and stormwater management devices shall be installed by the subdivider to appropriately manage storm water drainage as herein provided and in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specification and Standards and any other pertinent regulations. Storm water conveyance system(s) and stormwater management devices shall be installed to appropriately manage stormwater drainage in all new subdivisions within every zoning district in the City of Danville.

k. Streetlights shall be installed by the subdivider on one or both sides of the street as herein provided in accordance with the City's Design and Construction Standards, VDOT's Road and Bridge Specifications and Standards manuals or as per direction of the Planning Commission. Streetlights may be required on one or both sides of the street depending upon the topography, intensity of the development, location with respect to schools and other public or semi-public facilities and such other factors as the Planning Commission may determine in a particular case.

#### **CITY PLANNING COMMISSION ALTERNATIVE ACTIONS**

- Recommend continuation to a future meeting.
- Recommend approval of Option 1 or Option 2.
- Recommend denial of Option 1 and/or Option 2.
- Recommend new amendment for approval.

# Council Letter City of Danville, Virginia



**CL - 277**

**NEW BUSINESS D.**

## **City Council REGULAR MEETING**

**Meeting Date:** February 7, 2023

**Subject:** Danville Science Center Donation

**From:** W. Clarke Whitfield Jr., City Attorney

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## **COUNCIL ACTION**

A Resolution Approving and Authorizing the Acceptance of a Donation of Facility Improvements at the Danville Science Center.

## **SUMMARY**

The Danville Science Center wishes to formally donate the cost of recently completed renovations to the old Southern Railway administration building located at 657 Craghead Street.

## **BACKGROUND**

During calendar years 2019, 2020, and 2021 the Danville Science Center, Inc. paid for renovations at the old Southern Railway administration building, located at 657 Craghead Street. As this is a City-owned facility, Danville Science Center, Inc. would like to formally gift the value of the completed renovations to the City for accounting, audit, and insurance purposes. The cost of the work totaled \$1,196,477.38 and included architectural and design services performed by Dewberry, as well as the construction costs completed by Blair Construction.

Between November 2019 and June 2021, the Danville Science Center completed the necessary renovations in order to install a new Creativity Laboratory as well as two new exhibit galleries.

As you will recall earlier in 2019, the Danville Science Center went through an historical restoration, in which the lobby, which also serves as the Amtrak waiting room, was restored back to its original condition, creating an elegant and historically accurate space for both visitors to the Science Center and to Danville, by way of Amtrak, to use and appreciate the historic building it is.

Also, the earlier 2019 improvements included several energy efficient enhancements. Lighting was converted to LED while preserving fixtures original to the building. The doors and windows received weather stripping accurate to the original construction period. The result of this project is a beautifully restored, more efficient and functioning facility that highlights the historical significance of the railway building while preserving it for generations to come.

## **RECOMMENDATION**

It is recommended that the proposed donation of renovations to the property be accepted.

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**Attachments**

1. Resolution
  2. DSC to City letter
  3. DSC to City expense
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

RESOLUTION NO. 2023-\_\_\_\_.\_\_\_\_

A RESOLUTION APPROVING AND AUTHORIZING THE ACCEPTANCE  
OF A DONATION OF FACILITY IMPROVEMENTS AT DANVILLE SCIENCE CENTER.

WHEREAS, during calendar years 2019, 2020, and 2021, the Danville  
Science Center, Inc. paid for renovations at the old Southern Railway administration,  
building owned by the City of Danville Virginia and located at 657 Craghead Street; and

WHEREAS, the cost of the work totaled \$1,196,477.38 and included  
architectural and design services, as well as the construction costs; and

WHEREAS this is a City-owned facility, the Danville Science Center, Inc.  
would like to formally gift the completed renovations as well as value of the completed  
renovations to the City for accounting, audit, and insurance purposes.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Danville,  
Virginia, that the gift of the completed renovations as well as value of the completed  
renovations totaling \$1,196,477.38, including architectural and design services described  
in the "Danville Science Center Foundation Gifting to City of Danville" document attached  
hereto and made a part hereof as if fully set out herein, be, and is hereby, accepted by the  
City of Danville, Virginia; and

BE IT FURTHER RESOLVED, by the City Council of Danville, Virginia, that  
it hereby authorizes the City Manager, Kenneth F. Larking, to execute on behalf of the  
City any and all documents as may be necessary to affect the transfer of the recently  
completed renovations at the old Southern Railway administration building located at 657  
Craghead Street to the City of Danville.

APPROVED:

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Mayor

ATTEST:

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City Clerk

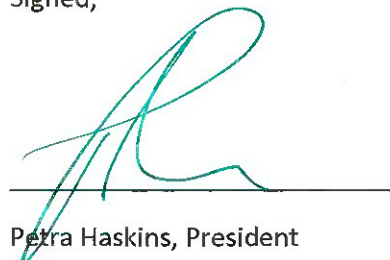
Approved as to  
Form and Legal Sufficiency:

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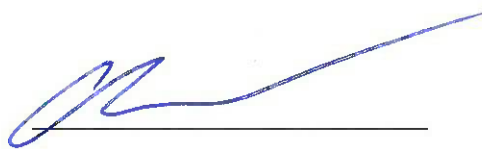
City Attorney

The Executive Committee of the Danville Science Center, Inc. hereby gifts the renovations made in the calendar years 2019, 2020, and 2021 at the City's property located at 657 Craghead Street in the total amount of \$1,196,477.38 to the City of Danville; as detailed in the accompanying resolution.

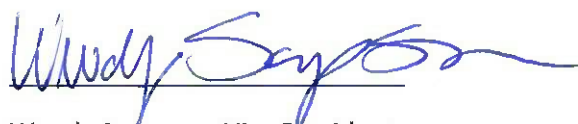
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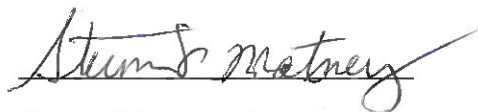
Petra Haskins, President



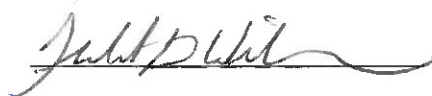
Christopher T. Moore, Past-President



Wendy Sampson, Vice President



Steven V. Matney, Secretary



Frederick Wilkerson, Treasurer

Gifting to City of Danville

| Date       | Check Number | Written To         | Invoice Number | Memo                                               | Amount         |
|------------|--------------|--------------------|----------------|----------------------------------------------------|----------------|
| 11/7/2019  | 6538         | Dewberry           | 1747954        | 15% P&S for Permitting/Construct. - Creativity Lab | \$5,315.85     |
| 11/25/2019 | 6544         | Dewberry           | 17598378       | 25% P&S for Permitting/Construct. - Creativity Lab | \$3,543.90     |
| 1/28/2020  | 6566         | Dewberry           | 1771372        | 50% P&S for Permitting/Construct. - Creativity Lab | \$12,403.65    |
| 1/28/2020  | 6565         | Dewberry           | 1782674        | 65% P&S for Permitting/Construct. - Creativity Lab | \$10,631.70    |
| 4/8/2020   | 6580         | Dewberry           | 1794448        | Revise Construction Docs - Water/Go!               | \$18,350.00    |
| 4/8/2020   | 6581         | Dewberry           | 1806673        | 100% Complete Plans - Creativity Lab               | \$3,543.90     |
| 6/18/2020  | 6605         | Dewberry           | 1843337        | Creativity Lab Construction Administration         | \$2,837.00     |
| 7/21/2020  | 6619         | Dewberry           | 1855059        | Creativity Lab Construction Administration         | \$2,127.75     |
| 7/21/2020  | 6621         | Dewberry           | 1831287        | Creativity Lab Construction Administration         | \$1,418.50     |
| 8/20/2020  | 6631         | Dewberry           | 1866204        | Revised Construction Docs - Water/Go!              | \$9,175.00     |
| 8/20/2020  | 6632         | Dewberry           | 1866236        | Creativity Lab Construction Administration         | \$1,418.50     |
| 9/15/2020  | 6642         | Dewberry           | 1877022        | Creativity Lab Construction Administration         | \$2,837.00     |
| 9/15/2020  | 6643         | Dewberry           | 1876988        | Revised Construction Docs - Water/Go!              | \$3,670.00     |
| 10/20/2020 | 6675         | Dewberry           | 1887846        | Creativity Lab Construction Administration         | \$1,418.50     |
| 12/1/2020  | 6691         | Dewberry           | 1898292        | Revised Construction Docs - Water/Go!              | \$1,835.00     |
| 12/17/2020 | 6698         | Dewberry           | 1908630        | Final Revised Construction Docs - Water/Go!        | \$3,670.00     |
| 4/29/2020  | 6592         | First Piedmont     | 4165701        | Refuse Removal                                     | \$647.48       |
| 6/3/2020   | 6601         | Blair Construction | 3323-1         | Construction for Water & Go!                       | \$108,287.16   |
| 6/3/2020   | 6602         | Blair Construction | 3324-1         | Creativity Lab Construction                        | \$72,712.14    |
| 7/8/2020   | 6607         | Blair Construction | 3323-2         | Construction for Water & Go!                       | \$230,232.00   |
| 7/8/2020   | 6608         | Blair Construction | 3324-2         | Creativity Lab Construction                        | \$67,075.02    |
| 7/29/2020  | 6626         | Blair Construction | 3324-3         | Creativity Lab Construction                        | \$79,981.73    |
| 7/29/2020  | 6625         | Blair Construction | 3323-3         | Construction for Water & Go!                       | \$342,563.54   |
| 9/4/2020   | 6639         | Blair Construction | 3323-4         | Construction for Water & Go!                       | \$92,105.21    |
| 10/4/2020  | 6652         | Blair Construction | 3324-4         | Creativity Lab Construction                        | \$53,433.79    |
| 10/7/2020  | 6653         | Blair Construction | 3323-5         | Construction for Water & Go!                       | \$14,970.76    |
| 12/17/2020 | 6701         | Blair Construction | 3324-6         | Creativity Lab Construction                        | \$42,087.61    |
| 1/14/2021  | 6703         | Blair Construction | 3323-7         | Construction for Water & Go!                       | \$41,976.00    |
| 1/14/2021  | 6704         | Blair Construction | 3323-6         | Construction for Water & Go!                       | \$9,384.53     |
| 1/14/2021  | 6705         | Blair Construction | 3324-5         | Creativity Lab Construction                        | \$10,654.39    |
| 1/22/2021  | 6714         | Blair Construction | 3324-7         | Creativity Lab Construction - 75% Retainage        | \$12,866.27    |
| 1/28/2021  | 6717         | Blair Construction | 3324-8         | Creativity Lab - Change Orders                     | \$13,211.00    |
| 6/11/2021  | 6759         | Blair Construction | 3324-6-1       | Final Retainage Payment                            | \$4,288.75     |
|            |              |                    |                |                                                    | \$1,196,477.38 |

# Council Letter City of Danville, Virginia



CL - 2

NEW BUSINESS E.

## City Council REGULAR MEETING

**Meeting Date:** February 7, 2023

**Subject:** Virginia Land Conservation Foundation Grant

**From:** Bill Sgrinia, Director of Parks and Recreation

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## COUNCIL ACTION

An Ordinance Amending the Fiscal Year 2023 Budget Appropriation Ordinance by Increasing Revenue from a Virginia Land Conservation Foundation Grant in the Amount of \$500,000 and Appropriating the Same.

## FIRST READING

## SUMMARY

The City of Danville has applied for and been awarded \$500,000 from the Department of Conservation and Recreation through the Virginia Land Conservation Foundation (VLCF) for conservation of the open space around the White Mill. The funds are provided to protect and guarantee access to open space around the White Mill through a conservation easement.

## BACKGROUND

As part of the White Mill development, the City of Danville is planning to develop the land surrounding the White Mill for various quality of life amenities, including the extension of the River Walk Trail, a Whitewater Channel and redevelopment of the White Mill Bridge which crosses the river. By accepting these funds, the City agrees to keep the open spaces open and accessible to the public in perpetuity.

## RECOMMENDATION

Staff recommends that the Danville City Council Amending the Fiscal Year 2023 Budget Appropriation Ordinance for Funds from the Department of Conservation and VLCE in the Amount of \$500,000.

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## Attachments

1. Ordinance
  2. Boundary Line Adjustment Plat
-

PRESENTED: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

ORDINANCE NO. 2023 \_\_\_\_\_.\_\_\_\_\_

AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM A VIRGINIA LAND CONSERVATION FOUNDATION GRANT IN THE AMOUNT OF \$500,000 AND APPROPRIATING THE SAME.

WHEREAS, the City of Danville has been awarded a grant from the Department of Conservation and Recreation through the Virginia Land Conservation Foundation in the amount of \$500,000; and

WHEREAS, the funding will be used to protect and guarantee access to open space around Dan River Falls, formerly White Mill, through a conservation easement.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2023 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues for the grant in the amount of \$500,000 from the Department of Conservation and Recreation, such funds to be appropriated in the Capital Projects fund and to be as follows:

**ANTICIPATED REVENUE**

| <u>Description</u>                                                  | <u>Account No.</u> | <u>Amount</u>     |
|---------------------------------------------------------------------|--------------------|-------------------|
| Purchase White Mill Outparcel<br>Categorical Aid State - Recreation | 61840000-47520     | <u>\$ 500,000</u> |

**ANTICIPATED EXPENDITURES**

| <u>Description</u>            | <u>Account No.</u> | <u>Amount</u>     |
|-------------------------------|--------------------|-------------------|
| Purchase White Mill Outparcel | 61840999-50        | <u>\$ 500,000</u> |

AND BE IT FURTHER ORDAINED, that all other accounts and provisions of the Fiscal Year 2023 Budget Appropriation Ordinance not hereby amended shall continue in full force and effect unless and until hereafter further amend or repealed; and

BE IT FINALLY ORDAINED, that this appropriation shall be continuing appropriation and such appropriation shall carry forward from year to year until such funds are expended for the purpose for which they were appropriated.

APPROVED:

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Mayor

ATTEST:

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Clerk

Approved as to  
Form and Legal Sufficiency:

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City Attorney

VCS NAD 83 - SOUTH ZONE

UNION ST. BRIDGE RD.  
VARIABLE R/W PER DB 529 PG 86  
MB 7 PG 58

PIN: 21768  
EDWARD DALE WHITLOW &  
ELLEN HASKINS WHITLOW  
INSTR# 98-3462  
MB 22 PG 221

PIN: 21344  
424 MEMORIAL DRIVE, LLC  
INSTR# 17-4783  
INSTR# 09-2697(PLAT)

**OWNERS' CONSENT:**  
THE PROPERTIES INVOLVED IN THIS BOUNDARY LINE ADJUSTMENT ARE WITH THE FREE CONSENT AND DESIRES OF THE UNDERSIGNED OWNERS/REPRESENTATIVES, TO BE ADJUSTED AS SHOWN ON THIS PLAT.  
GIVEN UNDER OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_, 2022

424 MEMORIAL DRIVE, LLC  
CITY OF DANVILLE VIRGINIA  
COMMONWEALTH OF VIRGINIA:  
CITY/COUNTY OF \_\_\_\_ TO WIT:  
PRINTED NAME

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY OF \_\_\_\_\_, COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT  
WHOSE NAME IS SIGNED TO THE OWNERS' CONSENT HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AFORESAID.  
GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_, 2022

NOTARY PUBLIC (MY COMMISSION EXPIRES)  
COMMONWEALTH OF VIRGINIA:  
CITY/COUNTY OF \_\_\_\_ TO WIT:

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY OF \_\_\_\_\_, COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT  
WHOSE NAME IS SIGNED TO THE OWNERS' CONSENT HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY/COUNTY AFORESAID.  
GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_, 2022

NOTARY PUBLIC (MY COMMISSION EXPIRES)

**NOTES:**

1. THIS PLAT WAS MADE BASED ON ALTA/NSPS LAND TITLE SURVEY OF PARCEL # 21344 PERFORMED BY DEWBERRY DURING OCTOBER, 2021, BASED ON TITLE COMMITMENT BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO: NCS-1095498-MAD, DATED 10/25/2021, AT 8:00 A.M AND BOUNDARY SURVEY OF PARCEL 26828 PERFORMED IN 2020.
2. HORIZONTAL DATUM: VIRGINIA COORDINATE SYSTEM, NAD 83, SOUTH ZONE.
3. THE PURPOSE OF THIS PLAT IS TO ADJUST THE NORTHWESTERN BOUNDARY LINE OF PARCEL 26828, STANDING IN THE NAME OF THE CITY OF DANVILLE VIRGINIA, TO INCLUDE 6.87± ACRE AREA (SHOWN HATCHED) FROM PARCEL 21344, STANDING IN THE NAME OF 424 MEMORIAL DRIVE, LLC.
4. PROPERTY IS ZONED TW-C. (TOBACCO WAREHOUSE COMMERCIAL DISTRICT).
5. SEE SHEETS 2 THRU 6 FOR MORE DETAILED INFORMATION.

DAN RIVER

COVERED FOOT BRIDGE  
OVER RIVER

**SOURCE OF TITLE: PIN 21344**  
THE PROPERTY SHOWN HEREON KNOWN AS PIN 21344 WAS CONVEYED FROM: INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA  
TO: 424 MEMORIAL DRIVE, LLC BY DEED RECORDED IN INSTRUMENT # 17-4783, DATED DECEMBER 28, 2017, RECORDED DECEMBER 29, 2017.

**SOURCE OF TITLE: PIN 26828**  
THE PROPERTY SHOWN HEREON KNOWN AS PIN 26828 WAS CONVEYED FROM: INDUSTRIAL DEVELOPMENT AUTHORITY OF DANVILLE, VIRGINIA  
TO: CITY OF DANVILLE VIRGINIA BY DEED RECORDED IN INSTRUMENT # 21-2273, DATED MAY 24, 2021,

BOUNDARY LINE ADJUSTMENT  
AREA  
ADDED TO PARCEL #26828

THIS PROPERTY LINE  
TO BE ADJUSTED

DAN RIVER

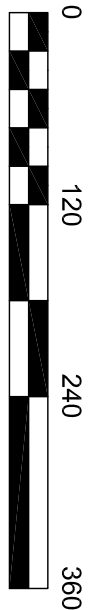
PIN: 26828  
CITY OF DANVILLE VIRGINIA  
INSTR# 21-2273  
LOT 2  
WHITEMILL DEVELOPMENT, LLC  
RECORDED IN INSTR# 15-1760  
#100 MEMORIAL DRIVE  
3.85± ACRES BY ASSESSMENT  
6.87± ACRES ADDED BY THIS PLAT  
10.72± ACRES AFTER ADJUSTMENT

SHEET 1 OF 6  
PLAT SHOWING  
BOUNDARY LINE ADJUSTMENT  
BETWEEN  
CITY OF DANVILLE VIRGINIA  
PIN:26828 AND  
424 MEMORIAL DRIVE, LLC  
PIN:21344

CONTAINING 6.87± ACRES  
CITY OF DANVILLE, VIRGINIA

SURVEY PREPARED BY:

**Dewberry**  
Dewberry Engineers Inc  
4805 LAKE BROOK DRIVE SUITE 200  
GLEN ALLEN VIRGINIA 23060-9278  
PHONE: 804.290.7957  
FAX: 804.290.7928  
WWW.DEWBERRY.COM



- LEGEND:
- IRP-IRON PIPE FOUND
  - IRP-IRON ROD FOUND
  - IRS-IRON ROD SET (5/8"REBAR)
  - ▲ COMPUTED POINT

**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ANY REQUIREMENTS FOR A BOUNDARY LINE ADJUSTMENT IN THE CITY OF DANVILLE, VIRGINIA HAVE BEEN COMPLIED WITH. NEW PROPERTY CORNERS WILL BE SET BY 12/31/2022.

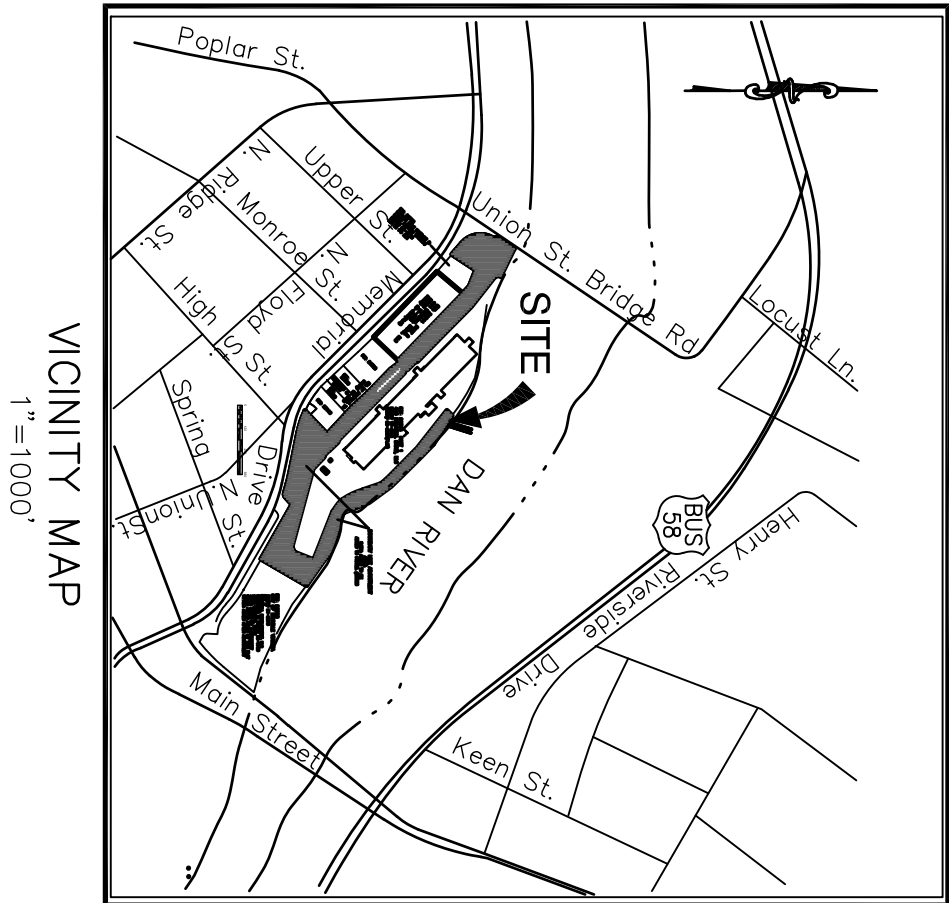
**CITY OF DANVILLE APPROVAL:**

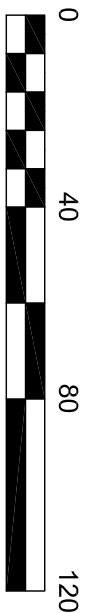
THIS BOUNDARY LINE ADJUSTMENT IS HEREBY APPROVED BY THE CITY OF DANVILLE, VIRGINIA AND MAY BE COMMITTED TO RECORD.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_



DATE: 1/18/2022  
LAST REVISED: 1/18/2022  
SCALE: 1" = 120'  
DEWBERRY JOB #50141823



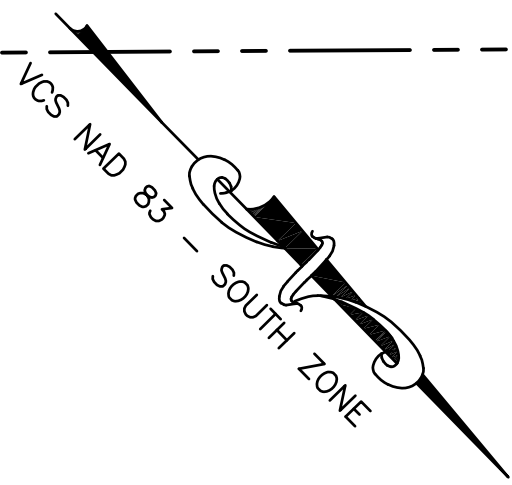


**SURVEY PREPARED BY:**



**Dewberry®**

**DeWBerry Engineers Inc**  
4805 LAKE BROOK DRIVE SUITE 2000  
GLEN ALLEN, VIRGINIA 23060-9278  
PHONE: 804.290.7957  
FAX: 804.290.7928  
WWW.DEWBERRY.COM



MEMORIAL DRIVE  
VARIABLE R/W PER  
MAP SHOWING: R/W FOR MEMORIAL DRIVE  
CITY ENGINEERING FILE E-330  
MAP BOOK 9, PAGE 25  
MAP SHOWING: R/W FOR MEMORIAL DRIVE  
CITY ENGINEERING FILE G-374

L=60.44'  
R=2914.79'  
T=30.22'  
Δ=1°11'17"  
CB=N45°32'30"W  
Ch=60.43'

N46°02'19"W 416.23'

FLOOD ZONE 'X'  
(AREAS OUTSIDE 500 YEAR FLOOD PLAIN)

FLOOD ZONE 'X'  
(AREAS WITHIN 500 YEAR FLOOD PLAIN)

PIN: 21344 PART 2  
424 MEMORIAL DRIVE, LLC  
INSTR# 17-4783  
INSTR# 09-2697(PLAT)

PIN: 21322  
IDA OF DANVILLE, VA  
INSTR# 17-4783

S 43°34'38" W 177.00'  
189.94'  
N: 3376041.72  
E: 11220063.84

N45°45'40"W 165.78'

N36°55'27"W 60.83'

WHITE MILL CANAL

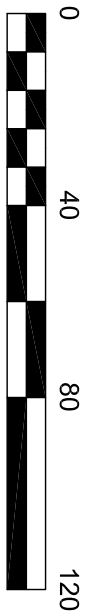
S45°38'17"E 8.02'  
N44°25'13"E 5.35'

S45°15'20"E 12.37'  
S45°40'59"E 186.48'

PIN: 21344 PART 1  
424 MEMORIAL DRIVE, LLC  
INSTR# 17-4783  
INSTR# 09-2697(PLAT)  
NO. 8 MILL  
424 MEMORIAL DRIVE

BOUNDARY LINE ADJUSTMENT  
AREA  
6.87± ACRES TO BE  
ADDED TO PARCEL #26828

SEE SHEET 4 OF 6



LEGEND:  
● PIPE FOUND  
● IRF-IRON ROD FOUND  
● IRS-IRON ROD SET (5/8"REBAR)

PROPERTY LINE 1833'± ALONG EDGE  
OF DAN RIVER AS IT MEANDERS  
DAN RIVER

APPROXIMATE LOCATION  
OF SANITARY SEWER  
D.B. 357, PG. 379

S78°42'58"E  
143.92' TIE LINE

88.55' TIE LINE

S62°36'10"E

83.45' TIE LINE

S58°01'28"E

58.03'

S53°38'00"E  
101.65' TIE LINE

43.62'

N44°31'18"E

37.24'

52.1'

N51°45'27"W 247.34'

S58°01'32"E

134.23' TIE LINE

COVERED FOOT BRIDGE  
OVER RIVER

SHEET 3 OF 6

PLAT SHOWING  
BOUNDARY LINE ADJUSTMENT  
BETWEEN

CITY OF DANVILLE VIRGINIA  
PIN: 26828 AND  
424 MEMORIAL DRIVE, LLC  
PIN: 21344  
CONTAINING 6.87± ACRES  
CITY OF DANVILLE, VIRGINIA

SURVEY PREPARED BY:

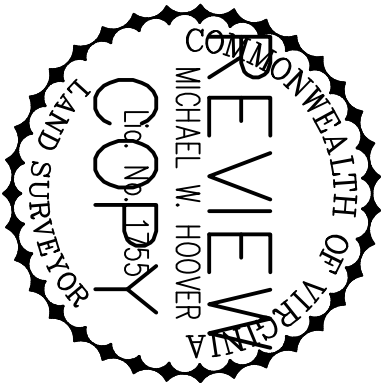
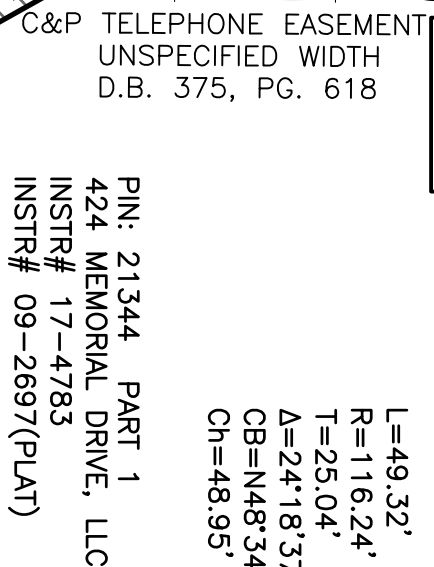


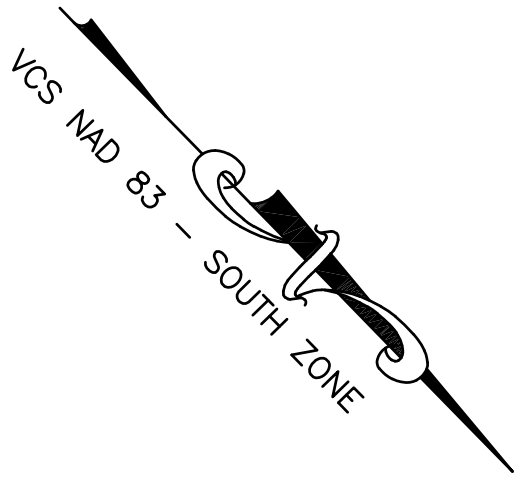
DATE: 1/18/2022  
LAST REVISED: 1/18/2022  
SCALE: 1" = 40'  
DEWBERRY JOB #50141823



Dewberry Engineers Inc  
4805 LAKE BROOK DRIVE SUITE 200  
GLEN ALLEN, VIRGINIA 23060-9278  
PHONE: 804.290.7957  
FAX: 804.290.7928  
WWW.DEWBERRY.COM







MAP SHOWING: R/W FOR MEMORIAL DRIVE  
MAP BOOK 9, PAGE 25  
CITY ENGINEERING FILE E-330  
VARIABLE R/W PER  
MEMORIAL DRIVE  
MAP SHOWING: R/W FOR MEMORIAL DRIVE  
CITY ENGINEERING FILE G-374

N: 33755319.79  
E: 11221087.82

BOUNDARY LINE ADJUSTMENT  
AREA TO BE  
6.87± ACRES #26828  
ADDED TO PARCEL #26828  
S 30°07'18" W 273.24'  
WALKING TRAIL  
EASEMENT

PROPERTY LINE TO BE  
ADJUSTED BY THIS PLAT

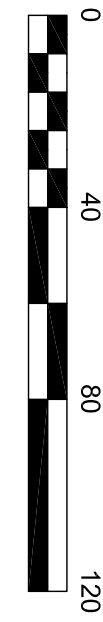
APPROXIMATE LOCATION  
OF SANITARY SEWER  
D.B. 357, PG. 379

FLOOD ZONE 'AE'  
(AREAS WITHIN 100 YEAR FLOOD PLAIN)

CITY OF DANVILLE VIRGINIA  
PIN: 26828  
INSTR# 21-2273  
LOT 2  
WHITEMILL DEVELOPMENT, LLC  
RECORDED IN INSTR# 15-1760  
#100 MEMORIAL DRIVE  
3.85± ACRES BY ASSESSMENT  
6.87± ACRES ADDED BY THIS PLAT  
10.72± ACRES AFTER ADJUSTMENT

DAN RIVER  
PROPERTY LINE 625± ALONG EDGE  
OF DAN RIVER AS IT MEANDERS

- LEGEND:
- ⊙ IPF-IRON PIPE FOUND
  - ⊕ IRF-IRON ROD FOUND
  - IRS-IRON ROD SET (5/8"REBAR)



DATE: 1/18/2022  
LAST REVISED: 1/18/2022  
SCALE: 1" = 40'  
DEWBERRY JOB #50141823

D=63°02'40"  
R=30.00'  
L=33.01'  
T=18.40'  
CB=N28°25'07"W  
Ch=31.37'

N60°49'28"W  
32.00'

N03°06'13"E  
49.74'

D=41°53'58"  
R=169.77'  
L=124.15'  
T=65.00'  
CB=N66°56'54"W  
Ch=121.40'

D=14°23'14"  
R=597.96'  
L=150.15'  
T=75.47'  
CB=N53°12'17"W  
Ch=149.76'

D=13°05'10"  
R=789.51'  
L=180.32'  
T=90.55'  
CB=N46°21'35"E  
Ch=179.93'

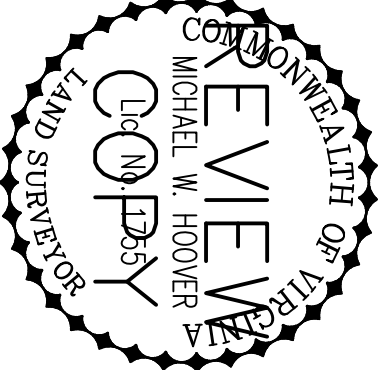
MAIN STREET ROUTE 293  
VARIABLE R/W

S39°49'00"W  
205.36'

S71°20'59"E  
18.63'  
S74°42'05"E  
112.91' TIE LINE  
S65°14'18"E  
151.59' TIE LINE  
S63°02'29"E  
106.59' TIE LINE  
S61°42'26"E  
110.72' TIE LINE  
S52°55'21"E  
1.29' TIE  
S54°56'15"E

SHEET 6 OF 6

PLAT SHOWING  
BOUNDARY LINE ADJUSTMENT  
BETWEEN  
CITY OF DANVILLE VIRGINIA  
PIN: 26828 AND  
424 MEMORIAL DRIVE, LLC  
PIN: 21344  
CONTAINING 6.87± ACRES  
CITY OF DANVILLE, VIRGINIA



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SURVEY PREPARED BY: