



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

September 7, 2021

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
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 agenda items will be heard when the agenda item is considered. 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 - L.G. "Larry" Campbell, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

Citizens who desire to speak on matters not listed on the agenda will be heard at this time. Citizens who desire to speak on agenda items will be heard when the agenda item is considered.

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on August 5, 2021.
Council Letter Number CL - 2607.

NEW BUSINESS

- A. Consideration of Rezoning 180 American Legion Boulevard.
Council Letter Number CL - 2616.
 - 1. Public Hearing
 - 2. An Ordinance Rezoning 180 American Legion Boulevard (Parcel ID# 73227) from T-R Threshold Residential to M-R, Multifamily Residential District.
- B. Consideration of Rezoning 212 Jefferson Avenue.
Council Letter Number CL - 2619.
 - 1. Public Hearing
 - 2. An Ordinance Rezoning 212 Jefferson Avenue (Parcel ID# 24689) From OT-R Old Town Residential Zoning District To M-R, Multifamily Residential Zoning District.
- C. Consideration of Amending the Zoning Ordinance Regarding Short-Term Rentals.
Council Letter Number CL - 2620.
 - 1. Public Hearing

2. An Ordinance Repealing and Reordaining Certain Articles and Sections of Chapter 41, Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, More Specifically Removing and Updating Portions of Article 2. Entitled "General Regulations" and Removing and Updating Portions of "Article 15 Entitled "Definitions".

D. Consideration of the Fiscal Year 2022 Aviation Promotion Grant.
Council Letter Number CL - 2606.

1. A Resolution Authorizing the City Manager to Accept a Grant Agreement from the Virginia Department of Aviation to Promote Aviation Awareness at the Danville Regional Airport.
2. An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for a State Department of Aviation Grant for the Purpose of Providing Funding to Promote Aviation Awareness at the Danville Regional Airport in the Amount of \$7,500 and for the Local Share in the Amount of \$7,500 to be Provided by the General Fund Support of Grants for a Total Appropriation of \$15,000 and Appropriating Same.

FIRST READING

E. Consideration of Amending the Fiscal Year 2022 Budget Appropriation Ordinance for a Virginia Commission for the Arts Grant.
Council Letter Number CL - 2608.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for a Virginia Commission for the Arts Grant in the Amount of \$4,500 and Local Share in the Amount of \$5,000 for a Total of \$9,500.

FIRST READING

F. Consideration of Amending the Fiscal Year 2022 Budget Appropriation for Economic Development Incentives.
Council Letter Number CL - 2614.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance for One Tobacco Region Opportunity Fund Grant from the Virginia Tobacco Region Revitalization Commission in the Amount of \$330,000 and One Tobacco Region Opportunity Fund Loan from the Virginia Tobacco Region Revitalization Commission in the Amount of \$330,000 for a Total of \$660,000 as Economic Development Incentives for Taxable Capital Investments and Job Creation in the Commonwealth of Virginia.

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-2607

Meeting Minutes A.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 09/07/2021

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on August 5, 2021.

Council Letter Number CL - 2607.

Attachments

Meeting Minutes

August 5, 2021

The Regular August meeting of the Danville City Council was held on August 5, 2021, at 7:02 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 P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9). *Mr. Buckner entered the meeting at 7:04 p.m.*

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

Mayor Jones noted the passing of Norma Brower, an employee of the City of Danville and asked Deputy City Manager Earl Reynolds to say a few words. Mr. Reynolds stated he met Norma when he came to work at the City eleven years ago. He noted he will never forget the many conversations they had after five o'clock where they developed and solidified their friendship. Norma was one of the kindest people anyone would ever meet and would oftentimes come into a situation and instead of pointing fingers, she would say "this is what we are going to do." She was focused on the mission of the job and helping people. Mayor Jones asked for a moment of silence for Norma Brower.

INVOCATION

The Invocation was given by Vice Mayor Gary P. Miller, followed by the Pledge of Allegiance.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Vincent Brown, SPM Empowerment, 1218 West Main Street, and Assistant Director Gerald Harris, along with students from the Apprenticeship Training Program. Mr. Brown gave an update on the program; their first enrollment was well over eighteen people with an additional eighteen waiting to be enrolled. Mr. Brown noted he sent a proposal to the City of Danville, has not heard back yet, and would like to hear how the City can assist them. Council Member Campbell asked Mr. Brown what he wanted the City to do, and Mr. Brown stated he was asking the City to consider his proposal, they need about \$500,000 to start off this program.

Mayor Jones recognized a citizen (citizen did not give her name) who noted she has been to the police department, and stated there was a lot of activity on her street, a small dead-end street with seven houses and her family members occupy four of them. There was a lot of drug activity up and down the street and asked someone to look into this.

Mayor Jones recognized Stephen Gould, Byrnes Gould Law, the local representatives for Caesars Entertainment, who noted Caesars will be sharing an opportunity later this month for members of the public to provide input on the design of the Caesars Virginia Resort. It will be Monday, August 23rd at 5:30 p.m. at the old Dan River Welfare Building at 917 West Main Street. Representatives from Caesars Entertainment will be in town to provide some information on design concepts, color palettes, and material preferences, related to the design of the project.

Council Member Campbell noted Council had sessions with Caesars recently and some of the wishes that he has been requesting personally from the beginning, they were really trying to make opportunities for all areas of the community. He was expecting it would be transparent as possible, not only jobs but contracts and certification. He would like the community to know the progress going forward, and he wants prosperity to be shared in all areas of the community from this, and believes there were opportunities. Council Member Saunders thanked Mr. Gould for sharing this information with Council. In response to Mayor Jones, Mr. Gould noted his firm was

August 5, 2021

collecting information from vendors who were interested in contracting opportunities with the Caesars Virginia project, and invited citizens to send an email to info@byrnesgould.com or call them at 792-2424. Mr. Gould noted in response to Mr. Campbell's comments, he believes that Caesars was absolutely committed to making sure opportunities were available to anyone in the community and making sure that they not only meet, but exceed the obligations they have committed to under the Development Agreement. Vice Mayor Miller noted Caesars had pledged to use minority contractors as well as hire minorities at the casino, which impressed many of the Council Members; they expect Caesars to live up to that. Council Member Whittle questioned the percentage and Mr. Gould explained the Development Agreement requires that Caesars use commercially reasonable efforts without having a specific number included. Looking at what Caesars has done with other projects, there was an unquestioned commitment to making sure that there was true supplier diversity, and that opportunities were shared throughout the community.

MEETING MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Mayo Minutes from Regular Council Meeting held on July 6, 2021 were approved as presented. Draft copies of the Minutes had been distributed prior to the meeting.

OLD BUSINESS

AUTHORIZING UTILIZATION OF THE CITY'S FISCAL YEAR 2022 BORROWING CAPACITY TO ISSUE GENERAL OBLIGATION BONDS

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

ORDINANCE NO. 2021-07.10

AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF DANVILLE, VIRGINIA, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$16,000,000 TO FINANCE THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF VARIOUS CAPITAL PROJECTS

The Motion was **seconded** by Council Member Mayo and carried by the following vote:

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

REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS

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

ORDINANCE NO. 2021-07.11

AN ORDINANCE OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA, REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$141,000,000 AND AUTHORIZING SUCH BONDS

August 5, 2021

The Motion was **seconded** by Vice Mayor Miller and carried by the following vote:

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

NEW BUSINESS

PUBLIC HEARING - AMENDING THE ZONING ORDINANCE TO UPDATE ARTICLE 8, PARKING AND LOADING REQUIREMENTS

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Ordinance. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 22, 2021 and July 29, 2021. 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. 2021-08.01

REPEALING AND REORDAINING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY UPDATING, REORGANIZING, AND CLARIFYING ARTICLE 8, ENTITLED "PARKING AND LOADING REQUIREMENTS"

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

Council Member Whittle questioned some of the overlap that was removed from the Code, and Director of Planning Doug Plachcinski explained a few of the uses that overlapped were things like wholesale and light industrial uses that were similar. A lot of those uses based their parking requirements from square footage, and not occupancy. Eliminating and switching the minimum parking space standard requirements to an occupancy rate instead of square footage cuts down the amount of extra parking required. Mr. Plachcinski noted they changed some of the stacking requirements to allow different stacking ratios for drive up windows. They were trying to work with some of the quick service food restaurants in town to facilitate that process. This applies uniformly throughout the districts; the City referenced the Virginia State Code for barrier free and handicap assessable parking spaces and the City will not be in conflict.

Council Member Vogler noted he was happy the City was doing this; it was something he and Mr. Buckner have been asking for, for some time. Mr. Plachcinski has done a great job streamlining this Code, cleaning it up and making it better. It was a step in the right direction to make the City as business friendly as possible, to take some of the burdensome requirements that used to be there in the past, cleaning that up and making it simpler. In response to Mr. Vogler, Mr. Plachcinski stated there used to be fifty-four different classifications for parking requirements and there were now twenty-five, after updating the Code.

Council Member Buckner noted this was discussed for several years; the City did an initiative several years ago, 100 Days, 100 Ways, and this was one of the many ideas staff and Council worked on to make Danville a more business friendly place. Mr. Buckner noted his appreciation for Mr. Plachcinski looking into this. Council Member Whittle asked about changes on Craghead Street and Mr. Plachcinski stated the old parking requirements did not have parking standards

August 5, 2021

that would have addressed handicapped accessible spaces required for developments on Craghead. It would not have allowed the City's development review process to consider on-street parking; this amendment does. The City can look at a broader area and rather than just focusing on on-site parking, doing a better parking count.

The **Motion** was carried by the following vote:

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

PUBLIC HEARING - AMENDING THE ZONING ORDINANCE ON REGULATIONS FOR SATELLITE DISHES

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Ordinance for Satellite Dishes. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 22, 2021 and July 29, 2021. 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. 2021-08.02

AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY UPDATING ARTICLE 2, ENTITLED "GENERAL REGULATIONS" SECTION P. ENTITLED "ACCESSORY USES AND STRUCTURES", ITEM 11 TO PROVIDE DIFFERENT REGULATIONS FOR SATELLITE DISHES LESS OR GREATER THAN 3'.

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

Council Member Saunders questioned the "growing issue" referred to in the Council Letter and Mr. Plachcinski explained this originated from complaints staff received about the smaller satellite dishes, that were in front yards. In reviewing the Zoning Code, staff realized the Code prohibited that, but they were seen in many places in the community. After discussions, the City has certain obligations to allow people to access Satellite TV and broadband. If a citizen was in a location where the only way to get that access was a dish in the front yard, the City cannot have a rule that stops that. Understanding front yards were the best locations for a lot of these dishes, staff felt it best to make some basic rules about color, height limitations and setbacks so small dishes needing to locate in a front yard, can without needing to seek a zoning variance. Council Member Buckner questioned if this would affect businesses that use satellite dishes such as television and radio stations and Mr. Plachcinski noted potentially it could for any new equipment that would have to be permitted, but everything that was existing now was legally non-conforming.

PUBLIC HEARING - CONSIDERATION OF VACATING TWO UNUSED CITY EASEMENTS IN PITTSYLVANIA COUNTY

Mayor Jones opened the floor for a Public Hearing regarding Vacating Two Easements. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 27, 2021 and August 3, 2021. No one present desired to be heard and the Public Hearing was closed.

August 5, 2021

Council Member Buckner **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2021-08.01

AUTHORIZING THE ABANDONMENT OF TWO UNUSED CITY EASEMENTS ACROSS PROPERTY IN PITTSYLVANIA COUNTY IN ORDER TO FACILITATE THE DEVELOPMENT OF SOLAR ENERGY INSTALLATIONS UPON THE SAME PROPERTY.

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

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

REIMBURSING EXPENDITURES WITH PROCEEDS OF A BORROWING

Council Member Hood **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2021-08.02

RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

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

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ADDITIONAL STATE AVIATION FUNDING

Upon **Motion** by Council Member Vogler and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2021-08.03

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL STATE AVIATION FUNDING FOR THE PURPOSE OF COMPLETING DESIGN SERVICES TO DEVELOP AN AIRCRAFT PARKING RAMP AND AUTOMOBILE PARKING LOT FOR FUTURE CORPORATE HANGAR DEVELOPMENT IN THE AMOUNT OF \$71,116 PLUS LOCAL SHARE IN THE AMOUNT OF \$17,779 TO BE PROVIDED BY A TRANSFER FROM THE SUPPORT OF GENERAL FUNDS AND APPROPRIATING SAME.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE IN THE AMOUNT OF \$200,000 FOR THE PURCHASE OF 53.45 ACRES AT ANGLERS PARK

August 5, 2021

Upon **Motion** by Vice Mayor Miller and **second** by Council Member Buckner, an Ordinance entitled:

ORDINANCE NO. 2021-08.04

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR AN AWARD FROM THE VIRGINIA OUTDOORS FOUNDATION IN THE AMOUNT OF \$200,000 FOR THE PURCHASE AND DEVELOPMENT OF 53.45 ACRES AT ANGLERS PARK AND APPROPRIATION OF SAME.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ECONOMIC DEVELOPMENT INCENTIVES IN THE AMOUNT OF \$1,025,000

Upon **Motion** by Council Member Buckner and **second** by Council Member Mayo, an Ordinance entitled:

ORDINANCE NO. 2021-08.05

AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ONE COMMONWEALTH OPPORTUNITY FUND GRANT FROM THE VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP IN THE AMOUNT OF \$135,000, TWO TOBACCO REGION OPPORTUNITY FUND GRANTS FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNTS OF \$350,000 AND \$270,000, AND ONE FOR A TOTAL OF TOBACCO REGION OPPORTUNITY FUND LOAN FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNT OF \$270,000 FOR A TOTAL OF \$1,025,000 AS ECONOMIC DEVELOPMENT INCENTIVES FOR TAXABLE CAPITAL INVESTMENTS AND JOB CREATION IN THE COMMONWEALTH OF VIRGINIA.

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

COMMUNICATIONS

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

Council Member Vogler noted National Night Out was fun as always, Council Members rode along to locations and to the Schools, and Council will be prepared next year for the rematch at Cardinal Village. It was wonderful to interact with all the citizens and looks forward to it next year.

Council Member Buckner stated National Night Out was a blast and Council Members had an amazing time. Mr. Buckner noted he was saddened by the news of Norma Brower's passing. He was appointed many years ago to the Fair Housing Board and he learned so much, it honestly made him want to change his career to real estate, to help and work with people. Norma was a shining light in the City and will be missed. Mr. Buckner also congratulated Mildred Richardson who was promoted to Assistant Principal of the Danville Public Schools Virtual Academy.

Council Member Campbell also congratulated Ms. Richardson on her promotion and thanked Mr. Reynolds for his presentation on Norma Brower, it was touching for him, his family and Mr. Bennett.

August 5, 2021

She stood for efficiency in the administration and helped carry the City to the next level; she dedicated herself to this community.

Council Member Hood noted in 2015, Norma Brower sent him a personal message that told him to keep fighting the good fight; it gave him the encouragement to continue to push forward. She spoke up for him in different areas and allowed him to be invited into rooms he might not have gone into. Mr. Hood noted he enjoyed National Night Out, to be out in the community, see the buy-in everyone had and riding in the trolley with Council and City officials. Tomorrow, at the ARC Family Life Center at 427 East Thomas Street, they were doing a clothes drive for all students.

Council Member Mayo noted his congratulations to Ms. Richardson on her new role, and stated Ms. Brower persevered in whatever she dealt with and went through. Her loss has hit people in the community and the staff in City Hall; people will not forget the work she has done. SPM was doing wonderful things, bringing an opportunity for many, and thanked Mr. Gould for his report.

Vice Mayor Miller noted on August 7, 1984 the first National Night Out was held; at that time, it was just citizens turning on their porch lights. Now it has grown to 300,000 people in 15,000 communities. It was a great event; Council had a lot of fun and it was good to visit the different communities. Dr. Miller discussed COVID-19, cases were up and the community getting back to levels from March. 90% were non-vaccinated patients, and Dr. Miller encouraged citizens to get the vaccine.

Council Member Saunders recognized Sergeant Ferguson of the Danville Police Department, who has been assigned to the Community Engagement division, with Bikes on Main, National Night Out which was well coordinated, and thanked Sergeant Ferguson and his staff, he was doing a great job. Mr. Saunders noted Norma Brower was a great lady, a great ambassador for the City, she will be really missed, and thanked Mr. Reynolds for his recognition.

Mayor Jones recognized Mildred Richardson and thanked her for all she has done for the community, and congratulations on her promotion. Mayor Jones also congratulated Sergeant Ferguson for the work he and his team were doing, and noted Norma Brower's funeral will be in New Jersey; she will be missed. To all the City staff, Council appreciates everything they do, and thanked Council for all they do.

ADJOURNED: 8:10 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2616

New Business A.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Consideration of Rezoning 180 American Legion Drive

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 09/07/2021

SUMMARY

Rezoning Application PLRZ 2021-246 filed by D&R Jones, requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from T-R Threshold Residential to M-R, Multifamily Residential District. The applicant intends to market the property to develop a multifamily housing complex .

BACKGROUND

The applicant is marketing the subject property to multiple potential multifamily residential housing developers. New housing units are vital to Danville's future success and the initial Department reviews suggest that this location has the infrastructure to support such a project.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 180 American Legion Boulevard (Parcel ID# 73227) from T-R Threshold Residential zoning district to M-R, Multifamily Residential zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE REZONING 180 AMERICAN LEGION BOULEVARD (PARCEL ID# 73227) FROM T-R THRESHOLD RESIDENTIAL TO M-R, MULTIFAMILY RESIDENTIAL DISTRICT.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, D&R Jones requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential zoning district to M-R, Multifamily Residential zoning district.

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 2021-246, filed by D&R Jones, requesting to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential zoning district to M-R, Multifamily Residential zoning district, 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 2021-246, filed by D&R Jones, requesting to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential zoning district to M-R, Multifamily Residential zoning district, is hereby approved; and

BE IT FURTHER ORDAINED that 180 American Legion Boulevard (Parcel ID# 73227) on the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CITY 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

RECOMMENDATION

DATE: AUGUST 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2021-246

REQUEST

Rezoning Application PLRZ2021-246, filed by D&R Jones, requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential to M-R, Multifamily Residential District. The applicant intends the property be developed as a multifamily housing complex

RECOMMENDATION

The Planning Commission, at their August 9, 2021 meeting, voted 7-0 to recommend approval of Rezoning Application 2021-246.

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty-four (24) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. (Eight) 8 responses were received. Two (2) Unopposed (D & R Jones LLC and Prime Home 165 American Legion LLC). Six (6) Opposed (American Legion Inc. Memorial Post #325, Davis, Elliott, Roberson, Russell and Webb).



City Planning Commission

STAFF REPORT

DATE: August 3, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: REZONING APPLICATION – 180 AMERICAN LEGION BOULEVARD

Rezoning Application PLRZ2021-246, filed by D&R Jones, requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential to M-R, MULTIFAMILY RESIDENTIAL DISTRICT. The applicant intends to develop a multifamily housing complex.

BACKGROUND

This applicant would like to amend the zoning map to market the property for multifamily development.

STAFF ANALYSIS

The proposed rezoning's future land use designation in the Comprehensive Plan "Mixed Use". The Comprehensive Plan's Future Land Use Plan places this property in the Franklin Turnpike planning area and designates it in "sub area 7". Sub Area 7 includes 371 acres and is planned or highway retail commercial, multi-family, single-family, and transitional office uses.

CITY DEPARTMENT ANALYSIS

City Department convened a review committee meeting on August 3, 2021.

Sanitary Sewer

City sanitary sewer is not immediately available to the property. The closest sanitary sewer is about 1,100 ft away. The cost to extend the sewer to the site is the developer's responsibility.

Water

City water service includes a 12" line on Franklin Turnpike. Fire suppression is required. The water pressure exceeds requirements and may require restriction for the development.

Electricity

Three-phase electricity is available to the property. A single-phase line crosses the property, and the developer is responsible for relocation.

Traffic

We anticipate the primary site ingress/egress will be on Franklin Turnpike. A review of the Franklin Turnpike agreement and a traffic impact study may be required to finalize driveway configurations.

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-246 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation to a future meeting.

2. Recommend approval as submitted.
3. Recommend approval with conditions determined by the Planning Commission.
4. Recommend denial.

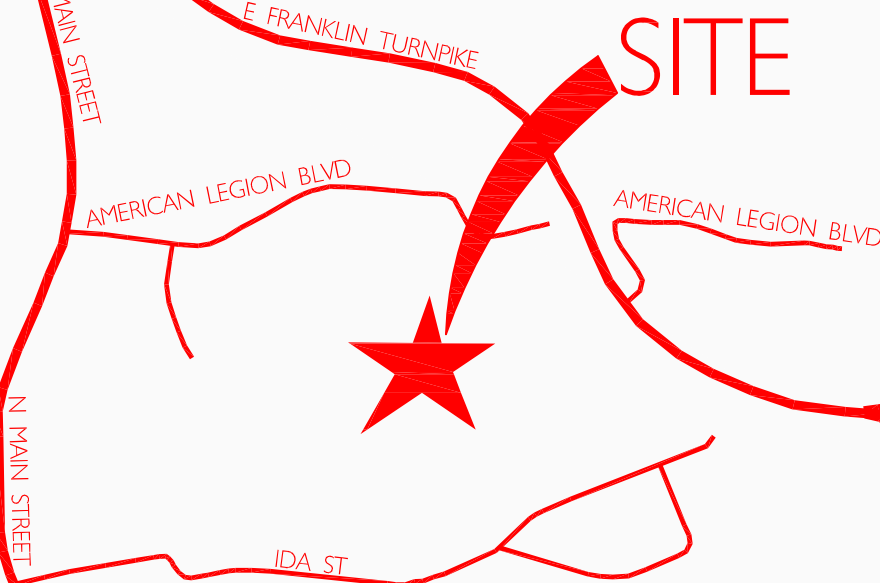
ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map



PARCEL ID 73227
18.56 AC +/-
10 BUILDINGS 3 STOREY
240 UNITS
375 SPACES PROVIDED

VICINITY MAP



RIVER RUN EXECUTIVE OFFICES
SUITE-B
110 EXCHANGE STREET
DANVILLE, VA. 24541

N.C. LICENSE: # C-2577
V.A. LICENSE: # 0404-001401

PHONE NO. (434) 792-3680
FAX NO. (434) 792-3685
www.landeng.com

MULTI FAMILY DEVELOPMENT D & R JONES, LLC. FRANKLIN TURNPIKE, DANVILLE, VIRGINIA

REZONING EXHIBIT

REVISIONS		DESCRIPTION		DATE	BY

Sheet No. **1** of **1**
Date: JULY 20, 2021
Scale: 1" = 100'
Project No.
\\VA\CNV-EST21\eng\dwg\american legion blvd.dwg

CITY OF DANVILLE

REZONING APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the rezoning as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: PLRZ 2021-246 EXISTING ZONING: TR
PROPOSED ZONING: M R TAX MAP NUMBER: 73227
RECEIVED BY: HPO DATE FILED: 7/13
PLANNING COMMISSION DATE: 8/9/21 CITY COUNCIL DATE: 9/7/21

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 18.56 Acres Property Address: 180 American Legion Blvd.

Property Location: N (S) E (W) Side of: East Franklin Turnpike

Between: Danville Expressway and North Main St

Proffered Conditions (if any, please attach): _____

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

Richard F. Jones
1. NAME: Danny L. Jones TELEPHONE: 434-250-6821

MAILING ADDRESS: 348 Updike Place Danville VA 24541

SIGNATURE: [Signature] DATE: 7-13-21

SIGNATURE: Richard F. Jones DATE: 7-13-21

EMAIL ADDRESS: drjones2952@gmail.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:

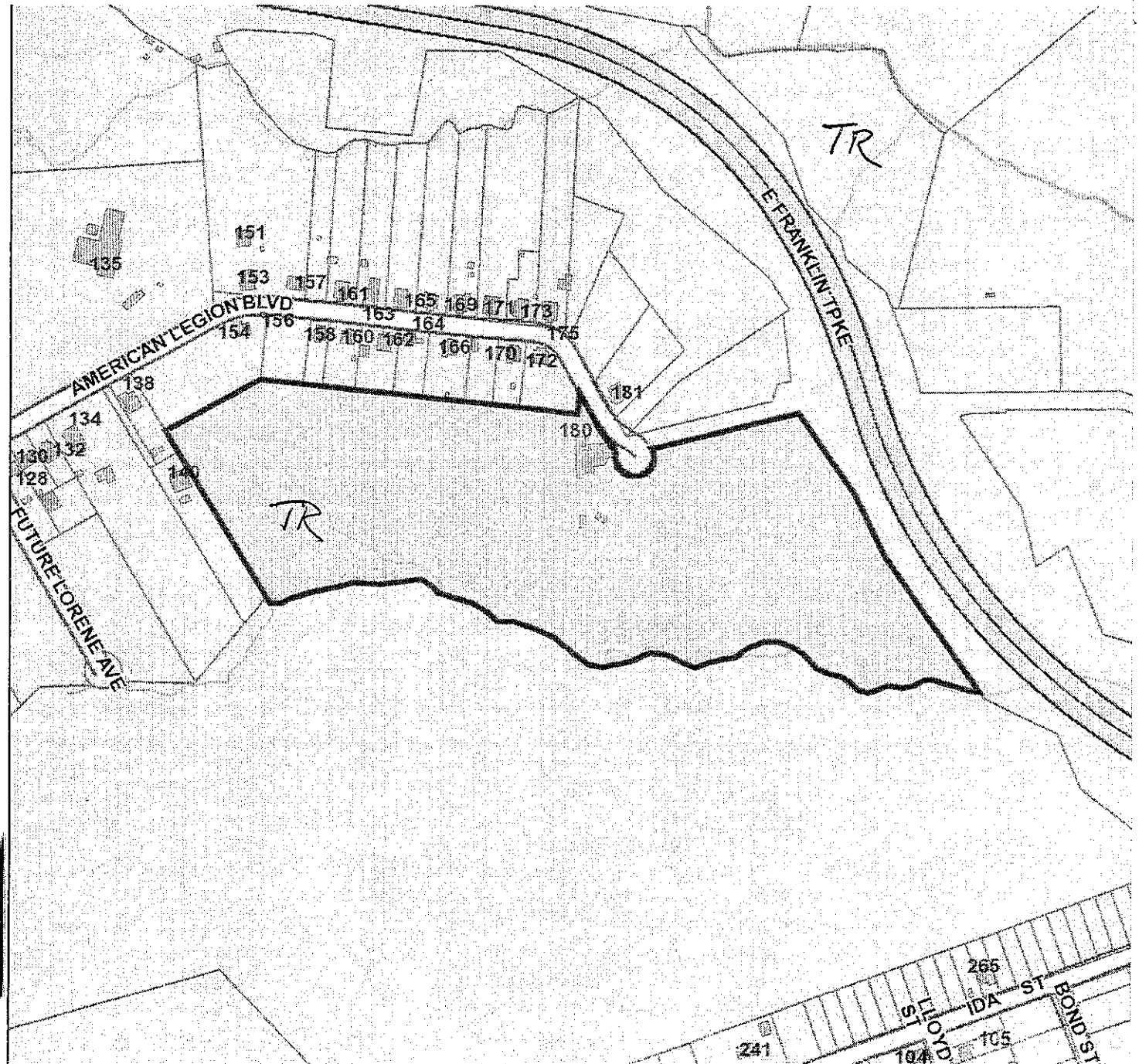
Please provide a brief description of the request:

Apartment complex with an entrance on E. Franklin Tpke

Parcel ID: 73227



- Buildings
- Parcels
- Street Names
- House Numbers



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, it's accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Date: 7/14/2020

Parcel ID: 73227
Address: 180 AMERICAN LEGION BLVD
Owner: VIRGINIA BANK AND TRUST
 COMPANY
 PO BOX 3447
 DANVILLE, VA 24543
Mail-To: VIRGINIA BANK AND TRUST
 COMPANY
 PO BOX 3447
 DANVILLE, VA 24543



Value Information

Land / Use:	\$13,000
Improvement:	\$2,000
Total:	\$15,000.00

Additional Information

State Code:	1201 Misc Resid Bldg /Barn/Stg	Approx Acres:	18.56
Land Use:	Residential	Legal Description:	APPROX 18.56 AC NOS 76-88 & PT NOS 17 & 18 & 89
Tax Map:	2811-001-000011.000		AMERICAN LEGION BLVD
		Zone:	TR Threshold Residential
Notes: DB 16-610: Deed in Lieu of Foreclosure & 9 lists. WB 03-152: Donald died 5/7/03 & 19 lists. (Map P164D 5 89)			

Building

There is no building information.

Improvements

There are no improvements.

Land

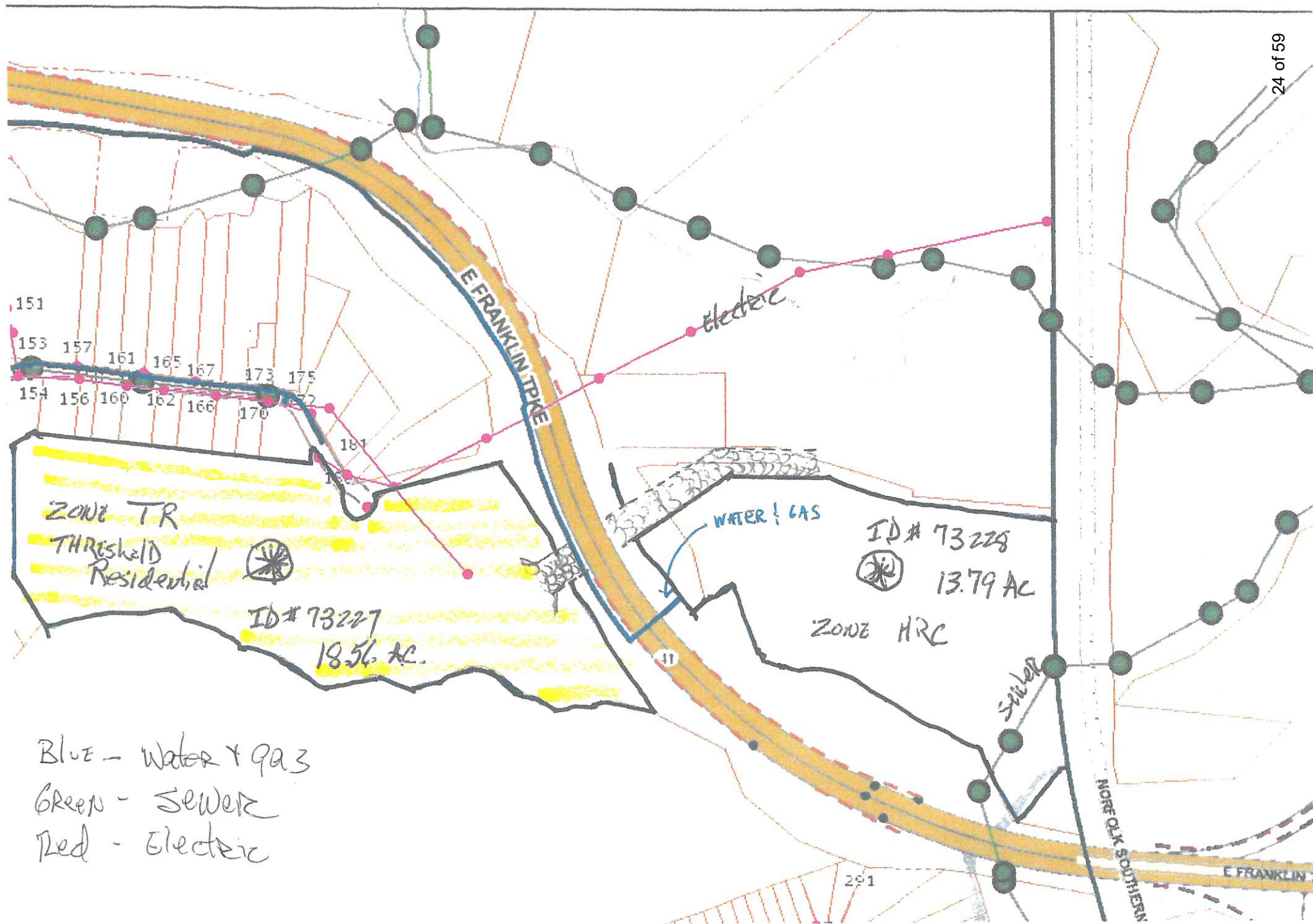
Land Code:	RA11 RA11 1000	Rate:	\$1,000
Acres:	18.56	Adj. Rate:	\$1,000
Sq. Ft.:	808,474	Base Value:	\$18,560
Front:	0	Adj. Amount:	-\$5,560
Effective Front:	0	Value:	\$13,000
Depth:	0		

Transfers

Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 16	610	\$281,703	2/23/2016	HARDISON DONALD A ESTATE	VIRGINIA BANK AND TRUST COMPANY
W 03	152	\$0	5/12/2003	HARDISON DONALD A	HARDISON DONALD A ESTATE
D 884	030	\$0	8/13/1992	No Data	No Data

Assessments

Year	Land	Use	Improvements	Total
2020	\$13,000	\$0	\$2,000	\$15,000
2019	\$13,000	\$0	\$2,000	\$15,000
2018	\$13,000	\$0	\$2,000	\$15,000
2017	\$19,500	\$0	\$2,000	\$21,500
2016	\$19,500	\$0	\$2,000	\$21,500
2015	\$19,500	\$0	\$2,000	\$21,500
2014	\$19,500	\$0	\$2,000	\$21,500
2013	\$19,500	\$0	\$2,000	\$21,500
2012	\$19,500	\$0	\$2,000	\$21,500
2011	\$19,500	\$0	\$2,000	\$21,500
2010	\$19,500	\$0	\$2,000	\$21,500
2009	\$19,500	\$0	\$2,000	\$21,500
2008	\$18,700	\$0	\$2,000	\$20,700
2007	\$18,700	\$0	\$2,000	\$20,700
2006	\$18,700	\$0	\$2,000	\$20,700
2005	\$18,700	\$0	\$2,000	\$20,700
2004	\$18,700	\$0	\$2,000	\$20,700
2003	\$18,700	\$0	\$2,000	\$20,700
2002	\$18,700	\$0	\$2,000	\$20,700
2001	\$18,700	\$0	\$2,000	\$20,700
2000	\$18,700	\$0	\$2,000	\$20,700





COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
(804) 786-2701
Chairman
(804) 786-2940

1401 East Broad Street
Richmond, Virginia 23219

Fax:

Agenda item # 2-C

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 18, 2011

MOTION

Made By: Mr. Martin Seconded By: Dr. Davis Action: Motion Carried, Unanimously

Title: Limited Access Control Changes - Amended **Franklin Turnpike Extension, Spring Lake Road, City of Danville**

WHEREAS, the Franklin Turnpike Extension, constructed as a part of the Route 265 Danville Bypass, between Route 360 and the existing Route 41 and Route 293 intersection, in the City of Danville, was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB) on September 20, 2001; and,

WHEREAS, in connection with the engineering design, a section of the Franklin Turnpike Extension, State Highway Project 6265-071-V05, RW-201, which is located between the aforesaid locations, was identified by the City of Danville (City) for design refinements to the limited access controls on both the northeast and southwest sides of the Franklin Turnpike Extension, as shown on the plans for said Project, necessary for future economic development of certain lands; and,

WHEREAS, the City, by resolution dated February 7, 2006, authorized and directed the City Manager to request that the previously approved limited access break for Spring Lake Road, being 21.61 feet, more or less, on either side of Station 149+65.18, along the Franklin Turnpike Extension northeast proposed right of way and limited access line, be relocated approximately 550 feet to the south (32.085 feet, more or less, on either side of Station 154+42.08) along said line; and the previously approved limited access break for Spring Lake Road, being 19.14 feet, more or less, on either side of Station 149+77.285, along the Franklin Turnpike Extension southwest proposed right of way and limited access line, be relocated approximately 550 feet south (28.03 feet, more or less, on either side of Station 154+38.034) along the said line, both to

provide future public street entrances for the said lands on the northeast and southwest sides of Franklin Turnpike Extension; and,
Resolution of the Board
Limited Access Control Changes - Amended
Franklin Turnpike Extension, Spring Lake Road
City of Danville
May 18, 2011
Page Two

WHEREAS, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on February 20, 2008, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

WHEREAS, the City, by letter dated July 2, 2010, requested the said previously approved Limited Access Control Changes (LACC) be expanded to allow for full turning movements with turning lanes and median crossover to promote commercial development of the adjacent property; and,

WHEREAS, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on July 14, 2010, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

WHEREAS, VDOT has also determined, as a result of the ongoing negotiations, which commenced following approval of the February 20, 2008 resolution, refinement of the location for these LACC would be appropriate to mitigate potential costs for residual property damages to the lands being acquired as a result of the said project and to better serve the traveling public and surrounding community, and is requesting the CTB approve an amendment to the aforesaid resolutions of February 20, 2008 and July 14, 2010; and,

WHEREAS, the requested amendment is to shift the location of the limited access breaks approved by resolution dated February 20, 2008, on the northeast and southwest proposed right of way and limited access lines of the said Franklin Turnpike Extension from the vicinity of Stations 154+40, approximately 240 feet to the northwest to approximate Station 152+00 with a break in both of the said right of way and limited access lines beginning at Station 151+55 and ending at approximate Station 152+55; and,

WHEREAS, VDOT has determined that an intersection with full turning movements at the said revised location is appropriate from a design, safety and traffic control standpoint; and,

WHEREAS, VDOT has further determined, as a result of such negotiations that certain land acquired by VDOT for said Spring Lake Road access road at the previous break that is now being shifted, as shown on Sheet 9 of the said Project plans, should be conveyed back to its former owner, the Estate of Donald A. Hardison, in exchange for a comparable quantity of land owned by the Estate of Donald A. Hardison, for the purpose of accessing the existing unimproved Spring Lake Road at the new breaks at approximate Station 152+00, and to better

serve the traveling public, upon the dedication of such land by the Estate of A. Hardison to the City of Danville, Virginia; and,
Resolution of the Board
Limited Access Control Changes - Amended
Franklin Turnpike Extension, Spring Lake Road
City of Danville
May 18, 2011
Page Three

WHEREAS, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and,

WHEREAS, the said full turning movements, being the median crossover and required turn lanes shall be constructed by others as development of the adjacent properties occurs, and their need is indicated and justified pursuant to applicable VDOT regulations; and,

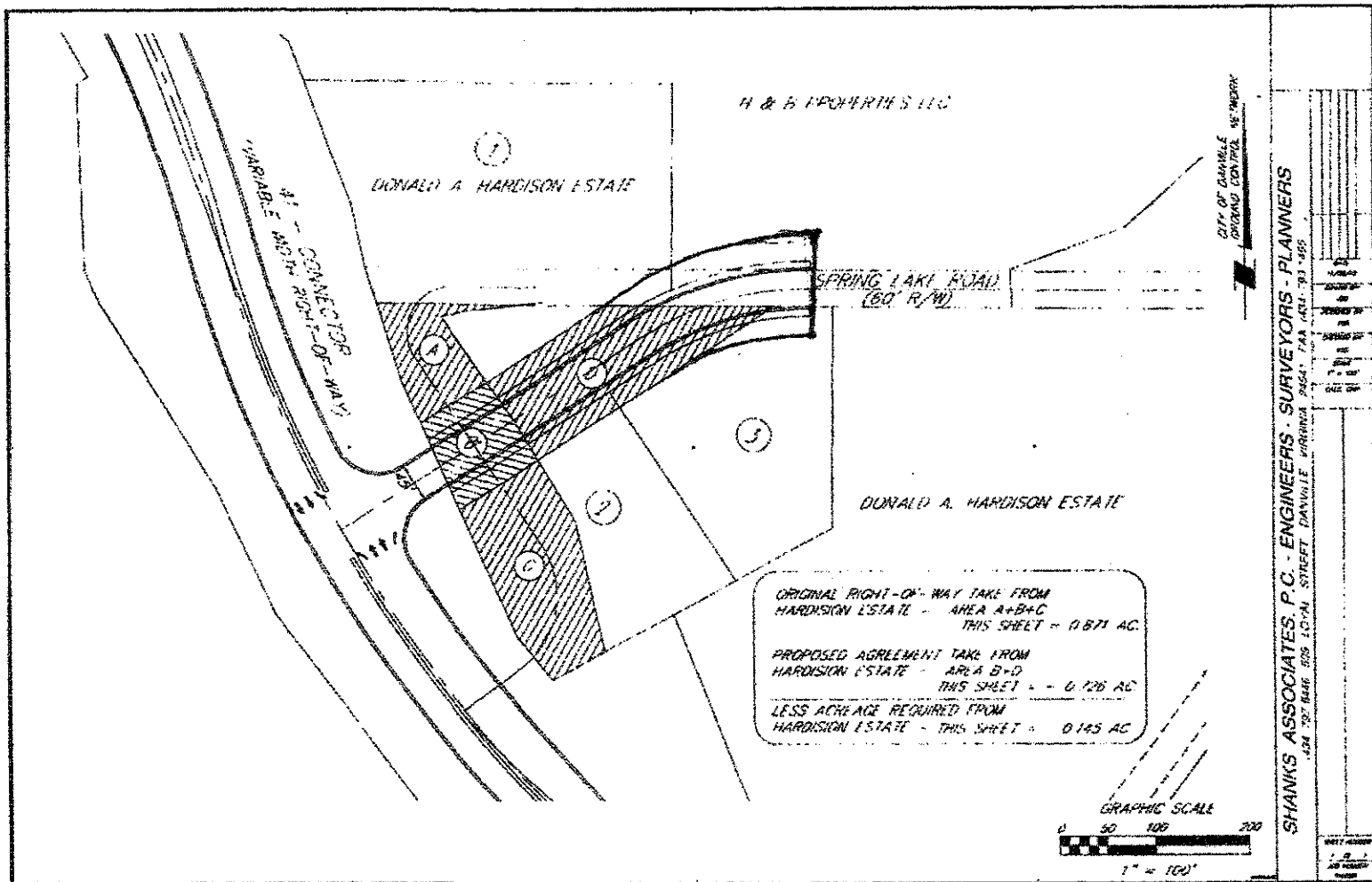
WHEREAS, VDOT has determined there will be no adverse environmental impacts; and,

WHEREAS, all other conditions and requirements of the said Resolution previously approved on February 20, 2008, and July 14, 2010, remain unchanged.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby approves the said amendment to the resolutions approved on February 20, 2008, and July 14, 2010, of limited access control changes for public street purposes, being removal of the limitation of right in and right out only turning movements, and that a median crossover and related turn lanes can be constructed, and shifting the location of the said breaks along the said northeast and southwest right of way and limited access lines to beginning at Station 151+55 and ending at approximate Station 152+55 at as set forth, and subject to the above referred to conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution; and,

BE IT FURTHER RESOLVED, that any connecting roadway constructed at the previously approved limited access break locations may remain in place until such time as a new connecting roadway is constructed at the herein approved location. At such time as the said connecting roadway is opened, the limited access breaks approved on February 20, 2008, shall automatically terminate reestablishing the right of way and limited access lines as originally designed and approved by the CTB.

###



DATA SHEET PLRZ 2021-246

PUBLIC HEARING DATES:	AUGUST 9, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	WEST SIDE OF FRANKLIN TURNPIKE, SOUTH OF AMERICAN LEGION BOULEVARD
PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
PROPOSED ZONE:	M-R MULTIPLE FAMILY RESIDENTIAL
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	APARTMENT COMPLEX
FUTURE LAND USE DESIGNATION:	MIXED USE
PROPERTY OWNER(S):	D & R JONES LLC
NAME OF APPLICANT(S):	D & R JONES LLC
PROPERTY BORDERED BY:	VACANT TO THE SOUTH AND EAST, MEDIUM DENSITY RESIDENTIAL TO THE NORTH AND WEST
ACREAGE:	18.56 ACRES TOTAL
CHARACTER OF VICINITY:	VACANT
INGRESS AND EGRESS:	PRIMARY- EAST FRANKLIN TURNPIKE, SECONDARY – AMERICAN LEGION BOULEVARD
TRAFFIC VOLUME:	NO RECENT COUNTS

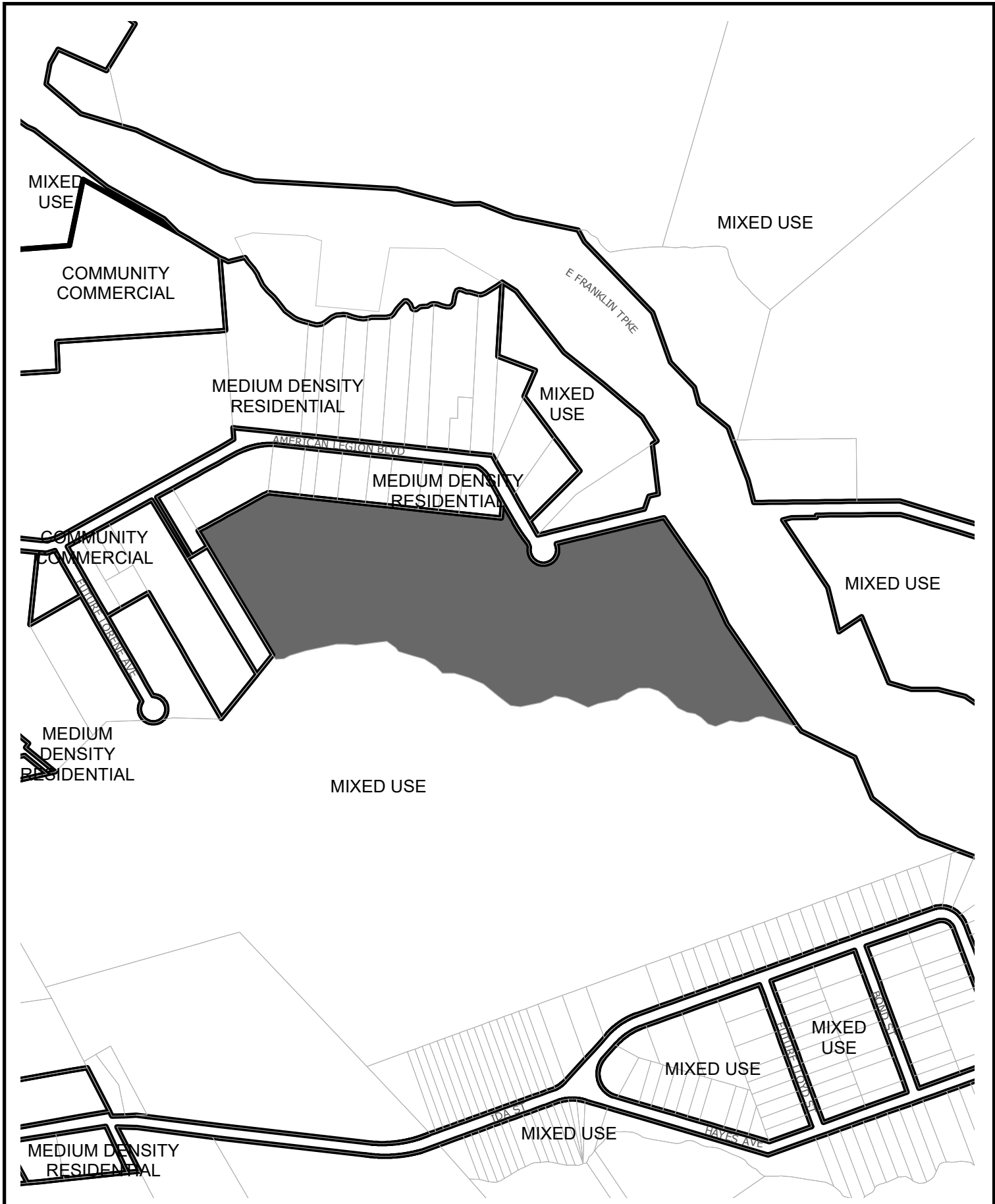


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

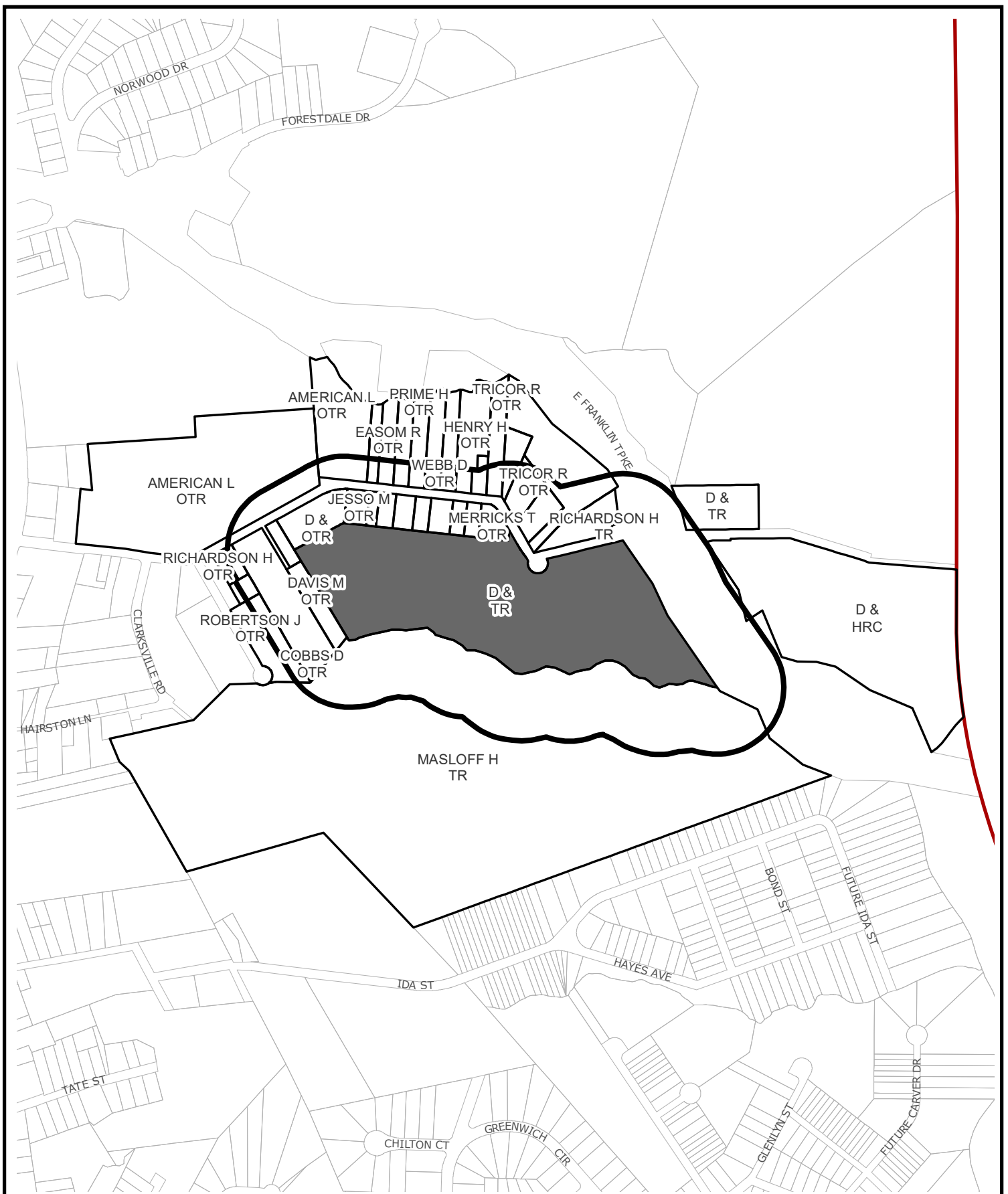
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, 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.



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/21/2021

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

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Council Letter

City of Danville, Virginia



CL-2619

New Business B.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Consideration of Rezoning 212 Jefferson Avenue

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 09/07/2021

SUMMARY

Rezoning Application PLRZ2021-259, initiated by the City Planning Director, Requests to Rezone 212 Jefferson Avenue (Parcel ID# 24689) From OT-R Old Town Residential to M-R, Multifamily Residential District. The Owner is rehabilitating the Historic Old West End Multifamily Dwelling.

BACKGROUND

The property owner contacted the City because the multifamily dwelling is legally non-conforming in the OT-R zoning district. The non-conforming status creates problems for financing and insuring the development. It will make it impossible to convert the building to condominiums.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 212 Jefferson Avenue (Parcel ID# 24689) from OT-R Old Town Residential zoning district to M-R, Multifamily Residential zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE REZONING 212 JEFFERSON AVENUE (PARCEL ID# 24689) FROM OT-R OLD TOWN RESIDENTIAL ZONING DISTRICT TO M-R, MULTIFAMILY RESIDENTIAL ZONING DISTRICT.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, the City Planning Division Director requests to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OTR Old Town Residential zoning district to M-R, Multifamily Residential zoning district.

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 2021-259, the request of the City Planning Division Director to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OT-R Old Town Residential zoning district to M-R, Multifamily Residential zoning district, 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 2021-259, the request of the City Planning Division Director to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OT-R Old Town Residential zoning district to M-R, Multifamily Residential zoning district, is hereby approved; and

BE IT FURTHER ORDAINED that 212 Jefferson Avenue (Parcel ID# 24689) on the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CITY 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

RECOMMENDATION

DATE: AUGUST 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2021-179

REQUEST

Rezoning Application PLRZ2021-259, initiated by the City Planning Director, requests to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OTR Old Town Residential to M-R, Multifamily Residential District. The owner is rehabilitating the historic Old West End multifamily dwellings.

RECOMMENDATION

The Planning Commission, at their August 9, 2021 meeting, voted 7-0 to recommend approval of Rezoning Application 2021-259.

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty-nine (29) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. (Nine) 9 responses were received. Eight (8) Unopposed (Congregation of the Episcopal Church of Epiphany, Cornely, First Baptist Church, Jones, Ramirez, Receivables Management Associates LLC, Troika Properties LLC and Wellbank). One (1) Opposed (Newman).



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

City Planning Commission

STAFF REPORT

DATE: August 3, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: REZONING APPLICATION – 212 JEFFERSON AVENUE

Rezoning Application PLRZ2021-259, initiated by the City Planning Director, requests to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OTR Old Town Residential zoning district to M-R, Multifamily Residential zoning district. The owner is rehabilitating the historic Old West End multifamily dwellings.

BACKGROUND

The property owner contacted the City because the multifamily dwelling is legally non-conforming in the OT-R zoning district. The non-conforming status creates problems for financing and insuring the development. It will make it impossible to convert the building to condominiums.

STAFF ANALYSIS

Rezoning the property will not alter the Commission for Architectural Review's design guidelines as applied to the building and will further Old West End reinvestment.

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-259 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation to a future meeting.
2. Recommend approval as submitted.
3. Recommend approval with conditions determined by the Planning Commission.
4. Recommend denial.

ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map

DATA SHEET PLRZ 2021-259

PUBLIC HEARING DATES:	AUGUST 9, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	SOUTH SIDE OF JEFFERSON AVE IN BETWEEN PATTON AND LOYAL STREETS
PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
PROPOSED ZONE:	M-R MULTIPLE FAMILY RESIDENTIAL
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	MULTIFAMILY 6-PLEX
FUTURE LAND USE DESIGNATION:	MEDIUM DENSITY RESIDENTIAL
PROPERTY OWNER(S):	MONTICELLO APTS LLC
NAME OF APPLICANT(S):	MONTICELLO APTS LLC
PROPERTY BORDERED BY:	OLD WEST END SINGLE AND MULTIFAMILY BUILDINGS
ACREAGE:	~0.5 ACRES TOTAL
CHARACTER OF VICINITY:	HISTORIC NEIGHBORHOOD
INGRESS AND EGRESS:	JEFFERSON AVENUE
TRAFFIC VOLUME:	NO RECENT COUNTS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/2/2021

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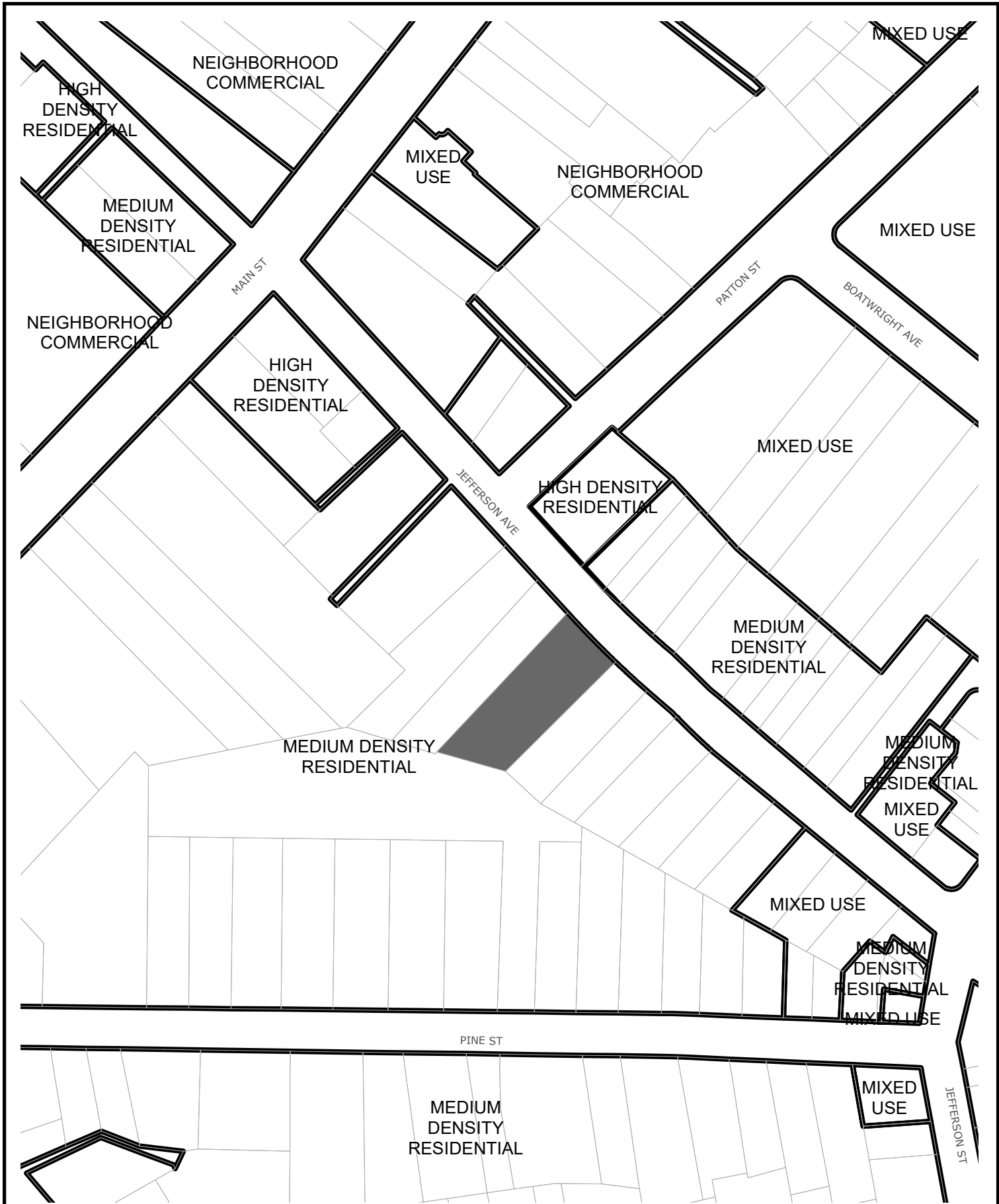


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/2/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/2/2021

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Council Letter

City of Danville, Virginia



CL-2620

New Business C.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Consideration of a Zoning Ordinance Text Amendment regarding Short-Term Rentals

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 09/07/2021

SUMMARY

Rezoning Application PLRZ2021-260, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, Specifically, to amend Article 2. Section Y. Short Term rentals, to update the City's short-term rental provisions and consolidate the zoning regulations regarding such into this section.

BACKGROUND

The City recently received an influx of short-term rental requests and noticed many non-compliant short-term rentals. Further, there was a police incident at one of the un-permitted short-term rentals. The incident prompted a review of the short-term rental regulations.

RECOMMENDATION

The Planning Commission, at their August 9, 2021, meeting, voted 7-0 to recommend approval of the text amendment amending Article 2. Section Y. Short Term rentals to update the City's short-term rental provisions and consolidate the zoning regulations regarding such into this section.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-____.____

AN ORDINANCE REPEALING AND REORDAINING CERTAIN ARTICLES AND SECTIONS OF CHAPTER 41, ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, MORE SPECIFICALLY REMOVING AND UPDATING PORTIONS OF ARTICLE 2. ENTITLED "GENERAL REGULATIONS" AND REMOVING AND UPDATING PORTIONS OF "ARTICLE 15 ENTITLED "DEFINITIONS".

WHEREAS, the current Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, needs to be updated to reflect the current state of the practice for short-term rentals in the City.

NOW THEREFORE, BE IT ORDAINED, by the Council of City of Danville, Virginia, that the certain sections of Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, be repealed; and

BE IT FURTHER ORDAINED, that certain sections of Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, be reordained as attached hereto and made a part hereof, as if fully set forth herein; and

BE IT FINALLY ORDAINED, that all other provisions and Chapters of said Code be, and the same are hereby, continued in full force and effect unless and until the same are hereafter amended or repealed.

APPROVED:

Mayor

ATTEST:

Clerk

Approved as to
Form and Legal Sufficiency:

City Attorney

Exhibit "A"

Chapter 41. Zoning Code

Article 2. General Regulations

Section T. Home Occupations

17. A short term rental may be permitted as a home occupation, subject to the following conditions:
 - a. The applicant for the establishment must submit at least two (2) forms of documentation indicating the location of the permanent residence of the owner or operator.
 - b. A responsible party must be identified for emergencies or concerns, including contact information to be reached any time guests are using the property. This information shall be supplied to the Zoning Administrator when the establishment is approved, and provided to all guests using the property.
 - c. The safety requirements associated with a short term rental (as defined) are observed.
 - d. Only homestays shall be permitted as a short term rental home occupation.

Chapter 41. Zoning Code

Article 2. General Regulations

Section Y. Specific Use Standards

1. Short term rentals (as defined in Article 15, Section B of this Chapter):
 - a. No host shall operate or advertise a residential property for a short term rental without first registering with the Zoning Administrator or their designee.
 - b. Registration shall include providing information regarding the host or responsible party, property owner, location of the short term rental, and acknowledgement of the standards of this section.
 - c. The host shall register with the Commissioner of Revenue to collect and remit the Town's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation". A business license shall not be required.
 - d. The registration shall be valid from January 1 (or from whatever date the registration first occurs) through December 31 of the calendar year, and shall be renewed annually for operation and advertising to continue.
 - e. If operating a homestay, the property shall be the primary residence of the host. This shall be indicated through two (2) forms of documentation.
 - f. The owner or operator shall permit at least one (1) inspection each year by the Zoning Administrator, or other official(s) designated by the City to ensure compliance with City regulations.
 - g. On the property, the host shall only provide short term occupancy services for compensation for guests including lodging, food, beverages, and other incidental items typically found within a residence. The host shall not prepare food or beverages for the guests, provide event services, or provide unrelated services for compensation.
 - h. The minimum contract rental period for guests shall be eighteen (18) hours.
 - i. There shall be no on-site outdoor signage as accessories to the short term rental.
 - j. Parking shall be limited to the property containing the short term rental, or the portion of the street right-of-way immediately adjacent to the property. This shall not apply to the CB-C, Central Business Commercial District.

- ~~k. Every sleeping room shall have at least two (2) means of ingress/egress, including the primary entrance and windows.~~
- ~~l. There shall be one (1) conspicuously posted placard or similar notice indicating means of ingress/egress posted in each sleeping room.~~
- ~~m. There shall be one (1) working smoke detector in each sleeping room (for both guests and the operator/owner).~~
- ~~n. There shall be one (1) working smoke detector per floor.~~
- ~~o. There shall be one (1) working carbon monoxide detector per floor.~~
- ~~p. There shall be one (1) working fire extinguisher per floor, accessible for use by guests.~~
- ~~q. There shall be a physical booklet or similar notice informing guests of the location of working fire extinguishers, the City requirements for the rental, contact information for the responsible party and Zoning Administrator, and proof of inspection.~~
- ~~r. Proof of registration shall be indicated on any advertising of the short term rental.~~
- ~~s. The Zoning Administrator shall have the authority to revoke registration if there are three (3) or more substantiated complaints, zoning or building violations, or illegal activities within a twelve (12) month time period.~~

Y. Short Term Rentals

1. Short-term rental approval

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for a receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation".

2. Short-term rental standards

- a. A short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 60 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88).
- e. If a short-term rental is within a City Rental Housing Inspection Division, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.

- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.

Article 15. Definitions

Section B. Definitions

~~**Boardinghouse.** A single detached dwelling where the property owner, after obtaining a boardinghouse permit and license from the City, must reside on the premises, and where for compensation and by prearrangement for definite periods, lodging and/or meals shall be provided for not more than four (4) persons not of the same family. Operation of a boarding or rooming house shall not be deemed a home occupation. There shall be no more than one (1) boarding or rooming house on each recorded lot.~~

~~**Homestay.** A single family dwelling, occupied by its owner or operator, containing sleeping accommodations as an accessory use to the principal use as a private residence. Such lodging shall have no food prepared for guests by the owner or operator, no more than two (2) room accommodations, no more than five (5) guests at any time, and a thirty (30) consecutive calendar day limit for any guests.~~

~~**Short term rental.** Any furnished residential-style property which provides sleeping accommodations for monetary compensation for a period no more than thirty (30) consecutive calendar days. Such lodging shall have no food prepared for guests by the owner or operator, nor shall banquet/event facilities be provided. This definition specifically excludes establishments which are otherwise licensed as businesses with the City or State such as licensed bed and breakfast establishments, hotels, and motels.~~

Short-term rental. Any furnished residential-property that provides sleeping accommodations for monetary compensation for thirty (30) or fewer consecutive days. This definition specifically excludes other businesses licensed with the City or State like bed and breakfast establishments, hotels, and motels.

~~**Short term rental, entire furnished home.** A furnished structure designed as a single family dwelling, but used for temporary guest accommodations in exchange for payment. Such lodging shall allow no more than two (2) families or eight (8) guests at any time, whichever is more.~~

Council Letter

City of Danville, Virginia



CL-2606

New Business D.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Aviation Promotion Grant

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 09/07/2021

Final Adoption 07/21/2021

SUMMARY

The Virginia Department of Aviation has approved an Aviation Promotion grant to support an Airport Open House and Young Eagles Rally for children at the Danville Regional Airport. The event is scheduled for Saturday, October 30th, 2021.

Young Eagle rallies are completed nationwide by local aircraft chapters, that offer children ages 8 to 17 the opportunity to complete a free plane ride. The last rally held at the airport occurred in 2019.

The Young Eagles event will be held in conjunction with Airport Open House activities including a program provided by the Danville Science Center. In addition, tours of the Operations Tower, Civil Air Patrol building and Averett University's Flight Center will be completed. The local match requirement for the Aviation Promotion Grant is \$7,500 that involves a total project budget of \$15,000.

BACKGROUND

The Danville Regional Airport will hold an Airport Open House and Free Fly Day for children on October 30, 2021. An aircraft chapter located in Apex, North Carolina will coordinate a Young Eagles Rally that offers children ages 8 to 17 the opportunity to complete a free plane ride. In addition, facility tours and educational activities will be completed by staff representing the airport, Civil Air Patrol, Danville Science Center and Averett University's Flight Center to facilitate aviation awareness.

An Aviation Promotion Grant has been approved by the Virginia Department of Aviation to provide funding for this special event. Related eligible expenses include refreshments for the public, aviation fuel for pilots offering free airplane rides for children and advertising charges. The Airport Open House and Free Fly Day is scheduled for October 30th, 2021, from 9 am until 2 pm.

RECOMMENDATION

It is recommended that City Council approve the attached Budget Appropriation Ordinance appropriating Aviation Promotion grant funds to support an Airport Open House and Free Fly Day for children at the Danville Regional Airport.

Attachments

Resolution
Ordinance

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021-____.____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT.

WHEREAS, the Virginia Department of Aviation has approved an application to promote aviation awareness at the Danville Regional Airport; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to accept and execute on behalf of the City's grant agreement with the Virginia Department of Aviation for funds in the amount of \$7,500, for a grant to provide funds for aviation promotion activities at the Danville Regional Airport; and

BE IT FURTHER RESOLVED, that the local share in the amount of \$7,500 be provided through the Support of Grant Funds as the matching share of the grant; and

BE IT FINALLY RESOLVED, that the City Manager, Kenneth F. Larking, be, and he is hereby, authorized to accept funds from such Virginia Department of Aviation grant in such amount for such purpose as may be awarded, to execute all documents as may be required therefore, and to furnish to the Virginia Department of Aviation such documents and other information as may be required for processing the grant request.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____ - _____

AN ORDINANCE AMENDING THE FISCAL FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A STATE DEPARTMENT OF AVIATION GRANT FOR THE PURPOSE OF PROVIDING FUNDING TO PROMOTE AVIATION AWARENESS AT THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$7,500 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$7,500 TO BE PROVIDED BY THE GENERAL FUND SUPPORT OF GRANTS FOR A TOTAL APPROPRIATION OF \$15,000 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues for a grant from the Commonwealth of Virginia, Department of Aviation, in an amount of \$7,500 for promotion activities at the Danville Regional Airport, and the local share for said grant in an amount of \$7,500 to be provided by the General Fund Support of Grants for an aggregate amount of \$15,000, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Airport Promotion – 2022 Categorical Aid –State:	61706000-45712	\$7,500
Local Share: General Fund Support of grants	61706000-6101	<u>\$7,500</u>
	TOTAL	<u>\$15,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Outside Services	61706000-52349	\$9,000
Advertising	61706000-52275	<u>\$6,000</u>
	TOTAL	<u>\$15,000</u>

AND BE IT FURTHER ORDAINED, that all other accounts and provisions of the Fiscal Year 2022 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:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2608

New Business E.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Creative Communities Partnership Grant

From: Charlene Presley, Div Director of Special Recreation

COUNCIL ACTION

First Reading: September 7, 2021

Final Adoption: September 21, 2021

SUMMARY

In the past, the City of Danville has participated in the Creative Communities Partnership Grant, formerly known as the Local Government Challenge Grants program, through the Virginia Commission for the Arts. The City has received notification from the Commission that a grant of \$4,500 has been awarded for Fiscal Year 2022.

BACKGROUND

The local match of \$5,000 has been provided in the Fiscal Year 2022 Budget, General Fund Support Grants account. With these funds, assistance is provided to local arts organizations. Some of the local groups that have been assisted under this program over the years include: The Danville Area Choral Arts Society, Danville Art League and River District Association, Danville Concert Association, Danville Museum of Fine Arts and History, and Danville Symphony Orchestra. The advertising for availability of funding and submittal for funding requests will begin immediately. A public notice will be advertised in the Register and Bee on Sunday, September 26, 2021, soliciting applications. Agencies listed above will be sent letters advising them of the funding opportunity and informing them that they must complete an application. The applications are due back no later than October 15, 2021. City staff reviews the applications and makes award recommendations to a local arts grant task force, who vote on the final awards. Award recipients are notified by letter of their grant amount, and funds must be spent prior to June 30, 2022.

RECOMMENDATION

It is recommended that the City Council adopt the accompanying Ordinance providing funds for a Creative Communities Partnership Grant from the Virginia Commission for The Arts, and required share.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT IN THE AMOUNT OF \$4,500 AND LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL OF \$9,500.

NOW THEREFORE, BE IT ORDANINED, by the council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues for grant in the amount of \$4,500 from the Commonwealth of Virginia, Virginia Commission for the Arts, and the local share of the grant in the amount of \$5,000, all for its support of the local arts, such funds to be appropriated in the Special Grants fund and to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Virginia Commission for the Arts Categorical Aid-State	60139000-47520	\$4,500
Transfer from General Fund	60139000-6101	<u>\$5,000</u>
	TOTAL	<u>\$9,500</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Virginia Commission for the Arts	60139999-50	<u>\$9,500</u>

AND BE IT FUTHER ORDAINED, that all other accounts and provisions of the Fiscal Year 2022 Budget Appropriations Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until thereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2614

New Business F.

City Council Regular Meeting

Meeting Date: 09/07/2021

Subject: Economic Development Incentive Appropriation

From: Corrie Bobe, Director of Economic Development

COUNCIL ACTION

First Reading: 09/07/2021

Final Adoption 09/21/2021

SUMMARY

The Virginia Tobacco Region Revitalization Commission (VTRRC) provides incentives for economic development projects resulting in new taxable capital investment and net new employment to the VTRRC footprint.

The City of Danville and Essel Propack (now EPL America, Inc.) executed a Tobacco Region Opportunity Fund performance agreement on December 12, 2018 in the amount of \$330,000. This grant will be provided to the Company in arrears as it meets the performance goals outlined in the agreement.

The City of Danville and Essel Propack (now EPL America, Inc.) will soon execute a Tobacco Region Opportunity Fund loan agreement in the amount of \$330,000. This loan will be provided to the Company in arrears as it meets the performance goals outlined in the agreement.

BACKGROUND

On December 17, 2018, Governor Ralph Northam announced that Essel Propack of America, LLC would invest \$31.2 million and create 45 new jobs in the Airside Industrial Park to expand its manufacturing operations. The business is a global specialty packaging company serving the consumer goods and pharmaceutical sectors.

RECOMMENDATION

Staff recommends that City Council approve the attached Ordinance Amending the Fiscal Year 2022 Budget to anticipate revenues from grant and loan funds from the Virginia Tobacco Region Revitalization Commission to the City of Danville for the purpose of providing an incentive for economic development activities to the aforementioned company located in the City of Danville.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021- _____ - _____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE FOR ONE TOBACCO REGION OPPORTUNITY FUND GRANT FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNT OF \$330,000 AND ONE TOBACCO REGION OPPORTUNITY FUND LOAN FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNT OF \$330,000 FOR A TOTAL OF \$660,000 AS ECONOMIC DEVELOPMENT INCENTIVES FOR TAXABLE CAPITAL INVESTMENTS AND JOB CREATION IN THE COMMONWEALTH OF VIRGINIA.

WHEREAS, the City of Danville will receive grant and loan funds from the Tobacco Region Opportunity Fund for economic development projects that result in new taxable capital investment and job creation.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and it is hereby, amended to anticipate revenues from one grant in the amount of \$330,000 and one loan in the amount of \$330,000 from the Virginia Tobacco Region Revitalization Commission (VTRRC) for the purpose of providing economic development incentives to Essel Propack (now EPL America, Inc.). Such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VTRRC Tobacco Region Opportunity Fund – Grant (Essel Propack – now EPL America, Inc.)	60920000-46030	\$330,000
VTRRC Tobacco Region Opportunity Fund – Loan (Essel Propack – now EPL America, Inc.)	60920000-46030	<u>\$330,000</u>
	TOTAL	<u>\$660,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Essel Propack (now EPL America, Inc.)	60920999-50	\$330,000
Essel Propack (now EPL America, Inc.)	60920999-50	<u>\$330,000</u>
	TOTAL	<u>\$660,000</u>

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

BE IT FINALLY ORDAINED, that all other accounts and provisions of the FiscalYear 2022 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:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY