



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

September 3, 2019

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:** James B. Buckner
L.G. "Larry" Campbell, Jr.
Dr. Gary P. Miller
Sherman M. Saunders

Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
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 - Sherman M. Saunders

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.

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. Public Hearing for Budget Item

B. Consideration of Approval of Minutes from Regular Council Meeting held on August 8, 2019. Council Letter Number CL - 2190.

C. Consideration of Authorizing the Issuance of Bonds of the City of Danville, Virginia in the Amount of \$16,000,000. Council Letter Number CL - 2168.

An Ordinance 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 and Declaring the City's Official Intent to Reimburse Expenditures with Proceeds of a Borrowing.

FINAL ADOPTION

D. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for Federal and State Aviation Funding. Council Letter Number CL - 2166.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance to Provide for Additional Federal and State Aviation Funding for Multiple Construction Projects at the Danville Regional Airport in the Amount of \$4,104,325 and for the Local Share in the Amount of

\$282,664.65 to be Provided from Reprogrammed Funds Transferred from Various Projects and Appropriating the Same.

FINAL ADOPTION

NEW BUSINESS

- A. Consideration of Amending Chapter 41, "Zoning Ordinance", Planned Shopping Center Overlay District for Directory Signs.
Council Letter Number CL - 2182.
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 Article 3.U, Entitled "PSC-O Planned Shopping Center Overlay District", Section M, Entitled "Sign Regulations" by Adding Item 10 for Directory Signs.
- B. Consideration of Amending Chapter 41 Entitled "Zoning Ordinance" to Address Permitted Uses Within the CB-C and TW-C Districts.
Council Letter Number CL - 2183.
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 Various Sections and Subsections of Article 3.K, Entitled "CB-C, Central Business District" and Article 3.L, Entitled "TW-C, Tobacco Warehouse District" to Address Permitted Uses Within the CB-C, and TW-C Districts.
- C. Consideration of Amending Chapter 41 entitled "Zoning Ordinance" to Permit Manufactured Housing in the N-TR District.
Council Letter Number CL - 2184.
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 Article 3.D, Entitled "NT-R, Neo-Traditional Residential District", Section C, Entitled "Uses Permitted With Special Use Permit", by Adding Item 18, for "Residential Manufactured Home Dwellings" and Section E, Entitled "Lot Area and Size Requirements", Item 1 to Lower the Minimum District Size to One-and-a-Half (1.5) Acres.
- D. Consideration of Rezoning from OT-R, Old Town Residential to NT-R, Neo-Traditional Residential, Parcels on Franklin Street, Beauregard Street and Lee Street.
Council Letter Number CL - 2185.
1. Public Hearing
 2. An Ordinance Rezoning from OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District, Parcels on Franklin Street, Beauregard Street, and Lee Street, Otherwise Known as Grid 2718, Block 019, Parcels 000001 Through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map.

- E. Consideration of Granting a Special Use Permit for Manufactured Home Dwellings on Franklin Street, Beauregard Street and Lee Street.
Council Letter Number CL -2186.
1. Public Hearing
 2. An Ordinance Granting A Special Use Permit for Manufactured Home Dwellings in Accordance With Chapter 41, Article 3.D, Section C, Item 18 of the Code of the City of Danville, Virginia 1986 As Amended At Parcels on Franklin Street, Beauregard Street, and Lee Street, Otherwise Known as Grid 2718, Block 019, Parcels 000001 Through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map.

- F. Consideration of Granting a Special Use Permit at 2264 North Main Street.
Council Letter Number CL - 2187.
1. Public Hearing
 2. An Ordinance Granting a Special Use Permit for a Waiver of Yard Requirements in Accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 As Amended at 2264 North Main Street, Otherwise Known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map.

- G. Consideration of Authorizing the Issuance of General Obligation Bonds of the City of Danville, Virginia.
Council Letter Number CL - 2169.

Resolution Providing for the Issuance, Sale and Award by the City of Danville, Virginia, of One or More Series of General Obligation Public Improvement and Refunding Bonds, Heretofore Authorized, Providing for the Form, Details and Payment of Such Bonds and Providing for the Refunding of Certain Outstanding Bonds.

- H. Consideration of Amending the FY 2020 Budget Appropriation Ordinance for Senior Citizen Transportation Services.
Council Letter Number CL - 2174.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Increasing Certain Revenues to Provide for Title III-B Grant Funds and Local Share for Senior Citizen Transportation Services and Appropriating the Same.

FIRST READING

- I. Consideration of Amending the Fiscal Year 2020 Budget Appropriation Ordinance for CSA Funds.
Council Letter Number CL - 2176.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Appropriating Comprehensive Services Act Funds and Providing Local Matching Funds for a Total Amount of \$4,666,256 and Appropriating Same.

FIRST READING

- J. Consideration of Amending the FY 2020 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds.
Council Letter Number CL - 2191.

An Ordinance Amending the Fiscal Year 2020 Budget Appropriation Ordinance by Anticipating the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures.

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-2190

Consent Agenda Item #: B.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on August 8, 2019.

Attachments

[Meeting Minutes](#)

August 8, 2019

The Regular August meeting of the Danville City Council was held on August 8, 2019, 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., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., and Madison J.R. Whittle (8). Adam J. Tomer was absent. (1).

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 presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Dr. Gary P. Miller, followed by the Pledge of Allegiance to the Flag.

COMMUNICATIONS FROM VISITORS

No one desired to be heard.

MINUTES

Upon **Motion** by Council Member Whittle and **second** by Council Member Campbell, Minutes of the Regular Council Meeting held on July 2, 2019 were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

APPOINTMENTS

Vice Mayor Vogler **moved** for adoption of the following Resolutions:

Resolution No. 2019-08.01 – Reappointing Robin Crews to the Commission of Architectural Review.

Resolution No. 2019-08.02 – Reappointing Debra Hairston to the Community Improvement Council.

Resolution No. 2019-08.03 – Appointing Janet Gwynn to the Community Improvement Council.

Resolution No. 2019-08.04 - Appointing Adam Jones to the River District Design Commission.

Resolution No. 2019-08.05 – Appointing Andrew Hessler to the River District Design Commission.

Resolution No. 2019-08.06 – Appointing Ernesia Coles to the Social Services Advisory Board.

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

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VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Vogler and Whittle (8)
NAY: None
ABSENT: Tomer (1)

NEW BUSINESS

PUBLIC HEARING - CONSIDERATION OF GRANTING A SPECIAL USE PERMIT AT 401 BRIDGE STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 401 Bridge Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 25, 2019 and August 1, 2019. 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. 2019-08.01

GRANTING A SPECIAL USE PERMIT FOR RESIDENTIAL USES IN A STRUCTURE WITH NON-RESIDENTIAL USE ON THE FIRST FLOOR, AND A WAIVER OF DENSITY REQUIREMENTS IN ACCORDANCE WITH ARTICLE 3.L, SECTION C, ITEMS 9 AND 13 OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 401 BRIDGE STREET, OTHERWISE KNOWN AS GRID 2713, BLOCK, 006, PARCEL 000001 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

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

VOTE: 7-0-1-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Vogler and Whittle (7)
NAY: None
ABSENT: Tomer (1)
ABSTAIN: Shanks (1)

STATEMENT OF CONFLICT OF INTEREST

I, Fred O. Shanks, III, do hereby state that I have a conflict of interest regarding the Consideration of Granting a Special Use Permit for Residential uses in a Structure with Non-Residential Uses on the First Floor and a Waiver of Density Requirements at 401 Bridge Street listed on the Agenda as New Business Item (A). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code §2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 8th day of August, 2019.

s/Fred O. Shanks, III

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PUBLIC HEARING – CONSIDERATION OF AMENDING THE ZONING CODE OF THE CITY OF DANVILLE FOR HOTELS AND MOTELS

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Code of the City of Danville. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 25, 2019 and August 1, 2019. 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. 2019-08.02

AMENDING CHAPTER 41, ENTITLED “ZONING ORDINANCE” OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 3.I, ENTITLED “TO-C, TRANSITIONAL OFFICE”, SECTION C, ENTITLED “USES PERMITTED BY SPECIAL USE PERMIT” BY ADDING ITEM 24 FOR HOTELS AND MOTELS.

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

Council Member Shanks noted he was not going to vote against this item, but does have concerns about the uses allowed by special use permit for hotels in that district. Hotel was defined in the City Code as hotel, inn, automobile court, motel, motor lodge, tourist cabin, tourist court, tourist home or otherwise. A hotel may also include an establishment which provides residential living conditions for transients on a short term basis such as an apartment, hotel, but not a homeless shelter. In the next item, Council will be talking about a specific case that they were told was a boutique hotel; Mr. Shanks stated he supports the boutique hotel concept especially on this project. A boutique hotel was something different than a hotel, and it was very well presented at the Planning Commission meeting. Mr. Shanks stated he hopes if Council passes this Ordinance tonight, they will go back and consider a definition in the City Code for boutique hotel and that it be in this particular ordinance in the future instead of hotels, generally speaking.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Vogler and Whittle (8)
NAY: None
ABSENT: Tomer (1)

PUBLIC HEARING – CONSIDERATION OF GRANTING A SPECIAL USE PERMIT AT 990 MAIN STREET AND 108 HOLBROOK STREET

Mayor Jones opened the floor for a Public Hearing regarding Granting a Special Use Permit at 990 Main Street and 108 Holbrook Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on July 25, 2019 and August 1, 2019.

Mayor Jones recognized Lawrence Meder, 407 Chestnut Street, who noted his concerns about the proposed hotel, and some residents who are concerned about what happens if the hotel fails.

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Mayor Jones recognized Fran Baughman, 1012 Main Street, who noted her concerns about the proposed hotel, and what will the City do to protect the citizens of the Old West End. Mayor Jones asked the City Manager to contact Ms. Baughman to discuss her concerns.

Mayor Jones recognized Louis Dumont, resident of the Old West End, who noted his support of the proposed boutique hotel.

Mayor Jones recognized Cherie Tamson, resident of Woodberry Hills, who spoke in favor of the proposed boutique hotel.

Mayor Jones recognized Ed Walker, developer of the proposed boutique hotel, who noted he was there to answer any questions.

Council Member Campbell asked what type of boutique hotel Mr. Walker had in mind. Mr. Walker explained they will be luxury level suites. If the boutique hotel does not succeed, they will come back to the City and ask for them to be a luxury apartment building.

Council Member Shanks noted he shared some of the concerns of the neighbors with regard to the open ended zoning case being discussed. When Mr. Walker first approached City Council, he had said it was a boutique hotel, was that still his intention, and Mr. Walker noted it was. Mr. Shanks questioned if all the suites would be accessed from the inside and Mr. Walker stated they would be. Mr. Shanks noted the staff has recommended two conditions and the second condition was that guest occupancy should be limited to a maximum total of forty five rental units for both properties combined. Would Mr. Walker have any problem changing that proffer to read no more than forty-five suites with interior access. Mr. Walker explained the interior access is no problem at all, and it was perfectly fine to have a maximum number, that was reasonable. It may be when they get to design, they want them to be fewer and larger. Mr. Shanks stated that would relieve some of the concerns of the citizens.

Mayor Jones recognized Harold Garrison, member of the Planning Commission who noted he wanted to caution Council about trying to define something too closely.

No one further desired to be heard the Public Hearing was closed.

Vice Mayor Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2019-08.03

GRANTING A SPECIAL USE PERMIT FOR A HOTEL IN ACCORDANCE WITH ARTICLE 3.I, SECTION C, ITEM 24 OF CHAPTER 41 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 990 MAIN STREET AND 108 HOLBROOK STREET, OTHERWISE KNOWN AS GRID 1720, BLOCK 009, PARCEL 000001 AND GRID 1716, BLOCK, 014, PARCEL 000001 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP

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

Vice Mayor Vogler noted he was in support of this project; currently it was a vacant building that has for a number of years been in slow decline. Without this project, the building could continue to be vacant or it could possibly be a low rent commercial office space. Instead, the City has a developer that was trying to transform the building, and help to continue to

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transform that neighborhood. Mr. Vogler noted he believes this project will help to continue to develop the Old West End. Mr. Walker has a great track record that was nationally known and recognized; the City was honored to see that record continued in Danville. He was trying to invest in this community and make it better. Mr. Vogler noted he supports this project and he too was cautious when asking him about suites and number of rooms. Council needs to let Mr. Walker do what he does best, which was top notch projects.

Council Member Miller noted the Economic Development Department, Council and the City Manager's office vet these projects; Council was not going to do anything to hurt that neighborhood. The building has been falling apart for years, was just sitting there doing no good, but he sees a good future for that building as a boutique hotel. They are close to Averett and the Hospital, it will be a great place for VIPs to stay. Families visiting people in the hospital will want to stay there, close to the hospital. Dr. Miller noted he was confident it will be a huge success.

Council Member Shanks noted he was in support of Mr. Walker but was a little concerned that Council was not properly protecting the neighbors that already own properties in all neighborhoods; it was the homeowners that Council should be protecting. Mr. Shanks noted he was not concerned with Mr. Walker's development, but with what comes next. Right now there was a very wide definition of hotels and that was what Council was talking about here, a special use permit for a hotel. The definition of hotel was in the City Code, but boutique hotel was not. There are two conditions in this project, about parking and the other about guest occupancy to be limited to a maximum total of forty five rental units for both properties combined. Mr. Walker has stated he will put in a maximum, maybe less, of suites, with interior access. The property owners in the neighborhood have indicated that will give them some comfort. Mr. Shanks noted he had an amended motion he would like to make.

Council Member Campbell stated the citizens have voiced their concern on what will be in the building; it was vacant now and they want the best to be there. Mr. Campbell noted what he was hearing from Mr. Walker was very good and will be voting in favor of this matter.

Mayor Jones noted Mr. Shanks had an amended motion and Mr. Whitfield explained Mr. Shanks would make the amended motion, that would require a second and would allow for discussion on the motion as amended.

Council Member Shanks **moved** for an *Amended Motion, to approve the Ordinance before City Council with one change in the proffered conditions: Guest occupancy shall be limited to a maximum total of both properties of forty-five suites with interior access.*

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

Council Member Miller questioned what was both properties, and Mr. Shanks explained it was including the smaller building.

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

VOTE:	6-2-1
AYE:	Campbell, Jones, Miller, Saunders, Shanks, and Whittle (6)
NAY:	Vogler, Buckner (2)
ABSENT:	Tomer (1)

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Mr. Whitfield noted Council now needs to vote on the Motion as Amended. Mr. Vogler stated he was in favor of the project, but not in favor of adding additional permissions, but will vote for this now because he is voting for the project as a whole.

VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Vogler and Whittle (8)
ABSENT: Tomer (1)

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FY 2020 BUDGET APPROPRIATION ORDINANCE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT

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

ORDINANCE NO. 2019-08.04

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT IN THE AMOUNT OF \$4,500, AND TO PROVIDE FOR THE LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL GRANT OF \$9,500.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FY 2020 BUDGET APPROPRIATION ORDINANCE FOR A NATIONAL RECREATION AND PARKS GRANT

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

ORDINANCE NO. 2019-08.05

AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A NATIONAL RECREATION AND PARKS ASSOCIATION GRANT AWARD IN THE AMOUNT OF \$110,000.

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

CONSIDERATION OF THE DONATION OF PARKING FINES TO THE DANVILLE PUBLIC SCHOOLS EDUCATION FOUNDATION, INC.

Vice Mayor Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2019-08.06

APPROPRIATING THE FUNDS COLLECTED FROM PARKING TICKETS ISSUED DURING THE MONTH OF JULY 2019 TO THE DANVILLE PUBLIC SCHOOLS EDUCATION FOUNDATION, INC.

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

Vice Mayor Vogler thanked Jennifer Gregory who brought this possibility to his attention. He reached out to the City Manager and it moved on from there. Mr. Vogler noted he was strongly in support of this; the City needs to have strong partnerships, particularly with the schools. The most important resource the City has are the youth. Any opportunity Council has to do something that would benefit them, they need to consider.

Council Member Saunders questioned if Council knows how much money this would be and City Manager Ken Larking noted staff does not have that information yet. Based on previous history for the past twelve months, it has not been more than \$1,000, it ranges between \$700 and \$1,000 per month; he anticipates it will be within that range. Mr. Saunders noted he supports the motion with the understanding the City does not have a lot of money, and was glad it was a one time motion. Council Member Miller noted it is not a large amount, it was symbolic, it does go to the schools for books; Council needs to make sure it doesn't get lost in the public school education fund and used for general budgeting items. Vice Mayor Vogler noted it will be going directly to get the school supplies to the students; it was not going to the school system's budget.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Vogler and Whittle (8)
ABSENT: Tomer (1)

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager, or City Clerk. City Attorney Clarke Whitfield noted his best wishes to Mr. Tomer for a fast recovery.

ROLL CALL

Vice Mayor Vogler noted Council missed Mr. Tomer, was glad his surgery went well and looked forward to having him back soon. National Night Out was fantastic, Council had a great time, he enjoyed being out with other council members and meeting people in the community.

Council Member Whittle noted his best wishes Council Member Tomer. Mr. Whittle noted it was great to see the police department at the schools today, greeting the students, and noted his condolences to the Womack family.

Council Member Buckner noted to Mr. Tomer, Council was thinking about him and hopes he gets back on his feet soon. National Night Out was a great success, Council Members had a great time and was glad everyone came out to participate. Mr. Buckner spoke with a friend of his, a great teacher in the City, Nina Haymore, about *Not in My Town*, an anti-bullying campaign. He and the Mayor will be bringing more to Council about it in the near future. It was a very good program that the City needs to look into.

Council Member Campbell noted his prayers were with Mr. Tomer. Reverend Campbell stated he enjoyed meeting the citizens at National Night Out, and appreciates the camaraderie. To

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the City Manager and Deputy City Manager about the recent mass shootings, he wondered what preventive measures can be created. Mayor Jones noted his agreement and asked the City Manager to bring this back to a work session for discussion.

Council Member Miller noted he missed Mr. Tomer at National Night Out. On Third Avenue, near the police precinct, there used to be a park located there. The north side of Danville needs a park, thinks that would be a good location and asked the City Manager to look into that. Dr. Miller reminded citizens to be safe in the heat.

Council Member Saunders noted their prayers are with Mr. Tomer and his family. National Night Out was a great success and the Mayor did a great job representing the City. Special thanks to the police officers, Sheriff's Department, Adult Detention, everyone involved in public safety, they do a good job taking care of the City and Council thanks them for their service. Mr. Saunders noted school was starting and reminded citizens to watch out for the children.

Council Member Shanks noted many thanks to those who organized and participated in National Night Out, it was another great night. To Mr. Tomer, he was in their prayers and looks forward to his speedy recovery.

Mayor Jones noted he reached out to Mr. Tomer today, and asked citizens to continue to remember him in their prayers. Mayor Jones thanked everyone who worked so hard on National Night Out, to the Council Members who participated, thanks to those who were here tonight, and Council Member Shanks for his input. Mayor Jones stated he has received many phone calls about bullying and has asked the City Manager, City Attorney, the Police Chief and others, for Danville to be among the first to put a stop to bullying. The City was going to put some things in place and asked the City Manager to discuss this.

City Manager Ken Larking noted he has spoken to the police chief and others about some things the City can do; some of this is preliminary and he will review some that are currently in place. There was a collaboration with the Danville Public Schools Systems; they have invested in a *Stop It* mobile app which was an anonymous reporting tool that people can report bullying. It will be investigated to determine if there is something that can be done to alleviate that. The City has routine interaction with the Coordinator of Safety and Security and have responded to several social media threats that were reported after school hours last year. The city's response was immediate because Mr. Chaney with DPS was available 24/7 and was able to contact the City's SRO officers and detectives whenever needed. One thing he has seen in most communities when they have had a tragedy like El Paso or Dayton, was that everybody says, I can't believe it happened here. That was why it was so important for people, when they see something suspicious, or are worried about something, to say something.

The school resource officers are teaching classes on the subject of bullying in the public schools and it covers personal safety, sexting, bullying and other items; the City is trying to stay on top of it in that respect. Mr. Larking noted he hoped citizens encouraged their students, when they are in those classes, to take that information seriously. It could be a matter of life or death for them. If there was an instance where it rises to a criminal investigation, the City will look into it and will take appropriate action, for things like stalking, communicating threats verbally or electronically, hazing, using profane language, or threatening others.

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The City was looking at another app called P3. This would be expanded throughout the community, it wouldn't apply just to students, to report, anonymously, suspicious activity or threats. That would be tied into the crime stopper system; it is another avenue of see something, say something. In addition, the City will be doing some public information events, getting the word out through various media, and will look into what Council Member Buckner brought up as well. If anyone has any other ideas, they will look into them.

City Attorney Clarke Whitfield noted unless and until a person has been bullied, people don't understand it. One thing they have started doing in their office was to research how to protect not only students, but employees, public officials and officers from threats and bullying, while at the same time, making sure they don't violate someone's First Amendment rights. They will also meet with the Police Department, the City Manager's office, some Council Members and Mayor to see what they can do as well. Bullying does not belong in this community and was looking forward to seeing the *Not in My Town* program.

Mayor Jones noted in this country, everyday, 3,041 attempted suicides are made by young people between the grades of 9-12. Suicide was the second largest cause of death for college students; it was time to put a stop to it. People have contacted him that have started bullying groups and asked what they can do; if they are forming a group and want to partner with the City, background check the people that are part of the group. This is a serious problem in the community, and he encouraged citizens not to take action on their own against bullies.

Dr. Miller and Mr. Buckner noted this should be a unified effort of the entire Council and community. Mr. Saunders noted bullying was verbal and nonverbal and asked the City Attorney while researching this, those that speak up on behalf of those being bullied, they don't want them to be charged with something either. Vice Mayor Vogler thanked the Mayor for being out front and working on this issue, and was excited to see the different partners coming together. Today it was more dangerous because of social media; it was not just about young people in school.

Mayor Jones thanked the City Manager, Deputy City Manager, City Attorney and the Police Chief for looking into this.

The meeting adjourned at 8:16 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2168

Consent Agenda Item #: C.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Ordinance Authorizing the Use of Fiscal Year 2020 Debt Capacity

From: Michael Adkins, Director of Finance

COUNCIL ACTION

First Reading: 08/20/2019

Final Adoption: 09/03/2019

SUMMARY

The City's Charter grants the ability to issue bonds, within a specified annual limit, without a referendum. Each year's bond capacity may carry forward to the next fiscal year, if the authorization is granted by Council prior to June 30. Approving the attached Ordinance does not allow the City to issue debt, it only reserves the capacity to issue debt based on Fiscal Year 2020's legal limits for issuing debt without a referendum. This capacity is only available from now until the end of the subsequent fiscal year (June 30, 2021). Council would need to approve a Resolution for the issuance or refunding of debt before the City can actually issue debt. A separate Resolution is also being presented for approval in order to issue new bonds to finance the FY 2020 Capital Improvement Plan in accordance with Council's adopted budget for FY 2020.

BACKGROUND

The City's Charter grants the ability to issue up to \$6,000,000 principal amount of bonds to finance any capital expenditures other than expenditures relating to the City's water, sewer, gas, and/or electric systems. Further, the Charter grants authority to issue up to \$10,000,000 principal amount of bonds to finance capital expenditures related to the City's water, sewer, gas, and electrical systems, or other specific undertakings from which a revenue may be derived. The Charter also allows an additional \$25,000,000 in principal amount of bonds to be issued to finance capital expenditure relating to the City's water treatment, wastewater treatment, stormwater treatment, solid waste disposal, or recycling facilities, and any extraordinary maintenance improvements or expansion of transmission and distribution infrastructure for the electric or gas systems. Each of the amounts may be authorized annually without referendum and may carry forward one fiscal year, if authorized prior to June 30.

The FY 2020 budget for capital projects includes potential bond financing of \$4,984,102 of general governmental projects and \$8,000,000 of Electric Fund projects. The passing of this Ordinance will allow access to the borrowing capacity needed to finance these approved projects, but does not actually authorize the issuance of the bonds. A separate Resolution to authorize bonds will need to be approved in order to issue the debt.

RECOMMENDATION

It is recommended City Council approve the attached Ordinance authorizing utilization of the City's borrowing capacity to issue General Obligation bonds of the City of Danville, Virginia, in the maximum principal amount of \$6,000,000, pursuant to Section 9-7A of the City Charter, as well as a maximum amount of \$10,000,000, pursuant to Section 9-7D of the City Charter.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE 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 AND DECLARING THE CITY'S OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

WHEREAS, Section 9-7A of the City Charter allows the City of Danville, Virginia (the "City"), to issue each fiscal year up to \$6,000,000 principal amount of bonds to finance any capital expenditures other than for capital expenditures relating to the City's water, sewer, gas and/or electric systems, without submitting the question of their issuance to the voters; and

WHEREAS, the Council of the City (the "Council") has not authorized or issued any bonds pursuant to Section 9-7A for the fiscal year that began July 1, 2019, and the Council now desires to authorize the issuance of up to \$6,000,000 principal amount of bonds in accordance with such Charter provision; and

WHEREAS, Section 9-7D of the City Charter allows the City to issue each fiscal year up to \$10,000,000 principal amount of bonds to finance capital expenditures relating to the City's water, sewer, gas and electric systems or other specific undertaking or undertakings from which the City may derive a revenue, without submitting the question of their issuance to the voters; and

WHEREAS, the Council has not authorized or issued any bonds pursuant to Section 9-7D for the fiscal year that began July 1, 2019, and the Council now desires to authorize the issuance of a up to \$10,000,000 principal amount of bonds in accordance with such Charter provision; and

WHEREAS, the City plans to undertake the Projects described below, and expects to advance its own funds to pay expenditures related to the Projects (the

“Expenditures”) and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds, as described above.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that:

1. It is determined to be necessary and expedient for the City to plan, design, acquire, construct, extend, renovate and/or improve the Projects described below, all of which are determined to promote the development and public welfare of the City, to borrow money for such purposes and to issue the City’s bonds therefor.

2. Pursuant to Section 9-7A of the City Charter, there are authorized to be issued general obligation bonds in the maximum principal amount of \$6,000,000 to provide funds for any capital expenditures (other than for capital expenditures relating to the City’s water, sewer, gas and/or electric systems), including but not limited to financing various capital expenditures for general governmental purposes including, without limitation, (a) acquisition of fire equipment and the expansion, installation and equipping of a rescue station building, (b) acquisition and installation of an emergency generator for a public building, (c) public building improvements, (d) welcome center renovations, (e) street and parking lot improvements, (f) stormwater system upgrades and (g) school building improvements (collectively, the “9-7A Project”). Such bonds may be issued as one or more separate issues or may be combined with bonds authorized for other purposes and issued as a single issue.

3. Pursuant to Section 9-7D of the City Charter, there are authorized to be issued general obligation and/or revenue bonds in the maximum principal amount of \$10,000,000 to provide funds, together with other available funds, for capital expenditures relating to the City’s water, sewer, gas and electric systems or other specific undertaking or undertakings from which the City may derive a revenue, including, without limitation, streetlight replacements, generation projects and substation and line rebuilds for the electric system (collectively, the “9-7D Project” and, together with the 9-7A Project, the “Projects”). Such bonds may be issued as one or more separate issues or may be combined with bonds authorized for other purposes and issued as a single issue.

4. The bonds shall conform to Section 9-5 of the City Charter and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denominations and form, be executed in such manner, and be sold at such time or times and in such manner as the Council shall hereafter provide by appropriate resolution or resolutions. All bonds issued to finance capital expenditures shall be made payable within the average probable period of usefulness of the improvements or undertakings to be financed. The Council shall make such determinations pursuant to such resolution or resolutions.

5. As determined by Council pursuant to subsequent resolution, the bonds shall be issued as general obligations of the City to which the City’s full faith and credit of the City shall be irrevocably pledged, or, in the alternative for purposes of financing the 9-7D Project, the bonds may be issued as revenue obligations to which the revenues of the City’s electric, gas, water and wastewater systems shall be irrevocably pledged.

6. The City declares its intent to use proceeds of the bonds to reimburse the City for Expenditures with respect to the Projects made on or after the date that is no more than 60 days prior to the date hereof. As such, the City intends that the adoption of this Ordinance confirms the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

7. The City Clerk, in collaboration with the City Attorney, is authorized and directed to see to the immediate filing of a certified copy of this Ordinance in the Circuit Court of the City of Danville.

8. This Ordinance shall take effect immediately.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2166

Consent Agenda Item #: D.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Airport Rehabilitation Projects

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 08/20/2019

Final Adoption: 09/03/2019

SUMMARY

The Federal Aviation Administration and the Virginia Department of Aviation have approved grant funds to rehabilitate pavement infrastructure at the Danville Regional Airport. Federal and state funding will be provided to rehabilitate the terminal apron. In addition, state funding will be provided to assist with crack sealing, remarking the primary runway, and to rehabilitate an additional taxi-lane section located in the t-hangar area. Due to the scope of work associated with the apron rehabilitation project, which involves expanding the apron and a full scale rehabilitation of the tie-down area, it is anticipated the project will begin in October 2019 and conclude during the spring of 2020. However, the vast majority of the terminal apron pavement will be milled and repaved and should be completed by the end of 2019. The t-hangar taxi-lane rehabilitation project and maintenance work associated with the primary runway is expected to be completed during the fall of 2019.

BACKGROUND

Bids were received in June 2019 to rehabilitate the terminal apron. Also this summer, bids were received to complete drainage modifications, crack seal and remark the primary runway, and a change order amount was requested from a contractor to rehabilitate an additional taxi-lane section located in the t-hangar area. The Federal Aviation Administration and the Virginia Department of Aviation will provide funding to rehabilitate the terminal apron, which is expected to start before the end of October and conclude during the spring of 2020. State funding will be provided to assist with completing maintenance work to the primary runway and to rehabilitate an additional taxi-lane section in the t-hangar area. Local funding is not needed to complete maintenance work for the primary runway since reprogrammed funds were set aside to complete possible repair requirements.

The apron rehabilitation project and t-hangar taxi-lane rehabilitation project were included in the FY 2019 Capital Improvement Plan and the maintenance work for the primary runway was identified in the FY 2020 Capital Improvement Plan. These funds are considered reprogrammed funds also. Construction activities for the t-hangar taxi-lane project and primary runway project are expected to be completed by November 2019. The bid amount received for the apron rehabilitation project was greater than identified in the FY 2019 Capital Improvement Plan since the project was rebid in 2019 after the airport received notice in 2018 that federal funding was not available to complete the project last fiscal year.

RECOMMENDATION

It is recommended that City Council approve an ordinance appropriating federal and state aviation grant funds and local matching funds for the apron rehabilitation project and t-hangar taxi-lane project.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL FEDERAL AND STATE AVIATION FUNDING FOR MULTIPLE CONSTRUCTION PROJECTS AT THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$4,104,325 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$282,664.65 TO BE PROVIDED FROM REPROGRAMMED FUNDS TRANSFERED FROM VARIOUS PROJECTS AND APPROPRIATING THE SAME.

WHEREAS, the Federal Aviation Administration determined the existing condition of the airport's terminal ramp requires rehabilitation; and

WHEREAS, the Virginia Department of Aviation determined that crack sealing, remarking, and drainage improvements should be completed related to the airport's primary runway; and

WHEREAS, the apron rehabilitation and t-hangar taxi-lane rehabilitation projects were included in the Capital Improvement Plan for Fiscal Year 2019 and maintenance work for the primary runway was included in the Capital Improvement Plan for Fiscal Year 2020; and

WHEREAS, the federal eligible portion of the terminal ramp project will be funded with federal aviation capital aid at ninety percent and the terminal ramp hangar parking areas will be funded with state aid at eighty percent; and

WHEREAS, the Virginia Aviation Board has approved state funding to supplement the FAA eligible scope of work for the terminal ramp project and to complete repair work to the primary runway.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia that the Fiscal Year 2020 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues for grants from the Federal Aviation Administration and the Virginia Department of Aviation in the amount of \$3,553,544 and \$550,781 such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Terminal Ramp Rehabilitation Project		
Federal Aviation Administration Funds	61379000-48420	\$ 3,553,544
State Aviation Funds	61379000-45712	<u>315,871</u>
SUB-TOTAL		<u>\$ 3,869,415</u>
 Terminal Ramp Aircraft Parking Areas		
State Aviation Funds	61380000-45712	138,898
 Primary Runway Maintenance Work		
State Aviation Funds	61517000-45712	56,012
 T-Hangar Taxi-Lane Rehab Expansion		
State Aviation Funds	61109000-45712	<u>40,000</u>
	TOTAL	<u><u>\$ 4,104,325</u></u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Terminal Ramp Rehabilitation Project	61379999-50	\$ 3,869,415
Terminal Ramp Aircraft Parking Areas	61380999-50	138,898
Primary Runway Maintenance Work	61517999-50	56,012
T-Hangar Taxi-Lane Rehab Expansion	61109999-50	<u>40,000</u>
	TOTAL	<u><u>\$ 4,104,325</u></u>

AND BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance be, and it is hereby, amended by transfers from various projects to provide the local share for above projects for a total transfer in the amount of \$282,664.65, such transfers to be appropriated as follows:

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Undesignated Capital		
	<u>Revenue</u>	
Transfer In-General Fund	60000000-6101	\$78,967.65
	<u>Appropriation</u>	
Unallocated Capital Budget	60000000-6999	\$78,967.65

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Terminal Ramp Rehabilitation Project		
	<u>Revenue</u>	
Transfer In-General Fund	61379000-6101	\$78,967.65
	<u>Appropriation</u>	
Project Budget	61379999-50	\$78,967.65

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Undesignated Capital		
	<u>Revenue</u>	
Transfer In-General Fund	60000000-6101	\$34,724.40
	<u>Appropriation</u>	
Unallocated Capital Budget	60000000-6999	\$34,724.40

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Terminal Apron Aircraft Parking Area		
	<u>Revenue</u>	
Transfer In General Fund	61380000-6101	\$34,724.40
	<u>Appropriation</u>	
Project Budget	61380999-50	\$34,724.40

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Airport Runway Rehab Construction		
	<u>Revenue</u>	
Recoveries & Rebates	60798128-43810	\$158,972.60
	<u>Appropriation</u>	
Project Budget	60798999-50	\$ 158,972.60

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
T-Hangar Taxi-Lane Rehab Expansion		
	<u>Revenue</u>	
Recoveries & Rebates	61517000-43810	\$158,972.60
	<u>Appropriation</u>	
Project Budget	61517999-50	\$158,972.60

TRANSFER FROM

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Undesignated Capital		
	<u>Revenue</u>	
Transfer In-General Fund	60000000-6101	\$10,000.00
	<u>Appropriation</u>	
Unallocated Capital Budget	60000000-6999	\$10,000.00

TRANSFER TO

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
T-Hangar Taxi-lane Rehab Expansion		
	<u>Revenue</u>	
Transfer In General Fund	61109000-6101	\$10,000.00
	<u>Appropriation</u>	
Project Budget	61109999-50	\$10,000.00

AND BE IT FINALLY ORDAINED that all other accounts and provisions of
the Fiscal Year 2020 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-2182

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Consideration of Amending Article 3.U of the Zoning Ordinance to Address Directory Signs in the PSC-O District

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A request has been filed to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986, more specifically, Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations," by adding Item 10 for directory signs. The purpose of the amendment is to address directory signs in the PSC-O District.

BACKGROUND

Coleman Marketplace LLC, the applicant, is requesting to amend the sign regulations for the PSC-O, Planned Shopping Center Overlay District. The applicant wishes to install directory signs in the current PSC-O District.

The PSC-O District applies only to the Coleman Marketplace Shopping Center. The Overlay District regulations allow additional flexibility not typically associated with other properties located in the PS-C, Planned Shopping Center Commercial District. This includes slightly different sign standards than the PS-C District. However, these regulations are the same with regard to wall and directory signs. The applicant has worked with staff to draft an amendment to allow additional directory signs in the Overlay District.

At their August 12, 2019 meeting, the Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an ordinance amending Chapter 41 entitled "Zoning Ordinance", Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 3.U, ENTITLED "PSC-O PLANNED SHOPPING CENTER OVERLAY DISTRICT", SECTION M, ENTITLED "SIGN REGULATIONS" BY ADDING ITEM 10 FOR DIRECTORY SIGNS.

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, more specifically Article 3.U, entitled "PSC-O Planned Shopping Center Overlay District", Section M, entitled "Sign Regulations" by adding Item 10 for directory signs be, and the same is hereby received; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that Article 3.U, entitled "PSC-O Planned Shopping Center Overlay District", Section M, entitled "Sign Regulations" of Chapter 41, 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:

CHAPTER 41. ZONING ORDINANCE

ARTICLE 3.U: - PSC-O, PLANNED SHOPPING CENTER OVERLAY DISTRICT

M. – Sign Regulations

10. Directory signs shall be permitted to list commercial uses in the District, according to the following size and placement limitations:
 - a. One (1) directory sign per street entrance shall be permitted, plus an additional one (1) directory sign per parking lot which is non-contiguous with other parking or street entrances.
 - b. The total sign area shall not exceed thirty (30) sq. ft. for a District with less than 60,000 gross leasable sq. ft., forty-five (45) sq. ft. for

a District with less than 120,000 gross leasable sq. ft., and sixty (60) sq. ft. for a District with 120,000 or more gross leasable sq. ft.

- c. The sign height shall not exceed sixteen (16) ft. for a District with a single business, sixteen (16) ft. for a District with less than 60,000 gross leasable space, or twenty-four (24) ft. for a District with 60,000 or more gross leasable space.
- d. No sign shall be within five (5) ft. of the right-of-way or travelway.
- e. Two (2) additional directory signs may be permitted as additional wall signage, but shall count separately from permitted wall signage and freestanding directory signage; total sign area for any directory sign shall be 2 sq. ft. per 1 linear ft. of primary building frontage for the building on which the sign is located.

BE IT FURTHER 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



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

City Planning Commission

MEMORANDUM

DATE: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: ZONING CODE AMENDMENT REQUEST
REQUEST:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs. The purpose of the amendment is to address directory signs in the PSC-O District.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

Michael W. Scarce (BWS)

Mr. Michael Scarce, Chairman



City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

City Planning Commission

City Planning Commission

Meeting of August 12, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs. The purpose of the amendment is to address directory signs in the PSC-O District.

Background:

Coleman Marketplace LLC, the applicant, is requesting to amend the sign regulations for the PSC-O, Planned Shopping Center Overlay District. The applicant wishes to install directory signs in the current PSC-O District.

The PSC-O District applies only to the Coleman Marketplace Shopping Center (see attached map). The Overlay District regulations allow additional flexibility not typically associated with other properties located in the PS-C, Planned Shopping Center Commercial District. This includes slightly different sign standards than the PS-C District. However, these regulations are the same with regards to wall and directory signs. The applicant has worked with staff to draft an amendment to allow additional directory signs in the Overlay District.

The differences between the existing and proposed directory signage is depicted below:

Table 1: Permitted and proposed directory sign regulations

Status	Max Number	Max Size	Max Height
Currently Permitted	1 per building	30 sq. ft. (for one store or multiple stores with less than 60,000 sq. ft. leasable space)	16 ft. (for property with less than 60,000 sq. ft. leasable space)
		45 sq. ft. (multiple stores with more than 60,000 sq. ft. leasable space)	24 ft. (for District with more than 60,000 sq. ft. leasable space)
Proposed for Overlay District	1 per street entrance + 1 per parking lot (non-contiguous with other parking or street entrances) + 2 wall directory signs	30 sq. ft. (for District with less than 60,000 sq. ft. leasable space)	16 ft. (for property with less than 60,000 sq. ft. leasable space)
		45 sq. ft. (for District with less than 120,000 sq. ft. leasable space)	24 ft. (for District with more than 60,000 sq. ft. leasable space)
		60 sq. ft. (for District more than 120,000 sq. ft. leasable space)	24 ft. (for District with more than 60,000 sq. ft. leasable space)

Recommendation:

The Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs. The amendment will read as follows:

ARTICLE 3.U: - PSC-O PLANNED SHOPPING CENTER OVERLAY DISTRICT

M. – Sign Regulations

1. Directory signs shall be permitted to list commercial uses in the District, according to the following size and placement limitations:
 - a. One (1) directory sign per street entrance shall be permitted, plus an additional one (1) directory sign per parking lot which is non-contiguous with other parking or street entrances.
 - b. The total sign area shall not exceed thirty (30) sq. ft. for a District with less than 60,000 gross leasable sq. ft., forty-five (45) sq. ft. for a District with less than 120,000 gross leasable sq. ft., and sixty (60) sq. ft. for a District with 120,000 or more gross leasable sq. ft.
 - c. The sign height shall not exceed sixteen (16) ft. for a District with a single business, sixteen (16) ft. for a District with less than 60,000 gross leasable space, or twenty-four (24) ft. for a District with 60,000 or more gross leasable space.
 - d. No sign shall be within five (5) ft. of the right-of-way or travelway.
 - e. Two (2) additional directory signs may be permitted as additional wall signage, but shall count separately from permitted wall signage and freestanding directory signage; total sign area for any directory sign shall be 2 sq. ft. per 1 linear ft. of primary building frontage for the building on which the sign is located.

City Planning Commission Options:

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

Attachments:

- A. Application
- B. Zoning Map for PSC-O District
- C. Existing Land Use Map (2015 Aerial) for PSC-O District

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL

Application is hereby made for the Code Change Amendment as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER:

DATE FILED: June 27, 2019

RECEIVED FROM:

Bryce Johnson

SECTION AFFECTED: Article 3.0, Section M → Sign Regulations for PSC-O District

PLANNING COMMISSION DATE/ACTION: Aug. 12, 2019

CITY COUNCIL DATE/ACTION: Sept. 3, 2019

INFORMATION TO BE PROVIDED BY THE APPLICANT

Zoning Code Section:

Note by staff:
see
attached email

Purpose for proposed amendment:

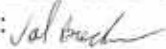
PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION:

1. NAME (PLEASE PRINT OR TYPE): Coleman Marketplace LLC

ADDRESS: 28 Lorimer Street.
Brooklyn, NY 11206

EMAIL: idy@madisonprop.com

TELEPHONE: 212-596-8200

SIGNATURE: 

2. NAME (PLEASE PRINT OR TYPE): _____

ADDRESS:

TELEPHONE:

SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): Joel Brecher

ADDRESS: 28 Lorimer St., Brooklyn, NY 11206

EMAIL: ariel@madisonprop.com

TELEPHONE: 212-596-8200

SIGNATURE: 

Johnson, Bryce W.

From: Ariel Levy <ariel@madisonprop.com>
Sent: Thursday, June 27, 2019 12:11 PM
To: Johnson, Bryce W.
Cc: Sam Rapaport; Gillie, Kenny; Joel Brecher; Ariel Levy
Subject: RE: Zoning Amendment for Additional Signage
Attachments: PC Code Change Amendment Application.pdf

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.

Bryce,

Attached, please find a signed application by the owner. We are fine with the amendment you are proposing and are ready to move forward. Please let me know if there is anything else you need from us. We understand the next Planning Commission meeting is scheduled for Aug 6th and we hope to hear some good news on the 7th. Thanks again for all your help with this matter. This will be a great help to us, to Coleman Marketplace and to all our tenants.

Thank you,



Ariel Levy Director of Leasing & Management
NYS Lic. RE Broker

3611 14th Ave. Suite 420 Brooklyn, NY 11218

T: 212.596.8200 Ext. 218 | F: 212.596.8201 | C: 917.886.3737

E: ariel@madisonprop.com | W: www.madisonprop.com

From: Johnson, Bryce W. <johnsbw@danvilleva.gov>
Sent: Tuesday, June 18, 2019 11:15 AM
To: Ariel Levy <ariel@madisonprop.com>
Cc: Sam Rapaport <sam@madisonprop.com>; Gillie, Kenny <GilliKC@danvilleva.gov>
Subject: Zoning Amendment for Additional Signage

Arial,

Thank you for the phone discussion today. As discussed, Planning Staff are willing to work with you to address your advertising requests.

As discussed, a workable Zoning Code Amendment would apply to the PSC-O, Planned Shopping Center Overlay District. The regulations are based on the sign regulations for the PS-C, Planned Shopping Center District (not overlay). However, we added the following:

- Instead of a single directory sign, the overlay district may have one (1) directory sign per entrance (including one per parking lot). This addresses the number of requested freestanding directory signs.
- Up to 60 sq. ft. of total directory signage if the entire district has at least 120,000 gross leasable space. You easily meet this criteria, thus are permitted your requested 49.25 sq. ft. of freestanding directory signage. The 60 sq.

ft. was chosen as a progression from the lower signage areas (30 sq. ft., 45 sq. ft.) permitted for smaller developments.

- Allowing two (2) directory signs on the building as wall signs, based on the current calculation of 2 sq. ft. per linear ft. of primary wall frontage. Again, your directory signs meet this criteria. The sign area does not count against other wall signs (don't want to encourage bickering over which tenant loses wall sign area) or the freestanding signs (permitted wall sign area is usually larger than freestanding signs).

Please see the attached Code Amendment (underlined text is the new text being proposed). The chosen phrasing is to be consistent with other regulations, and still prevent too much uncontrolled signage. An application for a Zoning Code Amendment is also included. Unless you submit today, the next deadline is July 15, which is for the August 6 Planning Commission meeting.

Please let me know if you have any questions, concerns, or other ideas.

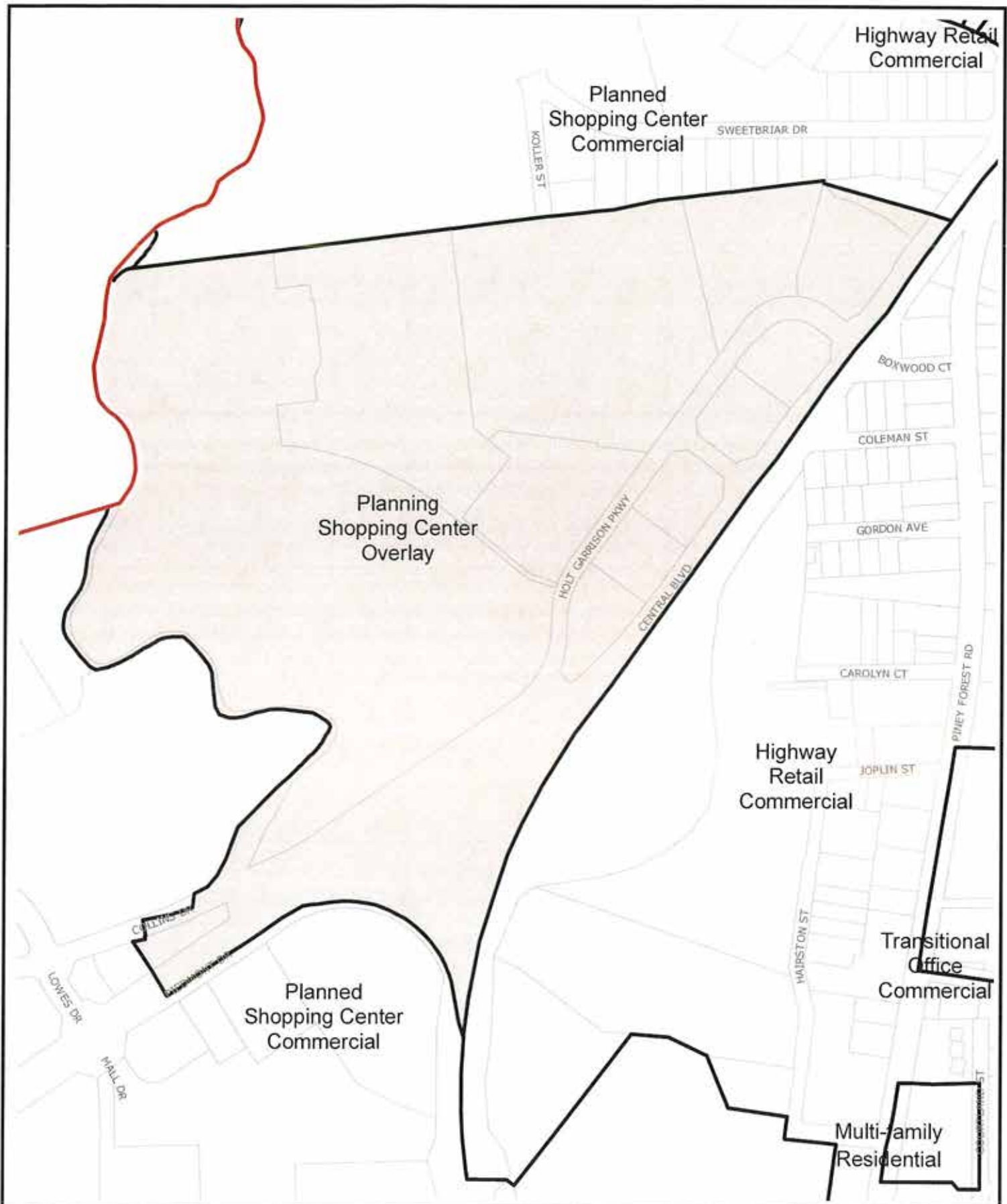
Hope you are having a great start to summer,

Bryce Johnson,
AICP Candidate
Senior Planner
City of Danville, Virginia
(434) 799-5260, ext. 2503
johnsbw@danvilleva.gov

M. - Sign Regulations.

In general, the signage for this Overlay District will be in accordance with a conceptual sign plan for this project.

1. Sign area computations: The sign area shall be calculated as the entire area within a single continuous perimeter, and a single plane, composed of a square, circle, rectangle or other geometric figure that enclose the extreme limits of the sign's lettering, including figures and graphics. This calculation would not include the background materials and/or architectural features of the sign band or sign area.
2. Frame and bracing elements: Any supporting frame and bracing members of a sign shall not be included in the sign area calculations provided that (a) there are four or less such members per sign, (b) any member does not exceed sixteen (16) inches in diameter or square, (c) the member has no advertising value, and (d) the member does not form an integral part of the sign display, as determined by the Director of Planning/Zoning Administrator.
3. Computations of sign height: The dimensions, height of the sign and set-back from the nearest curb shall be as shown in the attached Conceptual Sign Plan.
4. Temporary Real Estate Signs are allowed at each road frontage and shall be a maximum of 96 sf. per face of a "V" or double-faced sign.
5. The District permits two multi-tenant pylon Signs on the property and one off-site multi-tenant sign. Sign to be constructed in accordance with the attached Signage Site Plan. The district allows these signs to have a maximum sign area of 400 sf. and architectural area of 500 sf. The maximum height shall be 30 feet.
6. Individual outparcels are permitted one ground sign per outparcel, constructed in accordance with the Signage Site Plan (8'-0" maximum height, with a sign panel/area of 50 sf. and architectural area of 90 sf.).
7. Building signage is permitted in accordance with the Typical Tenant Signage Exhibit.
8. Directional signs are limited to ten (10) sf. or 2 sf. per blade and a maximum sign height of 7'-6" (pole height of 8'-4"). Directional sign locations to be in accordance with the attached Signage Site Plan.
9. Freestanding signs for buildings with two or more tenants and more than 60,000 gross leasable square feet shall have a maximum height of forty (40) feet and shall not be located within ten (10) feet of any public street right-of-way.
10. Directory signs shall be permitted to list commercial uses in the District, according to the following size and placement limitations:
 - a. One (1) directory sign per street entrance shall be permitted, plus an additional one (1) directory sign per parking lot which is non-contiguous with other parking or street entrances.
 - b. The total sign area shall not exceed thirty (30) sq. ft. for a District with less than 60,000 gross leasable sq. ft., forty-five (45) sq. ft. for a District with less than 120,000 gross leasable sq. ft., and sixty (60) sq. ft. for a District with 120,000 or more gross leasable sq. ft.
 - c. The sign height shall not exceed sixteen (16) ft. for a District with a single business, sixteen (16) ft. for a District with less than 60,000 gross leasable space, or twenty-four (24) ft. for a District with 60,000 or more gross leasable space.
 - d. No sign shall be within five (5) ft. of the right-of-way or travelway.
 - e. Two (2) additional directory signs may be permitted as additional wall signage, but shall count separately from permitted wall signage and freestanding directory signage; total sign area for any directory sign shall be 2 sq. ft. per 1 linear ft. of primary building frontage for the building on which the sign is located.



PSC-O, Planned Shopping Center Overlay District - Zoning



Prepared by:
Planning Division
7/2/2019

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.



PSC-O, Planned Shopping Center Overlay District - 2019 Aerial

Prepared by:
Planning Division
7/2/2019

Disclaimer: Information contained on this map is to be used for reference purposes only. 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.

Council Letter

City of Danville, Virginia



CL-2183

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Consideration of Amending Article 3.K and 3.L of the Zoning Ordinance to Address Downtown Housing Uses

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A request has been filed to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986, more specifically, various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District". The purpose of the amendment is to address permitted uses within the CB-C, and TW-C Districts.

BACKGROUND

Over the past several years, the City has received and approved numerous requests for mixed-use developments in the River District. There have yet to be any known negative impacts from the mixed use developments, even though they each required a Special Use Permit without related conditions. The only conditions for the permits have been to address density and potential impacts from unrequired parking, however, these can be addressed separately. Additionally, the current Ordinance does not permit home occupations within the mixed-use housing.

The *Danville: 2030 Comprehensive Plan* contains neighborhood revitalization objectives specifically related to housing. The related objectives encourage housing policies which promote homeownership among low- and moderate-income households, new housing in and around the River District, adaptive reuse of existing buildings, and high-quality infill housing ("filling in" empty land within developed areas of the city). Zoning information related to housing is attached for reference. At their August 12, 2019 meeting, the Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an ordinance amending Chapter 41 entitled "Zoning Ordinance", more specifically various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District" to address permitted housing in these districts.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING CHAPTER 41, ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY VARIOUS SECTIONS AND SUBSECTIONS OF ARTICLE 3.K, ENTITLED "CB-C, CENTRAL BUSINESS DISTRICT" AND ARTICLE 3.L, ENTITLED "TW-C, TOBACCO WAREHOUSE DISTRICT" TO ADDRESS PERMITTED USES WITHIN THE CB-C, AND TW-C DISTRICTS.

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 amendments to Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, more specifically various sections and subsections of Article 3.K, entitled "CB-C, Central Business District" and Article 3.L, entitled "TW-C, Tobacco Warehouse District" to address permitted uses within the CB-C, and TW-C Districts, be, and the same is hereby received; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that various sections and subsections of Article 3.K, entitled "CB-C, Central Business District" and Article 3.L, entitled "TW-C, Tobacco Warehouse District" of Chapter 41, 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:

CHAPTER 41. ZONING ORDINANCE

ARTICLE 3.K: - CB-C, CENTRAL BUSINESS DISTRICT (Central Business Commercial District).

B. - Permitted Uses.

9. Home occupations (~~in detached residential dwellings~~).

ARTICLE 3.L: - TW-C, TOBACCO WAREHOUSE DISTRICT (Tobacco Warehouse Commercial District).

B. - Permitted Uses.

43. Home occupations.

44. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.
45. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.

C. - Uses Permitted by Special Use Permit.

5. ~~Home occupations (in detached residential dwellings).~~ Reserved.
6. ~~Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.~~ Reserved.
9. ~~Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.~~ Reserved.

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: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: ZONING CODE AMENDMENT REQUEST

REQUEST:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District". The purpose of the amendment is to address permitted uses within the CB-C, and TW-C Districts.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

Michael X. Searce (DWT)

Mr. Michael Searce, Chairman



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

City Planning Commission

City Planning Commission
Meeting of August 12, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District". The purpose of the amendment is to address permitted uses within the CB-C, and TW-C Districts.

Background:

At the July 8, 2019 Planning Commission meeting, staff suggested that it may be appropriate to consider allowing certain mixed-use developments to be by right within the downtown zoning districts. In response, the Planning Commission requested to formally consider amending the permitted uses within both the CB-C, Central Business Commercial and TW-C, Tobacco Warehouse Commercial Districts. Planning Commission discussed this topic during a work session on August 5, 2019.

Over the past several years, the City has received and approved numerous requests for mixed-use developments in the River District. There have yet to be any known negative impacts from the mixed use developments, even though they each required a Special Use Permit without related conditions. The only conditions for the permits have been to address density and potential impacts from unrequired parking. However, these can be addressed separately. Additionally, the current Ordinance does not permit home occupations within the mixed-use housing.

The *Danville: 2030 Comprehensive Plan* contains neighborhood revitalization objectives specifically related to housing. The related objectives encourage housing policies which promote homeownership among low- and moderate-income households, new housing in and around the River District, adaptive reuse of existing buildings, and high-quality infill housing ("filling in" empty land within developed areas of the city). Zoning information related to housing is attached for reference.

Recommendation:

The Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District" to address permitted housing in these districts. The proposed draft amendment is attached. It includes allowing mixed-use housing, and home occupations in all downtown housing by right.

City Planning Commission Options:

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

Attachments:

- A. Draft Amendment
- B. Types of Residential Uses
- C. Downtown Uses

ARTICLE 3.K: - CB-C, CENTRAL BUSINESS DISTRICT (Central Business Commercial District).

B. - Permitted Uses.

9. Home occupations (in detached residential dwellings).

ARTICLE 3.L: - TW-C, TOBACCO WAREHOUSE DISTRICT (Tobacco Warehouse Commercial District).

B. - Permitted Uses.

43. Home occupations.

44. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.

45. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.

C. - Uses Permitted by Special Use Permit.

~~5. Home occupations (in detached residential dwellings).~~ Reserved.

~~6. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.~~ Reserved.

~~9. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.~~ Reserved.

Chapter 41 – ZONING ORDINANCE

ARTICLE 15. – DEFINITIONS

B. – Definitions.

Accessory apartment dwelling unit. A residential apartment which is incidental and subordinate to a single family detached residence for the purpose of accommodating not more than two (2) occupants and as further defined in the Ordinance.

Attached residential buildings. A row of two (2) or more dwelling units, separated from one another by continuous vertical wall(s) without opening from basement floor to roof, with each unit located on a separate lot of record. Townhouses are included in this category.

Caretaker's residence. A dwelling unit on a non-residential premises, occupied by the person (including their immediate family) who oversees the nonresidential operation 24-hours a day.

Dwelling. A building or portion thereof, designed or used exclusively for residential occupancy. The term "dwelling" shall not be construed to mean a boat, trailer, mobile home, motor home, manufactured home, motel, rooming house, hospital or other accommodation used for transient occupancy.

Dwelling, manufactured home. A single family residential structure subject to federal regulation (the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401 et seq.) with all of the following characteristics: (a) built on a permanent chassis; (b) designed to be transported in one or more sections after factory fabrication on detachable wheels or on a flat bed or other trailer; (c) consisting of eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode or cover three hundred and twenty (320) or more square feet when erected on site; (d) designed for long-term human occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; (e) ready for occupancy upon the arrival at the intended site except for minor and incidental unpacking and assembly operations; (f) may be placed on either an impermanent or permanent concrete foundation with appropriate connection to utilities, and the like; and (g) designed for removal to and installation or erection on other sites. A manufactured home may include one (1) or more units, separately towable, which when joined together shall have the characteristics as described above. For the purpose of this ordinance, a manufactured home shall not be deemed a Single family detached dwelling.

Dwelling, mobile home. See Dwelling, manufactured home.

Dwelling, modular unit. A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure that will be a finished building placed in a fixed location on a permanent foundation (ie. conventional basement or crawl space foundation) incorporating a system of supports, including piers. The term is intended to apply to major assemblies, and does not include prefabricated panels, trusses, plumbing trees and other prefabricated sub-elements incorporated into a structure at the site. For the purpose of this ordinance, a modular unit shall be deemed a Single family dwelling and shall not be deemed a Manufactured home.

Dwelling, multiple family. A dwelling unit within a residential building containing three (3) or more separate dwelling units located on a single lot or parcel of ground. A multiple family dwelling, commonly known as an apartment building, generally has a common outside entrance(s) for all the dwelling units, and the units are generally designed to occupy a single floor one above another. For the purpose of this ordinance, a multiple family dwelling shall not be construed to mean a Single family attached dwelling as defined herein.

Dwelling, single family. A residential building containing only one (1) Dwelling Unit and not occupied by more than one (1) family.

Dwelling, single family attached. A group of two (2) or more single family dwelling units which are generally joined to one another by a common party wall, a common floor/ceiling and/or connecting permanent structures such as breezeways, carports, garages or screening fences or walls, whether or not such a group is located on a single parcel of ground or on adjoining individual lots. Each unit on a lot shall have its own outside entrance(s); architectural facades or treatment of materials shall be varied from one unit to another; and no more than two (2) abutting units in a row shall have the same rear and front setbacks, with a minimum setback offset being two and one half (2 1/2) feet unless otherwise approved by the Director of Planning/Zoning Administrator. For the purpose of this ordinance, dwellings such as a semidetached, garden court dwelling, patio house, zero lot line dwelling, City house, duplex and two-family dwelling shall be deemed a single family attached dwelling.

Dwelling, single family detached. A single family dwelling unit which is entirely surrounded by open space or yards on the same lot. Such dwelling unit may include rental space for occupancy by not more than two (2) persons unrelated to the resident family, provided that such rental space does not include separate kitchen facilities or a separate entrance for the exclusive use of the renters.

Dwelling, townhouse. An attached residence located on an individually platted lot, in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one (1) other dwelling unit, and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

Dwelling unit. One (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used or intended for use as a complete, independent living facility for one (1) family, and which include permanent provisions for living, sleeping, eating, cooking and sanitation.

Chapter 41 – ZONING ORDINANCE

ARTICLE 3.K: - CB-C, CENTRAL BUSINESS DISTRICT (Central Business Commercial District).

A. - Purpose and Intent.

The CB-C, Central Business District is established to promote harmonious new development, redevelopment and rehabilitation of uses in and around the established downtown commercial areas of Danville. The regulations of the CB-C are intended to promulgate the goals of the Comprehensive Plan for thoughtful revitalization and historic preservation while encouraging a balanced mix of uses in Danville's central business area.

Urban design priorities within the CB-C District are to be placed on: (1) encouraging continued use and revitalization of single family residences within the district, (2) providing opportunities for selected businesses consistent with downtown market objectives, (3) reinforcing pedestrian circulation patterns, (4) minimizing vehicular/pedestrian access conflicts among downtown land uses, (5) enhancing the character of the downtown streetscape, (6) maintaining strong continuity with the City's historic architectural precedents, and (7) providing flexibility in the application of harmonious geometric standards and related zoning regulations for site development.

No off-street parking is required for downtown business uses within the CB-C District which do not exceed 20,000 square feet in gross floor area or a floor area ratio (FAR) of 3.0. Centralized and coordinated public parking within the central business district is encouraged to serve local business and tourism uses, while off-street parking is recommended on institutional, residential properties and large commercial properties. High density residential development and mixed-used development is encourage to establish residences convenient to places of shopping and work. Outdoor storage is tightly governed to promote an attractive and stable urban environment.

Minimum site improvements for uses within the CB-C District shall include adequate sidewalk improvements, coordination with City streetscape and infrastructure improvements, public water and sewer service, storm drainage, attractive signage, and landscaping and urban design features.

B. - Permitted Uses.

Permitted uses shall be those in the following categories which do not exceed 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0:

1. Banks and financial institutions (without drive-thru facilities).
2. Bed and breakfast, inn, or tourist home (as defined).
3. Business service and office supply establishments.
4. Call center.
5. Churches and places of worship.
6. Day-care facilities (adult or child).
7. Data storage and data processing center.
8. Health club, spa and fitness center.

9. Home occupations (in detached residential dwellings).
10. Hospitals and health care facilities with inpatient services.
11. Hotels and motels.
12. Microbrewery or micro-winery.
13. Movie theaters.
14. Museum and art gallery.
15. Offices (general and professional).
16. Patio dining.
17. Parking garages and parking lots (private or public, as a principal use).
18. Personal service establishments.
19. Public uses.
20. Radio and television station (exclusive of towers and antennae).
21. Repair service establishments, provided that any given repair service does not employ more than ten (10) persons on the premises during a single shift and that all repair services are performed indoors. No outdoor use, storage or display is permitted.
22. Residential dwellings, as an ancillary use in structures with commercial uses on the first floor, and subject to Additional Regulations pertaining to this district.
23. Restaurants.
24. Retail sales establishments (exclusive of automobile dealerships and sales establishments, lumber and millwork retail sales and storage yards, and other uses which require outdoor storage of retail goods).
25. Single family, duplex and two-family residential dwellings, as a principal use, subject to the OT-R District regulations.
26. Studios for artist, designer, writer, photographer, sculptor or musician.
27. Temporary retail uses.
28. Bicycle shop.
29. Distillery.

C. - Uses Permitted by Special Use Permit.

The conversion of any residential structure for a non-residential use as the principal use of the building shall be subject to special use permit approval, even if the converted use in question is one of the permitted uses listed above.

1. Any by-right use for which the establishment's storage or display is conducted outside of an enclosed building.
2. Any individual use otherwise permitted hereinabove as a by-right use in the CB-C District, but which exceeds 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0, or any of the following uses:
3. Any use incorporating drive-thru facilities.
4. Bus and railroad terminals.
5. Commercial recreation establishments (limited to indoor uses).
6. Convenience stores (with or without gasoline services).
7. Farmers' markets.
8. Fast food restaurant.
9. Laundromats/Dry cleaners.

10. Multifamily and attached residential dwellings, as a principal use, subject the residential density regulations of the CB-C District and, otherwise, to MF-R and A-R District regulations.
11. Private clubs and lodges.
12. Private post office and delivery services.
13. Public utilities.
14. Repair service establishments, for any given repair service which employs more than ten (10) persons on the premises in a single shift and that all repair services are performed indoors.
15. Schools, colleges and universities (public and private).
16. Seasonal retail uses.
17. Uses permitted by right or by special use permit with lot frontage on the Dan River.
18. Visitor centers and public restroom facilities.
19. Waiver of maximum floor area ratio.
20. Waiver of minimum yard requirements.
21. Waiver of maximum density for elderly housing.
22. Kennels, commercial.
23. Pet clinics.
24. Veterinary clinics.
25. Homeless shelter.
26. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance standards with screened outdoor storage permitted, limited to 50% of the area of building coverage (excepting those uses which are specifically prohibited by this article or which require a special use permit.)
27. Funeral home.
28. Accessory building or accessory use without a primary building being located on the parcel.
29. Car washes.

ARTICLE 3.L: - TW-C, TOBACCO WAREHOUSE DISTRICT (Tobacco Warehouse Commercial District).

A. - Purpose and Intent.

The TW-C, Tobacco Warehouse District is established to promote revitalization, redevelopment and adaptive reuse of existing uses and harmonious new development in the City's historic tobacco warehouse business area. The regulations of the TW-C are intended to promulgate the goals of the Comprehensive Plan for historic preservation of old buildings and architectural compatibility of new structures while encouraging a creative mix of uses in this important section of Danville.

Urban design priorities within the TW-C District are to be placed on: (1) encouraging continued use and revitalization of existing warehouses, (2) providing opportunities for selected businesses consistent with the Plan's objectives for the tobacco warehouse district, (3) reinforcing pedestrian improvements within the district, (4) enhancing the character of the district's streetscape, (5) maintaining strong continuity with the district's historic architectural precedents, and (6) providing broad flexibility in the application of zoning regulations for site development and redevelopment.

No off-street parking is required for individual non-residential uses within the TW-C District which do not exceed 20,000 square feet in gross floor area or a floor area ratio (FAR) of 3.0. Off-street parking is recommended for tourism, institutional, residential properties and large employment generating properties. Outdoor storage is tightly governed to promote an attractive and stable urban environment. Minimum site improvements for uses within the TW-C District shall include adequate sidewalk improvements, coordination with City streetscape and infrastructure improvements, public water and sewer service, storm drainage, attractive signage, and landscaping and urban design features.

B. - Permitted Uses.

1. Banks and financial institutions (without drive-thru facilities).
2. Bed and breakfast, inn, or tourist home.
3. Business service and office supply establishments (with no outdoor storage or display).
4. Call center.
5. Churches and places of worship.
6. Commercial recreation establishments (indoor and outdoor uses).
7. Convenience stores (with or without gasoline services).
8. Data storage and data processing center.
9. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance and with no outdoor storage (excepting those uses which are specifically prohibited by this article or which require a special use permit).
10. Establishments for scientific research (except biological and chemical), development and training.

11. Farmers markets and temporary stands for sale of produce and seasonal merchandise.
12. Fast food restaurants (without drive-thru facility).
13. Gasoline sales establishments (with no repair services and no outdoor vehicle storage).
14. Hospitals and health care facilities with inpatient services.
15. Hotels and motels.
16. Health club, spa and fitness center.
17. Light warehousing establishments (with screened outdoor storage permitted, limited to 50% of the area of building coverage).
18. Light wholesale trade and sales establishments (with screened outdoor storage permitted and limited to 50% of the area of building coverage).
19. Microbrewery or micro-winery.
20. Mini-storage warehouse, with no exterior storage.
21. Museum and art gallery.
22. Movie theaters.
23. Multifamily and attached residential dwellings, as a principal use, subject to the residential density regulations of the TW-C District and, otherwise, to MF-R and A-R District regulations.
24. Offices (general and professional).
25. Patio dining.
26. Parking garages and parking lots (private or public, as a principal use).
27. Personal service establishments.
28. Private post offices and delivery service establishments.
29. Public uses.
30. Public utilities and facilities.
31. Radio and television station (exclusive of towers and antennae).
32. Residential structure conversions for any non-residential use (as the principal use of the building).
33. Restaurants.
34. Retail sales establishments (exclusive of (a) automobile dealerships and sales establishments, (b) lumber and millwork retail sales and storage yards, and (c) retail uses which require outdoor storage or display).
35. Studios for artist, designer, writer, photographer, sculptor or musician.
36. School, college and university (public or private).
37. Temporary retail uses.
38. Veterinary hospitals (with no outdoor kennel facilities).
39. Visitor centers and public restroom facilities.
40. Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).
41. Bicycle shop.
42. Distillery.

C. - Uses Permitted by Special Use Permit.

1. Any use permitted by-right or special use permit for which the establishment's storage or display is conducted outside of an enclosed building.
2. Any use incorporating drive-thru facilities.

3. Artisan/craftsman manufacturing employing not more than 5 people.
4. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance standards, with screened outdoor storage permitted, limited to 50% of the area of building coverage (excepting those uses which are specifically prohibited by this article or which require a special use permit).
5. Home occupations (in detached residential dwellings).
6. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.
7. Microbrewery.
8. Private clubs and lodges.
9. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.
10. Seasonal retail uses.
11. Uses permitted by right or by special use permit with lot frontage on the Dan River.
12. Waiver of maximum floor area ratio.
13. Waiver of maximum density.
14. Accessory building or accessory use without a primary building being located on the parcel.

Council Letter

City of Danville, Virginia



CL-2184

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Request for a Zoning Code Amendment to Permit Manufactured Housing in the NT-R, Neo-Traditional Residential District

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A request has been filed to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986, more specifically, various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.

BACKGROUND

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin Street, Beauregard Street, and Lee Street. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards and converted to real property. Planning Commission discussed this request at a work session on August 5, 2019.

A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton Street, Cabell Street, and Monument Street. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows: (1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately); (2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District; and (3) a special Use Permit to permit manufactured housing on the rezoned parcels.

The *Danville 2030: Comprehensive Plan* recommends the City support housing in and around the River District. The selected parcels are encouraged to be mixed-use, and specifies the NT-R District as compatible with the mixed-use designation.

At their August 12, 2019 meeting, the Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an ordinance to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District".

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 3.D, ENTITLED "NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT", SECTION C, ENTITLED "USES PERMITTED WITH SPECIAL USE PERMIT", BY ADDING ITEM 18, FOR "RESIDENTIAL MANUFACTURED HOME DWELLINGS" AND SECTION E, ENTITLED "LOT AREA AND SIZE REQUIREMENTS", ITEM 1 TO LOWER THE MINIMUM DISTRICT SIZE TO ONE-AND-A-HALF (1.5) ACRES.

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 amendments to Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, more specifically, Article 3.D, entitled "NT-R, Neo-Traditional Residential District", Section C, entitled "Uses Permitted with Special Use Permit", by adding Item 18, for "Residential manufactured home dwellings" and Section E, entitled "Lot Area and Size Requirements", Item 1 to lower the minimum district size to one-and-a-half (1.5) acres, be, and the same is hereby received; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that Article 3.D, entitled "NT-R, Neo-Traditional Residential District", Section C, entitled "Uses Permitted with Special Use Permit", and Section E, entitled "Lot Area and Size Requirements", of Chapter 41, 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:

CHAPTER 41. ZONING ORDINANCE

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

C. – Uses Permitted with Special Use Permit.

18. Residential manufactured home dwellings

E. – Lot Area and Size Requirements.

1. Minimum district size: ~~Five (5)~~ One-and-a-half (1.5) acres

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: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: ZONING CODE AMENDMENT REQUEST

REQUEST:

Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose is to allow a manufactured housing pilot project.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

Michael R. Scarce (BWU)

Mr. Michael Scarce, Chairman



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

City Planning Commission

City Planning Commission
Meeting of August 12, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.

and

Rezoning application PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

and

Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

Background:

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin St., Beauregard St., and Lee St. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards and converted to real property. Planning Commission discussed this request at a work session on August 5.

A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton St., Cabell St., and Monument St. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows:

- 1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately).
- 2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District.
- 3) Special Use Permit to permit manufactured housing on the rezoned parcels.

In considering these requests, the Planning Commission should consider the following factors:

1) Danville 2030 Comprehensive Plan:

The *Comprehensive Plan* designates the selected parcels as mixed-use, and categorizes the NT-R District as an appropriate Zoning District. The *Plan* also encourages new housing to be located near the River District.

The *Monument-Berryman Redevelopment Plan* (an amendment to the *Comprehensive Plan*) provides more specificity for "mixed-use" within the Monument-Berryman Redevelopment Area. In this case, the affected parcels within the Redevelopment Area are specifically recommended for single-family housing. The *Redevelopment Plan* suggests that nearby mixed-use property to the north primarily consist of commercial uses, which would then support nearby residential uses.

2) Surrounding Land:

To the north and west, most nearby land is located in the OT-R District, and is part of the Monument-Berryman area. Although zoned for residential use, the vast majority of the immediately surrounding properties are now vacant or contain unused structures.

The River District is located to the east and north of these properties, including dense mixed-use, residential, and commercial properties. On July 2, 2019, City Council approved a rezoning of two of these nearby properties from OT-R to TW-C, Tobacco Warehouse Commercial District.

Thirty-four (34) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.

Recommendation (Code Amendment):

Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.D entitled "NT-R, Neo-Traditional Residential District", Section C entitled "Uses Permitted with Special Use Permit", by adding Item 18 for "Residential manufactured home dwellings". Staff also recommend amending Section E entitled "Lot Area and Size Requirements", Item 1 to lower the minimum district size to one-and-a-half (1.5) acres. The amendment will read as follows:

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

C. – Uses Permitted with Special Use Permit.

18. Residential manufactured home dwellings

E. – Lot Area and Size Requirements.

1. Minimum district size: ~~Five (5)~~ One-and-a-half (1.5) acres

City Planning Commission Options (Code Amendment):

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

Recommendation (Rezoning):

The Planning staff recommends the Planning Commission recommend approval of Rezoning application PLRZ20190000274 to rezone the selected eight (8) parcels from the OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District.

If approved, the rezoning would permit a planned residential development on the selected parcels on the edge of the Monument-Berryman Redevelopment Area. Any new housing would be within walking distance of the River District.

City Planning Commission Options (Rezoning):

1. Recommend approval of Rezoning application PLRZ20190000274 as submitted.
2. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by staff.
3. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by the Planning Commission.
4. Recommend denial of Rezoning application PLRZ20190000274 as submitted.
5. Tabling of Rezoning application PLRZ20190000274 by Planning Commission.

Recommendation (Special Use Permit):

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit application PLSUP20190000276, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

The Special Use Permit would allow DRHA to implement a manufactured housing demonstration project at this location. The Special Use Permit is required to allow for manufactured homes to temporarily be at this location. The conditions require the homes to be converted into single-family residential homes, which are otherwise permitted within this district. If implemented, the project would provide quality affordable housing for low- and moderate-income homeowners.

City Planning Commission Options (Special Use Permit):

6. Recommend approval of Special Use Permit application PLSUP20190000276 as submitted.
7. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by staff.
8. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by the Planning Commission.
9. Recommend denial of Special Use Permit application PLSUP20190000276 as submitted.
10. Tabling of Special Use Permit application PLSUP20190000276 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Future Land Use Map
- E. Monument-Berryman Development Area Map
- F. Monument-Berryman Development Land Use Map
- G. Existing Land Use Map (2015 Aerial)

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: PLR 220180000274
PL SUP 2019 0000276
PROPOSED ZONING: NT-R, Neo-Traditional Res
RECEIVED BY: Dyke Johnson
PLANNING COMMISSION DATE: Aug 12, 2019
EXISTING ZONING: OT-R, Old Town Res
TAX MAP NUMBER: See attached
DATE FILED: July 11, 2019
CITY COUNCIL DATE: Sept. 3

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). Map and parcel number list attached

Gross Area/Net Area: _____ Property Address: _____

Property Location: N S E W Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

I. NAME: DANVILLE REDEVELOPMENT & HOUSING AUTHORITY TELEPHONE: 434-799-8380

MAILING ADDRESS: P. O. BOX 1476, DANVILLE, VA 24543-1476

SIGNATURE: Gary M. Wasson DATE: July 11, 2019

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: gwasson@drhava.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:

It is requested that the properties identified on the list provided and on the attached map be allowed to place manufactured homes that will then follow Virginia code 46.2-653.1 regarding conversion to real property.

LIST OF PARCEL NUMBERS INCLUDED IN
REZONING APPLICATION

FRANKLIN STREET :

22803

26462

BEAUREGARD STREET:

24669

23663

23666

LEE STREET:

24571

26301

23154



CHOICEHomeSM High-Quality HUD-Code Home

CHOICEHomeSM – the next generation of factory-built housing – needs smart, flexible financing options. At Freddie Mac, we're doing just that. We're offering a full range of loan products, including single close construction conversion, Home Possible®, HomeOneSM and HFA AdvantageSM.

Plus, a CHOICEHome can be appraised using all site-built comparables where no CHOICEHome comparables are available!

Required CHOICEHome Features

All the quality and features borrowers want, but at a lower cost.



ROOF PITCH

Minimum 5/12 roof pitch



GARAGE

Attached or detached garage /carport (generally conforming and acceptable in the market area)



ENERGY EFFICIENCY

Built to exceed current HUD energy efficiency requirements for the geographic property. The home must also have:

- Minimum insulation values of R30(ceiling) R11(wall) and R2(floor)
- Energy Star-qualified Low-E windows
- A programmable thermostat



HOME ATTRIBUTES

Multisection home with a minimum of 1,200 square feet gross living area



HOME INTERIOR

• Drywall throughout (interior walls/ceilings, including closets)



FOUNDATION

Permanent foundation must include the presence of a masonry perimeter or perimeter blocking.

Freddie Mac flexible financing options

Smart financing options and enhanced loan origination the industry wants and needs.

Freddie Mac Home Possible® Mortgage

Home Possible helps you put more qualified customers on the path to successful homeownership. It's perfect for first-time homebuyers, millennials and other underserved consumers.

- No minimum contribution from borrower personal funds.
- Gifts from related persons and other sources of funds permitted for down payment and closing costs.
- 97% LTV limit.
- No reserves required, lowering cash needed to close.
- Flexible homebuyer education requirement.

Freddie Mac HomeOne® Mortgage

With more flexibility for maximum financing, HomeOne provides expanded opportunity and greater certainty to help lenders bring more borrowers to the closing table.

- 3 percent minimum down payment for first-time homebuyers
- More flexibility for financing
- Homebuyer education requirements support informed, responsible and sustainable homeownership

With CHOICEHome, you get all the quality, features and flexible financing options the industry wants and needs.









SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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 or 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.

REZONING AND SPECIAL USE PERMIT REQUESTS
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on August 12, 2019
City Council (tentative) at 7pm on September 3, 2019

LOCATION OF PROPERTY: 8 properties on Franklin St., Beauregard St., and Lee St.

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: NT-R, Neo-Traditional Residential

ACTION REQUESTED: Rezone from OT-R to NT-R, and Special Use Permit for manufactured housing (will be converted to real property)

PRESENT USE OF PROPERTY: Vacant

PROPOSED USE OF PROPERTY: Manufactured housing demonstration project

FUTURE LAND USE DESIGNATION: Mixed-use (mix of both residential and commercial)

PROPERTY OWNER (S): Danville Regional Housing and Development Authority (DRHA)

NAME OF APPLICANT (S): Danville Regional Housing and Development Authority (DRHA)

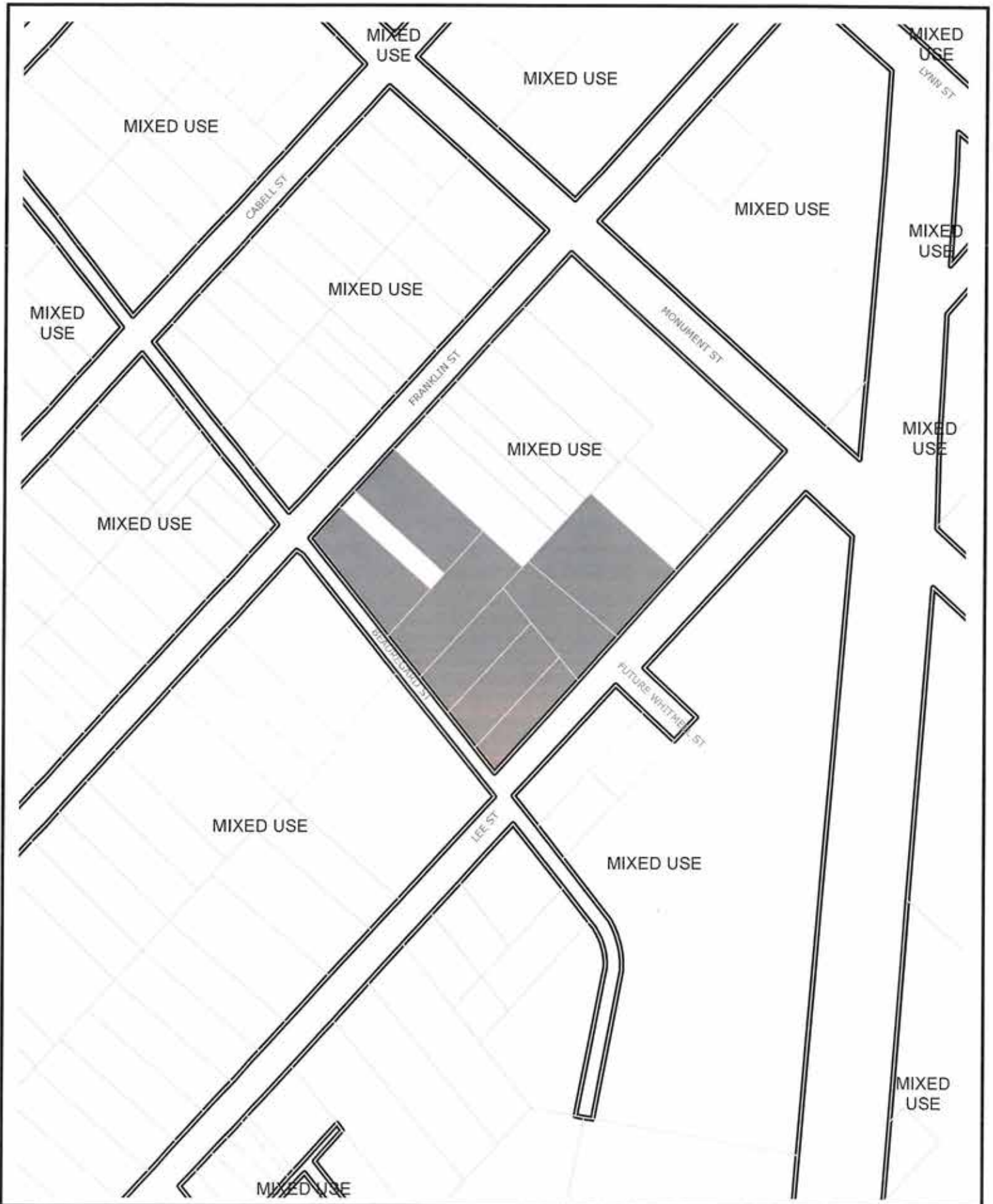
PROPERTY BORDERED BY: Residential on all sides; Mixed-use and public use to the northwest and northeast

ACREAGE: Total: 1.77 acres (77,101 sq. ft.)
Average: 0.22 acres (9,638 sq. ft.)

CHARACTER OF VICINITY: Residential with some mixed-use

INGRESS AND EGRESS: Franklin St., Beauregard St., and Lee St.

TRAFFIC VOLUME: Low



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

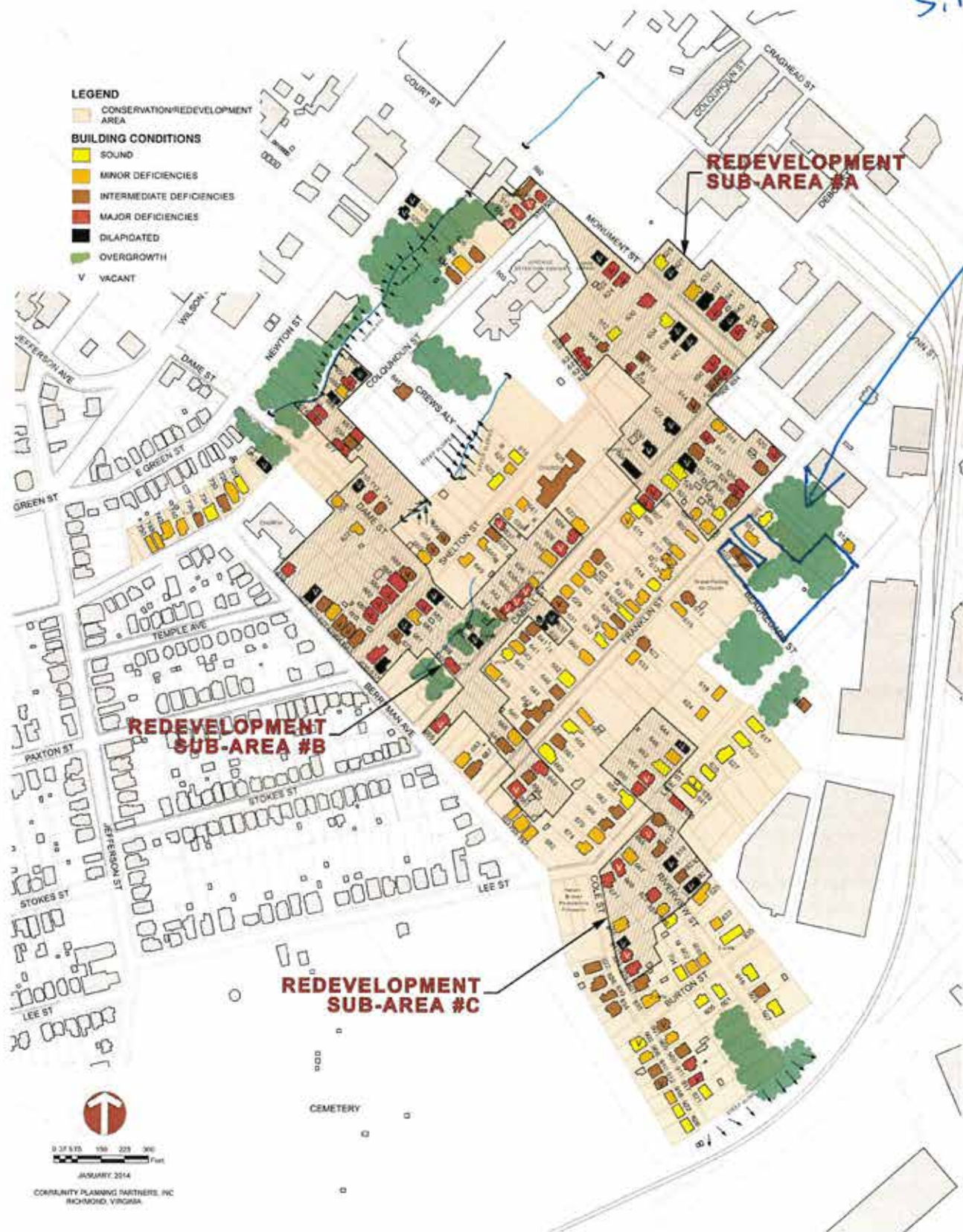
Prepared by:
Planning Division
7/15/2019

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CONSERVATION/REDEVELOPMENT AREAS WITH BUILDING/SITE CONDITIONS

MONUMENT-BERRYMAN CONSERVATION AND REDEVELOPMENT AREA
CITY OF DANVILLE, VIRGINIA

Current
site



PROPOSED LAND USE MAP CRP-6
AREAS NOT IN REDEVELOPMENT SUB-AREAS
MONUMENT-BERRYMAN CONSERVATION
AND REDEVELOPMENT AREA
 City of Danville, Virginia

LEGEND

- REDEVELOPMENT SUB-AREA BOUNDARIES
- SINGLE FAMILY RESIDENTIAL (MEDIUM DENSITY)
- MIXED USE
- MIXED USE RESIDENTIAL (MEDIUM DENSITY)
- NATURAL RECREATIONAL
- STREETS & RIGHTS-OF-WAY

REDEVELOPMENT SUB-AREA B

REDEVELOPMENT SUB-AREA C

REDEVELOPMENT SUB-AREA A

Current site

0 25 50 100 150 200 250 Feet

JANUARY 2014
 COMMUNITY PLANNING PARTNERS, INC.
 RICHMOND, VIRGINIA



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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.

Council Letter

City of Danville, Virginia



CL-2185

New Business Item #: D.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Request for Rezoning from OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A request has been filed to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District, Parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

BACKGROUND

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin Street, Beauregard Street, and Lee Street. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards, and converted to real property. The Planning Commission discussed this request at a work session on August 5, 2019. A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton Street, Cabell Street, and Monument Street. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows: (1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately); (2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District; and (3) a Special Use Permit to permit manufactured housing on the rezoned parcels.

The *Danville 2030: Comprehensive Plan* recommends the City support housing in and around the River District. The selected parcels are encouraged to be mixed-use, and specifies the NT-R District as compatible with the mixed-use designation.

At their August 12, 2019 meeting, the Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an ordinance to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE REZONING FROM OT-R, OLD TOWN RESIDENTIAL TO NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT, PARCELS ON FRANKLIN STREET, BEAUREGARD STREET, AND LEE STREET, OTHERWISE KNOWN AS GRID 2718, BLOCK 019, PARCELS 000001 THROUGH 000005, 000007, 000015 AND 000016 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, the Danville Redevelopment and Housing Authority has requested to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 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 PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 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 PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels

000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia
Zoning District Map, is hereby approved; and

BE IT FINALLY ORDAINED that parcels on Franklin Street, Beauregard
Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through
000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map
are 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: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST
REQUEST:

Rezoning application PLRZ20190000199, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005 and 000007 and 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

Michael W. Scarce (BWT)

Mr. Michael Scarce, Chairman

RESPONSES:

Thirty-four (34) notices were sent to property owners within three hundred (300) feet of the property. Five (5) property owners returned statements. Four (4) property owners are not opposed to the request (Danville Redevelopment and Housing Authority, Hairston Curnel G, Woltz Fenriss K & Angela H., Hunt Isaac C Heirs). One (1) property owners are opposed to the request (Person Jacqueline).

COMMENTS:

No other comments were provided.



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

City Planning Commission

City Planning Commission
Meeting of August 12, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.

and

Rezoning application PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

and

Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

Background:

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin St., Beauregard St., and Lee St. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards and converted to real property. Planning Commission discussed this request at a work session on August 5.

A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton St., Cabell St., and Monument St. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows:

- 1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately).
- 2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District.
- 3) Special Use Permit to permit manufactured housing on the rezoned parcels.

In considering these requests, the Planning Commission should consider the following factors:

1) Danville 2030 Comprehensive Plan:

The *Comprehensive Plan* designates the selected parcels as mixed-use, and categorizes the NT-R District as an appropriate Zoning District. The *Plan* also encourages new housing to be located near the River District.

The *Monument-Berryman Redevelopment Plan* (an amendment to the *Comprehensive Plan*) provides more specificity for "mixed-use" within the Monument-Berryman Redevelopment Area. In this case, the affected parcels within the Redevelopment Area are specifically recommended for single-family housing. The *Redevelopment Plan* suggests that nearby mixed-use property to the north primarily consist of commercial uses, which would then support nearby residential uses.

2) Surrounding Land:

To the north and west, most nearby land is located in the OT-R District, and is part of the Monument-Berryman area. Although zoned for residential use, the vast majority of the immediately surrounding properties are now vacant or contain unused structures.

The River District is located to the east and north of these properties, including dense mixed-use, residential, and commercial properties. On July 2, 2019, City Council approved a rezoning of two of these nearby properties from OT-R to TW-C, Tobacco Warehouse Commercial District.

Thirty-four (34) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.

Recommendation (Code Amendment):

Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.D entitled "NT-R, Neo-Traditional Residential District", Section C entitled "Uses Permitted with Special Use Permit", by adding Item 18 for "Residential manufactured home dwellings". Staff also recommend amending Section E entitled "Lot Area and Size Requirements", Item 1 to lower the minimum district size to one-and-a-half (1.5) acres. The amendment will read as follows:

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

C. – Uses Permitted with Special Use Permit.

18. Residential manufactured home dwellings

E. – Lot Area and Size Requirements.

1. Minimum district size: ~~Five (5)~~ One-and-a-half (1.5) acres

City Planning Commission Options (Code Amendment):

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

Recommendation (Rezoning):

The Planning staff recommends the Planning Commission recommend approval of Rezoning application PLRZ20190000274 to rezone the selected eight (8) parcels from the OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District.

If approved, the rezoning would permit a planned residential development on the selected parcels on the edge of the Monument-Berryman Redevelopment Area. Any new housing would be within walking distance of the River District.

City Planning Commission Options (Rezoning):

1. Recommend approval of Rezoning application PLRZ20190000274 as submitted.
2. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by staff.
3. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by the Planning Commission.
4. Recommend denial of Rezoning application PLRZ20190000274 as submitted.
5. Tabling of Rezoning application PLRZ20190000274 by Planning Commission.

Recommendation (Special Use Permit):

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit Special Use Permit application PLSUP20190000276, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

The Special Use Permit would allow DRHA to implement a manufactured housing demonstration project at this location. The Special Use Permit is required to allow for manufactured homes to temporarily be at this location. The conditions require the homes to be converted into single-family residential homes, which are otherwise permitted within this district. If implemented, the project would provide quality affordable housing for low- and moderate-income homeowners.

City Planning Commission Options (Special Use Permit):

6. Recommend approval of Special Use Permit application PLSUP20190000276 as submitted.
7. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by staff.
8. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by the Planning Commission.
9. Recommend denial of Special Use Permit application PLSUP20190000276 as submitted.
10. Tabling of Special Use Permit application PLSUP20190000276 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Future Land Use Map
- E. Monument-Berryman Development Area Map
- F. Monument-Berryman Development Land Use Map
- G. Existing Land Use Map (2015 Aerial)

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: PLR 220180000274
PL SUP 2019 0000276
PROPOSED ZONING: NT-R, Neo-Traditional Res
RECEIVED BY: Dyke Johnson
PLANNING COMMISSION DATE: Aug 12, 2019
EXISTING ZONING: OT-R, Old Town Res
TAX MAP NUMBER: See attached
DATE FILED: July 11, 2019
CITY COUNCIL DATE: Sept. 3

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). Map and parcel number list attached

Gross Area/Net Area: _____ Property Address: _____

Property Location: N S E W Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

I. NAME: DANVILLE REDEVELOPMENT & HOUSING AUTHORITY TELEPHONE: 434-799-8380

MAILING ADDRESS: P. O. BOX 1476, DANVILLE, VA 24543-1476

SIGNATURE: Gary M. Wasson DATE: July 11, 2019

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: gwasson@drhava.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:

It is requested that the properties identified on the list provided and on the attached map be allowed to place manufactured homes that will then follow Virginia code 46.2-653.1 regarding conversion to real property.

LIST OF PARCEL NUMBERS INCLUDED IN
REZONING APPLICATION

FRANKLIN STREET :

22803

26462

BEAUREGARD STREET:

24669

23663

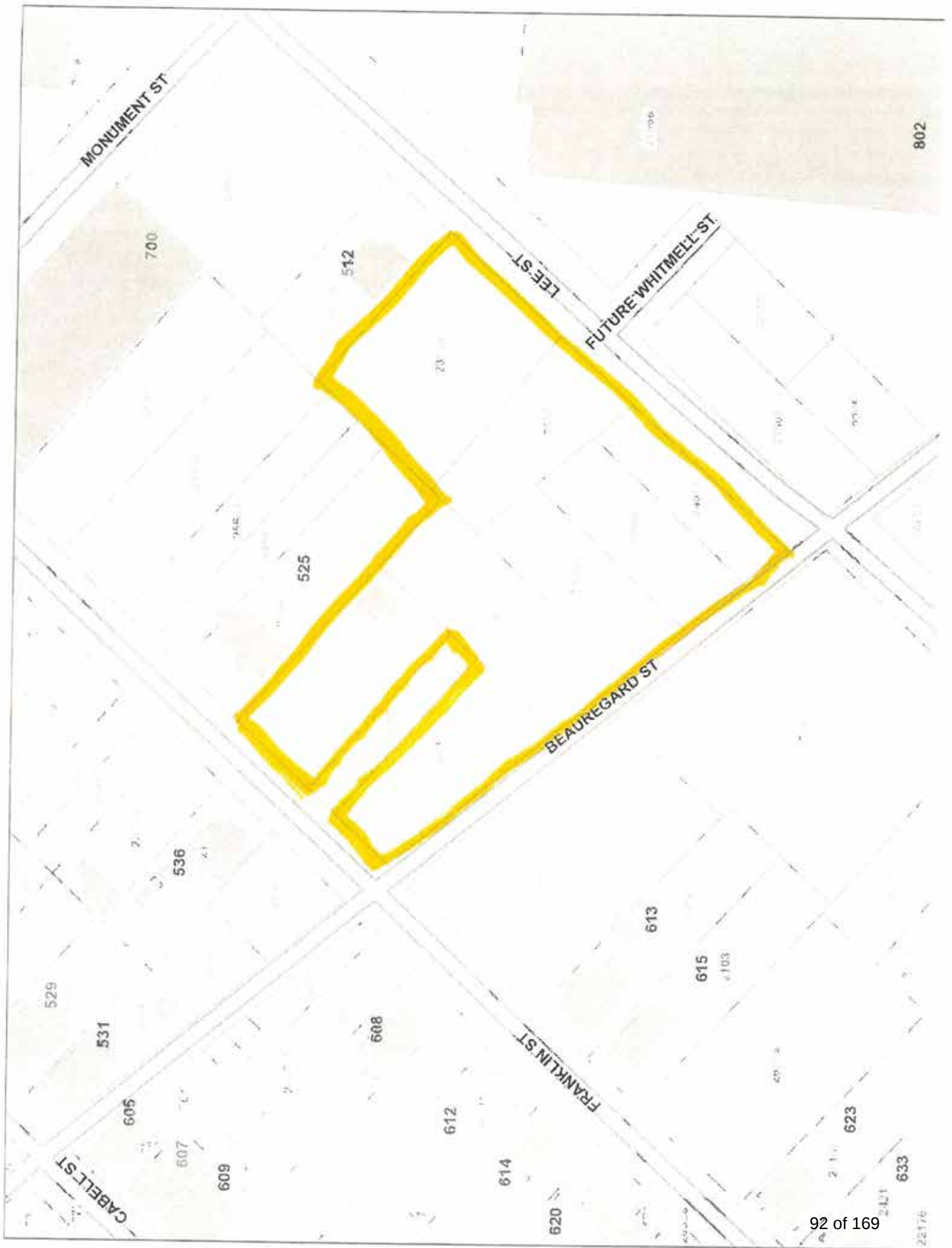
23666

LEE STREET:

24571

26301

23154



CHOICEHomeSM High-Quality HUD-Code Home

CHOICEHomeSM – the next generation of factory-built housing – needs smart, flexible financing options. At Freddie Mac, we're doing just that. We're offering a full range of loan products, including single close construction conversion, Home Possible®, HomeOneSM and HFA Advantage®.

Plus, a CHOICEHome can be appraised using all site-built comparables where no CHOICEHome comparables are available!

Required CHOICEHome Features

All the quality and features borrowers want, but at a lower cost.



ROOF PITCH
Minimum 5/12 roof pitch



GARAGE
Attached or detached garage /carport (generally conforming and acceptable in the market area)



ENERGY EFFICIENCY
Built to exceed current HUD energy efficiency requirements for the geographic property. The home must also have:
• Minimum insulation values of R33(ceiling) R11(wall) and R23(floor)
• Energy Star-qualified Low-E windows
• A programmable thermostat



HOME ATTRIBUTES
Multisection home with a minimum of 1,200 square feet gross living area.



HOME INTERIOR
• Drywall throughout (interior walls/ceilings, including closets)



FOUNDATION
Permanent foundation must include the presence of a masonry perimeter or perimeter blocking.

Freddie Mac flexible financing options

Smart financing options and enhanced loan origination the industry wants and needs.

Freddie Mac Home Possible® Mortgage

Home Possible helps you put more qualified customers on the path to successful homeownership. It's perfect for first-time homebuyers, millennials and other underserved consumers.

- No minimum contribution from borrower personal funds.
- Gifts from related persons and other sources of funds permitted for down payment and closing costs.
- 97% LTV limit.
- No reserves required, lowering cash needed to close.
- Flexible homebuyer education requirement.

Freddie Mac HomeOne® Mortgage

With more flexibility for maximum financing, HomeOne provides expanded opportunity and greater certainty to help lenders bring more borrowers to the closing table.

- 3 percent minimum down payment for first-time homebuyers
- More flexibility for financing
- Homebuyer education requirements support informed, responsible and sustainable homeownership

With CHOICEHome, you get all the quality, features and flexible financing options the industry wants and needs.









SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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 or 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.

REZONING AND SPECIAL USE PERMIT REQUESTS
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on August 12, 2019
City Council (tentative) at 7pm on September 3, 2019

LOCATION OF PROPERTY: 8 properties on Franklin St., Beauregard St., and Lee St.

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: NT-R, Neo-Traditional Residential

ACTION REQUESTED: Rezone from OT-R to NT-R, and Special Use Permit for manufactured housing (will be converted to real property)

PRESENT USE OF PROPERTY: Vacant

PROPOSED USE OF PROPERTY: Manufactured housing demonstration project

FUTURE LAND USE DESIGNATION: Mixed-use (mix of both residential and commercial)

PROPERTY OWNER (S): Danville Regional Housing and Development Authority (DRHA)

NAME OF APPLICANT (S): Danville Regional Housing and Development Authority (DRHA)

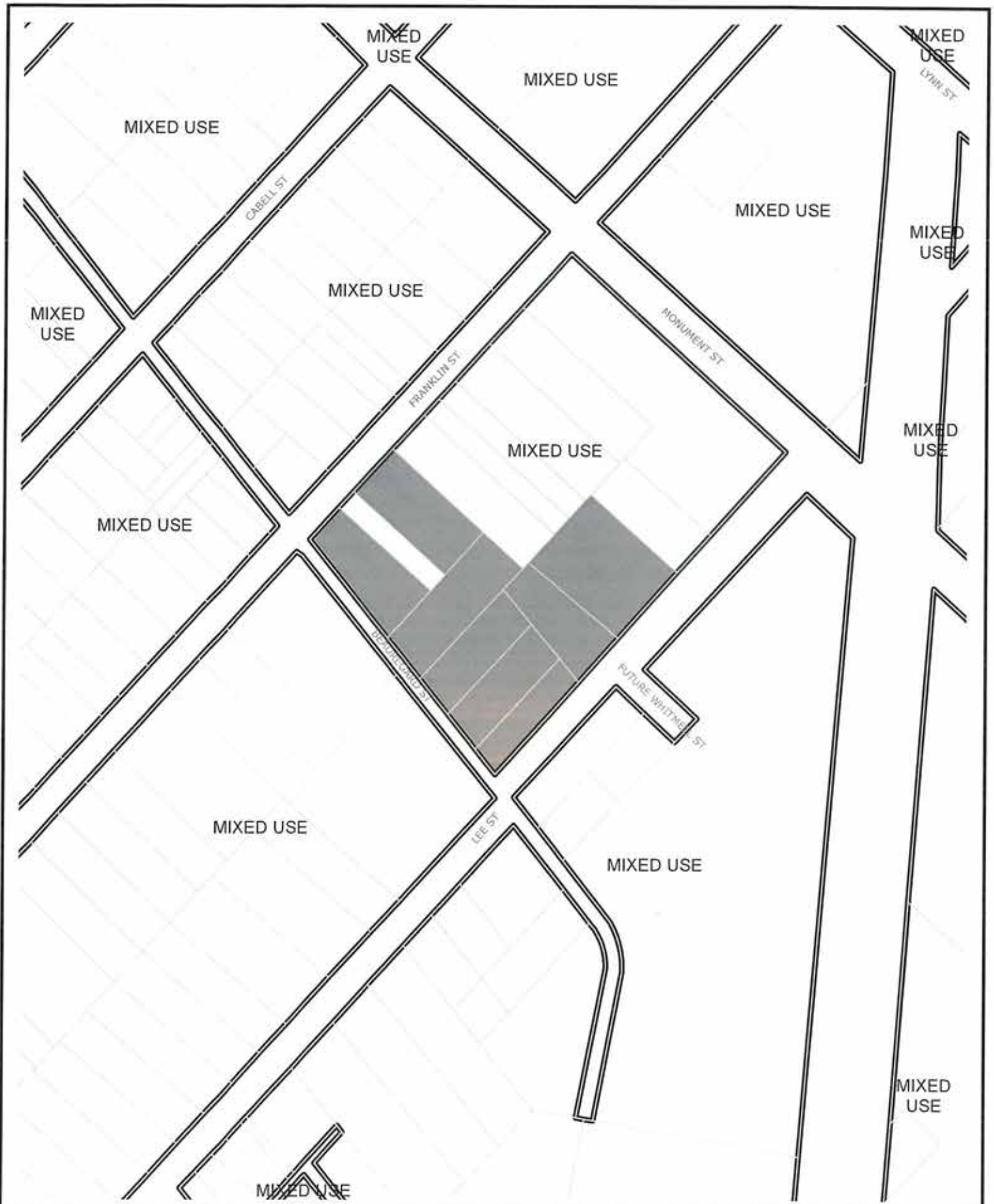
PROPERTY BORDERED BY: Residential on all sides; Mixed-use and public use to the northwest and northeast

ACREAGE: Total: 1.77 acres (77,101 sq. ft.)
Average: 0.22 acres (9,638 sq. ft.)

CHARACTER OF VICINITY: Residential with some mixed-use

INGRESS AND EGRESS: Franklin St., Beauregard St., and Lee St.

TRAFFIC VOLUME: Low



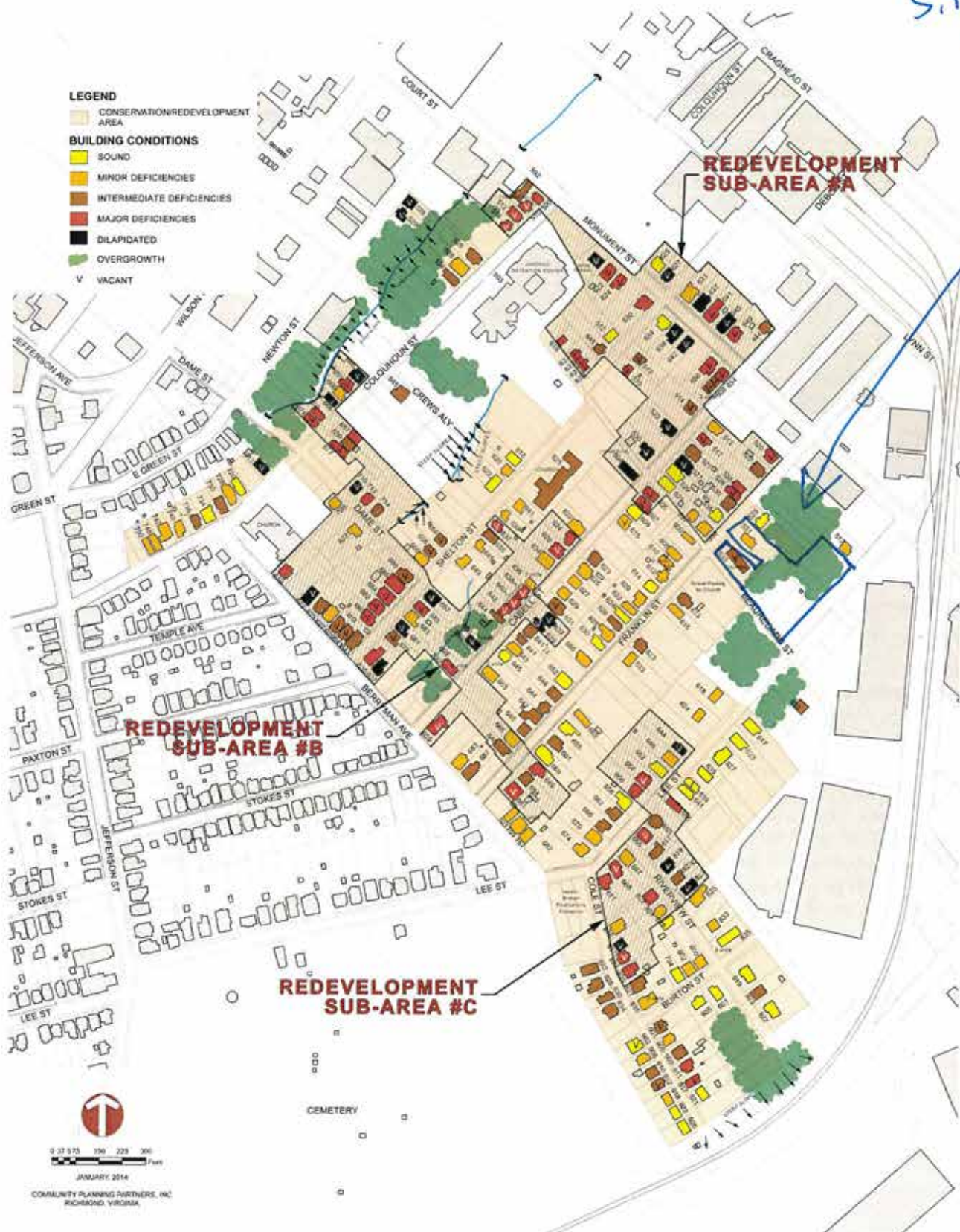
YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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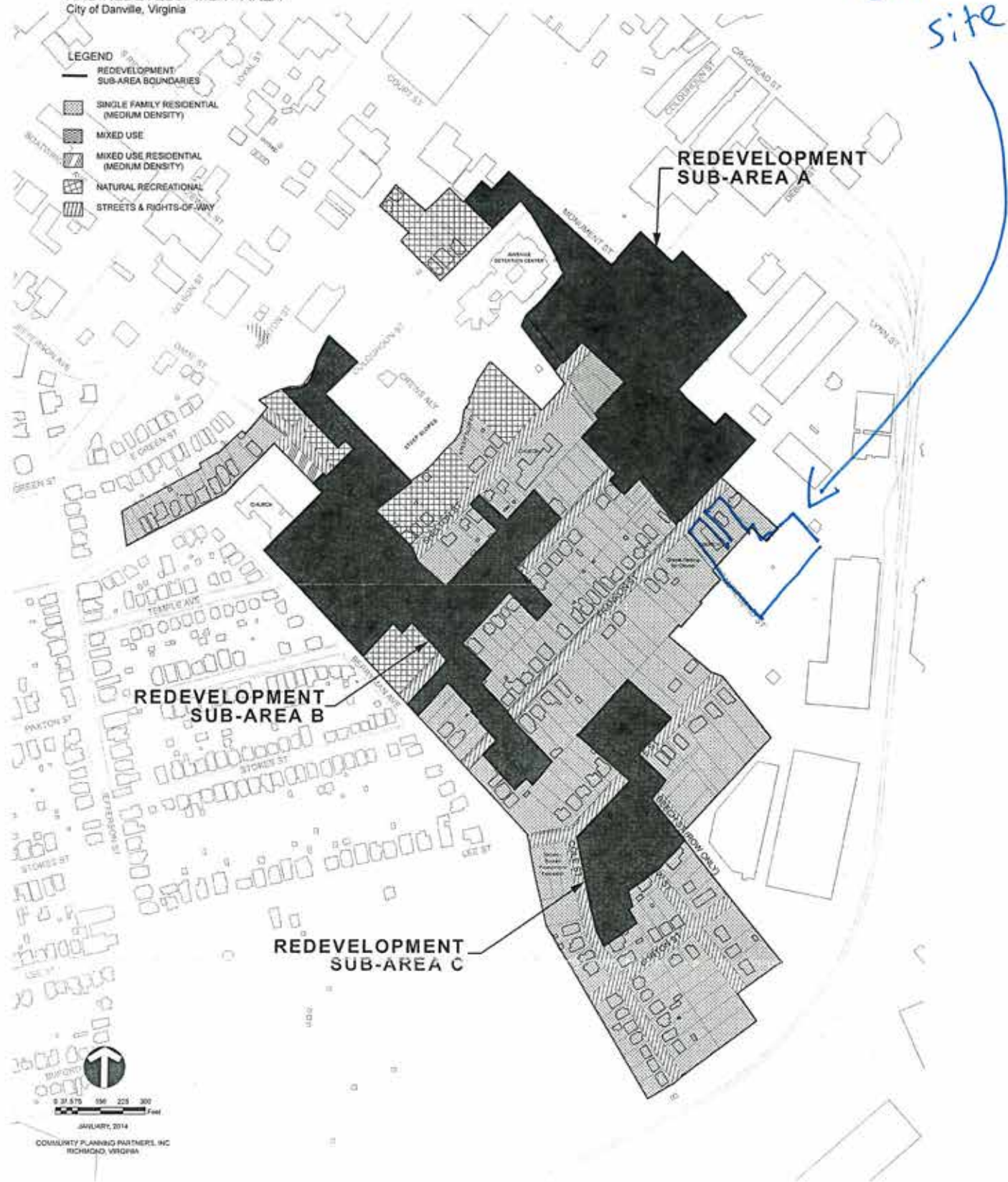
CONSERVATION/REDEVELOPMENT AREAS WITH BUILDING/SITE CONDITIONS MONUMENT-BERRYMAN CONSERVATION AND REDEVELOPMENT AREA CITY OF DANVILLE, VIRGINIA

Current
site



PROPOSED LAND USE MAP CRP-6
AREAS NOT IN REDEVELOPMENT SUB-AREAS
MONUMENT-BERRYMAN CONSERVATION
AND REDEVELOPMENT AREA
 City of Danville, Virginia

Current site





2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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Council Letter

City of Danville, Virginia



CL-2186

New Business Item #: E.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Request for a Special Use Permit for Manufactured Housing

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A Request has been filed for a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986, as amended, at parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

BACKGROUND

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin Street, Beauregard Street, and Lee Street. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards and converted to real property. The Planning Commission discussed this request at a work session on August 5. A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton Street, Cabell Street, and Monument Street. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows: (1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately); (2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District; and (3) a Special Use Permit to permit manufactured housing on the rezoned parcels.

The *Danville 2030: Comprehensive Plan* recommends the City support housing in and around the River District. The selected parcels are encouraged to be mixed-use, and specifies the NT-R District as compatible with the mixed-use designation.

At their August 12, 2019 meeting, the Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an ordinance granting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR MANUFACTURED HOME DWELLINGS IN ACCORDANCE WITH CHAPTER 41, ARTICLE 3.D, SECTION C, ITEM 18 THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986 AS AMENDED AT PARCELS ON FRANKLIN STREET, BEAUREGARD STREET, AND LEE STREET, OTHERWISE KNOWN AS GRID 2718, BLOCK 019, PARCELS 000001 THROUGH 000005, 000007, 000015 AND 000016 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 Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, entitled "Zoning Ordinance", Article 3.D, entitled "NT-R NEO-TRADITIONAL RESIDENTIAL DISTRICT", Section C, entitled "Uses Permitted with Special Use Permit", Item 18, entitled "Residential manufactured home dwellings" of the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for

Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin Street, Beauregard Street, and Lee Street, otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map, is hereby granted and approved, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

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: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST
REQUEST:

Special Use Permit application PLSUP20190000208, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Article 3.D, Section C, Item 18 of the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005 and 000007 and 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Bolton was absent) to recommend approval of the request subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

Michael W. Scarce (BWT)

Mr. Michael Scarce, Chairman

RESPONSES:

Thirty-four (34) notices were sent to property owners within three hundred (300) feet of the property. Five (5) property owners returned statements. Four (4) property owners are not opposed to the request (Danville Redevelopment and Housing Authority, Hairston Curnel G, Woltz Fenriss K & Angela H., Hunt Isaac C Heirs). One (1) property owners are opposed to the request (Person Jacqueline).

COMMENTS:

No other comments were provided.



City of Danville

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

City Planning Commission

City Planning Commission

Meeting of August 12, 2019

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.

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To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows:

- 1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately).
- 2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District.
- 3) Special Use Permit to permit manufactured housing on the rezoned parcels.

In considering these requests, the Planning Commission should consider the following factors:

1) Danville 2030 Comprehensive Plan:

The *Comprehensive Plan* designates the selected parcels as mixed-use, and categorizes the NT-R District as an appropriate Zoning District. The *Plan* also encourages new housing to be located near the River District.

The *Monument-Berryman Redevelopment Plan* (an amendment to the *Comprehensive Plan*) provides more specificity for "mixed-use" within the Monument-Berryman Redevelopment Area. In this case, the affected parcels within the Redevelopment Area are specifically recommended for single-family housing. The *Redevelopment Plan* suggests that nearby mixed-use property to the north primarily consist of commercial uses, which would then support nearby residential uses.

2) Surrounding Land:

To the north and west, most nearby land is located in the OT-R District, and is part of the Monument-Berryman area. Although zoned for residential use, the vast majority of the immediately surrounding properties are now vacant or contain unused structures.

The River District is located to the east and north of these properties, including dense mixed-use, residential, and commercial properties. On July 2, 2019, City Council approved a rezoning of two of these nearby properties from OT-R to TW-C, Tobacco Warehouse Commercial District.

Thirty-four (34) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.

Recommendation (Code Amendment):

Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.D entitled "NT-R, Neo-Traditional Residential District", Section C entitled "Uses Permitted with Special Use Permit", by adding Item 18 for "Residential manufactured home dwellings". Staff also recommend amending Section E entitled "Lot Area and Size Requirements", Item 1 to lower the minimum district size to one-and-a-half (1.5) acres. The amendment will read as follows:

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

C. – Uses Permitted with Special Use Permit.

18. Residential manufactured home dwellings

E. – Lot Area and Size Requirements.

1. Minimum district size: ~~Five (5)~~ One-and-a-half (1.5) acres

City Planning Commission Options (Code Amendment):

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

Recommendation (Rezoning):

The Planning staff recommends the Planning Commission recommend approval of Rezoning application PLRZ20190000274 to rezone the selected eight (8) parcels from the OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District.

If approved, the rezoning would permit a planned residential development on the selected parcels on the edge of the Monument-Berryman Redevelopment Area. Any new housing would be within walking distance of the River District.

City Planning Commission Options (Rezoning):

1. Recommend approval of Rezoning application PLRZ20190000274 as submitted.
2. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by staff.
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5. Tabling of Rezoning application PLRZ20190000274 by Planning Commission.

Recommendation (Special Use Permit):

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit Special Use Permit application PLSUP20190000276, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

The Special Use Permit would allow DRHA to implement a manufactured housing demonstration project at this location. The Special Use Permit is required to allow for manufactured homes to temporarily be at this location. The conditions require the homes to be converted into single-family residential homes, which are otherwise permitted within this district. If implemented, the project would provide quality affordable housing for low- and moderate-income homeowners.

City Planning Commission Options (Special Use Permit):

6. Recommend approval of Special Use Permit application PLSUP20190000276 as submitted.
7. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by staff.
8. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by the Planning Commission.
9. Recommend denial of Special Use Permit application PLSUP20190000276 as submitted.
10. Tabling of Special Use Permit application PLSUP20190000276 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Future Land Use Map
- E. Monument-Berryman Development Area Map
- F. Monument-Berryman Development Land Use Map
- G. Existing Land Use Map (2015 Aerial)

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: PLR 220180000274
PL SUP 2019 0000276
PROPOSED ZONING: NT-R, Neo-Traditional Res
RECEIVED BY: Dyke Johnson
PLANNING COMMISSION DATE: Aug 12, 2019
EXISTING ZONING: OT-R, Old Town Res
TAX MAP NUMBER: See attached
DATE FILED: July 11, 2019
CITY COUNCIL DATE: Sept. 3

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). Map and parcel number list attached

Gross Area/Net Area: _____ Property Address: _____

Property Location: N S E W Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1. NAME: DANVILLE REDEVELOPMENT & HOUSING AUTHORITY TELEPHONE: 434-799-8380

MAILING ADDRESS: P. O. BOX 1476, DANVILLE, VA 24543-1476

SIGNATURE: Gary M. Wasson DATE: July 11, 2019

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: gwasson@drhava.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:

It is requested that the properties identified on the list provided and on the attached map be allowed to place manufactured homes that will then follow Virginia code 46.2-653.1 regarding conversion to real property.

LIST OF PARCEL NUMBERS INCLUDED IN
REZONING APPLICATION

FRANKLIN STREET :

22803

26462

BEAUREGARD STREET:

24669

23663

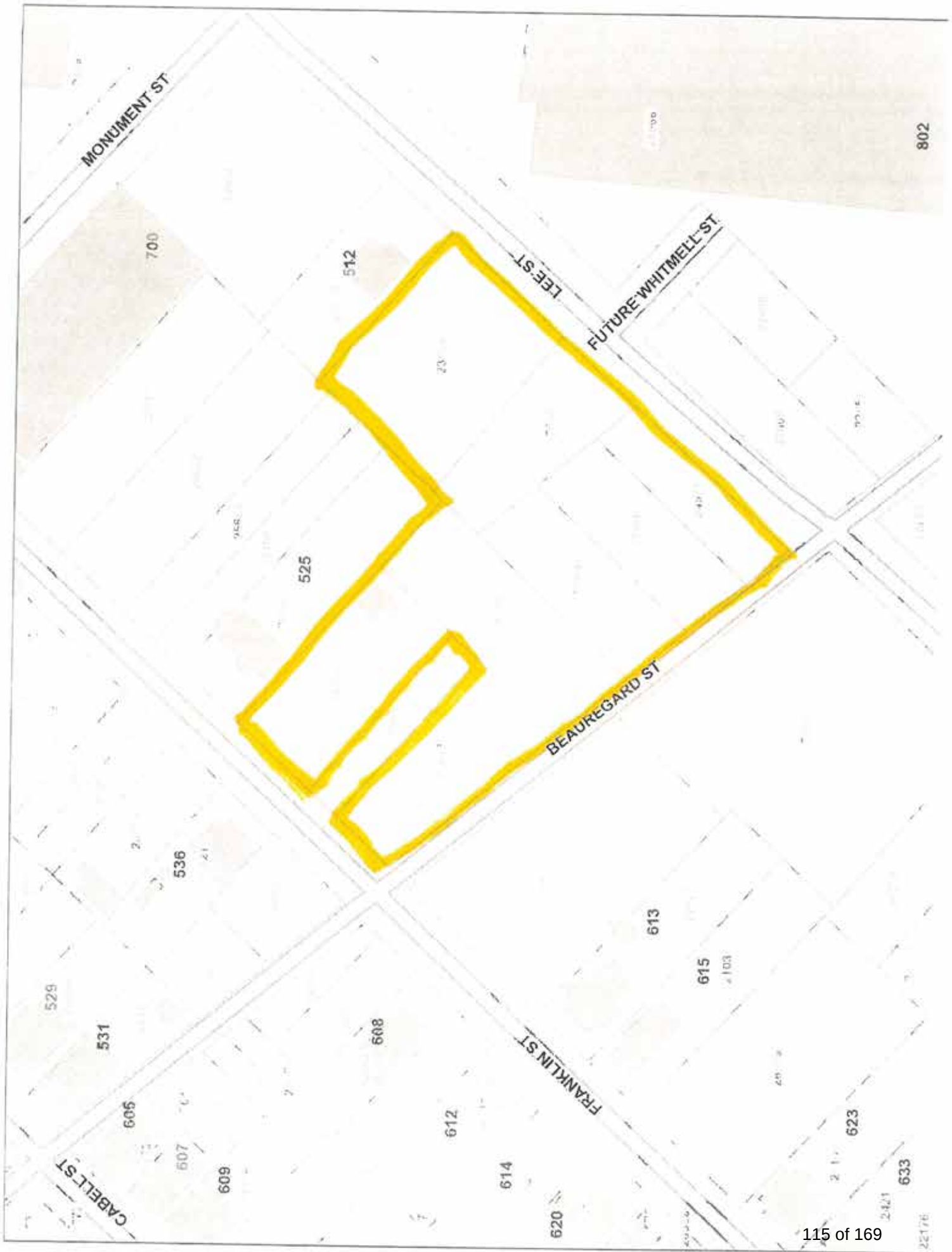
23666

LEE STREET:

24571

26301

23154



CHOICEHomeSM High-Quality HUD-Code Home

CHOICEHomeSM – the next generation of factory-built housing – needs smart, flexible financing options. At Freddie Mac, we're doing just that. We're offering a full range of loan products, including single close construction conversion, Home Possible[®], HomeOneSM and HFA Advantage[®].

Plus, a CHOICEHome can be appraised using all site-built comparables where no CHOICEHome comparables are available!

Required CHOICEHome Features

All the quality and features borrowers want, but at a lower cost.



ROOF PITCH
Minimum 5/12 roof pitch



GARAGE
Attached or detached garage/carport (generally conforming and acceptable in the market area)



ENERGY EFFICIENCY
Built to exceed current HUD energy efficiency requirements for the geographic property. The home must also have:
• Minimum insulation values of 32 (ceiling) 11 (wall) and 22 (floor)
• Energy Star-qualified Low-E windows
• A programmable thermostat



HOME ATTRIBUTES
Multisection home with a minimum of 1,200 square feet gross living area.



HOME INTERIOR
• Drywall throughout (interior walls/ceilings, including closets)



FOUNDATION
Permanent foundation must include the presence of a masonry perimeter or perimeter blocking.

Freddie Mac flexible financing options

Smart financing options and enhanced loan origination the industry wants and needs.

Freddie Mac Home Possible[®] Mortgage

Home Possible helps you put more qualified customers on the path to successful homeownership. It's perfect for first-time homebuyers, millennials and other underserved consumers.

- No minimum contribution from borrower personal funds.
- Gifts from related persons and other sources of funds permitted for down payment and closing costs.
- 97% LTV limit.
- No reserves required, lowering cash needed to close.
- Flexible homebuyer education requirement.

Freddie Mac HomeOneSM Mortgage

With more flexibility for maximum financing, HomeOne provides expanded opportunity and greater certainty to help lenders bring more borrowers to the closing table.

- 3 percent minimum down payment for first-time homebuyers
- More flexibility for financing
- Homebuyer education requirements support informed, responsible and sustainable homeownership

With CHOICEHome, you get all the quality, features and flexible financing options the industry wants and needs.









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.

REZONING AND SPECIAL USE PERMIT REQUESTS
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on August 12, 2019
City Council (tentative) at 7pm on September 3, 2019

LOCATION OF PROPERTY: 8 properties on Franklin St., Beauregard St., and Lee St.

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: NT-R, Neo-Traditional Residential

ACTION REQUESTED: Rezone from OT-R to NT-R, and Special Use Permit for manufactured housing (will be converted to real property)

PRESENT USE OF PROPERTY: Vacant

PROPOSED USE OF PROPERTY: Manufactured housing demonstration project

FUTURE LAND USE DESIGNATION: Mixed-use (mix of both residential and commercial)

PROPERTY OWNER (S): Danville Regional Housing and Development Authority (DRHA)

NAME OF APPLICANT (S): Danville Regional Housing and Development Authority (DRHA)

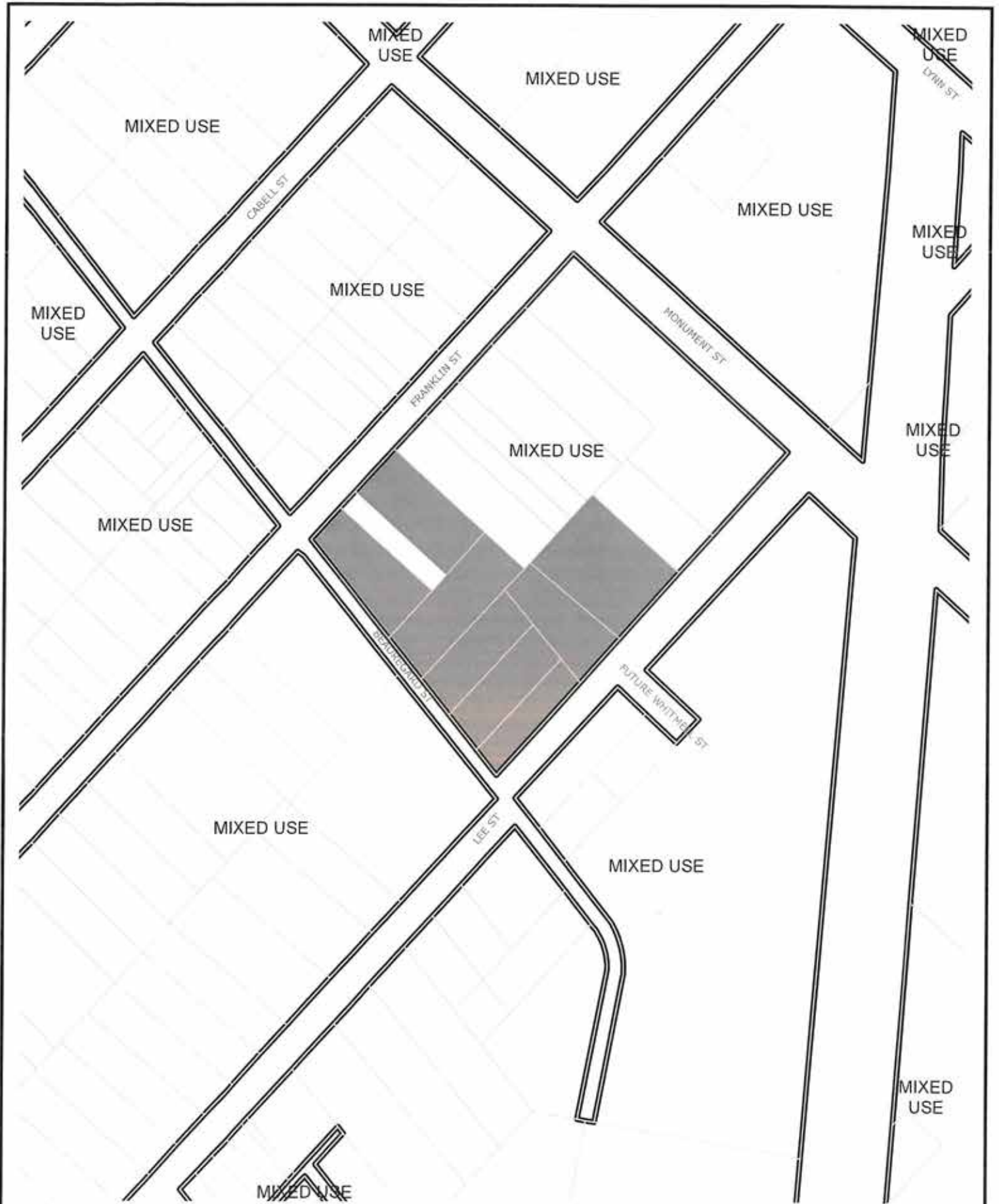
PROPERTY BORDERED BY: Residential on all sides; Mixed-use and public use to the northwest and northeast

ACREAGE: Total: 1.77 acres (77,101 sq. ft.)
Average: 0.22 acres (9,638 sq. ft.)

CHARACTER OF VICINITY: Residential with some mixed-use

INGRESS AND EGRESS: Franklin St., Beauregard St., and Lee St.

TRAFFIC VOLUME: Low



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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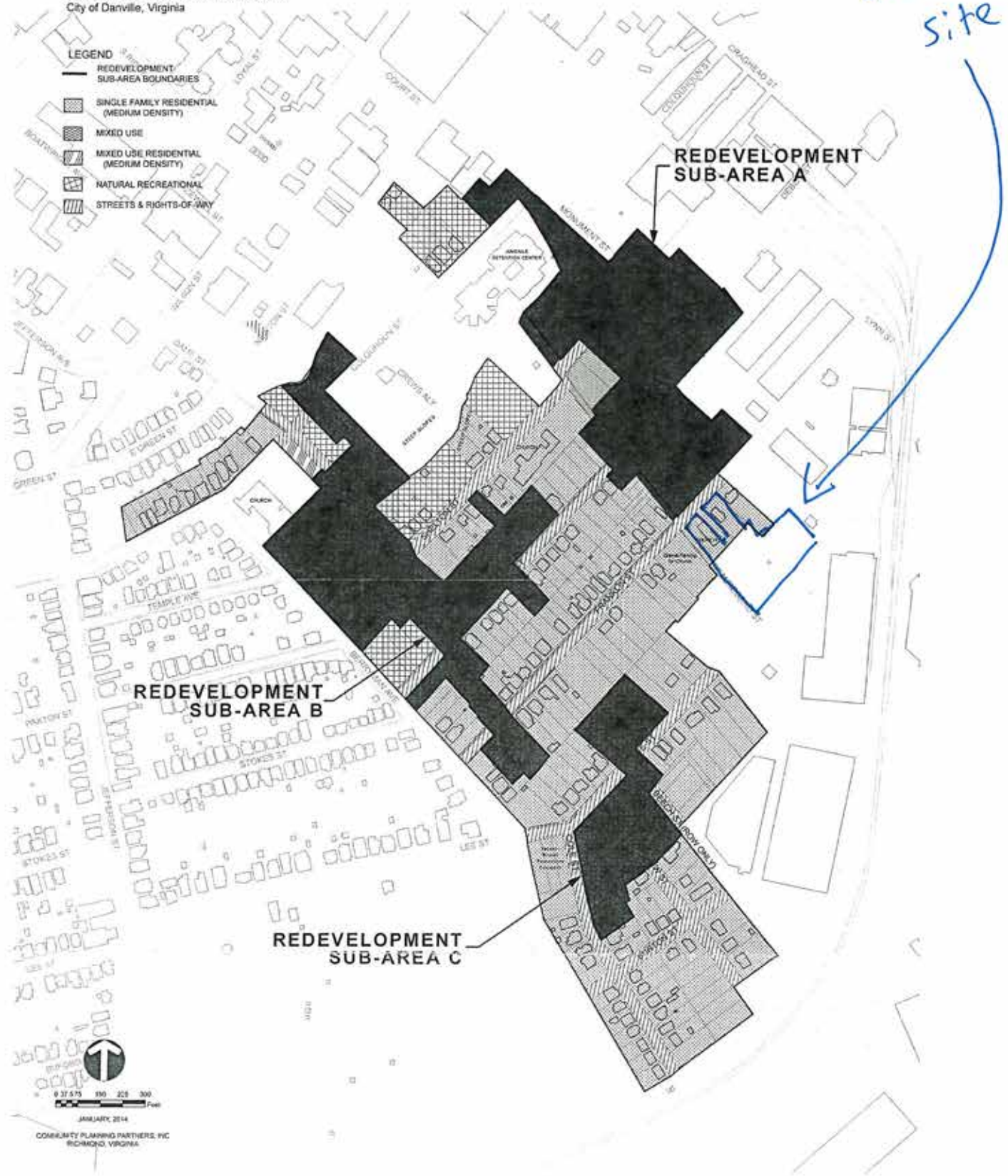
MONUMENT-BERRYMAN CONSERVATION AND REDEVELOPMENT AREA
CITY OF DANVILLE, VIRGINIA

MONUMENT-BERRYMAN CONSERVATION AND REDEVELOPMENT AREA
CITY OF DANVILLE, VIRGINIA



PROPOSED LAND USE MAP CRP-6
AREAS NOT IN REDEVELOPMENT SUB-AREAS
MONUMENT-BERRYMAN CONSERVATION
AND REDEVELOPMENT AREA
 City of Danville, Virginia

Current site





2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/15/2019

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Council Letter

City of Danville, Virginia



CL-2187

New Business Item #: F.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Request for a Special Use Permit for a Waiver of Yard Setbacks at 2264 N Main Street

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

A request has been filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 North Main Street, otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to expand an existing building to provide additional storage for a tire retail store.

BACKGROUND

Apple Tire Inc., the applicant, is proposing to expand the side and rear of an existing building to provide additional storage space at 2264 North Main Street. However, the proposed expansion encroaches into the required yard setbacks. This property is located in the HR-C, Highway Retail Commercial District, in which a Special Use Permit may be used to waive or reduce the required yard setbacks. For this district, these setbacks require a building be at least thirty (30) feet from the front property line, and twenty (20) feet from the side and rear property lines.

The building is currently approximately nineteen (19) feet from the northern side property line, and fifteen (15) feet from the western rear property line. This is considered legal nonconforming ("grandfathered"). The applicant wishes to expand the building to be approximately eight (8) feet from the northern and western property lines.

Staff's main concern is maintaining some minimal distance between any structures and the property line. Completely waiving the yard requirement would allow development practically on top of neighboring property. Generally speaking, ten (10) feet of separation between separate structures is encouraged. The applicant's proposed eight (8) foot setback helps address this concern.

There is also a concern about loss of parking space. A retail store this size (approx. 2,561 sq. ft. after expansion) is required to have eleven (11) parking spaces. These spaces are not clearly marked at this time. Space is available for the required parking.

At their August 12, 2019 meeting, the Planning Commission voted 5-0-1 (Chairman Searce abstained, and Commissioner Bolton was absent) to recommend approval of the request, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) feet; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

RECOMMENDATION

It is recommended that City Council adopt an ordinance granting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) feet; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A WAIVER OF YARD REQUIREMENTS IN ACCORDANCE WITH CHAPTER 41, ARTICLE 3.M, SECTION C, ITEM 21 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986 AS AMENDED AT 2264 NORTH MAIN STREET, OTHERWISE KNOWN AS GRID 2810, BLOCK 002, PARCEL 000016 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 PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, entitled "ZONING CODE", Article 3.M, entitled "HR-C, HIGHWAY RETAIL COMMERCIAL, Section C, entitled "Uses Permitted by Special Use Permit", Item 21, entitled "Waiver of yard requirements, subject to the prohibition of parking in front yards", of the Code of the City of Danville, Virginia, 1986, as amended, at 2264 North Main Street, otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) ft.; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard

requirements in accordance with Chapter 41, entitled "ZONING CODE", Article 3.M, entitled "HR-C, HIGHWAY RETAIL COMMERCIAL, Section C, entitled "Uses Permitted by Special Use Permit", Item 21, entitled "Waiver of yard requirements, subject to the prohibition of parking in front yards", of the Code of the City of Danville, Virginia, 1986, as amended, at 2264 North Main Street, otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map, is hereby granted and approved, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) ft.; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

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: AUGUST 12, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST
REQUEST:

Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to expand an existing building to provide additional storage for a tire retail store.

RECOMMENDATION:

The Planning Commission voted 5-0-1 (Chairman Searce abstained, Commissioner Bolton was absent) to recommend approval of the request, subject to the following conditions:

- 1) The required front yard setback shall remain unchanged; and
- 2) The required side and rear yard setback shall be five (5) ft.; and
- 3) Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
- 4) The yard setback waiver shall only apply to the existing building and additions to that building; and
- 5) The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

Michael W. Searce (BWD)

Mr. Michael Searce, Chairman

RESPONSES:

Nineteen (19) notices were sent to property owners within three hundred (300) feet of the property. Six (6) property owners returned statements. Four (4) property owners are not

opposed to the request (Burnett Bobby P Jr. & Pamela G., Little Chef Properties LLC & Jones Sandra, American Legion Inc Memorial Post #325, Wright Kirby). Two (2) property owners are opposed to the request (Irby Winford Dean, North Danville Shopping Center LLP).

COMMENTS:

"In my opinion the above property at 2264 N Main St will not provide adequate parking for customers and employees of a retail tire store. Therefore I am opposed to the waiver of yard requirements to expand the building to provide additional storage. I think the number of available parking spaces should be considered before the permit to waive the yard requirements is granted. In my opinion my property will be used for their parking." - North Danville Shopping Center LLP (stated opposed)



City Planning Commission

City Planning Commission
Meeting of August 12, 2019

Subject:

Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to expand an existing building to provide additional storage for a tire retail store.

Background:

Apple Tire Inc., the applicant, is proposing to expand the side and rear of an existing building to provide additional storage space at 2264 N Main St. However, the proposed expansion encroaches into the required yard setbacks. This property is located in the HR-C, Highway Retail Commercial District, in which a Special Use Permit may be used to waive or reduce the required yard setbacks. For this district, these setbacks require a building be at least thirty (30) ft. from the front property line, and twenty (20) ft. from the side and rear property lines.

The building is currently approximately nineteen (19) ft. from the northern side property line, and fifteen (15) ft. from the western rear property line. This is considered legal nonconforming ("grandfathered"). The applicant wishes to expand the building to be approximately eight (8) ft. from the northern and western property lines.

Staff's main concern is maintaining some minimal distance between any structures and the property line. Completely waiving the yard requirement would allow development practically on top of neighboring property. Generally speaking, ten (10) ft. of separation between separate structures is encouraged. The applicant's proposed eight (8) ft. setback helps address this concern.

There is also a concern about loss of parking space. For a retail store this size (approx. 2,561 sq. ft. after expansion) is required to have eleven (11) parking spaces. These spaces are not clearly marked at this time. Space is available for the required parking.

Nineteen (19) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.

Recommendation:

The Planning staff recommends the City Planning Commission recommend approval Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) ft.; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

The Special Use Permit would allow the proposed expansion of the building. The conditions prevent encroachment on neighboring property, and address potential parking concerns.

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000277 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000277 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000277 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000277 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000277 by Planning Commission.

Attachments:

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE:

Waiver of yard requirements

CASE NUMBER: PLSUP20190000177

EXISTING ZONING: HR-C, Highway Detail Commercial

PROPOSED ZONING: No change

TAX MAP NUMBER: PID: 55432

RECEIVED BY: Bryce Johnson

DATE FILED: July 15, 2019

PLANNING COMMISSION DATE: Aug 12

CITY COUNCIL DATE: Sept. 3

INFORMATION TO BE PROVIDED BY THE APPLICANT
(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: • 2.9 ACRE Property Address: 2264 N. MAIN ST.

Property Location: N S E W Side of: North Main St

Between: OLD Dutch Park and North Main Amoco Station

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a 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:

Existing building is 1361 SF.
I AM ASKING FOR A WAIVER OF YARD SETBACK TO 8 FT ON SIDE AND
REAR TO ADD ON A STORAGE BUILDING FOR TIRES.

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

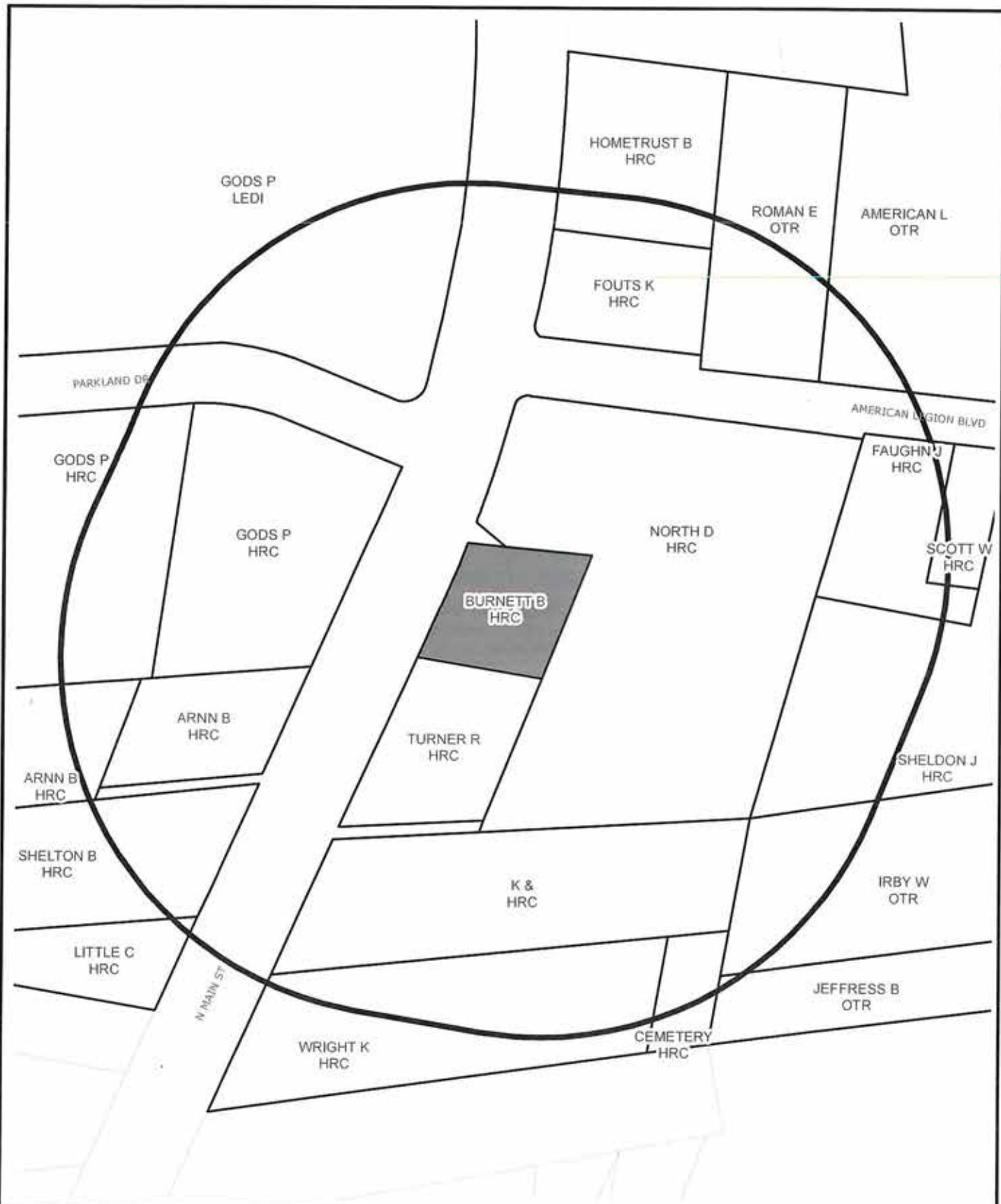
1. NAME: PAMELA G. BURNETT TELEPHONE: 434-251-3440
MAILING ADDRESS: 2164 PLEASANT GAP DR. DRY FORK, VA. 24549
SIGNATURE: Pamela G. Burnett DATE: 7-15-19
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: burnett7171@yahoo.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Steve Mize
NAME: Apple Tree, Inc TELEPHONE: (434) 575-5200
MAILING ADDRESS: PO Box 776 South Boston, VA 24592
EMAIL ADDRESS: smize@teamnurse.com
SIGNATURE: Steve D. Mize DATE: 7-15-19





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
7/16/2019

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SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on August 12, 2019
City Council (tentative) at 7pm on September 3, 2019

LOCATION OF PROPERTY: 2264 N Main St.

PRESENT ZONE: HR-C, Highway Retail Commercial District

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit for a waiver of yard requirements

PRESENT USE OF PROPERTY: Unused, most recently automobile repair

PROPOSED USE OF PROPERTY: Automobile retail (tire sales), including an addition to existing building for storage

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Bobby P Jr. and Pamela G Burnett

NAME OF APPLICANT (S): Apple Tire Inc.

PROPERTY BORDERED BY: Commercial on all sides; residential to the east

ACREAGE: 0.29 acres (12,632 sq. ft.)

CHARACTER OF VICINITY: Commercial

INGRESS AND EGRESS: N Main St

TRAFFIC VOLUME: Medium



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/16/2019

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Council Letter

City of Danville, Virginia



CL-2169

New Business Item #: G.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Resolution for the Issuance of Bonds

From: Michael Adkins, Director of Finance

COUNCIL ACTION

Business Meeting: 09/03/2019

SUMMARY

The City's Capital Improvement Plan (CIP) for Fiscal Year 2020 includes bond financing for \$4,984,102 in general governmental projects and \$8,000,000 in electric system projects. This Resolution authorizes the sale of bonds to provide funding for the projects adopted by City Council as part of the FY 2020 budget. The City can also capture debt service savings at this time by refinancing eligible portions of the 2009A and 2010B general obligation bonds. The bonds to be refinanced have an outstanding balance of \$1.5 million and \$8.3 million, respectively.

BACKGROUND

The adopted budget for FY 2020 includes bond financing that will fund the following approved capital projects:

DEPARTMENT	PROJECT	AMOUNT
Fire	Equipment	\$380,000
Admin	Rescue Station Upgrades	260,000
Parks & Recreation	Welcome Center Upgrades	105,000
Public Works	Riverside Drive	50,000
Public Works	Elevator Upgrades	275,000
Public Works	Roof Replacement	250,000
Public Works	Emergency Generator	50,000
Public Works	Parking Lot Resurfacing	100,000
Public Works	Courthouse Building Upgrades	100,000
Public Works	Stormwater System Upgrades	50,000
Danville Public Schools	Building Upgrades	3,364,102
Electric	Street Light Replacement	1,500,000
Electric	Line Rebuilds	2,000,000

Electric	Generation Projects	1,500,000
Electric	Substation Rebuilds	3,000,000

The refinancing of the 2009A and 2010B bonds would produce savings of approximately \$65,000 per year over the remaining life of the bonds. This is a reduction in total debt service of approximately \$1,000,000.

RECOMMENDATION

It is recommended that City Council approve the attached Resolution to authorize issuance of General Obligation Bonds of the City of Danville, Virginia, in the maximum principal amount not to exceed \$13,235,000 for FY 2020 CIP projects, which includes cost of issuance. The resolution also authorizes the issuance of \$10,085,000 of refunding bonds in order to refinance the 2009A and 2010B bonds, which includes cost of issuance.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2019-_____ - _____

RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND AWARD BY THE CITY OF DANVILLE, VIRGINIA, OF ONE OR MORE SERIES OF GENERAL OBLIGATION PUBLIC IMPROVEMENT AND REFUNDING BONDS, HERETOFORE AUTHORIZED, PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF SUCH BONDS AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING BONDS.

WHEREAS, the Council (the "Council") of the City of Danville, Virginia (the "City"), adopted an ordinance on July 17, 2018 (the "2018 Ordinance"), authorizing under Section 9-7A of the City Charter the issuance of general obligation bonds in a maximum principal amount of \$6,000,000 to finance any capital expenditures *other than* for capital expenditures relating to the City's water, sewer, gas and/or electric systems, as more fully described in the 2018 Ordinance, of which the full principal amount remains unissued; and

WHEREAS, using up to \$5,080,916 of the remaining principal authorization of the 2018 Ordinance (\$6,000,000), the Council desires to finance capital expenditures for general governmental projects, including, without limitation, (a) acquisition of fire equipment and the expansion, installation and equipping of a rescue station building, (b) acquisition and installation of an emergency generator for a public building, (c) public building improvements, (d) welcome center renovations, (e) street and parking lot improvements, (f) stormwater system upgrades and (g) school building improvements (collectively, the "9-7A Projects"); and

WHEREAS, pursuant to the 2018 Ordinance, the Council also authorized under the provisions of Section 9-7D of the City Charter the issuance of general obligation bonds in a maximum principal amount of \$10,000,000 to finance capital expenditures relating to the City's water, sewer, gas and electric systems or other specific undertaking or undertakings from which the City may derive a revenue, as more fully described in the 2018 Ordinance, of which the full principal amount remains unissued; and

WHEREAS, using up to \$8,154,084 of the remaining principal authorization of the 2018 Ordinance (\$10,000,000), to finance projects contemplated under the provisions of Section 9-7D of the City Charter, the Council desires to finance capital expenditures relating to the City's water and electric systems, including, without limitation, streetlight replacements, generation projects and substation and line rebuilds for the electric system (collectively, the "9-7D Projects" and, together with the 9-7A Projects, the "Projects"); and

WHEREAS, the Council desires to issue one or more series of general obligation public improvement bonds in an aggregate principal amount not to exceed \$13,235,000 (the "Project Bonds") to finance the Projects and to pay the costs of issuing the Project Bonds; and

WHEREAS, there are outstanding unmatured, principal amounts of the City's \$11,215,000 General Obligation Refunding Bonds, Series 2009A (the "2009A Bonds"), and its \$10,410,000 General Obligation Public Improvement Bonds, Series 2010B (Federally Taxable Build America Bonds - Direct Pay) (the "2010B Bonds"); and

WHEREAS, the Council desires to issue a series of general obligation refunding bonds in an aggregate principal amount not to exceed \$10,085,000 (the "Refunding Bonds" and, together with the Project Bonds, the "Bonds") to refund all or a portion of the outstanding principal amounts of the 2009A Bonds and the 2010B Bonds (such refunded portions, collectively referred to as the "Refunded Bonds") and to pay the related costs of refunding the Refunded Bonds and issuing the Refunding Bonds; and

WHEREAS, the City's administration, in collaboration with Davenport & Company LLC, acting as the City's financial advisor (the "Financial Advisor"), has recommended that the City sell one or more series of the Bonds through one or both of the following methods: (a) a public offering through a competitive sale (a "Competitive Sale") or (b) a public offering through a negotiated underwriting (a "Negotiated Sale") (under either funding option, the purchaser or underwriter of the Bonds shall be referred to herein as the "Underwriter").

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
DANVILLE, VIRGINIA:

1. Issuance and Sale of Bonds. (a) Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act of 1991, and in accordance with the authorization of the 2018 Ordinance, the Council provides for the issuance and sale of (i) the Project Bonds in an aggregate principal amount not to exceed \$13,235,000 to finance the Projects and to pay the related costs of issuing the Project Bonds and (ii) the Refunding Bonds in an aggregate principal amount not to exceed \$10,085,000 to refund the Refunded Bonds and to pay the related costs of refunding the Refunded Bonds and issuing the Refunding Bonds.

(b) The Council determines that the average probable period of usefulness of the Projects is not more than 30 years.

2. Bond Details. (a) The Council authorizes the City Manager (which term shall include the Deputy City Manager for purposes of this Resolution) to undertake the issuance and sale of the Bonds and, subject to the provisions and limitations of this Resolution, to determine the final pricing terms of the Bonds as he shall deem to be in the best interests of the City. As such, the City Manager is authorized to determine whether to issue the Project Bonds and the Refunding Bonds as separate series or as one combined series and to determine the appropriate series designation(s), the dated date(s), and the numbering of the Bonds. The Bonds shall be in registered form, shall be in denominations of \$5,000 and integral multiples thereof and shall be numbered R-1 upward, or such other designation as appropriate. Subject to Section 8, the issuance and sale of any series of Bonds are authorized on pricing terms as shall be satisfactory to the City Manager; provided, however, that the Bonds of such series (i) shall be issued in an aggregate principal amount not exceeding the respective limits set forth in Section 1(a) (taking into account any prior series of Bonds issued under this Resolution), (ii) shall have a "true" or "Canadian" interest cost not to exceed 5.0% (taking into account any original issue discount or premium), (iii) shall be sold to the purchaser thereof at a price not less than 98.0% of the principal amount thereof (excluding any original issue discount), (iv) shall mature, or be subject to mandatory sinking fund redemption in annual installments, in years ending no later than December 31, 2039, and (v) in the case of the Refunding Bonds, the refunding of the Refunded Bonds shall result in an aggregate net present value debt service savings of not less than 3.0% of all of the Refunded Bonds.

(b) Principal of the Bonds shall mature, or be subject to mandatory sinking fund installments, annually on dates determined by the City Manager. Each Bond shall bear interest from its dated date at such fixed rate as shall be determined at the time of sale, calculated on the basis of a 360-day year of twelve 30-day months, and payable semiannually on dates determined by the City Manager. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on a date prior to each interest payment date that shall be determined by the City Manager (the "Record Date"); provided, however, that at the request of the registered owner of the Bonds, payment may be made by wire transfer pursuant to the most recent wire instructions received by the Registrar from such registered owner. If any payment date is not a business day, such payment shall be made on the next succeeding business day with the same effect as if made on the stated payment date, and no additional interest shall accrue. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

(c) Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC"), or its nominee. The City has heretofore entered into a Blanket Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. The term "Securities Depository" as used in this Resolution shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

(d) In the event that (i) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar, and the City discharges the Securities Depository of its responsibilities with respect to the Bonds, or (ii) the City in its sole discretion determines (A) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (B) to select a new Securities Depository, then the Director of Finance shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the new Securities Depository or its nominee or to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 5; provided, however, that such form shall provide for interest on the Bonds to be payable (1) from the date of the Bonds if they are authenticated prior to the first interest payment date or (2) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the Director of Finance shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 7.

(e) So long as there is a Securities Depository for the Bonds, (i) it or its nominee shall be the registered owner of the Bonds; (ii) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository; (iii) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants; (iv) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds; and (v) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Blanket Letter of Representations such provisions of the Blanket Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

3. Redemption Provisions. (a) The Bonds of any series may be subject to redemption prior to maturity at the option of the City on or after dates, if any, determined by the City Manager, in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any interest accrued to the date fixed for redemption, plus a redemption premium not to exceed 2.0% of the principal amount of the Bonds, such redemption premium to be determined by the City Manager.

(b) Any Bonds sold as term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Manager.

(c) If less than all of the Bonds of a series are called for redemption, the maturities of the Bonds to be redeemed shall be selected by the Director of Finance in such

manner as such officer may determine to be in the best interest of the City. If less than all the Bonds of any maturity of a series are called for redemption, the Bonds within such maturity to be redeemed shall be selected by the Securities Depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (i) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof, and (ii) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds of such series that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the date fixed for redemption, to the registered owner of the Bonds. The City shall not be responsible for giving notice of redemption to anyone other than DTC or another qualified securities depository then serving or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

(d) In the case of an optional redemption, the notice may state that (i) it is conditioned upon the deposit of moneys, in an amount equal to the amount necessary to effect the redemption, no later than the date fixed for redemption or (ii) the City retains the right to rescind such notice on or prior to such fixed redemption date (in either case, a "Conditional Redemption"), and such notice and optional redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described herein. Any Conditional Redemption may be rescinded at any time. The City shall give prompt notice of such rescission to the affected Bondholders. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute an event of default. Further, in the case of a Conditional Redemption, the failure of the City to make funds available on or before the date fixed for redemption shall not constitute an event of default, and the City shall give immediate notice to all organizations registered with the Securities and Exchange Commission ("SEC") as securities depositories or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

4. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, the City's seal shall be affixed thereto and shall be attested by the manual or facsimile signature of the City Clerk (which term shall include any Deputy or Assistant City Clerk for purposes of this Resolution); provided, however, that no Bond signed by facsimile signatures shall be valid until it has been authenticated by the manual signature of the Registrar or, if a bank has been appointed registrar pursuant to Section 7, an authorized officer or employee of the Registrar and the date of authentication noted thereon.

5. Bond Form. The Bonds shall be in substantially the form of Exhibit A, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

6. Pledge of Full Faith and Credit. The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Council shall levy and collect an annual ad valorem tax, over and above all

other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

7. Registration, Transfer and Owners of Bonds. The Bonds shall be issued in registered form without coupons, payable to the registered holders or registered assigns. The City Treasurer is hereby appointed paying agent and registrar for the Bonds (the "Registrar"). The City Manager is authorized, on behalf of the City, to appoint a qualified bank or trust company as successor paying agent and registrar of the Bonds if at any time the City Manager determines such appointment to be in the best interests of the City. The Registrar shall maintain registration books for the registration of the Bonds and transfers thereof. Upon presentation and surrender of any Bonds to the Registrar, or its corporate trust office if the Registrar is a bank or trust company, together with an assignment duly executed by the registered owner or the owner's duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 4, and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in the name(s) as requested by the then registered owner or the owner's duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest on the Bonds and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as owner on the registration books on the Record Date.

8. Methods of Sale; Award of Bonds. (a) The Council authorizes the sale of the Bonds either through a Competitive Sale or a Negotiated Sale, as determined by the City Manager to be in the best interests of the City.

(b) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Competitive Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to take all proper steps to advertise the Bonds for sale, to receive public bids and to award the Bonds to the bidder providing the lowest "true" or "Canadian" interest cost, subject to the limitations set forth in Section 2. Following a Competitive Sale, the City Manager shall file a certificate with the Council setting forth the final terms of the Bonds. The actions of the City Manager in selling the Bonds by Competitive Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the Council.

(c) If the City Manager determines that the Bonds (or a portion thereof) shall be sold through a Negotiated Sale, the City Manager is authorized, on behalf of the City and in collaboration with the Financial Advisor, to choose an investment banking firm to serve as Underwriter for the Bonds and to execute and deliver to the Underwriter, as purchaser of the Bonds, a bond purchase agreement reflecting the final terms of the Bonds. The bond purchase agreement shall be in a form approved by the City Manager, in collaboration with the City Attorney, the Financial Advisor and the City's bond counsel. The actions of the City Manager in selling the Bonds by Negotiated Sale shall be conclusive, and no further action with respect to the sale and issuance of the Bonds shall be necessary on the part of the Council.

(d) Following the determination of which method(s) of sale shall be used, the City Manager is authorized to determine (i) the principal amount of the Bonds, subject to the limitations set forth in Section 1(a), (ii) the interest rates of the Bonds, the maturity schedules of the Bonds, and the price to be paid for the Bonds by the Underwriter, subject to the limitations set forth in Section 2, (iii) the redemption provisions of the Bonds, subject to the limitations set forth in Section 3(a), and (iv) the dated date, the principal and interest payment dates and the Record Dates of the Bonds, all as the City Manager determines to be in the best interests of the City.

9. Official Statement. The draft Preliminary Official Statement describing the Bonds, copies of which have been made available to the Council prior to this meeting, is hereby approved as the form of the Preliminary Official Statement by which the Bonds will be offered for sale to the public; provided that the City Manager, in collaboration with the Financial Advisor, may make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. After the Bonds have been sold, the City Manager, in collaboration with the Financial Advisor, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this Resolution as are necessary or desirable to complete it as a final Official Statement. In addition, the City shall arrange for the delivery to the purchaser of the Bonds of a reasonable number of printed copies of the final Official Statement, within seven business days after the Bonds have been sold, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the purchaser initially sells Bonds.

10. Official Statement Deemed Final. The City Manager is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (the "Rule") of the SEC, except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to the Rule. The distribution of the Preliminary Official Statement and the execution and delivery of the Official Statement in final form shall be conclusive evidence that each has been deemed "final" as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

11. Preparation and Delivery of Bonds. After the Bonds have been awarded, the Mayor, the City Manager, the City Treasurer and the City Clerk are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the purchaser thereof upon payment therefor.

12. Arbitrage Covenants. (a) The City represents that there have not been issued, and covenants that there will not be issued, any obligations that will be treated as part of the same issue of obligations as the Bonds within the meaning of Treasury Regulations Section 1.150-1(c).

(b) The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not

required to prevent interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

13. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested by the City's bond counsel are authorized and directed to execute an appropriate certificate setting forth (a) the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and (b) any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be prepared in consultation with the City's bond counsel, and such elections shall be made after consultation with bond counsel.

14. Limitation on Private Use. The City covenants that it shall not permit the proceeds of the Bonds or the facilities financed or refinanced with the proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

15. Deposit of Bond Proceeds. The City Treasurer is authorized and directed to provide for delivery of the proceeds of the Bonds to or at the direction of the City in such manner as necessary to (a) pay the costs of the Projects, (b) refund the Refunded Bonds and (c) pay the costs of issuing the Bonds and refunding the Refunded Bonds.

16. Escrow Deposit Agreement. The City Manager, the Director of Finance and the City Treasurer, any of whom may act, are authorized and directed to execute an escrow deposit agreement in connection with the Refunded Bonds (the "Escrow Agreement") between the City and an escrow agent to be appointed by the City Manager (the "Escrow Agent"). The Escrow Agreement shall be in the form approved by one of such authorized signatories, in collaboration with the City Attorney and the City's bond counsel. The execution and delivery of the Escrow Agreement by any of such authorized signatories shall constitute conclusive evidence of their approval of the Escrow Agreement. The Escrow Agreement shall provide for the irrevocable deposit of a portion of the Refunding Bond proceeds in an escrow fund that shall be sufficient, when invested in noncallable obligations of, or unconditionally guaranteed by, the United States Government (the "Government Obligations"), to provide for payment of principal of and premium, if any, and interest on the Refunded Bonds. The Escrow Agent is authorized to execute, on behalf of the City, an initial and final subscription form for the purchase of the Government Obligations, if and as necessary.

17. Redemption of Refunded Bonds. The City Manager is authorized and directed to determine which principal installments or maturities (or portions thereof) of the 2009A Bonds and the 2010B Bonds shall constitute the Refunded Bonds. The City Manager shall direct that notices of redemption be given to the registered owners of the

Refunded Bonds in accordance with the resolutions providing for the issuance of the Refunded Bonds.

18. SNAP Investment Authorization. The Council has previously received and reviewed the Information Statement (the "Information Statement"), describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool (the "Contract"), and the Council hereby authorizes the Director of Finance in his discretion to utilize SNAP in connection with the investment of the proceeds of the Bonds. The Council acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the City in connection with SNAP, except as otherwise provided in the Contract.

19. Continuing Disclosure Agreement. The Mayor, the City Manager and such officer or officers of the City as either may designate, any of whom may act, are hereby authorized and directed to execute a continuing disclosure agreement (the "Continuing Disclosure Agreement") setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. The Continuing Disclosure Agreement shall be substantially in the form appearing as an Appendix to the draft Preliminary Official Statement described above, which agreement is hereby approved for purposes of the Bonds; provided that the City Manager, in collaboration with the Financial Advisor, may make such changes in the Continuing Disclosure Agreement not inconsistent with this Resolution as the City Manager may consider to be in the best interest of the City. The execution thereof by such officers shall constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

20. Other Actions. All other actions of officers of the City in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds and the refunding of the Refunded Bonds are hereby ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds and the refunding of the Refunded Bonds.

21. Repeal of Conflicting Resolutions. All resolutions or parts of resolutions in conflict herewith are repealed.

22. Effective Date. This Resolution shall take effect immediately.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY

[FORM OF BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED**REGISTERED**

No. R-_____

\$_____

UNITED STATES OF AMERICA**COMMONWEALTH OF VIRGINIA****CITY OF DANVILLE****General Obligation [Public Improvement/Refunding] Bond,****Series 2019[___]****INTEREST RATE****MATURITY DATE****DATED DATE****CUSIP**

_____%

_____, ____

_____, 2019

REGISTERED OWNER: CEDE & CO.**PRINCIPAL AMOUNT:****DOLLARS**

The City of Danville, Virginia (the “City”), for value received, promises to pay, upon surrender hereof to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon from its date semiannually on each _____ and _____, beginning _____, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal, premium, if any, and interest are payable in lawful money of the United States of America by the City Treasurer, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed by the City Manager as successor paying agent and registrar (the “Registrar”). If any payment date is not a business day, such payment shall be made on the next succeeding business day with the same effect as if made on the stated payment date, and no additional interest shall accrue.

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company (“DTC”), and the payment of principal, premium, if any, and interest, the providing of notices and other matters shall be made as described in the City’s Blanket Letter of Representations to DTC.

This bond is one of an issue of \$_____ General Obligation Public Improvement Bonds, Series 2019, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act of 1991. The bonds have been authorized and issued pursuant to an ordinance adopted by the Council of the City (the “Council”) on _____, 2019, and a resolution adopted by the Council on _____, 2019 (the “Resolution”), [to finance certain public improvement projects and to pay costs incurred in connection with issuing such bonds] [OR to refund the outstanding principal amount of _____ and to pay the related costs of such issuance and refunding.]

Bonds maturing on or before _____, 20__, are not subject to redemption prior to maturity. Bonds maturing on or after _____, 20__, are subject to redemption prior to maturity at the option of the City on or after _____, 20__, in whole or in part (in any multiple of \$5,000) at any time, upon payment of the following redemption prices (expressed as a percentage of principal amount of bonds to be redeemed) plus interest accrued and unpaid to the date fixed for redemption:

Period During Which Redeemed (Both Dates Inclusive)	Redemption Price
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[Bonds maturing on _____, 20__, are required to be redeemed in part before maturity by the City on _____ in the years and amounts set forth below, at a redemption price equal to the principal amount of the bonds to be redeemed, plus accrued interest to the date fixed for redemption:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
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If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the Director of Finance of the City in such manner as such officer may determine to be in the best interest of the City. If less than all of the bonds of any maturity are called for redemption, the bonds within such maturity to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for

redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by facsimile or electronic transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the date fixed for redemption, to the registered owner hereof. If a portion of this bond is called for redemption, a new bond in the principal amount of the unredeemed portion hereof will be issued to the registered owner upon surrender hereof.

The City may give notice of redemption prior to a deposit of redemption moneys if such notice states that the redemption is to be funded with the proceeds of a refunding bond issue and is conditioned on the deposit of such proceeds. Provided that moneys are deposited on or before the date fixed for redemption, such notice shall be effective when given. If such proceeds are not available on the date fixed for redemption, such bonds will continue to bear interest until paid at the same rate they would have borne had they not been called for redemption. On presentation and surrender of the bonds called for redemption at the place or places of payment, such bonds shall be paid and redeemed.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond. Unless other funds are lawfully available and appropriated for timely payment of this bond, the Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all taxable property within the City sufficient to pay when due the principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the exercise of all others rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the ____ day of the month [preceding] [in which] each interest payment [is due].

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the City of Danville, Virginia, has caused this bond to be to be signed by its Mayor and its City Treasurer, its seal to be affixed hereto and attested by its City Clerk, and this bond to be dated the date first above written.

(SEAL)

Mayor, City of Danville, Virginia

City Treasurer, City of Danville, Virginia

(ATTEST)

City Clerk,
City of Danville, Virginia

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto

(Please print or type name and address, including postal zip code, of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFeree:

: :
: :
: :

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

_____,
Attorney, to transfer said bond on the books kept for the registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be guaranteed
by an Eligible Guarantor Institution such
as a Commercial Bank, Trust Company,
Securities Broker/Dealer, Credit Union
or Savings Association who is a member
of a medallion program approved by The
Securities Transfer Association, Inc.

(Signature of Registered Owner)

NOTICE: The signature above must
correspond with the name of the
registered owner as it appears on the
front of this bond in every particular,
without alteration or enlargement or any
change whatsoever.

Council Letter

City of Danville, Virginia



CL-2174

New Business Item #: H.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Older Americans Grant Funding Fiscal Year 2020

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 09/03/2019

Final Adoption: 09/17/2019

SUMMARY

Each year, the City of Danville applies for Older Americans Act funds and Virginia General Assembly funds in association with the Southern Area Agency on Aging to provide transportation services for senior citizens, age sixty and over, residing in the City of Danville and certain designated areas outside the City limits. Last fiscal year, the Danville Transit System transported 446 seniors and completed 18,058 one-way trips due to grant funds passed through to the City by the Southern Area Agency on Aging.

BACKGROUND

The Transportation Services Department requests the appropriation of Title III-B Older Americans Act Grant funds for the federal fiscal year October 1, 2019 through September 30, 2020 in the amount of \$53,164 from Title III-B funds, \$23,917 from the Virginia General Assembly, and Program Income of \$2,000 for transportation services.

The Ordinance includes an appropriation for in-kind services for the Title III-B Older Americans Act Grant in the amount of \$380,790. These charges are appropriated in the Transportation Services budget as well. The appropriation for in-kind service is necessary for administrative and reporting purposes and to complete operational and supervisory duties to support the Senior Transportation program, and includes in-kind revenues and equal in-kind expenditures in the Special Grants fund.

RECOMMENDATION

It is recommended that City Council approve the attached Ordinance appropriating the Title III-B Older American Act Grant funds from the Southern Area Agency on Aging for FY 2020.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019 - _____ - _____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE BY INCREASING CERTAIN REVENUES TO PROVIDE FOR TITLE III-B GRANT FUNDS AND LOCAL SHARE FOR SENIOR CITIZEN TRANSPORTATION SERVICES AND APPROPRIATING THE SAME.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance by, and it is hereby, amended to provide for a grant from Title III-B Older Americans Act funds in the amount of \$53,164; Virginia General Fund monies in the amount of \$23,917, administered by the Southern Area Agency on Aging to the Department of Transportation Services for the Federal Fiscal Year beginning October 1, 2019 and ending September 30, 2020; \$2000 program income and \$380,790 In-Kind Services for a total of \$459,871, and appropriating such funds within the Special Grants Fund, such revenue and appropriations to be as follows:

<u>ANTICIPATED REVENUES</u>		
<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid –Federal: Older Americans Act Title III-B Funds (FY19-20)	61444000-48142	\$ 77,081
Local Share: Older Americans Act Title III-B Program Income (FY19-20)	61446000-44650	2,000
Title III-B Older Americans Act In-Kind (FY19-20)	61445000-44890	<u>380,790</u>
	TOTAL	<u>\$ 459,871</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B (FY19-20)		
Salary and Wages	61444000-51200	\$ 25,100
FICA	61444000-51450	1,851
Mass Transit Services	61444000-52660	46,427
Postage	61444000-54050	300
Telephone Internet	61444000-54100	903
Travel/ Training Expense	61444000-54900	1,000
Office Supplies	61444000-55820	1,000
Gas/Lubricants	61444000-56242	500
	subtotal	<u>\$ 77,081</u>

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B Program Income (FY19-20):		
Salary and Wages	61446000-51200	\$ 500
Travel/ Training Expense	61446000-54900	500
Office Supplies	61446000-55820	500
Dues/Memberships	61446000-56242	500
	Subtotal	<u>\$ 2,000</u>

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Older Americans Act Title III-B In-Kind (FY19-20):		
Postage	61445000-54050	\$ 750
Telephone Internet	61445000-54100	1,400
Travel/Training Expense	61445000-54900	1,833
Office Supplies	61445000-55820	1,000
Salary and Wages	61445000-59500	341,014
FICA	61445000-59510	23,058
Outside Services	61445000-59610	550
Print Shop	61445000-59620	3,000
Lease/Rent Buildings	61445000-59670	8,185
	Subtotal	<u>\$ 380,790</u>
TOTAL		<u>\$ 459,871</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2020 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-2176

New Business Item #: I.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: FY 2020 Comprehensive Services Act Fund Appropriation

From: Earl B. Reynolds, Jr., Deputy City Manager

COUNCIL ACTION

First Reading: 09/03/2019

Final Adoption: 09/17/2019

SUMMARY

The Comprehensive Services Act (CSA) was enacted in Fiscal Year 1994, by the Virginia General Assembly, for the purpose of eliminating duplication of services for at-risk children and families. Whenever possible, CSA services must be child specific and community based. Services may be residential or non-residential, private or public, and must be responsive to the child's unique needs and culture. These services may currently exist within the public agencies, such as mental health, social services, education, and court services, or may be available privately. Examples include, but are not limited to: substance abuse counseling, respite care, psychological evaluations, transportation services, home-based therapy, family counseling, parent training, therapeutic foster care, job coaching, after school care, recreation, and housing assistance. In January 2013, the City began operating its own Community Policy and Management Team (CPMT). This resulted from the request of Pittsylvania County to dissolve the joint Danville-Pittsylvania County Community Policy and Management Board (CPMB). A full time person has been hired under the Division of Social Services to coordinate the City only program. There has been no increased administrative cost to the City as the administration funds that were being paid to Pittsylvania County are now being used to support the City only program.

BACKGROUND

Daily, the schools, social services and court service units are faced with a number of societal issues, such as locating services for abused, neglected, delinquent and special services children with significant mental and physical health impairments. In addition, these organizations work with children with behavioral problems that require specialized placements for treatment, truancy, and children whose disabilities are so severe they are unable to function within the community. These disabilities and behavioral issues include, but are not limited to: Autism, Bipolar Disorder, Schizophrenia, Sexual Reactive Disorder, Post Traumatic Stress Disorder, Suicidal Ideation, Conduct Disorder, Attachment Disorder, and Mental Retardation. The overall focus of CSA continues to be servicing at-risk children and families. Great strides have been made in bringing additional resources for services to the community. Service providers are meeting the increased demand for specialized programs while trying to manage the costs of such programs. The community partners continue to be faced with younger children whose disabilities are so severe that often times the children cannot be treated locally. The agencies that serve on the CPMT explore all options to provide for the needs of Danville's families and children by utilizing cost effective measures to reduce expenditures to the locality. These measures include using Medicaid vendors, when appropriate, reviewing progress reports prior to authorizing additional service units, when feasible, and reviewing eligibility for IV-E funding

which reimburses the locality 100% of allowable costs.

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance which will approve FY 2020 state and local funding for the CSA program. The required local match is included in the adopted FY 2020 City of Danville Budget.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE BY APPROPRIATING COMPREHENSIVE SERVICES ACT FUNDS AND PROVIDING LOCAL MATCHING FUNDS FOR A TOTAL AMOUNT OF \$4,666,256 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance be, and is hereby, amended by increasing revenues to anticipate the State and Local funds for the Comprehensive Services Act fund and appropriating such funds within the Special Grants Fund, such appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid—State:		
Comprehensive Services Act—		
Pool Funds	60315000-45560	\$ 3,675,143
Administrative Funds	60315000-45570	18,040
Local Share		
Transfer in From General Fund	60315000-6101	973,073
	Total	<u>\$ 4,666,256</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Comprehensive Services Act:		
Outside Services	60315000-52349	\$ 4,500,000
CSA Medicaid	60315000-55570	30,000
FT Salaries	60315000-51100	75,695
FICA	60315000-51450	5,431
Retirement	60315000-51525	5,894
Group Health Insurance	60315000-51600	11,253
Group Life Insurance	60315000-51630	283
Print Shop	60315000-52650	1,200
Temporary Services	60315000-52190	2,000
PS-Office Supplies	60315000-52655	1,400

Postage	60315000-54050	1,000
Telephone	60315000-54100	1,000
Travel & Training	60315000-54900	2,400
Local Only-CSA	60315000-55420	25,000
Office Supplies	60315000-55820	2,000
Materials & Supplies	60315000-55930	500
Dues	60315000-56242	1,200
	Total	<u>\$ 4,666,256</u>

AND BE IT FURTHER ORDAINED that a flexible budget is hereby authorized whereby appropriations may be increased to the extent that actual revenues from the CSA Pool Fund exceeds the original budget amount; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2020 Budget appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until thereafter further amended or repealed.

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2191

New Business Item #: J.

City Council Regular Meeting

Meeting Date: 09/03/2019

Subject: Bond Appropriation Ordinance

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 09/03/2019

Final Adoption: 09/17/2019

SUMMARY

The City Council has authorized the issuance of General Obligation Bonds to fund various projects as specified in the Fiscal Year 2020 Capital Improvements & Special Projects Plan.

BACKGROUND

The City's FY 2020 Capital & Special Projects Plan includes funding in the amount of \$4,984,102 for General Fund and School projects and \$8,000,000 for Electric Fund projects. The attached ordinance is a flexible ordinance providing for posting of issuance costs and refinancing of previous bonds to be determined upon the issuance of the bonds

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance amending the FY 2020 Budget Appropriation Ordinance for Capital & Special projects.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2020 BUDGET APPROPRIATION ORDINANCE BY ANTICIPATING THE PROCEEDS FROM THE ISSUANCE OF BONDS AND APPROPRIATING SAME FOR ANTICIPATED EXPENDITURES.

WHEREAS, the City Council has authorized the issuance of general obligation bonds to finance various capital projects; and

WHEREAS, City Council desires to appropriate the proceeds to fund the various projects including fire apparatus purchase, various street and building improvements, elevator and roof replacements, emergency generator purchase, park facility improvements, electric system improvements and upgrades, and and estimated bond insurance costs.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2020 Budget Appropriation Ordinance be, and it is hereby, amended by appropriating funds from the sale bonds as follows:

REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Project Fund:		
Fire Apparatus Eqpt	60184000-44050	380,000
Addition to Northside Rescue Station	61508000-44050	260,000
Riverside Drive Reconstruction	61282000-44050	50,000
Stormwater Improvements	60022000-44050	50,000
Elevator Replacement	60000437-6999	275,000
Roof Replacements	60000119-6999	250,000
City-Owned Parking Lots	61512000-44050	100,000
Emergency Generator Purchases	60000126-6999	50,000
Exterior Painting-City Buildings	61513000-44050	100,000
Recreation-Facility Improvements	60901000-44050	105,000
School Improvements	60031000-44050	2,000,000
GWHS-IT & Robotics Academy	61509000-44050	<u>1,364,102</u>
Sub-Total		<u>\$4,984,102</u>

REVENUES (Cont.)

Electric Fund:		
Street Light Upgrades	61288000-44050	1,500,000
Line Rebuilds/25kV Conversion	60613000-44050	2,000,000
Behind the Meter Generation	61251000-44050	1,500,000
Substation Upgrades	61029000-44050	<u>3,000,000</u>
Sub-Total		<u>\$8,000,000</u>
Total Revenues		<u>\$12,984,102</u>

EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Project Fund:		
Fire Apparatus Eqpt	60184-999-50	380,000
Addition to Northside Rescue Station	61508-999-50	260,000
Riverside Drive Reconstruction	61282-999-50	50,000
Stormwater Improvements	60022-999-50	50,000
Elevator Replacement	60000-437-6999	275,000
Roof Replacements	60000-119-6999	250,000
City-Owned Parking Lots	61512-000-999	100,000
Emergency Generator Purchases	60000-126-6999	50,000
Exterior Painting-City Buildings	61513-999-50	100,000
Recreation-Facility Improvements	60901-999-50	105,000
School Improvements	60031-999-50	2,000,000
GWHS-IT & Robotics Academy	61509-999-50	<u>1,364,102</u>
Sub-Total		<u>\$4,984,102</u>
Electric Fund:		
Street Light Upgrades	61288000-44050	1,500,000
Line Rebuilds/25kV Conversion	60613000-44050	2,000,000
Behind the Meter Generation	61251000-44050	1,500,000
Substation Upgrades	61029000-44050	<u>3,000,000</u>
Sub-Total		<u>\$8,000,000</u>
Total Expenditures		<u>\$12,984,102</u>

BE IT FURTHER ORDAINED that this is a flexible appropriation as related to refinancing of existing bonds and issuance costs, both to be determined when the bonds are issued; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2020 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