



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

August 9, 2018

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
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 - Fred O. Shanks, III

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. Consideration of Approval of Minutes from Inaugural Meeting held on July 2, 2018 and Regular Council Meeting held on July 5, 2018.
Council Letter Number CL - 1942.

- B. Consideration of Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for Virginia Department of Aviation Maintenance Grant Funds.
Council Letter Number CL - 1926

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for the Virginia Department of Aviation Maintenance Grant Funds Related to the Maintenance of Certain Airport Properties in the Amount of \$100,000 and for the Local Share in the Amount of \$16,719 for a Total Appropriation of \$116,719 and Appropriating the Same.

FINAL ADOPTION

NEW BUSINESS

- A. Consideration of Amending the FY 2019 Budget Appropriation Ordinance for Comprehensive Services Act Funds.
Council Letter Number CL - 1934.

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Appropriating Comprehensive Services Act Funds and Providing Local Matching Funds for a Total Amount of \$4,747,214.

FIRST READING

- B. Consideration of Approval to Rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District at 5011 Riverside Drive.
Council Letter Number CL - 1947

1. Public Hearing
2. An Ordinance Rezoning from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, Otherwise Known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia, Zoning District Map.

- C. Consideration of Rezoning from S-R Suburban Residential to LED-I, Light Economic Development District, Parcel ID#s 78315 and 75881.
Council Letter Number CL - 1948.

1. Public Hearing
2. An Ordinance Rezoning from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, Otherwise Known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia, Zoning District Map.

- D. Consideration of Rezoning from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407.
Council Letter Number CL - 1949

1. Public Hearing
2. An Ordinance Rezoning from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 Acres on Terry Ave) Otherwise Known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map.

- E. Consideration of Rezoning from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street.
Council Letter Number CL - 1950

1. Public Hearing
2. An Ordinance Rezoning From OT-R, Old Town Residential to "Conditional" TO-C, Transitional Office Commercial, 711 Jefferson Street, Otherwise Known as Grid 2717, Block 023, Parcel 000004 of the City of Danville, Virginia, Zoning District Map.

F. Consideration of Granting a Special Use Permit at 711 Jefferson Street for a Community Facility.
Council Letter Number CL - 1951

1. Public Hearing
2. An Ordinance Granting a Special Use Permit for a Community Facility in Accordance with Article 3:l, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as Amended, at 711 Jefferson Street, Otherwise Known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia, Zoning District Map.

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-1942

Consent Agenda Item #: A.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Consideration of Approval of Minutes

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

Consideration of Approval of Minutes from Inaugural Meeting held on July 2, 2018 and Regular Council Meeting held on July 5, 2018.

Council Letter Number CL - 1942.

Attachments

Meeting Minutes

Meeting Minutes

The Inaugural Meeting of the Danville City Council was held on July 2, 2018 at 12:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, Alonzo L. Jones, Gary P. Miller, Sherman M. Saunders, Fred O. Shanks III, Adam J. Tomer, J. Lee Vogler and Madison J.R. Whittle (8). L. G. "Larry" Campbell Jr., was absent (1).

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

City Clerk Susan DeMasi called the meeting to order, welcomed everyone in attendance and introduced Assistant City Attorney C. Ryan Dodson who gave the Invocation. The Pledge of Allegiance to the Flag followed.

PRESENTATION OF ELECTION CERTIFICATES

Secretary of the Electoral Board, Sylvesta L. Jennings, presented Certificates of Election to Council Members James. B. Buckner, Alonzo L. Jones, Gary P. Miller, and Adam J. Tomer, certifying their election on May 1, 2018 for four-year terms commencing July 1, 2018 and ending June 30, 2022.

OATHS OF OFFICE

Ms. DeMasi administered the Oath of Office to Mr. Buckner, Mr. Jones, Dr. Miller, and Mr. Tomer. (Clerk's Note: A copy of the oaths are attached to and made a part of these minutes).

ELECTION OF MAYOR

The next order of business was the election of Mayor for a two-year term commencing July 1, 2018 and ending June 30, 2020. Ms. DeMasi turned the floor over to City Attorney Clarke Whitfield to conduct the elections. Mr. Whitfield congratulated the three re-elected and the newly elected Council Members, and opened the floor for nominations for Mayor.

Council Member Buckner nominated Alonzo L. Jones for Mayor. Council Member Buckner noted Council Member Jones has made a measurable impact in Danville and surrounding communities for over 23 years. Mr. Jones is a past school board member for Danville Public Schools, appointed by Council in June 2004 and elected in 2006. In addition to his work with young people, Mr. Jones was committed to serving all citizens of Danville. He made the commitment to successfully run for three terms on City Council and worked cohesively with a Council that was dedicated to moving the city forward. While on Council, Mr. Jones has been a champion behind the first Youth Council coming to fruition, serves on numerous boards, and does an outstanding job representing the City as Vice Mayor. Mr. Buckner asked Council to join him in voting for Councilman Alonzo Jones for Mayor, and thanked them for their consideration.

There were no further nominations for Mayor and the nominations were closed.

Council Members voting for Mr. Jones were: Mr. Buckner, Mr. Jones, Dr. Miller, Mr. Saunders, Mr. Shanks, Mr. Tomer, Mr. Vogler and Mr. Whittle.

Alonzo L. Jones was elected to serve as Mayor for a two year term commencing July 1, 2018 and ending June 30, 2020.

ELECTION OF VICE MAYOR

Mr. Whitfield opened the floor for nominations for Vice Mayor for a two-year term commencing July 1, 2018 and ending June 30, 2020.

Council Member Tomer stated he nominated J. Lee Vogler for Vice Mayor noting he has known Mr. Vogler for ten years, he is committed to this community, and cares for this community. When he thinks of the Vice Mayor and Mayor's position for the City, Danville needs the ultimate cheerleaders, they need people that are optimistic about the future of Danville, but are also realistic and know that Danville has challenges. Lee is pragmatic, he looks for solutions to problems; he doesn't try to create them, he tries to fix them. He wants to see this City succeed, he wants the community to succeed. He is a young father like himself, he has two small children, he cares about the future of Danville. He wants the City to be a place that his kids can grow up and succeed. Mr. Tomer noted it is with great pride and pleasure that he nominates Lee Vogler for Vice Mayor.

There were no further nominations for Vice Mayor and the nominations were closed.

Council Members voting for Mr. Vogler were: Mr. Buckner, Mr. Jones, Dr. Miller, Mr. Saunders, Mr. Shanks, Mr. Tomer, Mr. Vogler and Mr. Whittle.

J. Lee Vogler was elected as Vice Mayor for a two-year term commencing July 1, 2018 and ending June 30, 2020.

DRAWING FOR COUNCIL SEATING

The last item of business conducted by Ms. DeMasi and Mr. Whitfield was the drawing for Council Seating. Following the drawing, there was a brief recess while the Mayor, Vice Mayor and Members of Council assumed their respective seats.

ROLL CALL

Council Member Buckner thanked everyone for being here today, thanked his wife and son for being here and the all the support they give him; and thanked everyone that voted to re-elect him for four more years. Mr. Buckner promised to all he can to build and grow Danville.

Dr. Miller thanked everyone that voted for him in the last election and for those that showed up today. Dr. Miller noted he encouraged people to attend Council meetings and bring their problems and concerns to Council.

Mr. Saunders congratulated Mayor Jones and Vice Mayor Vogler, he knows they will do well. Special thanks to all the Council members for their support of these two gentlemen and to the City also. Mr. Saunders noted he looked forward to doing all he can to assist them and to assist the City in continuing to be the best it can be.

Council Member Shanks thanked everyone who came today, watched and participated in the ceremony and appreciated the interest they expressed to City Council. As a member of Council he will continue to work with other members to make the City the best it can be. They will meet the challenges they will face, and they face many right now, but they have made progress and will continue to make that progress as the years go by. Mr. Shanks thanked the citizens for their support.

Council Member Tomer congratulated Mayor Jones and Vice Mayor Vogler and stated he is happy to be back with this Council, the City staff, City Manager, City Clerk and City Attorney. Mr. Tomer thanked his family for being here and being so supportive of him when he decided to run for Council again, he would not be there without them. Mr. Tomer encouraged the citizens of Danville to be active, to continue the progress this Council has made; there is still a lot of work to do. He is excited to get down to work to make this City a better place for future generations and for the people that are there now. Mr. Tomer thanked everyone that came out to vote this past election to give him an opportunity to work for them.

Vice Mayor Vogler congratulated his fellow Council Members who were reelected and welcomed Council Member Tomer. Mr. Vogler thanked everyone who came out today, his family, his son and daughter and wife; he could not do any of this without her. Mr. Vogler stated he was extremely grateful and honored to have the support of his Council Members to serve as the new Vice Mayor; it is a responsibility that he does not take lightly or for granted. He looks forward to working with each of them over the next two years. Council are representatives of the people and he has no doubt they will be the people's City Council, and pledges to spend every minute over the next two years doing his best to be the people's Vice Mayor.

Council Member Whittle noted to those that were re-elected and Mr. Tomer, welcome and Mayor and Vice Mayor congratulations and thanks to everybody for attending.

Mayor Jones thanked everyone, and noted he was sitting thinking about his mother and sometimes he wishes she was there to see this. Mayor Jones introduced his family, and stated he introduced them for a reason, they love this City, his entire family is in this City and have given back to the City. This City Council, City staff, and the City Manager have done a superb job and this City is headed in the right direction. Mayor Jones stated this City Council put together three strategic plans: to reduce violent crime, education and to grow Danville. If asked what he would add to it, it would be partnerships; the City needs partnerships. This Council wants citizens to partner with them to achieve those three goals. Mayor Jones thanked everyone, thanked Mayor Gilstrap for his leadership, the citizens of Danville, and thanked Council Members for trusting in him for this position.

The Meeting adjourned at 12:29 p.m.

APPROVED:

MAYOR

ATTEST:

CLERK

July 5, 2018

The Regular July meeting of the Danville City Council was held on July 5, 2018, 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, Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (7). L.G. "Larry" Campbell Jr. and Fred O. Shanks, III, were absent (2).

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 Vice Mayor J. Lee Vogler; the Pledge of Allegiance to the Flag followed.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Qonell Totten who discussed the Rock D' Block event on July 14, 2018, presented by Mothers Stronger Together, an intern from DRF and others, to help build community relationships and end violence in the neighborhoods. Mr. Totten invited Council Members to attend the event.

Mayor Jones recognized Dr. Joseph Carbone, Hawthorne Drive, Danville who noted that Council will be considering the special use permit for Two Witches for a covered stage for outdoor music performances. Mr. Carbone played a recording for Council of a band playing at Buffalo Wild Wings and noted he felt it was unacceptable that that level of noise is permitted to disturb the quality of life in a residential community that existed long before any of these establishments. When Two Witches had outdoor performances as well, the two bands make the noise even worse. He has contacted the Danville Police on many occasions only to be told there is nothing they can do, no City codes are being violated. Dr. Carbone discussed sound traveling across and being amplified by the Dan River and stated only a solid wall can prevent the amplification. Dr. Carbone noted he felt it would be wrong of City Council to approve the special use permit for Two Witches to build a 30 x 72' covered stage that would result in even more outdoor music performances. Dr. Carbone stated he was not against the establishment having live music performances but only asked that Council follow the lead of the Federal government and require solid walls between any music on Riverside Drive and along the Riverfront between Robertson and Central Boulevard Bridges to minimize its effect on the Forest Hills community. The only way to achieve sound reducing results is to create a City code requiring all music along this corridor to be fully enclosed.

Council Member Tomer asked Dr. Carbone what time the recording was made and Dr. Carbone noted it was 10:30 p.m., and he believed City Code allows them to play until eleven. City Attorney Clarke Whitfield noted it was between the hours of 6:00 a.m. and 12:00 a.m. in HR-C, Central Business District, TWD and the Planned Shopping Center Commercial District. Council Member Whittle asked if a wall was behind the stage, will that reflect the music and Dr. Carbone noted he did not know.

Vice Mayor Vogler questioned Dr. Carbone about a wall built alongside and parallel to the River and Dr. Carbone stated he is not asking the City to build a wall, he said a solid wall is the only thing that will diminish the sound. He is requesting that the City require the venues

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to fully enclose the music and Mr. Vogler noted Dr. Carbone was stating no outdoor music; Dr. Carbone stated in that area, next to a residential neighborhood.

MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Saunders, minutes from the Regular Council Meeting held on June 5, 2018 were approved as presented. Draft copies had been distributed prior to the Meeting.

NEW BUSINESS

PUBLIC HEARING – CONSIDERATION OF GRANTING A SPECIAL USE PERMIT FOR COMMERCIAL RECREATION (OUTDOOR) AT 209 TRADE STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for 209 Trade Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 21, 2018 and June 28, 2018.

Mayor Jones recognized Ethan and Julie Brown, owners of Two Witches Winery and Brewery at 209 Trade Street who stated they were there to answer any questions.

Dr. Miller questioned what type of music they planned on having and what they planned on doing to temper the music. Mr. Brown noted music at Two Witches begins at the local level, with local musicians who value music and the quality of music they play and listen to. The music that is played is mostly mid-range on the music spectrum; Americana. Their intention with the outdoor stage is to hire professional musicians, and look for quality shows and sounds.

Council Member Buckner noted as a former venue owner, he knows the challenges they faced, but there are fixes for it, it can be insulated. Mrs. Brown explained there is currently fencing on three sides of the property and the way the stage is laid out, the music will face the building. Mrs. Brown stated most of their music has been on Friday nights, from 8:00 p.m. to 10:00 p.m.; they are not interested in having an establishment open until midnight. They have not had issues with the police or the citizens, and they see this as an opportunity to boost tourism and quality of life in the Dan River Region.

Vice Mayor Vogler stated they have had events with music without any stage and Mrs. Brown noted that was correct, they have been open for four years and added outdoor music; this provides an elevated, covered area. Mr. Brown explained the purpose of the Special Use Permit application is they intend to have ticketed events. Director of Community Development Ken Gillie confirmed the Special Use Permit is just for the Commercial Recreation portion. The only reason they need the special use permit is because they will start charging for tickets which means it is a revenue generator and falls under the zoning section, Commercial Recreation.

Council Member Tomer questioned the City Attorney about the noise ordinance, stating he does not see a decibel amount to the ordinance. Mr. Whitfield noted that was correct, a few years ago the Supreme Court ruled that Virginia Beach's noise ordinance was unconstitutional and Danville's was modeled after Virginia Beach. There were two different models, there was the decibel level, and decibel meters are extremely expensive, and this one that replaces a standard that basically said that if it could be heard in the house or a certain distance away

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then it is a violation of code. That fits within the requirements the Supreme Court set down in the Tanner case. Mr. Tomer noted he thinks Council is looking at two separate topics, whether Council wants to give them permission to have professional acts come in and Dr. Carbone's complaint is a separate issue that Council may need to go back and look at, at some point.

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

ORDINANCE NO. 2018-07.01

GRANTING A SPECIAL USE PERMIT FOR COMMERCIAL RECREATION (OUTDOOR) IN ACCORDANCE WITH ARTICLE 3 M, SECTION C, ITEM 4 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED, AT 209 TRADE STREET, OTHERWISE KNOWN AS GRID 1713, BLOCK 003, PARCEL 000008, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP

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

VOTE: 7-0-2
AYE: Buckner, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (7)
NAY: None
ABSENT: Campbell, Shanks (2)

PUBLIC HEARING – CONSIDERATION OF AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF DANVILLE IN THE MAXIMUM PRINCIPAL AMOUNT OF \$16,000,000

Mayor Jones opened the floor for a Public Hearing regarding Authorizing the Issuance of General Obligation Bonds. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 21, 2018 and June 28, 2018. No one present desired to be heard and the Public Hearing was closed.

Upon **Motion** by Council Member Buckner, an Ordinance entitled

ORDINANCE NO. 2018-07.02

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

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

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH MILESTONE TOWER LIMITED PARTNERSHIP

Mayor Jones opened the floor for a Public Hearing regarding a Lease Agreement with Milestone Tower Limited. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 21, 2018 and June 28, 2018. No one present desired to be heard and the Public Hearing was closed.

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Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-07.01

AUTHORIZING AND APPROVING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH MILESTONE TOWER LIMITED PARTNERSHIP-IV FOR THE PLACEMENT OF A COMMUNICATIONS TOWER AND EQUIPMENT AT 300 GOODE ST.

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

VOTE: 7-0-2
AYE: Buckner, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (7)
NAY: None
ABSENT: Campbell, Shanks (2)

AUTHORIZING AN APPLICATION TO THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION FOR MASS TRANSIT FUNDING

Mayor Jones opened the floor for a Public Hearing regarding an Application to the Virginia Department of Rail and Public Transportation. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 20, 2018 and June 27, 2018. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2018-07.02

AUTHORIZING AN APPLICATION BY THE CITY TO THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION FOR GRANTS FOR OPERATING AND CAPITAL COSTS FOR PUBLIC TRANSPORTATION FOR FISCAL YEAR 2019

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

VOTE: 7-0-2
AYE: Buckner, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (7)
NAY: None
ABSENT: Campbell, Shanks (2)

FILING AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE FEDERAL TRANSIT ACT

Mayor Jones opened the floor for a Public Hearing regarding filing an Application to the U.S. Department of Transportation. Notice of the Public Hearing was published in the *Danville Register & Bee* on June 20, 2018 and June 28, 2018. No one present desired to be heard and the Public Hearing was closed.

Vice Mayor Vogler **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-07.03

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CONFIRMING AND RATIFYING THE FILING OF AN APPLICATION BY THE CITY TO THE U.S. DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE FEDERAL TRANSIT ACT, AS AMENDED

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

VOTE: 7-0-2
AYE: Buckner, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (7)
NAY: None
ABSENT: Campbell, Shanks (2)

AMENDING THE FY2019 BAO TO PROVIDE FOR FEDERAL AND STATE TRANSIT CAPITAL ASSISTANCE FUNDS FOR REGIONAL BUS SERVICE

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

ORDINANCE NO. 2018-07.03

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FEDERAL AND STATE TRANSIT CAPITAL ASSISTANCE FUNDS RELATED TO THE PROVISION OF REGIONAL BUS SERVICE BY THE DANVILLE TRANSIT SYSTEM TO HALIFAX AND PITTSYLVANIA COUNTIES

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

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR A DEPARTMENT OF CRIMINAL JUSTICE SERVICES GRANT TO FUND THE GANG PREVENTION COORDINATOR

Upon **Motion** by Council Member Tomer, an Ordinance entitled:

ORDINANCE NO. 2018-07.04

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FOR A DEPARTMENT OF CRIMINAL JUSTICE SERVICES, COMMONWEALTH OF VIRGINIA, OFFICE OF THE ATTORNEY GENERAL GRANT FOR ESTABLISHMENT OF THE DANVILLE CRIME PREVENTION TO BE USED TO FUND THE GANG PREVENTION COORDINATOR

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

Mayor Jones asked the City Manager to give Council an update on the Gang Prevention Coordinator and City Manager Ken Larking explained after Council adopted their three focus areas, including reducing violent crime, staff established a Gang Taskforce and Youth Taskforce. The Gang Taskforce, within the first two meetings, decided to go forward with a Comprehensive Gang Model, which is recommended by the Office of Juvenile Justice and Delinquency Prevention and the National Gang Center. As part of the Comprehensive Gang Model, data collection and other preliminary work was done, and according to the

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recommendation, they needed to hire somebody to coordinate all their efforts. Hiring the Gang Taskforce Coordinator was an essential part of moving this project forward. The City hired Robert David who started a few weeks ago, and will be here at the next Council meeting to introduce himself. Mr. David will be taking the data that has been gathered by the Rand Corporation, analyzing crime statistics in Danville, using that to help develop a strategic plan. Once that strategic plan is developed, he will have a road map of what Danville needs to do as a community to improve its situation with regard to gangs. Another thing he will be doing is seeking additional grant funds to help further what he is doing, potentially Workforce Development Funds so he can go out in the Community and encourage people to find jobs or get the training necessary to be qualified to get those jobs. In the meantime, he has been going out and meeting with the professionals in Danville, either non-profits or grass roots efforts that are already working with youth and connecting with them. He is meeting with people, members of the community, and getting his name out there so he can better respond when needed to the issues in the community.

COMMUNICATIONS

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

ROLL CALL

Vice Mayor Vogler thanked Paulette Dean, there will be a discussion tonight in the work session for some modifications to the City's tethering ordinance that Council Member Tomer brought forward. Mr. Vogler reminded citizens, July 14th, Taylor Drive Park from 12:00 – 6:00 p.m. for the Rock D' Block event, and hoped everyone had a great Fourth of July holiday.

Council Member Whittle congratulated the Rotary Club, they did a wonderful job with the Field of Honor.

Council Member Buckner noted the event yesterday at the Carrington Pavilion was great, as well as the Green Street Park event, with great turnouts around the City.

Mayor Jones noted it has been a very busy, exciting week stating he was at the Field of Honor yesterday with Delegate Danny Marshall and others, and thanked the Rotary Club and Mr. Abercrombie for what they did. The Green Street Park event was pulled together at the last minute to do things for the young people in that community, it was very successful. Mayor Jones noted there was also a great event at the Carrington Pavilion. Mayor Jones recognized organizers of the Rock D' Block and explained Council wants partnerships in the community like they have with Rock D' Block. The objective of the Rock D' Block event is to pull in people from that surrounding community, to bring that area back to life. Mr. Jones encouraged citizens, if they see something, to say something, to help with crime in the City; the City needs the help of the citizens.

Council Member Miller noted the Carrington Pavilion event was great, with great music. Dr. Miller noted he went to the Dispatch Office, it is a very stressful job, they are understaffed and that needs to be rectified. There is a non-emergency number, 799-5111, for things that don't rise to the level of emergency, however, there is no caller ID for the nonemergency number and staff needs to look at that again. Dr. Miller noted there are problems with the overall dispatch, problems with Life Care using cell phones based in Fredericksburg, and believes the City needs a joint communication system. Dr. Miller stated there is a reluctance on the

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part of the Life Saving Crew to come doctor's offices, they don't want to do inter-facility transfers, they always send Life Care. Firetrucks cannot transport patients, and many cities have ambulance services with EMTs; Danville needs to look into that.

Council Member Saunders congratulated Mayor Jones on a good job this evening.

The meeting adjourned at 7:47 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-1926

Consent Agenda Item #: B.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: FY 2019 Airport Maintenance Program

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 07/17/2018

Final Adoption: 08/09/2018

SUMMARY

The Virginia Department of Aviation provides airport maintenance funding to assist airports with preserving facilities in a safe and economical operating condition. Maintenance grant funding will allow individual airports to receive up to \$100,000 in state aid each year. Eligible maintenance activities are defined as scheduled and unscheduled repairs that are not performed each quarter. State maintenance funds can also be used to obtain grounds equipment. Funding levels vary for for airport maintenance program activities relative to state policy. Projects that support facility preservation such as crack sealing are funded at higher levels compared to projects that are related to revenue generating facilities or involve the replacement of grounds equipment including mowers and tractors. City Council approval is requested to appropriate state airport maintenance funds for Fiscal Year 2019 in order to receive state funds for this grant program.

BACKGROUND

During Fiscal Year 2018, state airport maintenance funds were primarily used to complete terminal building improvements including heating and air conditioning modifications for the north side of the terminal. For Fiscal Year 2019, state aviation maintenance funds would be used to complete heating and air conditioning modifications for the south side of the terminal, obtain a snow plow for a pickup truck, replacement parts and unscheduled repairs. The state has identified that 28.1% of the total project cost for terminal building improvements could be financed through the airport maintenance program. A total of \$150,000 in capital improvement funds were appropriated to complete heating and air conditioning modifications for the terminal building during FY 2019. The attached appropriation ordinance reflects that an additional \$58,623 in funding could be applied towards this project if needed, relative to bids received this fall.

RECOMMENDATION

It is recommended that City Council approve an Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to provide for Virginia Department of Aviation Airport Maintenance funds and for the local share appropriating the same.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR THE VIRGINIA DEPARTMENT OF AVIATION MAINTENANCE GRANT FUNDS RELATED TO THE MAINTENANCE OF CERTAIN AIRPORT PROPERTIES IN THE AMOUNT OF \$100,000 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$16,719 FOR A TOTAL APPROPRIATION OF \$116,719 AND APPROPRIATING THE SAME.

WHEREAS, a total of \$150,000 was appropriated in the City of Danville's Fiscal Year 2019 Capital Improvement Plan to replace interior wall heating and air conditioning wall units at the Danville Regional Airport with mini-split systems and additional funding may be required to complete related improvements; and

WHEREAS additional state aviation maintenance funding may be approved by the Virginia Department of Aviation to finance a portion of the total project expenses to complete heating air conditioning improvements; and

WHEREAS other maintenance expenses are anticipated to be incurred through the Airport Maintenance Program including grounds equipment.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues from the Virginia, Department of Aviation in an amount of \$100,000 and the local share for \$16,719 for an aggregate amount of \$116,719 for the purpose of providing for a State funded Airport Maintenance Program at the Danville Regional Airport such funds to be appropriated in the Support of Grants Fund as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund		
FY2019 A/P Maint-HVAC		
Categorical Aid – State	61434000-45712	\$100,000
Local Share	61434000-6101	<u>16,719</u>
	TOTAL	<u>\$116,719</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund		
FY 2019 Airport Maint-HVAC	61434999-50	<u>\$116,719</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2019 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-1934

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: FY 2019 Comprehensive Services Act Fund Appropriation

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

COUNCIL ACTION

First Reading: 08/09/2018

Final Adoption: 08/21/2018

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 2019 state and local funding for the CSA program. The required local match is included in the adopted FY 2019 City of Danville Budget.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018____.

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY APPROPRIATING COMPREHENSIVE SERVICES ACT FUNDS AND PROVIDING LOCAL MATCHING FUNDS FOR A TOTAL AMOUNT OF \$4,747,214

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 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	\$3,551,865
Administrative Funds	60315000-45570	18,040
Local Share		
Transfer in From General Fund	60315000-6101	<u>1,177,309</u>
	Total	<u>\$4,747,214</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Comprehensive Services Act:		
Outside Services	60315000-52349	\$4,550,000
CSA Medicaid	60315000-55570	100,000
FT Salaries	60315000-51100	67,842
FICA	60315000-51450	4,993
Retirement	60315000-51525	5,195
Group Health Insurance	60315000-51600	8,060
Group Life Insurance	60315000-51630	24
Print Shop	60315000-52650	1,200
Temporary Services	60315000-52190	2,000
PS-Office Supplies	60315000-52655	1,400
Postage	60315000-54050	1,000
Travel & Training	60315000-54900	1,800
Office Supplies	60315000-55820	2,000
Materials & Supplies	60315000-55930	500
Dues 60315000-56242		<u>1,200</u>
	Total	<u>\$4,747,214</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 2019 Budget appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until thereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-1947

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Request to Rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial, 5011 Riverside Drive

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

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

A request was filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for additional uses of the property.

BACKGROUND

An application has been filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for additional uses of the property. The property is currently developed with a two story commercial structure and occupied by Danville Dental. The property is bordered by a mixture of commercial and residential to the north, east and west, with vacant land to the south. Access to the property is from Riverside Drive. The applicant has provided the attached proffer of conditions substantially limiting the uses of the property. This use is very similar to the N-C Neighborhood Commercial uses currently permitted on the property. Staff, while rare, believes that the proffered list was overly restrictive.

At their meeting of July 9, 2018 the Planning Commission voted 6-0 (Commissioner Jones was absent) to recommend approval of the request per staff's recommendations. The applicant agreed to staff's proposal.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Rezoning from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REZONING FROM N-C NEIGHBORHOOD COMMERCIAL TO "CONDITIONAL" HR-C HIGHWAY RETAIL COMMERCIAL DISTRICT, 5011 RIVERSIDE DRIVE, OTHERWISE KNOWN AS GRID 9712, BLOCK 005, PARCEL 0000046, OF THE CITY OF DANVILLE, VIRGINIA, ZONING DISTRICT MAP.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Danville Dental Properties, LLC, has requested to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, 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 City Planning Commission recommending approval of Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia, Zoning District Map, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED that in accordance with the Code of the City of Danville, Virginia, the conditions proffered by Danville Dental Properties, LLC, in conjunction with Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia, Zoning District Map, as provided in Exhibit "A", attached hereto and made part hereof, be, and the same are hereby, received, accepted, and approved; and

BE IT FINALLY ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia, Zoning District Map, described in the Proffer of Conditions by Danville Dental Properties, LLC, which is attached hereto as Exhibit "A" and incorporated herein by reference be, and the same is hereby, rezoned subject to said conditions from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, and 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia, Zoning District Map, be and the same is hereby, amended from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District.

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: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST

REQUEST:

Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for additional uses of the property.

RECOMMENDATION:

The Planning Commission voted 6-0 (Commissioner Jones absent) to recommend approval of the request per conditions by staff and agreed to by the applicant.


Mr. Michael Searce, Chairman

RESPONSES:

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received all unopposed. (George Michael Baker, Laura Adair Farmer Somerville and William Barry Farmer & Jesse Paige & Curtis Mark).

COMMENTS:

"To much traffic at the crossover at James Rd. We don't need any more." (Call)



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

City Planning Commission

City Planning Commission
Meeting of July 9, 2018

Subject:

Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for additional uses of the property.

Background:

An application has been filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for additional uses of the property.

The property is currently developed with a two story commercial structure and occupied by Danville Dental. The property is bordered by a mixture of commercial and residential to the north, east and west, with vacant land to the south. Access to the property is from Riverside Drive.

The applicant has provided the attached proffer of conditions substantially limiting the uses of the property. This use is very similar to the N-C Neighborhood Commercial uses currently permitted on the property. Staff, while rare, believes that this proffered list is overly restrictive.

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on July 9, 2018.

Recommendation:

The Planning staff recommends approval of Rezoning application PLRZ20180000164, filed by Danville Dental Properties, LLC, requesting to rezone from N-C Neighborhood

Commercial to "Conditional" HR-C Highway Retail Commercial District, 5011 Riverside Drive, otherwise known as Grid 9712, Block 005, Parcel 0000046, of the City of Danville, Virginia Zoning District Map with the following uses being removed from the proffer submitted and listed as permitted uses:

- Add restaurant and bicycle shop as by Right Uses
- Add day care centers, microbrewery and microwinery, indoor shooting facilities and distillery as uses permitted by Special Use Permit.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20180000164 as submitted.
2. Recommend approval of Rezoning application PLRZ20180000164 subject to conditions by staff
3. Recommend approval of Rezoning application PLRZ20180000164 subject to conditions by the Planning Commission
4. Recommend denial of Rezoning application PLRZ20180000164 as submitted.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
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: _____ EXISTING ZONING: N-C
PROPOSED ZONING: cond H R-C TAX MAP NUMBER: _____
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: 0.841 ac Property Address: 5011 Riverside Drive
Property Location: N(S)E W Side of: Highway 58
Between: James Road and Church Avenue
Proffered Conditions (if any, please attach): See attached

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

1. NAME: Danville Dental Properties LLC TELEPHONE: 434-548-4305
MAILING ADDRESS: 1921 Stony Mill Road, Danville, VA 24541
SIGNATURE: [Signature] DATE: 05-30-18
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: payne1921@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.

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:

Rezoning request from Neighborhood Commercial to
Highway Retail Commercial

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

ARTICLE 3.M: - HR-C, HIGHWAY RETAIL COMMERCIAL (Highway Retail Commercial District)

A. - Purpose and Intent.

The HR-C District is established to provide suitable locations in Danville's heavily traveled collector streets and arterial highways for those commercial and business uses which are oriented to the automobile and which require regional access characteristics independent of the marketplace attributable to adjoining neighborhoods or pedestrian trade. The application of the HR-C District should be to those areas of the City where individual uses can be grouped into planned concentrations which limit the "strip" development effect on newly developing areas as well as on redevelopment areas where retail and business uses currently exist. In addition, the Corridor Overlay District may impact the regulation of uses in this district.

Adequate transportation and site planning of uses within the HR-C District should have the goal of minimizing conflicts with through-traffic movements along the entrance City's corridors and major arterial streets. The HR-C District is not intended to be applied to shopping centers. Given the implications of traffic, pedestrian access, landscaping, and inter-parcel connections, large-scale individual retailers in excess of 60,000 per establishment (typically referred to as "big boxes" or "superstores") shall require a special use permit.

Minimum site improvements for uses within the HR-C District shall include adequate on-site parking, public water and sewer service, public street frontage and safe access, pedestrian improvements, storm drainage, stormwater management facilities, and outdoor lighting for parking areas.

(Ord. No. 2004-02.04, Art. 3.M, § A, 2-17-04)

B. - Permitted Uses.

An individual use or structure intended for a single use with 60,000 square feet gross floor area or less, incorporating the following uses:

- ~~1.~~ Automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles).
- ~~2.~~ Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).
- 3. Banks and financial institutions.
- 4. Business services and office supply establishments.
- ~~5.~~ Car washes.
- ~~6.~~ Churches and places of worship.
- ~~7.~~ Convenience stores (with or without gasoline sales).
- ~~8.~~ Fast-food restaurants.
- ~~9.~~ Funeral homes.
- ~~10.~~ Gasoline sales establishments.
- ~~11.~~ Health club, spa or fitness center.

12. Hospitals and health care facilities with inpatient services.

~~13.~~ Hotels and motels.

~~14.~~ Laundromats/dry cleaners.

~~15.~~ Light intensity wholesale trade establishments (with no outdoor sales or display of products).

16. Medical offices and outpatient care facilities.

~~17.~~ Mini-storage warehouses, with no exterior storage.

~~18.~~ Movie theaters.

19. Offices (general and professional).

~~20.~~ Parking lots (private and public with off-street parking as the principal use).

21. Personal service establishments.

22. Private post office and delivery service.

~~23.~~ Public uses.

~~24.~~ Repair service establishments (exclusive of automobile and light vehicle service and repair, with no outdoor storage).

~~25.~~ Restaurants.

~~26.~~ Retail sales and leasing establishments, with screened outdoor sales or display of products limited to no greater than 15% of the net developable lot area. (See Additional Regulations.)

27. Schools, colleges and universities (public and private).

~~28.~~ Seasonal retail uses.

~~29.~~ Temporary retail sales.

~~30.~~ Exterminator.

~~31.~~ Bicycle shop.

32. Adult day support services.

33. Child therapeutic day support services.

(Ord. No. 2004-02.04, Art. 3.M, § B, 2-17-04; Ord. No. 2005-04.04, 4-5-05; Ord. No. 2009-12.08, 12-15-09; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2014-08.09, 8-19-14)

C. - Uses Permitted by Special Use Permit.

An individual use otherwise permitted hereinabove by-right in the HR-C District, but having greater than 60,000 square feet gross floor area, or any of the following uses:

~~1.~~ Auction establishments.

~~2.~~ Bed and breakfast, inn or tourist home (as defined).

~~3.~~ Bus stations.

~~4.~~ Commercial recreation facilities (indoor and outdoor).

5. Conference centers.

~~6.~~ Day care centers (adult and child).

~~7.~~ Kennels, commercial.

~~8.~~ Light warehousing uses related to an adjunct retail use permitted either by-right or special use permit,

- provided that warehousing space does not exceed 50% of the gross floor area.
- ~~9.~~ Drive-in movie theaters.
 - ~~10.~~ Parking garages and structures.
 - ~~11.~~ Pet clinics.
 - ~~12.~~ Plant nurseries.
 - ~~13.~~ Public utilities.
 - 14. Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. All assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
 - 15. Schools, colleges and universities (public or private).
 - ~~16.~~ Taxidermists.
 - ~~17.~~ Uses with lot frontage on the Dan River.
 - ~~18.~~ Vehicle sale, rental and ancillary service establishments, including mobile homes.
 - ~~19.~~ Veterinary clinics.
 - ~~20.~~ Waiver for increase in building heights to over 50 feet.
 - ~~21.~~ Waiver of yard requirements, subject to the prohibition of parking in front yards.
 - ~~22.~~ Caretaker's residence.
 - ~~23.~~ Homeless shelter.
 - ~~24.~~ Microbrewery or Micro-winery.
 - ~~25.~~ Wholesale Sales.
 - ~~26.~~ Indoor shooting facilities.
 - ~~27.~~ Distillery.

(Ord. No. 2004-02.04, Art. 3.M, § C, 2-17-04; Ord. No. 2008-07.04, Art. 3.M, § C, 7-15-08; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2012-09.09, 9-18-12; Ord. No. 2015-01.04, 1-20-15; Ord. No. 2016-04.03, 4-5-16; Ord. No. 2017-08.01, 8-3-17)

D. - Lot Size Requirements.

1. Minimum district size: Not regulated, provided that districts should be located, sized and spaced to limit potential "strip" development impacts.
2. Minimum lot areas:
 - (1) Interior lot: 13,500 square feet.
 - (2) Corner lot: 15,000 square feet.
3. Minimum lot width:
 - (1) Interior lot: 90 feet.
 - (2) Corner lot: 150 feet.
4. No HR-C District lot shall be designed or employed for use in which an area more than 25% of the prescribed minimum lot area is comprised of either of the following physical land units: (a) wetlands or (b) water features.

REZONING REQUEST
DATA SHEET

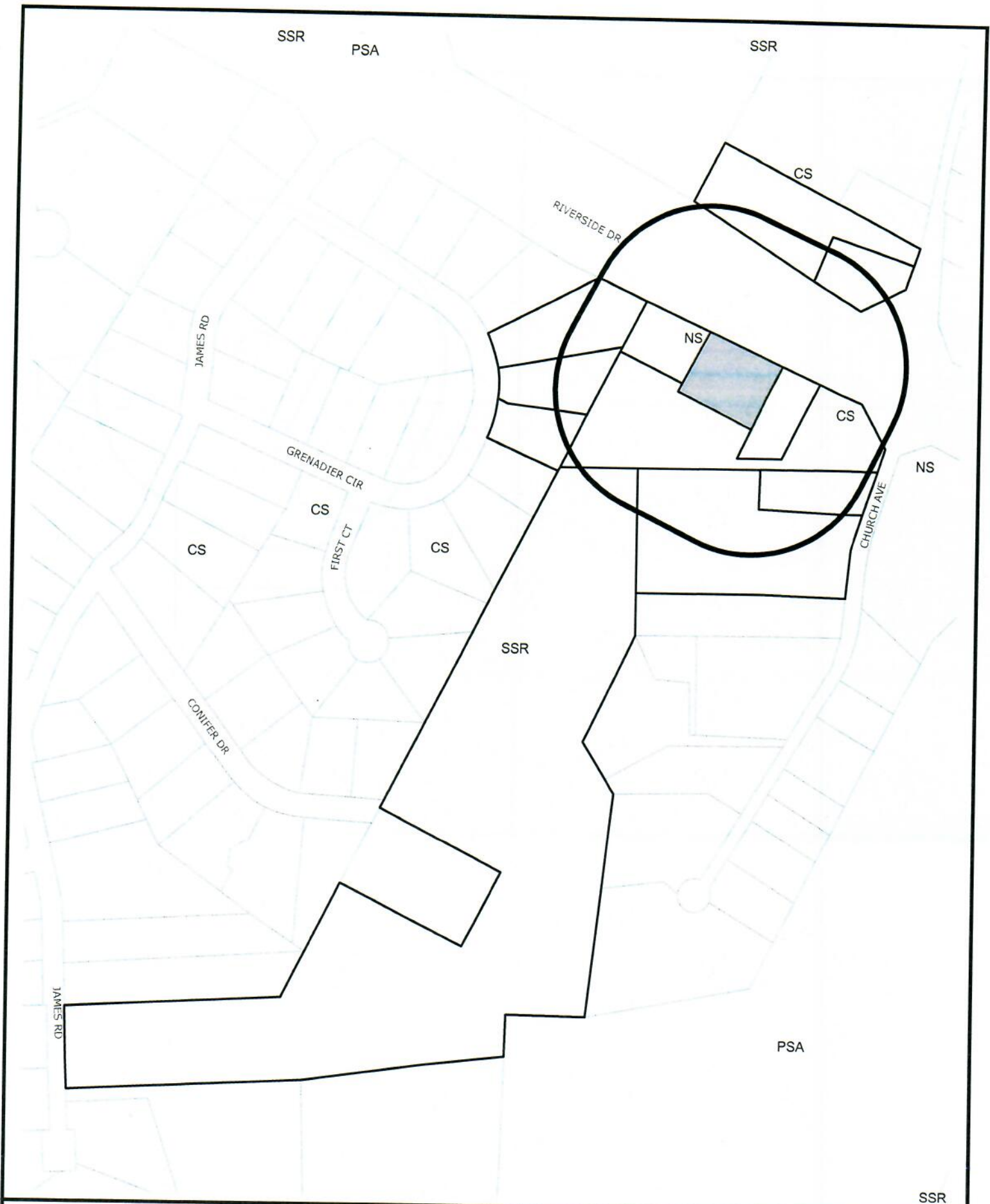
DATE:	July 9, 2018
LOCATION OF PROPERTY:	5011 Riverside Drive
PRESENT ZONE:	N-C Neighborhood Commercial
PROPOSED ZONE:	"Conditional" HR-C Highway Retail Commercial
ACTION REQUESTED:	The applicant is requesting to rezone from N-C to "Conditional" HR-C to allow for additional uses.
PRESENT USE OF PROPERTY:	Professional (Dental) office
PROPOSED USE OF PROPERTY:	same with additional options
PROPERTY OWNER (S):	Danville Dental Properties, LLC
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Commercial and residential to the north, east and west, vacant to the south.
ACREAGE/SQUARE FOOTAGE:	.748 Acres
CHARACTER OF VICINITY:	Mixed residential and commercial
INGRESS AND EGRESS:	Riverside Drive
TRAFFIC VOLUME:	Moderate to High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of July 9, 2018



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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 any errors or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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-1948

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Request to Rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881

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

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

A request has been filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I, Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

BACKGROUND

An application has been filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I, Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

The property is currently vacant but has been used in the past for limited material storage and parking. The applicant owns the adjacent warehouse facilities at 121 & 125 Martha Street. Due to limited off street parking options on site, a plan to create remote off site parking is being developed. Remote off site parking is permitted by the zoning code if certain criteria are met, and development on this site would meet those.

At their meeting of July 9, 2018, the Planning Commission voted 5-0-1 (Commissioner Jones absent, Chairman Searce abstained) to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance rezoning from S-R Suburban Residential to LED-I, Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REZONING FROM S-R SUBURBAN RESIDENTIAL TO LED-I LIGHT ECONOMIC DEVELOPMENT DISTRICT, PARCEL ID#S 78315 & 75881, OTHERWISE KNOWN AS GRID 2505, BLOCK 001, PARCEL ID'S 0000011 & 00008, 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 City Planning Commission recommending approval of Rezoning application PLRZ20180000170, filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia, Zoning District Map, be, and the same 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 PLRZ20180000170, filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia, Zoning District Map, is hereby approved; and

BE IT FURTHER ORDAINED that Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, 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: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST

REQUEST:

Rezoning application PLRZ20180000170, filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

RECOMMENDATION:

The Planning Commission voted 5-0-1 (Commissioner Jones absent, Commissioner Searce abstained) to recommend approval of the request.

Bruce Wilson (KCG)

Mr. Bruce Wilson, Vice-Chairman

RESPONSES:

Seven (7) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received all opposed. (Cordell Walters, Mary Warner & Phyllis Wright and Isabelle Williamson.)

COMMENTS:

No written comments received



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

City Planning Commission

City Planning Commission
Meeting of July 9, 2018

Subject:

Rezoning application PLRZ20180000170, filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

Background:

An application has been filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

The property is currently vacant but has been used in the past for limited material storage and parking. The applicant owns the adjacent warehouse facilities at 121 & 125 Martha Street. Due to limited off street parking options on site, a plan to create remote off site parking is being developed. Remote off site parking is permitted by the zoning code if certain criteria are met, and development on this site would meet those.

Seven (7) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on July 9, 2018.

Recommendation:

The Planning staff recommends approval of Rezoning application PLRZ20180000170, filed by Danny Marshall, requesting to rezone from S-R Suburban Residential to LED-I Light Economic Development District, Parcel ID#s 78315 & 75881, otherwise known as Grid 2505, Block 001, Parcel ID's 0000011 & 00008, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for construction of a parking lot.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20180000170 as submitted.
2. Recommend approval of Rezoning application PLRZ20180000170 subject to conditions by the Planning Commission
3. Recommend denial of Rezoning application PLRZ20180000170 as submitted.
4. Recommend postponement of Rezoning application PLRZ20180000170 by Planning Commission.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
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: _____ EXISTING ZONING: _____
PROPOSED ZONING: _____ TAX MAP NUMBER: _____
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). Parcel ID 78315
Gross Area/Net Area: 50+2.51 Property Address: Parcel ID 75381
Property Location: N S E (W) Side of: Martha Street
Between: _____ and _____
Proffered Conditions (if any, please attach): _____

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

1. NAME: Elizabeth S Marshall TELEPHONE: 439-1065
MAILING ADDRESS: PO Box 439
SIGNATURE: _____ DATE: _____
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: dwmarsshall@hotmail.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: Danny Marshall TELEPHONE: 439-1065
MAILING ADDRESS: PO Box 439 Danville VA 24543
EMAIL ADDRESS: dwmarsshall@hotmail.com
SIGNATURE: Danny Marshall DATE: 5-9-13

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:

build parking lot for building across street #121 & #125

2. ALTERATION OF ZONING BOUNDARIES:

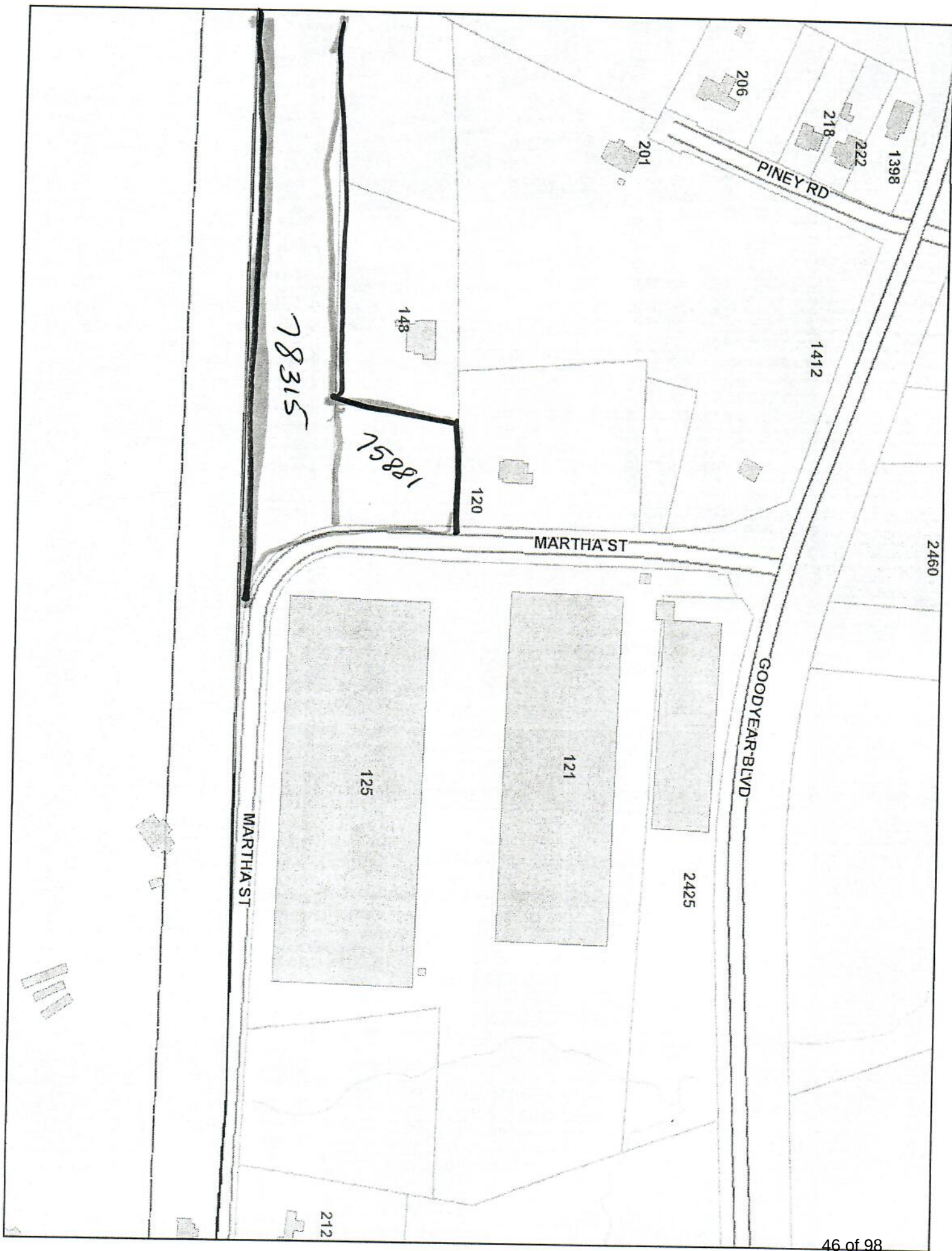
Please provide a survey of proposed Zoning boundaries.

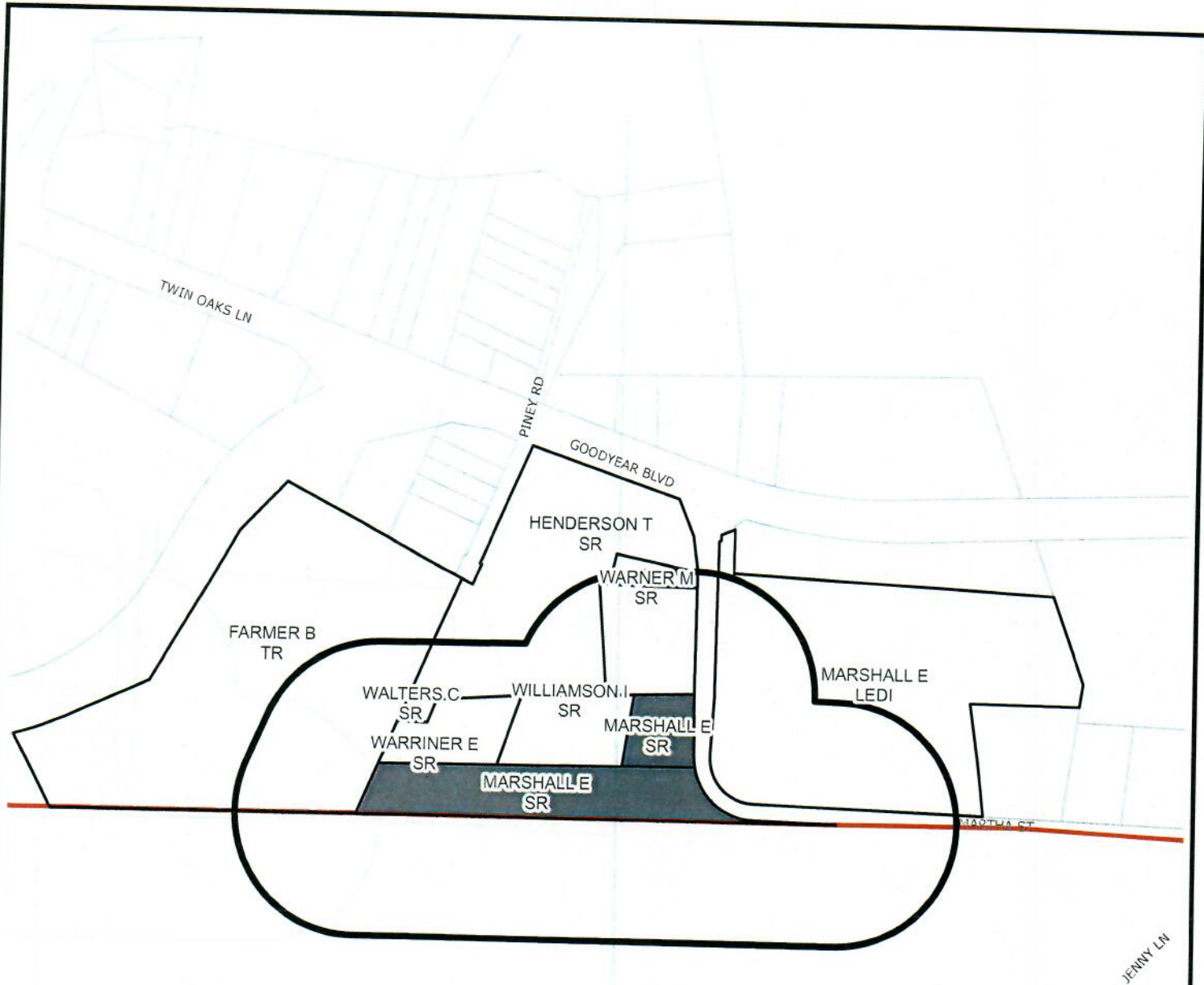
Please provide a brief description of the request:

On Map

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/21/2018

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 REQUEST
DATA SHEET

DATE:	July 9, 2018
LOCATION OF PROPERTY:	Parcel ID#s 78315 & 75881 Martha Street
PRESENT ZONE:	S-R Suburban Residential
PROPOSED ZONE:	LED-I Light Economic Development Industrial
ACTION REQUESTED:	The applicant is requesting to rezone from S-R to LED-I to build a parking area.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Parking area
PROPERTY OWNER (S):	Elizabeth S. Marshall, et al.
NAME OF APPLICANT (S):	Danny Marshall
PROPERTY BORDERED BY:	Industrial to the east, vacant and residential to the south and north, vacant to the west.
ACREAGE/SQUARE FOOTAGE:	2.5 and .5 Acres
CHARACTER OF VICINITY:	Mixed residential and Industrial
INGRESS AND EGRESS:	Martha Street
TRAFFIC VOLUME:	Low
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of July 9, 2018

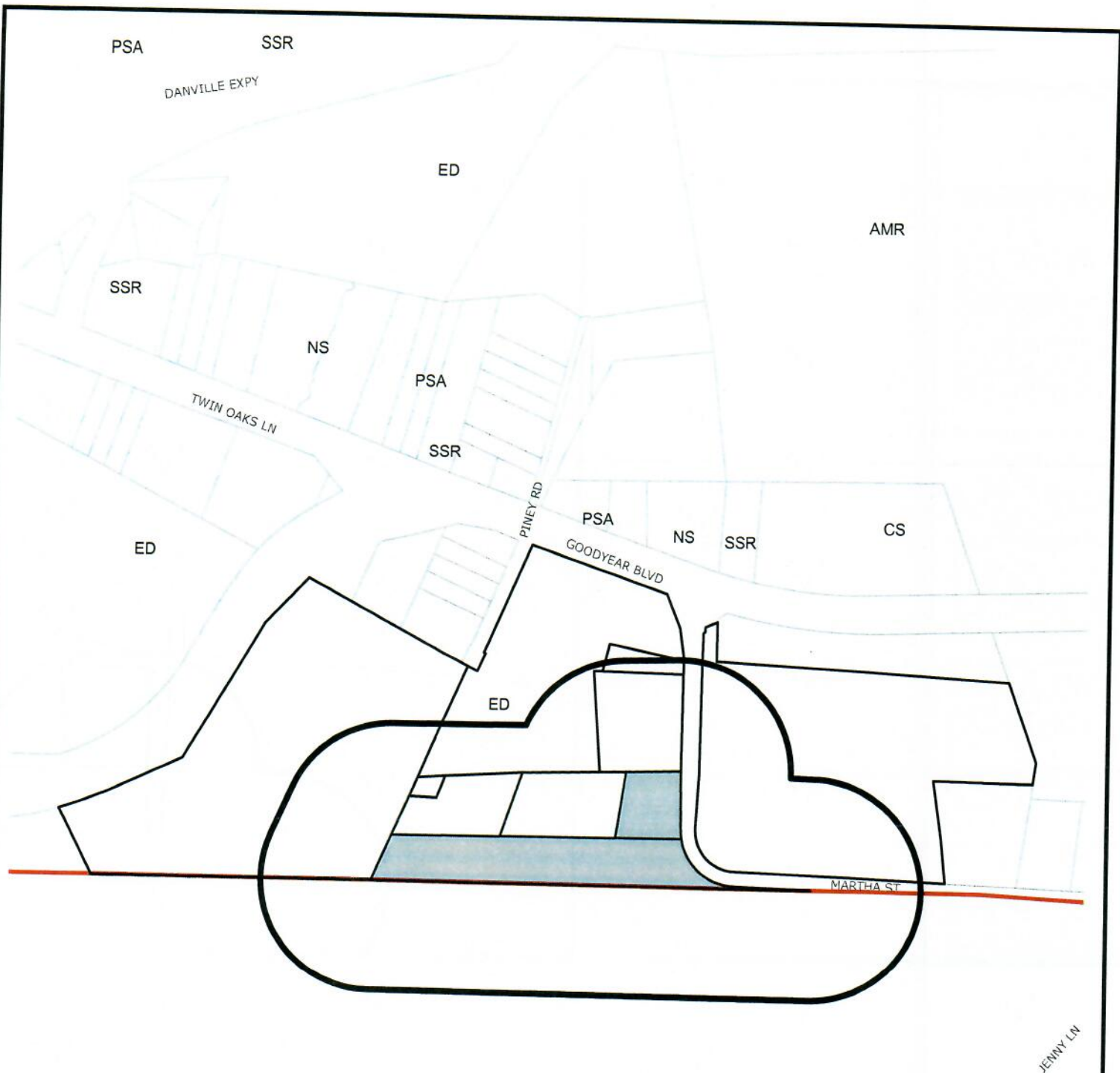


2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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 any damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

49-00-98



YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for 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.

Council Letter

City of Danville, Virginia



CL-1949

New Business Item #: D.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Request to Rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave)

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

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

A request has been filed to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County.

BACKGROUND

An application has been filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County. The property is currently heavily wooded and vacant. The property is split, with the majority of the land being located within Pittsylvania County. The portion within the City of Danville is located to the north of the Dollar General Marketplace and east of a church. The property fronts on an unopened but dedicated portion of Terry Avenue or unopened but dedicated future Virginia Lane.

The adjacent property within Pittsylvania County is zoned B-2; a copy of their regulations are attached. The City and County zoning codes, while similar are not identical, thus the request in the City to rezone to HR-C. This is the closest to the B-2 that is available.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance rezoning from S-R Suburban Residential to HR-C, Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REZONING FROM S-R SUBURBAN RESIDENTIAL TO HR-C HIGHWAY RETAIL COMMERCIAL DISTRICT, PARCEL ID# 60407 (3.32 ACRES ON TERRY AVE) OTHERWISE KNOWN AS GRID 2913, BLOCK 001, PARCEL 000001, 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 City Planning Commission recommending approval of Rezoning application PLRZ20180000176, filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia, Zoning District Map, be, and the same 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 PLRZ20180000176, filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia, Zoning District Map, is hereby approved; and

BE IT FURTHER ORDAINED that Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



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

City Planning Commission

MEMORANDUM

DATE: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST

REQUEST:

Rezoning application PLRZ20180000176, filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County.

RECOMMENDATION:

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


Mr. Michael Searce, Chairman

RESPONSES:

Nine (9) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received all unopposed. (George Michael Baker, Laura Adair Farmer Somerville and Jesse Paige Farmer.)

COMMENTS:

No written comments received



City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

City Planning Commission

City Planning Commission

Meeting of July 9, 2018

Subject:

Rezoning application PLRZ20180000176, filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County.

Background:

An application has been filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County.

The property is currently heavily wooded and vacant. The property is split, with the majority of the land being located within Pittsylvania County. The portion within the City of Danville is located to the north of the Dollar General Marketplace and east of a church. The property fronts on an unopened but dedicated portion of Terry Avenue or unopened but dedicated future Virginia Lane.

The adjacent property within Pittsylvania County is zoned B-2, a copy of their regulations are attached. The City and County zoning codes, while similar are not identical, thus the request in the City to rezone to HR-C. This is the closest to the B-2 that is available.

Nine (9) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on July 9, 2018.

Recommendation:

The Planning staff recommends approval of PLRZ20180000176, filed by Brandon P. Farmer, et al., requesting to rezone from S-R Suburban Residential to HR-C Highway

Retail Commercial District, Parcel ID# 60407 (3.32 acres on Terry Ave) otherwise known as Grid 2913, Block 001, Parcel 000001, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow for development with adjacent property located within Pittsylvania County.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20180000176 as submitted.
2. Recommend approval of Rezoning application PLRZ20180000176 subject to conditions by the Planning Commission
3. Recommend denial of Rezoning application PLRZ20180000176 as submitted.
4. Recommend postponement of Rezoning application PLRZ20180000176 by Planning Commission.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
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: _____ EXISTING ZONING: S-R
PROPOSED ZONING: _____ TAX MAP NUMBER: 2713-001 000001
RECEIVED BY: KLG DATE FILED: 6/11/18
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: 3.32 AC Property Address: Terry Avenue

Property Location: N S E W Side of: Piney Forest Road - 60407

Between: Highland Blvd and Virginia Lane

Proffered Conditions (if any, please attach): _____

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

1. NAME: Brandon P. Farmer, et al TELEPHONE: 434-941-8111

MAILING ADDRESS: 1018 Rocky Branch Drive, Forest, VA 24551

SIGNATURE: Brandon P. Farmer KLG Curse Mark Farmer

SIGNATURE: John Williams John Williams John Williams DATE: 9/21/17

SIGNATURE: John Williams John Williams John Williams DATE: 9/21/17

EMAIL ADDRESS: bfarmer212@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.
- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

To rezone the 3.32 acres from SR Suburban Residential to B-2 Business District General in order to be
in conformity with adjacent parcel located in Pittsylvania County and all other surrounding parcels.

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:

DIVISION 10. BUSINESS DISTRICT GENERAL (B-2)

SEC. 35-364. PURPOSE

This district is created to provide locations for general business and commercial enterprise whereby the public shall require direct and frequent access, but which is not characterized by constant heavy trucking other than for stocking and delivery of retail goods for sale at the enterprises, or by any factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles.

Uses in this district should be oriented to service to the entire County or substantial portions thereof, rather than toward a neighborhood focus as in limited business district (B-1).

This district is limited to commercial, retail and wholesale, establishments which may have outdoor displays of product, but not outside storage, and do not manufacture their product on the premises and have no outside storage of materials.

SEC. 35-365. PERMITTED USES

Within the General Business District (B-2), the following uses are permitted:

- accessory uses
- amusement centers; game rooms, electronic games; game machines; machine arcades amusement shops
- antique refinishing
- antique shops
- apartments in same building with business (upstairs apartment)
- apparel shops
- art supplies
- assembly halls
- bakeries
- banks,
- savings and loans, finance, insurance offices
- barber shops, beauty shops
- blacksmiths
- boat clubs
- bowling alleys
- brick, block sales
- building material sales
- butcher shops
- candy shops
- car and vehicle wash operations
- carpet cleaning
- cemeteries-community and commercial
- cemeteries-on joint church property
- child day care centers (licensed) (Amended February 18, 1992)
- churches
- clubs (private)
- clubs (public)
- cold storage lockers, facilities
- colleges
- community centers, buildings
- contractors offices and facilities
- convenience stores
- country clubs
- country stores

County government uses such as waste collection, recycling, recreation, etc.
craft shops
custom meat cutting operations
dormitories
drive-in restaurants/walk-ins
dry cleaning and laundry
drug stores
eldercare centers, homes, facilities (licensed)
emergency services facilities-fire, rescue
feed and seed stores
flea markets
food and groceries
funeral homes and mortuaries
furniture
garages-private, storage of personal vehicles
garages-for repair of automobiles, recreational vehicles, motorcycles, trucks
gardens (private)
gasoline stations
gift shops
golf clubs, club houses
golf courses
golf courses (miniature)
golf driving ranges
greenhouses and nurseries
hardware
hobby shops and toys
home, and apartment combinations with business
homes for developmentally disabled
hospitals
laundromats
libraries
lodge halls
lodges
manses-church-owned dwelling units
manufactured/mobile home sales
marinas
medical clinics, not veterinary
milk distribution, milk and dairy products
motels, hotels, tourist, and resort facilities
museums
newsstands
non-emergency medical transport (Amended December 21, 2010)
novelty shops
nursing homes
off-street parking
offices; professionals
paint contractors
paint stores
parks
parking facilities-commercial
piers, docks-commercial
playgrounds
print shops
printing plants-newspapers only

radio and television stations
railroad facilities
recreational facilities (private)
recreational facilities-(public)
restaurants
roads, streets, rights-of-way, easements
sales, service, and repair of automobiles, trucks, recreational vehicles, motorcycles, farm equipment, garden equipment, appliances, televisions, radios, phonographs, plumbing, boats, motors (gas, electrical), mobile homes, machinery, office equipment, sewage disposal systems, tires, telephones, upholstery, watches, jewelry, construction equipment
senior citizens homes, centers
signs-See Sections 35-95--35-101
skating rinks
sporting goods
stables, commercial riding
swim clubs
temporary uses, construction activity-including temporary buildings, portable buildings (these uses may be limited by the County as to time)
theatres, indoor
wayside stands
woodworking
water systems

SEC. 35-366. SPECIAL USE PERMITS

The following uses shall be permitted only by special use permit:

arenas
auditoriums
cabinet shops
carnivals
circuses
dance halls
drive-in theatres
fairs
heliports
airports
horse shows
kennels
laboratories, research facilities
machine shops, no presses
meat processing, not a slaughter house
outdoor displays, on business property
outdoor theatres
pool halls
public facilities, offices, storage yards
public garages
public utilities-including substations, power generation, water and sewer treatment
public utilities-towers, structures
raceways
radio and television towers
radio and television transmission/transmitters
schools
shopping centers, malls, complexes

special temporary churches (Amended December 21, 1993)
stables (private)
stadiums
veterinary clinics, hospitals
zoos and petting zoos (Amended December 21, 1993)

SEC. 35-367. AREA REGULATIONS

Notwithstanding any definitive area requirement herein, the minimum permitted size of any commercial district or commercial lot, parcel, or tract shall be subject to approval by the local Department of Health.

SEC. 35-368. MAXIMUM HEIGHT OF BUILDINGS

The maximum height of buildings in this district shall be sixty (60) feet.

Belfries, cupolas, chimneys, flues, flagpoles, television antennae, radio aerials, silos, and water tanks are exempt.

Any building or structure constructed, erected, installed, maintained shall be of an approved type in accordance with the provisions of the Virginia Uniform Statewide Building Code as amended and the Fire Prevention Code.

SEC. 35-369. MINIMUM YARD DIMENSIONS

A. Front Setback

Setback from the nearest point of house or principal structure (including porches or any accessory buildings) shall be thirty-five (35) feet from the edge of right-of-way.

B. Side Setback

No side setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than twenty (20) feet from a residential district boundary. (Amended December 21, 1993)

C. Rear Setback

No rear setback is required except that no building, structure, accessory use or outdoor storage area shall be located closer than fifty (50) feet from any type of residential use or living quarters nor residential district boundary,

SEC. 35-370. MAXIMUM FLOOR AREA

Not regulated.

SEC. 35-371. MINIMUM OFF-STREET PARKING SPACE

See Regulations, Sections 35-80--35-82.

SEC. 35-372. OPEN SPACE REQUIREMENTS

A minimum landscaped area on any lot shall not be less than ten percent (10%) the area of the lot. This area shall be used to enhance the lot's appearance. The Zoning Administrator may require buffer zones as appropriate.

SEC. 35-373. MINIMUM LOADING SPACE

See Regulations, Section 35-85.

SEC. 35-374. SIGNS

See Sign Regulations, Sections 35-95--35-101

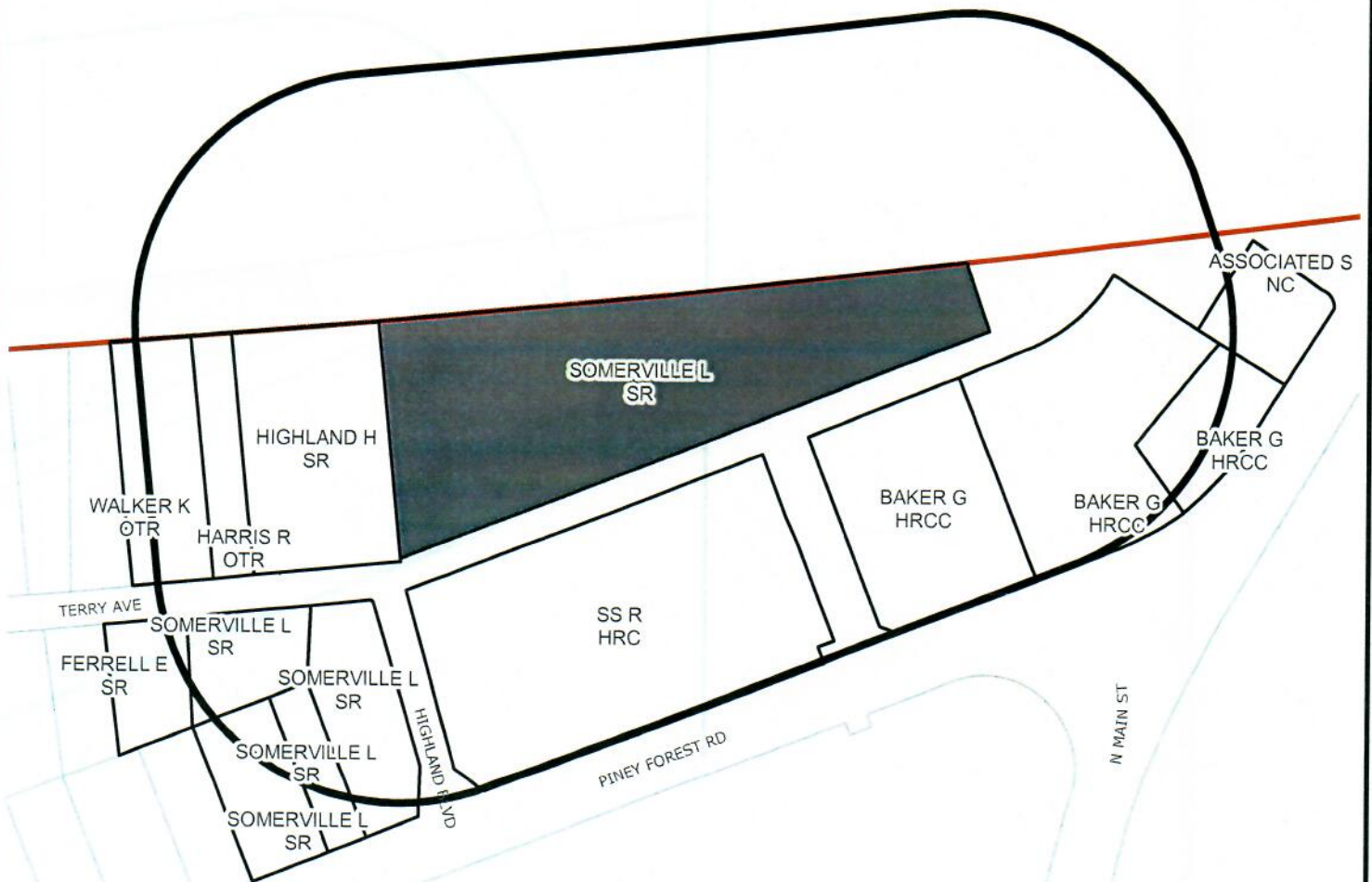
SEC. 35-375. OTHER REGULATIONS

Site plans are required for all uses prior to issuance of zoning permit and building permit.

SECS. 35-376---35-381. RESERVED

REZONING REQUEST
DATA SHEET

DATE:	July 9, 2018
LOCATION OF PROPERTY:	Parcel ID# 60407
PRESENT ZONE:	S-R Suburban Residential
PROPOSED ZONE:	HR-C Highway Retail Commercial
ACTION REQUESTED:	The applicant is requesting to rezone from S-R to HR-C to match adjacent property zoning in Pittsylvania County.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	none
PROPERTY OWNER (S):	Somerville & Farmer, et al.
NAME OF APPLICANT (S):	Brandon Farmer
PROPERTY BORDERED BY:	Commercial to the south and east, church and residential to the west, vacant to the north.
ACREAGE/SQUARE FOOTAGE:	3.32 Acres
CHARACTER OF VICINITY:	Mixed residential and commercial
INGRESS AND EGRESS:	Terry Avenue & Highland Boulevard
TRAFFIC VOLUME:	Low
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of July 9, 2018



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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.

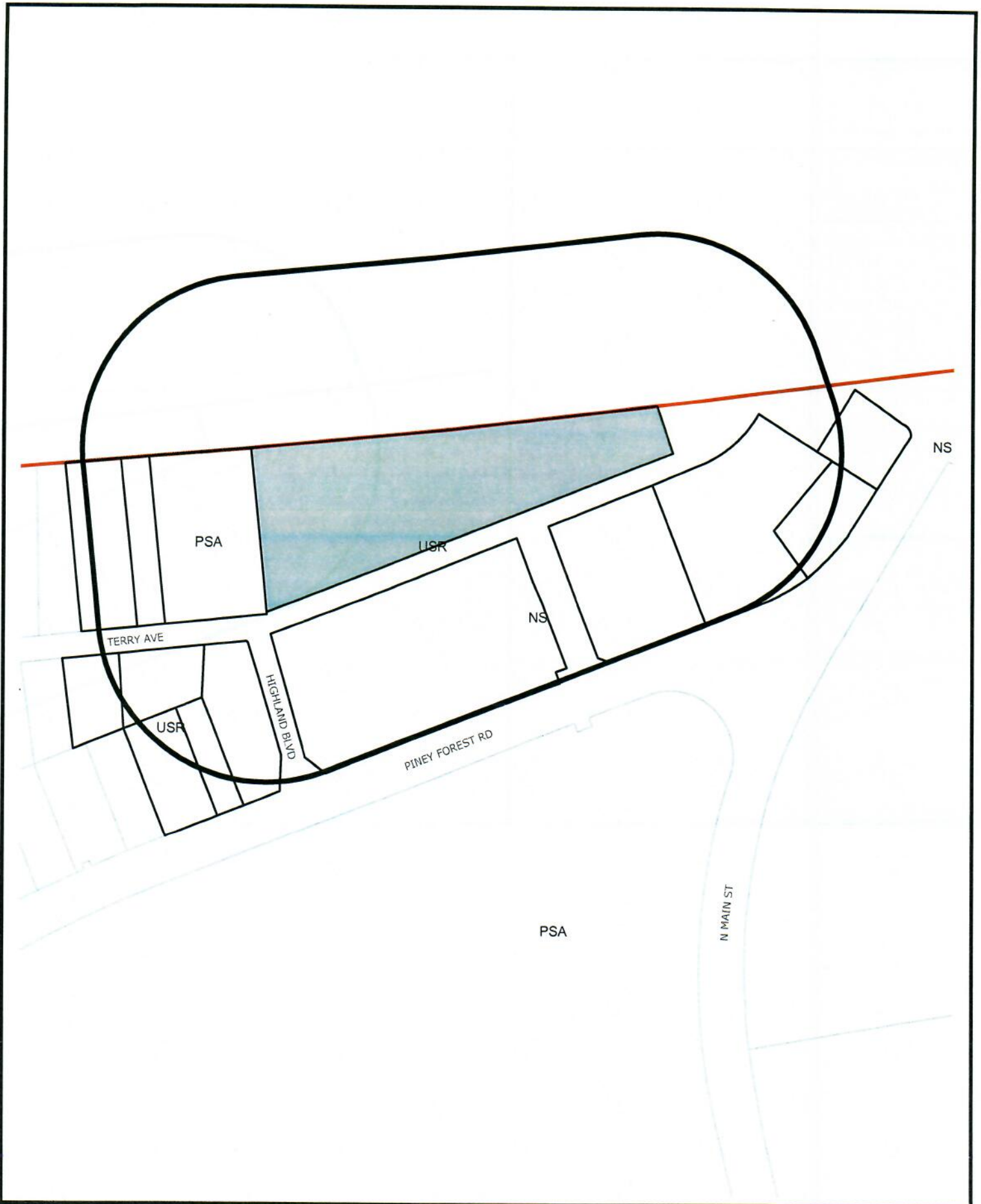


2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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 any errors or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

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YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/21/2018

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Council Letter

City of Danville, Virginia



CL-1950

New Business Item #: E.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Request to Rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson St

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

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

A request has been filed to rezone from OT-R, Old Town Residential, to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

BACKGROUND

Requests have been filed to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District as well as ask for a Special Use Permit at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

The property is currently a vacant single-family dwelling. This facility is adjacent to another facility that is to be operated by Present Help Ministries. That facility was rezoned and granted a Special Use Permit in 2017. It is not yet in operation.

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) response was received opposed. (Southside Equity LLC).

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Rezoning from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REZONING FROM OT-R, OLD TOWN RESIDENTIAL TO "CONDITIONAL" TO-C, TRANSITIONAL OFFICE COMMERCIAL, 711 JEFFERSON STREET, OTHERWISE KNOWN AS GRID 2717, BLOCK 023, PARCEL 000004 OF THE CITY OF DANVILLE, VIRGINIA, ZONING DISTRICT MAP.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Present Help Ministries has requested to rezone from OT-R, Old Town Residential to "Conditional" TO-C, Transitional Office Commercial, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004 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 City Planning Commission recommending approval of Rezoning application PLRZ20180000156, filed by Present Help Ministries requesting to rezone from OT-R, Old Town Residential to "Conditional" TO-C, Transitional Office Commercial, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004 of the City of Danville, Virginia Zoning District Map, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED that in accordance with the Code of the City of Danville, Virginia, the conditions proffered by Present Help Ministries in conjunction with Rezoning application PLRZ20180000156, filed by Present Help Ministries requesting to rezone from OT-R, Old Town Residential to "Conditional" TO-C, Transitional Office Commercial, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004 of the City of Danville, Virginia, Zoning District Map, as provided in Exhibit "A", attached hereto and made part hereof, be, and the same are hereby, received, accepted and approved; and

BE IT FINALLY ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning application PLRZ20180000156, filed by Present Help Ministries requesting to rezone from OT-R, Old Town Residential to “Conditional” TO-C, Transitional Office Commercial, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004 of the City of Danville, Virginia, Zoning District Map, described in the Proffer of Conditions by Present Help Ministries, which is attached hereto as Exhibit “A” and incorporated herein by reference be, and the same is hereby, rezoned subject to said conditions from OT-R, Old Town Residential to “Conditional” TO-C, Transitional Office Commercial, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004 of the City of Danville, Virginia, Zoning District Map be, and the same is hereby amended from OT-R, Old Town Residential to “Conditional” TO-C, Transitional Office Commercial.

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: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST
REQUEST:

Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

RECOMMENDATION:

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


Mr. Michael Searce, Chairman

RESPONSES:

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) was received opposed. (Southside Equity LLC).

COMMENTS:

No written comments received



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

City Planning Commission

MEMORANDUM

DATE: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST

REQUEST:

Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

RECOMMENDATION:

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

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.


Mr. Michael Scarce, Chairman

RESPONSES:

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) was received opposed. (Southside Equity LLC).

COMMENTS:

No written comments received



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

City Planning Commission

City Planning Commission

Meeting of July 9, 2018

Subject:

1. *Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.*
- and*
2. *Special Use Permit application PLSUP20180000151, filed by Present Help Ministries, requesting a Special Use Permit for a Community Facility in accordance with Article 3:1, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a community facility.*

Background:

Requests have been filed to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District as well as ask for a Special Use Permit at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map and . The applicant is proposing to rezone for the operation of a community facility.

The property is currently a vacant single-family dwelling. This facility is adjacent to another facility that is to be operated by Present Help Ministries. That facility was rezoned and granted a Special Use Permit is 2017. It is not yet in operation.

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) response was received opposed. (Southside Equity LLC).

These items were subsequently tabled at the June 11, 2018 meeting as the applicant did not attend to answer questions.

Recommendation:

Staff recognizes that rezoning this one specific parcel within a single family zoning neighborhood could be spot zoning. Spot zoning is site specific and does not include a use that is compatible or necessary to the overall zoning. Spot zoning may be deemed legal or illegal. Illegal spot zoning can be where favor has been shown to one landowner to the unreasonable detriment of the surrounding area. Legal spot zoning is made for the benefit of the community at large. The adjacent property was rezoned and a Special Use Permit was granted in 2017 to the same classification.

Staff recommends that Planning Commission recommend approval of Rezoning application PLRZ2018000156 with the conditions as proffered by the applicant.

Staff recommend approval of Special Use Permit application PLSUP20180000151 with the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20180000156 as submitted.
2. Recommend approval of Rezoning application subject to condition PLRZ20180000156 s by the Planning Commission.
3. Recommend denial of Rezoning application PLRZ20180000156 as submitted.
4. Recommend postponement of Rezoning application PLRZ20180000156 by Planning Commission.

AND

1. Recommend approval of Special Use Permit application PLSUP20180000151 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20180000151 subject to conditions by the Planning Commission.
3. Recommend denial of Special Use Permit application PLSUP20180000151 as submitted.
4. Recommend postponement of Special Use Permit application PLSUP20180000151 by Planning Commission.

Attachments:

Signed Proffer List
Application
Notice of Violation
Property Ownership/Zoning Map
Data Sheet
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: Community Facility

CASE NUMBER: _____

EXISTING ZONING: OT-R

PROPOSED ZONING: Cond TO-C

TAX MAP NUMBER: 2717-023-00004

RECEIVED BY: _____

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

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

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

40 ft. Pt # 11 Sec B Jefferson Street

Gross Area/Net Area: _____ Property Address: 711 Jefferson St.

Property Location: N S E W Side of: Stokes Street

Between: Stokes Street and Lee Street

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:

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

1. NAME: Present Help Ministries TELEPHONE: 434-799-3480
MAILING ADDRESS: 3 Park Avenue 434-770-3360
SIGNATURE: Alfrieta Bennett Leves DATE: 5/14/18
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: alfrieta@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Alfrieta Bennett Leves TELEPHONE: 434-799-3480
MAILING ADDRESS: 3 Park Avenue, Danville, VA 24541
EMAIL ADDRESS: alfrieta@gmail.com
SIGNATURE: Alfrieta Bennett Leves DATE: 5/14/18

B. - Permitted Uses.

1. Accessory use, to include tool sheds, detached garages and carports, children's playhouses, doghouses and accessory off-street parking and loading spaces.
 2. ~~Banks and financial institutions (without drive-thru facilities).~~
 3. Bed and breakfast, inn, or tourist home (as defined).
 4. ~~Catering service.~~
 5. Cemeteries.
 6. Churches and places of worship.
 7. ~~Offices (general and professional).~~
 8. Day care facilities (adult and child).
 9. Funeral home.
 10. Home occupations.
 11. ~~Hospital, nursing home, and medical care facility, inclusive of inpatient activities.~~
 12. ~~Nursing home.~~
 13. ~~Personal service establishments.~~
 14. ~~Pharmacy.~~
 15. ~~Schools, colleges and universities (public or private).~~
 16. Single family residential dwelling, provided that (a) the residential dwelling is existing as a conforming use as of the date of adoption of this ordinance, (b) said residential dwelling shall conform in all respects to the OT-R District and (c) there shall be no more than one single family dwelling per lot.
 17. ~~Studio for an artist, designer, writer, photographer, sculptor or musician.~~
 18. Child therapeutic day support services.
- (Ord. No. 2004-02.04, Art. 3.I, § B, 2-17-04; Ord. No. 2014-08.09, 8-19-14)

C. - Uses Permitted by Special Use Permit.

1. Accessory apartments, within a residential dwelling and limited to one rental apartment.
2. ~~Any use incorporating a drive-thru facility (including banks, financial institutions and fast food restaurants).~~
3. ~~Antique shops.~~
4. ~~Community facilities and uses.~~
5. ~~Congregate care facility.~~
6. ~~Gupolas, spires and steeples (for public and semi-public uses).~~
7. ~~Fast food restaurant.~~
8. ~~Golf course, but not including a par 3 course, miniature golf course or driving range.~~
9. Group home.
10. ~~Offices with retail sales, limited to interior display and sales of high technology, scientific, electronic, health care, medical or biomedical equipment of a type not~~

~~customarily retailed to the general public, provided that there shall be no exterior or storefront displays.~~

11. Parking lots (private or public, off-street as a principal use).

12. ~~Private clubs and lodges.~~

13. ~~Public uses and utilities.~~

14. ~~Residential apartments, as an ancillary use within a commercial structure and limited to four (4) rental apartment units per structure.~~

15. ~~Restaurant.~~

16. Waiver of lot size requirements.

17. Waiver of maximum floor area ratio of 0.25.

18. Waiver of maximum building height regulations.

19. Waiver of minimum yard requirements.

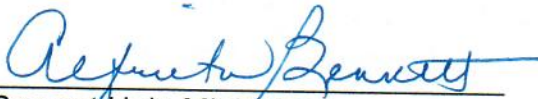
20. Homeless shelter.

21. Transitional living shelter.

22. ~~Post-release housing.~~

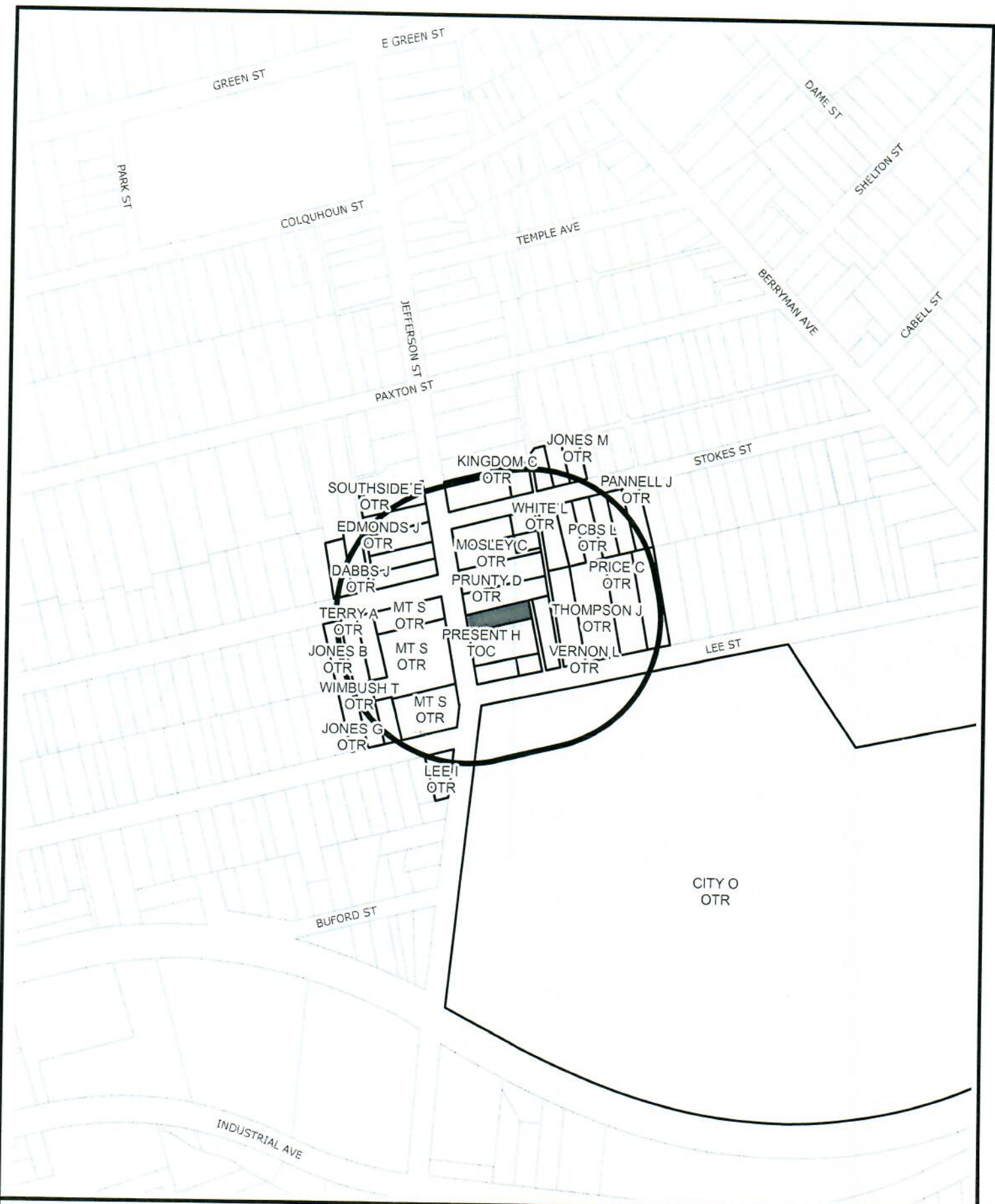
23. ~~Museum.~~

(Ord. No. 2004-02.04, Art. 3.I, § C, 2-17-04; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2013-10.06, 10-17-13; Ord. No. 2013-11.05, 11-19-13)



Present Help Ministries
Alfrieta Bennett

5/14/18
Date



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
5/22/2018

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REZONING AND SPECIAL USE PERMIT REQUESTS
DATA SHEET

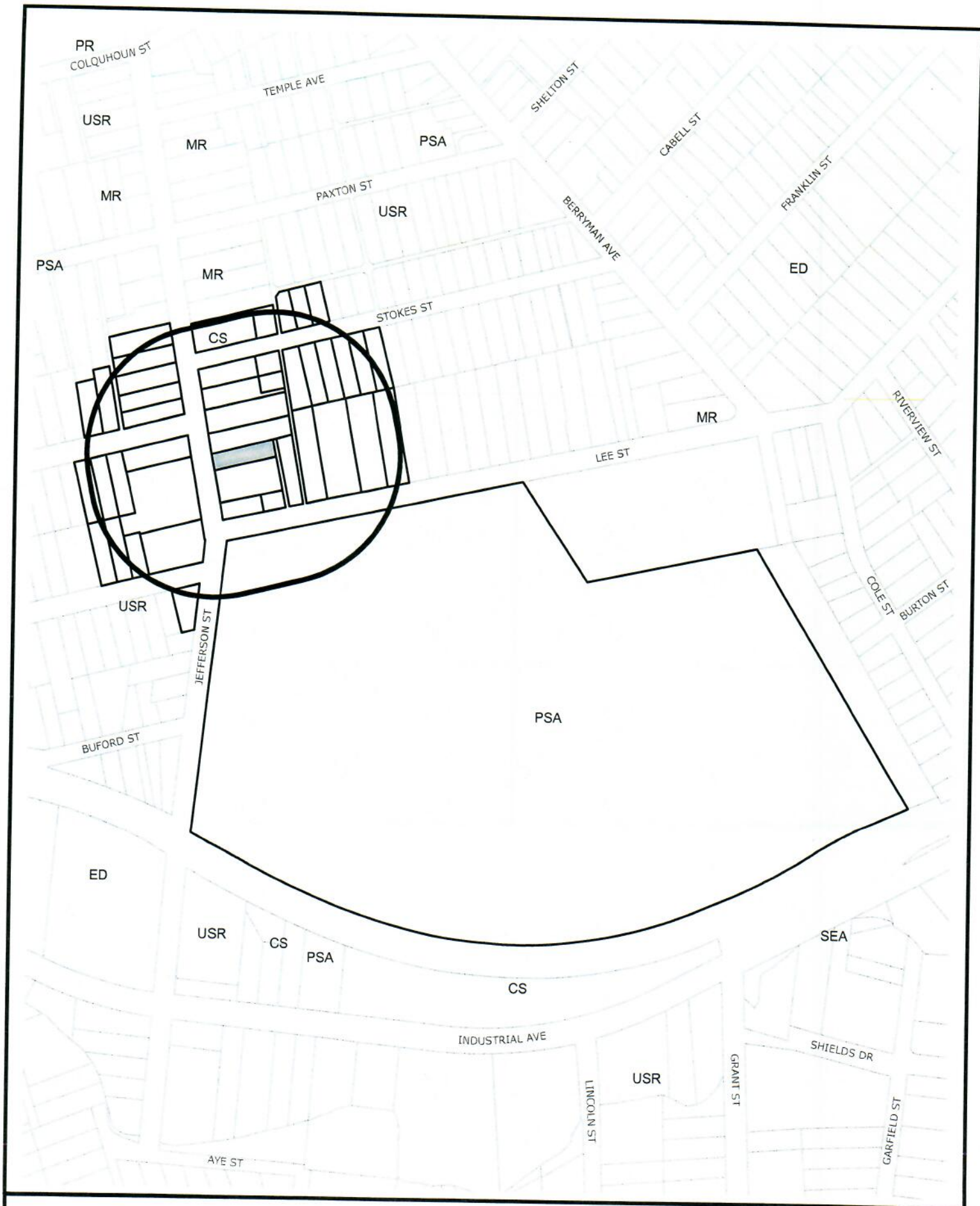
DATE:	June 11, 2018
LOCATION OF PROPERTY:	711 Jefferson Street
PRESENT ZONE:	OT-R Old Town Residential
PROPOSED ZONE:	Same
ACTION REQUESTED:	The applicant is requesting a rezoning and Special Use Permit.
PRESENT USE OF PROPERTY:	Vacant Single Family Home
PROPOSED USE OF PROPERTY:	Community Facility
PROPERTY OWNER (S):	Present Help Ministries
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Single Family Residential to the north, east and south, single family residential and a church to the west.
ACREAGE/SQUARE FOOTAGE:	0.14 Acres
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Jefferson Street
TRAFFIC VOLUME:	Moderate
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of June 11, 2018



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/22/2018

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YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/22/2018

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Council Letter

City of Danville, Virginia



CL-1951

New Business Item #: F.

City Council Regular Meeting

Meeting Date: 08/09/2018

Subject: Request for a Special Use Permit for a Community Facility at 711 Jefferson St.

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

COUNCIL ACTION

Business Meeting: 08/09/2018

SUMMARY

A request has been filed for a Special Use Permit for a Community Facility in accordance with Article 3:1, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a community facility.

BACKGROUND

Requests have been filed to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District as well as ask for a Special Use Permit at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility. The property is currently a vacant single-family dwelling. This facility is adjacent to another facility that is to be operated by Present Help Ministries. That facility was rezoned and granted a Special Use Permit in 2017. It is not yet in operation.

At their meeting of July 9th, the Planning Commission voted 6-0 (Commissioner Jones absent) to recommend approval of the request subject to the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance granting a Special Use Permit for a Community Facility in accordance with Article 3:1, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A COMMUNITY FACILITY IN ACCORDANCE WITH ARTICLE 3:I, SECTION C, ITEM 4 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED, AT 711 JEFFERSON STREET, OTHERWISE KNOWN AS GRID 2717, BLOCK 023, PARCEL 000004, 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 PLSUP20180000151, filed by Present Help Ministries, requesting a Special Use Permit for a Community Facility in accordance with Article 3:I, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended, at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Special Use Permit application PLSUP20180000151, filed by Present Help Ministries, requesting a Special Use Permit for a Community Facility in accordance with Article 3:I, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended, at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia, Zoning District Map is hereby granted and approved subject to the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

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: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST
REQUEST:

Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

RECOMMENDATION:

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


Mr. Michael Searce, Chairman

RESPONSES:

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) was received opposed. (Southside Equity LLC).

COMMENTS:

No written comments received



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

City Planning Commission

MEMORANDUM

DATE: JULY 9, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST

REQUEST:

Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.

RECOMMENDATION:

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

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.


Mr. Michael Scarce, Chairman

RESPONSES:

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) was received opposed. (Southside Equity LLC).

COMMENTS:

No written comments received



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

City Planning Commission

City Planning Commission

Meeting of July 9, 2018

Subject:

1. *Rezoning application PLRZ20180000156, filed by Present Help Ministries, requesting to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District, 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone for the operation of a community facility.*
- and*
2. *Special Use Permit application PLSUP20180000151, filed by Present Help Ministries, requesting a Special Use Permit for a Community Facility in accordance with Article 3:1, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a community facility.*

Background:

Requests have been filed to rezone from OT-R Old Town Residential to "Conditional" TO-C Transitional Office District as well as ask for a Special Use Permit at 711 Jefferson Street, otherwise known as Grid 2717, Block 023, Parcel 000004, of the City of Danville, Virginia Zoning District Map and . The applicant is proposing to rezone for the operation of a community facility.

The property is currently a vacant single-family dwelling. This facility is adjacent to another facility that is to be operated by Present Help Ministries. That facility was rezoned and granted a Special Use Permit is 2017. It is not yet in operation.

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. Seven (7) were unopposed. (Mattie Jones, Wanda Motley, Omega Enterprises of Virginia LLC, John Henry Pannell, Present Help Ministries, David Prunty and Mamie Townes). One (1) response was received opposed. (Southside Equity LLC).

These items were subsequently tabled at the June 11, 2018 meeting as the applicant did not attend to answer questions.

Recommendation:

Staff recognizes that rezoning this one specific parcel within a single family zoning neighborhood could be spot zoning. Spot zoning is site specific and does not include a use that is compatible or necessary to the overall zoning. Spot zoning may be deemed legal or illegal. Illegal spot zoning can be where favor has been shown to one landowner to the unreasonable detriment of the surrounding area. Legal spot zoning is made for the benefit of the community at large. The adjacent property was rezoned and a Special Use Permit was granted in 2017 to the same classification.

Staff recommends that Planning Commission recommend approval of Rezoning application PLRZ2018000156 with the conditions as proffered by the applicant.

Staff recommend approval of Special Use Permit application PLSUP20180000151 with the following conditions:

1. Off street parking must be provided on site, or via cooperative agreement in compliance with the code.
2. All building code and fire code regulations be completed prior to occupancy.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20180000156 as submitted.
2. Recommend approval of Rezoning application subject to condition PLRZ20180000156 s by the Planning Commission.
3. Recommend denial of Rezoning application PLRZ20180000156 as submitted.
4. Recommend postponement of Rezoning application PLRZ20180000156 by Planning Commission.

AND

1. Recommend approval of Special Use Permit application PLSUP20180000151 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20180000151 subject to conditions by the Planning Commission.
3. Recommend denial of Special Use Permit application PLSUP20180000151 as submitted.
4. Recommend postponement of Special Use Permit application PLSUP20180000151 by Planning Commission.

Attachments:

Signed Proffer List
Application
Notice of Violation
Property Ownership/Zoning Map
Data Sheet
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: Community Facility

CASE NUMBER: _____

EXISTING ZONING: OT-R

PROPOSED ZONING: Cond TO-C

TAX MAP NUMBER: 2717-023-00004

RECEIVED BY: _____

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

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

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

40 ft. Pt # 11 Sec B Jefferson Street

Gross Area/Net Area: _____ Property Address: 711 Jefferson St.

Property Location: N S E W Side of: Stokes Street

Between: Stokes Street and Lee Street

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:

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

1. NAME: Present Help Ministries TELEPHONE: 434-799-3480
MAILING ADDRESS: 3 Park Avenue 434-770-3360
SIGNATURE: Alfrieta Bennett Leaves DATE: 5/14/18
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: alfrieta@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Alfrieta Bennett Leaves TELEPHONE: 434-799-3480
MAILING ADDRESS: 3 Park Avenue, Danville, VA 24541
EMAIL ADDRESS: alfrieta@gmail.com
SIGNATURE: Alfrieta Bennett Leaves DATE: 5/14/18

B. - Permitted Uses.

1. Accessory use, to include tool sheds, detached garages and carports, children's playhouses, doghouses and accessory off-street parking and loading spaces.
 2. ~~Banks and financial institutions (without drive-thru facilities).~~
 3. Bed and breakfast, inn, or tourist home (as defined).
 4. ~~Catering service.~~
 5. Cemeteries.
 6. Churches and places of worship.
 7. ~~Offices (general and professional).~~
 8. Day care facilities (adult and child).
 9. Funeral home.
 10. Home occupations.
 11. ~~Hospital, nursing home, and medical care facility, inclusive of inpatient activities.~~
 12. ~~Nursing home.~~
 13. ~~Personal service establishments.~~
 14. ~~Pharmacy.~~
 15. ~~Schools, colleges and universities (public or private).~~
 16. Single family residential dwelling, provided that (a) the residential dwelling is existing as a conforming use as of the date of adoption of this ordinance, (b) said residential dwelling shall conform in all respects to the OT-R District and (c) there shall be no more than one single family dwelling per lot.
 17. ~~Studio for an artist, designer, writer, photographer, sculptor or musician.~~
 18. Child therapeutic day support services.
- (Ord. No. 2004-02.04, Art. 3.I, § B, 2-17-04; Ord. No. 2014-08.09, 8-19-14)

C. - Uses Permitted by Special Use Permit.

1. Accessory apartments, within a residential dwelling and limited to one rental apartment.
2. ~~Any use incorporating a drive-thru facility (including banks, financial institutions and fast food restaurants).~~
3. ~~Antique shops.~~
4. ~~Community facilities and uses.~~
5. ~~Congregate care facility.~~
6. ~~Gupolas, spires and steeples (for public and semi-public uses).~~
7. ~~Fast food restaurant.~~
8. ~~Golf course, but not including a par 3 course, miniature golf course or driving range.~~
9. Group home.
10. ~~Offices with retail sales, limited to interior display and sales of high technology, scientific, electronic, health care, medical or biomedical equipment of a type not~~

~~customarily retailed to the general public, provided that there shall be no exterior or storefront displays.~~

11. Parking lots (private or public, off-street as a principal use).

12. ~~Private clubs and lodges.~~

13. ~~Public uses and utilities.~~

14. ~~Residential apartments, as an ancillary use within a commercial structure and limited to four (4) rental apartment units per structure.~~

15. ~~Restaurant.~~

16. Waiver of lot size requirements.

17. Waiver of maximum floor area ratio of 0.25.

18. Waiver of maximum building height regulations.

19. Waiver of minimum yard requirements.

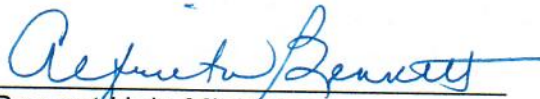
20. Homeless shelter.

21. Transitional living shelter.

22. ~~Post-release housing.~~

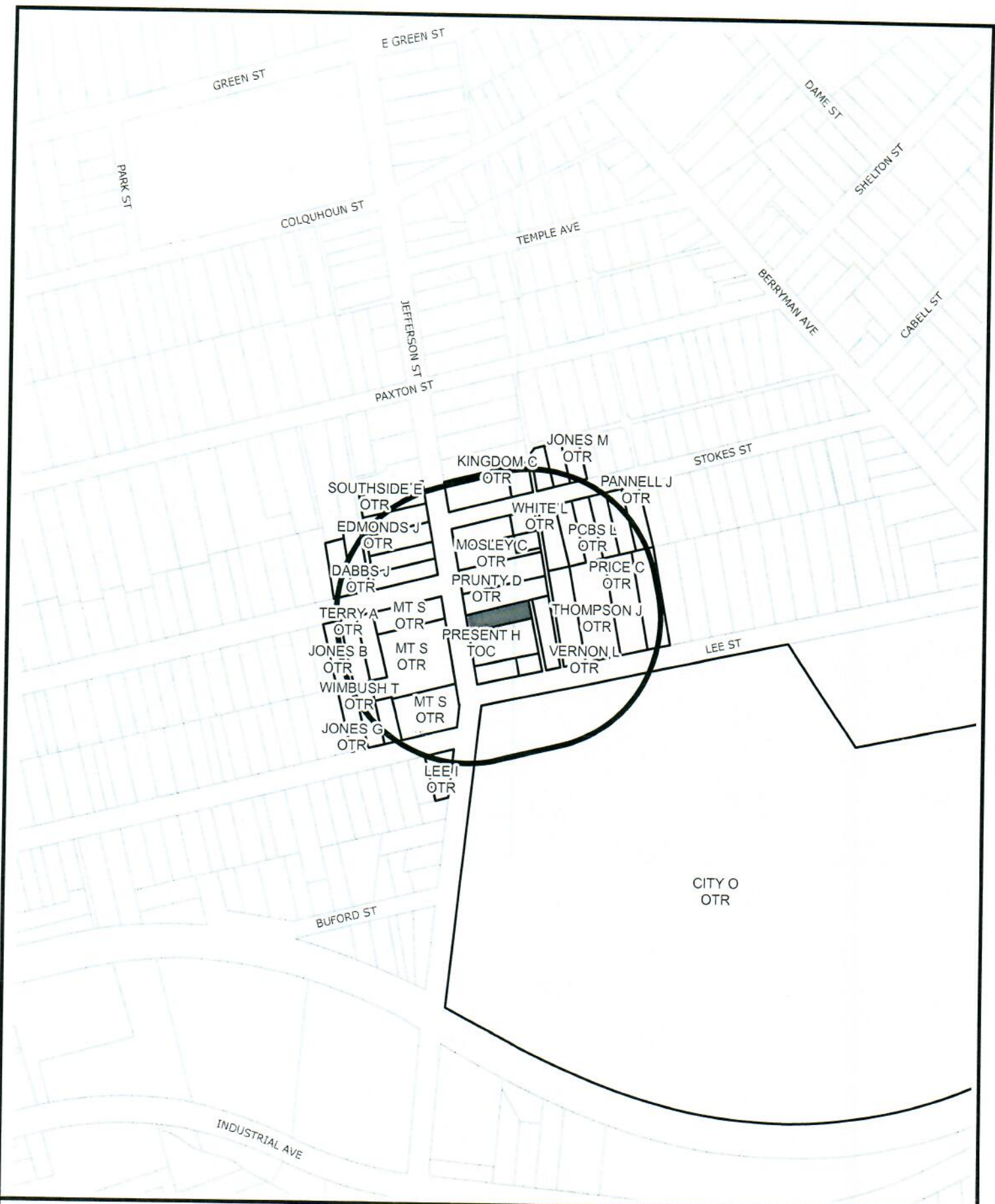
23. ~~Museum.~~

(Ord. No. 2004-02.04, Art. 3.I, § C, 2-17-04; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2013-10.06, 10-17-13; Ord. No. 2013-11.05, 11-19-13)



Present Help Ministries
Alfrieta Bennett

5/14/18
Date



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
 Planning Division
 5/22/2018

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

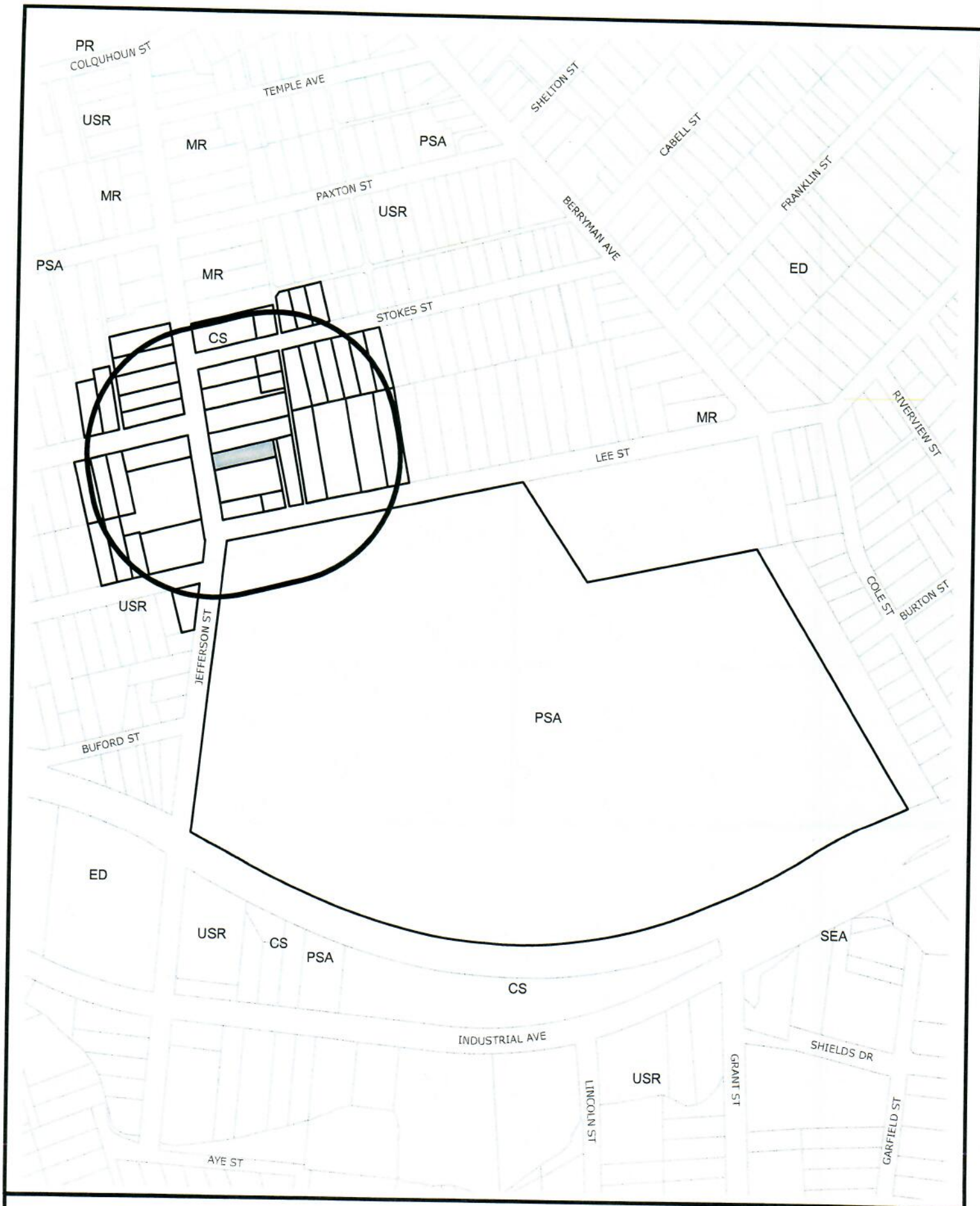
DATE:	June 11, 2018
LOCATION OF PROPERTY:	711 Jefferson Street
PRESENT ZONE:	OT-R Old Town Residential
PROPOSED ZONE:	Same
ACTION REQUESTED:	The applicant is requesting a rezoning and Special Use Permit.
PRESENT USE OF PROPERTY:	Vacant Single Family Home
PROPOSED USE OF PROPERTY:	Community Facility
PROPERTY OWNER (S):	Present Help Ministries
NAME OF APPLICANT (S):	Same
PROPERTY BORDERED BY:	Single Family Residential to the north, east and south, single family residential and a church to the west.
ACREAGE/SQUARE FOOTAGE:	0.14 Acres
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Jefferson Street
TRAFFIC VOLUME:	Moderate
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of June 11, 2018



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/22/2018

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YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/22/2018

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