



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

July 6, 2021

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

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

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

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

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

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

Time and Place of Meeting

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

Communications from Visitors

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

Guidelines for Public Hearings

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

may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - L.G. "Larry" Campbell, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

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

CONSENT AGENDA

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

- A. Consideration of Approval of Minutes from Regular Council Meeting held on June 1, 2021
Council Letter Number CL - 2570.
- B. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for Additional Federal Aviation Funding.
Council Letter Number CL - 2526.

An Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Provide for Additional Federal Aviation Funding for the Purpose of Completing Design Services to Rehabilitate Taxiway Connections and the South Ramp at the Danville Regional Airport with no Local Matching Share.

FINAL ADOPTION

NEW BUSINESS

- A. Consideration of Granting a Special Use Permit for a Duplex at 346 Virginia Avenue.
Council Letter Number CL - 2574.
 - 1. Public Hearing
 - 2. An Ordinance Granting Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran Requesting a Special Use Permit for a Duplex in Accordance with Article 3.E, Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue (Parcel ID# 24011).

- B. Consideration of a Resolution Denying a Special Use Permit at 259 Guilford Street.
Council Letter Number CL - 2575.
1. Public Hearing
 2. A Resolution Denying Special Use Permit Application PLSUP 2021-125, filed by Shirley and Donnis Hightower, Requesting a Special Use Permit for a Family Day Care Home in Accordance with Article 3.E, Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026).
- C. Consideration of Rezoning at 1083 Franklin Turnpike.
Council Letter Number CL - 2576.
1. Public Hearing
 2. An Ordinance Rezoning 1083 Franklin Turnpike (Parcel ID#S 54397 and 53892), from OT-R Old Town Residential to "Conditional" TO-C Transitional Office Commercial.
- D. Consideration of Rezoning 816 West Main Street.
Council Letter Number CL - 2577.
1. Public Hearing
 2. An Ordinance Rezoning 816 West Main Street (Parcel ID#S 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial.
- E. Consideration of Granting a Special Use Permit at 145 Franklin Turnpike.
Council Letter Number CL - 2578.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PLSUP 2021-168, Filed by Wanda Joyner, on Behalf of MW Real Properties LLC, Requesting a Special Use Permit for a Day Care Center in Accordance with Article 3.M, Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599).
- F. Consideration of Rezoning 1100 West Main Street.
Council Letter Number CL - 2579.
1. Public Hearing
 2. An Ordinance Rezoning 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District.
- G. Consideration of Amending the Zoning Ordinance to Allow Contractor's Establishments in the HR-C Zoning District.
Council Letter Number CL - 2580.
1. Public Hearing
 2. An Ordinance Amending and Reordaining Chapter 41 Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 3.M., Entitled "'HR-C, Highway Retail Commercial", Section B. Entitled "Permitted Uses" to Add a Subsection 34 Entitled "Contractor's Offices and Shops" and Section C. Entitled "Uses Permitted by Special Use Permit" to add Subsection 29 Entitled. "Contractors Offices and Shops with Storage Yards".

- H. Consideration of Amending the Zoning Ordinance to Add a Definition for Cannabis Dispensing Facility.
Council Letter Number CL - 2581.

1. Public Hearing
2. An Ordinance Amending and Reordaining Chapter 41, Entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically to Amend Article 15, Entitled “Definitions” Section B Entitled “Definitions” to Add a Definition for Cannabis Dispensing Facility and to Amend Article 3.J, Entitled “N-C Neighborhood Commercial (Neighborhood Retail Commercial District) to Add a New Subsection 16 Entitled “Cannabis Dispensing Facilities”.

- I. Consideration of Authorizing an Application to the Virginia Department of Rail and Public Transportation.
Council Letter Number CL - 2555.

1. Public Hearing
2. A Resolution 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 2022.

- J. Consideration of Amending the Fiscal Year 2022 Budget Appropriation Ordinance for Virginia Department of Aviation Airport Maintenance Funds and Local Share, for a Total Appropriation of \$120,000.
Council Letter Number CL - 2560.

An Ordinance Amending the Fiscal Year 2022 Budget Appropriation Ordinance to Provide for State 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 \$20,000 for a Total Appropriation of \$120,000 and Appropriating the Same.

FIRST READING

COMMUNICATIONS FROM:

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

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2570

Consent Agenda A.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on June 1, 2021

Council Letter Number CL - 2570.

Attachments

Meeting Minutes

June 1, 2021

The Regular June meeting of the Danville City Council was held on June 1, 2021, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

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

INVOCATION

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

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Proclamation: LGBTQ Pride Month
Presented to: Liz Cervantes, Kaleidoscope

Ms. Cervantes noted June was LGBTQ Pride Month, and thanked Council for their support. Ms. Cervantes invited citizens to the Otterbots game on June 24th for Pride Night.

Proclamation: Business Appreciation Week
Presented to: Alexis Ehrhardt, Danville Pittsylvania Chamber of Commerce

Ms. Ehrhardt noted her appreciation of Council for their ongoing support. Business Appreciation Week was a longstanding partnership between the City, Pittsylvania County, the Chamber and the River District Association. Ms. Ehrhardt thanked Corrie Bobe and her team, especially Kim Custer, who puts this together.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Drew Herring, Pastor of West Main Baptist Church, who noted several local congregations came together, with the permission of the Parks & Rec, to construct a community COVID 19 Memorial Wall. It was located under the HOME sign, and will be open for the next seven days for citizens to spend time in silence, prayer or write a message of remembrance for someone in the community who has been lost COVID. On June 8th at 7:00 p.m., they will have a community service of hope and remembrance.

MEETING MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Campbell, Minutes from the Regular Council Meeting held on May 4, 2021, were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

APPOINTMENTS

Vice Mayor Miller **moved** for adoption of the following Appointment Resolutions:

Resolution No. 2021-06.01 – Reappointing Jessie Barksdale to the Airport Commission.

Resolution No. 2021-06.02 – Reappointing William Allgood to the Airport Commission.

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Resolution No. 2021-06.03 – Reappointing Philip Hall to the Airport Commission.

Resolution No. 2021-06.04 – Appointing Johnny West to the Dan River ASAP.

Resolution No. 2021-06.05 – Reappointing Sheila Baynes to the DCC Board.

Resolution No. 2021-06.06 – Reappointing Tammy Warren to the Danville Community Policy and Management Team.

Resolution No. 2021-06.07 – Reappointing Demetrius Crews to the Danville Community Policy and Management Team.

Resolution No. 2021-06.08 – Reappointing RJ Lackey to the Danville Development Council.

Resolution No. 2021-06.09 – Reappointing Shelby Irving to the Danville Pittsylvania Community Services Board.

Resolution No. 2021-06.10 – Reappointing Anna Kautzman to the Danville Utility Commission.

Resolution No. 2021-06.11 – Appointing Steven Merricks to the Danville Utility Commission.

Resolution No. 2021-06.12 – Appointing Mark Holland to the Institute for Advanced Learning and Research Board.

Resolution No. 2021-06.13 – Reappointing Tyquan Graves to the Social Services Advisory Board.

Resolution No. 2021-06.14 – Reappointing Alexis Ehrhardt to the Transportation Advisory Board.

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

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

NEW BUSINESS

PUBLIC HEARING – CONSIDERATION OF GRANTING A SPECIAL USE PERMIT AT 424 MEMORIAL DRIVE

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 424 Memorial Drive. Notice of the Public Hearing was published in the *Danville Register & Bee* on May 18, 2021 and May 25, 2021. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2021-06.01

June 1, 2021

GRANTING SPECIAL USE PERMIT APPLICATION 2021-152 FOR RESIDENTIAL AND COMMERCIAL USES PERMITTED BY RIGHT WITH LOT FRONTAGE ON THE DAN RIVER IN ACCORDANCE WITH ARTICLE 3.L SECTION C.11. OF DANVILLE ZONING ORDINANCE, AT 424 MEMORIAL DRIVE (PARCEL ID# 21344 AND 21322).

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

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

PUBLIC HEARING – CONSIDERATION OF AMENDING THE ZONING ORDINANCE TO ALLOW THE CITY MANAGER, PLANNING DIRECTOR OR DESIGNEES TO INITIATE ZONING ORDINANCE AMENDMENTS

Mayor Jones opened the floor for a Public Hearing regarding Amending the Zoning Ordinance. Notice of the Public Hearing was published in the *Danville Register & Bee* on May 18, 2021 and May 25, 2021. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2021-06.02

AMENDING CHAPTER 41 ENTITLED, "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 4. SECTION A. INITIATION OF ZONING AMENDMENTS AND CHANGES BY ADDING SUBSECTION 4. ALLOWING THE CITY MANAGER, PLANNING DIRECTOR, OR THEIR DESIGNEES TO INITIATE ZONING ORDINANCE AMENDMENTS.

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

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

CONSIDERATION OF A REFERENDUM ON A ONE PERCENT SALES TAX INCREASE FOR SCHOOL CONSTRUCTION

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

RESOLUTION NO. 2021-06.15

A RESOLUTION INITIATING A REFERENDUM TO AUTHORIZE THE CITY OF DANVILLE TO LEVY A GENERAL RETAIL SALES TAX AT A RATE NOT TO EXCEED ONE PERCENT (1%) TO PROVIDE REVENUE SOLEY FOR CAPITAL PROJECTS FOR THE CONSTRUCTION OR RENOVATION OF SCHOOLS IN THE CITY OF DANVILLE, VIRGINIA IN ACCORDANCE WITH VIRGINIA CODE SECTION 58.1-605.1.

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

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Vice Mayor Miller noted it was their obligation to make sure children have safe, modern facilities to learn in. The State Legislature passed a bill that would allow localities to vote for a one percent sales tax in their area. This was not a Council mandate, all they were doing was putting it on the ballot in November for the public to decide. Council Member Saunders stated in order to be competitive in the world, they must have a great education system. In any facility where Danville students learn, helps determine their success in education. Mr. Saunders noted he was asking the citizens, it was their decision, to please support this effort, so the children can have a safe school to attend, to thrive and help the City to continue to grow. Council Member Vogler reiterated this was not a council decision, but they feel it was important that the citizens ultimately have the say in this; it will be the citizens who vote on this in November. Council Member Campbell noted his agreement with everything that was said, he supports this 100% and hopes the citizens of Danville will vote for this referendum. Council Member Mayo also noted his agreement with what has been said, wanted the citizens to understand that Council does support this and hopes the citizens will consider this.

Mayor Jones noted RRM presented this to Council several years ago indicating there were four schools built in the fifties: Johnson, Langston, GW and Woodberry; no action took place due to funding. Some have cottages in the back of schools, some of the HVAC units need replacement and staff hopes no major capital costs occur. Mayor Jones commended the school board and the superintendent on what they were doing, as well as the teachers and DPS staff.

City Attorney Clarke Whitfield explained there were two parts in order to get this referendum passed; this was first part, the 1% sales tax. That will fund a bond, because Danville was a City, and the charter requires the City to issue bonds for that. The second part will be approving bonds up to a certain amount. That will allow all the money to come in at one time so that everything can be done to fight price increases; that will come in July. Toward the end of July, both resolutions will be filed with the circuit court; August 13th is the date they have to be signed by.

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

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR FUNDS FOR THE DEVELOPMENT OF THE
RIVER FRONT PARK, IN THE AMOUNT OF \$740,000**

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

ORDINANCE NO. 2021-06.03

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR AN AWARD FROM THE STATE OF VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION IN THE AMOUNT OF \$740,000 FOR THE DEVELOPMENT OF THE RIVER FRONT PARK AND APPROPRIATION OF SAME.

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

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**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR AMERICAN RESCUE PLAN FUNDS IN THE
AMOUNT OF \$29,142,851**

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

ORDINANCE NO. 2021-06.04

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE US DEPARTMENT OF TREASURY FOR THE AMERICAN RESCUE PLAN IN THE AMOUNT OF \$29,142,851 TO BE USED AS SPECIFIED BY THE AMERICAN RESCUE PLAN AND APPROPRIATION AS FOLLOWS

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

Council Member Campbell asked the City Manager to explain this to the Citizens. City Manager Ken Larking noted the American Rescue Plan was adopted by Congress and signed by President Biden a few months ago, providing localities with a certain amount of funding depending on population and status within the CDBG program. The City will be receiving two payments, one which they just received; they were not able to spend any of those funds until City Council adopts a budget. The other half was supposed to come no sooner than one year later. The funds were very similar to the CARES Act funds provided by Congress last year. Those funds were used by the City, under the guidance provided by the Federal Government, for things like helping people with utility bills, mortgage and rent payments, and helping small businesses weather the storm of the pandemic. They also helped provide marketing, PPE and encouraged people to be safe during the pandemic. The CARES Act did not allow local governments to replenish lost revenue due to the pandemic. The American Rescue Plan does allow the City to use a portion of the funding to replenish any lost revenue they could justify, based on the pandemic; there was a formula the Finance Director will use to determine that amount. The intention was to take a careful look at all the rules and regulations associated with how the City can spend those funds and to implement them in a similar way that the CARES Act funds were spent, with the guiding principal being helping people and the community respond to the pandemic. Equity was an important aspect of these funds, that was a highlight of what they want the City to do; the intention was to be careful, following the spirit of the legislation, and also have an eye toward what other projects the City can do to produce a sustainable economic future for the community. He has been working with Department heads on ideas on how to invest these funds for the future. They want to make sure to look at the Investing in Danville work, discuss ways they could invest in the community, and use that as a guiding principal on how the City uses these funds.

The goal was to help improve people's lives, help reduce their costs, help people get through the pandemic, utility assistance, rent and mortgage assistance for individuals, and grants for businesses to stay in business or thrive, as well as helping maintain the health of the community. One of the other aspects that was important for the community was that Danville have good, stable housing with energy efficient homes; that was an allowable expense. Mr. Larking noted he would like to look at what the City can put in place to help people make their homes more energy efficient, which would save them money in the short and long term. This falls into a City Council priority of improving housing in the community which will be a cost savings they will be able to enjoy for many years. It was important to note that the Finance Director and he were going to make sure they were not recommending these funds be used for things that were not allowed by the Federal Government.

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Mr. Saunders noted a lot of employers were trying to find people to hire and does not know if that was an employment or employee issue, or training, but the pandemic assistance will not last and people do need to work, and need skills to get these jobs. There were a lot of people with skills, plumbers, carpenters, etc., but they were not certified. A lot of people will not hire them if they don't have certification to qualify for the employer's insurance; could the City help these people become certified so they can work as subcontractors or contractors for businesses that may come to Danville. Mr. Larking noted staff has had a discussion about that topic, if the City could find a way for job training, job skills, get people certified, give them an opportunity to get the work that was out there, that was coming; it was something that was allowed by the American Rescue Plan.

Mayor Jones recognized Tommy Bennett, President of the Danville Chapter of the NAACP who stated that the NAACP had a meeting with Dr. Angela Hairston, and the NAACP was in full support of the 1% sales tax for the schools.

COMMUNICATIONS

Mr. Larking noted he attended the Galileo graduation last Friday morning, his daughter was one of the students who graduated. Mr. Larking applauded the school system for the work they did.

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

Vice Mayor Miller noted earlier this evening, in Memphis, TN, his grandson was born.

Council Member Saunders noted his congratulations to the Vice Mayor, and asked Vice Mayor Miller for a copy of his Invocation.

Council Member Vogler reminded citizens that Youth Baseball sign ups were going now in the City; this Friday was the last day for sign-ups. The Danville Otterbots were having their first game of the season this Thursday at 7:00 p.m. at American Legion Field. Mr. Vogler noted it was important to remember what Memorial Day signifies, and to honor those that served and lost their lives in service to the Country.

Council Member Whittle thanked everyone in the military for their service. Mr. Whittle noted Danville has a lot of jobs available, at every level; if people want to work, there were jobs available.

Council Member Buckner thanked Kaleidoscope for the great work they do in the community and can't wait for the event coming up at the Otterbots game. Mr. Buckner reminded citizens the Food Truck Rodeo was this Saturday from twelve until six and hopes citizens can make it out.

Council Member Campbell noted it was good to see the Superintendent and School Board members at Council this evening.

Council Member Hood noted in honor of Memorial Day, he wanted to pay homage to the fallen service men and women. He would like to acknowledge his mentor, Mr. Philip Campbell, school board members and the Superintendent. Congratulations on Business Appreciation Week and the LGBTQ group for their Proclamations, and congratulations to the Class of 2021.

Council Member Mayo congratulated the School Board and Superintendent on a great year. The parents of GW High School were having an end of year party on June 4th, at Carrington Pavilion from 7:00 p.m. to 11:00 p.m.; tickets were available from parents. Cedar Terrace was having an end of school community and youth engagement day on June 3rd from 2:00 to 4:00 p.m. with food

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and entertainment. Mr. Mayo noted Danville Community College was doing a lot of training for jobs and would like to discuss this with the City Manager.

Mayor Jones noted City Council allotted money for summer jobs, school gets out Wednesday and asked Deputy City Manager Earl Reynolds for an update. Mr. Reynolds invited Superintendent of Danville Public Schools Dr. Hairston to give an update on the program. Dr. Hairston thanked the Council for supporting the program, noting students will start on June 7th, with a week of skills training; the parent meeting was tomorrow evening. The students will be introduced to their employers next Friday; everyone has been placed, the 14-16 year old students were going to Goodwill, the older students, 16-18 will work for a combination of City Departments, the School system and few other outside agencies. They were placed, notified and were excited to start. Mayor Jones noted there were a lot of activities going on in Danville Public Schools as well and Dr. Hairston stated they have a robust summer school program for remediation and new learning. There was a Cyber Camp going on at Johnson Elementary, Camp Invention at the Institute, with lots of opportunities for the children to be busy this summer and encouraged them to take advantage.

Mayor Jones noted this weekend was a busy weekend with the food truck festival and later that afternoon a Senior Prom at the Carrington Pavilion. The Mayor requested this information be put out to the citizens on the website or have it put on the City's Facebook page. Mr. Larking noted they will use whatever tools necessary to get the word out as much as they can and encouraged anyone listening that sees information the City sends out, to tell their friends and relatives that there were opportunities for young people to get involved in something positive for the summer.

Mayor Jones recognized the School Board members attending tonight's meeting, and thanked citizens attending tonight's meeting.

ADJOURNED: 7:51 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2526

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Federal Aviation Administration Grant

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 06/15/2021

Final Adoption: 07/06/2021

SUMMARY

The Federal Aviation Administration (FAA) oversees a discretionary grant program that provides funds to general aviation airports for design services and construction activities related to capital projects. The FAA has approved federal funding for design services to rehabilitate the airport's south ramp. Federal funding will be provided to finance one hundred percent of the project cost, therefore no local match is required to complete design services activities.

BACKGROUND

In 2001, federal and state funding was received by the City of Danville to construct a concrete ramp that includes two taxiway connections. The ramp is 525' x 410' and is located on the south side of the airfield near the T-Hangar area and the taxiway that parallels the primary runway. Concrete was primarily used to develop the taxiway connections and the ramp. However, the current condition of this project area requires a full rehabilitation.

Blackening and cracking was detected on the surface of the ramp. Therefore, cores were extracted from the ramp to complete an analysis to determine the quality and condition of the concrete. Through outside analysis, it was confirmed that the concrete is affected by an Alkali Silica Reaction (ASR), which can cause serious expansion and cracking resulting in major structural problems. In the case of ASR, this reaction can occur years after the concrete is poured.

ASR is caused by a reaction between the hydroxyl ions in the alkaline cement pore solution in the concrete and reactive forms of silica in the aggregate such as quartzite and chert. A gel is produced, which increases in volume by taking up water and causes an expansive pressure, resulting in failure of the concrete. For ASR to occur, a sufficiently high alkali content of the cement must be present as well as available water in the concrete and a reactive aggregate such as chert.

Planned engineering service activities will involve additional geotechnical analysis and the development of bid specifications to address the condition of the concrete so the ramp and taxiway connections can be rehabilitated. It is anticipated that the concrete will be broken up into small pieces and overlaid with asphalt using specialized equipment. This process saves with the expense of transporting removed material to a disposal site and purchasing new base material to pave. The intended result is to provide a

smoother pavement surface than would be obtained if a layer of asphalt were applied to an unbroken concrete surface.

RECOMMENDATION

It is recommended that City Council approve an Ordinance amending the Fiscal Year 2021 budget Appropriation Ordinance to provide for Federal Aviation Administration capital grant funding to complete engineering services. No local share is required for this project.

Attachments

Ordinance
Project Area

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____ - _____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL FEDERAL AVIATION FUNDING FOR THE PURPOSE OF COMPLETING DESIGN SERVICES TO REHABILITATE TAXIWAY CONNECTIONS AND THE SOUTH RAMP AT THE DANVILLE REGIONAL AIRPORT WITH NO LOCAL MATCHING SHARE.

WHEREAS, airport engineering design services are needed to rehabilitate taxiway connections and the south ramp located at the Danville Regional Airport; and

WHEREAS, the engineering services project will be funded at one-hundred percent with federal capital aid; and

WHEREAS, the south ramp is needed to support future hangar development and aircraft parking at the Danville Regional Airport.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2021 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues for a grant from the Federal Aviation Administration in the amount of \$172,272 such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Rehab south ramp and taxiway connections Federal Aviation Administration Funds	61661000-48420	<u>\$172,272</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Rehab South Ramp & Taxiway Connect.	61661999-50	<u>\$172,272</u>

AND BE IT FURTHER ORDAINED, that all other accounts and provisions of the Fiscal Year 2021 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY



Taxiway Connection and South Ramp Rehabilitation Project

Council Letter

City of Danville, Virginia



CL-2574

New Business A.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Granting a Special Use Permit at 346 Virginia Avenue

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran requests a Special Use Permit for a duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue (Parcel ID# 24011). The applicant requests a Special Use Permit to convert a single-family home into a duplex.

BACKGROUND

This applicant would like to convert a single-family home back into a previous duplex configuration.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Special Use Permit Application PLSUP2021-124.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance granting a Special Use Permit for a duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue (Parcel ID# 24011).

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021 - _____ - _____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PLSUP 2021-124, FILED BY BRENT COCHRAN REQUESTING A SPECIAL USE PERMIT A FOR DUPLEX IN ACCORDANCE WITH ARTICLE 3.E SECTION C.2. OF THE DANVILLE ZONING ORDINANCE AT 346 VIRGINIA AVENUE (PARCEL ID# 24011).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that Planning Commission's report recommending approval of Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran requesting a Special Use Permit for duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue (Parcel ID# 24011), is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran requesting a Special Use Permit for duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue (Parcel ID# 24011), is hereby approved.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



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

City Planning Commission

RECOMMENDATION

DATE: JUNE 12, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-124

REQUEST

Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran requests a Special Use Permit for a duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue, Parcel ID# 24011. The applicant requests a Special Use Permit to convert a single-family home into a duplex.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Special Use Permit Application PLSUP2021-124.

Mr. Harold E. Garrison, Chair

RESPONSES

Forty-nine (49) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eight (8) responses were received. One (1) Unopposed (York). Seven (7) Opposed (Adams, Busby, Melton, Storms, Sweeney, Tisdale and Wolen).

City Planning Commission

STAFF REPORT

DATE: June 1, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION - 346 VIRGINIA AVENUE

Special Use Permit Application PLSUP 2021-124, filed by Brent Cochran requests a Special Use Permit for a duplex in accordance with Article 3.E Section C.2. of the Danville Zoning Ordinance at 346 Virginia Avenue, Parcel ID# 24011. The applicant requests a Special Use Permit to convert a single-family home into a duplex.

BACKGROUND

This applicant would like to convert a single-family home back into a previous duplex configuration.

The Planning Division sent forty-nine (49) notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The applicant, Brent Cochran, applied to the Planning Division for a duplex conversion the OT-R, OLD TOWN RESIDENTIAL DISTRICT (Urban Areas Single Family Residential District). The application is attached to this report.

The City may allow a duplex in the OT-R Zoning District. (Chapter 41 Zoning Ordinance, Article 3.E. §C.2.).

The Comprehensive Plan puts the subject property in the West Main planning area. The future land use designation for the subject parcel is 'Medium Density Residential'. If approved, the Special Use Permit is in harmony with the OT-R zoning district with an average density of five (5.0) units per acre establishes the district encompassing a reasonably high density for single family detached, two family, and duplex residences served by public water and sewer, public streets with curb and gutter, adequate drainage systems, street lighting, and sidewalks..

The neighboring adjacent properties on Virginia Avenue are residential. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer, will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.



Figure 1 - StreetView of 346 Virginia Avenue

RECOMMENDATION

The Planning Division recommends approving this application as proposed and that the Planning Commission endorse Special Use Permit Application PLSUP-2021-124 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-124 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-124 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-124 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-124.

ATTACHMENTS

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

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:

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
(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: 8,550 (building = 1,730). Property Address: 346 Virginia Ave. - 24541

Property Location: N S E W Side of: _____

Between: _____ and _____

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.

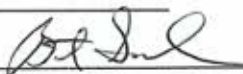
Please provide a brief description of the proposed development:

The building appears to have originally been a duplex, based on the current layout and construction. It was converted to a single family home at some point. We would like to convert it back to a duplex.

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

1. NAME: Brent Cochran TELEPHONE: 540-597-6914

MAILING ADDRESS: 2334 Mount Vernon Rd – Roanoke, VA 24015

SIGNATURE:  DATE: 3/27/21

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS:

Brentgcochran@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.

DATA SHEET PLSUP 2021-283

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	CORNER OF VIRGINIA AVENUE AND FLORAL AVENUE
PRESENT ZONE:	OT-R OLD TOWN RESIDENTIAL
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	CONVERT SINGLE FAMILY DWELLING TO DUPLEX DWELLING
PRESENT USE OF PROPERTY:	RESIDENTIAL
PROPOSED USE OF PROPERTY:	RESIDENTIAL
FUTURE LAND USE DESIGNATION:	RESIDENTIAL
PROPERTY OWNER (S):	BRENT COCHRAN
NAME OF APPLICANT (S):	BRENT COCHRAN
PROPERTY BORDERED BY:	RESIDENTIAL NEIGHBORHOOD
ACREAGE:	0.20 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL
INGRESS AND EGRESS:	VIRGINIA AVENUE
TRAFFIC VOLUME:	VERY LOW- NO RECENT COUNTS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
5/25/2021

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



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
5/25/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/25/2021

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

Council Letter

City of Danville, Virginia



CL-2575

New Business B.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Granting a Special Use Permit at 259 Guilford Street

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Special Use Permit Application PLSUP 2021-125, filed by Shirley and Donnis Hightower, requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026).

BACKGROUND

The applicant requests a Special Use Permit for a family day care home.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend denial of Special Use Permit Application PLSUP2021-125. The applicant missed the first public hearing date on May 10, 2021, and was late to the public hearing on June 7, 2021. They arrived at the end of the meeting after the Commission moved past the item. The Commission declined to reconsider the recommended denial after the applicants arrived. Staff remains supportive of the application.

RECOMMENDATION

The Planning Commission recommends that City Council approve a Resolution denying a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026).

Attachments

Resolution

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021-_____

A RESOLUTION DENYING SPECIAL USE PERMIT APPLICATION PLSUP 2021-125, FILED BY SHIRLEY AND DONNIS HIGHTOWER, REQUESTING A SPECIAL USE PERMIT FOR A FAMILY DAY CARE HOME IN ACCORDANCE WITH ARTICLE 3.E, SECTION C.24. OF THE DANVILLE ZONING ORDINANCE AT 259 GUILFORD STREET (PARCEL ID# 51026).

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending denial of Special Use Permit application PLSUP 2021-125, filed by Shirley and Donnis Hightower, requesting a Special Use Permit for a family day care home in accordance with Article 3.E, Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026), is hereby received; and

BE IT FURTHER RESOLVED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit application PLSUP 2021-125, filed by Shirley and Donnis Hightower, requesting a Special Use Permit for a family day care home in accordance with Article 3.E, Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026), is hereby denied.

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

RECOMMENDATION

DATE: JUNE 12, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-125

REQUEST

PLSUP 2021-125, filed by Shirley and Donnis Hightower, requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID# 51026). The applicant requests a Special Use Permit for a family day care home.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend denial of Special Use Permit Application PLSUP2021-125.

Mr. Harold E. Garrison, Chair

RESPONSES

Thirty (30) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eleven (11) responses were received. Six (6) were Unopposed (Bailey, Hightower, Standfield, Watkins, Hyler & Harris). Four (4) Opposed (Mills, Moore, Richardson, & Wilburn).



City Planning Commission

STAFF REPORT

DATE: May 4, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION - 259 GUILFORD STREET

Special Use Permit Application PLSUP 2021-125, filed by Shirley Hightower requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID#s 51026). The applicant requests a Special Use Permit for a family day care home.

BACKGROUND

This project is for a family daycare home at 259 Guilford. A family day care home is a home occupation permitted by special use permit in which the resident and not more than one additional employee cares for more than five (5) but no more than twelve (12) non-related children for less than a twenty-four (24) hour period.

The Planning Division sent 30 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, Shirley Hightower, applied to the Planning Division for a family day care home in the OT-R Zoning District. The application is attached to this report.

The City may allow a family day care home in the OT-R Zoning District. (Chapter 41 Zoning Ordinance, Article 3.E. §C.24.) with a Special Use Permit.

The Comprehensive Plan puts the subject property in the Franklin Turnpike planning area. The future land use designation for the subject parcel is 'Medium Density Residential'. If approved, the Special Use Permit is in harmony with the OT-R Zoning District which is established to provide for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing..

The neighboring adjacent properties on Guilford are also single family residential. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer, will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as

proposed and that the Planning Commission endorse Special Use Permit Application PLSUP-2021-125 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-125 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-125 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-125 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-125.

ATTACHMENTS

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



**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: _____ Address: _____
Existing Zoning: _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): EIN 86-2820430
Applicant: Shirley Hightower
Applicant's Address: 259 Guilford Street, Danville VA. 24540
Applicant's Phone Number: 434-770-0386
Applicant's E-mail: sjhightower434@gmail.com

Describe Proposed Development: To open up a mini Daycare in my home for no more than 3 to 4 kids.

Consistent of Day Shift only 8 hours a day, 5 days a week.

Article 6 Section B. General Standards and Criteria for Special Use Permit Review. Please explain how the Special Use Permit request meets the following review standards and criteria:

1. The proposed use shall be: a. in harmony with the adopted Comprehensive Plan; b. in harmony with the intent and purpose of the zoning district in which the use is proposed to be located; and c. in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development.

Northside zoning, in a no drug school zone neighborhood.

2. The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities:

My request meets the following standards.

3. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance:

It will not cause any destruction or damage to any of the
properties listed above,

4. The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods:

It will not interfere with any development, properties or neighborhoods.

Applicant Signature

Property Owner Signature
(if not applicant)

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-125

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF GUILFORD STREET, ONE HOUSE EAST OF TIMBERLAKE DRIVE
PRESENT ZONE:	OT-R OLD TOWN RESIDENTIAL
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	THE APPLICANT REQUESTS A SPECIAL USE PERMIT FOR A FAMILY HOME DAY CARE
PRESENT USE OF PROPERTY:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE OF PROPERTY:	SAME
FUTURE LAND USE DESIGNATION:	RESIDENTIAL
PROPERTY OWNER (S):	HIGHTOWER
NAME OF APPLICANT (S):	HIGHTOWER
PROPERTY BORDERED BY:	RESIDENTIAL
ACREAGE:	0.25 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL NEIGHBORHOOD
INGRESS AND EGRESS:	GUILFORD STREET
TRAFFIC VOLUME:	RESIDENTIAL COLLECTOR STREET – NO RECENT COUNTS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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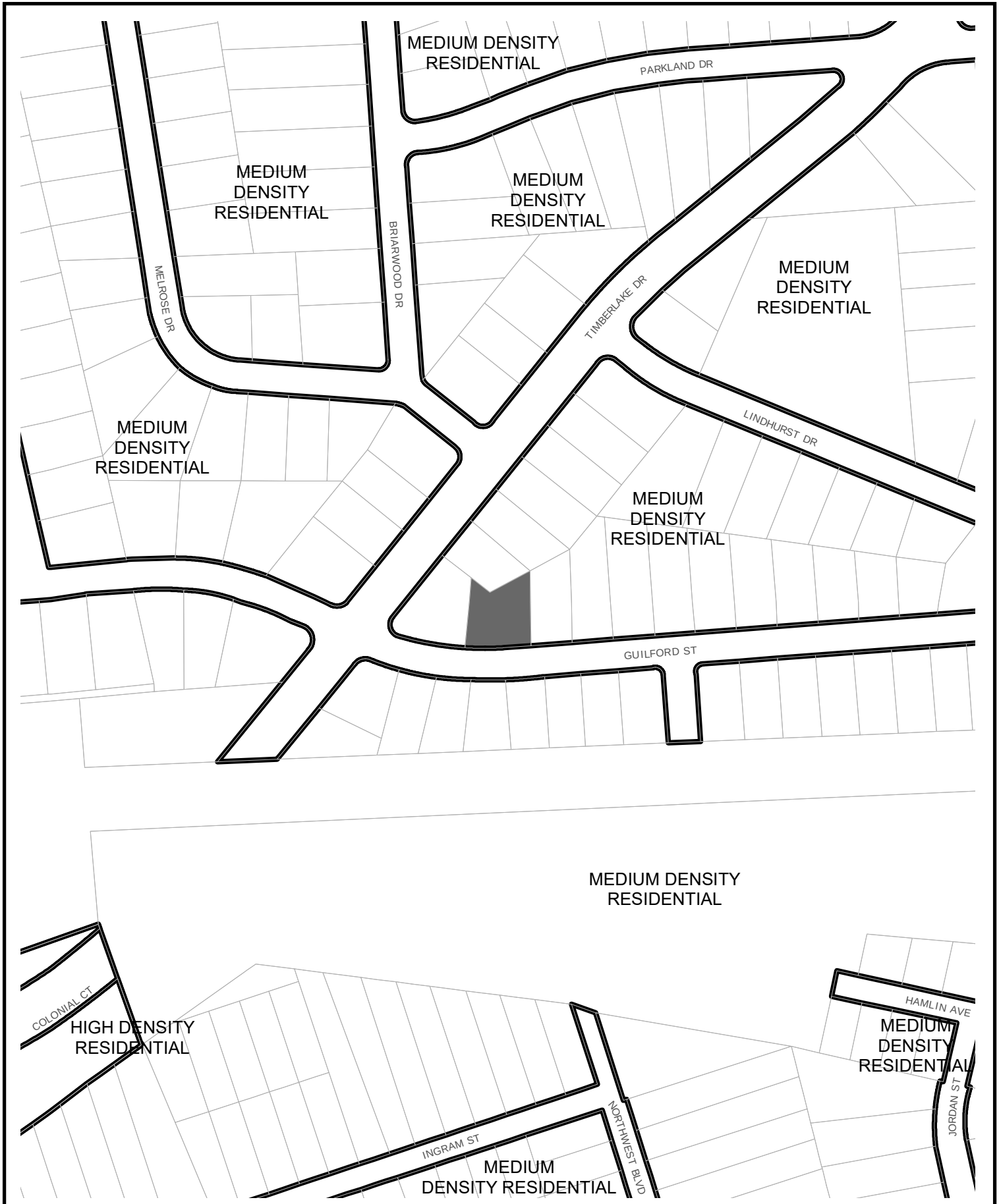


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
4/29/2021

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Council Letter

City of Danville, Virginia



CL-2576

New Business C.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Rezoning 1083 Franklin Turnpike

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office. The applicant proposes developing a real estate office.

BACKGROUND

The applicant proposes developing a real estate office in the existing building.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-133.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2020____.____

AN ORDINANCE REZONING 1083 FRANKLIN TURNPIKE (PARCEL ID#S 54397 AND 53892), FROM OT-R OLD TOWN RESIDENTIAL TO "CONDITIONAL" TO-C TRANSITIONAL OFFICE COMMERCIAL.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Scott Cheney on behalf of SRE LLC, requested to rezone 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office Commercial zoning district.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office Commercial zoning district, is hereby received; and

BE IT FURTHER ORDAINED that the conditions proffered by Scott Cheney on behalf of SRE LLC for the rezoning of 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office Commercial, in attached EXHIBIT A and made a part hereof by reference are approved and accepted; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requesting to rezone 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to "conditional" TO-C Transitional Office Commercial zoning district, is hereby approved; and

BE IT FINALLY ORDAINED that 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892) on the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY

EXHIBIT A

ARTICLE 3.I: - TO-C, TRANSITIONAL OFFICE (Transitional Residential/Office District)

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.~~
19. ~~Short term rental, entire furnished home.~~

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. ~~Cupolas, 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.~~
24. ~~Hotel/motel.~~
25. Waiver to maximum sign area.

Scott Cheney on behalf of SRE LLC

DATE



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

City Planning Commission

RECOMMENDATION

DATE: JUNE 12, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2021-133

REQUEST

Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike (Parcel ID#s 54397 and 53892), from OT-R Old Town Residential to conditional TO-C Transitional Office Commercial.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-133.

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty-three (23) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. (Eleven) 11 responses were received. Four (4) Unopposed (Ferrell, Johnson, Shelton & SRE LLC). Seven (7) Opposed (Dance, Luther, Payne, Ross, Rembold, Salinas-Diaz, & Taylor).



City Planning Commission

STAFF REPORT

DATE: June 1, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director
RE: REZONING APPLICATION - 1083 FRANKLIN TURNPIKE

Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike, Parcel ID#s 54397 and 53892, from OT-R Old Town Residential to "conditional" TO-C Transitional Office. The applicant would like to develop a real estate office.

BACKGROUND

The applicant would like to develop a small real estate office in the existing building at 1083 Franklin Turnpike. The Planning Division sent twenty-four (24) notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The proposed rezoning's 2030 future land use designation in the Comprehensive Plan is Medium Density Residential. Land across Franklin Turnpike is future planned as Neighborhood Commercial. The applicant proffered a proposed use list that substantially limits potential traffic and activity impacts on neighbors. The proposed uses are potentially less likely to create nuisances than some uses available under the existing OT-R zoning designation.

RECOMMENDATION

The Planning Division recommends the Planning Commission recommend approval of conditional rezoning application PLRZ-2021-133 to City Council.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ2021-133 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ2021-133 as submitted.
3. Recommend approval of Rezoning Application PLRZ2021-133 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ2021-133.

ATTACHMENTS

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

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

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

Please provide a brief description of the proposed development:

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

From SFR to Transitional Office-Commercial
Property to be used as a real estate office

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). 75 FT PT NOS 15, 16, & 17 Franklin Turnpike
65 FT PT NO 18, 19, & 20 Franklin Turnpike
Gross Area/Net Area: _____ Property Address: 1083 Franklin Turnpike
& 0 Franklin Turnpike (parcel ID 54397)
Property Location: N S E W Side of: _____
Between: Conway and Annhurst
Proffered Conditions (if any, please attach): _____

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

I. NAME: SRE LLC TELEPHONE: 934-251-6870
MAILING ADDRESS: P.O. Box 3588, Danville, VA 24543
SIGNATURE: Chris Witherspoon DATE: 4-9-21
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Scott Chaney TELEPHONE: 434-489-1130
MAILING ADDRESS: 521 Monroe Street, Danville, VA 24541
EMAIL ADDRESS: scottchaney@piedmontprintingandgraphics.com
SIGNATURE: Scott Chaney DATE: 4-9-21

Rezoning Request for 1083 Franklin Turnpike

The subject property is currently zoned residential, a 3 Bedroom 1 bath brick ranch with an unfinished basement, adjoining a vacant lot. The project would consist of combining the two lots, adding parking to part of the vacant lot and leaving the rest of the lot as green space. The request for re-zoning is from Residential (OTR) to Transitional Office – Commercial. The subject will be used as a Real Estate office, with normal business hours and no late night operation or noise concern. The property has most recently been used as a rental property and the adjoining vacant lot has been roughly cleared for some time, with tree stumps, etc. that will be removed and graded to level green space.

The properties on both sides of the subject property are currently zoned residential (OTR). Mr. Emerson on the right side (1087 Franklin Turnpike) has expressed interest in having his property re-zoned in the future for re-sale purposes. Multi family units are on the right side of his property (1089 Franklin Turnpike). A natural landscape buffer is already in place on the left side of the vacant lot on the subject property, creating privacy.

The subject property will meet landscaping and parking regulations required by the city, as well as handicapped accessibility. Interior renovations must be completed and exterior plans will be completed within 120 days of the transaction closing, currently subject to re-zoning.

Respectfully Submitted,

Scott C. Chaney



112 South Main Street • Post Office Box 556 • Danville, Virginia 24007
Phone: 434.656.8961 • Fax: 434.656.8995
Web: www.reynoldsclark.com

RE-ZONING LAYOUT **SCOTT CHANEY** CITY OF DANVILLE, VIRGINIA

DATE:
APRIL, 2021
SCALE:
1" = 30'

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.~~
19. ~~Short term rental, entire furnished home.~~

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. ~~Cupolas, 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.~~
- ~~24. Hotel/motel.~~
25. Waiver to maximum sign area.

I. - Additional Regulations.

1. Refer to the Floodplain Zoning Overlay District, where applicable.
2. All non-dining-related business services and storage shall be conducted within the principal structure which is to be completely enclosed. Patio dining shall be allowed as part of restaurant uses.
3. Refer to Landscaping and Screening Regulations for additional yard buffer requirements related to frontage landscape, parking lots, and screening.
4. Refer to Parking and Loading Requirements for parking regulations:
 - a. Parking for non-residential uses shall be governed by the parking and loading requirements for that use.
 - b. Parking for a non-residential use shall not be permitted within the front yards of any lot, except as provided for in subsection F.2.A hereinabove.
 - c. No parking shall be permitted within a yard setback line, except as provided for in subsection F.2.B. hereinabove.
 - d. Recreational vehicle parking shall not be permitted within a front yard and side yard.
5. Refer to Sign Regulations for signage provisions.
6. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the City.

All recorded plats for lots containing shrink/swell soils shall bear the following note: "This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."

7. Refer to the City's Design and Construction Standards Manual for additional regulations.

8. All uses within the TO-C District shall require a General Development Plan for rezoning approval and a site plan for special permit or lot development approval.
9. All refuse shall be contained in completely enclosed facilities. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of fences, wall or landscaping.

SPECIAL USE PERMIT REQUEST DATA SHEET PLRZ 2021-133

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	WEST SIDE OF FRANKLIN TURNPIKE, SOUTH OF ANNHURST DRIVE
PRESENT ZONE:	OT-R, OLD TOWN RESIDENTIAL DISTRICT (URBAN AREAS SINGLE FAMILY RESIDENTIAL DISTRICT)
PROPOSED ZONE:	TO-C, TRANSITIONAL OFFICE (TRANSITIONAL RESIDENTIAL/OFFICE DISTRICT)
ACTION REQUESTED:	REZONE 1083 FRANKLIN TURNPIKE, PARCEL ID#S 54397 AND 53892, FROM OT-R OLD TOWN RESIDENTIAL TO TO-C TRANSITIONAL OFFICE
PRESENT USE OF PROPERTY:	RESIDENTIAL/VACANT
PROPOSED USE OF PROPERTY:	COMMERCIAL
FUTURE LAND USE DESIGNATION:	MEDIUM DENSITY RESIDENTIAL
PROPERTY OWNER (S):	SRE LLC
NAME OF APPLICANT (S):	SCOTT CHENEY
PROPERTY BORDERED BY:	RESIDENTIAL NEIGHBORHOODS
ACREAGE:	0.27 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL
INGRESS AND EGRESS:	FRANKLIN TURNPIKE
TRAFFIC VOLUME:	FRANKLIN TURNPIKE – 17,000 AADT (2019)

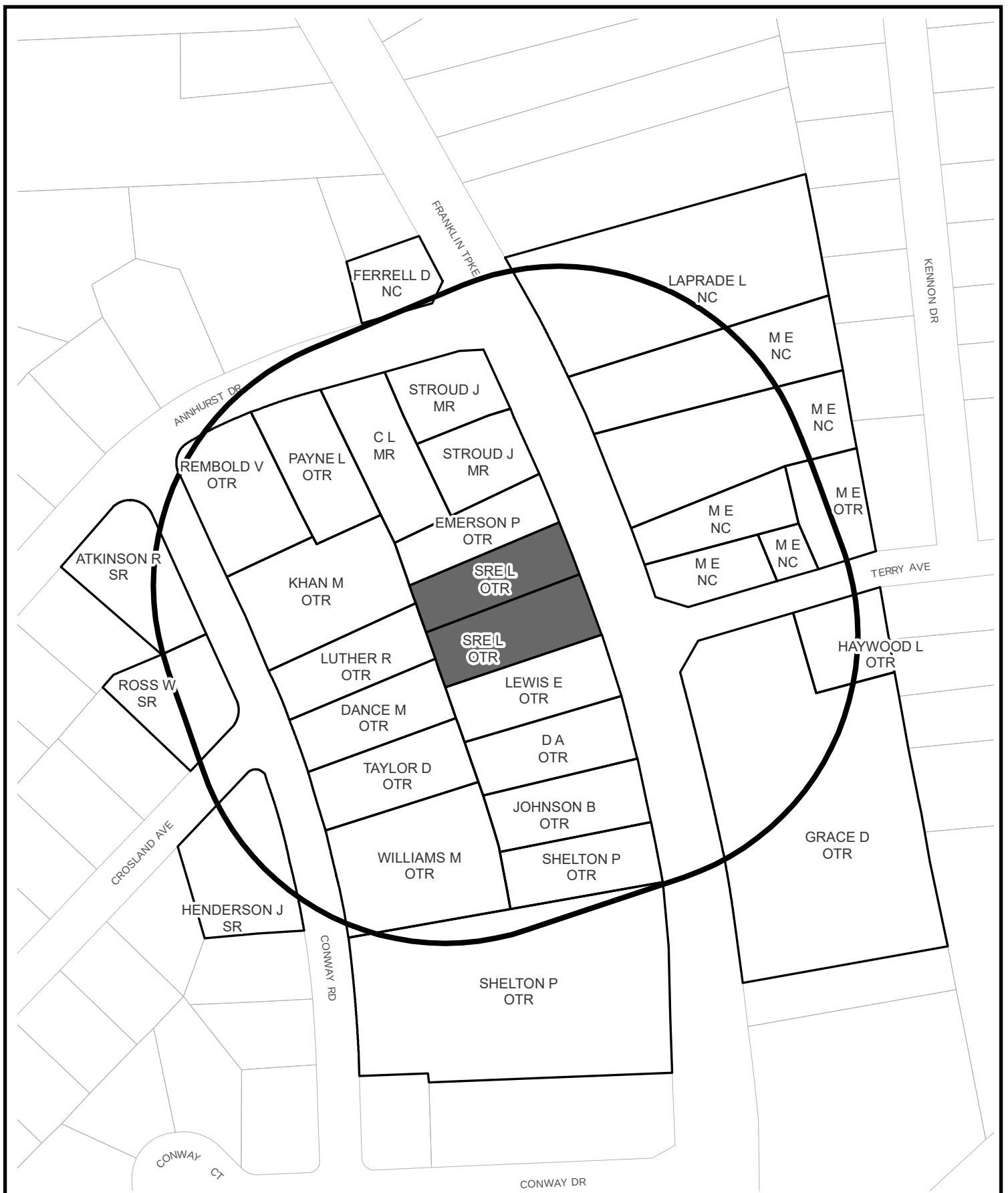


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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

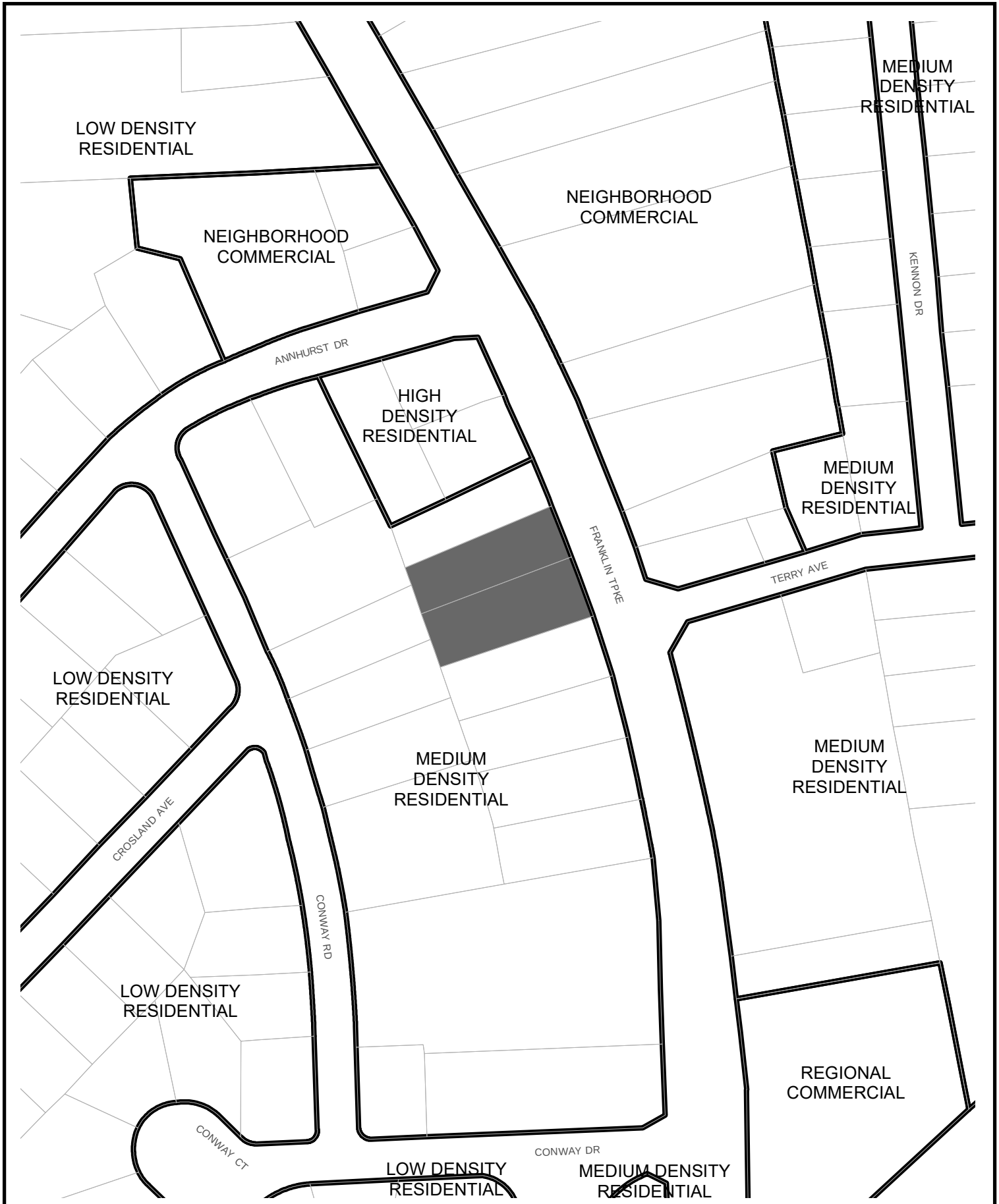


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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

Council Letter

City of Danville, Virginia



CL-2577

New Business D.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Rezoning 816 West Main Street

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Rezoning Application PLRZ2021-161, filed by Barbara and Mark Smith, requests to rezone 816 West Main Street (Parcel ID#s 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial. The subject property will not change use immediately, it operates as a legally non-conforming dental office.

BACKGROUND

The applicant is consolidating their practice with another local dentist and wants to sell the property.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-161.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 816 West Main Street (Parcel ID#s 57237 and 57238), from OT-R Old Town Residential to HR-C Highway Retail Commercial zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021 _____

AN ORDINANCE REZONING 816 WEST MAIN STREET (PARCEL ID#S 57237 AND 57238) FROM OT-R OLD TOWN RESIDENTIAL TO HR-C HIGHWAY RETAIL COMMERCIAL.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Barbara and Mark Smith, requested to rezone 816 West Main Street (Parcel ID#s 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial zoning district.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PLRZ2021-161, filed by Barbara and Mark Smith, requesting to rezone 816 West Main Street (Parcel ID#s 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial, 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 PLRZ2021-161, filed by Barbara and Mark Smith, requesting to rezone 816 West Main Street (Parcel ID#s 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial, is hereby approved; and

BE IT FURTHER ORDAINED that 816 West Main Street (Parcel ID#s 57237 and 57238) on the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



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

City Planning Commission

RECOMMENDATION

DATE: JUNE 12, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2021-161

REQUEST

Rezoning Application PLRZ2021-161, filed by Barbara and Mark Smith, requests to rezone 816 West Main Street (Parcel ID#s 57237 and 57238) from OT-R Old Town Residential to HR-C Highway Retail Commercial. The subject property will not change use immediately, it operates as a legally conforming dental office.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-161.

Mr. Harold E. Garrison, Chair

RESPONSES

Nineteen (19) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) response was received. Two (2) Unopposed (Abercrombie, and Smith).

City Planning Commission

STAFF REPORT

DATE: June 2, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: **REZONING APPLICATION - 816 WEST MAIN STREET**

Rezoning Application PLRZ2021-161, filed by Barbara Smith, requests to rezone 816 West Main Street, Parcel ID#s 57237 and 57238, from OT-R Old Town Residential to HR-C Highway Retail Commercial. The subject property will not change use immediately, it operates as a legally conforming dental office.

BACKGROUND

This applicant would like to amend the zoning map, so the existing legal non-conforming use legally conforms to the principal uses permitted by the zoning designation.

The Planning Division sent 19 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The proposed rezoning's future land use designation in the Comprehensive Plan is medium-density residential. The Comprehensive Plan designates the opposite side of West Main Street and the property to the west as Regional Commercial in the Future Land Use Plan. The nearby casino development to the west will create more commercial land use demand along this portion of West Main Street.



Figure 1 - StreetView of 816 West Main Street

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-161 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ2021-161 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ2021-161 as submitted.
3. Recommend approval of Rezoning Application PLRZ2021-161 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ2021-161.

ATTACHMENTS

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

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). Deed attached (Parcel 1 ; Parcel 2)
Gross Area/Net Area: 24,348 sq. ft. Property Address: 816 West Main Street
Property Location: N S E (W) Side of: West main street
Between: Park Avenue and Baltimore Avenue
Proffered Conditions (if any, please attach): _____

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

1. NAME: Mark P. Smith, Barbara D. Smith TELEPHONE: 434-250-0689
MAILING ADDRESS: 220 Kinsale Drive, Chapel Hill, N.C. 27517
SIGNATURE: Mark P. Smith DATE: 4/6/21
SIGNATURE: Barbara D. Smith DATE: 4-6-2021
EMAIL ADDRESS: eagleram67@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: Barbara D. Smith TELEPHONE: 434-250-0689
MAILING ADDRESS: 220 Kinsale Dr. Chapel Hill, N.C. 27517
EMAIL ADDRESS: eagleram67@yahoo.com
SIGNATURE: Barbara D. Smith DATE: 4-6-2021

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

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

Please provide a brief description of the proposed development:

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

The property's land use has been commercial since 1978. We would like to rezone it from OTR to HRC to allow for appropriate zoning given its long use as commercial and most of the surrounding area is commercial (CVS is directly across the street and is zoned HRC)

5/17/68
Ch'osen to Lewis Goodson

TS-1477-

THIS DEED OF BARGAIN AND SALE, made this 10th day of May, 1968, by and between W. WILLIAM WENTZ, JR., a homme sole, (Grantor), party of the first part; and MARK P. SMITH and BARBARA D. SMITH, husband and wife or the survivor, (Grantees), parties of the second part;

W I T N E S S E T H

THAT for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey with General Warranty and English Covenants of Title, unto MARK P. SMITH and BARBARA D. SMITH, husband and wife, Grantees, as tenants by the entirety with rights of survivorship as at common law, that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situate in the City of Danville, Virginia, and more particularly described as follows:

Parcel No. 1: FRONTING 70 feet on the northern side of West Main Street and running back therefrom 183.4 feet on the east and 175.8 feet on the west to a rear line of 69.4 feet; being Lot No. 19, Section J, as shown on map dated December, 1957, revised March 5, 1958, being Sheet No. 4 of Subdivision No. 16 for Dan River Mills, Incorporated, prepared by H. S. Peirce, Surveyor, of record in the Clerk's Office of the Circuit Court of Danville, Virginia, in Deed Book 326, at pages 71 and 72; and being the same property conveyed to W. William Wentz and Sara

MEADE, YATE & DANIEL, P. C.
LAW OFFICES
P. O. BOX 788
DANVILLE, VIRGINIA 22801

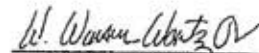
BK781P60020

Owen Wentz, husband and wife, by Willard W. Wentz and Louise B. Wentz, husband and wife, by deed of gift dated February 1, 1978, which said deed is recorded in the aforesaid Clerk's Office in Deed Book 592 at page 65, to which map and deed reference is here made for a more particular description of the property herein conveyed.

Parcel No. 2: FRONTING 68.5 feet on the northwestern side of West Main Street and running back therefrom 175.8 feet on the northeast and 179.54 feet on the southwest, to a rear line of 63 feet. Being Lot No. 20, Section J, Subdivision 16, as shown on property of Dan River Mills, Incorporated, recorded in the aforesaid Clerk's Office in Deed Book 326, at page 71; and being the same property conveyed to W. William Wentz and Sara Owen Wentz, husband and wife, by Willard W. Wentz and Louise B. Wentz, husband and wife, by deed of gift, dated September 6, 1977, which said deed is recorded in the aforesaid Clerk's Office in Deed Book 585, at 308, to which map and deed reference is here made for a more particular description of the property herein conveyed. The said W. William Wentz, Jr. is one and the same person as part of W. William Wentz. AND BEING the same property being conveyed to W. William Wentz, Jr. as a homestead, by Deed dated April 21, 1988 from W. William Wentz, Jr. and Sara Owen Wentz and recorded in said Clerk's Office of the City of Danville in Deed Book 780, at Page 256.

This conveyance is made subject to all recorded easements, conditions, restrictions and agreements as they may lawfully appear to the real estate hereby conveyed or any part thereof.

WITNESS the following signature and seal:


W. WILLIAM WENTZ, JR. (SEAL)

USDAE, TAYE & DANIEL, P.C.
LAW OFFICES
P. O. BOX 750
DANVILLE, VIRGINIA 22023

BK78 | PG002 |

STATE OF VIRGINIA AT LARGE

The foregoing instrument was acknowledged before me
this 18th day of May, 1988, by W. WILLIAM WENTZ, JR.
My commission expires: 9-8-1991

Anna H. Minter-Keller
Notary Public



VIRGINIA IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF DANVILLE ON THE 17th
DAY OF May, 1988 AT 10:47 O'CLOCK, A.M. THE FOREGOING
WRITING WAS ADMITTED TO FILE WITH THE CERTIFICATE OF ACKNOWLEDGMENT EN-
DORSSED HEREON. TAX IN THE AMOUNT OF \$ 410.00 IMPOSED BY SECTION 50-84.1
OF THE CODE OF VIRGINIA HAVING BEEN PAID.

Donald R. Gibson
Clerk

HEAD, TATE & DANIEL, P. C.
LAW OFFICES
P. O. BOX 720
DANVILLE, VIRGINIA 22820

BK781P60022

Parcel ID: 57237
Address: W MAIN ST
Owner: SMITH MARK P & BARBARA D
 220 KINSDALE DR
 CHAPEL HILL, NC 27517
Mail-To: SMITH MARK P & BARBARA D
 220 KINSDALE DR
 CHAPEL HILL, NC 27517

Value Information	
Land / Use:	\$22,700
Improvement:	\$0
Total:	\$22,700.00

Parcel 1

Additional Information			
State Code:	4091 Vac Com Buildable - 1	Approx Acres:	0.29
Land Use:	Commercial	Legal Description:	70 FT NO 19 SEC J W MAIN ST
Tax Map:	1605-004-000030.000	Zone:	OTR Old Town Residential
Notes:			
Avg Lot: 70.0 X 180.0 (Map 55-2-13)			

Building

There is no building information.

Improvements

There are no improvements.

Land

Land Code:	C13 Comm FF (300)	Rate:	\$300
Acres:	0.29	Adj. Rate:	\$324
Sq. Ft.:	12,600	Base Value:	\$22,680
Front:	70	Adj. Amount:	\$20
Effective Front:	70	Value:	\$22,700
Depth:	180		

Transfers

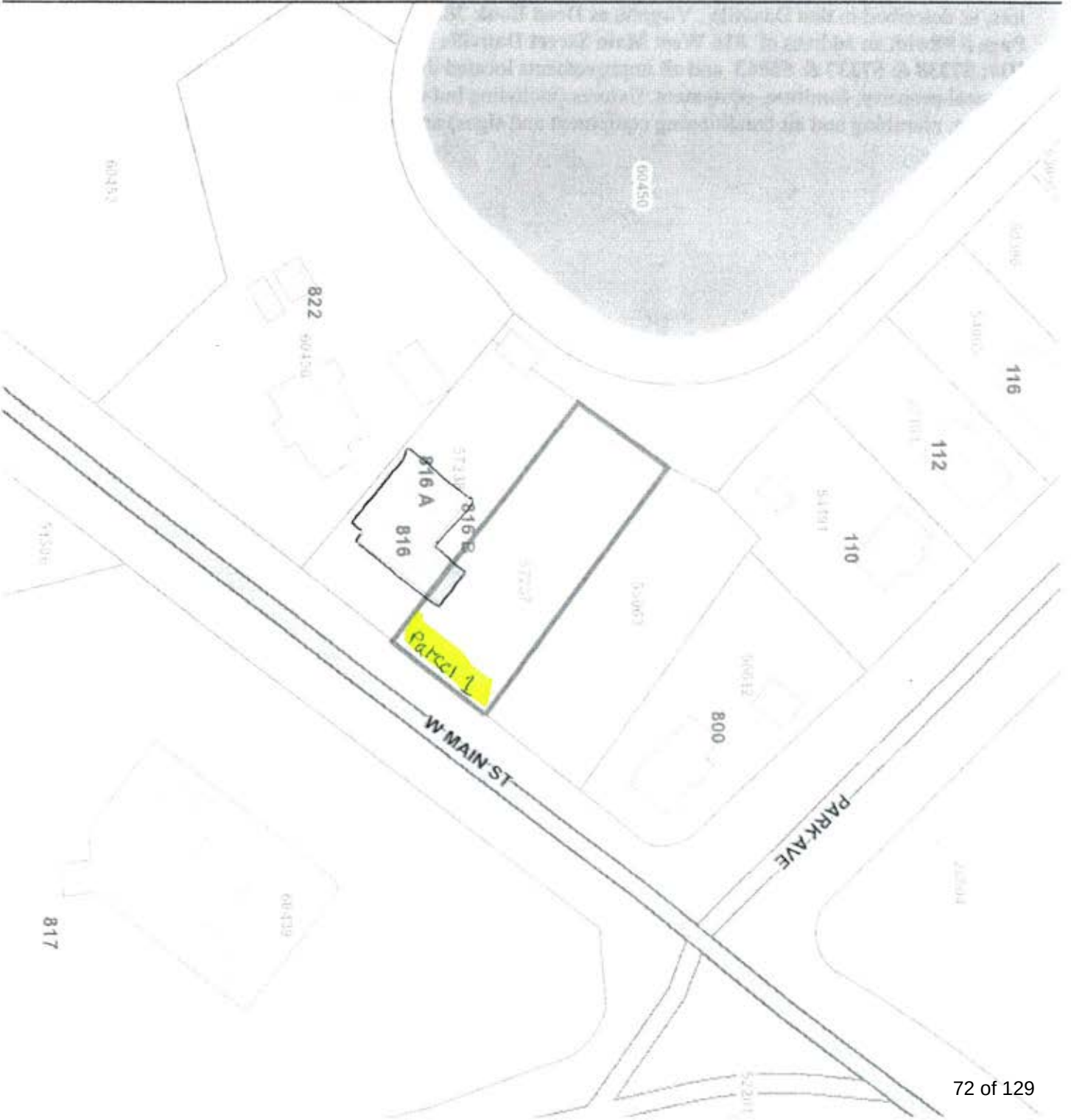
Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 781	20	\$0	5/17/1988	No Data	No Data

DANVILLE

VIRGINIA

- ☐ Buildings
- ☐ Parcels
- Street Names
- House Numbers
- Parcel Numbers

Parcel ID: 57237



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Date: 3/4/2021

Parcel ID: 57238
Address: 816 W MAIN ST
Owner: SMITH MARK P & BARBARA D
 220 KINSDALE DR
 CHAPEL HILL, NC 27517
Mail-To: SMITH MARK P & BARBARA D
 220 KINSDALE DR
 CHAPEL HILL, NC 27517



Value Information	
Land / Use:	\$21,400
Improvement:	\$257,100
Total:	\$278,500.00

Building Information	
Year Built:	1978
Total Rooms:	0
Bedrooms:	0
Full Bathrooms:	0
Half Bathrooms:	0
Finished Square Feet:	2,184

Parcel 2

Additional Information			
State Code:	4661 Dr Office & Med Services	Approx Acres:	0.27
Land Use:	Commercial	Legal Description:	68.5 FT NO 20 SEC J W MAIN ST
Tax Map:	1605-004-000031.000	Zone:	OTR Old Town Residential
Notes: Avg Lot: 66.0 X 178.0 Mark P. Smith, DDS(Map 55-2-14)			

Building

Building Information - 1			
Property Class:	Commercial	Finished Square Feet:	2,184
Style:	No Data	Basement Square Feet:	0
Year Built:	1978	Total Rooms:	0
Condition:	No Data	* Bathrooms are not included in total room count.	
Story Height:	No Data		
Bedrooms:	0		
Dining Rooms:	0		
Family Rooms:	0		
Living Rooms:	0		
Full Bath:	0		
Half Bath:	0		
Features:		Size:	
No Data		100 %	
Stud -Brick Veneer		100 %	
Warmed and Cooled Air		100 %	

Improvements

Bldg #:	Improvement:	Size:
1	Asphalt Paving	22,600
1	Canopy	567
1	Porch Enclosed Avg	72
1	Porch Open (on Slab or Piers)	198

Land

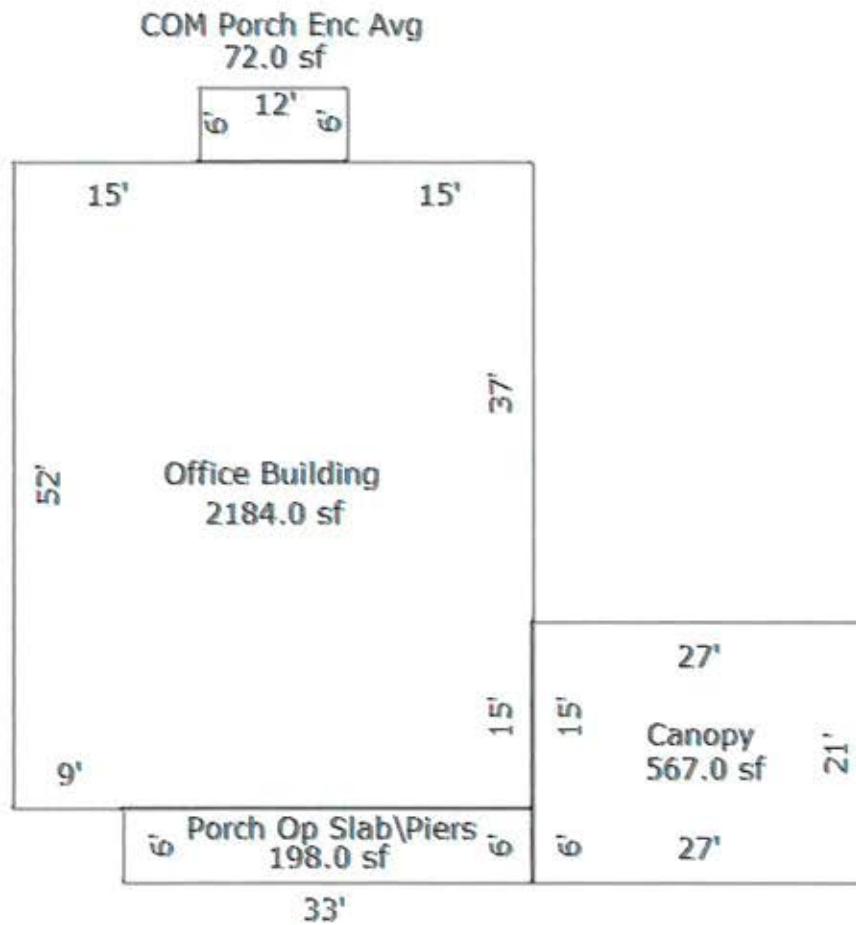
Land Code:	C13 Comm FF (300)	Rate:	\$300
Acres:	0.27	Adj. Rate:	\$324
Sq. Ft.:	11,748	Base Value:	\$21,380
Front:	66	Adj. Amount:	\$20
Effective Front:	66	Value:	\$21,400
Depth:	178		

Transfers

Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 781	20	\$0	5/17/1988	No Data	No Data

Assessments

Year	Land	Use	Improvements	Total
2020	\$21,400	\$0	\$257,100	\$278,500
2019	\$21,400	\$0	\$251,800	\$273,200
2018	\$21,400	\$0	\$251,800	\$273,200
2017	\$21,400	\$0	\$262,300	\$283,700
2016	\$21,400	\$0	\$262,300	\$283,700
2015	\$21,400	\$0	\$255,700	\$277,100
2014	\$21,400	\$0	\$255,700	\$277,100
2013	\$21,400	\$0	\$247,200	\$268,600
2012	\$21,400	\$0	\$247,200	\$268,600
2011	\$21,400	\$0	\$232,800	\$254,200
2010	\$21,400	\$0	\$232,800	\$254,200
2009	\$21,400	\$0	\$241,500	\$262,900
2008	\$21,400	\$0	\$241,500	\$262,900
2007	\$21,400	\$0	\$228,200	\$249,600
2006	\$21,400	\$0	\$228,200	\$249,600
2005	\$21,400	\$0	\$205,000	\$226,400
2004	\$21,400	\$0	\$205,000	\$226,400
2003	\$21,400	\$0	\$189,200	\$210,600
2002	\$21,400	\$0	\$189,200	\$210,600
2001	\$21,400	\$0	\$164,900	\$186,300
2000	\$21,400	\$0	\$164,900	\$186,300



Sketch by Apex Medina™



☐ Buildings
Parcels

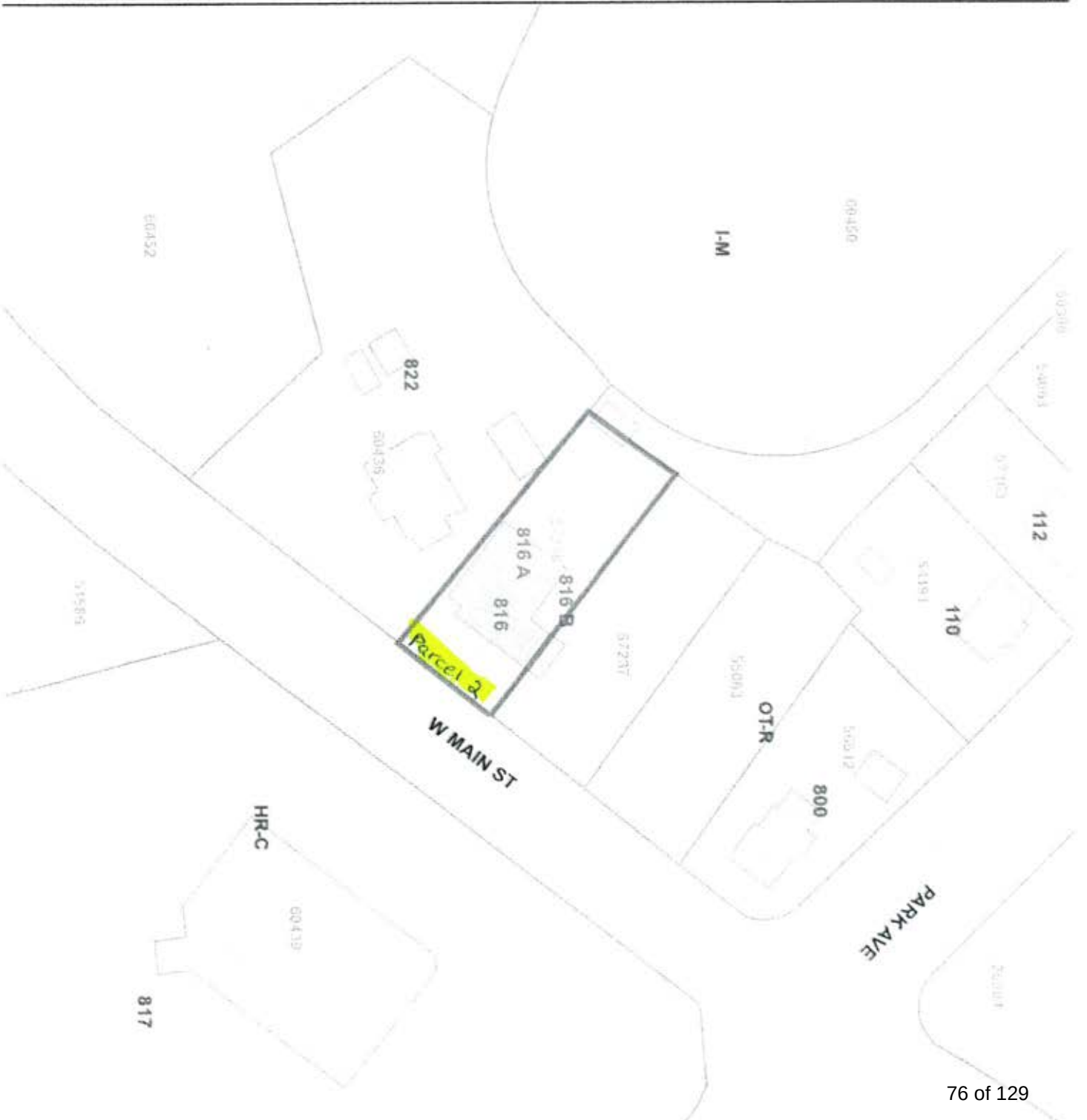
Zoning

A-R Attached Residential District
CB-C Central(Downtown) Business
Commercial District
CP-1 Cyber Park One District
HR-C Highway Retail Commercial
District
I-M Manufacturing District
LED-1 Light Economic Development
District
M-R Multi-Family Residential District
MHP-R Manufactured Home Park
District
N-C Neighborhood Retail Commercial
District
OT-R Old Town Residential District
PS-C Planned Shopping Center
Commercial District
PSC-O Planned Shopping Center
Commercial District
S-R Suburban Residential District
SR-R Sandy River Residential District
T-R Threshold Residential District
TO-C Transitional Office District
TW-C Tobacco Warehouse District
Street Names
House Numbers
Parcel Numbers

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accuracy, availability, use or misuse of the
information herein provided.*

Date: 2/20/2021

Parcel ID: 57238



SPECIAL USE PERMIT REQUEST DATA SHEET PLRZ 2021-161

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF WEST MAIN STREET, ~240' SOUTHWEST OF PARK AVENUE INTERSECTION
PRESENT ZONE:	OT-R, OLD TOWN RESIDENTIAL DISTRICT (URBAN AREAS SINGLE FAMILY RESIDENTIAL DISTRICT)
PROPOSED ZONE:	HR-C, HIGHWAY RETAIL COMMERCIAL (HIGHWAY RETAIL COMMERCIAL DISTRICT)
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	DENTAL OFFICE
PROPOSED USE OF PROPERTY:	NO CHANGE
FUTURE LAND USE DESIGNATION:	MEDIUM DENSITY RESIDENTIAL
PROPERTY OWNER (S):	BARBARA AND MARK SMITH
NAME OF APPLICANT (S):	BARBARA AND MARK SMITH
PROPERTY BORDERED BY:	SCHOOLFIELD TO THE WEST, FOREST HILLS TO THE NORTH AND EAST, COMMERCIAL ACROSS THE STREET TO THE SOUTH
ACREAGE:	0.57 ACRES TOTAL
CHARACTER OF VICINITY:	COMMERCIAL CORRIDOR
INGRESS AND EGRESS:	WEST MAIN STREET
TRAFFIC VOLUME:	MEMORIAL DRIVE – 6,300 AADT (2019)

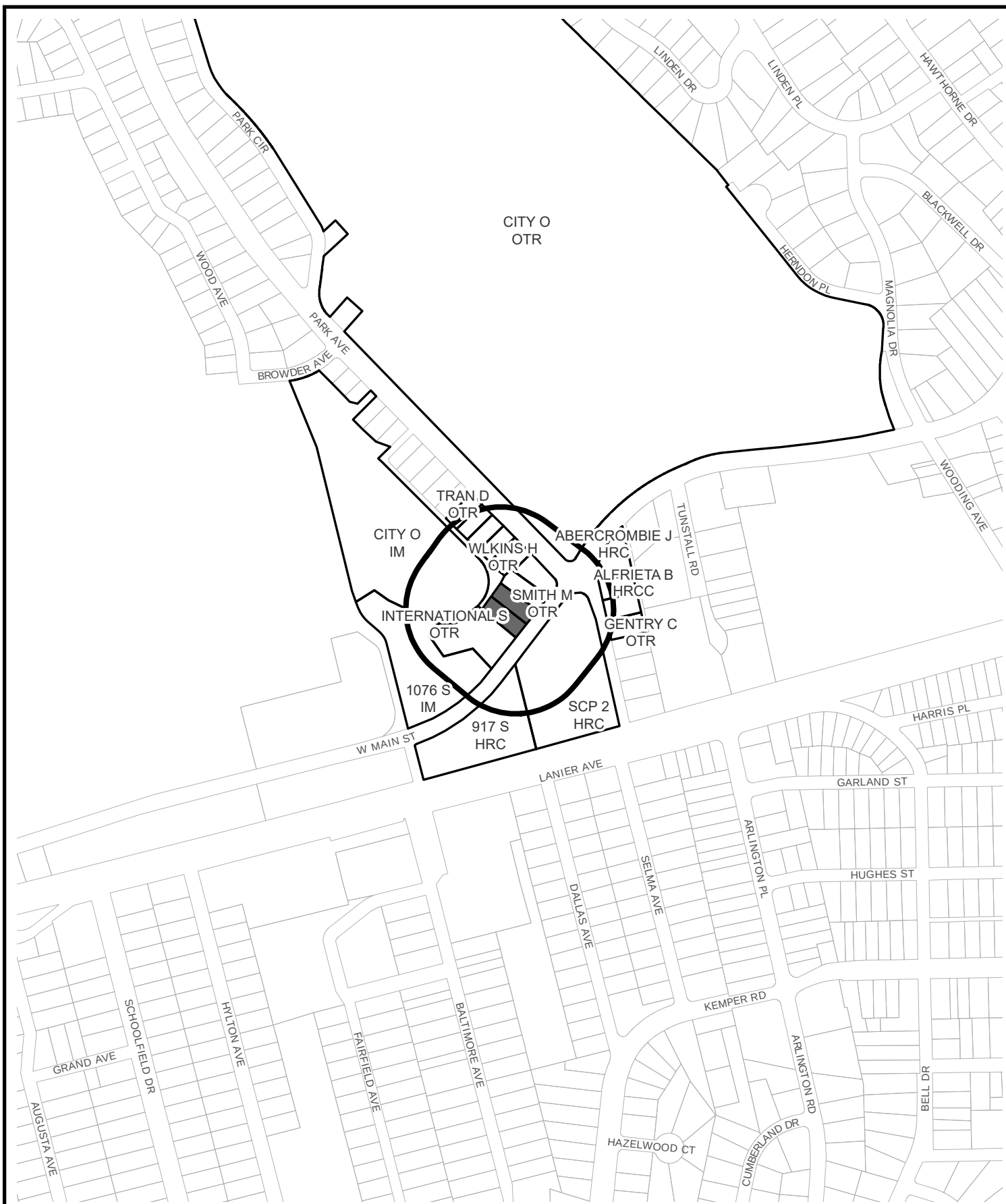


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
5/26/2021

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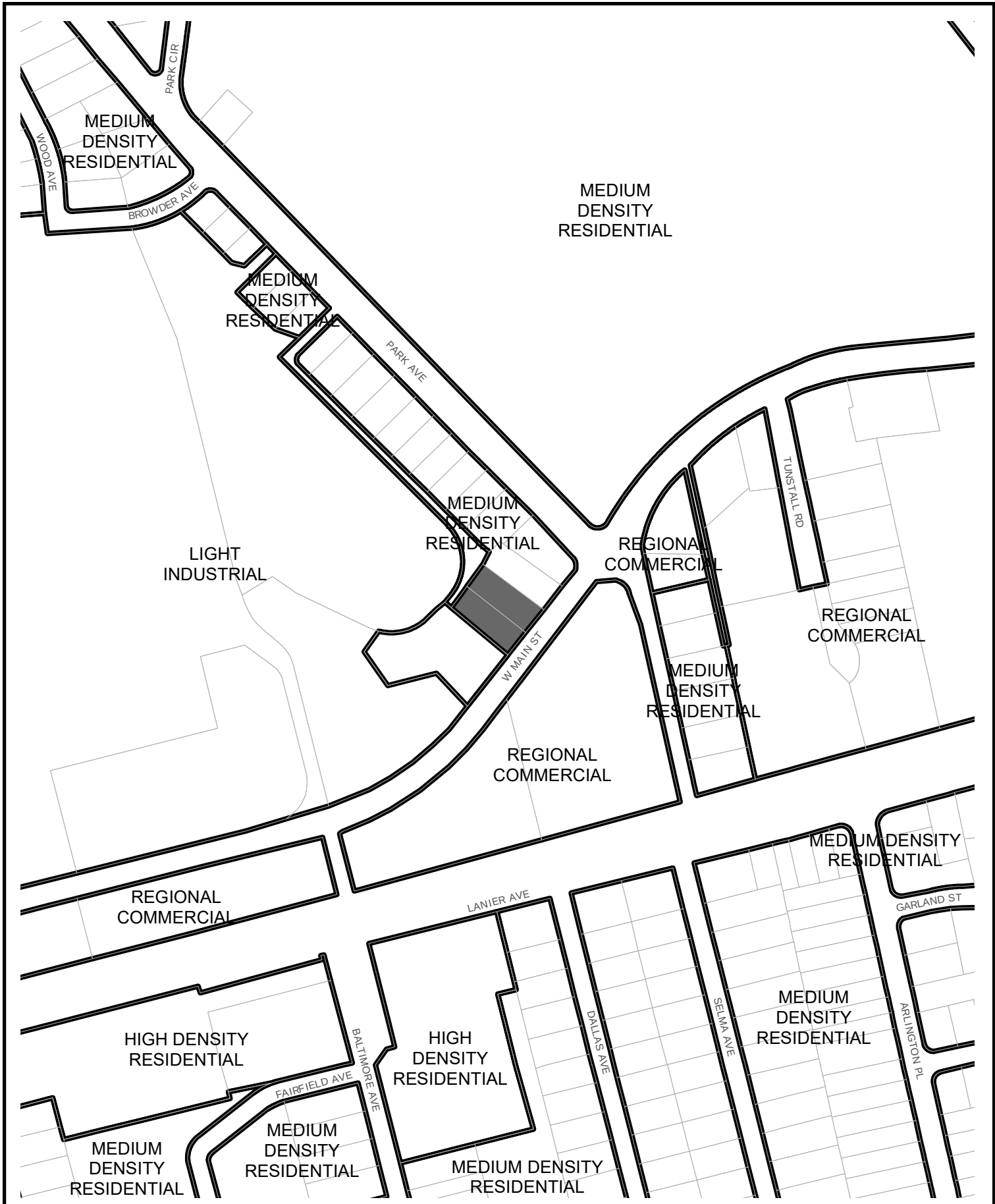


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
5/26/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/26/2021

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Council Letter

City of Danville, Virginia



CL-2578

New Business E.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Granting a Special Use Permit at 145 Franklin Turnpike

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Special Use Permit Application PLSUP 2021-168, filed by Wanda Joyner, on behalf of MW Real Properties LLC, requests a Special Use Permit for a day care center in accordance with Article 3.M Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599). The applicant requests a Special Use Permit for a day care center.

BACKGROUND

The applicant requests a Special Use Permit for a day care center in an existing building.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Special Use Permit Application PLSUP 2021-168.

RECOMMENDATION

The Planning Commission recommends that City Council approve an Ordinance granting a Special Use Permit for a day care in accordance with Article 3.M, Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599).

Attachments

ORDINANCE

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021_____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION PLSUP 2021-168, FILED BY WANDA JOYNER, ON BEHALF OF MW REAL PROPERTIES LLC, REQUESTING A SPECIAL USE PERMIT FOR A DAY CARE CENTER IN ACCORDANCE WITH ARTICLE 3.M, SECTION C.6. OF THE DANVILLE ZONING ORDINANCE AT 145 FRANKLIN TURNPIKE (PARCEL ID# 52599).

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that Planning Commission's report recommending approval of Special Use Permit Application PLSUP 2021-168, filed by Wanda Joyner, on behalf of MW Real Properties LLC, requesting a Special Use Permit for a day care center in accordance with Article 3.M, Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599), is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application PLSUP 2021-168, filed by Wanda Joyner, on behalf of MW Real Properties LLC, requesting a Special Use Permit for a day care center in accordance with Article 3.M, Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599), is hereby approved.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



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

City Planning Commission

RECOMMENDATION

DATE: JUNE 12, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-168

REQUEST

Special Use Permit Application PLSUP 2021-168, filed by Wanda Joyner, on behalf of MW Real Properties LLC, requests a Special Use Permit for a day care center in accordance with Article 3.M Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike (Parcel ID# 52599). The applicant requests a Special Use Permit for a day care center.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend denial of Special Use Permit Application PLSUP2021-1...

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300') feet of the subject property. Seven (7) responses were received. Seven (7) Unopposed (Hazelwood, Breeden, Gunnell, Hudgins, Oakes, Smith and Wright).

City Planning Commission

STAFF REPORT

DATE: June 1, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION - 145 FRANKLIN TURNPIKE

Special Use Permit Application PLSUP 2021-168, filed by Wanda Joyner requests a Special Use Permit for a day care center in accordance with Article 3.M Section C.6. of the Danville Zoning Ordinance at 145 Franklin Turnpike, Parcel ID# 52599. The applicant requests a Special Use Permit for a day care center.

BACKGROUND

This applicant would like to establish a daycare center at the existing development.

The Planning Division sent 22 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The applicant, Wanda Joyner, applied to the Planning Division for a day care center in the HR-C, HIGHWAY RETAIL COMMERCIAL (Highway Retail Commercial District). The application is attached to this report.

The City may allow a duplex in the HR-C Zoning District. (Chapter 41 Zoning Ordinance, Article 3.M. §C.6.).

The Comprehensive Plan puts the subject property in the Franklin Turnpike planning area. The future land use designation for the subject parcel is 'Community Commercial'. If approved, the Special Use Permit is in harmony with the HR-C zoning district 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.

The neighboring adjacent properties on Franklin Turnpike are a mixture of neighborhood residential and small-scale commercial. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer, will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.



Figure 1 - StreetView of 145 Franklin Turnpike

RECOMMENDATION

The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP-2021-168 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-168 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-168 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-168 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-168.

ATTACHMENTS

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



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: _____ Address: _____
Existing Zoning: _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 145 Franklin Tpk Danville VA
Applicant: Wanda C. Joyner
Applicant's Address: 120 Freeze Rd Danville VA 24540
Applicant's Phone Number: 434 - 228-1219
Applicant's E-mail: joy3baby@yahoo.com
Describe Proposed Development: First & Second shift daycare with adequate staff for ratio of children.

Article 6 Section B. General Standards and Criteria for Special Use Permit Review. Please explain how the Special Use Permit request meets the following review standards and criteria:

1. The proposed use shall be: a. in harmony with the adopted Comprehensive Plan; b. in harmony with the intent and purpose of the zoning district in which the use is proposed to be located; and c. in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development.

Proposed Daycare for children 1 to 13 years of age. 5am to 10pm

2. The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities:

Yes we will use adequate amounts of public services and protect facility properly.

3. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance:

We strive in maintaining clean areas for safety of
children and will not damage any features of property.

4. The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods:

We have a service that we use for landscaping
and lawn will use them for this property as well.

Wanda Jyr
Applicant Signature

Property Owner Signature
(if not applicant)

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

WANDA'S WONDERLAND

PROPOSAL FOR SERVICES

OVERVIEW



Wanda's Wonderland will fill the void for a first-class daycare facility. There has long been a shortage for quality daycare due to the lack of availability of a competent location. However, a location now has become vacant and is perfect for the Company. Planning for this business has been ongoing for over four years by management.

Wanda's Wonderland is pleased to submit this proposal for services to support our parents and students. We are confident that we can meet the challenge ahead, and stand ready to partner with you in delivering an effective childcare service, providing training and support for all our clientele and their children. We will also instill biblical principles because we are Christ centered. We will work with our students individually to make sure they are prepared academically for school. We will open our daycare center to assist parents who may need to drop off as early as 5 AM and pickup as late as 10 PM.

The Objective



Providing Care for parents and students by training staff, meeting educational needs, and providing a safe environment for learning and supervision.

- Need #1: improve response time for customer questions
- Need #2: improve upon weaknesses in upsell/cross-sell volumes
- Need #3: rapid training for staff on new system

The Opportunity



Include major points and identify the opportunity. Restate the client's project goals you identified previously (such as via RFP, interview, etc.).

- Goal 1: To strive to be the best infant/toddlers/adolescent teachers we can be.
- Goal 2: To ensure the safety of all of our children during all routines and activities and to be alert and attentive at all times. We constantly make certain that the outside play area as well as the indoor space is safe and secure and that we provide a healthy environment.

- Goal 3: To provide a safe, healthy, and attractive environment for the children. We will do this by arranging the classroom in a way to stimulate their learning skills.
- Goal 4: To provide physical activities that support large and small muscle development.
- Goal 5: To provide age-appropriate activities that encourage curiosity and use of the five senses.
- Goal 6: To support social and emotional development through positive guidance and interactions.
- Goal 7: To develop caring and sharing partnerships with all parents. Communication is provided through newsletters, daily report forms, daily conversations, and parent-teacher conferences.
- Goal 8: To continue to grow as professionals and to be a positive role model.
- Goal 9: To interact with rather than react to the infant/toddlers/adolescent in our care.

The Solution



To provide the best quality service, which includes providing a safe and conducive learning environment all the while, gaining trust with parents to continue to bring their child in for excellent care.

1. To assure parents/guardians that their children will be in a safe, healthy environment where staff will strive to meet emotional, social, and physical needs.
2. To create a happy, warm and exciting environment that is inviting, comfortable, flexible, and manageable for the children.
3. To promote respect for self and others, while responsibilities and social skills are both enhanced and encouraged.
4. To provide a variety of developmentally appropriate activities that includes, but is not limited to, arts and crafts, self-directed play, field trips, dramatic play, physical activities (indoor and outdoor), community service, reading, quiet time, or offer an environment where homework is encouraged. The library, computer lab, and cooking opportunities will be provided as resources.
5. To support a caring staff who show genuine respect for the children, have confidence in each child's potential, and seek to promote the self-esteem of each child.
6. To offer individual guidance to children based upon careful observation of each child's needs and in keeping with parent/guardian direction.
7. To support and work with the children's teachers in building a stable and consistent team to promote an environment where children may learn and grow.
8. To accept enrollment to meet the needs of a community, while ensuring the safety and welfare of all children.
9. To provide quality services to parents/guardians during program hours.

OUR PROPOSAL



Background History of Wanda's Wonderland

I begin working in the medical field and having a bad experience with the care of my very own kids, I declared to try to specialize in 2nd shift daycare for working parents. I met a childcare social worker in Danville City, I shared my desire to open a family Daycare. I was then introduced to all the Daycare workers and supervisors in 2006. They steered me in the right direction in opening my own daycare. Since 2006, I have served many families, offering night and weekend care. This is a rarity in this area. I became the operator and Director of a church-based day care centered and due to the pandemic, it closed the doors of many churches, along with the daycare. It has been my heart's desire to operate my own Daycare center. I am aware of state regulations, policies, and procedures of a daycare.

We believe in teaching children not just the fundamentals of early education, but also work with the infant/toddlers/adolescent to assure they are functioning on their age level or above. Due to being Christ-centered, we will also instill biblical principles. My proposal to you is to consider opening our center, so that we can assist parents who are struggling to find childcare, while working or attending school.



Providing effective childcare opening as early as 5Am, late as 10 PM, and even weekends

- Research
- Market opportunities
- Alignment with mission
- Current resources/technology

CONCLUSION



Working with children is not just an occupation for me; it's my true calling!

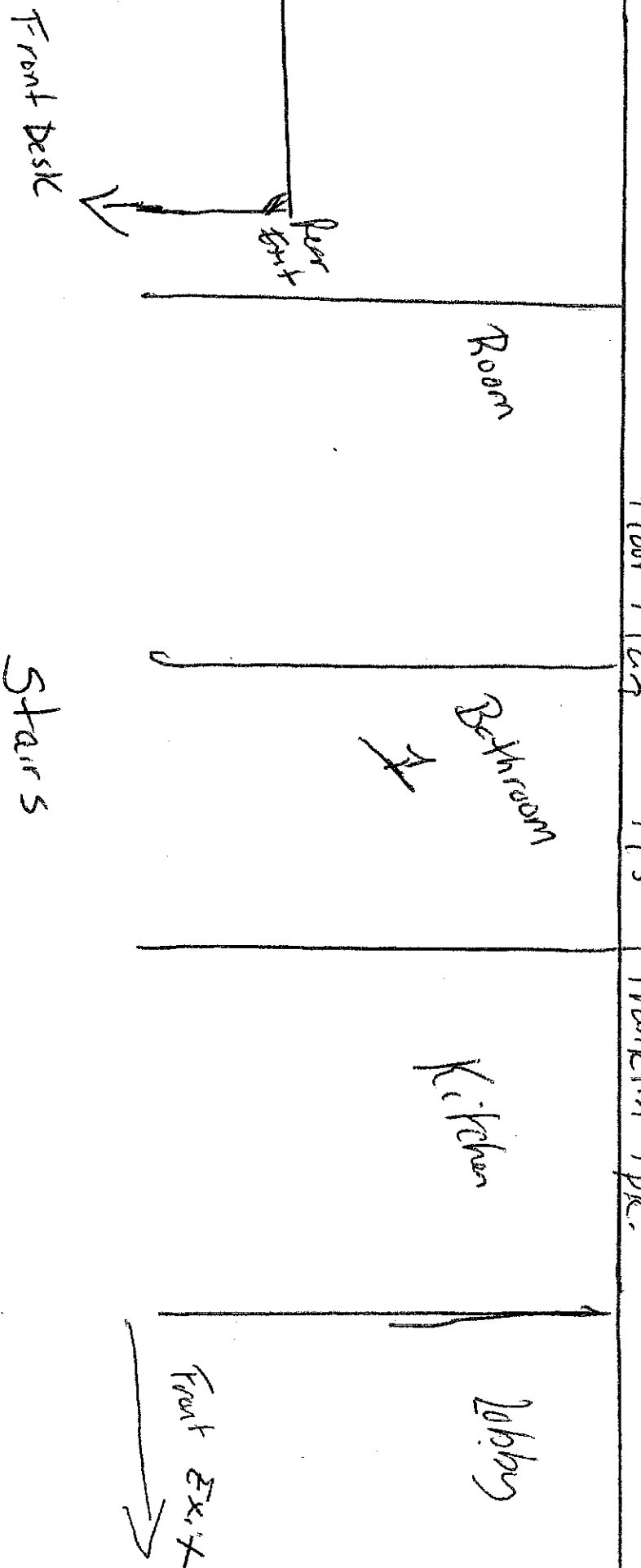
We look forward to working with our parents and students. We are confident that we can meet the challenge ahead, and stand ready to partner with you in delivering an effective childcare service.

If you have questions on this proposal, feel free to contact Wanda at your convenience by email at joy3faby@yahoo.com or by phone at 434-228-1219. We will be in touch with you next week to arrange a follow-up conversation on the proposal.

Thank you for your consideration,

Wanda Joyner

Floor Plan 145 Franklin Tpk.



Stairs

Room

Bathroom
2

Room

Office

DATA SHEET PLSUP 2021-168

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	SOUTH CORNER OF FRANKLIN TURNPIKE AND KING STREET
PRESENT ZONE:	HRC HIGHWAY RETAIL COMMERCIAL
PROPOSED ZONE:	HRC HIGHWAY RETAIL COMMERCIAL
ACTION REQUESTED:	SPECIAL USE PERMIT FOR A DAY CARE CENTER IN ACCORDANCE WITH ARTICLE 3.M SECTION C.6.
PRESENT USE OF PROPERTY:	VACANT OFFICES
PROPOSED USE OF PROPERTY:	CHILD CARE CENTER
FUTURE LAND USE DESIGNATION:	COMMUNITY COMMERCIAL
PROPERTY OWNER (S):	M W REAL PROPERTIES LLC
NAME OF APPLICANT (S):	WANDA JOYNER
PROPERTY BORDERED BY:	NEIGHBORHOOD RESIDENTIAL TO THE NORTH WEST AND COMMERCIAL TO THE EAST AND SOUTH
ACREAGE:	0.42 ACRES TOTAL
CHARACTER OF VICINITY:	COMMERCIAL CORRIDOR BORDERING RESIDENTIAL
INGRESS AND EGRESS:	FRANKLIN TURNPIKE
TRAFFIC VOLUME:	FRANKLIN TURNPIKE – 10,000 AADT (2019)



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
5/25/2021

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
5/25/2021

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Council Letter

City of Danville, Virginia



CL-2579

New Business F.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Rezoning 1100 West Main Street

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Rezoning Application PLRZ2021-179, filed by Caesar's Virginia LLC, requests to rezone 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District. The applicant proposes developing a casino and entertainment resort.

BACKGROUND

The applicant proposes developing a casino and entertainment resort. City Council adopted the C-E zoning district standards in May 2021.

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-179

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021 _____

AN ORDINANCE REZONING 1100 WEST MAIN STREET (PARCEL ID# 51530), FROM M-I INDUSTRIAL MANUFACTURING DISTRICT TO C-E CASINO ENTERTAINMENT DISTRICT.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Caesar's Virginia LLC, requested to rezone 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application PLRZ2021-179, filed by Caesar's Virginia LLC, requesting to rezone 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District, is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning Application PLRZ2021-179 filed by Caesar's Virginia LLC, requesting to rezone 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District, is hereby approved; and

BE IT FURTHER ORDAINED that 1100 West Main Street (Parcel ID# 51530) on the City of Danville, Virginia Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



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

City Planning Commission

RECOMMENDATION

DATE: JUNE 14, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2021-179

REQUEST

Rezoning Application PLRZ2021-179, filed by Caesar's Virginia LLC, requests to rezone 1100 West Main Street (Parcel ID# 51530), from M-I Industrial Manufacturing District to C-E Casino Entertainment District. The applicant proposes developing a casino and entertainment resort.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of Rezoning Application 2021-179.

Mr. Harold E. Garrison, Chair

RESPONSES

One hundred one (101) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Eleven (11) responses were received. Seven (7) Unopposed (Grubbs, Huffman, Knowles, Mantooth, REA Properties LLC, SRE LLC, and Walker). Four (4) Opposed (Daniel, Giggetts, Clifton and Tricor Residential Holdings LLC).



City Planning Commission

STAFF REPORT

DATE: June 2, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: REZONING APPLICATION - 1100 WEST MAIN STREET

Rezoning Application PLRZ2021-179, filed by Caesar's Virginia LLC, requests to rezone 1100 West Main Street, Parcel ID# 51530, from M-I Industrial Manufacturing District to C-E Casino Entertainment District. The applicant proposes developing a casino and entertainment resort.

BACKGROUND

The applicant proposes developing a casino and entertainment resort. City Council adopted the C-E zoning district standards in May 2021.

The Planning Division sent 101 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The proposed rezoning's future land use designation in the Comprehensive Plan is light industrial. The City moved forward with a casino resort as an alternative use that voters approved in a November 2020 referendum

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-179 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ2021-179 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ2021-179 as submitted.
3. Recommend approval of Rezoning Application PLRZ2021-179 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ2021-179.

ATTACHMENTS

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

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).

Gross Area/Net Area: _____ Property Address: 1100 West Main St.

Property Location: N S E W Side of: West Main St.

Between: Bishop and Baltimore

Proffered Conditions (if any, please attach): _____

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

1. NAME: Caesars Virginia LLC TELEPHONE: _____

MAILING ADDRESS: One Caesars Palace Dr. Las Vegas, NV 89101

SIGNATURE: _____ DATE: _____

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Mark Schlang TELEPHONE: 702.630.3981

MAILING ADDRESS: One Caesars Palace Dr. Las Vegas, NV 89101

EMAIL ADDRESS: mschlang@caesars.com

SIGNATURE: Mark Schlang DATE: 5.10.21

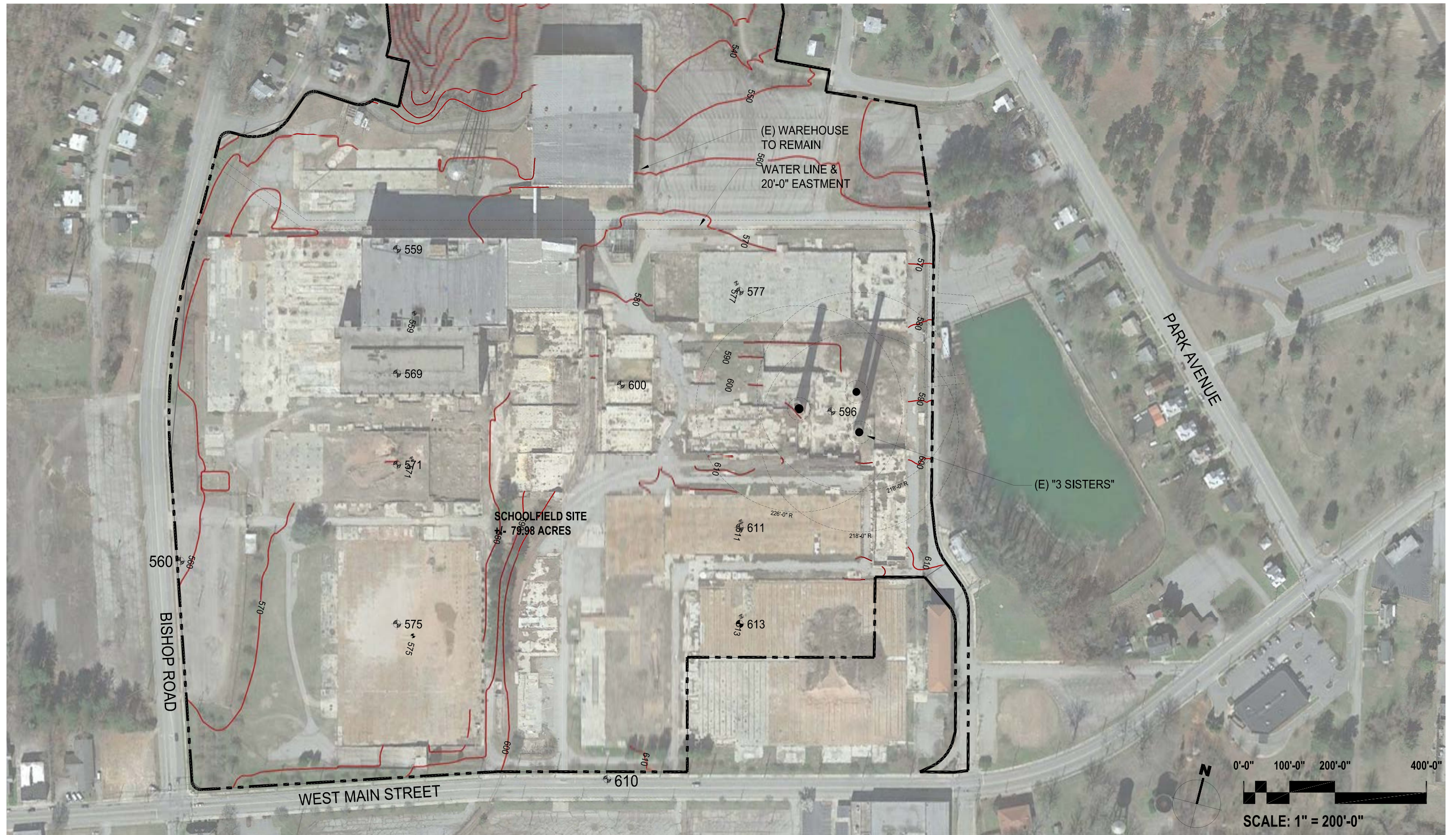


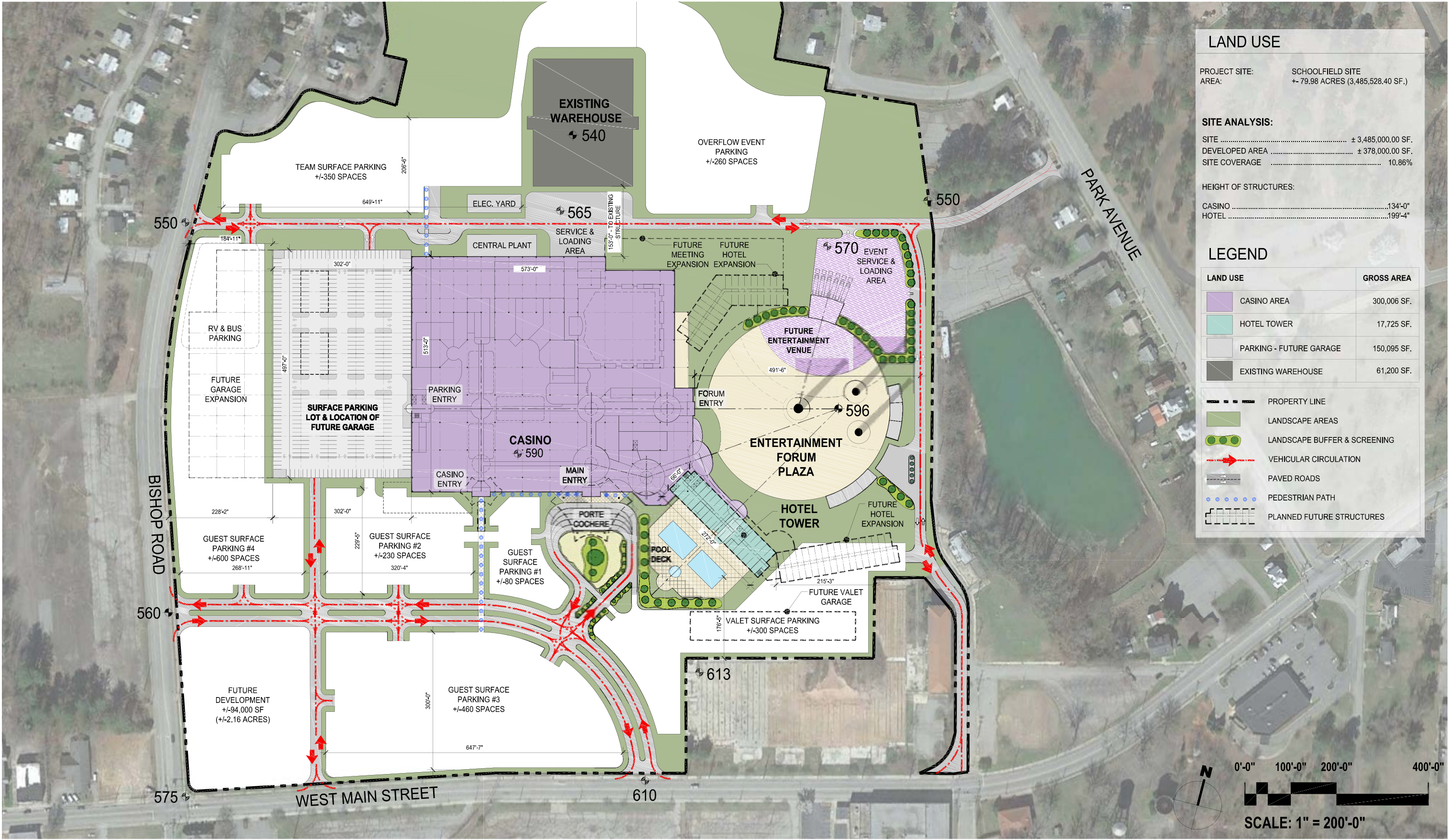
MARNELL ARCHITECTURE
ARCHITECTURE • PLANNING • DESIGN

CAESARS - DANVILLE
OVERALL SITE PLAN - EXISTING

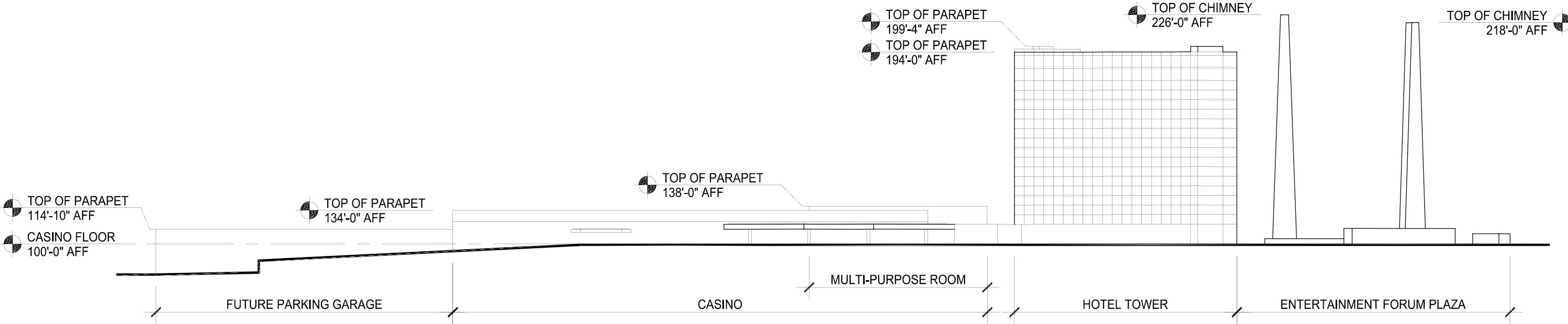


CAESARS
ENTERTAINMENT.

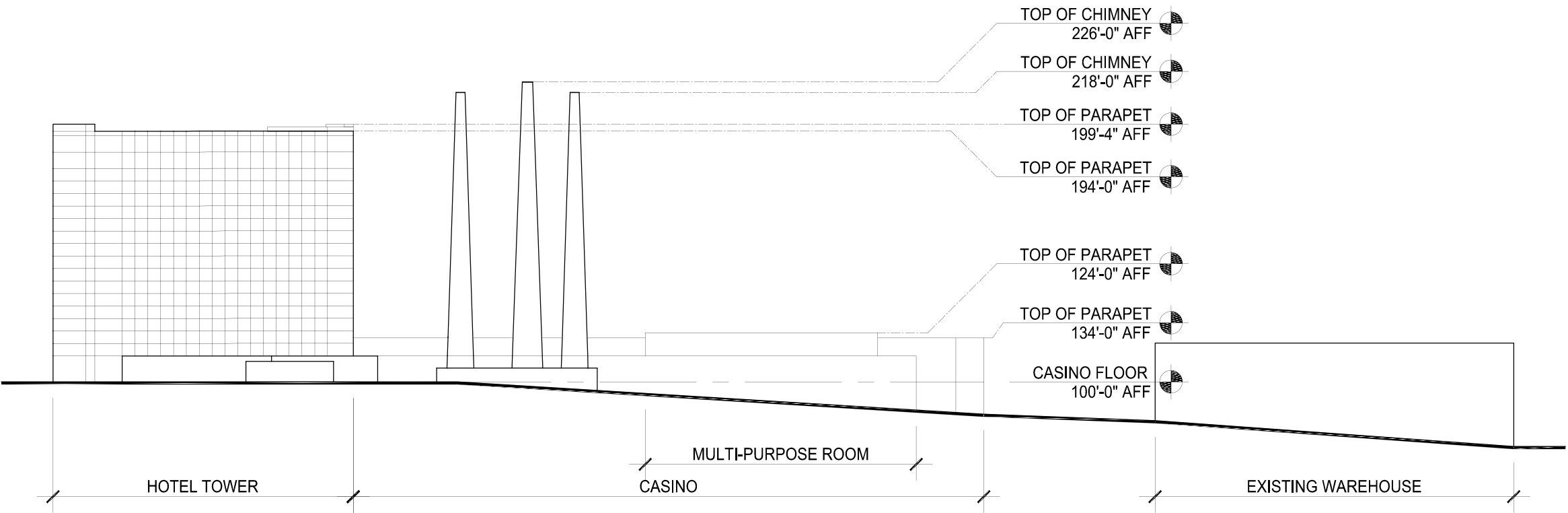




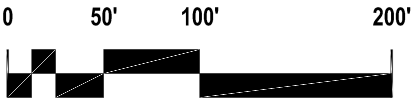




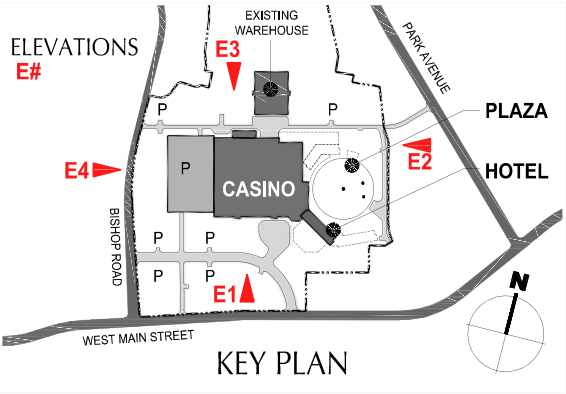
BUILDING ELEVATION - SOUTH **E1**

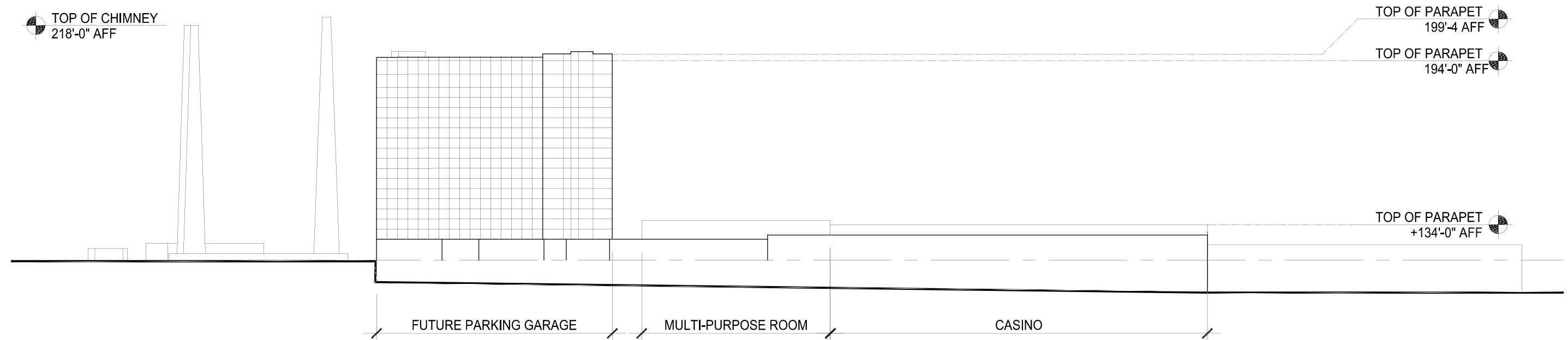


BUILDING ELEVATION - SOUTH **E2**

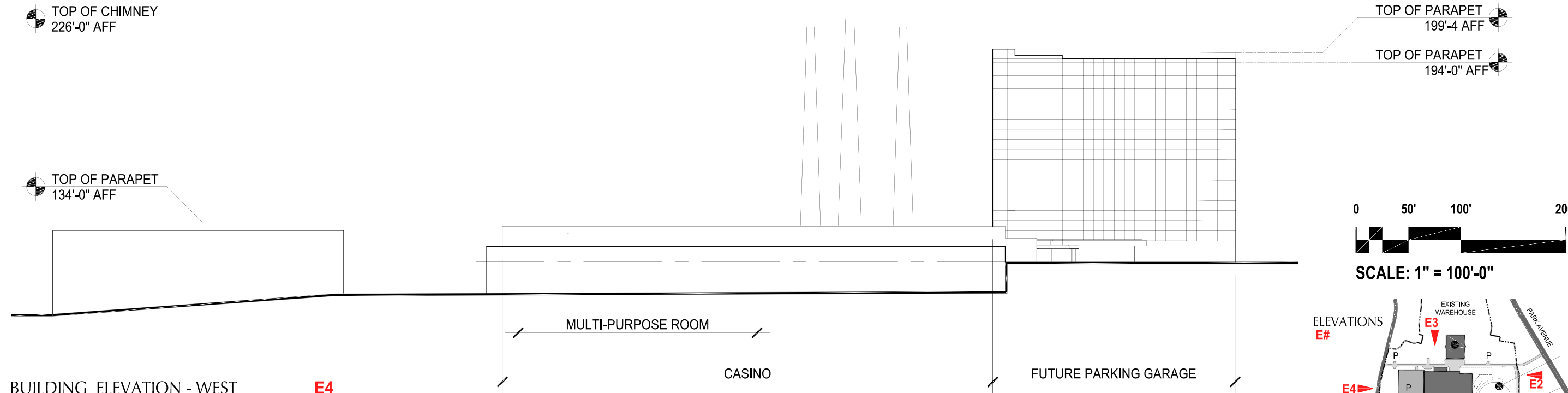


SCALE: 1" = 100'-0"



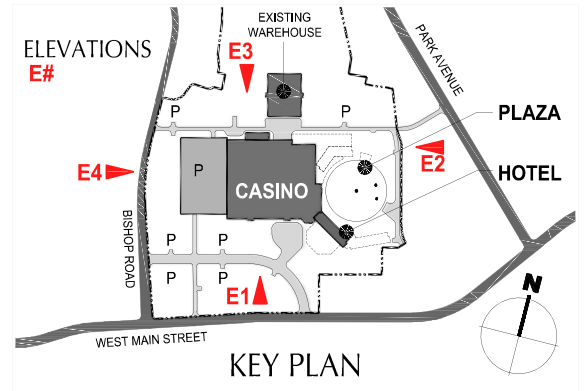
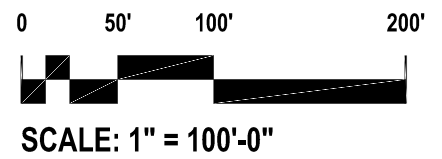


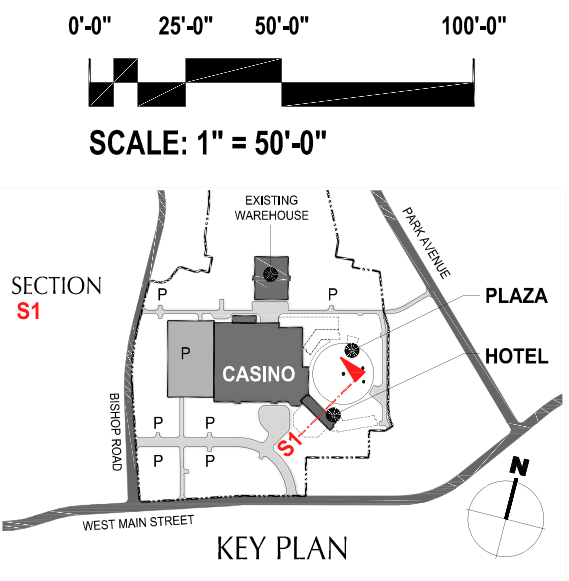
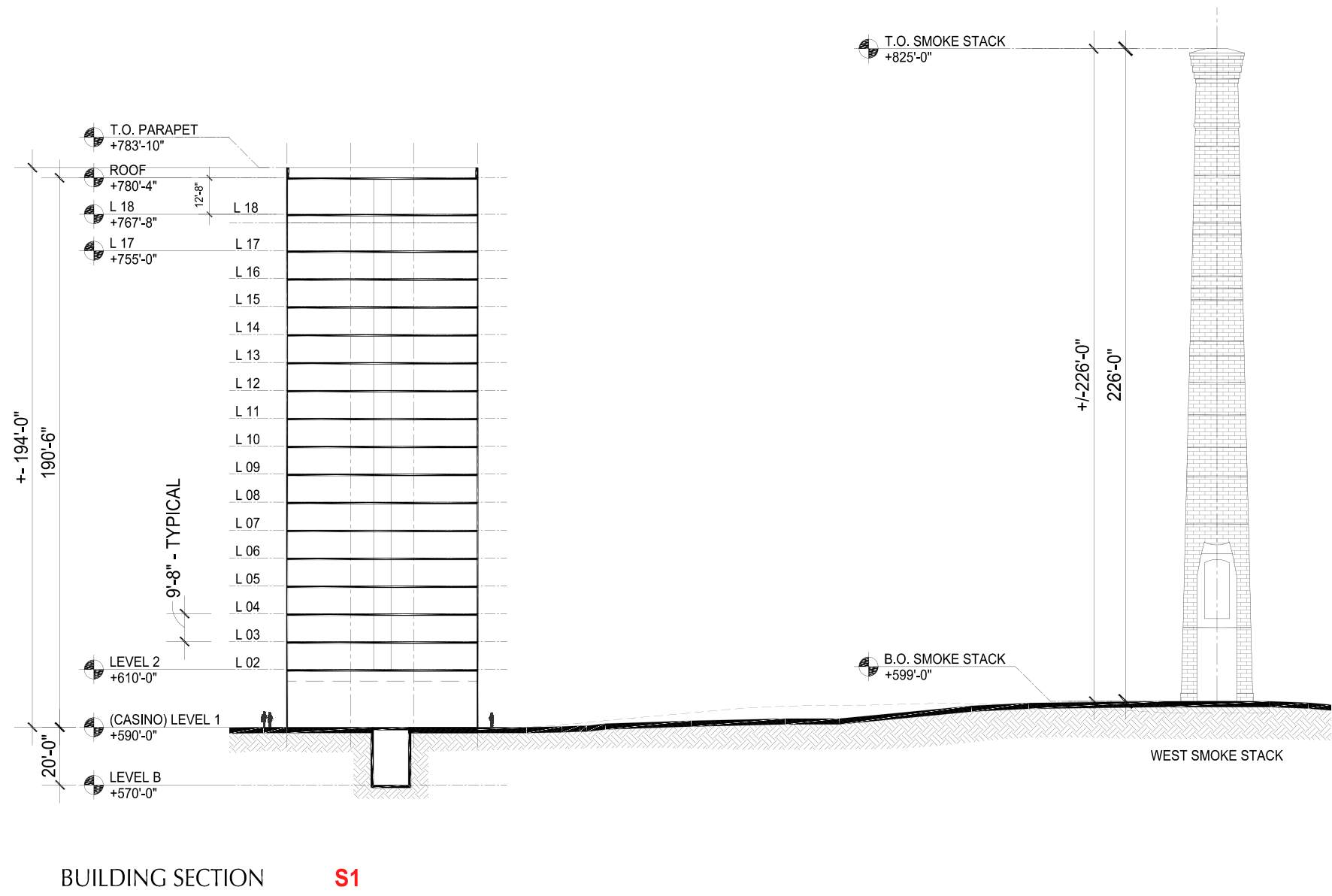
BUILDING ELEVATION - NORTH **E3**



BUILDING ELEVATION - WEST **E4**

BUILDING ELEVATION - SOUTH **E1**





DATA SHEET PLRZ 2021-179

PUBLIC HEARING DATES:	JUNE 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF WEST MAIN STREET EAST OF BISHOP ROAD
PRESENT ZONE:	M-I INDUSTRIAL MANUFACTURING DISTRICT
PROPOSED ZONE:	C-E CASINO ENTERTAINMENT DISTRICT
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	VACANT MILL
PROPOSED USE OF PROPERTY:	CASINO ENTERTAINMENT DEVELOPMENT
FUTURE LAND USE DESIGNATION:	LIGHT INDUSTRIAL
PROPERTY OWNER (S):	CAESARS VIRGINIA LLC
NAME OF APPLICANT (S):	CAESARS VIRGINIA LLC
PROPERTY BORDERED BY:	SCHOOLFIELD TO THE WEST AND SOUTH, COMMERCIAL ACROSS THE STREET TO THE SOUTH, RESIDENTIAL AND RECREATION TO THE NORTH AND EAST
ACREAGE:	78.16 ACRES TOTAL
CHARACTER OF VICINITY:	COMMERCIAL CORRIDOR
INGRESS AND EGRESS:	WEST MAIN STREET
TRAFFIC VOLUME:	WEST MAIN STREET – 6,100 AADT (2019)

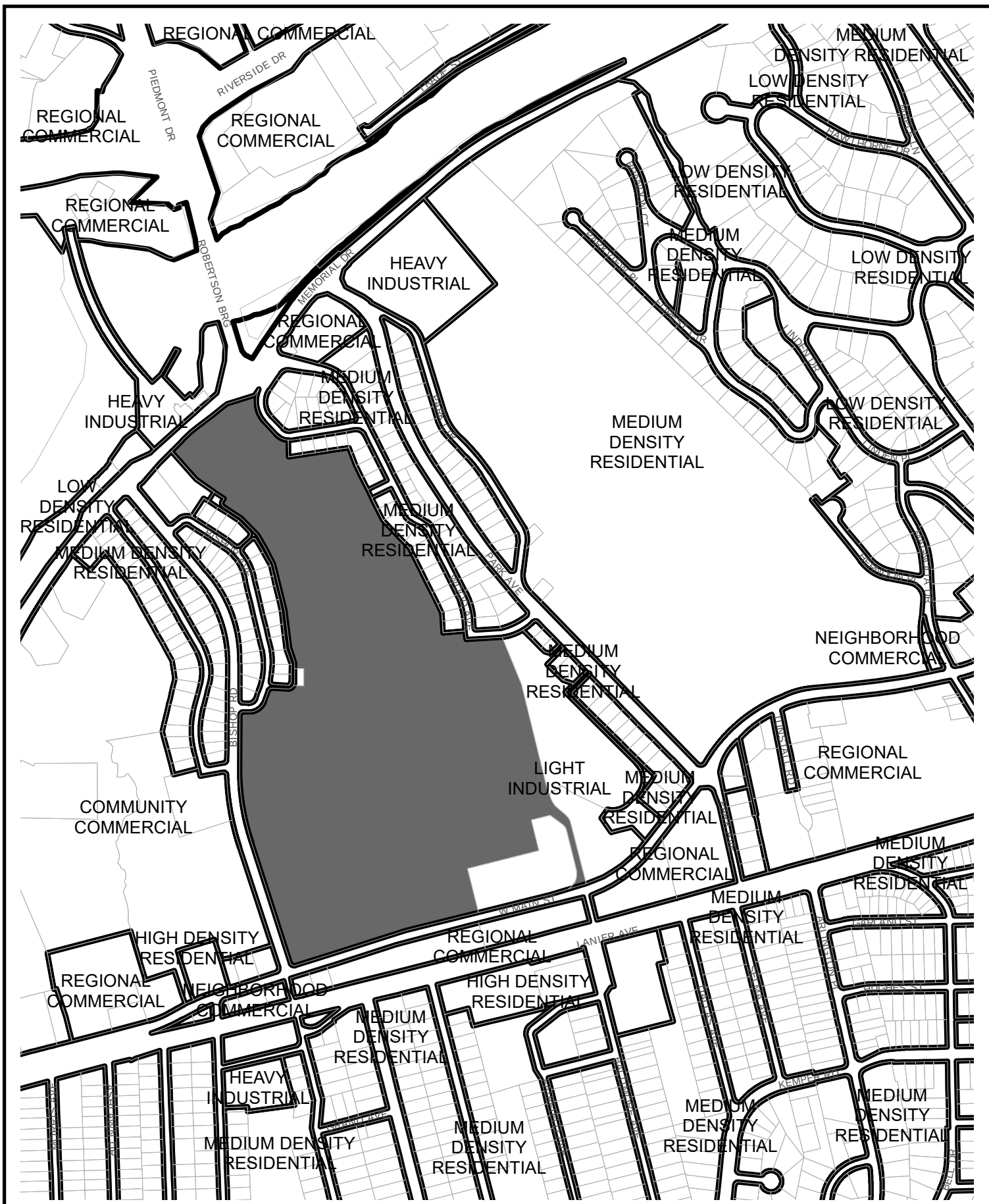


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
5/25/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
5/25/2021

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

Council Letter

City of Danville, Virginia



CL-2580

New Business G.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of a Zoning Ordinance Text Amendment Regarding Contractor's Offices, Shops, and Storage yards in HR-C.

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

The property owners at 179 Ingram Road would like to establish an office and contractor's building yard. The City has limited industrial zoning districts, and they are primarily larger spaces that are unachievable for startup companies. The zoning ordinance specifically defines Contractor's offices and shops as establishments for the installation and servicing of such items as air conditioners, electrical equipment, flooring, heating, painting, plumbing, roofing, tiling and ventilating, as well as those areas established to manage such operations. Contractor's offices are allowed as permitted uses in the M-I industrial district and LED-I Light Economic Development Districts.

BACKGROUND

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of the text amendment allowing contractor's establishments in the HR-C zoning district as permitted uses without outdoor storage yards and as special approval uses with outdoor storage yards.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance approving the text amendment allowing contractor's establishments in the HR-C zoning district as permitted uses without outdoor storage yards and as special approval uses with outdoor storage yards.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 3.M., ENTITLED "HR-C, HIGHWAY RETAIL COMMERCIAL", SECTION B. ENTITLED "PERMITTED USES" TO ADD A SUBSECTION 34 ENTITLED "CONTRACTOR'S OFFICES AND SHOPS" AND SECTION C. ENTITLED " USES PERMITTED BY SPECIAL USE PERMIT" TO ADD SUBSECTION 29 ENTITLED. "CONTRACTORS OFFICES AND SHOPS WITH STORGE YARDS".

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of amendments to Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, specifically, to amend Article 3.M., entitled "HR-C, Highway Retail Commercial (Highway Retail Commercial District), Section B., entitled "Permitted Uses" by adding Subsection 34. entitled. "Contractor's Offices and Shops", and Section C., entitled "Uses Permitted By Special Use Permit" by adding Subsection 29 entitled, "Contractors offices and shops with storage yards" be, and the same is hereby, received; and

BE IT FURTHER ORDAINED by the Council in consideration of said report and the public hearing this day held by Council, that Article 3.M., entitled "HR_C, Highway Retail Commercial (Highway Retail Commercial District) Section B., entitled "Permitted Uses" Subsection 34, entitled "Contractor's Offices and Shops" and Section C. entitled "Uses Permitted By Special Use Permit" to add Subsection 29. entitled "Contractors offices and shops with storage yards", of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, amended and reordained to read as follows:

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

B. Permitted Uses.

34. Contractor's offices and shops

C. Uses Permitted by Special Use Permit.

29. Contractors offices and shops with storage yards

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

RECOMMENDATION

DATE: June 14, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: **ZONING ORDINANCE TEXT AMENDMENT CONTRACTOR'S
OFFICES AND YARDS IN THE HR-C ZONING DISTRICT**

REQUEST

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY, TO AMEND ARTICLE 3.M. SECTION B. ALLOWING CONTRACTOR'S OFFICE AND SHOPS AS PERMITTED USES AND SECTION C. ALLOWING CONTRACTOR'S OFFICE AND SHOPS WITH STORAGE YARDS AS USES PERMITTED BY SPECIAL USE PERMIT IN THE HR-C, HIGHWAY RETAIL COMMERCIAL (HIGHWAY RETAIL COMMERCIAL DISTRICT) ZONING DISTRICT.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of the text amendment allowing contractor's establishments in the HR-C zoning district.

Mr. Harold E. Garrison, Chair



City Planning Commission

STAFF REPORT

DATE: June 1, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: **ZONING ORDINANCE TEXT AMENDMENT APPLICATION PLRZ2021-176**

Zoning Ordinance Text Amendment Application PLRZ2021-176, filed by Prime Home 179 Ingram LLC, requests to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 3.M HR-C Highway Retail Commercial to include Contractor’s office, shops and storage yards as a permitted use under new subsection B.33.

BACKGROUND

This applicant would like to establish an office and contractor’s building yard. The City has limited industrial zoning districts and they are primarily larger spaces that are unachievable for startup companies. The zoning ordinance specifically defines *Contractor’s offices and shops*. Establishments for the installation and servicing of such items as air conditioners, electrical equipment, flooring, heating, painting, plumbing, roofing, tiling and ventilating, as well as, those areas established to manage such operations. Contractor’s offices are allowed as permitted uses in the M-I industrial district and LED-I Light Economic Development Districts.

STAFF ANALYSIS

The shrinking amount of industrial space available to smaller users in the LED-I and M-I zoning districts indicates a need to either establish more industrially zoned land or provide flexibility for small industrial users like contractor’s offices and shops. While opening the HR-C zoning district to such uses may be appropriate, other uses of similar intensity, like research and development activities, kennels, and breweries require a Special Use Permit.

RECOMMENDATION

The Planning Division recommends the Planning Commission endorse Zoning Ordinance Text Amendment Application PLRZ2021-176 for City Council approval with the change that Contractor’s offices and shops should be added in Uses permitted by Special Use Permit instead of Permitted Uses.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Zoning Ordinance Text Amendment Application PLRZ2021-176;
2. Recommend approval of Special Use Permit Application PLSUP-2021-176 with conditions per Staff;
3. Recommend approval of Zoning Ordinance Text Amendment Application PLRZ2021-176 with conditions per Planning Commission; or
4. Recommend denial of Zoning Ordinance Text Amendment Application PLRZ2021-176.

ATTACHMENTS

- ✓ Application

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL
Application is hereby made for the Code Change Amendment as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER:

DATE FILED:

RECEIVED FROM:

SECTION AFFECTED:

PLANNING COMMISSION DATE/ACTION:

CITY COUNCIL DATE/ACTION: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Zoning Code Section:

Chapter 41, Section 3.M: - HR-C, Highway Retail Commercial

Purpose for proposed amendment:

To include contractors' yards as a permitted use under the HR-C designation. At present, only properties zoned LED-1 or M-1 may be used as contractors' yards, which precludes existing commercial properties (that are otherwise well suited for this particular use) from such use.

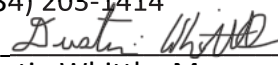
PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION:

1. NAME (PLEASE PRINT OR TYPE): Prime Home 179 Ingram LLC

ADDRESS: 179 Ingram Rd.

EMAIL: primehomeoptionsllc@gmail.com

TELEPHONE: (434) 203-1414

SIGNATURE: 
Dustin Whittle, Manager

2. NAME (PLEASE PRINT OR TYPE): _____

ADDRESS:

TELEPHONE:

SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): _____

ADDRESS:

EMAIL:

TELEPHONE:

SIGNATURE:

Council Letter

City of Danville, Virginia



CL-2581

New Business H.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Consideration of Zoning Ordinance Text Amendment allowing Medical Cannabis in the N-C Zoning District

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

Zoning Ordinance Text Amendment Application PLRZ2021-187, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled Zoning Ordinance of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 15. Section B. Definitions, to include a definition for Cannabis Dispensing Facility and to amend Article 3.J, N-C Neighborhood Retail Commercial District to add Cannabis Dispensing Facilities as a permitted use under new subsection B.16.

BACKGROUND

Virginia allows medical cannabis dispensing facilities under a regional licensing system. Staff prepared the zoning amendment in anticipation of a medical cannabis dispensing facility request, although no formal application is made. Dispensaries must be 1,000 feet from schools and child care centers.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of the text amendment establishing a definition for cannabis dispensing facilities and to allow them as a permitted use in the N-C zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 41, ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY TO AMEND ARTICLE 15, ENTITLED "DEFINITIONS" SECTION B ENTITLED "DEFINITIONS" TO ADD A DEFINITION FOR CANNABIS DISPENSING FACILITY AND TO AMEND ARTICLE 3.J, ENTITLED "N-C NEIGHBORHOOD COMMERCIAL (NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT" TO ADD A NEW SUBSECTION 16 ENTITLED "CANNABIS DISPENSING FACILITIES".

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of amendments to Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, specifically, to amend Article 15. Entitled "Definitions" Section B. entitled "Definitions" to include a definition for Cannabis Dispensing Facility and to amend Article 3.J, entitled "N-C Neighborhood Retail Commercial District" Section B entitled "Permitted Uses" to add a new Subsection 16 entitled "Cannabis Dispensing Facilities" as a permitted use, be, and the same is hereby, received; and

BE IT FURTHER ORDAINED by the Council in consideration of said report and the public hearing this day held by Council, that Article 15. entitled "Definitions" Section B entitled "Definitions" to include adding a new definition for "Cannabis Dispensing Facility" and to amend Article 3.J. entitled "N-C Neighborhood Retail Commercial District" Section B entitled "Permitted Uses" to add Cannabis Dispensing Facilities as a permitted use under new Subsection 16 entitled "Cannabis dispensing facility", of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, amended and reordained to read as follows:

ARTICLE 15. DEFINITIONS

Section B. Definitions.

Cannabis dispensing facility is a facility that (i) has obtained a permit from the Virginia Board of Pharmacy; (ii) is owned, at least in part, by a pharmaceutical processor; and (iii) dispenses cannabis oil produced by a pharmaceutical processor to a registered patient, his registered agent, or, if such patient is a minor or an incapacitated adult, such patient's parent or legal guardian.

ARTICLE 3.J. N-C, NEIGHBORHOOD COMMERCIAL (Neighborhood Retail Commercial District)

B. Permitted Uses.

16. Cannabis dispensing facility.

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

RECOMMENDATION

DATE: JUNE 14, 2021

TO: CITY COUNCIL

FROM: CITY PLANNING COMMISSION

RE: ZONING ORDINANCE TEXT AMENDMENT - MEDICAL CANNABIS

REQUEST

Zoning Ordinance Text Amendment Application PLRZ2021-187, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 15. Section B. Definitions to include a definition for Cannabis Dispensing Facility and to amend Article 3.J N-C Neighborhood Retail Commercial District to add Cannabis Dispensing Facilities as a permitted use under new subsection B.16.

RECOMMENDATION

The Planning Commission, at their June 7, 2021 meeting, voted 6-0 to recommend approval of the text amendment establishing a definition for cannabis dispensing facilities and to allow them as a permitted use in the N-C zoning district.

Mr. Harold E. Garrison, Chair

Council Letter

City of Danville, Virginia



CL-2555

New Business I.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Fiscal Year 2022 Federal and State Transit Funding

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

Business Meeting: 07/06/2021

SUMMARY

The City of Danville makes application annually to the Virginia Department of Rail and Public Transportation for federal and state operating and capital assistance. State operating and capital funding levels vary annually and are approved in June by the Commonwealth Transportation Board. All operating expenses are eligible for federal operating aid except depreciation and interest charges. The Federal Transit Administration provides financial aid of the transit system's operating deficit and up to eighty percent of the total cost of capital projects. For small urban and rural transit systems in Virginia, the Virginia Department of Rail and Public Transportation maintains the authority to allocate federal funding operating and capital assistance.

BACKGROUND

For Fiscal Year 2022, the Virginia Department of Rail and Public Transportation identified that a total of \$1,727,894 in federal operating aid was available to subsidize operating expenses, and \$543,135 in state operating aid was allocated to assist with transit operating costs. The state has also approved federal and state capital aid for the following capital projects: a total of two, 28-passenger replacement buses for the fixed route service and two light duty buses for Danville Transit's reservation based operations.

The estimated total cost for all capital projects is \$437,724. Federal capital aid will be provided at 80% of the total project cost or \$350,177 and state capital aid will provide 16% funding at \$70,038. Therefore, the city's local match requirement for all capital projects is \$17,509.

RECOMMENDATION

It is recommended that City council adopt the attached Resolution authorizing an application to the Virginia Department of Rail and Public Transportation for mass transit funding for Fiscal Year 2022.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 _____

A RESOLUTION 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 2022.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Danville, Virginia, that City Manager, Kenneth F. Larking, be, and he is hereby, authorized to execute and file on behalf of the City an application to the Virginia Department of Rail and Public Transportation for grants of Transportation Special Revenues, as provided by the Federal Transit Administration and the General Assembly of Virginia State Aid for Public Transportation, for operating and capital costs of the City for public transportation during Fiscal Year 2022 for which purpose the Council does hereby certify that:

1. The requested funds, if granted, shall be used in accordance with the requirements of Sections 33.2-1524 through 33.2-1529.1 of the Code of Virginia; and
2. The City of Danville shall provide for the payment of its share of said operating and capital costs as required by such Act; and
3. The records of the receipts and expenditures of such funds as are granted to the City of Danville shall be subject to audit by the Virginia Department of Rail and Public Transportation and the Auditor of Public Accounts; and
4. The funds granted to the City of Danville to defray its public transportation fuel, tires and maintenance costs, administrative costs and capital costs shall be used by the City only for the purposes authorized by the Acts of the General Assembly of Virginia; and
5. The applicant assures that it will comply with Title VI of the Civil Rights Act of 1964 and the US Department of Transportation requirements; and

6. It is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent permitted by law, and when possible in connection with this project and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts or consultant, and other services and
7. That the City Manager, Kenneth F. Larking, be and he is hereby, authorized to accept, receive and expend the aforesaid grants of funds in the amount and for the purposes that the same are awarded and to execute such documents as may be necessary therefore and to furnish to the Virginia Department of Rail and Public Transportation such information and documents as it may require with regard to such application and grants.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2560

New Business J.

City Council Regular Meeting

Meeting Date: 07/06/2021

Subject: Fiscal Year 2022 Airport Maintenance Program

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: July 6, 2021

Final Adoption: July 20, 2021

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 Virginia airports to receive up to \$100,000 in state aid on an annual basis.

BACKGROUND

Eligible maintenance activities for use of State Airport Maintenance funds include scheduled and unscheduled repairs that are not performed each quarter. State maintenance funds can also be used to finance grounds equipment. Funding levels vary 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 the replacement of grounds equipment.

During Fiscal Year 2021, state airport maintenance funds were used to purchase a new dump truck and snow plow, lighting upgrades for the terminal ramp and Taxiway A lighting repairs. For FY2022, the airport intends to use available airport maintenance funds to complete scheduled pavement repairs for automobile parking lots, the primary runway and taxiways. In addition, it is anticipated funding may also be used for unscheduled repairs.

RECOMMENDATION

It is recommended that City Council approve an Ordinance amending the Fiscal Year 2022 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. 2021 - _____ - _____

AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR STATE 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 \$20,000 FOR A TOTAL APPROPRIATION OF \$120,000 AND APPROPRIATING THE SAME.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2022 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues from the Commonwealth of Virginia, Department of Aviation, in an amount of \$100,000 and the local share for \$20,000 for an aggregate amount of \$120,000 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>
FY2022 Airport Maintenance		
Categorical Aid – State	61669000-45712	\$ 100,000
Local Share	61669000-6101	\$ 20,000
	TOTAL	<u>\$ 120,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2022 Airport Maintenance	61669999-50	<u>\$120,000</u>

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY