



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

June 1, 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 - Vice Mayor Gary P. Miller

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Proclamation: Business Appreciation Week
June 7 through June 11, 2021
Presented to: Corrie Bobe, City of Danville Director of Economic Development

Proclamation: LGBTQ Pride Month
Presented: Collidescope of Danville

COMMUNICATIONS FROM VISITORS

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

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on May 4, 2021.
Council Letter Number CL - 2553.

APPOINTMENTS

- A. Recommendation of Appointments to Various Boards and Commissions.
Council Letter Number CL - 2550.
 - 1. A Resolution Reappointing Jessie Barksdale to the Airport Commission.
 - 2. A Resolution Reappointing William Allgood to the Airport Commission.
 - 3. A Resolution Reappointing Philip Hall to the Airport Commission.
 - 4. A Resolution Appointing Johnny West to the Dan River Alcohol Safety Action Program.
 - 5. A Resolution Reappointing Sheila Baynes to the Danville Community College Board.

6. A Resolution Reappointing Tammy Warren to the Danville Community Policy & Management Team.
7. A Resolution Reappointing Demetrius Crews to the Danville Community Policy & Management Team.
8. A Resolution Reappointing RJ Lackey to the Danville Development Council.
9. A Resolution Reappointing Shelby Irving to the Danville Pittsylvania Community Services Board.
10. A Resolution Reappointing Anna Kautzman to the Danville Utility Commission.
11. A Resolution Appointing Steven Merricks to the Danville Utility Commission.
12. A Resolution Appointing Mark Holland to the Institute for Advanced Learning and Research.
13. A Resolution Reappointing Ty'quan Graves to the Social Services Advisory Board.
14. A Resolution Reappointing Alexis Ehrhardt to the Transportation Advisory Board.

NEW BUSINESS

- A. Consideration of Granting a Special Use Permit at 424 Memorial Drive.
Council Letter Number CL - 2558.
 1. Public Hearing
 2. An Ordinance 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 the Danville Zoning Ordinance, at 424 Memorial Drive Street (Parcel ID# 21344 and 21322).
- B. Consideration of Amending the Zoning Ordinance to Allow the City Manager, Planning Director or Designees to Initiate Zoning Ordinance Amendments.
Council Letter Number CL - 2559.
 1. Public Hearing
 2. An Ordinance Amending Chapter 41 Entitled, "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 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.
- C. Consideration of a Referendum on a One Percent Sales Tax Increase for School Construction.
Council Letter Number CL - 2563.

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 Solely 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.

- D. 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.
Council Letter Number CL - 2548.

An Ordinance 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.

FIRST READING

- E. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for American Rescue Plan funds in the Amount of \$29,142,851.
Council Letter Number CL - 2554.

An Ordinance 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 to as Specified by the American Rescue Plan 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-2553

Meeting Minutes A.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 06/01/2021

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on May 4, 2021.

Council Letter Number CL - 2553.

Attachments

Meeting Minutes

May 4, 2021

The Regular May meeting of the Danville City Council was held on May 4, 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 L.G. "Larry" Campbell, Jr., followed by the Pledge of Allegiance.

ANNOUNCEMENTS AND SPECIAL PRESENTATIONS

Proclamation: Foster Care Appreciation Month
Presented to: Alliance for Human Services

Mr. Adrian Massey accepted the Proclamation, gave an overview of their services and introduced members of their team. Council members thanked the Alliance for the work they do.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Steven Gould, whose firm represents Caesars Entertainment. Mr. Gould introduced Mr. Robert Livingston, Senior Vice President with Caesars and Mr. Gerald Quick, Vice President of Design and Construction. Mr. Livingston gave a brief update on Caesars, explaining they were in the conceptual design phase, early in the process, and one milestone was the middle of November to finish permitting so they were ready to break ground in December, to meet the timeline of getting this project up and running by the third quarter of 2023.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Budget Appropriation Items on the Consent Agenda. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 27, 2021. No one present desired to be heard and the Public Hearing was closed.

Council Member Campbell **moved** to approve the following Consent Agenda items:

Approval of Minutes from Regular Council Meeting held on April 6, 2021. Draft copies of the Minutes had been distributed prior to the meeting

Amending the Fiscal Year 2021 Budget Appropriation Ordinance for the Proceeds of the Sale of Pinnacles Hydro Plant in the Amount of \$8,200,000

An Ordinance entitled, Ordinance No. 2021-04.06, Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Appropriate Proceeds from the Sale of the Hydro Plant for Substation Upgrades in the Amount of \$8,200,000.

Amending the Fiscal Year 2021 Budget Appropriation Ordinance for a Grant from the US Department of Homeland Security Federal Emergency Management Agency

May 4, 2021

An Ordinance entitled, Ordinance No. 2021-04.07, Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Provide for a Grant from the US Department of Homeland Security Federal Emergency Management Agency in an Amount of \$49,804 and Local Share in the Amount of \$49,804 for a total of \$99,608 and Appropriating Same.

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 - REZONING 109 BARTER STREET FROM HR-C HIGHWAY RETAIL COMMERCIAL TO "CONDITIONAL" M-I INDUSTRIAL MANUFACTURING

Mayor Jones opened the floor for a Public Hearing regarding Rezoning 109 Barter Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 20, 2021 and April 27, 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. 2021-05.01

REZONING 109 BARTER STREET, PARCEL ID #52948 FROM HR-C HIGHWAY RETAIL COMMERCIAL TO "CONDITIONAL" M-I INDUSTRIAL MANUFACTURING.

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

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

PUBLIC HEARING - GRANTING A SPECIAL USE PERMIT FOR MAXIMUM DENSITY WAIVER AT 411 CRAGHEAD STREET

Mayor Jones opened the floor for a Public Hearing regarding a Maximum Density Waiver at 411 Craghead Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 20, 2021 and April 27, 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. 2021-05.02

GRANTING SPECIAL USE PERMIT APPLICATION 2021-110 FOR A MAXIMUM DENSITY WAIVER IN ACCORDANCE WITH ARTICLE 3.L SECTION C.13. OF DANVILLE ZONING ORDINANCE, AT 411 CRAGHEAD STREET (PARCEL ID#S 21479, 21480, 21481, 21482, AND 24373).

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

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

**PUBLIC HEARING - GRANTING A SPECIAL USE PERMIT FOR A YARD REQUIREMENT
WAIVER AT 1340 GOODYEAR BOULEVARD**

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for a Yard Requirement Waiver at 1340 Goodyear Boulevard. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 20, 2021 and April 27, 2021.

Mayor Jones recognized Philip Winstead, co-owner of Danville Tree Care. Mr. Winstead noted on behalf of his brother and himself, he would like to thank the Danville Fire Department for their actions that saved two adjacent buildings on the night of December 9, 2020. They lost their main building, but the Fire Department was able to save the foundation, and on that foundation they were asking approval to rebuild in their father's footsteps. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2021-05.03

GRANTING SPECIAL USE PERMIT APPLICATION 2021-72 FOR A YARD REQUIREMENT WAIVER IN ACCORDANCE WITH ARTICLE 3.O SECTION C.25. OF THE DANVILLE ZONING ORDINANCE AT 1340 GOODYEAR BOULEVARD, PARCEL ID# 23011.

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

**PUBLIC HEARING – AMENDING CHAPTER 41 OF THE DANVILLE CITY CODE TO ADD THE
C-E CASINO ENTERTAINMENT ZONING DISTRICT**

Mayor Jones opened the floor for a Public Hearing regarding Amending Chapter 41 of the Danville City Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 20, 2021 and April 27, 2021. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2021-05.04

AMENDING CHAPTER 41 ENTITLED “ZONING ORDINANCE” OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY BY ADDING NEW ARTICLE 3.V CASINO ENTERTAINMENT (C-E) DISTRICT ESTABLISHING ZONING DISTRICT

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PURPOSES, PERMITTED USES, USES PERMITTED BY SPECIAL USE PERMIT, LOT SIZE REQUIREMENTS, BULK REGULATIONS, PARKING, EXTERIOR LIGHTING, SIGNS, NOISE, LANDSCAPE AND OPEN SPACE, AND ADDITIONAL REQUIREMENTS.

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

Council Member Vogler noted in reviewing the language, it states the maximum building height was 250 feet, if they want to go beyond that they have to get a Special Use Permit; Director of Zoning Doug Plachcinski noted that was correct. Mr. Vogler questioned the thought behind having a cap on the height and Mr. Plachcinski explained if it reached a height over that, there may be some special provisions the City would want to coordinate with Caesars as part of the development, to offset any potential negative impacts on the neighbors or adjacent land users.

Council Member Whittle questioned the area for this, there would be developers coming around that tract, wouldn't the City offer them the same opportunities and Mr. Plachcinski explained the City was examining the entire corridor and sub-Schoolfield neighborhood of the City; they will come up with some additional zoning tools to enable appropriate development in that area. City Manager Ken Larking explained the City, before Council selected Caesars as the preferred casino gaming operator, was in the process of a Schoolfield Master Plan. The City paused that, and as a part of the Development Agreement with Caesars, who were contributing a certain amount of dollars toward that Master Plan, was being re-tooled. The Schoolfield Master Plan will study the corridor from North Carolina to the site, and from the site to downtown, including the area around the neighborhood and parts of Schoolfield. Staff thought it was important to thoughtfully examine all of those properties and potential uses, and then come forward to City Council with some strong guidance on the kind of development that ought to occur in and around that area. Mr. Larking noted this particular zoning district will only apply to the property owned by Caesars.

Council Member Campbell stated regarding noise, will there be continuous noise or only when there were outside events. Mr. Plachcinski noted his understanding was the perceivable noise at the property line should only be detectable while there were outside events. There may be some other low level ambient noises that happen with any development of that size. There were some limits in the Code if there were disturbances beyond a significant amount of noise, they have a way to work with Caesars to mitigate that. Council Member Miller questioned what the decibel limit was and Mr. Plachcinski stated he believed it was 70 during the times the City would expect events to occur. Dr. Miller stated he understood in other casino areas, Caesars has a way to monitor that, and dampen or limit the noise. Mr. Quick from Caesars explained in other jurisdictions where Caesars had outdoor events, what they frequently have done was go to the neighboring property line where the ordinance was applicable and applied continuous monitoring throughout the events. An app can be put on a smartphone that will continuously monitor decibel levels; they were willing to staff or record that or whatever they need to do from a procedural standpoint to make sure they comply.

Mr. Vogler noted on the section on signage, the maximum free standing sign height was forty feet for onsite; on the water tower on the back of the property, if they wanted to put a Caesars' sign on that, that was higher than forty feet, they would not be allowed to do that. Mr. Plachcinski explained that would be a building façade sign and separate from a freestanding sign. Mr. Vogler noted Section E.2 states, buildings two hundred feet or taller must be set back from any non-building structures that were 200 feet or taller by at least 100 feet. Buildings under 200 feet tall must be setback from any non-building structures that were 200 feet or taller by at least fifty feet. Mr. Vogler noted he would like Council to strike the line above that, E.1, Maximum Building Height of 250 feet; he does not see the need to have that language in the Code. He thinks any concerns

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they have about it being close to buildings or a structure of that nature was covered in E.2. and doesn't want to restrict how tall they can build the building. City Attorney Clarke Whitfield explained, as a Motion has already been made, Mr. Vogler would move to Amend the Motion by striking that line. Mr. Vogler noted he would like to do that and Mayor Jones noted he would come back to Mr. Vogler as there were other Council Members who wished to speak.

Council Member Saunders noted the City had Festival in the Park for a number of years and does not know what the decibel level was then and does not see it being a problem at this point. With regard to the rules, Caesars has the ability to do some things differently, to have a certain height or whatever, within the City's rules. He has not heard anything presently that concerns him about what Caesars wants to do, and if they do, they can come back to Council. In terms of size, he does not know if Caesars has any idea of what size sign they want to have or erect, he was not hearing any concerns presently that Council cannot fix later if they need to. Council Member Vogler noted he was talking strictly about the building height; if they wanted to build the building to 251 feet, if Council passed the code change as written now, they would have to come back to City Council to get a special use permit to go a foot taller. He does not see the benefit of making them go through the extra step of doing that, when he thinks anything that may have been of concern was covered in the line below that.

Mr. Saunders noted Mr. Vogler had a good point, to try to accommodate this new venture and appreciates that. Mr. Saunders explained he was looking further down the road, that if Council strikes that line and someone else comes in and wants to have something very, very high, the Council does not have any ability to address that. He would prefer that people come to Council on an as needed basis as opposed to someone coming in knowing there were no height requirements and creating a problem. Mr. Vogler noted this code amendment was for this particular site, it wouldn't change anything beyond this district and Mr. Plachcinski noted that was correct. Council Member Whittle questioned if the City asked Caesars the height they wanted, did they fit under these height restrictions and Mr. Plachcinski noted they did. Mr. Plachcinski explained they coordinated the drafting of the ordinance with Caesars. Council Member Buckner noted by his calculations, he believes two hundred and fifty feet was at least twenty three stories. This was not going to affect anything else in the City and was fine with the Code as it was written.

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

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

PUBLIC HEARING – AMENDING CHAPTER 41 OF THE DANVILLE CITY CODE TO AMEND ARTICLE 2., ACCESSORY USES AND STRUCTURES

Mayor Jones opened the floor for a Public Hearing regarding Amending Chapter 41 of the Danville City Code, Article 2. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 20, 2021 and April 27, 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. 2021-05.05

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AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY TO AMEND ARTICLE 2.P. ACCESSORY USES AND STRUCTURES TO ALLOW SIDE YARD MECHANICAL UNITS IN RESIDENTIAL ZONING DISTRICTS WITH APPROPRIATE SCREENING AND SEPARATION DISTANCE FROM NEIGHBORING DWELLING WINDOWS AND DOORS.

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

PUBLIC HEARING - APPROVING A LEASE AGREEMENT WITH DANVILLE BASEBALL, LLC

Mayor Jones opened the floor for a Public Hearing regarding a Lease Agreement with Danville Baseball. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 27, 2021. No one present desired to be heard and the Public Hearing was closed.

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

RESOLUTION NO. 2021-05.01

AUTHORIZING AND APPROVING A LEASE AGREEMENT WITH DANVILLE BASEBALL LLC.

The Motion was **seconded** by Council Member Vogler 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 THE FORMATION OF A 501(C)(3) CORPORATION BY THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY

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

RESOLUTION NO. 2021-05.02

APPROVING THE CREATION OF A 501(c)(3) CORPORATION BY THE DANVILLE REDEVELOPMENT AND HOUSING AUTHORITY FOR THE PURPOSE OF PROVIDING RENTAL AND HOMEOWNERSHIP HOUSING OPPORTUNITIES AND YOUTH SERVICES.

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

VOTE: 8-0-1
AYE: Buckner, Campbell, Hood, Mayo,
Miller, Saunders, Vogler and Whittle (8)
NAY: None
ABSTAIN: Jones (1)

May 4, 2021

STATEMENT OF CONFLICT OF INTEREST

I, Alonzo L. Jones, do hereby state that I have a conflict of interest regarding the consideration of an the Creation of a 501(c)(3) Corporation by the Danville Redevelopment and Housing Administration listed on the agenda as New Business item (G). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code §2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 4th day of May, 2021.

s/Alonzo L. Jones

APPROVAL OF THE TRANSFER OF CASINO FUNDS FOR VARIOUS PROJECTS

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

RESOLUTION NO. 2021-05.03

APPROVING THE TRANSFER OF CAESAR FUNDS TO VARIOUS PROJECTS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2022.

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

Mr. Whittle questioned if Council had already had a discussion about how these funds were going to be set up in a prior meeting. Mr. Larking explained these amounts were established based on conversations at the Council retreat in February, and the recommendation by the City's financial advisors to leverage the one-time casino funds in a way, along with the budget, to accomplish some of the projects that have been identified as priorities by City Council. The priority areas were Education, Economic Development and Public Safety. These projects were in line with projects identified previously and were parts of the budget recommended by City staff. This resolution was required by City Council based on the vote made shortly after receiving the \$15M; City Council adopted a Resolution stating the appropriation of any of those funds had to be done by separate resolution. The City's financial advisors, at the retreat, talked about how the City could leverage their onetime funds to begin projects now, but also talked about how once the minimum casino gaming revenue comes in per year, the City could plan for projects over the long term and be able to fund them. Staff was taking a conservative approach, trying to be careful about how they spend their money, investing it in areas they believe could create sustainable growth, create a better economy for the community, and improve the credit ratings.

In response to Mr. Whittle, Mayor Jones stated Council will know where the money was being spent and Mr. Larking noted it was listed in the Resolution. Mr. Whittle stated those were from the onetime money from Caesars, when the other revenues start coming in, and there may be other council members then, will they see the money and know where it was and Mr. Larking stated they would; there will be full transparency. When staff starts working on recommending budgets in the future, anticipating a significant portion of casino gaming revenue, they will have a recommendation on how much revenue to anticipate receiving and how the City would spend those funds. Staff wants to try and focus most of the funding on one time expenses, capital expenses or investments that can produce long term, sustainable revenue for the City's future.

Mr. Vogler stated he did have questions on the list on the Resolution, there was \$1.1M for Comprehensive Blight for Neighborhood Revitalization. Mr. Larking explained a majority of those

dollars would be spent working with the Danville Neighborhood Development Corporation, to improve neighborhoods at risk of transitioning from owner occupied to renter occupied, experiencing a small amount of blight to experiencing a large amount. One recommendation the City has received multiple times from housing experts was if they could work in neighborhoods that were in that transition period and direct them more toward home ownership, reinvestment and redevelopment, they would have a much larger benefit than if they waited until they become fully blighted and deciding whether or not to demolish or to spend a lot of money to bring it up to a certain standard. The neighborhood they were focusing on was around the Danville Community College campus, Kemper Road. There were neighborhoods in and around that area that were good, solid, middle class family neighborhoods, but they have some edges around there that were experiencing some blight issues they want to address, and work on to improve those neighborhoods. He has heard Council Members and people in the community mention, how were they investing outside of the River District; this was an example of what they wanted to do, to invest in a neighborhood to help people there have a better quality of life.

Mr. Vogler questioned school renovations at \$2M; people will hear about school renovations in the months ahead, how was this separate from what that. Mr. Larking explained the \$2M for school renovations, was a part of the overall recommended budget. The ability for the City to finance projects was limited, and using casino funds to pay for school renovations rather than through the traditional budget process, enables the City to be more flexible with the other dollars in the budgets going towards other projects. This was one piece of a comprehensive recommendation for the entire budget. When staff looked at how to fund the different pieces in next year's budget program, the best way to plug that hole was to use these funds.

Mr. Vogler questioned the GW track renovations, will that amount get it done, and this time next year will there be a usable track and field facility for the high school students. Mr. Larking stated the goal was for the next track season for the students to have a track facility. Mr. Vogler questioned the local match for the TIC grant, was that for an unannounced project and Mr. Larking stated he did not believe it was for an unannounced project, it was for matching a grant already granted by the Tobacco Commission in order to further ready an industrial site. This was helping to match Tobacco Commission grant funds, and also Pittsylvania County funds, in order to create a graded pad that would attract an industry to the community.

Council Member Campbell noted Council had a mandate that \$20M was to be kept in the general fund at all times. The City would usually stay around \$30M to \$32M, was it Mr. Larking's intent to increase the reserve funds. Mr. Larking noted it was a recommendation from the financial advisors that the City increase the percentage of the General Fund Balance. When those revenues start coming in, they recommend City Council adopt a change to its financial policies that would increase the minimum for the Fund Balance, which staff hopes would lead to stronger financial stability, a better emergency plan for the City and improve the City's credit rating. The recommended amount would be approximately 30% or 40% of the General Fund revenues; staff wants to look at that carefully. The new revenues coming into the City will increase the amount of annual revenues, so the percentage would result in a much higher dollar amount.

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

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

May 4, 2021

PUBLIC HEARING – CONSIDERATION OF APPROVING THE FISCAL YEAR 2022 DANVILLE SCHOOL BOARD BUDGET

Mayor Jones opened the floor for a Public Hearing regarding the Fiscal Year 2022 School Board Budget. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 23, 2021. No one present desired to be heard and the Public Hearing was closed.

Upon **Motion** by Council Member Saunders and **second** by Council Member Buckner, a Resolution entitled:

RESOLUTION NO. 2021-05.04

APPROVING THE BUDGET OF THE SCHOOL BOARD OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2022

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

PUBLIC HEARING - CONSIDERATION OF APPROVAL OF THE BUDGET FOR THE CITY OF DANVILLE, THE CAPITAL AND SPECIAL PROJECTS PLAN AND THE BUDGET APPROPRIATION ORDINANCE

BUDGET – CONSIDERATION OF APPROVING THE BUDGETS OF THE VARIOUS FUNDS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2022

Mayor Jones opened the floor for a Public Hearing regarding Various Budgets of the City of Danville for FY 2022. Notice of the Public Hearing was published in the *Danville Register & Bee* on April 23, 2021. No one present desired to be heard and the Public Hearing was closed.

Upon **Motion** by Council Member Vogler, and **second** by Council Member Buckner, a Resolution entitled:

RESOLUTION NO. 2021-05.05

APPROVING THE FISCAL YEAR 2022 CAPITAL AND SPECIAL PROJECTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA

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

BUDGET – CONSIDERATION OF APPROVING THE FISCAL YEAR 2022 CAPITAL AND SPECIAL PROJECTS PLAN FOR THE CITY OF DANVILLE, VIRGINIA

Upon **Motion** by Council Member Buckner and **second** by Council Member Mayo, a Resolution entitled:

RESOLUTION NO. 2021-05.06

APPROVING THE BUDGETS OF THE VARIOUS FUNDS OF THE CITY OF DANVILLE FOR THE FISCAL YEAR ENDING JUNE 30, 2022

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

May 4, 2021

BUDGET – CONSIDERATION OF APPROVING THE BUDGET APPROPRIATION ORDINANCE FOR FISCAL YEAR 2022

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

ORDINANCE NO. 2021-05.06

BUDGET APPROPRIATION ORDINANCE FOR FISCAL YEAR 2022

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR THE RECREATION ENRICHMENT PROGRAM IN THE AMOUNT OF \$186,102

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

ORDINANCE NO. 2021-05.07

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FUNDS IN THE AMOUNT OF \$55,220 FOR A RECREATION ENRICHMENT PROGRAM AND THE LOCAL IN-KIND SHARE OF \$130,882 FOR A TOTAL APPROPRIATION OF \$186,102 AND APPROPRIATION OF SAME.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR PRE-DISASTER MITIGATION GRANT FUNDS IN THE AMOUNT OF \$150,000

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

ORDINANCE NO. 2021-05.08

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE AND TO BE FINANCED ANTICIPATING REVENUES FROM FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$150,000. W

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

COMMUNICATIONS

There were no communications from the City Manager. Vice Mayor Miller questioned one hour parking downtown and the River District and Mr. Larking noted the recent change only impacts Main Street; there were a variety of parking times in the River District. Dr. Miller noted there were requests from people on Lynn Street, particularly the new business that opened today, they were holding classes on pottery, it would be difficult for them to hold a one hour class with one hour

May 4, 2021

parking. Dr. Miller requested the City look at that, and Mr. Larking noted they would.

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

Council Member Buckner commended Norma Brower and her team, they always do a fantastic job with the Make Danville Shine kickoff event; it was a great success. Mr. Buckner relayed information from the City's website regarding the Make Danville Shine month, and encouraged citizens to participate.

Council Member Hood commended the Danville Police Department, he had the pleasure of giving a tour of the Old West End to the new officer, Officer Ty'quan Graves; they had a great day doing that.

Council Member Mayo commended the Make Shine event, he enjoyed seeing the citizens and Council Members there. Mr. Mayo noted it was good to see citizens in chambers as well as school board members and the Superintendent. Mr. Mayo noted the groundbreaking of Aerofarms was great to see as well.

Vice Mayor Miller noted Make Danville Shine was a great event and encouraged citizens to Clean Up and Fix Up their homes. Dr. Miller noted Impotters opened today, it was a great addition to Danville, and would become part of an art trail in the City; the groundbreaking at Aerofarms was a great also.

Council Member Saunders noted Council enjoyed the Make Danville Shine event. Mr. Saunders stated Steven Gould was doing wonderful things in the City, and a special thanks to PATHS, they do an excellent job serving five jurisdictions helping people in many ways.

Council Member Vogler noted it was an exciting time in Danville with the Aerofarms groundbreaking, an exciting announcement on Monday, and this morning Dr. Miller, Mr. Buckner and he were at the ribbon cutting for Impotters on Lynn Street.

Council Member Whittle thanked Jason Grey and Mr. Haley for taking him on a tour of the transformers around the City and suggested citizens go see how large the Utilities were in Danville. Mr. Whittle thanked Caesars for being here and for what they were doing in Danville, and noted the Make Danville Shine was a great event.

Mayor Jones noted his appreciation to Mr. Gould for what he has done for the City. This Sunday was Mother's Day, and to all the mothers and children watching, Council appreciated them and to all the mothers, have a wonderful Mother's Day.

ADJOURNED: 8:20 P.M.

APPROVED:

MAYOR

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2550

Appointments A.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: Consideration of Appointments to Boards and Commissions

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 06/01/2021

SUMMARY

Recommendation of Appointments to the following Boards and Commissions:

1. Airport Commission
2. Dan River ASAP
3. DCC Board
4. Danville CPMT
5. Danville Development Council
6. Danville Pittsylvania Community Services Board
7. Danville Utility Commission
8. Institute for Advanced Learning and Research
9. Social Services Advisory Board
10. Transportation Advisory Board

Attachments

Resolutions

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING JESSIE BARKSDALE AS A MEMBER OF
THE AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Jessie Barksdale be, and he is hereby reappointed as a member of the Airport Commission for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING WILLIAM ALLGOOD AS A MEMBER OF
THE AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that William Allgood be, and he is hereby reappointed as a member of the Airport Commission for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – __. __

**A RESOLUTION REAPPOINTING PHILIP HALL AS A MEMBER OF THE
AIRPORT COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Philip Hall be, and he is hereby reappointed as a member of the Airport Commission for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – __. __

**A RESOLUTION REAPPOINTING SHEILA BAYNES AS A MEMBER OF THE
DANVILLE COMMUNITY COLLEGE BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Sheila Baynes be, and she is hereby reappointed as a member of the Danville Community College Board for a four-year term commencing July 1, 2021 and ending June 30, 2025.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

A RESOLUTION APPOINTING JOHNNY WEST AS A MEMBER OF THE DAN RIVER ALCOHOL SAFETY ACTION PROGRAM.

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Johnny West be, and he is hereby appointed as a member of the Dan River Alcohol Safety Action Program for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – __. __

**A RESOLUTION REAPPOINTING TAMMY WARREN AS A MEMBER OF THE
DANVILLE COMMUNITY POLICY AND MANAGEMENT TEAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Tammy Warren be, and she is hereby reappointed as a member of the Danville Community Policy and Management Team for a one-year term commencing July 1, 2021 and ending June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – __. __

**A RESOLUTION REAPPOINTING DEMETRIUS CREWS AS A MEMBER OF
THE DANVILLE COMMUNITY POLICY AND MANAGEMENT TEAM.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that
Demetrius Crews be, and he is hereby reappointed as a member of the Danville Community
Policy and Management Team for a one-year term commencing July 1, 2021 and ending
June 30, 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING RJ LACKEY AS A MEMBER OF THE
DANVILLE DEVELOPMENT COUNCIL.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that RJ Lackey be, and he is hereby reappointed as a member of the Danville Development Council for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING SHELBY IRVING AS A MEMBER OF THE
DANVILLE PITTSYLVANIA COMMUNITY SERVICES BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Shelby Irving be, and she is hereby reappointed as a member of the Danville Pittsylvania Community Services Board for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – __. __

**A RESOLUTION REAPPOINTING ANNA KAUTZMAN AS A MEMBER OF
THE DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Anna Kautzman be, and she is hereby reappointed as a member of the Danville Utility Commission for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION APPOINTING STEVEN MERRICKS AS A MEMBER OF THE
DANVILLE UTILITY COMMISSION.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Steven Merricks be, and he is hereby appointed as a member of the Danville Utility Commission for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION APPOINTING MARK HOLLAND AS A MEMBER OF THE
INSTITUTE FOR ADVANCED LEARNING AND RESEARCH BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Mark Holland be, and he is hereby appointed as a member of the Institute for Advanced Learning and Research Board for a three-year term commencing July 1, 2021 and ending June 30, 2024.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING TY'QUAN GRAVES AS A MEMBER OF
THE SOCIAL SERVICES ADVISORY BOARD.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Ty'quan Graves be, and he is hereby reappointed as a member of the Social Services Advisory Board for a four-year term commencing July 1, 2021 and ending June 30, 2025.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021 – ____.

**A RESOLUTION REAPPOINTING ALEXIS EHRHARDT AS A MEMBER OF
THE TRANSPORTATION ADVISORY COMMITTEE.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Alexis Ehrhardt be, and she is hereby reappointed as a member of the Transportation Advisory Committee, to serve as such for a four-year term commencing July 1, 2021 and ending June 30, 2025.

APPROVED:

MAYOR

ATTEST:

CLERK

Council Letter

City of Danville, Virginia



CL-2558

New Business A.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: Consideration of Granting a Special Use Permit at 424 Memorial Drive (Parcel ID#s 21344 and 21322).

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 06/01/2021

SUMMARY

Special Use Permit Application PLSUP 2021-152, filed by the Alexander Company on behalf of 424 Memorial Drive LLC and the Industrial Development Authority of the City of Danville, requests a Special Use Permit 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 the Danville Zoning Ordinance, at 424 Memorial Drive (Parcel ID# 21344 and 21322). The applicant requests a Special Use Permit for a mixed-use development in the TW-C Tobacco Warehouse Commercial Zoning District.

BACKGROUND

This project rehabilitates the "White Mill" building at 424 Memorial Drive with a level of parking, a level of approximately 110,000 square feet of commercial space, and three (3) residential levels with up to 250 one (1), two (2), and three (3) bedroom apartment units. The Planning Commission, at their May 10, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-152.

RECOMMENDATION

The Planning Commission recommended that City Council adopt an Ordinance granting a Special Use Permit 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 Street (Parcel ID# 21344 and 21322) with the following conditions:

1. The development's parking program includes no less than four (4) electric vehicle charging stations; and
2. The development provides no less than six (6) bicycle parking spaces.

Attachments

Ordinance

PLANNING BACKUP

Presented: _____

ADOPTED: _____

ORDINANCE NO. 2021 _____

AN ORDINANCE 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 STREET (PARCEL ID# 21344 AND 21322).

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit Application PLSUP 2021-152, filed by the Alexander Company on behalf of 424 Memorial Drive LLC and the Industrial Development Authority of the City of Danville 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 Street (Parcel ID# 21344 and 21322), 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-2021-152, filed by the Alexander Company on behalf of 424 Memorial Drive LLC and the Industrial Development Authority of the City of Danville 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 Street (Parcel ID# 21344 and 21322), is hereby approved, with the following conditions:

1. The development's parking program includes no less than four (4) electric vehicle charging stations; and
2. The development provides no less than six (6) bicycle parking spaces.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



City Planning Commission

STAFF REPORT

DATE: May 5, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION - 424 MEMORIAL DRIVE

Special Use Permit Application PLSUP 2021-152, filed by the Alexander Company on behalf of 424 Memorial Drive LLC and the Industrial Development Authority of the City of Danville, requests a Special Use Permit 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 Street (Parcel ID# 21344 and 21322). The applicant requests a Special Use Permit for a mixed-use development in the TW-C Tobacco Warehouse Commercial Zoning District.

BACKGROUND

This project is to rehabilitate the "White Mill" building at 424 Memorial Drive with a level of parking, a level of approximately 110,000SF of commercial space, and three (3) residential levels with up to 250 one (1), two (2), and three (3) bedroom apartment units.

The Planning Division sent 60 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, The Alexander Company, applied to the Planning Division for residential and commercial uses permitted by right with lot frontage on the Dan River in the TW-C Zoning District. The application is attached to this report.

The City may allow the proposed uses in the TW-C 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 River District planning area. The future land use designation for the subject parcel is 'Light Industrial', however TW-C zoning is appropriate for a variety of uses. If approved, the Special Use Permit is in harmony with the TW-C Zoning District. Urban design priorities within the TW-C District are to be placed on:

- (1.) Encouraging continued use and revitalization of existing warehouses,
- (2.) Providing opportunities for selected businesses consistent with the Plan's objectives for the tobacco warehouse district,
- (3.) Reinforcing pedestrian improvements within the district,
- (4.) Enhancing the character of the district's streetscape,
- (5.) Maintaining strong continuity with the district's historic architectural precedents, and
- (6.) Providing broad flexibility in the application of zoning regulations for site development and redevelopment.

The proposed White Mill redevelopment is a prominent, transformative project that will anchor private development and public space in the River District. 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. The proposed development is planned and will be implemented in concert with the City's Riverfront Park improvements.

Danville City Code allows City Council to impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project and that the Planning Commission endorse Special Use Permit Application PLSUP-2021-152 for City Council approval with the following conditions:

1. The development's parking program includes no less than four (4) electric vehicle charging stations; and
2. The development provides no less than six (6) bicycle parking spaces.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-152 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-152 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-152 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-152.

ATTACHMENTS

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

White Mill – Special Use Permit

Existing Site and Area

Dan River Mill No. 8, commonly known as the White Mill, encompasses approximately 18.75 acres on the south bank of the Dan River, a major tributary of the Roanoke River and historically the source of power used by the mill complex. The 1920 four-story rectangular industrial building of reinforced concrete construction measures 832 feet long and 144 feet wide. The building is a simplified version of Gothic Revival, with segmental arches, off-set block motifs, and peaked details cast into its concrete envelope. The long elevations of the mill, each with twenty-seven banks of windows (many of which have been filled in), are divided into thirds by two projecting 5-story elevator towers on the north elevation as well as two 5-story stair towers on the on the south elevation. The south elevation also has 4-story stair towers on the east and west corners of the building.

The upper floors of the building currently have an identical configuration to that of the first floor. Each floor is a long, open space with high ceilings supported by rows of 20" diameter concrete columns with inverted conical caps spaced 28'-0" apart in both directions and set atop a reinforced concrete floor. These floors do not retain their original wood finish floor as it has all been removed. A parapeted flat roof runs the length of the center of the building with a clerestory above the fourth floor running that entire length.

- See Appendix A for Existing Conditions Photos
- See Appendix B for Site Historical Photos

Exterior Materials and Design

The project will be rehabilitated in accordance with the National Park Service's Historic Preservation Standards. All existing elements have been surveyed and identified on the plans to be either rehabilitated or replaced, including walls, windows, structure, and flooring. The exterior concrete shell will be cleaned, patched, repaired, and replaced as necessary and then repainted to match the original White Mill color.

Windows will be retained or replaced, and the frame components will be painted black. New glazing will be selected to visually match the restored glass.

New entrance locations will be provided for both the residential and commercial components of the building. The entries will include new stairs and ramps with steel railings and canopies.

LED lit signage will be mounted on the canopies. Any additional building-mounted or ground-mounted signage will be submitted as a future amendment following coordination of tenant needs and branding.

Parking lot and walkway lighting will be LED throughout and conform to International Dark-Sky Association Standards. Fixtures will be equipped with cut-offs to shield the light source from excess light pollution and skyward facing light emissions.

Environmental Statement

The existing structure of the White Mill is 100 years old. Having been almost entirely of made from cast-in-place concrete, it is extremely robust and has held up very well. During preliminary site reviews of the existing structure, it appears that nearly all of the building structure can be reused as is and should continue to hold up well into the future once the building has been weather stabilized.

While concrete is of one of the largest sources of CO₂ emissions in the construction industry, it can also be one of the longest lasting materials, when properly detailed and maintained. Reusing the existing structure at the White Mill reduces the carbon footprint of the project by more than 7,500 tons of CO₂.

The existing windows have been surveyed as part of the National Park Services Historic Rehabilitation Application process and it has been determined that 45% of windows will be able to be restored. Windows that are too far deteriorated or were previously removed will be replaced with thermally broken aluminum windows with extrusion profiles that will match the existing building windows. The new windows will utilize insulated glazing and will be 130% more efficient than the existing windows. The proposed window restoration and replacement plan have been preliminarily approved by the State Historic Preservation Office and the National Park Service

New Mechanical, Electrical and Plumbing systems will be specified to exceed building code efficiency requirements.

Proposed Uses

The Lower Level of the building will include 219 interior parking spaces and will be accessed from the partially exposed north elevation with a flood-proofed garage entry system. The parking is a permitted use in the Tobacco Warehouse Commercial District (TWC) Zoning. The west end of the building will contain the entrance lobby, leasing office and amenities spaces for the proposed upper floor residential use.

The First Floor will contain approximately 110,000SF of commercial space. The tenants will be permitted uses that conform to the TWC Zoning.

The Upper Three Floors of the building will initially include 150 apartments, consisting of one-, two- and three-bedroom units. A future phase will include up to 100 additional apartment units. The proposed upper floor residential and related first floor amenity space requires approval of this Special Use Permit in the TWC Zoning.

Economic Impact

The \$62.5 Million initial phase of the building's redevelopment will create approximately \$52 Million of construction activity to Danville and provide approximately 300 construction-related jobs to the region. The future phase and the related sitework will add to those figures.

The residential portion of the project will employ at least 2 full-time on-site personnel and include multiple local vendor contracts. The commercial uses in the property will employ an estimated 100 full and part time personnel.

The 2020 property taxes on the building and site were \$11,293 in 2020. It is estimated that the property taxes (excluding personal property taxes) will increase to over \$50,000 in the first year, incrementally increasing to \$200,000 in 5 years and to \$435,00/yr. at the end of the property tax abatement period.

The project partnership will be donating approximately 6.2 acres of land to the city of Danville for the extension/expansion of the Riverfront Park and providing an easement over approximately 1.12 acres of land fronting the Dan River for the extension of the Riverwalk Trail.



WHITE MILL REDEVELOPMENT PHASE I SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



WHITE MILL REDEVELOPMENT PHASE II SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



WHITE MILL REDEVELOPMENT OVERALL SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



1 OVERALL SOUTH ELEVATION - PHASE 1
1" = 80'-0"



2 OVERALL NORTH ELEVATION - PHASE 1
1" = 80'-0"



3 EAST ELEVATION - PHASE 1
1" = 80'-0"



4 WEST ELEVATION - PHASE 1
1" = 80'-0"

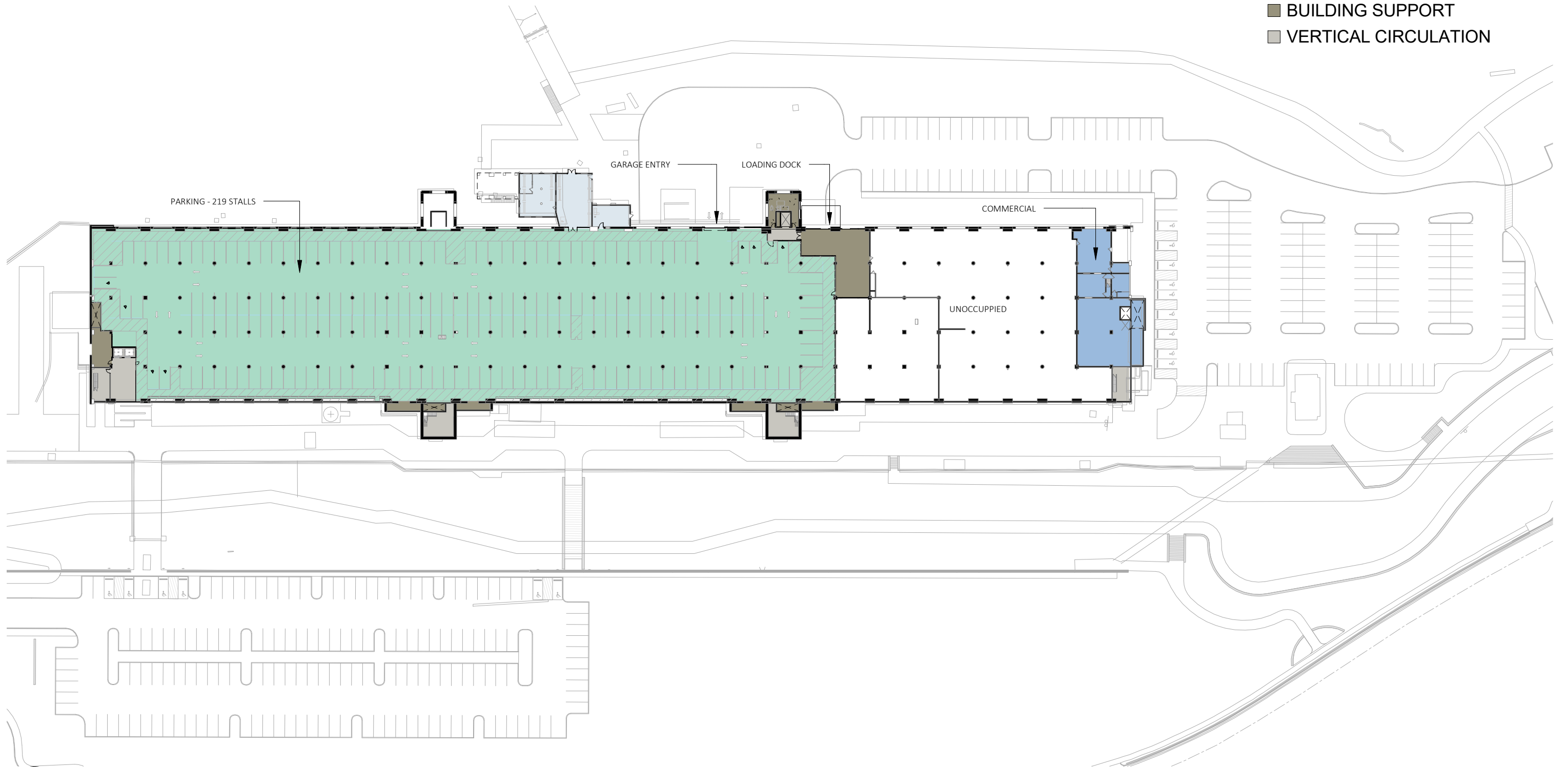
WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

DANVILLE, VA 24541

04/07/21

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION

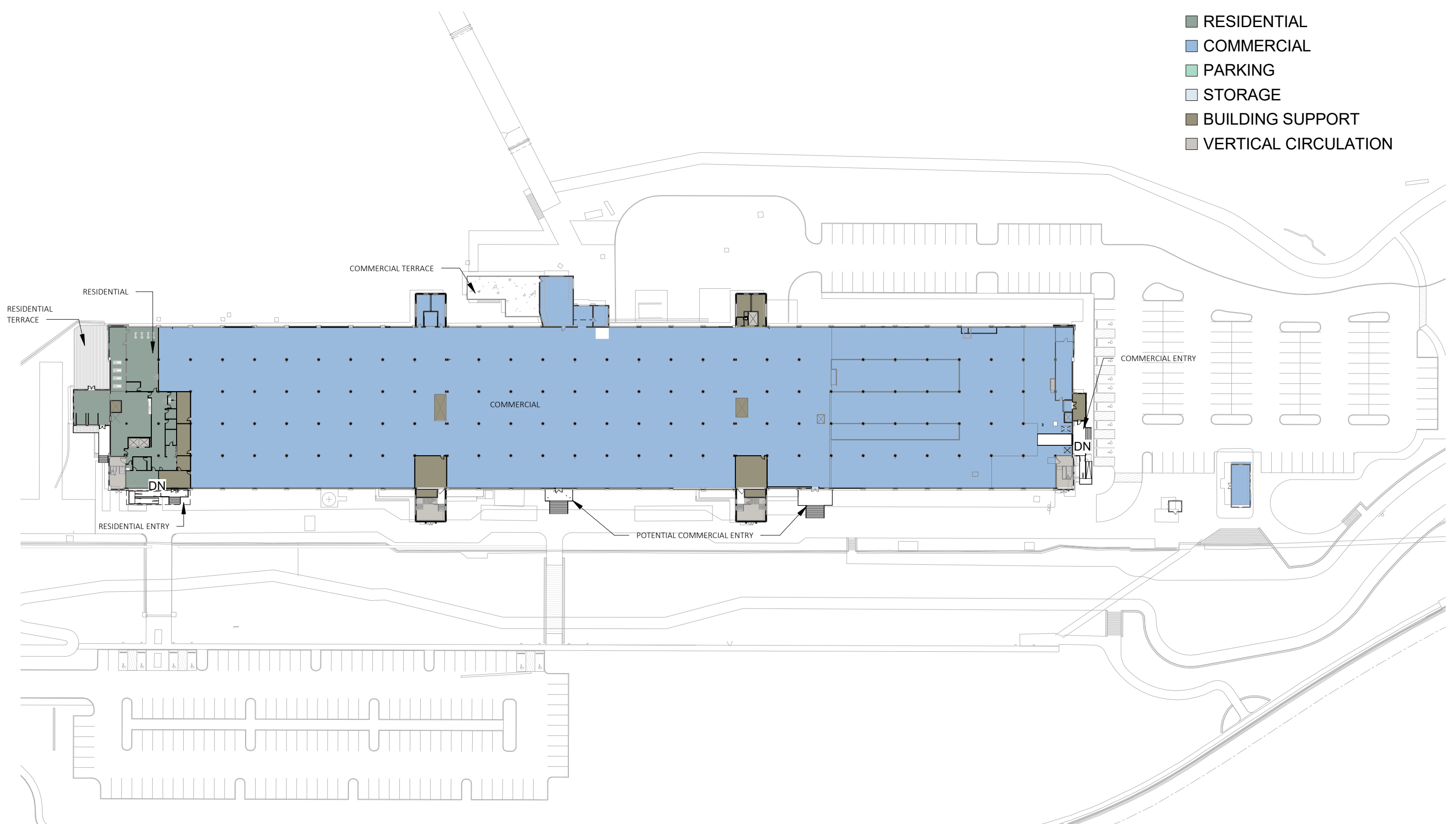


1 LOWER LEVEL PLAN
1" = 80'-0"

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE
DANVILLE, VA 24541
04/19/2021

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION



1

FIRST FLOOR PLAN

1" = 80'-0"

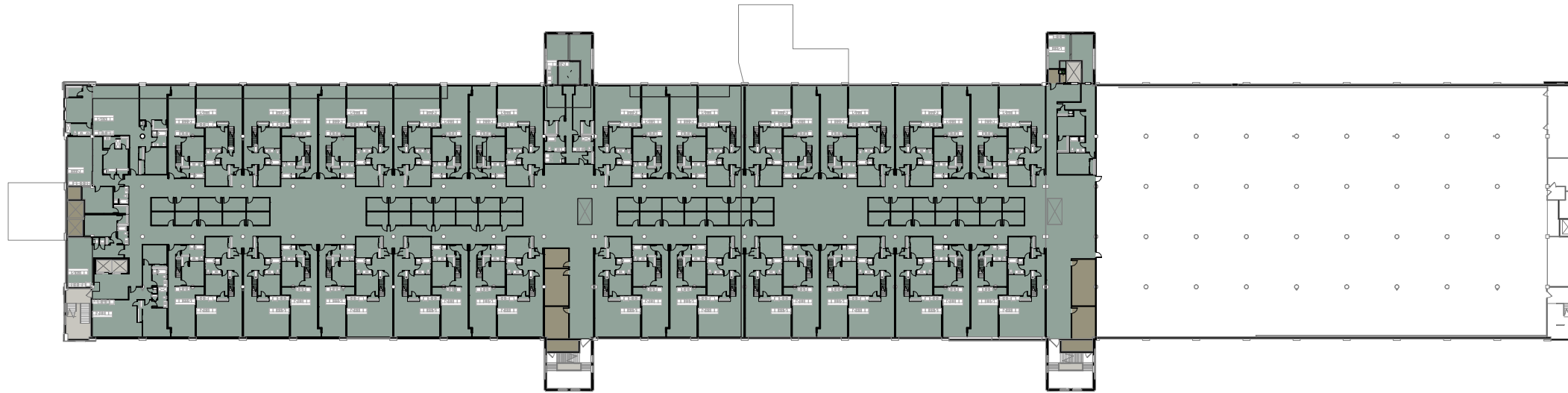
WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

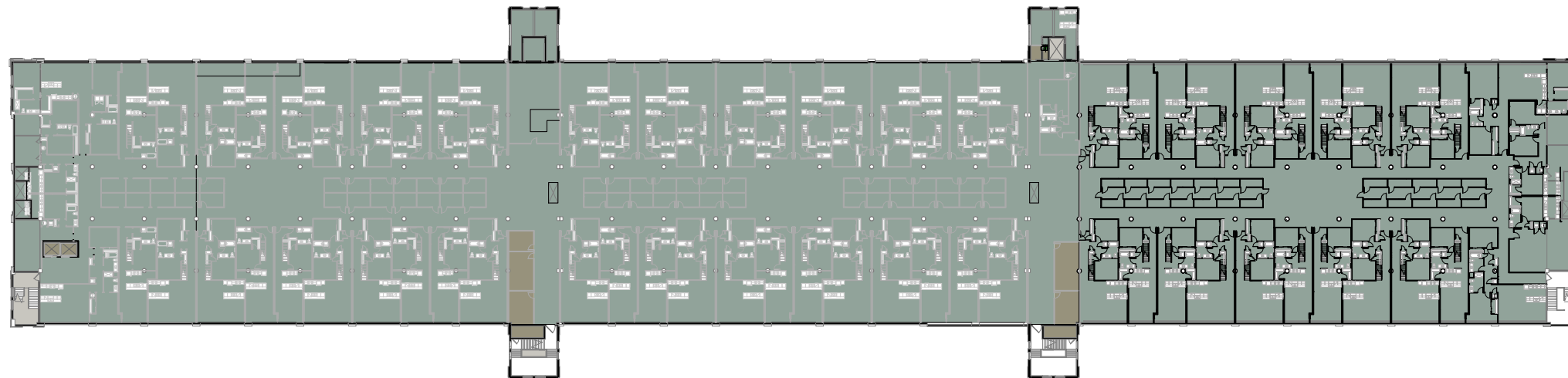
DANVILLE, VA 24541

04/19/2021

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION



1 2ND - 4TH FLOORS PLAN - PHASE 1
1" = 80'-0"



2 2ND - 4TH FLOORS PLAN - PHASE 2
1" = 80'-0"

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

DANVILLE, VA 24541

04/19/2021



1 Bedroom Loft - (Lower Level)



1 Bedroom Loft – (Upper Level)



1 Bedroom Flat

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE
DANVILLE, VA 24541
03/02/21



3 Bedroom Loft – (Lower Level)



3 Bedroom Loft – (Upper Level)



WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE
DANVILLE, VA 24541
03/02/21

WHITE MILL PROJECT TIMELINE

4/18/2021	Draft Preliminary Development Agreement	
5/10/2021	Preliminary Development Agreement	
6/6/2021	Option Extension Deadline	
8/30/2021	Construction Documents for Bidding	
9/1/2021	Circulate Initial Partnership Agreements & Loan Documents	
9/29/2021	Bids Due	
10/6/2021	Draft Construction Contract	
10/19/2021	Closing Date - Construction Commencement	
6/20/2023	Targeted Placed in Service Date	
7/20/2023	Phase 1 Completion	

White Mill

Special Use Permit Submittal

Appendix A – Existing Conditions



Existing North Facade



Existing North Facade



Mill Bridge at Dan River



Existing East Facade



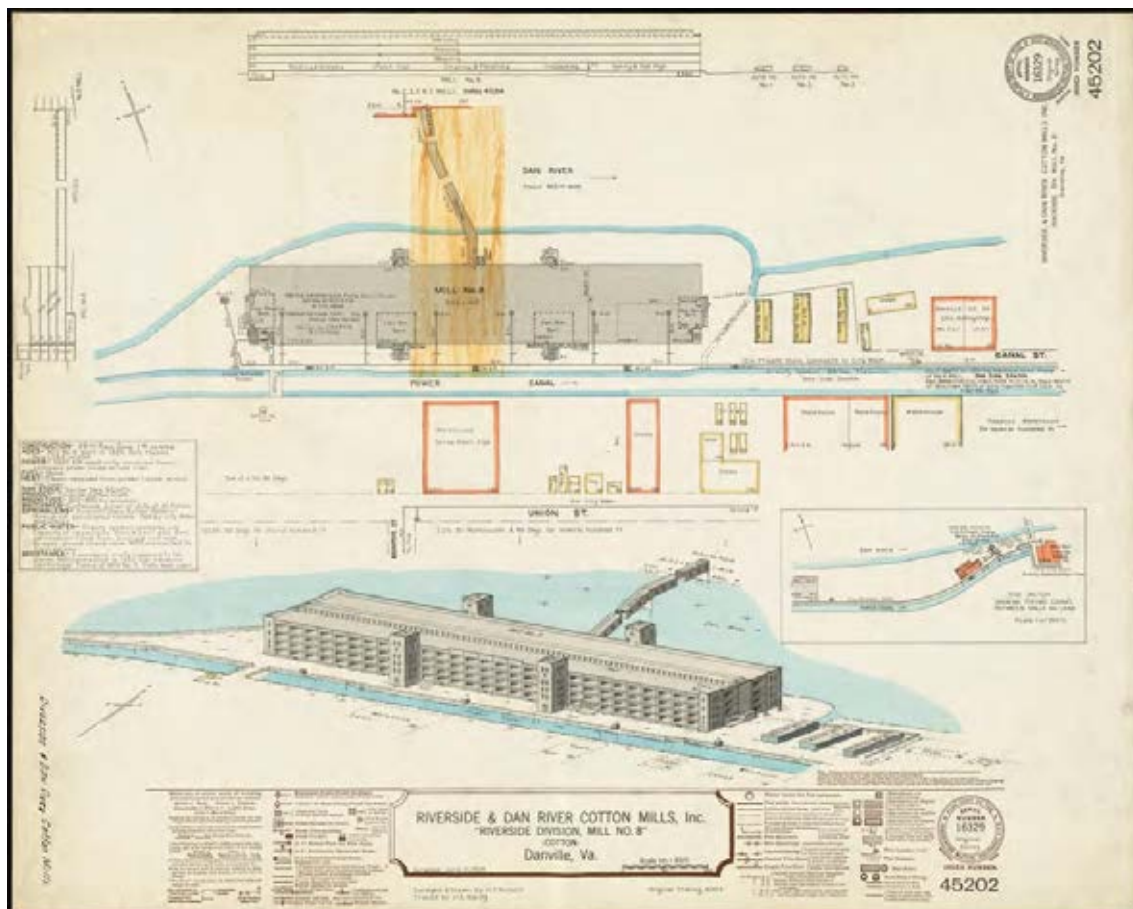


Existing North Facade

White Mill

Special Use Permit Submittal

Appendix B – Site Historical Photos



Original Schematic Sketch



Historic Aerial Photo of South Facade



Historic Photo of North Façade and Bridge



Historic Photo of West Façade and Mill Run

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-152

PUBLIC HEARING DATES:	MAY 10, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF MEMORIAL DRIVE IN BETWEEN UNION STREET BRIDGE ROAD AND NORTH MAIN STREET
PRESENT ZONE:	TW-C, TOBACCO WAREHOUSE DISTRICT
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	FOR RESIDENTIAL AND COMMERCIAL USES PERMITTED BY RIGHT WITH LOT FRONTAGE ON THE DAN RIVER IN ACCORDANCE WITH ARTICLE 3.L SECTION C.11.
PRESENT USE OF PROPERTY:	VACANT INDUSTRIAL
PROPOSED USE OF PROPERTY:	MIXED-USE DEVELOPMENT
FUTURE LAND USE DESIGNATION:	MIXED USE
PROPERTY OWNER (S):	424 MEMORIAL DRIVE LLC
NAME OF APPLICANT (S):	ALEXANDER COMPANY
PROPERTY BORDERED BY:	DAN RIVER ON THE NORTH, RIVER DISTRICT ON THE SOUTH, FUTURE RIVERFRONT PARK ON THE EAST
ACREAGE:	18.98 ACRES TOTAL
CHARACTER OF VICINITY:	MIXED USE, COMMERCIAL CORRIDOR
INGRESS AND EGRESS:	MEMORIAL DRIVE
TRAFFIC VOLUME:	MEMORIAL DRIVE – 12,000 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.

Council Letter

City of Danville, Virginia



CL-2559

New Business B.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: Consideration of Amending Article 4.A. of the Zoning Ordinance

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 06/01/2021

SUMMARY

This is a request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, 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.

BACKGROUND

Occasionally the City administration, either at the request of the City Manager or the Planning Director and Zoning Administrator, becomes aware of a Zoning Ordinance text or map amendment that they would like to initiate. Typically, these proposals will correct an error/contradiction in the text or address a new situation the Zoning Ordinance did not previously contemplate.

RECOMMENDATION

The Planning Commission, at their May 10, 2021 meeting, voted 7-0 to recommend approval of the text amendment allowing staff -initiated zoning ordinance amendments.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____

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 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.

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 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 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 4. Section A Initiation of Zoning Amendments and Changes is hereby amended to allow the City Manager, Planning Director, or their designees to initiate Zoning Ordinance amendments in Chapter 41, entitled "Zoning Ordinance", of the Code of the City of Danville, Virginia, 1986, as amended, be and the same is hereby, amended and reordained to read as follows:

Article 4. ZONING AMENDMENTS

A. - Initiation of Zoning Amendments and Changes.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may by ordinance amend, supplement or change (a) the text of

the Zoning Ordinance, (b) the zoning district boundaries of the Official Zoning Map or (c) the zoning district classification of property.

Any such amendment may be initiated by:

1. City Council on its own motion;
2. Recommendation by the Planning Commission to the City Council;
3. Petition of the owner(s), contract purchaser with the owner's written consent, or the owner's agent with the owner's written consent, of the property which is the subject of the proposed amendment; or
4. The City Manager or their designee or the Planning Director/Zoning Administrator or their designee.

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: APRIL 19, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: ZONING ORDINANCE TEXT AMENDMENT

REQUEST

Request to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. 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.

RECOMMENDATION

The Planning Commission, at their May 10, 2021 meeting, voted 7-0 to recommend approval of the text amendment allowing staff -initiated zoning ordinance amendments.

Mr. Harold E. Garrison, Chair



MEMORANDUM

DATE: May 5, 2021
TO: Danville City Planning Commission
FROM: Doug Plachcinski, Planning Division Director
RE: ZONING ORDINANCE AMENDMENT INITIATION

Request to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. 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.

Occasionally the City administration, either at the request of the City Manager or the Planning Director + Zoning Administrator, becomes aware of a Zoning Ordinance text or map amendment that we would like to initiate. Typically, these proposals will correct an error/contradiction in the text or address a new situation the Zoning Ordinance does not previously contemplate.

PROPOSED ADOPTION TIMELINE:

- ✓ May 10, 2021 Planning Commission public hearing and text amendment recommendation to City Council.
- ✓ June 1, 2021 City Council public hearing and zoning ordinance text amendment ordinance adoption.

PROPOSED ZONING TEXT CHANGE:

Article 4. ZONING AMENDMENTS

A. - Initiation of Zoning Amendments and Changes.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may by ordinance amend, supplement or change (a) the text of the Zoning Ordinance, (b) the zoning district boundaries of the Official Zoning Map or (c) the zoning district classification of property.

Any such amendment may be initiated by:

1. City Council on its own motion;
2. Recommendation by the Planning Commission to the City Council;
3. Petition of the owner(s), contract purchaser with the owner's written consent, or the owner's agent with the owner's written consent, of the property which is the subject of the proposed amendment; or
4. The City Manager or their designee or the Planning Director/Zoning Administrator or their designee.

Council Letter

City of Danville, Virginia



CL-2563

New Business C.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: One Percent Sales Tax for School Construction

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

COUNCIL ACTION

Business Meeting: 06/01/2021

SUMMARY

At its May 20, 2021, meeting the School Board of the City of Danville determined that needed construction and improvements to Danville Public Schools' facilities, physical plants, security, and technology infrastructure were critically overdue and the Board determined that it has insufficient existing capital funding to meet its long-term capital needs for construction, renovation, technology and security upgrades to its facilities. The Board also formally requested that the City Council of the City of Danville, pursuant to Virginia Code § 58.1-605.1, initiate a referendum on the question of whether the City shall levy a one percent (1%) sales tax that will be solely used to finance those bonds for the construction or renovation of schools.

BACKGROUND

The Virginia General Assembly approved HB 1634, which was signed into law by the Governor on March 19, 2019, and which took effect on July 1, 2019, as Chapter 648 of the 2019 Acts of the General Assembly of the Commonwealth of Virginia. HB 1634 is codified at Virginia Code §58.1-605.1. It provides the City of Danville with the statutory authority to levy a general retail sales tax at a rate not to exceed one percent (1%) to provide revenue solely for capital projects for the construction or renovation of schools in the City of Danville if approved by a majority of the voters in a referendum, held in accordance with Virginia Code §24.2-684 and initiated by a resolution of the Council of the City of Danville.

RECOMMENDATION

Staff recommends approval of this resolution to initiate a referendum on the question of whether the City shall levy a one percent (1%) sales tax that will be solely used to finance those bonds for the construction or renovation of schools pursuant to Virginia Code §58.1-605.1 and further Council authorizes and directs the City Attorney and such other appropriate officers of the City of Danville to execute, deliver, and file all such documents, pleadings, petitions, certificates, and instruments, and to take all such further actions as may be necessary, expedient or desirable in connection with, and that are in conformity with the purposes of this resolution to initiate the above referenced referendum to be held on November 2, 2021.

Attachments

One percent Sales Tax Referendum

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021-_____._____

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.

WHEREAS, the Virginia General Assembly approved HB 1634, which was signed into law by the Governor on March 19, 2019, and which took effect on July 1, 2019, as Chapter 648 of the 2019 Acts of the General Assembly of the Commonwealth of Virginia ; and

WHEREAS, HB 1634 is codified at Virginia Code §58.1-605.1 as of July 1, 2019; and

WHEREAS, Virginia Code §58.1-605.1 provides the City of Danville with the statutory authority to levy a general retail sales tax at a rate not to exceed one percent (1%) to provide revenue solely for capital projects for the construction or renovation of public schools in the City of Danville; and

WHEREAS, the City of Danville may not levy the general retail sales tax authorized by Virginia Code §58.1-605.1 unless and until the tax is approved in a referendum within the City of Danville held in accordance with Virginia Code §24.2-684 and initiated by a resolution of the Council of the City of Danville; and

WHEREAS, Virginia Code §58.1-605.1 requires that the resolution authorizing the referendum state, if the capital projects for the construction or renovation of school are to be financed by bonds or loans, the date by which those bonds or loans shall be repaid; and

WHEREAS the City of Danville will finance the capital projects for the construction or renovation of schools by bond or loans; and

WHEREAS, the general retail sales tax authorized by Virginia Code §58.1-605.1 shall expire on May 31, 2041.

NOW THEREFORE, BE IT RESOLVED, by the Council for the City of Danville as follows:

1. The Council of the City of Danville hereby authorizes and initiates a referendum within the City of Danville in accordance with Virginia Code §24.2-684 on a ballot question in substantially the following form:

“Should the City of Danville be authorized to levy a general retail sales tax at a rate not to exceed one percent (1%) provided that the revenues from the sales tax shall be used solely for capital projects for the construction or renovation of public schools in the City of Danville and the sales tax shall expire on May 31, 2041?

☐ Yes

☐ No

2. The capital projects for the construction or renovation of schools will be financed by bonds or loans. The general retail sales tax, if approved, shall expire on the date by which bonds or loans shall be repaid.
3. The Council of the City of Danville hereby authorizes and directs the City Attorney and such other appropriate officers of the City of Danville to execute, deliver, and file all required pleadings with the City of Danville Circuit Court to initiate the above referenced referendum to be held on November 2, 2021.
4. The Council hereby directs the City Attorney, City Manager, and such other appropriate officers of the City of Danville to execute, deliver, and file all documents, pleadings, petitions, certificates, and instruments, and to take all such further actions as may be necessary, expedient or desirable in connection with, and that are in conformity with, the purposes, spirit, and intent of this resolution. Without limiting the foregoing the City Attorney, City Manager, and such other appropriate officers of the City of Danville are specifically authorized to modify the ballot question as stated herein as they deem necessary to conform to the requirements of the City of Danville Circuit Court, the State Board of Elections, and/or the Local Electoral Board.

5. The recitals to this Resolution are hereby incorporated by reference and are declared to be findings of the Council in connection with its decision to adopt this Resolution.
6. This Resolution shall take effect immediately.

APPROVED

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2548

New Business D.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: State funds for River Front Park

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/01/2021

Final Adoption 06/15/2021

SUMMARY

The State of Virginia's recently adopted budget includes \$740,000 allocated to the Office of Natural Resources - Leisure and Recreation Services for the development and construction of the Riverfront Park in Danville. The funds are matched with other City funding from various sources. The attached ordinance allows the City to accept these funds and appropriate them for the intended purpose.

BACKGROUND

For the past 5 years, the City of Danville Parks and Recreation Department has worked to plan, develop, and construct a high-quality recreation facility on the banks for the Dan River between the White Mill and the Martin Luther King, Jr. Bridge. This project is intended to be a regional draw to Danville's award-winning River District and will include iconic elements that will be attractive for people of all ages and abilities. The park will receive funding from a variety of sources, including:

- \$4 million from the Danville Regional Foundation as a match to other funds raised.
- \$740,000 from the State of Virginia as a match to local funds appropriated.
- Over \$1.5 million from funds sourced from Duke Energy Coal Ash Spill grants and settlement funds.
- At least \$600,000 in donations from a variety of other sources.

Fund-raising efforts continue and will serve to lower the amount of local funds necessary to complete the project. In order to get the project underway, the Fiscal Year 2022 Budget includes sufficient funding to cover all the major match requirements, so those funds can be received.

RECOMMENDATION

It is recommended that City Council adopt the attached ordinance anticipating revenue and appropriating same for the River Front Park.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. -2021_.___

AN ORDINANCE 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.

WHEREAS, the City has been awarded a grant by the Department of Conservation and Recreation for the construction of the River Front Park; and

WHEREAS, this funding is matched by the City funding and will provide funding for the River Front Park.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2021 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenues from a grant in the amount of \$740,000 from the Department of Conservation and Recreation be appropriated in the Capital Projects fund as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
River Front Park Categorical Aid—State	61443000-45840	<u>\$740,000</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
River Front Park	61443999-50	<u>\$740,000</u>

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2554

New Business E.

City Council Regular Meeting

Meeting Date: 06/01/2021

Subject: American Rescue Funds

From: Cynthia Thomasson, Budget Director

COUNCIL ACTION

First Reading: 06/01/2021

Final Adoption: 06/15/2021

SUMMARY

The US Department of Treasury approved the American Recovery Plan and has awarded Danville \$29,142,851 to be paid in two equal installments. The first payment will be received in May 2021, and the second is to be received no sooner than 12 months after the first payment. The Treasury Department provided some general guidance on allowable and non-allowable uses for the funds, and will provide more specific guidance in the near future. The goal of the funds is to help localities respond to the immediate health impacts of the pandemic and to help residents and businesses quickly recover from the economic impact caused by COVID-19.

BACKGROUND

The American Recovery Plan (ARP) is similar to last year's CARES Act. The goal of the funding is to help people and businesses impacted by COVID-19. The ARP provides for somewhat more flexibility for local governments to use funds, which must be used by December 31, 2024.

A summary of the proposed uses of the funds are as follows:

- Support urgent COVID-19 response efforts to continue to decrease the spread of the virus and bring the pandemic under control.
- Replace lost public sector revenue to strengthen support for vital public services and help retain jobs.
- Support immediate economic stabilization for households and businesses.
- Address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic on certain populations.

For CARES Act and similar pandemic response funds received by the City of Danville, City Departments and outside agencies made requests to the City Manager and Finance Director for potential uses of the funds. These, generally, fit into four broad categories: monetary assistance for residents, grants for businesses, marketing and materials to educate and support people to better protect themselves from infection, and projects that supported a healthy and safe work environment for City employees. Specific examples of uses were:

- Grants for residents and businesses with utility payments

- Grants for residents and businesses with rent and mortgage payments
- Grants for businesses to pay for projects that helped them remain in business during the pandemic
- Technology upgrades for remote work and remote meetings for City government
- Emergency radio system upgrades
- Grants to help respond to food insecurity
- Laptop computers for Danville Community College students to help with remote learning
- Grants for childcare for essential workers
- Assistance with vaccine deployment initiatives
- Equipment for first responders

The Finance Director and City Manager evaluated each of the requests to make sure that the purpose was allowed by the Act and that the project met the need to immediately and effectively respond to the impacts of the pandemic.

The intention for ARP funds is to follow the same practice with an emphasis on funding allowable projects that enable the community to quickly recover from the economic impact of the pandemic. Staff will provide periodic detailed updates on the use of funds.

RECOMMENDATION

It is recommended that City Council adopt the attached ordinance anticipating receipt of funds from the US Treasury for the American Recovery Plan and appropriating said funds to be used for projects and purposes that meet the requirements of the legislation.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____.

AN ORDINANCE 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 TO AS SPECIFIED BY THE AMERICAN RESCUE PLAN AND, APPROPRIATION AS FOLLOWS:

WHEREAS the City of Danville has been awarded funds and anticipates receipt from the US Department of Treasury for the American Rescue Plan in the amount of \$29,142,851 to be received in two installments, 50% May 2021 and 50% no sooner than 12 months after the first payment; and

WHEREAS the funding will provide funding to:

- Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control;
- Replace lost public sector revenue to strengthen support for vital public services and help retain jobs;
- Support immediate economic stabilization for households and businesses;
- Address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic on certain populations;

AND WHEREAS these funds do not require a local match; and

WHEREAS, the funds will be posted to a project account in the Special Revenue Fund set up to hold funds which will be transferred to projects as determined; and

WHEREAS, transfer from Special Revenue Fund to the Capital Projects Fund is hereby authorized for projects deemed as capital expenditures.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2021 Budget Appropriation Ordinance be, and the same is hereby,

amended by increasing revenue to anticipate the receipt of funds in the amount of \$29,142,851 from the US Government, American Rescue Plan, such revenue and appropriation to be as follows:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Special Revenue Fund CARES	61667000-48090	<u>\$29,142,851</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Special Revenue Fund American Rescue Plan	61667999-50	<u>\$29,142,851</u>

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

BE IT FURTHER ORDAINED, that this appropriation shall be a flexible budget for American Rescue Plan funding; and

BE IT FINALLY 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:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY