



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

April 2, 2019

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

CITY COUNCIL MEMBERS: James B. Buckner
L.G. "Larry" Campbell, Jr.
Dr. Gary P. Miller
Sherman M. Saunders
Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager
W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

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

Time and Place of Meeting

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

Communications from Visitors

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

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There

shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Sherman M. Saunders

PLEDGE OF ALLEGIANCE TO THE FLAG

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on March 5, 2019.
Council Letter Number CL - 2085.

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.

NEW BUSINESS

- A. Consideration of Amending the FY 2019 Budget Appropriation Ordinance to Provide for State Aviation Capital Grant Funding and the Local Share, in the amount of \$684,329.
Council Letter Number CL - 2083

An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to Provide for Additional State Aviation Funding for the Purpose of Completing Design Services to Update the Airport Layout Plan and to Support the Expansion of Hangar Facilities and the Walking Trail and for Construction Activities to Rehabilitate T-Hangar Taxi-Lanes in the Amount of \$652,525 plus the Local Share in the Amount of \$31,804 to be Provided by a Transfer from the General Fund Support of Special Grants and Appropriating Same.

FIRST READING

- B. Consideration of Amending the Fiscal Year 2019 Budget Appropriation Ordinance for VDOT Revenue Sharing Program Funds.
Council Letter Number CL - 2079.

- 1. An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance for a Project to be Undertaken within the City of Danville on South Union Street and to be Financed Anticipating Revenue Sharing Program Funds from the Virginia Department of Transportation in the Amount of \$350,000.00.

FIRST READING

2. An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance for a Project to be Undertaken within the City of Danville on Main Street and to be Financed Anticipating Revenue Sharing Program Funds from the Virginia Department of Transportation in the Amount of \$350,000.00.

FIRST READING

3. An Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance for a Project to be Undertaken within the City of Danville on Riverside Drive and to be Financed Anticipating Revenue Sharing Program Funds from the Virginia Department of Transportation in the Amount of \$483,652.00.

FIRST READING

- C. Consideration of Affirming the City's Commitment to Funding the Locality Shares of Approved Projects with VDOT.

Council Letter Number CL - 2080.

A Resolution Affirming City's Commitment to Fund the Locality Share of Projects Under Agreement with the Virginia Department of Transportation and Provide Signature Authority for Project Agreements and Addendums.

- D. Consideration of Granting a Special Use Permit for a Duplex at 338 Third Avenue.

Council Letter Number CL - 2091

1. Public Hearing
2. An Ordinance Granting a Special Use Permit for a Duplex in Accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended, at 338 Third Avenue Otherwise Known as Grid 2813, Block 004, Parcel 000015 of the City of Danville, Virginia Zoning District Map.

- E. Consideration of Granting a Special Use Permit for a Daycare Center at 110 Exchange Street.

Council Letter Number CL - 2092.

1. Public Hearing
2. An Ordinance Granting a Special Use Permit for a Daycare Center in Accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., Otherwise Known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map.

COMMUNICATIONS FROM:

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

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2085

Meeting Minutes Item #: A.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Consideration of Approval of Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 04/02/2019

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on March 5, 2019.

Council Letter Number CL - 2085.

Attachments

Meeting Minutes

The Regular March meeting of the Danville City Council was held on March 5, 2019, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9). *Mr. Whittle entered the meeting at 7:03 p.m.*

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

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Dr. Gary P. Miller; Girl Scout Troop #970 led the Pledge of Allegiance to the Flag.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones read a Proclamation for Girl Scout Week, March 10-16, 2019, and presented it to Girl Scout Troop #970. Girl Scout Lillian Sullivan thanked the Mayor and City Council for allowing her troop to be here this evening as they begin to celebrate Girl Scout week. She noted Girl Scouts have been a part of her life for many years and appreciated the opportunities she has received from the Girl Scouts. Troop 970 gave cookies to Council Members, and Council thanked the them for what they do in the community, and for the cookies.

MEETING MINUTES

Upon **Motion** by Council Member Shanks and **second** by Council Member Campbell, Minutes of the Regular Council Meeting held on February 5, 2019 were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

PUBLIC HEARING – CONSIDERATION OF A SPECIAL USE PERMIT AT 524 CHATHAM AVENUE

Mayor Jones opened the floor for the Public Hearing for Consideration of a Special Use Permit. Notice of the Public Hearing was published in the *Danville Register & Bee* on February 19, 2019 and February 26, 2019. Mayor Jones recognized Gary Wasson, Director of the Danville Redevelopment and Housing Authority who noted he was here to answer any questions Council may have about this item. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2019-03.01

GRANTING A SPECIAL USE PERMIT FOR A PUBLIC USE IN ACCORDANCE WITH ARTICLE 3.E, SECTION C, ITEM 15 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED AT 524 CHATHAM AVENUE, OTHERWISE KNOWN AS GRID 1610,

BLOCK, 008, PARCEL 000014, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP SUBJECT TO CONDITIONS.

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

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

BUDGET AMENDMENT– CONSIDERATION OF AMENDING THE FY 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT

Upon **Motion** by Vice Mayor Vogler and **second** by Council Member Shanks, an Ordinance entitled:

ORDINANCE NO. 2019-03.02

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT IN AN AMOUNT OF \$56,347 FOR EQUIPMENT UPGRADES TO THE DANVILLE REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM, AND APPROPRIATING SAME.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FY 2019 BUDGET APPROPRIATION ORDINANCE FOR RECREATION ENRICHMENT PROGRAM FUNDS

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

ORDINANCE NO. 2019-03.03

AMENDING THE FISCAL YEAR 2019 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 \$137,624 FOR A TOTAL APPROPRIATION OF \$192,844 AND APPROPRIATION OF SAME.

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

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager, or City Clerk. City Attorney thanked the Girl Scouts for the Cookies and noted “Go Eagles!”.

ROLL CALL

Council Member Miller noted what the Girl Scouts do was great; he had two Girl Scouts and thought it was one of the best things they ever did. Last week was the dedication of the First State Bank on Union Street; the bank was formed in 1919 and was an important part of Danville's history. Council Members went to the Edmunds event last week, it was a fascinating event, and a benefit for charity.

Council Member Saunders thanked the Girl Scouts for the cookies, and congratulated First State Bank on the marker that was put up, there is a lot of history at the Bank. The Edmunds event was very good, raising money for the church tutorial program; Frank Beamer was there as well. Chuck and Hutch did an excellent job interviewing the Edmunds brothers, their father and Kenny Lewis. Mr. Saunders noted he was very proud of the Edmunds family.

Council Member Shanks noted the event also included the Edmunds family, and Kenny Lewis and his foundation, Church Based Tutorial; the two partnered together and awarded nine scholarships. Mr. Shanks thanked the Girl Scouts for the cookies, encouraged them to keep up the great work they do in the City and appreciated all they do.

Council Member Tomer thanked the Girl Scouts for the cookies, coming to Council tonight, and appreciated all they do for the community. Prior to coming to this meeting, Mr. Tomer noted he received a phone call from a City resident, who wanted to call and thank him for everything Council has been working on to accomplish. Mr. Tomer noted he appreciated the positive feedback, and encouraged citizens to contact Council if they need anything.

Vice Mayor Vogler thanked the Girl Scouts, noting it was Council's favorite meeting of the year when they come, and thanked them for what they do all the time. The Edmunds event was tremendous and the Mayor did a great job as the MC. Mr. Vogler noted Council will be discussing Airbnbs in work session, making them easier to operate in the City. Last night was the first meeting of a group the Mayor helped put together for the holiday basketball tournament, to bring it back and get different teams involved. Mr. Vogler noted he feels blessed and honored to be able to serve on this Council with this group of people, and for everything wonderful he has in this life.

Council Member Whittle noted the Edmunds event was a fabulous time, thanked the Girl Scouts for the cookies and asked the City Manager to look into Sandy Thompson's light out in his front yard on Manchester Avenue; Mr. Larking noted he would look into it.

Council Member Buckner noted it was a great way to end Black History Month by honoring one of the nation's oldest African American owned banks, First State Bank, now Movement Bank on the corner of Spring and Union Streets. It was also an appropriate way to kick off women's History Month by having the Girl Scouts, the future leaders of the country, here with Council tonight, and thanked them for being here.

Council Member Campbell stated the Edmunds event was exciting and wanted to salute their parents, they played a big roll in developing those young men. Mr. Campbell thanked the Girl Scouts and saluted the Police Department and the award ceremony last week; he heard a lot of stories of what the police did taking care of the citizens of Danville.

Mayor Jones thanked the Girl Scouts for coming to Council this evening and appreciated all they do in the community. Mayor Jones stated that Council has attended, at the Institute, the

Wendell Scott dedication, the SOVAH Heart Celebration, the E Boys Celebration and last weekend they were back at the Institute for the I Am Sarah event. Council also attended the First State Bank event, tomorrow there was another one for the Riverside Auctioneers and noted to Council, he appreciates everything they do. Mayor Jones asked Mr. Wasson from the DRHA to come up and explain the Neighborhood Center that was voted on this evening. Mr. Wasson gave a brief overview of the youth center that will be opening in Cardinal Village, and noted it will be available to all citizens. Mayor Jones noted to Coach Parker and the GW Eagles, City Council was supporting them. To the City Manager and Deputy City Manager, Mayor Jones thanked them for helping out on the holiday basketball tournament; they took the ball and ran with it. Last night there was a great meeting with leaders from the community and thanked them for all they do.

The meeting adjourned at 7:28 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2083

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Airport Capital Grants

From: Marc Adelman, Director of Transportation Services

COUNCIL ACTION

First Reading: 04/02/2019

Final Adoption: 04/16/2019

SUMMARY

The Virginia Department of Aviation administers an Airport Capital Grant Program that provides funding for design services and construction activities for capital projects; the maximum state participation for capital projects is eighty percent. The Virginia Department of Aviation and the Virginia Aviation Board has approved state funding for two airport projects which involves design services to widen a taxiway and develop an aircraft parking area to support future hangar development. The design services project will include activities to update the Airport Layout Plan which is required to construct airport facilities and other infrastructure improvements. In addition, the state has approved capital aid to rehabilitate taxi-lanes that provide access to the t-hangar buildings. This project was previously identified in the FY 2019 Capital and Special Projects Plan.

BACKGROUND

State capital grant requests for two different projects at the Danville Regional Airport have been approved for funding by the Virginia Department of Aviation and the Virginia Aviation Board. An approved design services project will support modifications of a taxiway located near the t-hangar buildings on the south side of the airfield and construction of an aircraft parking area for future corporate hangar and t-hangar building development. Presently, all hangars located at the airport are leased and a waiting list exists for t-hangars. Engineering services activities will also include updating the Airport Layout Plan to accommodate these proposed changes and plans to develop a walking trail along Airport Drive. In addition, the state approved capital funding to rehabilitate taxi-lanes that provide access to the t-hangar buildings. This pavement area is in poor condition and requires repaving. The rehabilitation project will involve pavement removal, milling, installation of base course, repaving and installation of airfield markings.

RECOMMENDATION

It is recommended that City Council approve an Ordinance Amending the Fiscal Year 2019 Budget Appropriation Ordinance to provide for State Aviation capital grant funding, and the local share and appropriating the same. The local share will be provided through the Support of Special Grants Fund.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-_____-_____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR ADDITIONAL STATE AVIATION FUNDING FOR THE PURPOSE OF COMPLETING DESIGN SERVICES TO UPDATE THE AIRPORT LAYOUT PLAN AND TO SUPPORT THE EXPANSION OF HANGAR FACILITIES AND THE WALKING TRAIL AND FOR CONSTRUCTION ACTIVITIES TO REHABILITATE T-HANGAR TAXI-LANES IN THE AMOUNT OF \$652,525 PLUS THE LOCAL SHARE IN THE AMOUNT OF \$31,804 TO BE PROVIDED BY A TRANSFER FROM THE GENERAL FUND SUPPORT OF SPECIAL GRANTS AND APPROPRIATING SAME.

WHEREAS, design services are required to update the Airport Layout Plan and to support hangar facility development including the expansion of the walking trail along Airport Drive; and

WHEREAS, the Virginia Department of Aviation determined the existing condition of taxi-lanes that provide access to the t-hangar buildings requires rehabilitation; and

WHEREAS, bond funds in the amount of \$131,327 were provided in the Fiscal Year 2019 CSP and appropriated in the Fiscal Year 2018 Bond Appropriation Ordinance; and

WHEREAS, the design services project and taxi-lane rehabilitation project will be funded at eighty percent with state capital aid.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and it is hereby, amended by increasing revenues for grants from the Virginia Department of Aviation in the amount of \$652,525 and the local share in the amount of \$31,804, such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Design Services Project – Update Airport Layout Plan and Widen Taxiway for hangar development		
State Aviation Funds	31477000-45712	\$127,040
Transfer from Support of Grants Fund	31477000-6101	<u>31,760</u>
	SUB TOTAL	\$158,800
Rehabilitate Taxi-lanes (Construction)		
State Aviation Funds	61109001-45712	\$525,485
Transfer from Support of Grants Fund	61109001-6101	<u>44</u>
	SUB TOTAL	\$525,529
	GRAND TOTAL	<u>\$684,329</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Design Services Project	31477999-50	\$158,800
Rehabilitate Taxi-lanes	61109999-50	<u>\$656,856</u>
	GRAND TOTAL	<u>\$684,329</u>

AND BE IT FURTHER ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2079

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Virginia Department of Transportation - Fiscal Year 2019 Revenue Sharing Program Allocations

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

First Reading: 04/02/2019

Final Adoption: 04/16/2019

SUMMARY

The Commonwealth Transportation Board approved allocations for the FY 2019 Revenue Sharing Program. The City of Danville received a total of \$1,183,652 for the following projects:

\$483,652 / UPC 113247 - Riverside Drive East Bound Lane Concrete Base Removal - Audubon Drive to Arnett Boulevard

\$350,000 / UPC 113328 - 600 Block Main Street Improvements

\$350,000 / UPC 113332 - South Union Street Improvements

These allocations need to be appropriated into the Capital Projects Fund account.

BACKGROUND

In October 2017, the City of Danville submitted Revenue Sharing Program applications to the Virginia Department of Transportation (VDOT) for three Fiscal Year 2019 projects. VDOT's Revenue Sharing Program provides localities with a funding source for transportation improvement projects. The program requires the locality to match the awarded allocations. The City's matching funds were previously appropriated in General Fund Capital Projects.

RECOMMENDATION

It is recommended that City Council adopt the three accompanying Ordinances Amending the FY 2019 Budget Appropriation Ordinance, to appropriate Revenue Sharing Program funds from the Virginia Department of Transportation in the total amount of \$1,183,652.

Attachments

Ordinance

Ordinance

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE ON SOUTH UNION STREET AND TO BE FINANCED ANTICIPATING REVENUE SHARING PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$350,000.00.

WHEREAS the City of Danville requested the Virginia Department of Transportation to allocate Revenue Sharing Program funds for a street improvement project in the City of Danville; and

WHEREAS the City of Danville has received notification from the Virginia Department of Transportation of a Revenue Sharing Program allocation in the amount of \$350,000.00; and

WHEREAS these funds will be appropriated for UPC 113332 – River District South Union Street Improvements; and

WHEREAS previously approved and appropriated capital funds will be used to meet the city's obligations for the required local match.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby, amended by using anticipated Revenue Sharing Program fund revenues from the Virginia Department of Transportation in the amount of \$350,000.00, and such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund UPC 113332 – River District S. Union St. Improvements	61398000-47465	<u>\$350,000.00</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund UPC 113332 - River District S. Union St. Improvements	61398999-50	<u>\$350,000.00</u>

AND BE IT FURTHER ORDAINED that a flexible budget is hereby authorized whereby appropriations may be increased to the extent that actual revenues exceed the original revenue budget amount; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE ON MAIN STREET AND TO BE FINANCED ANTICIPATING REVENUE SHARING PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$350,000.00.

WHEREAS the City of Danville requested the Virginia Department of Transportation to allocate Revenue Sharing Program funds for a street improvement project in the City of Danville; and

WHEREAS the City of Danville has received notification from the Virginia Department of Transportation of a Revenue Sharing Program allocation in the amount of \$350,000.00; and

WHEREAS these funds will be appropriated for UPC 113328 – River District 600 Block Main Street Improvements; and

WHEREAS previously approved and appropriated capital funds will be used to meet the City's obligations for the required local match.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby, amended by using anticipated Revenue Sharing Program fund revenues from the Virginia Department of Transportation in the amount of \$350,000.00, and such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund UPC 113328 – River District 600 Block Main Street Improvements	61476000-47465	<u><u>\$350,000.00</u></u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund UPC 113328 - River District 600 Block Main Street Improvements	61476999-50	\$350,000.00

AND BE IT FURTHER ORDAINED that a flexible budget is hereby authorized whereby appropriations may be increased to the extent that actual revenues exceed the original revenue budget amount; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR A PROJECT TO BE UNDERTAKEN WITHIN THE CITY OF DANVILLE ON RIVERSIDE DRIVE AND TO BE FINANCED ANTICIPATING REVENUE SHARING PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$483,652.00.

WHEREAS the City of Danville requested the Virginia Department of Transportation to allocate Revenue Sharing Program funds for a street improvement project in the City of Danville; and

WHEREAS the City of Danville has received notification from the Virginia Department of Transportation of a Revenue Sharing Program allocation in the amount of \$483,652.00; and

WHEREAS these funds will be appropriated for UPC 113247 - Riverside Drive East Bound Lane Concrete Base Removal from Audubon Drive to Arnett Boulevard; and

WHEREAS previously approved and appropriated capital funds will be used to meet the City's obligations for the required local match.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the Fiscal Year 2019 Budget Appropriation Ordinance be, and is hereby, amended by using anticipated Revenue Sharing Program fund revenues from the Virginia Department of Transportation in the amount of \$483,652.00, and such funds to be appropriated as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund		
UPC 113247 - Riverside Drive EBL	61475999-47465	<u>\$483,652.00</u>
Concrete Base Removal		
Audubon to Arnett		

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Projects Fund UPC 113247 - Riverside Drive EBL Concrete Base Removal Audubon to Arnett	47475999-50	<u>\$483,652.00</u>

AND BE IT FURTHER ORDAINED that a flexible budget is hereby authorized whereby appropriations may be increased to the extent that actual revenues exceed the original revenue budget amount; and

BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2019 Budget Appropriation Ordinance, as amended, not hereby amended, shall continue in full force and effect unless and until 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-2080

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Virginia Department of Transportation - Locality Commitment to Provide Funding for Approved Projects - Signature Authority

From: Brian Dunevant, Assistant Public Works Director & City Engineer

COUNCIL ACTION

Business Meeting: 04/02/2019

SUMMARY

The Virginia Department of Transportation (VDOT) is requesting a resolution affirming the City's commitment to fund the locality share of approved projects under agreement with the Virginia Department of Transportation. The resolution also provides signature authority for project agreements and addendums.

BACKGROUND

Each year, the City of Danville submits various transportation project applications to VDOT. Certain funding programs require the locality to match a certain percentage of the allocated VDOT funds. Some projects also require project agreements to be executed by the City Manager.

RECOMMENDATION

It is recommended that City Council adopt the accompanying resolution that affirms the City's commitment to funding the locality's share of approved projects and that authorizes the City Manager to sign agreements and addendums for any approved projects with the Virginia Department of Transportation.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2019-____.____

A RESOLUTION AFFIRMING CITY'S COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECTS UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY FOR PROJECT AGREEMENTS AND ADDENDUMS.

WHEREAS, the City of Danville is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Danville, Virginia hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED, that the City Manager, and/or his or her designees, is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney

Council Letter

City of Danville, Virginia



CL-2091

New Business Item #: D.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Request for a Special Use Permit for a Duplex at 338 Third Avenue

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

COUNCIL ACTION

Business Meeting: 04/02/2019

SUMMARY

A request has been filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended at 338 Third Avenue, otherwise known as Grid 2813, Block 004, Parcel 000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to use a vacant structure as a duplex residential dwelling.

BACKGROUND

The applicant, Ta Lowery, is requesting a Special Use Permit to use a vacant structure as a duplex residential dwelling at 338 Third Avenue. This property is located in the OT-R, Old Town Residential District.

The applicant acquired the property in 2018, and has since begun renovating the existing residential structure. Once the renovations are completed, the applicant wishes to use the vacant structure as a duplex. The structure once contained multiple dwellings. At that time, it was considered to be legal nonconforming because it predated the current zoning ordinance. However, records indicate the property has been vacant since 1995. Therefore, the structure lost legal nonconforming status. A Special Use Permit is now required for any duplex in this zoning district. Article 15, Section B of the Zoning Ordinance defines duplex as follows:

"Duplex. A group of two (2) single family dwelling units which are generally joined to one another by a common party wall, a common floor/ceiling and/or connecting permanent structures such as breezeways, carports, garages or screening fences or walls, whether or not such a group is located on a single parcel of ground or on adjoining individual lots. Each unit on a lot shall have its own outside entrance(s)."

Duplexes are typically considered on a case-by-case basis to address potential negative impacts on the surrounding neighborhood, such as increased traffic and noise. While the majority of this neighborhood remains single-family residential, a single duplex is not likely to cause any such concerns.

At their meeting of March 11, 2019, the Planning Commission voted 7-0 to recommend approval of the request as submitted.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance granting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended, at 338 Third Avenue, otherwise known as Grid 2813, Block 004, Parcel 000015 of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planniing Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A DUPLEX IN ACCORDANCE WITH ARTICLE 3:E, SECTION C, ITEM 2 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 338 THIRD AVENUE, OTHERWISE KNOWN AS GRID 2813, BLOCK 004, PARCEL 000015 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission PLSUP20190000049, filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia, 1986, as amended, at 338 Third Avenue, otherwise known as Grid 2813, Block 004, Parcel 000015 of the City of Danville, Virginia Zoning District Map, is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, PLSUP20190000049, filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended, at 338 Third Avenue, otherwise known as Grid 2813, Block 004, Parcel 000015 of the City of Danville, Virginia Zoning District Map, is hereby granted and approved.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



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

City Planning Commission

MEMORANDUM

DATE: MARCH 11, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST

REQUEST:

Special Use Permit application PLSUP20190000049, filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended at 338 Third Ave otherwise known as Grid 2813 Block 004 Parcel 000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to use a vacant structure as a duplex residential dwelling.

RECOMMENDATION:

The Planning Commission voted 7-0 to recommend approval of the request.

Michael W. Searce (BSWJ)

Mr. Michael Searce, Chairman

RESPONSES:

Forty (40) notices were sent to property owners within three hundred (300) feet of the property. Ten (10) property owners returned statements. Ten (10) property owners are not opposed to the request (Carson Ronald T & Bonnie M, Haraway Douglas R, Williamson Glenn Franklin, Meeks Vickie D, Cockran Michael D, Hedrick Ralph C & Gloria W, Spring View Properties LLC, Chaney Vivian L, Hedrick Hunt Randolph Jr., and Sea Investments LLC). No property owners are opposed to the request.

COMMENTS:

"This property was a duplex, maybe a triplex, in 1987 and on up till rehab started in early 1990s. There are other multifamily properties in this area and they haven't been problematic." – Glenn F. Williamson



City Planning Commission

City Planning Commission
Meeting of March 11, 2019

Subject:

Special Use Permit application PLSUP20190000049, filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended at 338 Third Ave otherwise known as Grid 2813 Block 004 Parcel 000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to use a vacant structure as a duplex residential dwelling.

Background:

The applicant, Ta Lowery, is requesting a Special Use Permit to use a vacant structure as a duplex residential dwelling at 338 Third Ave. This property is located in the OT-R, Old Town Residential District.

The applicant acquired the property in 2018, and has since begun renovating the existing residential structure. Once the renovations are completed, the applicant wishes to use the vacant structure as a duplex. The structure once contained multiple dwellings. At that time, it was considered to be legal nonconforming because it predated the current zoning ordinance. However, records indicate the property has been vacant since 1995. Therefore, the structure lost legal nonconforming status. A Special Use Permit is now required for any duplex in this zoning district. Article 15, Section B of the Zoning Ordinance defines duplex as follows:

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Duplexes are typically considered on a case-by-case basis to address potential negative impacts on the surrounding neighborhood, such as increased traffic and noise. While the majority of this neighborhood remains single-family residential, a single duplex is not likely to cause any such concerns.

Forty (40) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on March 11, 2019.

Recommendation:

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit application PLSUP20190000049, filed by Ta Lowery, requesting a Special Use Permit for a duplex in accordance with Article 3:E, Section C, Item 2 of the Code of the City of Danville, Virginia 1986, as amended at 338 Third Ave otherwise known as Grid 2813 Block 004 Parcel 000015 of the City of Danville, Virginia Zoning District Map.

The Special Use Permit would permit the applicant to use the vacant structure as a duplex.

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000049 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000049 subject to conditions by the Planning Commission.
3. Recommend denial of Special Use Permit application PLSUP20190000049 as submitted.
4. Tabling of Special Use Permit application PLSUP20190000049 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Duplex residential dwelling

CASE NUMBER: PLSU 2019000049

EXISTING ZONING: OT-R Old Town Residential

PROPOSED ZONING: N/A

TAX MAP NUMBER: 2813-004-000015; 1D 00351

RECEIVED BY: Bryce Johnson

DATE FILED: Feb. 6, 2019

PLANNING COMMISSION DATE: March 11, 2019

CITY COUNCIL DATE: April 3, 2019

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

Exact legal description of property (Attach if insufficient space). 45 FT PT NO 4 Third Avenue

Gross Area/Net Area: 0.21 Acres Property Address: 338 Third Ave; Danville, VA 24540

Property Location: N S E (W) Side of: North Main Street

Between: Rocklawn Place and Jordan Street

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

Requesting a *Special Use Permit* to modify the existing single family dwelling (located at Parcel ID 00381) to create a two-family structure.

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

1. NAME: Ta Lowery TELEPHONE: (434) 429-2938

MAILING ADDRESS: 151 Candlewood Drive; Blairs, Virginia 24527-1021

SIGNATURE:  DATE: 05 FEB 2019

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: Ta_Averette@hotmail.com

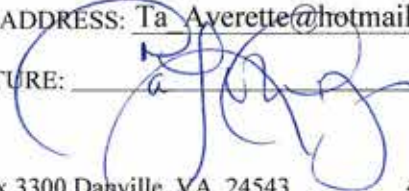
APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Ta Lowery TELEPHONE: (434) 429-2938

MAILING ADDRESS: 151 Candlewood Drive; Blairs, Virginia 24527-1021

EMAIL ADDRESS: Ta_Averette@hotmail.com

SIGNATURE:  DATE: 05 FEB 2019



Parcel ID: 00381
Address: 338 THIRD AVE
Owner: LOWERY TA
 151 CANDLEWOOD DR
 BLAIRS, VA 24527
Mail-To: LOWERY TA
 151 CANDLEWOOD DR
 BLAIRS, VA 24527



Value Information	
Land / Use:	\$2,500
Improvement:	\$24,900
Total:	\$27,400.00

Building Information	
Year Built:	1920
Total Rooms:	7
Bedrooms:	5
Full Bathrooms:	2
Half Bathrooms:	0
Finished Square Feet:	3,156

Additional Information			
State Code:	3131 MultiFam 4+units 1 Bldg	Approx Acres:	0.21
Land Use:	Residential	Legal Description:	45 FT PT NO 4 THIRD AVE
Tax Map:	2813-004-000015.000	Zone:	OTR Old Town Residential
Notes:	Avg Lot: 45.0 X 200.0WB 15-147; Bennie died 6/4/15, by sur to Carol & 6 lists. (Map 141-2-4)		

Building

Building Information - 1			
Property Class:	Residential	Finished Square Feet:	3,156
Style:	No Data	Basement Square Feet:	0
Year Built:	1920	Total Rooms:	7
Condition:	No Data	* Bathrooms are not included in total room count.	
Story Height:	Two Story		
Bedrooms:	5		
Dining Rooms:	0		
Family Rooms:	0		
Living Rooms:	0		
Full Bath:	2		
Half Bath:	0		
Features:		Size:	
Foundation - Cinder Block			0
Frame, Siding, Vinyl			100 %
Raised Slab Porch with Roof			388 SF
Composition Shingle			100 %

Improvements

There are no improvements.

Land

Land Code:	R06 Res FF (50)	Rate:	\$50
Acres:	0.21	Adj. Rate:	\$56
Sq. Ft.:	9,000	Base Value:	\$2,500
Front:	45	Adj. Amount:	\$0
Effective Front:	45	Value:	\$2,500
Depth:	200		

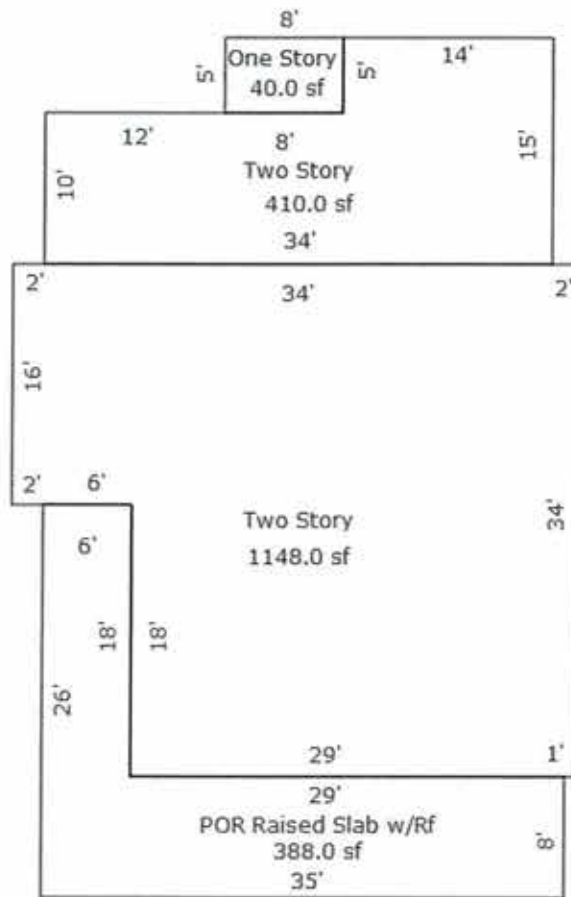
Transfers

Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 18	2651	\$14,500	8/3/2018	SOUTHERN VIRGINIA HOLDINGS LLC	LOWERY TA
D 15	2574	\$0	8/5/2015	MILAM CAROL S	SOUTHERN VIRGINIA HOLDINGS LLC
W 15	147	\$0	6/24/2015	SIGMON BENNIE WESLEY & MILAM CAROL S	MILAM CAROL S
D 906	158	\$28,000	11/3/1993	<i>No Data</i>	SIGMON BENNIE WESLEY & MILAM CAROL S

Assessments

Year	Land	Use	Improvements	Total
2018	\$2,500	\$0	\$24,900	\$27,400
2017	\$3,700	\$0	\$12,100	\$15,800
2016	\$3,700	\$0	\$12,100	\$15,800
2015	\$3,700	\$0	\$13,100	\$16,800
2014	\$3,700	\$0	\$13,100	\$16,800
2013	\$3,800	\$0	\$13,200	\$17,000
2012	\$3,800	\$0	\$13,200	\$17,000
2011	\$3,800	\$0	\$13,500	\$17,300
2010	\$3,800	\$0	\$13,500	\$17,300
2009	\$3,800	\$0	\$14,600	\$18,400
2008	\$3,800	\$0	\$14,600	\$18,400
2007	\$3,800	\$0	\$15,000	\$18,800
2006	\$3,800	\$0	\$15,000	\$18,800
2005	\$3,800	\$0	\$22,700	\$26,500
2004	\$3,800	\$0	\$22,700	\$26,500
2003	\$3,800	\$0	\$22,600	\$26,400
2002	\$3,800	\$0	\$22,600	\$26,400
2001	\$3,800	\$0	\$22,000	\$25,800
2000	\$3,800	\$0	\$22,000	\$25,800

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied of the enclosed information assumes all risk.

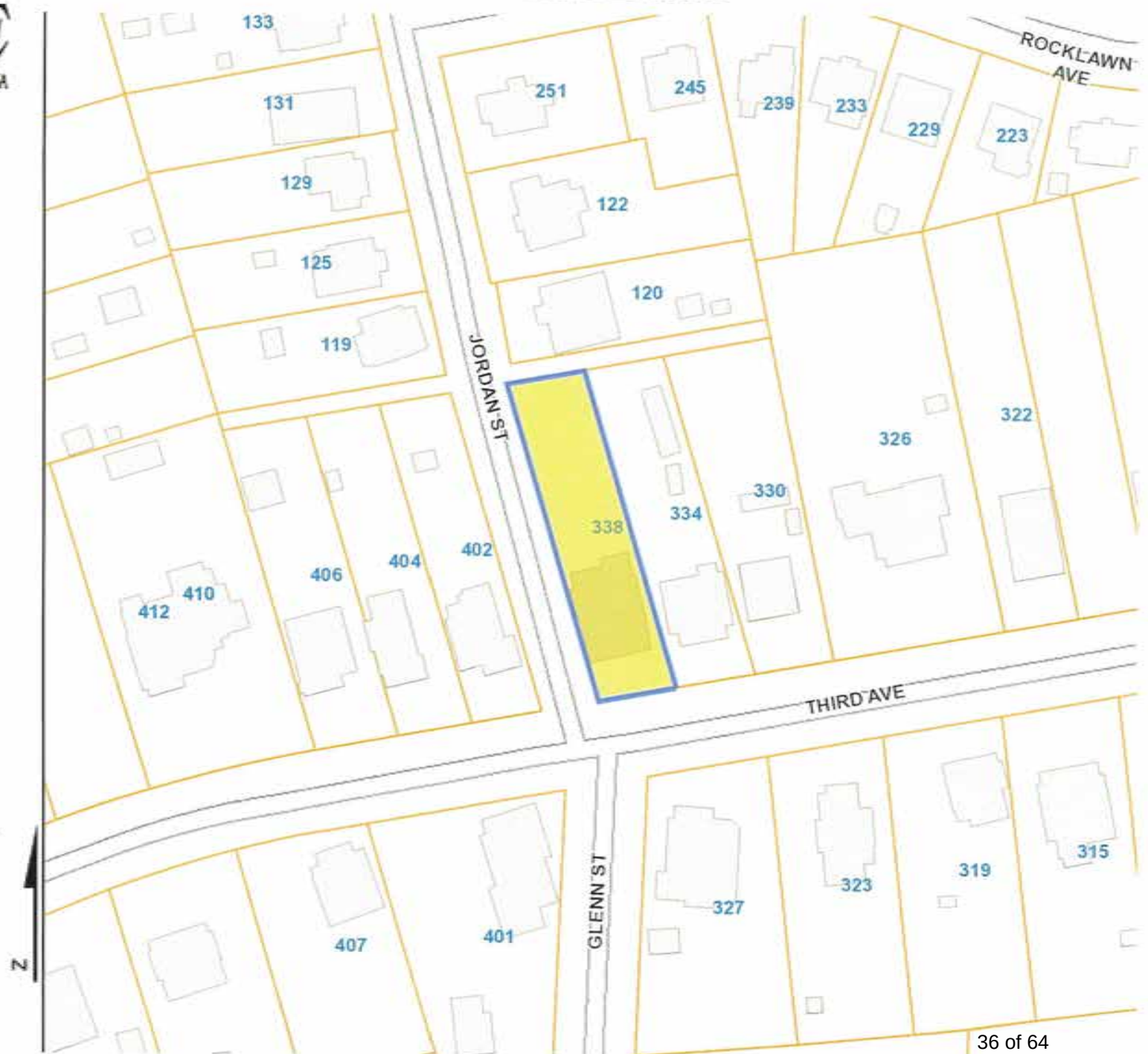


Sketch by Apex Medina™

Parcel ID: 00381



- Buildings
- Parcels
- Street Names
- House Numbers



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

Date: 2/2/2019

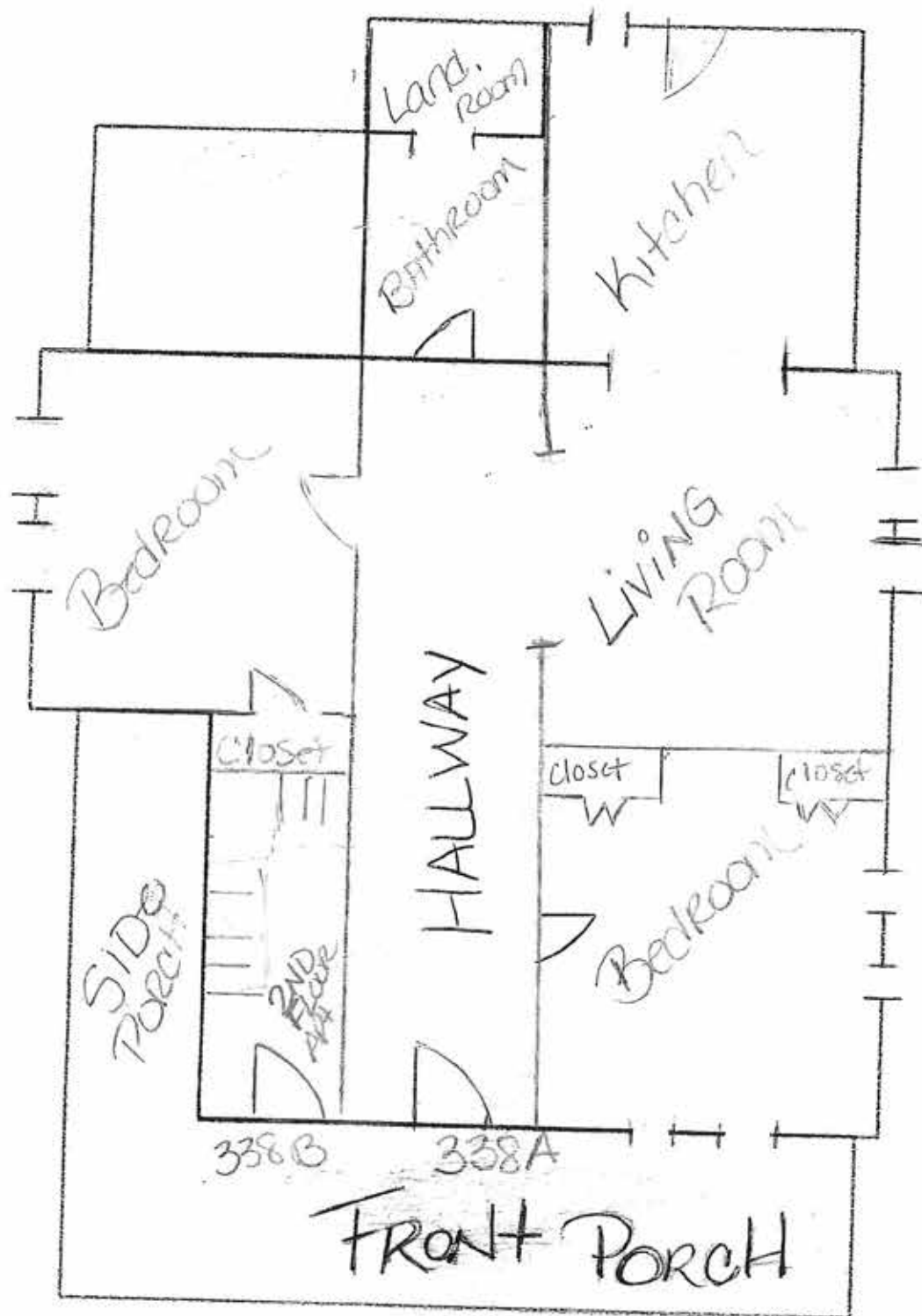


AERIAL VIEW



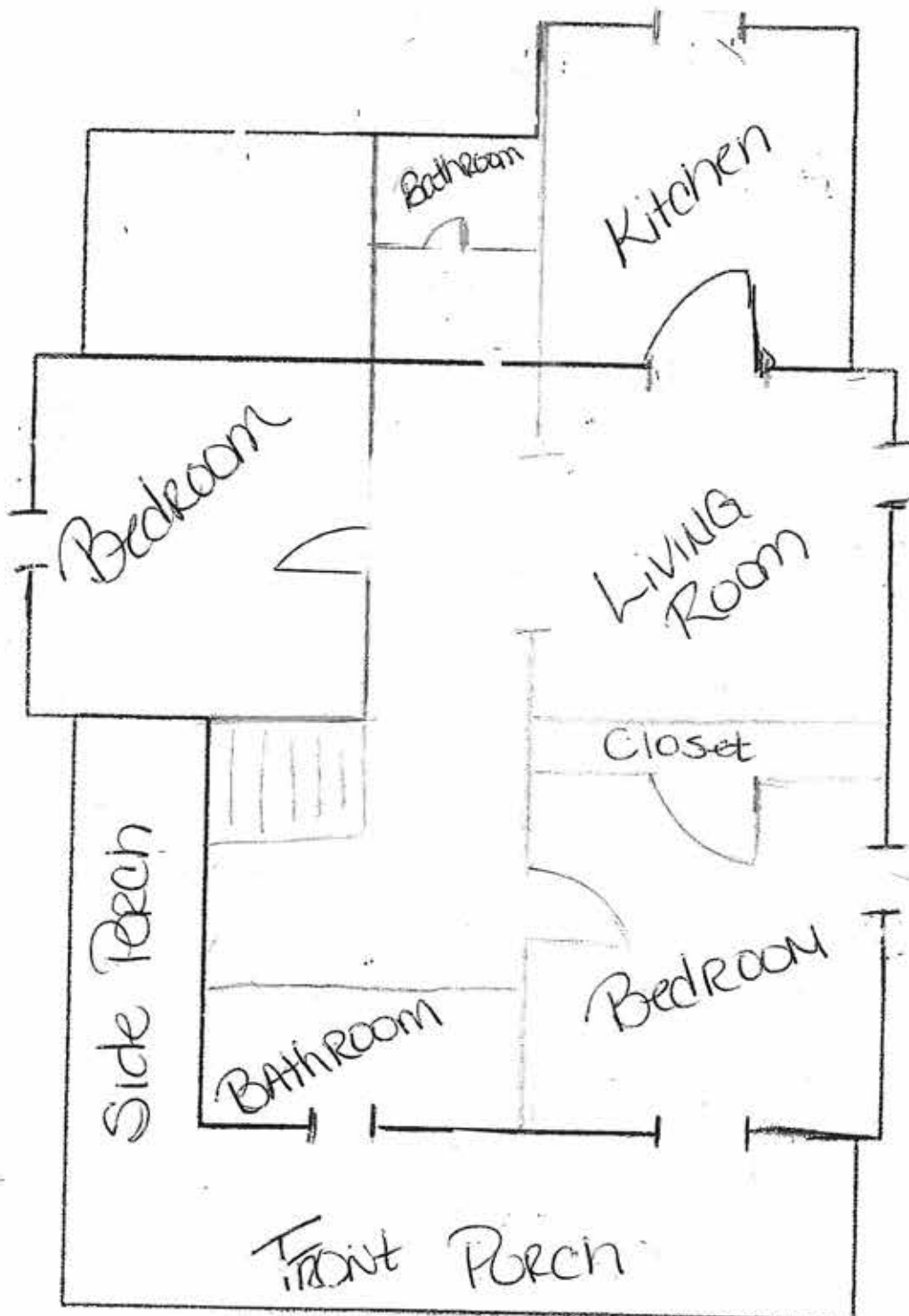






FLOOR PLAN

1st FLOOR Unit (338A)



FLOOR Plan
2ND FLOOR Unit
338B



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SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission: 3pm on March 11, 2019
City Council (Tentative): 7pm on April 2, 2019

LOCATION OF PROPERTY: 338 Third Ave.

PRESENT ZONE: OT-R, Old Town Residential

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for a duplex (two residential dwellings on one property)

PRESENT USE OF PROPERTY: Single family detached dwelling

PROPOSED USE OF PROPERTY: Duplex residential dwelling (two dwellings on one property)

PROPERTY OWNER (S): Ta Lowery

NAME OF APPLICANT (S): Ta Lowery

PROPERTY BORDERED BY: Residential on all sides

ACREAGE: 0.21 acres (9,147.6 square feet)

CHARACTER OF VICINITY: Medium density residential (homes are neither far away nor close to one another)

INGRESS AND EGRESS: Third Ave., and Northwest Blvd.

TRAFFIC VOLUME: Low



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
2/12/2019

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

Council Letter

City of Danville, Virginia



CL-2092

New Business Item #: E.

City Council Regular Meeting

Meeting Date: 04/02/2019

Subject: Request for a Special Permit for a Daycare Center at 110 Exchange Street.

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

COUNCIL ACTION

Business Meeting: 04/02/2019

SUMMARY

A request has been filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a daycare center for children.

BACKGROUND

The applicant, Cecil E. Bridgeforth, representing Kingdom Worship Center, is requesting a Special Use Permit to operate a daycare center for children at 110 Exchange St, Suite C. This property is located in the HR-C, Highway Retail Commercial District.

Currently, the property is used for office space for a few other establishments permitted by right in the HR-C district. Suite C is used by Kingdom Worship Center as a church. The applicant wishes to also provide daily childcare services. Suite C already meets the building code requirements for a daycare establishment providing services to no more than twenty (20) children, with no more than five (5) under the age of two and a half (2.5) years.

A Special Use Permit is required to operate any daycare in this zoning district. Article 15, Section B of the Zoning Ordinance defines daycare centers for children as follows:

"Child care center. A regularly operating service arrangement for five (5) or more children under the age of thirteen (13) where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection and well-being of a child for less than a twenty-four (24) hour period, in a facility that is not the residence of the provider or of any of the children in care."

Staff has two concerns related to the location of this property. First, the property is within two hundred fifty (250) feet of a heavily trafficked road with a forty miles-per-hour (40 mph) speed limit. However, the immediate streets are not heavily trafficked, and have a lower speed limit. Second, there is no on-site outdoor space. However, conversations with the Virginia Department of Social Services indicate that outdoor spaces for child day cares may be off-site (such as parks). The applicant plans to take the children on field trips, rather than rely solely on on-site activity space.

At their meeting of March 11, 2019, the Planning Commission voted 7-0 to recommend approval of the

request, subject to the following conditions:

Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 sq. ft.

1. Two (2) safety signs shall be posted at the entrance stating that any children must be accompanied by an adult while outside the structure. One (1) of the signs must be placed outdoors, with the other being indoors.
2. The above required outdoor sign shall only contribute to the total permitted sign area if said signage contains advertising content, or exceeds four (4) square feet.

RECOMMENDATION

It is recommended that City Council grant a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 sq. ft.

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Attachments

Ordinance

Planniing Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A DAYCARE CENTER IN ACCORDANCE WITH ARTICLE 3:M, SECTION C, ITEM 6 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 110 EXCHANGE STREET, OTHERWISE KNOWN AS GRID 1713, BLOCK 005, PARCEL 000005, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission PLSUP20190000052, filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia, 1986, as amended, at 110 Exchange Street, otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 square feet.
2. Two (2) safety signs shall be posted at the entrance stating that any children must be accompanied by an adult while outside the structure. One (1) of the signs must be placed outdoors, with the other being indoors.
3. The above-required outdoor sign shall only contribute to the total permitted sign area if said signage contains advertising content, or exceeds four (4) square feet.

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, PLSUP20190000052, filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia, 1986, as amended, at 110 Exchange Street, otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map, is hereby granted and approved, subject to the following conditions:

1. Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 square feet.
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APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



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

City Planning Commission

MEMORANDUM

DATE: MARCH 11, 2019
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST
REQUEST:

Special Use Permit application PLSUP20190000052, filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have a daycare center for children.

RECOMMENDATION:

The Planning Commission voted 7-0 to recommend approval of the request subject to the following conditions:

1. Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 sq. ft.
2. Two (2) safety signs shall be posted at the entrance stating that any children must be accompanied by an adult while outside the structure. One (1) of the signs must be placed outdoors, with the other being indoors.
3. The above required outdoor sign shall only contribute to the total permitted sign area if said signage contains advertising content, or exceeds four (4) square feet.

Michael W. Searce (BWT)

Mr. Michael Searce, Chairman

RESPONSES:

Seventeen (17) notices were sent to property owners within three hundred (300) feet of the property. Eight (8) property owners returned statements. Eight (8) property owners are not opposed to the request (Riverside Hardware Inc, S&E Properties of Ringgold LLC, Daniel Group Inc, McDonalds Corporation, 2 Witches Holding Company LLC, Hutchins L E Inc, Lea 3 LLC, and New Jimmie L and Patsie A). No property owners are opposed to the request.

COMMENTS:

There were no additional comments.



City Planning Commission

City Planning Commission

Meeting of March 11, 2019

Subject:

Special Use Permit application PLSUP20190000052, filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a daycare center for children.

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Staff have two concerns related to the location of this property. First, the property is within two hundred fifty (250) feet of a heavily trafficked road with a forty miles-per-hour (40 mph) speed limit. However, the immediate streets are not heavily trafficked, and have a lower speed limit. Second, there is no on-site outdoor space. However, conversations with the Virginia Department of Social Services indicate that outdoor spaces for child daycares may be off-site (such as parks). The applicant plans to take the children on field trips, rather than rely solely on on-site activity space.

Seventeen (17) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on March 11, 2019.

Recommendation:

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit application PLSUP20190000052, filed by Cecil E. Bridgeforth requesting a Special Use Permit for a daycare center in accordance with Article 3:M, Section C, Item 6 of the Code of the City of Danville, Virginia 1986, as amended at 110 Exchange St., otherwise known as Grid 1713, Block 005, Parcel 000005, of the City of Danville, Virginia Zoning District Map, subject to the following conditions:

1. Without an additional Special Use Permit, the daycare center shall only operate within one (1) suite of the property, which shall be no larger than 3,014 sq. ft.
2. Two (2) safety signs shall be posted at the entrance stating that any children must be accompanied by an adult while outside the structure. One (1) of the signs must be placed outdoors, with the other being indoors.
3. The above required outdoor sign shall only contribute to the total permitted sign area if said signage contains advertising content, or exceeds four (4) square feet.

Approval of the Special Use Permit request and recommended conditions would permit a daycare center at 110 Exchange St. Suite C, allow limited expansion in the future if needed (up to an additional 1,163 sq. ft. to equal the size of all suites if they were of equal sizes), and address safety concerns associated with the location.

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000052 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000052 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000052 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000052 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000052 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Kingdom Child Care, Daycare Center for Infants - 12yrs
old, Hours of Operations - M-F 6:00am - 6:00pm

CASE NUMBER: PLSUP2019000052 EXISTING ZONING: HRC

PROPOSED ZONING: - N/A TAX MAP NUMBER: 1713-005-000005-00

RECEIVED BY: Bryce Johnson DATE FILED: Feb. 7, 2019

PLANNING COMMISSION DATE: March 11, 2019 CITY COUNCIL DATE: Feb. April. 2, 2019

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

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

Gross Area/Net Area: 1851 sf Property Address: 110 Exchange Street

Property Location: N S E ☒ Side of: 110 Exchange Street

Between: LE&D Engineering and Piedmont Sports Medicine

Proffered Conditions (if any, please attach): n/a

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:

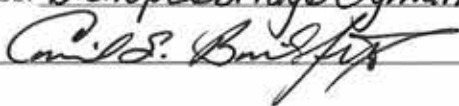
Daycare Center for Infants - 12 yrs old, daily activities out in the community (Science Museum, Movies, Playground, Skating, Educational Prep) Serving Breakfast, Lunch, Snack, Nap Time

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

1. NAME: The Daniel Group, Inc. TELEPHONE: 434-791-8200
Edwin H. Coleman, Co-Chair/CEO
MAILING ADDRESS: 223 Riverview Drive, Suite A, Danville, VA 24541
SIGNATURE:  DATE: 1/22/19
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: sdavis@tdanielgroup.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: Cecil E. Bridgeforth TELEPHONE: (434) 421-9447
MAILING ADDRESS: 228 Woodlawn Hts Chatham, VA 24581
EMAIL ADDRESS: bishopcebridge@gmail.com
SIGNATURE:  DATE: 1/22/19

THE
DANIEL
GROUP, INC.

January 22, 2019

City of Danville, Virginia

Re: Proposed: Kingdom Worship Center – Child Daycare Facility
River Run Office Building
110 Exchange Street, Suite C
Danville, Virginia

Please be advised that The Daniel Group, Inc., is the owner of the River Run Office Building located at 110 Exchange Street, Danville, Virginia-- we would be willing to enter into lease negotiations relative to the Kingdom Worship Center operating a child daycare center within the above referenced Suite C-- subject to the Kingdom Worship Center being in full compliance with all Federal, State and Local governmental codes/regulations/policies.

Cecil Bridgforth of Kingdom Worship Center has permission from The Daniel Group, Inc., to request a Special Use Permit from the City of Danville for the purpose of developing a daycare center at the above listed property.

Sincerely,



Edwin H. Coleman
Co-Chair/CEO

COMMONWEALTH OF VIRGINIA

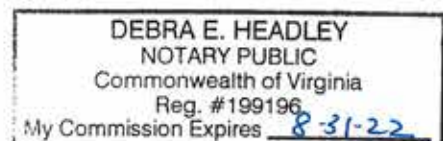
CITY OF DANVILLE

The foregoing instrument was acknowledged before me this 22nd day of January 2019, by Edwin H. Coleman.


Notary Public

Printed Name: Debra E. Headley
Reg. # 199196
My Commission Expires: 08/31/2022

Cc: Bishop Cecil Bridgforth
Howard J. Burnette, Co-Chair/CEO



Commercial Real Estate and
Hotel / Lodging

- Development
- Management
- Leasing

223 Riverview Drive, Suite A
Danville, Virginia 24541

Tel: 434.791.8200

Fax: 434.792.6610

www.tdanielgroup.com



Mission Statement

The mission of **Kingdom Child Care** is to provide a safe, stimulating, and caring environment for children ages six weeks to 12 years old. Our focus is to provide an encouraging educational experience, promoting social, emotional, physical, and cognitive development. Committed to the families we serve, we strive to give parents complete peace of mind, while being seen as a shining example of what a quality childcare should be.

Vision Statement

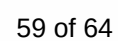
The ultimate vision we have for our facility is twofold, and rooted in both the **present** and the **future**.

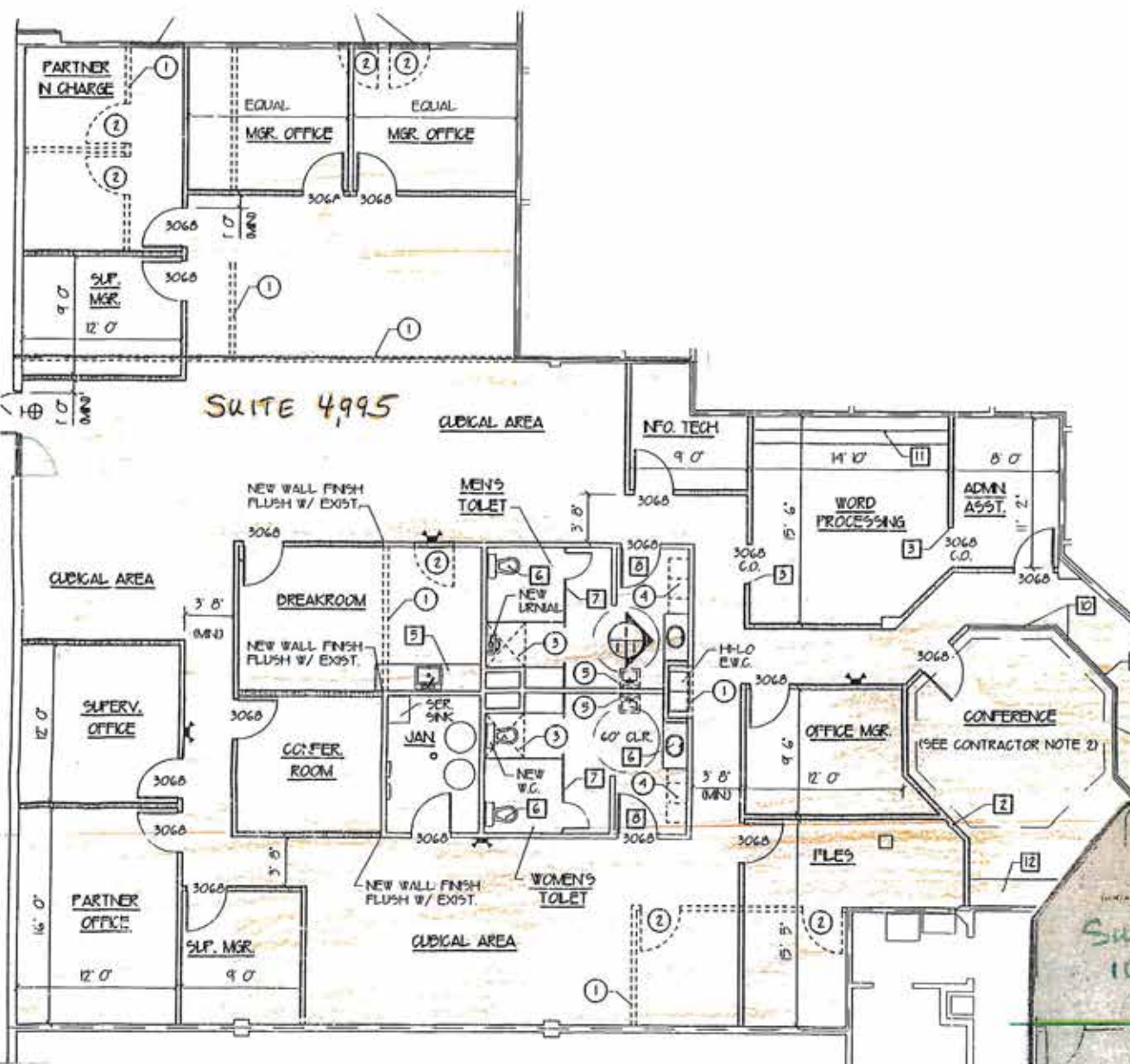
For the **present**, our goal is for parents to feel good about their childcare choice, and that the children are safe, engaged, educated, and smiling. For the **future**, we want these children to warmly look back at their experience with us, and see it as a cherished part of their childhood.

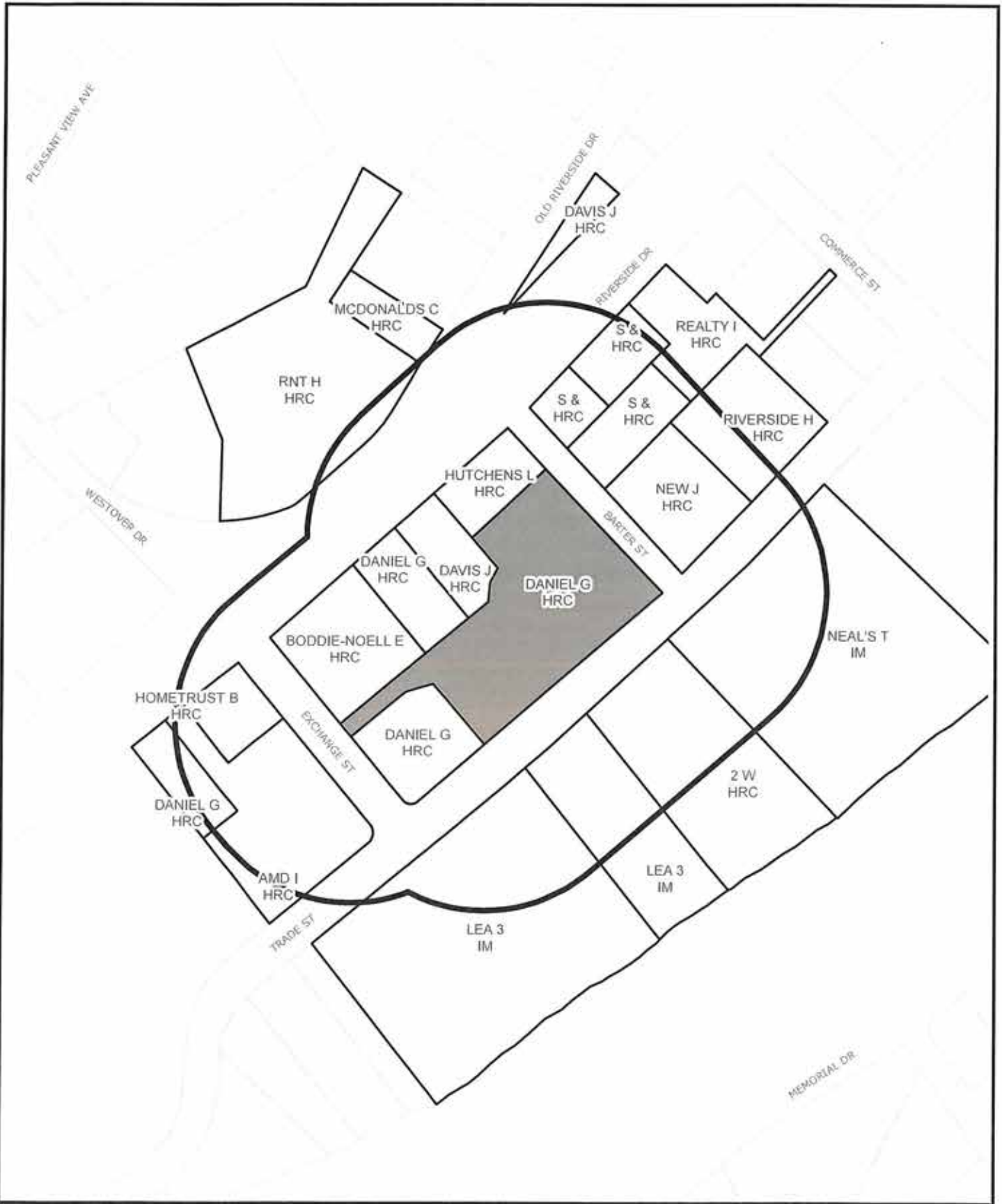
Our Commitment to You

Our philosophy is simple. **Kingdom Child Care** is here to offer your children the care, comfort, fun and safety they deserve. For you, the peace of mind that comes from knowing your child is in the best of hands. Each day promises an exciting new adventure, and we will make sure each child experiences the joys of a truly caring environment.

We strive to be your partner. We are completely transparent in our programs and curriculum. We continually self-assess, look to improve, and make communication with you which is a paramount part of childcare.







SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
2/12/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission: 3pm on March 11, 2019
City Council (Tentative): 7pm on April 2, 2019

LOCATION OF PROPERTY: 110 Exchange St., Suite C

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No Change

ACTION REQUESTED: Special Use Permit for a child daycare

PRESENT USE OF PROPERTY: Entire Property: Offices, one personal services establishment
Suite C: Church

PROPOSED USE OF PROPERTY: Entire Property: No Change
Suite C: Child daycare and church

PROPERTY OWNER (S): Daniel Group Inc.

NAME OF APPLICANT (S): Cecil E. Bridgeforth

PROPERTY BORDERED BY: Commercial on all sides; some industrial to the southwest and southeast

ACREAGE: Total property: 2.49 acres (108,646.4 square feet)
Suite to be used: 0.42 acres (1,851 square feet)

CHARACTER OF VICINITY: Low density commercial

INGRESS AND EGRESS: Exchange St., Trade St., and Barter St.

TRAFFIC VOLUME: Low traffic volume on immediate streets, but high traffic volume on Riverside Dr. about 250 ft. to the North of the property



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
2/12/2019

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