



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

March 6, 2018

7:00 P.M.

PRESIDING: John B. Gilstrap, Mayor

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

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

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Proclamation: "Girl Scout Week - March 12-18, 2018"
Presented to: Girl Scout Troop #970

COMMUNICATIONS FROM VISITORS

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

CONSENT AGENDA

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

- A. Public Hearing for Budget Item Under the Consent Agenda.
- B. Consideration of Approval of Minutes from Regular Council Meeting held on February 6, 2018.
Council Letter Number 1838.
- C. Consideration of Amending the FY 2018 Budget Appropriation Ordinance for Insurance Proceeds for the Talbott Dam Repairs.
Council Letter Number CL - 1836

An Ordinance Amending the Fiscal Year 2018 Budget Appropriation Ordinance Providing for the Repairs to the City's Hydroelectric Generator at Talbott Dam by Appropriation of Related Insurance Proceeds in the Amount of \$635,968.60.

FINAL ADOPTION

APPOINTMENTS

- A. Consideration of an Appointment to the Southern Area Agency on Aging.
Council Letter Number CL - 1848

A Resolution Appointing Gladys D. Webb as a Member of the Southern Area Agency on Aging.

NEW BUSINESS

- A. Consideration of Approval of Rezoning from Neighborhood Commercial to Highway Retail Commercial at 498 Arnett Boulevard.
Council Letter Number CL - 1844
1. Public Hearing
 2. An Ordinance Rezoning from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, Otherwise Known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map.
- B. Consideration of Approval of a Special Use Permit at 620 North Main Street for Indoor Commercial Recreation.
Council Letter Number CL - 1845
1. Public Hearing
 2. An Ordinance Granting a Special Use Permit for an Indoor Commercial Recreation Establishment in Accordance With Article 3:K, Section C, Item 5 of the Code of the City of Danville, Virginia 1986, As Amended at 620 North Main Street, Otherwise Known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia Zoning District Map.
- C. Consideration of Approval of Amending Chapter 41, Zoning Ordinance, of the Danville City Code, Article 10, "Signs."
Council Letter Number CL - 1846
1. Public Hearing
 2. An Ordinance Amending Chapter 41 Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 As Amended, More Specifically Article 10: Entitled "Signs", Section Q Entitled "Permitted Signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to Address the Number and Size of Development Name Signs.

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-1838

Consent Agenda Item #: B.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Consideration of Approval of Minutes

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 03/06/2018

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on February 6, 2018.
Council Letter Number 1838.

Attachments

Meeting Minutes

February 6, 2018

The Regular February meeting of the Danville City Council was held on February 6, 2018, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor John B. Gilstrap, Vice Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

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

Mayor Gilstrap presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member Gary P. Miller; the Pledge of Allegiance to the Flag followed.

MEETING MINUTES

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, Minutes for the Regular Council Meeting held on January 2, 2018 were approved as presented. Draft copies had been distributed prior to the Meeting.

NEW BUSINESS

PUBLIC HEARING – AMENDING CHAPTER 41 OF DANVILLE CITY CODE ENTITLED “ZONING ORDINANCE”, SPECIFICALLY ARTICLE 10 ENTITLED “SIGNS.”

Mayor Gilstrap opened the floor for a Public Hearing to Amend Chapter 41, Article 10 of the Zoning Ordinance. Notice of the Public Hearing was published in the *Danville Register & Bee* on January 23, 2018 and January 30, 2018. No one presented desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2018-02.01

AMENDING CHAPTER 41, ENTITLED “ZONING ORDINANCE” OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 10, ENTITLED “SIGNS”, SECTION N, ENTITLED “PERMITTED SIGNS IN THE CB-C CENTRAL BUSINESS COMMERCIAL DISTRICT” AND SECTION O, ENTITLED “PERMITTED SIGNS IN THE TW-C, TOBACCO WAREHOUSE COMMERCIAL DISTRICT” TO ADDRESS THE NUMBER AND SIZE OF SIGNS PERMITTED PER BUILDING.

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

Council Member Shanks questioned Director of Community Development Ken Gillie on the changes and Mr. Gillie explained they are matching two districts. Mr. Shanks stated it used to be wall signs were permitted for each wall of the building facing the public street and Mr. Gillie noted it was one sign per wall, per building. Mr. Shanks stated it is now saying one sign on the premises based on the lateral square footage, and asked if the lateral square footage applies to each sign or cumulative square footage, and are they increasing the square footage.

February 6, 2018

Mr. Gillie noted in the Central Business District, they are increasing the square footage, in the Tobacco Warehouse they are not; they are bringing the two districts into compliance with each other because staff feels they are very similar. The Central Business District had a limit on one sign and the square footage was less, staff is now matching that with the Tobacco Warehouse District.

In response to Mr. Whittle, Mr. Gillie explained the reason this came about, First Citizens Bank in the Central Business District was only allowed one wall sign facing Main Street. They had locked out the square footage, and the tenants on the other floors couldn't advertise; if they were in the Tobacco Warehouse District they had that option. Staff felt that the two districts were similar enough, now that they are all part of the River District per se, that they should have matching signage and allow additional tenants on the upper floors where buildings are developed, to have the ability to place signage. Staff felt it was most equitable to go to a square footage basis of the building; additional square footage is given for the added height of a building. It is up to the owner to break it up for the number of signs they have based on what that total square footage would be. Mr. Whittle questioned the setback, it was five feet off of the right of way, and Mr. Gillie explained most of the buildings downtown are built up to the right of way, staff is not anticipating them having ground signs.

Mr. Vogler questioned if this is going to make it easier for business owners in the district to have signage on their buildings and Mr. Gillie explained it will make it easier for business owners to have signage, and as they develop the second and third floors on the larger buildings, for upper floor tenants to have them. It will also allow for some additional signage that is not available right now. The Central Business District was allowed less signage than someone in the Tobacco Warehouse; staff is trying to level the playing field between everyone on the River District. Mr. Whittle stated if a block has a five foot setback, for a sign on the building, how far to the encroachment of the right of way. Mr. Gillie noted on the building, the City allows for a projection of twenty four inches off the face of the building itself. There are quite a few businesses in the downtown that have developed projecting signs.

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

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

CONSIDERATION OF AUTHORIZING SUBMISSION OF THE LISTED STREET TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION

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

RESOLUTION NO. 2018-02.01

AUTHORIZING AND APPROVING A REQUEST BY THE CITY OF DANVILLE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION THAT CERTAIN STREETS BE ADDED TO THE DANVILLE HIGHWAY MAINTENANCE SYSTEM.

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

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In response to Mr. Saunders, Mr. Larking explained the \$14,000 is the additional amount of maintenance funds the City would receive annually if this project was added to the City's streets. Mr. Saunders questioned if the State would also pay for future repairs and Mr. Larking stated they expect the City to make those repairs because it is part of Danville's street system; the \$14,000 is an annual reimbursement the City will receive in addition to other funds the City receives to help maintain the streets in the City. Brian Dunevant, City Engineer, noted that particular project was a revenue sharing project; the City paid half and VDOT paid half. As much money as the City wants to put up, up to a \$5M project, he believes VDOT would match it or entertain the application to match it. Mr. Dunevant noted there is only so much money allocated to the program; VDOT rates the projects, funds as many as they can, but they usually can't fund all of them. Mr. Saunders noted this project was a huge improvement and commended the City staff on it.

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

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FY2018 BAO FOR A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$25,000 FOR A “SEE THE POSSIBLE” GRANT

Upon **Motion** by Council Member Campbell and **second** by Vice Mayor Jones, an Ordinance entitled:

ORDINANCE NO. 2018-02.02

AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO INCLUDE A GRANT FROM THE DANVILLE REGIONAL FOUNDATION IN THE AMOUNT OF \$25,000 TO COVER THE TRAVEL EXPENSES FOR 12 CITY STAFF AND CITY COUNCIL MEMBERS TO VISIT TWO RIVERFRONT PARKS TO “SEE THE POSSIBLE”.

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

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FY2018 BAO TO PROVIDE FOR THE PROCEEDS OF GENERAL OBLIGATION BONDS

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

ORDINANCE NO. 2018-02.03

AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR THE PROCEEDS FROM THE SALE OF GENERAL OBLIGATION BONDS OF FISCAL YEAR 2018 AND APPROPRIATING SAME

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

February 6, 2018

Mayor Gilstrap recognized the students from Tunstall High School who were in attendance.

COMMUNICATIONS

Mayor Gilstrap questioned how Deputy City Manager Earl Reynolds was doing and City Manager Ken Larking stated he was doing well.

City Attorney Clarke Whitfield welcomed Chief Booth as Danville's new Police Chief.

ROLL CALL

Council Members congratulated and welcomed Danville's new Police Chief, Scott Booth and noted they looked forward to working with him.

Vice Mayor Jones recognized Danville's Fire Department, who received an ISO Rating of One. Mr. Jones noted Council Member Shanks serves on the Danville Utility Commission which will be meeting on February 26, 2018 at 4:00 p.m., and encouraged citizens to attend the meeting if they have questions.

Council Member Miller noted Alexis Ehrhardt was in attendance, she is the new Chamber of Commerce President. Dr. Miller noted he visited the Solar array complex on Kentuck Road, it was very impressive, and it is at no cost to Danville Utilities. The City just has to buy the low cost power and will receive renewable energy credits which can be sold; this is a great project.

Council Member Saunders hoped the City's former Police Chief is enjoying his retirement and thanked all the men and women that will be working with the new Chief. Mr. Saunders congratulated the Fire Department on earning their new rating, recognized Ms. Ehrhardt on being the new Chamber president, and welcomed the Tunstall High School students. Mr. Saunders congratulated Mayor Gilstrap on his new grandson.

Council Member Shanks noted he looked forward to City Council, staff, the Chief and Public Safety working together to help Danville, there is plenty to improve and the Chief will be a part of that. Mr. Shanks noted the Danville Utility Commission meets the fourth Monday of each month, those meetings are broadcast on River City TV and encouraged citizens to watch and learn more about what Danville Utilities is doing to try mitigate the rates, congestion charges and transmission charges. Mr. Shanks explained there were lot of things that have occurred to drive the cost of electricity up, including tremendously cold weather for a long period of time in January. Mr. Shanks assured citizens that Danville Utilities is doing everything in its power to find sources of power generation that will be less costly and put Danville right behind others. Mr. Shanks noted Danville Utilities has a rebate program for insulation, upgrading heat and ventilation systems and for other power conservation measures.

Council Member Vogler recognized Brother Pete Hairston in attendance, owner of a local business in Danville. Mr. Vogler noted Council Members have received messages from citizens regarding the Utility bills; there are people in the community paying high utility bills, which has a negative impact on the community. Council needs to do what it can to try and solve this problem, and explore all options to deliver quality services to the customers at an affordable price.

February 6, 2018

Council Member Whittle noted his power bill increased as well, but he will be going to the Utility Commission meeting to get answers to his questions. Mr. Whittle noted he had a fire in the apartment below his, the Fire Department did a great job taking care of it; they are a professional crew and thanked everyone who was there.

Council Member Buckner noted in 2015 there was a study done on whether the City should sell Danville Utilities. At that time, the City was told it was probably a bad idea to sell it; Mr. Buckner noted he would like to see that study revisited. Mr. Buckner congratulated the Danville Fire Department on their rating, Council is proud of the work they do every day. Mr. Buckner asked staff to look into recording and airing the IDA meetings.

Council Member Campbell noted he agreed with the earlier comments; Alexis Ehrhardt made an excellent presentation at the breakfast meeting this morning and he looks forward to working with her and the Chamber of Commerce.

Mayor Gilstrap welcomed Chief Booth to Danville and looks forward to working with him through the City Manager. Mayor Gilstrap noted he has a new grandson, Beau, he was born on January 13th, and recognized the Tunstall students, they are welcome anytime.

The meeting adjourned at 7:40 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-1836

Consent Agenda Item #: C.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Appropriation of Insurance Proceeds for Talbott Dam

From: Michael Adkins, Director of Finance

COUNCIL ACTION

First Reading: 02/20/2018

Final Adoption: 03/06/2018

SUMMARY

The City has received \$635,968.60 in insurance proceeds from flood damage that occurred at the City's hydroelectric generator at the Pinnacles. A Budget Ordinance is required to appropriate these funds for repairs to and replacement of the damaged and destroyed equipment.

BACKGROUND

The City's hydroelectric generator was installed at Talbott Dam in 1990 to provide additional generation from the facility to the City. The design life for such a hydro plant ranges between 50 and 100 years. In September 2015, excessive rains resulted in flooding that damaged or destroyed the generator and supporting infrastructure. After a very long period of engineering analysis and negotiations with the insurance provider, a settlement was reached that will allow the City to complete the restoration and repairs needed. It is expected to take about 12 months to complete the restoration. The City has received insurance proceeds in the amount of \$635,968.60, that needs to be appropriated with a Budget Ordinance.

RECOMMENDATION

It is recommended that City Council adopt the attached Budget Ordinance which appropriates insurance proceeds in the amount of \$635,968.60 for the necessary repairs to and replacement of the affected components of the hydroelectric generator station.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET APPROPRIATION ORDINANCE PROVIDING FOR THE REPAIRS TO THE CITY'S HYDOELECTRIC GENERATOR AT TALBOTT DAM BY APPROPRIATION OF RELATED INSURANCE PROCEEDS IN THE AMOUNT OF \$635,968.60.

WHEREAS, excessive rain on September 30, 2015 resulted in flooding that damaged or destroyed the 680-kilowatt small hydroelectric generator and supporting equipment located at the Pinnacles facility in Patrick County, Virginia; and

WHEREAS, the generator was installed at Talbott Dam in 1990 to provide additional generation from the facility to the City of Danville; and

WHEREAS, the design life for a typical hydro plant is 50-100 years; and

WHEREAS, the City has received insurance proceeds to compensate for the damaged or destroyed equipment that are sufficient to complete the restoration project based on an estimate from the firm that originally constructed the facility in 1990.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2018 Budget Appropriation Ordinance be, and the same is hereby, amended to provide funding for the necessary repairs and equipment replacement at Talbott Dam located at the City's Pinnacles Hydroelectric facility in the amount of \$635,968.60, such appropriation to be as follows:

ADDITIONAL REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Electric Fund – Recoveries	61253000-43810	<u>\$635,968.60</u>

ADDITIONAL EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Electric Fund - Contractors	61253000-52230	<u>\$635,968.60</u>

AND BE IT FINALLY ORDAINED that all other accounts and provisions of the Fiscal Year 2018 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-1848

Appointments Item #: A.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Consideration of Appointment to the Southern Area Agency on Aging

From: Susan M. DeMasi, Clerk of Council

COUNCIL ACTION

Business Meeting: 03/06/2018

SUMMARY

Consideration of an Appointment to the Southern Area Agency on Aging.

Council Letter Number CL - 1848

A Resolution Appointing Gladys D. Webb as a Member of the Southern Area Agency on Aging.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2018 - ____ . ____

**A RESOLUTION APPOINTING GLADYS D. WEBB AS A MEMBER OF THE
SOUTHERN AREA AGENCY ON AGING.**

BE IT RESOLVED by the Council of the City of Danville, Virginia, that Gladys D. Webb be, and she is hereby, appointed as a member of the Southern Area Agency on Aging, to serve as such for a Three Year Term commencing March 1, 2018 and ending February 28, 2021.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-1844

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Request to Rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial, 498 Arnett Blvd.

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

COUNCIL ACTION

Business Meeting: 03/06/2018

SUMMARY

A request has been filed by Jayne Reynolds, requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Boulevard, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location.

BACKGROUND

The applicant, Jayne Reynolds, is requesting to rezone 498 Arnett Boulevard from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial. The applicant would like to pursue an automobile sales business at this location; this is not a permissible use within the N-C District, and therefore the applicant has requested a rezoning to HR-C.

498 Arnett Boulevard has limited parking capacity for the operation of automobile sales, and the businesses that currently operate at the existing building. The applicant also owns Parcel ID #01600, which is located on Wendell Scott Drive, directly across from 498 Arnett Blvd. A separate parking lot must be constructed on vacant lot ID #01600 for use with all operations at 498 Arnett Boulevard. Article 8, Section B, Item 4c of the Zoning Code allows additional off-street parking to be located at a cooperative location within three hundred (300) feet of the entrance of the use it serves.

This item was heard at the January 8, 2018 Planning Commission meeting and tabled. At the February 12, 2018 meeting, the Planning Commission voted 7-0 to recommend approval of the request.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Rezoning from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Boulevard, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE REZONING FROM N-C, NEIGHBORHOOD COMMERCIAL TO HR-C, HIGHWAY RETAIL COMMERCIAL DISTRICT, 498 ARNETT BOULEVARD, OTHERWISE KNOWN AS GRID 1816, BLOCK 001, 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 City Planning Commission recommending approval of Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Boulevard, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map, be, and the same is hereby received; and

BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Rezoning application PLRZ20170000259, filed by Jayne Reynolds, requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Boulevard, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia, Zoning District Map, is hereby approved; and

BE IT FINALLY ORDAINED that 498 Arnett Boulevard, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia, Zoning District Map is hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

City Attorney



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

City Planning Commission

MEMORANDUM

DATE: FEBRUARY 12, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST

REQUEST:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location.

RECOMMENDATION:

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


Mr. Michael Scarce, Chairman

COMMENTS:

Twenty four notices were sent within 300'. Ten were returned, six were opposed, four were unopposed. Comment are attached.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) HARLOW MELVIN R

as owner(s) of Lot(s) 160 WENDELL SCOTT DR

☒ AM OPPOSED

☐ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Melvin R. Harlow

Comments:

Intersection + streets are already very busy, speeding & dangerous. This type of venture would be unsuitable for this Area!

NEIGHBORING PROPERTY OWNERS STATEMENT

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I (we) COOKE CONSTANCE I & COBBS JULIUS G JR

as owner(s) of Lot(s) WENDELL SCOTT DR

✓ AM OPPOSED

 AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Constance I. Cooke

Julius G. Cobbs (Cobbs)

Comments:

We are definitely opposed to this desire to have an automobile sales located in our community. This is a disgrace to the late Wendell Scott for whom the street was named after. This is a historical family community where Scott and his family lived. He wouldn't nor they would want this. Let's be real.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) BANKS ROSA M

as owner(s) of Lot(s) 122 WENDELL SCOTT DR

✓ AM OPPOSED

 AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Petty B White P.O.A. for Rosa Banks
Kimberly L. Thelker

Comments:

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) MUHAMMAD ALFONZA N & KHALEELAH H

as owner(s) of Lot(s) 133 WENDELL SCOTT DR

☒ AM OPPOSED

☐ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):




Comments:

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) HAIRSTON WILLIE JAMES & SHELIA M

as owner(s) of Lot(s) 145 WENDELL SCOTT DR

☒ AM OPPOSED

☐ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Willie J. Hairston

Shelia M. Hairston

Comments:

Too Much Traffic Now. Sometimes people park cars on both side of the street. Cars travel through the street Too Fast.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

☒ I (we) COOKE CONSTANCE I

as owner(s) of Lot(s) 140 WENDELL SCOTT DR

☒ AM OPPOSED

☐ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Constance A. Cooke

Comments:

This is a Historic Neighborhood where Wendell Scott lived and I cannot see this neighborhood used for automobile sales purposes. His family is trying to have his name as a (Park) used for entrance and exit as people see Danville not for commercial purposes or for some individual desire. The request can be used most effectively along where auto lots are located not in a community where people live!

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) **FACES OF OUR CHILDREN INCORPORATED**

as owner(s) of Lot(s) **505 ARNETT BLVD**

_____ **AM OPPOSED**

X _____ **AM NOT OPPOSED**

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Ann S. Walker - Vice President

Comments:

Maybe a stop light will be put in.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box.

✓ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

David Mitchell Spear

Comments:

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) POTEAT RHONDA DOBY & REYNOLDS JAYNE D

as owner(s) of Lot(s) 498 ARNETT BLVD

_____ AM OPPOSED

☒ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Rhonda Womack
Jayne Reynolds

Comments:

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **January 5, 2017**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) WOMACK RHONDA D

as owner(s) of Lot(s) WENDELL SCOTT DR

_____ AM OPPOSED

✓ _____ AM NOT OPPOSED

to the following request filed with the City of Danville:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Signatures(s):

Rhonda Womack

Comments:



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

City Planning Commission

City Planning Commission
Meeting of February 12, 2018

Subject:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location

Background:

This item was postponed during the January 8, 2018 meeting.

The applicant, Jayne Reynolds, is requesting to rezone 498 Arnett Boulevard from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial. The applicant would like to pursue an automobile sales business at this location, this is not a permissible use within the N-C District, and therefore the applicant has requested a rezoning to HR-C.

498 Arnett Boulevard has limited parking capacity for the operation of automobile sales and the businesses that currently operate at the existing building. The applicant also owns Parcel ID # 01600 that is located on Wendell Scott Drive, directly across from 498 Arnett Blvd. A separate parking lot must be constructed on vacant lot ID #01600 for use with all operations at 498 Arnett Blvd. Article 8 Section B Item 4c of the Zoning Code allows additional off-street parking to be located at a cooperative location within three hundred (300) feet of the entrance of the use it serves.

Twenty-four (24) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report was presented at the City Planning Commission meeting on January 8, 2018.

Recommendation:

Staff recommends approval of rezoning application PLRZ20170000259, filed by Jayne Reynolds, requesting to rezone 498 Arnett Boulevard from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial.

This rezoning will allow the operation of an automobile sales at this location as desired by the applicant.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning application PLRZ20170000259 as submitted.
2. Recommend approval of Rezoning application PLRZ20170000259 subject to conditions by the Planning Commission.
3. Recommend denial of Rezoning application PLRZ20170000259 as submitted.
4. Recommend postponement of Rezoning application PLRZ20170000259 by Planning Commission.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

REZONING APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the rezoning as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: _____ EXISTING ZONING: _____
PROPOSED ZONING: _____ TAX MAP NUMBER: _____
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: _____ Property Address: _____

Property Location: N S E W Side of: 498 ARNETT BLVD

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1. NAME: JAYNE D REYNOLDS TELEPHONE: _____

MAILING ADDRESS: 498 ARNETT BLVD

SIGNATURE: Jayne D. Reynolds DATE: 10-16-17

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: jayner@live.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

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

Please provide a brief description of the proposed development:

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

REZONE property To HR-C FOR OPERATION OF A
USED CAR LOT (LIMITED VOLUME)

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:



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

Parcel ID: 01600



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. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Date: 12/1/2017

Parcel ID: 04533
Address: 498 ARNETT BLVD
Owner: POTEAT RHONDA DOBY &
 REYNOLDS JAYNE D
 498 ARNETT BLVD
 DANVILLE, VA 24540
Mail-To: POTEAT RHONDA DOBY &
 REYNOLDS JAYNE D
 498 ARNETT BLVD
 DANVILLE, VA 24540



Value Information

Land / Use:	\$10,000
Improvement:	\$126,700
Total:	\$136,700.00

Additional Information

State Code:	4601 Bank, RE, Ins, Fin Office	Approx Acres:	0
Land Use:	Commercial	Legal Description:	APPROX 123 FT PT NO B ARNETT BLVD
Tax Map:	1816-001-000005.000	Zone:	NC Neighborhood Retail Commercial
Notes: Nationwide Insurance Company & Accounting Management Services & Private Moments Studio (Map 136-2-1)			

Building



Buildings
Parcels
Street Names
House Numbers
Parcel Numbers

Parcel ID: 04533



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Date: 11/6/2017

MEMORANDUM

DATE: January 8, 2018

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

Rezoning application PLRZ20170000259, filed by Jayne Reynolds., requesting to rezone from N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial District, 498 Arnett Blvd, otherwise known as Grid 1816, Block 001, Parcel 000005, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to rezone to allow automobile sales at this location.

RESPONSES:

Twenty-four (24) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Ten (10) responses were received. Four (4) responses were not opposed (Waddell, Spain, Poteat, Womack). Six (6) responses were opposed (Cooke, Cobbs, Harlow, Hairston, Muhammad, Banks).

COMMENTS:

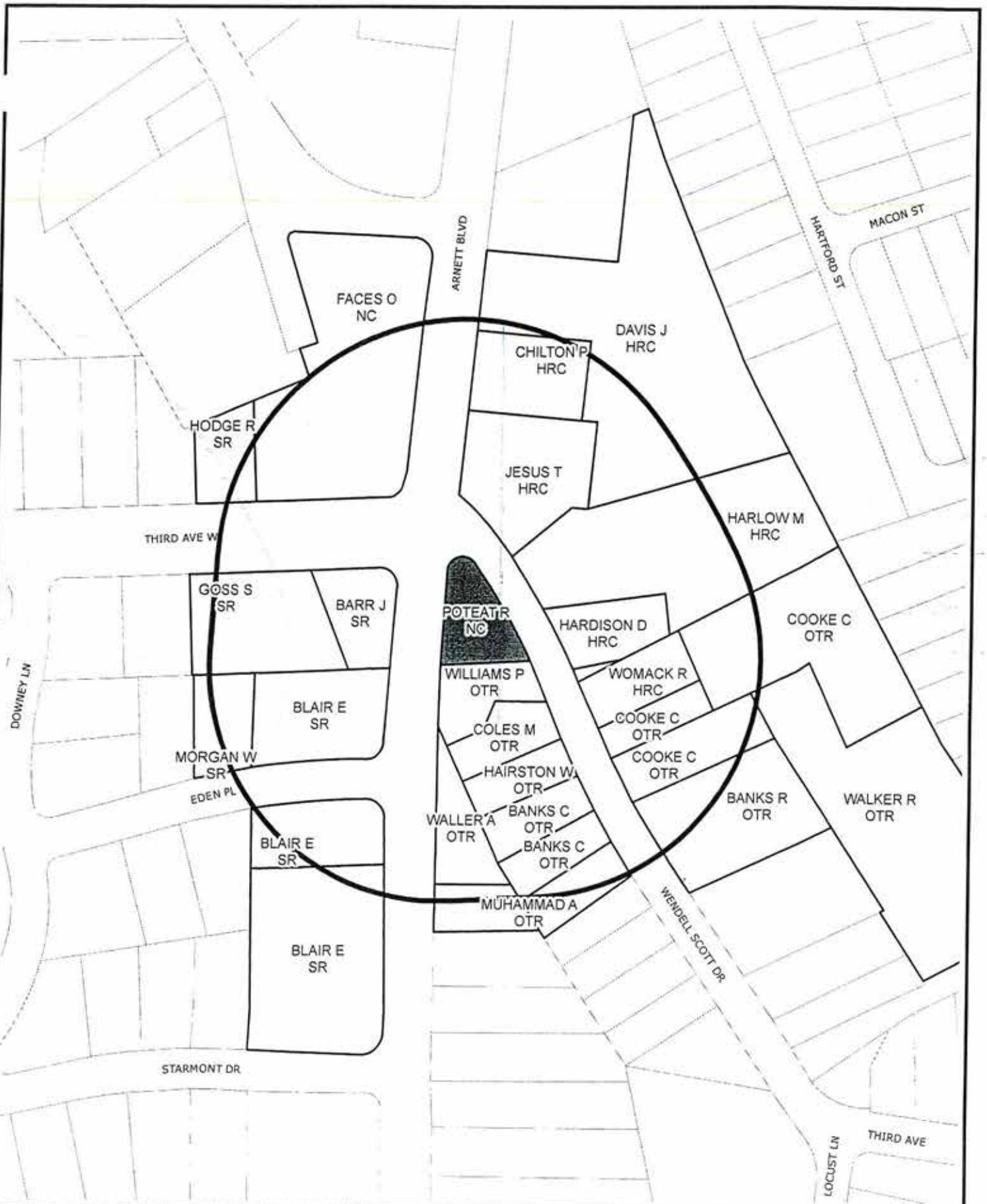
Waddell "Maybe a stop light will be put in".

Cooke "We are definitely opposed to this desire to have an automobile sales located in our community. This is a disgrace to the late Wendell Scott for whom the street was named after. This is a historical family community where Scott and his family lived. He wouldn't nor they would want this. Let's be real".

Hairston "Too much traffic now. Sometimes people park cars on both side of the street. Cars travel through the street too fast".

Harlow "Intersection and streets are already very busy, speeding and dangerous. This type of venture would be unsuitable for this area".

Cooke "This is a historic neighborhood where Wendell Scott lived and I cannot see this neighborhood used for automobile sales purpose. He's family is trying to have his name as a (hero) used for entrance and exit as people see Danville not for commercial purposes or for some individual desire. The request can be used most effectively along where auto lots are located not in a community where people live"



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/14/2017

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 labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

REZONING REQUEST
DATA SHEET

DATE:	January 8, 2017
LOCATION OF PROPERTY:	498 Arnett Blvd
PRESENT ZONE:	N-C, Neighborhood Commercial to HR-C, Highway Retail Commercial
PROPOSED ZONE:	HR-C, Highway Retail Commercial and I-M, Industrial Manufacturing
ACTION REQUESTED:	The applicant is proposing to rezone 498 Arnett Blvd from N-C to HR-C
PRESENT USE OF PROPERTY:	Office complex
PROPOSED USE OF PROPERTY:	Automobile dealership
PROPERTY OWNER (S):	Rhonda Poteat and Jayne Reynolds
NAME OF APPLICANT (S):	Rhonda Poteat and Jayne Reynolds
PROPERTY BORDERED BY:	Commercial development to north, east, south and west
ACREAGE/SQUARE FOOTAGE:	~ 0.25 acre total
CHARACTER OF VICINITY:	Commercial
INGRESS AND EGRESS:	Arnett Blvd
TRAFFIC VOLUME:	High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of January 8, 2017



YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/14/2017

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



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/14/2017

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-1845

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Request for a Special Use Permit to Operate an Indoor Commercial Recreation Facility at 620 North Main St

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

COUNCIL ACTION

Business Meeting: 03/06/2018

SUMMARY

A request has been filed by PARCO International, requesting a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3:K, Section C, Item 5 of the Code of the City of Danville, Virginia 1986, as amended at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a teaching kitchen at this location.

BACKGROUND

The applicant, PARCO International, is requesting a Special Use Permit to operate an indoor commercial recreation facility at 620 North Main Street in accordance with Article 3:K., Section C, Item 5 of the Zoning Code. PARCO International owns the property and plans to operate a teaching kitchen on the second floor. The operation will charge a fee for attendees and therefore requires a Special Use Permit.

At their meeting of February 12, 2018, the Planning Commission voted 6-1 to recommend approval of Special Use Permit Application Number PLSUP20180000021 to operate a commercial recreation facility in accordance with Article 3.N., Section C, Item 4 subject to the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.

RECOMMENDATION

It is recommended that City Council grant a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3:K, Section C, Item 5 of the Code of the City of Danville, Virginia 1986, as amended at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia Zoning District Map subject to the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AN INDOOR COMMERCIAL RECREATION ESTABLISHMENT IN ACCORDANCE WITH ARTICLE 3, K, SECTION C, ITEM 5 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 620 NORTH MAIN STREET, OTHERWISE KNOWN AS GRID 2710, BLOCK 032, PARCEL 000006, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit application PLSUP20180000021, filed by PARCO International, requesting a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3, K, Section C, Item 5 of the Code of the City of Danville, Virginia, 1986, as amended, at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia, Zoning District Map, is hereby received subject to the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.

AND BE IT FURTHER ORDAINED that in consideration of said report and the public hearing this day held by Council, Special Use Permit application PLSUP20180000021, filed by PARCO International, requesting a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3, K, Section C, Item 5 of the Code of the City of Danville, Virginia, 1986, as amended, at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia, Zoning District Map, is hereby granted and approved subject to the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.

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: FEBRUARY 12, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST
REQUEST:

Special Use Permit application PLSUP20180000021, filed by PARCO International, requesting a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3: K, Section C, Item 5 of the Code of the City of Danville, Virginia 1986, as amended at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a teaching kitchen at this location..

RECOMMENDATION:

The Planning Commission voted 6-1 to recommend approval of the request subject to the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.


Mr. Michael Scarce, Chairman

COMMENTS:

Twenty seven notices were sent to surrounding property owners within 300', seven were returned, all unopposed.



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

City Planning Commission

City Planning Commission
Meeting of February 12, 2018

Subject:

Special Use Permit application PLSUP20180000021, filed by PARCO International, requesting a Special Use Permit for an indoor commercial recreation establishment in accordance with Article 3: K, Section C, Item 5 of the Code of the City of Danville, Virginia 1986, as amended at 620 North Main Street, otherwise known as Grid 2710, Block 032, Parcel 000006, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate a teaching kitchen at this location

Background:

The applicant, PARCO International, is requesting a Special Use Permit to operate an indoor commercial recreation facility at 620 North Main Street in accordance with Article 3:K., Section C, Item 5 of the Zoning Code. PARCO International owns the property and plans to operate a teaching kitchen on the second floor. The operation will charge a fee for attendees and therefore requires a Special Use Permit.

Twenty-seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on February 12, 2018.

Recommendation:

The Planning Staff recommends approval of Special Use Permit Application Number PLSUP20180000021 to operate a commercial recreation facility in accordance with Article 3.N., Section C, Item 4. Staff recommends approval with the following conditions:

1. The operation of a commercial recreation facility at this location is to be limited to indoor use.
2. The hours of operation are to be limited between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit application PLSUP20180000021 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20180000021 subject to conditions per Staff.
3. Recommend approval of Special Use Permit application PLSUP20180000021 subject to conditions by the Planning Commission
4. Recommend denial of Special Use Permit application PLSUP20180000021 as submitted.
5. Recommend postponement of Special Use Permit application PLSUP20180000021 by Planning Commission.

Attachments:

Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: FRESH MARKET DOWNSTAIRS, PRODUCTION KITCHEN AND TEAKING
KITCHEN UPSTAIRS

CASE NUMBER: _____

EXISTING ZONING: _____

PROPOSED ZONING: _____

TAX MAP NUMBER: _____

RECEIVED BY: _____

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: _____ Property Address: 620 N. MAIN ST

Property Location: N S E W Side of: E SIDE OF N MAIN, NEXT DOWN TO 616

Between: CHURCH and WORSHAM

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: *on file*

- 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:

BUILDING WILL BE RENOVATED TO HOUSE A FRESH MARKET RETAIL SPACE ON FIRST FLOOR AND A PRODUCTION AND TEACHING KITCHEN ON SECOND FLOOR.

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

1. NAME: *PARCO INTERNATIONAL* TELEPHONE: *(615) 626-8705*

MAILING ADDRESS: *830 MAIN ST, DANVILLE 24541*

SIGNATURE: *[Signature]* DATE: *11-25-17*

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____

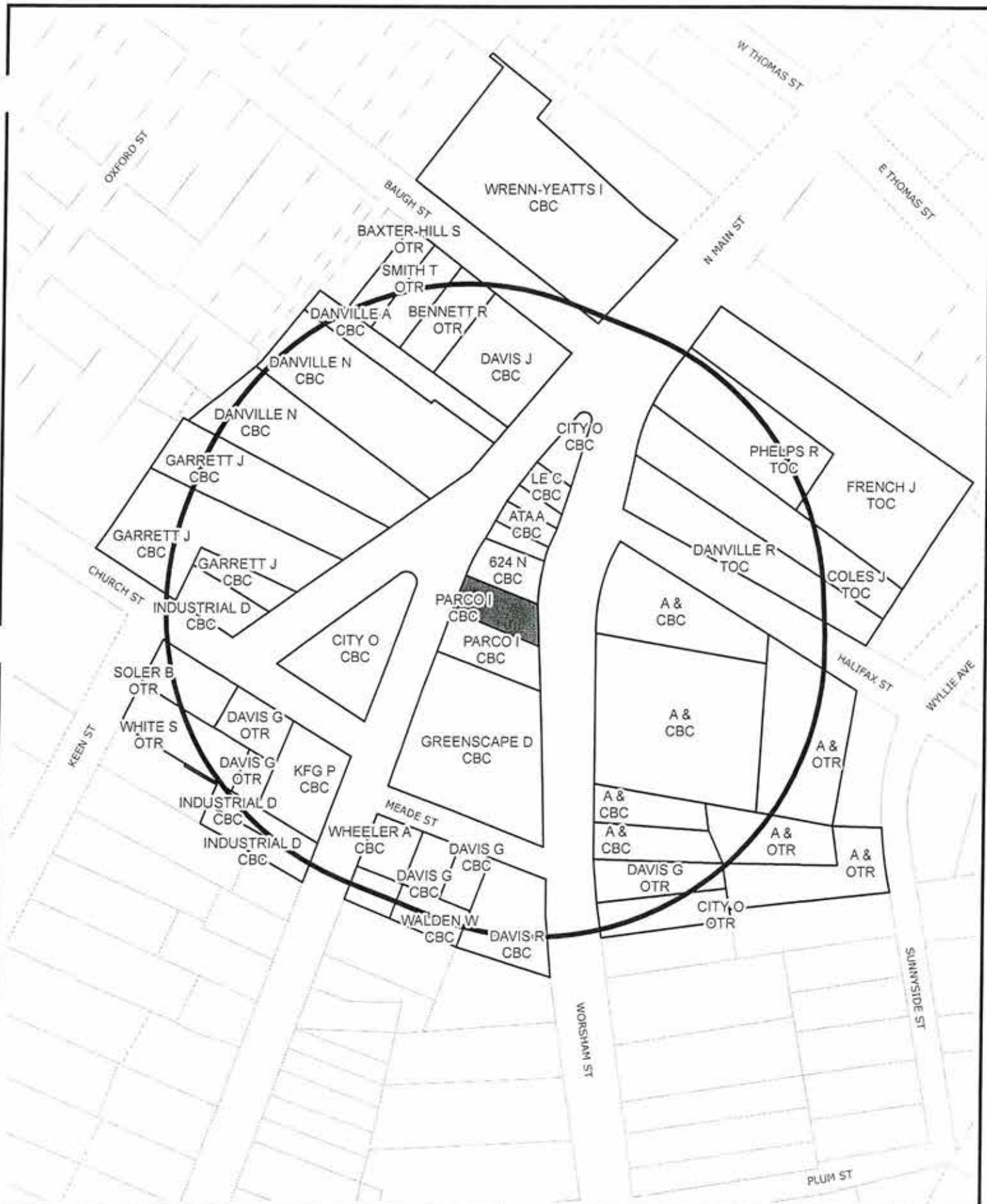
MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE:	February 12, 2018
LOCATION OF PROPERTY:	620 North Main Street
PRESENT ZONE:	CB-C Central Business Commercial
PROPOSED ZONE:	same
ACTION REQUESTED:	The applicant is requesting a Special Use Permit for Indoor Commercial Recreation to operate a teaching kitchen
PRESENT USE OF PROPERTY:	vacant
PROPOSED USE OF PROPERTY:	teaching kitchen on upper level
PROPERTY OWNER (S):	PARCO International LLC
NAME OF APPLICANT (S):	PARCO International LLC
PROPERTY BORDERED BY:	Commercial development to north, east, south and west
ACREAGE/SQUARE FOOTAGE:	~ 0.8 acre total
CHARACTER OF VICINITY:	Commercial
INGRESS AND EGRESS:	North Main Street
TRAFFIC VOLUME:	Medium to High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of February 12, 2018



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2018

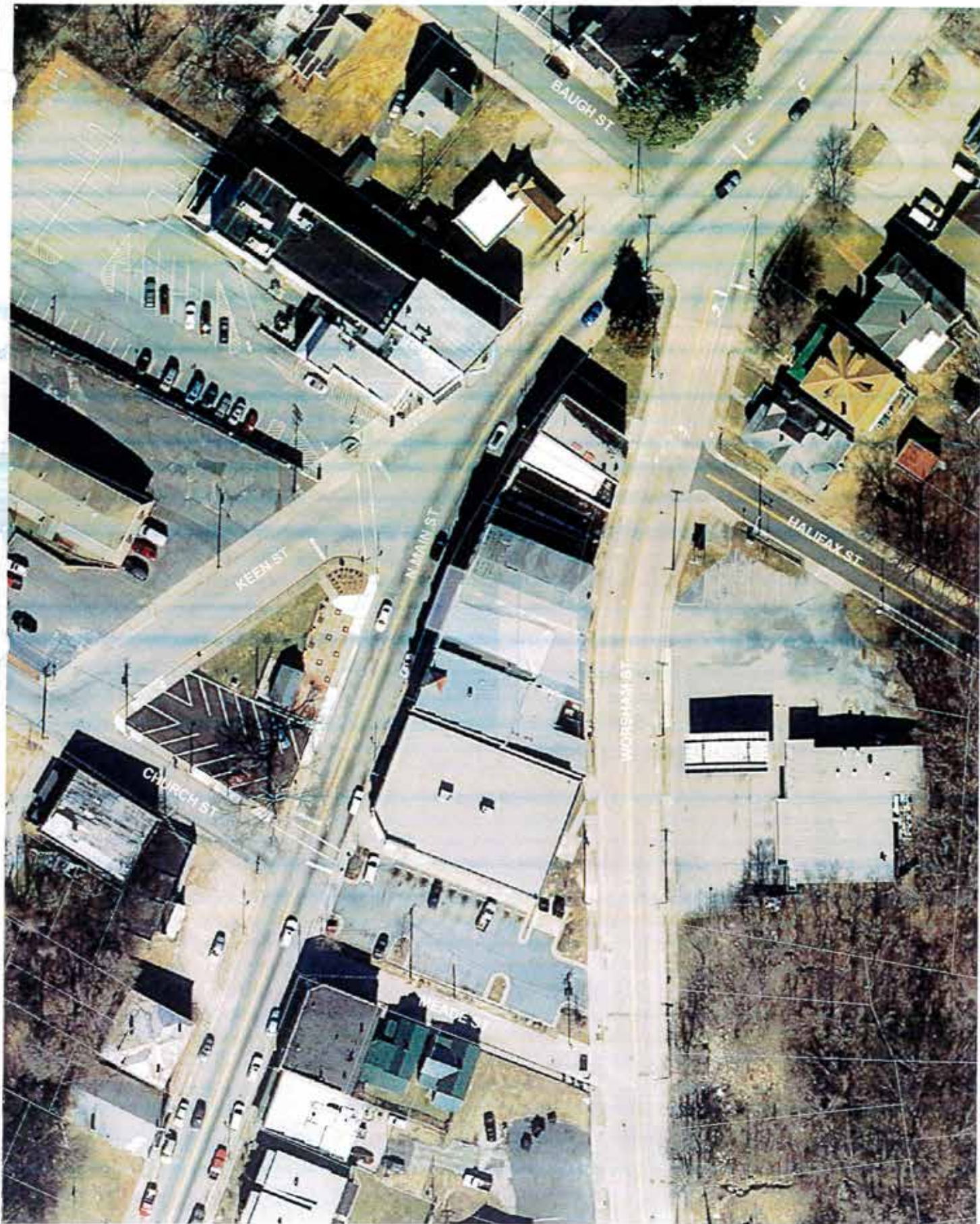
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, 52 of 61 in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



YEAR 2020 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2018

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



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2018

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

Council Letter

City of Danville, Virginia



CL-1846

New Business Item #: C.

City Council Regular Meeting

Meeting Date: 03/06/2018

Subject: Request to Amend City Sign Regulations in the CP-1, LED-I and M-I Districts for Development Name Signs

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

COUNCIL ACTION

Business Meeting: 03/06/2018

SUMMARY

The City received a request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section Q entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs.

BACKGROUND

The City has received a request to allow for the renovation of the existing ground sign located at Airside Industrial Park. This is the main park sign, announcing the tenants that are located within the park. The Zoning Code adopted in 2004 does not address the installation of these types of signs in industrial parks. It does allow for development name signs for residential subdivisions as well as shopping centers, to a certain extent.

The previous (prior to 2004) edition of the Zoning Code allows for a Development Name Sign provided that it was:

- a. Located on private property
- b. Is erected permanently as a marker at the entrance to a development
- c. Denotes the name of the development only
- d. Did not exceed 16 square feet

The City currently allows for signage of large Commercial facilities as follows:

Business identification sign for a group of two or more contiguous stores or businesses per building and more than 60,000 gross leasable square feet. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.

At their meeting of February 12, 2018, the City Planning Commission voted 7-0 to recommend approval of the following code amendment:

Q. - Permitted Signs in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District.

The following illuminated or non-illuminated signs shall be permitted in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District:

1. *Freestanding Signs.*

d. Development Name Sign for Business/Industrial Park provided that it is:

1. Located on private property
2. Is erected permanently as a marker at the entrance to a development
3. Denotes the name of the development and existing tenants within the boundaries of that specific development or park only
4. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses/industries on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.
5. Existing businesses/industries shall be permitted individual signage as permitted in subsection's a., b., or c. as applicable to the individual lot development.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Amending Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section Q entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs.

Attachments

Ordinance

Planning Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2018-____.____

AN ORDINANCE AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 10, ENTITLED "SIGNS", SECTION Q, ENTITLED "PERMITTED SIGNS IN THE CP-1, CYBER PARK ONE DISTRICT, LED-I, LIGHT ECONOMIC DEVELOPMENT DISTRICT AND THE M-I, MANUFACTURING INDUSTRIAL DISTRICT" TO ADDRESS THE NUMBER AND SIZE OF DEVELOPMENT NAME SIGNS.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the City Planning Commission recommending approval of amendments to Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, as amended, more specifically Article 10, entitled "Signs", Section Q, entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs, be, and the same is hereby received; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that certain paragraphs and subparagraphs of Article 10, entitled "Signs", Section Q, entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" of Chapter 41, entitled "Zoning Ordinance", of the Code of the City of Danville, Virginia, 1986, as amended, be and the same is hereby, amended and reordained to read as follows:

CHAPTER 41. ZONING ORDINANCE

ARTICLE 10. "SIGNS."

Section Q. "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District."

1. Freestanding Signs.

d. Development Name Sign for Business/Industrial Park provided that it is:

1. Located on private property
2. Is erected permanently as a marker at the entrance to a development
3. Denotes the name of the development and existing tenants within the boundaries of that specific development or park only
4. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses/industries on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.
5. Existing businesses/industries shall be permitted individual signage as permitted in subsection's a., b., or c. as applicable to the individual lot development.

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: FEBRUARY 12, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: REZONING REQUEST

REQUEST:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section Q entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs.

RECOMMENDATION:

The Planning Commission voted 7-0 to recommend approval of the following amendment:

Q. - Permitted Signs in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District.

The following illuminated or non-illuminated signs shall be permitted in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District:

1. *Freestanding Signs.*

d. Development Name Sign for Business/Industrial Park provided that it is:

1. Located on private property
2. Is erected permanently as a marker at the entrance to a development
3. Denotes the name of the development and existing tenants within the boundaries of that specific development or park only
4. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses/industries on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.
5. Existing businesses/industries shall be permitted individual signage as permitted in subsection's a., b., or c. as applicable to the individual lot development.

Michael E. Scarce (KCG)
Mr. Michael Scarce, Chairman



City Planning Commission

City Planning Commission
Meeting of February 12, 2018

Subject:

Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section Q entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs.

SUBJECT

The City has received a request to allow for the renovation of the existing ground sign located at Airside Industrial Park. This is the main park sign, announcing the tenants that are located within the park. The Zoning Code adopted in 2004 does not address the installation of these types of signs in industrial parks. It does allow for development name signs for residential subdivisions as well as shopping centers to a certain extent.

The previous (prior to 2004) edition of the Zoning Code allows for a Development Name Sign provided that it was:

- a. Located on private property
- b. Is erected permanently as a marker at the entrance to a development
- c. Denotes the name of the development only
- d. Did not exceed 16 square feet

The City currently allows for signage of large Commercial facilities as follows:

Business identification sign for a group of two or more contiguous stores or businesses per building and more than 60,000 gross leasable square feet. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.

RECOMMENDATION

It is recommended that City Planning Commission recommend amending Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended, more specifically Article 10: entitled "Signs", Section Q entitled "Permitted signs in the CP-1, Cyber Park One District, LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District" to address the number and size of development name signs by adding the following allowable signage:

Q. - Permitted Signs in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District.

The following illuminated or non-illuminated signs shall be permitted in the CP-1, Cyber Park One District, the LED-I, Light Economic Development District and the M-I, Manufacturing Industrial District:

1. *Freestanding Signs.*

d. Development Name Sign for Business/Industrial Park provided that it is:

1. Located on private property
2. Is erected permanently as a marker at the entrance to a development
3. Denotes the name of the development and existing tenants within the boundaries of that specific development or park only
4. Permitted sign area shall be combined into a single freestanding or monument sign advertising all businesses/industries on the premises. The combined sign shall not exceed one hundred and seventy-five (175) square feet in area. An additional area not exceeding two hundred (200) square feet may be devoted to architectural elements which serve as support or base for such sign and which are not part of the message portion of the sign.
5. Existing businesses/industries shall be permitted individual signage as permitted in subsection's a., b., or c. as applicable to the individual lot development.