



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

March 2, 2021

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

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

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

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

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

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

Time and Place of Meeting

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

Communications from Visitors

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

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the

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

MEETING CALLED TO ORDER

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

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

MEETING MINUTES

- A. Consideration of Approval of Minutes from Regular Council meeting held on February 2, 2021.
Council Letter Number CL - 2495.

NEW BUSINESS

- A. Consideration of Rezoning 255 Ranch Drive from T-R Threshold Residential to SR-R Sandy River Residential.
Council Letter Number CL - 2498.
 - 1. Public Hearing
 - 2. An Ordinance Rezoning 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.
- B. Consideration of Granting a Special Use Permit for a Maximum Density Waiver at 618 Craghead Street.
Council Letter Number CL - 2499.
 - 1. Public Hearing
 - 2. An Ordinance Granting Special Use Permit Application 2021-6 for a Maximum Density Waiver in Accordance with Article 3.L, Section C.13, of the Code of the City of Danville Virginia, 1986, As Amended, at 618 Craghead Street, Parcel ID #21748.

- C. Consideration of Granting a Special Use Permit for a Garbage Transfer Station at 461 Gypsum Road.
Council Letter Number CL - 2500.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application 2021-10 for a Garbage Transfer Station in Accordance with Article 3.Q, Section C.22, of the Zoning Ordinance of the Code of the City of Danville, Virginia, 1986, As Amended, at 461 Gypsum Road, Parcel ID #76479.
- D. Consideration of Granting a Special Use Permit for a Minimum Yard Requirement Waiver at 2291 Memorial Drive.
Council Letter Number CL - 2501.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application 2021-33 for a Minimum Yard Requirement Waiver in Accordance with Article 3.I, Section C.19, of the Code of the City of Danville, Virginia, 1986, As Amended, at 2291 Memorial Drive, Parcel ID #51478.
- E. Consideration of Granting a Special Use Permit for an Accessory Use at 864 Monument Street.
Council Letter Number CL - 2502.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application 2021-34 for an Accessory Use in Accordance with Article 3.L, Section C.14, of the Zoning Ordinance of the Code of the City of Danville, Virginia, 1986, As Amended, at 864 Monument Street. Parcel ID #24916.
- F. Consideration of Amending Chapter 2 of the Danville City Code to Add an Ex-Officio Member to the Danville Utility Commission.
Council Letter Number CL - 2491.
- An Ordinance Amending and Reordaining Sections 2-267 Entitled “Composition; Appointment and Qualifications of Members of Utility Commission” 2-268 Entitled “Terms of Members; Filling of Vacancies” and 2-271 Entitled “Chair and Vice-Chairman” of Article XI Entitled “Utility Commission” of Chapter 2 Entitled “Administration” of the Code of the City of Danville, Virginia, 1986, As Amended.

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-2495

Meeting Minutes A.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Consideration of Approval of Minutes from Regular Council meeting held on February 2, 2021.

Council Letter Number CL - 2495.

Attachments

Meeting Minutes

February 2, 2021

The Regular February meeting of the Danville City Council was held on February 2, 2021, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Bryant Hood, Mayor Alonzo L. Jones, Barry P. Mayo, Vice Mayor Gary P. Miller, Sherman M. Saunders, J. Lee Vogler, Jr., and Madison J.R. Whittle (9).

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

INVOCATION

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

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Tommy Bennett, President of the Danville Branch of the NAACP, who noted it was Black History Month, thanked those who paved the way, and the sign in front of the courthouse commemorates Bloody Monday; a lot of people in Danville participated in that.

MEETING MINUTES

Upon **Motion** by Council Member Campbell and **second** by Council Member Buckner, Minutes from the Regular Council Meeting held on January 5, 2021, were approved as presented. Draft copies of the minutes had been distributed prior to the meeting.

NEW BUSINESS

PUBLIC HEARING – CONSIDERATION OF GRANTING A SPECIAL USE PERMIT AT 1208 PINEY FOREST ROAD

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 1208 Piney Forest Road. Notice of the Public Hearing was published in the *Danville Register & Bee* on January 19, 2021 and January 26, 2021. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2021-02.01

GRANTING SPECIAL USE PERMIT APPLICATION PLSUP2020-284 FOR WAIVER OF YARD REQUIREMENTS IN ACCORDANCE WITH ARTICLE 3.M SECTION C.21. OF THE CODE OF THE CITY OF DANVILLE VIRGINIA, 1986, AS AMENDED, AT 1208 PINEY FOREST ROAD (PARCEL ID #54171) ALSO KNOWN AS GRID 1808, BLOCK 004, PARCEL 000075 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

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

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

COMMUNICATIONS

City Manager Ken Larking explained the ongoing efforts, working in collaboration with the local health department, SOVAH, Averett University and Pittsylvania County, to make sure there were vaccines available to the public as quickly as they arrived in Danville. They have established a good procedure regarding vaccinations through events that have been held; the next one will be in the County. Danville has been noticed at the state level that they have the ability to administer vaccines when they receive them. Danville receives their allotment, and on occasion were able to get a little extra because they were able to get them to the public. Mr. Larking noted they have a lot of volunteers and Averett University has coordinated the volunteer effort, to make sure things flowed smoothly and he was very pleased with that. The City created an online portal for people to sign up for the vaccine and about 8,000 people have signed up. The City gets about 1,000 vaccines every week, sometimes a little more, and it will take a couple months before they get everyone the first dose. Mr. Larking noted his appreciation to everyone involved making this happen, and encouraged the public to be patient going through this process.

In response to Mr. Saunders, Mr. Larking explained the portal was established by the City and located on the City's website at www.danvilleva.gov/pittdansignup. Citizens answer a few questions to determine if they are phase 1a or 1b, and enter their contact information. If a citizen was unable to fill it in themselves they should ask a friend or family member to help. Tommy Bennett and others actually knocked on doors signing people up, to reach the underserved communities as much as possible; the State has recognized that effort. The Governor has established a portal at the state level and he will be working with Dr. Spillman from the health department to determine how to get people who were on the City's portal, onto the state portal. Mr. Bennett explained they have received calls all week about seniors in their eighties and nineties who don't have email or computers. He has signed them up, printed out and brought back to their homes, a copy of the time they were scheduled to get their vaccine. Tammy Warren has also offered her bus service to pick people up. Mr. Saunders thanked Mr. Bennett for what he has been doing, as well as Mr. Larking.

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

Council Member Hood noted he wanted to acknowledge the City moving forward together and as communication came together, getting the vaccine out. Mr. Hood thanked Mr. Bennett, Dr. Miller and the City Manager; when the City was on one accord the strength they have together was key. Today, giving out laptops to students at DCC was phenomenal; there were a lot of things happening in Danville, and Mr. Hood thanked the essential workers for helping out.

Council Member Mayo noted today was incredible at DCC passing out the laptops to students, and thanked Dr. Gill-Powell and Shannon Hair for doing that; they were moving forward to make sure the students get the best education possible. Mr. Mayo thanked Dr. Miller for his guidance and leadership, he was doing a great job for Council and the City. DCC was partnering with Feeding Southwest Virginia, with PATHS, this Friday from 1- 3 p.m. They will be giving away food boxes by the Temple Building in the parking lot. All Virginia residents qualify, no ID or income requirements, and food will be distributed on a first come first serve basis.

Vice Mayor Miller noted Tommy Bennett got a lot of people from Cardinal Village and other places registered. Some races were hit harder by this disease including African Americans and Hispanics, when they get it, they do worse; it was very important that they get people of all races vaccinated. Mr. Bennett had done an outstanding job and thanked him for all he does. Today, they gave away two hundred computers to Danville City residents at DCC; the county gave away three hundred to county residents last week. Dr. Miller thanked DCC and the City for doing that.

February 2, 2021

Council Member Saunders noted he received a communication from Richmond, they know the pandemic issue and the vaccine issue was chaotic all over the world. The call he received was that in Virginia, Danville was leading in terms of getting people vaccinated. Mr. Saunders thanked the Mayor, the Vice Mayor, and the City Manager and his staff, as well as the Council Members and all the volunteers for making this possible.

Council Member Vogler noted he was listening to a podcast yesterday that indicated that currently there were thirty three children in the Danville Public School system identified as homeless; that was not counting the number of children that were currently living in hotels day to day. Mr. Vogler questioned what could be done in the short and the long term; he will do what he can to be a part of the solution to do what they can to help. Mr. Vogler noted several months ago Shannon Hair at DCC called him about how DCC has been working through COVID, having to do virtual, the strain on their students and access to devices and internet. He and Mr. Hair reached out to the City Manager to get discussions going and the City Manager did a great job, they were able to hand out several hundred laptops to the City residents. It was a tremendous event.

Council Member Whittle noted Danville Public School system has 250 children that were homeless and they need to find some sort of wrap around program to bring those kids into; it was a serious problem and thanked Mr. Vogler for bringing this up. Mr. Whittle noted his agreement with what has been said, staff and Council have worked hard, trying to do the best they could.

Council Member Buckner noted he could not say enough about the volunteers, the City Manager, city, hospital, and health department staffs, and the volunteers in the clinics helping people. It was a selfless thing to do to help somebody during these times. Mr. Buckner encouraged citizens who were able to, to go and help out others.

Council Member Campbell noted his agreement with other Council Members, commending Dr. Miller, Tommy Bennett and the NAACP. The most joyful thing in this pandemic was to see citizens in Danville working together; the City will overcome this, will move forward and Danville will be better. Mr. Campbell noted his mentor, Apostle Campbell's birthday was tomorrow, he will be 91 years old and wished him Happy Birthday.

Mayor Jones thanked the City Council for all they do. On Saturday the Deputy City Manager and he were in a meeting of citizens in the community who want to help move the community forward. On Sunday, he received a call about the homeless shelter and the numbers there, they were starting to see more, and more people on the streets as well. They talked about people at Coleman Marketplace pan handling, and had a very in depth conversation he will be sharing with Council. Mayor Jones thanked the City Council, City Manager, and City Staff for all they were doing.

ADJOURNED: 7:43 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2498

New Business A.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Rezoning 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Rezoning Application PLRZ-2020-283, filed by Justin and Stephanie Hylton, requests to rezone 255 Ranch Drive, Parcel ID #70900, from T-R Threshold Residential to SR-R Sandy River Residential.

BACKGROUND

The applicant proposes to rezone 49.18 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity on Ranch Drive.

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Rezoning Application PLRZ-2020-283.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance rezoning 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE REZONING 255 RANCH DRIVE, PARCEL ID #70900 FROM T-R THRESHOLD RESIDENTIAL TO SR-R SANDY RIVER RESIDENTIAL.

WHEREAS, in accordance with the Code of the City of Danville, Virginia, 1986, as amended, Justin and Stephanie Hylton requested to rezone 255 Ranch Drive, Parcel ID #70900 from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Rezoning Application 2020-283, filed by Justin and Stephanie Hylton requesting to rezone 255 Ranch Drive, Parcel ID #70900 from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Rezoning Application 2020-283, filed by Justin and Stephanie Hylton requesting to rezone 255 Ranch Drive, Parcel ID #70900 from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district, is hereby approved; and

BE IT FINALLY ORDAINED, that 255 Ranch Drive, Parcel ID #70900 on 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

RECOMMENDATION

DATE: February 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2020-0283

REQUEST

Rezoning Application PLRZ2020-283, filed by Justin and Stephanie Hylton, requests to rezone 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.

The applicant proposes to rezone 49.18 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at on Ranch Drive.

RECOMMENDATION

The Planning Commission, at their January 11, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application 2020-284.

Mr. Harold E. Garrison, Chair

RESPONSES

Eight (8) notices were sent to surrounding property owners within three hundred (300') feet of the subject property. Four (4) responses were received, Three (3) were unopposed (Hylton, Milam and Mountcastle), One was (1) opposed (Bray).

COMMENTS

NONE



City Planning Commission

STAFF REPORT

DATE: JANUARY 14, 2021
TO: PLANNING COMMISSION
FROM: DOUG PLACHCINSKI, PLANNING DIVISION DIRECTOR
RE: SPECIAL USE PERMIT APPLICATION 2020-0283

RE: REZONING APPLICATION - 255 RANCH DRIVE

Rezoning Application PLRZ2020-283, filed by Justin and Stephanie Hylton, requests to rezone 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.

BACKGROUND

The applicant proposes to rezone 49.18 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at on Ranch Drive.

STAFF ANALYSIS AND RECOMMENDATION

The proposed rezoning's future land use designation in the Comprehensive Plan is low-density residential.

The Planning Division recommends the Planning Commission endorse rezoning application PLRZ2020-283 for City Council approval as presented.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ2020-283 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ2020-283 as submitted.
3. Recommend approval of Rezoning Application PLRZ2020-283 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ2020-283.

ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ 2019 Aerial View
- ✓ Property Ownership/Zoning Map
- ✓ Year 2020 Land Use Map

MEMORANDUM

DATE: FEBRUARY 8, 2021

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Rezoning Application PLRZ2020-283, filed by Justin and Stephanie Hylton, requests to rezone 255 Ranch Drive, Parcel ID #70900 from T-R Threshold Residential to SR-R Sandy River Residential.

RESPONSES:

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Four (4) responses were received, Three (3) unopposed (Hylton, Milam and Mountcastle), One (1) opposed (Bray).

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: 49.18 Property Address: 255 Ranch Dr. Danville VA 24541

Property Location: (N) S E W Side of: 58 W.

Between: _____ and _____

Proffered Conditions (if any, please attach): N/A

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

1. NAME: Justin + Stephanie Hylton TELEPHONE: 434-251-9585

MAILING ADDRESS: 255 Ranch Dr. Danville VA 24541

SIGNATURE: Justin R. Hylton DATE: 9/28/20

SIGNATURE: Stephanie Hylton DATE: 09/28/2020

EMAIL ADDRESS: jhyllton@southsidemechanical.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: Justin + Stephanie Hylton TELEPHONE: 434-251-9585

MAILING ADDRESS: 255 Ranch Dr. Danville VA 24541

EMAIL ADDRESS: jhyllton@southsidemechanical.com

SIGNATURE: Justin R. Hylton DATE: 9/28/2020

REZONING REQUEST DATA SHEET PLRZ 2020-283

PUBLIC HEARING DATES: DECEMBER 7, 2020
PLANNING COMMISSION AT 3PM

LOCATION OF PROPERTY: NORTH END OF RANCH DRIVE

PRESENT ZONE: T-R THRESHOLD RESIDENTIAL

PROPOSED ZONE: SR-R SANDY RIVER RESIDENTIAL

ACTION REQUESTED: REZONE 49.18 ACRES PROPERTY

PRESENT USE OF PROPERTY: RESIDENTIAL

PROPOSED USE OF PROPERTY: RURAL RESIDENTIAL AND AGRICULTURE

FUTURE LAND USE DESIGNATION: RURAL RESIDENTIAL

PROPERTY OWNER (S): HYLTON JUSTIN R & STEPHANIE B

NAME OF APPLICANT (S): HYLTON JUSTIN R & STEPHANIE B

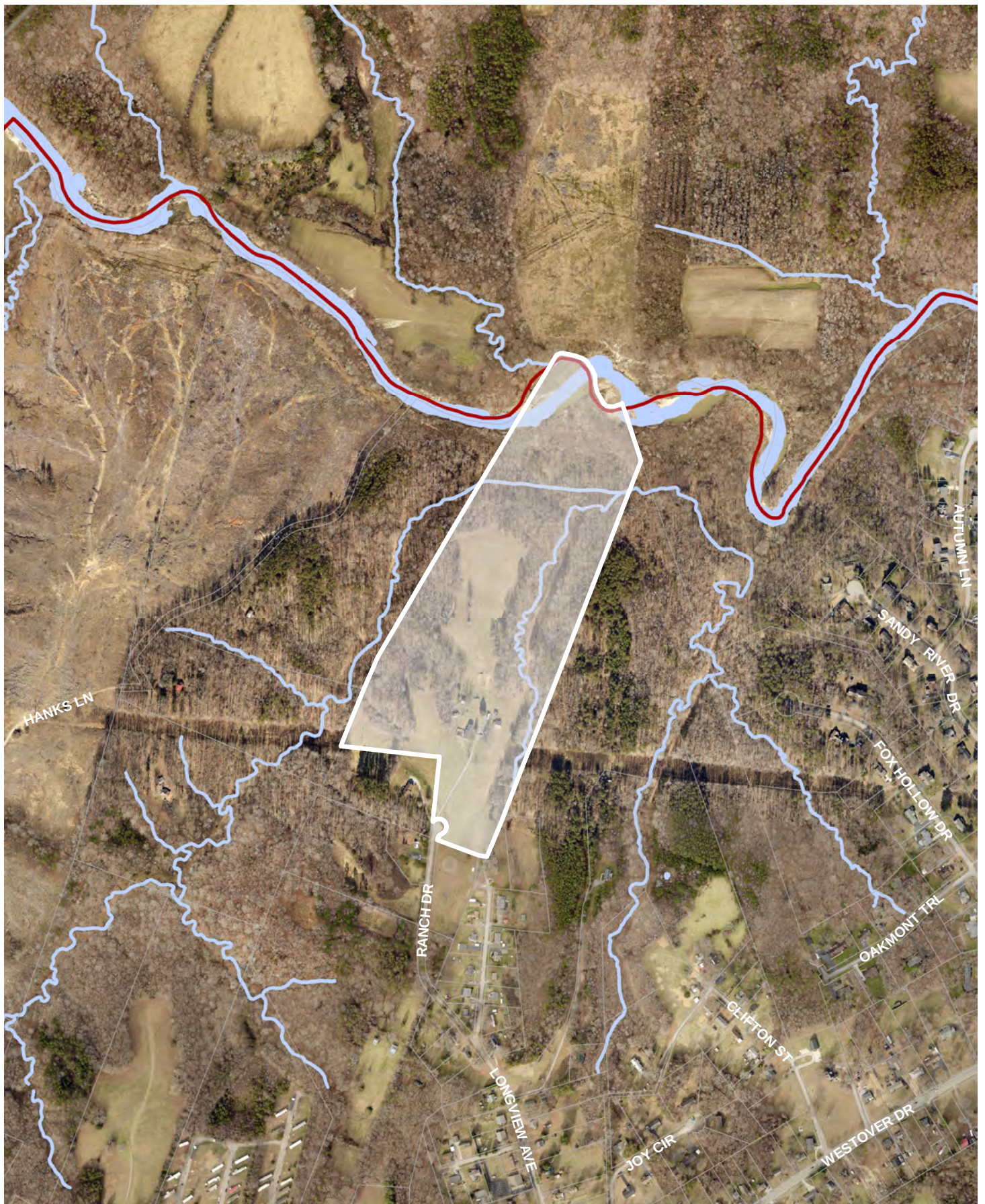
PROPERTY BORDERED BY: RURAL RESIDENTIAL

ACREAGE: 49.18 ACRES TOTAL

CHARACTER OF VICINITY: RURAL RESIDENTIAL

INGRESS AND EGRESS: RANCH DRIVE

TRAFFIC VOLUME: VERY LOW- NO RECENT COUNTS

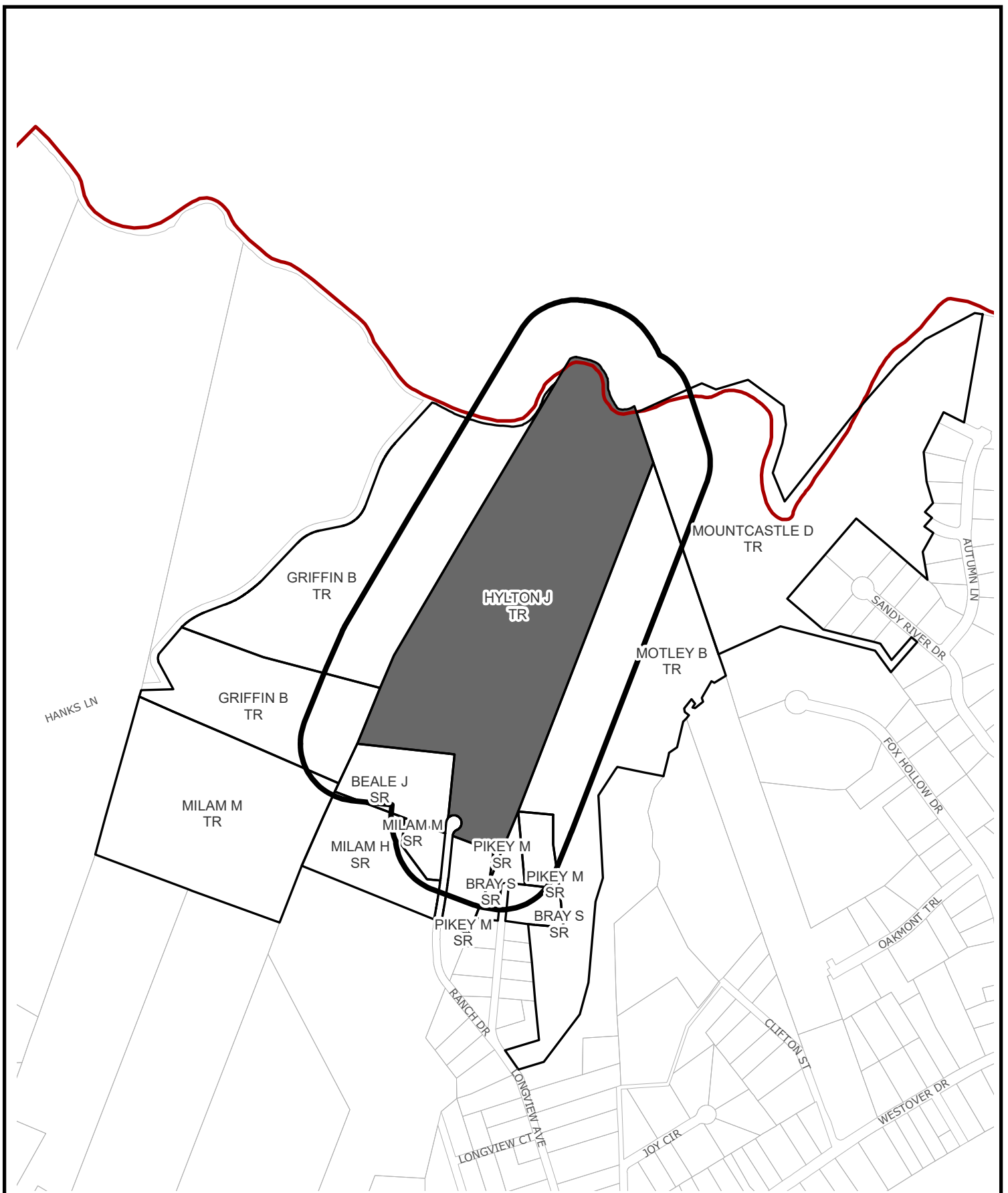


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
12/9/2020

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

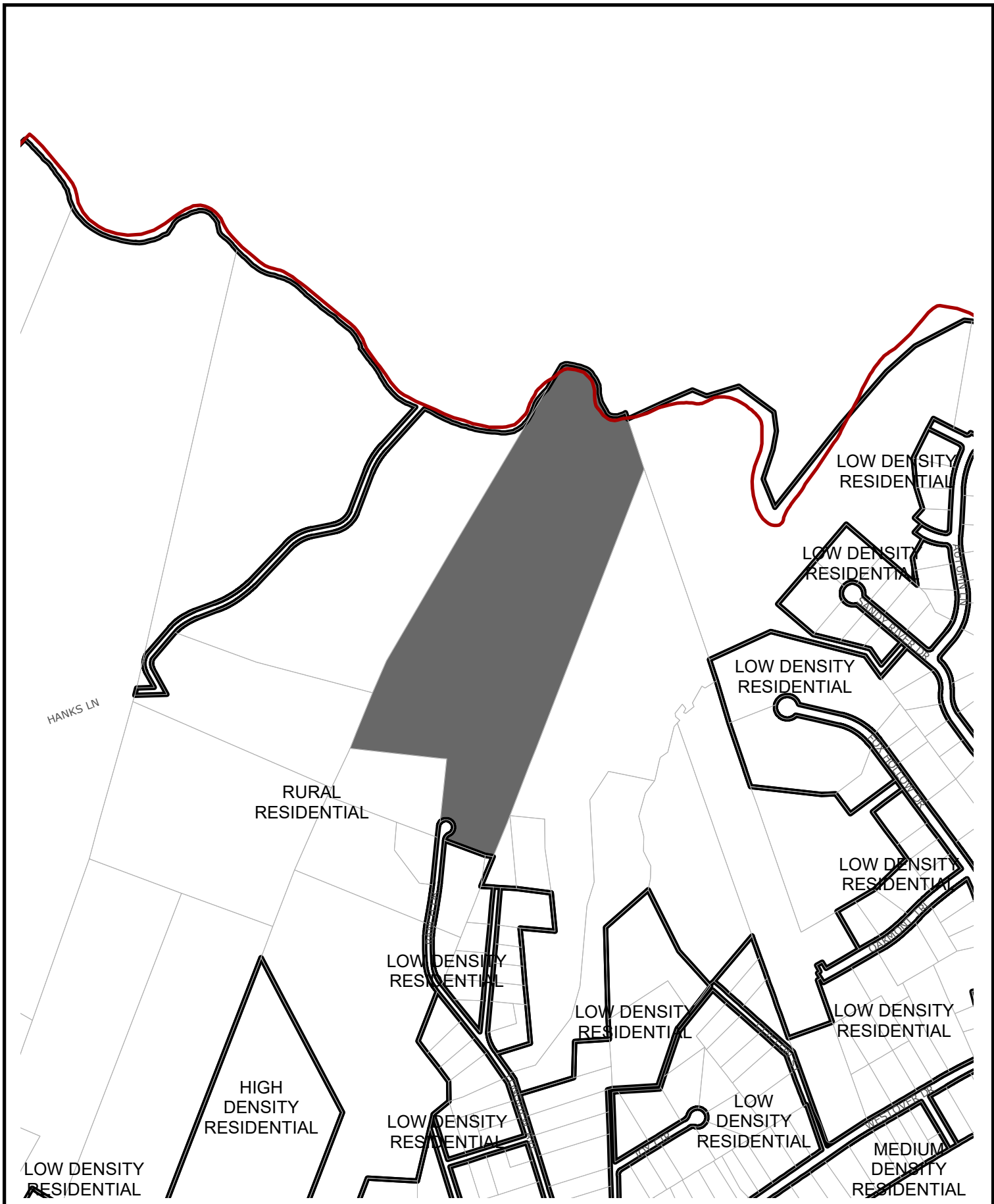


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
12/9/2020

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/9/2020

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-2499

New Business B.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Granting a Special Use Permit for a Maximum Density Waiver at 618 Craghead Street Parcel ID#21748

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Special Use Permit Application PLSUP 2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 618 Craghead Street, Parcel ID #21748.

BACKGROUND

This project is an adaptive reuse of an existing 68,000 square foot historic building into 88 one, two and three-bedroom apartment units and a 1,100 square foot commercial space, using the existing building footprint. This adaptive reuse compliments the existing buildings in the surrounding area.

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Rezoning Application PLSUP 2021-6.

RECOMMENDATION

The Planning Commission recommended that City Council adopt an Ordinance granting a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended, at 618 Craghead Street, Parcel ID#21748, with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space for a residential density of 57 units per acre;
2. The development's parking program includes off-site parking on public surface lots and streets including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION 2021-6 FOR A MAXIMUM DENSITY WAIVER IN ACCORDANCE WITH ARTICLE 3.L, SECTION C.13, OF THE CODE OF THE CITY OF DANVILLE VIRGINIA, 1986, AS AMENDED, AT 618 CRAGHEAD STREET, PARCEL ID #21748.

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 2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L, Section C.13, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 618 Craghead Street, Parcel ID#21748, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application 2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 618 Craghead Street, Parcel ID#21748, is hereby approved with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space for a residential density of 57 units per acre; and
2. The development' s parking program includes off-site parking on public surface lots and streets including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY



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

City Planning Commission

RECOMMENDATION

DATE: FEBRUARY 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-6

REQUEST

Special Use Permit Application PLSUP 2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 618 Craghead Street, Parcel ID#21748.

This project is an adaptive reuse of an existing 68,000 square foot historic building into 88 one, two and three bedroom apartment units and a 1,100 square foot commercial space. The uses the existing building footprint. This adaptive reuse compliments the existing buildings in the surrounding area.

RECOMMENDATION

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-6 with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space for a residential density of 57 units per acre;
2. The development's parking program includes off-site parking on public surface lots and streets including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

Mr. Harold E. Garrison, Chair

RESPONSES

Eleven (11) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, Two (2) unopposed (Rick Barker Properties LLC & Davis Storage & Warehouse Inc).

COMMENTS

Garrett & Ross do wonderful work which enhances our warehouse district.



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

City Planning Commission

STAFF REPORT

DATE: FEBRUARY 2, 2021
TO: PLANNING COMMISSION
FROM: DOUG PLACHCINSKI, PLANNING DIVISION DIRECTOR
RE: SPECIAL USE PERMIT APPLICATION 2021-6

MEETING DATE: FEBRUARY 8, 2020

RE: SPECIAL USE PERMIT APPLICATION - 618 CRAGHEAD STREET

Special Use Permit Application PLSUP-2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 618 Craghead Street, Parcel ID#21748. The applicant requests a Special Use Permit for a maximum density waiver in the TW-C Tobacco Warehouse Commercial Zoning District.

BACKGROUND

This project is an adaptive reuse of an existing 68,000 square foot historic building into 88 one, two and three bedroom apartment units and a 1,100 square foot commercial space. The uses the existing building footprint. This adaptive reuse compliments the existing buildings in the surrounding area.

The Planning Division sent twelve (12) notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, Garrett Shifflett for property owner Davis Storage Properties LLC, applied to the Planning Division for a Special Use Permit for a maximum density waiver in the TW-C Tobacco Warehouse Commercial Zoning District, including accessory parking requirements. The application is attached to this report.

The City may waive density maximums with a Special Use Permit in the TW-C Tobacco Warehouse Commercial Zoning District. (Chapter 41 Zoning Ordinance, Article 3.L. §C.13.). Article 3.L, Section E., item 4.a establishes maximum residential density of 24 units per acre and this proposal is 57 units per acre.

Parking is not required in the TW-C Tobacco Warehouse District under Article 3.L.H.6. However, as part of the Special Use Permit application for the increased density, the Commission can evaluate parking waiver requirements applicable to the entire zoning ordinance in Article 8, Section D, items 5.a-f. The applicant demonstrates that the required parking is available in nearby public surface lots and along public streets, the proposed parking program meets ADA requirements by working with

the City to install ADA parking on Deboe Street, off-site parking and loading meet all other Article 8, parking and loading requirements, the development will not cause adverse impacts on surrounding properties, and the development does not have any self-created hardship.

The Comprehensive Plan puts the subject property in the River District planning area. The future land use designation for the subject parcel is 'Mixed Use.' If approved, the Special Use Permit is in harmony with the TW-C, Tobacco Warehouse District which is established to promote revitalization, redevelopment and adaptive reuse of existing uses and harmonious new development in the City's historic tobacco warehouse business area. The regulations of the TW-C are intended to promulgate the goals of the Comprehensive Plan for historic preservation of old buildings and architectural compatibility of new structures while encouraging a creative mix of uses in this important section of Danville.

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

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as proposed. The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP-2021-6 for City Council approval, with the following conditions:

1. The development is limited to 88 residential units and a 1,100 square foot commercial space for a residential density of 57 units per acre;
2. The development' s parking program includes off-site parking on public surface lots and streets including ADA compliant parking on Deboe Street; and
3. The development provides no less than six (6) bicycle parking spaces.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-6 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-6 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-6 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-6.

ATTACHMENTS

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

MEMORANDUM

DATE: FEBRUARY 8, 2021

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Special Use Permit Application PLSUP-2021-6, filed by Garrett Shifflett for property owner Davis Storage Properties LLC, requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 618 Craghead Street (Parcel ID#21748), otherwise known as Grid 2714, Block 010, Parcel 000005.000, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a maximum density waiver in the TW-C Tobacco Warehouse Commercial Zoning District.

RESPONSES:

Eleven (11) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, Two (2) unopposed (Rick Barker Properties LLC & Davis Storage & Warehouse Inc).

COMMENTS:

Garrett & Ross do wonderful work which enhances our warehouse district.



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 618 Craghead Street/ Parcel # 21748
Applicant: Garrett Shifflett
Applicant's Address: 3210 Chamberlayne Avenue, Richmond, VA 23227
Applicant's Phone Number: 804.399.9921
Applicant's E-mail: garrettshifflett@gmail.com
Describe Proposed Development: 88 apartment units and one commercial space

Applicant requests specific relief from any and all density and parking requirements

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

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

Yes, adaptive reuse of existing structure in to multifamily and commercial space constant with all requirements and zoning regulations.

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

Yes, This historic renovation will have all new services connected to the building and the building will have a full sprinkler system.

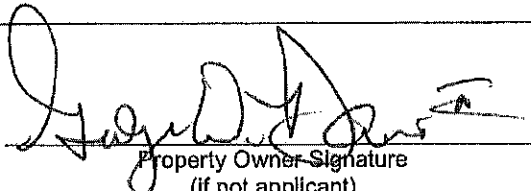
3. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance:

Yes, the building is utilizing historic tax credits and will be renovated using both state
and federal historic guidelines for the renovation.

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

Yes, this historic renovation will be designed such that it does not impact neighboring
properties or neighborhoods.


Applicant Signature


Property Owner Signature
(If not applicant)

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

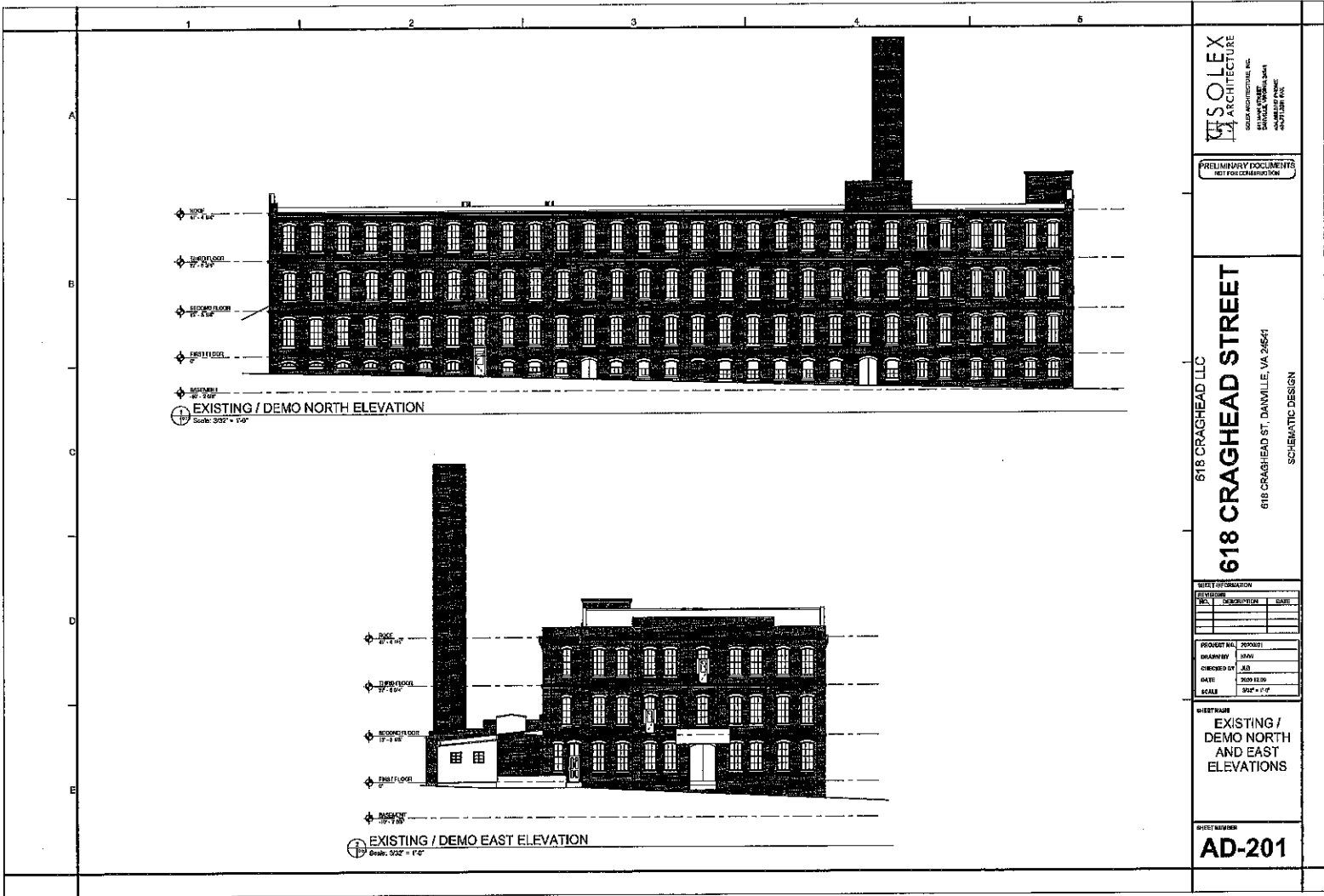
1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall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

Special Use Permit Application

618 Craghead Street/ Parcel # 21748

Project Description

This project is an adaptive reuse of an existing 68,000 square foot historic building into 88 one, two and three bedroom apartment units and an 1100 square foot commercial space. The existing footprint of the building will be utilized. The multifamily use proposed is consistent with the City of Danville's Comprehensive Plan. We are revitalizing the existing neighborhood by renovating an existing building and we are bringing in tenants to live in these buildings which is in line with the City's Economic Revitalization Plan. This adaptive reuse will compliment the existing buildings in the surrounding area as it will be renovated to the same standards.



SOLEX
ARCHITECTURE
ARCHITECTURAL FIRM
1000 W. MAIN ST.
SUITE 100
DANVILLE, VA 24040
(434) 751-1111
www.alexarch.com

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

618 CRAGHEAD STREET
618 CRAGHEAD ST., DANVILLE, VA 24041
SCHEMATIC DESIGN

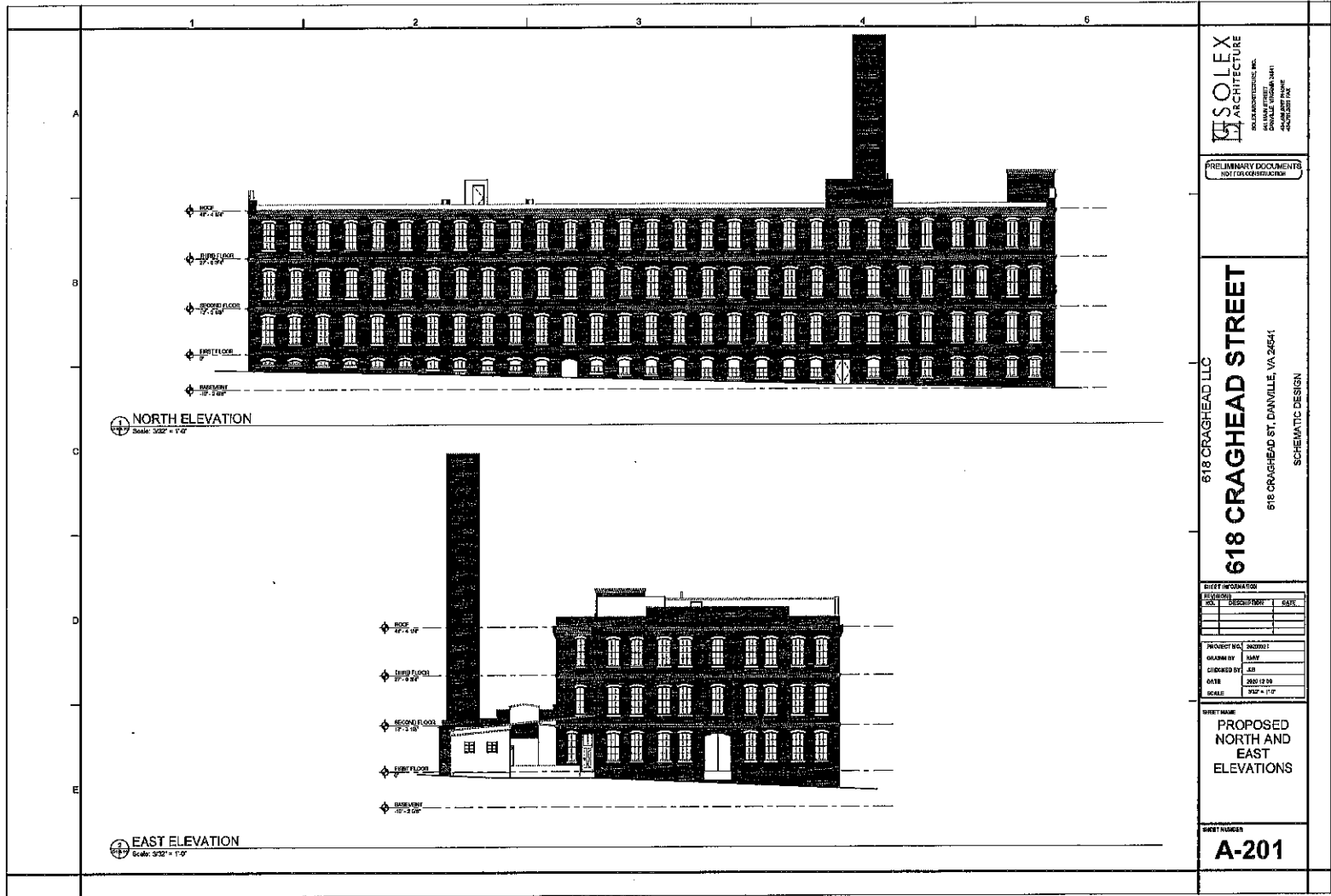
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REVISION	DATE	DESCRIPTION	BY

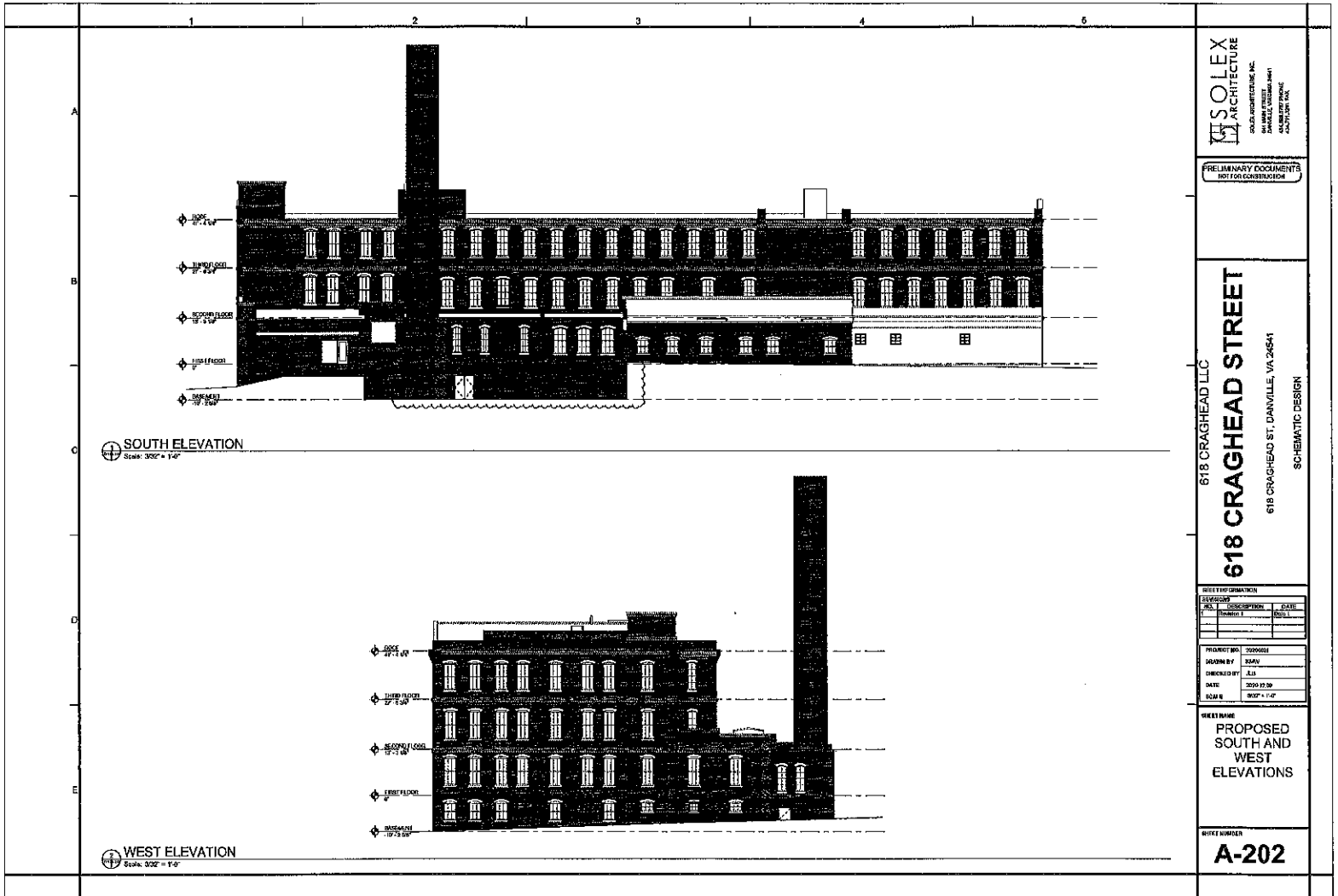
PROJECT NO. 200001
DRAWN BY: JMM
CHECKED BY: JMM
DATE: 10/01/09
SCALE: 3/32" = 1'-0"

SHEET NAME
**EXISTING /
DEMO NORTH
AND EAST
ELEVATIONS**

SHEET NUMBER
AD-201







SOLEX
ARCHITECTURE

SOLEX ARCHITECTURE, INC.
84 HANNA STREET
DANVILLE, VIRGINIA 24541
TEL: 434-793-1111
FAX: 434-793-1112

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

618 CRAGHEAD STREET

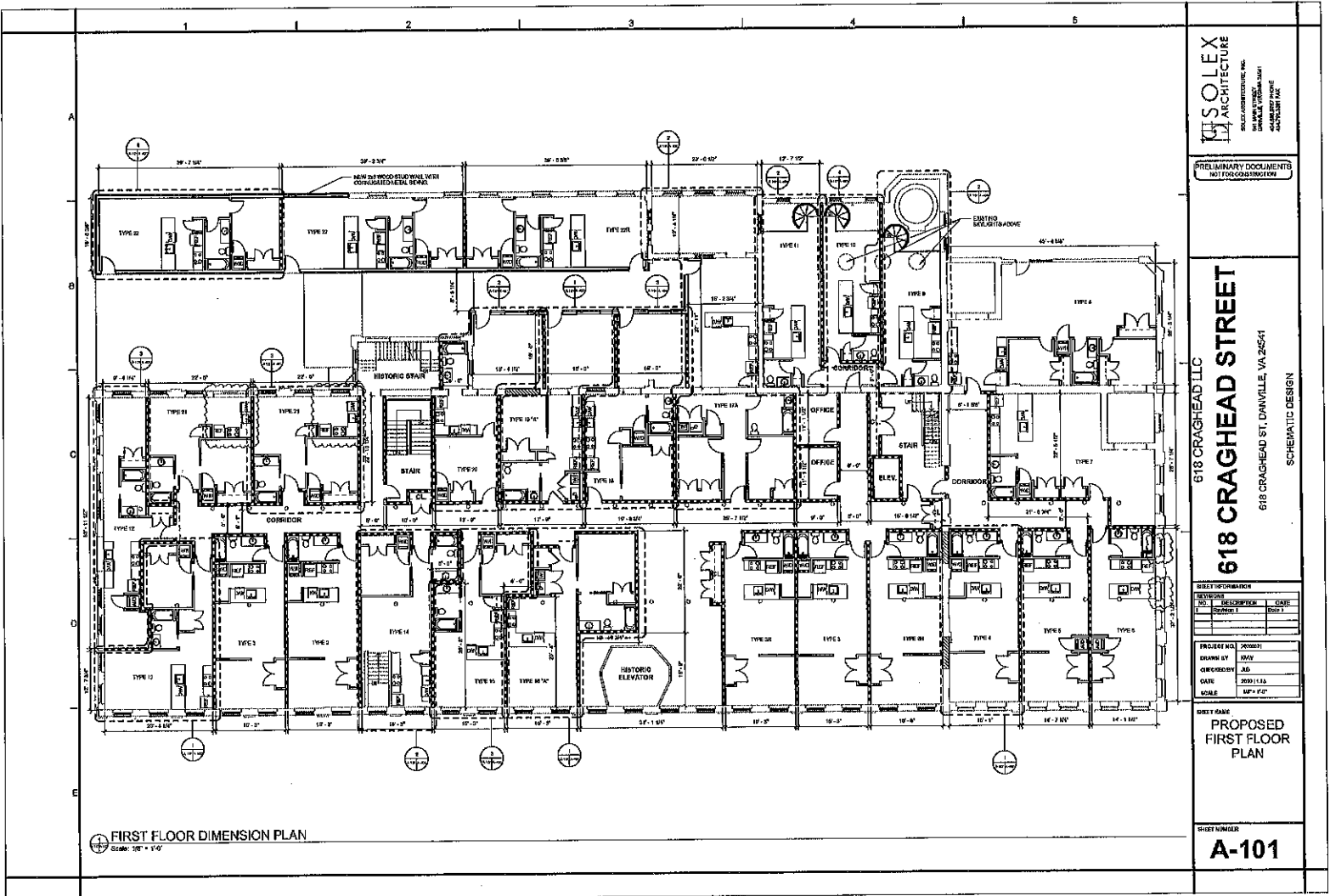
618 CRAGHEAD ST, DANVILLE, VA 24541

SCHEMATIC DESIGN

REVISION INFORMATION		
NO.	DESCRIPTION	DATE
1	ISSUED	05/11

PROJECT NAME
PROPOSED
SOUTH AND
WEST
ELEVATIONS

WORK NUMBER
A-202



SOLEX
ARCHITECTURE

SOLEX ARCHITECTURE, INC.
1000 W. 10TH STREET, SUITE 100
DANVILLE, VA 24541
TEL: 753-1111
FAX: 753-1112

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

618 CRAGHEAD STREET

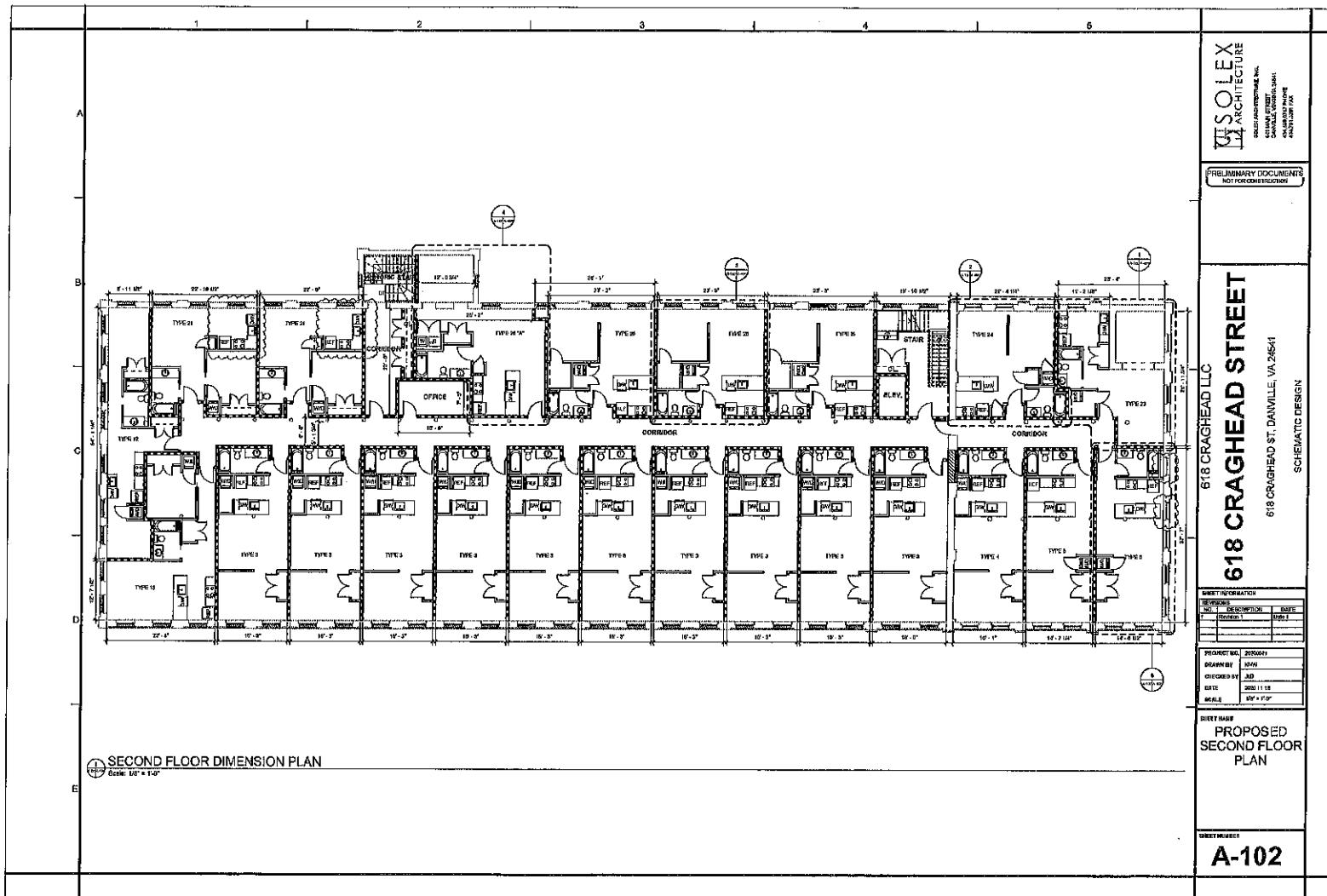
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PROPOSED FIRST FLOOR PLAN

A-101



ISOLEX
ARCHITECTURE

3000 LEE ROAD, SUITE 100
DANVILLE, VA 24040
434.781.1111
WWW.ISOLEXARCH.COM

PRELIMINARY DOCUMENT
NOT FOR CONSTRUCTION

618 CRAGHEAD STREET

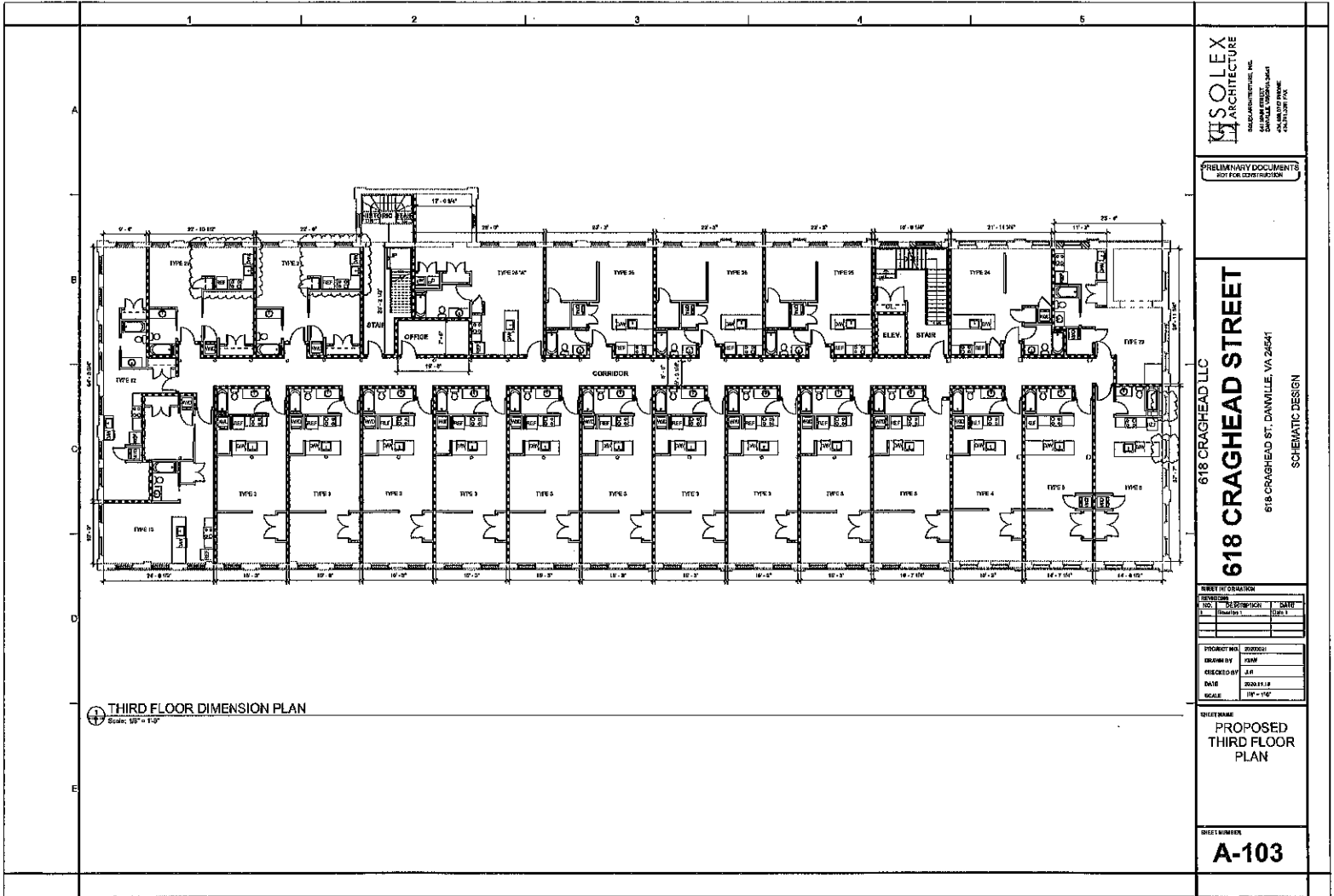
618 CRAGHEAD ST. DANVILLE, VA 24041

SCHEMATIC DESIGN

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100	ISSUED	10/1/18

PROPOSED SECOND FLOOR PLAN

A-102





2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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

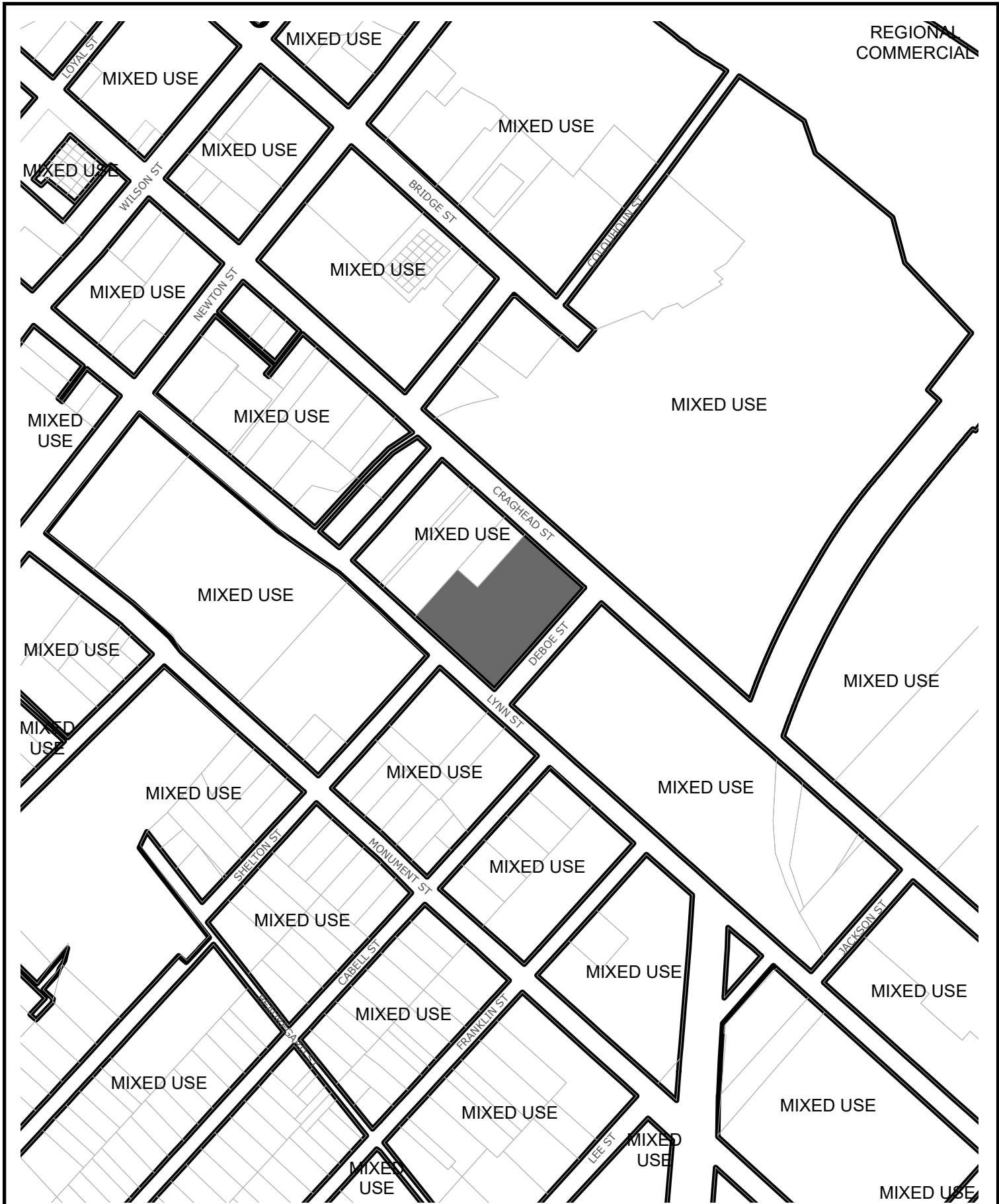


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/21/2021

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

Council Letter

City of Danville, Virginia



CL-2500

New Business C.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Granting a Special Use Permit for a Garbage Transfer Station at 461 Gypsum Road, Parcel ID#76479

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Special Use Permit Application PLSUP 2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID#76479).

BACKGROUND

This project reestablishes solid waste transfer station operations at the subject site as previously operated and approved.

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Rezoning Application PLSUP 2021-10.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance Granting a Special Use Permit for a Garbage Transfer Station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID #76479).

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION 2021-10 FOR A GARBAGE TRANSFER STATION IN ACCORDANCE WITH ARTICLE 3.Q, SECTION C.22, OF THE ZONING ORDINANCE OF THE CODE OF CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 461 GYPSUM ROAD, PARCEL ID#76479.

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 2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q, Section C.22, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 461 Gypsum Road, Parcel ID#76479, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application 2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q, Section C.22, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 461 Gypsum Road, Parcel ID#76479, is hereby 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

RECOMMENDATION

DATE: FEBRUARY 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-10

REQUEST

Special Use Permit Application PLSUP-2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID#76479).

This project reestablishes solid waste transfer station operations at the subject site as previously operated and approved.

RECOMMENDATION

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-10

Mr. Harold E. Garrison, Chair

RESPONSES

Five (5) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, opposed (Goodyear Tire & Rubber Co & Jesus Pena).



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

City Planning Commission

STAFF REPORT

MEETING DATE: FEBRUARY 8, 2020

RE: SPECIAL USE PERMIT APPLICATION - 461 GYPSUM ROAD

Special Use Permit Application PLSUP-2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a solid waste transfer station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID#76479), otherwise known as Grid 2620, Block 001, Parcel 000001.000, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a solid waste transfer station in the M-I Industrial Manufacturing Zoning District.

BACKGROUND

This project reestablishes solid waste transfer station operations at the subject site as previously operated and approved.

The Planning Division sent five (5) notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, property owner First Piedmont Corporation, applied to the Planning Division for a garbage transfer station in the M-I Industrial Manufacturing Zoning District. The application is attached to this report.

The City may allow a solid waste transfer station in the M-I Industrial Manufacturing Zoning District. (Chapter 41 Zoning Ordinance, Article 3.Q. §C.22.).

The Comprehensive Plan puts the subject property in the Airport/Industrial planning area. The future land use designation for the subject parcel is 'Heavy Industrial'. If approved, the Special Use Permit is in harmony with the M-I Industrial Manufacturing Zoning District which is established to provide locations within Danville for future medium intensity industry as well as existing and future heavy intensity industry. In order supplement the opportunity for economic development uses not permitted in the I-P, Light Industrial Park District, the M-I District is primarily intended for use by medium to large manufacturing operations, heavy equipment facilities, construction and maintenance yards, fuel businesses and other basic intensive industrial activities normally found in an urban environment.

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

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as proposed. The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP-2021-10 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-10 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-10 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-10 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-10.

ATTACHMENTS

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



**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 461 Gypsum Road, Danville, VA 24541 / #76479
Applicant: Nick Setliff
Applicant's Address: 108 S. Main Street, Chatham, VA 24531
Applicant's Phone Number: (434) 432 - 0211
Applicant's E-mail: nsetliff@fpcwaste.com
Describe Proposed Development: Restore use of the property as a solid waste transfer station.

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

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

See attached document

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

See attached document

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

See attached document

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

See attached document

Applicant Signature

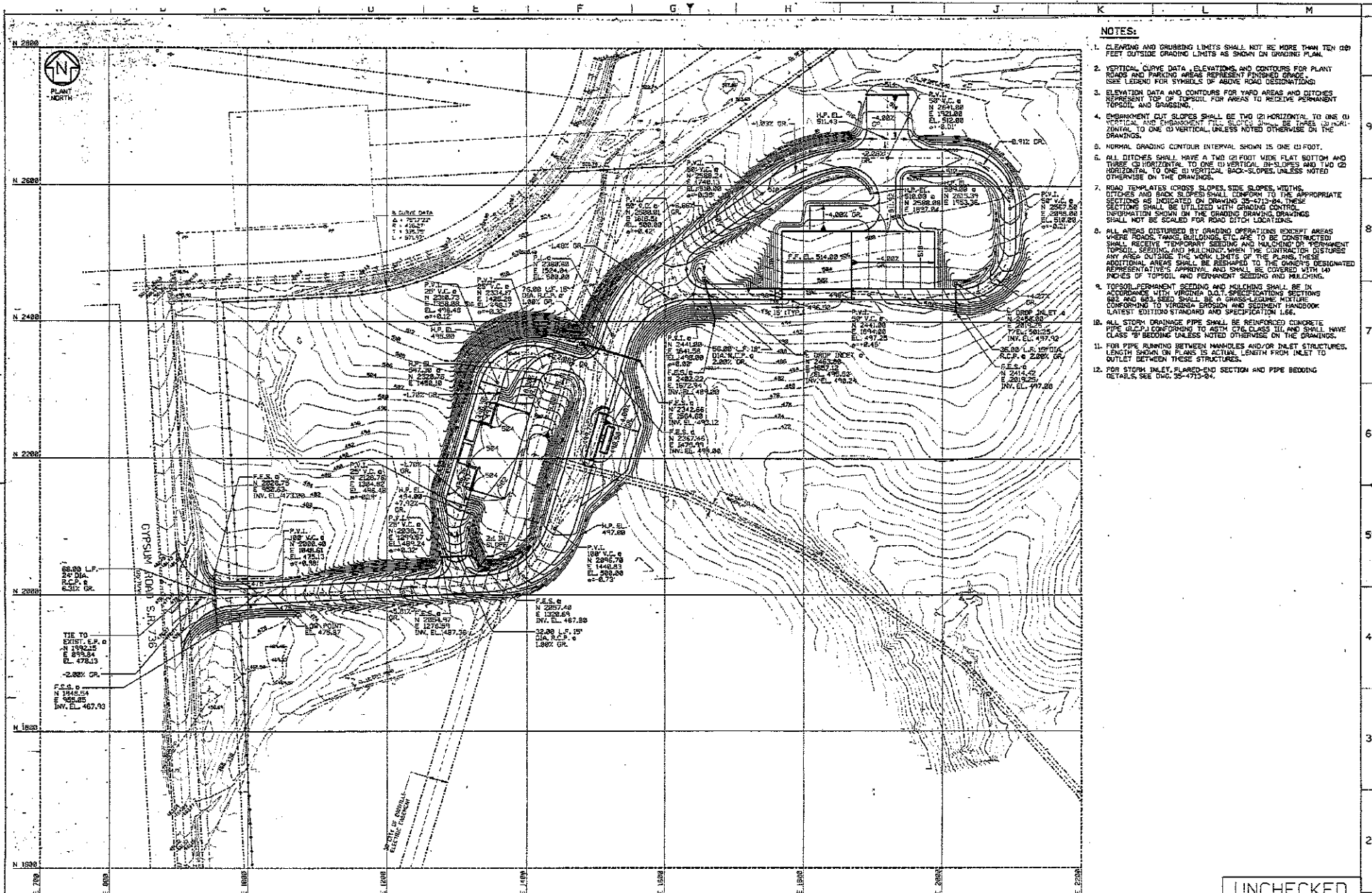
Property Owner Signature
(if not applicant)

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

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

SPECIAL USE PERMIT APPLICATION

- 1) This is in harmony with the Comprehensive Plan, as our re-opening of the transfer station on Gypsum Road will meet the service needs of regional businesses. The future land use objective states that light industrial uses will be a target. First Piedmont Corporation's transfer station at Gypsum Road will take commercial waste, satisfying the regional need. This permit would put us in line with the character of adjacent properties, as we service the waste needs for Goodyear Tire as well as Adams Construction Company, which are located East and North of this property, respectively.
- 2) This property is on a publicly maintained road (Gypsum Road.) It is serviced by Fire Station 1 for fire protection and emergencies. Our facility is adequately serviced by Danville Water. Sewage is currently maintained by a septic system.
- 3) This proposed use will not result in the destruction, loss, or damage of any significant ecological, scenic, or historical features. The property was previously permitted as a transfer station and will only require minor modifications to reinstate that use.
- 4) The current site will have minor building modifications to be properly suited as a modern transfer station, including the removal of hanger doors and the installment of a new scale system. However, these small modifications will not change the properties current design in a way that would hinder development to adjacent properties.



- NOTES:**
1. CLEARING AND GRUBBING LIMITS SHALL NOT BE MORE THAN TEN (10) FEET OUTSIDE GRADING LIMITS AS SHOWN ON GRADING PLAN.
 2. VERTICAL CURVE DATA, ELEVATIONS AND CONTOURS FOR PLANT ROAD AND PARKING AREAS REPRESENT FINISHED GRADE. (SEE LEGEND FOR SYMBOLS OF ABOVE ROAD DESIGNATIONS)
 3. ELEVATION DATA AND CONTOURS FOR YARD AREAS AND DITCHES REPRESENT TOP OF TOPSOIL. FOR AREAS TO RECEIVE PERMANENT TOPSOIL AND GRASSING.
 4. EMBANKMENT CUT SLOPES SHALL BE TWO (2) HORIZONTAL TO ONE (1) VERTICAL. AND SHOULDER CUT SLOPES SHALL BE THREE (3) HORIZONTAL TO ONE (1) VERTICAL. UNLESS NOTED OTHERWISE ON THE DRAWINGS.
 5. NORMAL GRADING CONTOUR INTERVAL IS ONE (1) FOOT.
 6. ALL DITCHES SHALL HAVE A TWO (2) FOOT WIDE FLAT BOTTOM AND THREE (3) HORIZONTAL TO ONE (1) VERTICAL IN-SLOPES AND TWO (2) HORIZONTAL TO ONE (1) VERTICAL BACK-SLOPES, UNLESS NOTED OTHERWISE ON THE DRAWINGS.
 7. ROAD TEMPLATES (CROSS SLOPES, SIDE SLOPES, WIDTHS, DITCHES AND BACK SLOPES) SHALL CONFORM TO THE APPROPRIATE SETTINGS AS INDICATED ON DRAWING 35-4713-04. THESE SECTIONS SHALL BE UTILIZED WITH GRADING CONTROL INFORMATION SHOWN ON THE GRADING DRAWING. DRAWINGS SHALL NOT BE SCALED FOR ROAD DITCH LOCATIONS.
 8. ALL AREAS DISTURBED BY GRADING OPERATIONS EXCEPT AREAS WHERE ROADS, YARDS, BUILDINGS ETC. ARE TO BE CONSTRUCTED SHALL RECEIVE TEMPORARY SEEDING AND MULCHING OR PERMANENT TOPSOIL, SEEDING AND MULCHING. WHEN THE CONTRACTOR DISTURBS ANY AREA OUTSIDE THE WORK LIMITS OF THE PLANS, THESE ADDITIONAL AREAS SHALL BE RESEDED TO THE OWNER'S DESIGNATED REPRESENTATIVE'S APPROVAL AND SHALL BE COVERED WITH 141 POUNDS OF TOPSOIL AND PERMANENT SEEDING AND MULCHING.
 9. TOPSOIL PERMANENT SEEDING AND MULCHING SHALL BE IN ACCORDANCE WITH VIRGINIA D.O.T. SPECIFICATIONS SECTIONS 602 AND 603. SEED SHALL BE A GRASS-LEGUME MIXTURE CONFORMING TO VIRGINIA EROSION AND SEDIMENT HANDBOOK LATEST EDITION STANDARD AND SPECIFICATION 1.66.
 10. ALL STORM DRAINAGE PIPE SHALL BE REINFORCED CONCRETE PIPE (RCP) CONFORMING TO ASTM C900 CLASS III AND SHALL HAVE CLASS 5 BEDDING UNLESS NOTED OTHERWISE ON THE DRAWINGS.
 11. FOR PIPE RUNNING BETWEEN MANHOLES AND/OR INLET STRUCTURES, LENGTH SHOWN ON PLANS IS ACTUAL LENGTH FROM INLET TO OUTLET BETWEEN THESE STRUCTURES.
 12. FOR STORM INLET, FLARED-END SECTION AND PIPE BEDDING DETAILS, SEE DWG. 35-4713-04.

UNCHECKED
RELEASED FOR BIDDING
PURPOSES ONLY
Issue No. 1 Date 02-15-13

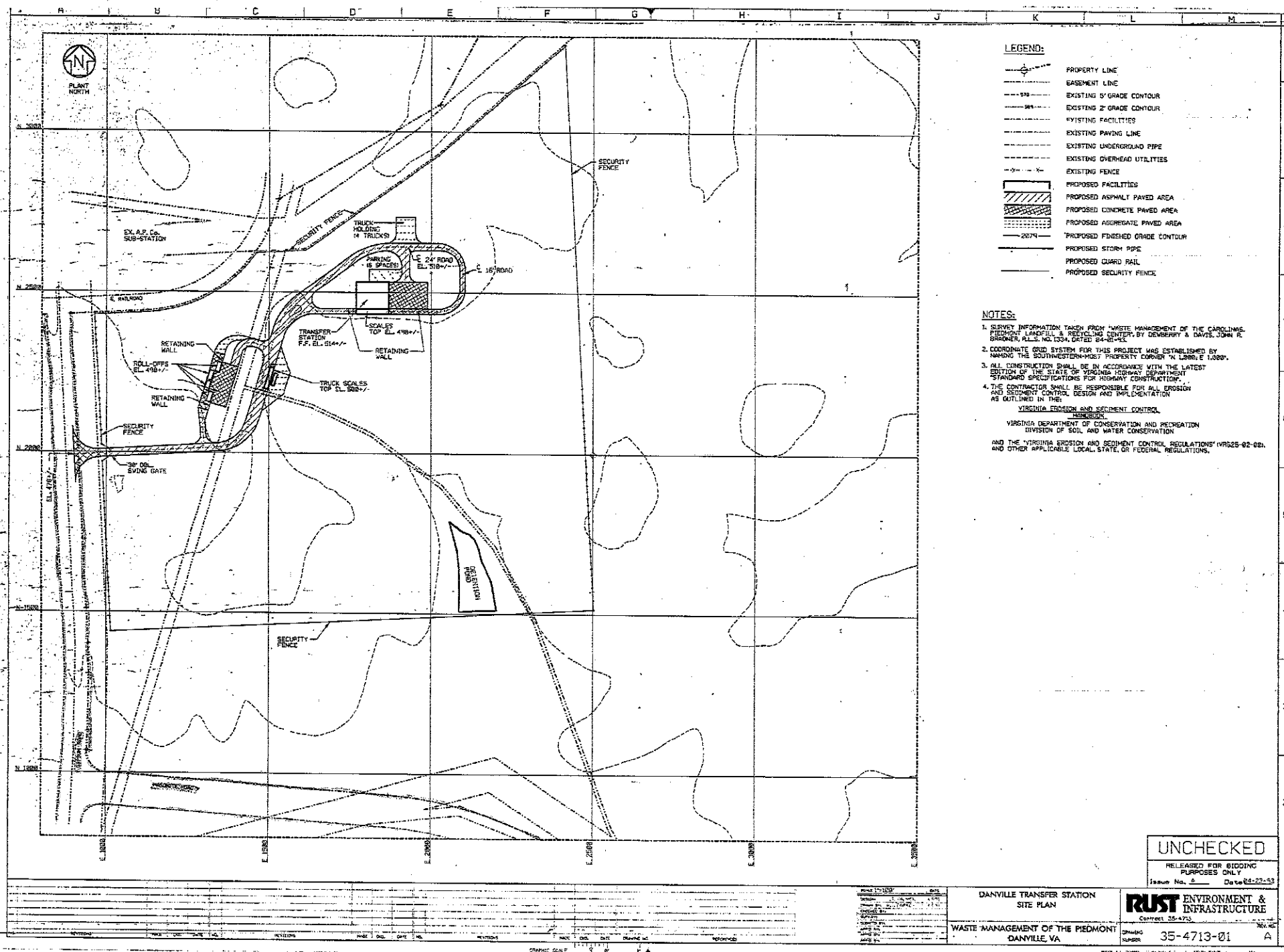
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**DANVILLE TRANSFER STATION
GRADING PLAN**

**WASTE MANAGEMENT OF THE FIEDMONT
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RUST ENVIRONMENT & INFRASTRUCTURE
CORPORATION

35-4713-03



MEMORANDUM

DATE: FEBRUARY 8, 2021

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REQUEST:

Special Use Permit Application PLSUP-2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID#76479), otherwise known as Grid 2620, Block 001, Parcel 000001.000, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a garbage transfer station in the M-I Industrial Manufacturing Zoning District.

RESPONSES:

Five (5) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, opposed (Goodyear Tire & Rubber Co & Jesus Pena).

COMMENTS:

Please see attachment.

NEIGHBORING PROPERTY OWNER STATEMENT

According to the record of land ownership you own property within 300' feet of property that is the subject of a public hearing. The City encourages you to share your opinion whether you are opposed or not opposed to the request by completing this form and returning it to the City's planning offices. Please check the appropriate box and mail it by **February 5, 2021**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may to express your opinion on this request.

I (we), PENA JESUS & AUDREY G

as owner(s) of Property ID#: 78528 and/or address: 1460 GYPSUM RD

 X AM OPPOSED

 AM NOT OPPOSED

To the following request filed with the City of Danville:

Special Use Permit Application PLSUP-2021-10, filed by property owner First Piedmont Corporation, requests a Special Use Permit for a garbage transfer station in accordance with Article 3.Q Section C.22. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 461 Gypsum Road (Parcel ID#76479), otherwise known as Grid 2620, Block 1, Parcel 1, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a garbage transfer station in the M-I Industrial Manufacturing Zoning District.

SIGNATURES(S):

Jesus Peña

Audrey G Peña

COMMENTS:

We are very concerned about a garbage transfer station so near our house/property for the following reasons: The odor emanating from the site, the increased dust in the air affecting the quality of air we breathe, since we already are inundated with an oily, black substance in the air that settles on and in everything including our lungs, the increased health at risk issue, we have grandchildren here, the increased truck/traffic noise and volume of diesel fuel fumes, decreased safety when exiting our driveway since there is a small rise just left of us and traffic already speeds through this area. In addition this site would decrease the value of our home/property and make re-sale difficult. Goodyear Tire Co. sold us this property with a clause included that would give them first

be devalued as a result of the garbage site, it could also impact Goodyear's options in the future.

So this list of concerns:

- ① Odor and dust affecting air quality further
- ② health issues
- ③ grandchildren at increased risk for various reasons
- ④ increased volume of traffic and fumes from fuel used.
- ⑤ decreased safety when exiting our driveway to street.
- ⑥ devalue of home/property
- ⑦ future impact on Goodyear Tire as mentioned above.

For these reasons and more we oppose the permit for a garbage transfer station to be built to operate near us.

According to what has been found from online searches, the acceptable distance of residence from waste facilities would be 3 plus miles.

Please consider this carefully and determine; would you be fine with living with these conditions for yourself and your family? If this would be unacceptable for you please do not subject us to these adverse conditions.

Thank you for your serious consideration of this matter.

Sincerely,

The Pena Household

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-10

PUBLIC HEARING DATES:	FEBRUARY 8, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	EAST SIDE OF GYPSUM ROAD ~1/4 MILE NORTH OF THE INTERSECTION WITH CELOTEX DRIVE
PRESENT ZONE:	M-I (INDUSTRIAL MANUFACTURING DISTRICT)
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	THE APPLICANT REQUESTS A SPECIAL USE PERMIT FOR A GARBAGE TRANSFER STATION.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	INDUSTRIAL
FUTURE LAND USE DESIGNATION:	INDUSTRIAL
PROPERTY OWNER (S):	FIRST PIEDMONT CORPORATION
NAME OF APPLICANT (S):	FIRST PIEDMONT CORPORATION
PROPERTY BORDERED BY:	INDUSTRIAL
ACREAGE:	17.63 ACRES TOTAL
CHARACTER OF VICINITY:	INDUSTRIAL
INGRESS AND EGRESS:	GYPSUM ROAD
TRAFFIC VOLUME:	LOW- NO RECENT COUNTS

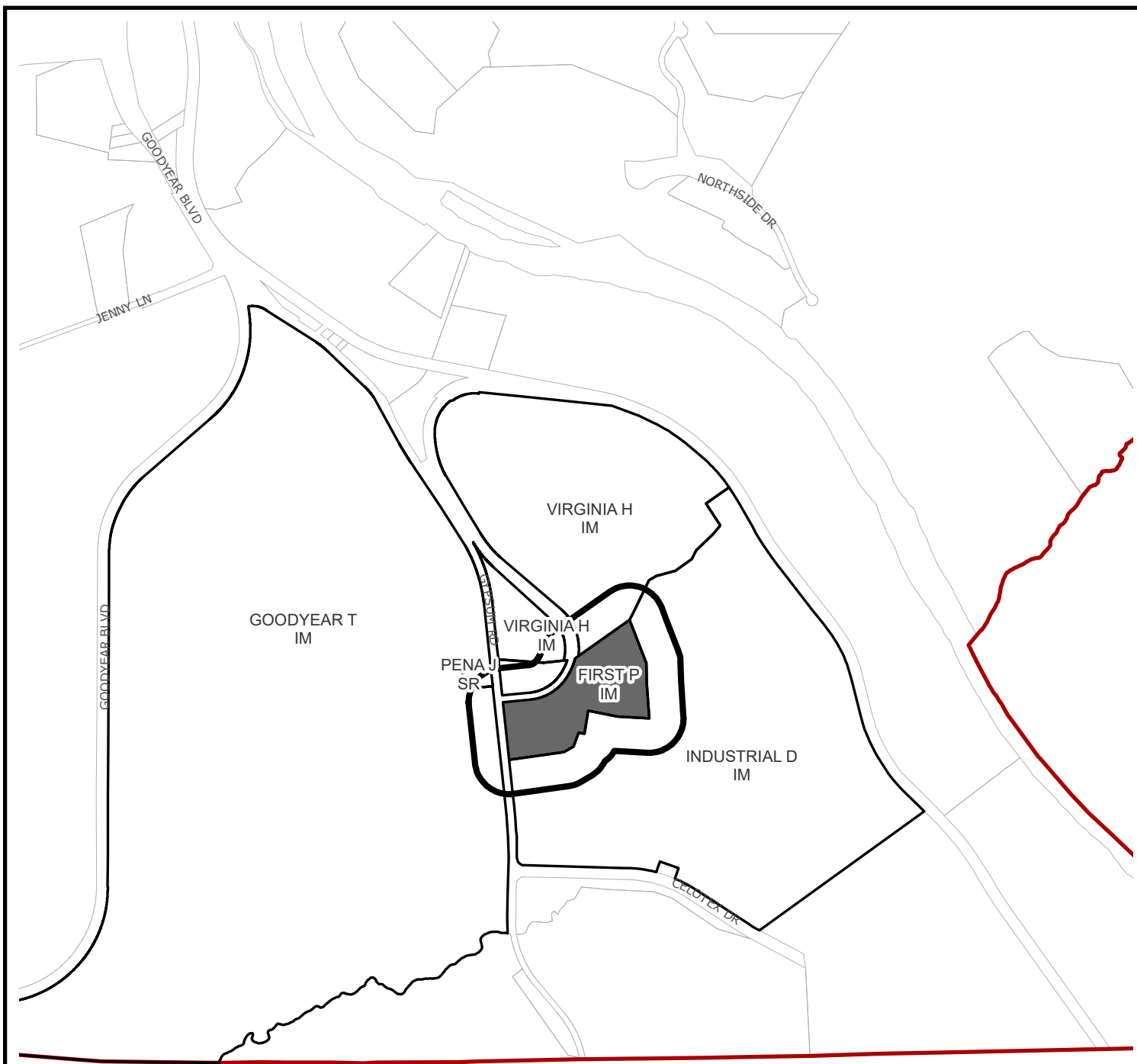


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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

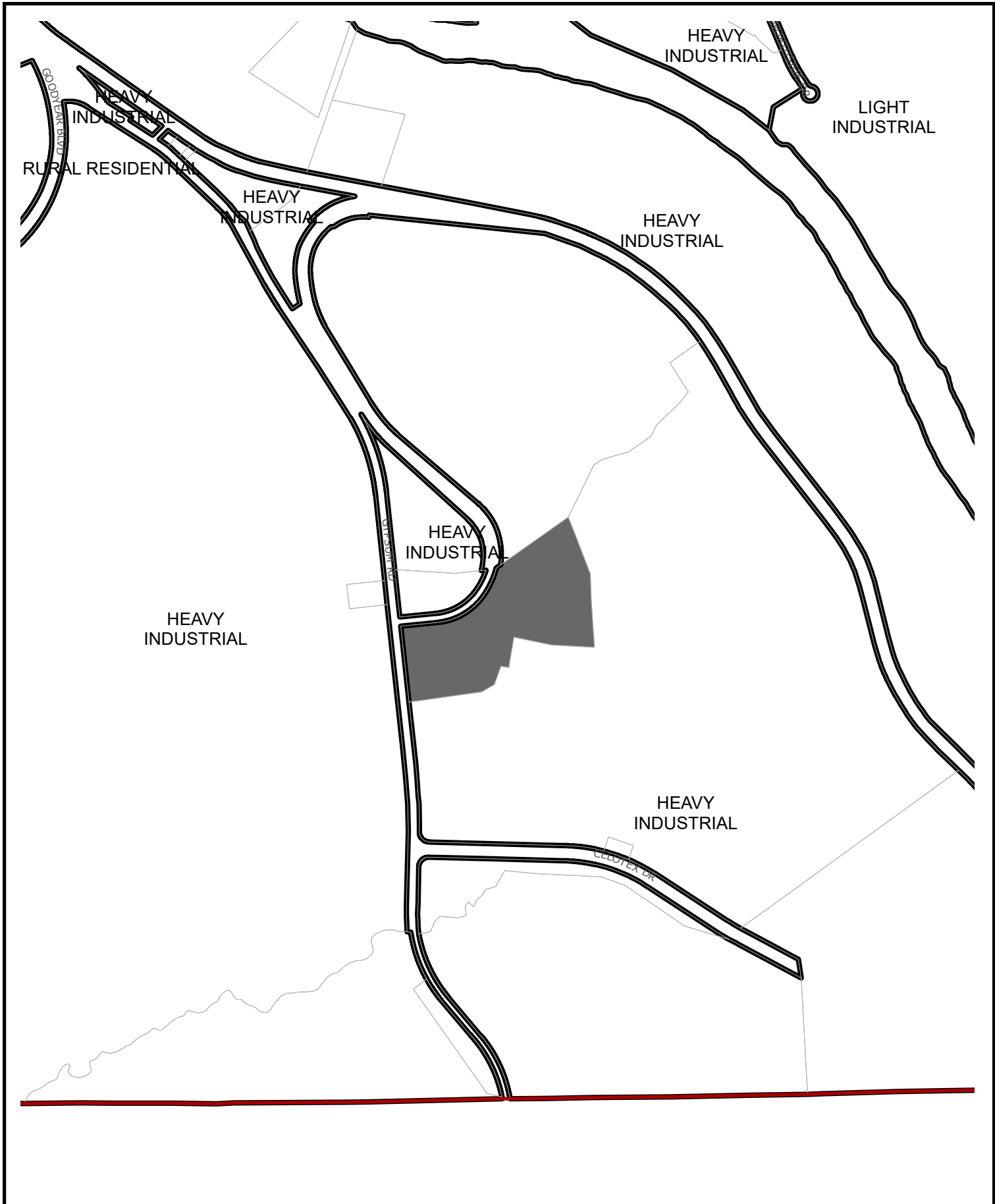


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/21/2021

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

Council Letter

City of Danville, Virginia



CL-2501

New Business D.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Granting a Special Use Permit to Waive Minimum Yard Requirements at 2291 Memorial Drive, Parcel ID #51478.

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I Section C.19. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive (Parcel ID #51478). The applicant requests a Special Use Permit for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District.

BACKGROUND

The applicant requests a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District. This application is a part of the Police Department Headquarters development at the site. The development separates the existing building and the proposed attached annex onto different properties, however both buildings are part of the unified Police Department Headquarters campus.

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-33.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance Granting a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I Section C.19. of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive (Parcel ID#51478).

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION 2021-33 A MINIMUM YARD REQUIREMENT WAIVER IN ACCORDANCE WITH ARTICLE 3.I, SECTION C.19, OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 2291 MEMORIAL DRIVE, PARCEL ID#51478.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I, Section C.19, of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive, Parcel ID#51478, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I, Section C.19, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 2291 Memorial Drive, Parcel ID#51478, is hereby 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

RECOMMENDATION

DATE: FEBRUARY 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-33

REQUEST

Special Use Permit Application PLSUP 2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I Section C.19. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive Parcel ID#51478. The applicant requests a Special Use Permit for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District.

The applicant, requests a minimum yard requirement waiver in the TO-C Transitional Residential /Office Zoning District. This application is a part of the Police Department Headquarters development at the site. The development separates the existing building and the proposed attached annex onto different properties, however both buildings are part of the unified Police Department Headquarters campus.

RECOMMENDATION

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-33.

Mr. Harold E. Garrison, Chair

RESPONSES

Forty nine (49) notices were sent to surrounding property owners within three hundred (300') feet of the subject property. Seven (7) responses were received, Six (6) unopposed (Bexmelnitsyn, Griffin, Huffman, Ludwick, Odum and Schoolfield Pentecostal Holiness Church Trustees). One (1) opposed (Burris)



City Planning Commission

STAFF REPORT

MEETING DATE: FEBRUARY 8, 2020

RE: SPECIAL USE PERMIT APPLICATION - 2291 MEMORIAL DRIVE

Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I Section C.19. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive Parcel ID#51478. The applicant requests a Special Use Permit for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District.

BACKGROUND

The applicant, on behalf of the City, requests a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District. This application is a part of the Police Department Headquarters development at the site. The development separates the existing building and the proposed attached annex onto different properties, however both buildings are part of the unified campus.

The Planning Division sent 49 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, Blair Construction for property owner 2291 Schoolfield LLC, applied to the Planning Division for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District. The application is attached to this report.

The City may allow minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District. (Chapter 41 Zoning Ordinance, Article 3.I. §C.19.).

The Comprehensive Plan puts the subject property in the West Main planning area. The future land use designation for the subject parcel is 'Community Commercial'. If approved, the Special Use Permit is in harmony with the T-R Threshold Residential Zoning District which is established to provide for the location of office and other non-retail uses in a low intensity development patterns. The district is intended to provide opportunities for offices and businesses within areas of Danville which are in transition from stable residential neighborhoods to more intensive, non-residential uses. In addition, the district is established for the purposes of selectively providing for well-planned non-residential land uses to be located between older residential neighborhoods and existing higher intensity non-residential areas, such as corridor commercial, shopping center commercial, downtown commercial and industrial areas. College, academic, and health care uses may be appropriate within this district. The district is not intended to promote the development of new residential dwellings.

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

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as proposed. The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP 2021-33 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-33 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-33 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-33 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-33.

ATTACHMENTS

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

MEMORANDUM

DATE: FEBRUARY 8, 2021

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 2291 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.I Section C.19. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive (Parcel ID#51478), otherwise known as Grid 608, Block 004, Parcel 000028.000, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District.

RESPONSES:

Forty nine (49) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Seven (7) response was received, Six (6) unopposed (Bexmelnitsyn, Griffin, Huffman, Ludwick, Odum and Schoolfield Pentecostal Holiness Church Trustees). One (1) opposed (Burris)

COMMENTS:

Please see attachment.

NEIGHBORING PROPERTY OWNER STATEMENT

According to the record of land ownership you own property within 300' feet of property that is the subject of a public hearing. The City encourages you to share your opinion whether you are opposed or not opposed to the request by completing this form and returning it to the City's planning offices. Please check the appropriate box and mail it by **February 5, 2021**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may to express your opinion on this request.

I (we), BURRIS SUSAN

as owner(s) of Property ID#: 53682 and/or address: 33 OAK RIDGE AVE

X AM OPPOSED

_____ AM NOT OPPOSED

To the following request filed with the City of Danville:

Special Use Permit Application PLSUP-2021-33, filed by Blair Construction for property owner 229 Schoolfield LLC, requests a Special Use Permit for a minimum yard requirement waiver in accordance with Article 3.1 Section C.19. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 2291 Memorial Drive (Parcel ID#51478), otherwise known as Grid 608, Block 004, Parcel 000028.000, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a minimum yard requirement waiver in the TO-C Transitional Residential/Office Zoning District..

SIGNATURES(S):

Susan Burris

COMMENTS:

I am opposed however if this is passed, Fencing must be constructed as this backs up to backyards of families. I have a 7 year old grandson who plays with other young children from the neighborhood in our backyard all the time. This may be a lower income block, but it is a quiet, friendly neighborhood + deserves to be kept safe + peaceful!

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

This application is to seek a variance to the required minimum building setbacks for a proposed addition to the existing structure. The proposed building is shown on the included map and is connected to the existing building with a proposed hyphen. There is a property line that crosses the proposed hyphen that exist to create separate parcel around all of the existing historic improvements.

CASE NUMBER: _____ EXISTING ZONING: TOC Transitional Office

PROPOSED ZONING: No Change in Zoning TAX MAP NUMBER: Part of #51478

RECEIVED BY: _____ DATE FILED: 1-20-2021

PLANNING COMMISSION DATE: 2-8-2021 CITY COUNCIL DATE: 3-2-2021

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

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

Gross Area/Net Area: 30.829 AC Property Address: 2291 Memorial Drive

Property Location: E Side of: Memorial Drive

Between: Oak Ridge Ave and West Main St

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.

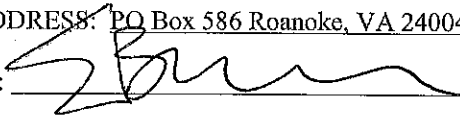
Please provide a brief description of the proposed development:

This is a redevelopment of the old Dan River Mills office into a new headquarters for the Danville Police Dept. This application for SUP is for a variance to the required building setbacks along the dividing property line between the 4.116 ac. Parcel and the 30.829 ac parcel along the N 89° 40' 15" E 323.87' line.

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

1. NAME: 2291 Schoolfield LLC TELEPHONE: 540-597-6914

MAILING ADDRESS: PO Box 586 Roanoke, VA 24004 / 110 North Main Street – Danville, VA 24541

SIGNATURE:  DATE: 1/20/21

SIGNATURE: DATE:

EMAILADDRESS:edwardbwalker@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Ed Walker TELEPHONE: 540-314-2424

MAILING ADDRESS: PO Box 586 Roanoke, VA 24004 / 110 North Main Street – Danville, VA 24541

EMAIL ADDRESS: edwardbwalker@gmail.com

SIGNATURE: DATE:

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-33

PUBLIC HEARING DATES:	FEBRUARY 8, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	SOUTH SIDE OF MEMORIAL DRIVE IN BETWEEN OAKRIDGE AVENUE AND WEST MAIN STREET
PRESENT ZONE:	TO-C (TRANSITIONAL RESIDENTIAL/OFFICE ZONING DISTRICT)
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	THE APPLICANT REQUESTS A SPECIAL USE PERMIT FOR A MINIMUM YARD REQUIREMENT WAIVER IN THE TO-C TRANSITIONAL RESIDENTIAL/OFFICE ZONING DISTRICT.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	DANVILLE POLICE DEPARTMENT HEADQUARTERS
FUTURE LAND USE DESIGNATION:	RURAL RESIDENTIAL
PROPERTY OWNER (S):	2291 SCHOOLFIELD LLC
NAME OF APPLICANT (S):	BLAIR CONSTRUCTION
PROPERTY BORDERED BY:	RESIDENTIAL TO THE EAST, COMMERCIAL AND SCHOOL TO THE SOUTH AND WEST, AND VACANT TO THE NORTH.
ACREAGE:	37.56 ACRES TOTAL
CHARACTER OF VICINITY:	FORMER CORPORATE OFFICES
INGRESS AND EGRESS:	MEMORIAL DRIVE
TRAFFIC VOLUME:	HEAVY – 13,000 (2019 AADT)

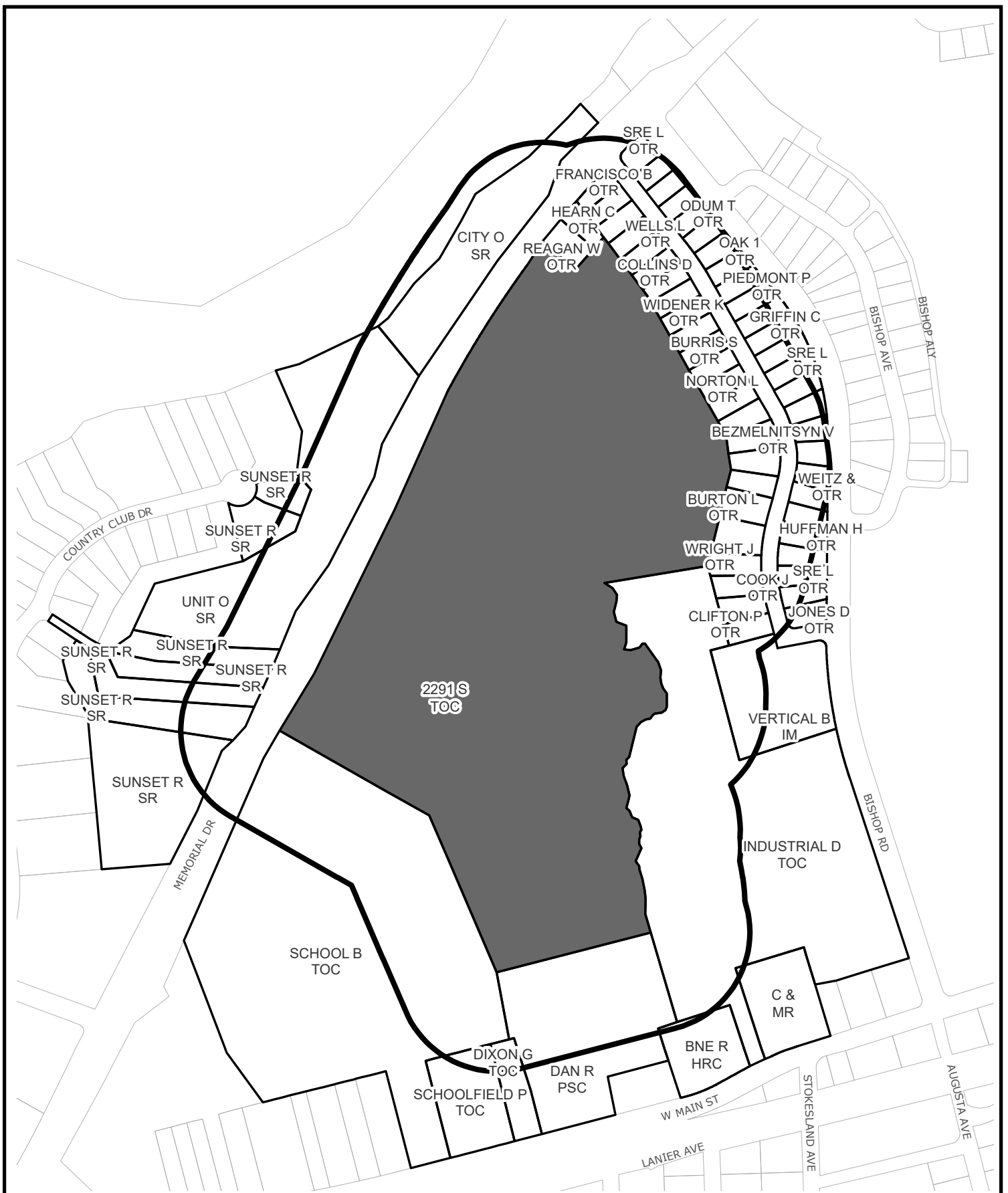


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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

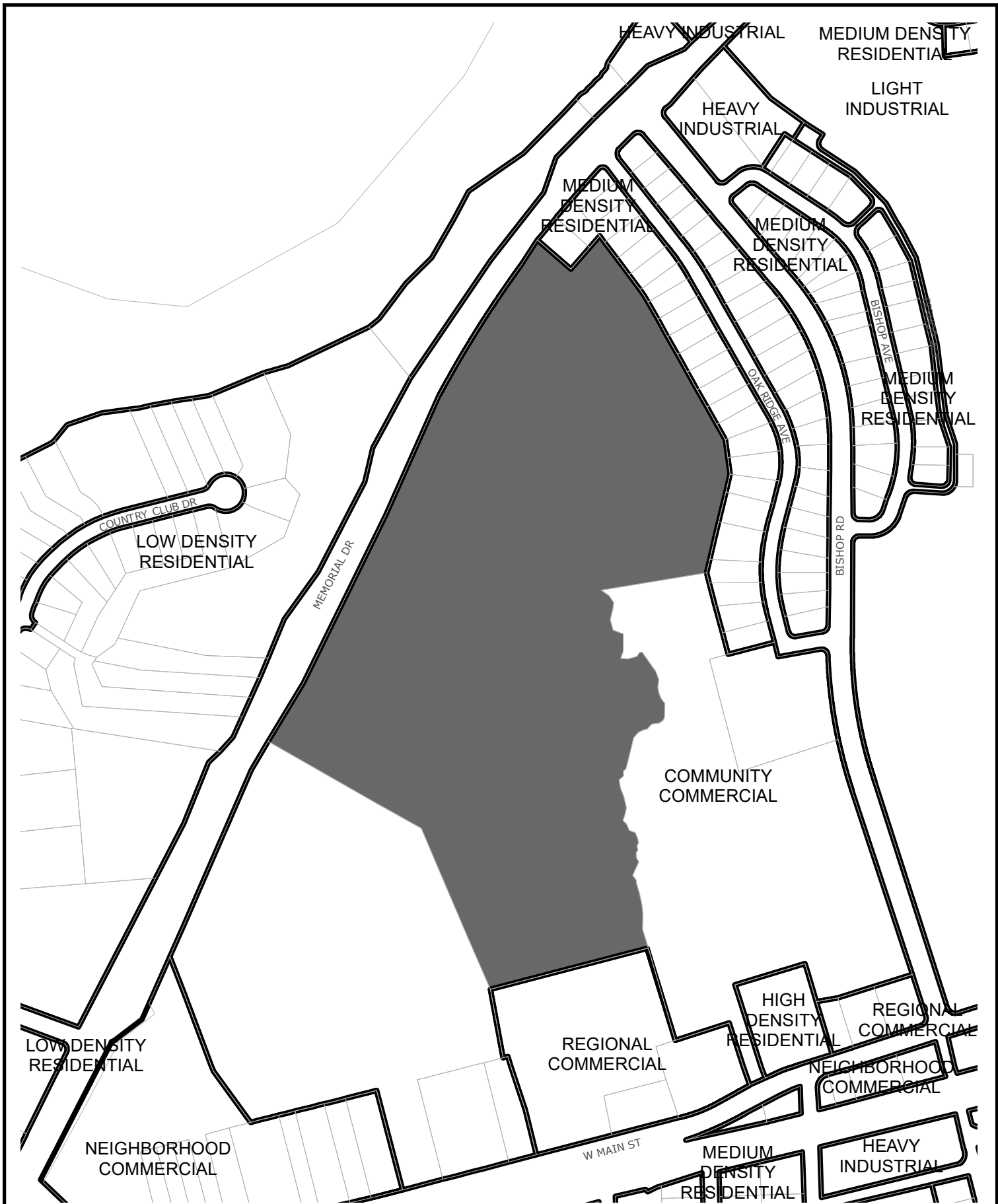


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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

Council Letter

City of Danville, Virginia



CL-2502

New Business E.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Consideration of Granting a Special Use Permit for an Accessory Use at 864 Monument Street Parcel ID#24916.

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L Section C.14. of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended, at 864 Monument Street, Parcel ID #24916.

BACKGROUND

The applicant, on behalf of the City, requests a Special Use Permit for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District. This development will provide a peak electricity storage battery which is a necessary component of Danville's electric utility system.

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-34.

RECOMMENDATION

The Planning Commission recommends that City Council adopt an Ordinance granting a Special Use Permit for an accessory use in accordance with Article 3.L Section C.14. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 864 Monument Street, Parcel ID#24916.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION 2021-34 FOR AN ACCESSORY USE IN ACCORDANCE WITH ARTICLE 3.L, SECTION C.14, OF THE ZONING ORDINANCE OF THE CODE OF CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, AT 864 MONUMENT STREET. PARCEL ID#24916.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L, Section C.14, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 864 Monument Street, Parcel ID#24916, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L, Section C.14, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 864 Monument Street, Parcel ID#24916, is hereby 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

RECOMMENDATION

DATE: FEBRUARY 17, 2021
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2021-34

REQUEST

Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L Section C.14. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 864 Monument Street, Parcel ID#24916.

The applicant, on behalf of the City, requests a for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District. This development will provide a peak electricity storage battery which is a necessary component of Danville's electric utility system.

RECOMMENDATION

The Planning Commission, at their February 8, 2021 meeting, voted 7-0 to recommend approval of Special Use Permit Application PLSUP2021-34.

Mr. Harold E. Garrison, Chair

RESPONSES:

Thirty one (31) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, One (1) unopposed (Allen), one (1) opposed (W Henry Hardy Inc).

COMMENTS:

No comments.



City Planning Commission

STAFF REPORT

MEETING DATE: FEBRUARY 8, 2020

RE: SPECIAL USE PERMIT APPLICATION - 864 MONUMENT STREET

Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L Section C.14. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 864 Monument Street, Parcel ID#24916. The applicant requests a Special Use Permit for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District.

BACKGROUND

The applicant, on behalf of the City, requests a for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District. This development will provide a peak electricity storage battery which is a necessary component of Danville's electric utility system.

The Planning Division sent 31 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in the TW-C Tobacco Warehouse Commercial Zoning District. The application is attached to this report.

The City may grant a Special Use Permit for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District. (Chapter 41 Zoning Ordinance, Article 3.L. §C.14.).

The Comprehensive Plan puts the subject property in the River District planning area. The future land use designation for the subject parcel is 'Mixed Use'. If approved, the Special Use Permit is in harmony with the TW-C Tobacco Warehouse Commercial Zoning District which is established to promote revitalization, redevelopment and adaptive reuse of existing uses and harmonious new development in the City's historic tobacco warehouse business area. The regulations of the TW-C are intended to promulgate the goals of the Comprehensive Plan for historic preservation of old buildings and architectural compatibility of new structures while encouraging a creative mix of uses in this important section of Danville.

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

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as proposed. The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP-2021-34 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-34 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-34 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-34 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-34.

ATTACHMENTS

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

MEMORANDUM

DATE: FEBRUARY 8, 2021

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Special Use Permit Application PLSUP-2021-34, filed by Delorean Power for property owner City of Danville, requests a Special Use Permit for an accessory use in accordance with Article 3.L Section C.14. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 864 Monument Street (Parcel ID#24916), otherwise known as Grid 2718, Block 8, Parcel 1, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for an accessory use electricity storage battery in the TW-C Tobacco Warehouse Commercial Zoning District.

RESPONSES:

Thirty one (31) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Two (2) responses were received, One (1) unopposed (Allen), one (1) opposed (W Henry Hardy Inc).

COMMENTS:

No comments.



**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 864 Monument Street
Applicant: Delorean Power LLC
Applicant's Address: 210 Wesmond Dr. Alexandria VA 22305
Applicant's Phone Number: 812-606-4996
Applicant's E-mail: michaelherbert@deloreanpower.com
Describe Proposed Development: 10.6 megawatt battery storage system for Danville Utilities.

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

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

The battery storage project will reduce peak energy consumption, saving Danville money, provide a clean source of energy, improve grid resilience, and it is an accessory use for the broader utility system.

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

Yes, essential public services are already available on site.

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

The project will be behind the existing fence belonging to Danville Utilities and be sited on an empty piece of land at the back of the lot.

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

The project will sit on the same site where utility equipment is already stored and will not alter current aesthetics or land use.

Applicant Signature

Property Owner Signature
(if not applicant)

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

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

Description of Delorean Danville Site

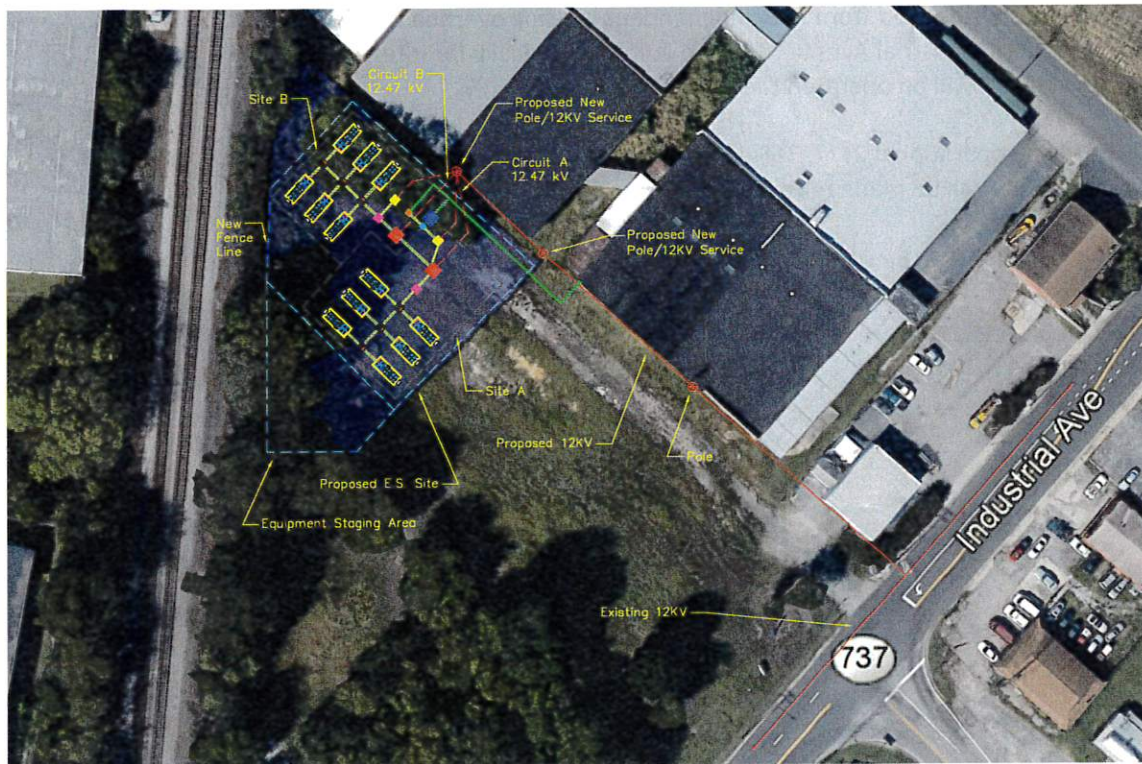
The project is a 10.6MW/22.22MWh battery energy storage system, consisting of:

- Twelve 10' X 20' fully integrated battery storage containers
- Six 2.5 MVA transformers
- Two pad-mounted medium voltage distribution bus switchboards
- Two auxiliary power transformers and auxiliary power distribution switchboards
- One site communications enclosure
- Balance of plant including all electrical and communications wiring, connections and equipment
- Chain-link fence with controlled access and appropriate signage

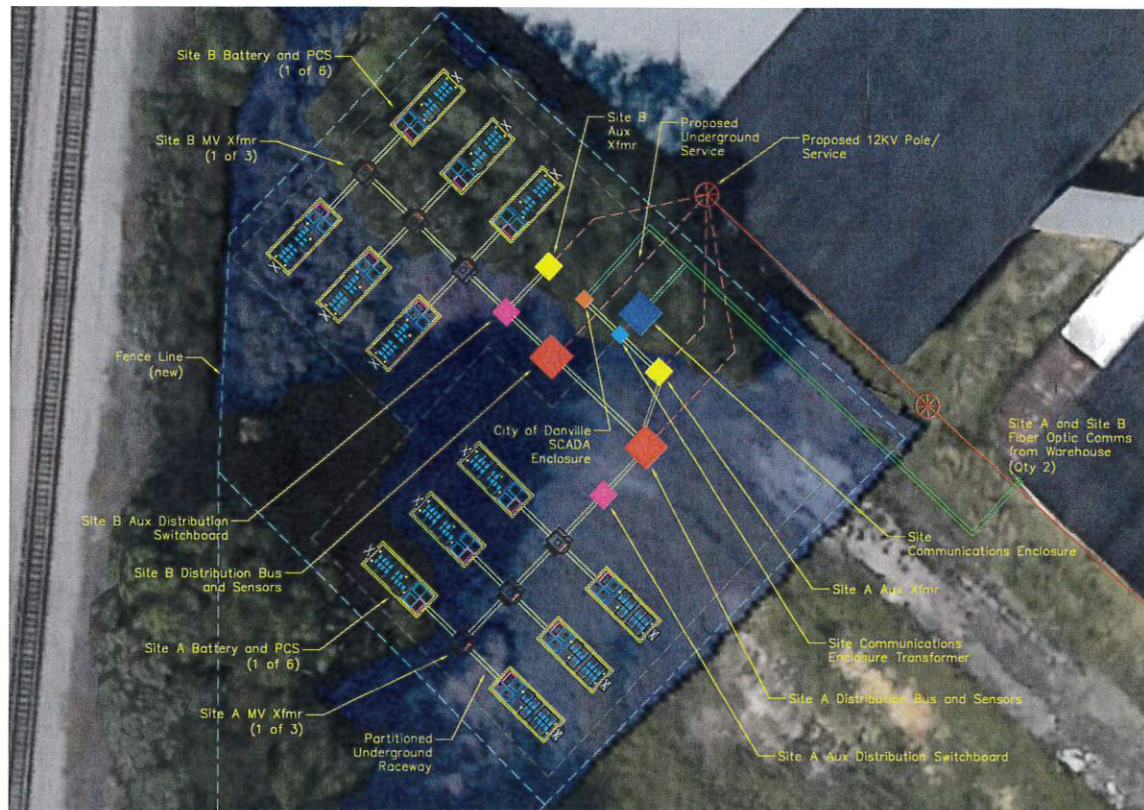
Site interconnection is derived from two, independent existing overhead 12.47KV 556 ACSR circuits which run parallel to Industrial Avenue. The site is split electrically for interconnection purposes, but the two identical systems will be operated the same.

The battery will be operational 24/7, 365 days per year but will not require any full-time employees. Occasional site visits will be made for routine maintenance of the system.

REVISIONS			
ZONE	REV.	DESCRIPTION	DATE
A1	P5	DRAFT ISSUE	12/31/2025



PREPARED	DATE	 DEL OREAN DANVILLE SITE	MPR ASSOCIATES, INC. 721 KING STREET ALEXANDRIA, VA 22314	
CHECKED	DATE			
DRAFTING/REVIEWER	DATE			
REVIEWER	DATE			
ATTACHED	DATE			
SIZE		DWG NO.	REV	
D		1720-0003-DWG-001	P5	
SCALE: N/A		SHEET 1 OF 2		



REVISIONS		APPROVED	DATE
DATE	REV DESCRIPTION		
A1	P5 DWG1 ISSUE		12/21/2018

PREPARED	DATE	 AMPR MPR ASSOCIATES, INC. 107 KING STREET ALEXANDRIA, VA 22314
CHECKED	DATE	
DRAFTING/REVIEWER	DATE	
DESIGNER	DATE	
APPROVER	DATE	
SHEET D		DWG NO. 1720-0003-DWG-001
SCALE: N/A		SHEET 2 OF 2 P5

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-34

PUBLIC HEARING DATES:	FEBRUARY 8, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	WEST CORNER OF MONUMENT STREET AND INDUSTRIAL AVENUE
PRESENT ZONE:	TW-C (TOBACCO WAREHOUSE COMMERCIAL ZONING DISTRICT)
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	THE APPLICANT REQUESTS A SPECIAL USE PERMIT FOR AN ACCESSORY USE ELECTRICITY STORAGE BATTERY IN THE TW-C TOBACCO WAREHOUSE COMMERCIAL ZONING DISTRICT.
PRESENT USE OF PROPERTY:	CITY OWNED
PROPOSED USE OF PROPERTY:	ELECTRIC GRID BATTERY STATION
FUTURE LAND USE DESIGNATION:	MIXED USE
PROPERTY OWNER (S):	CITY OF DANVILLE
NAME OF APPLICANT (S):	DELOREAN POWER
PROPERTY BORDERED BY:	RAILROAD AND CITY OF DANVILLE PROPERTY.
ACREAGE:	2.53 ACRES TOTAL
CHARACTER OF VICINITY:	INDUSTRIAL
INGRESS AND EGRESS:	MONUMENT STREET
TRAFFIC VOLUME:	LIGHT – 4,300 (2019 AADT)

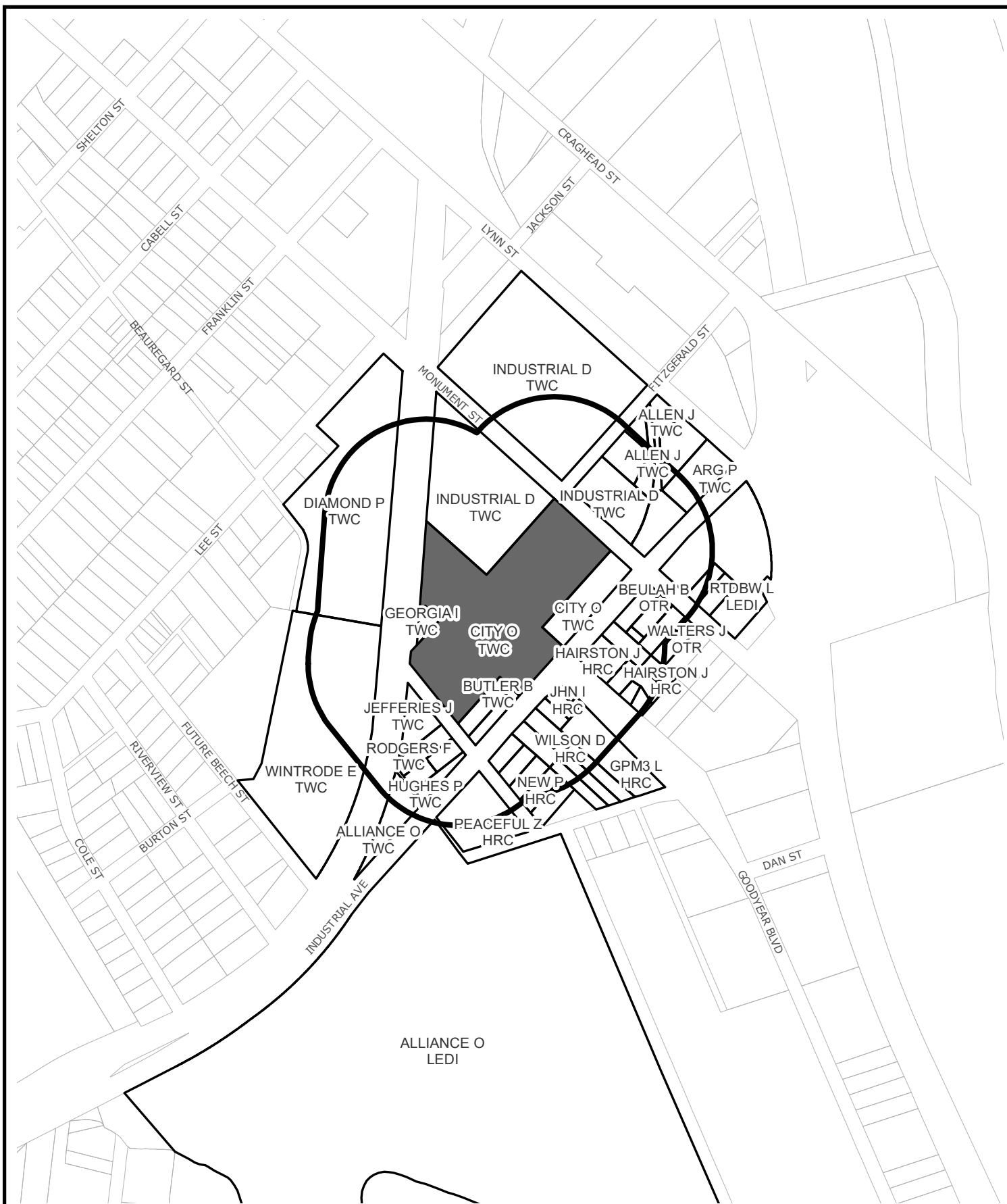


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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

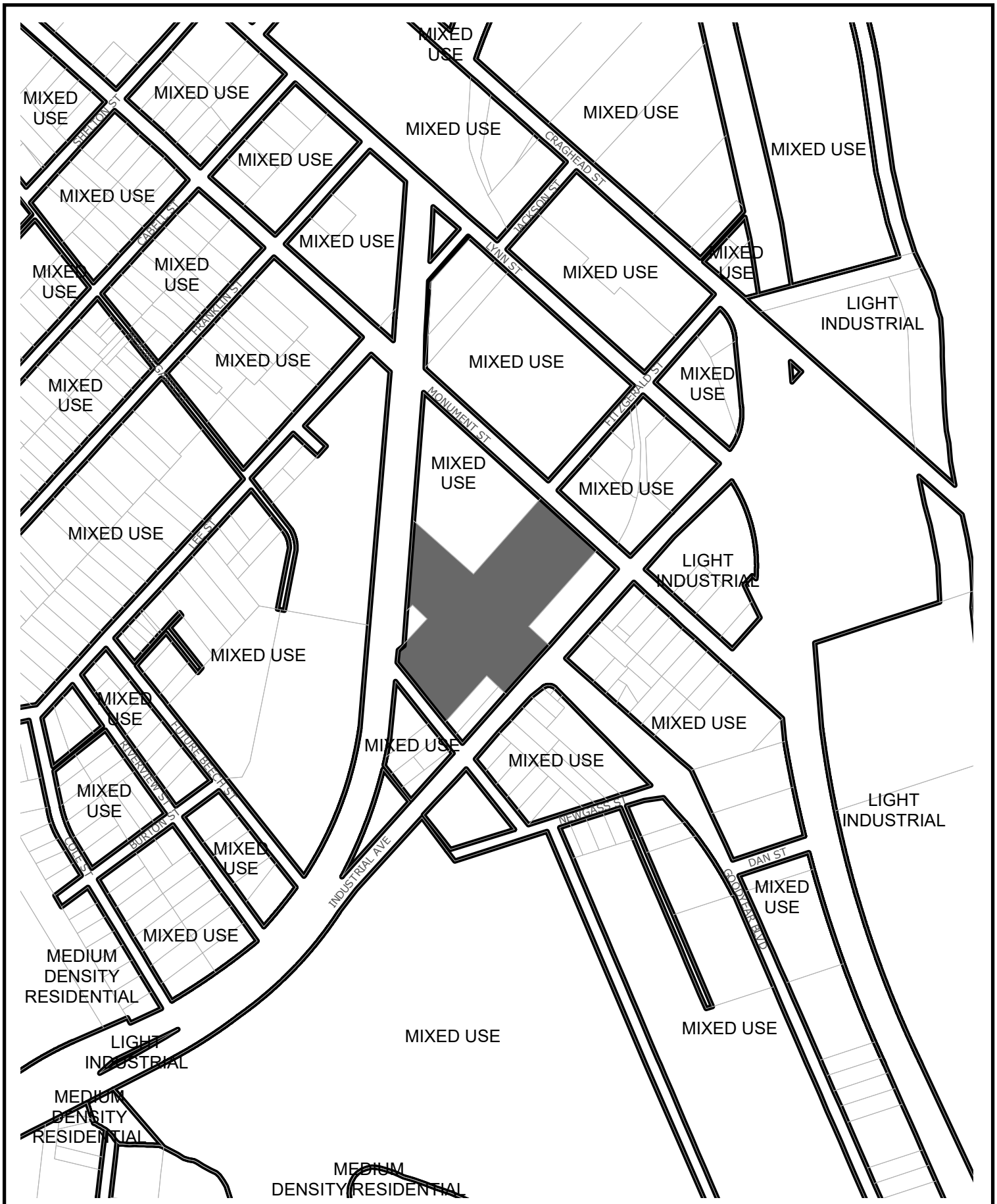


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/21/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
 Planning Division
 1/21/2021

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

Council Letter

City of Danville, Virginia



CL-2491

New Business F.

City Council Regular Meeting

Meeting Date: 03/02/2021

Subject: Amend Chapter 2 of the Danville City Code

From: Ken F. Larking, City Manager

COUNCIL ACTION

Business Meeting: 03/02/2021

SUMMARY

The Pittsylvania County Board of Supervisors has requested that the City Council add an ex-officio member to the Danville Utility Commission who is a member of the Pittsylvania County Board of Supervisors.

BACKGROUND

Chapter 2, Article XI - Utility Commission, Section 2-267 states the composition of the Danville Utility Commission shall consist of seven (7) members, six (6) members appointed by City Council plus the City Manager or Acting City Manager. Of the six (6) members appointed by Council, at least one (1) member shall be a customer of the *utility* system from outside the limits of the City of Danville, at least four (4) members shall be citizens of the City of Danville and one (1) member shall be an at-large customer of the *utility* system. An active member of City Council shall be appointed as an ex-officio non-voting member of the *Utility Commission*. City Council is encouraged to consider some members with backgrounds in the areas of finance, engineering, development and/or industrial management.

The Code would need to be updated to add an ex-officio non-voting member of the Board of Supervisors to the Utility Commission. The Board of Supervisors will recommend a member of the board representing a district that is served by Danville Utilities.

RECOMMENDATION

As this is a matter for Danville City Council, staff has no recommendations.

Attachments

Ordinance

Attachment 1

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-_____ - _____

AN ORDINANCE AMENDING AND REORDAINING SECTIONS 2-267 ENTITLED "COMPOSITION; APPOINTMENT AND QUALIFICATIONS OF MEMBERS OF UTILITY COMMISSION" 2-268 ENTITLED "TERMS OF MEMBERS; FILLING OF VACANCIES" AND 2-271 ENTITLED "CHAIR AND VICE-CHAIRMAN" OF ARTICLE XI ENTITLED "UTILITY COMMISSION" OF CHAPTER 2 ENTITLED "ADMINISTRATION" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that Section 2-267, entitled "Composition; Appointment and Qualifications of Members Of Utility Commission of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, amended and reordained as attached hereto and made a part hereof as if fully set forth herein; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that Section 2-268, entitled "Terms of Members; Filling Of Vacancies" of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, amended and reordained as attached hereto and made a part hereof as if fully set forth herein; and

BE IT FURTHER ORDAINED by the Council of the City of Danville, Virginia, that Section 2-271, entitled "Chair and Vice-Chairman" of the Code of the City of Danville, Virginia, 1986, as amended, be, and the same is hereby, amended and reordained as attached hereto and made a part hereof as if fully set forth herein; and

BE IT FINALLY ORDAINED by the Council of the City of Danville, Virginia, that all other Chapters, Sections, Subsections, Sub-subsections, Paragraphs, and Subparagraphs, as heretofore amended, which are not amended or repealed by this Ordinance, shall continue in full force and effect unless and until the same be, and are hereby, reordained.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Sec. 2-267. - Composition; appointment and qualifications of members of Utility Commission.

The Utility Commission shall consist of ~~seven (7)~~eight (8) members, ~~six (6)~~seven (7) members appointed by City Council plus the City Manager or Acting City Manager. Of the ~~seven (7)~~ ~~six (6)~~ members appointed by Council, at least one (1) member shall be a customer of the utility system from outside the limits of the City of Danville, at least four (4) members shall be citizens of the City of Danville, ~~and one (1) member shall be an at-large customer of the utility system.~~ An active member of City Council shall also be appointed as an ex-officio non-voting member of the Utility Commission and (1) ex-officio non-voting member, who shall be a member of the Pittsylvania County Board of Supervisors, appointed by the Board of Supervisors. City Council is encouraged to consider some members with backgrounds in the areas of finance, engineering, development and/or industrial management.

(Ord. No. 99-02.07, 2-2-99)

Sec. 2-268. - Terms of members; filling of vacancies.

The initial term of the ex-officio, non-voting City Council member, the at-large customer member and the member appointed from outside the City limits of Danville shall be for one (1) year. The initial term of two (2) citizen members shall be two (2) years. The initial term of the remaining two (2) members shall be three (3) years. Thereafter such appointments shall be for a term of three (3) years each. No appointed member shall serve more than three (3) consecutive terms. A City Council member's term and a Pittsylvania Board of Supervisors member's term shall terminate immediately upon that member no longer being a member of City Council or the Pittsylvania Board of Supervisors respectively. Any vacancy occurring in the membership of the Utility Commission shall be filled by City Council for the unexpired term only. The terms of all initial members will begin on July 1, 1999. Reappointment or appointment of subsequent members should occur prior to the first day of July each year, but shall not become effective until the first day of July.

(Ord. No. 99-02.07, 2-2-99)

Sec. 2-271. - Chair and Vice-Chairman.

The Utility Commission, at its inaugural meeting at noon on July 1, 1999, and at its first meeting in July of each year thereafter, shall elect from the appointed members, other than the City Manager, ~~or the ex-officio appointed City Council member,~~ or the ex-officio appointed Pittsylvania Board of Supervisors member, a Chairman and Vice-Chairman whose terms shall be from the date of appointment through the first meeting in July of the following year. No member of the Utility Commission shall be eligible for election as Chairman or Vice-Chairman for more than three (3) consecutive full terms in the same office.

(Ord. No. 99-02.07, 2-2-99)