



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

January 5, 2021

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

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

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

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

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

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

Time and Place of Meeting

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

Communications from Visitors

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

Guidelines for Public Hearings

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

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

MEETING CALLED TO ORDER

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

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

CONSENT AGENDA

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

- A. Public Hearing
- B. Consideration of Approval of Minutes from Regular Council Meeting held on December 1, 2020.
Council Letter Number CL - 2472.
- C. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for the Edward Byrne Memorial Justice Assistance Grant Program in the Amount of \$29,787.
Council Letter Number CL - 2453.

An Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance by Increasing Revenue for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award in the Amount of \$29,797 to be used to Implement a Speed Trailer Project.

FINAL ADOPTION

- D. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for Economic Development Incentive Funds.
Council Letter Number CL - 2460.

An Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance for Three Commonwealth Opportunity Fund Grants from the Virginia Economic Development Partnership in the Amounts of \$275,000, \$150,000, and \$780,000 Respectively and One Tobacco Region Opportunity Fund Grant from the Virginia Tobacco Region Revitalization Commission in the Amount of \$64,875 for a Total of \$1,269,875 as an Economic Development Incentives for Taxable Capital Investments and Job Creation in the Commonwealth of Virginia.

FINAL ADOPTION

NEW BUSINESS

- A. Consideration of Rezoning 540 Woodlawn Drive from T-R Threshold Residential to SR-R Sandy River Residential.
Council Letter Number CL - 2475.

1. Public Hearing
2. An Ordinance Rezoning 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 from T-R Threshold Residential to SR-R Sandy River Residential.

- B. Consideration of Rezoning 535 Woodlawn Drive from T-R Threshold Residential to SR-R Sandy River Residential.
Council Letter Number CL - 2476.

1. Public Hearing
2. An Ordinance Rezoning 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 from T-R Threshold Residential to SR-R Sandy River Residential.

- C. Consideration of Granting a Special Use Permit at 280 Piney Forest Road.
Council Letter Number CL - 2477.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application 2020- 258 a Waiver of Yard Requirements, Subject to the Prohibition of Parking in Front Yards, in Accordance with Article 3.M, Section C.21, of the Code of the City of Danville Virginia, 1986, As Amended, at 280 Piney Forest Road (Parcel ID #60550) also known as Grid 1706, Block 2, Parcel # 4.1 of the City of Danville Zoning District Map.

- D. Consideration of Accepting Parcel #56289 on Riverside Drive.
Council Letter Number CL - 2478.

A Resolution Accepting a Gift of Certain Real Property on Riverside Drive to Allow for Flood Control Improvements.

- E. Consideration of Amending the Fiscal Year 2021 Budget Appropriation Ordinance for Litter Control and Recycling Grant Funds.
Council Letter Number CL - 2466.

An Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Anticipate Grant Funds from the Commonwealth of Virginia for Litter Control and Recycling Efforts in the Amount of \$8,611 and Appropriating Same.

FIRST READING

COMMUNICATIONS FROM:

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

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2472

Consent Agenda B.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Consideration of Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/05/2021

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on December 1, 2020.
Council Letter Number CL - 2472.

Attachments

Meeting Minutes

December 1, 2020

The Regular December meeting of the Danville City Council was held on December 1, 2020, 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.

Council Members welcomed new Council Member Bryant Hood.

INVOCATION

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

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Danville Pittsylvania Community Services Board Annual Report, presented by Sheriff Mike Mondul, Secretary of the Board. Mr. Mondul gave the report for Fiscal Year 2020, noting the report's theme was "Unlocking the Potential," and explained the Board's new logo. Mr. Mondul reviewed the services provided to the community, workforce and agency operations, and introduced Jim Bebeau, Executive Director of Danville Pittsylvania Community Services; Council thanked him and his staff for their service to the community.

Update from Caesars, presented by Steven Gould. Mr. Gould gave a brief power point presentation, thanking the community for the strong support shown in the referendum. Mr. Gould reviewed what the City can expect in the next few years beginning with the \$15,000,000 payment, the closing for the Schoolfield property, Caesars selecting an architect, with citizens being able to give input into the design process. Mr. Gould also reviewed the timeline of hiring a contractor, submitting permit applications, groundbreaking and construction, hiring of employees and opening the resort. Mr. Gould noted Caesars would continue to provide updates to Council and the community. Mayor Jones thanked Mr. Gould for the presentation.

CONSENT AGENDA

Council Member Buckner **moved** for adoption of the following Consent Agenda Items:

Consideration of Approval of Minutes from Regular Council Meeting held on November 5, 2020. Draft copies of the Minutes had been distributed prior to the meeting.

Amending the Fiscal Year 2021 Budget Appropriation Ordinance in the Amount of \$201,640 for Upgrades to the E-911 Center

An Ordinance entitled, Ordinance No. 2020-11.14, Amending the Fiscal Year 2021 Budget Appropriation Ordinance to Provide for a Grant from the Virginia Department of Emergency Management in an Amount of \$179,560.25 and Local Share in the Amount of \$22,078.10 for Equipment and Service Upgrades to the Danville 9-1-1 Emergency Services Communication Center for a Total Appropriation in the Amount of \$201,640, and Appropriating Same.

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

December 1, 2020

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

NEW BUSINESS

GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT AT 1050 MAIN STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 1050 Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 17, 2020 and November 24, 2020.

Mayor Jones recognized Mr. and Mrs. Kropp, applicants for the Special Use Permit who noted they went through Architectural Review, have recommendations to move forward and stated they were present to answer any questions. No one further desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2020-12.01

GRANTING SPECIAL USE PERMIT APPLICATION PLSUP20200000215 FOR A RESTAURANT IN ACCORDANCE WITH ARTICLE 3.I SECTION C.15. OF THE CODE OF THE CITY OF DANVILLE VIRGINIA, 1986, AS AMENDED, AT 1050 MAIN STREET (PARCEL ID#21618). OTHERWISE KNOWN AS GRID 1720, BLOCK 010, PARCEL ID#000009 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

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

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

GRANTING A SPECIAL USE PERMIT FOR ACCESSORY BUILDINGS

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit for Accessory Buildings. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 17, 2020 and November 24, 2020. No one present desired to be heard and the Public Hearing was closed.

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

ORDINANCE NO. 2020-12.02

GRANTING SPECIAL USE PERMIT APPLICATION PLSUP20200000220 FOR ACCESSORY BUILDINGS (I.E., BARN, STABLE, SILO, CORN CRIB, ETC.) OR ACCESSORY USES WITHOUT A PRIMARY BUILDING BEING LOCATED ON THE PARCEL IN ACCORDANCE WITH ARTICLE 3.B SECTION C.19 OF THE CODE OF THE CITY OF DANVILLE VIRGINIA,

December 1, 2020

1986, AS AMENDED, AT PARCEL ID#74720, OTHERWISE KNOWN AS GRID 3709, BLOCK 003, PARCEL ID#000003 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

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

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

DESIGNATING THE DANVILLE OFFICE OF ECONOMIC DEVELOPMENT AS THE DESIGNATED MARKETING ORGANIZATION

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

RESOLUTION NO. 2020-12.01

DESIGNATING THE DANVILLE OFFICE OF ECONOMIC DEVELOPMENT AS THE DESIGNATED MARKETING ORGANIZATION FOR TOURISM IN DANVILLE AND PITTSYLVANIA COUNTY, VIRGINIA

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

Council Member Vogler noted this was long overdue and Economic Development was the perfect mechanism for this; tourism was Economic Development as far as he was concerned. He does not think Danville has tapped the full potential of tourism opportunities in the City. With Caesars on the way, the opportunities for tourism in the City and the region were huge. Council Member Campbell noted his agreement with Mr. Vogler.

Council Member Saunders stated Ms. Bobe and her office will do an excellent job managing tourism for the City and wondered if the City was prepared to handle the expected influx. City Manager Ken Larking noted one of the topics that came up during the Investing in Danville meetings centered on what to do with tourism knowing that the Caesars resort in Danville would drive a lot of tourism to the area; how does Danville take advantage of that. Based on the committee work, if the region can build new tourism assets and promote assets that already exist, that it would be a long term, sustainable benefit for the community and local businesses that already exist, and the new ones that would come here.

Mr. Buckner noted he agreed with what has been said, Danville and Pittsylvania County can combine forces and running this through the Economic Development department was a great idea. Vice Mayor Miller noted this was a great idea; Economic Development will do it very well and questioned what additional expenses does the City Manager see. Mr. Larking noted with the new resources that will be coming to the City, there will be new opportunities to invest in tourism and marketing in a way that should produce results for the region. It would probably require an additional person, eventually, and additional costs related to marketing materials. Director of Economic Development Corrie Bobe explained they have had conversations with the consultant specializing in tourism, as well their partners in the Virginia Tourism Corporation, and for a community of their size with the existing tourism assets, they anticipate \$200,000 a year to be sufficient, and that includes additional personnel.

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

December 1, 2020

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

**BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR GRANT FUNDS FROM THE VIRGINIA
DEPARTMENT OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$31,693**

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

ORDINANCE NO. 2020-12.03

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT IN AN AMOUNT OF \$31,693 FOR EQUIPMENT UPGRADES TO THE DANVILLE REGIONAL HAZARDOUS MATERIALS RESPONSE TEAM, AND APPROPRIATING SAME

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

**BUDGET AMENDMENT - CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR GRANT FUNDS FOR THE VICTIM/WITNESS
PROGRAM IN THE AMOUNT OF \$177,083**

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

ORDINANCE NO. 2020-12.04

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A VICTIM WITNESS PROGRAM IN THE AMOUNT OF \$177,083 AND APPROPRIATING SAME.

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR A GRANT FOR DOMESTIC VIOLENCE
VICTIM PROGRAM**

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

ORDINANCE NO. 2020-12.05

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT FROM THE STATE FOR A DOMESTIC VIOLENCE VICTIM PROGRAM GRANT IN THE AMOUNT OF \$44,635 AND APPROPRIATING SAME.

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

December 1, 2020

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION FOR A DANVILLE REGIONAL FOUNDATION PEACE GRANT IN
THE AMOUNT OF \$25,000**

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

ORDINANCE NO. 2020-12.06

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FROM A DANVILLE REGIONAL FOUNDATION GRANT FOR THE P.E.A.C.E. WITH POLICE (POLICE EMBRACE ACTIVE COMMUNITY ENGAGEMENT) INITIATIVE IN THE AMOUNT \$25,000 AND APPROPRIATING SAME

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

**BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2021
BUDGET APPROPRIATION ORDINANCE FOR REVENUES FROM CAESARS VIRGINIA LLC.**

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

ORDINANCE NO. 2020-12.07

AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM CAESARS VIRGINIA, LLC, CASINO REVENUES FOR VARIOUS CAPITAL IMPROVEMENTS FOR AN APPROPRIATION IN THE AMOUNT OF \$15,000,000 AND APPROPRIATING THE SAME

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

Council Member questioned why does that go into the General Fund and then disbursed at Council's pleasure. Mr. Larking noted this Ordinance was set up with flexibility so that not every project that would be funded with these funds would require a separate action by City Council. Staff does not know exactly what the funds will be used for with the exception of the \$2.9M that was needed initially for the police station project. Other than that, Council has not made any decision, there would be no payments made with this money without Council having a discussion about the item and authorizing him to do that.

Mr. Larking explained the revenue that eventually will come on an annual basis when the casino was up and running, and the City was receiving the state collected taxes and the other taxes, will be estimated as part of the annual budget process. Decisions about appropriations would be made during that time. This initial payment was one time money, available for the police station and potentially other projects that Council authorizes, but the ongoing revenues will go through the regular budget process. Mr. Saunders questioned before it was finalized, citizens and others will have an opportunity to give their thoughts on this and Mr. Larking noted they would. The Investing in Danville Committee meetings will have a report in the next month or so which will outline what they recommend based on citizen feedback they have received. Ultimately, Council has the authority to make the decision based on those recommendations. They will make sure the discussion was public and citizens can have their say during that process. When the casino was up and running, a business paying taxes in Danville, there will be taxes that other businesses

don't pay; they will also pay the usual taxes of meals, sales, property, and hotel taxes. Those were just the normal taxes, on top of that there will be the gaming taxes which the City estimates to be \$22M per year, once it was up and running, plus an additional supplemental payment from Caesars of \$12M per year. That was a significant amount of money to discuss, a lot of conversations will happen between now and before that revenue starts coming in; they have a few years to think about how to properly invest these funds. Next year some time, the Council may want to have a retreat that focuses on this type of information and have that discussion.

Mr. Vogler noted the City Manager had mentioned the police precinct will be part of that fund, but unless he was not understanding it, the way it was worded, Mr. Larking will receive feedback from Council, but technically the money could be spent without any further formal vote. Mr. Larking stated he believed that was the case, it eliminates the necessity for City Council to have a separate vote on every single item that Council wants to vote on for a particular amount of money. Mr. Vogler noted he was not necessarily opposed to that, but thinks it might not be a bad idea for Council to go item by item. He thinks they all want to make sure it was spent the wisest way possible. Anytime Council has an opportunity to go project by project and have hearings and feedback on it, and discusses each one on its merit, that was a good thing. Was there a reason why it was worded that way and can it be adjusted.

City Attorney Clarke Whitfield noted this was very typical of many of the first readings that Council had this evening. They usually allow, when possible, the flexible budget, but he would suggest if it was something Council wanted to vote on, project by project, they could do that with Resolutions on the agenda. Mr. Vogler noted he believed it was better if they could go case by case and discuss each project on its merits. Mr. Larking stated what the City Attorney suggested made a lot of sense, to have the ordinance rewritten to add a line that says, any further appropriations from this would be done by Resolution of Council. Mr. Whittle noted he liked that better and they should have done the same with the police station; he thinks the citizens think that they didn't get good input on what went on with it. Vice Mayor Miller noted he concurred with Mr. Vogler; at the end of the day, the citizens were going to hold City Council responsible for this money. The police station was already voted on, there was a public hearing for that, and Council voted to approve the police station; for the rest of it he thinks Council needs to look at all of them.

Mr. Buckner noted this was a onetime item and it should be used for one time expenditures, not for ongoing expenses. The infrastructure coming into the City needed attention and with this, it can be addressed. Mayor Jones noted he was glad the City Manager and City Attorney were going to go back and re-evaluate this item. It was important for Council to be transparent.

Mr. Larking stated he and Economic Development Director Corrie Bobe had met with several members of the City of Richmond team to discuss Danville's process in choosing a casino operator. They tried to be as helpful to them as possible, and believed it was true that Danville was being recognized for the way they handled the RFP process; it was great that other cities were looking at Danville as the model. Mr. Whitfield noted he had conversations with the City Attorney from Richmond who stated Richmond was going to copy how Danville did the Casino referendum; they may be asking for some of the City documents and may be using some of the same consultants. On the Ordinance, Mr. Whitfield stated, there were two ways to do that and wanted to make sure staff understands how Council wants to do it. Staff can completely eliminate the fourth paragraph and Council would go through an appropriation process with a first reading and final adoption for everything they spend. Or, Council can amend that fourth paragraph to call for a resolution which would be a onetime vote and presentation. Mayor Jones asked Mr. Whitfield to bring this to tonight's work session for further discussion. Mr. Campbell commended the City Manager for his transparency and thanked him for what he does.

COMMUNICATIONS

City Manager Ken Larking hoped everyone had a great Thanksgiving and has a happy holiday season.

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

Council Member Mayo welcomed Mr. Hood, noting Council was a learning process; as Mr. Saunders stated, they may disagree but can come to an agreement.

Vice Mayor Miller noted he thinks everyone in the room has been touched by COVID, and this week he lost a dear friend from Roanoke, Larry Monahan. He was a good physician and his patients loved him. Dr. Miller asked citizens to pray for the nurses who are caring for these patients. Perdue Pharma has pleaded guilty, the producers of OxyContin, which caused hundreds of thousands of deaths and he believes criminal charges should be filed against the upper level executives of this company. Dr. Miller noted it looked like the City may be able to show the citizens some utility rate decreases and they would be hearing about a battery storage item soon.

Council Member Saunders welcomed Mr. Hood to Council and following up with what Dr. Miller said, they were living in some unprecedented times and noted a special thanks to the front line workers, and a special prayer to families during this time. Mr. Saunders asked citizens to pray for each other and everyone, and don't sweat the small stuff, it was all small stuff.

Council Member Vogler welcomed Mr. Hood to Council, and wanted to thank all the essential workers for what they have done from the beginning during this pandemic, the truck drivers, food service workers, automotive field, public safety, doctors and nurses. His wife was a nurse and he heard the stories everyday of what was going on in the Emergency Rooms; the country was still in the middle of this, even with a vaccine coming soon. Mr. Vogler encouraged citizens to continue to pray for the City, for the nation and those across the world, and encouraged citizens to continue to support local small businesses.

Council Member Whittle welcomed Mr. Hood to Council and was sure he would do a great job; everyone was glad to help in any way. Mr. Whittle wished everyone a Merry Christmas and Happy Holidays.

Council Member Buckner noted on one of the items in tonight's agenda, a special use permit for a restaurant at 1050 Main Street, thanked the Kropp family for their continued support and investment in the community and thanks for bringing more options to the City. Mr. Buckner noted his agreement with Mr. Vogler, during COVID, it was important to shop and support local businesses more than ever. Mr. Buckner noted he would like a discussion in a work session in the near future about offering recycling to businesses in the area.

Council Member Campbell welcomed Mr. Hood and noted his agreement with what has been said about the COVID pandemic. He was glad to see that school system was virtual right now, and prays that they will make wise decisions for the future for the children and teachers.

Council Member Hood thanked the citizens of Danville for allowing him the opportunity to serve on City Council, noting he has been welcomed by Council Members and City staff, he appreciates that. Mr. Hood noted he hoped everyone had an awesome Thanksgiving and was having a great week. As a City, they have strength, show strength together and that was positive. Mr. Hood noted he was looking forward to serving to the best of his ability with the help of his colleagues.

December 1, 2020

Mayor Jones welcomed Mr. Hood, and remembered from his campaign, it was about people, not politics, and it sounds like he heard that tonight; Council Members wanted to make sure people were engaged. It had been a Thanksgiving like many had never seen before; they couldn't have a lot of people at their homes and celebrate the way they normally celebrate. Throughout the year, they have not had any fashion shows, concerts, have not been able to go to large venues for fellowships; they have not been able to shake hands with people or hug people. Council Member Vogler sent out a message this week saying there would be someone at Council who would possibly be doing some kind of Christmas greeting and he started studying that; how do you give a Christmas greeting in times like this. What do you say to people, people were hurting, and people needed help. He does not know what they as a Council can do; he had a lot of ideas sent to him today, but some can't be done because of COVID. He was asking Council was there any way they can lead the community to having one of the most joyous Christmases in these unprecedented times; let them put their minds together to see what they can come up with.

ADJOURNED: 8:27 P.M.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2453

Consent Agenda C.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: United States Department of Justice 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award - Speed Trailer Project

From: Scott Booth, Police Chief

COUNCIL ACTION

First Reading: 12/15/2020

Final Adoption 01/05/2021

SUMMARY

The Danville Police Department has been informed that it is eligible for a grant of \$28,787 to be used for law enforcement purposes, from the United States Department of Justice 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Funds from this grant will be used to implement a speed trailer project that will enable officers to reduce the number of crashes and the injuries associated with them. The speed trailers will allow for more effective and efficient speed enforcement.

RECOMMENDATION

It is recommended that the City Council adopt the attached Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance by anticipating revenues of \$29,787 from the United States Department of Justice 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FOR THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD IN THE AMOUNT OF \$29,787 TO BE USED TO IMPLEMENT A SPEED TRAILER PROJECT.

WHEREAS, the City of Danville has been allocated a grant under The United States of Justice Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) program in the amount of \$29,787; and

WHEREAS, this grant is named in honor of NYPD Officer Edward Byrne, who was murdered in the line of duty of February 26, 1988 while swerving on a detail that was protecting a witness who had agreed to testify against local drug dealers; and

WHEREAS, the funding from this allocation will be used to implement a speed trailer project that will enable officers to reduce the number of crashes and the injuries associated with them. The speed trailers will allow for more effective and efficient speed enforcement; and

WHEREAS, the matching funds are in-kind, and will not require any additional funding from the City.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the Fiscal Year 2021 Budget Appropriation Ordinance be, and the same is hereby, amended by increasing revenue to anticipate the receipt of funds in the amount of \$29,787 from the Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) program:

ANTICIPATED REVENUE

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2020 Edward Byrne Memorial JAG Program DPD Speed Trailer	61642000-47144	<u>\$29,787</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
FY 2020 Edward Byrne Memorial JAG Program DPD Speed Trailer	61642999-50	<u>\$29,787</u>

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2460

Consent Agenda D.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Economic Development Incentive Appropriations

From: Corrie Bobe, Director of Economic Development

COUNCIL ACTION

First Reading: 12/15/2020

Final Adoption: 01/05/2021

SUMMARY

The Virginia Economic Development Partnership (VEDP) provides incentives for economic development projects resulting in new taxable capital investment and net new employment to the Commonwealth of Virginia.

The City of Danville, the Industrial Development Authority of Danville, Virginia, and PRA Group, Inc., executed a Commonwealth Opportunity Fund performance agreement on September 18, 2019, in the amount of \$780,000 to pay or reimburse the cost of the build-out of its facility in Airside Industrial Park. This grant will be provided to the Company in arrears as it meets the performance goals outlined in the agreement.

The City of Danville, the Industrial Development Authority of Danville, Virginia, and Essel Propack America, LLC executed a Commonwealth Opportunity Fund performance agreement on January 29, 2019, in the amount of \$150,000 to pay or reimburse the cost of construction or build-out of its facility in Airside Industrial Park, as well as for the recruitment and training of employees. This grant will be provided to the Company in arrears as it meets the performance goals outlined in the agreement.

The Danville-Pittsylvania Regional Industrial Facility Authority and BGF Industries, Inc. executed a Commonwealth Opportunity Fund performance agreement on October 16, 2018, in the amount of \$275,000 to pay or reimburse the cost of grading, drainage, paving, and any other activity required to prepare a site in the Cyber Park for the construction of its facility. Due to the COVID-19 pandemic, plans to construct this facility have been placed on a temporary hold and the company has asked to be released from the requirements of this performance agreement. After this \$275,000 grant is appropriated, City staff will return these funds to the Virginia Economic Development Partnership.

The Virginia Tobacco Region Revitalization Commission (VTRRC) provides incentives for economic development projects resulting in new taxable capital investment and net new employment to the VTRRC footprint.

The City of Danville and Blue Ridge Fiberboard Inc. executed a Tobacco Region Opportunity Fund grant on September 30, 2016 in the amount of \$75,000. This was a reimbursable grant whereby the company had

to submit expenditures for approval before funds are disbursed. The total amount earned for this project totaled \$64,875.

BACKGROUND

On December 20, 2018, Governor Ralph Northam announced that PRA Group, Inc. would invest \$15.1 million and create 300 new jobs to establish a call center operation in Airside Industrial Park. Founded in Norfolk, Virginia as Portfolio Recovery Associates, PRA Group, Inc. is now one of the nation's largest debt recovery firms.

On December 17, 2018, Governor Ralph Northam announced that Essel Propack of America, LLC would invest \$31.2 million and create 45 new jobs in the Airside Industrial Park to expand its manufacturing operations. The business is a global specialty packaging company serving the consumer goods and pharmaceutical sectors.

On October 16, 2018, the Honorable Brian Ball, Virginia Secretary of Commerce and Trade, announced that BGF Industries, Inc., a manufacturer of technical fiber materials, will invest \$7 million to relocate its corporate headquarters and research and development operations from Greensboro, North Carolina, to the Cyber Park in Danville.

The Virginia Tobacco Region Revitalization Commission approved a Tobacco Region Opportunity Fund grant on September 30, 2016 to assist Blue Ridge Fiberboard, Inc. with the expansion of its manufacturing operations. Through this agreement, the company committed to adding 26 employees and investing at least \$2,000,000 at its Danville facility.

RECOMMENDATION

It is recommended by staff that City Council approve the attached Ordinance Amending the Fiscal Year 2021 Budget Appropriation Ordinance to appropriate funds from the Virginia Economic Development Partnership and the Virginia Tobacco Region Revitalization Commission, to the City of Danville for the purpose of providing an incentive for economic development activities to the aforementioned companies located in the City of Danville and Pittsylvania County.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE 2021-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE FOR THREE COMMONWEALTH OPPORTUNITY FUND GRANTS FROM THE VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP IN THE AMOUNTS OF \$275,000, \$150,000, AND \$780,000 RESPECTIVELY AND ONE TOBACCO REGION OPPORTUNITY FUND GRANT FROM THE VIRGINIA TOBACCO REGION REVITALIZATION COMMISSION IN THE AMOUNT OF \$64,875 FOR A TOTAL OF \$1,269,875 AS AN ECONOMIC DEVELOPMENT INCENTIVES FOR TAXABLE CAPITAL INVESTMENTS AND JOB CREATION IN THE COMMONWEALTH OF VIRGINIA.

WHEREAS, the City of Danville has received grants from the Virginia Economic Development Partnership and the Tobacco Region Opportunity Fund for economic development incentive capital investment and job creation.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia that the Fiscal Year 2021 Budget Appropriation Ordinance be, and it is hereby, amended to anticipate revenues from three grants in the amount of \$1,205,000 from the Virginia Economic Development Partnership (VEDP) and a grant from the Virginia Tobacco Region Revitalization Commission (VTRRC) in the amount of \$64,875 for the purpose of providing economic development incentives to BGF Industries, Inc., Essel Propack of America, LLC, PRA Group, Inc., and Blue Ridge Fiberboard, Inc. Such revenue and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
VEDP Commonwealth Opportunity Fund Grant (BGF Industries, Inc.)	60920000-46040	\$ 275,000
VEDP Commonwealth Opportunity Fund Grant (Essel Propack of America, LLC)	60920000-46040	\$ 150,000
VEDP Commonwealth Opportunity Fund Grant (PRA Group, Inc.)	60920000-46040	\$ 780,000
VTRRC Tobacco Region Opportunity Fund (Blue Ridge Fiberboard, Inc.)	60920000-46030	<u>\$ 64,875</u>
	TOTAL	<u>\$1,269,875</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
BGF Industries Inc.	60920999-50	\$ 275,000
Essel Propack of America, LLC	60920999-50	\$ 150,000
PRA Group, Inc.	60920999-50	\$ 780,000
Blue Ridge Fiberboard, Inc.	60920999-50	<u>\$ 64,875</u>
	TOTAL	<u>\$1,269,875</u>

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

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

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY

Council Letter

City of Danville, Virginia



CL-2475

New Business A.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Consideration of Rezoning 540 Woodlawn Drive, Parcels 72474 and 72454, from T-R Threshold Residential to SR-R Sandy River Residential

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 01/05/2021

SUMMARY

Rezoning Application 2020-255, filed by Bonnie Gosney requested to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

BACKGROUND

The applicant proposes to rezone nearly 60 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property in an appropriate manner given the infrastructure capacity at the north end of Woodlawn Drive.

The Planning Commission, at their December 7, 2020 meeting, voted 6-0 to recommend approval of Rezoning Application 2020-255.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Rezoning 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map; Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map; and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE REZONING 540 WOODLAWN DRIVE, PARCEL ID #72449, ALSO KNOWN AS GRID 817, BLOCK 1, PARCEL #9 OF THE CITY OF DANVILLE, ZONING DISTRICT MAP, PARCEL ID #72474, ALSO KNOWN AS GRID 817, BLOCK 1, PARCEL #7 OF THE CITY OF DANVILLE, ZONING DISTRICT MAP, AND PARCEL ID #72454, ALSO KNOWN AS GRID 818, BLOCK 2, PARCEL #1 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, Bonnie Gosney requested to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map 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 2020-255, filed by Bonnie Gosney requesting to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map 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 2020-255, filed by Bonnie Gosney requesting to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid

817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map 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 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map, Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map, and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Virginia Zoning District Map are hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY



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

City Planning Commission

MEMORANDUM

DATE: DECEMBER 11, 2020
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: REZONING APPLICATION 2020-0255

REQUEST

Bonnie Gosney filed Rezoning Application 2020-255 requested to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 817, Block 1, Parcel #9 of the City of Danville, Zoning District Map; Parcel ID #72474, also known as Grid 817, Block 1, Parcel #7 of the City of Danville, Zoning District Map; and Parcel ID #72454, also known as Grid 818, Block 2, Parcel #1 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

The applicant proposes to rezone nearly 60 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at the north end of Woodlawn Drive.

RECOMMENDATION

The Planning Commission, at their December 7, 2020 meeting, voted 6-0 to recommend approval of Rezoning Application 2020-255.

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Four (4) responses were received, all unopposed (Brooks, White, Brown and Atkinson).

COMMENTS

As long as the land is not used for a chicken or pig farm. (Brooks)



City of Danville

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

City Planning Commission

STAFF REPORT

MEETING DATE: DECEMBER 7, 2020

RE: REZONING APPLICATION - 540 WOODLAWN & TWO (2) VACANT PARCELS

Rezoning Application PLRZ20200000255, filed by Bonnie Gosney, requests to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 0817, Block 001, Parcel ID#000009 of the City of Danville, Zoning District Map; Parcel ID #72474, also known as Grid 0817, Block 001, Parcel ID#000007 of the City of Danville, Zoning District Map; and Parcel ID #72454, also known as Grid 0818, Block 002, Parcel ID#000001 of the City of Danville, Zoning District Map from T-R Threshold Residential to SR-R Sandy River Residential.

BACKGROUND

The applicant proposes to rezone nearly 60 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at the north end of Woodlawn 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 PLRZ20200000255 for City Council approval as presented.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ20200000255 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ20200000255 as submitted.
3. Recommend approval of Rezoning Application PLRZ20200000255 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ20200000255.

ATTACHMENTS

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

MEMORANDUM

DATE: DECEMBER 7, 2020

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Rezoning Application PLRZ20200000255, filed by Bonnie Gosney, requests to rezone 540 Woodlawn Drive, Parcel ID #72449, also known as Grid 0817, Block 001, Parcel ID#000009 of the City of Danville, Zoning District Map; Parcel ID #72474, also known as Grid 0817, Block 001, Parcel ID#000007 of the City of Danville, Zoning District Map; and Parcel ID #72454, also known as Grid 0818, Block 002, Parcel ID#000001 of the City of Danville, Zoning District Map from T-R Threshold Residential to SR-R Sandy River Residential.

RESPONSES:

Twenty seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Four (4) responses were received, all unopposed (Brooks, White, Brown and Atkinson).

COMMENTS:

As long as the land is not used for a chicken or pig farm. (Brooks)

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: Appx 30 AC. Property Address: 21.10 AC PT NO 58 Woodlawn Dr Danville VA
Property Location: N S E W Side of: West
Between: Blair loop Rd and West Woodlawn Dr
Proffered Conditions (if any, please attach): N/A

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

1. NAME: Bonnie Carol Gosney TELEPHONE: 434- 549- 1265
MAILING ADDRESS: 533 Woodlawn Dr. Danville VA 24541
SIGNATURE: Bonnie Carol Gosney DATE: 11-09-2020
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: BC Gosney @ AOL.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: Bonnie Carol Gosney TELEPHONE: 434- 549- 1265
MAILING ADDRESS: Same as above
EMAIL ADDRESS: "
Bonnie Carol Gosney

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

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

Please provide a brief description of the proposed development:

N/A

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

N/A

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

See Attached Statement

November 9, 2020

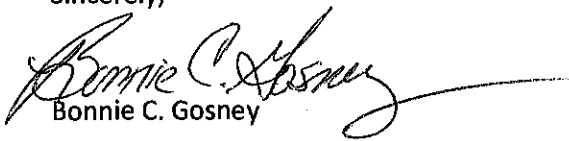
Subject: Description of request for Rezoning to Sandy River District:

The property on Woodlawn Drive Danville, Virginia is conjoined in three parcels;
(parcel numbers 93 72449 201, 93 72474 201 and 93 72454 201.

Years ago, this property belonged to a tobacco farmer, my Grandfather Fred Gosney. Since his death the property has transferred from my Father, Hugh Gosney to my Mother, Gloria Gosney and now to me. The farm has not been maintained for over 30 years. I would like to return it to its former appearance with open green pastures.

I sincerely request rezoning into the Sandy River District. If you have any questions I can be reached at (434) 549-1265.

Sincerely,


Bonnie C. Gosney

REZONING REQUEST DATA SHEET PLRZ20200000255

PUBLIC HEARING DATES:	DECEMBER 7, 2020 PLANNING COMMISSION AT 3PM
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LOCATION OF PROPERTY:	NORTH END OF WOODLAWN DRIVE
------------------------------	-----------------------------

PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
----------------------	---------------------------

PROPOSED ZONE:	SR-R SANDY RIVER RESIDENTIAL
-----------------------	------------------------------

ACTION REQUESTED:	REZONE 59.12 ACRES PROPERTY
--------------------------	-----------------------------

PRESENT USE OF PROPERTY:	VACANT
---------------------------------	--------

PROPOSED USE OF PROPERTY:	RURAL RESIDENTIAL AND AGRICULTURE
----------------------------------	-----------------------------------

FUTURE LAND USE DESIGNATION:	RURAL RESIDENTIAL
-------------------------------------	-------------------

PROPERTY OWNER (S):	BONNIE GOSNEY
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NAME OF APPLICANT (S):	BONNIE GOSNEY
-------------------------------	---------------

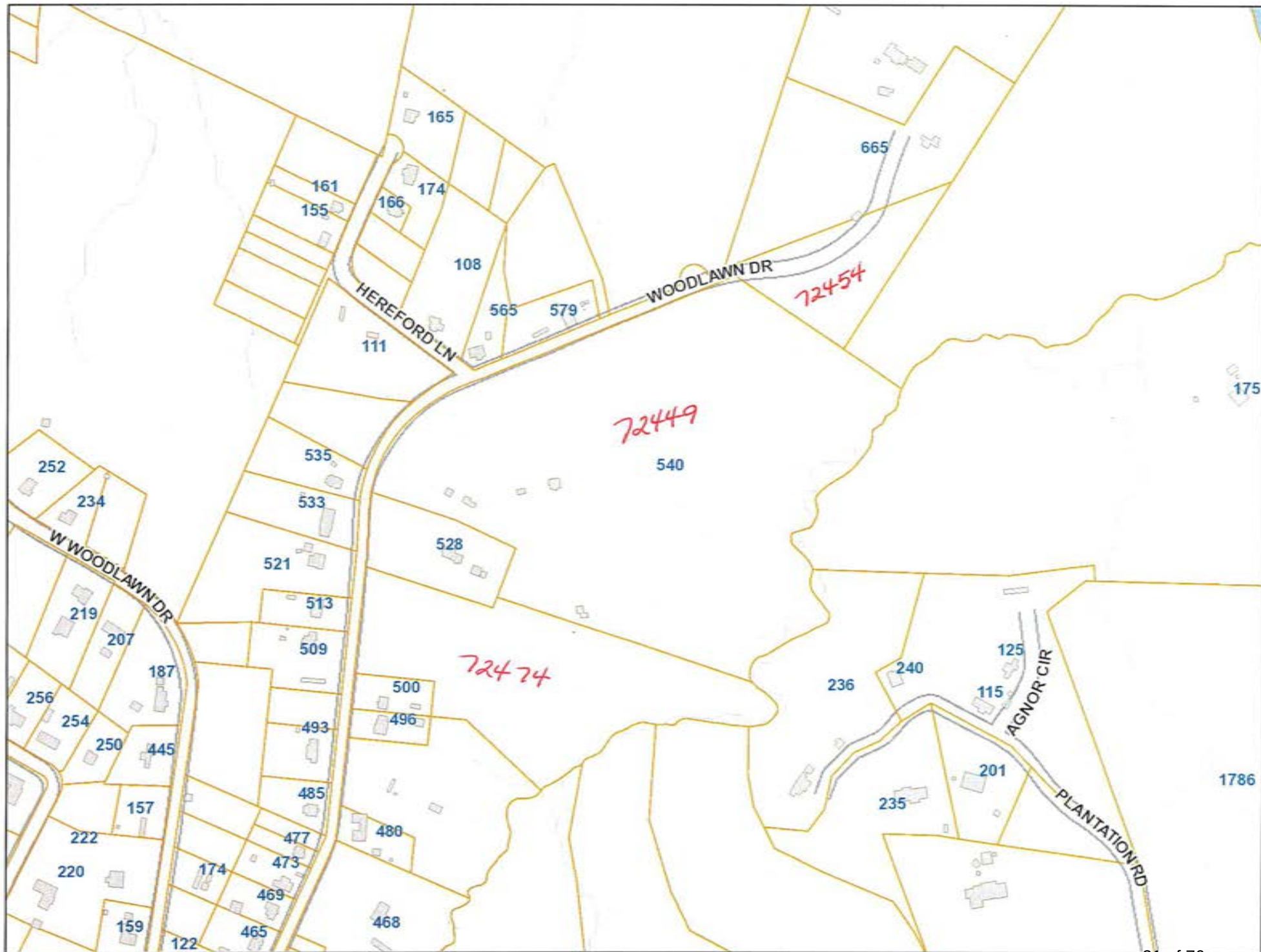
PROPERTY BORDERED BY:	RURAL RESIDENTIAL
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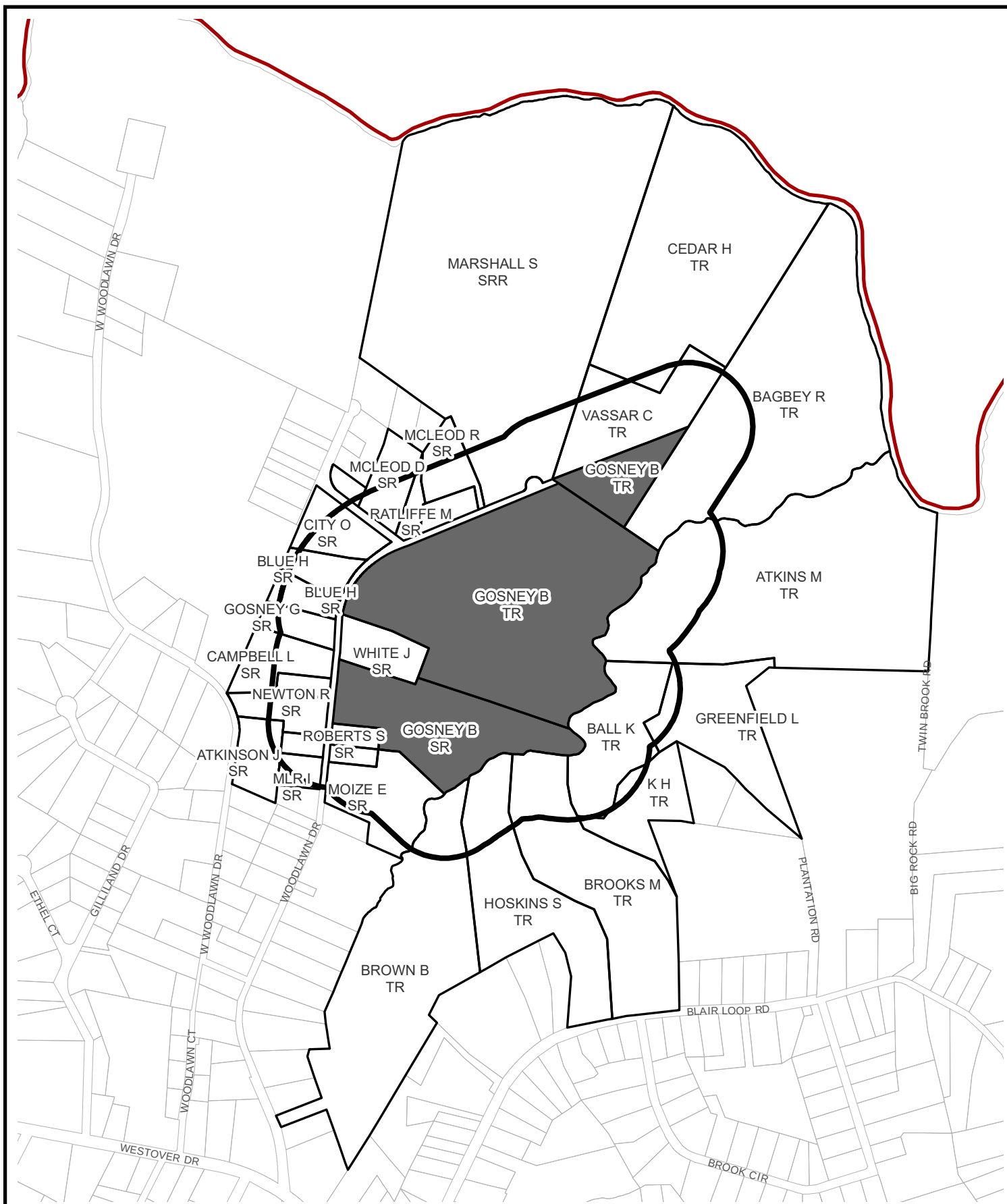
ACREAGE:	59.12 ACRES TOTAL
-----------------	-------------------

CHARACTER OF VICINITY:	RURAL RESIDENTIAL
-------------------------------	-------------------

INGRESS AND EGRESS:	WOODLAWN DRIVE
----------------------------	----------------

TRAFFIC VOLUME:	VERY LOW- NO RECENT COUNTS
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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

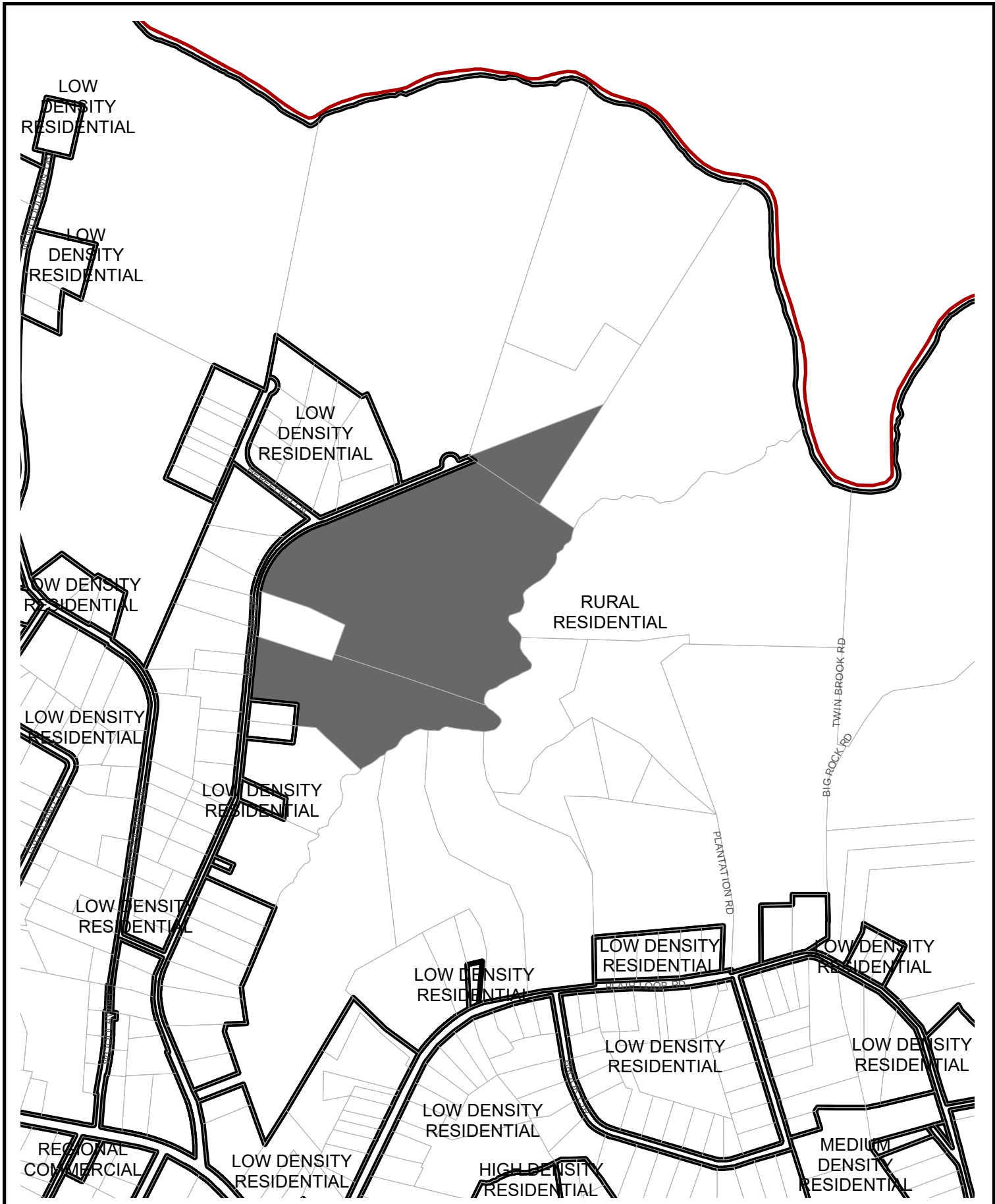
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, 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.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/24/2020

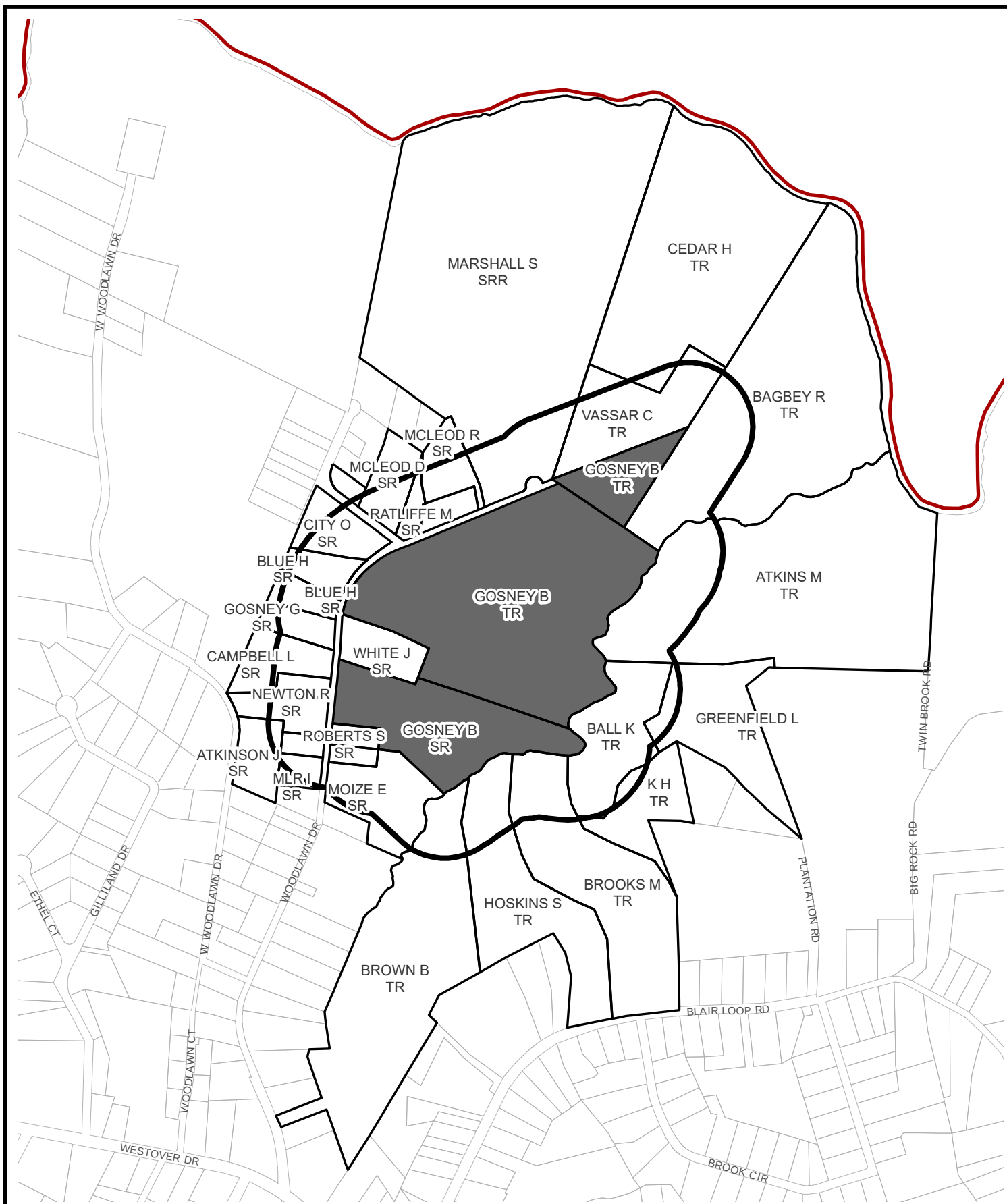
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, 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.



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/24/2020

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
11/24/2020

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-2476

New Business B.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Consideration of Rezoning 535 Woodlawn Drive, Parcel ID #72454, from T-R Threshold Residential to SR-R Sandy River Residential

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 01/05/2021

SUMMARY

Rezoning Application 2020-257, filed by Ryland and Hannah Bagbey, requested to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

BACKGROUND

The applicant proposes to rezone 51.08 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property to an appropriate zoning district, given the infrastructure capacity at the north end of Woodlawn Drive.

The Planning Commission, at their December 7, 2020, meeting, voted 6-0 to recommend approval of Rezoning Application 2020-257.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance Rezoning 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE REZONING 535 WOODLAWN DRIVE, PARCEL ID #72457, ALSO KNOWN AS GRID 818, BLOCK 2, PARCEL #2 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, Ryland and Hannah Bagbey requested to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map 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 2020-257, filed by Ryland and Hannah Bagbey, requested to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map 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 2020-257, filed by Ryland and Hannah Bagbey, requested to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map 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 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Virginia Zoning District Map are hereby amended to reflect the same.

APPROVED:

MAYOR

ATTEST:

CLERK

APPROVED AS TO
FORM AND LEGAL SUFFICIENCY:

CITY ATTORNEY



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

City Planning Commission

MEMORANDUM

DATE: DECEMBER 11, 2020
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2020-0257

REQUEST

Ryland and Hannah Bagbey filed Rezoning Application 2020-257 to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 818, Block 2, Parcel #2 of the City of Danville, Zoning District Map from the T-R Threshold Residential zoning district to the SR-R Sandy River Residential zoning district.

The applicant proposes to rezone 51.08 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at the north end of Woodlawn Drive.

RECOMMENDATION

The Planning Commission, at their December 7, 2020 meeting, voted 6-0 to recommend approval of Rezoning Application 2020-257.

Mr. Harold E. Garrison, Chair

RESPONSES

Six (6) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, unopposed (Cedar Hill Gun Skeet Swim Club Inc.).

COMMENTS

NONE



City of Danville

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

City Planning Commission

STAFF REPORT

MEETING DATE: DECEMBER 7, 2020

RE: REZONING APPLICATION - 535 WOODLAWN

Rezoning Application PLRZ20200000257, filed by Ryland and Hannah Bagbey, requests to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 0818, Block 002, Parcel ID#000002 of the City of Danville, Zoning District Map from T-R Threshold Residential to SR-R Sandy River Residential.

BACKGROUND

The applicant proposes to rezone 51.08 acres from T-R Threshold Residential to SR-R Sandy River Residential. The proposal downzones the property appropriately given the infrastructure capacity at the north end of Woodlawn 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 PLRZ20200000257 for City Council approval as presented.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ20200000257 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ20200000257 as submitted.
3. Recommend approval of Rezoning Application PLRZ20200000257 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ20200000257.

ATTACHMENTS

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

MEMORANDUM

DATE: DECEMBER 7, 2020

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Rezoning Application PLRZ20200000257, filed by Ryland and Hannah Bagbey, requests to rezone 535 Woodlawn Drive, Parcel ID #72457, also known as Grid 0818, Block 002, Parcel ID#000002 of the City of Danville, Zoning District Map from T-R Threshold Residential to SR-R Sandy River Residential.

RESPONSES:

Six (6) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, unopposed (Cedar Hill Gun Skeet Swim Club Inc.).

COMMENTS: None

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: 2400 Property Address: Parcel ID 72457

Property Location: N S E W Side of: Danville

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1. NAME: Ryland Bagbey TELEPHONE: 434-549-1137

MAILING ADDRESS: 535 Woodlawn Dr

SIGNATURE: [Signature] DATE: 11-9-2020

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: Ryland.Bagbey@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: Hannah Bagbey TELEPHONE: 434-549-1137

MAILING ADDRESS: [Signature]

EMAIL ADDRESS: _____

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

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

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

Please provide a brief description of the proposed development:

2. ALTERATION OF ZONING BOUNDARIES:

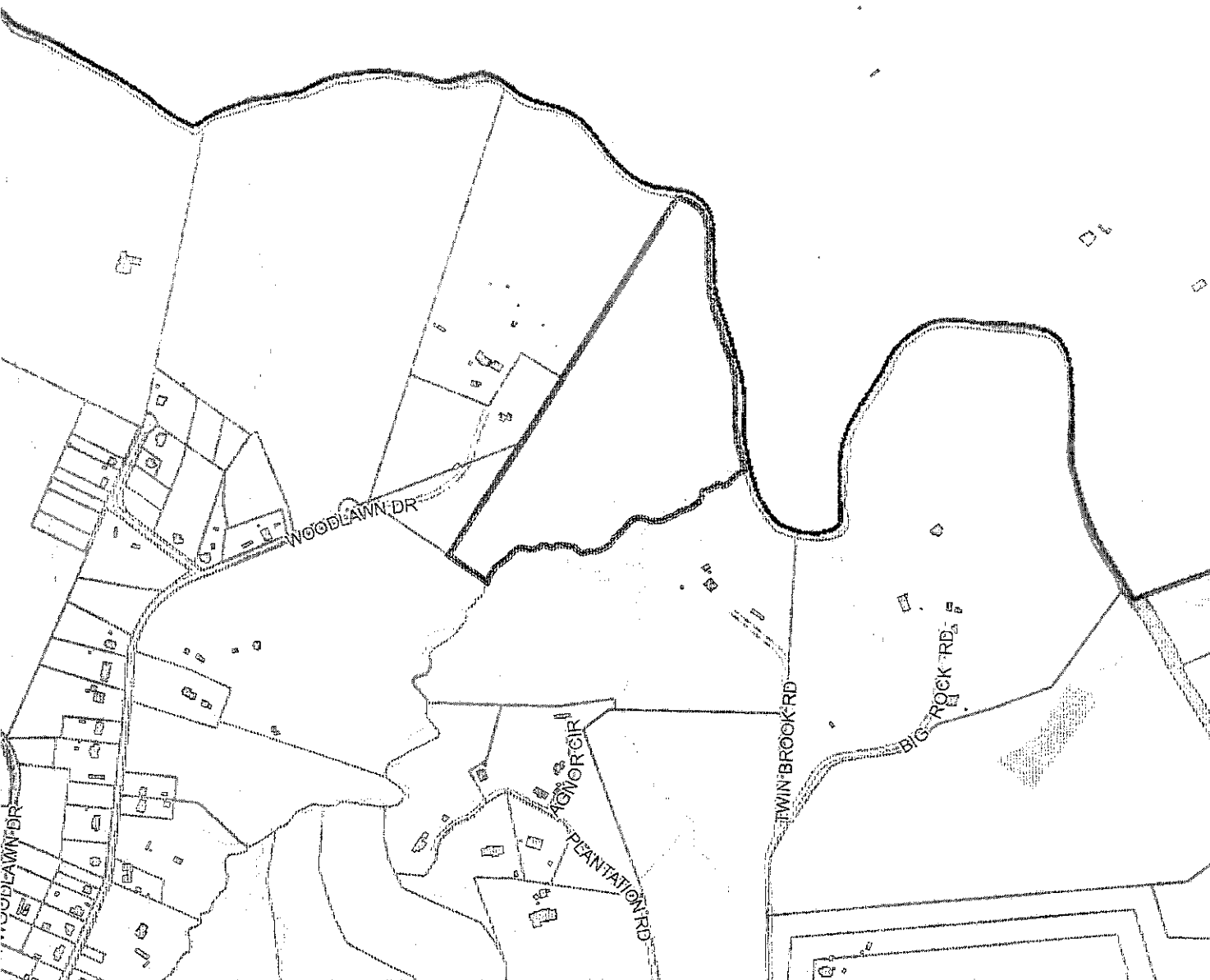
Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

Rezone for Sandy River district

3. RESIDENTIAL REZONING:

Please provide a brief description of the request: Zone for sandy river district



REZONING REQUEST DATA SHEET PLRZ20200000257

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

LOCATION OF PROPERTY:	NORTH END OF WOODLAWN DRIVE
------------------------------	-----------------------------

PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
----------------------	---------------------------

PROPOSED ZONE:	SR-R SANDY RIVER RESIDENTIAL
-----------------------	------------------------------

ACTION REQUESTED:	REZONE 51.08 ACRES OF PROPERTY
--------------------------	--------------------------------

PRESENT USE OF PROPERTY:	VACANT
---------------------------------	--------

PROPOSED USE OF PROPERTY:	RURAL RESIDENTIAL AND AGRICULTURE
----------------------------------	-----------------------------------

FUTURE LAND USE DESIGNATION:	RURAL RESIDENTIAL
-------------------------------------	-------------------

PROPERTY OWNER (S):	RYLAND AND HANNAH BAGBEY
----------------------------	--------------------------

NAME OF APPLICANT (S):	RYLAND AND HANNAH BAGBEY
-------------------------------	--------------------------

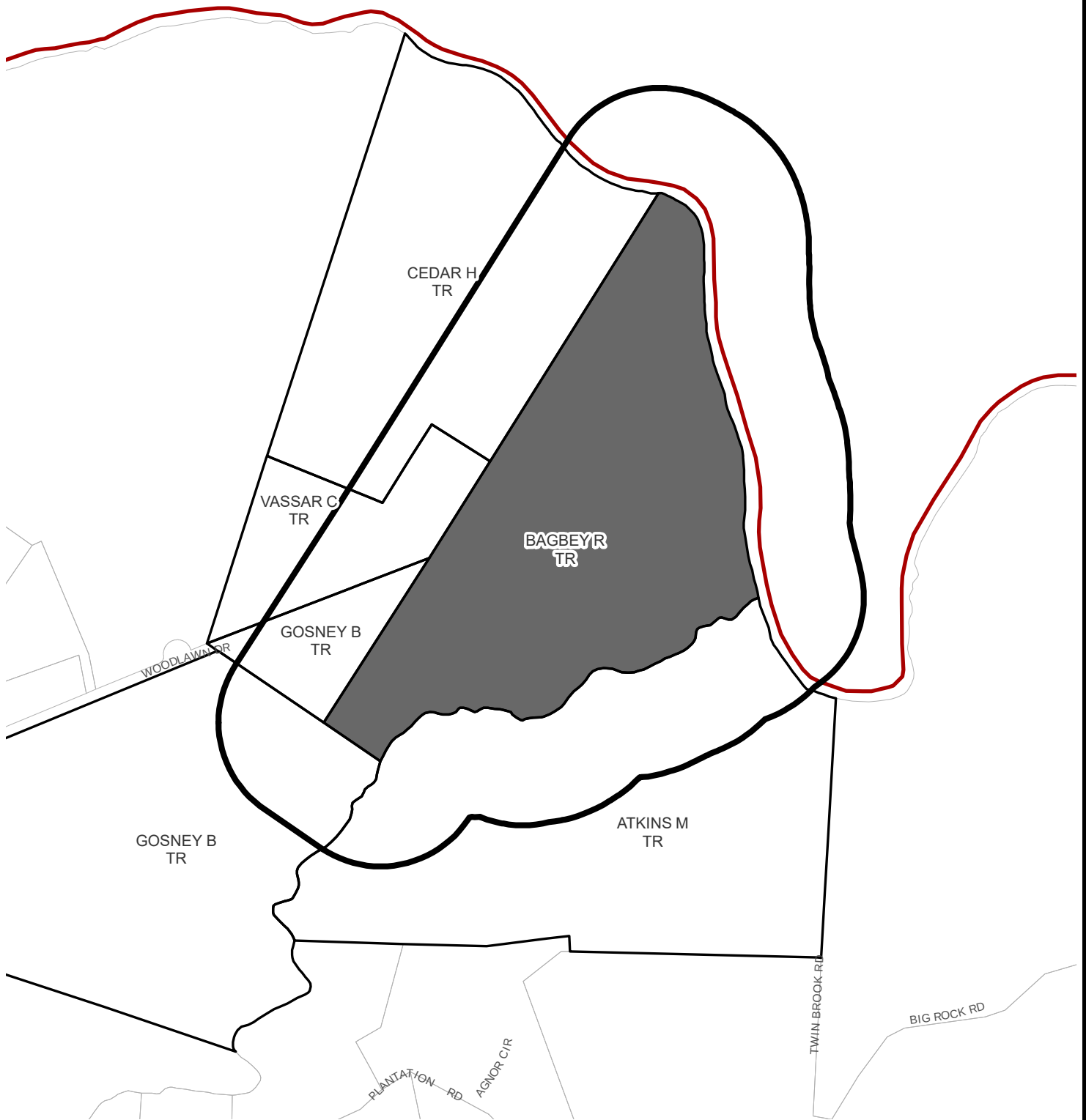
PROPERTY BORDERED BY:	RURAL RESIDENTIAL
------------------------------	-------------------

ACREAGE:	51.08 ACRES TOTAL
-----------------	-------------------

CHARACTER OF VICINITY:	RURAL RESIDENTIAL
-------------------------------	-------------------

INGRESS AND EGRESS:	WOODLAWN DRIVE
----------------------------	----------------

TRAFFIC VOLUME:	VERY LOW - NO RECENT COUNTS
------------------------	-----------------------------



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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.

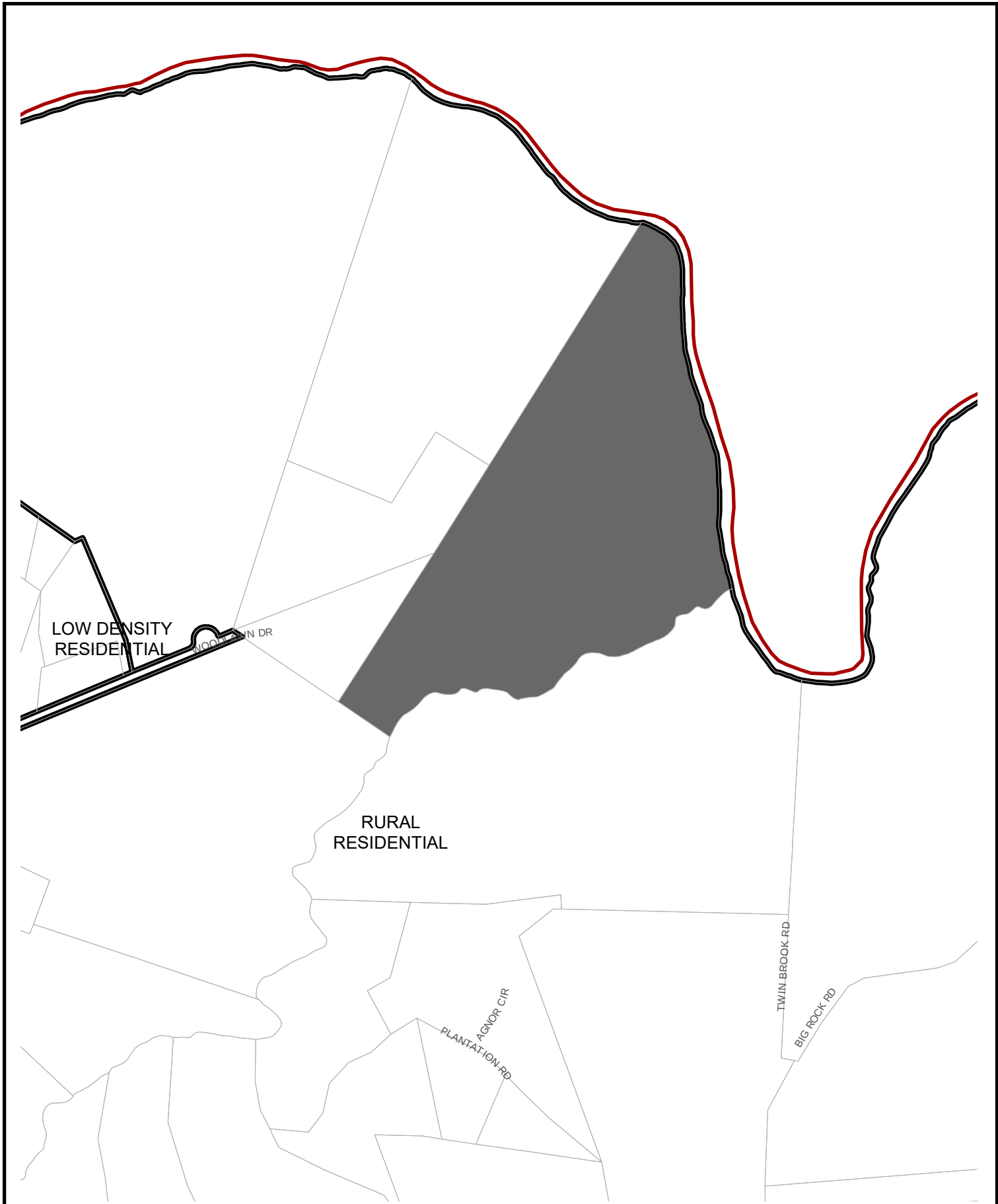


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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.



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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Council Letter

City of Danville, Virginia



CL-2477

New Business C.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Consideration of Granting a Special Use Permit to Waive Yard Requirements at 280 Piney Forest Road (Parcel ID# 60550).

From: Doug Plachcinski, Planning Division Director

COUNCIL ACTION

Business Meeting: 01/05/2021

SUMMARY

Solex Architecture, on behalf of property owner JLS Investment Properties, LLC, filed Special Use Permit Application 2020-258 for a waiver of yard requirements, subject to the prohibition of parking in front yards, in accordance with Article 3.M Section C.21. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 280 Piney Forest Road (Parcel ID #60550), otherwise known as Grid 1706, Block 10, Parcel #4.1, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards in the HR-C Highway Retail Commercial Zoning District to build a covered area for customer loading/unloading.

BACKGROUND

The applicant proposes a covered loading/unloading area on the south side of the building measuring 21.5' feet wide and 37.5' feet long. The proposed addition is approximately 20' feet tall at the roof peak and will have 14' feet vehicle clearance.

The Planning Commission, at their December 7, 2020 meeting, voted 6-0 to recommend approval of Special Use Permit Application 2020-258.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance granting a Special Use Permit for a waiver of yard requirements, subject to the prohibition of parking in front yards, in accordance with Article 3.M Section C.21. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 280 Piney Forest Road (Parcel ID #60550), otherwise known as Grid 1706, Block 10, Parcel #4.1, of the City of Danville, Zoning District Map.

Attachments

Ordinance

PLANNING BACKUP

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021____.____

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPLICATION 2020-258 A WAIVER OF YARD REQUIREMENTS, SUBJECT TO THE PROHIBITION OF PARKING IN FRONT YARDS, IN ACCORDANCE WITH ARTICLE 3.M, SECTION C.21, OF THE CODE OF THE CITY OF DANVILLE VIRGINIA, 1986, AS AMENDED, AT 280 PINEY FOREST ROAD (PARCEL ID#60550) ALSO KNOWN AS GRID 1706, BLOCK 2, PARCEL # 4.1 OF THE CITY OF DANVILLE ZONING DISTRICT MAP.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit Application 2020-258, filed by applicant Solex Architecture on behalf of property owner JLS Investment Properties, LLC, requesting a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards, in accordance with Article 3.M, Section C.21, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 280 Piney Forest Road (Parcel ID#60550), otherwise known as Grid 1706, Block 10, Parcel #4.1, of the City of Danville, Zoning District Map, is hereby received; and

BE IT FURTHER ORDAINED, that in consideration of said report and the public hearing this day held by Council, Special Use Permit Application 2020-258, filed by applicant Solex Architecture on behalf of property owner JLS Investment Properties, LLC, requesting a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards, in accordance with Article 3.M, Section C.21, of the Zoning Ordinance of the Code of City of Danville, Virginia, 1986, as amended, at 280 Piney Forest Road (Parcel ID#60550), otherwise known as Grid 1706, Block 10, Parcel #4.1, of the City of Danville, Zoning District Map, 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

MEMORANDUM

DATE: DECEMBER 11, 2020
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
RE: SPECIAL USE PERMIT APPLICATION 2020-0258

REQUEST

Solex Architecture, on behalf of property owner JLS Investment Properties, LLC, filed Special Use Permit Application 2020-258 for a waiver of yard requirements, subject to the prohibition of parking in front yards, in accordance with Article 3.M Section C.21. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 280 Piney Forest Road (Parcel ID#60550), otherwise known as Grid 1706, Block 10, Parcel #4.1, of the City of Danville, Zoning District Map..

The applicant requests a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards in the HR-C Highway Retail Commercial Zoning District to build a covered area for customer loading/unloading.

RECOMMENDATION

The Planning Commission, at their December 7, 2020 meeting, voted 6-0 to recommend approval of Special Use Permit Application 2020-258.

Mr. Harold E. Garrison, Chair

RESPONSES

Twenty seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received, all unopposed (Grogan/FTG LLC, Dan River Region Association of Realtors Inc., and Danville Masjid Islamic Center).

COMMENTS

Great idea. Grogan/FTG LLC.



City of Danville

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

City Planning Commission

STAFF REPORT

MEETING DATE: DECEMBER 7, 2020

RE: SPECIAL USE PERMIT APPLICATION - 280 PINEY FOREST ROAD

Special Use Permit Application PLSUP20200000258, filed by applicant Solex Architecture on behalf of property owner JLS Investment Properties, LLC requests a Special Use Permit for a waiver of yard requirements, subject to the prohibition of parking in front yards in accordance with Article 3.M Section C.21. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 280 Piney Forest Road (Parcel ID#60550), otherwise known as Grid 1706, Block 002, Parcel ID#000004.001, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards in the HR-C Highway Retail Commercial Zoning District to build a covered area for customer loading/unloading.

BACKGROUND

The applicant proposes a covered loading/unloading area on the south side of the building measuring 21.5' feet wide and 37.5' feet long. The proposed addition is approximately 20' feet tall at the roof peak and will have 14' feet vehicle clearance.

The Planning Division sent 32 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, JLS Investment Properties LLC., applied to the Planning Division for a Special Use Permit to reduce the side setbacks for a porte-cochere on the south side of the building to protect the client loading area from the elements. The application is attached to this report.

The City may waive yard requirements, subject to the prohibition of parking in front yards, with a Special Use Permit in the HR-C Highway Retail Commercial zoning district. (Chapter 41 Zoning Ordinance, Article 3.N. §C.21.). Specifically, the applicant requests a waivers to reduce the 20' side yard setback from the property line to the proposed overhang.

The Comprehensive Plan puts the subject property in the Piney Forest Road planning area. The future land use designation for the subject parcel is 'Commercial.' If approved, the Special Use Permit is in harmony with the Highway Retail – Commercial District's purpose and intent to provide suitable locations in Danville's heavily traveled collector streets and arterial highways for those commercial and business uses which are oriented to the automobile and which require regional access characteristics independent of the marketplace attributable to adjoining neighborhoods or pedestrian trade.

The neighboring properties to the east are residential while adjacent properties on Piney Forest Road are commercial. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer,

will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.

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 does not recommend any conditions for this project. The Planning Division recommends the Planning Commission endorse Special Use Permit Application PLSUP20200000258 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP20200000258 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP20200000258 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP20200000258 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP20200000258.

ATTACHMENTS

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

MEMORANDUM

DATE: DECEMBER 7, 2020

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST:

Special Use Permit Application PLSUP20200000258, filed by applicant Solex Architecture on behalf of property owner JLS Investment Properties, LLC requests a Special Use Permit for a waiver of yard requirements, subject to the prohibition of parking in front yards in accordance with Article 3.M Section C.21. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 280 Piney Forest Road (Parcel ID#60550), otherwise known as Grid 1706, Block 002, Parcel ID#000004.001, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for waiver of yard requirements, subject to the prohibition of parking in front yards in the HR-C Highway Retail Commercial Zoning District to build a covered area for customer loading/unloading.

RESPONSES:

Twenty seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received, all unopposed (Grogan/FTG LLC, Dan River Region Association of Realtors Inc., and Danville Masjid Islamic Center).

COMMENTS:

Great idea. Grogan/FTG LLC.



Solex Architecture, Inc.
641 Main Street
Danville, Virginia 24541
434.688.0767
www.solexarchitecture.com

November 9, 2020

City of Danville
Planning Commission
P.O. Box 3300
Danville, VA 24543

RE: Special Use Permit Application

To Whom it may concern:

I, Jeff Smith, give Solex Architecture, Inc. permission to submit the attached special use permit on my behalf.

 JEFF SMITH Owner, JLS Investment Properties LLC

 _____ Architect/Owner, Solex Architecture, Inc.

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

CASE NUMBER: _____

EXISTING ZONING: _____

PROPOSED ZONING: _____

TAX MAP NUMBER: _____

RECEIVED BY: _____

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 1.89 Acres Property Address: 280 Piney Forest Rd., Danville, VA 24540

Property Location: N S (E) W Side of: Piney Forest Rd.

Between: Cottonwood Ln. and Appollo Ave.

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

See attached.

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

1. NAME: JLS Investment Properties LLC TELEPHONE: 434-483-2730

MAILING ADDRESS: 280 Piney Forest Rd., Danville, VA 24540

SIGNATURE:  DATE: 11/9/20

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: jeffvetsmith@gmail.com

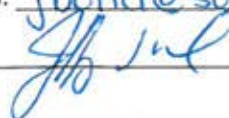
APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Solex Architecture TELEPHONE: 434-688-0767

MAILING ADDRESS: 641 Main St., Danville, VA 24541

EMAIL ADDRESS: jbond@solexarchitecture.com

SIGNATURE:  DATE: 11/9/2020

Description of Proposed Development

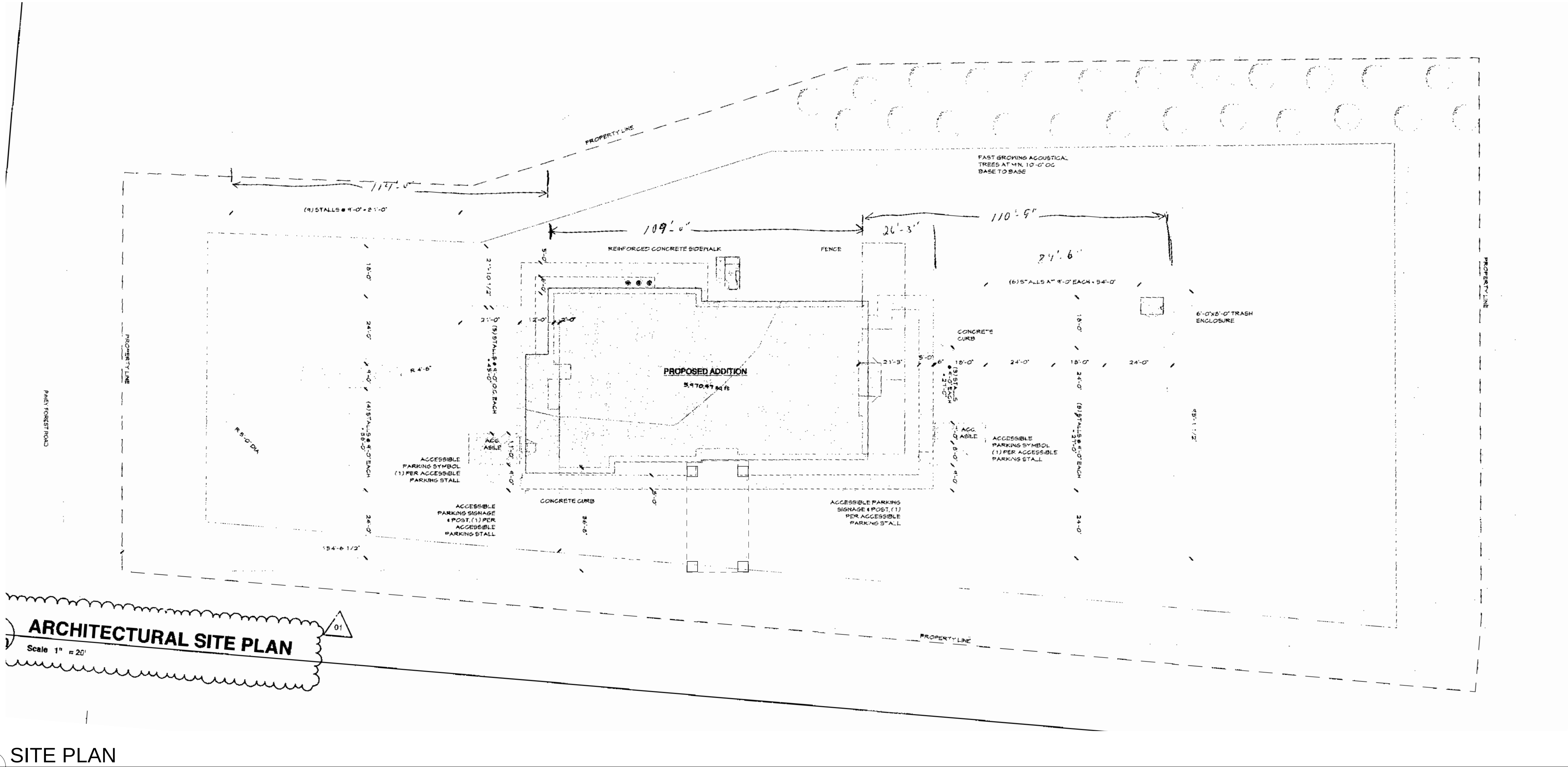
A porte cochere is being added over the south entrance of the building that extends over the existing drive. The porte cochere over laps the existing setback lines by 2 feet 6 inches on its west side and 5.5 inches on its east side. The dimensions of the porte cochere will be approximately 21.5 feet wide and 37.5 feet long.

JEFF SMITH

DANVILLE FAMILY VET

280 PINEY FOREST ROAD, DANVILLE, VA 24540

SCHEMATIC DESIGN



1
A-101

SITE PLAN
Scale: 3/64" = 1'-0"

SHEET INFORMATION

REVISIONS		
NO.	DESCRIPTION	DATE

PROJECT NO.	20200031
DRAWN BY	KMW / TA
CHECKED BY	JLB
DATE	2020.11.11
SCALE	3/64" = 1'-0"

SHEET NAME

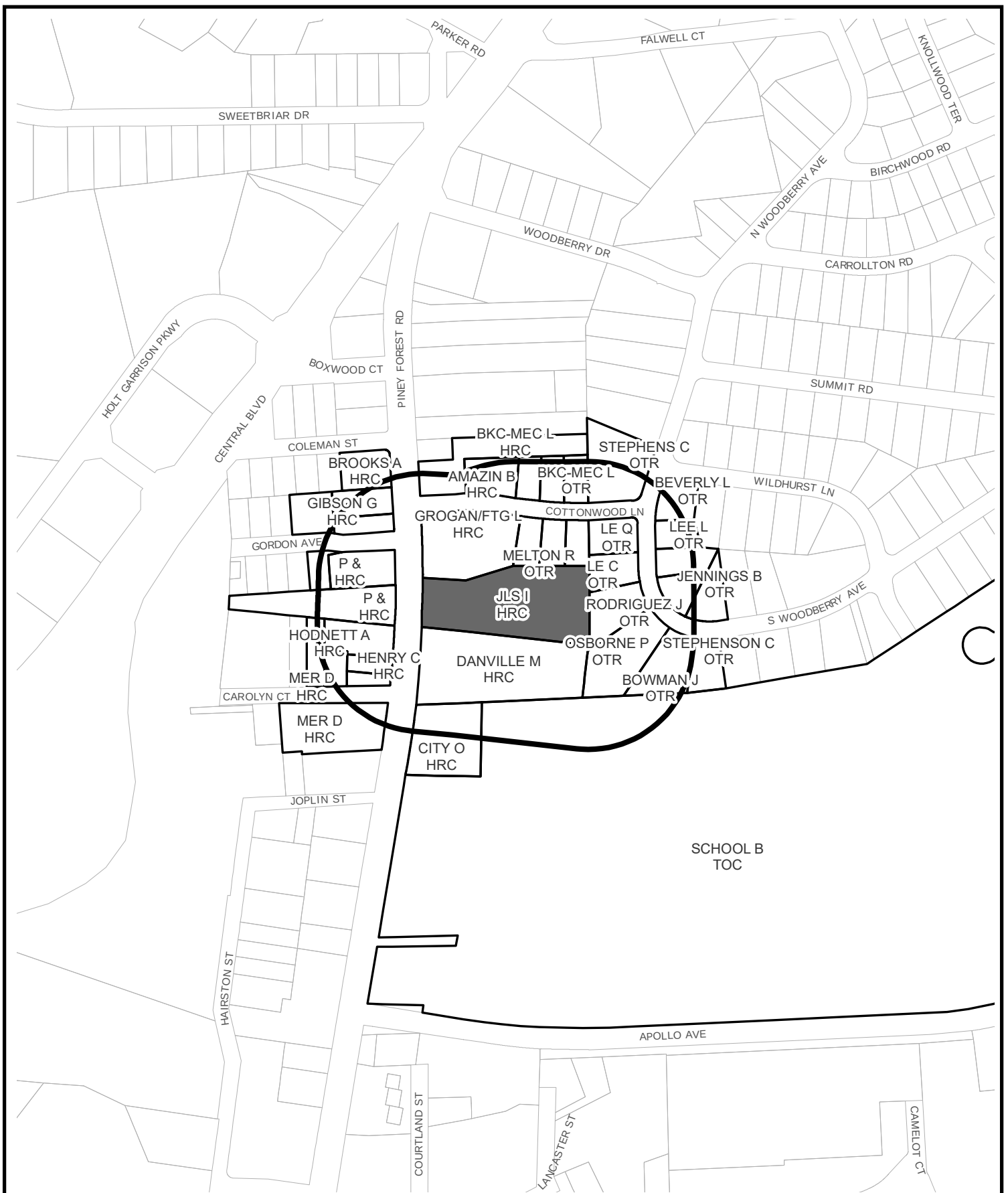
SITE PLAN

SHEET NUMBER

A-101

SPECIAL USE PERMIT REQUEST DATA SHEET PLRZ20200000258

PUBLIC HEARING DATES:	DECEMBER 7, 2020 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	280 PINEY FOREST ROAD; EAST SIDE OF PINEY FOREST ROAD, ~250 FEET SOUTH OF COTTONWOOD LANE
PRESENT ZONE:	HR-C HIGHWAY RETAIL COMMERCIAL
PROPOSED ZONE:	N/A
ACTION REQUESTED:	GRANT A SPECIAL USE PERMIT FOR WAIVER OF YARD REQUIREMENTS, SUBJECT TO THE PROHIBITION OF PARKING IN FRONT YARDS
PRESENT USE OF PROPERTY:	FAMILY VET
PROPOSED USE OF PROPERTY:	NO CHANGE
FUTURE LAND USE DESIGNATION:	COMMERCIAL
PROPERTY OWNER (S):	JLS INVESTMENT PROPERTIES
NAME OF APPLICANT (S):	SOLEX ARCHITECTURE ON BEHALF OF PROPERTY OWNER JLS INVESTMENT PROPERTIES, LLC
PROPERTY BORDERED BY:	HIGHWAY COMMERCIAL ON WEST, NORTH AND SOUTH; SINGLE FAMILIE RESIDENTIAL TO THE NORTHEAST AND EAST
ACREAGE:	1.89 ACRES TOTAL
CHARACTER OF VICINITY:	COMMERCIAL AND RESIDENTIAL
INGRESS AND EGRESS:	PINEY FOREST ROAD
TRAFFIC VOLUME:	2019 VDOT PUBLICATION - 2000 AADT



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
11/24/2020

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Council Letter

City of Danville, Virginia



CL-2478

New Business D.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Acceptance of Parcel 56289 as a Gift from Seven-Up Distributing Company

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

COUNCIL ACTION

Business Meeting: 01/05/2021

SUMMARY

The City is interested in improving flood control installations along part of the Apple Branch Creek where it crosses Riverside Drive. In order to complete this, the City must acquire a lot identified as Parcel #56289.

BACKGROUND

The City is interested in improving flood control installations along part of the Apple Branch Creek where it crosses Riverside Drive. The parcel is currently owned by Seven-Up Distributing Company, who is willing to donate the parcel to the City as a gift to assist in the new flood control improvements.

RECOMMENDATION

City staff recommends City Council approve the attached Resolution accepting the gift to assist with the flood control improvements.

Attachments

Resolution

Attachment 1

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2021-____.____

A RESOLUTION ACCEPTING A GIFT OF CERTAIN REAL PROPERTY ON RIVERSIDE DRIVE TO ALLOW FOR FLOOD CONTROL IMPROVEMENTS.

WHEREAS, potential flooding along Riverside Drive due to unpredictable weather events presents an on-going hazard to the public; and

WHEREAS, to better mitigate this flooding risk the City is interested in making flood control improvements upon a certain parcel of real property located within the City of Danville, Virginia (the "City") along the Apple Branch Creek as it drains into the Dan River across Riverside Drive, more specifically identified as Parcel ID #56289, Tax Map #1708-001-000003.000 (the "Property"); and

WHEREAS, the owner of the Property desires to donate the Property to the City to assist in the flood control improvements; and

WHEREAS, the City Council believes it would be in the best interest of the City for title to the Property to be transferred to the City.

NOW THEREFORE, BE IT RESOLVED, by the City Council of Danville, Virginia, that the City Council hereby authorizes the acceptance of the donation of Parcel ID #56289 from Seven-Up Distributing Co.; and

BE IT FURTHER RESOLVED, that the City Manager be, and is hereby, authorized to execute any documents in furtherance of this resolution

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Approved as to
Form and Legal Sufficiency:

ASSISTANT CITY ATTORNEY

Tax PIN # 56289

*This deed is exempt from
Grantor's tax pursuant to Va.
Code § 58.1-811(D), and from
Grantee's tax pursuant to Va.
Code § 58.1-811(A)(3).*

THIS **DEED OF GIFT** made this the ____ day of _____, 202__, by
and between **SEVEN-UP DISTRIBUTING COMPANY, a North Carolina
corporation, GRANTOR**, and the **CITY OF DANVILLE, VIRGINIA, a municipal
corporation of the Commonwealth of Virginia, GRANTEE**,

W I T N E S S E T H:

AS A GIFT, and not for consideration, the Grantor does hereby give and grant, with
general warranty and English covenants of title, unto the Grantee, in fee simple absolute,
all that certain parcel of land, together with improvements thereon and appurtenances
thereto belonging, situate in the City of Danville, Virginia, and more particularly described
as follows:

TAX PIN #56289 – RIVERSIDE DRIVE, DANVILLE, VIRGINIA

CONTAINING 0.195 acre, more or less, fronting Riverside Drive, as shown on
Plat of Survey for Seven-Up Distributing Company, showing Property Situated on
the South Side of Riverside Drive and on the North Side of the Dan River, prepared
by Bryan E. Jones, Surveyor, Piedmont Surveying and Design, P.C., dated May
10, 2012, Job No. 12-03, recorded in the Clerk's Office of the Circuit Court of the
City of Danville, Virginia, as Instrument #12-2310.

BEING IN FACT, Parcel No. 2 conveyed to Seven-Up Distributing Co., a North
Carolina corporation by AHVA 5, LLC, a Virginia limited liability company, by
deed dated August 31, 2012 and recorded in the aforesaid Clerk's Office as
Instrument #12-3095.

This conveyance is made subject to all easements, rights of way, or restrictive
covenants now of record or affecting said property.

This conveyance having been accepted by the City Council of Danville, Virginia by Resolution No. _____ adopted on _____, 202__, pursuant to a public hearing held in accordance with Va. Code § 15.2-1800.

WITNESS the following signatures and seals:

GIVEN BY:

**On behalf of Seven-Up Distributing Co.,
a North Carolina corporation**

STATE OF _____
COUNTY OF _____, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by _____, in his capacity as _____ of Seven-Up Distributing Co.

My commission expires: _____

Notary registration number: _____

ACCEPTED BY:

**THE CITY OF DANVILLE, VIRGINIA,
a municipal corporation of the
Commonwealth of Virginia**

BY:

KEN F. LARKING
City Manager

STATE OF VIRGINIA
CITY OF DANVILLE, to-wit:

The foregoing Deed was acknowledged before me this the ____ day of _____, 202__, by **Ken F. Larking**, acting in his capacity as **City Manager**, on behalf of the City of Danville, Virginia.

BY:

NOTARY PUBLIC

My commission expires:

Notary registration number:

Council Letter

City of Danville, Virginia



CL-2466

New Business E.

City Council Regular Meeting

Meeting Date: 01/05/2021

Subject: Litter Control Grant - Fiscal Year 2021 Appropriation

From: Richard Drazenovich, Public Works Director

COUNCIL ACTION

First Reading: 01/05/2021

Final Adoption 01/19/2021

SUMMARY

Each year, the City of Danville is awarded a grant from the Virginia Department of Environmental Quality for litter prevention and recycling program activities. The awarded grant amount for Fiscal Year 2021 is \$8,611. The funds are placed in a Special Grant Fund and appropriated annually to continue the City's litter prevention and recycling activities.

The Litter Prevention and Recycling Grant is used to promote recycling and to provide materials and supplies for educational programs and litter collection. The funds can be used to conduct educational programs, purchase trash receptacles and other small supplies and materials necessary, including equipment and solid waste disposal fees associated with voluntary cleanups.

RECOMMENDATION

It is recommended that City Council approve the attached ordinance appropriating funds from the Litter Control and Recycling Grant.

Attachments

Ordinance

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2021-____.____

AN ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET APPROPRIATION ORDINANCE TO ANTICIPATE GRANT FUNDS FROM THE COMMONWEALTH OF VIRGINIA FOR LITTER CONTROL AND RECYCLING EFFORTS IN THE AMOUNT OF \$8,611 AND APPROPRIATING SAME.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Danville, Virginia, that the fiscal year 2021 budget appropriation ordinance be, and the same is hereby, amended by increasing revenues to the Special Grants Fund from the Litter Control and Recycling Grant for the purpose of paying for equipment, materials, and supplies, such revenues and appropriation to be as follows:

ANTICIPATED REVENUES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Categorical Aid: Litter Control Grant	60119000-47420	<u>\$8,611.00</u>

ANTICIPATED EXPENDITURES

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Litter Control	60119999-50	<u>\$8,611.00</u>

BE IT FURTHER ORDAINED that all other accounts and provisions for the fiscal year 2021 budge appropriation ordinance as amended, not hereby amended, shall continue in full force and effect unless and until hereafter further amended or repealed.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to
Form and Legal Sufficiency:

CITY ATTORNEY