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

# City Planning Commission

DECEMBER 9, 2019
3:00 P.M.
CITY COUNCIL CHAMBERS

## AGENDA

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20190000297, filed by Satjeet Kaur on behalf of River Penny Saver LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3:K, Section C, Item 5 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 642 Worsham St., otherwise known as Grid 2710, Block 016, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

2. *Special Use Permit application PLSUP20190000311, filed by Danny Graves on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd Suite B, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

3. *Special Use Permit application PLSUP20190000312, filed by Chase Reeves on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2846 Riverside Dr, otherwise known as Grid 1710, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

4. *Special Use Permit application PLSUP20190000330, filed by Uwashi Patel on behalf of Larry Soyers, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

5. *Special Use Permit application PLSUP20190000302, filed by Mubashar Choudhrey on behalf of Carlton H Cox, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 545 Memorial Dr, otherwise*

*known as Grid 1712, Block 007 Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

6. *Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

7. *Special Use Permit application PLSUP20190000397, filed by Kirpal Singh on behalf of Route 58 Raceway Inc, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2203 South Boston Road, otherwise known as Grid 4719, Block 004, Parcel 000003 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

8. *Special Use Permit application PLSUP20190000430, filed by Schoolfield Properties LLC, requesting a Special Use Permit for a waiver to yard requirements per Article 3.Q, Section B, Item 23 & Article 3.0, Section C, Item 25, of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1076 W. Main St, otherwise known as Grid 1605, Block 004, Parcel 0000035 of the City of Danville, Virginia Zoning District Map. The applicant is requesting a waiver to the minimum setback requirements for an existing historic office building to remain on a proposed new lot.*

IV. APPROVAL OF MINUTES FROM NOVEMBER 12, 2019

V. ADJOURNMENT

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000297, filed by Satjeet Kaur on behalf of River Penny Saver LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3:K, Section C, Item 5 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 642 Worsham St., otherwise known as Grid 2710, Block 016, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Satjeet Kaur, the applicant, is requesting a Special Use Permit for commercial recreation at 642 Worsham St. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

Before the month of August, the applicant had already been operating a commercial recreation establishment, but without the required Special Use Permit or legal non-conforming status. To the best of staff's knowledge, operations ceased after the business was cited for a zoning violation in late July.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This item was tabled at the Planning Commission meeting on September 9 and October 7 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns, and again at November 11 at the request of the applicant.

This facility has been re-inspected to determine compliance with this change in use of the building. This facility has 14 marked parking spaces that comply with code requirements on site. There are six spaces that straddle onto an adjacent parcel (ID 04028), and six parking spaces fully on that parcel. (A consolidation plat would be required to consider these parking spaces for this project bringing the total to 26.)

The applicant has submitted a preliminary consolidation plat. There are some minor issues with the plat that need corrected. The site does have a new Certificate of Occupancy providing an occupant load of 46. The facility itself is 5,066 sq. ft. which requires 26 parking spaces as only a convenience store. There could be space to construct an additional parking area to the south that could accommodate 10 vehicles.

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000297, recommend the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted with a maximum on site of 3 machines and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions; and
7. There should be no gaming machines that allow for more than one user in stand up or sit down configuration (no multi-player games either standing or seated shall be permitted), and
8. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000297 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000297 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000297 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000297 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000297 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)
E. Existing Certificate of Occupancy

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**

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

Commercial recreation

CASE NUMBER: PLSOP2019 0000287 EXISTING ZONING: CB-C, Central Business

PROPOSED ZONING: No change TAX MAP NUMBER:

RECEIVED BY: Bryce Johnson DATE FILED: July 29, 2019

PLANNING COMMISSION DATE: Sept. 9, 2019 CITY COUNCIL DATE: Oct. 1, 2019

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

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

Gross Area/Net Area: 5066 Property Address: 642 Worsham St. Danville, VA

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

Between: N. Main St. and Halifax St.

Proffered Conditions (if any, please attach): Applying for skill games.

## 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:

I want to put skill games in my store.
6 games.

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

1. NAME: Satjeet Kaur TELEPHONE: (336) 541-3526

MAILING ADDRESS: 642 Worsham St. Danville, VA 24540

SIGNATURE: [signature] DATE: 7/26/19

SIGNATURE: [signature] DATE: 7/26/19

EMAIL ADDRESS: river.pennysaver@gmail.com

**APPLICANT** (PLEASE TYPE OR PRINT):

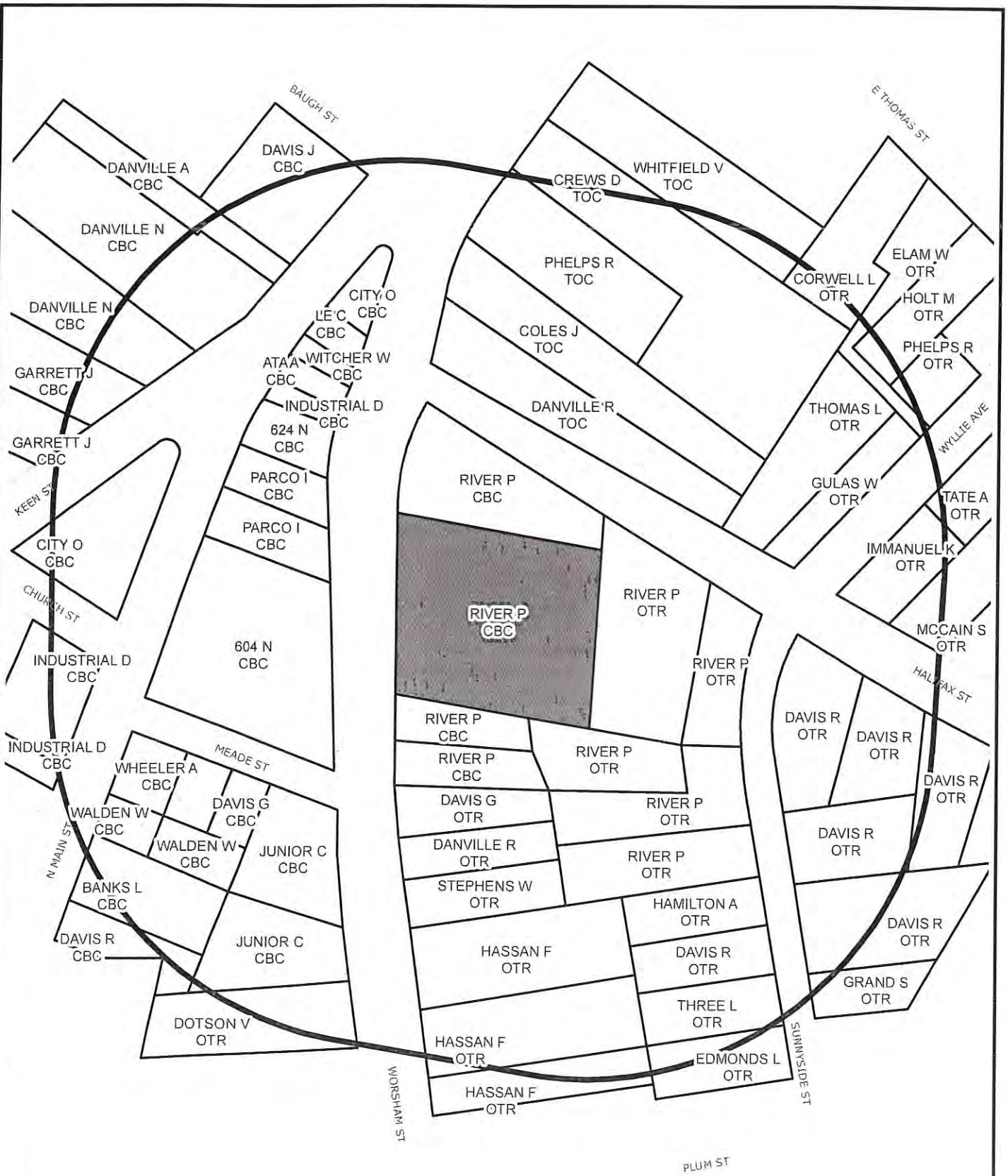
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Satjeet Kaur TELEPHONE: (336) 541-3526

MAILING ADDRESS: 642 Worsham St.

EMAIL ADDRESS: satjeetk05@gmail.com

SIGNATURE: [signature] DATE: 7/26/19




# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/6/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on September 9, 2019<br>City Council (tentative) at 7pm on October 1, 2019 |
| **LOCATION OF PROPERTY:** | 642 Worsham St. |
| **PRESENT ZONE:** | CB-C, Central Business District |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Convenience store |
| **PROPOSED USE OF PROPERTY:** | Convenience store with indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Mixed Use |
| **PROPERTY OWNER (S):** | River Penny Saver LLC |
| **NAME OF APPLICANT (S):** | Satjeet Kaur |
| **PROPERTY BORDERED BY:** | Commercial to the north and west; residential to the south and east |
| **ACREAGE:** | 0.62 acres (27,007 sq. ft.) |
| **CHARACTER OF VICINITY:** | Transitional area between commercial and residential |
| **INGRESS AND EGRESS:** | Worsham St. |
| **TRAFFIC VOLUME:** | Low |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/6/2019

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

Item 6

# Certificate of Use and Occupancy

**CITY OF DANVILLE, VIRGINIA**
**Department of Community Development**
**Inspections Division**

***This Certificate issued pursuant to the requirements of Section 116 of the 2015 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.***

**For the following location:**
642 WORSHAM ST, DANVILLE, VA 24540

**For occupancy by:**
Valero

**Use Group:**
B-Business

**Type of Construction:**
3B = Exterior masonry with wood floor and/or roof, NO rating

**Building Owner and Address:**
RIVER PENNY SAVER LLC
642 WORSHAM ST
DANVILLE, VA 24540

**Occupancy Load:** 46 Persons

| CODE | PERMIT# | INSPECTOR | FINAL APPROVED |
|---|---|---|---|
| Property Maintenance Inspector | PRCOUO201901896 | Dennis J. Bisson | 10/16/2019 |
| Building Inspector | PRCOUO201901896 | William Willis | 10/16/2019 |
| Fire Marshal | PRCOUO201901896 | Shelby Irving | 10/16/2019 |

**Conditions or Modifications:** Modification-Building Code Corrections, The bottle water dispenser must be located in a place to provide easy access to the public. Cups must be provided and water must be available to the public at all hours of operation.

***FIRE ALARM SYSTEM NOT INSTALLED AND NOT REQUIRED***

**NOTE: Legal use of this structure may also require a Certificate of Zoning Compliance.**

**Building Official**

October 16, 2019
**Date**

POST IN A CONSPICUOUS PLACE

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000311, filed by Danny Graves on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd Suite B, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Danny Graves, the applicant, is requesting a Special Use Permit for commercial recreation at 688 Mt. Cross Rd, Suite B. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

Before the month of August, the applicant had already been operating a commercial recreation establishment, but without the required Special Use Permit or legal non-conforming status. To the best of staff's knowledge, operations ceased after the business was cited for a zoning violation in late July.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This item was tabled at the Planning Commission meeting on September 9 and October 7 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns, and by the applicant in November.

This facility has 11 conforming marked parking spaces with one handicapped accessible space on site both upper and lower. There are six spaces that are non-conforming as they use an adjacent property for access. A consolidation plat would be required to consider these parking spaces for this project bringing the total to 17 at this facility, and 16 additional on the adjacent property if consolidated. The facility itself is 2,400 sq. ft. This area was an automobile detail shop and office. This required eight spaces for the shop/office. A consolidation plat has not been provided.

**Recommendation:**

City records indicate that this property is subdivided into two lots, and a deed provided by the owner refers to it as two properties. Thus there is insufficient parking on site to support the proposed use. Due to this staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000311, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and,
7. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,
8. No gaming machine shall allow for more than one player at a time, seated or standing. No multiple player machines shall be permitted.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000311 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000311 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000311 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000311 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000311 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)

01-66

SOURCE OF TITLE:
DB 726 / 369 ( CHATHAM )

ACCT. #93-77369

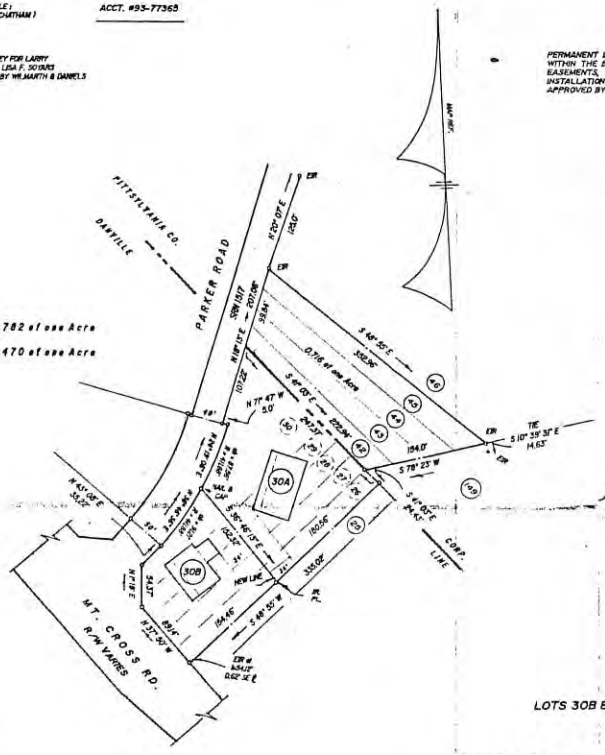
MAP REF:
PLAT OF SURVEY FOR LARRY
J. SOYARS AND LISA F. SOYARS
JUNE 27, 1983 BY WILMARTH & DANIELS

PERMANENT BUILDINGS AND PERMANENT STRUCTURES ARE PROHIBITED WITHIN THE BOUNDARIES OF STORM DRAINAGE, WATER, GAS & SEWER EASEMENTS, UNLESS THEY ARE APPROPRIATELY PROTECTED BY THE INSTALLATION OF A STEEL CASING PIPE OR IN AN ALTERNATIVE MANNER APPROVED BY THE CITY ENGINEER.

AREAS:

LOT 30A = 0.782 of one Acre

LOT 30B = 0.470 of one Acre



LOCATION MAP - NTS

LOTS 30B & 30A

# DANVILLE VIRGINIA

Plat Showing New Line

for

**Larry J. Soyars**

and

**Lisa F. Soyars**

SCALE : 1" = 100'

NOV. 6, 2001

OWNER'S CERTIFICATE

THE UNDERSIGNED OWNERS HEREBY ACKNOWLEDGE THE PLAT TO BE HIS/HER FREE ACT AND DEED AND HEREBY DEDICATE TO PUBLIC USE ALL STREETS, ALLEYS, DRAINAGE, AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR DEDICATED ON THE PLAT.

Larry J. Soyars

Lisa F. Soyars

NOTARY

I, Cindy Trammell, A NOTARY PUBLIC IN AND FOR THE STATE OF VIRGINIA, AT LARGE, DO HERE BY CERTIFY THAT;

Larry J. Soyars

&

Lisa F. Soyars

WHOSE NAMES ARE SIGNED TO THE FOREGOING PLAT BEARING THE DATE November 6, 2001, HAS ACKNOWLEDGED THE SAME BEFORE ME, GIVEN MY HAND THIS 1st DAY OF December, 2001

MY COMMISSION EXPIRES March 31, 2003

Cindy Trammell

NOTARY PUBLIC

SURVEYOR'S CETTIFICATE

I HEREBY CERTIFY THAT THE PLAT HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT WAS COMPILED FROM AN ACTUAL SURVEY MADE UNDER MY DIRECTION, AND FURTHER CERTIFY THAT THE SUBDIVISION WAS MADE AT THE FREE CONSENT AND DIRECTION OF THE OWNERS, AND THE MONUMENTS SHOWN ON THE PLAT HAVE BEEN PLACED OR WERE EXISTING AND THEIR CHARACTER AND LOCATION ARE CORRECTLY SHOWN.

E. Stokes Daniels Jr.

E. STOKES DANIELS, JR. CLS 1169

APPROVING AUTHORITY

I CERTIFY THE PLATTING AND SUBDIVISION ARE IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND HEREBY ARE APPROVED IN ACCORDANCE WITH SECTION 35.5-6 OF THE CODE OF THE CITY OF DANVILLE, 1986 AS AMENDED.

A. Kent Shelton — 12-4-01
CITY ENGINEER — DATE

Christopher J. Lovell — 12/4/01
TAX ASSESSOR — DATE

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ANY ENCUMBRANCES ON THE PROPERTY.

COMMONWEALTH OF VIRGINIA
11-06-01
E.S. DANIELS JR.
CERTIFICATE No.
1169
E.S. Daniels
CERTIFIED LAND SURVEYOR

VIRGINIA: In the Clerk's Office of the Circuit Court of Danville, on the _____ day of _____, 20____ at _____ o'clock _____ M, the foregoing map was admitted to record according to law.

Teste: _____ Clerk

E. STOKES DANIELS, JR.
CERTIFIED LAND SURVEYOR
426 TAMWORTH DRIVE
DANVILLE, VIRGINIA 24540

FILE
B
506

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**

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

Commercial recreation

CASE NUMBER: PLSUP201900003 11

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID ~~228~~ 71 77365

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 7, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

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

Exact legal description of property (Attach if insufficient space). 688-B Mt. Cross - Bryce J.

Gross Area/Net Area: _____ Property Address: 678-B Mt. Cross Rd. Danville, VA 24540

Property Location: N S E W Side of: North

Between: North Averette Campus and Health and Wellness

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:

Grayz auto detailing and Car Cleaning Services.

4 Machines SKILL GAMES

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

1. NAME: LARRY J. SOYARS TELEPHONE: 434-250-7600

MAILING ADDRESS: 105 HEMLOCK DR. DANVILLE, VA. 24540

SIGNATURE: Larry J. Soyars DATE: 8-6-19

SIGNATURE: DATE:

EMAIL ADDRESS:

Owner

**APPLICANT** (PLEASE TYPE OR PRINT):

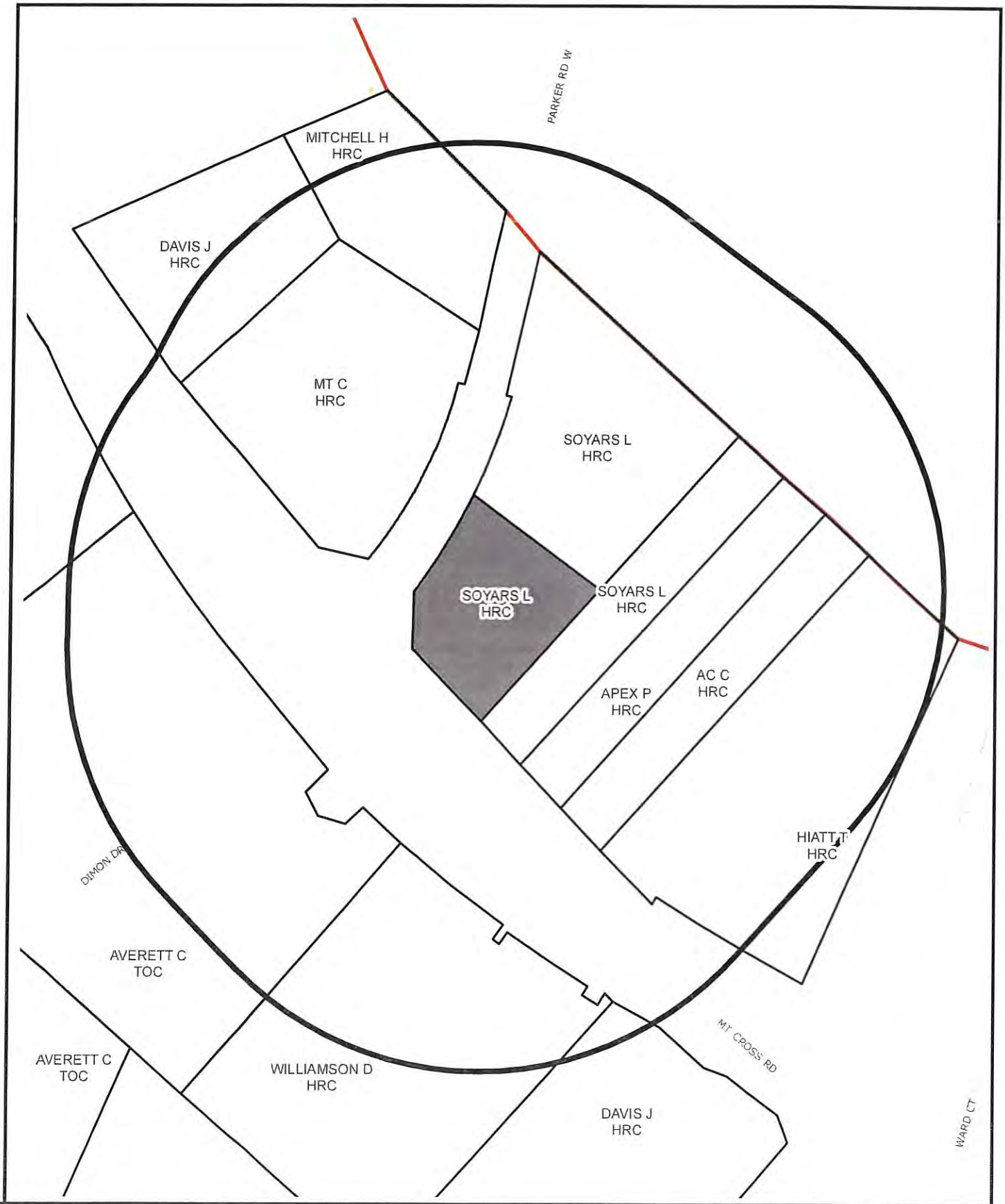
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Danny Graves TELEPHONE: (434) 728-3119

MAILING ADDRESS: 678-B Mt. Cross Rd. Danville, VA 24540

EMAIL ADDRESS: Grayz1072@G-Mail.com

SIGNATURE: Danny Graves DATE: 8/5/19




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/8/2019

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# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on September 9, 2019<br>City Council (tentative) at 7pm on October 1, 2019 |
| **LOCATION OF PROPERTY:** | 688-B Mt. Cross Rd. |
| **PRESENT ZONE:** | HR-C, Highway Retail Commercial |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Convenience store and auto services |
| **PROPOSED USE OF PROPERTY:** | Convenience store, auto services, and indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Regional Commercial |
| **PROPERTY OWNER (S):** | Larry Soyars |
| **NAME OF APPLICANT (S):** | Danny Graves |
| **PROPERTY BORDERED BY:** | Residential to the north and east; commercial to the south; education and open space to the west |
| **ACREAGE:** | 0.47 acres (20,473 sq. ft.) |
| **CHARACTER OF VICINITY:** | Transition between commercial and residential |
| **INGRESS AND EGRESS:** | Mt. Cross Rd. |
| **TRAFFIC VOLUME:** | Moderate |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/8/2019

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Item 9

# Certificate of Use and Occupancy

**CITY OF DANVILLE, VIRGINIA**
**Department of Community Development**
**Inspections Division**

***This Certificate issued pursuant to the requirements of Section 116 of the 2015 Virginia Uniform Statewide Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the City and the Virginia Uniform Statewide Building Code regulating building construction or use.***

**For the following location:**
688 MT CROSS RD, Unit:B, DANVILLE, VA 24540

**For occupancy by:**
Grayz 2 Detailing and Car Cleaning Service

**Use Group:**
Business

**Type of Construction:**
3B = Exterior masonry with wood floor and/or roof, NO rating

**Building Owner and Address:**

SOYARS LARRY J T/U/T & LISA F T/U/T
105 HEMLOCK DR
DANVILLE, VA 24540

**Occupancy Load:** 5

| CODE | PERMIT# | INSPECTOR | FINAL APPROVED |
|---|---|---|---|
| Certificate of Use & Occupancy Without a Permit | PRCOUO201901949 | Dennis J. Bisson | 31 Oct 2019 |
| Fire Inspection | | Jay Thornton | 31 Oct 2019 |

**Modifications:** Drinking water shall be provided for all customers during hours of operation at no cost.

**FIRE SPRINKLER SYSTEM NOT INSTALLED AND NOT REQUIRED**

**NOTE: Legal use of this structure may also require a Certificate of Zoning Compliance.**

**Building Official**

October 31, 2019
**Date**

POST IN A CONSPICUOUS PLACE

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000312, filed by Chase Reeves on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2846 Riverside Dr, otherwise known as Grid 1710, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Chase Reeves, the applicant, is requesting a Special Use Permit for commercial recreation at 2846 Riverside Dr. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This building has been inspected for compliance. There is a substantial list of modifications that will be necessary before occupancy could occur. That information is attached.

This facility has 37 conforming marked parking spaces with one handicapped accessible space on site. There are 12 spaces that are non-conforming as they use an adjacent property for access with one handicapped space also using the adjacent property. A consolidation plat would be required to consider these parking spaces for this project bringing the total to 49 at this facility if consolidated. There has not been a consolidation plat submitted.

Staff listed a number of concerns at the September, October and November meetings, and still has these same concerns. The facility itself is 14,863 sq. ft. which includes all adjacent retail uses. If the entire building is classified as a retail facility, then there would need to be 57 total spaces without knowing the internal configuration of all uses.

**Recommendation**

As the items listed in the Inspections report have not been addressed, the lots have not been consolidated, and there is insufficient parking, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000312, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions.
7. There should be no gaming machines that allow for more than one user in stand up or sit down configuration (no multi-player games either standing or seated shall be permitted)
8. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000312 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000312 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000312 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000312 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000311 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:
Application is hereby made for the Special Use Permit as described below:

**INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION**

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

Commercial recreation

CASE NUMBER: PLSUP2019 0000312

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 57190

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 12, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct 1

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

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

Gross Area/Net Area: _____ Property Address: 2846 Riverside Dr

Property Location: (N) S E W Side of: Danville VA

Between: Rose Nails and Griffins Supperstore

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:

One Standalone Building Aprox 3,500 SQ Feet. Purpose of the Building will be a Game Room

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

1. NAME: Jerry R. Davis TELEPHONE: 434-791-2512

MAILING ADDRESS: 2505 Riverside Dr. Danville, Va 24540

SIGNATURE: [signature] DATE: 8/12/19

SIGNATURE: DATE:

EMAIL ADDRESS:

**APPLICANT** (PLEASE TYPE OR PRINT):

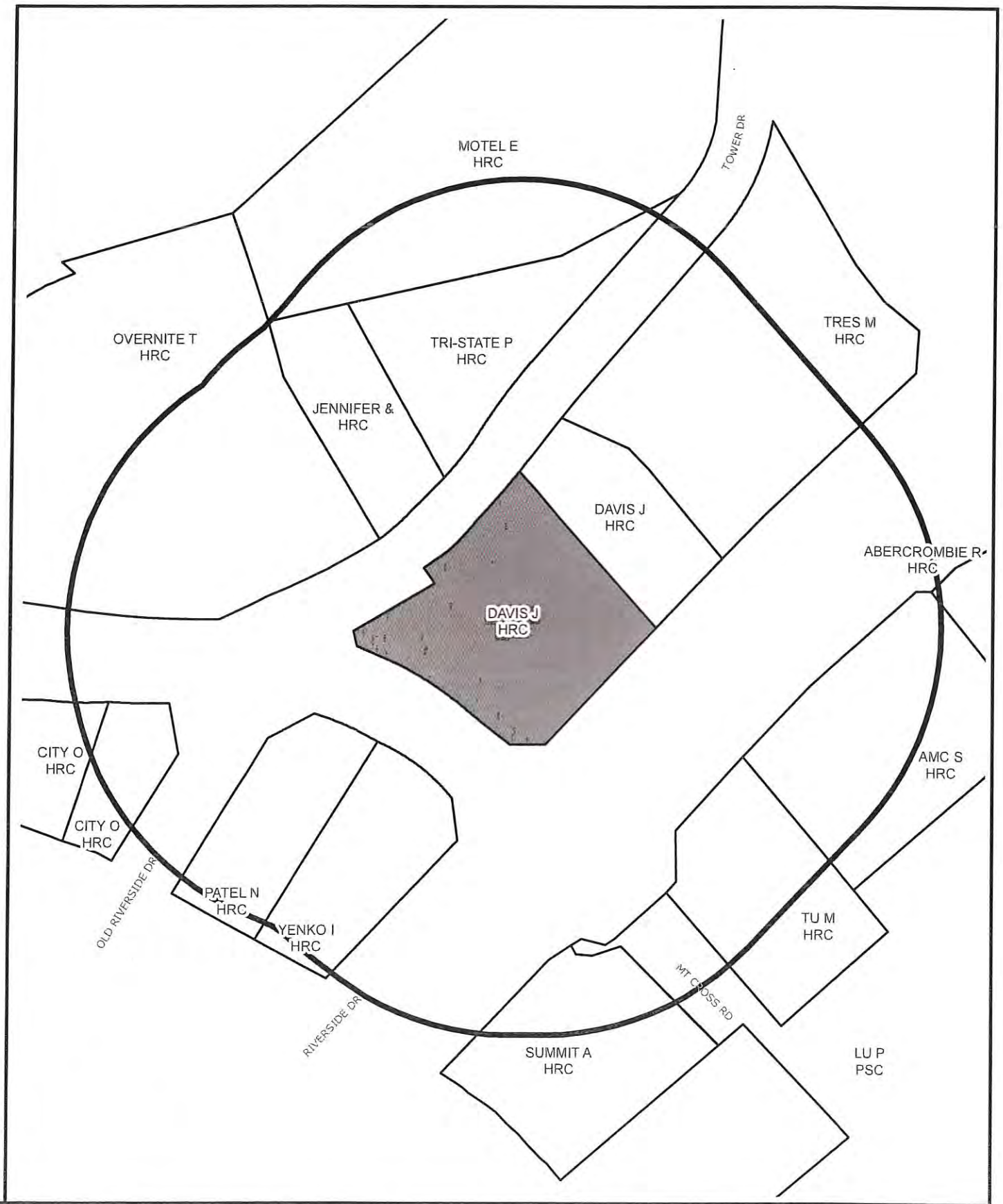
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Chase Reeves TELEPHONE: 276-734-8275

MAILING ADDRESS: 41 Bonnie lane Collinsville VA 24078

EMAIL ADDRESS: mrcloudsllc@gmail.com

SIGNATURE: [signature] DATE: Aug/12/19




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/13/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on September 9, 2019<br>City Council (tentative) at 7pm on October 1, 2019 |
| **LOCATION OF PROPERTY:** | 2846 Riverside Dr. |
| **PRESENT ZONE:** | HR-C, Highway Retail Commercial |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Commercial retail, financial services, and personal services |
| **PROPOSED USE OF PROPERTY:** | Existing businesses plus indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Regional Commercial |
| **PROPERTY OWNER (S):** | Jerry Davis |
| **NAME OF APPLICANT (S):** | Chase Reeves |
| **PROPERTY BORDERED BY:** | Commercial on all sides |
| **ACREAGE:** | 0.9 acres (3,920.4 sq. ft.) |
| **CHARACTER OF VICINITY:** | Commercial |
| **INGRESS AND EGRESS:** | Tower Dr., Mt. Cross Rd., and Riverside Dr. |
| **TRAFFIC VOLUME:** | High on Mt. Cross Rd. and Riverside Dr., low on Tower Dr. |

# Parcel ID: 57190

DANVILLE VIRGINIA

- Buildings
- Parcels
- Street Names
- House Numbers

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

**Date: 8/13/2019**

Item 10

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

(**PRCOUS201901840**)
Location: 2846 RIVERSIDE DR, DANVILLE, VA 24540

**Change of Use Survey**
Route#:1710006000001

Account #: 57190

**Property Owner:** DAVIS JERRY R
2505 RIVERSIDE DR
DANVILLE, VA 24540

**Contractor:** REEVES CHASE W
41 BONNIE LN
COLLINSVILLE, VA 24708

For occupancy by:
DAVIS JERRY R, Address:2505 RIVERSIDE DR

Use Group: Occupancy Load:

Building Code Corrections:
1. Both bathrooms need to be sized per ADA requirements. Install correct grab bars and provide a 34" clear opening to enter.
2. Provide emergency and exit lighting.

Electrical Code Corrections:
If any electrical work is to be performed, please follow the following:
1. Submit an electrical drawing showing the work to be done, the wiring method to be used, and electrical data for any equipment to be installed.
2. Once the electrical drawing is reviewed and approved by the inspections office, a licensed electrical contractor can submit an application for an electrical permit.
3. After the electrical permit is issued, the work may begin.
4. Contact the inspections office to schedule an inspection before any work is covered or concealed.

Mechanical Code Corrections:
Provide ventilation outside air for the use of the building

Plumbing/Cross Connection Code Corrections:
1. Provide an ASSE 1015 standard Backflow assembly installed on the water service entrance to the building.
2. Provide an ADA compliant Drinking Fountain
3. Provide a service sink.
5. Existing bath rooms are currently not ADA compliant. occupancy calculations will require 2 bath rooms meeting ADA requirements.

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000330, filed by Uwashi Patel on behalf of Larry Soyers, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Uwashi Patel, the applicant, is requesting a Special Use Permit for commercial recreation at 688 Mt. Cross Rd.. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store. These gaming activities include an opportunity to obtain money.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This facility has 11 conforming marked parking spaces with one handicapped accessible space on site both upper and lower. There are six spaces that are non-conforming as they use an adjacent property for access. A consolidation plat would be required to consider these parking spaces for this project bringing the total to 17 at this facility, and 16 additional on the adjacent property if consolidated. The facility itself is 2,400 sq. ft. This area is the upper portion of the building and is used as a convenience store. This required 13 spaces for the store. A consolidation plat has not been provided.

**Recommendation:**

City records indicate that this property is subdivided into two lots, and a deed provided by the owner refers to it as two properties and a consolidation plat has not been provided. Thus there is insufficient parking on site to support the proposed use. Due to this staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000330, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the

building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and

3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and
7. There should be no gaming machines that allow for more than one user in stand up or sit down configuration (no multi-player games either standing or seated shall be permitted), and
8. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000330 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000330 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000330 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000330 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000330 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:
Application is hereby made for the Special Use Permit as described below:

**INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION**

APPPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE: Indoor commercial recreation Virginia compliant skill games

CASE NUMBER: _____ EXISTING ZONING: _____

PROPOSED ZONING: _____ TAX MAP NUMBER: _____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: _____ Property Address: 688 mountcross Rd Danville VA 24540

Property Location: N S (E) W Side of: Mountcross Road

Between: ~~Womack Drive~~ Parker Road and Old mountcross Road

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:

I wish to have 13 machines

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

1. NAME: LARRY J. SOYARS TELEPHONE: 434-250-7600

MAILING ADDRESS: 105 HEMLOCK DR. DANVILLE, VA. 24540

SIGNATURE: Larry J. Soyars DATE: 8-13-19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

**APPLICANT** (PLEASE TYPE OR PRINT):

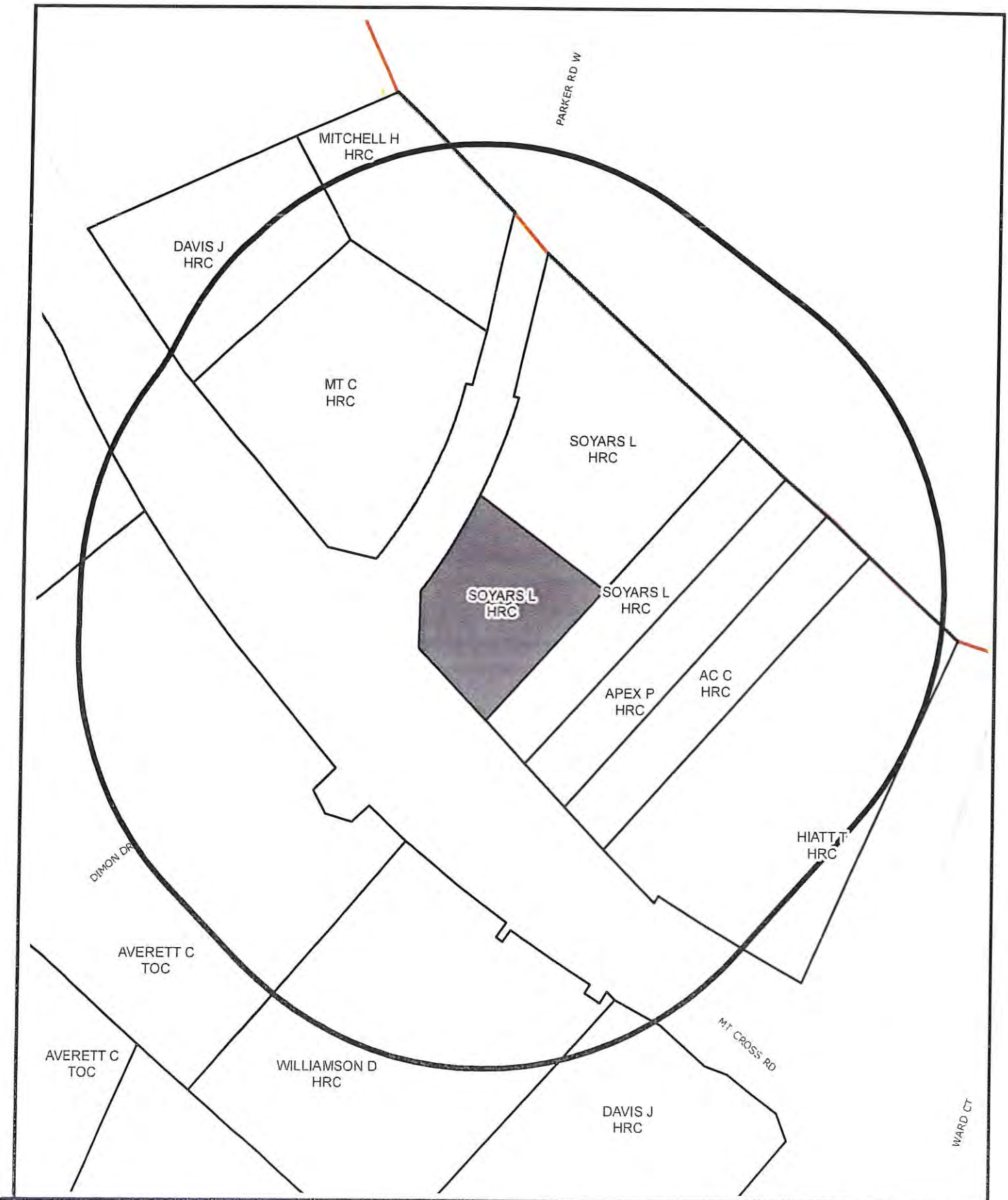
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Urvashi Patel TELEPHONE: 434 421 4477

MAILING ADDRESS: 688 mountcross Rd Danville VA 24540

EMAIL ADDRESS: Urvashi.patel77@yahoo.com

SIGNATURE: _____ DATE: 8.15.19




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/8/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on October 7, 2019 |
| **LOCATION OF PROPERTY:** | 688 Mt. Cross Rd. (Upstairs) |
| **PRESENT ZONE:** | HR-C, Highway Retail Commercial |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Convenience store and auto services |
| **PROPOSED USE OF PROPERTY:** | Convenience store, auto services, and indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Regional Commercial |
| **PROPERTY OWNER (S):** | Larry Soyars |
| **NAME OF APPLICANT (S):** | Uwashi Patel |
| **PROPERTY BORDERED BY:** | Residential to the north and east; commercial to the south; education and open space to the west |
| **ACREAGE:** | 0.47 acres (20,473 sq. ft.) |
| **CHARACTER OF VICINITY:** | Transition between commercial and residential |
| **INGRESS AND EGRESS:** | Mt. Cross Rd. |
| **TRAFFIC VOLUME:** | Moderate |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/8/2019

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

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

# Inspection Field Report
## Corrective notice

**Property address:** 688 Mt Cross Rd Unit A
**Property owner:** Soyers Larry J T/U/T & Lisa F T/U/T
**Owner's address:** 105 Hemlock Dr
Danville, VA 24540

**Date inspected:** 10/9/2019
**Phone:** 434-792-0100

**Case #:** PRCOUO201901929

Initial inspection  Re-inspection  Complaint  Other

Reason for inspection  Certificate of Occupancy/Change of Use

APPROVED  REJECTED

## CALL FOR RE-INSPECTION BY THIS DATE: _____

**Violations:**

**#1-604.3 Electrical system hazards: Outside electrical cover is not rated for its current use. Install proper weathertight cover on outside receptacle.**

**#2-702.3 Doors: Front exit door needs a key to unlock the door from the interior. Egress must be made without the use of keys, special knowledge or effort.**

Failure to list any violation shall not be deemed a waiver of such violation. Please call the inspections office between the hours of 8:00am-5:00pm Monday-Friday to schedule a re-inspection.

Sincerely,

Dennis J. Bisson Jr. PMO
Property Maintenance Coordinator
www.danville-va.gov
Bissodj@danvilleva.gov
434-799-5260 Ext 2497

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000302, filed by Mubashar Choudhrey on behalf of Carlton H Cox, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 545 Memorial Dr, otherwise known as Grid 1712, Block 007 Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Mohammad Mubashar Choudhrey, the applicant, is requesting a Special Use Permit for commercial recreation at 545 Memorial Drive. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store. These gaming activities include an opportunity to obtain money.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This facility has 16 conforming marked parking spaces with one being a handicapped accessible space on site. The facility itself is 3,960 sq. ft. This required 23 spaces for the entirety of the building.

**Recommendation:**

Due to the facts that the site is non-conforming as to the number of parking spaces staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000302, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and

3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and
7. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,
8. No gaming machine shall allow for more than one player at a time, seated or standing. No multiple player machines shall be permitted.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000302 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000302 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000302 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000302 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000302 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:
Application is hereby made for the Special Use Permit as described below:

**INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION**

APPPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE: Commercial recreation

CASE NUMBER: PLSUP201900000302

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER:

RECEIVED BY: Bryce Johnson

DATE FILED: Aug 1, 2019 -> incomplete until Aug. 14

PLANNING COMMISSION DATE: ~~Sept. 9~~ Oct 7

CITY COUNCIL DATE: ~~Oct 1~~ NOV 7

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

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

Gross Area/Net Area:

Property Address: 545 MEMORIAL DRIVE DANVILLE

Property Location: N (S) E W Side of: Memorial Drive

Between: Poplar and Ridge

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:

SKILL RECREATION MACHINES.

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

X 1. NAME: Carlton H Cox TELEPHONE: 434-251-7007

MAILING ADDRESS: 233 Mowbray Arch Danville VA 24541

X SIGNATURE: Carlton H Cox DATE: Aug 14-2019

X SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: CCOX42@comcast.net

**APPLICANT** (PLEASE TYPE OR PRINT):

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

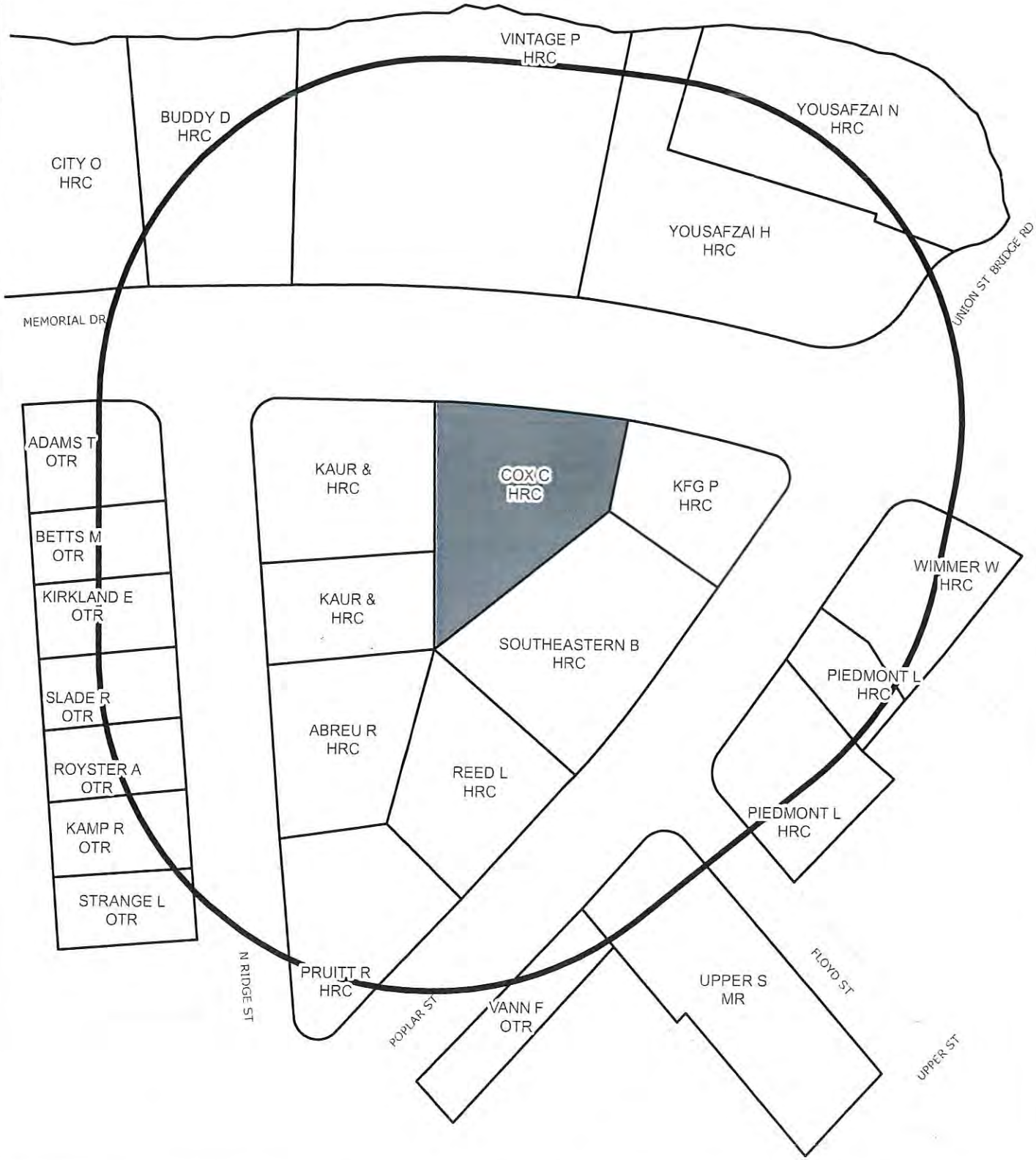
NAME: MUBASHAR CHOUDHERY TELEPHONE: 434 222 2021

MAILING ADDRESS: 545-B MEMORIAL DR. E-3 SUP #2 DANVILLE

EMAIL ADDRESS: NEWHEAHERE@YAHOO.COM

SIGNATURE: _____ DATE: _____

X




# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
9/25/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on October 7, 2019<br>City Council (tentative) at 7pm on November 7, 2019 |
| **LOCATION OF PROPERTY:** | 545 Memorial Dr. |
| **PRESENT ZONE:** | HR-C, Highway Retail Commercial |
| **PROPOSED ZONE:** | Unchanged |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Convenience store |
| **PROPOSED USE OF PROPERTY:** | Existing use plus indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Regional Commercial |
| **PROPERTY OWNER (S):** | Carlton H. Cox |
| **NAME OF APPLICANT (S):** | Mubashar Choudhrey |
| **PROPERTY BORDERED BY:** | Commercial to the north, east, and west; residential to the west and south. |
| **ACREAGE:** | 0.53 acres (23,086.8 sq. ft.) |
| **CHARACTER OF VICINITY:** | Border between commercial and residential areas |
| **INGRESS AND EGRESS:** | Memorial Dr. |
| **TRAFFIC VOLUME:** | Moderate |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
9/25/2019

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

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

# City Planning Commission

**City Planning Commission**
Meeting of December 14, 2019

**Subject:**

*Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Justin Williams & Michelle Adkins, are requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have an indoor gaming facility.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This facility has been inspected to determine compliance with Certificate of Occupancy requirements. Inspections staff visited the site on Tuesday November 26, 2019 to count the legal parking spaces. At that time there were 51 parking spaces. The newly painted parking spaces cannot be located where places at there must be a minimum of two 12 foot drive lanes equaling 24 total feet according to the Zoning Ordinance. The lane behind the building only has 21 total feet of clearance. Therefore that leaves 45 regular spaces and 1 handicap space that were counted. The staff recommended the parking for 401 S. Ridge St. at the meeting on November 14, 2019 which is briefly described below.

| | |
|---|---|
| One space per three persons | (63 persons divided by 3 = **21 parking spaces**) |
| One machine per 3 persons | (63 persons divided by 3 = **21 machines**) |
| One space per machine | (21 machines = **21 parking spaces**) |
| One space per employee | (4 employees = **4 parking spaces**) |

| | |
|---|---|
| Total Parking Spaces | (46, one of which is handicap, existing) |
| Total Limited Occupant Load | (63 persons) |
| Total Machines | (21) |

It has been stated that you will have four employees. Provided with this information the Inspections Division can limit the occupant load to 63 for the amount of parking spaces that exist. An Assembly Card must be posted for the Fire Marshall's Office as well as the new C of O.

The applicant is also requesting 24-hour operation. Staff has substantial concerns with the opportunity for persons with potentially large sums of cash leaving the facility at early hours of night. Security of patrons, as well as the public in general is a substantial concern.

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000386, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and
7. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,
8. No gaming machine shall allow for more than one player at a time, seated or standing. No multiple player machines shall be permitted.

The conditions are intended to alleviate the mentioned safety and welfare concerns. The conditions also ensure the business complies with all applicable zoning requirements.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000386 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000386 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000386 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000386 as submitted.

5. Tabling of Special Use Permit application PLSUP20190000386 by Planning Commission.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)
E. Existing Certificate of Occupancy

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**

APPPLICATION 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: 32,620/3,687 Property Address: 401 S. Ridge St.

Property Location: N (S) E W Side of: Danville, VA

Between: Wilson St. and Newton St.

Proffered Conditions (if any, please attach): Suitable for business

## 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 typed document (Explanation of Request)
Amusement Parlor

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

1. NAME: Eli Jeffries Ianta Jeffries TELEPHONE: 434-548-6610

MAILING ADDRESS: 240 Oakwood Cir. Danville VA 24541

SIGNATURE: [signature] DATE: 17 Sept. 19

SIGNATURE: Ianta Jeffries DATE: 17 Sept. 19

EMAIL ADDRESS:

**APPLICANT** (PLEASE TYPE OR PRINT):

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

NAME: Justin Williams / Michelle Adkins TELEPHONE: (800) 687-2310 / (434) 707-2604

MAILING ADDRESS: 724 S. Main St #3927 Danville, VA 24541

EMAIL ADDRESS: j.williams@broadstholdings.com

SIGNATURE: [signature] / [signature] DATE: 23 September 2019

# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

# YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **DATE:** | October 28, 2019 |
| **LOCATION OF PROPERTY:** | 421 S. Ridge St |
| **PRESENT ZONE:** | CB-C Central Business District |
| **PROPOSED ZONE:** | CB-C Central Business District |
| **ACTION REQUESTED:** | Request a Special Use Permit for Commercial Recreation Indoor. The applicant is proposing to have indoor gaming. |
| **PRESENT USE OF PROPERTY:** | Vacant |
| **PROPOSED USE OF PROPERTY:** | Indoor Gaming facility |
| **PROPERTY OWNER (S):** | Eli & Ianta JEfferies |
| **NAME OF APPLICANT (S):** | Justin Williams & Michelle Adkins |
| **PROPERTY BORDERED BY:** | Commercial to north and south, west, and east. |
| **ACREAGE/SQUARE FOOTAGE:** | .75 acres. |
| **CHARACTER OF VICINITY:** | Commercial |
| **INGRESS AND EGRESS:** | S. Ridge St, Wilson St & Newton St. |
| **TRAFFIC VOLUME:** | Moderate |
| **NEIGHBORHOOD REACTION:** | To be reported at the Planning Commission meeting of November 12, 2019 |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

# Explanation of Request

1. Proposed use for the Special Use Permit:

a. Proposed use of the land: size and location of structures with dimensions to lot lines

"Amusement Parlor" (Danville City Code Chapter 4 - Article II) / 401 S Ridge St Danville VA / 3,687 sqft / stand-alone building with private parking lot. Establishment may consist of 50+ commercial indoor recreational "games" both physical and electronic i.e. "pool tables, billiards, foozball, air hockey, pinball, and video games." **We "request" to operate on a 24hr basis Sunday through Saturday / onsite security guards and CCTV will be apart of day-to-day operations.**

b. Vehicular circulation system with points of ingress and egress

See aerial photo on page

c. Existing on-site buildings, separation dimensions and paved areas

See aerial photo

d. Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided

This stand-alone building is surrounded by its own private parking lot / total of 40+ marked and available parking spaces

e. Net acreage

.75 Acres

f. Gross and net square footage of building(s) (proposed and existing)

Lot size 32,620 sqft / Building size 3,687 sqft

g. Required landscaping and buffer areas

Bi-weekly landscaping will be conducted / there are three (small) areas of interest as far as this topic is concerned

*Broad St. Holdings LLC / (800)687-2310*
*j.williams@broadstholdings.com*

401 S Ridge St, Danville, VA 2454

## 401 S Ridge St

Danville, VA 24541
USA

Directions | Save | Nearby | Send to your phone | Share

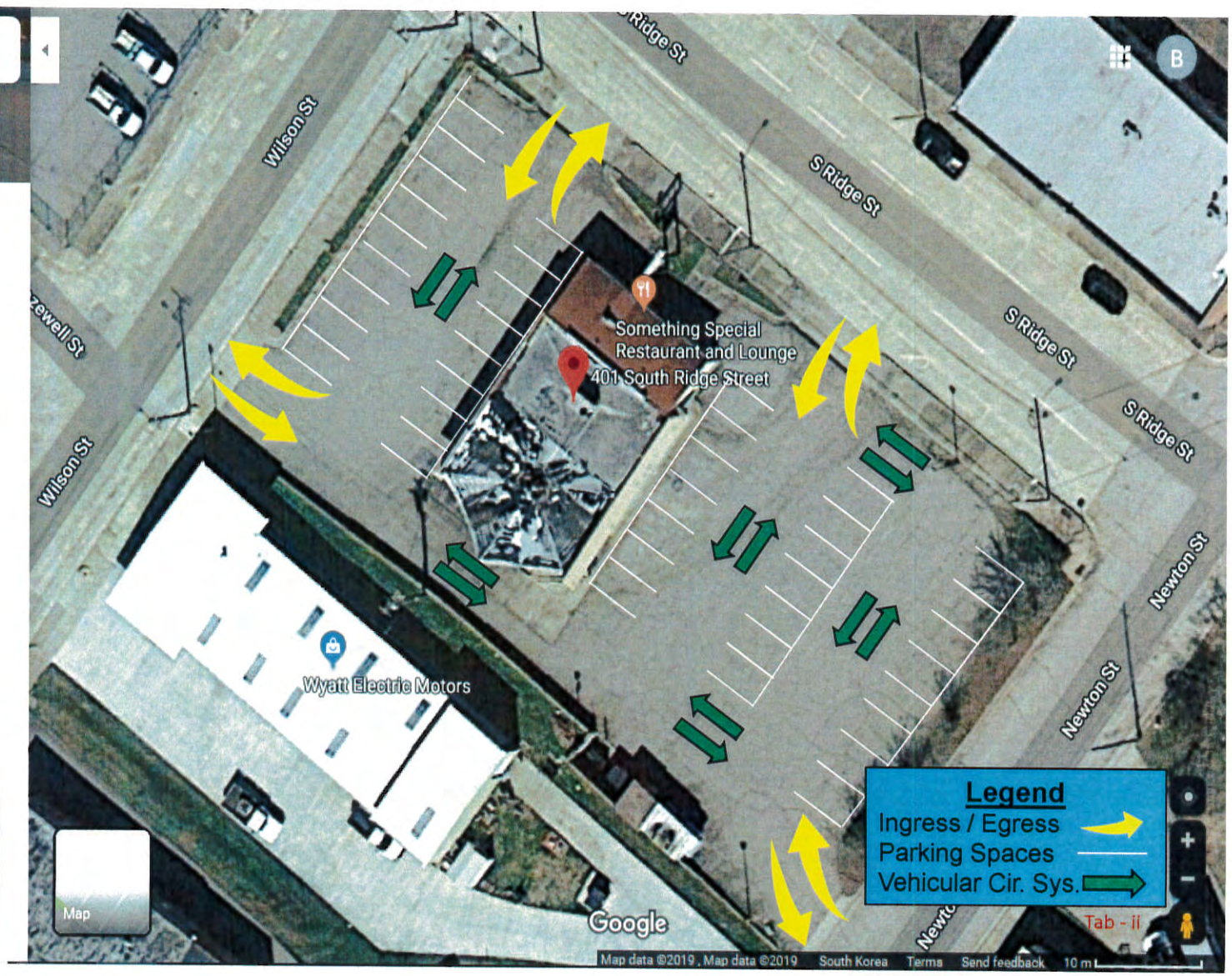
Report a problem on 401 S Ridge St

Add a missing place

Add your business

Add a label

### Photos




Tab - ii

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

# City Planning Commission

**City Planning Commission**
Meeting of December 9, 2019

**Subject:**

*Special Use Permit application PLSUP20190000397, filed by Kirpal Singh on behalf of Route 58 Raceway Inc, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2203 South Boston Road, otherwise known as Grid 4719, Block 004, Parcel 000003 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**Background:**

Kirpal Singh, the applicant, is requesting a Special Use Permit for commercial recreation at 2203 South Boston Road. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store and restaurant. There is seating for 25 person inside. These gaming activities include an opportunity to obtain money.

General guidelines for recreational facilities include parking requirements, hours of operation, and other standards to ensure a safe environment. When a business offers the chance to earn money from gaming activities, there are additional safety concerns.

This facility has 41 conforming marked parking spaces with two being a handicapped accessible space on site. The facility itself is 3,168 sq. ft. This required 18 spaces for the entirety of the building as a convenience store and restaurant. The facility has a CO as a Business use group for 40 persons (20 store 15 seating).

This facility fronts on South Boston Road, but is adjacent to Crystal Lane, a residential development. The applicant has requested 10 machines. Staff believe that this is excessive based on the proximity to a residential neighborhood.

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000302, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and this site shall be limited to two (2) machines

3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and
7. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,
8. No gaming machine shall allow for more than one player at a time, seated or standing. No multiple player machines shall be permitted.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000397 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000397 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000397 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000397 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000397 by Planning Commission only at the request of the applicant.

**Attachments:**

A. Application
B. Property Ownership/Zoning Map
C. Data Sheet
D. Existing Land Use Map (2019 Aerial)

Certificate of Use and Occupancy
Department of Community Development
Inspections Division
City of Danville, Virginia

Pursuant to Article 1 of the Uniform Statewide Building Code, the Application of JONES RICHARD I whose structure is located at 2203 SOUTH BOSTON RD Danville Virginia, is hereby certified to be in compliance with the Uniform Statewide Building code, 02000 Edition.

This structure is in Use Group BUSINESS for occupancy as CONVENIENCE STORE

This structure has a Construction classification of type 5B

STORE : SPEED ZONE

The occupancy loads shall be as follows:
rooms, >SALES AREA - 25 PERSONS
spaces >SEATING AT TABLES - 15 PERSONS
or floors>

Building total 40 persons.

| CODE | PERMIT | INSPECTOR | DATE | REMARKS |
|---|---|---|---|---|
| BUILDING | B050464 | DAC | 5/26/2006 | |
| PLUMBING | P050265 | CWF | 5/04/2006 | |
| ELECTRICAL | E060025 | JBT | 9/01/2006 | |
| MECHANICAL | M060043 | REP | 8/03/2006 | |
| FIRE | B050464 | DRE | 10/25/2006 | |

Conditions and/or Modifications:

Note: Legal use of this structure may also require a certificate of Zoning Compliance.

Gary D. Rigney
BUILDING OFFICIAL

DATE ISSUED: 10/25/2006

DATE: Oct. 25, 2006

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**

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

KS ~~Indoor Recreation, 18~~ - Skill game machines

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: 3168 sqft Property Address: 2203 South Boston Rd.

Property Location: N S E W Side of: LOT 4 (1.417 AC) South Boston Rd & Crystal Lane.

Between: Crystal Lane and _____

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:

(10) Indoor recreation games. Skill based.

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

1. NAME: KIRPAL SINGH TELEPHONE: 631-355-3130

MAILING ADDRESS: 2203 SOUTH BOSTON RD. DANVILLE, VA 24540

SIGNATURE: Kirpal Singh DATE: 10/17/19

SIGNATURE: DATE:

EMAIL ADDRESS:

**APPLICANT** (PLEASE TYPE OR PRINT)**:**
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

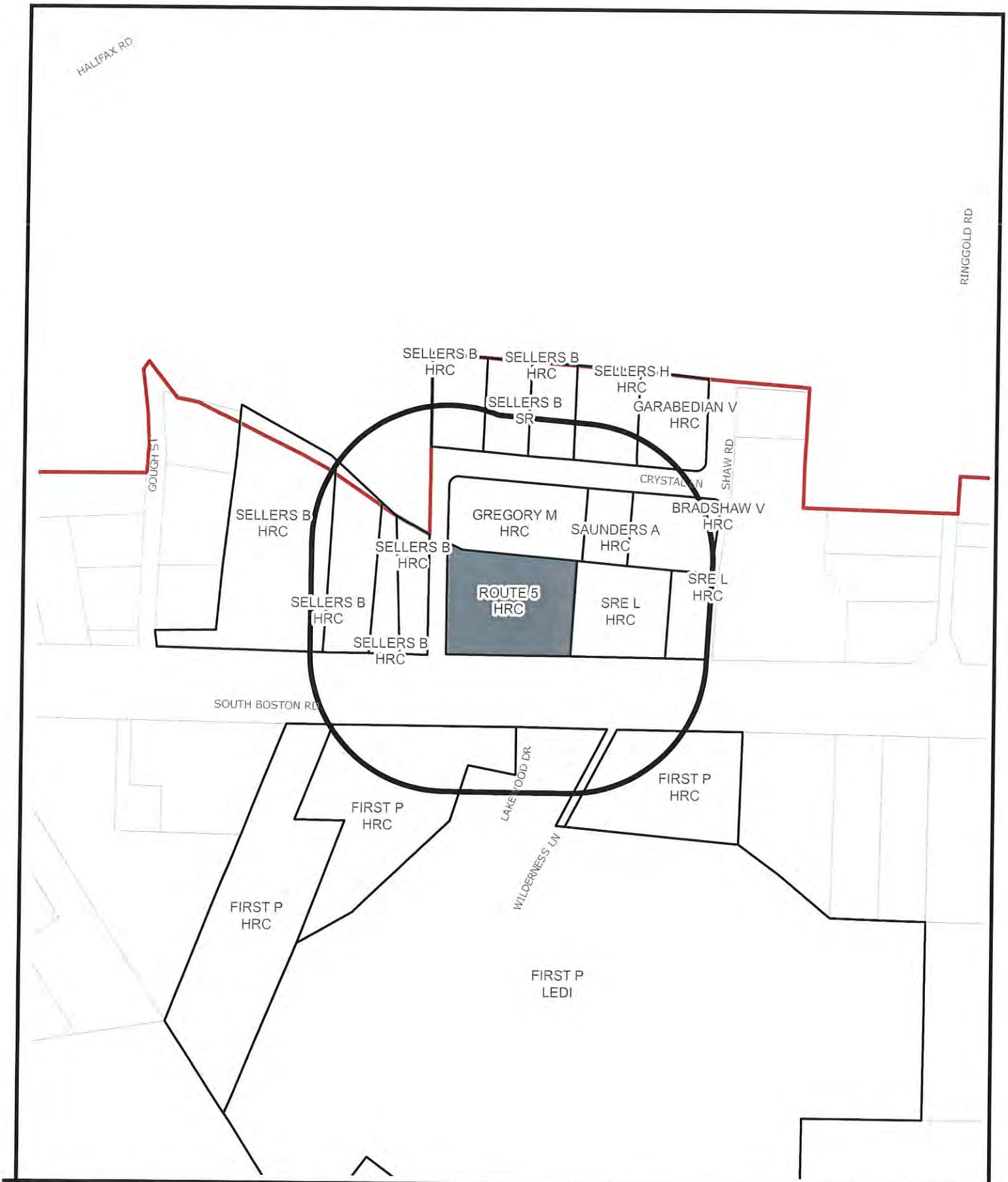
NAME: KIRPAL SINGH TELEPHONE: 631-355-3130

MAILING ADDRESS: 2203 SOUTH BOSTON RD, DANVILLE, VA 24540

EMAIL ADDRESS: 58.RACEWAY@GMAIL.COM

SIGNATURE: Kirpal Singh DATE: 10/17/19

ON Behalf of Route 58 Raceway INC, Kirpal Singh




# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on December 9, 2019 |
| **LOCATION OF PROPERTY:** | 2203 South Boston Rd. |
| **PRESENT ZONE:** | HR-C, Highway Retail Commercial |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for commercial recreation |
| **PRESENT USE OF PROPERTY:** | Convenience store |
| **PROPOSED USE OF PROPERTY:** | Existing uses, plus indoor gaming |
| **FUTURE LAND USE DESIGNATION:** | Heavy Commercial |
| **PROPERTY OWNER (S):** | Route 58 Raceway INC. |
| **NAME OF APPLICANT (S):** | Kirpal Singh |
| **PROPERTY BORDERED BY:** | Residential to the north and east, commercial to the south and west |
| **ACREAGE:** | 1.43 Acres |
| **CHARACTER OF VICINITY:** | Mixed Residential and commercial |
| **INGRESS AND EGRESS:** | South Boston Rd. and Crystal Lane. |
| **TRAFFIC VOLUME:** | High on South Boston Rd; low on Crystal Lane. |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2019

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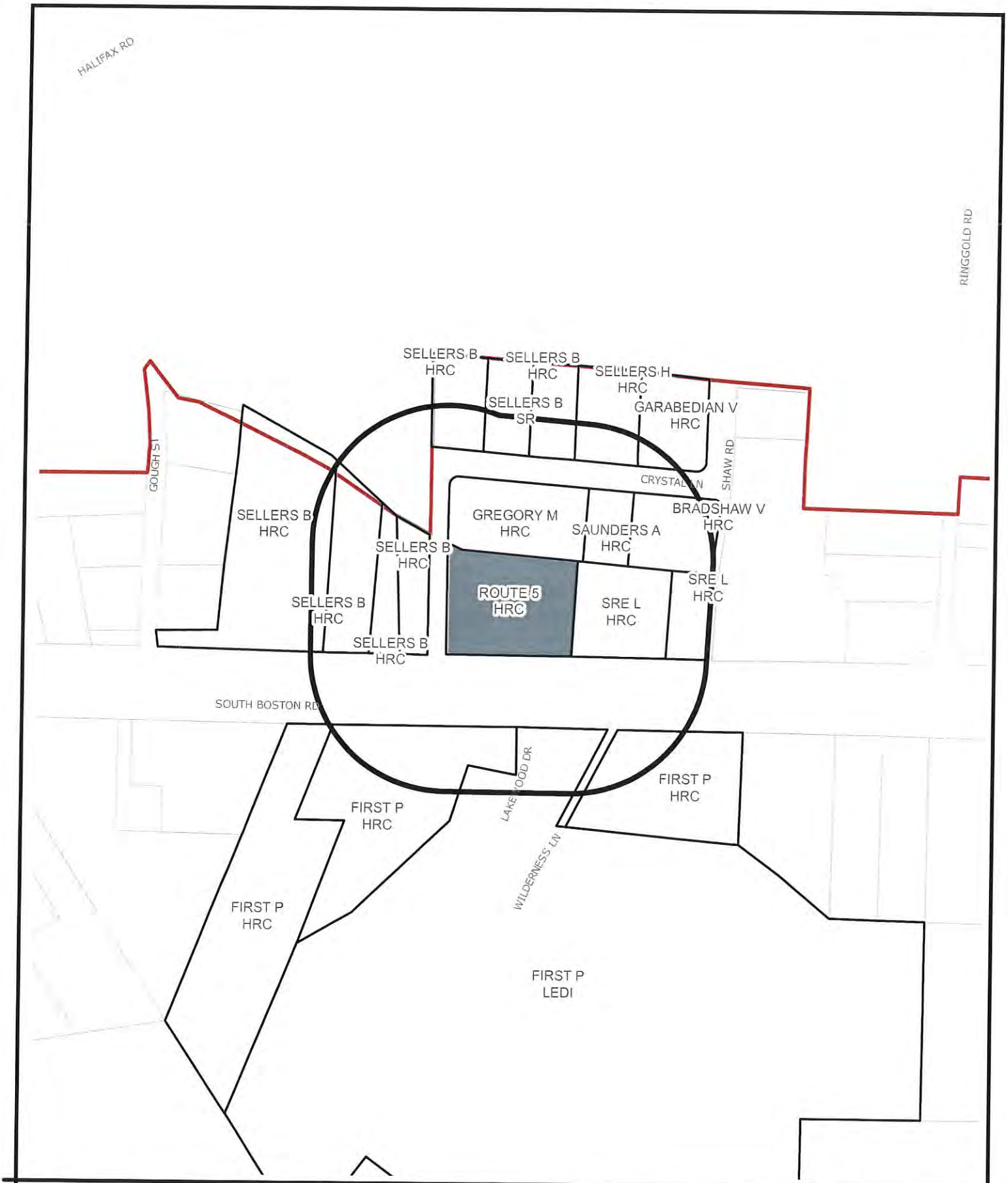


# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2019

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

# City Planning Commission

**City Planning Commission**
Meeting of December 12, 2019

**Subject:**

*Special Use Permit application PLSUP20190000430, filed by Schoolfield Properties LLC, requesting a Special Use Permit for a waiver to yard requirements per Article 3.Q, Section B, Item 23 & Article 3.0, Section C, Item 25, of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1076 W. Main St, otherwise known as Grid 1605, Block 004, Parcel 0000035 of the City of Danville, Virginia Zoning District Map. The applicant is requesting a waiver to the minimum setback requirements for an existing historic office building to remain on a proposed new lot.*

**Background:**

Schoolfield Properties owns the former Dan River Mills Complex on West Main Street. The applicant is requesting to create a new parcel to subdivide off the existing historic office building. Based on the proposed new property lines, a Special Use Permit is required.

Staff's main concern is maintaining some minimal distance between any structures and the property line. Completely waiving the yard requirement would allow development practically on top of neighboring property. There will be right-of-way dedicated as part of a future development. The roadway that served this facility was previously private.

One hundred four (104) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on December 12, 2019.

**Recommendation:**

The Planning staff recommends the City Planning Commission recommend approval subject to the condition that the only yard setback allowed to be zero feet shall be the eastern most setback and only for the existing historic office building or additions thereto, any subsequent new building on the parcel shall comply with setback requirements unless granted separate Special Use Permits.

**City Planning Commission Options**:

1. Recommend approval of Special Use Permit application PLSUP20190000430 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000430 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000430 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000430 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000430 by Planning Commission.

**Attachments:**

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:
Application is hereby made for the Special Use Permit as described below:

**INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION**

APPPLICATION 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: 82.14 ACRES Property Address: 1076 W MAIN STREET

Property Location: (N) S E W Side of: W MAIN STREET

Between: BISHOP RD and PARK 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:

WE'D LIKE TO PARCEL OFF 3.98 ACRES ON THIS LOT FOR FUTURE DEVELOPMENT, WHICH WOULD PLACE THE NEW PARCEL TOO CLOSE TO THE PROPERTY LINE.

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

1. NAME: SCHOOLFIELD PROPERTIES LLC TELEPHONE: 434-793-1753

MAILING ADDRESS: 427 PATTON STREET; DANVILLE, VA 24541

SIGNATURE: _____ DATE: _____

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

**APPLICANT** (PLEASE TYPE OR PRINT):

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

NAME: CORRIE BOBE - ECON DEV TELEPHONE: 434-793-1753

MAILING ADDRESS: 427 PATTON STREET; DANVILLE, VA 24541

EMAIL ADDRESS: CORRIE.BOBE@DISCOVERDANVILLE.COM

SIGNATURE: Corrie Teague Bobe DATE: 11/20/19

PIN 51530

OWNERS CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, that the subdivision of land as shown hereon, containing 3.980 acres, more or less, and designated as "Plat of Survey for Schoolfield Properties, LLC Creating Lot B1 (3.980 acres)" in the City of Danville, Virginia, is with the free will and consent and in accordance with the desires of the undersigned owner thereof; that all streets on said plat are hereby dedicated to the public use, and that all lots within the subdivision are not subject to restrictions, reservation, stipulations and covenants. The said 3.980 acres of land hereby subdivided having been conveyed to Schoolfield Properties, LLC by deed dated December 28, 2017 recorded in the Clerk's Office of the Circuit Court of the City of Danville, in Instrument Number 17-0004789.

Given under my hand this _____ Day of _____ 2019

_____ _____
Manager – Schoolfield Properties, LLC DATE

Certificate of Acknowledgment:

City/County of _____
Commonwealth of Virginia
The foregoing instrument was acknowledged before me this ____ day of ____ 2019 by

_____
(Name of person seeking acknowledgment above)

_____ SEAL
Notary Public's signature (above)
Notary registration number: _____
My commission expires: _____

TOTAL AREA SUNDIVIDED: 3.980 ACRES

ZONED: M-I (INDUSTRIAL Manufacturing District)

SETBACKS: FRONT – 50 feet
SIDE – 25 feet
REAR – 50 feet

## SURVEYOR'S CERTIFICATION:

I hereby certify that to the best of my knowledge and belief this survey is correct and has been prepared based upon a current field survey and in accordance with the current standards of a boundary survey as established by the Virginia State Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board).

_____ _____
Fred O. Shanks, III, LS #1544 Date

## SURVEYOR'S ORDINANCE CERTIFICATION:

I hereby certify that to the best of my knowledge and belief, all the requirements of the Planning Commission and City Council, and ordinances of the City of Danville, Virginia, regarding the platting of subdivisions within the City have been complied with.

Given under my hands this _____ day of _____ 2019.

_____ _____
Fred O. Shanks, III Land Surveyor #1544 Date

## CITY APPROVAL

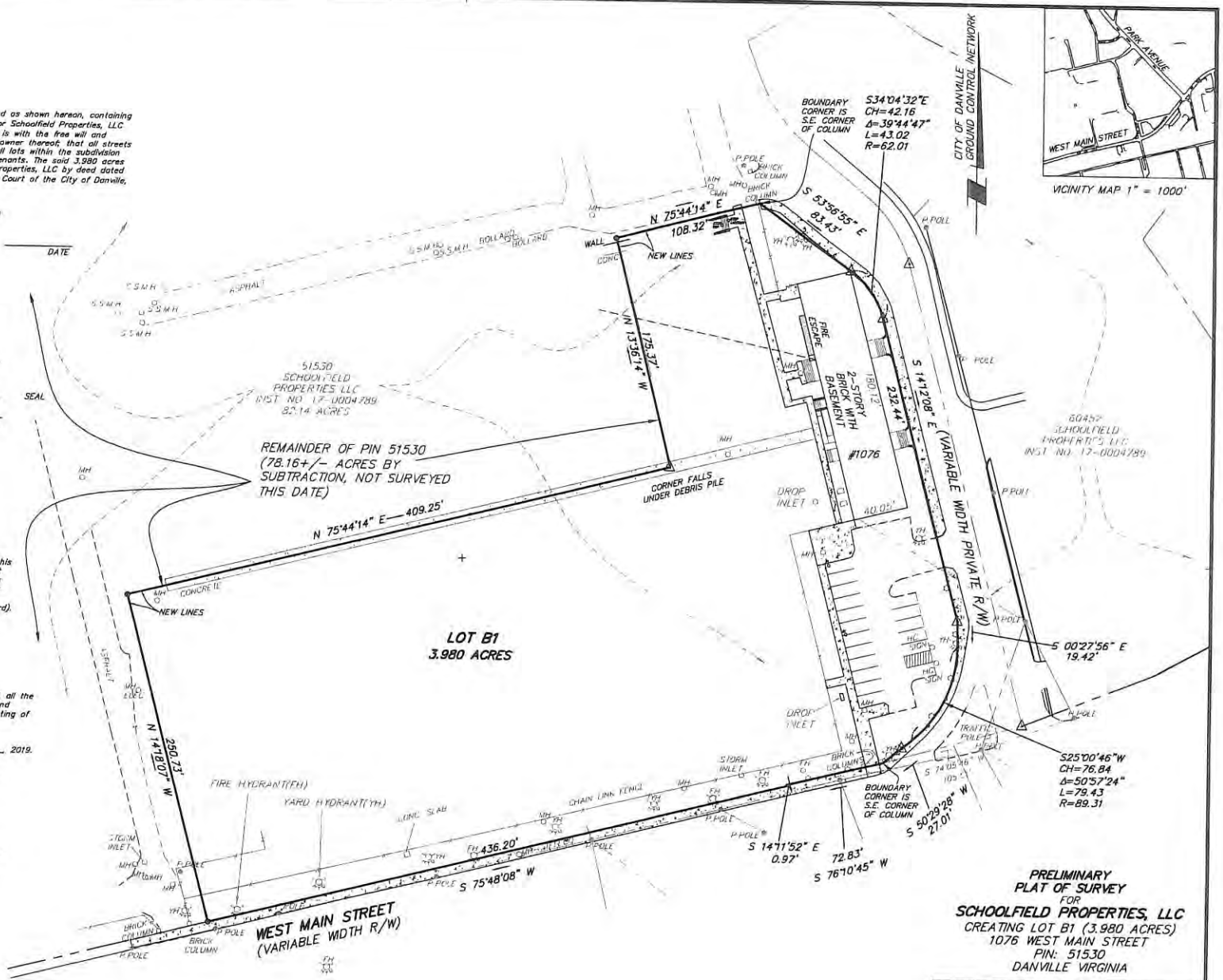
THIS SUBDIVISION KNOWN AS "PLAT OF SURVEY FOR SCHOOLFIELD PROPERTIES LLC " IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH THE EXISTING SUBDIVISION REGULATIONS AND MAY BE COMMITTED TO RECORD.

_____ _____
CITY ENGINEER DATE

_____ _____
ZONING ADMINISTRATOR DATE

**NOTES:**

1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.
2. THE SUBJECT PROPERTY IS NOT WITHIN A F.E.M.A. DEFINED FLOOD HAZARD ZONE AS OF 09-29-2010 F.E.M.A. STUDIES. THE PROPERTY IS WITHIN ZONE 'X' AS SHOWN ON F.E.M.A. COMMUNITY PANEL No. 51143C0633E
3. PROPERTY SHOWN HEREON IS IN VARIOUS STAGES OF DEMOLITION. ONLY VISIBLE SIGN OF BURIED PIPING/CONDUIT ARE SHOWN. VARIOUS SLABS, WALLS, DRAINS AND OTHER PARTIALLY DEMOLISHED OR BURIED FEATURES ARE NOT SHOWN.



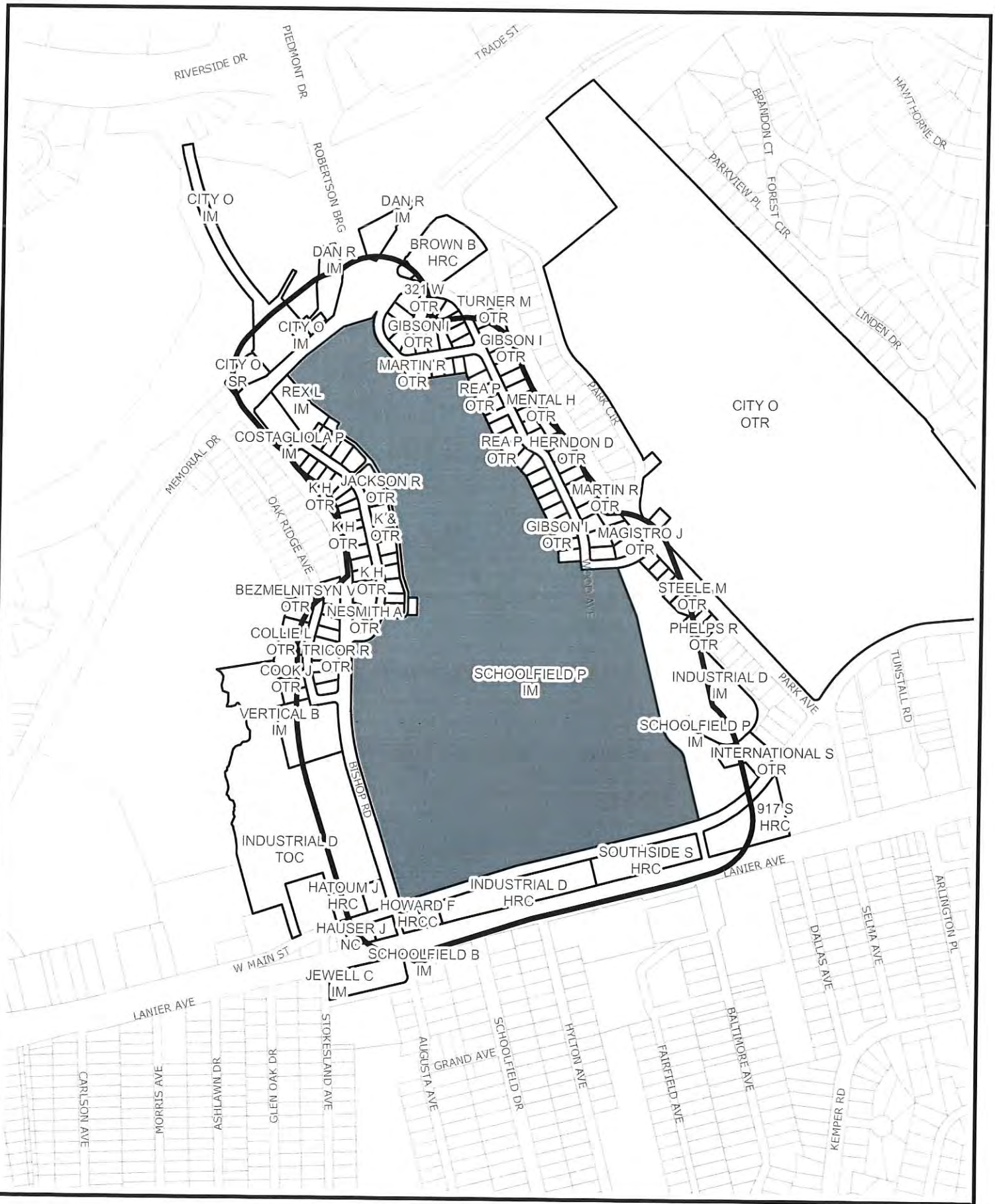

LEGEND
- PROPERTY CORNER FOUND AS NOTED
- 5/8" IRON ROD SET
- CALCULATED POINT

GRAPHIC SCALE
0 50 100
1" = 50'

**PRELIMINARY PLAT OF SURVEY FOR SCHOOLFIELD PROPERTIES, LLC**
CREATING LOT B1 (3.980 ACRES)
1076 WEST MAIN STREET
PIN: 51530
DANVILLE VIRGINIA


SHANKS ASSOCIATES, P.C.
ENGINEERS – SURVEYORS – PLANNERS
509 LOYAL STREET
DANVILLE, VIRGINIA 24541
(434) 797-5446; fshanks@gamewood.com


| | |
|---|---|
| DATE: 09/10/19 | SCALE: 1"=50' |
| CREW: F.O.S CALC: F.O.S DRAWN BY: MELTON | |
| CALC. CHK: | PLAT CHK: |
| F.B.: | JOB NO.: 619009 |




# SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2019

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

# SPECIAL USE PERMIT REQUEST
# DATA SHEET

| | |
|---|---|
| **PUBLIC HEARING DATES:** | Planning Commission at 3pm on December 9, 2019 |
| **LOCATION OF PROPERTY:** | 1076 W Main St |
| **PRESENT ZONE:** | I-M Manufacturing Industrial |
| **PROPOSED ZONE:** | No change |
| **ACTION REQUESTED:** | Special Use Permit for yard setback waiver to subdivide property |
| **PRESENT USE OF PROPERTY:** | Vacant Industrial Land |
| **PROPOSED USE OF PROPERTY:** | Subdivision of land |
| **FUTURE LAND USE DESIGNATION:** | Industrial |
| **PROPERTY OWNER (S):** | Schoolfield Properties, LLC. |
| **NAME OF APPLICANT (S):** | Corrie Bobe, City of Danville |
| **PROPERTY BORDERED BY:** | Residential to the east, commercial to the south, mixed residential and commercial to the west, the Dan River to the north |
| **ACREAGE:** | 3.980 Acres for new lot |
| **CHARACTER OF VICINITY:** | Mixed Residential and commercial |
| **INGRESS AND EGRESS:** | W Main St for new parcel. |
| **TRAFFIC VOLUME:** | Moderate. |

# 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/20/2019

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

# PLANNING COMMISSION MINUTES

**November 12, 2019**

| MEMBERS PRESENT | MEMBERS ABSENT | STAFF |
|---|---|---|
| Mr. Wilson | | Lisa Jones |
| Mr. Dodson | | Ken Gillie |
| Mr. Garrison | | Clarke Whitfield |
| Mr. Jones | | |
| Mr. Bolton | | |
| Mr. Scearce | | |
| Mr. Petrick | | |

The meeting was called to order by Chairman Scearce at 3:00 p.m.

## I. ITEM FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20190000294, filed by Jagjit Singh on behalf of Suhasons Inc., requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 395 Mt. Cross Rd., otherwise known as Grid 1709, Block 004, Parcel 000002 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Jagjit Singh spoke on behalf of Suhasons Inc. Mr. Singh Stated I don't agree with just one machine and I think that the number of machines allowed should be up to the occupancy. I think just one machine doesn't make sense. I have been running my business for fifteen years and I know how busy we are and I think that decision should be left up to the owner.

Mr. Scearce closed the Public Hearing.

Mr. Garrison stated I have thought long and hard about this for a month and half and I would like to read my thoughts if that is okay with you.

Today we have 17 cases dealing with the special use permits for indoor recreation, some for the third time, some for the second time and two for the first time. In our September meeting I felt that we did not have all the information we needed to make a decision due to safety concerns since there was no Certificate of Occupancy and there were parking concerns. However, there were only two neighboring property owners that opposed due to parking. One other was concerned with parking on and blocking a city street. There are legal remedies for these concerns.
In our October meeting a determination had been made that the facilities should be classified as B-Business Group and that there should be one additional parking space per machine. I have no problem with either of these two determinations. The City Fire Department and the Inspections Division of Community Development have the authority under the City Code to make such a determination. This determination provided the

Planning Commission with information to add conditions to the request. The code also has in the 54 parking items including an item that states that staff can require additional parking spaces if they feel additional spaces are needed. I have no problem with this requirement as it is part of the code.
The code allows each of the cases before us today to request a special use permit for indoor recreation. By definition each has four walls and a roof, therefore indoor is correct. By definition playing the games is not work, therefore recreation. The Planning Commission has on many occasions recommended approval with conditions to City Council, including a similar case for indoor games in December 2018. In this case the applicant had started work on a commercial recreational establishment (limited to indoor uses) and a restaurant. The applicant stopped work and applied for a special use permit. The conditions attached by staff and approved by the Planning Commission included the following:
1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only everts, private system testing, game burn in and tabletop play testing/evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27 based on the building occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.
This special use permit was approved by City Council on January 3, 2019 by Ordinance No 2019-01.01. It took several months for the applicant to complete the above conditions and open the facility. He was not required to spend this money until City Council approved the special use permit.

My problem today is that in most of the cases before us there will be an expense to the applicant to upgrade the building to Business Group classification and/or add additional parking. As a commissioner I cannot vote to recommend denial of the request due to the applicant's refusal to spend money without knowing that the special use permit will be approved. Approval or disapproval is the sole right of the City Council. They are the only body that can dictate conditions to the applicants.
Due to my personal concerns and my interpretation of the code I will vote to recommend approval with conditions on the cases before us today and against any recommendation for denial.

Mr. Jones stated staff I'm having trouble with parking here if he owns a business and all those parking spaces if he wants to put drivers there that are using those machines and not let me in to get my milk or whatever that is his call. Is there a problem here if we let him have four machines?

Mr. Gillie stated from staff's perspective yes because he will have eleven people in there and that next person that comes there to get their milk will not know that the facility is full and what do they do they pull in and there is no place to go and that can create issues. We have exceeded the ability for that small space to handle the amount of persons who want to

use that and that is something that we need to look in Planning and Zoning. That is why we have the code that says you need x number of spaces just for the convenience store. He is operating the convenience store with the number of spaces that he has to have. He only has two bonus spaces above and beyond that one will be necessary for the employee and that leaves him one space above and beyond what the minimum code requirements are just for the store itself. He is no longer just a store. Now he is a store in a commercial recreation establishment and that is why we feel that the additional parking is necessary to meet the needs of both. To get ahead of ourselves that is why the next case we do recommend more machines because there is additional parking at the next facility. This place does not have enough parking to begin with, it's right on the limit of what is required just for the store load. We believe that adding those additional machines is not a benefit to anyone and is actually detriment to the citizens in general.

Mr. Bolton stated we can't pick and choose anyway can we? Which facility do we let the parking slide and deny the others? If it's the code aren't we somewhat limited?

Mr. Gillie stated you are limited to what the code says for the facility for the convenience store. If it's a restaurant only then it's a different parking requirement.

Mr. Wilson stated so we go through all of this are we working out on different guideline rules than City Council is?

Mr. Garrison stated the code says what it says. We have so many of these cases that parking is an issue but they have no place to create additional parking.

Mr. Scearce stated then it limits them to what they can do.

Mr. Garrison stated that limits them to being a convenience store and convenience stores are not going to survive long term in this economy. What we are saying here is that we would rather have empty buildings than to find some way to change the code.

Mr. Gillie stated I would disagree because an empty building now is something else in the future that works.

Mr. Garrison stated neither of us can see the future if we could then we would not be sitting here.

Mr. Gillie stated that is correct.

Mr. Garrison stated I can see the future of more availabilities in the City of Danville, Virginia. If something is not done about the parking and I know that is something that we may or may not look at depending on how we vote today but it concerns me.

Mr. Scearce stated all we can do is address what is before us right now.

Mr. Garrison stated I don't know that in this particular case there is room to add more parking but if there is why are we telling this gentleman that he has to spend the money to build additional parking spaces when we don't know what City Council is going to do as far as approve or disapprove this special use permit because that is their priority and that is their way of doing things. They have the final approval. They shouldn't have to spend the money and then go to City Council. We can't tell them if they spend the money then we will

approve the special use permit because we don't have that authority and that is why I think we should send everything forward with recommendations with conditions that they have to meet these requirements in order to get the special use permit and City Council can decide what to do with it. That is my personal feeling.

Mr. Scearce stated some are pretty cut and dry on what needs what.

**Mr. Petrick made a motion to approve this special use permit PLSUP20190000294 with subject to conditions by staff. Mr. Bolton seconded the motion. The motion was approved by a 6-1 vote.**

2. *Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 103 Franklin Tpke, otherwise known as Grid 2806, Block 009, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Jagit Singh spoke on the owner's behalf. Mr. Singh stated we will be happy with five machines.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to approve this special use permit PLSUP20190000295 with subject to conditions by staff. Mr. Jones seconded the motion. The motion was approved by a 6-1 vote.**

3. *Special Use Permit application PLSUP20190000320, filed by Abdul Wahid Khan on behalf of Catbird Properties LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Code of City of Danville, Virginia 1986, as amended at 1225 Franklin Tpke, otherwise known as Grid 1916, Block 003, Parcel 000005 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Wilson opened the Public Hearing.

Fielding Douthat, Attorney, stated I am with Woods-Rogers in Richmond and I represent Items 4, 5 and 12. This is the third time that I have made this trip down from Richmond. This store is requesting four machines. I respectfully request this be recommended to pass on to City Council.

Mr. Scearce stated do you know why he has not reached back out to the City to have it re-inspected for Class B.

Mr. Douthat stated I don't know and I would tell you that a lot of these things are very expensive to go and redo your store.

Mr. Scearce stated just to have them come out and look at it?

Mr. Douthat stated I do not know.

Mr. Gillie stated we have given them two months to have that inspection done and to modify that certificate of occupancy to see if anything is required and it has not been done.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000320 as submitted. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

4. *Special Use Permit application PLSUP20190000319, filed by Inam Qazi on behalf of UHA Inc, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1354 Westover Dr, otherwise known as Grid 0710, Block 001, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Fielding Douthat spoke on behalf of Inam Qazi. Mr. Douthat stated the same discussion as before. What we are asking for is a recommendation and you can send it up with more conditions.

Mr. James Gillespie stated one of the things that I think that we need to know is how many machines will be allowed. There seems to be no limit that is being proposed at this point. Parking for the number of machines I think needs to be established and we have to consider that the greatest portion of that entire area surrounding the facility is residential and has been residential for all the years that I have been in Danville. One of my major concerns particularly is as close as I am to the facility is a buffer. I really believe that there needs to be a buffer in place, perhaps a fence that is high enough to limit the noise and the activity in the parking lot and in the facility. That is one of my major concerns and it needs to be established before we move forward with this.

Keith Fields stated I'm also a resident there and just to sum things up and I think that my neighbor said it well. Since our last meeting since we are considering health, safety and welfare of this community. This is obviously a mix between Old Town Residential where we are it is a very unique blend. I think we are very unique in our situation and our proximately with this. Since we met last I believe that we have collected thirty-seven signatures and those were submitted with pictures that show traffic problems.

Mr. Wilson stated you heard Mr. Gillie read the guidelines do you feel like they addressed some of the concerns that you have like hours of operation and number of machines.

Mr. Fields stated it's hard for me to make a determination with that because I sell real estate myself and I have to follow codes. When you look at this and the potential and I don't think what we are considering right now can really be estimated with the fact what is really going to happen.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000319 as submitted. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

5. *Special Use Permit application PLSUP20190000290, filed by Hewa Jayawardena on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 4800 Riverside Dr., otherwise known as Grid 0709, Block 002, Parcel 000019 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Hewa Jayawardena spoke on behalf of Jerry Davis in favor of this application.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000290. Mr. Petrick seconded the motion. The motion was denied by a 4-3 vote.**

6. *Special Use Permit application PLSUP20190000297, filed by Satjeet Kaur on behalf of River Penny Saver LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3:K, Section C, Item 5 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 642 Worsham St., otherwise known as Grid 2710, Block 016, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

**(Please see attached letter from Mr. Bob Vaughan asking to be tabled.)**

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000299. Mr. Bolton seconded the motion. The motion was approved by a 7-0 vote.**

7. *Special Use Permit application PLSUP20190000299, filed by Shahid Javid on behalf of MKM Partners, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 1501 W Main St. otherwise known as Grid 0611, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Scearce closed the Public Hearing.

**Mr. Dodson made a motion to deny special use permit PLSUP20190000299. Mr. Jones seconded the motion. The motion was denied by a 6-0 vote.**

8. *Special Use Permit application PLSUP20190000309, filed by Samir Patel on behalf of Dutta Inc of Virginia, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2100 W Main St, otherwise known as Grid 0610, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

# ROBERT T. VAUGHAN, JR., P.C.

ATTORNEYS AT LAW

ROBERT T. VAUGHAN, JR.
ROBERT T. VAUGHAN, III

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E-MAIL: rvaughan@robertvaughan.net


November 11, 2019

Kenneth C. Gillie, Jr.
City of Danville Community Development
P.O. Box 3300
Danville, VA 24543

Re: Meeting of the Planning Commission,
November 12, 2019, Item No. 6
Special Use Application No. PLSUP20190000297
By Satjeet Kaur on behalf of River Penny Saver, LLC
642 Worsham Street
Grid 2710, Block 016 Parcel 000010

Dear Mr. Gillie:

I represent Satjeet Kaur and her limited liability company, River Penny Saver, LLC, which owns the property at the address 642 Worsham Street, Danville, Virginia. Ms. Kaur has a Special Use Application on the agenda for the meeting of the Planning Commission to be held tomorrow afternoon, November 12, 2019, at 3:00, specifically, Special Use Application No. PLSUP20190000297, which appears as Item No. 6.

Ms. Kaur has completed the certificate of occupancy review to the satisfaction of the Inspectors of Community Development and the Fire Department. However, the survey to consolidate two lots to address the parking issue remains in process. Without question the lots on which the building and the parking are located are owned by the applicant, River Penny Saver, LLC, are consistently zoned, and have been used in common in connection with the convenience store for many years.

I respectfully request that consideration of the application be postponed until the December 2019, meeting of the Planning Commission to give us time to address this issue.

Very truly yours,

ROBERT T. VAUGHAN, JR., P.C.

Robert T. Vaughan, Jr.

kk

Mr. Scearce opened the Public Hearing.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000309. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

9. *Special Use Permit application PLSUP20190000311, filed by Danny Graves on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd Suite B, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Danny Graves spoke on behalf of Larry Soyars. Mr. Graves stated I have done all the necessary requirements to move forward with this special use permit.

Mr. Gillie stated the consolidation plat, our attorney looked it over and it is still showing as two properties. We have listed as two and our records show it and even the deed provided by your property owner shows it as two. It is not consolidated.

Mr. Graves stated I was under the impression that it was consolidated.

Mr. Gillie stated no sir. If you want to hold this and get the owner to work on this consolidation that is fine.

Mr. Scearce closed the Public Hearing.

**Mr. Petrick made a motion to table this until we have the information needed for this special use permit PLSUP20190000311. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

10. *Special Use Permit application PLSUP20190000312, filed by Chase Reeves on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2846 Riverside Dr, otherwise known as Grid 1710, Block 006, Parcel 000001 of the City of Danville, Mr. Garrison made a motion to table this till we have the information needed for this special use permit PLSUP20190000295. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote. Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Chase Reeves, stated I'm here representing this special use application. Like he stated, once the inspectors came out on October 8 is when I finally received what needed to be done to the location in order to receive the special use permit. We are in the process of doing all of that. I just paid a contractor twenty seven thousand dollars this week to resolve

the plumbing and bathroom requirements. We are still in the process of meeting standard codes for this. I was just in hopes today to get approved and move forward.

Mr. Scearce stated so you would like to postpone today until you get your work done?

Mr. Reeves stated yes, if that is what needs to be done.

Mr. Scearce closed the Public Hearing.

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000312. Mr. Garrison seconded the motion. The motion was approved by a 7-0 vote.**

11. *Special Use Permit application PLSUP20190000317, filed by Abdul Nasir on behalf of HRNA LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1371 Piney Forest Rd, otherwise known as Grid 1920, Black 013, Parcel 000092 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Mr. Fielding Douthat spoke on behalf of Abdul Nasir. Mr. Douthat stated he has asked for four machines and he has his certificate of occupancy. There is sufficient parking spaces to mark the parking lot but since they are not striped except for those listed. You cannot determine the calculation, but there is sufficient space here. That is what it says and that is staff's recommendation or staff's analysis says it just hasn't been marked yet. It has a handicapped space. This is a common case for a recommendation for approval.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

12. Special Use Permit application PLSUP20190000330, filed by Uwashi Patel on behalf of Larry Soyers, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Scearce opened the Public Hearing.

Uwashi Patel spoke on behalf on Larry Soyers. Ms. Patel stated we have done everything but the only issue that we have right now is with the property. Mr. Larry Soyers has it listed as one property and zoning says it is two deeds. I would like to postpone if it is possible.

Mr. Scearce closed the Public Hearing.

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000330. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

13. Special Use Permit application PLSUP201900000303, filed by Mohammad Nawaz Khan on behalf of Elegance Investment LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 730 Piney Forest Rd, otherwise known as Grid 1815, Parcel 003, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Scearce opened the Public Hearing.

Mr. Mohammad Nawaz Khan spoke on behalf of Elegance Investment LLC. Mr. Khan stated I am the owner and I have fifteen parking spaces. I showed the inspector the parking spaces when he was inspecting the property.

Mr. Gillie stated you said that you received the certificate of occupancy. When did you receive this because I don't have a copy of it?

Mr. Khan stated it was issued late last week.

Mr. Scearce stated you need to get with the inspection department and have them come out and inspect your property. That way if you do have extra parking it would be striped.

Mr. Gillie stated he does have a certificate of occupancy it was issued on the 16th.

Mr. Scearce closed the Public Hearing.

**Mr. Jones made a motion to approve with stipulation provided by staff check parking situation at site for this special use permit PLSUP20190000303 with subject to conditions by staff. Mr. Bolton seconded the motion. The motion was approved by a 6-1 vote.**

14. Special Use Permit application PLSUP20190000302, filed by Mubashar Choudhrey on behalf of Carlton H Cox, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 545 Memorial Dr, otherwise known as Grid 1712, Block 007 Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Scearce opened the Public Hearing.

Mr. Scearce closed the Public Hearing.

**Mr. Petrick made a motion to table this until we have the information needed for this special use permit PLSUP20190000302. Mr. Wilson seconded the motion. The motion was approved by a 7-0 vote.**

15. Special Use Permit application PLSUP20190000362, filed by Ghulam Hassan, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 3401 Westover Drive, otherwise known as Grid 9818, Block 005, Parcel 0000023 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Scearce opened the Public Hearing.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to deny special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was denied by a 6-1 vote.**

*16. Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Ms. Michelle Adkins stated I would like to read a letter on behalf of Justin Williams. (Please see attached letter.)

Ms. Sandra Gannon spoke on her behalf. (Please see attached letter.)

Mr. Scearce closed the Public Hearing.

**Mr. Garrison made a motion to table this until we have the information needed for this special use permit PLSUP20190000386. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.**

*17. Special Use Permit application PLSUP20190000387, filed by TSS Riverside, LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 3585 Riverside Drive, otherwise known as Grid 1713, Block 002, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Scearce opened the Public Hearing.

Dan Mackamore spoke on behalf of TSS Riverside, LLC. Mr. Mackamore stated we are very comfortable with the recommendations.

Mr. Scearce closed the Public Hearing.

**Mr. Garrison made a motion to approve this special use permit PLSUP20190000387 with subject to conditions by staff and new hours of operation. Mr. Petrick seconded the motion. The motion was approved by a 6-1 vote.**

Mr. Scearce, members of the Planning Commission, Staff, fellow Danville, Virginia citizens in attendance and those watching abroad... Good evening!

My name is Justin Williams and I write to you from South Korea where I'm currently serving as a Commission Officer in the United States Army. As my business associate Michelle Adkins reads this letter, I want to ensure you that my words will not be long and drawn out because the one thing I despise the most is a long winded spokesman trying to get his or her point across during a meeting.

I've read Mr. Gilli's recommendation with regards to denial of our Special Usage Permit if Michelle and I want to proceed with the original request of 50+ games to include operating on a 24-hour basis. His concerns are valid and should be taken into consideration. As you all are currently aware, this industry topic has taken the city of Danville by storm; it also has caught the attention of many public figures and business owners. I'm sure you have various concerns on these potential establishments (as you should), and the customers who visit in order to experience "the talk of the town" because they may become a beacon for potential criminal activities.

Nevertheless, I would like to inform you that we have taken precautionary measures to address risk mitigation in order to lower and alleviate any possible criminal mischief. These precautionary measures include, but are not limited to, I.D. checks at the door, on site uniformed security guards and staff personnel, physical pat-downs of customers and metal detectors for weapons, PTZ CCTV cameras both outside and inside of the establishment, CCTV control room monitored by staff personnel, ADT burglar alarm system, electromagnetic door locks, and personal security guard escort upon request of customers to their vehicles.

In closing, I'm unaware of any company in the city Danville, or in the world for that matter, who can assure you incidents within their facility will not occur (I have zero tolerance for non-sense and unprofessional behavior). If you are not willing to honor our request for hours of operation, then we have no quarrels with the operating hours Mr. Gilli recommended. If we cannot have our requested amount of games approved, we ask that you allow us to have a sufficient amount, keeping in mind that the nature of business within this establishment is that of an "Amusement Parlor" i.e. indoor gaming facility and not a Restaurant or Convenience Store. Furthermore, what is an "Amusement Parlor" or Commercial Indoor Recreation facility without the opportunity to indulge in multiplayer games? Have you ever visited a Dave-n-Busters, or other Arcade style venue that didn't offer this? I'm unsure as to why Mr. Gilli recommended our facility not have such entertainment. This means we will not be able to accommodate Foosball tables, Air Hockey, Electronic Basketball, Electronic Dart Boards, Pool Tables, or other multiplayer / electronic video games i.e. XBOX or PlayStation for our customers. We ask that you consider at least three multiplayer games (but if you are opposed to this request, we will comply with your recommendation as we don't see a need to table this discussion and belabor it for or at a future meeting). I can guarantee you that we have systems and procedures in place to minimize the risk associated with your valid concerns. Although we don't have a surplus amount of funds and numerous investors we can call on at a moment's notice, I would ask you note that both Michelle and I were born and raised here in the city of Danville. I'm a graduate of Saint Leo University (Business Administration) with 13yrs of Active Duty military experience (Law Enforcement) and Michelle has opened three Amusement Parlors in the State of North Carolina over the past 16 months; *TOGETHER* we make a pretty phenomenal team. Mr. Scearce and fellow members of the Planning Commission, if it be your will and pleasure, I'm requesting that you allow Michelle and I to show the city of Danville the right way to operate a business of this category; you will not be disappointed. Ladies and gentlemen thank you for your time and consideration in this matter and I wish you all continued success in your future endeavors. May God Bless you and May God Bless the City of Danville, Virginia.

## NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **NOVEMBER 8, 2019**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) GANNON SANDRA G

as owner(s) of Lot(s) 410 S RIDGE ST. 412. 414. and 416

___X___ **AM OPPOSED**

_____ **AM NOT OPPOSED**

to the following request filed with the City of Danville:

*Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Signatures(s):

Sandra G Gannon

_____

Comments: Approving a special use permit to allow gaming is opening the door to gambling. You tabled the issue, 6-0 during your September 2019 meeting because there was no clear distinction between gaming vs. gambling when there is no oversight or the equipment used.

Looking at the previous history of the tenants at 401 South Ridge St., there is no reason to believe allowing unsupervised gaming will improve the neighborhood. Your letter of Oct 28. 2019 describes the property as "existing convenience store." This must be some joke on the city of Danville. The marquee in the front of the store is entitled "Something Special

OVER

The music starts at midnight with beer drinking and dancing in the parking lot and on S Ridge St. Shots fired are not unusual. New Year's Eve several years ago, the police investigated a shot fired into my residence. This was all reported by a Roanoke reporter with WDBJ TV. I have spoken directly with Officer Joe Martin with the Danville police dept., an ABC investigator, and the police chief Scott Booth. Surely the planning commissioners would want to hear from these agencies regarding violations.

Is this what Danville wants for property located between the Old East End and the River District?

Respectfully,

Sandra G Gann

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18. *Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 3.I entitled "TO-C, Transitional Office District", Article 3.J entitled "N-C Neighborhood Commercial District, Article 3.K entitled "CB-C, Central Business District", and Article 3.L entitled "TW-C, Tobacco Warehouse District" to allow for waivers of maximum sign area by Special Use Permit; to amend Article 10, entitled "Sign Regulations", Section M entitled "Permitted singe in the N-C and TO-C Commercial Districts". Section N, entitled "Permitted signs in the CB-C, Central Business District", and Section O, entitled "Permitted signs in the TW-C Tobacco Warehouse Commercial District" to allow for the maximum size of signs permitted by Special Use Permit to match the limitations set forth in Section P, "Entitled Permitted signs in the Highway Retail, HR-C and Planned Shopping Center, PS-C, Commercial Districts".*

Mr. Scearce opened the Public Hearing.

Mr. Tom Powers with Powers Signs. Mr. Powers stated this is for Averett benefit specifically what we are asking for.

Mr. Gillie stated this is for a special circumstance this is Averett's North Campus and this would allow a larger sign.

Mr. Scearce closed the Public Hearing.

**Mr. Bolton made a motion to approve this request to amend chaper 41, entitled "Zoning Ordinance as submitted. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.**

19. *Special Use Permit application PLSUP20190000388, filed by Powers Signs Inc, on behalf of Averett University, requesting a Special Use Permit for a waiver to maximum sign area in accordance with Article 3.I, Section C, Item 25 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 707 Mt. Cross Road, otherwise known as Grid 0708, Block 003, Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to erect a sign larger than permitted under Article 10, Section M.*

Mr. Scearce opened the Public Hearing.

Mr. Tom Powers spoke on behalf of Powers Signs Inc. Mr. Powers stated do you have any questions?

Mr. Jones stated where would this sign be located?

Mr. Powers stated on the north side of the entrance off Mt. Cross Road. I measured like 650 feet through the woods to the nearest residential. Everything across the road is highway retail.

Mr. Jones stated will there be lights on this?

Mr. Powers stated yes sir. It is going to be a message center.

Mr. Garrison stated and that would be one of those signs that change information.

Mr. Powers stated yes.

Mr. Scearce closed the Public Hearing.

**Mr. Wilson made a motion to approve this special use permit PLSUP20190000388 with subject to conditions by staff. Mr. Garrison seconded the motion. The motion was approved by a 7-0 vote.**

20. *Request to amend Chapter 41, entitled "Zoning Ordinance" of the Code of the City of Danville, VA 1986, more specifically various sections and subsections of Article 15, entitled "Definitions", subsection B. entitled "Definitions" and Article 8 entitled "Parking and Loading Requirements", subsection E entitled "Minimum Required Parking Spaces" to address definitions and parking concerns with commercial recreation.*

**Per Discussion all were in favor to schedule a work session in the next couple of months to discuss this request.**

**II. MINUTES**

**The October 7, 2019 minutes were approved by unanimous vote.**

**III. OTHER BUSINESS**

**With no further business, the meeting adjourned at 6:42 p.m.**

**APPROVED** _____