



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

## ***City Planning Commission***

NOVEMBER 12, 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 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.*
  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.*
  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.*
  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.*
  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.*

- 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.*
- 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.*
- 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.*
- 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.*
- 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, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
- 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, Block 013, Parcel 000092 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
- 12. Special Use Permit application PLSUP20190000330, filed by Uwashi Patel 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, 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.*
- 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.

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.
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.
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.
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.
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 signs 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".
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.



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.*

IV. APPROVAL OF MINUTES FROM OCTOBER 7, 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 November 12, 2019

**Subject:**

*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.*

**Background:**

Jagjit Singh, the applicant, is requesting a Special Use Permit for commercial recreation at 395 Mt. Cross Rd. 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. This facility had a Certificate of Occupancy for a Mercantile use. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has been re-inspected to determine compliance with this change in use of the building and a new Certificate of Occupancy has been issued with a maximum occupancy of 25 persons. This facility has 13 marked parking spaces.



The facility itself is 2,688 sq. ft. which requires 11 parking spaces as only a convenience store. With 13 marked spaces, there is only space available for a single machine based on staff's recommendations of one space per machine and one needed for the employee of the facility. (11+1+1)

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000294, filed by Jagjit Singh on behalf of Suhasons Inc., staff recommends the following conditions:

1. The hours of operation for the machine 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 that can be played by a single occupant at one time (no multiple person 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 exterior of 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. 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 PLSUP20190000294 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000294 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000294 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000294 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000294 by Planning Commission.

**Attachments:**



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



**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:

Indoor recreation permit for use of HHR Game machines and  
Diamond Skill games sit down and standup

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

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

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

SIGNATURE: Dinesh Singh DATE: 7/29/19

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EMAIL ADDRESS: SUHASONS@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: JAGJIT SINGH TELEPHONE: 631-223-5451

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

EMAIL ADDRESS: VINTOMAX@GMAIL.COM

SIGNATURE: Jagjit Singh DATE: 7/29/19

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP 20190000 294

EXISTING ZONING: HR-C, Highway Retail Commercial

PROPOSED ZONING: No change

TAX MAP NUMBER: DID 59579

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).

162.57 FT NO 1A MT CROSS RD

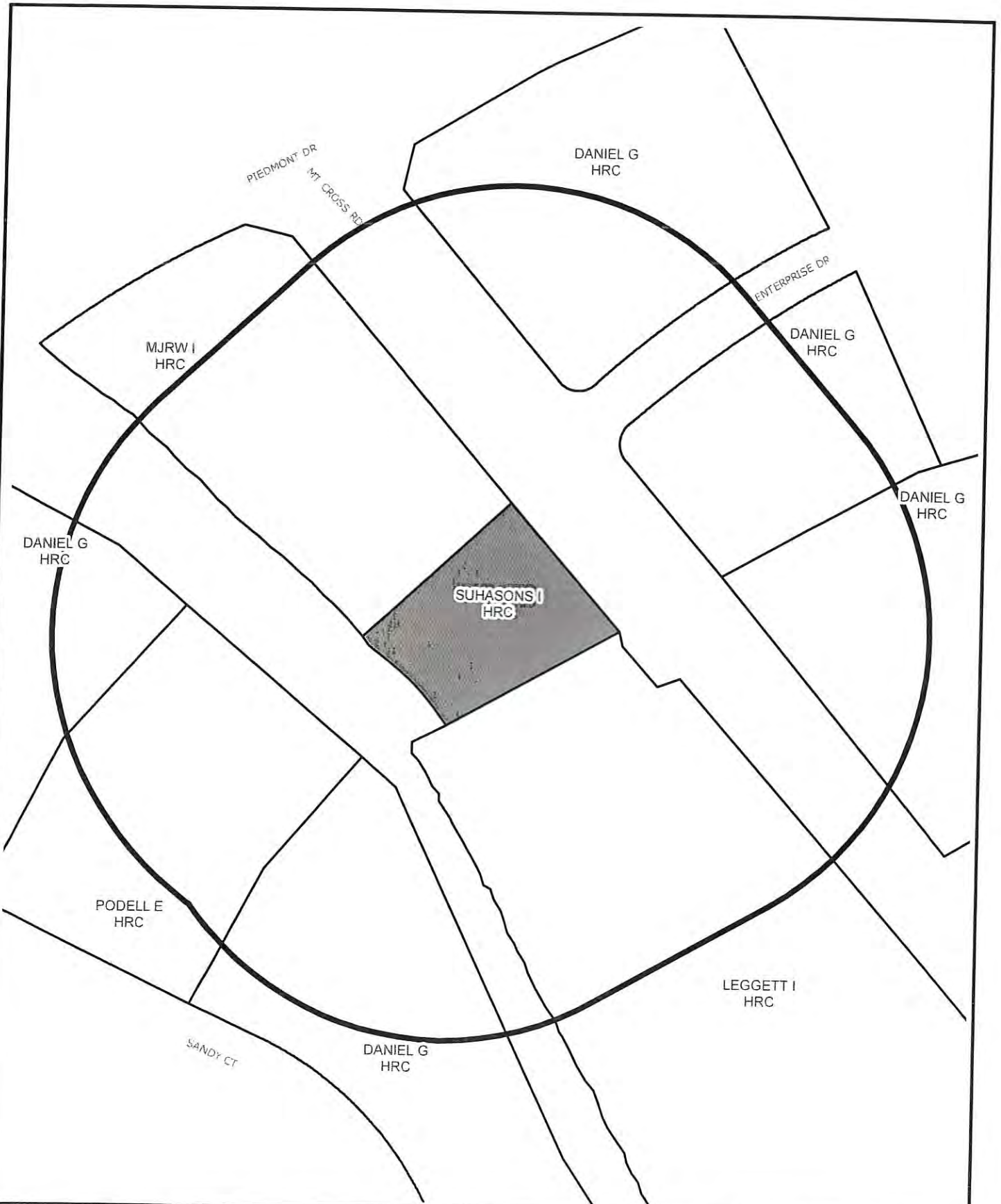
Gross Area/Net Area: 2688 Property Address: 395 MT CROSS RD

Property Location: N S E W Side of: \_\_\_\_\_

Between: Piedmont Dr. and OLD RIVERSIDE DR.

Proffered Conditions (if any, please attach): \_\_\_\_\_





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

Prepared by:  
Planning Division  
8/7/2019

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  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 395 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

**PROPOSED USE OF PROPERTY:** Convenience store with indoor gaming

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** Suhasons Inc.

**NAME OF APPLICANT (S):** Jagjit Singh

**PROPERTY BORDERED BY:** Commercial on all sides

**ACREAGE:** 0.59 acres (25,700 sq. ft.)

**CHARACTER OF VICINITY:** Commercial

**INGRESS AND EGRESS:** Mt. Cross Rd.

**TRAFFIC VOLUME:** Moderate





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/7/2019

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.



**DEPARTMENT OF ENGINEERING AND PLANNING**

**CITY OF DANVILLE, VIRGINIA**

**CERTIFICATE OF USE AND OCCUPANCY**

\*\*\*\*\*

Pursuant to Section 119 of the Virginia Uniform Statewide Building Code, the application of Quick & Plentz whose structure is located at 393 Mt. Cross Rd. Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group M-Mercantile

This structure has a Fire Grade of:

(Table 902, Building Code) Class M  
Hours 0

The maximum live load on floors:

a. First floor         
b. Second floor         
c. Others       

The occupancy loads on floors:

(Section 606, 806 Building Code) a. First floor 27  
b. Second floor         
c. Others       

| CODE     |          |          |        |      |        | INSPECTOR             | DATE           | REMARKS |
|----------|----------|----------|--------|------|--------|-----------------------|----------------|---------|
| BUILDING | PLUMBING | ELECTRIC | HEALTH | FIRE | ZONING |                       |                |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>Charles Nelson</u> | <u>7-9-84</u>  |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>C. G. Burke</u>    | <u>7-22-84</u> |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>W. H. H. H.</u>    | <u>8-1-84</u>  |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>W. H. H. H.</u>    | <u>8-15-84</u> |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>W. H. H. H.</u>    | <u>8-15-84</u> |         |
| ✓        | ✓        | ✓        | ✓      | ✓    | ✓      | <u>W. H. H. H.</u>    | <u>8-15-84</u> |         |

Certificate of Use and Occupancy No. 12-2-3-1

Building Official: W. H. H. H. Date: 8-15-84



Item 1

# 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:  
395 MT CROSS RD, DANVILLE, VA 24540

For occupancy by:  
Quick N Plenty

Use Group:  
B - Business

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

Building Owner and Address:

SUHASONS INC  
395 MT CROSS RD  
DANVILLE, VA 24540

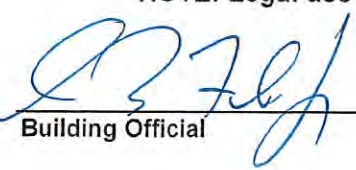
Occupancy Load: 25 Persons

| CODE                                            | PERMIT#         | INSPECTOR        | FINAL APPROVED |
|-------------------------------------------------|-----------------|------------------|----------------|
| Certificate of Use & Occupancy Without a Permit | PRCOUO201902038 | Dennis J. Bisson | 1 Nov 2019     |
| Building Inspection                             | PRCOUO201902038 | William Willis   | 1 Nov 2019     |
| Fire Inspection                                 | PRCOUO201902038 | Jay Thornton     | 1 Nov 2019     |

**Conditions or 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

Nov 5, 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 November 12, 2019

**Subject:**

*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.*

**Background:**

Jagjit Singh, the applicant, is requesting a Special Use Permit for commercial recreation at 103 Franklin Turnpike. 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. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has been re-inspected to determine compliance with this change in use of the building. The facility has complied with the list of corrections presented at the last meeting and has been issued a new Certificate of Occupancy with a maximum occupant load of 17 persons. This facility has 19 marked parking spaces with no handicapped accessible spaces on site.



The facility itself is 2,440 sq. ft. which requires 11 parking spaces as only a convenience store. The addition of a handicapped accessible space will reduce the number available to 17. This could support the installation of five machines with one space per machine and one space for an employee.

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons, LLC, staff 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 five (5) gaming machines that seat or allow standing by a single occupant (no multiple seat machines shall be permitted)
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 on the exterior 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. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes.

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 PLSUP20190000295 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000295 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000295 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000295 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000295 by Planning Commission.

**Attachments:**

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Existing Land Use Map (2019 Aerial)
- E. Change of Use Inspection report



CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSUP20190000295

EXISTING ZONING: HR-S Hwy Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 52364

RECEIVED BY: Brayce Johnson

DATE FILED: July 29, 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).

APPROX 185 FT PT NO 2 A FRANKLIN TRKE

Gross Area/Net Area: 2730 Property Address: 103 Franklin Trke

Property Location: N S E W Side of: \_\_\_\_\_

Between: Piney Forest Rd. and N. MAIN ST.

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.

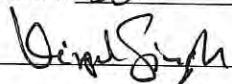
Please provide a brief description of the proposed development:

Indoor recreation permit for use of HHR Game machines and Diamond skill games sit down and stand up.

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

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

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

SIGNATURE:  DATE: 7/29/19

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EMAIL ADDRESS:  SUHAS05@GMAIL.COM

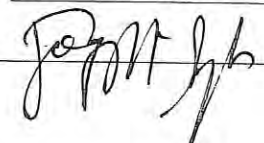
**APPLICANT (PLEASE TYPE OR PRINT):**

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

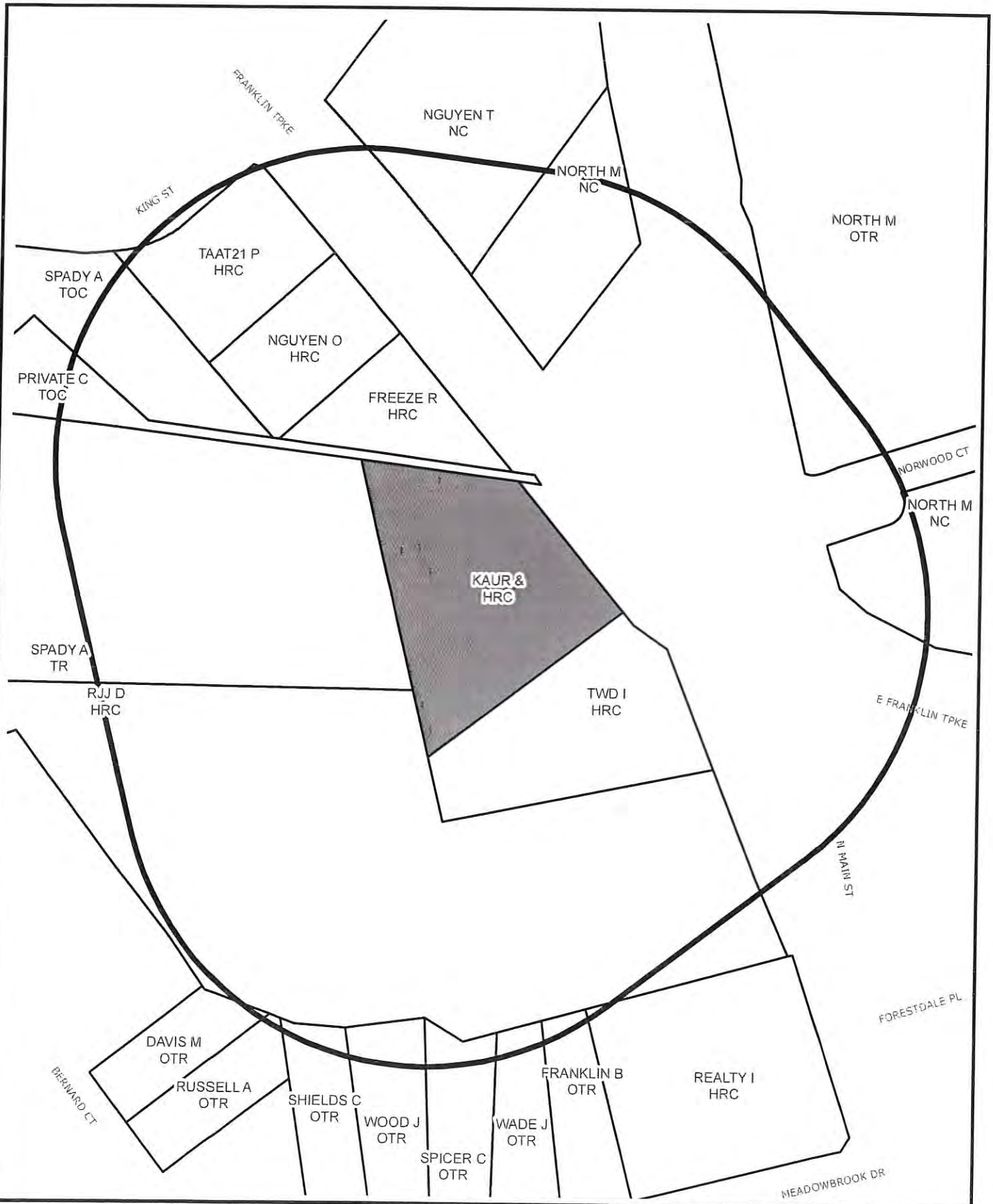
NAME: JAGSIT SINGH TELEPHONE: 631-355-3130

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

EMAIL ADDRESS: UJINTOMAX@GMAIL.COM

SIGNATURE:  DATE: 7/29/19





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

Prepared by:  
Planning Division  
8/7/2019

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  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 103 Franklin Tpke.

**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:** Convenience store with indoor gaming

**FUTURE LAND USE DESIGNATION:** Neighborhood Commercial

**PROPERTY OWNER (S):** Kaur & Sons LLC

**NAME OF APPLICANT (S):** Jagjit Singh

**PROPERTY BORDERED BY:** Commercial to the north, east, and south; residential to the immediate west and bordering all nearby commercial properties

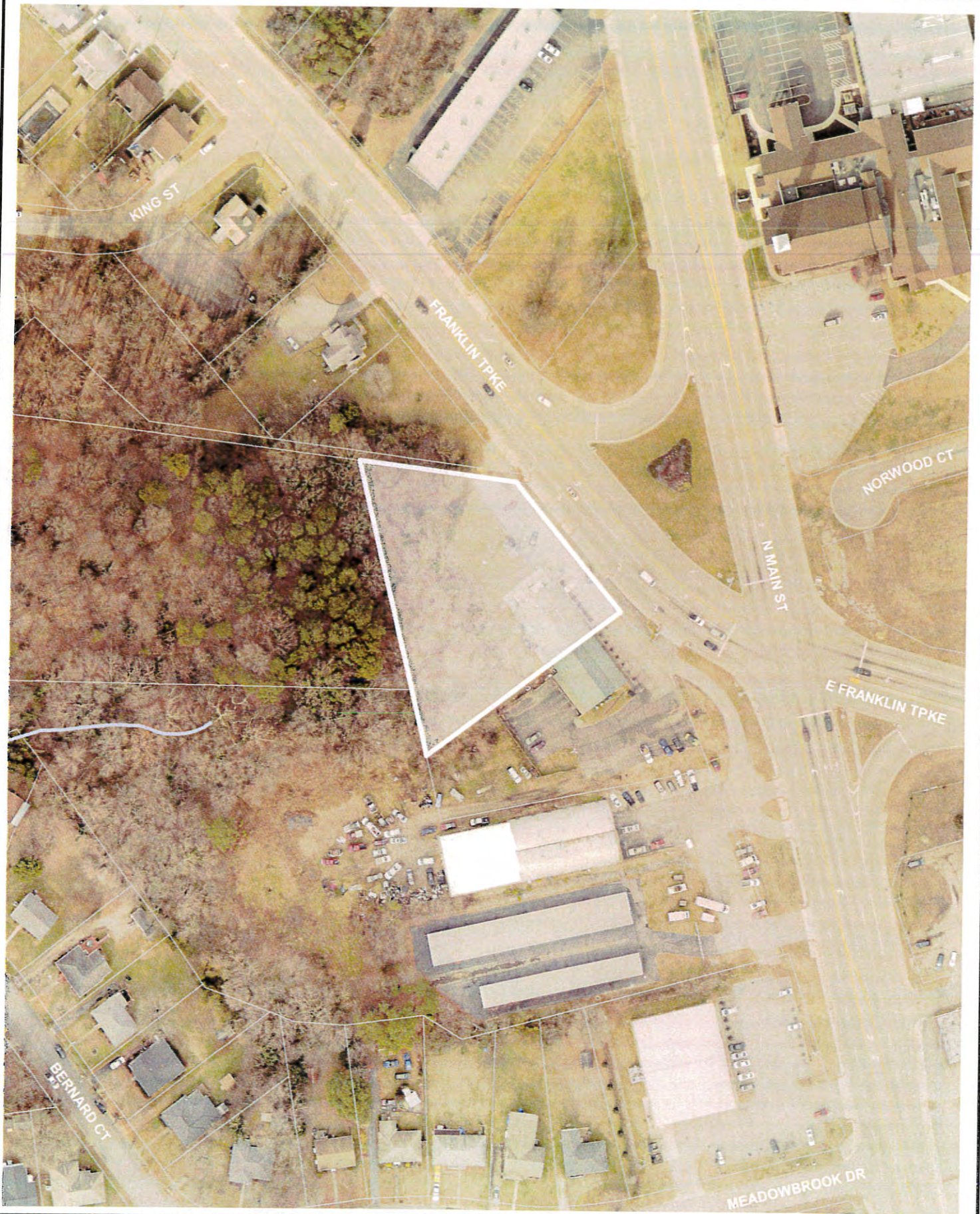
**ACREAGE:** 0.92 acres (43,560 sq. ft.)

**CHARACTER OF VICINITY:** Transitional between commercial and residential

**INGRESS AND EGRESS:** Franklin Tpke.

**TRAFFIC VOLUME:** High





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/7/2019

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## City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

### Inspection Field Report Corrective notice

Property Address: 103 Franklin Tpke  
Property Owner: Kaur & Sons LLC  
Owner's Address: 563 Memorial Dr  
Danville, VA 24541

Date: 9/27/2019

Phone: 631-355-3130

Case #: PRCOUO201901837

Initial Inspection    Re-Inspection    Complaint    Other

Reason for inspection    Certificate of Occupancy

APPROVED

REJECTED

**CALL FOR RE-INSPECTION BY THIS DATE:**

#### Violations:

#1-302.7 Accessory structures: Accessory structure covering cooler fans is deteriorated and falling apart. Repair structure to code.

#2-304.9 Overhang extensions: overhangs on the right side of the building is falling off. Repair overhang so that it is properly attached to the building.

#3-305.3 Interior surfaces: Repair hole next to ice maker in the ceiling. Repair all holes.

#4-305.4 Stairs and walking surfaces: Floor tiles peeling up and the flooring where the pipes are leaking needs to be repaired. All flooring must be properly installed and floors repaired to code.

#5-504.1 Plumbing systems: Water is leaking from the pipes next to walk in cooler next to sink, and the sink behind counter will not shut off. Repair pipes and fixtures so that they do not leak.

#6-604.3 Electrical system hazards: Open electrical junction box in beer cooler, and no straps on wire in front of ice maker. Install cover on junction box and properly strap wire.

#7-605.1 Electrical components: Fan in bathroom not working. Repair fan in bathroom so that it works as intended.



**#8-605.3 Lighting distribution and luminaries: Light on front porch is hanging down.  
Properly install light so that it is secure.**

\*Failure to list any violation shall not be deemed a waiver of such violation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis J. Bisson Jr.", with a stylized flourish at the end.

Dennis J. Bisson Jr. PMO  
Property Maintenance Coordinator  
[www.danville-va.gov](http://www.danville-va.gov)  
[Bissodj@danvilleva.gov](mailto:Bissodj@danvilleva.gov)  
434-799-5260 Ext 2497

Item 2

# 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:  
103 FRANKLIN TPKE, DANVILLE, VA 24540

For occupancy by:  
Charlies Stop and Shop

Use Group:  
B-Business

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

Building Owner and  
Address: KAUR & SONS LLC  
563 MEMORIAL DR  
DANVILLE, VA 24541

Occupancy Load: 17 Persons

| CODE                           | PERMIT#         | INSPECTOR           | FINAL APPROVED |
|--------------------------------|-----------------|---------------------|----------------|
| Property Maintenance Inspector | PRCOUO201901837 | Dennis J. Bisson Jr | 10/21/2019     |
| Fire Inspector                 | PRCOUO201901837 | Jay Thornton        | 10/28/2019     |
| Building Inspector             | PRCOUO201901837 | William Willis      | 10/21/2019     |

**Conditions or Modifications:** Modification-Building Code Corrections, 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

  
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 November 12, 2019

#### **Subject:**

*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.*

#### **Background:**

Abdul Wahid Chan, the applicant, is requesting a Special Use Permit for commercial recreation at 1225 Franklin Turnpike. 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. This facility has a Certificate of Occupancy for a Mercantile use. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has STILL not been inspected to determine compliance with this change in use of the building.



The store itself is 2,360 sq. ft requiring 11 parking spaces. The facility is developed with an office, restaurant, hair salon and additional vacant spaces. This facility has 31 marked parking spaces for all uses on this site in multiple buildings.

### **Recommendation:**

Staff listed a number of concerns at the September and October meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000320, 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.
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 PLSUP20190000320 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000320 subject to conditions by staff.



3. Recommend approval of Special Use Permit application PLSUP20190000320 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000320 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000320 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

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

Commercial recreation

CASE NUMBER: PLSOP20190000320

EXISTING ZONING: N-C, Neighborhood Commercial

PROPOSED ZONING: No change

TAX MAP NUMBER: PIP 59752

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: 1700/1350 Property Address: 1225 Franklin Turnpike  
Property Location: N S E W Side of: Danville Va. Danville Va.

Between: Medos and The Healing Ctr.

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:

*if machines*

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

1. NAME: *CarBird Properties LLC* TELEPHONE: *434-836-2346*  
MAILING ADDRESS: *881 Afton Rd Danville VA 24540*  
SIGNATURE: *Robin B Graves* DATE: *8-12-19*  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: *robin.bird58@yahoo.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: *Abdul Wahid Khan* TELEPHONE: *434-836-142*  
MAILING ADDRESS: *1225 Frank Linn TPKE Danville VA 24540*  
EMAIL ADDRESS: *mfg1958@yahoo.com*  
SIGNATURE: *[Signature]* DATE: *8/12/18*

**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 1225 Franklin Tpke

**PRESENT ZONE:** N-C, Neighborhood Commercial

**PROPOSED ZONE:** No change

**ACTION REQUESTED:** Special Use Permit for commercial recreation

**PRESENT USE OF PROPERTY:** Convenience store, restaurant

**PROPOSED USE OF PROPERTY:** Existing uses, plus indoor gaming

**FUTURE LAND USE DESIGNATION:** Neighborhood Commercial

**PROPERTY OWNER (S):** Catbird Properties LLC

**NAME OF APPLICANT (S):** Abdul Wahid Khan

**PROPERTY BORDERED BY:** Some commercial to the southeast; residential on all other sides

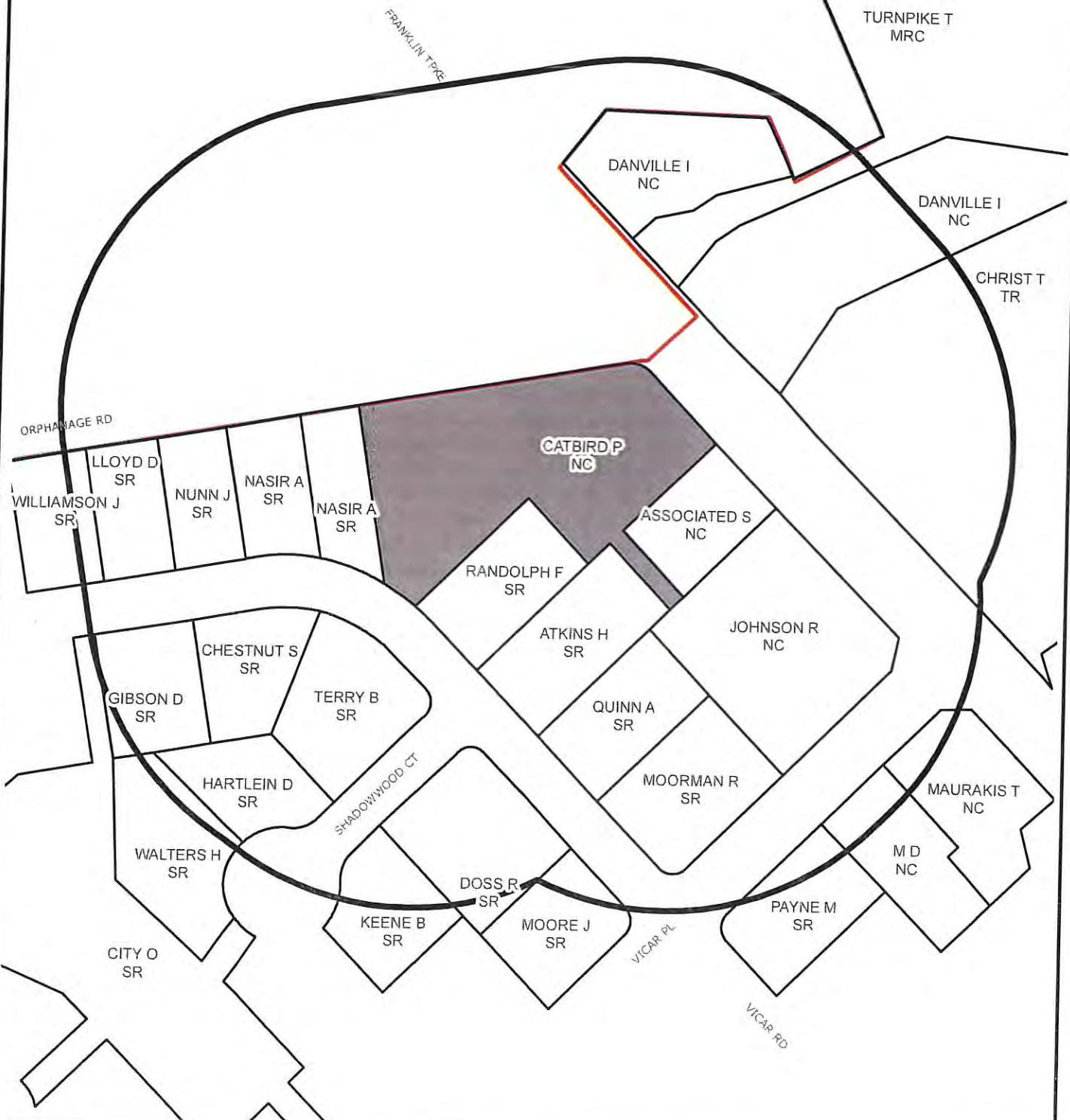
**ACREAGE:** 1.27 acres (55,321.2 sq. ft.)

**CHARACTER OF VICINITY:** Residential

**INGRESS AND EGRESS:** Franklin Tpke and Orphanage Rd

**TRAFFIC VOLUME:** Moderate on Franklin Tpke; moderate on Orphanage Rd





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

Prepared by:  
Planning Division  
8/20/2019

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## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/20/2019

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I Robin Francis understand the meaning behind the zoning request for games and I authorize these in the location.

Robin Francis

8/12/19

# DEPARTMENT OF ENGINEERING AND PLANNING

## CITY OF DANVILLE, VIRGINIA

### CERTIFICATE OF USE AND OCCUPANCY

\*\*\*\*\*

Pursuant to Section 119 of the Virginia Uniform Statewide Building Code, the application of Blair Enterprises, Inc. whose structure is located at 1225 Franklin Turnpike Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group Mercantile

This structure has a Fire Grade of:  
(Table 902, Building Code) Class M  
Hours 3

The maximum live load on floors:  
a. First floor                       
b. Second floor                       
c. Others                     

The occupancy loads on floors:  
(Section 606, Building Code) a. First floor 80  
b. Second floor NA  
c. Others NA

| CODE                                |                                     |                                     |                                     |                                     |                                     | INSPECTOR      | DATE    | REMARKS |
|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|----------------|---------|---------|
| BUILDING                            | PLUMBING                            | ELECTRIC                            | HEALTH                              | FIRE                                | ZONING                              |                |         |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Chris Norton   | 2/25/82 |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | T. J. Harrison | 7-2-82  |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Chris Norton   | 8-3-82  |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | W. E. Eubanks  | 8/11/82 |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | W. E. Eubanks  | 7-7-82  |         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Chris Norton   | 8/11/82 |         |

Certificate of Use and Occupancy No. 2-24-82-65

Building Official: [Signature] Date: 9-18-82





## City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

# City Planning Commission

## City Planning Commission

Meeting of November 12, 2019

### Subject:

*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.*

### Background:

Inam Qazi, the applicant, is requesting a Special Use Permit for commercial recreation at 1354 Westover Drive. 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. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility did not have a Certificate of Occupancy but has been inspected to determine compliance with this change in use of the building. The list of necessary corrections is attached to the end of this report. As of this date, these items have not been addressed and a new Certificate of Occupancy has not been obtained. This facility has 23 conforming marked parking spaces and 8 non-conforming



spaces. The facility itself is 3,553 sq. ft. in total which includes multiple uses. The store would require which requires 19 parking spaces as only a convenience store.

### **Recommendation:**

Staff listed a number of concerns at the September and October meetings, and still has these same concerns. Since the items listed in the Inspections Division and Fire Department report have not been addressed and a new Certificate of Occupancy hasn't been obtained, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000319 staff 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 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. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes.
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 PLSUP20190000319 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000319 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000319 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000319 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000319 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. Change of Use Survey Information

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP20190000319

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 57093

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: 3553 Property Address: 1354 Westover Dr.

Property Location: N S E W Side of: Danville

Between: The Gas House and Buckston Auto Shop

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 game operation  
15

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

1. NAME: UHA Inc. TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: 2110 Pecan Court Danville Ut. 24540

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

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

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

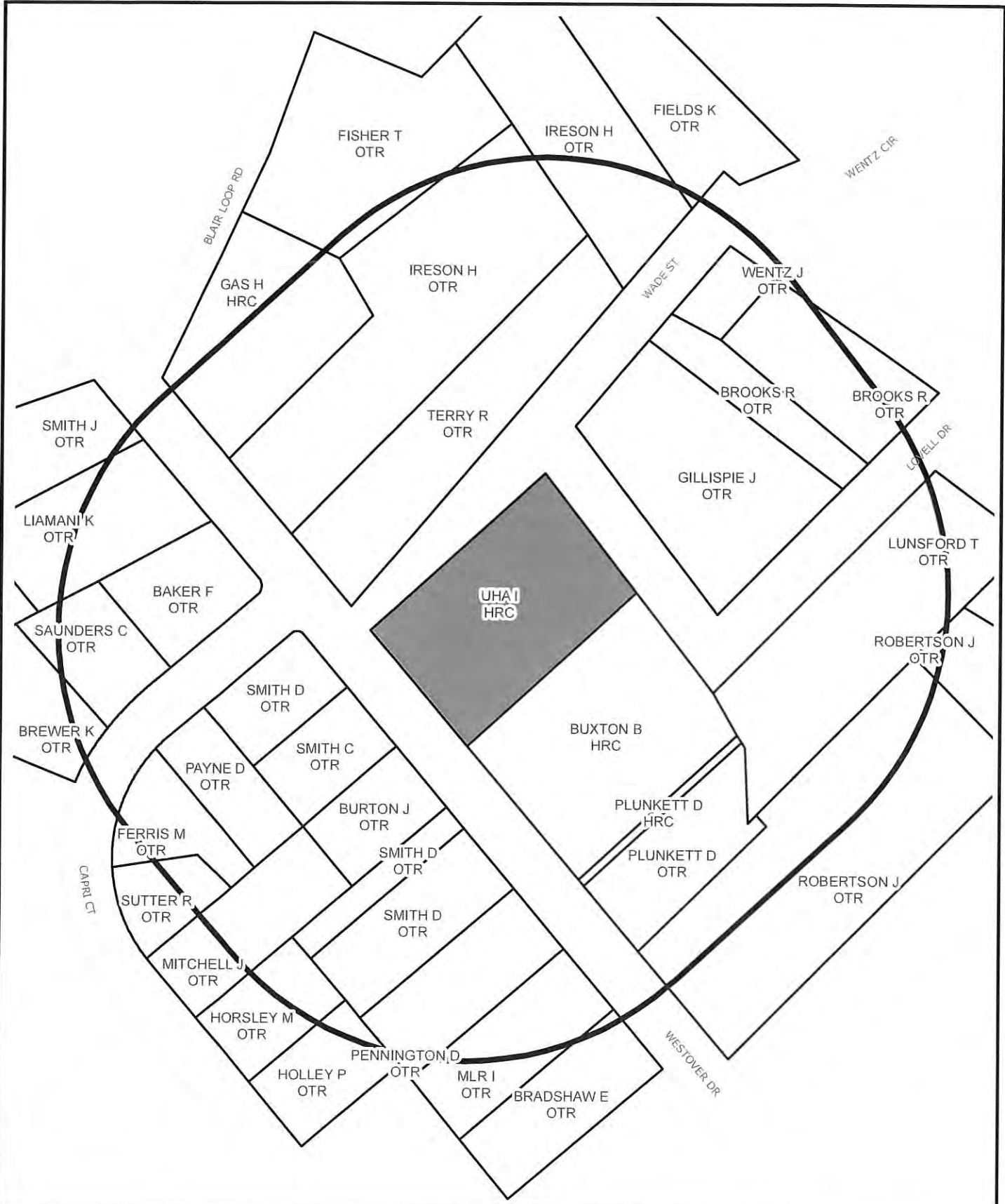
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: INAM DAZI TELEPHONE: 732-493-8505

MAILING ADDRESS: 2110 Pecan Court Danville Ut. 24540

EMAIL ADDRESS: \_\_\_\_\_

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



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



Prepared by:  
Planning Division  
8/20/2019

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 1354 Westover Dr.

**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:** Regional Commercial

**PROPERTY OWNER (S):** UHA Inc

**NAME OF APPLICANT (S):** Inam Qazi

**PROPERTY BORDERED BY:** Some commercial to the northwest and southeast;  
residential on all sides

**ACREAGE:** 0.74 acres (32,234.4 sq. ft.)

**CHARACTER OF VICINITY:** Residential

**INGRESS AND EGRESS:** Westover Dr. and Wade St.

**TRAFFIC VOLUME:** Moderate on Westover Dr; low on Wade St.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:  
Planning Division  
8/20/2019

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## Gillie, Kenny

---

**From:** Bisson, Dennis J.  
**Sent:** Tuesday, October 01, 2019 9:35 AM  
**To:** Inamqazi66@hotmail.com  
**Cc:** Thornton, Gerald (Jay) G; Clark, Christopher W.; Willis, William C.; Gillie, Kenny; Fulcher, Charles  
**Subject:** 1354 Westover Dr  
**Attachments:** 1354 WESTOVER DR.pdf

Good morning Mr. Qazi

Attached is the notice from the fire department, and below are the building violations that will have to be corrected before a Certificate of Occupancy will be issued. The Code sections are from the Virginia Property Maintenance Code and are referenced before each violation.

- #1- 304.2 Protective treatment: Multiple areas outside have paint chipping and flaking off. Eliminate all chipped and flaking paint.
- #2-304.3 Premises identification: Missing address numbers. Install numbers per code.
- #3-304.6 Exterior walls: Deteriorated siding on the back of the structure. Repair with new siding.
- #4-304.7 Roofs and drainage: A shingle on the front part of the roof is damaged. Replace shingle so that it prevents water from entering the building.
- #5-304.13 Window, skylight and door frames: On the back of the building the door frame is deteriorated. Replace all deteriorated wood.
- #6-305.3 Interior surfaces: Multiple areas where there are holes, and chipping paint on the ceiling. Repair all holes and eliminate all chipping paint.
- #7-305.4 Stairs and walking surfaces: multiple areas where the floor is missing covering and there are holes in the floor under the ice-cream machine. All flooring must be properly installed and floors repaired to code.
- #8-305.6 Interior Doors: Bathroom door is not properly installed. Repair bathroom door so that it works as intended.
- #9-504.2 Plumbing fixtures: The sink faucet behind the counter is rusty, deteriorated and unstable. Properly attach faucet.
- #10-603.1 Mechanical equipment and appliances: Mechanical vent covers on attached in various location in the building. Properly install missing vent covers.
- #11-604.1 Electrical system: No access to the electrical panel. Clear space must be made in front of the panel to code to be able to access it.
- #12-604.3 Electrical system hazards: Multiple areas where there are open electrical taps and boxes that are open. All open electrical taps must be installed in junction boxes and all junction boxes must be properly .
- #13-605.1 Electrical components: areas in the back where the is wire installed to lights that are not rated for exterior use, and the bathroom exhaust fan does not work. Replace wire to code, and repair fan in bathroom.
- #14-605.3 Lighting distribution and luminaries: Outside flag pole light is broken and hanging by the wires, light is broken on left facing side of the building, emergency light at the exit does not work, and light in the walk in cooler doesn't work. All lights must be work as intended.
- #15-702.3 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.

Please let me know if you have any questions and when everything is completed so that we can come back out and re-inspect the building.

Dennis J Bisson Jr., PMO  
Property Maintenance Coordinator  
[www.danville-va.gov](http://www.danville-va.gov)  
434-799-5260 Ext 2497





## Danville Fire Department Inspection Letter

### Department Information

600 Lynn Street Danville, VA 24541

Battalion Chief Shelby Irving,  
Fire Marshal

Fax: 434.797.8943

Jay Thornton, Fire Inspector

Phone: 434.799.5226

Lt. Richard Guill, Assistant  
Fire Marshal

Email: FireMarshalsOffice@danvilleva.gov

### Facility Information

**Occupant Name:** CHARLIE'S STOP AND SHOP #2

**Street Number:** 1354

**Street Name:** WESTOVER

**Street Type:** Drive

24541

### Inspection Information

**Inspection Type:** Inspection - General

**Inspector:** Thornton, Gerald; Guill, Richard

**Date:** 9/30/2019

**Completed:**

### Violations

| Violation Code | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Violation Location | Comments                                                                         | Days to Correct |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------|-----------------|
| 906.2          | <p>Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.</p> <p>Exceptions:</p> <p>1.The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.</p> <p>2.Thirty-day inspections shall not be required and maintenance shall be allowed to be once every 3 years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:</p> <p>2.1.Electronic monitoring shall confirm that extinguishers are properly positioned, properly charged and unobstructed.</p> <p>2.2.Loss of power or circuit continuity to the electronic monitoring device shall initiate a trouble signal.</p> <p>2.3.The extinguishers shall be installed inside of a building or cabinet in a noncorrosive environment.</p> <p>2.4.Electronic monitoring devices and supervisory circuits shall be tested every 3 years when extinguisher maintenance is performed.</p> <p>2.5.A written log of required hydrostatic test dates for extinguishers shall be maintained by the owner to verify that hydrostatic tests are conducted at the frequency required by NFPA 10.</p> <p>3.In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.</p> | FIRE EXTINGUISHERS | FIRE EXTINGUISHERS SHALL BE TESTED AND INSPECTED ANNUALLY BY A CERTIFIED COMPANY | 30              |

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                       |                                                                                                                                                |    |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 605.5   | Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.                                                                                                                                                                                                                                                                | THROUGH OUT STRUCTURE | ALL DROP CORDS BEING USED AS PERMANENT WIRING SHALL BE REMOVED. ADDITIONAL ELECTRICAL OUTLETS SHALL BE ADDED.                                  | 30 |
| 605.3   | A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall be not less than the width of the equipment. Storage of materials shall not be located within the designated working space.<br>Exceptions:<br><br>1.Where other dimensions are required or allowed by NFPA 70.<br>2.Access openings into attics or under-floor areas which provide a minimum clear opening of 22 inches (559 mm) by 30 inches (762 mm). | BREAKER PANEL         | BREAKER PANEL SHALL HAVE A CLEAR SPACE OF 30 INCHES                                                                                            | 30 |
| 605.4.1 | Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ALL POWER STRIPS      | ALL POWER STRIPS BEING USED SHALL BE FUSIBLE, AND DIRECTLY PLUGGED INTO AN APPROVED OUTLET. POWER STRIPS SHALL NOT BE PLUGGED INTO EACH OTHER. | 30 |



|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                                                                                                 |    |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1008.3  | The power supply for means of egress illumination shall be maintained in accordance with the applicable building code.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | EMERGENCY LIGHTS        | EMERGENCY LIGHTS SHALL BE CAPABLE OF OPERATING OFF OF BATTERY BACK UP FOR A PERIOD OF 90 MINUTES. EMERGENCY LIGHTS SHALL BE TESTED ONCE A MONTH | 30 |
| 304.1.2 | Weeds, grass, vines, or other growth that is capable of being ignited and endangering property shall be cut down and removed by the owner or occupant of the premises.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | RIGHT SIDE OF STRUCTURE | VEGETATION ON THE RIGHT SIDE OF STRUCTURE, UNDER THE OVERHANG SHALL BE REMOVED                                                                  | 30 |
| 505.1   | New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained. | FRONT OF STRUCTURE      | ADDRESS SHALL BE VISIBLE FROM THE STREET, LETTERS SHALL BE NO LESS THAN 4 INCHES TALL                                                           | 30 |
| 313.1   | Fueled equipment including, but not limited to, motorcycles, mopeds, lawn-care equipment, portable generators and portable cooking equipment, shall not be stored, operated or repaired within a building. Exceptions:<br>1. Buildings or rooms constructed for such use in accordance with the International Building Code.<br>2. Where allowed by Section 314.<br>3. Storage of equipment utilized for maintenance purposes is allowed in approved locations when the aggregate fuel capacity of the stored equipment does not exceed 10 gallons (38 L) and the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1.                                                                                                                                                                                                                   | BACK ROOM               | GENERATOR AND PROPANE TANKS SHALL BE REMOVED FROM THE STRUCTURE                                                                                 | 30 |

**Violation Count: 8**

#### Contact

**First Name:** INAM **Last Name:** QAZI  
**Email:** INAMQAZI66@HOTMAIL.COM  
**Cell Phone:** 732-423-8505

#### Signatures

| Type | First Name | Last Name | Signature Date | Signature Graphic |
|------|------------|-----------|----------------|-------------------|
|------|------------|-----------|----------------|-------------------|

Owner/Rep. INAM QAZI 9/30/2019

EMAILED

Inspector Gerald Thornton 9/30/2019

GT

#### Permit Conditions

**NOTICE OF VIOLATION** The items noted above are in violation of the Virginia Fire Prevention Code. This is an official notice of violation requiring immediate correction. Failure to comply with these requirements may lead to legal action. Violation of the Fire Prevention code is a Class 1 Misdemeanor punishable by a fine not to exceed twenty-five hundred dollars or imprisonment not exceeding 12 months or both.

If you have additional questions or concerns about this inspection, call or email the Fire Marshal's Office.

**RIGHT OF APPEAL** You have the right to appeal this decision of the Fire Official to the local Board of Building Code Appeals as provided for in Section 112 of the Virginia Fire Prevention Code and in Section 14-20 of the Code of the City of Danville, Virginia, 1986, as amended. A written request for appeal shall be made on forms provided by the Building Maintenance Official at the Inspections Office located in Room 208 of the Municipal Building at 427 Patton Street.

Completed appeal forms shall be filed with the Inspections Office within 14 calendar days from issuance of this notice. At the time of filing, an appeal request fee of two hundred dollars (\$200.00) shall be paid. Office hours are Monday to Friday, 8AM to 5PM.





## City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

# City Planning Commission

## City Planning Commission

Meeting of November 12, 2019

### Subject:

*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.*

### Background:

Hewa Jayawardena, the applicant, is requesting a Special Use Permit for commercial recreation at 4800 Riverside Drive. 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. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has 12 marked parking spaces with one handicapped accessible space on site. This facility has been inspected for a change in use, but has not complied with the requirements of the Inspections so does not have a Certificate of Occupancy.



The facility itself is 2,400 sq. ft. which requires 11 parking spaces as only a convenience store. Thus there is insufficient parking to add gaming machines.

### **Recommendation:**

Due to the concerns stipulated at the September and October meetings, and the lack of additional parking spaces on site, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000290, staff 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 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 exterior 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 PLSUP20190000290 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000290 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000290 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000290 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000290 by Planning Commission 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

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

CASE NUMBER: PLSOP20190000290

EXISTING ZONING: HR-C, Highway Retail Commercial

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 72268

RECEIVED BY: Bryce Smith

DATE FILED: 7/29/2019

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).

~~4812 Riverside~~  
4812 Riverside Dr.

Gross Area/Net Area: 60'x40'=2,400sq.ft Property Address: 4800 Riverside Dr. Danville VA 24541

Property Location: N S E W Side of: North side of Riverside Dr. West, heading to Martinsville

Between: Old Toyota show room and Harley Davidson show room

Proffered Conditions (if any, please attach): Store business hours: Mon-Sat 7.00 am to 10.00pm and  
Sundays: 9.00am to 10pm. Closing time will be extended to 11.30pm on demand.

Look forward to resume seven gaming machine activities as it was.



**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. Convenience Store w/Gas. Refer attached plan/sketch
- Vehicular circulation system with points of ingress and egress. Refer attached sketch.
- Existing on-site buildings, separation dimensions and paved areas. One building and a gas canopy with two gas pumps
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided. Refer attached sketch.
- Net acreage. 0.7Acre approximately
- Gross and net square footage of building (s) (proposed and existing).
  - Gross: 2,400 sq.ft
  - Back Room & Rest Room: 215 sq.ft
  - Allocated for recreational gaming machines: 120 sq.ft
  - Grocery, Beer and Lottery sales: 2,065 sq.ft
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

Current building space is good enough to resume seven gaming machines. Ample parking space with 11 regular lots and one assigned for disables. Un assigned space for gasing and miscelaneous parking. Video Surveillance and electronic door locking device for customers safety in late evenings has already installed.

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

I. NAME: Davis Jerry R TELEPHONE: 434-250-0240

MAILING ADDRESS: 2505 Riverside Dr. Danville VA 24540

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: Hewa M Jayawardena TELEPHONE: 919-649-8755

MAILING ADDRESS: 123 Oakhaven Dr. Danville VA 24541

EMAIL ADDRESS: hjayawardena@yahoo.com

SIGNATURE: Hewa Jayawardena DATE: 07/23/2019

**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:

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

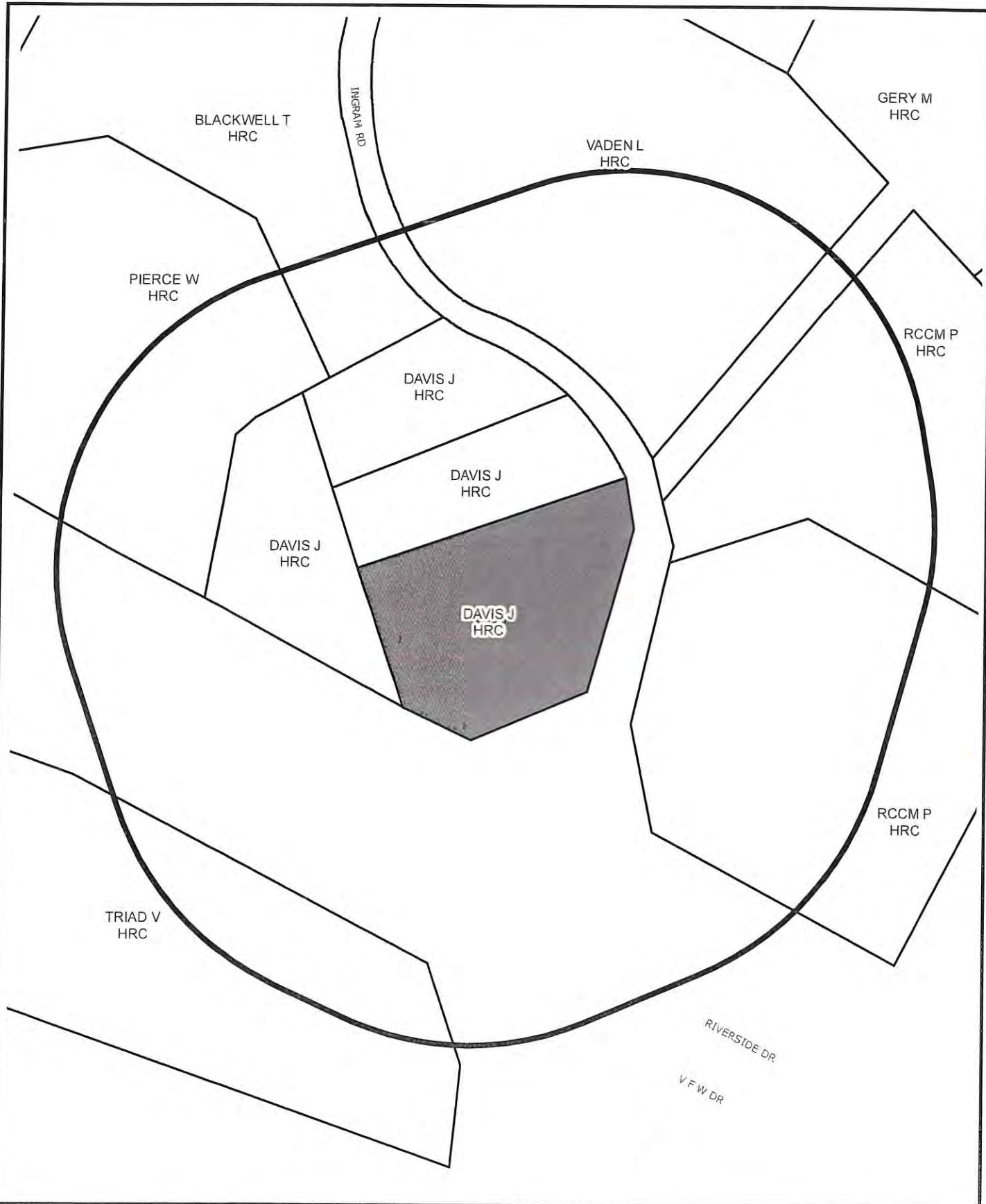
1. NAME: JERRY R. DAVIS TELEPHONE: 434 250-0200  
MAILING ADDRESS: 2505 Riverside Dr. Danville, Va 24500  
SIGNATURE: [Signature] DATE: July 26, 19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

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

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

NAME: Hewa M Jayawardena TELEPHONE: 919. 649. 8755  
MAILING ADDRESS: 123 Oakhaven Dr. Danville VA 24541  
EMAIL ADDRESS: hjayawardena@yahoo.com  
SIGNATURE: [Signature] DATE: 07/23/19





# 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  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 4912 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:** Convenience store

**PROPOSED USE OF PROPERTY:** Convenience store, plus commercial recreation

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** Jerry Davis

**NAME OF APPLICANT (S):** Hewa Jayawardena

**PROPERTY BORDERED BY:** Commercial on all sides

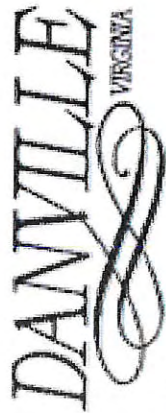
**ACREAGE:** Total: 1.07 acres (46,609 sq. ft.)  
Convenience Store: 0.55 acres (2,400 sq. ft.)

**CHARACTER OF VICINITY:** Commercial, with residential at least 500 ft. away on all sides

**INGRESS AND EGRESS:** Riverside Dr. and Ingram Rd.

**TRAFFIC VOLUME:** High on Riverside Dr.  
Low on Ingram Rd.





- Buildings
- Parcels
- Street Names
- House Numbers

Parcel ID: 72268



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Date: 7/29/2019





## City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

### Inspection Field Report Corrective notice

Property address: 4800 Riverside Dr

Property owner: Davis Jerry R

Owner's address: 2505 Riverside Dr  
Danville, VA 24540

Date inspected: 10/9/2019

Phone: 919-649-8755

Case #: PRCOUO201901921

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:

#1-305.3 Interior surfaces: In the back of store there is a missing ceiling tile. Replace missing ceiling tile.

#2-604.1 Electrical system: Electrical panel missing breakers. All open spaces in electrical panel must be filled with breaker blanks.

#3-604.3 Electrical system hazards: Outside electrical cover is not rated for its current use, open electrical junction box in beer cooler, multiple areas where there are open taps and wires not terminated in junction boxes, wires shall terminate properly into junction boxes on the inside and outside, and electrical wire behind counter is not rated to run on top of the floor. Install proper weathertight cover on outside receptacle, and all open junction boxes including open taps must be installed to code, along with properly installing wire into junction boxes and remove the wire running on the ground behind the counter.

#4-605.3 Lighting distribution and luminaries: Some of the lights don't work. Repair all lights so that they work as intended.

#5-702.3 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,

A handwritten signature in black ink, appearing to read "Dennis J. Bisson Jr.", with a stylized flourish at the end.

Dennis J. Bisson Jr. PMO  
Property Maintenance Coordinator  
[www.danville-va.gov](http://www.danville-va.gov)  
[Bissodj@danvilleva.gov](mailto: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 November 12, 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. This facility does have a Certificate of Occupancy for M-Mercantile use group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

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.)

Staff does not have the consolidation plat at this time. 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 is space available to create additional parking spaces if a parking plan is presented.



**Recommendation:**

Staff is still waiting on a consolidation plat to address parking issues. Without that consolidation, staff must recommend **DENIAL of the request.**

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 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

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

Commercial recreation

CASE NUMBER: PLSOP 2019 0000297

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 Malifax 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.penny.saver@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





**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
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.



**\*\* CERTIFICATE OF USE AND OCCUPANCY \*\***

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
AND ENGINEERING**

**INSPECTIONS DIVISION  
CITY OF DANVILLE, VIRGINIA**

\*\*\*\*\*

Pursuant to Article 1 of the Uniform Statewide Building Code, the application of Quik Chek Mart whose structure is located at 642 Worsham Street Danville, Virginia, is hereby certified to be in compliance with the Uniform Statewide Building Code, 1990 Edition.

This structure is in Use Group M-Mercantile for occupancy as Quik Chek Mart

This structure has a construction classification of type 3B

The occupancy loads shall be as follows:

131  
Rooms, spaces or floors - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Building Total - 131 persons

| CODE       | INSPECTOR          | DATE    | REMARKS |
|------------|--------------------|---------|---------|
| Building   | <i>[Signature]</i> | 12-4-91 |         |
| Plumbing   | <i>[Signature]</i> | 7-2-92  |         |
| Electrical | <i>[Signature]</i> | 11-4-91 |         |
| Mechanical | <i>[Signature]</i> | 1-2-92  |         |
| Fire       | <i>[Signature]</i> | 11-6-91 |         |

Conditions and/or modifications: \_\_\_\_\_

NOTE: LEGAL USE OF THIS STRUCTURE MAY ALSO REQUIRE A CERTIFICATE OF ZONING COMPLIANCE.

Building Permit No. 741 Date Issued 6-24-91

Building Official Charles B. Nator Date 1/2/92

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

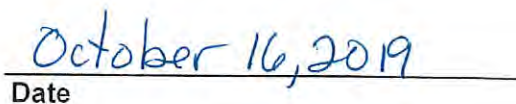
| CODE                           | PERMIT#         | INSPECTOR        | FINAL APPROVED |
|--------------------------------|-----------------|------------------|----------------|
| Property Maintenance Inspector | PRCOU0201901896 | Dennis J. Bisson | 10/16/2019     |
| Building Inspector             | PRCOU0201901896 | William Willis   | 10/16/2019     |
| Fire Marshal                   | PRCOU0201901896 | 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

  
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 November 12, 2019

#### **Subject:**

*Special Use Permit application PLSUP20190000298, 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.*

#### **Background:**

Shahid Javid, the applicant, is requesting a Special Use Permit for commercial recreation at 1501 W. Main 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. This facility does have a Certificate of Occupancy for M Mercantile Use Group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has not been re-inspected to determine compliance with this change in use of the building. This facility has one marked handicapped parking space and no additional marked spaces so staff cannot state how many are available on site.



Staff listed a number of concerns at the September and October meeting, and still has these same concerns. The Inspections Division nor Fire Department have reviewed this facility for an updated Certificate of Occupancy so occupant load is not determined

**Recommendation:**

Since items that were pointed out in September and October have not been addressed staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000298, staff 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 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 exterior 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 PLSUP20190000298 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000298 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000298 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000298 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000298 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

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

Commercial recreation

CASE NUMBER: PLSOP 20190000298

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: 0611-0041-00001, DID 54805

RECEIVED BY: Bryce Johnson

DATE FILED: July 30, 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: 1 Acre Property Address: 1501 West Main St

Property Location: N S E W Side of: South on 29 South Business

Between: Edgewood Country Club and West Main Country Club

Proffered Conditions (if any, please attach): 5 Machines of Skill Game



**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:

For Shell Games.

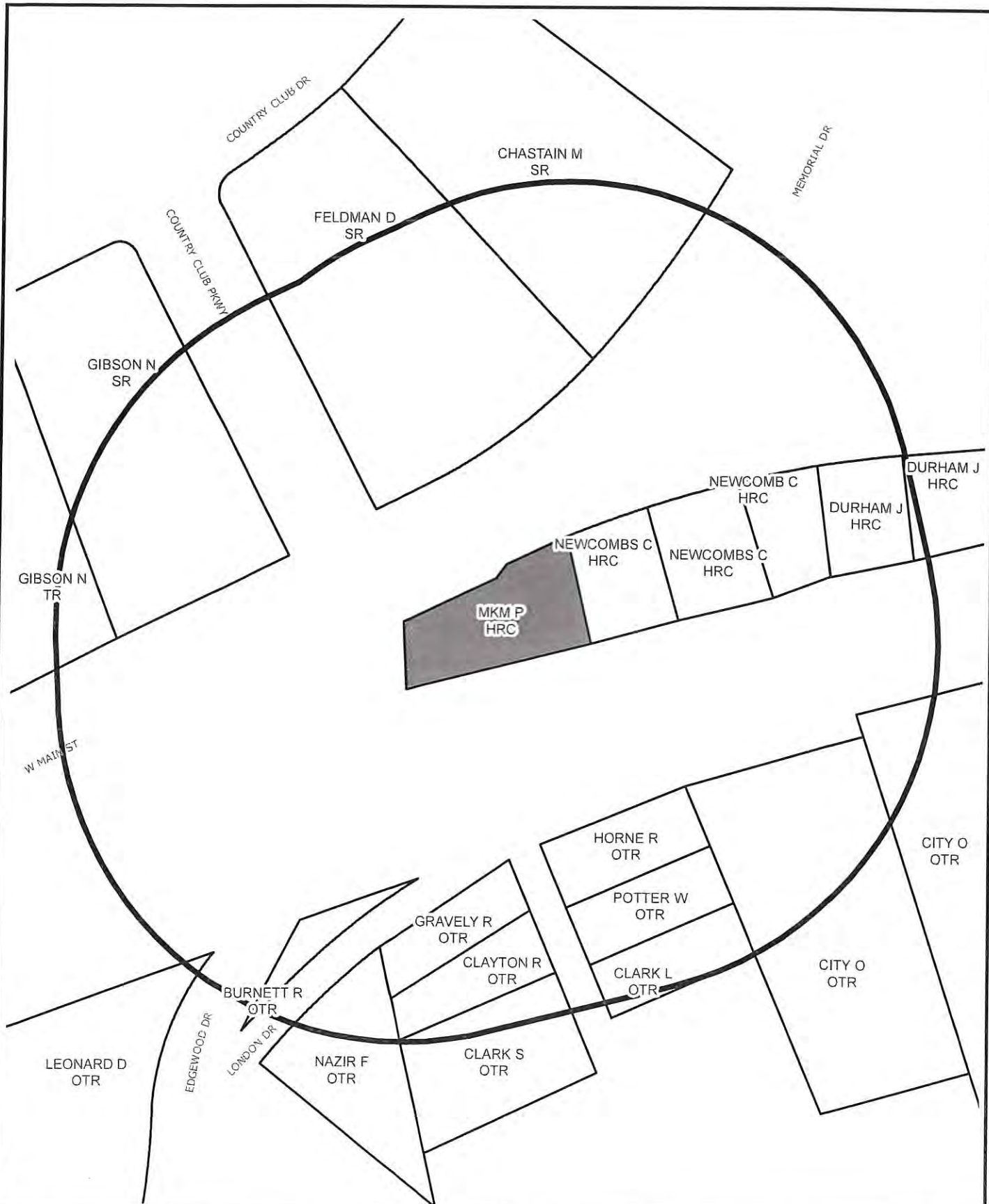
**PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):**

1. NAME: SHAHID JAVID TELEPHONE: (434) 797-1334  
MAILING ADDRESS: 1501 West Main St, Danville, VA 24541  
SIGNATURE: Shahid Javid DATE: 7/23/19.  
SIGNATURE: Shahid Javid 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: SHAHID JAVID TELEPHONE: (434) 797-1334  
MAILING ADDRESS: 1501 WEST MAIN ST, DANVILLE, VA 24541  
EMAIL ADDRESS: Shahid Javid 201 @ Gmail. com  
SIGNATURE: Shahid Javid DATE: 7/23/19.



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



Prepared by:  
Planning Division  
8/6/2019

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 1501 W Main St.

**PRESENT ZONE:** HR-C, Highway Retail Commercial

**PROPOSED ZONE:** No change

**ACTION REQUESTED:** Special Use Permit to allow commercial recreation

**PRESENT USE OF PROPERTY:** Convenience store

**PROPOSED USE OF PROPERTY:** Convenience store with indoor gaming

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** MGM Properties

**NAME OF APPLICANT (S):** Shahid Javid

**PROPERTY BORDERED BY:** Commercial to the east; residential to the north, south,  
and west

**ACREAGE:** 0.24 acres (10,454 sq. ft.)

**CHARACTER OF VICINITY:** Residential

**INGRESS AND EGRESS:** W Main St., and Edgewood Dr.

**TRAFFIC VOLUME:** High on W Main St.  
Low on Edgewood Dr.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:  
Planning Division  
8/6/2019

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DEPARTMENT OF COMMUNITY DEVELOPMENT  
AND ENGINEERING

CITY OF DANVILLE, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

\*\*\*\*\*

Pursuant to Section 117 of the Virginia Uniform Statewide Building Code, the application of Abercrombie Oil Co. whose structure is located at 1501 West Main St.

Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group N-Mercantile

This structure has a Fire Grade of:

(Table 1402, Building Code) Class M  
Hours 3

The maximum live load on floors:

- a. First floor N/A  
b. Second floor -  
c. Others -

The occupancy loads on floors:

- (Section 806, Building Code) a. First floor 39 persons  
b. Second floor -  
c. Others -

| CODE     |          |          |        |      |        |         | INSPECTOR | DATE   | REMARKS    |
|----------|----------|----------|--------|------|--------|---------|-----------|--------|------------|
| BUILDING | PLUMBING | ELECTRIC | HEALTH | FIRE | ZONING | MECHAN. |           |        |            |
| ✓        |          |          |        |      |        |         |           | 7-1-87 |            |
|          | ✓        |          |        |      |        |         |           | 7-1-87 | See modif. |
|          |          | X        |        |      |        |         |           |        |            |
|          |          |          |        |      |        |         |           |        |            |
|          |          |          |        |      |        |         |           | 7/2/87 |            |
|          |          |          |        |      |        |         |           | 7-1-87 |            |
|          |          |          |        |      |        |         |           | 7-1-87 |            |

Certificate of Use and Occupancy No. 2-56-17-182  
Building Official: [Signature] Date: 7-1-87



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

## ***City Planning Commission***

### **City Planning Commission**

Meeting of November 12, 2019

#### **Subject:**

*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.*

#### **Background:**

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 (CO), and to address the additional parking concerns. This facility does have a Certificate of Occupancy for an M-Mercantile Use Group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has been re-inspected to determine compliance with this change in use of the building but has not complied with the requirements of the inspections and does not have an updated CO. This facility has 10 marked parking spaces with one handicapped accessible space on site.

The facility itself is 2,878 sq. ft., which requires 16 parking spaces as only a convenience store.



**Recommendation:**

Since this facility is already non-conforming for the parking requirements of a convenience store, and has not complied with the requirements for an updated CO, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000309, 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. 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 PLSUP20190000309 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000309 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000309 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000309 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000309 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

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

Commercial recreation (indoor)

CASE NUMBER: PLSUP20190000309

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: 610-004-000001-000

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 7, 2019

171D  
56244

PLANNING COMMISSION DATE: Sept. 9, 2019

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: 24,394sf. (2878sf) <sup>0.56 Acre</sup> Property Address: 2100 W. Main St.

Property Location: N S E W Side of: ~~Ferry Rd.~~ West Main St.

Between: 229 ~~North~~ <sup>Ferry Rd.</sup> and Old Cereesboro and along the northwesterly  
in Danville VA.

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:

New gaming operating machines  
and skill ~~games~~ games.

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

1. NAME: Samir D. Patel TELEPHONE: (704) 724-1337  
MAILING ADDRESS: 2100 W. Main St. Danville VA-24541  
SIGNATURE:  DATE: 8/3/19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: SamirP07@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: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_





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

Prepared by:  
Planning Division  
8/7/2019

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 2100 W Main St.

**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:** Convenience store with indoor gaming

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** Dutta Inc of Virginia

**NAME OF APPLICANT (S):** Samir Patel

**PROPERTY BORDERED BY:** Some residential and vacant land to the north and south; commercial to the east and west; railroad to the immediate south

**ACREAGE:** 0.55 acres (23,958 sq. ft.)

**CHARACTER OF VICINITY:** Mixture of both commercial and residential

**INGRESS AND EGRESS:** W Main St., and Old Greensboro Rd.

**TRAFFIC VOLUME:** High on W Main St., and moderate on Old Greensboro Rd.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/7/2019

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**\*\* CERTIFICATE OF USE AND OCCUPANCY \*\***  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**AND ENGINEERING**

**INSPECTIONS DIVISION**  
**CITY OF DANVILLE, VIRGINIA**

\*\*\*\*\*

Pursuant to Article 1 of the Uniform Statewide Building Code, the application of CHARLES W. CROWDER, Jr. whose structure is located at 2100 West Main Street Danville, Virginia, is hereby certified to be in compliance with the Uniform Statewide Building Code, 1990 Edition.

This structure is in Use Group M-Mercantile for occupancy as convenience store

This structure has a construction classification of type 3B

The occupancy loads shall be as follows:

Rooms, spaces or floors - \_\_\_\_\_

Building Total - 50 persons

| CODE       | INSPECTOR          | DATE    | REMARKS |
|------------|--------------------|---------|---------|
| Building   | <i>[Signature]</i> | 8-17-91 |         |
| Plumbing   | <i>[Signature]</i> | 8-15-91 |         |
| Electrical | <i>[Signature]</i> | 8-14-91 |         |
| Mechanical | <i>[Signature]</i> | 8-15-91 |         |
| Fire       | <i>[Signature]</i> | 8-16-91 |         |

Conditions and/or modifications: \_\_\_\_\_

NOTE: LEGAL USE OF THIS STRUCTURE MAY ALSO REQUIRE A CERTIFICATE OF ZONING COMPLIANCE.

Building Permit No. 301 Date Issued 4/5/91

Building Official Ch. B. N. [Signature] Date 8-20-91





## City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

### Inspection Field Report Corrective notice

Property Address: 2100 W Main Street  
Property Owner: Dutta Inc of Virginia  
Owner's Address: 2100 W Main St  
Danville, VA 24541

Date: 10/8/2019

Phone: 704-724-1337

Case #: PRCOUO201901904

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:

#1-604.1 Electrical system: No access to the electrical panels. 3 Feet of Clear space must be made in front of all electrical panels.

#2-604.3 Electrical system hazards: Outside electrical switch cover is not rated for its current use. Install proper weathertight cover.

#3-605.3 Lighting distribution and luminaries: Ceiling fan cover above gaming machines has fallen off and missing emergency exit light at front entrance. Install cover to fan as intended and re-install exit light.

#4-702.3 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.

Sincerely,

Dennis J. Bisson Jr. PMO  
Property Maintenance Coordinator  
[www.danville-va.gov](http://www.danville-va.gov)  
[Bissodj@danvilleva.gov](mailto: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 November 12, 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. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

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.



**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)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSUP20190000311

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID ~~22871~~ 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.

Property Location: N S E W Side of: North

Between: North Avenue <sup>Campus</sup> 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 Game

**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: \_\_\_\_\_

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

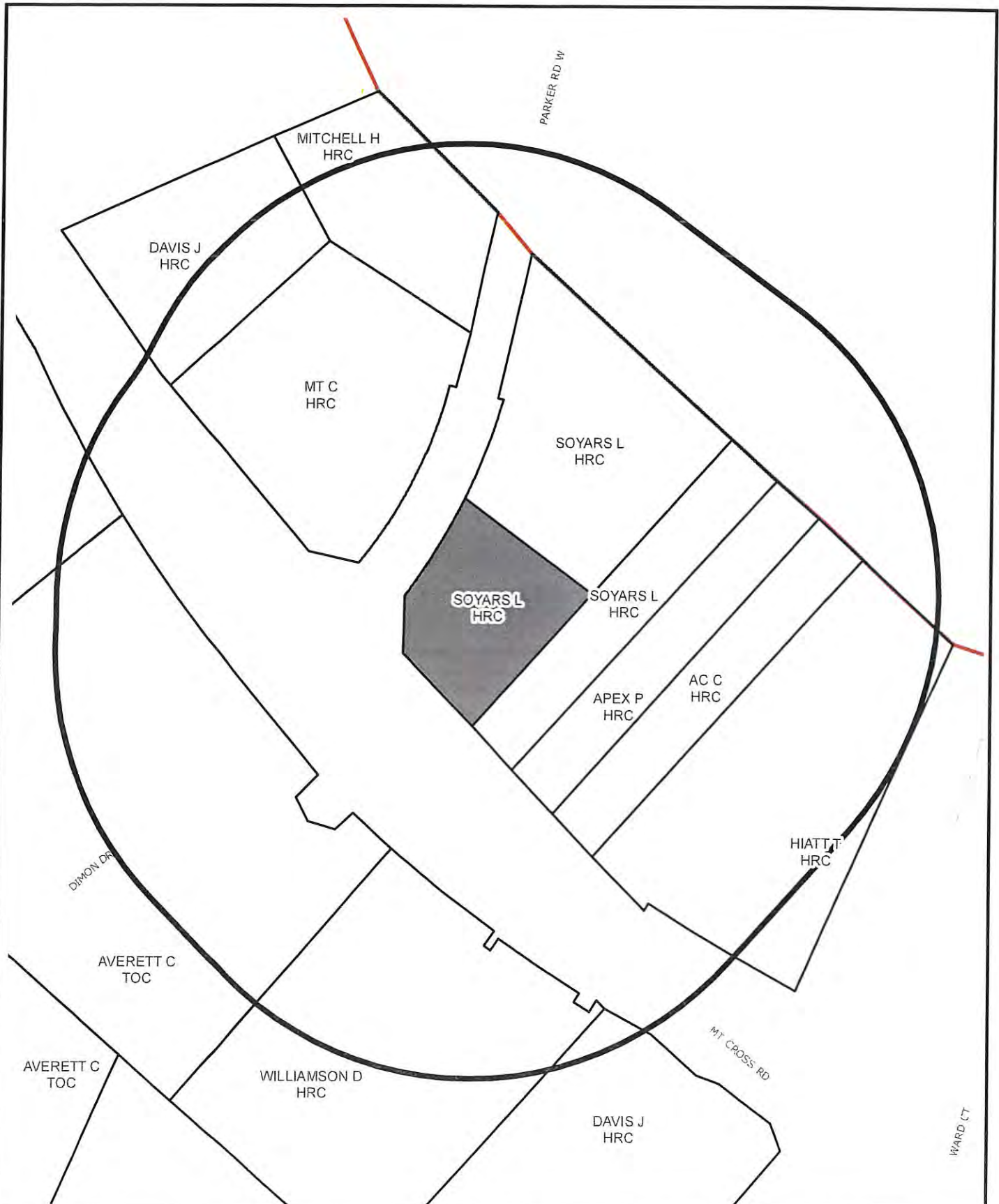
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

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

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

EMAIL ADDRESS: Grayz1072@gmail.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

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  
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

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 November 12, 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.

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, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group if in conjunction with a convenience store. This facility is proposed to not have such a store, but only be a commercial Indoor Recreation facility. This will be listed as an Assembly Use group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.



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.

Staff listed a number of concerns at the September and October meeting, 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

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

Commercial recreation

CASE NUMBER: PE SUP 2019 0000312

EXISTING ZONING: HR-G Hwy 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 E W Side of: Danville VA

Between: Rose Nails and Griffins Superstore

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 Stand alone Building Approx 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):**

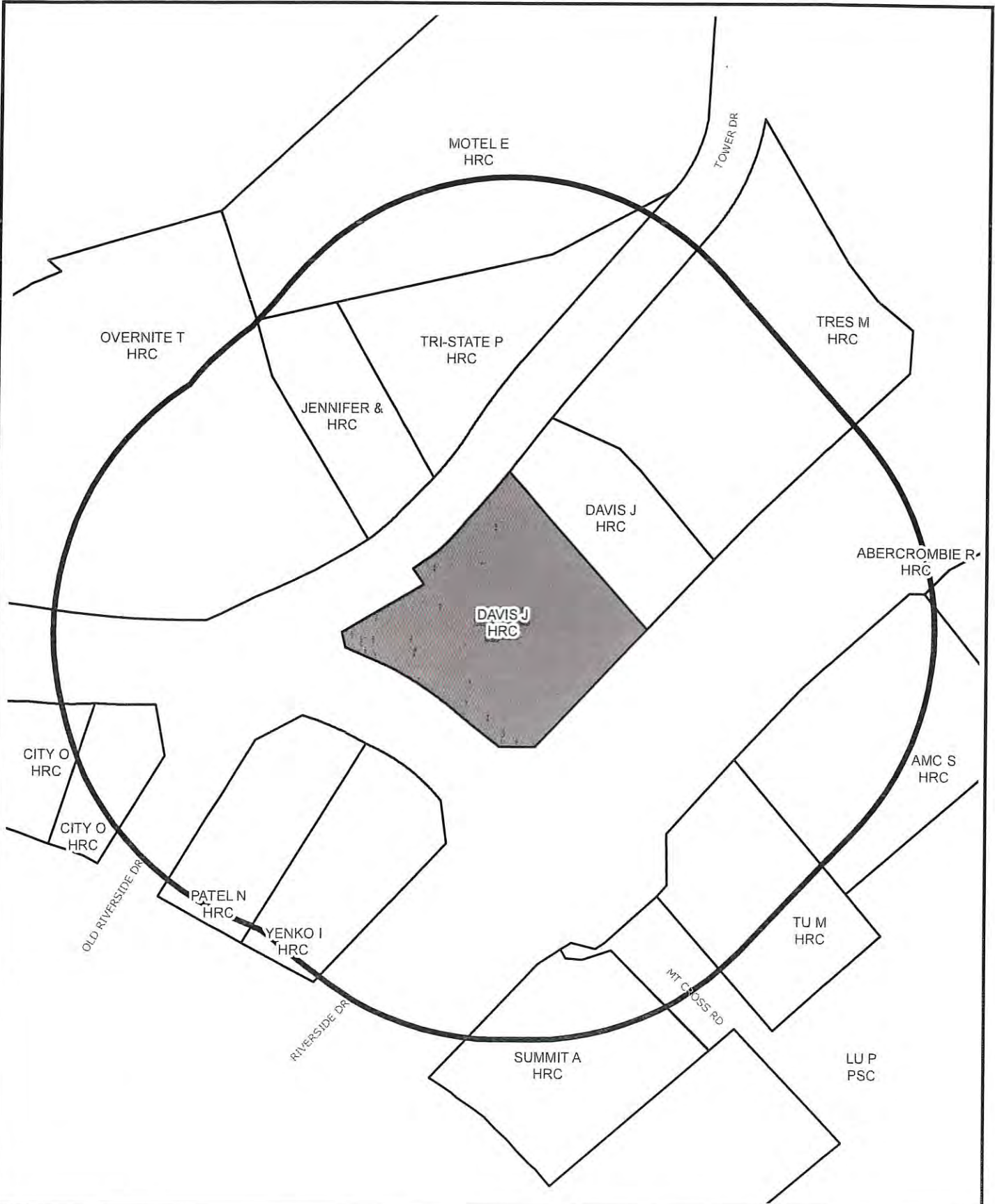
1. NAME: JERRY R. DAVIS TELEPHONE: 434-791-2512  
MAILING ADDRESS: 2505 Riverside Dr. Danville, Va 24540  
SIGNATURE: [Signature] DATE: 8/12/19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_

**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: mrcclouds11c@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

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on September 9, 2019  
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.

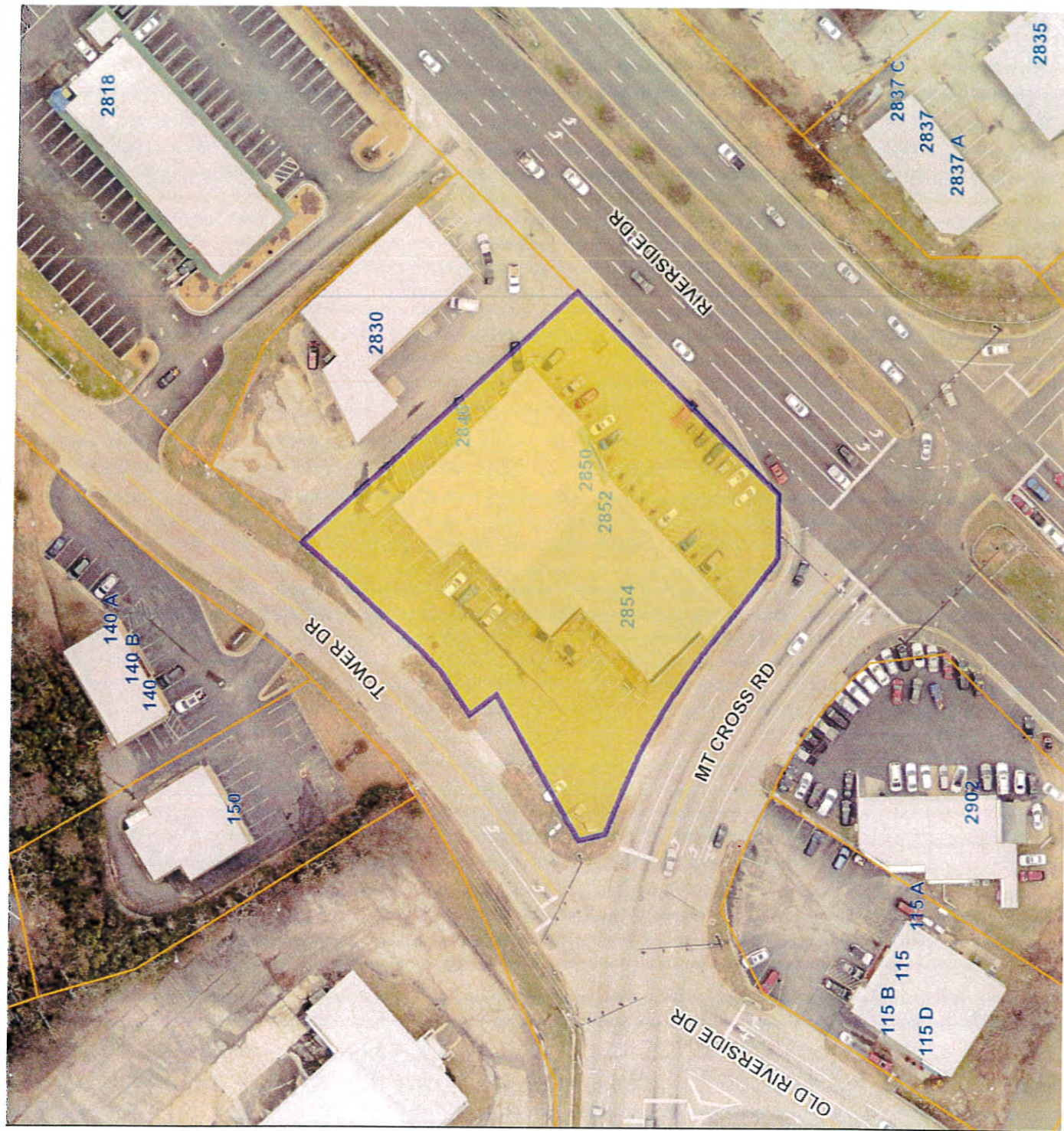
**TRAFFIC VOLUME:** High on Mt. Cross Rd. and Riverside Dr., low on Tower Dr.





- Buildings
- Parcels
- Street Names
- House Numbers

Parcel ID: 57190



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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 November 12, 2019

#### **Subject:**

*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, Block 013, Parcel 000092 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

#### **Background:**

Abdul Nasir, the applicant, is requesting a Special Use Permit for commercial recreation at 1371 Piney Forest Road. 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. This facility does have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has not been inspected for an updated Certificate of Occupancy.

This facility has 7 conforming marked parking spaces with one handicapped accessible space. There is sufficient space to mark parking, but since none are striped except for



those listed, staff cannot determine a calculation. A design professional should generate a parking plan.

### **Recommendation:**

Staff listed a number of concerns at the September and October meetings, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy nor a parking plan generated staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000317, 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 PLSUP20190000317 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000317 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000317 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000317 as submitted.



5. Tabling of Special Use Permit application PLSUP20190000317 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

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

Commercial recreation

CASE NUMBER: PLSUP20190000317

EXISTING ZONING: FF. HR-C, Heavy Res

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 5143 S

RECEIVED BY: Ryca Johnson

DATE FILED: Aug. 12

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: 3844 ~~2000/1700~~ Property Address: 1371 Piney Forest Rd.

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

Between: Master Cages + Tool and Arby's

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:

Special Permit Use for Gaming Machines  
4 machines

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

HRNA  
LHC 1. NAME: ABDUL NASIR, FK International TELEPHONE: (434) 836-2142

MAILING ADDRESS: 1371 Piney Forest RD Danville, VA 24540

SIGNATURE: [Signature] DATE: 8/1/19

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

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

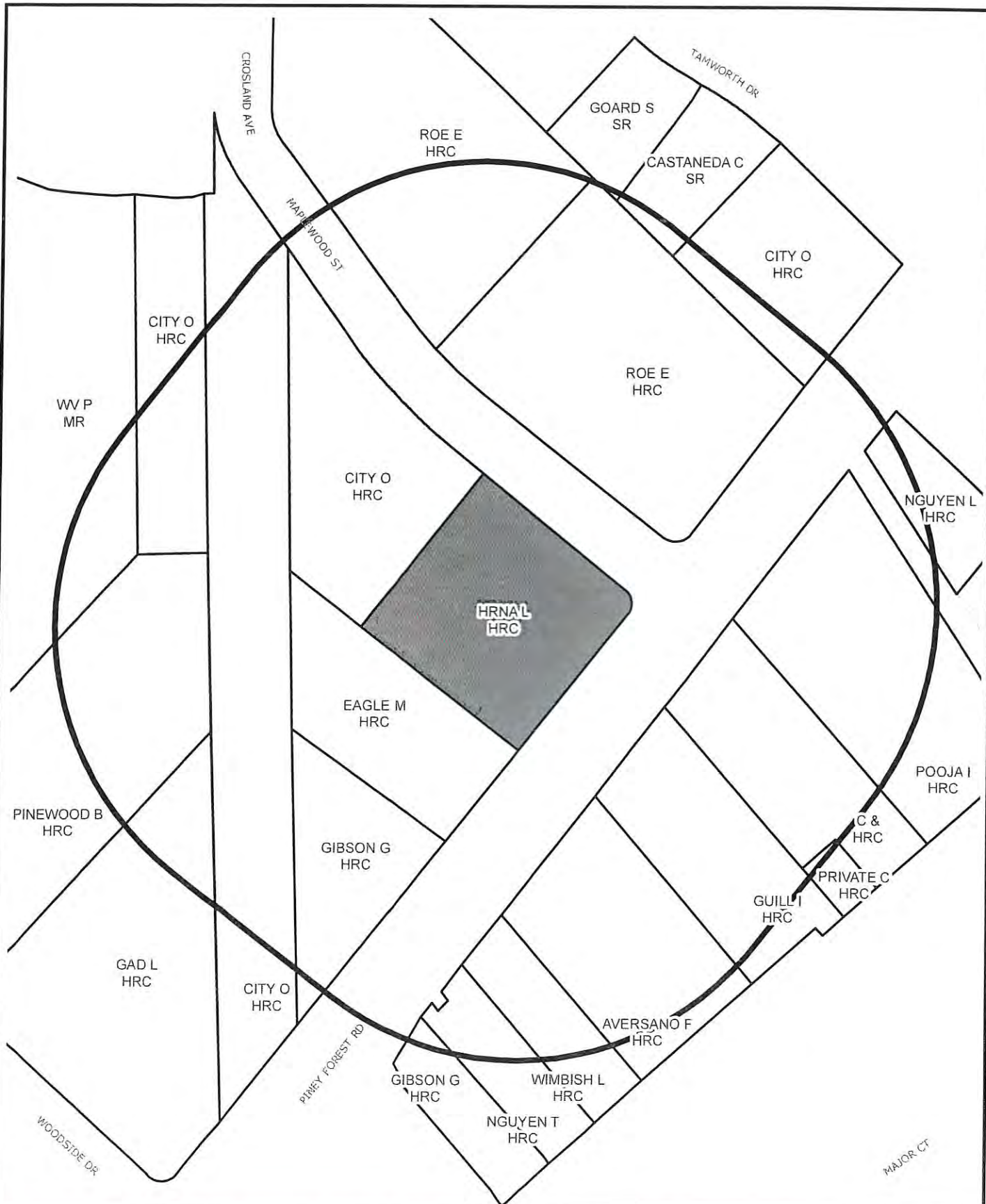
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



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



Prepared by:  
Planning Division  
8/14/2019

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  
City Council (tentative) at 7pm on October 1, 2019

**LOCATION OF PROPERTY:** 1371 Piney Forest 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:** Regional Commercial

**PROPERTY OWNER (S):** HRNA LLC

**NAME OF APPLICANT (S):** Abdul Nasir

**PROPERTY BORDERED BY:** Commercial on all sides

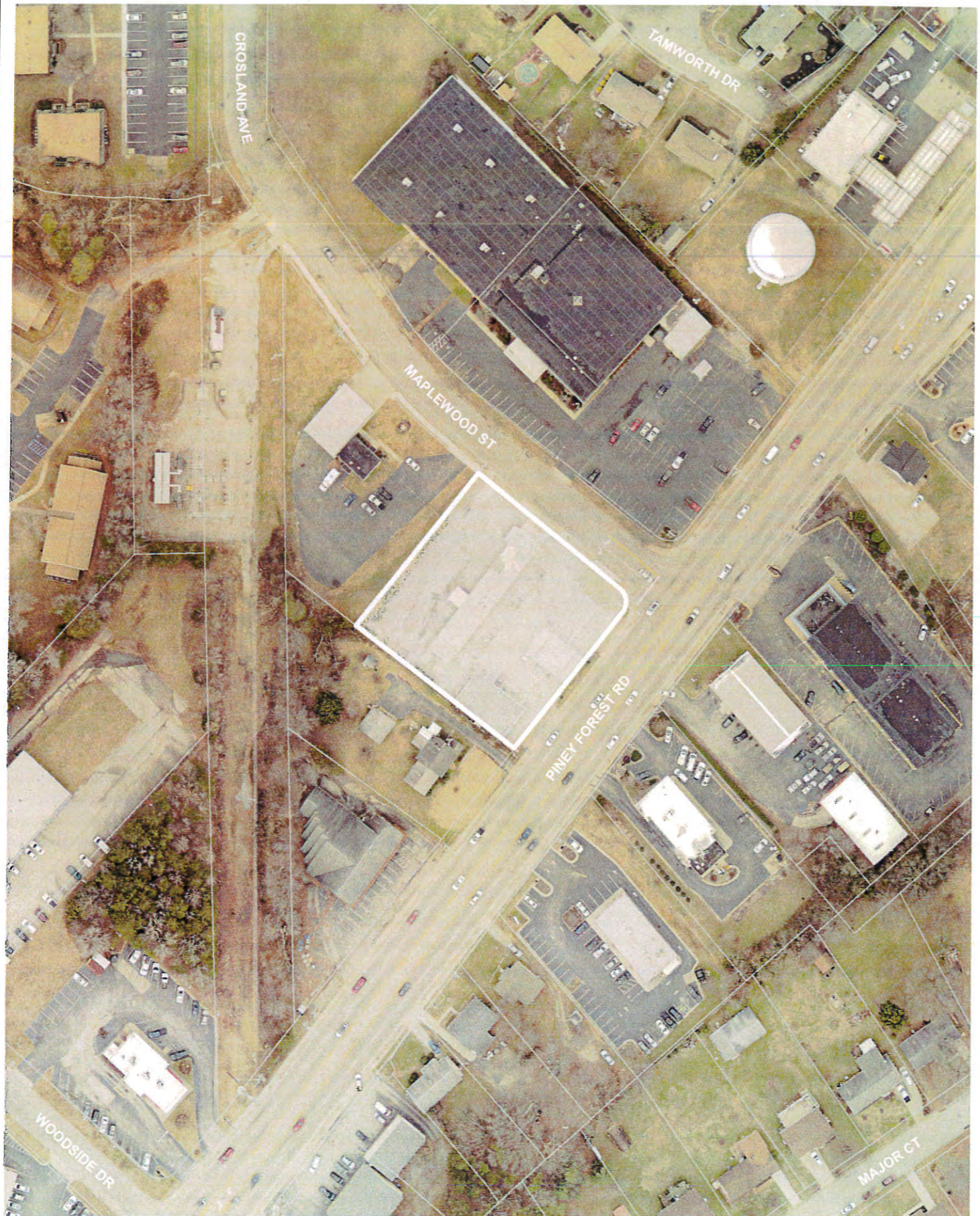
**ACREAGE:** 0.87 acres (

**CHARACTER OF VICINITY:** Commercial

**INGRESS AND EGRESS:** Piney Forest Rd. and Maplewood Dr.

**TRAFFIC VOLUME:** High on Piney Forest Rd., low on Maplewood Dr.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
8/14/2019

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**DEPARTMENT OF COMMUNITY DEVELOPMENT  
AND ENGINEERING**

**CITY OF DANVILLE, VIRGINIA**

**CERTIFICATE OF USE AND OCCUPANCY**

\*\*\*\*\*

Pursuant to Section 117 of the Virginia Uniform Statewide Building Code, the application of W. Henry Hardy, Inc. whose structure is located at 1371 Piney Forest Rd.

Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group M

This structure has a Fire Grade of:

(Table 1402, Building Code) Class M  
Hours 3

The maximum live load on floors:

a. First floor -  
b. Second floor -  
c. Others -

The occupancy loads on floors:

(Section 806, Building Code) a. First floor 31  
b. Second floor -  
c. Others -

| CODE     |          |          |        |      |        |         | INSPECTOR    | DATE     | REMARKS |
|----------|----------|----------|--------|------|--------|---------|--------------|----------|---------|
| BUILDING | PLUMBING | ELECTRIC | HEALTH | FIRE | ZONING | MECHAN. |              |          |         |
| ✓        |          |          |        |      |        |         | Charles Naim | 1-13-87  |         |
|          | ✓        |          |        |      |        |         | Judy P. S.   | 1-14-87  |         |
|          |          | ✓        |        |      |        |         | W. H. Hardy  | 1-13-87  |         |
|          |          |          | ✓      |      |        |         | W. H. Hardy  | 10-30-86 |         |
|          |          |          |        | ✓    |        |         | W. H. Hardy  | 11-10-86 |         |
|          |          |          |        |      | ✓      |         | Charles Naim | 1-13-87  |         |
|          |          |          |        |      |        |         |              |          | N.A.    |

Certificate of Use and Occupancy No. 7-18-86-662  
Building Official: Ronald J. Carter Date: 1-14-87





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

## ***City Planning Commission***

### **City Planning Commission**

Meeting of November 12, 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 does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

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.

#### **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 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

APPLICATION 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: \_\_\_\_\_

Parker Road  
Between: Womack Drive 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

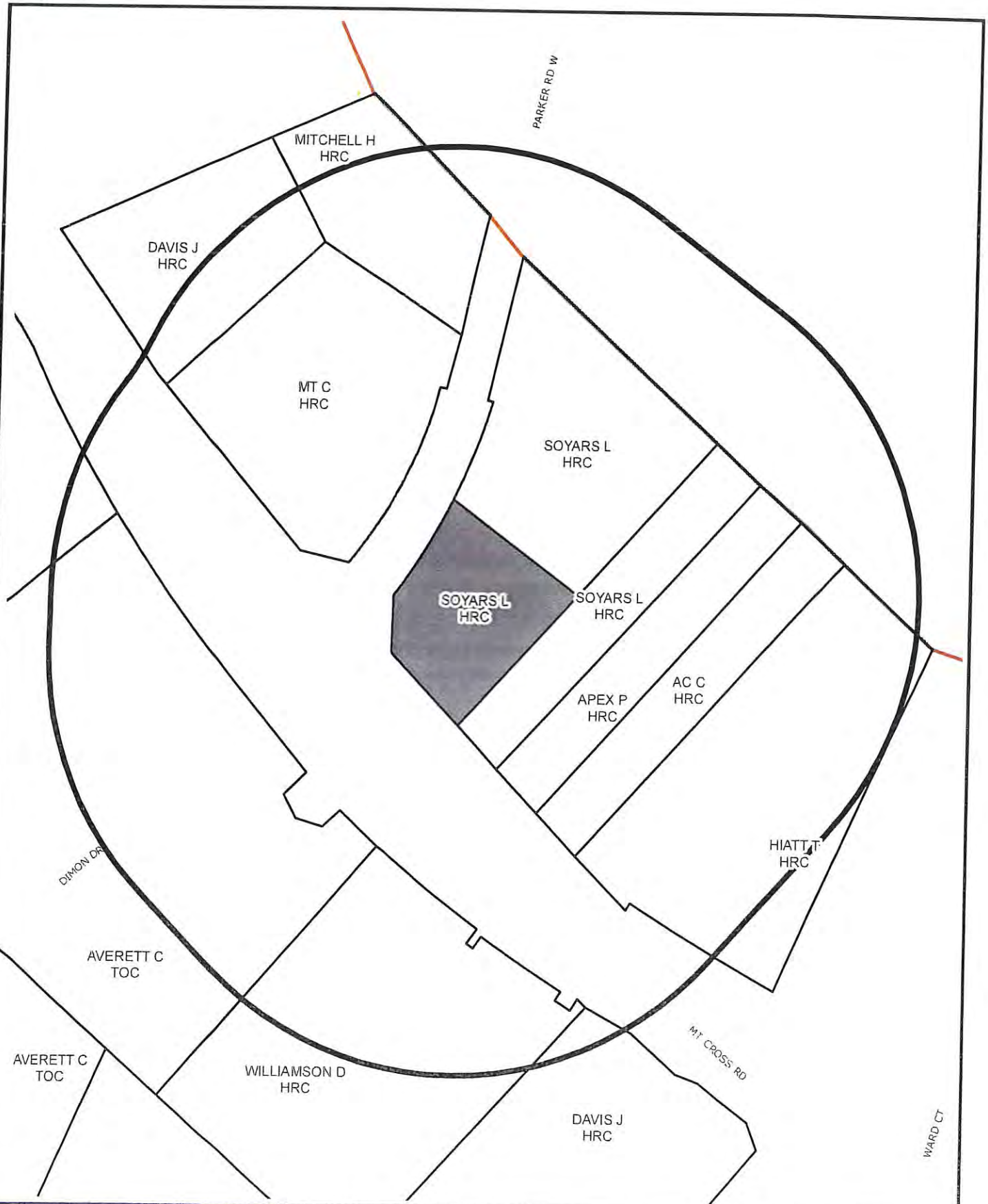
**PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):**

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: [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):** Uwash 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

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## 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

**Date inspected:** 10/9/2019

**Property owner:** Soyers Larry J T/U/T & Lisa F T/U/T

**Phone:** 434-792-0100

**Owner's address:** 105 Hemlock Dr  
Danville, VA 24540

**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](http://www.danville-va.gov)

[Bissodj@danvilleva.gov](mailto: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 November 12, 2019

#### **Subject:**

*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.*

#### **Background:**

Mohammad Nawaz Khan, the applicant, is requesting a Special Use Permit for commercial recreation at 730 Piney Forest 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 does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. The facility has been inspected, and has a substantial list of items that would need to be addressed before an updated CO could be issued.

This facility has 6 conforming marked parking spaces with one being a handicapped accessible space on site. The facility itself is 2,107 sq. ft. This required 11 spaces for the store.

#### **Recommendation:**

Since the facility does not have enough parking to comply with the code for a convenience store, nor have the items from the Inspection of the facility for the updated CO been completed, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000303, 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 PLSUP20190000303 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000303 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000303 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000303 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000303 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)

**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):**

1. NAME: HILLTOP MART (ELEGANCE TRADING CO USA INC)  
MOHAMMAD NAWAZ KHAN TELEPHONE: 434-429-1235

MAILING ADDRESS: \_\_\_\_\_

SIGNATURE: [Signature] DATE: 8-21-2019

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: MOHAMMAD NAWAZ KHAN TELEPHONE: 434-429-1235

MAILING ADDRESS: 730 PINEY FOREST ROAD DANVILLE VA 24540

EMAIL ADDRESS: nawazkhattak@msn.com

SIGNATURE: [Signature] DATE: 8-1-2019



CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Commercial recreation

CASE NUMBER: PC501-20190000 ~~327~~

EXISTING ZONING: HR-C, Hwy Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: Pin 72859

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 1, 2019 → Have owner sign

PLANNING COMMISSION DATE: Sept. 9 Oct. 7

CITY COUNCIL DATE: Oct. 1 Nov. 7 on Aug. 21

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

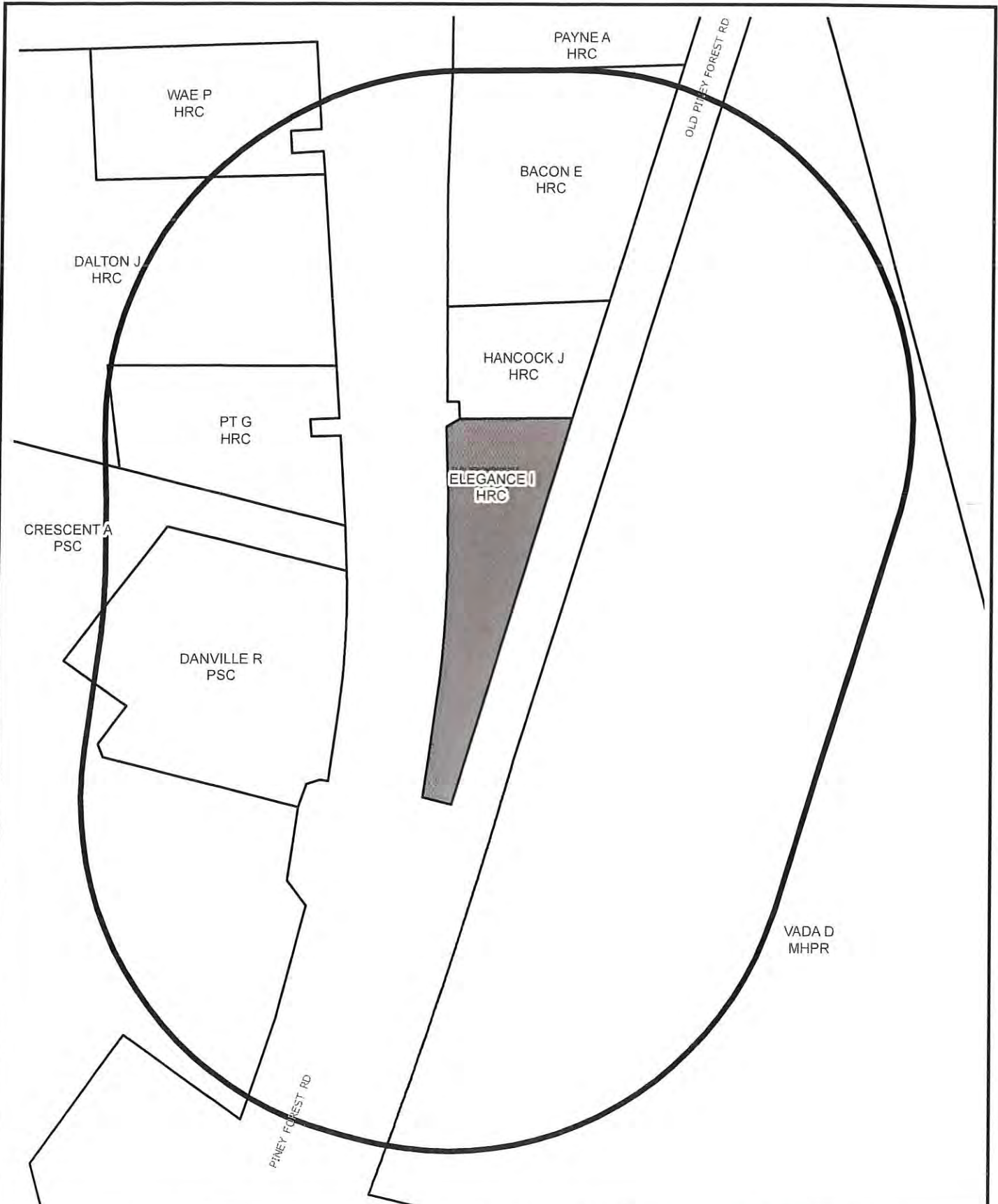
Gross Area/Net Area: \_\_\_\_\_ Property Address: 730 PINEY FOREST ROAD DANVILLE

24540

Property Location: N S E W Side of: \_\_\_\_\_

Between: \_\_\_\_\_ and \_\_\_\_\_

Proffered Conditions (if any, please attach): \_\_\_\_\_



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



Prepared by:  
Planning Division  
8/21/2019

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

**PUBLIC HEARING DATES:** Planning Commission at 3pm on October 7, 2019  
City Council (tentative) at 7pm on November 7, 2019

**LOCATION OF PROPERTY:** 730 Piney Forest Rd.

**PRESENT ZONE:** HR-C, Highway Retail Commercial

**PROPOSED ZONE:** No change

**ACTION REQUESTED:** Special Use Permit to allow commercial recreation

**PRESENT USE OF PROPERTY:** Convenience store

**PROPOSED USE OF PROPERTY:** Existing uses, plus indoor gaming

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** Elegance Investment LLC

**NAME OF APPLICANT (S):** Mohammad Nawaz Khan

**PROPERTY BORDERED BY:** Commercial to the north, south, and west; residential to the east

**ACREAGE:** 0.32 acres (1,139.2 sq. ft.)

**CHARACTER OF VICINITY:** Primarily commercial with some residential to the east

**INGRESS AND EGRESS:** Piney Forest Rd. and Old Piney Forest Rd.

**TRAFFIC VOLUME:** High on Piney Forest Rd, low on Old Piney Forest Rd.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:  
Planning Division  
8/21/2019

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## City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

### Inspection Field Report Corrective notice

Property address: 730 Piney Forest Rd  
Property owner: Elegance Investment LLC  
Owner's address: 730 Piney Forest Rd  
Danville, VA 24540

Date inspected: 10/22/2019

Phone: 434-429-1235

Case #: PRCOU0201902010

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- 304.3 Premises identification: Address numbers are not on the building. Install address numbers so that they are visible from the road.

#2-305.3 Interior surfaces: In the bathroom there is damaged ceiling tiles and damaged ceiling grid. Replace all damaged ceiling tiles with new ones and repair the ceiling grid.

#3-305.6 Doors: Bathroom door is not installed properly. Properly install door so that it works as intended.

#4- 504.2 Plumbing fixtures: Toilet in one of the bathrooms leaks. Repair toilet so that it works as it is intended.

#5-505.1.1 Tempered water: No tempered water in the bathrooms. Provide tempered water to bathroom sinks

#6- 604.3 Electrical system hazards: Outside receptacle needs proper cover, and drop cord tied together with another drop cord with open wire taps running to the cooler needs to be removed. Install proper cover to receptacle and wire lights in cooler with proper wire.

#7- 605.2- Power distribution and receptacles: Receptacle in ceiling is hanging, not attached and is missing its cover. Wire and attach receptacle to code.

#8- 605.3- Lighting distribution and luminaires: Multiple lights missing covers or are not properly installed. Remove outside lights or install lights to code and install covers on all lights.

#9- 702.3 Doors: Front entrance 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,

A handwritten signature in black ink, appearing to read "Dennis J. Bisson Jr.", with a stylized flourish at the end.

Dennis J. Bisson Jr. PMO  
Property Maintenance Coordinator  
[www.danville-va.gov](http://www.danville-va.gov)  
[Bissodj@danvilleva.gov](mailto: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 November 12, 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 does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has been inspected by the Inspections Division and Fire Department. A list of items that need corrected is attached.

This facility has 15 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

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

USE: Commercial recreation

CASE NUMBER: PLSOP20190000302

EXISTING ZONING: HR-S, Highway Revel

PROPOSED ZONING: no change

TAX MAP NUMBER: \_\_\_\_\_

RECEIVED BY: Bryce Johnson

DATE FILED: Aug 1, 2019 → incomplete Oct 1

PLANNING COMMISSION DATE: Sept 9 Oct 7

CITY COUNCIL DATE: Oct 1 NOV 7 Aug 14

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):**

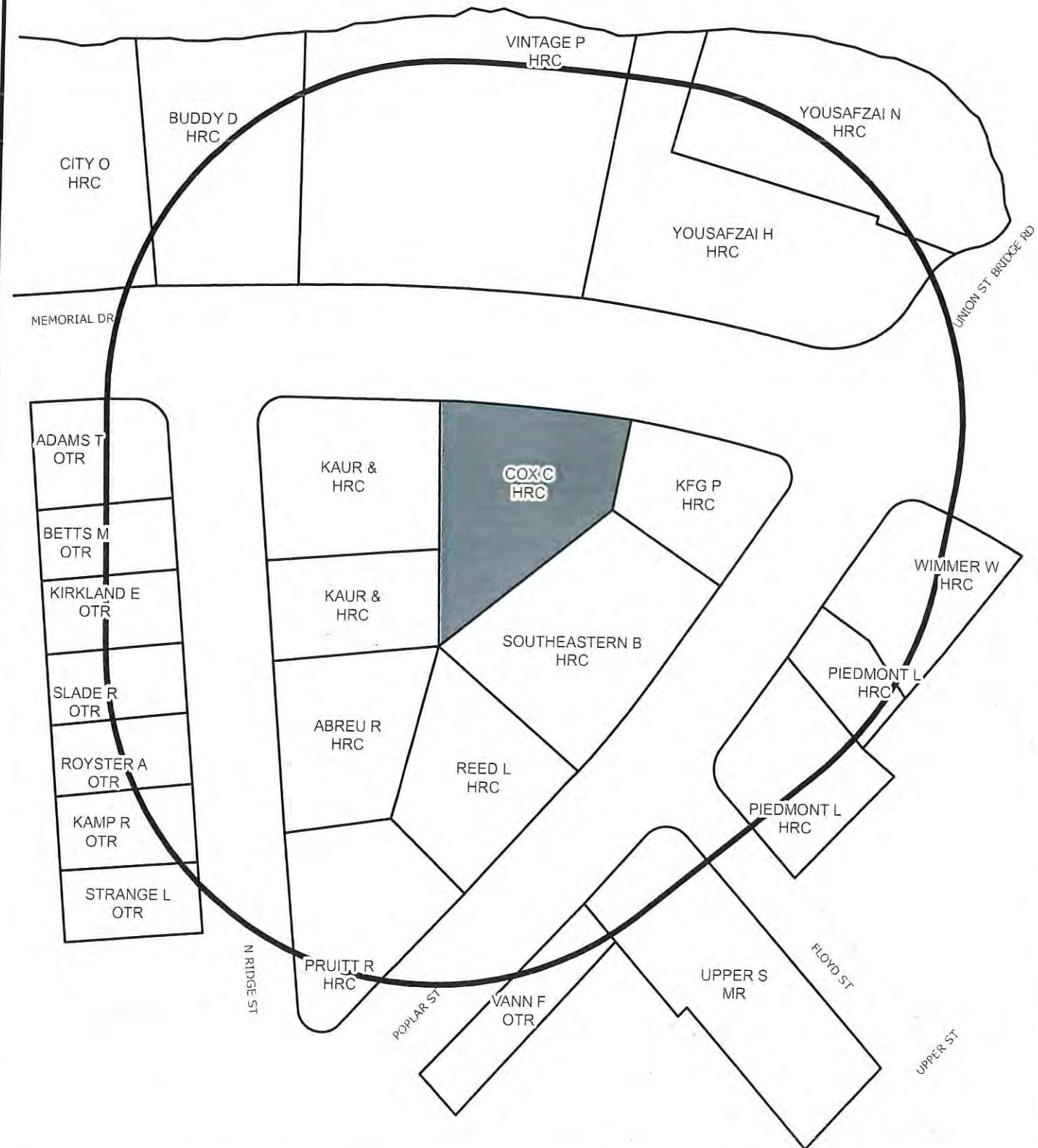
X 1. NAME: Carlton H Cox TELEPHONE: 434-251-7007  
MAILING ADDRESS: 233 Mowbray Arch Danville VA 24541  
X SIGNATURE: Carlton H Cox DATE: Aug 14 2019  
/ SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: CCOX42@comcast.net

**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 CHAUDHRY TELEPHONE: 434-222-2081  
MAILING ADDRESS: 545 MEMORIAL DR E 3 STEP #2 DANVILLE  
EMAIL ADDRESS: MUBASHAR@YAHOO.COM  
SIGNATURE: [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  
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, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

### Inspection Field Report Corrective notice

Property address: 545 Memorial Dr

Property owner: Cox Carlton Henry

Owner's address: 233 Mowbray Arch  
Danville, VA 24541

Date inspected: 10/22/2019

Phone: 434-222-2881

Case #: PRCOUO201902007

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- 304.2 Protective Treatment: Above the sign and in other areas around the building there are areas of chipping and flaking paint. Eliminate all peeling, flaking, chipped paint and cover surfaces with a protective covering.

#2- 304.6 Exterior walls: On the front overhang there is deteriorated siding. Replace siding with approved material.

#3- 305.3 Interior surfaces: Multiple areas outside and one area in the bathroom with missing or damaged ceiling tiles and wall before entering the bathroom is damaged and deteriorated. Replace all damaged ceiling tiles with new ones and repair wall at bathroom.

#4- 604.1 Electrical system: There are open spaces in panel box and the cover is not installed correctly, and debris in front of the panel. Properly install cover, install breaker blanks and clear a three foot path in front of all panels.

#5- 604.3 Electrical system hazards: Multiple areas where wires are hanging and not properly strapped, outside light not properly attached to building, outside receptacle is broken and electrical conduit to front sign is not properly strapped and has pulled out of the wall. Properly strap all wire and pipes, and install light and receptacle to code.



#6- 605.2- Power distribution and receptacles: Receptacles behind fountain machines is falling out of the wall along with the wires are hanging out of the box. Wire and attach receptacle to code.

#7- 605.3- Lighting distribution and luminaires: Multiple lights under overhang at entrance, and in the cooler are missing covers or are not properly installed. Install lights to code

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](http://www.danville-va.gov)  
[Bissodj@danvilleva.gov](mailto: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 November 12, 2019

### Subject:

*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.*

### Background:

Ghulam Hassan, the applicant, is requesting a Special Use Permit for commercial recreation at 3401 Westover 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 does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has 20 conforming marked parking spaces with one being a handicapped accessible space on site. The facility itself is 2,650 sq. ft. of a retail strip center. The entire center is 6,848 sq. ft and includes this facility, offices, additional retail space and an automobile repair facility. The required spaces for the entirety of the building would be 39.

Staff listed a number of concerns at the September and October meeting, and still has these same concerns. The Inspections Division nor Fire Department has reviewed this facility for a Certificate of Occupancy.

### Recommendation:

Since the property is non-conforming due to parking, and the site has not been inspected for an updated CO, staff recommends **DENIAL of the request.**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000362, 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 PLSUP20190000362 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000362 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000362 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000362 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000362 by Planning Commission.

**Attachments:**

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

**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:

Electronic Gaming Machines (2)

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

1. NAME: Keister / Paula F. Richardson TELEPHONE: 434 250-5676

MAILING ADDRESS: P.O. Box 10567

SIGNATURE: [Signature] DATE: 8-26-19

SIGNATURE: [Signature] DATE: 8-26-19

EMAIL ADDRESS: frichardson@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: Ghulam Hassan TELEPHONE: 336-552-6934

MAILING ADDRESS: 3401 Westover DR, Danville VA 24541

EMAIL ADDRESS: Ghulam Hassan 136@heartmail.com

SIGNATURE: [Signature] DATE: 9/4/19

Property  
Owners  
→  
Emission  
Granted



CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

SUP for Commercial Indoor Rec

CASE NUMBER: \_\_\_\_\_

EXISTING ZONING: N-C

PROPOSED ZONING: N-C

TAX MAP NUMBER: 9818-005-000023

RECEIVED BY: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

PLANNING COMMISSION DATE: \_\_\_\_\_

CITY COUNCIL DATE: \_\_\_\_\_

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

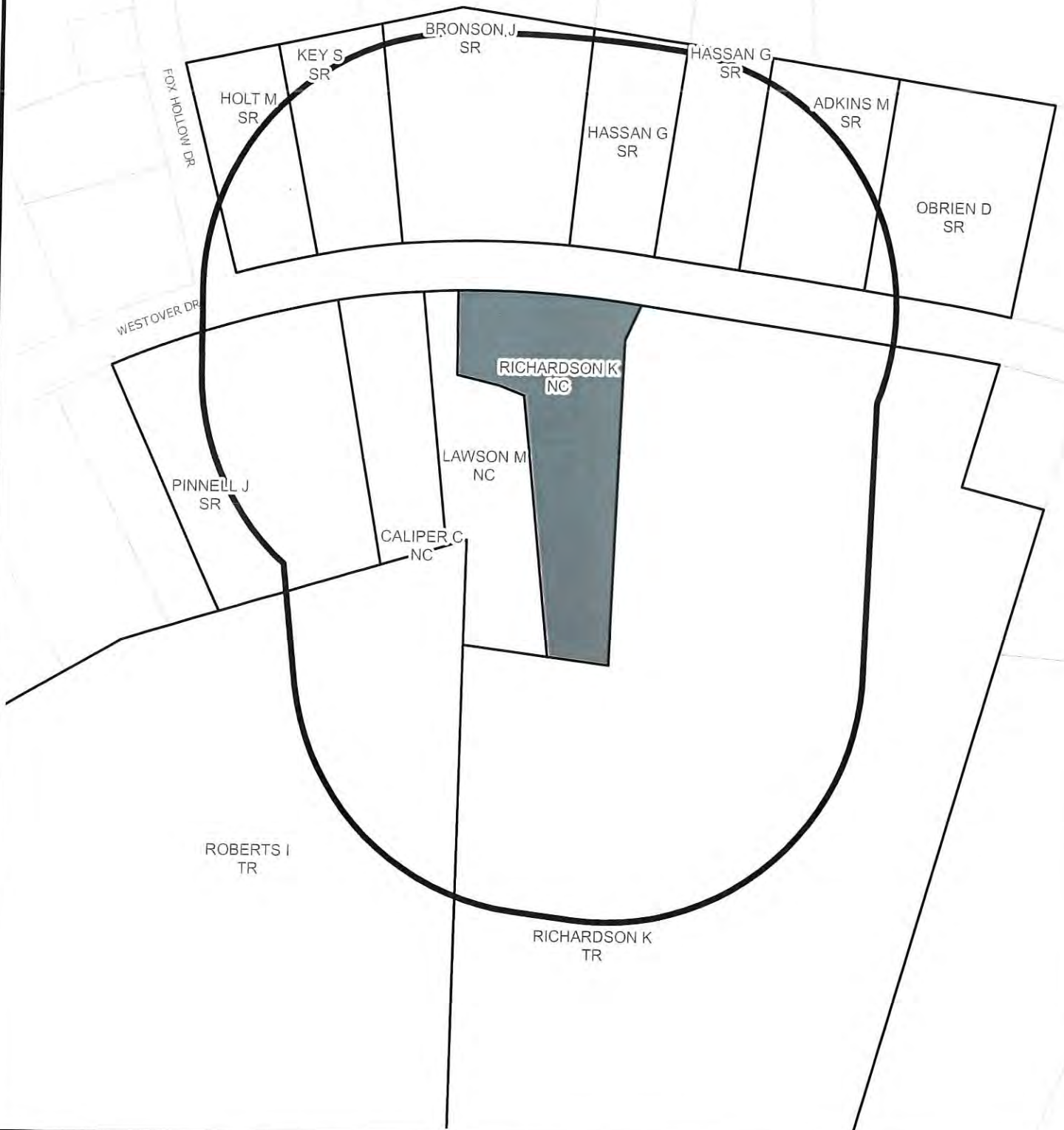
Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 6,348 ft<sup>2</sup> Property Address: 3401 Westover Dr.

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

Between: Fox Hollow Dr. and Beech Ave.

Proffered Conditions (if any, please attach): \_\_\_\_\_



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



Prepared by:  
Planning Division  
9/24/2019

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:** 3401 Westover Dr.

**PRESENT ZONE:** N-C, Neighborhood 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:** Regional Commercial

**PROPERTY OWNER (S):** Keister & Paula Richardson

**NAME OF APPLICANT (S):** Ghulam Hassan

**PROPERTY BORDERED BY:** Some commercial to the immediate west; residential on all remaining sides

**ACREAGE:** 1.195 acres

**CHARACTER OF VICINITY:** Residential

**INGRESS AND EGRESS:** Westover Dr.

**TRAFFIC VOLUME:** Moderate on Westover Dr.





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/24/2019

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.



We, the undersigned residents, homeowners and property owners of Westover and surrounding area are opposed to the request for a special use permit application PLSUP20190000319 filed by Inam Qazi on behalf of UHA Inc. for commercial recreation (indoor) being proposed at 1354 Westover Drive, Danville, Virginia.

NAME

ADDRESS

|                         |                                 |
|-------------------------|---------------------------------|
| Joshua Lavinder         | 142 Capri Ct. Danville VA       |
| JAME S. MITCHELL        | 135 CAPRI CT. DANVILLE, VA      |
| PAT HOLLEY              | 147 Capri Ct DANVILLE, Va       |
| Rene R Clark            | 156 CAPRI CT DANVILLE VA        |
| Tatiana Yee             | 153 Capri Ct. Danville, Va.     |
| W. Alta Taylor          | 153 Capri Ct. Danville, Va.     |
| Christine Spencer       | 162 Capri Ct Danville, Va       |
| Maise Horsley           | 141 Capri Ct Danville VA        |
| JERRY NEWTON            | 1305 WESTOVER DR                |
| Frances P. Baker        | 1409 Westover Dr City           |
| Donna Hume              | 1952 Blair Loop Rd              |
| Howard + Earlene Dorton | 195 CAPRI CT - DANVILLE VA      |
| Ladelle B. Moan         | 150 Capri Ct. Danville, Va      |
| Jason Adkins            | 112 Barrett St                  |
| Julius K                | 109 Barrett St                  |
| Emile W. Allen          | 109 Barrett St                  |
| Carrie L. Allen         | 109 Barrett St                  |
| Jane Fennell            | 117 Capri Ct. Danville VA.      |
| Harry League            | 138 Wentz Circle                |
| Anna League             | 138 Wentz Circle                |
| Eva Smith               | 201 Wentz Circle                |
| Edward Smith            | 201 Wentz Circle                |
| Karri Fields            | 145 Wentz Circle                |
| Kurt Fields             | 145 Wentz Circle                |
| Coleman Fields          | 145 Wentz Circle                |
| Bryson Fink             | 145 Wentz Circle                |
| Harry D.                | 1406 Westover Dr.               |
| Melissa McLesor         | 1344 Westover drive Danville VA |
| Grace Buxton            | 1344 Westover drive Danville VA |
| Brian Buxton            | 1344 Westover drive Danville VA |

We, the undersigned residents, homeowners and property owners of Westover and surrounding area are opposed to the request for a special use permit application PLSUP20190000319 filed by Inam Qazi on behalf of UHA Inc. for commercial recreation (indoor) being proposed at 1354 Westover Drive, Danville, Virginia.

NAME

ADDRESS

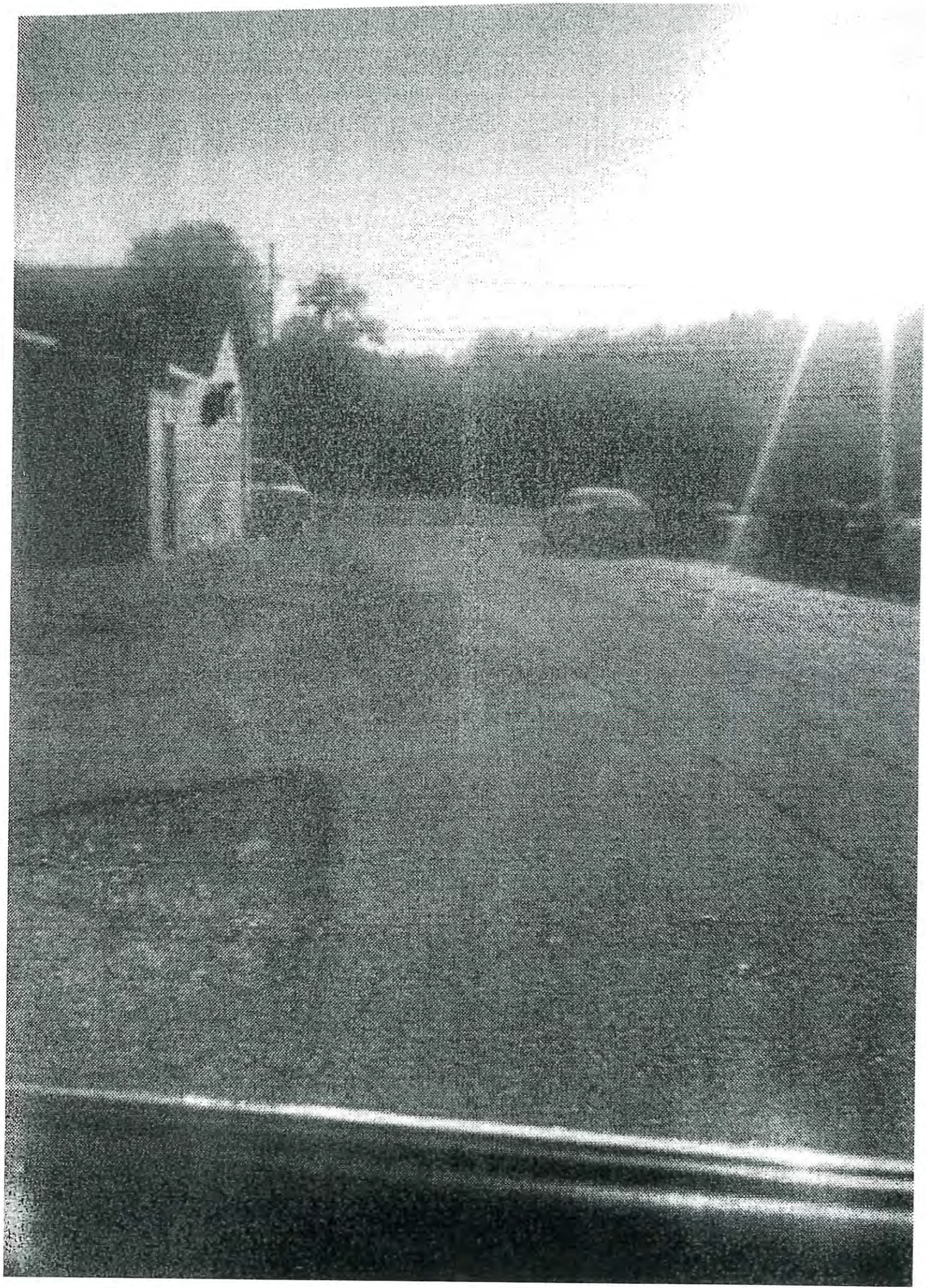
~~Amelia Hillispie~~  
~~Amelia Hillispie~~  
Brian Buxton \* (on 1<sup>st</sup> sheet)  
Grace Buxton \* (on 1<sup>st</sup> sheet)  
Russell Jeffy  
Dennis Semones  
James Robertson  
Judy Barham  
Karen Stewart

266 Lovell Dr. Danville  
266 Lovell Dr. Danville, VA 24541  
1344 Westover Dr Danville VA 24541  
1344 Westover drive Danville VA 24541  
1402 Westover Dr. Danville 24541  
281 Lovell Dr. Danville 24541  
1324 Westover Dr. Danville 24541  
255 Lovell Dr Danville VA 24541  
259 Lovell Dr. Danville, VA 24541

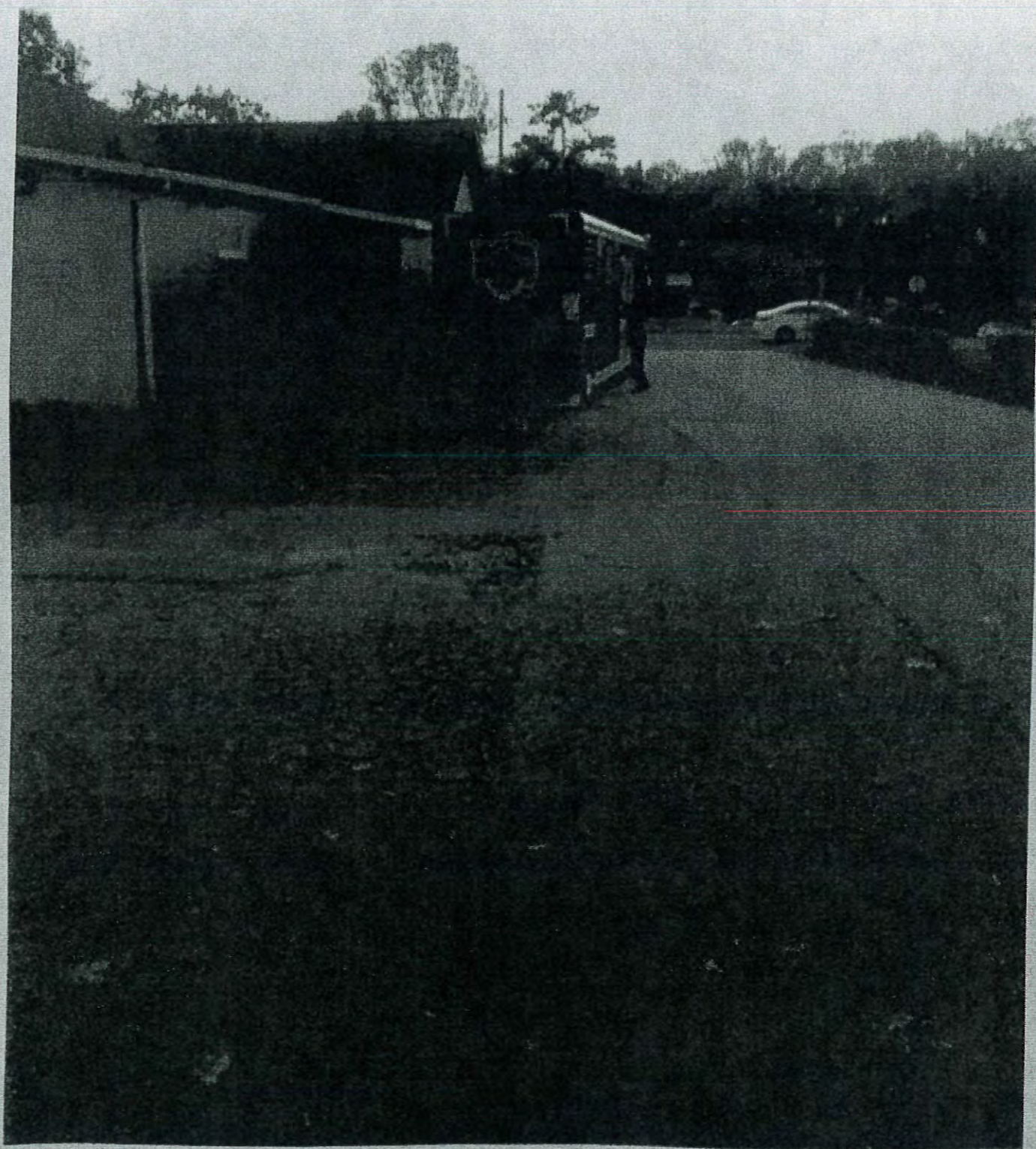








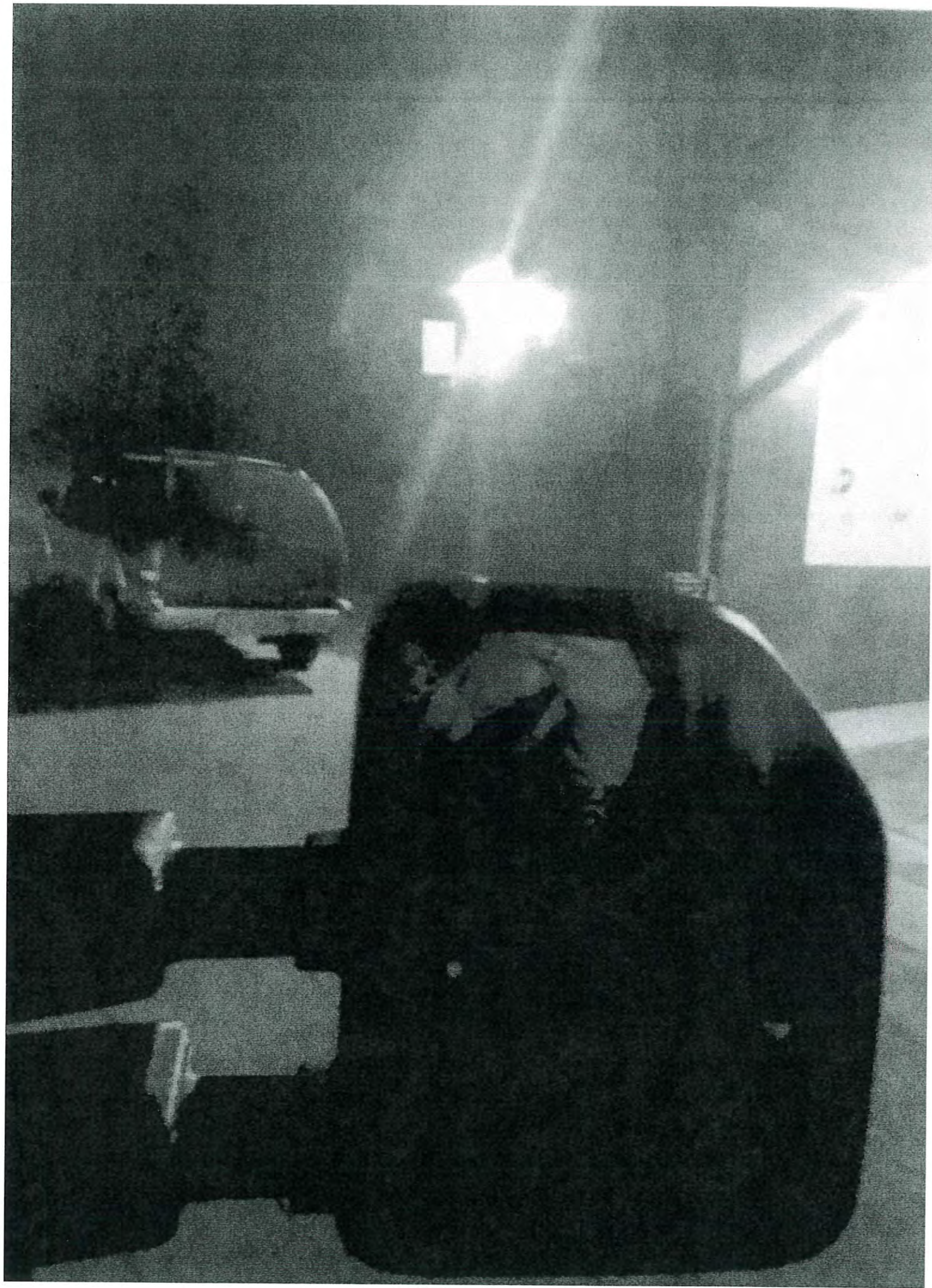






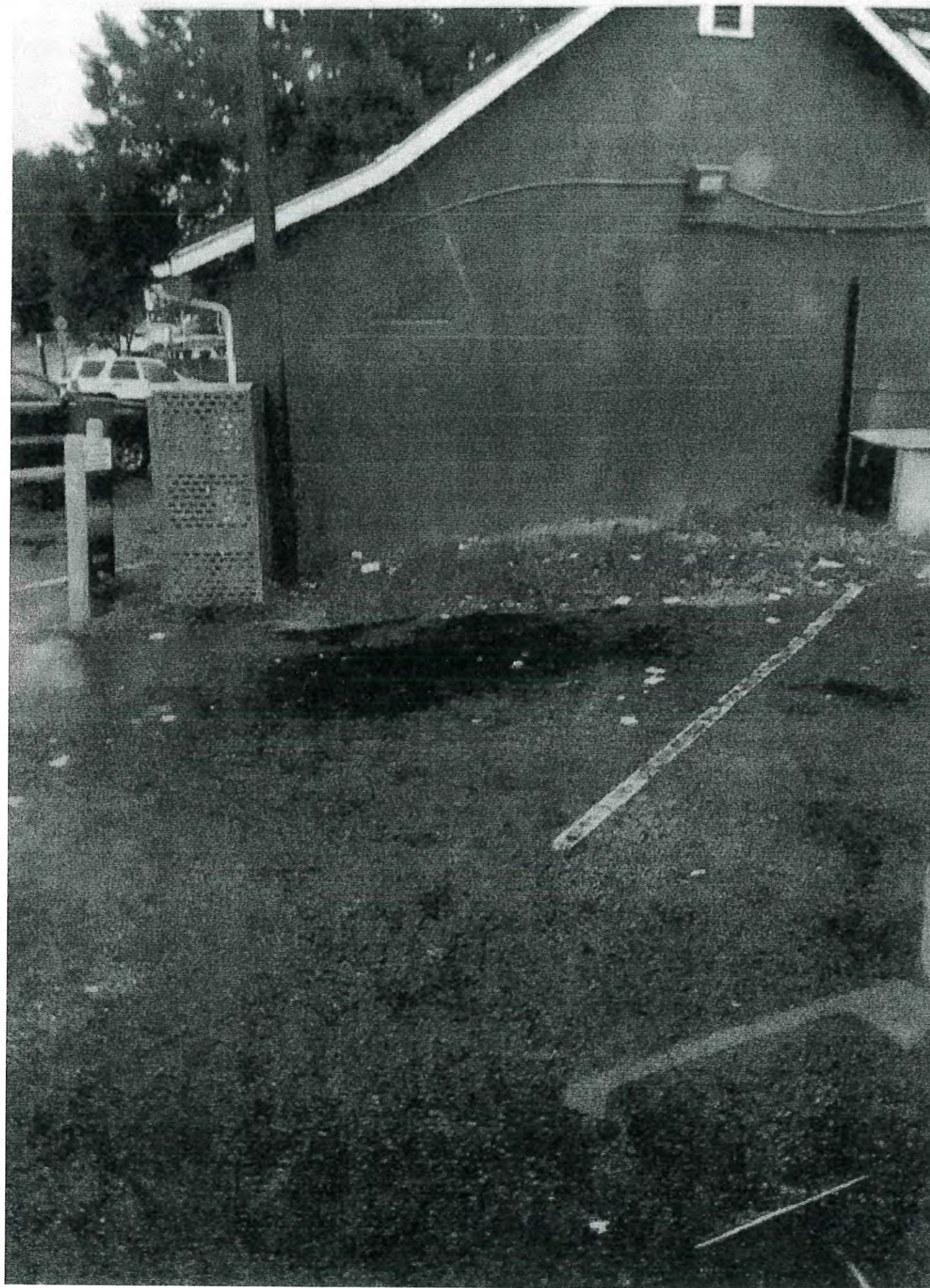








11/3/2019



IMG\_5511.jpg





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

## ***City Planning Commission***

### **City Planning Commission**

Meeting of November 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. It has been issued an A-3 Assembly Occupancy permit with a maximum occupancy of 156 persons. This facility has 47 marked parking spaces that comply with code requirements on site. The facility itself is 3,687 sq. ft. Based on Staff's parking recommendations 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 the site would need 52 spaces (occupancy) + 1 employee + 1 per machine (50+ listed) for 103 required (52+1+50=103).

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 applicant wishes to continue this request based on the CO Occupant load of 152 and 50+ games, as well as 24 hour operation, staff recommends **DENIAL of the request** due to insufficient parking and potential safety concerns.

The Planning Commission could table this request to allow the applicant time to adjust their proposal to address concerns raised by staff, and present a way to reduce Occupant load.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000386, 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**

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

CASE NUMBER: \_\_\_\_\_ EXISTING ZONING: \_\_\_\_\_

PROPOSED ZONING: \_\_\_\_\_ TAX MAP NUMBER: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE FILED: \_\_\_\_\_

PLANNING COMMISSION DATE: \_\_\_\_\_ CITY COUNCIL DATE: \_\_\_\_\_

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

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

Gross Area/Net Area: 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 <sup>Ianta</sup> ~~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

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

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

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Item 16

# 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:  
401 S RIDGE ST, DANVILLE, VA 24541

For occupancy by:  
Megalodon

Use Group:  
A-3 Assembly

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

Building Owner and  
Address: JEFFRIES ELI M & IANTA W  
240 OAKWOOD CIR  
DANVILLE, VA 24541

Occupancy Load: 156 Persons

| CODE                           | PERMIT#         | INSPECTOR            | FINAL APPROVED |
|--------------------------------|-----------------|----------------------|----------------|
| Property Maintenance Inspector | PRCOUO201901963 | Dennis J. Bisson Jr. | 10/21/2019     |
| Fire Marshal                   | PRCOUO201901963 | Shelby Irving        | 10/15/2019     |
| Building Inspector             | PRCOUO201901963 | Chris Clark          | 10/22/2019     |

**Conditions or Modifications:** Modification-Building Code Corrections, Drinking water shall be provided for customers at no charge during hours of operation. Cooking equipment shall not be utilized unless Fire Department approves and proper permits have been obtained for use.

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

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

  
Building Official

  
Date



POST IN A CONSPICUOUS PLACE



# 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, foosball, 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



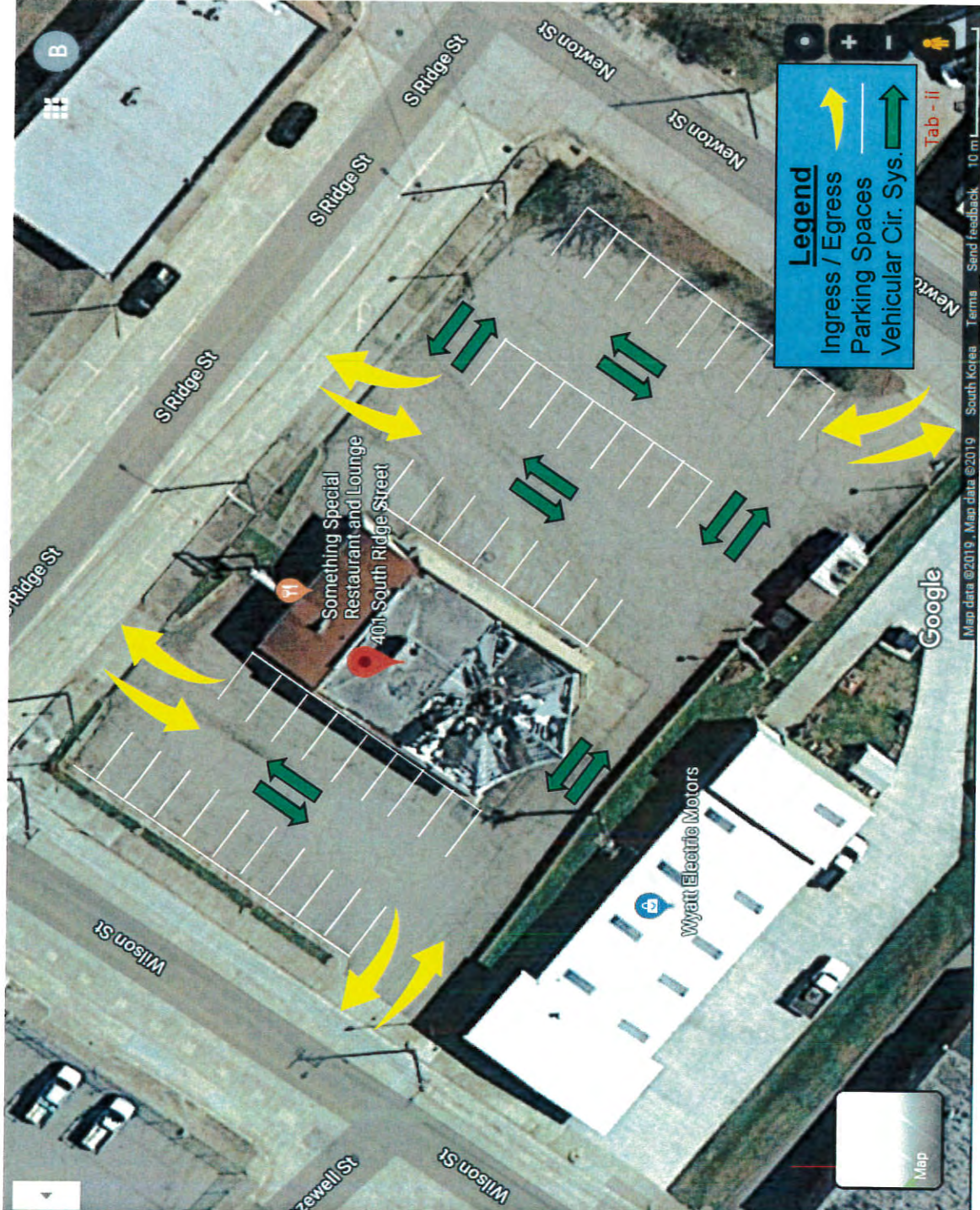
### 401 S Ridge St

Danville, VA 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







**NOTICE**  
FOR YOUR SAFETY  
**OCCUPANCY**  
IS LIMITED TO

**156**

PERSONS  
BY ORDER OF  
THE FIRE MARSHAL  
Keep Posted Under Penalty Of Law





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

## ***City Planning Commission***

### **City Planning Commission**

Meeting of November 14, 2019

#### **Subject:**

*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.*

#### **Background:**

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 in conjunction with an existing restaurant.

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. It has been issued an A-2 Assembly Occupancy permit with a maximum occupancy of 268 persons. This facility has 121 marked parking spaces that comply with code requirements on site, 116 standard and 5 Handicapped Accessible spaces. The facility itself is 5,160 sq. ft. Based on Staff's parking recommendations 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 the site would need 89 spaces (occupancy) + 10 employee + 1 per machine (no number listed) for 99+ required (89+10+1=99+).

City Code for an eating establishment is One and one quarter (1.25) space per four (4) seats (including outdoor seats), plus one (1) space per employee at the major shift. This facility has 208 seats so  $208/4$  is 52 + 10 for 62. Since the occupant load calculations is larger, that is being used.



This facility could support up to 22 machines based on staff's calculations but staff believes that this is too much.

**Recommendation:**

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000387, 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 two (2) gaming 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 PLSUP20190000387 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000387 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000387 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000387 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000387 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

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

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

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

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

Gross Area/Net Area: 4293 Sq Ft Property Address: 3585 Riverside Dr.  
Danville, VA 24541  
Property Location: N S E W Side of: See attached for legal description  
Between: \_\_\_\_\_ and \_\_\_\_\_  
Proffered Conditions (if any, please attach): \_\_\_\_\_  
\_\_\_\_\_

**EXPLANATION OF REQUEST:**

**1. PROPOSED USE FOR THE SPECIAL USE PERMIT:**

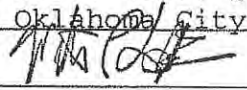
Please provide a site plan with the following information: SEE ATTACHED

- 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:

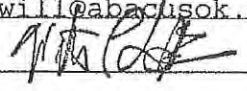
We are applying to allow for the use of games of skill  
at our new Texas Steak & Ale House restaurant.

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

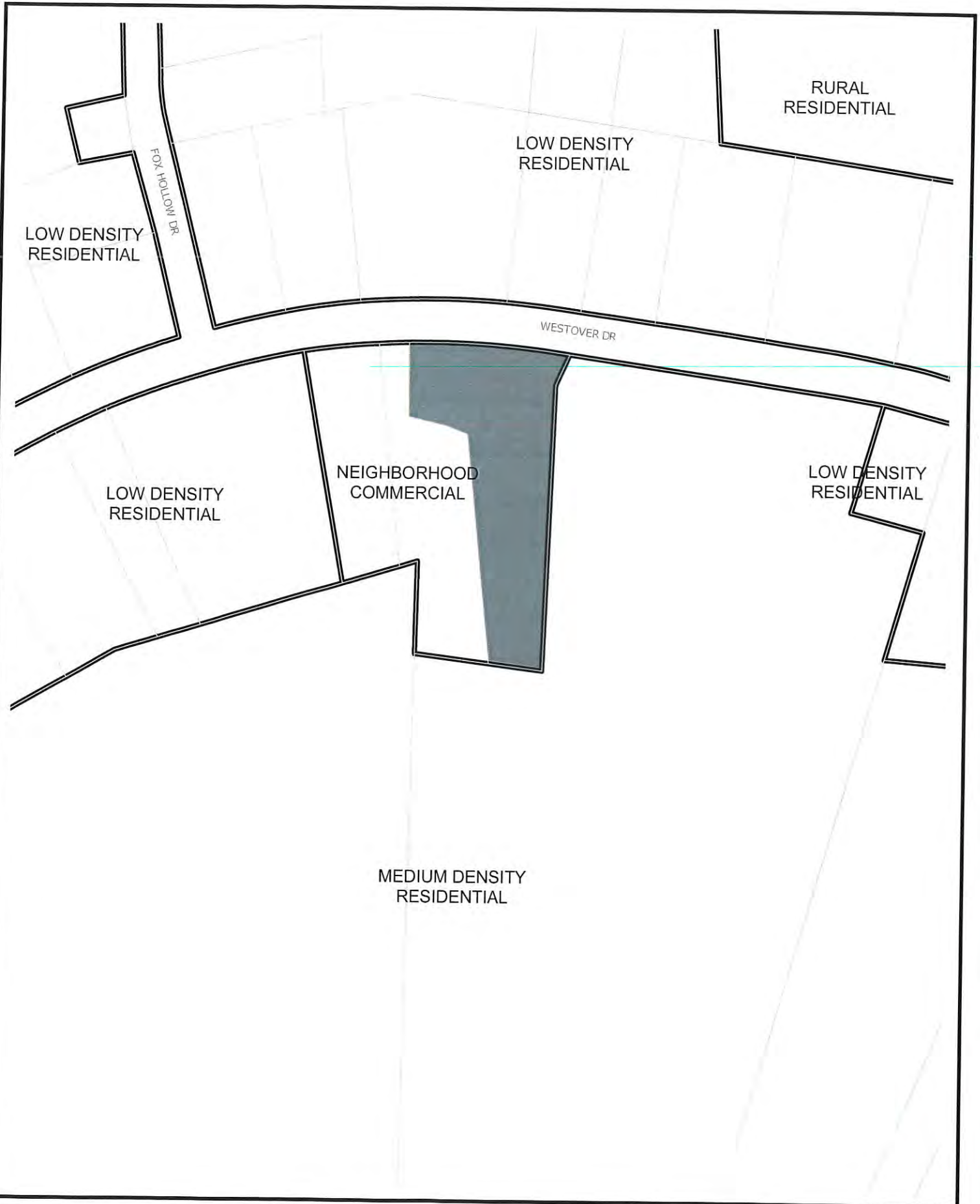
1. NAME: Danville VA RE LLC TELEPHONE: (405) 778-6878  
14504 Hertz Quail Springs Parkway  
MAILING ADDRESS: Oklahoma City, OK 73134  
SIGNATURE:  DATE: 9-19-19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: wliedtke@qspcap.com

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

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

NAME: t/a Texas Steak & Ale House TELEPHONE: (405) 778-6878  
MAILING ADDRESS: 27 E. Sheridan Ave, Suite 200, Oklahoma City, OK 73104  
EMAIL ADDRESS: will@abacusok.com  
SIGNATURE:  DATE: 9-19-19

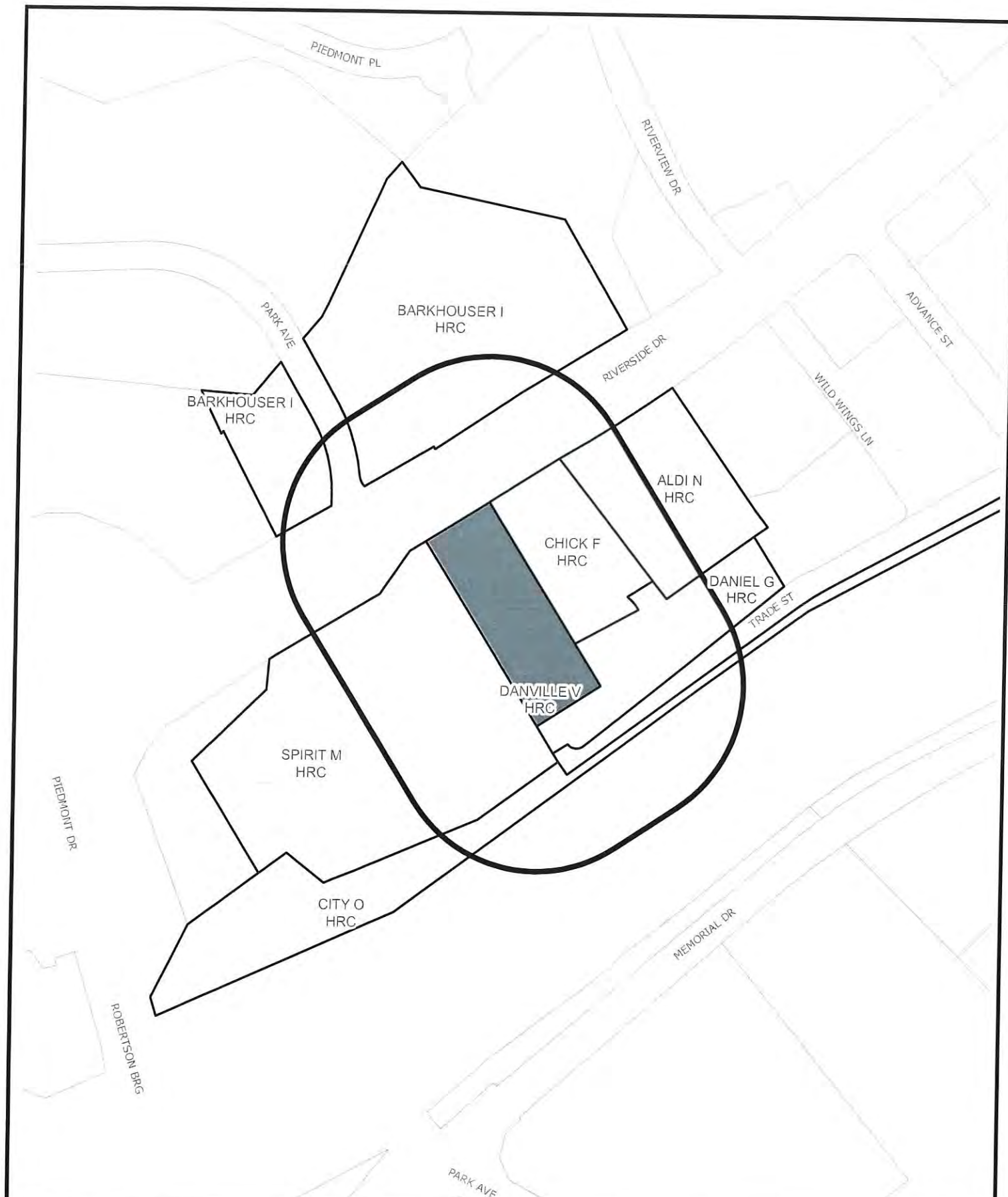




## YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
9/24/2019

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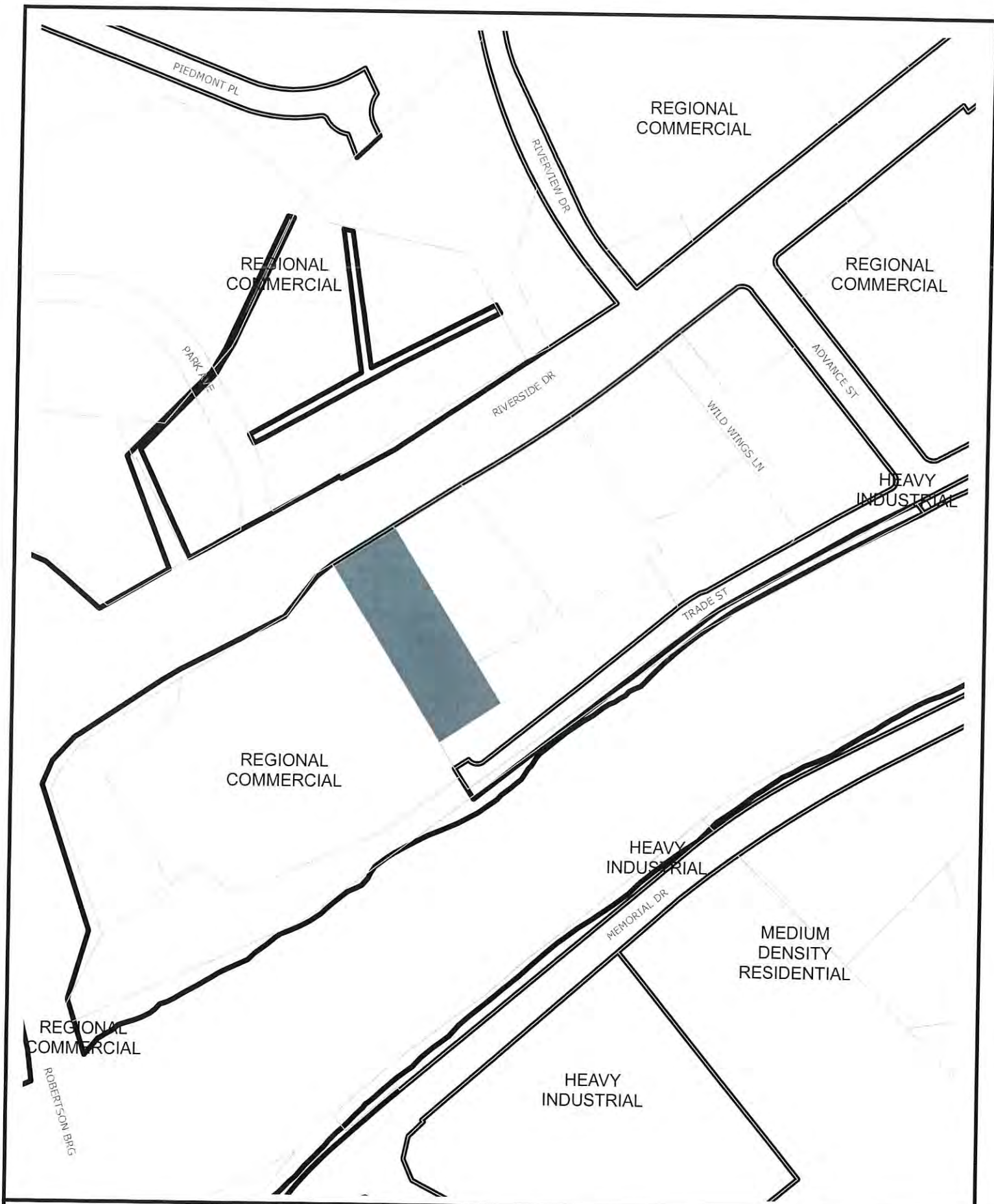
# **SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY**



Prepared by:  
Planning Division  
10/28/2019

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## YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
10/28/2019

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**SPECIAL USE PERMIT REQUEST**  
**DATA SHEET**

|                                  |                                                                                                                  |
|----------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>DATE:</b>                     | October 28, 2019                                                                                                 |
| <b>LOCATION OF PROPERTY:</b>     | 3585 Riverside Drive                                                                                             |
| <b>PRESENT ZONE:</b>             | HR-C Highway Retail Commercial                                                                                   |
| <b>PROPOSED ZONE:</b>            | HR-C Highway Retail Commercial                                                                                   |
| <b>ACTION REQUESTED:</b>         | Request a Special Use Permit for Commercial Recreation Indoor. The applicant is proposing to have indoor gaming. |
| <b>PRESENT USE OF PROPERTY:</b>  | Restaurant                                                                                                       |
| <b>PROPOSED USE OF PROPERTY:</b> | Restaurant & Indoor Gaming facility                                                                              |
| <b>PROPERTY OWNER (S):</b>       | Danville VA RE LLC                                                                                               |
| <b>NAME OF APPLICANT (S):</b>    | TSS Riverside LLC t/a Texas Steak and Ale House                                                                  |
| <b>PROPERTY BORDERED BY:</b>     | Commercial to north and south, west, and east.                                                                   |
| <b>ACREAGE/SQUARE FOOTAGE:</b>   | 1.62 acres.                                                                                                      |
| <b>CHARACTER OF VICINITY:</b>    | Commercial                                                                                                       |
| <b>INGRESS AND EGRESS:</b>       | Riverside Drive frontage Road                                                                                    |
| <b>TRAFFIC VOLUME:</b>           | Moderate                                                                                                         |
| <b>NEIGHBORHOOD REACTION:</b>    | To be reported at the Planning Commission meeting of November 12, 2019                                           |



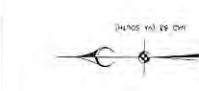


## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
10/28/2019

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 2. ☐ BAR-IRON IRON REBAR  
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PORTIONS OF THIS PROPERTY LIES WITHIN  
FLOOD ZONE "AC" AS SHOWN ON  
FEMA MAP # 51143063M  
EFFECTIVE DATE: 9-29-2010  
NOTE: ALL FLOOD DELINEATIONS TAKEN  
FROM FEMA FLOOD MAPS

DF 1

PROFESSIONAL, INC.  
HUMAN RELATIONS SPECIALISTS  
110 FRANCHISE STREET, DANVILLE, CALIF. 94501  
PO BOX 1627, DANVILLE, VA. 24501  
CALL (404) 894-4000, (703) 764-1111  
NAT'L OFFICE: (202) 367-7777  
U.S. LICENSE # 00000114021  
DIRECTOR: VICTORIA ROEWALTA



SIGNATURE \_\_\_\_\_ DATE 06/25/19

377 SA VIA ATLANTIC, ESTATE/EDIFICAZIONE  
PER 80-90 ANNI DI VITA, CON LA SCELTA DI UNO DEI  
62 MODALI PER IL COMFORT.

ALTERNATIVE PROPOSIZIONI:  
377A, 377B, 377C, 377D, 377E, 377F, 377G, 377H, 377I, 377J, 377K, 377L, 377M, 377N, 377O, 377P, 377Q, 377R, 377S, 377T, 377U, 377V, 377W, 377X, 377Y, 377Z

[illegible][illegible][illegible][illegible][illegible][illegible]

SURVEYOR'S CERTIFICATION

TO WASH. TELEVISION, INC., 1400 15TH AVENUE, NEW YORK, N.Y. 10019, COMPANY  
OWNED BY ME FOR THE USE OF THE FOLLOWING AND/OR ASSIGNS, AT THEIR INTEREST  
AND RISK:

SIGNATURE \_\_\_\_\_ DATE 06/25/19



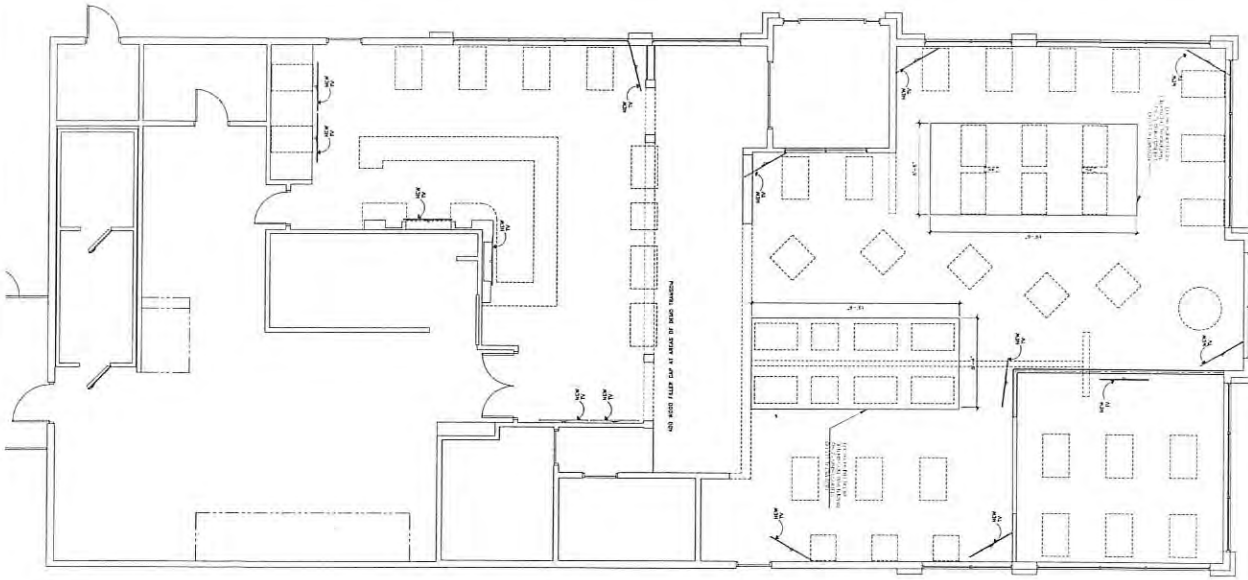
General Notes:

**IMES GROUP**  
FEDERATED CONSULTING  
ARCHITECTS  
100 S. 7th Street, Suite 200  
Austin, TX 78701

**TEXAS**  
TAP HOUSE  
AND SALOON  
3585 RIVERSIDE DR  
DANVILLE, VA 24541

REFLECTED  
CEILING PLAN  
AUGUST 4TH 2019

Scale 1/4" = 1'-0"  
A102



1 REFLECTED CEILING PLAN  
SCALE: 3/16" = 1'-0"

General Notes:

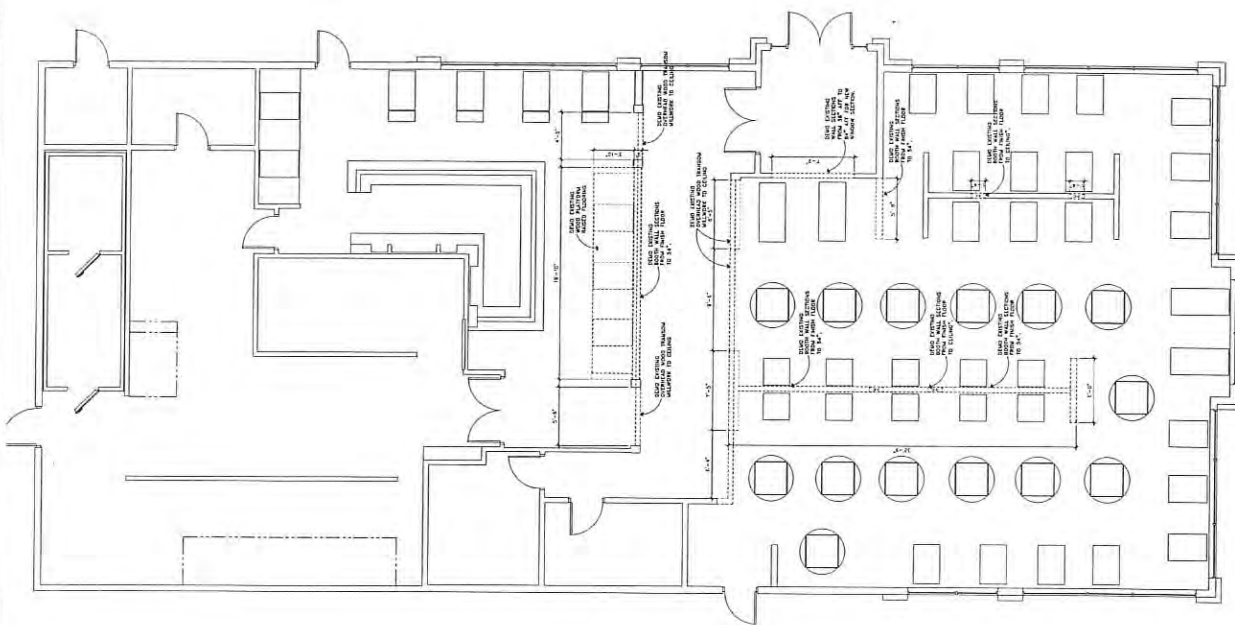
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**IMES | GROUP**  
PROFESSIONAL CONSULTATION  
1000 N. 10TH STREET, SUITE 200  
DALLAS, TEXAS 75202

**TEXAS**  
TAP HOUSE  
AND SALOON  
3585 RIVERSIDE DR  
DANVILLE, VA 24541

DEMOLITION  
FLOOR PLAN

AUGUST 4TH 2019  
Scale 1/4" = 1'-0"  
D001



1 DEMOLITION FLOOR PLAN  
SCALE: 3/16" = 1'-0"



General Notes

IMES GROUP  
FOODSERVICE CONSULTATION  
100 BAYVIEW DRIVE, DANVILLE, VA 24041  
WWW.IMESGROUP.COM

TEXAS  
TAP HOUSE  
AND SALOON  
3585 RIVERSIDE DR  
DANVILLE, VA 24041

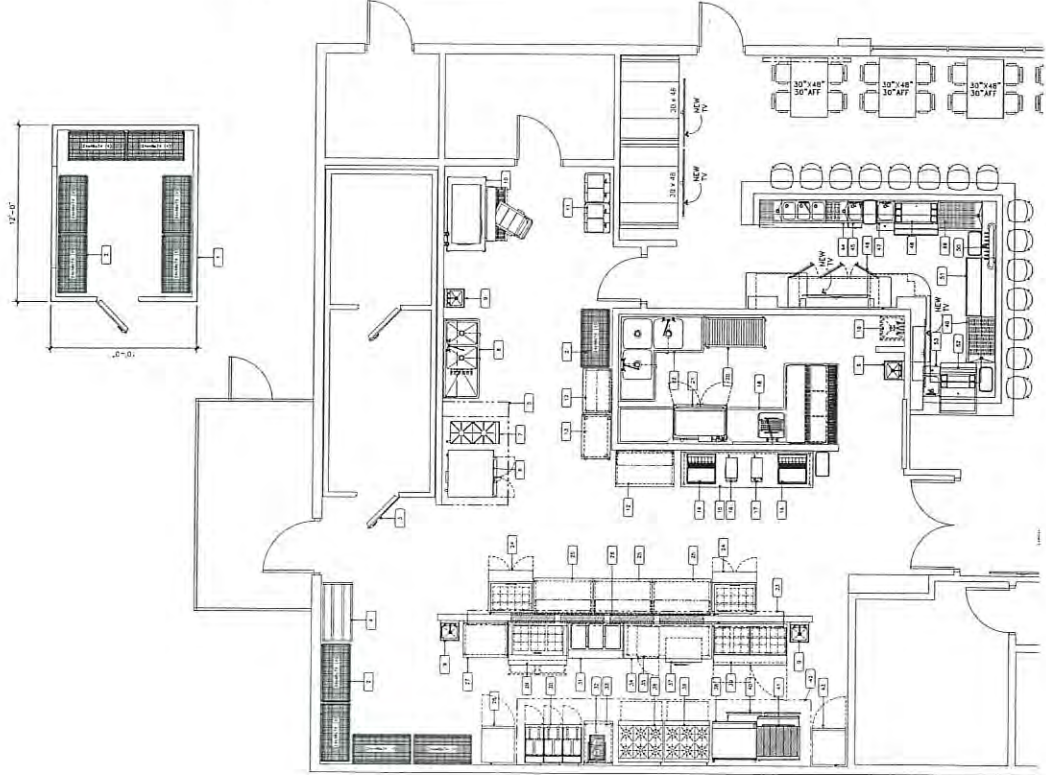
FOODSERVICE  
EQUIPMENT PLAN

MARCH 29TH 2019  
Scale 1/4" = 1'-0"

FS101

FOODSERVICE EQUIPMENT LIST

1. NEW OUTDOOR WALK-IN
2. EXISTING WALK-IN COOLER / FREEZER
3. EXISTING EXHAUST HOOD / FRYER
4. EXISTING EXHAUST HOOD / OVEN
5. EXISTING EXHAUST HOOD / OVEN
6. EXISTING EXHAUST HOOD / OVEN
7. EXISTING EXHAUST HOOD / OVEN
8. EXISTING EXHAUST HOOD / OVEN
9. EXISTING EXHAUST HOOD / OVEN
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1 KITCHEN EQUIPMENT PLAN  
SCALE: 1/4" = 1'-0"

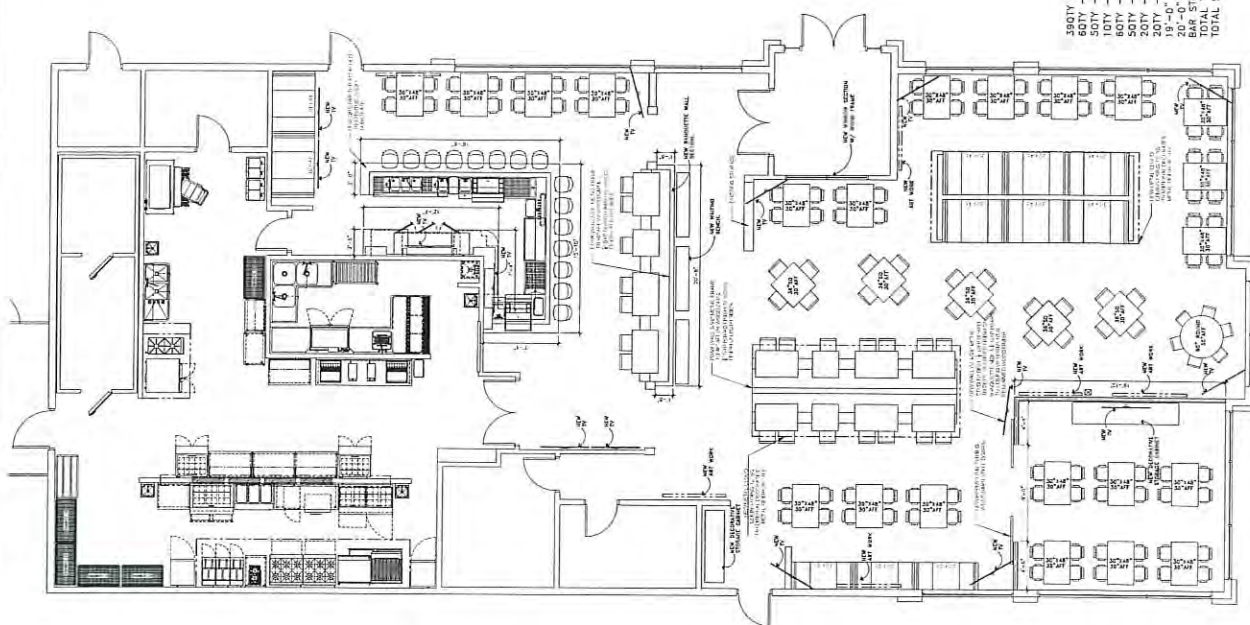
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| No. | Revision/Issue | Date |
|-----|----------------|------|
|-----|----------------|------|

TEXAS  
TAP HOUSE  
AND SALOON  
3585 RIVERSIDE DR  
DANVILLE, VA 24541

DEMOLITION PLAN AND NEW  
FURNITURE FLOOR PLAN

AUGUST 4TH 2019



NEW FURNITURE FLOOR PLAN  
SCALE: 3/16" = 1'-0"



Item 17

# 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:**

3585 RIVERSIDE DR, DANVILLE, VA 24541

**For occupancy by:**

Texas Steak and Ale House

**Use Group:**

A-2

**Type of Construction:**

5B = Wood framing with NO rating

**Building Owner and Address:**

DANVILLE VA RE LLC  
14504 HERTZ QUAIL SPRINGS PKWY  
OKLAHOMA CITY, OK 73134

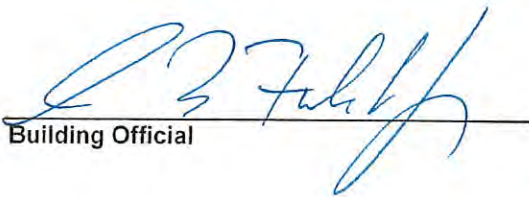
**Occupancy Load:** Dining - 238 Kitchen - 30 = Total 268

| CODE                       | PERMIT#       | INSPECTOR            | FINAL APPROVED |
|----------------------------|---------------|----------------------|----------------|
| Commercial Building Permit | PRBC201901515 | William C. Willis Jr | 24 Oct 2019    |
| Electrical Permit          | PRE201901674  | John Thompson        | 23 Oct 2019    |
| Mechanical Permit          | M030133       | Richard Phelps       | 21 July 2003   |
| Plumbing Permit            | P030036       | Charles Fulcher      | 02 July 2003   |
| Fire Inspection            |               | Jay Thornton         | 25 Oct 2019    |

**Conditions or Modifications:**

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

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

  
Building Official

October 25, 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 November 14, 2019

**Subject:**

*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 signs 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".*

**SUBJECT**

The City has received a request to to amend the City Signage regulations for the TO-C, Transitional Office District, N-C Neighborhood Commercial District, CB-C, Central Business District, and TW-C, Tobacco Warehouse District to allow for waivers of maximum sign area by Special Use Permit. This request is also to amend the Sign Regulations in the N-C, TO-C, CB-C, and TW-C Districts to allow for the maximum size of signs permitted by Special Use Permit to match the limitations set forth in HR-C and PS-C Districts.

**RECOMMENDATION**

It is recommended that City Planning Commission recommend amending 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 signs 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".



This change will not change the amount or size of by right permitted signage, but grant another opportunity for larger signage to be reviewed under special circumstances after neighboring property owner notice and public hearings by both the Planning Commission and City Council.

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL  
Application is hereby made for the Code Change Amendment as described below:

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

CASE NUMBER:

DATE FILED:

RECEIVED FROM:

SECTION AFFECTED:

PLANNING COMMISSION DATE/ACTION:

CITY COUNCIL DATE/ACTION: \_\_\_\_\_

**INFORMATION TO BE PROVIDED BY THE APPLICANT**

Zoning Code Section: *SEE ATTACHED*

Purpose for proposed amendment: *SEE ATTACHED*

**PRESENT OWNER(S) OF ALL PROPERTIES INCLUDED IN APPLICATION:**

1. NAME (PLEASE PRINT OR TYPE): Averett University by Aaron D. Howell, CPA

ADDRESS: 420 West Main Street  
Danville, VA 24541

P.O. Box 3300 Danville, VA 24543

434-799-5260 Fax 434-797-8919

[www.danville-va.gov](http://www.danville-va.gov)



EMAIL: ahowell@averett.edu

TELEPHONE: 434-791-5651

SIGNATURE: 

2. NAME (PLEASE PRINT OR TYPE): **Aaron D. Howell**  
**VP of Business & Finance/CFO**  
ADDRESS:

TELEPHONE:

SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): POWERS SIGNS INC

ADDRESS: 807 INDUSTRIAL AVE, DANVILLE VA 24541

EMAIL: SR@POWERS SIGNS.COM

TELEPHONE: 434-783-6351

SIGNATURE: 

Code Amendment to Zoning Code Sections:

Article 3.I. Section C Item 24

Article 3.J. Section C Item 22

Article 3.K. Section C Item 30

Article 3.L. Section C Item 15

Code Amendment request to add "Waiver of maximum sign area"

The proposed Code Change would allow the applicant to apply for additional sign area on free standing and building mounted signs when appropriate per location and use. With the use of a Special Use Permit, appropriateness is determined by City Council.

Code Amendment to Zoning Code Sections:

Article 10 Section M Item 4e

Article 10 Section N Item 4e

Article 10 Section O Item 4e

Code Amendment request to add "A Special Use Permit may be granted to waive the minimum sign area for free standing and building mounted signs not to exceed the regulations set forth in Article 10 Section P *Permitted Signs in the Highway Retail, HR-C, and Planned Shopping Center, PS-C, Commercial Districts.*"

The proposed Code Change would limit the square footage of the signage requested with a Special Use Permit to a size that does not exceed the regulations set forth in the HR-C and PS-C regulations. Therefore, encouraging uniformity in regulations and streetscape aesthetics.





## City of Danville

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

# City Planning Commission

## City Planning Commission

Meeting of November 14, 2019

### Subject:

*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 3.1, 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.*

### Background:

Averett University North Campus is approximately 70 acre complex located on Mt. Cross Road. The road is currently being improved to add additional lanes. The campus consists of a sports complex, training facilities, offices and classrooms. The property is zoned TO-C Transitional Office Commercial. The TO-C sign regulations limit sign size to 32 sq. ft. with and additional 24 sq. ft. for architectural elements.

The TO-C district is designed to be a buffer between commercial and residential uses, but does not adequately address facilities of this size. The University has requested a Special Use Permit for a 125 sq. ft. digital display ground sign to better advertise events that are to occur at the facility. This size is consistent with other properties in the area zoned HR-C.

### Recommendation:

Staff recommends approval of the request subject to the conditions

1. That the size be limited to 125 sq. ft. and
2. That the property be consolidated with adjacent land owned by Averett University. Otherwise the sign will be considered off-premise advertising and create a violation of the zoning code.

### City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000388 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000388 subject to conditions by staff.

3. Recommend approval of Special Use Permit application PLSUP20190000388 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000388 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000388 by Planning Commission.

**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

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

CASE NUMBER: \_\_\_\_\_

EXISTING ZONING: \_\_\_\_\_

PROPOSED ZONING: \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

PLANNING COMMISSION DATE: \_\_\_\_\_

CITY COUNCIL DATE: \_\_\_\_\_

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

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

Gross Area/Net Area: 70 ACRES Property Address: 707 MT CROSS RD

Property Location: N S E (W) Side of: MT CROSS RD

Between: PLEDMONT DR and WOMACK DR

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

### **EXPLANATION OF REQUEST:**

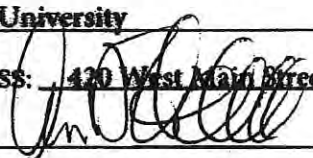
#### **1. PROPOSED USE FOR THE SPECIAL USE PERMIT:**

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

TO ERECT A 125 SQ FT GROUND SIGN IN ACCORDANCE WITH  
ARTICLE 3.1 SECTION C ITEM 24. THE SIGN WILL BE USED TO  
ADVERTISE AVERETT NORTH CAMPUS CLASSROOMS, THE GRANT  
CONVENTION CENTER WITH RELATED ACTIVITIES. THE LOCATION  
WILL MEET ALL SETBACKS IN ACCORDANCE WITH ARTICLE 10 SECTION M  
**PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):**

I. NAME: Averett University TELEPHONE: 434-791-5651  
MAILING ADDRESS: 420 West Main Street Danville, VA 24541  
SIGNATURE:  DATE: 09/24/19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: ahowell@averett.edu

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

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

NAME: POWERS SIGN INC TELEPHONE: 434-793-6351  
MAILING ADDRESS: 807 INDUSTRIAL AVE  
EMAIL ADDRESS: JR@POWERS SIGNS.COM  
SIGNATURE:  DATE: 9-30-19



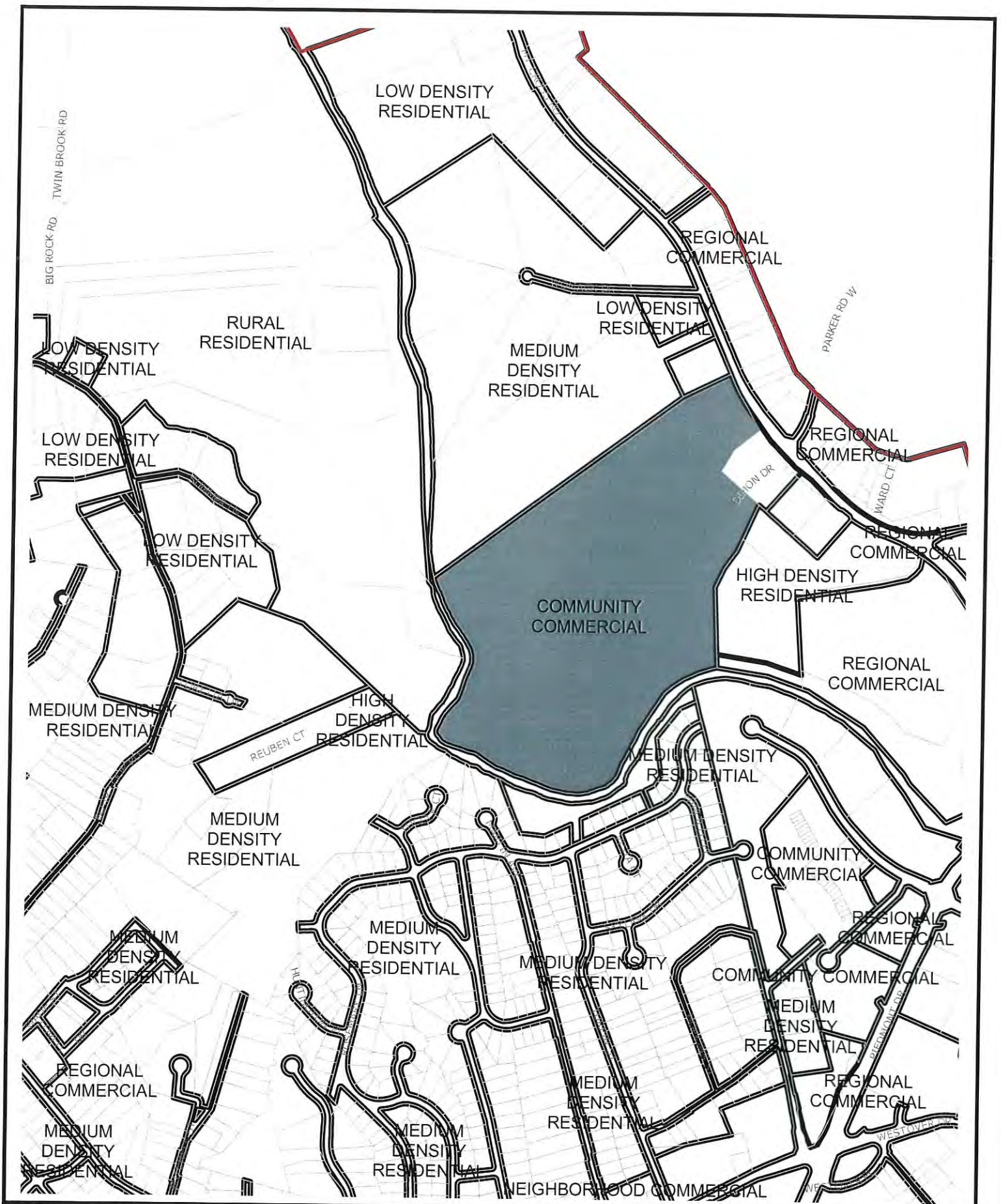


## SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

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 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**

|                                  |                                                                                       |
|----------------------------------|---------------------------------------------------------------------------------------|
| <b>DATE:</b>                     | October 29, 2019                                                                      |
| <b>LOCATION OF PROPERTY:</b>     | 707 Mt. Cross Road                                                                    |
| <b>PRESENT ZONE:</b>             | TO-C Transitional Office District                                                     |
| <b>PROPOSED ZONE:</b>            | TO-C Transitional Office District                                                     |
| <b>ACTION REQUESTED:</b>         | Request a Special Use Permit for a larger digital display sign than permitted by code |
| <b>PRESENT USE OF PROPERTY:</b>  | Averett University North Campus                                                       |
| <b>PROPOSED USE OF PROPERTY:</b> | Same                                                                                  |
| <b>PROPERTY OWNER (S):</b>       | Averett University                                                                    |
| <b>NAME OF APPLICANT (S):</b>    | Powers Signs on behalf of Averett University                                          |
| <b>PROPERTY BORDERED BY:</b>     | Residential to the north, mixed residential to the south, west, and east.             |
| <b>ACREAGE/SQUARE FOOTAGE:</b>   | .75 acres.                                                                            |
| <b>CHARACTER OF VICINITY:</b>    | Commercial and residential mix                                                        |
| <b>INGRESS AND EGRESS:</b>       | Mt. Cross Road                                                                        |
| <b>TRAFFIC VOLUME:</b>           | Heavy                                                                                 |
| <b>NEIGHBORHOOD REACTION:</b>    | 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.





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

## ***City Planning Commission***

### **City Planning Commission**

Meeting of November 14, 2019

#### **Subject:**

*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.*

#### **SUBJECT**

The City has received 18 requests for Commercial Indoor Recreation facilities in the past few months. The facilities provide indoor gaming activities where participants have the opportunity to win cash money. Some of these facilities have requested to be stand alone, and others are in addition to the existing on-site uses, usually associated with convenience stores or restaurants.

Staff has required all to obtain a Special Use Permit for Commercial Recreation (Indoor) as this use requires a SUP under the City Zoning Code. Six locations challenged the interpretation that a SUP was required to the City of Danville Board of Zoning Appeals. The Board, in all six cases, upheld the determination of the Zoning Administrator that an SUP was required.

The Planning Commission has heard 16 cases throughout the past few meetings. They subsequently requested that staff generate potential code amendment to address this issue. At their meeting of November 7, 2019, the City Council rejected the one request for a SUP in front of them

#### **RECOMMENDATION**

Staff recommends that Planning Commission advertise a work session to discuss this issue. At that, time staff would like to discuss potential definitions, parking, occupancy and types of machine restrictions.

## PLANNING COMMISSION MINUTES

October 7, 2019

### MEMBERS PRESENT

Mr. Wilson  
Mr. Dodson  
Mr. Garrison  
Mr. Jones  
Mr. Bolton  
Mr. Searce  
Mr. Petrick

### MEMBERS ABSENT

### STAFF

Lisa Jones  
Ken Gillie  
Clarke Whitfield

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

### **I. ITEM NOT FOR PUBLIC HEARING**

*Request a waiver to the requirements to provide paved parking in accordance with Article 8 Parking and Loading Requirements, Section 6, paragraph (b).*

Mr. Mark Johnson stated I work for LE&D Professionals and I'm here on behalf of the Daniel Group. I want to mention a couple of things. Riverside Equipment already has an existing paved parking lot. This is the auxiliary lot and after reading the staff recommendations this morning, I have talked to the manager at Riverside Equipment who verified that the fence, that the entrance on Riverview stays locked and it is not used for the public. The only time that it is open is to let the dumpster truck in and out. We would like to request that the pavement not be in consideration on this request. There is a strip of about 8 feet of asphalt that runs between this lot and the adjoining building. It provides a little bit of protection because that entrance will be rarely used.

Mr. Searce stated this is heavy equipment right?

Mr. Johnson stated it is both heavy and light but the heavy stuff is going to be down on the lower end. When a user drops off a piece of equipment, their guy does the parking until someone else rents it.

Mr. Bolton stated did I understand that you already have this forty foot condition?

Mr. Johnson stated no, there is only about half of the drive way pavement there now and it's about ten feet wide.

Mr. Bolton stated you are okay with the condition that they put out?

Mr. Johnson stated no, we would like to not have that condition because of the fact that is rarely used. If you go out there now you will probably see some gravel from where the trucks go in and out, but it is fenced in now.

Mr. Gillie stated staff stands by its recommendation because stone has been tracked out to the street and that is the reason that we put that condition out there. I discussed earlier with



Mark and they would like not to do it, and we think that they should, just to prevent that from happening in the future.

**Mr. Petrick made a motion for approval for the Waiver subject to conditions by staff as submitted. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.**

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. Searce stated all sixteen of these, is there anything else that needs to be applied as a blanket at this point? The occupancy permit is one of the things that you are struggling to get to determine parking.

Mr. Gillie stated correct. We think that this has been a modification on the change from Mercantile to a Business use because of the nature of what Mercantile use is defined as in the building code and what a business use is define as. The other facilities that are in front of you today, only one actually has the assembly occupancy permit. Which is higher than what the building is. The others need to upgrade their occupancy and you will see later on that some of them have been inspected for that and there is a list provided to you on modifications necessary for them to comply with that. Staff is not recommending this one go ahead because it has not been re-inspected to see if the changes that are necessary to comply with that new business type were made.

Mr. Searce opened the Public Hearing.

Mr. Jagjit Singh spoke on behalf of Suhasons Inc. Mr. Singh stated I think that Mr. Gillie saying the parking crises that we are having in Danville is very unfair toward our business. For us, they are saying that we are having an ongoing parking problem with no substitution, but the businesses that are conducting business in downtown Danville, they use public parking and don't have any parking requirements at all. They are also saying since the stores stay crowded it creates hazardous conditions. There are plenty of other businesses that are causing hazardous conditions. For example "Me's" restaurant if you are on Memorial Drive and you want to cross over there and there is a vendor truck sitting there, if you don't pay attention you could hit that. I don't understand why that's not a hazardous condition. The gas station on Franklin Turnpike, the cars are down the street waiting to turn in to get gas. We face a lot of challenges here and we have lost 40% of our sales. As a business owner, I don't like to see my parking lot empty and because of this and the machines being turned off they are. All the business is going to the County because they are operational there. Staff is saying that people are spending more time there and we need more parking spaces. I have been doing business in this City for almost fifteen years and when I bought the store, it had two machines and we don't understand why we are being targeted for this reason. There are establishments in the City that are still operating these machines for example VFW and American Legion. When I ask Mr. Gillie why they didn't get a letter, he said that they are a private organization and they couldn't go in and that doesn't make sense to me.



Mr. Searce stated do you want to make a comment to clarify some of his question?

Mr. Gillie stated I can't discuss ongoing investigations on complaints. I can discuss the lottery. It is exempt under Virginia Statue not allowed to do anything with that. These are not exempt and they require a special use permit and that is why we are here.

Mr. Searce closed the Public Hearing.

Mr. Searce stated no one is being targeted we are all trying to work and figure out a way to help make business work in Danville but there also has to be guidelines for parking and safety and staff looks at many factors.

Mr. Gillie stated we have a certificate of occupancy for Mercantile but we do not have one for the business. Again, we think this is a change because of the nature and the difference under the building code verses what they are doing now. It has a need for a business use permit. The only one that I have that has a valid certificate of occupancy will be the Pilot Station later on.

Mr. Searce what should be the procedure to start this motion?

Mr. Gillie stated I was hoping that last month after I read the same staff report that everyone would come in on Tuesday requesting update inspections to get folks to go out and look it over. We have had a few but again talking about cases ahead and a few have had us go out and inspect it and you have been provided with a list of things that have been provided during those inspections which are things that they need to fixed to get that update certificate of occupancy. After the last meeting very few people came and asked for it and those that did basically did last week, and haven't had time to fix what is necessary. And in this case if the applicant's want to go forward they should be here tomorrow morning with a meeting with the Inspection Staff and schedule that and see what modifications are necessary to get the building code compliance. That let's then see if it is cost effective for them to do it and if it is structural able to be done. We have concerns that some of the buildings may not be able to be modified based on structural issues and that is really the first step to getting that updated.

Mr. Petrick stated I just have a question about the conditions. Is staff satisfied that these outlined conditions here are going to satisfy all of our concerns as far as health and safety as far as operating these machines?

Mr. Gillie stated because building inspectors are looking at it and the fire inspectors are looking at it we feel that yes it will adequately address and give that change to the business use group. The parking we feel will also address the concerns that are occurring because you have, where a small convenience store have quick turnover, where those parking spaces are no longer having that. If we do that parking space per machine then you are addressing the need for additional parking. From staff's perspective we feel that it can but I'm just concerned since these buildings have not been inspected that they might not be able to meet those conditions and I don't think we should recommend approval on something without having all the information in front of us. I don't have that information and at this point I can't recommend approval of it.

Mr. Bolton stated if we recommend for approval then they might think they can go do business and it might come out later they can't.



Mr. Singh he is worried about us being unfair but we are trying to be as fair as we can up front by providing all the information that we can so they know what they are getting into. Whether it's cost effective to modify a building and to meet the code compared to what revenue is generated from these machines. It is costly to do modifications to a building if it is necessary. That is an added expense that these business owners have to undertake. Whether it is the renter or property owner that has to pay for that. There is a lot of unknowns from staff's perspective and that is why at this point we are recommending that they be tabled to allow them a chance to work all these factors out.

Mr. Searce stated we are asking every applicant to come in and start the process.

Mr. Gillie stated correct.

Mr. Wilson stated would there be advantage for us postponing this for us to have a work session to be able to sort out some of the processes that and be able to come back with clarification of this.

Mr. Gillie stated no on these particular cases. At the end staff is going to make some recommendations on how we proceed in the future but as he has already applied under the current regulations, I can't say that holding a work session would do anything. The step would be for the applicants to quickly as possible get with our building inspections divisions, which again, I recommended this last month but no one did. I can't make them do it but I strongly suggest that they get with the inspectors and the fire inspectors and have those facilities toured to see what conditions the buildings are in now and what upgrades are necessary and make that determination if they want to proceed or not.

Mr. Petrick stated but you feel like it was clear to the applicants about the information that you required to approve this.

Mr. Gillie stated I read the same staff report at the last meeting that they needed to have a certificate of occupancy or an updated certificate it did not occur. That really needs to occur to proceed on or for at least staff to make a recommendation to support. If The Planning Commission feels that it's not necessary then staff would recommend denying them, unless we know that it is safe for someone to go inside and do this kind of thing we need that in our opinion.

Mr. Jones stated has the Planning Commission ever approved an application for a special use permit without an updated occupancy?

Mr. Gillie stated the last one I guess you did, they were going through a change of use and they got this type of certificate of occupancy. You also approved one in the past for Kick Back Jack's, which is an assembly permit which is a higher occupancy permit than the business that we are recommending for these. So, the ones that I have on file already meet the same requirements that I'm asking these folks to meet.

Mr. Garrison stated if we recommend approval and sent this to council with these conditions they would have to meet these conditions as far as the certificate of occupancy before council would even consider them am I correct.



Mr. Gillie stated they should meet those conditions before City Council. The question that I would have is if they don't necessary get all that done and it's going to Council with recommendation of approval. I don't want City Council to think that everything is good. The Planning Commission's purpose is to try to resolve any issues prior to making it to City Council and that is why staff is making this recommendation that we need to work these things out prior to it moving forward from this level. If it is not cost effective if the building owner says I don't want to spend that kind of money to do any modifications or if the building is great at this point I just don't know and I don't think it is right to recommend sending it forward not knowing all the answers. When it goes to City Council it should have all the answers of a yes or no and this is it.

Mr. Searce stated we don't want to send it to City Council until it is ready.

Mr. Wilson stated so what happens if we postpone next what will happen?

Mr. Gillie stated my hope that the applicants will get with our building inspections and fire department and go out and do the updated inspection and get that updated certificate of occupancy and agree or disagree to doing those modifications and they decide whether its cost effective for them to proceed or not. If they feel that they can do all of those and start the modifications then bring that back and I can come to you and say yes the buildings have been toured and this is the list of things that need to be done and yes they are going to proceed with it and it is cost effective for them to go ahead or even pull permits to start those modifications. At this point I don't have that information and that's what I think should be the next step.

Mr. Wilson stated so really it comes from the business owner and people that provide games and everything to make sure the facility is properly designated and safe and everything for public use just like we would for any public related building where people come in for some reason.

Mr. Gillie stated correct and in my opinion yes. The issue with parking some of these buildings are right on the limit or right under what they should have because they are legal nonconforming. They are going to have to figure out a plan to address the parking issues. That is a potentially costly issue as well as modifications for restroom access. The business owner will have to figure out whether it is worth them doing it verses what they make in these machines. I don't know what anybody makes from them. I just know they are there and if they want it these are the things that we feel are necessary to protect the interest of the public going in and out of these facilities and also citizens in general that have to drive by and say we don't have cars parked in streets and we don't have spilled over to adjacent property which has been a concerned from folks that is why we are recommending on some of them no offsite parking can occur.

Mr. Charles Fulcher Inspection Division Supervisor and DJ Bisson Property Maintenance Coordinator. Mr. Fulcher stated there is a code if it is less than the occupancy then the assembly use being as a business occupancy which is less strict than the assembly.

Mr. Jones stated once they ask for this inspection how long does take before it takes place?

Mr. Bisson stated typically it takes place the next day.



Mr. Petrick stated if we established conditions that you are satisfied that they are going to meet requirements for health and safety for the operations of these games. Why is this any different than a conditional improvement of any special use permit? Once we established that it is contingent upon meeting these conditions and the others are up to them it's approved as long as all conditions have been met.

Mr. Gillie stated I'm just concerned that it can't meet those conditions.

Mr. Petrick stated is that our concern, we are going to approve it contingent that they meet these conditions.

Mr. Gillie stated from a City and Business stand point I believe that it is our concern some of these building were designed and occupied a long time ago. So they may need substantial modifications to that building. If it leaves this Commission with a recommendation of approval I don't want someone to think that everything is all good until they have had this opportunity to get these inspectors out there. I feel that these inspections should be done first before it comes here, if it can't meet it then it doesn't go forward. If it can and there is this list and they can comply with that list then the applicant can say I have had this list done and I can comply with that. At this point I can't say to any of these applicants do you agree with that list because they don't have that list because they haven't done the inspection yet.

Mr. Petrick stated but it would be approved contingent upon.

Mr. Gillie stated it would be I'm not disputing that fact but I have concern that the list is going to be substantial and I don't want anyone to have the idea that I'm good because I was here. I think that inspection should happen first. It's up to Planning Commission if you want to go ahead without it.

Mr. Petrick stated I was trying to eliminate a step that it looks like unnecessary.

Mr. Bolton stated in some ways it almost helps the applicants because I would want to know if it was going to cost \$100,000 or \$10,000.

Mr. Gillie stated until these buildings are inspected I can even recommend yes or no and whether they can or can't comply because I don't know the answers to that until those buildings have been inspected. It may be that they have \$10.00 worth of items or \$100,000 worth of items. I just don't have nearly enough information to make that recommendation.

Mr. Petrick stated our concern is not the cost and whether or not that this can be done. We are saying that these are the conditions it's being approved contingent upon meeting these conditions.

Mr. Gillie stated under Planning Commission I agree you don't consider cost as an inspector and zoning official and other things would. I'm trying to both look out for the City Code as well as the small business owner. I'm trying to make sure as he said it's an issue with a small business when they come in and I'm always concerned with how is it going to impact other folks that are already here. That's why sticking with my recommendation.

Mr. Garrison stated half of these cases were annexed thirty years ago and we don't know what they were built under. The County does things different from the City. Are we going to go to all the buildings that were annexed and run these types of things and see if they have



violations like paint peeling off the side because if we do we are going to close a lot of businesses.

Mr. Gillie stated only if they are modifying and asking for a special use permit as in this case. We are not going out and looking for it. This is a change and they are asking for that change and because they are asking for that change then staff feels we need to inspect it and bring it up to the code. This is a modification and we feel that at this time it needs to be updated.

Mr. Garrison stated but it's not a modification.

Mr. Gillie stated but we feel that it is because it's now went from Mercantile, the quick in and out, to business. People are spending large amount of time in these facilities. The use of the building has changed because of the addition of these machines. That's why again commercial indoor recreation and special use permit is necessary and we think the building should be brought up to at least by safety standards based on the business use.

Mr. Jones stated B-Business group changes automatically now that you have addressed what they are going to do.

Mr. Gillie stated some of them don't have certificate of occupancy at all. The certificate of occupancy came in we think around the late 70's with the adoption of the Uniform StateWide Building Code. Some of these buildings that were pre 70's and those that were out in the County until 88 don't necessary have them on file. Also our records that we received from the County in 88 were not always the best. That is why we feel that those inspections should be done. If they were in operation prior to 88 then we would have no reason to go out and inspect or do anything. Now they are asking for change and when you ask to change that's when that inspection should be done to determine compliance with current code as well as modifications necessary to add this additional use.

Mr. Jones stated I'm not stuck on parking anymore even but I would like to know if there are public rest rooms, fire extinguishers. What are lifesaving items?

Mr. Gillie stated exit lights, emergency lights, fire extinguishers placed inside the facility, distances to exits, emergency exits aren't blocked, and panic hardware, smoke detectors and door swinging the proper way, those are life safety issues.

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000294. Mr. Dodson 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. Searce opened the Public Hearing.



Mr. Jagit Singh spoke on the owner's behalf. Mr. Singh stated I am just confused because we don't think it is a different kind of use. We have 300 signatures of people that are not opposed and they would like these games.

Mr. Gus Dyer I'm here on behalf of Board of Zoning Appeals, where I am the Chairman. I appreciate Mr. Petrick's desire not to kick this can down the road. I just want to make this body aware that the 17<sup>th</sup> of October we are going to adjudicate a case in which hopefully the problem is that the code requires a special use permit for indoor recreational facility. The main question is any one of these buildings that have the machines an indoor recreational facility. My understanding we are going to have some high price Northern Virginia Lawyers there maybe that are going to try to convince us that this is an auxiliary use. This is not the primary use of these buildings and if that is the case then these folks won't need a special use permit. I just want to make you aware of that and we are going to address that issue in 10 days. Hopefully, by your November meeting we will either affirm the fact that if you even have one machine in a million square foot building that you are an indoor recreational facility or even if fact that those machines auxiliary uses like a ATM.

Mr. Whitfield stated Mr. Dyer there might actually be a high price lawyer from Roanoke as well.

Mr. Dyer stated they will try to convince us.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000295. 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 second time that I have made this trip down from Richmond. I would like to address the Commission on the exact same property and the exact same issue. The last time that I was here we were told that if you had a certificate of occupancy and if you calculate the formula based on the number of parking and parking was the only issue that we talked about not these other issues and a determination would be made. Now, I have some issues with the parking and I will talk about it in a minute, but none of these other issues were addressed at that time and it seems, with all due respect, that we just keep coming down here and addressing new issues every time kicking this can down the road and it's not fair to businesses that are paying for this and we are trying to get on with what they are trying to do. Not only that but two of the stores that I represent have a certificate of occupancy and we contacted the City to find out what we needed to do and make sure that we had everything in order to be able to come down here and make this presentation and move this forward. To be hearing this now for the first time is frankly unfair.



I guess the question that I have is we are now saying that this is a different use because somebody wants to put a machine or two into it. How many machines constitutes a change from Mercantile to Business to an Assembly. Where is that line drawn? Is that line drawn for a pac man machine or an ATM machine or is it just be drawn for these machines here. I don't know the answer to that question but I think it's one that we ought to be looking at and ought to be addressing. This is just a recommendation for City Council and that is all that we are talking about. We are not talking about changing things and this is not an arcade which is going to lead me to the parking issues here. This is not an arcade, these are convenience stores that happen to have a machine or two and the number of machines that are in there where that is ultimately the question, and I think that is what we are getting to. Do you want them to have twenty, ten, four or two that's what is reasonable here not parking formulas that come up with different numbers and different places based on certificates of occupancy or square footage of whatever it may be. As best as I can tell and if I'm incorrect with this I apologize in advance, but uses that are being tacked on together and if I understand the parking requirement here, you've got to have all the parking for the primary uses with the Planning Department. The primary use of the convenience store which this one is eleven parking spaces and then you got to tack on all of the parking spaces that fit under the code for an arcade. How many parking spaces would this one need under your formula?

Mr. Gillie stated its in addition to required parking for the existing business use which is the eleven. The business shall provide onsite of no less than the accommodation of one space for three persons based on occupancy or per square footage calculation designed in signing the code, whichever, based on their occupancy. With the change of use I can't determine that occupancy because I don't have the listing of business use. So that would be again based on the update of the business group. The old Mercantile it was eighty, so I was going with which ever one was greater plus one space per machine and one space for employee shift. We would need to know the number of machines and the number of employees and either based on the square footage which was eleven or whatever is determine under this certificate of occupancy for the business use group. Not either and not a total of eleven plus the occupancy plus. That is why it says or per square footage calculation signed to code which ever one is greater. I understood after the last meeting that might have caused some confusion but the new staff report has that in parentheses. We weren't trying to double dip on parking requirements it was one or the other whichever was greater based on that number.

Mr. Douthat stated thank you for that clarification I did not get that new staff report.

Mr. Gillie stated you should have got them last week when we sent them out.

Mr. Douthat stated so I guess what it comes down to is we don't think there should be a parking restriction at all. I have been to countless number of stores in Richmond, Petersburg, and Colonial Heights and outside of Danville, I have never seen any parking issues what so ever. I've never seen anyone congregate other than me and I have played it one time. The parking I don't believe is what it is and I believe what we need to decide is how many machines can a store have? This store has applied for four machines. They have asked to have four, they should either get their four or a number that is less or whatever they should get a recommendation on it. They have come down twice and they have done what has been asked.

Mr. Searce stated I have actually had a man that works on these machines for the convenience stores tell me one time he couldn't get on the parking lot to work on his own



machines because it was so crowded. So, there are parking issues because I have seen it. The reason we are trying to get information to staff is to be able to determine will this accommodate two, four, or whatever machines so there will be a safe environment.

Mr. Douthat stated I understand and I appreciate that, but that's sort of flipping it around that's kind of saying how many machines can they have?

Mr. Searce stated it's got to be a happy number that will work.

Mr. Douthat stated but you have the square footage and we are just asking for a recommendation. I apologize Mr. Gillie, I did not mean to cut you off. I was trying to clarify what my question was.

Mr. Jones stated are you going to address the violations that are listed here.

Mr. Douthat stated there shouldn't be any violations. We have a certificate of occupancy from the last meeting when we came down here. The issue at that time was we couldn't determine how much parking or anything like that because we didn't have the certificate of occupancy and because the department was under staffed. So at that time my understanding was you could get a certificate of occupancy or have a certificate of occupancy you could move forward submit it with the calculation under the parking formula so that you could make your recommendation for that. If you did not have a certificate of occupancy you needed to go and apply for one that is what the discussion was at the last meeting and based on that discussion my client's went to find out whether they had certificates of occupancy and two out of three did and submitted those and now we are learning today that we are reviewing this in a completely different fashion from what we did at the last meeting.

Mr. Searce stated there still is a parking issue.

Mr. Gillie stated we feel that the use of the building has changed and it has become business. The Mercantile is occupant load of eighty and that would be twenty seven parking spaces based on the one for three. I don't know if the business would increase that load or decrease that load until that inspection is done I can't make that answer. Based on square footage it is eleven for this one so again going with that whichever one would be greater this use itself would require twenty seven of the existing onsite parking spaces. We also have a restaurant and a beauty shop and parking may be an issue until the updated certificate of occupancy is done again I can't say whether it would be but if we went on the Mercantile and the numbers that we have right now I don't think they would have sufficient parking to have a machine. Again we feel this is a benefit to them and if they get this updated certificate of occupancy and see whether it meets that code requirement. If not, how they could address that parking issue. I sent you all the certificate of occupancy that I had on file for the facilities that we had. They had all the listings on there and I had done the parking calculations on there. Again based on square footage because I don't have an updated certificate of occupancy for that business. I didn't want to put in that report that we recommend denial based on twenty seven spaces based on this alone because the existing site has thirty one by the time you take in to Medo's Restaurant and the hair salon it would be in sufficient parking. I'm trying to give them the benefit of the doubt and trying to go in their favor. If he feels that Mercantile is sufficient then I would recommend at this point denial because we don't have sufficient parking to meet the needs.



Mr. Douthat stated are stores that try to put in pinball machines and video games and other types of video games that are not games of skill subject to the same requirement? Have they moved up to business?

Mr. Gillie stated yes, recently we had a place on Westover Drive, this board granted a special use permit and they have that certificate of occupancy and had to meet the requirements. Also, Kickback Jack's has that special use permit and I believe that I gave you a copy of that previously. They are assembly and they have plenty of parking. We feel that we are being equitable.

Mr. Douthat stated with all respect I think there is a difference from a store with a couple of machines in it than a Kickback Jack's. The primary use of the store is that it is convenience. Having a couple of video games does not make it an arcade. I think there is a difference what we are talking about here. These machines are in stores all over the Commonwealth of Virginia, just drive up and down interstate 81 and 360. Presuming that the use of the building that just because there is going to be a couple of games of skill in there that all of a sudden these convenience stores are completely different than what it was before and I don't believe that is accurate. Changing the zoning from Mercantile to assembly I just don't understand.

Mr. Searce closed the Public Hearing.

Mr. Gillie stated I disagree with him. I think this is a change with this facility. You are now spending time and large amounts of time potentially at this site, where you didn't before. That is why we are not requiring a full assembly, we are saying that this is a business a mixed type use that has portions that are assembly and portions that are Mercantile. We feel it better suits the use of the building because this is a modification to it. Staff stands by its recommendation and we think that change of use survey should be done to make that determination if Planning Commission doesn't feel that is necessary again based on existing parking for all the stuff on site, I couldn't support this one because based on all of the other uses there would not be enough parking to meet the needs and that survey would be the best thing to go and then they have determination if not.

Mr. Jones stated I remember last month and we postpone all of these because of the occupancy and so forth but I don't recall that B-Business Group ever being mention last month? How come that comes up now?

Mr. Gillie stated if you remember last month very few had the certificate and I didn't have all that information to say. Once we got some and we sat down and said what are these buildings being used for, and Mercantile basically the convenience store type, is this still a convenience store and people are now spending potential hours in a place and what happens if you spend hours in a place, it falls under the building code as an assembly. Also under the fire code slightly differently. We said okay these aren't really true places of assembly that you would think of like Kickback Jack's or restaurants and other things, so what are they? They became business, which becomes the mixed type of Mercantile but also has the portion that is slightly higher for the assembly, so it requires additional life safety. If someone is in there using that facility for an hour or two do they have access to a restroom? For citizens they should have access to a restroom. Under the Mercantile they don't necessary have to have that, under B-Business they do. They are trying to address the concerns of the people that are going to use the facility as well as the life safety of those in the building and parking is one of the things that we have looked at, and handicapped



accessible it has to be. These are things that we should look at as the Government and we should be trying to protect the interests of the citizens going in and out of these facilities so that is why we thought that business meets the code and we sat down with the fire department and inspection division and went over all of this and all of the ones that didn't even have a certificates. We don't have updated information. We have the one case that we already had where they went out and did the inspection on it and we don't feel that this is new. People as they are going through this do everything to make this right, does it meet everything. Can I provide enough parking this are things as a business owner they really should be asking but they haven't? We presented this last month the business wasn't listed because we were still going through did they have CO's and are they appropriate or not, and I didn't have that information last month period. I provided the applicant with a list of the few that I had that had the occupant load. He could have calculated the parking the way that I did.

**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000320. Mr. Dodson seconded the motion. The motion was approved 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. Searce opened the Public Hearing.

Mr. Fielding Douthat spoke on behalf of Inam Qazi. Mr. Douthat stated this applicant does not have certificate of occupancy at this time and I would move that this one be deferred.

Mrs. Linda Gillespie stated I live at 266 Lovell Drive. I don't feel that a gaming facility should be allowed across from this property. My concern is crime. We have had a few breaks in in our area and our property stolen. It is relatively quiet and there was about two weeks ago, we had to call police. There was a party going on in the corner of this property. When the police arrived they scattered. To have these people that are coming and going into this area, I think the parking but this store does have parking but it's not utilized. The people will park along the side of the road up on their property but it blocks the view trying to pull out of our street because people will not get into parking spaces. When we are trying to turn off of Westover Drive onto Wade Street which leads to our street it is a circle. You can't turn in sometime because someone is leaving that store and someone has parked beside it and you have to sit on Westover Drive and wait to turn in until that car has pulled out. I have even spoken with the other about this asking him not to let people park beside the store, but that didn't work out. There is no parking beside that building and the space is limited.

Mr. Jim Gillespie stated Linda is my wife and it is pretty difficult to follow someone that is so passionate about something, but I will try. Parking is definitely a problem and that is one of my concerns you can see from the photo here. That the building is approximately five to six feet from Wade Street. Any one that parks besides the building they block the entire lane on Wade Street. Very often a car parks and blocks the street and also particularly during the daytime there are vendor trucks that park there and they completely block the lane. Then you only have one lane when they are parked there. My second concern is access to



Westover Drive is very difficult from Wade's Street out to Westover Drive going east toward Riverside Drive. There have been a number of wrecks there and the area from Buxton Garage all the way up to Dollar General is very busy and makes a very dangerous situation. My third concern I live directly behind the building right now there is approximately twenty five foot area of woods and should that be compromised I'm afraid that I will not have a buffer at all. There are already lights that eliminate the parking lot in the rear and they don't really bother us, but if it was done with knowing that it was combined with noises with excess traffic then it could actually bother all the residents on that side. My other concern, this has been a residential area for decades and that property values could be affected. The traffic and most of the residents there are long term and have been there for years and they are older and they vote and pay taxes. I feel for them and myself, we need something better than gambling situation.

Mr. Keith Fields I'm also a resident there. Mr. Fields stated I spoke back in September and I just want to remind you of some of the things that I said then. My concern as Mr. Gillespie pointed out, you have four businesses there and they are probably closer than five hundred feet. If you would go down Westover Drive sometime between 4:00 and 5:00 you would understand what it is like trying to get into the gas house. You have four road ways that dump out there. We are concerned about the health, safety and welfare of the community. There is a drop down from four lanes of traffic to two when looking eastbound on Westover but likewise when you are going in the other direction there are the attendants there at the gas house. There is a lot of congestion already going on and for a resident like myself, your home is sort of like your sanctuary so the last thing you want to have at the end of your driveway is additional congestion based on how many games you can have.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000319. Mr. Jones seconded the motion. The motion was approved by a 7-0 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. Searce opened the Public Hearing.

Mr. Hewa Jayawardena spoke on behalf of Jerry Davis. (Please see Italicize attached letter from Hewa Jayawardena.)

Mr. Searce closed the Public Hearing.

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000290. Mr. Dodson seconded the motion. The motion was approved by a 6-1 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*



10/07/2019.

Attn: Planning Commission Meeting.

**Applicant's comments for 10/07/2019 Meeting for Application**  
**PLSU20190000290**

1. Current building was used for Convenience store and Deli both in 24-hour basis in 2000 and before. But currently Deli and/or food service is not performed. In addition, this place has outside camping table reserved for customers who need stay and consume their food in the premises, not in practice currently. So that, the parking lot has been built in good capacity to perform to the demand in 20 years ago which that customer demand volume has dropped at considerable rate now a days.
  - a. Refer to the information got through nabourhood and customers, this business is there for more than 25 years and was very popular for deli and beverages.
  - b. As I am aware, current parking spaces were designed with respect to that past era demand for store services such grocery and deli both. But in the time being deli business is not in practice for more than five years due to;
    - i. Growth of other competitive businesses in the area. (Two new businesses, Restaurant and a Deli place started within quarter mile).
    - ii. Five years ago, the Toyota Show Room next to my business premises was moved to their new location in Piedmont Dr. and dropped customers for deli, grocery and gas in my store. There won't be re-opening of deli service in my business premises in near future.
  - c. More and More convenience stores were opened nearby, and the clientele was drastically dropped with respect to 2000 and before.

**Hence, I do hereby request to consider that excess parking space available due to lack of customers' demand to be reserved for new proposed gaming business requirement.**

2. Current space assigned for store activities not in used totally as deli business had been abandoned since long ago. **Please refer the sketch attached. Refer to new lay-out;**
  - a. **280 sq. ft being reserved only for gaming. Extra recreational facilities such as reading TV watching could be provided.**
  - b. **120sq. ft being reserved for personal use as utility.**

Hence, the current space reserved for convenience store is 2000 sq. ft, would suggest herewith to calculate the parking lot requirement on pro-rata basis which results 9 for convenience store and the rest could be assigned for gaming machines.

3. I do have capacity to expand current parking space from 12 to 18 as a part of supportive factor to expand gaming business. With respect to the investment it would be reconsidered with the outcome of future returns of store income.
4. Certificate of Occupancy.
  - a. Working on how to make application for obtaining such.
5. Public Rest Room.
  - a. Current rest room could be modified with respect to the Current space assigned for store activities requirement.

Main Entrance



Gaming Area  
280 Sq.Ft

Cash Register/Behind Counter

Grocery store Area

Walk In Cooler

Utility/Back Room

Rest  
Room



*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 Italicize letter from Mr. Bob Vaughan asking to be put on next month's agenda.)**

7. *Special Use Permit application PLSUP20190000298, 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. Searce opened the Public Hearing.

Mr. Shahid Javid spoke on behalf of MKM Partners.

Mr. Gillie stated the lottery is the Commonwealth of Virginia under Virginia Law being a Dillon rule state, I'm not allowed to regulate anything specific to the lottery itself. These machines are not that. That is why commercial recreation according to the zoning, and parking is required in our opinion. They are the amount of square footage numbers that he has, eleven, is required for the convenience store itself. There is only one handicapped space marked and the rest of it is not marked so I can't make a determination of how many spaces are available on site. Based on the Mercantile certificate of occupancy would require thirteen spaces. Again I was give the benefit of the doubt when I listed eleven on the staff report but until that change of use survey is done and plan is presented on how space will be laid out from parking, I can't determine the number that are available or what can be done on that site.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000299. Mr. Jones seconded the motion. The motion was approved by a 6-1 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.*

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

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

ATTORNEYS AT LAW

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October 7, 2019

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

Re: Meeting of the Planning Commission, October 7, 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 this afternoon, October 7, 2019, at 3:00, specifically, Special Use Application No. PLSUP20190000297, which appears as Item No. 6.

Ms. Kaur has been working with city officials to complete the certificate of occupancy review to the satisfaction of the Inspectors of Community Development and the Fire Department. Most of the matters have been addressed, but your comments to the Planning Commission has brought into question an issue of parking on an adjoining lot owned by River Penny Saver, LLC. This issue cannot be reviewed and addressed before the meeting of the Planning Commission today.

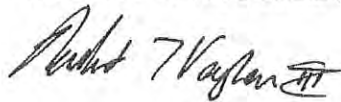


Kenneth C. Gillie, Jr.  
October 7, 2019  
Page 2

I respectfully request that consideration of the application be postponed until the November 2019, meeting of the Planning Commission to give us time to address this issue and others that may arise from the certificate of occupancy review.

Very truly yours,

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

A handwritten signature in black ink, appearing to read "Robert T. Vaughan, III". The signature is written in a cursive, flowing style with a prominent "R" and "V".

Robert T. Vaughan, III

kk

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000309. Mr. Dodson seconded the motion. The motion was approved 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. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Bolton 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 6-1 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. Searce opened the Public Hearing.

Mr. Chase Reeves, stated I'm here representing this special use application. At the last meeting they said that we need to acquire a certificate of occupancy so I contacted zoning and we had the inspectors come down to the location and they proposed a bunch of things that needed to be done to the building to be able to move forward with the application. Also, I assumed that it needs to be changed to assembly use in order to do so and before we can get a certificate of occupancy some things need to be done to the location. We are aware of that and there is not a problem from there. My only question and concern is once we do that and all those regulations are approved from there, will we be issued a CO and if so what follows from there?

Mr. Gillie stated if Planning Commission recommended approval it would go to City Council. All the issues to the building code would have to be met and staff is still recommending the denial or we table because there are substantial number of issues and I don't have any plans on how this will be addressed, the consolidation for the parking and they are using adjacent property to circulate in back parking spaces. At this point I don't feel that this site can meet the requested only be assembly use. If they can go through all that stuff then we can proceed on, but I believe we have some substantial number of issue that need addressed before it can go any further.



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. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was approved by a 6-1 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. Gillie stated you will notice that this one says staff can't support recommendation for approval since the parking for the existing facility, 2107 square feet, requires eleven spaces and currently there are only six on-site even now. So it is legal nonconforming based on parking and adding additional items to this we feel bringing it a parking issue. We can't recommend approval. We do recommend tabling this one that maybe the applicant can possibly figure out with a design professional of a way to get additional parking site. This site is extremely small as it is right now.

Mr. Searce opened the Public Hearing.

Mr. Mohammad Nawaz Khan spoke on behalf of Elegance Investment LLC. Mr. Khan stated I am the owner and I wasn't at the last meeting because I wasn't called about the meeting. They say there is only six spaces but there is more than fifteen spaces for parking. There are five to one side, four in the front and two on the other side.

Mr. Searce 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 yes it would be striped off. Contact the City Inspections Department. the two guys that are on the back row and get them out to tour the facility and see what modifications are necessary. We need to address the parking and any modifications necessary to the building. We will need a plan and a drawing on how you will make the parking work because it has to comply with the city code requirements and the narrowness of your lot is going to be quite difficult. Some sort of engineering drawing or something else and someone will have to draw that up and show compliance. First get the inspectors out there to look at the building and see what modifications are necessary.

Mr. Searce closed the Public Hearing.



**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000317. Mr. Jones seconded the motion. The motion was approved by a 7-0 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. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion to table this until we have the information needed for this special use permit PLSUP20190000317. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.**

15. Special Use Permit application PLSUP20190000373, filed by Queen of Virginia Skill & Entertainment, LLC on behalf of PFJ Southeast LLC Store #256, 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 110 Riverpoint Drive, otherwise known as Grid 3713, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Mr. Searce opened the Public Hearing.

Present to speak on behalf of this request was Max Weigard, attorney with Gentry Locke. Mr. Weigard stated I have a power point presentation. It's only a handful of slides if I may. First things first who I represent today is Queen of Virginia Skill & Entertainment, LLC. Gina Bouzek is here on behalf of the company. We are here seeking the special use permit for the Pilot Truck Center located at 110 River Point Drive. You have heard a whole series of applications today and I know that it has been a long afternoon and I appreciate your time and attention, but I would like to talk through with you a number of reasons why this application is different from the ones that you have heard from so far. This is our first time appearing before you and although I was in attendance last month and I did hear all the questions that you had and everything that you had to say about this proposed use and the concerns about parking and certificate of occupancy. This is a slightly different scenario and I will explain why. On page 2 of the presentation it tells you who we are and what we do. Then the 3<sup>rd</sup> slide addresses both the parking and occupancy issues. This is a truck stop and it is a travel center and I believe Mr. Gillie mentioned it in his presentation. I understand that we describe as three uses as one being a convenience store, one being a truck stop and one being a restaurant. If you flip through to the pictures shown on page six of the presentation I distributed this is the pictures of the truck stop and I don't know how familiar you are with this truck stop. There is the Hardee's restaurant, and there is a large convenience store and the total square footage of the facilities is over 6,000 square feet. In a truck stop there are places for a truck to park, and there are fuel isles, and places for cars to park. The total number of parking spaces is 51. We also in this facility, have a certificate



of occupancy as Mr. Gillie said that is for assembly Mercantile, which requires additional lifesaving and public health measures such as public restrooms, such as lighted entrances and exits. In that certificate of occupancy, it authorizes up to 102 individuals at this facility. Again this is a truck stop. Another way that this seems to work is that truck drivers know that they are prohibited operating continuously beyond certain periods of time. What I can tell you is the way to calculate how long truck driver can operate and when they have to take breaks is outside of my scope of knowledge and expertise and what I understand is that we have truck stops for a number of reasons to give a place for truck drivers to take breaks. In this facility before the notice of violation was issued by the City, there were two Queen of Virginia Games in operation and now they are turned off and turned around so they are not in operation now, and have not since the violation had been received. There were only two games in operation. My client's perspective position is and was at the time that they were operating the games before the violations were issued that this was not a change in the underlying use of the facility. It was a use of accessory nature to the existing use, meaning that it is consistent with a subordinate use and when I say it is consistent with the truck stop use of the facility. Meaning if truck drivers were willing to be there and families traveling out there on 58 heading east or west need to stop and get something to eat or get a snack or get some fuel there is something for them to do recreational while they have stopped to rest. The same as for truck drivers, there is something to do other than just hang outside the facility. It gives them something to do to entertain themselves while they are required to be sitting there. In our view, this again is a special use application process and in our view your goal is to look at specific circumstances in this case and determine whether the request for the special use permit is appropriate under these circumstances and whether you can place certain conditions on that special use permit, that makes sense, and are rational, and that you can be comfortable with. We submit to you that this is an appropriate location for a special use permit authorizing and indoor commercial recreational facility use with reasonable limitations. I do have a few comments and questions related to the two issues that you all have been most focused on being occupancy and parking. I would be happy to answer any questions that you have but generally speaking we feel that the conditions proposed by the City are rational and reasonable. However we do have a few questions and comments specifically regard to hours of operation. We understand why under normal circumstances you require limitations on hours of operation especially if you have a facility that is not opened 24 hours a day. Here we have a truck stop that is open 24 hours a day and so while we understand that requirement, I'm not here to object to it, but I would ask there are foreseeable circumstances under where truck driver sitting idle at 7:00 am in the morning and they want to play a game and that may not be appropriate. Maybe at 10:30 on a Friday evening a truck driver who stopped and is sitting idle would want to play a game but that may not be appropriate. Next issue being parking, I must admit while I was looking this up trying to review the suggestion regarding parking requirements I was a little confused but I think that I have it now. I think what has been proposed is that the parking requirement should be either the greater of 1 space per 3 persons authorized under the occupancy permit or the minimum number of spaces required for square footage of the building and current uses is that right?

Mr. Gillie stated which ever one is greater, one per machine.

Mr. Weigard stated right plus one per machine, plus one for each employee on major shift. So if we are doing that math and you divide 102 which is the maximum number authorized in the certificate of occupancy, I believe that is 34 and the minimum number required in the staff report for the current uses and square footage leaves 39. So 39 would be greater, plus one per machine and there are currently are 2, so we would add 2 to that and it would be



41. So that gives us the total number spaces that we have currently in truck and auto are 51. So that would mean that according to staff recommendations that we have 10 spaces available for employees at this point and time. We submit to you that we are reasonable comfortable as I stand before you today I admit that I don't know what that number for employee is maximum or peak staffing time would be but I am recently comfortable that it is 10 or fewer. I submit to you if we were to agree to all the staff proposed conditions, I think we would be comfortable that we could operate under those conditions. That said my client and Pilot would likely as we have asked for in our application, limitations of ten machines limited at this facility. I think we would agree to fewer but I think we would prefer to have four rather than two but again reasonable limitations and reasonable conditions we certainly would understand and agreed to. I think again, at this facility we have sufficient parking and I submit to you if we don't have sufficient parking and if this facility is an appropriate location of a limit of two, then I submit to you that there are others that you have heard about would be very fortunate to be able to argue to have one. So summing up, I submit to you that this is a different case. The proposed use of recreational entertainment devices is consistent with and supportive of the underlying truck stop. We feel that the proposed conditions are generally reasonable, but we ask that you seriously consider extending the limitations on hours of operation to a reasonable number or period. We also ask that you consider authorizing a few additional games.

Mr. Searce stated one question that I have parking when you differential between car and truck parking. When you refer to truck parking are you referring to tractor trailer parking?

Mr. Gillie stated yes.

Mr. Searce stated so in this case the truckers would be playing the games.

Mr. Gillie stated correct. When I wrote the staff report I was thinking in my head cars, and the number of spaces for cars. I will admit, I did not consider the truck driver actually being the ones to occupy the facility. So when I was doing the numbers in my head, I was basing it strictly on cars that's why the staff report talks about reconfiguring the truck parking. I will admit on that there is sufficient parking based on the numbers that are available square footage as well as occupancy. I don't dispute that fact or his numbers but we differ on the numbers total but the general totals were the same. It was just as I drove by and counted them. I don't have an issue with parking.

Mr. Searce stated I guess another question they had was the time this is a 24 hour truck stop.

Mr. Gillie stated that is a standard staff recommendation that we have at most facilities because they are adjacent with residential districts but in this case, they aren't any residences within close proximity. The nearest would be on the other side of 29 bypass. I will leave up to Planning Commission and I will stick by my standard numbers just to be consistent across the board, but that would be up to you.

Mr. Jones stated do you have any of these machines at the Pilot in South Boston?

Mr. Weigard stated yes, we have ten.

Mr. Searce stated this property was stated that it is already zoned for use in assembly line.



Mr. Gillie stated it has an assembly certificate occupancy our highest certificate of occupancy. We have requested the others to go business, because of the mixed use, because of this building being the mixed used with the restaurant and the truck stop with everything else it has actually a higher certificate of occupancy and has more life safety standards than the other facilities were recommended. I believe he has adequately addressed the parking. He does have the sufficient number of total and I still say that it should be limited to two machines and I will stick with my hours but that is up to you. It is a 24 hour truck stop but that is up to Planning Commission to consider.

Mr. Garrison stated generally when we put that kind of limitation on it because of residences being close by. If your circular is 300 feet then the closest house is probably 800 or 900 feet away and that will be across 58 and behind businesses on that side. I would see no reason to limit the hours when you are dealing with a 24 hour truck stop. You have truckers coming in at 11:00 that can't play a game but the guys that got there at 10:30 can. The guys that get there at 3:00 in the morning need to kill 8 hours and I don't see any reason why to put any hours of limits on it at all since it is a 24 hour facility.

Mr. Weigard stated I'm authorized to agree to and I'm authorized to agree to your hours of operation limitations if you feel that they are appropriate. I submit to you that under these circumstances, you are the Planning Commission and you are the City and this is a special use permit process. You have the power to set reasonable limitations so if the staff feels that two is the appropriate number under these circumstances, then we would be willing to the two. Again, we have requested more and we feel that more would be appropriate.

Mrs. Gina Bouzek stated the reason that we have asked for ten, we saw to regulate ourselves so private clubs and truck stops are allowed to have ten and convenience stores and bars and restaurants can have up to five. It is easier to ask for that instead of having to come back later and ask for more and more. Not meaning that we would put ten in there but most truck stops have ten. The operator is very willing to do the two and the more important thing is the 24 hours because we personally can't be in there to unplug it and we don't want to get in trouble with the City making sure that it is unplugged at a certain hour. We would tell the facility to do that but it is really hard to keep coming by to make sure that they do. We will abide by whatever you decide.

Mr. Searce closed the Public Hearing.

Mr. Garrison stated I see no need to limit the hours. It operates 24 hours a day and lights are on at night whether machines are on or not. I see no reason in this particular case to limit hours.

Mr. Searce I agree it's a 24 hour truck stop.

Mr. Garrison stated do you have a problem with just items 2 through 6?

Mr. Gillie stated I do not.

Mr. Searce stated this facility meets all the other and this is a higher standard.

**Mr. Petrick made a motion to approve this special use permit PLSUP20190000373 with the conditions recommended by staff with amendments to number 1 include because the nature of this business to allow 24 hours for operation and number 2**



increase to 4 allowable machines. Mr. Garrison seconded the motion. The motion was approved by a 6-0 vote. (Mr. Robert Jones abstained under the Virginia conflict of Interest Act)

16. 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.

Opened the Public Hearing.

Mr. Mike Holt stated I'm here to speak on these folks and I have a petition from the surrounding neighborhoods. (Please see attached Italicize letter.)

Mr. Searce closed the Public Hearing.

Mr. Wilson made a motion to table this until we have the information needed for this special use permit PLSUP20190000362. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.

#### **IV. MINUTES**

The September 9, 2019 minutes were approved by unanimous vote.

#### **V. OTHER BUSINESS**

Mr. Gillie stated we have received so many of these it's probably something that we need to address specifically under the zoning code. So, changes to the code are made one of three ways: somebody asked for it, City Council hears it, or motion of Planning Commission. If you believe that we need a specific code item, that the code needs amended to address if someone would recommend it and 2<sup>nd</sup> it, staff will look at creating specific regulations for commercial indoor recreation or defining it a little better.

Mr. Whitfield stated but to be clear, whatever those new regulations would be proposed and approved by council would not at all apply to those that have already applied.

Mr. Gillie stated we are looking at redoing the whole zoning code but it's going to be a few years down the line as the uses change. I feel that we need to get ahead of it and address future issues than the ones that have already applied. If Planning Commission would make that recommendation and staff can start drafting regulations for that.

Mr. Wilson made a motion that we investigate guidelines. Mr. Bolton seconded the motion. It was approved by unanimous vote.

With no further business, the meeting adjourned at 6:45 p.m.

**APPROVED** \_\_\_\_\_



THANKS TO THE DANVILLE PLANNING COMMISSION  
AND THE PLANNING STAFF FOR THE WORK YOU ALL DO  
AND THANK YOU FOR THE NOTIFICATION TO THE AREA  
ON THIS SPECIAL USE APPLICATION

A PETITION OF 25 NAMES FROM THE SURROUNDING  
NEIGHBORHOODS HAVE BEEN SUBMITTED ALONG WITH  
THOSE WHO RECEIVED NOTIFICATION LETTERS FROM THE  
PLANNING COMMISSION. <sup>THIRTEEN (13)</sup> ~~SEVEN~~ LETTERS WERE  
MAILED AND I THINK 6 WERE RETURNED  
IN OPPOSITION, 2 NOT OPPOSED, 3 WERE DIRECTLY  
CONNECTED TO THE APPLICANT AND 2 I HAVE NOT  
BEEN ABLE TO CONTACT. - (2 NO RESPONSE)

OF THOSE LETTER RECIPIENTS OPPOSED AND THE  
NEIGHBORHOOD RESIDENTS OPPOSED SOME OF  
CONCERNS ARE :

- THE TYPE OF "SPECIAL USE PERMIT" AS IT  
RELATES TO THE TYPE OF GAMING PROPOSED.
  - SUCH ~~OTHER~~ GAMES OR SKILL AS POOL TABLES,  
POKER TABLES, BLACK JACK OR ROULETTE TABLES,  
THESE AND OTHER TYPES OF GAMING SEEM BETTER  
SUITED FOR LARGER CASINO TYPE OR <sup>Facilities</sup> ~~ENVIRONMENT~~,  
NOT CONVENIENCE STORES LOCATED ADJACENT TO  
QUIET RESIDENTIAL NEIGHBORHOODS

(2)

- hours of operation - should not be past Daylight hours - either for standard Daylight Time or Daylight Savings Time.
- Lighting for the complex (entire building at 3401 Westover Dr.) seems inadequate given the nature of the request of the 'special use permit'
- parking spaces would become congested + would hinder entering and exiting the parking lot as well as impede traffic flow along Westover Dr in front of the building and the Fox Hollow neighborhood. This road area is in a blind curve now and serious accidents have occurred many times. (21 spaces total, 1 space is LANlocked making 9 available for use) 10 - designated for store
- Future expansion of the store and/or the entire complex - How many gaming units of any type can be installed and operated now and how many can be installed in the future on this permit.
- Would this permit be "grandfathered" to the next building owner or store operation



- IF The STORE or complex is sold & EXCHANGE OF OWNERSHIP TAKES PLACE DOES THIS "SPECIAL USE PERMIT" FOLLOW OWNERSHIP OR DOES NEW OWNER HAVE TO APPLY FOR ANOTHER SPECIAL USE PERMIT
- The RESIDENTS OF THESE NEIGHBORHOODS ARE CONCERNED FOR THE SAFETY AND TRANQUILITY OF THE NEIGHBORHOOD AND THE ALMOST CERTAIN DECLINE OF PROPERTY VALUES BECAUSE OF NATURE OF THIS SPECIAL USE PERMIT
- WE ARE OPPOSED

Respectfully submitted &

Michelle Holt -

~~287~~ 287 Fox Hollow Dr. Danville