

PLANNING COMMISSION MINUTES

NOVEMBER 9, 2020

MEMBERS PRESENT

Mr. Khan
Mr. Garrison
Mr. Bolton
Mr. Dodson
Mr. Craft
Mrs. Evans

MEMBERS ABSENT

Mr. Petrick

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PLSUP20200000215, filed by applicants Jim and Kathy Cropp and current property owner ETENESCH & M LLC, requests a Special Use Permit for a restaurant in accordance with Article 3.1 Section C.15. of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended, at 1050 Main Street (Parcel ID#21618), otherwise known as Grid 1720, Block 010, Parcel ID#000009, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for a restaurant in the TO-C Transitional Residential/Office Zoning District.*

Mr. Garrison opened the Public Hearing.

Mr. Jim Cropp stated I have pictures of the front of the building that I can pass out. This is the property at 1050 Main Street owned by Dr. Daniel Addis and his wife Naomi who are here in attendance. We are working with them to purchase this property once we have approval here and City Council. We have the recommendation approval from CAR. We have eleven changes that we wanted to make and they granted those. I can show you some of the pictures of those if you would like. I do have some letters of support from the Community that are not listed in your agenda. One letter is from John and Mary Kent and I will let her speak for herself in a little bit. I have copies of all the letters that I would like to pass out. Mr. Cropp read the letters of support (See Attached). Any question for me?

Mr. Dodson stated what do you anticipate the occupancy will be once the pandemic is over and we are back to normal. How many customers do you think that you will handle at a time?

Mr. Cropp stated good question about when the pandemic is over. One of the things that is important to us and why we chose this property. Out of all that we have looked at over the last two and half years is that this has a possibility for outside dining. In our post covid world and quite frankly I don't think that this is going away. Covid will go away but the perception that guests have being able to eat outside and being distanced from each other is a real need I think. We will have outside dining on the existing patio as you can see in the picture.

We currently in our restaurant we are distanced and we have ten tables where we are now. Our occupancy was forty five and now it's probably thirty five. Where we tend to be at 1050, there will probably be capacity for sixty five to seventy people. That would be inside and there will be a main dining room and a second smaller dining room bar adjacent room. Then there is a lobby as you can see in the front a porch that is glassed in and there will be tables there. Then there is a small porch on the Broad Street side. There is a fifty two square foot building so there are two floors and we will have upstairs also. Again, we are looking at sixty five to seventy people for occupancy.

Ms. Evans stated so you have pictures to show us of work that you will be doing.

Mr. Cropp stated yes and CAR has given us approval on these. (See attached pictures).

Mr. Garrison stated so CAR has looked at all the things that you are planning to do.

Mr. Cropp stated yes absolutely.

Mr. Whitfield stated they were granted a Certificate of Appropriateness for all of the outside changes that they requested. All of those issues have been settled.

Mr. Cropp stated it was actually a restaurant for five years ran by Naomi. We will only be doing painting on the inside and there are not a lot of changes. We will retain the character of the building itself because it has great character.

Ms. Mary Kent stated we love that we can walk over to King Cropp to have dinner or lunch. We were really excited when we found out that they had found another location on Main Street. My husband works at Sovah and he is especially excited to have that additional option and also for the patients. We just love these business coming and how Crème n vine and King Cropp that kind of complement each other and enhance each other's business.

Ms. Evans stated do you anticipate opening up on Saturday nights?

Mr. Cropp stated yes.

Dr. Daniel Addis stated they are outstanding partners. They came in and he did amazing homework before he jumped into this case. It definitely gives us a reason to support them 100%. You have started two businesses and are amazing successful. When he came to us about the business we didn't pursue anything. He did his homework more than six to seven months on that building, looking at it and checking on what he can do. It will make a big difference for the hospital, employees, and patients and for the physicians.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to approve special use permit PLSUP20200000215 with the conditions by staff. Mr. Craft seconded the motion. The motion was approved by a 6-0 vote.

2. *Special Use Permit Application PLSUP20200000220, filed by property owner William Soyars Jr., requests a Special Use Permit for accessory buildings (i.e., barn, stable, silo, corn crib, etc.) or accessory uses without a primary building being located on the parcel in accordance with Article 3.B Section C.19 of the Zoning Ordinance of the*

Code of City of Danville, Virginia 1986, as amended, Parcel ID#74720, otherwise known as Grid 3709, Block 003, Parcel ID#000003, of the City of Danville, Zoning District Map. The applicant requests a Special Use Permit for accessory buildings without a primary building in the T-R Threshold Residential Zoning District.

Mr. Garrison opened the Public Hearing.

Mr. William Soyars Jr. stated, this is my property. I have an out building that has been there about four years. I paid \$3,000.00 for it and I have another one that I built. I paid the City \$1,200.00 to put a pole down there so I can get some juice. I got the pole in and I want to get temporary use of power to my building to use my tools and have a security light. I intend in the future to put some kind of dwelling there, I don't know exactly what. I have been working on the property for about thirteen years. I have a lot of money tied up in it and hard work. I need the power and does anyone have any questions for me?

Mr. Bolton stated in your remarks here, you say, "I will use the buildings for my work". What is your work?

Mr. Soyars Jr. stated I'm in the landscaping business. I work on lawn mowers, and I have my tools in there.

Mr. Bolton stated is there a limitation of Commercial uses that prevents him from doing that?

Mr. Soyars Jr. stated I didn't mean to open up no can of worms and I'm not running a business out of it. I just put my tools down there and I'm in the landscaping business I might put some seed in there. I do work on furniture and stuff and I need the power.

Mr. Plachcinski stated we would not issue a business license or license clearance for anything like that. We have standards for home occupation that require no outdoor storage, no signage, and no customers coming to the house. I don't think we police anybody on whether he is using his lawn mower and we assume that he will be using it onsite also. I think tools and equipment, I think those will be permissible. If we found out that he was actually operating a business out of there then he would be in violation of the special use permit.

Mr. Garrison stated so he is here today because he has buildings already on that and by virtue of trying to get electricity the City found out that he had those buildings and now you are trying to make it legal. Am I correct?

Mr. Plachcinski stated essentially yes. He applied for the electrical service and we have a zoning clearance for that process. We determined that he had not been granted this special use permit so that is why we are here today. The zoning ordinance is set up to allow Planning Commission to recommend this call to City Council.

Ms. Evans stated do you have any idea when you intend on building a house there?

Mr. Soyars Jr. stated if you would loan me the money we will start tomorrow. Probably within a year or so but whatever I do, it will have to have a septic tank because the sewage is not down there. Then the one house down there he has to pump up to the top of the street because years ago they had a trailer there with a septic tank. I want to get some water

down to the property; that is my next step with the City because you don't have no out fall and no water and it is a dead end with a cemetery on the end. It is a circle drive turn around.

Ms. Evans stated one of the questions opposed said that you had dug 25 foot deep within 2 feet of the property like a drop off.

Mr. Soyars Jr. stated I've been working on it for thirteen years. I cut the hill down to make the land flat because my buildings are in the middle of the property.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to approve special use permit PLSUP20200000220 with the conditions by staff. Mr. Dodson seconded the motion. The motion was approved by a 5-0-1 vote. (Mr. Khan abstained)

IV. OTHER BUSINESS

Danville 2030 Comprehensive plan review

Mr. Doug Plachcinski, Director of Planning went over the 2030 Comprehensive Plan Review see below.

CITY OF DANVILLE COMPREHENSIVE PLAN REVIEW

BACKGROUND

Chair Garrison requested Planning Division staff add this November agenda item at the October Planning Commission meeting. Virginia law states "At least once every five years the comprehensive plan shall be reviewed by the local planning commission to determine whether it is advisable to amend the plan." I researched the City of Danville's 2030 Comprehensive Plan and determined it was adopted by the City Council on September 15, 2015.

The 2030 Comprehensive Plan served the City well with formulated growth strategies. Other sub-area and specific topic planning initiatives like the Danville MPO's long range transportation plan and the Schoolfield Neighborhood Plan provide contextual support to updated development patterns across the City.

VIRGINIA COMPREHENSIVE PLAN REQUIREMENTS

Code of Virginia Chapter 22, Planning, Subdivision of Land, and Zoning Article 3. The Comprehensive Plan explains the comprehensive plan adoption process, the elements required and allowed in comprehensive plans, the 5-year review requirement, and the legal status of plans.

FACTORS FAVORING A NEW COMPREHENSIVE PLAN

The 2020 pandemic changed and disrupted the ways live, work, and recreate. We should review our physical space designs and development patterns to affirm and enhance the City's ideal growth and rebalance our expectations with social, economic and political constraints. Now is an ideal time to update the Comprehensive Plan accounting for these and other changes. The following factors may influence 2040 Comprehensive Plan development:

- The Schoolfield Neighborhood Plan

- 2020 US Census Data

- Investing in Danville virtual Town Hall meeting and survey outcomes

- Additional public involvement identifying stakeholder desires

- A zoning ordinance technical evaluation

A Comprehensive Plan audit for state of the practice techniques and Commonwealth standards

City branding and identity standards

Other specific studies as directed

NEXT STEPS IN COMPREHENSIVE PLAN DEVELOPMENT

We should examine the existing Comprehensive Plan and validate its structural elements against common practices and what is required/enabled under Virginia Law.

We should discuss what available and recent public outreach efforts will inform the Plan and what additional opinion we need prior to drafting plan sections.

Lastly, the 2030 Comprehensive Plan did not initiate significant zoning ordinance revisions. We should review the code, beginning with a technical audit, to understand how it can be more easily understood and administered.

We can determine City resources and set a completion schedule once there is consensus on the Comprehensive Plan update scope.

Mr. Garrison stated we knew that this was something that had to be done a little ways down the road to face upon the changes that we are currently going through. We have a requirement to review each year and that's all we have to do is say that we reviewed it and we met the State requirement. So, knowing that sometime in the next year to year in a half we will probably start working on the 2040 plan. I was not here when the 2030 plan was done, I don't know how involved we get into that process.

Mr. Whitfield stated Mr. Chairman I think what might be helpful and I don't think it needs to be formal just a motion referring that you have reviewed the plan and you have met the legal requirements of it. I think we can do a voice vote and it is on record now.

Mr. Dodson made a motion confirming that The Planning Commission have reviewed the 2030 Comprehensive Plan. Mr. Craft seconded the motion. The motion was approved by unanimous vote.

V. APPROVAL OF MINUTES FROM OCTOBER 13, 2020.

The October 13, 2020 minutes were approved by unanimous vote.

VI. ADJOURNMENT

With no further business, the meeting adjourned at 3:40 p.m.

APPROVED

DANVILLE

COMMISSION OF ARCHITECTURAL REVIEW

POST OFFICE BOX 3300

DANVILLE, VIRGINIA

(434) 799-5260

CERTIFICATE OF APPROPRIATENESS APPLICATION

Article 3.R.C.1.

No zoning, site plan, subdivision plat, or building permit shall be issued for the erection, reconstruction, exterior alteration, restoration, rehabilitation, razing, relocation or demolition of any building, structure, signs, fences, walls, light fixtures, accessory buildings, pavements, grading, site improvements, significant landscaping features or other appurtenant element in an HP-O District unless and until such building or site element has been approved by the issuance of a Certificate of Appropriateness by the Commission of Architectural Review for the City.

INFORMATION TO BE PROVIDED BY PLANNING DIVISION

Application Number: _____

CAR Date: _____

Date submitted: _____

Received by: _____

Tax Map Number: _____

Zoning Map Number: _____

Architectural Inventory Rating: _____

Zoning District: _____

Additional Zoning Information: _____

All buildings, structures or improvements located in the Old Westend Historic District and visible from a public right-of-way shall not be located, constructed, reconstructed, altered, or repaired unless a Certificate of Appropriateness has been issued by the Commission

of Architectural Review. The Commission meets once a month on the fourth Thursday of the month at 3:30 P.M. in the fourth floor City Council Conference Room located in the Municipal Building. All questions or applications should be submitted to the Planning Division, located on the second floor of the Municipal Building, 427 Patton Street, Room 207, Danville, VA 24541; (434)-799-5260. As of July 1, 2018 a \$26.00 fee will be required for each application submitted for review.

INFORMATION TO BE PROVIDED BY APPLICANT

Important-Please read before completing application

- a) All questions on this application must be fully answered
- b) The application must be signed by the property owners or representative with written authorization by the owner
- c) A drawing, photo, plan or sketch of proposed project with dimensions

Have you read and understand the Design Guidelines for the Historic Overlay District of Danville, Virginia? yes

Are you aware of the federal/state tax credits and Real Estate Abatement program available for potential reimbursement/credit of money used during substantial rehabilitation projects? yes

Would you like more information about these programs? yes

Which one(s)? all but the Real Estate Abatement is new to us.

Property Location: 1050 Main Street

Name of Applicant: Jim & Kathy Cropp / JKCropp, LLC

Applicant's Address: 162 College Avenue

Applicant's Phone Number: 434-797-1063 Email Address: kycropp162@gmail.com

Work Proposed (please circle one): Alteration/addition/rehabilitation/new construction/sign

- enlarging front patio area of the building
- fencing around the building + added wall on Broad for security
- a sign for the front yard + painting of the building trim

Type of material(s) to be used: wood, metal

Signature of Property Owner (if not applicant)

J Cropp

Signature of Applicant

Article 3RC6 Application Submission Requirements: In consideration of a complete application, the Planning Director and the Review Commission may require any or all of the following information and any other materials as may be deemed necessary for its review:

- A. Statement of proposed use and user.
- B. Statement of estimated construction time.
- C. Photographs and maps relating proposed use to the surrounding property and/or the corridor on which it is located.
- D. Site plan drawings, prepared to meet the City site development plan submission requirements for a Preliminary Site Plan or Preliminary Subdivision Plat, and other exhibits showing the location of the existing and proposed building and site improvements, including:
 - (1) Existing property boundaries, building placement and site configuration;
 - (2) Existing topography and proposed grading;
 - (3) Location of parking, pedestrian access, signage, exterior lighting, fencing and other site improvements;
 - (4) Relationship to adjacent land uses;
 - (5) Proposed site improvements, including location of parking, access, signage, exterior lighting, fencing, buildings and structures and other appurtenant elements;
 - (6) Proposed building color and materials;
 - (7) Relationship of building and site elements to existing and planned corridor development;
 - (8) Relationship of parking, pedestrian facilities, and vehicular accessways to existing and planned corridor development; and
 - (9) Other site plans and subdivision plats as may be required by Danville for development approval.
- E. Architectural drawings showing plan view and elevations of new planned construction or renovations, including drawings of original building.
- F. A landscaping and buffer plan.
- G. Designs for exterior signing, lighting and graphics, to include description of materials, colors, placement and means of physical support, lettering style and message to be placed on signs.
- H. Graphic exhibits depicting compliance with other design elements.

CHARGES CONTINGENT:
THE PLATING OF THE PROPERTY AS WELL AS THE STREET, ALLEY, OR OTHER PROPERTY FOR PUBLIC USE AS SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS,
DAVID W. LEONARD, PROFESSIONAL DRAFTER

George Melick
Secretary

VIRGINIA
to wit:
Dr. Spauld
A NOTARY PUBLIC IN AND FOR THE
VIRGINIA AT LARGE HEREBY CERTIFY THAT,
Robert
Spauld & Spauld

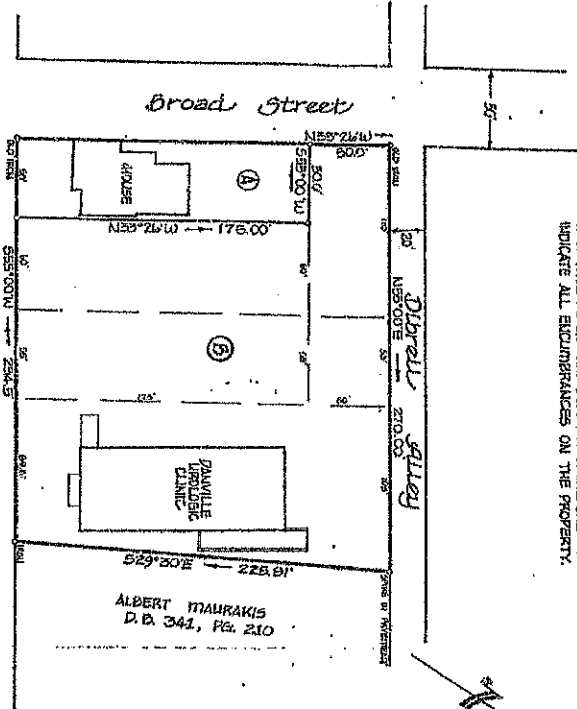
THESE ARE SIGNED TO THIS PLAT OF Aug. 15, 1984
 I HEREBY ACKNOWLEDGED THE SAME BEFORE ME IN MY STATE AFORESAID
 BEING MY HAND THIS 1st DAY OF October, 1984.
 WITNESS MY HAND AND SEAL OF OFFICE, this August 16 day of 1984.

John A. Boyd

MAP OF PROPERTY
FOR

SCALE 1 to 50

AUGUST 15, 1984



I CERTIFY THAT THIS PLAT AND SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE DONORS; AND THAT THE SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF LAND OWNED BY THE SUBDIVIDERS; AND THAT THE MONUMENTS SHOWN ON THIS PLAT HAVE BEEN ACTUALLY PLACED AND THAT THEIR LOCATION AND CHARACTER ARE CORRECTLY SHOWN.

CERTIFY THAT THIS PLATING AND SUBDIVISION ARE IN ACCORDANCE WITH THE SUBDIVISION ORDINANCES AND HEREBY ARE APPROVED IN ACCORDANCE WITH SECTION 141-1-2 OF THE CODE OF THE CITY OF DAVENPTE 1962, 1945 AMENDED.

CITY ENGINEERS

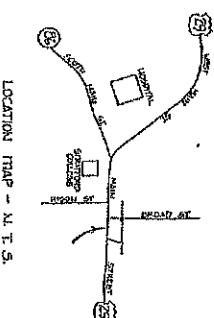
3-27-85
DATE



APPROVED FOR
TAX ASSESSOR

[Handwritten signature]

WILMARTH & DANIELS CERTIFIED LAND SURVEYORS DANVILLE, VIRGINIA	FILE B 801
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LOCATION MAP - N. T. S.

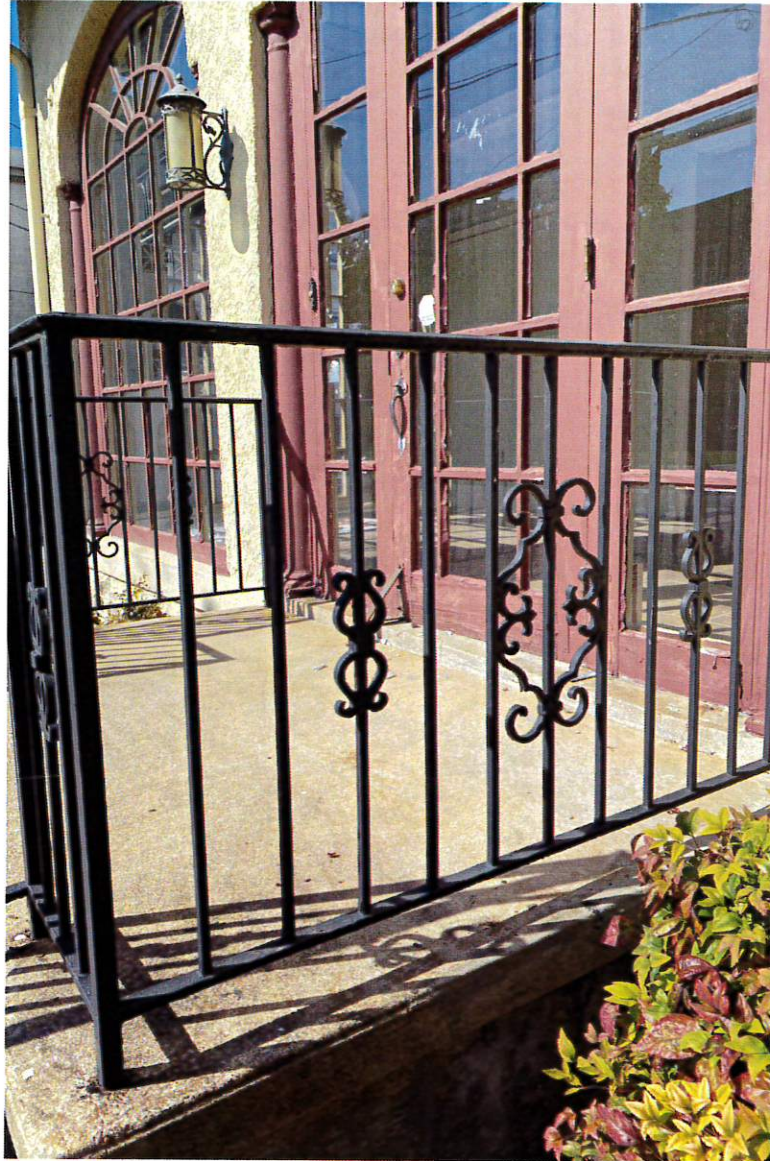
Application Details for the Commission of Architectural Review

- A. Request being submitted by JKCropp, LLC for our local restaurant business, Union Street Five, LLC/dba - King Cropp. The location is 1050 Main Street, on the corner of Broad and Main. As seen on Section 6, page 2 of your Old West End Design Guidelines.
 - B. We have been given a timeline of 10-12 weeks since we are only designing a commercial kitchen inside and the rest is updating and cosmetic changes.
 - C. Will be connected with each area that we are asking approval for.
 - D. Survey attached so you can see the boundaries, parking lot that would be shared with the Neurology/Nephrology Clinic.
3. Parking surrounds the building with street parking on Broad and off street parking in the lot that would be shared with the clinic. Access is off of Broad.

The requests are as follows:

- 1. We would like to install a wrought iron fence around the front of the property and along the Broad Street side. It would include 3 gates, removal of an unstable wall on the Broad Street side and continuing on to the back for added security to the Broad Street side of the building. The fence would look exactly like the wrought iron that is already installed on the front steps of the building. The height of the fence would comply with the design guidelines. Please see pictures attached to the request for this area - 1A, 1B, 1C, 1D
- 2. We need a small section of wrought iron rail to be placed on the decorative wooden wall on the side porch that faces Broad. It would bring this porch up to code for safety in that area. Please see picture attached to this area - 2A
- 3. We would like to enlarge the area, that has formerly been used as a patio, so we can increase this area due to the large need for outdoor seating with the current pandemic and times following it. We would remove the grass and install similar materials. This will also keep down our maintenance of the small strips of grass that are currently there. Along this same line we would like to install low level LED lighting for that area so our customers could have better visibility. Please see pictures attached - 3A, 3B, 3C
- 4. We will need approval to reopen a side door on the existing sunroom so we can install a handicap access ramp from the parking lot to that door. We are proposing a wooden ramp with a designated handicap parking space and also a ramp in the parking lot that bring them to the ramp that takes them to the entrance. See attached pictures - 4A & 4B

5. We want to install a walk in cooler off of a porch that exists on the parking lot side. It would blend into the current porch, which will be the entrance for our kitchen employees. If necessary we can paint it to match the color on the exterior of the building itself. See attached pictures - 5A & 5B
6. We would like to move some very large shrubs that exist on the right front so we can add a lighted, double-sided sign that can be seen from both directions on Main Street. Pictures of shrubs - 6A & 6B Also attached is a rough sketch of the sign that we want to have designed for that spot. It will be a painted, wooden or metal sign.
7. We plan on cleaning up the cedar tree area so we can gain access to steps that come off of the parking lot and allow access to the patio area.
8. We plan on cleaning up the parking lot side of the building by removing old concrete barriers so we have safer access to the kitchen, ramp and stairs.
9. We will need to replace the front door and two front dormer windows but will do so with the exact same design that is already in place.
10. We plan on re-landscaping the front of the building and the areas along Broad Street.
11. We want to refresh some of the outside trim paint with the same or approved colors.

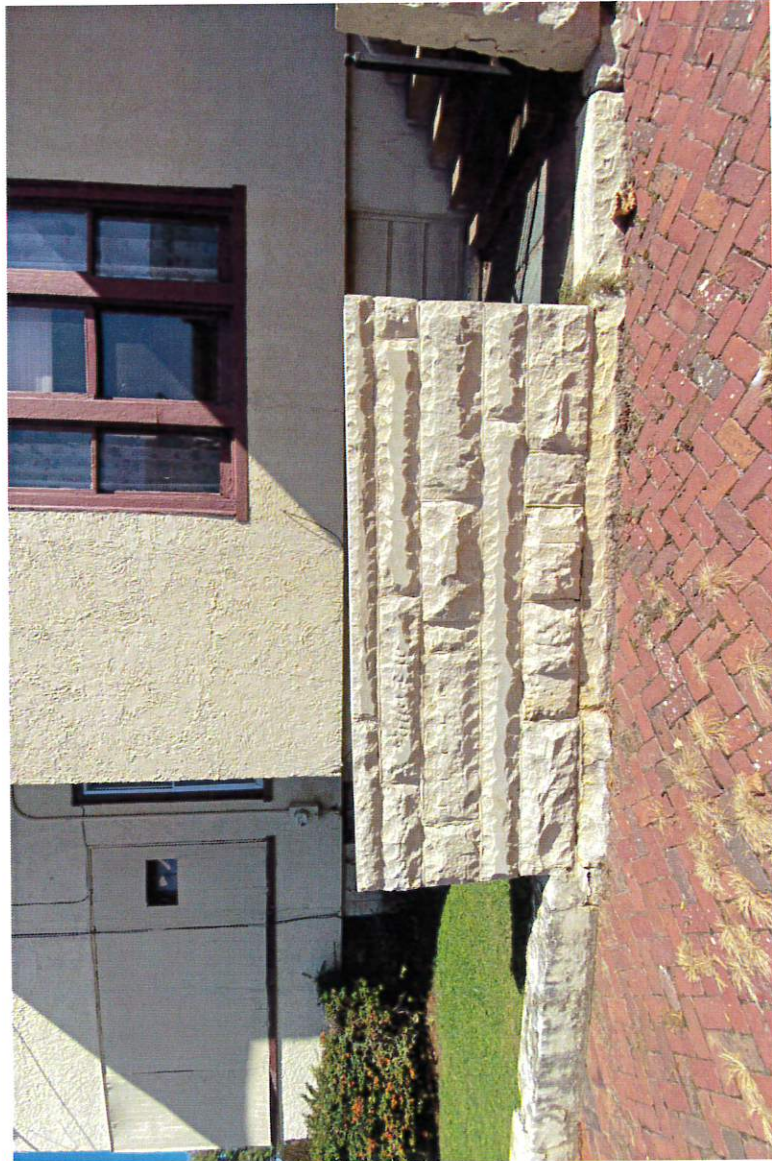


SAMPLE OF WROUGHT IRON

1a

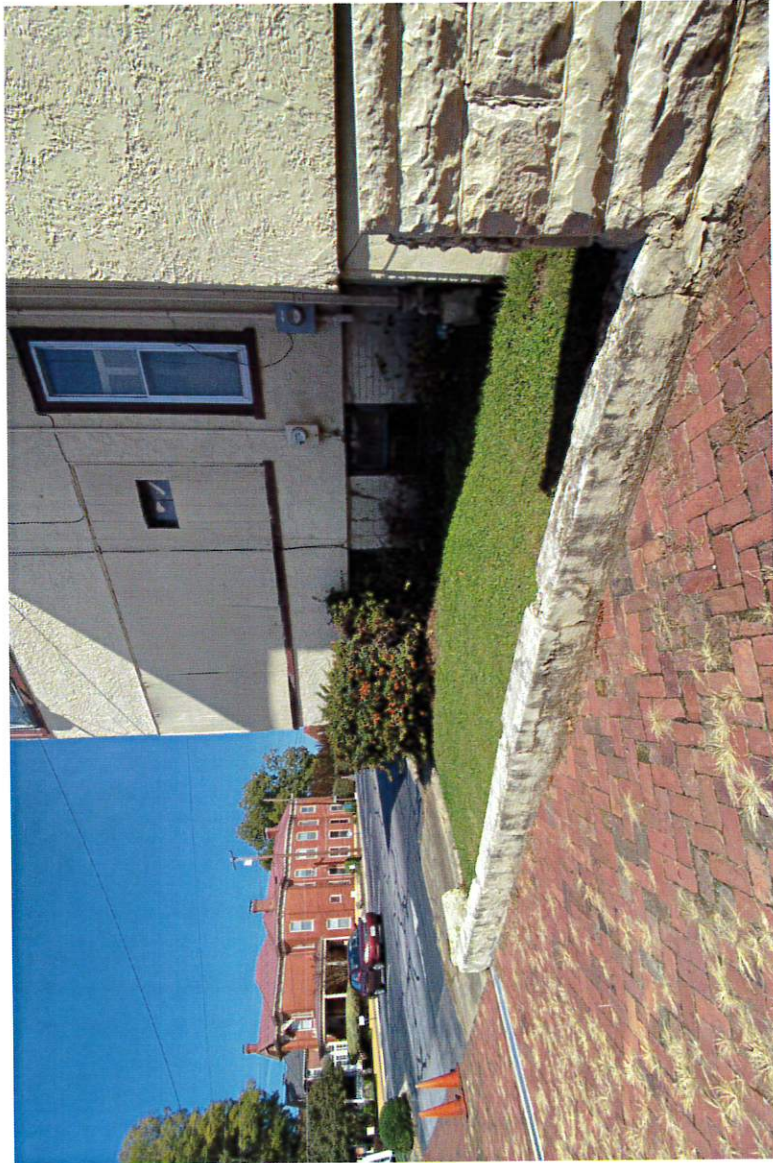


- REMOVAL OF UNSTABLE WALL
 - REPLACE WITH WROUGHT IRON FENCE
- 16



- REMOVAL OF UNSTABLE WALL
- REPLACE WITH WROUGHT IRON FENCE

1c



CONTINUED FENCE ALONG BROAD STREET

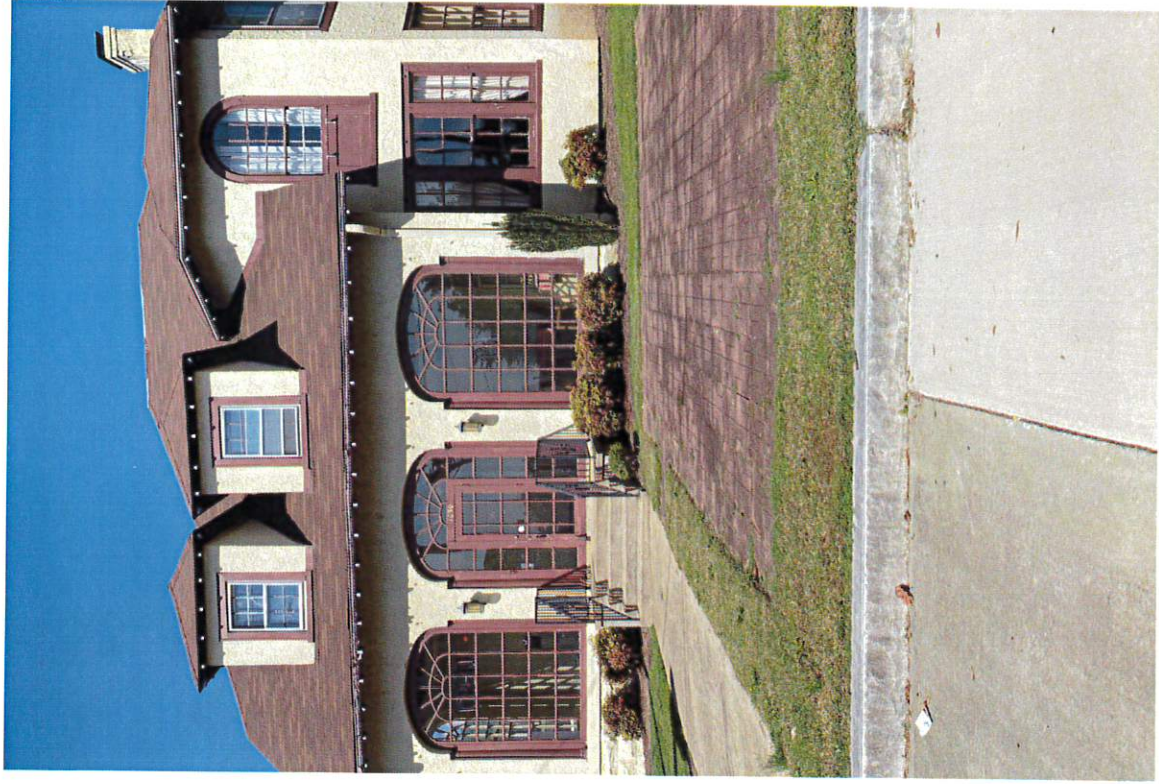


SIDE PORCH THAT NEEDS WROUGHT IRON
RAIL ON TOP OF DECORATIVE WOODEN
PICKETS.

Za



ENLARGE PATIO SPACE





ENLARGE PATIO SPACE



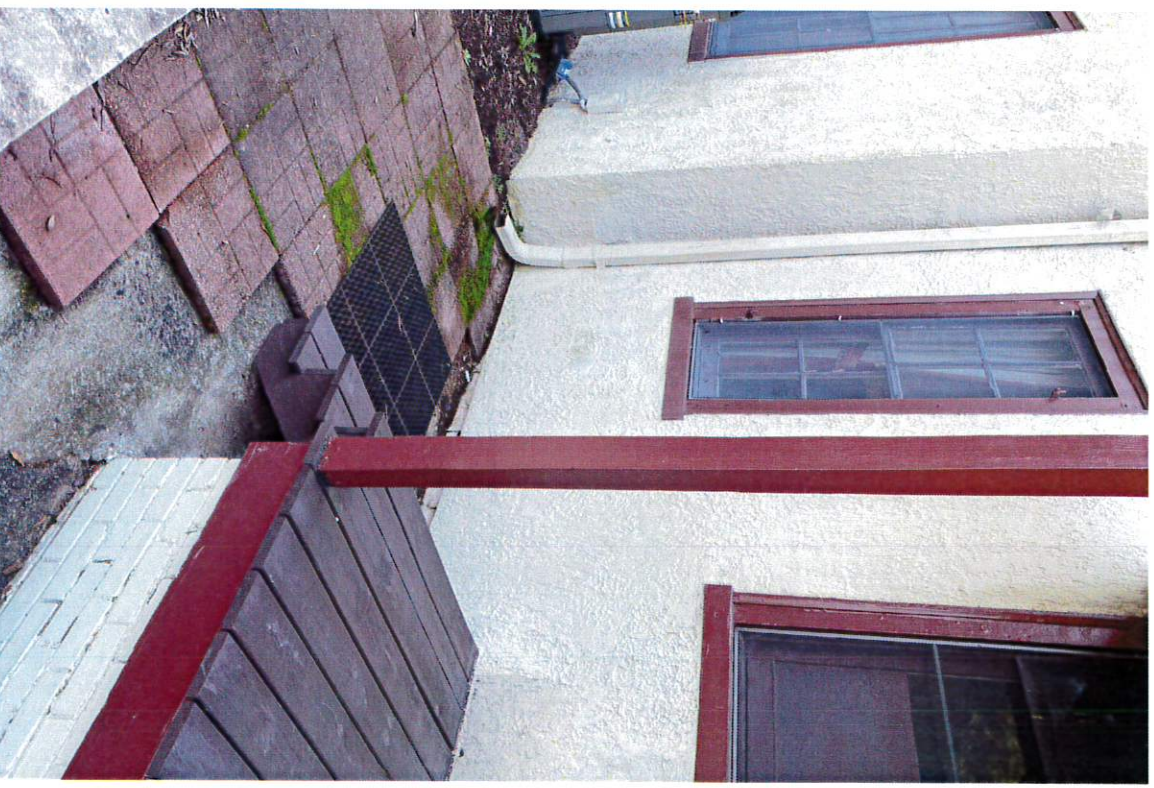
ENLARGE PATIO SPACE



- INSTALL HANDICAP RAMP
- RE-OPEN SIDE DOOR

4a





5a

5b

Area for walk-in cooler



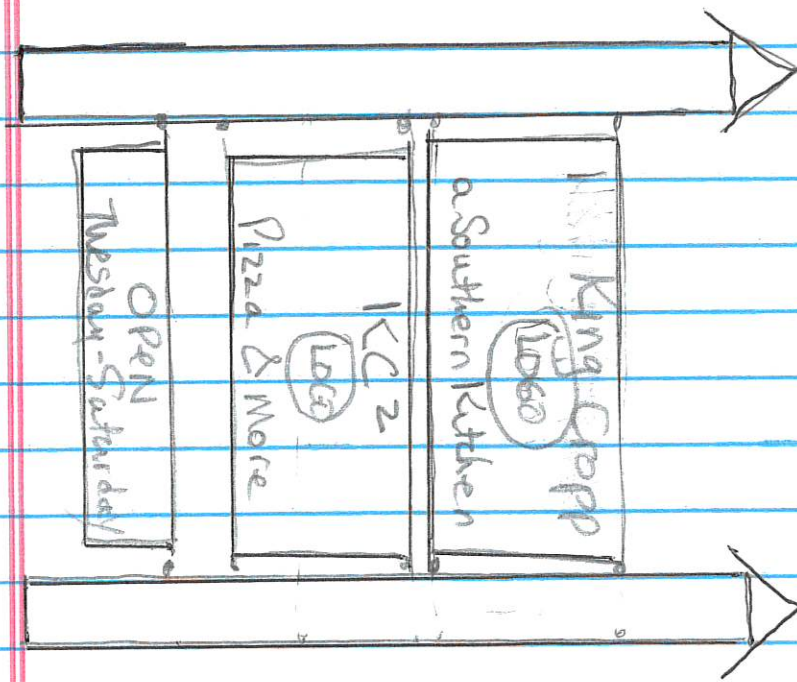
REMOVE SHRUB





REMOVE SHRUB

6b



PAINTED WOODEN OR METAL SIGN
SIGN IS DOUBLE SIDED



LANDSCAPE ALONG FRONT OF BUILDING

100



REFRESH OUTSIDE TRIM AROUND WINDOWS
AND FRONT DOOR