



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

City Planning Commission

OCTOBER 8, 2018
3:00 P.M.
CITY COUNCIL CHAMBERS
AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEM FOR PUBLIC HEARING
 1. *Special Use Permit application PLSUP20180000229, filed by William C. Doss requesting a Special Use Permit to operate a bed and breakfast in accordance with Article 3:E Section C, Item 3 of the Code of the City of Danville, Virginia 1986, as amended at 327 W Main St, otherwise known as Grid 1719, Block 022, Parcel 000023. The applicant is proposing to operate a bed and breakfast.*
 2. *Special Use Permit application PLSUP20180000255, filed by River City Auction Co., on behalf of Sellers Brothers Inc., requesting a Special Use Permit to operate an auction establishment in accordance with Article 3.M, Section C, Item 1 of the Code of the City of Danville, Virginia, 1986, as amended at 2179 South Boston Rd, otherwise known as Grid 4719, Block 005, Parcel 000003 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate an auction house.*
- IV. ITEMS NOT FOR PUBLIC HEARING
 1. *Review of a Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr.*
 2. *Review of a Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St.*
 3. *Review of a request by Danville Dental Properties, LLC for permission to place a freestanding sign in the public right-of-way.*
- V. APPROVAL OF MINUTES FROM AUGUST 13, 2018
- VI. ADJOURNMENT



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

City Planning Commission

City Planning Commission

Meeting of Monday, October 8, 2018

Subject:

Special Use Permit application PLSUP20180000229, filed by William C. Doss requesting a Special Use Permit to operate a bed and breakfast in accordance with Article 3:E Section C, Item 3 of the Code of the City of Danville, Virginia 1986, as amended at 327 W Main St, otherwise known as Grid 1719, Block 022, Parcel 000023. The applicant is proposing to operate a bed and breakfast.

Background:

An application has been filed by William C. Doss requesting a Special Use Permit to operate a bed and breakfast in accordance with Article 3:E Section C, Item 3 of the Code of the City of Danville, Virginia 1986, as amended at 327 W Main St, otherwise known as Grid 1719, Block 022, Parcel 000023 of the City of Danville, Virginia Zoning District Map.

The applicant is proposing to operate a bed and breakfast on a residential property. The proposed use will be listed on Airbnb. This use is defined in the Zoning Ordinance as:

"Bed and breakfast lodging. A single family dwelling, occupied by its owner or operator, containing sleeping and breakfast accommodations as an accessory use to the principal use as a private residence. Such lodging shall have no more than eight (8) room accommodations for transient persons and wherein a charge is normally paid for such accommodations. A bed and breakfast may include banquet/event facilities for private parties as an accessory use."

Currently, bed and breakfast establishments are only permitted by-right in four (4) of six (6) commercial districts and by special use permit in seven (7) of eight (8) residential districts. Requiring a special use permit allows the City to protect the continued residential nature and use of the residential districts, without the presence of excess transient individuals.

Forty (40) notifications were sent to surrounding property owners within 300' of the subject property. A full report will be presented to Planning Commission on October 8, 2018.

Recommendation:

Planning staff recommends approval of Special Use Permit application PLSUP20180000229, filed by William C. Doss, requesting a Special Use Permit to operate a bed and breakfast, subject to the following conditions:

- 327 W Main St. continue to primarily be used as a residential property occupied by the owner or operator of the bed and breakfast.
- The facility shall use no more than three (3) guest rooms for occupancy.
- Guests may not stay for longer than thirty (30) consecutive calendar days.

This would allow the applicant to operate a bed and breakfast in an OTR – Old Town Residential District.

City Planning Commission Alternatives:

1. Recommend approval of the request as submitted.
2. Recommend approval of the request subject to conditions recommended by staff.
3. Recommend approval of the request subject to conditions by the Planning Commission.
4. Recommend denial of the request.
5. Recommend tabling the request.

Attachments:

- Application
- Property Ownership/Zoning Map
- Data Sheet
- Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: bed and breakfast

CASE NUMBER: PLG0P2018-000029

EXISTING ZONING: OT-R

PROPOSED ZONING: OT-R

TAX MAP NUMBER: Parcel ID 24360

RECEIVED BY: Bryce Johnson

DATE FILED: 8/23/18

PLANNING COMMISSION DATE: 10/8/18

CITY COUNCIL DATE: 11/12/18

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

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

Gross Area/Net Area: .19 acre Property Address: 327 W. M

Property Location: N S E W Side of: West Main

Between: Virginia and Mt. Vernon

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:

Home-sharing through Airbnb rental platform

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

1. NAME: William C. Doss TELEPHONE: 804-314-3412
MAILING ADDRESS: 327 West Main St., Danville 24541
SIGNATURE: W. Doss DATE: _____
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: christopher.doss@usa.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: _____ TELEPHONE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____
SIGNATURE: _____ DATE: _____

The Shared Economy – The Economics of the Future

How can you help seniors stay in their homes? Improve Danville's deteriorating housing stock, boost real estate values, and increase property tax revenues? Help young home buyers purchase older homes that need work? Curb the growing burdens on public infrastructure? Capture a growing segment of the tourism industry?

If our only tool is a hammer, we solve every problem with a nail. No matter how familiar or unfamiliar we may be with any particular issue, we ask: What's the problem? Where's a nail? Worse, some people don't want new tools and don't seek new knowledge. We judge by what we know, even if new issues don't fit our knowledge-base. We accept or reject new ideas based on how they fit what we already accept or reject, regulate or ban.

We may have heard the terms "shared economy" or "home sharing", for example. We may have categorized them within concepts we already know. We simplistically make things fit patterns that are familiar to us. Perhaps we mistakenly make a new idea – something designed for a better future – fit into regulatory frameworks based on the past.

We also hear about sustainability; but what does that really mean? How is a "shared economy" a crucial part of the sustainability paradigm? Just what is a shared economy? Ride sharing? Home sharing? How are these better ways of using resources?

More important to public officials, how can this affect our allocation of resources and use of infrastructure? Can this alter the way we plan for roads, potable water, stormwater, power grids, senior services, etc.? Can this alter our approach to public sector problem solving?

When "*Airbnb*" is posed as an issue, what are we thinking? What's the problem that we want to examine? (*What's the nail that we'll use our hammer on?*)

What about deteriorating housing stocks and historic homes? What about keeping seniors in their homes? Getting young buyers into the housing market? Capturing a growing segment of the tourism industry? Home sharing (through venues like Airbnb) offers solutions to those problems. Shouldn't we be as eager to promote as to hinder home sharing?

The shared economy, including home sharing, is a way to use current resources more efficiently – reducing the need for new infrastructure, reducing demands on public budgets.

Car pooling is one example. When four commuters in Alexandria share a car into Washington, D.C. each day rather than driving solo, it reduces pollution and congestion; but, ultimately, it also saves taxpayers the need to add another lane onto Interstate 395 into D.C.

Home sharing is another. When 80 private homes welcome tourists in Alexandria, it eliminates problems related to building hotels in an environmentally and historically sensitive area, a colonial town on a tidal river. It helps keep prices affordable for tourists. It saves taxpayers the cost of expanded infrastructure for stormwater, potable water, sewage, roads, and power – all of which are very problematic in construction there.

But home sharing is not so simple. First and foremost, home sharing is not a mere hotel business. It's not like Uber. The best comparison takes us back to car-pooling: Commuters

get together, share a ride, save space on the highway, save petroleum, cut down on emissions, do the world a favor. Car-pooling is organized, even if informally. Ride-sharers know one another, and they arrange how to divide the driving and costs. Home sharing is similar

To become a member of a home sharing network – either as prospective guest or host – you must register, confirm your identity, and confirm your credit. This is not total strangers meeting. It's not public lodging. Each party knows something about the other.

Then there are the reviews. Airbnb is the best self-regulated, self-policed consumer protection system in the world. All guests and hosts get to review one another after every stay. Those reviews are public. Any prospective guest can see hosts' reviews. Hosts can see guests' reviews. From reviews, you learn about one another (and about the host's facility).

Yes, there are bad apples among Airbnb hosts. There are also doctors who promote drug addiction, clergy who commit misdeeds, and public officials who tweet too much. It's outrageous to judge any person, profession, or industry based on those we consider bad apples.

We also need to differentiate those who are genuinely part of the home sharing economy versus those who take advantage of Airbnb to market rental properties. Not all landlords are alike. Not every host on Airbnb is the same. Some are genuine home sharers. Some are merely property investors who utilize Airbnb's internet platform as a rental tool.

The senior citizen who occasionally rents a bedroom in her home is very different from the real estate investor who bought four condos just to list on Airbnb. Most home sharers are people who simply have an extra room to share in their homes. They're people who respect their neighbors – people who want to preserve the quality of life in their neighborhoods.

Some Airbnb hosts are bad actors who don't respect their neighbors. But many are seniors who use Airbnb as a means to keep living in their homes. Many are people who reduce the need to keep building more and more hotels in environmentally and historically sensitive areas. Many are people who rely on Airbnb to bridge the income gap when they renovate older homes, homes that might otherwise just deteriorate. We ought to promote this.

What about those tourists who are ardent home sharers – people who not only dislike hotels, but who don't want the '*entire apartment*' options on Airbnb – people who want to stay with locals? Staying in someone's home may seem odd to most people, but it's a growing segment of the tourism industry. Home sharing guests may not represent a huge number of visitors to Danville; maybe not even the majority of Airbnb clients. But they're a passionate and growing segment of the tourism industry. Danville should welcome those visitors.

Three commuters paying a fourth to drive them to work – we don't classify that as a taxi or common carrier. We don't tax or regulate it. Instead, we promote ride sharing as a public good. While some people look at home sharing as a potential problem to be regulated, I see a solution that needs to be promoted. But who will promote it to the citizens of Danville? And who will welcome those tourists and visitors who want to stay with a local?



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/23/2018

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Doss – Home Sharing Circumstances

Three years ago, I bought an old home in Danville. Based on a totally inadequate inspection report prior to purchase, I could not have dreamed how much work this house would need. Had a more thorough inspection been done, I would never have bought this money pit.

The inspection didn't scratch the surface. The inspector didn't vaguely begin to identify the problems that I've encountered in the three years that I've lived here. This house had clearly suffered critical deferred maintenance for some period of time, and I'm paying for it.

During my first 19-months in the house, ten roofers came before I even got an estimate for the roof. The first eight refused to offer a bid. The ninth and tenth offered bids that were double what my inspector led me to believe it would cost. Every repair has skyrocketed over any rational estimates: porch supports, window repairs, chimney repairs, water leaks, etc., etc. The inspector hadn't captured the full severity of problems or didn't even see problems.

I had been a frequent traveler and a home sharer for years. Home sharing seemed a logical way to bridge my financial gap. It is a joy to meet travelers from all over (India, Antigua, the Netherlands, Mexico, China, Britain, Uruguay, Germany, Sweden, etc.), and it has been a big help with all the renovation costs. Much of the deferred maintenance on my house would remain untouched without this financial help. The house would continue to go downhill.

Although health problems and limited skills sets restrict what I can do; nonetheless, I work constantly on this house. I am under medical care for Crohn's Disease, kidney failure, blood pressure, and back problems related to severe curvature of the spine and vertebrae issues in the neck. I have no training in building trades or home maintenance, but I am learning. In any event, my work on the house is limited, and I must hire people to do most of the work.

I look at the deteriorating homes in Danville, and I wonder how many people might purchase them if they knew about home sharing – if they could bring in a hundred dollars a month to help with repair costs. I read about city budget woes and the school budget and I wonder what it would be like if real estate were to make a serious turn-around in Danville. I hear about elderly people in Danville who would like to be able to afford cleaning help, and I wonder if an Airbnb guest two weekends a month would pay for that help.

With the growing number of tourists who want to stay with a local, Danville could profit in many ways.

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE: October 8, 2018

LOCATION OF PROPERTY: 327 W Main St

PRESENT ZONE: OTR – Old Town Residential

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit to operate a bed and breakfast

PRESENT USE OF PROPERTY: Residential

PROPOSED USE OF PROPERTY: Residential, and bed and breakfast

PROPERTY OWNER (S): William Doss

NAME OF APPLICANT (S): William Doss

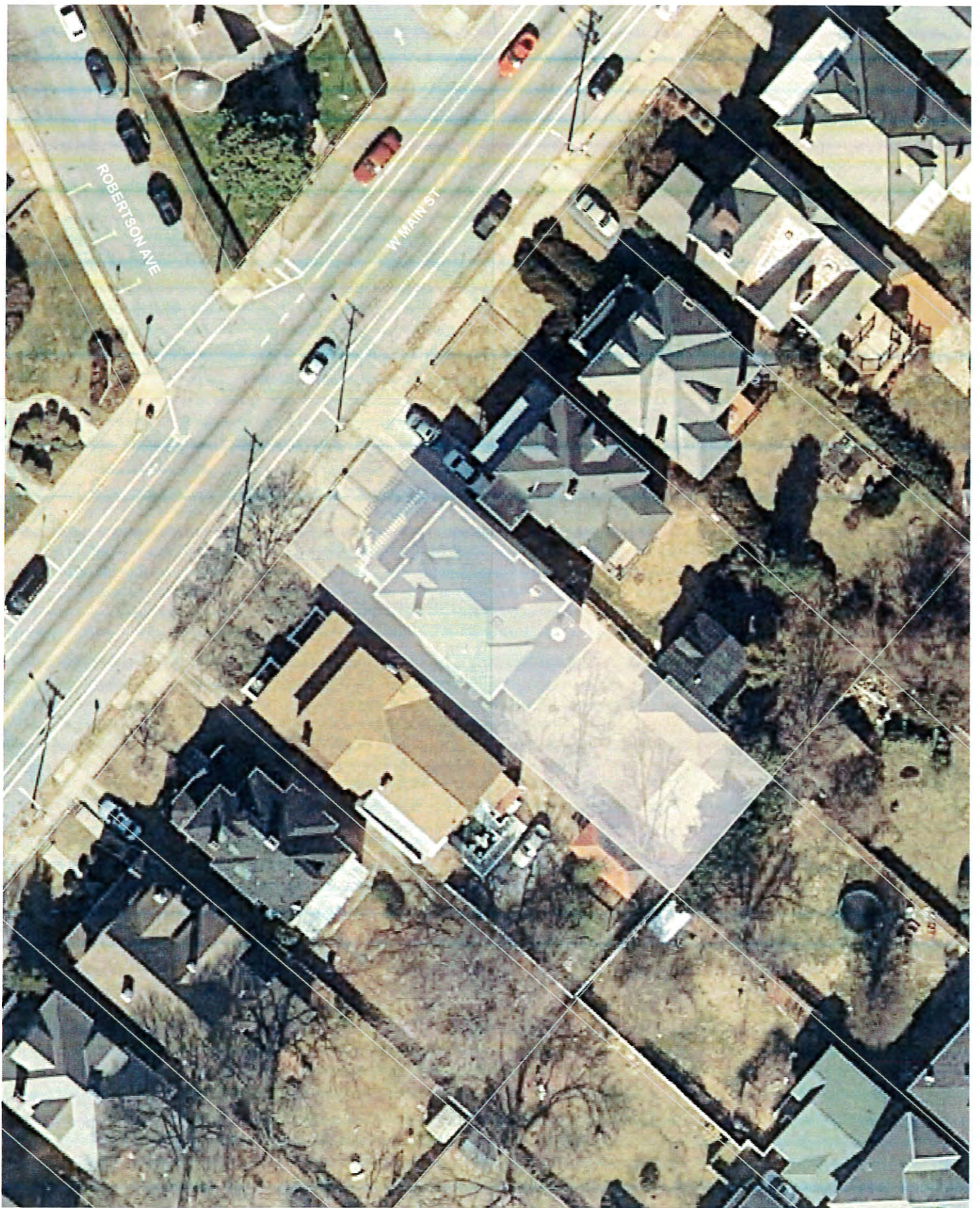
PROPERTY BORDERED BY: Residential on all sides

ACREAGE: 0.19 acres (8,276.4 square feet)

CHARACTER OF VICINITY: Residential

INGRESS AND EGRESS: W Main St

TRAFFIC VOLUME: Moderate



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
9/18/2018

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

City Planning Commission

City Planning Commission

Meeting of Monday, October 8, 2018

Subject:

Special Use Permit application PLSUP20180000255, filed by River City Auction Co., on behalf of Sellers Brothers Inc., requesting a Special Use Permit to operate an auction establishment in accordance with Article 3.M, Section C, Item 1 of the Code of the City of Danville, Virginia, 1986, as amended at 2179 South Boston Rd, otherwise known as Grid 4719, Block 005, Parcel 000003 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate an auction house.

Background:

An application has been filed by River City Auction Co., on behalf of Sellers Brothers Inc., requesting a Special Use Permit to operate an auction establishment in accordance with Article 3.M, Section C, Item 1 of the Code of the City of Danville, Virginia, 1986, as amended at 2179 South Boston Rd, otherwise known as Grid 4719, Block 005, Parcel 000003 of the City of Danville, Virginia Zoning District Map.

The applicant is proposing to operate an auction establishment on commercial property. Within City limits, such an auction establishment is not permitted by-right in any zoning district. The use is only permitted by special use permit within the HR-C, Highway Retail Commercial District in which this property is located.

Currently, the property does not contain sufficient paved parking for an auction establishment or similar commercial use. Past commercial uses were permitted because the property's lack of paved parking was considered legal nonconforming. The property was most recently used to provide office and display space for an accessory buildings business. According to Article 8, Section E of the Zoning Ordinance, an auction establishment requires more paved parking than the previous use. As an increase in the intensity of use, the property will need to be brought into compliance regarding the parking requirements. The space is currently available around the property. The property owner is formulating a plan to address the parking requirement.

Six (6) notifications were sent to surrounding property owners within 300' of the subject property. A full report will be presented to Planning Commission on October 8, 2018.

Recommendation:

Planning staff recommends approval of Special Use Permit application PLSUP20180000255, filed by River City Auction Co., on behalf of Sellers Brothers Inc., with the following conditions:

1. A total of thirteen (13) paved parking spaces, including a handicap space, be provided on the property and/or adjacent properties which are owned by the same owner;
2. A paved driveway be provided to connect the paved parking spaces to the public street right-of-way; and
3. The paved parking spaces and driveway be provided within six (6) months of being granted the Special Use Permit, regardless of whether or not the auction establishment is still in use at that time; and
4. The hours of operation are to be limited 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.

The proposed conditions will bring the property into conforming status, allow the property owner more than adequate time to install the required paved parking, and protect the residential surroundings.

City Planning Commission Alternatives:

1. Recommend approval of the request as submitted.
2. Recommend approval of the request subject to conditions recommended by staff.
3. Recommend approval of the request subject to conditions by the Planning Commission.
4. Recommend denial of the request.
5. Recommend tabling the request.

Attachments:

- Application
- Property Ownership/Zoning Map
- Data Sheet
- Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Auction House Auction Establishment

CASE NUMBER: PLSUP20180000255

EXISTING ZONING: HR-C

PROPOSED ZONING: HR-C

TAX MAP NUMBER: Parcel ID 77078

RECEIVED BY: Bryce Johnson

DATE FILED: 9/10/18

PLANNING COMMISSION DATE: 10/8/18

CITY COUNCIL DATE: 11/12/18

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

99.7 FT (.86AC) 101 South Boston Rd

Gross Area/Net Area: 3058 sq ft Property Address: 2179 S. Boston Rd Danville, VA

Property Location: N S E W Side of: Danville

Between: CRYSTAL LANE and Gough St.

Proffered Conditions (if any, please attach): NA

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. *3058 sq. ft existing building use - Auction House*
- Vehicular circulation system with points of ingress and egress. *AVAILABLE OFF CRYSTAL LN AS PER CURRENT TRAFFIC PATTERN*
- Existing on-site buildings, separation dimensions and paved areas. *NONE*
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided. *Loading Rear of building 12x20 PARKING AVAILABLE ALL AROUND BUILDING ALL OFF STREET*
- Net acreage. *~ 86*
- Gross and net square footage of building (s) (proposed and existing). *existing 3058 sq. ft none proposed*
- Required landscaping and buffer areas. *Already In place*

Please provide a brief description of the proposed development:

NO NEW DEVELOPMENT

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

I. NAME: *THE Sellers Brothers Inc.* TELEPHONE: *434 822-8263*

MAILING ADDRESS: *2145 S. Boston Rd Danville VA 24540*

SIGNATURE: _____ DATE: _____

SIGNATURE: *H C Seller Jr* DATE: *8/31/18*

EMAIL ADDRESS: *[Signature]*

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: *River City Auction Co.* TELEPHONE: *434 251-2202*

MAILING ADDRESS: *428 Piney Forest Rd Danville VA 24540*

EMAIL ADDRESS: *RSmithSmith-Sold@GMAIL.COM*

SIGNATURE: *[Signature]* DATE: *8/31/18*

Sellers Brothers, Inc.

2145 SOUTH BOSTON ROAD
DANVILLE, VIRGINIA 24540
(434) 822-8263
FAX: (434) 822-6203



August 23, 2018

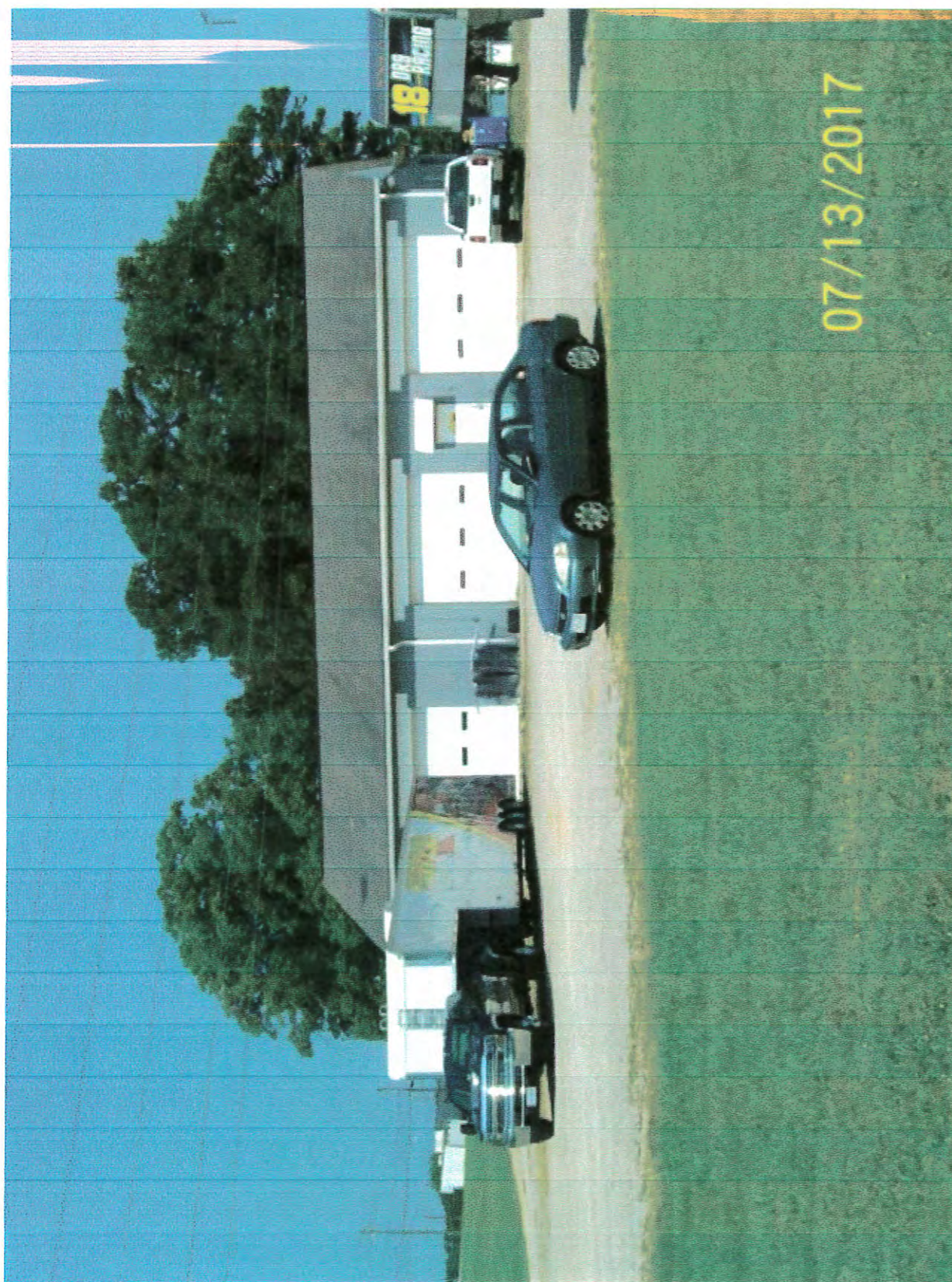
City of Danville
P. O. Box 3300
Danville, VA 24543

To Whom It May Concern:

Rita Smith of River City Auction Company has our permission to apply for a special use permit (for an auction house) on our property located at 2179 South Boston Road, Danville, VA.

A handwritten signature in cursive script that reads "Bert Sellers".

Bert Sellers
President



DANVILLE

VIRGINIA

- ☐ Buildings
- ☐ Parcels
- ☐ Street Names
- ☐ House Numbers

Parcel ID: 77078



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Date: 8/23/2018

Parcel ID: 77078
Address: 2179 SOUTH BOSTON RD
Owner: SELLERS BROTHERS INC
 PO BOX 1136
 DANVILLE, VA 24543
Mail-To: SELLERS BROTHERS INC
 PO BOX 1136
 DANVILLE, VA 24543



Value Information	
Land / Use:	\$17,200
Improvement:	\$60,400
Total:	\$77,600.00

Building Information	
Year Built:	1998
Total Rooms:	0
Bedrooms:	0
Full Bathrooms:	0
Half Bathrooms:	0
Finished Square Feet:	3,098

Additional Information			
State Code:	4631 Auto Repair Svc & Garage	Approx Acres:	0.86
Land Use:	Commercial	Legal Description:	99.7 FT (.86 AC) NO 1 SOUTH BOSTON RD
Tax Map:	4719-005-000003.000	Zone:	HRC Highway Retail Comm
Notes: Sellers Garage & Speed Shop - Puryear RacingDB 04-1856: 8 lists. (Map P180A A 3)			

Building

Building Information - 1			
Property Class:	Commercial	Finished Square Feet:	3,098
Style:	No Data	Basement Square Feet:	0
Year Built:	1998	Total Rooms:	0
Condition:	No Data	* Bathrooms are not included in total room count.	
Story Height:	No Data		
Bedrooms:	0		
Dining Rooms:	0		
Family Rooms:	0		
Living Rooms:	0		
Full Bath:	0		
Half Bath:	0		
Features:		Size:	
Space Heater		100 %	
Concrete Block		100 %	

Improvements

Bldg #:	Improvement:	Size:
1	Concrete Paving	2,080

Land

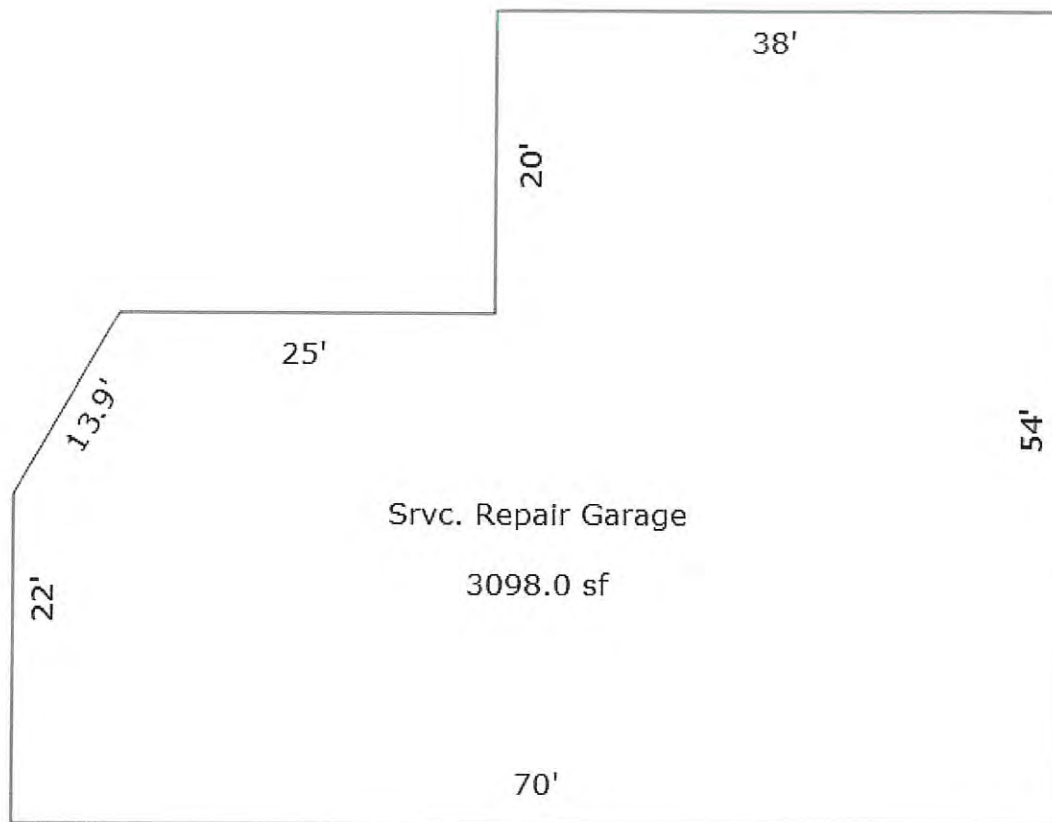
Land Code:	A36 20000 Per Acre	Rate:	\$20,000
Acres:	0.86	Adj. Rate:	\$20,000
Sq. Ft.:	37,462	Base Value:	\$17,200
Front:	0	Adj. Amount:	\$0
Effective Front:	0	Value:	\$17,200
Depth:	0		

Transfers

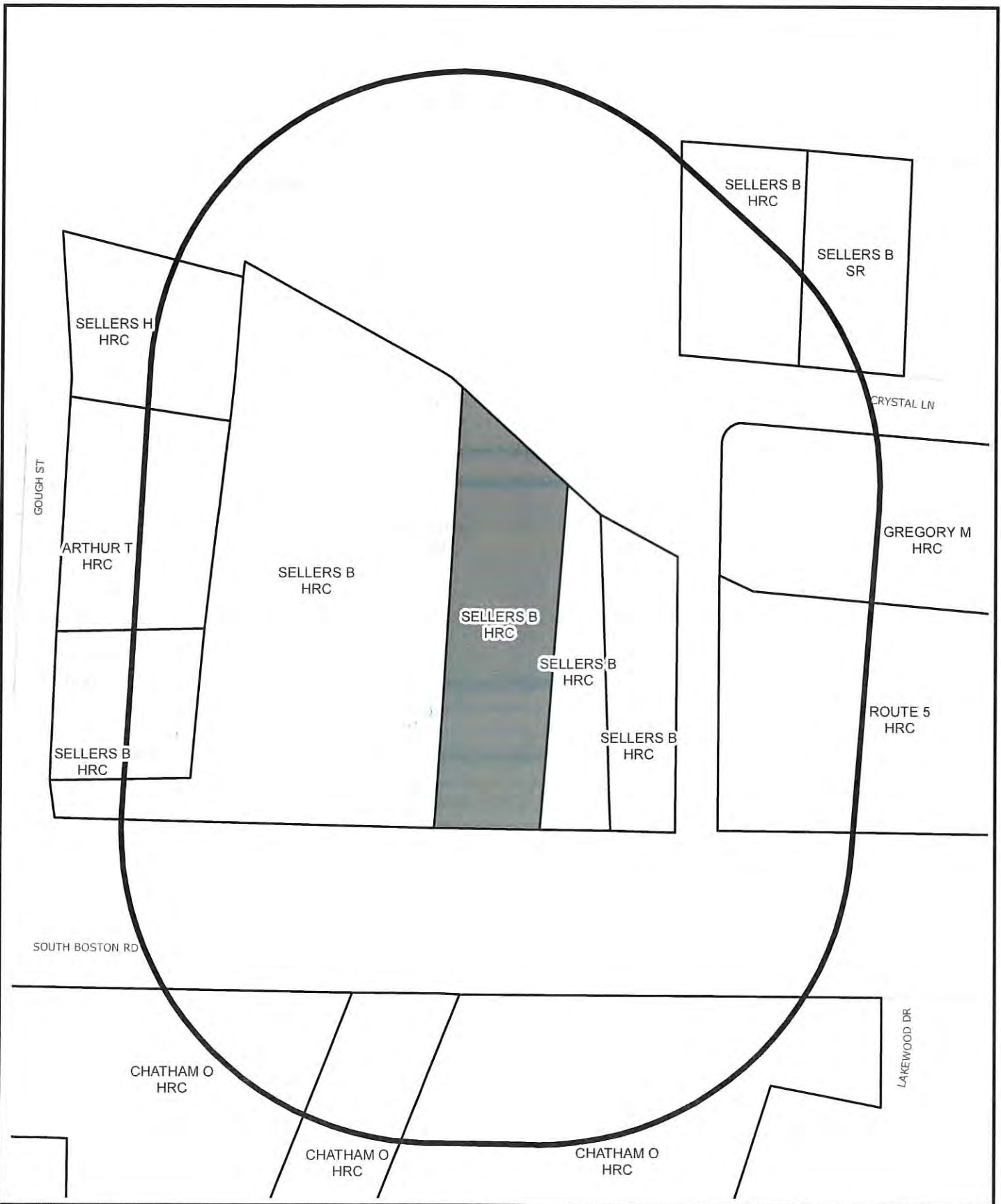
Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 04	1856	\$0	4/19/2004	SELLERS HUBERT C	SELLERS BROTHERS INC
D 99	73	\$0	1/6/1999	<i>No Data</i>	<i>No Data</i>

Assessments

Year	Land	Use	Improvements	Total
2018	\$17,200	\$0	\$60,400	\$77,600
2017	\$17,200	\$0	\$60,600	\$77,800
2016	\$17,200	\$0	\$60,600	\$77,800
2015	\$17,200	\$0	\$61,300	\$78,500
2014	\$17,200	\$0	\$61,300	\$78,500
2013	\$17,200	\$0	\$47,800	\$65,000
2012	\$17,200	\$0	\$47,800	\$65,000
2011	\$17,200	\$0	\$48,600	\$65,800
2010	\$17,200	\$0	\$48,600	\$65,800
2009	\$17,200	\$0	\$48,300	\$65,500
2008	\$17,200	\$0	\$48,300	\$65,500
2007	\$17,200	\$0	\$39,900	\$57,100
2006	\$17,200	\$0	\$39,900	\$57,100
2005	\$5,000	\$0	\$33,700	\$38,700
2004	\$5,000	\$0	\$33,700	\$38,700
2003	\$3,000	\$0	\$32,600	\$35,600
2002	\$3,000	\$0	\$32,600	\$35,600
2001	\$3,000	\$0	\$31,400	\$34,400
2000	\$3,000	\$0	\$19,500	\$22,500



Sketch by Apex Medina™



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

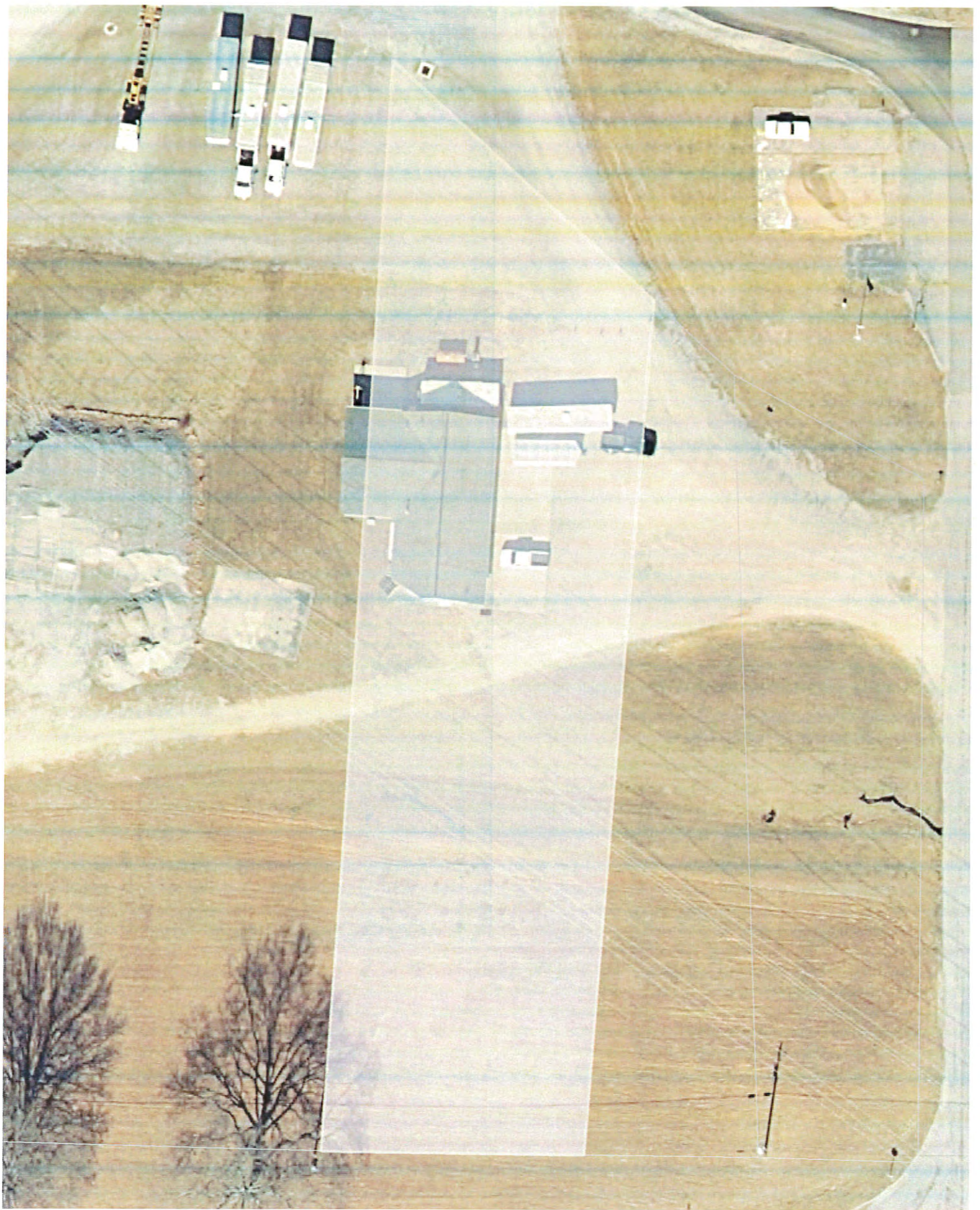


Prepared by:
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9/18/2018

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SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE:	October 8, 2018
LOCATION OF PROPERTY:	2179 South Boston Rd
PRESENT ZONE:	HRC – Highway Retail Commercial
PROPOSED ZONE:	Unchanged
ACTION REQUESTED:	Special Use Permit to operate an auction establishment
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Auction establishment
PROPERTY OWNER (S):	Sellers Brothers Inc.
NAME OF APPLICANT (S):	River City Auction Co
PROPERTY BORDERED BY:	Commercial on all sides
ACREAGE:	0.86 acres (37,461.6 square feet)
CHARACTER OF VICINITY:	Commercial to the North and South; Residential to the East and West
INGRESS AND EGRESS:	South Boston Rd, Crystal Ln
TRAFFIC VOLUME:	High



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
9/18/2018

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 Monday, October 8, 2018

Subject:

Review of a Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr.

Background:

A request has been filed to review a major subdivision plat for the creation of three (3) lots on Green Acre Dr. As proposed, the major subdivision meets all City requirements regarding frontage, area, and setbacks. The proposal seeks to subdivide 212 Green Acre Dr. into three (3) new lots identified as 5B1, 5B2, and 5B3.

Recommendation:

Staff recommends that Planning Commission adopt a resolution to grant approval of the Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr.

City Planning Commission Alternatives:

- Adopt a resolution to grant approval of the Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr., subject to the allowance for minor changes for typographical errors and errors of omission
- Deny approval of the Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr., subject to the allowance for minor changes for typographical errors and errors of omission

Attachments:

- Final Subdivision Plat
- Resolution

PIN 76617

1. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS PER DATE OF THIS PLAT AND THERE ARE NO REPLY APPARENT EMBLEM OR ENCUMBRANCES EXCEPT AS SHOWN.
2. THE PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE, DOES NOT NECESSARILY SHOW ALL ENCUMBRANCES ON THE PROPERTY.
3. THE AREA SHOWN HEREON IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD ZONE PER FEMA FLOOD MAP 511400050E EFFECTIVE 09/29/2010.

CITY APPROVAL CERTIFICATION:
I CERTIFY THAT THIS PLATING IS IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND HEREBY APPROVED IN ACCORDANCE WITH THE CODE OF THE CITY OF DANVILLE 1986, AS AMENDED.

CITY ENGINEER _____ DATE _____
ZONING ADMINISTRATOR _____ DATE _____
PLANNING COMMISSION _____ DATE _____

THE SUBDIVISION OF LAND DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERGOING OWNERS, PROPRIETORS AND TRUSTEES, THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID GREEN ACRES AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

OWNER
COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
CITY OF DANVILLE
I, Robert West Huffstader, A NOTARY PUBLIC IN AND FOR THE STATE OF VIRGINIA, DO HEREBY CERTIFY THAT THE OWNER, Richard B. Armstrong, Jr. (NAME) WHOSE NAME IS SIGNED HEREON HAS ACKNOWLEDGED THE SAME BEFORE ME THIS 20th DAY OF August 2018, MY COMMISSION EXPIRES 12/31/2021
Richard B. Armstrong, Jr.
NOTARY PUBLIC



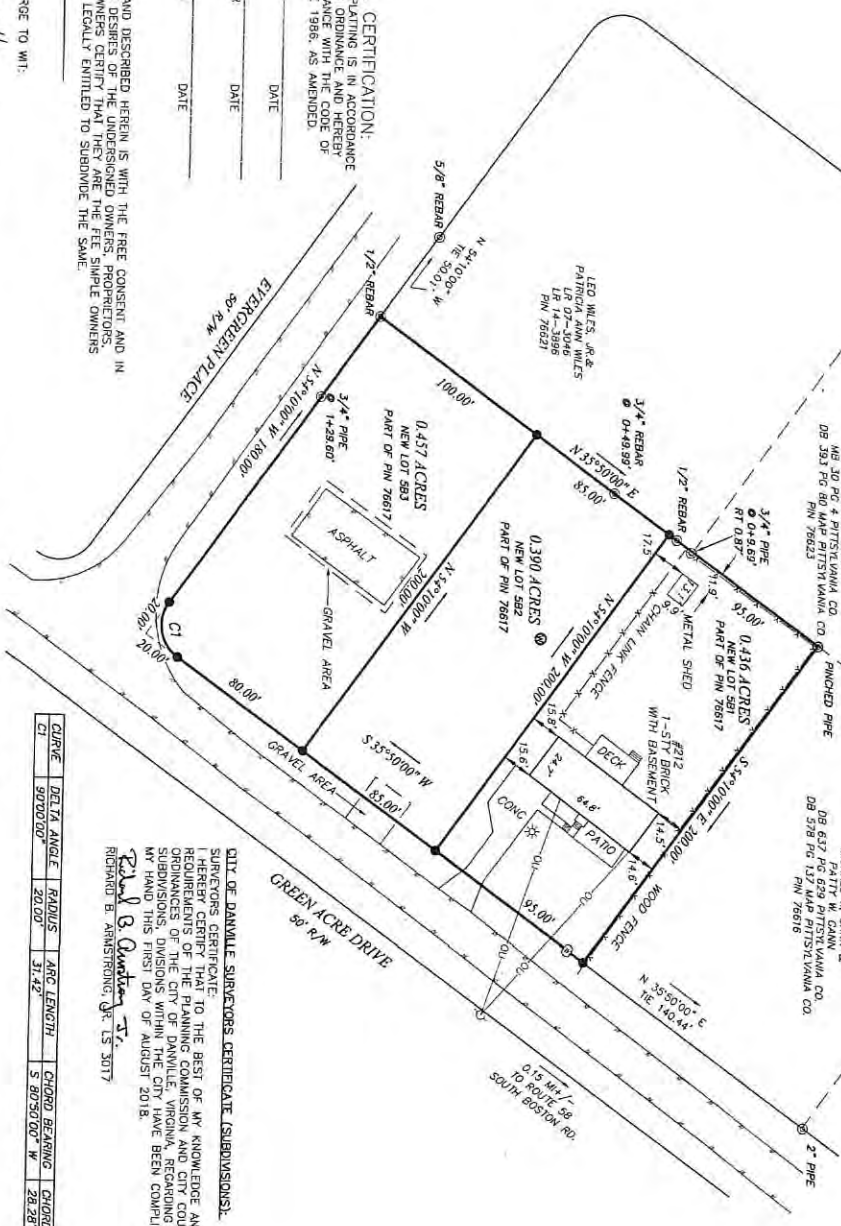
SOURCE OF TITLE:
RACHANABEN M. AMIN
LR 17-0552

CHORD	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
01	90°00'00"	20.00'	31.42'	S 80°50'00" W	28.28'

- LEGEND**
- IRON PIN FOUND
 - UTILITY POLE
 - WELL
 - WATER METER
 - OVERHEAD UTILITY
 - FENCE
 - EDGE OF PAVEMENT



CITY OF DANVILLE SURVEYORS CERTIFICATE (SUBDIVISIONS):
SUPERVISORS CERTIFICATE:
I, Richard B. Armstrong, Jr., TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE PLANNING COMMISSION AND CITY COUNCIL, AND THE ORDINANCES OF THE CITY OF DANVILLE REGARDING THE PLATING OF SUBDIVISIONS, DIVISIONS WITHIN THE CITY HAVE BEEN COMPLIED WITH GIVEN UNDER MY HAND THIS FIRST DAY OF AUGUST 2018.
Richard B. Armstrong, Jr.
RICHARD B. ARMSTRONG, JR. LS 3017



PLAT SHOWING
REDIVISION OF LOT 5B GREEN ACRES SUBDIVISION
RACHANABEN M. AMIN
CITY OF DANVILLE, VIRGINIA



110 SOUTH MAIN ST., SUITE B
GRETN, VA 24557
434-710-3121

ARMSTRONGANDASSOCIATES.NET

PROJECT #180106
DATE: 08/01/2018
DRAWN BY: JBT
SHEET 1 OF 1

PRESENTED: OCTOBER 8, 2018

ADOPTED: OCTOBER 8, 2018

RESOLUTION NO. 2018 – 10.1

A RESOLUTION APPROVING A FINAL MAJOR SUBDIVISION PLAT FOR THE CREATION OF THREE (3) LOTS ON GREEN ACRE DR UNDER THE SUBDIVISION ORDINANCE OF THE CITY OF DANVILLE, VIRGINIA.

BE IT RESOLVED by the Planning Commission of the City of Danville, Virginia that a Final Major Subdivision Plat for the creation of three (3) lots on Green Acre Dr., is approved under the provision the Subdivision Code of the City of Danville, Virginia, 1986 as amended, said plat being more fully described as follows:

PLAT SHOWING REDIVISION OF LOT 5B GREEN ACRES SUBDIVISION RACHANABEN M. AMINE CITY OF DANVILLE, VIRGINIA, as drawn by Armstrong & Associates, dated 08-01-2018 and shown as attached Exhibit A.

APPROVED

Chairman, City Planning Commission



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

City Planning Commission

City Planning Commission

Meeting of Monday, October 8, 2018

Subject:

Review of a Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St.

Background:

A request has been filed to review a major subdivision plat for the creation of three (3) lots on Baldwin St. As proposed, all three lots meet the City requirements regarding lot frontage, area, and setbacks. Currently, Lot 1 surrounds Lot 2A on three sides. The proposed change divides Lot 1 into 1A and 3, to exist on either side of Lot 2A. The existing portion of Lot 1 which borders the rear property line of Lot 2A will be incorporated into Lot 2A.

Recommendation:

Staff recommends that Planning Commission adopt a resolution to grant approval of the Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St.

City Planning Commission Alternatives:

- Adopt a resolution to grant approval of the Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St, subject to the allowance for minor changes for typographical errors and errors of omission.
- Deny approval of the Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St, subject to the allowance for minor changes for typographical errors and errors of omission

Attachments:

- Final Subdivision Plat
- Resolution



LOCATION MAP N.T.S.

LEGEND

▲	UP	COMPUTED POINT
◀	PIN	UTILITY POLE
	R/W	PARCEL ID NUMBER
	CU	RIGHT OF WAY
		OVERHEAD UTILITY LINES



THIS BOUNDARY SURVEY IS BASED ON A CURRENT FIELD SURVEY,
AND PARCELS OF LAND OR EASEMENTS EXCEPTED BY
THIS SURVEY ARE SHOWN TO THE BEST OF MY KNOWLEDGE
AND PHYSICAL INSPECTION.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT
OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY
PROVE ALL ENCUMBRANCES ON THE PROPERTY.

THIS PROPERTY IS NOT LOCATED WITHIN A F.E.M.A. FLOODED
FLOOD HAZARD MAP.

SEE FIRM COMPANY FILE # 5114230269E.

REMARKS: REVIEW OF AERIAL PHOTOGRAPHS AND
OTHER RECORDS REVEALS THAT THE PROPERTY
AND OTHER ADJACENT LOTS ARE APPROPRIATELY
OR IN AN ALTERNATE MANNER ADJACENT TO THE PROPERTY LOCATED
ON THE BOUNDARY SURVEY.

DANVILLE, VIRGINIA

37.39, AND VACANT LOT BALDWIN STREET
BEING PIN^a : 51059 AND 54520
PLAT OF SURVEY SHOWING
RE-SUBDIVISION OF LOTS 1 AND 2
CREATING NEW LOTS 1A, 2A, AND 3

FOR :
RENA MAE GREENE

DATE : SEPTEMBER 4, 2018

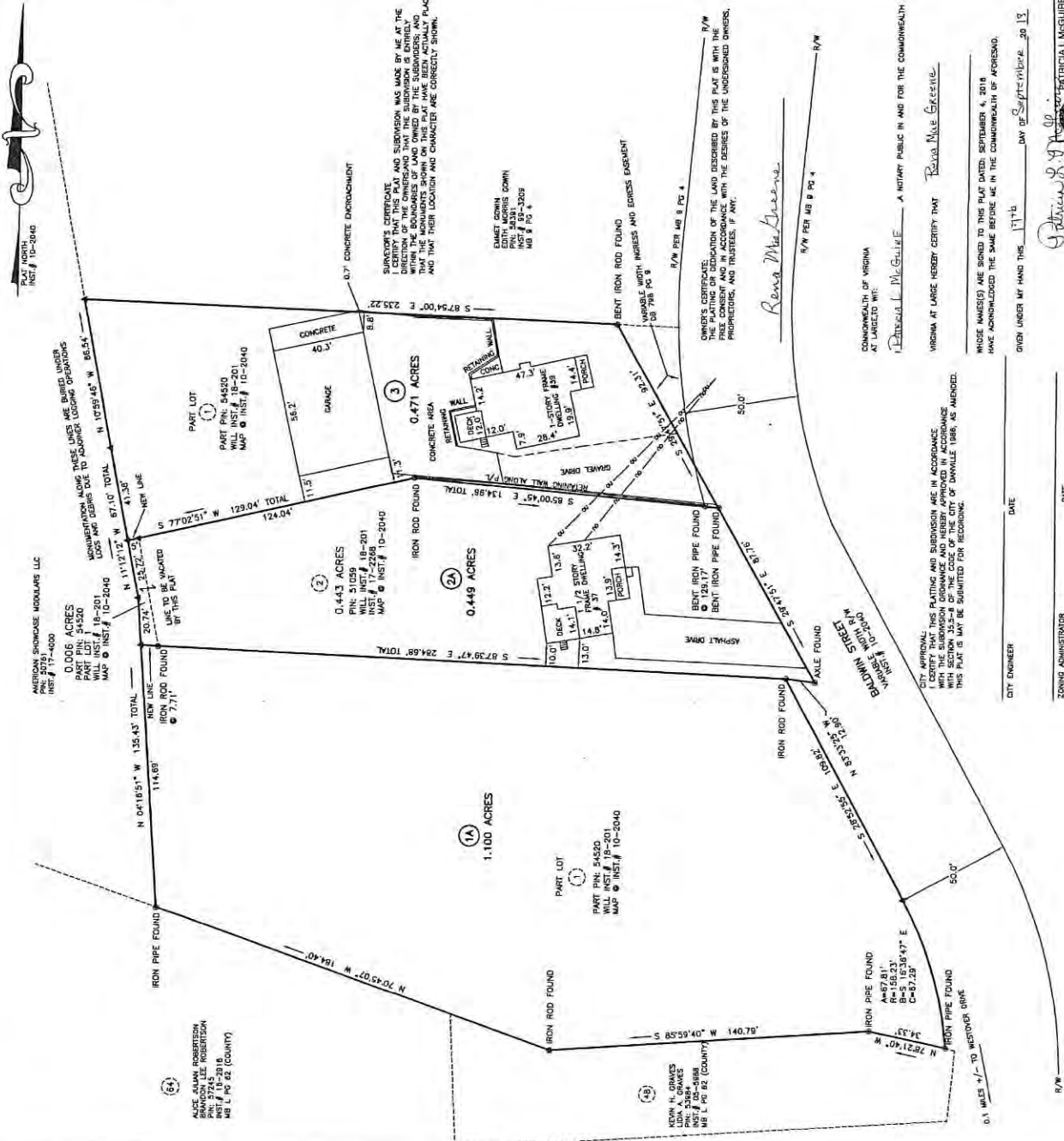
SCALE: 1 - 50



FILE: 18060



CRANE SURVEYING PLLC
113 TALBOTT DRIVE DANVILLE, VA. 24540
434.18.35-5598 patrickcrane03@comcast.net



GIVEN UNDER MY HAND THIS
 17th
 DAY OF September 1961

2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605</
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⑤

Patricia McGuire

NOTARY PUBLIC

Commonwealth of Virginia
Reg. #199150

COMMISSION EXPIRES: 7/13/2019

1100' in hms

PRESENTED: OCTOBER 8, 2018

ADOPTED: OCTOBER 8, 2018

RESOLUTION NO. 2018 – 10.2

A RESOLUTION APPROVING A FINAL MAJOR SUBDIVISION PLAT FOR THE CREATION OF THREE (3) LOTS ON BALDWIN ST UNDER THE SUBDIVISION ORDINANCE OF THE CITY OF DANVILLE, VIRGINIA.

BE IT RESOLVED by the Planning Commission of the City of Danville, Virginia that a Final Major Subdivision Plat for the creation of three (3) lots on Baldwin St., is approved under the provision the Subdivision Code of the City of Danville, Virginia, 1986 as amended, said plat being more fully described as follows:

37, 39, AND VACANT LOT BALDWIN STREET BEING PIN'S : 51059 AND 54520 PLAT OF SURVEY SHOWING RE-SUBDIVISION OF LOTS 1 AND 2 CREATING NEW LOTS 1A, 2A, AND 3 FOR: : RENA MAE GREENE, as drawn by Crane Surveying PLLC, dated September 4, 2018 and shown as attached Exhibit A.

APPROVED

Chairman, City Planning Commission



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

City Planning Commission

City Planning Commission

Meeting of October 8, 2018

Subject:

Review of a request by Danville Dental Properties, LLC for permission to place a freestanding sign in the public right-of-way.

Background:

Danville Dental Properties, LLC has requested permission to place a freestanding sign in the public right-of-way in accordance with Article 10, Section I, Item 8 of the Code of the City of Danville, Virginia 1986 as amended at 5011 Riverside Dr. The applicant is proposing to place a freestanding commercial sign in the right-of-way in front of a commercial establishment.

Previously, the applicant applied for a rezoning from N-C Neighborhood Commercial to "Conditional" HR-C Highway Retail Commercial District earlier this year. On July 9, 2018, City Planning Commission voted 6-0 in favor of recommending the application. On August 9, 2018, City Council voted 9-0 to pass an ordinance to rezone the property with conditions regarding permitted uses.

Currently, Danville Dental Properties seeks to advertise itself to traffic on Riverside Dr. The public right-of-way extends approximately seventy (70) feet from the paved edge of Riverside Dr. The sign ordinance does not typically permit any freestanding signs within the right-of-way or within ten (10) feet of the right-of-way. At this location, this setback requires that any freestanding sign be placed at least eighty (80) feet from Riverside Dr. At such a distance, the sign will be mostly hidden by the surrounding environment. The sign would not be visible to traffic until they are immediately passing the property.

Rather than observe the current, restrictive sign setback, the applicant wishes to place its commercial sign in the public right-of-way. To do so, the applicant must follow the following steps:

1. For private use of the public right-of-way, the applicant must be granted permission through a signed agreement with the Department of Public Works and City Manager;
2. To use such an agreement for a sign, the applicant must receive approval from the City Planning Commission; and
3. To install a sign in the right-of-way, the applicant must obtain a liability insurance policy.

The first approval is required according to Chapter 35, Section 35-4.1 of the Code of the City of Danville, Virginia, 1986 as amended. As of September 26, 2018, the applicant, Director of Public Works, and City Manager signed such a license agreement granting approval subject to conditions.

The second approval is required according to Article 10, Section I, Item 8 of the Zoning Ordinance, which states the following:

"8. Sign projecting over a public right of way. No signs shall project over public right-of-way without express permission of the Planning Commission in conjunction with the approval of a site plan, except for permitted flat signs which may project not more than 18 inches."

The third step is required according to Article 10, Section C, Item 4 of the Zoning Ordinance, which states the following:

"4. Liability Insurance Required. No sign which is located on or projects over a City right-of-way shall be erected unless an insurance policy shall have been filed for public liability with a total limit of \$600,000 per accident, \$300,000 per person bodily injury and \$150,000 property damage. Such policy shall be issued by an insurance company authorized to do business in the State of Virginia. The policy shall name the City as a coinsured and shall required thirty days written notice to the City before modification or cancellation. Such insurance policy shall hold the City harmless from any and all claims or demands for damages or negligence. The policy shall be maintained for the duration of the time that the sign remains erected."

Recommendation:

The Planning staff recommends approval of the request by Danville Dental Properties, LLC for permission to place a freestanding sign in the public right-of-way in accordance with Article 10, Section I, Item 8 of the Code of the City of Danville, Virginia 1986 as amended at 5011 Riverside Dr., under the following conditions:

1. Prior to the installation of the sign, the applicant must obtain a liability insurance policy with a total limit of \$600,000 per accident, \$300,000 per person bodily injury and \$150,000 property damage. Such policy shall be issued by an insurance company authorized to do business in the State of Virginia. The policy shall name the City as a coinsured and shall require thirty days written notice to the City before modification or cancellation. Such insurance policy shall hold the City harmless from any and all claims or demands for damages or negligence. The policy shall be maintained for the duration of the time that the sign remains erected;
2. Approval by the City Planning Commission shall automatically expire if the above insurance policy is not in place at any time the sign is in the right-of-way;
3. The applicant must comply with the conditions recorded in the license agreement signed by the City Manager on September 26, 2018;

4. If an additional license agreement is signed by the City Manager regarding the use of the right-of-way at this location the applicant must comply with the conditions of that agreement;
5. If an additional license agreement is signed by the City Manager to renew the private use of the right-of-way at this location, the applicant will not require renewed approval from the City Planning Commission unless the sign is to be altered beyond maintenance or a sign reface;
6. Permission by the City Planning Commission will automatically expire after any continuous period of two (2) years with no signed license agreement with the City Manager granting permission to use the right-of-way at this location; and
7. Permission by the City Planning Commission may be revoked at any time by the City Planning Commission.

City Planning Commission Alternatives:

1. Adopt a resolution to approve the request by Danville Dental Properties, LLC
2. Adopt a resolution to approve the request by Danville Dental Properties, LLC, subject to conditions recommended by staff
3. Adopt a resolution to approve the request by Danville Dental Properties, LLC, subject to conditions by the City Planning Commission
4. Deny the request by Danville Dental Properties, LLC

Attachments:

- Signed License Agreement
- Resolution

**LICENSE AGREEMENT
TO UTILIZE CITY
OF DANVILLE PROPERTY**

In accordance with the requirements of Chapter 35, Section 35-4.1 of the Code of the City of Danville, Virginia, 1986, as amended, it is hereby agreed to grant Danville Dental Properties, LLC – Dr. Albert Payne (hereafter “Property Owner”) permission to use a portion of the right-of-way adjacent to 5011 Riverside Drive, as shown on the attached map, to install a business sign in the City right-of-way in accordance with the following conditions:

1. Any and all improvements and encroachments shall be maintained at Property Owner’s expense and shall conform to all Code requirements.
2. Any and all improvements of encroachments shall be removed at Property Owner’s expense should this right-of-way be needed by the City for any purpose.
3. The Property Owner will not be vested with any property rights to this right-of-way being utilized.
4. The use of this right-of-way shall be at Property Owner’s risk and the City of Danville is hereby held harmless by Property Owner for any claim, suits or liability for personal injury or property damage arising out of, or in conjunction with the use of this right-of-way.
5. Property Owner hereby agrees that the use of this right-of-way is subject to the following conditions:
 - a. Failure to comply with the terms and conditions of this license will result in its immediate termination.
 - b. The permission granted to Property Owner to install a business sign on the right-of-way does not imply any easing of building use restrictions for the property.
 - c. The Property Owner shall conform to all Zoning requirements for the sign.
 - d. The rights and privileges extended to the Property Owner in this license are revocable at the sole discretion of the City at any time. If these rights and privileges are revoked by the City, any improvements and encroachments will be immediately removed at Property Owner’s sole cost and expense.
6. This license shall automatically terminate five (5) years from the date hereof.

7. If Property Owner wishes to renew this license at the end of its term, Property Owner will have to reapply for a new license with the Public Works Director in accordance with Danville City Code Section 35-4.1. If the Property Owner does not reapply for a new license agreement, this agreement shall be null and void.

WITNESS the following signature this the 19th day of September, 2018.

Albert Payne

Danville Dental Properties, LLC
Dr. Albert Payne, Property Owner

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF DANVILLE

I, SANDRA WORLEY MYERS, a Notary for the above referenced jurisdiction do hereby affirm that I witnessed the signature of Dr. Albert Payne who stated that they were the Property Owner of the real property affected by this license and were fully authorized to execute and enter into this license.

Sandra Worley Myers
Notary Public

My commission expires: NOVEMBER 30, 2020

APPROVAL RECOMMENDED BY:

R. Draperovich
Director of Public Works

9-21-18
Date

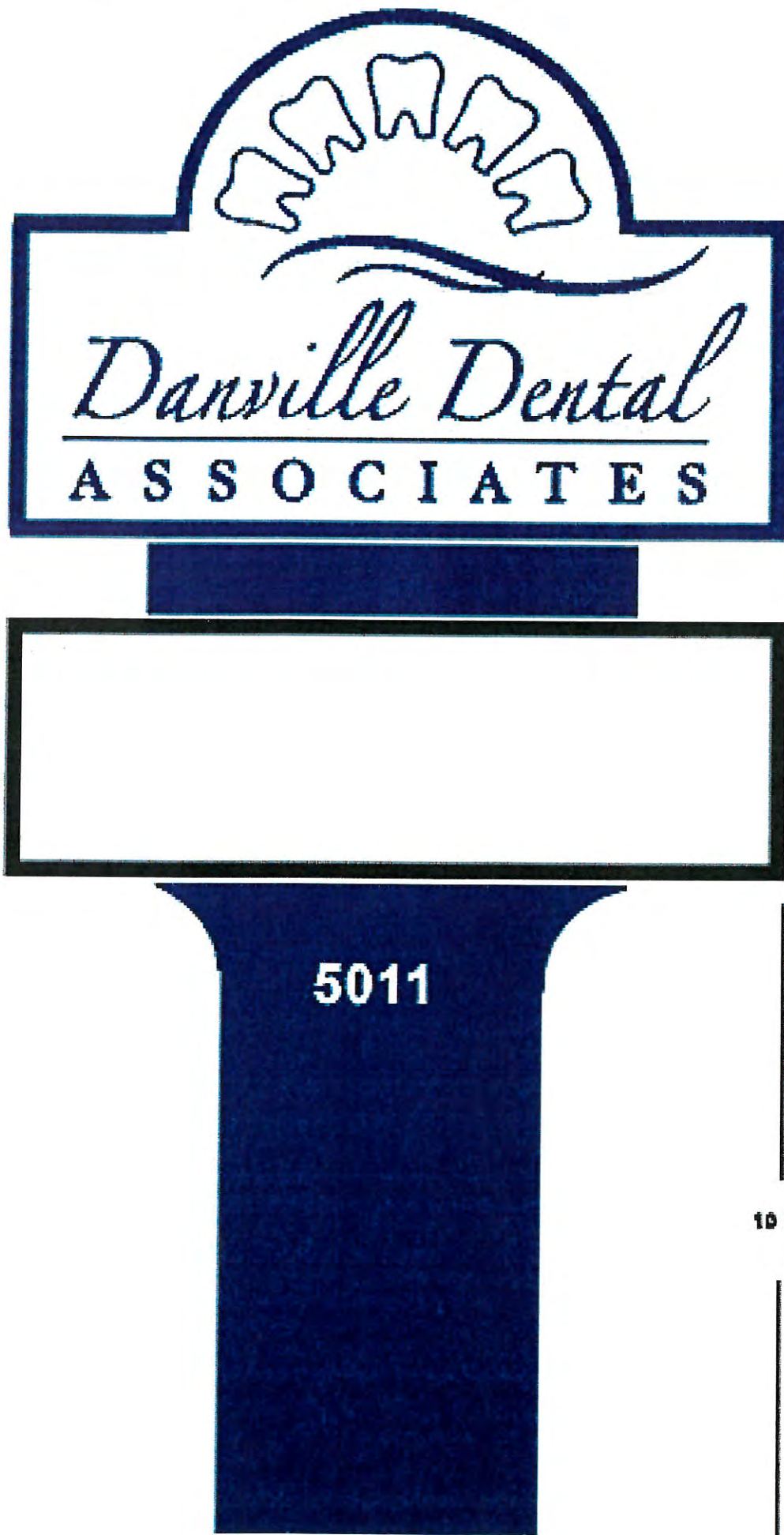
APPROVED BY:

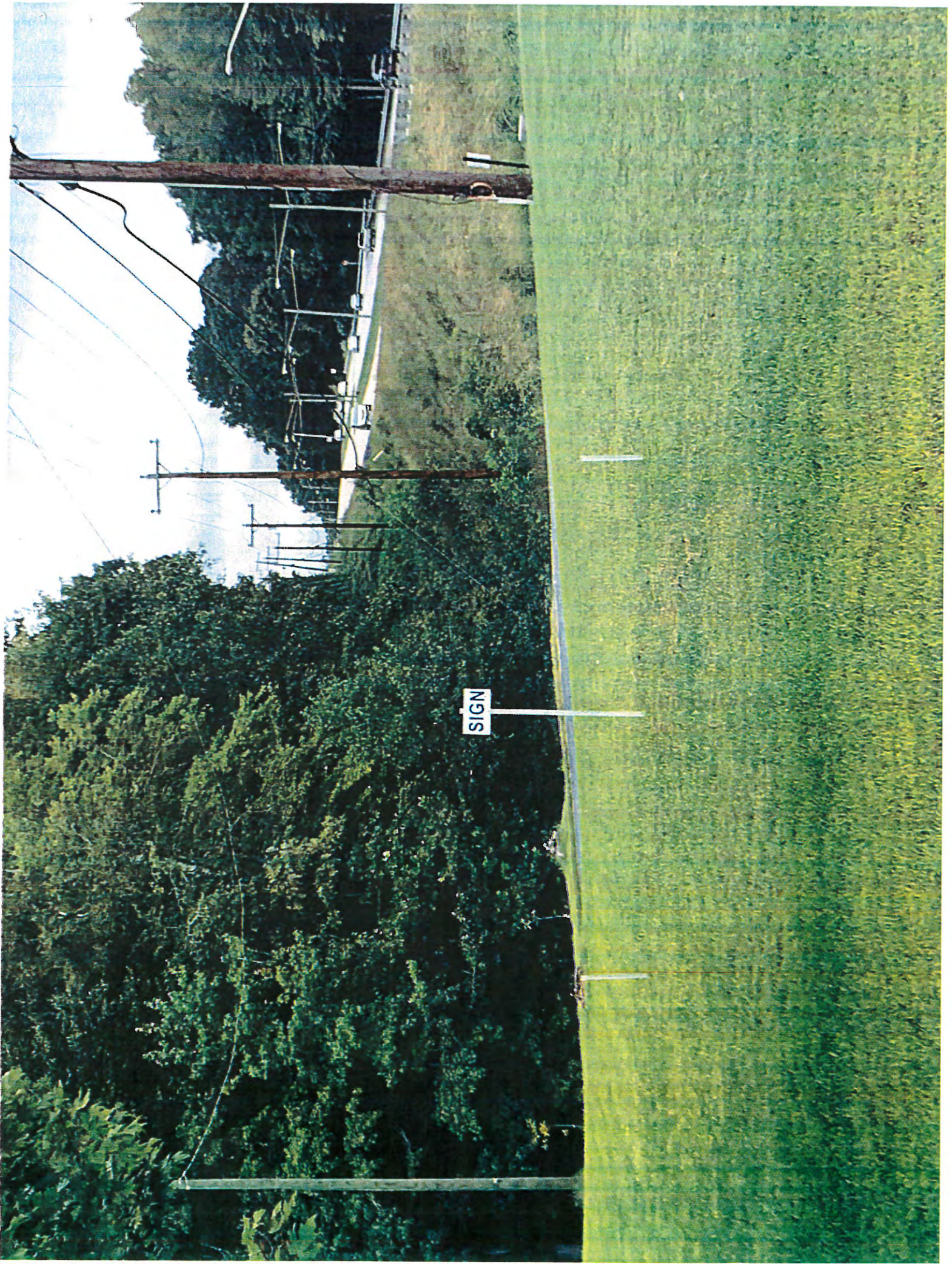
Ken Carkner
City Manager

9/26/18
Date



10 FT







I. - Prohibited Signs.

1. *Outdoor advertising sign.* Outdoor advertising signs, including billboards, unless otherwise specified in this ordinance.
2. *Permanent pennants and banners.* Permanent pennants, banners, festoons, streamers, and all other flutter, spinning or similar type signs and advertising devices are prohibited, except for the following: national flags, flags of a political subdivision of the United States and two (2) decorative house flags per household and a maximum of (4) projecting banners per structure within the TW-C district, with a maximum of two(2) per street frontage. Flags of a bona fide civic, charitable, fraternal, and welfare organizations, during nationality recognized holiday periods, or during a special civic event, may be displayed by temporary permit as provided above in this article, and, further, provided that the Director of Planning/Zoning Administrator may approve special flags and flag poles when, at the sole discretion, of the Director of Planning/Zoning Administrator, they form an integral design feature of a building or group of buildings and not an ordinary advertising device.
3. *Permanent advertising on fences.* Permanent advertising signs attached to fences in recreation areas are prohibited in all residential districts, provided that advertising sign for individual businesses which are intended to be placed on fences contained entirely within athletic fields may be permitted by special use permit.
4. *Roof sign and roof projecting sign.* No sign which is not an integral part of the building design shall be fastened to and supported by or on the roof of a building and no projecting sign shall extend over or above the roof line or parapet wall of a building.
5. *Flashing sign.* No flashing signs or signs containing strings of lights shall be permitted in any district. No such sign shall be constructed, erected, used, operated, or maintained which displays intermittent lights resembling, or seeming to resemble, the flashing lights customarily associated with danger or such as are customarily used by police, fire, or ambulance vehicles, or for navigation purposes.
6. *Sign causing visual confusion.* No sign shall be constructed, erected, or operated, or maintained which is so located and so illuminated as to provide a background of colored lights blending with traffic signal lights which may confuse a motorist when viewed from normal approaching position of a vehicle at a distance of 25 to 300 feet. Such determination shall be made at the sole discretion of the Director of Planning/Zoning Administrator.
7. *Tree, utility pole and other related signs.* No sign, except official notices of the City of Danville, shall be attached to trees, utility poles, public property, improvements within

public rights of way, or on any unapproved supporting structure, with such determination made at the sole discretion of the Director of Planning/Zoning Administrator.

8. *Sign projecting over a public right of way.* No signs shall project over public right-of-way without express permission of the Planning Commission in conjunction with the approval of a site plan, except for permitted flat signs which may project not more than 18 inches.
9. *Conspicuous vehicle sign.* Any sign mounted or painted on or otherwise affixed to any parked vehicle, parked trailer, or other parked device capable of being towed, which is obviously and conspicuously parked so as to advertise the business to the passing motorist or pedestrian, and for which the primary purpose is to provide additional on-site signage or is to serve the function of an outdoor advertising sign. Excluded from this sign type are vehicles and equipment in operating condition which are currently registered and licensed to operate on public streets with a valid inspection sticker and which are actively used in the daily function of the business to which such signs related. Such determination shall be made by and at the sole discretion of the Director of Planning/Zoning Administrator.
10. *Signs attached to freestanding sign.* Separate signs attached to a freestanding sign or its supporting structure, advertising services including but not limited to automobile travel clubs and credit cards.

(Ord. No. 2004-02.04, Art. 10, § I, 2-17-04; Ord. No. 2007-10.02, 10-2-07)

PRESENTED: OCTOBER 8, 2018

ADOPTED: OCTOBER 8, 2018

RESOLUTION NO. 2018 – 10.3

A RESOLUTION APPROVING THE INSTALLATION OF A
FREESTANDING SIGN IN THE PUBLIC RIGHT-OF-WAY IN FRONT OF 5011
RIVERSIDE DR. UNDER THE ZONING ORDINANCE OF THE CITY OF DANVILLE,
VIRGINIA.

BE IT RESOLVED by the Planning Commission of the City of Danville, Virginia
that permission to place a freestanding sign in the public right-of-way in front of 5011 Riverside
Dr. is approved under the provision of Article 10, Section I, Item 8 of the Code of the City of
Danville, Virginia 1986 as amended, subject to the following conditions:

1. Prior to the installation of the sign, the applicant must obtain a liability insurance policy with a total limit of \$600,000 per accident, \$300,000 per person bodily injury and \$150,000 property damage. Such policy shall be issued by an insurance company authorized to do business in the State of Virginia. The policy shall name the City as a coinsured and shall require thirty days written notice to the City before modification or cancellation. Such insurance policy shall hold the City harmless from any and all claims or demands for damages or negligence. The policy shall be maintained for the duration of the time that the sign remains erected;
2. Approval by the City Planning Commission shall automatically expire if the above insurance policy is not in place at any time the sign is in the right-of-way;
3. The applicant must comply with the conditions recorded in the license agreement signed by the City Manager on September 26, 2018;
4. If an additional license agreement is signed by the City Manager regarding the use of the right-of-way at this location the applicant must comply with the conditions of that agreement;
5. If an additional license agreement is signed by the City Manager to renew the private use of the right-of-way at this location, the applicant will not require renewed approval from the City Planning Commission unless the sign is to be altered beyond maintenance or a sign reface;
6. Permission by the City Planning Commission will automatically expire after any continuous period of two (2) years with no signed license agreement with the City Manager granting permission to use the right-of-way at this location; and
7. Permission by the City Planning Commission may be revoked at any time by the City Planning Commission.

APPROVED

Chairman, City Planning Commission

PLANNING COMMISSION MINUTES

August 13, 2018

MEMBERS PRESENT

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

MEMBERS ABSENT

STAFF

Lisa Jones
Ken Gillie
Bryce Johnson
Alan Spencer
Ryan Dodson

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

I. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20180000190, filed by Ross Fickenscher on behalf of Lynn Street, LLC, requesting a Special Use Permit for residential uses in a structure with non-residential use on the first floor, a waiver to the density, and floor area ratio in accordance with Article 3:L, Section C, Item's 9, 12 & 13 of the Code of the City of Danville, Virginia 1986, as amended at 525 Lynn Street, otherwise known as Grid 2713, Block 004, Parcel 0000013, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have residential units above a first floor commercial use.*
2. *Special Use Permit application PLSUP20180000191, filed by Ross Fickenscher on behalf of Lynn Street LLC, requesting a Special Use Permit for residential uses in a structure with non-residential use on the first floor, a waiver to the density, and floor area ratio in accordance with Article 3:L, Section C, Item's 9, 12 & 13 of the Code of the City of Danville, Virginia 1986, as amended at 523 Lynn Street, otherwise known as Grid 2713, Block 004, Parcel 0000014, of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have residential units above a first floor commercial use.*

Mr. Searce opened the Public Hearing.

Mr. Searce stated it's pretty much the same as before but its 6 more units.

Mr. Ross Fickenscher spoke on behalf of Lynn Street, LLC. Mr. Fickenscher stated correct we worked through the planning process that is. We took the building from 40 units to 46, there was a discrepancy in the original zoning application. We felt that we needed to make that officially correct, but otherwise it is the same. We accept that the exchange for the variance in the parking or relief from the parking requirement normally associated with the commercial spaces, that we would install the bicycle spots as recommended..

Mr. Wilson stated so you are happy with the conditions that have been added?

Mr. Fickenscher stated from what I understand or recall from the hearing limited us to the bicycle parking, yes, and to the maximum number of units as 46, yes.

Mr. Jones stated would the bicycle parking be covered?

Mr. Wilson stated it says preferably covered.

Mr. Fickenscher stated that I can't commit to but I can commit to interior parking for bicycles that will obviously be covered. We would have exterior covered parking for bicycles this is off the path we are under historic destination of these two properties and will be pursuing State and Federal Tax Credits for these projects. So, as such I can't stand here and promise that I can install an overhang on the side of the building for that use. There are 2 areas that have shed type roofs one particularly in the back of the building closest to Newton. That would lend itself to bicycle parking anyhow because it is adjacent to the sidewalk. If that is the location then that is the location.

Mr. Searce closed the Public Hearing.

Mr. Garrison made a motion for approval for Special Use Permit application PLSUP20180000190 with conditions set by Staff. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.

Mr. Garrison made a motion for approval for Special Use Permit PLSUP20180000191 as subject conditions set by the Planning Department. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.

3. Special Use Permit application PLSUP20180000192, filed by Barry Davis, on behalf of Spotlight Express LLC, requesting a Special Use Permit to operate a bed and breakfast in accordance with Article 3:E Section C, Item 3 of the Code of the City of Danville, Virginia 1986, as amended at 418 Plum Street, otherwise known as Grid 2710, Block 006, Parcel 000005 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to operate an Airbnb on a residential property.

Mr. Searce opened the Public Hearing.

Mr. R. J. Lackey, Attorney is representing Spotlight Express LLC. Mr. Lackey stated How many of you are familiar with Air BNB and how they work? It's sort of like Uber and Lyft now for hotel competition. Where you are qualified and you leave reviews and you give reviews and it's a fairly good process that people that use them are going to take care of your property. That is an important thing when you are operating in a neighborhood where people live. I wanted to make sure that you were aware of that kind of concept. One of the nice things of an owner is unlike a renter, a typical rental house you have someone already vetting the people, controlling it and looking at it. A renter you have to get an application, if you have to go look and call references. It's a much easier thing to control who comes and stays in your house and takes care of it. I'm sure Mr. Searce has more rental horror stories than I do. We all know that getting a renter out is very difficult, causing problems and they can stay in there 2, 3, or 4 months while you are going through the legal process, they destroy the neighborhood and the property, if they so choose. That is one of the reasons that Mr. Davis wanted to use the Air BNB not to mention that he likes to go down there and it is right beside his house. He uses it you might want to say like a man cave. This is on Plum Street and I'm sure the Commissioners are aware that it doesn't get a lot of

investment. Mr. Davis has gone in and he bought this house for 16,000 dollars and it was assessed at the time for 8,500, you kind of get some sense of what we are talking with. He has put a lot of his own money in it and it is now assessed through the city for \$29,000, which was a significant improvement. Having the ability to use as an Air BNB he can have people come into our City and they will take care of his property. He rents to a lot of VIR drivers, people going to the Martinsville races. Not only do they take care of the City they spend money in our restaurants and shops. Like if someone took a leap of faith and opened up a restaurant up on Craighead Street 5 or 6 years ago when people really didn't want to go down to Craighead Street and now we all go down Craighead Street. We've got a trolley that runs down there and we have people investing and that is what it takes. It takes a man with a vision and a man with a little bit of risk in his guts to do something. You turn a neighborhood one house at a time. When someone has the risk and the ability to do it and so something as nice as those pictures it improve everybody's property value and they may say let me do that too. This is what Danville needs. He had this house before he realized that he was not in compliance with zoning. He had it on Air BNB website from March 10 to basically June 20. So 90 to 100 days and he rented it 28 days. It's not an intensive use it's a 1 bedroom place and It's usually a couple that stays there, 2 people. You are not having 8 to 10 people. Those people are staying there for a reason they are going to VIR or going wherever. I think it's a really good thing that he has done for his community and we ask that you support it. The City of Danville has increased Real Estate assessment so we gets a little bit of tax. The Air BNB if you approve it will be paying a hotel tax so we will get some tax revenue off of it. We have a little oasis in the community that will hopefully grow from there. So we ask for your strong approval.

Mr. Bolton stated it said that you have to be approved by Air BNB, has he already done that?

Mr. Lackey stated yes sir, he is very close to having a five star rating with Air BNB.

Mr. Searce closed the Public Hearing.

Mr. Bolton made a motion for approval for Special Use Permit PLSUP20180000192 subject to conditions recommended by staff. Mr. Petrick seconded the motion. The motion was approved by a 7-0 vote.

4. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended more Article 3.M: entitled "HR-C Highway Retail Commercial", Section C. entitled "Uses Permitted by Special Use Permit" by adding item #28 to allow for Urban agriculture of interest.*

Mr. Searce opened the Public Hearing.

Mr. Searce closed the Public Hearing

Mr. Wilson made a motion for approval of the requested code amendment as submitted. Mr. Garrison seconded the motion. The motion was approved by a 7-0 vote.

5. *Special Use Permit application PLSUP20180000196, filed by Robert Maher on behalf of Memorial Properties LP, requesting a Special Use Permit for urban agriculture in accordance with Article 3:M, Section C., Item 28, as amended at 760 Memorial Drive*

otherwise known as Grid 1711, Block 006, Parcel 0000002, of the City of Danville, Virginia Zoning District Map. The applicant is proposing an urban agriculture project/community garden.

Mr. Searce opened the Public Hearing.

Robert Maher stated I'm here on behalf of God's Store House. I have a brief presentation I just want to highlight on community need and overall purpose for this project. The community need is very cut and dry. There is a high poverty rate and high food insecurity rate. There are 9,620 food insecure individuals. There is a very large meal gap. We believe that God's Storehouse that is Urban Agriculture will be a great way not only help our existing customers but also motivate others throughout the City. So our purpose we are going to create a community garden and raise 20 beds with the hopes that individuals from this surrounding neighborhood will be able to use these community beds for individual use for helping supply food for themselves and their families. We also will provide education for people in this surrounding area, neighbors, education for schools, groups and work groups and also the volunteers that come to God's Storehouse on a daily basis. The site is just a little less than 1 acre, it is adjacent to God's Storehouse and Dodson Pest Control and it is across the street from the Danville Redevelopment Housing Authority Property and Cedar Terrace. We had a soil test conducted with no issues. It is 90 feet wide by 300 feet long and it previously was farm land. There is no livestock. There are a few phases of the project and phase 1 is new fencing, laying paths/gravel, planting of perennials. This is from August to October. Phase 2 greenhouse, raised bed construction, community outreach/promotion of raised beds for use. This is from November to March. Phase 3 farm stand and remaining plantings. Our project goals is to educate people of all ages and socio-economic background about local/healthy food, build community, bring people together from different walks of life, and create a space where everyone feels safe and welcome. We just want to improve community member's physical and mental health and be a part of starting a local food system in Danville.

Mr. Jones stated do you have any problems with the conditions set by staff?

Mr. Maher stated so we initially had plans for a farm stand that was part of our phase 3. Its not going to be done quickly and we are not married to having a fruit stand. It is something that we wanted to look at doing.

Mr. Jones stated second question the security are you going to fence this in and is there going to be light. How do you prevent people from visiting this place at 2:00 in the morning?

Mr. Maher stated yes we are going to have a 6 foot fence pretty much the same as the fencing at Dodson. We are actually going to tie in to their fence.

Mr. Bolton how often do you perform the soil test?

Mr. Maher stated the goal is to improve the soil gradually using things like mulch and by having nitrogen plants. It is not necessary to perform tests again because as soon as we start planting the soil will improve.

Mr. Searce closed the Public Hearing.

Mr. Petrick stated I have a question for staff why is there a condition for no sales of products?

Mr. Johnson stated they are asking for Urban Agriculture, a community garden. We are trying to restrict where we are keeping the commercial uses and it also changes what is happening at that site as well.

Mr. Petrick stated that is not a general condition for this special use is it?

Mr. Gillie stated if Commission thinks that condition should be removed we are not opposed to removing it. The concept we thought was for a Community not where people were coming to like a grocery store. That is why we put it on there but if there concept is to have that we would not be opposed to remove that portion.

Mr. Bolton stated what if the monies go back into the company to purchase food.

Mr. Gillie stated that is fine.

Mr. Petrick made a motion for approval of Special Use Permit application PLSUP20180000196 as submitted per conditions by staff exclusion of item 6. Mr. Bolton seconded the motion. The motion was approved by a 6-0 vote. Mr. Wilson abstained.

I. MINUTES

The July 9, 2018 minutes were approved by unanimous vote.

II. OTHER BUSINESS

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

APPROVED