



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

City Planning Commission

OCTOBER 7, 2019
3:00 P.M.
CITY COUNCIL CHAMBERS

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEMS NOT FOR PUBLIC HEARING

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

IV. ITEMS FOR PUBLIC HEARING

- 1. *Special Use Permit application PLSUP20190000294, filed by Jagjit Singh on behalf of Suhasons Inc., requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 395 Mt. Cross Rd., otherwise known as Grid 1709, Block 004, Parcel 000002 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
- 2. *Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 103 Franklin Tpke, otherwise known as Grid 2806, Block 009, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
- 3. *Special Use Permit application PLSUP20190000320, filed by Abdul Wahid Khan on behalf of Catbird Properties LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Code of City of Danville, Virginia 1986, as amended at 1225 Franklin Tpke, otherwise known as Grid 1916, Block 003, Parcel 000005 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
- 4. *Special Use Permit application PLSUP20190000319, filed by Inam Qazi on behalf of UHA Inc, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1354 Westover Dr, otherwise known as Grid 0710, Block 001, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

5. *Special Use Permit application PLSUP20190000290, filed by Hewa Jayawardena on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 4800 Riverside Dr., otherwise known as Grid 0709, Block 002, Parcel 000019 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
6. *Special Use Permit application PLSUP20190000297, filed by Satjeet Kaur on behalf of River Penny Saver LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3:K, Section C, Item 5 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 642 Worsham St., otherwise known as Grid 2710, Block 016, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
7. *Special Use Permit application PLSUP20190000298, filed by Shahid Javid on behalf of MKM Partners, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 1501 W Main St. otherwise known as Grid 0611, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
8. *Special Use Permit application PLSUP20190000309, filed by Samir Patel on behalf of Dutta Inc of Virginia, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2100 W Main St, otherwise known as Grid 0610, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
9. *Special Use Permit application PLSUP20190000311, filed by Danny Graves on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd Suite B, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
10. *Special Use Permit application PLSUP20190000312, filed by Chase Reeves on behalf of Jerry Davis, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2846 Riverside Dr, otherwise known as Grid 1710, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
11. *Special Use Permit application PLSUP20190000317, filed by Abdul Nasir on behalf of HRNA LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 1371 Piney Forest Rd, otherwise known as Grid 1920, Block 013, Parcel 000092 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*
12. *Special Use Permit application PLSUP20190000330, filed by Uwashi Patel on behalf of Larry Soyars, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as*

Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

13. Special Use Permit application PLSUP201900000303, filed by Mohammad Nawaz Khan on behalf of Elegance Investment LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 730 Piney Forest Rd, otherwise known as Grid 1815, Parcel 003, Parcel 000006 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.
 14. Special Use Permit application PLSUP201900000302, filed by Mubashar Choudhrey on behalf of Carlton H Cox, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 545 Memorial Dr, otherwise known as Grid 1712, Block 007 Parcel 000004 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.
 15. Special Use Permit application PLSUP201900000373, filed by Queen of Virginia Skill & Entertainment, LLC on behalf of PFJ Southeast LLC Store #256, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 110 Riverpoint Drive, otherwise known as Grid 3713, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.
 16. Special Use Permit application PLSUP201900000362, filed by Ghulam Hassan, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.J, Section C, Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 3401 Westover Drive, otherwise known as Grid 9818, Block 005, Parcel 0000023 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.
- V. APPROVAL OF MINUTES FROM SEPTEMBER 9, 2019
- 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 October 7, 2019

Subject:

Request a waiver to the requirements to provide paved parking in accordance with Article 8 Parking and Loading Requirements, Section 6, paragraph (b) for PIN #51786 & 52742.

Background:

The applicant represents Riverside Equipment Company. The operation is leases construction equipment to operators. This includes cranes, dump trucks and other various pieces of heavy construction equipment. The applicant has requested a waiver to providing pavement for storage of heavy equipment in accordance with Article 8, Section 6 paragraph (b), which allows Planning Commission to waive this requirement for special considerations.

Recommendation:

Staff has no issue with waiving this requirement for pavement for the storage of heavy equipment so long as provisions are in place to keep loose stones, dirt, etc. from being tracked onto public streets. Staff would recommend that a condition be placed that any driveway connection from this parcel be provided with a minimum of 40' of asphalt or concrete prior to connection to allow materials to fling from tires.

City Planning Commission Options:

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

Attachments:

- A. Application

September 17, 2019

City of Danville Planning Commission
C/O Mr. Kenneth C. Gillie, JR
Director of Community Development
427 Patton Street
Room 207
Danville, Virginia 24541

***Re: Request for Waiver
Article 8-Parking and Loading Requirements
For PIN #s 51786 and 52742***

Dear Mr. Gillie:

On behalf of The Daniel Group, we respectfully request a waiver to the City of Danville Zoning Ordinance Article 8-Parking and Loading Requirements, Section 6 paragraph (b), requirement for "paved surfacing" for parking lots.

Background: An equipment storage/staging area has recently been constructed to store and stage rental equipment for Riverside Equipment Company. The storage lot will provide storage and staging space for light to heavy duty rental equipment.

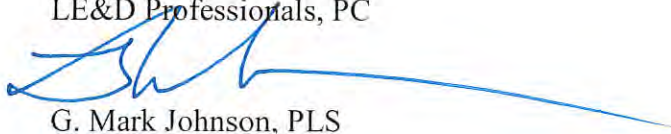
Required paved parking spaces serving the business are currently provided.

It is the intent of the Owners to consolidate the equipment storage lot with the Riverside Equipment parcel in the future.

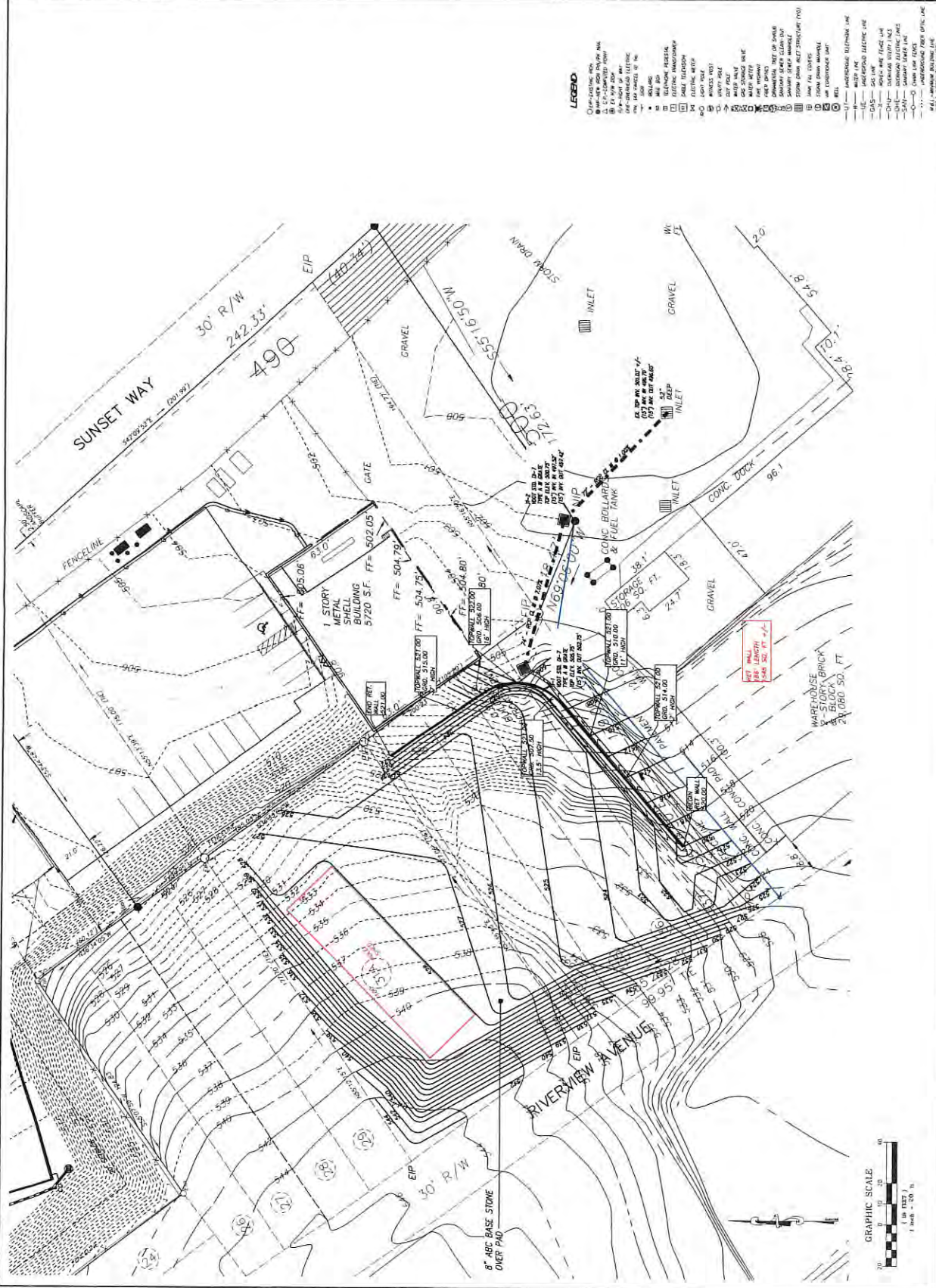
Justification for Request: The Owners request to install compacted gravel over the equipment storage pad area rather than bituminous asphalt paving. Given the various weights and turning movements within the lot, the Owners contend that compacted gravel will provide a surface which will be easier to maintain than asphalt pavement.

Your consideration of our request is greatly appreciated. Please do not hesitate to call if you have any questions or need any additional information concerning this request for a waiver.

Sincerely,
LE&D Professionals, PC



G. Mark Johnson, PLS
President

[illegible]

LINE	LENGTH	BEARING
1.18	50.89	S76°28'51"E
1.19	47.84	N70°46'51"E
1.20	12.10	N44°02'28"E
1.21	45.96	N41°57'30"E
1.22	62.40	N71°39'55"E
1.23	150.00	S17°37'40"E
1.24	32.00	S57°22'12"E
1.25	115.74	N35°56'02"E
1.26	24.51	S74°46'51"E
1.27	20.90	N66°43'52"E

LEGEND

- [illegible]

ZONED

N-C

FRONT YARD, 20 FEET. PROVIDED THAT A 20 FOOT SIDE YARD SETBACK IS REQUIRED FOR THE FRONT PORCH OR DECK. THE FRONT YARD PORCH OR DECK SHALL NOT BE PROVIDED ONTO A NON-ARTERIAL OR COLLECTION STREET.

SIDE YARD, 20 FEET. PROVIDED, WHERE SIDE YARD ADJACENT TO A RESIDENTIAL DISTRICT, THE SIDE YARD SHALL BE 10 FEET.

REAR YARD, 20 FEET. PROVIDED, WHERE REAR YARD ADJACENT TO A RESIDENTIAL DISTRICT, THE REAR YARD SHALL BE 30 FEET.

PLAT OF CONSOLIDATION
SHOWING
PIN #51786, #52742 & PARCEL B-3
CIR
RIVERSIDE EQUIPMENT CO.
DANVILLE, VIRGINIA
DATE: 9-1-19
SCALE: 1" = 40'
SHEET 1 of 1



RIVER RUN EXECUTIVE OFFICES SUITE#B
110 LEXINGTON STREET - DALLAMVILLE, VIRGINIA 24541
PHONE NO. (434) 792-3480 - FAX NO. (434) 792-3685

61-71-6 105N103-2-13A/R5161CH55-03/VA-7M1 Defold



PRELIMINARY

PRELIMINARY

GARY MARK JOHNSON L.S. # 2579
LC & D PROFESSIONALS P.C.
110 EXCHANGE STREET SUITE B
DANVILLE, VA 24041
(434) 792-3680

OWNER'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS, THAT THE ABOVE-RECORDED DECLARATION AS SHOWN ON THIS MAP, CONTAINING 9.492 ACRES, MORE OR LESS, AND DESIGNATED AS PARCELS B-4, C-4, D-4, E-4, F-4, G-4, H-4, I-4, J-4, K-4, L-4, M-4, N-4, O-4, P-4, Q-4, R-4, S-4, T-4, U-4, V-4, W-4, X-4, Y-4, Z-4, AND AA-4, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) OF SAID 9.492 ACRES OF LAND HEREBY CONVEYED, AND IN WITNESS WHEREOF, THE SAID OWNER(S) HAVE CAUSED THIS INSTRUMENT, NUMBER 152-2773-AS, TO BE FORWARDED TO THE CLERK OF THE COURT OF THE CITY OF DANVILLE, VIRGINIA, FOR RECORD.

CORNER _____ DATE _____

CITY OF DOWELL
COUNTY OF VIRGINIA

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
ON THIS ____ DAY OF ____ 2015 BY _____

NAME _____

NOTARY PUBLIC'S SIGNATURE

NOTARY REGISTRATION NUMBER

MY COMMISSION EXPIRES

NOTARY SEAL

CITY APPROVAL CERTIFICATE:

I CERTIFY THAT THIS PLATING AND SUBDIVISION ARE 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

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS RAIL IS CORRECT TO THE
 BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I AM
 A CURRENTLY PRACTISING PROFESSIONAL ENGINEER
 AND INCORPORATED ENGINEER, WITH A FULFILLING STANDARD
 OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS
 AND PROFESSIONAL DESIGNERS, AND THAT I AM A MEMBER
 OF THE AMERICAN SOCIETY OF PROFESSIONAL ENGINEERS.
 I FURTHER CERTIFY THAT TO THE BEST OF MY
 KNOWLEDGE AND BELIEF, ALL THE REQUIREMENTS
 OF THE BOARD OF PROFESSIONAL ENGINEERS AND
 SURVEYORS OF THE CITY OF DANVILLE, VIRGINIA,
 HAVE BEEN FULLY COMPLIED WITH.
 DATED UNDER MY HAND THIS DAY OF JULY 7, 2015

PRELIMINARY

GARY NICK JOHNSON, L.S. # 2575
 170 E. CUMMINGS STREET SUITE B
 DANVILLE, VA 24001
 (434) 781-0862

NOTES

- THIS PLAT WAS MADE WITHOUT THE BENEFIT OF A TITLE REPORT, AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES ON THE PROPERTY.
- THE LOCATION FOR ALL UNDERGROUND UTILITIES IS APPROXIMATE AND INTENDED FOR INFORMATIONAL PURPOSES ONLY.
- THIS PROPERTY LIES IN ZONE X AREA DETERMINED BY THE FLOOD FLOOD PLAIN AS SHOWN ON THE MAP NUMBER 15-24-003-02E, EFFECTIVE SEPTEMBER 28, 2010.

REFERENCES:

- SUNSET PARK, BLOCK 5 NEW LOTS 4, B
TO LOT 10 OF THE SUNSET PARK
SUBDIVISION FOR THE DANIEL J. GURR, INC.
BY DEBBY & DAVIS DATED APRIL 27,
1998 FILED V14538
- MYRT PLAT BOOK 3, PAGE 302
DEED BOOK 897, PAGE 541
- SUNSET PARK, BLOCK B LOT B-1 &
B-2 OF THE DEER CREEK PLAT OF
SUBDIVISION FOR THE DANIEL J. GURR, INC.
BY DEBBY & DAVIS DATED DECEMBER
1998 FILED VINELB INSTRUMENT NO.
3451
- PLAT OF RECOMBINATION PERFORMED BY
PROFESSIONALS, INC. RECORDED AT
INSTRUMENT NO. 08-423
- PLAT OF SUBDIVISION PERFORMED BY
PROFESSIONALS, INC. RECORDED AT
INSTRUMENT NO. 15-2001

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Five (5) notices were sent to property owners within three hundred (300) feet of the property. Three (3) property owners returned statements. Two (2) property owners are not opposed to the request (MJRW Inc, Daniel Group Inc). One (1) property owners are opposed to the request (Durham).

COMMENTS:

"Opposed due to parking problems" Durham



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City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Jagjit Singh, the applicant, is requesting a Special Use Permit for commercial recreation at 395 Mt. Cross Rd. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility had a Certificate of Occupancy for a Mercantile use. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has not been re-inspected to determine compliance with this change in use of the building. This facility has 13 marked parking spaces.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,688 sq. ft. which requires 11 parking spaces as only a convenience store.

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

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000294 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000294 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000294 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000294 as submitted.

5. Tabling of Special Use Permit application PLSUP20190000294 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP 20190000 294 EXISTING ZONING: HR-C, Highway Retail Commercial
PROPOSED ZONING: NO change TAX MAP NUMBER: DID 59579
RECEIVED BY: Bryce Johnson DATE FILED: July 29, 2019
PLANNING COMMISSION DATE: Sept. 9, 2019 CITY COUNCIL DATE: Oct. 1, 2019

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

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

162.57 FT NO 1A MT CROSS RD

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

Property Location: N S E W Side of: _____

Between: Piedmont Dr. and OLD RIVERSIDE DR.

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

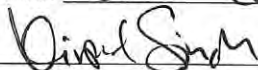
Please provide a brief description of the proposed development:

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

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

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

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

SIGNATURE:  DATE: 7/29/19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: SUHASONS@GMAIL.COM

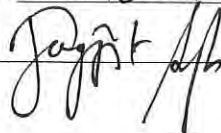
APPLICANT (PLEASE TYPE OR PRINT):

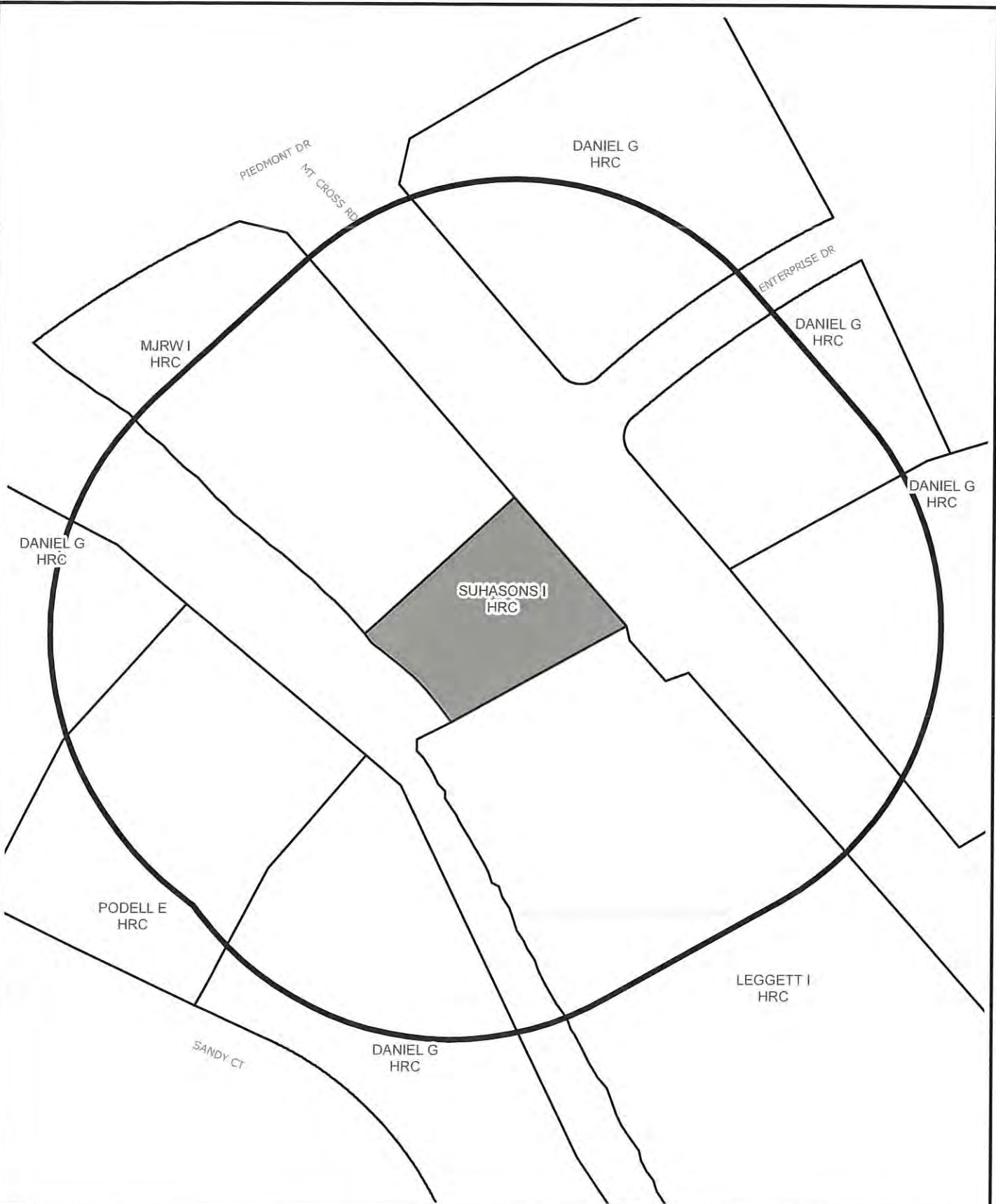
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: JAGJIT SINGH TELEPHONE: 631-223-5451

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

EMAIL ADDRESS: VINTOMAX@GMAIL.COM

SIGNATURE:  DATE: 7/29/19



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/7/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 395 Mt. Cross Rd.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store with indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Suhasons Inc.

NAME OF APPLICANT (S): Jagjit Singh

PROPERTY BORDERED BY: Commercial on all sides

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

CHARACTER OF VICINITY: Commercial

INGRESS AND EGRESS: Mt. Cross Rd.

TRAFFIC VOLUME: Moderate



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/7/2019

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

Community Dev. & Engineering
DEPARTMENT OF ENGINEERING AND PLANNING

CITY OF DANVILLE, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

Pursuant to Section 119 of the Virginia Uniform Statewide Building Code, the application of Quick & Plentz whose structure is located at 395 Mt. Cross Rd. Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group M-Mercantile

This structure has a Fire Grade of:

(Table 902, Building Code) Class 2
Hours 2

The maximum live load on floors:

a. First floor
b. Second floor
c. Others

The occupancy loads on floors:

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

CODE						INSPECTOR	DATE	REMARKS
BUILDING	PLUMBING	ELECTRIC	HEALTH	FIRE	ZONING			
☒	☒	☒	☒	☒	☒	<u>Charles Nelson</u>	<u>7-7-84</u>	
☒	☒	☒	☒	☒	☒	<u>W. L. Dyer</u>	<u>7-30-84</u>	
☒	☒	☒	☒	☒	☒	<u>W. L. Dyer</u>	<u>8-1-84</u>	
☒	☒	☒	☒	☒	☒	<u>W. L. Dyer</u>	<u>5-15-84</u>	
☒	☒	☒	☒	☒	☒	<u>W. L. Dyer</u>	<u>8-1-84</u>	
☒	☒	☒	☒	☒	☒	<u>Charles Nelson</u>	<u>7-9-84</u>	

Certificate of Use and Occupancy No. 12-2-83-12

Building Official: W. L. Dyer Date: 8-20-84

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons LLC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 103 Franklin Tpke., otherwise known as Grid 1806, Block 009, Parcel 000010 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

RESPONSES:

Eighteen (18) notices were sent to property owners within three hundred (300) feet of the property. Five (5) property owners returned statements. Three (3) property owners are not opposed to the request (TAAT21 Properties, Nguyen and Shields). Two (2) property owners are opposed to the request (Spicer and Spady).

COMMENTS:

[Quotes from statements]

Please see the attached letters for additional comments.



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

City Planning Commission

City Planning Commission
Meeting of October 7, 2019

Subject:

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

Background:

Jagjit Singh, the applicant, is requesting a Special Use Permit for commercial recreation at 103 Franklin Turnpike. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has been re-inspected to determine compliance with this change in use of the building. The list of necessary corrections is attached to the end of this report. This facility has 19 marked parking spaces with no handicapped accessible spaces on site. .

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,440 sq. ft. which requires 11 parking spaces as only a convenience store.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000295, filed by Jagjit Singh on behalf of Kaur & Sons, LLC, staff recommend the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

5. Tabling of Special Use Permit application PLSUP20190000295 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP 20190000295

EXISTING ZONING: HR-C Hghwy Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 52364

RECEIVED BY: Bryce Johnson

DATE FILED: July 29, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

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

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

APPROX 165 FT PT NO 2 A FRANKLIN TRKE

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

Property Location: N S E W Side of: _____

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

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

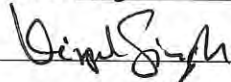
Please provide a brief description of the proposed development:

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

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

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

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

SIGNATURE:  DATE: 7/29/19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS:  SUMASONS@GMAIL.COM

APPLICANT (PLEASE TYPE OR PRINT):

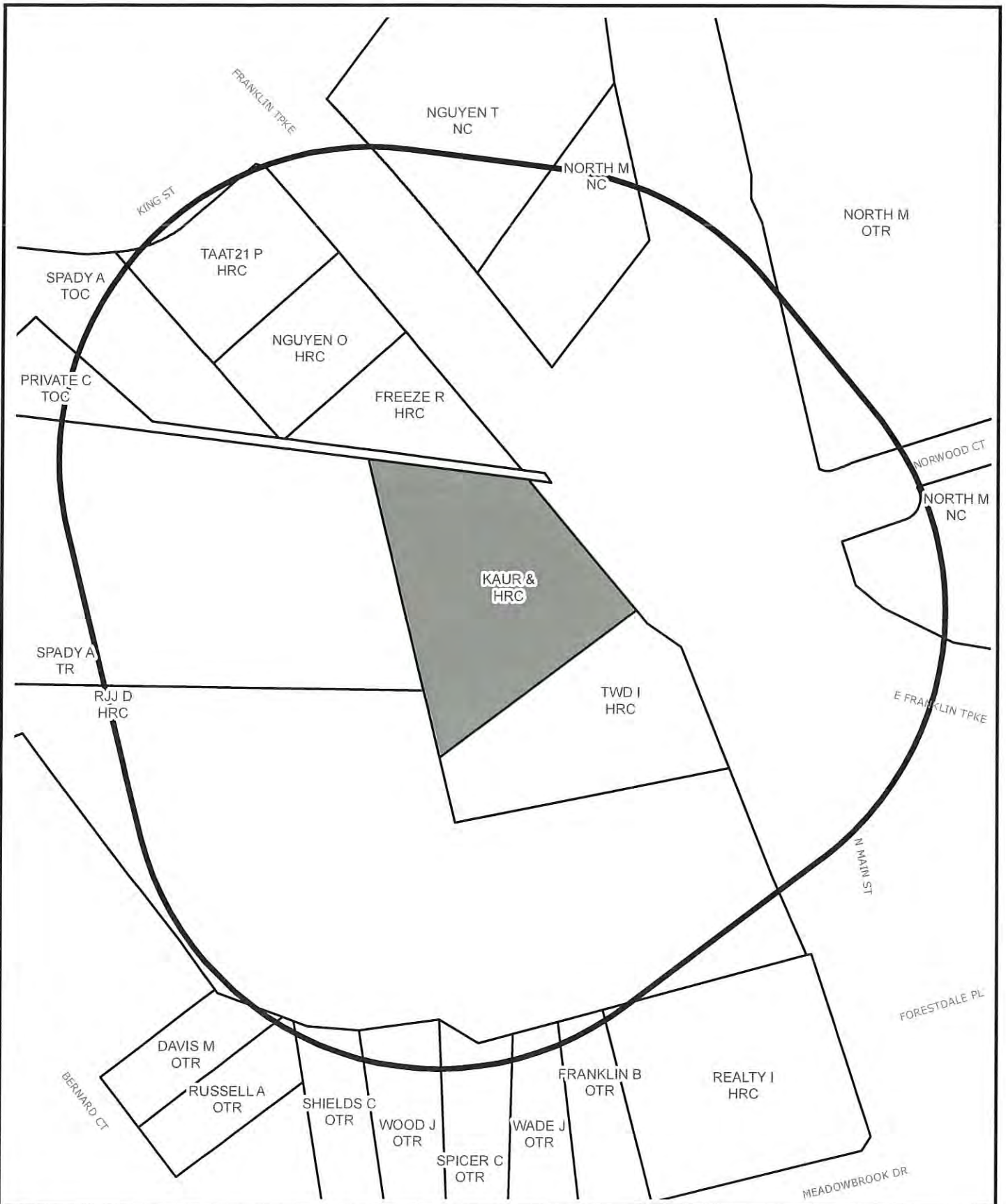
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: JAGSIT SINGH TELEPHONE: 631-355-3130

MAILING ADDRESS: 5022 Cobblestone Dr. Danville, VA 24540

EMAIL ADDRESS: UJINTOMAX@GMAIL.COM

SIGNATURE:  DATE: 7/29/19



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/7/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 103 Franklin Tpke.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store with indoor gaming

FUTURE LAND USE DESIGNATION: Neighborhood Commercial

PROPERTY OWNER (S): Kaur & Sons LLC

NAME OF APPLICANT (S): Jagjit Singh

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

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

CHARACTER OF VICINITY: Transitional between commercial and residential

INGRESS AND EGRESS: Franklin Tpke.

TRAFFIC VOLUME: High



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/7/2019

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



City of Danville, Inspections Division

427 Patton Street, Suite 208

Danville VA, 24541

Phone: (434) 799-5260

Inspection Field Report Corrective notice

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

Date: 9/27/2019
Phone: 631-355-3130

Case #: PRCOUO201901837

Initial Inspection Re-Inspection Complaint Other

Reason for inspection Certificate of Occupancy

APPROVED

REJECTED

CALL FOR RE-INSPECTION BY THIS DATE:

Violations:

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

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

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

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

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

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

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

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

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

Sincerely,

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

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

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Twenty-seven (27) notices were sent to property owners within three hundred (300) feet of the property. Ten (10) property owners returned statements. Five (5) property owners are not opposed to the request (Atkins, Maurakis, Nasir Abdul, Nasir Abdul and Catbird Properties). Five (5) property owners are opposed to the request (Terry, Nunn, Christ The King Lutheran Church Trustees, Quinn and Walters).

COMMENTS:

Please see the attached letters for additional comments.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **September 6, 2019**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) NUNN JOHN W & DORIS T

as owner(s) of Lot(s) 622 VICAR RD

✓ AM OPPOSED

 AM NOT OPPOSED

to the following request filed with the City of Danville:

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

Signatures(s):

John W. Nunn

Doris J. Nunn

Comments:

This business is located near a very congested intersection - Orphanage Rd. & Rt. 41. Traffic already backs up down to our property on Orphanage Rd. There are lots of accidents that occur there. There is added traffic in the last few years due to the ~~apart~~ apartments that were added in that area. Already a lot of foot traffic behind our house on Orphanage Rd. Any expansion of business would be too close to our residential area.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **September 6, 2019**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) QUINN ANDREW L JR & STARLETTE F

as owner(s) of Lot(s) 510 VICAR RD



 AM OPPOSED

 AM NOT OPPOSED

to the following request filed with the City of Danville:

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

Signatures(s):

Andrew L Quinn Jr

Starlette F. Quinn

Comments:

Dont want to attract any potential criminal activity to the area. are there any other gaming sites in Danville? I am assuming this would be similar to casinos-like activity.



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Abdul Wahid Chan, the applicant, is requesting a Special Use Permit for commercial recreation at 1225 Franklin Turnpike. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility has a Certificate of Occupancy for a Mercantile use. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has not been re-inspected to determine compliance with this change in use of the building.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The store itself is 2,360 sq. ft requiring 11 parking spaces. The facility is developed with an office, restaurant, hair salon and additional vacant spaces. This facility has 31 marked parking spaces for all uses on this site in multiple buildings.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000320, staff recommend the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000320 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000320 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000320 subject to conditions by the Planning Commission.

4. Recommend denial of Special Use Permit application PLSUP20190000320 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000320 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP20190000320

EXISTING ZONING: N-C, Neighborhood Commercial

PROPOSED ZONING: No Change

TAX MAP NUMBER: PID 59752

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 12, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: 1700/1350 Property Address: 1225 Franklin Turnpike Danville Va.

Property Location: N S E W Side of: Danville Va.

Between: Medos and The Healing Ctr.

Proffered Conditions (if any, please attach):

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

4 machines

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

1. NAME: CatBird Properties LLC TELEPHONE: 434-836-2346
MAILING ADDRESS: 881 Atton Rd Danville VA 24540
SIGNATURE: Robin B. Francis DATE: 8-12-19
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: robin.bird58@yahoo.com

APPLICANT (PLEASE TYPE OR PRINT):

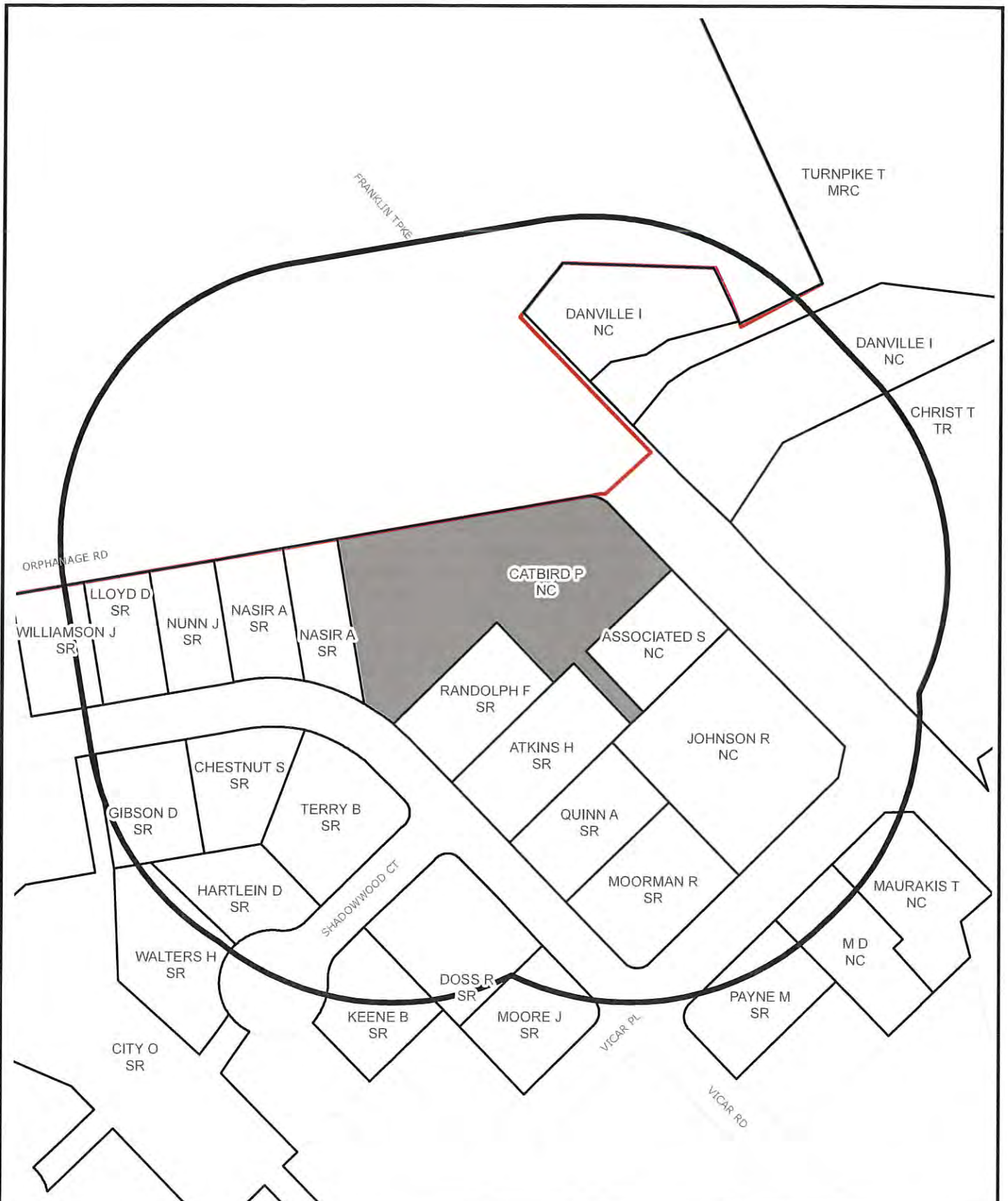
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Abdul Wahid Khan TELEPHONE: 434-836-142
MAILING ADDRESS: 1225 Franklin TPK Danville VA 24540
EMAIL ADDRESS: mfg1958@yahoo.com
SIGNATURE: [Signature] DATE: 8/12/18

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

Robin Francis

8/12/19



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/20/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 1225 Franklin Tpke

PRESENT ZONE: N-C, Neighborhood Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store, restaurant

PROPOSED USE OF PROPERTY: Existing uses, plus indoor gaming

FUTURE LAND USE DESIGNATION: Neighborhood Commercial

PROPERTY OWNER (S): Catbird Properties LLC

NAME OF APPLICANT (S): Abdul Wahid Khan

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

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

CHARACTER OF VICINITY: Residential

INGRESS AND EGRESS: Franklin Tpke and Orphanage Rd

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/20/2019

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DEPARTMENT OF ENGINEERING AND PLANNING

CITY OF DANVILLE, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

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

This structure is in Use Group Mercantile

This structure has a Fire Grade of:

(Table 902, Building Code) Class M
Hours 3

The maximum live load on floors:

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

The occupancy loads on floors:

- (Section 606, Building Code) a. First floor 80
- b. Second floor NA
- c. Others NA

CODE						INSPECTOR	DATE	REMARKS
BUILDING	PLUMBING	ELECTRIC	HEALTH	FIRE	ZONING			
☒	☒	☒	☒	☒	☒	Charles Norton	2/25/82	
☒	☒	☒	☒	☒	☒	R. J. Davidson	9-3-82	
☒	☒	☒	☒	☒	☒	Charles Norton	8-31-82	
☒	☒	☒	☒	☒	☒	W. E. Davidson	2/15/82	
☒	☒	☒	☒	☒	☒	W. E. Davidson	7-7-82	
☒	☒	☒	☒	☒	☒	Charles Norton	8/15/82	

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

Building Official: [Signature] Date: 9-08-82

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Thirty (30) notices were sent to property owners within three hundred (300) feet of the property. Six (6) property owners returned statements. Zero (0) property owners are not opposed to the request (Names). Six(6) property owners are opposed to the request (Fields, Sutter, Gillispie, Ireson, Terry and Holley).

COMMENTS:

Please see the attached letters for additional comments.

NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **September 6, 2019**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) **FIELDS KEITH A & KARRI L**

as owner(s) of Lot(s) **WENTZ CIR**

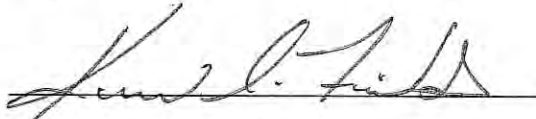
 X **AM OPPOSED**

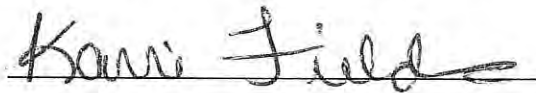
 AM NOT OPPOSED

to the following request filed with the City of Danville:

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

Signatures(s):





Comments: *This area is already too congested. Traffic on Westover, including the gas station, convenience store and transition from 4 to 2 lane traffic is problematic. Side streets such as Capri Ct, Blair Loop and Wentz Circle all come into this general area. There is already too much traffic for ingress/egress from Brunston automotive to the Dollar General.*



NEIGHBORING PROPERTY OWNERS STATEMENT

According to the record of land ownership you own property that is located within 300 feet of property that is the subject of a public hearing. You are entitled to express an opinion as to whether you are opposed or not opposed to the request by completing the form below. Please check the appropriate box and return it by **September 6, 2019**, in the enclosed self-addressed, stamped envelope. You are not required to complete this form but may if you desire to express an opinion on this matter.

I (we) GILLISPIE JAMES N & OAKES LINDA H

as owner(s) of Lot(s) 266 LOVELL DR

 X AM OPPOSED

 AM NOT OPPOSED

to the following request filed with the City of Danville:

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

Signatures(s):

James N. Gillispie
Linda H. Gillispie

Comments:

MOST OF THE BUILDINGS AROUND THIS PROPERTY ARE RESIDENTIAL AND HAVE ^{BEEN} SO FOR GENERATIONS. INTRODUCTION OF A GAMBLING FACILITY (AS OPPOSED TO AN ESTABLISHED NEIGHBORHOOD GROCERY STORE) WOULD BRING UNWANTED POTENTIAL FOR CRIME, PROPERTY DESTRUCTION AND PARKING PROBLEMS.

IN ADDITION, THE OWNERS OF SAID ~~PROPERTIES~~ ^{PROPERTIES} WILL SEE AND BE HARMED BY DECREASED PROPERTY VALUES. THERE ALSO WILL BE INCREASED POTENTIAL FOR HARM TO THE CHILDREN IN THIS AREA. NO TO THIS PERMIT.



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Inam Qazi, the applicant, is requesting a Special Use Permit for commercial recreation at 1354 Westover Drive. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility did not have a Certificate of Occupancy but has been inspected to determine compliance with this change in use of the building. The list of necessary corrections is attached to the end of this report. This facility has 23 conforming marked parking spaces and 8 non-conforming spaces.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 3,553 sq. ft. in total which includes multiple uses. The store would require which requires 19 parking spaces as only a convenience store.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000319 staff recommend the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000319 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000319 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000319 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000319 as submitted.

5. Tabling of Special Use Permit application PLSUP20190000319 by Planning Commission.

Attachments:

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



Danville Fire Department Inspection Letter

Department Information

600 Lynn Street Danville, VA 24541

Battalion Chief Shelby Irving,
Fire Marshal

Fax: 434.797.8943

Jay Thornton, Fire Inspector

Phone: 434.799.5226

Lt. Richard Guill, Assistant
Fire Marshal

Email: FireMarshalsOffice@danvilleva.gov

Facility Information

Occupant Name: CHARLIE'S STOP AND SHOP #2

Street Number: 1354

Street Name: WESTOVER

Street Type: Drive

24541

Inspection Information

Inspection Type: Inspection - General

Inspector: Thornton, Gerald; Guill, Richard

Date 9/30/2019

Completed:

Violations

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

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

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

Violation Count: 8

Contact

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

Signatures

Type	First Name	Last Name	Signature Date	Signature Graphic
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EMAILED

Owner/Rep. INAM QAZI 9/30/2019

922

Inspector Gerald Thornton 9/30/2019

Permit Conditions

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

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

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

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

Gillie, Kenny

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

Good morning Mr. Qazi

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

- #1- 304.2 Protective treatment: Multiple areas outside have paint chipping and flaking off. Eliminate all chipped and flaking paint.
- #2-304.3 Premises identification: Missing address numbers. Install numbers per code.
- #3-304.6 Exterior walls: Deteriorated siding on the back of the structure. Repair with new siding.
- #4-304.7 Roofs and drainage: A shingle on the front part of the roof is damaged. Replace shingle so that it prevents water from entering the building.
- #5-304.13 Window, skylight and door frames: On the back of the building the door frame is deteriorated. Replace all deteriorated wood.
- #6-305.3 Interior surfaces: Multiple areas where there are holes, and chipping paint on the ceiling. Repair all holes and eliminate all chipping paint.
- #7-305.4 Stairs and walking surfaces: multiple areas where the floor is missing covering and there are holes in the floor under the ice-cream machine. All flooring must be properly installed and floors repaired to code.
- #8-305.6 Interior Doors: Bathroom door is not properly installed. Repair bathroom door so that it works as intended.
- #9-504.2 Plumbing fixtures: The sink faucet behind the counter is rusty, deteriorated and unstable. Properly attach faucet.
- #10-603.1 Mechanical equipment and appliances: Mechanical vent covers on attached in various location in the building. Properly install missing vent covers.
- #11-604.1 Electrical system: No access to the electrical panel. Clear space must be made in front of the panel to code to be able to access it.
- #12-604.3 Electrical system hazards: Multiple areas where there are open electrical taps and boxes that are open. All open electrical taps must be installed in junction boxes and all junction boxes must be properly .
- #13-605.1 Electrical components: areas in the back where the is wire installed to lights that are not rated for exterior use, and the bathroom exhaust fan does not work. Replace wire to code, and repair fan in bathroom.
- #14-605.3 Lighting distribution and luminaries: Outside flag pole light is broken and hanging by the wires, light is broken on left facing side of the building, emergency light at the exit does not work, and light in the walk in cooler doesn't work. All lights must be work as intended.
- #15-702.3 Doors: Front exit door needs a key to unlock the door from the interior. Egress must be made without the use of keys, special knowledge or effort.

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

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

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Eighteen (18) notices were sent to property owners within three hundred (300) feet of the property. Four (4) property owners returned statements. Three (3) property owners are not opposed to the request (RCCM Properties LLC, RCCM Properties LLC, Triad Ventures LLC et al). One (1) property owners are opposed to the request (Blackwell Torrey J).

COMMENTS:

"Indoor gaming is already at this location. And it's already causing issues!"
(Blackwell)



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Hewa Jayawardena, the applicant, is requesting a Special Use Permit for commercial recreation at 4800 Riverside Drive. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has 12 marked parking spaces with one handicapped accessible space on site. .

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for a Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,400 sq. ft. which requires 11 parking spaces as only a convenience store.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000290, staff recommend the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000290 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000290 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000290 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000290 as submitted.

5. Tabling of Special Use Permit application PLSUP20190000290 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Commercial recreation

CASE NUMBER: PLSOP20190000290

EXISTING ZONING: HR-C, Highway Retail Commercial

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 72268

RECEIVED BY: Bryce Smith

DATE FILED: 7/29/2019

PLANNING COMMISSION DATE: Sept. 9, 2019

CITY COUNCIL DATE: Oct. 1, 2019

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

~~4812 Riverside~~
4812 Riverside Dr.

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

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

Between: Old Toyota show room and Harley Davidson show room

Proffered Conditions (if any, please attach): Store business hours: Mon-Sat 7.00 am to 10.00pm and

Sundays: 9.00am to 10pm. Closing time will be extended to 11.30pm on demand.

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

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

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

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

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

MAILING ADDRESS: 2505 Riverside Dr. Danville VA 24540

SIGNATURE: _____ DATE: _____

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Hewa M Jayawardena TELEPHONE: 919-649-8755

MAILING ADDRESS: 123 Oakhaven Dr. Danville VA 24541

EMAIL ADDRESS: hjayawardena@yahoo.com

SIGNATURE: Hewa Jayawardena DATE: 07/23/2019

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

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

1. NAME: JERRY R. DAVIS TELEPHONE: 434-250-0200
MAILING ADDRESS: 2505 Riverside Dr. Danville, Va 24540
SIGNATURE: [Signature] DATE: July 26, 19
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

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



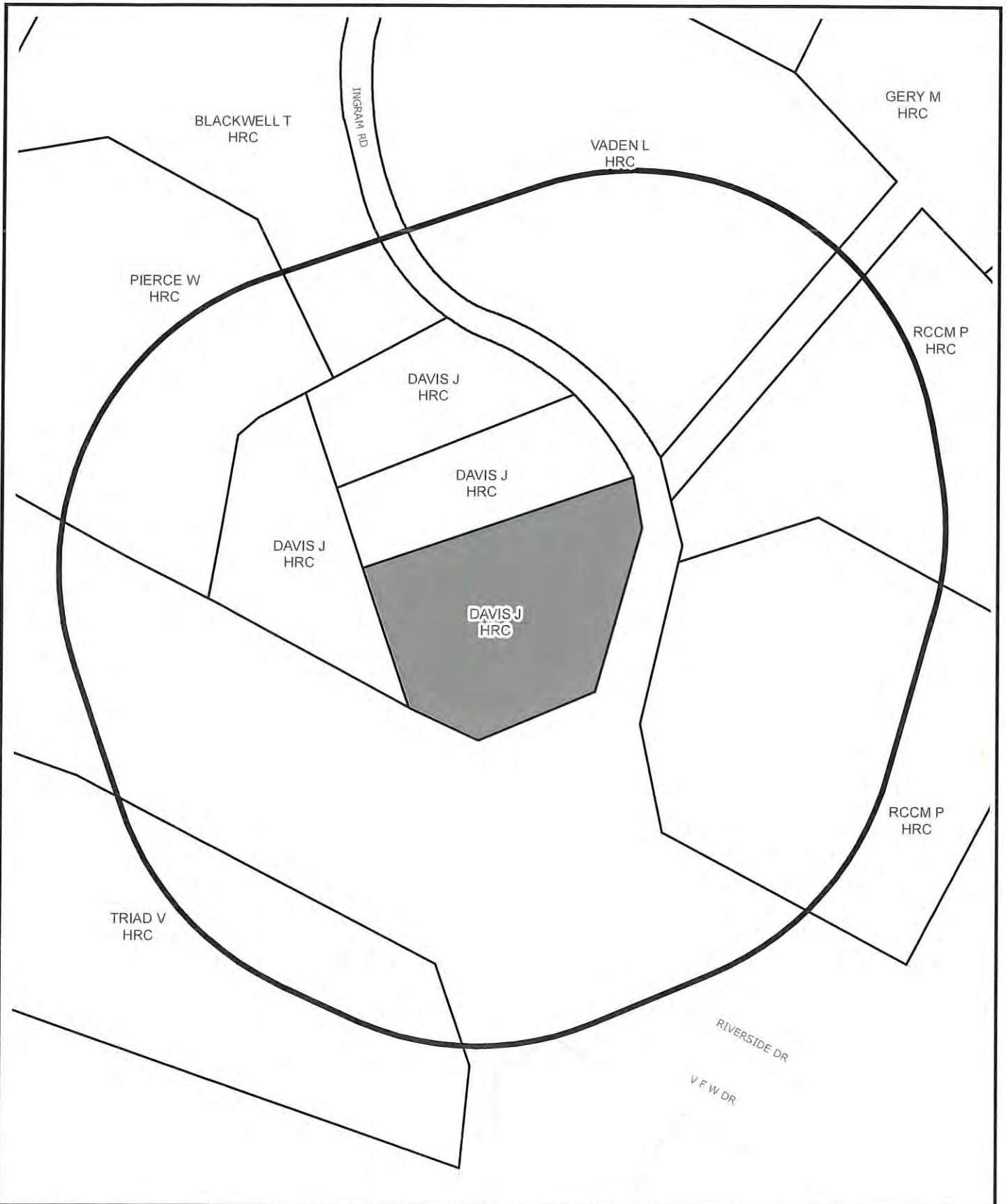
- Buildings
- Parcels
- Street Names
- House Numbers

Parcel ID: 72268



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, it's accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Date: 7/29/2019



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/6/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 4912 Riverside Dr.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store, plus commercial recreation

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Jerry Davis

NAME OF APPLICANT (S): Hewa Jayawardena

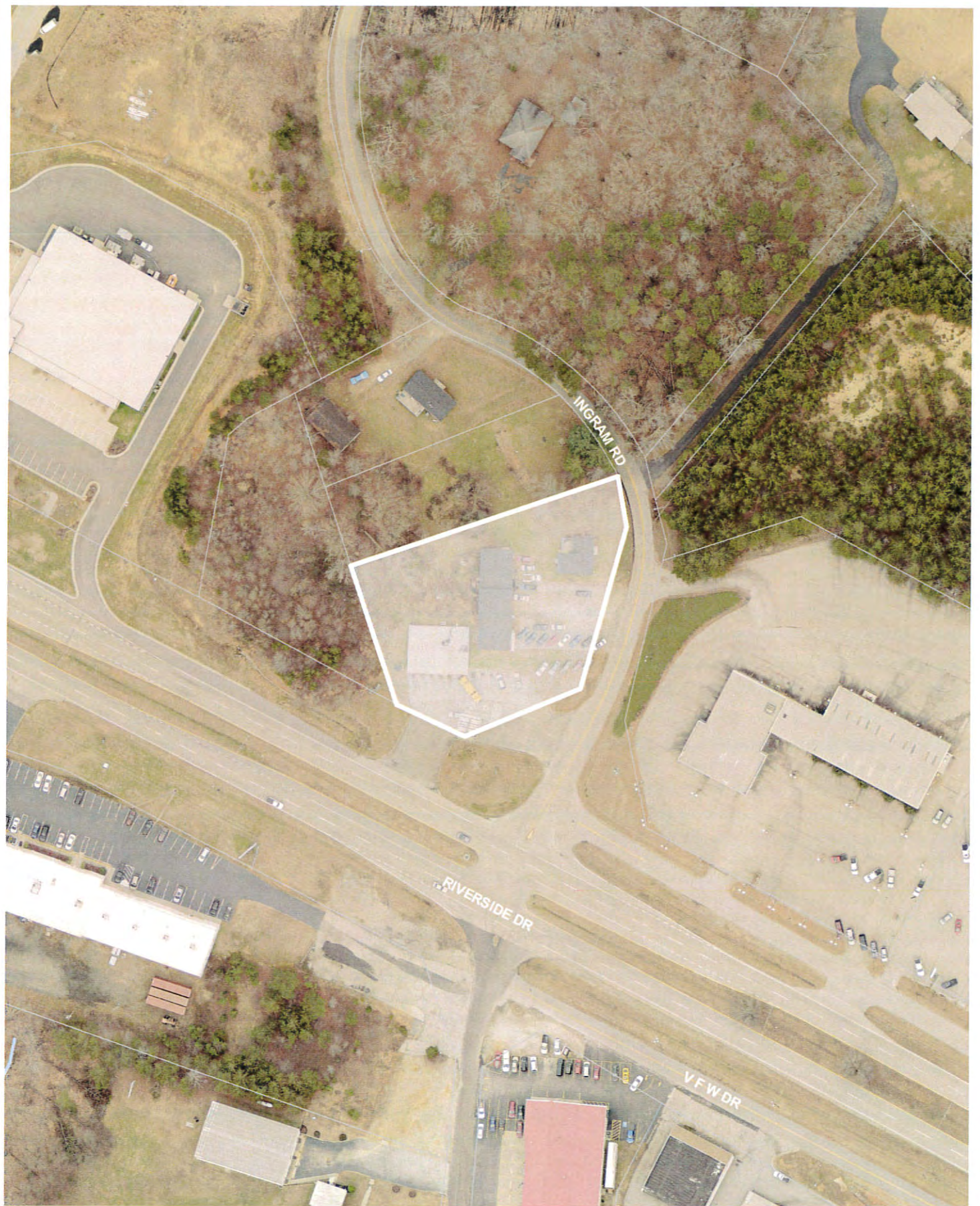
PROPERTY BORDERED BY: Commercial on all sides

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

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

INGRESS AND EGRESS: Riverside Dr. and Ingram Rd.

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/6/2019

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

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Forty-two (42) notices were sent to property owners within three hundred (300) feet of the property. Seven (9) property owners returned statements. Six (6) property owners are not opposed to the request (Danville Redevelopment and Housing Authority, Phelps Richard E Jr & Louise D, Phelps Richard E Jr & Louise Desieree, Le Cam Huong Thi, Witcher William P & Wyona P, Elam William C Sr. & Nancy F). Three (3) property owners are opposed to the request (Whitfield Vicky G, Parco International LLC and Wheeler Ashlyn J).

COMMENTS:



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

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

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does have a Certificate of Occupancy for M-Mercantile use group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has not been re-inspected to determine compliance with this change in use of the building. This facility has 14 marked parking spaces that comply with code requirements on site. There are six spaces that straddle onto an adjacent parcel (ID

04028), and six parking spaces on this parcel. (A consolidation plat would be required to consider these parking spaces for this project bringing the total to 26.)

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 5,066 sq. ft. which requires 26 parking spaces as only a convenience store.

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

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000297 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000297 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000297 subject to conditions by the Planning Commission.

4. Recommend denial of Special Use Permit application PLSUP20190000297 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000297 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP 2019 0000287

EXISTING ZONING: CB-C, Central Business

PROPOSED ZONING: No change

TAX MAP NUMBER: _____

RECEIVED BY: Bryce Johnson

DATE FILED: July 29, 2019

PLANNING COMMISSION DATE: Sept. 9, 2019

CITY COUNCIL DATE: Oct. 1, 2019

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

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

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

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

Between: N. Main St. and Halifax St.

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

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

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

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

1. NAME: Satjeet Kaur TELEPHONE: (336) 541-3526
MAILING ADDRESS: 642 worsham St. Danville, VA 24540
SIGNATURE: [Signature] DATE: 7/26/19
SIGNATURE: [Signature] DATE: 7/26/19
EMAIL ADDRESS: river.penny.saver@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Satjeet Kaur TELEPHONE: (336) 541-3526
MAILING ADDRESS: 642 worsham St.
EMAIL ADDRESS: satjeetk05@gmail.com
SIGNATURE: [Signature] DATE: 7/26/19

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 642 Worsham St.

PRESENT ZONE: CB-C, Central Business District

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store with indoor gaming

FUTURE LAND USE DESIGNATION: Mixed Use

PROPERTY OWNER (S): River Penny Saver LLC

NAME OF APPLICANT (S): Satjeet Kaur

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

ACREAGE: 0.62 acres (27,007 sq. ft.)

CHARACTER OF VICINITY: Transitional area between commercial and residential

INGRESS AND EGRESS: Worsham St.

TRAFFIC VOLUME: Low



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/6/2019

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

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

**DEPARTMENT OF COMMUNITY DEVELOPMENT
AND ENGINEERING**

**INSPECTIONS DIVISION
CITY OF DANVILLE, VIRGINIA**

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

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

This structure has a construction classification of type 3B

The occupancy loads shall be as follows:

131

Rooms, spaces or floors -

Building Total - 131 persons

CODE	INSPECTOR	DATE	REMARKS
Building	<u>[Signature]</u>	<u>12-4-91</u>	
Plumbing	<u>[Signature]</u>	<u>7-2-92</u>	
Electrical	<u>[Signature]</u>	<u>11-8-91</u>	
Mechanical	<u>[Signature]</u>	<u>1-2-92</u>	
Fire	<u>[Signature]</u>	<u>11-6-91</u>	

Conditions and/or modifications: _____

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

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

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

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

Special Use Permit application PLSUP20190000298, filed by Shahid Javid on behalf of MGM Partners, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Code of the City of Danville, Virginia 1986, as amended at 1501 W Main St. otherwise known as Grid 0611, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

RESPONSES:

Eighteen (28) notices were sent to property owners within three hundred (300) feet of the property. Seven (7) property owners returned statements. One (1) property owners are not opposed to the request (MKM Parnters). Six (6) property owners are opposed to the request (Graveley Ricky Lee & Robbie Lynn, Chastain Marshal Jr & Marjorie J, Calyton Robert Malloy & Betty Davis, Gibson Noah F & Linda J, Leonard David & Joan S, Newcombs Carpet Inc)

COMMENTS:

"We are Christians. We are opposed!" - Graveley Ricky Lee & Robbie Lynn (stated opposed)

"No parking space for this type of activity." - Leonard David & Joan S (stated opposed)

I am only opposed to having their clientel parking in our parking lot (Newcomb Carpet)



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

Special Use Permit application PLSUP20190000298, filed by Shahid Javid on behalf of MKM Partners, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of the City of Danville, Virginia 1986, as amended at 1501 W Main St. otherwise known as Grid 0611, Block 004, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Background:

Shahid Javid, the applicant, is requesting a Special Use Permit for commercial recreation at 1501 W. Main St. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does have a Certificate of Occupancy for M Mercantile Use Group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

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

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 1,827 sq. ft. which requires 11 parking spaces as only a convenience store.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000298, staff recommend the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000298 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000298 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000298 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000298 as submitted.

5. Tabling of Special Use Permit application PLSUP20190000298 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSOP20190000298

EXISTING ZONING: HRC, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: 0611-004-00001, PID 54805

RECEIVED BY: Bryce Johnson

DATE FILED: July 30, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: 1 Acre Property Address: 1501 West Main St

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

Between: Edgewood Security Club and West Main Country Club

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

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

Art Skill Games.

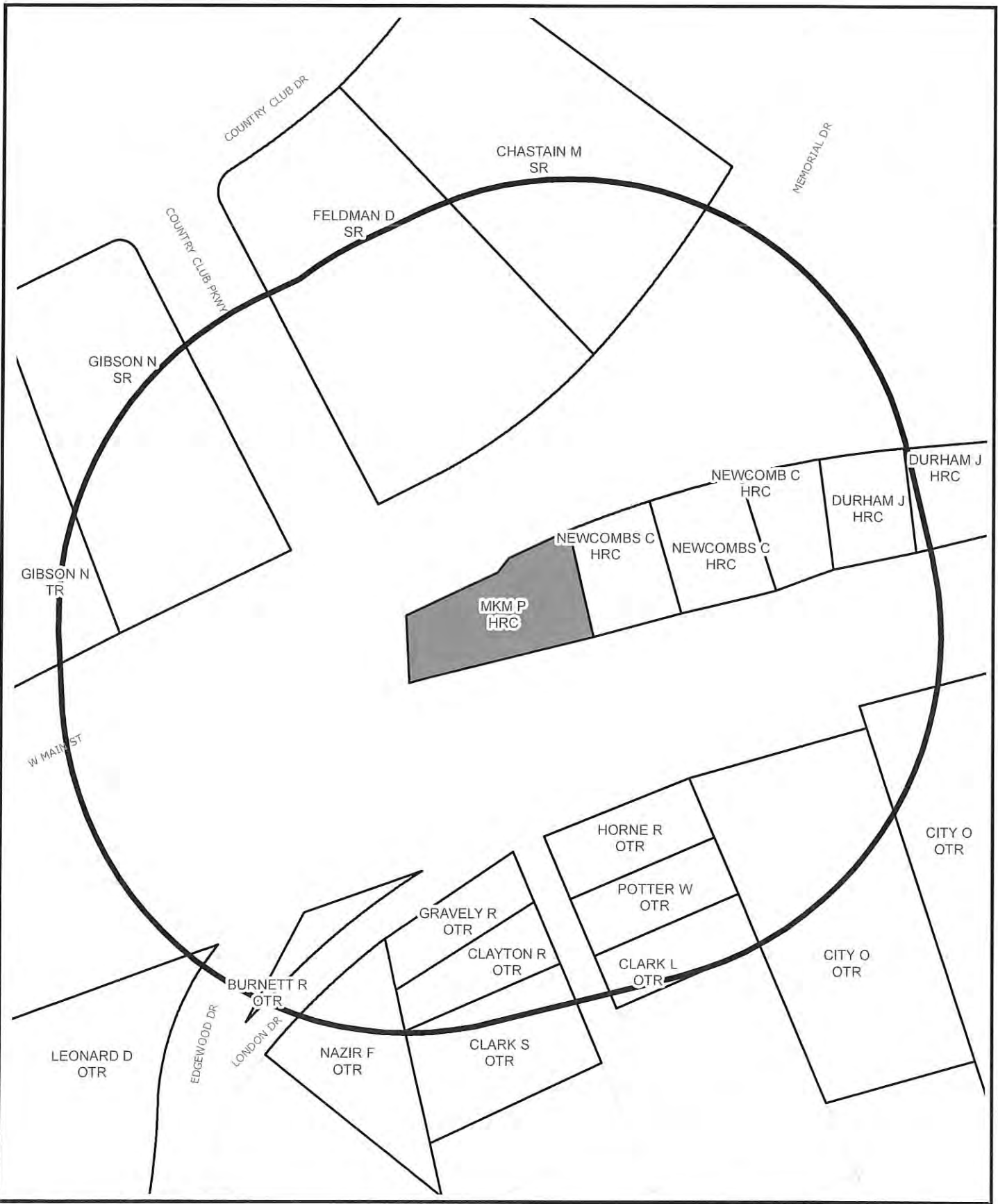
PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: SHAHID TAVID TELEPHONE: (434) 797-1334
MAILING ADDRESS: 1501 West Main St, Danville, VA 24541
SIGNATURE: Shahid Tavid DATE: 7/23/19.
SIGNATURE: Shahid Tavid DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: SHAHID TAVID TELEPHONE: (434) 797-1334
MAILING ADDRESS: 1501 WEST MAIN ST, DANVILLE, VA 24541
EMAIL ADDRESS: Shahid Tavid 201 @ GMail. Com
SIGNATURE: Shahid Tavid DATE: 7/23/19.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/6/2019

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SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 1501 W Main St.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit to allow commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store with indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): MGM Properties

NAME OF APPLICANT (S): Shahid Javid

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

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

CHARACTER OF VICINITY: Residential

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

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/6/2019

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

**DEPARTMENT OF COMMUNITY DEVELOPMENT
AND ENGINEERING**

CITY OF DANVILLE, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

Pursuant to Section 117 of the Virginia Uniform Statewide Building Code, the application of Abercrombie Oil Co. whose structure is located at 1501 West Main St. Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group M - Mercantile

This structure has a Fire Grade of:

(Table 1402, Building Code) Class M
Hours 3

The maximum live load on floors:

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

The occupancy loads on floors:

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

CODE							INSPECTOR	DATE	REMARKS
BUILDING	PLUMBING	ELECTRIC	HEALTH	FIRE	ZONING	MECHAN.			
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	See modif.
✓	✓	X	✓	✓	✓	✓	L. L. Smith	7-1-87	None
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	
✓	✓	✓	✓	✓	✓	✓	L. L. Smith	7-1-87	

Certificate of Use and Occupancy No. 2-26-87-112
Building Official: Donald J. Smith Date: 7-17-87

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Eighteen (18) notices were sent to property owners within three hundred (300) feet of the property. Eight (8) property owners returned statements. Four (4) property owners are not opposed to the request (Gwynn Timothy W, Gwynn Tim, Dutta Inc of Virginia, Associated Services Corporation). Four (4) property owners are opposed to the request (West Main Properties LLC, Adams Hazel Brown, Adams Hazel B, Martin Steven Anthony).

COMMENTS:



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

City Planning Commission

City Planning Commission
Meeting of September 9, 2019

Subject:

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

Background:

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does have a Certificate of Occupancy for a M-Mercantile Use Group. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has not been re-inspected to determine compliance with this change in use of the building. This facility has 10 marked parking spaces with one handicapped accessible space on site.

Recommendation:

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

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

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000309, staff recommends the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation (indoor)

CASE NUMBER: PLSUP20190000309

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: 610-004-000001-000

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 7, 2019

PLANNING COMMISSION DATE: Sept. 9, 2019

CITY COUNCIL DATE: Oct. 1

171D
56244

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: 24,394 sf. (2878 sf.) ^{D-56 ACER} Property Address: 2100 W. Main St.

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

Between: 29 North Ferry Rd. and old Gravesboro and along the northwesterly
IN DANVILLE VA.

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

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

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

1. NAME: Samir D. Patel TELEPHONE: (704) 724-1337

MAILING ADDRESS: 2100 W. Main St. Danville VA-24541

SIGNATURE:  DATE: 8/3/19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: Samirp07@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/7/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 2100 W Main St.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Convenience store with indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Dutta Inc of Virginia

NAME OF APPLICANT (S): Samir Patel

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

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

CHARACTER OF VICINITY: Mixture of both commercial and residential

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

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/7/2019

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

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

INSPECTIONS DIVISION
CITY OF DANVILLE, VIRGINIA

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

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

This structure has a construction classification of type 3B

The occupancy loads shall be as follows:

Rooms, spaces or floors - _____

Building Total - 50 persons

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

Conditions and/or modifications: _____

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

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

Building Official Charles B. Norton Date 8-20-91

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Fifteen (15) notices were sent to property owners within three hundred (300) feet of the property. Six (6) property owners returned statements. Four (4) property owners are not opposed to the request (Hiatt Terri L et al, Soyars Larry et al, Soyars Lisa Farthing, AC Contractors of VA LLC). Two (2) property owners are opposed to the request (Tucker Gregory Scott & Tucker, Karen M and Mitchell Hugh I Jr. & Faye M).

COMMENTS:

We desperately need a stop light at Mt. Cross between Averett and Parker Rd. West (Tucker stated opposed).



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

City Planning Commission

City Planning Commission
Meeting of September 9, 2019

Subject:

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

Background:

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

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has 11 conforming marked parking spaces with one handicapped accessible space on site both upper and lower. There are six spaces that are non-conforming as they use an adjacent property for access. A consolidation plat would be

required to consider these parking spaces for this project bringing the total to 17 at this facility, and 16 additional on the adjacent property if consolidated.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,400 sq. ft. This area was an automobile detail shop and office. This required eight spaces for the shop/office.

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

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000311 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000311 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000311 subject to conditions by the Planning Commission.

4. Recommend denial of Special Use Permit application PLSUP20190000311 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000311 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSUP20190000311

EXISTING ZONING: HR-C, Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 22871 77365

RECEIVED BY: Bryce Johnson

DATE FILED: Aug. 7, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

688-B Mt. Cross - Bryce J.

Gross Area/Net Area: _____

Property Address: 678-B Mt. Cross Rd.

Property Location: N S E W Side of: North

Between: North Avenette

and Campus

Health and Wellness

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

Grayz auto detailing and Car Cleaning Services.

4 Machines SKILL Games

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

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

MAILING ADDRESS: 105 Hemlock Dr. Danville, VA 24540

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

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

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

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

EMAIL ADDRESS: Grayz1072@G-mail.com

SIGNATURE: Danny Graves DATE: 8/5/19

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 688-B Mt. Cross Rd.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store and auto services

PROPOSED USE OF PROPERTY: Convenience store, auto services, and indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Larry Soyars

NAME OF APPLICANT (S): Danny Graves

PROPERTY BORDERED BY: Residential to the north and east; commercial to the south; education and open space to the west

ACREAGE: 0.47 acres (20,473 sq. ft.)

CHARACTER OF VICINITY: Transition between commercial and residential

INGRESS AND EGRESS: Mt. Cross Rd.

TRAFFIC VOLUME: Moderate

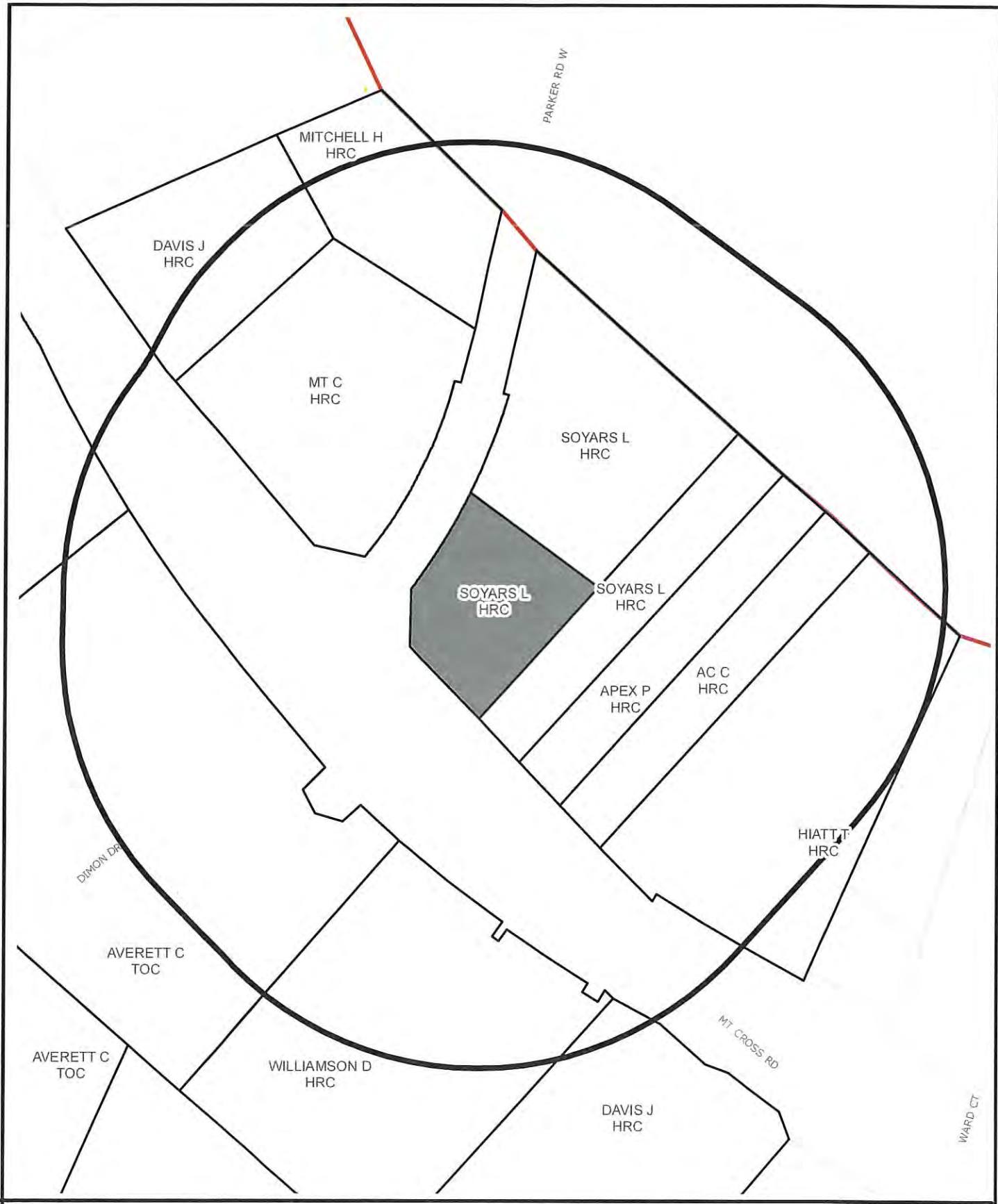


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/8/2019

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/8/2019

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SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on October 7, 2019

LOCATION OF PROPERTY: 688 Mt. Cross Rd. (Upstairs)

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store and auto services

PROPOSED USE OF PROPERTY: Convenience store, auto services, and indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Larry Soyars

NAME OF APPLICANT (S): Uwash Patel

PROPERTY BORDERED BY: Residential to the north and east; commercial to the south; education and open space to the west

ACREAGE: 0.47 acres (20,473 sq. ft.)

CHARACTER OF VICINITY: Transition between commercial and residential

INGRESS AND EGRESS: Mt. Cross Rd.

TRAFFIC VOLUME: Moderate

MEMORANDUM

DATE: SEPTEMBER 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Fourteen (14) notices were sent to property owners within three hundred (300) feet of the property. Three (3) property owners returned statements. Two (2) property owners are not opposed to the request (Motel Enterprises LLC, Abercrombie Richard Lea & Liza S). One (1) property owners are opposed to the request (Tu Mei Lung & Ellen).

COMMENTS:

"Merica" (Abercrombie).



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

City Planning Commission

City Planning Commission
Meeting of September 9, 2019

Subject:

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

Background:

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

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does not have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group if in conjunction with a convenience store. This facility is proposed to not have such a store, but only be a commercial Indoor Recreation facility. This will be listed as an Assembly Use group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This building has been inspected for compliance. There is a substantial list of modifications that will be necessary before occupancy could occur. That information is attached.

This facility has 37 conforming marked parking spaces with one handicapped accessible space on site. There are 12 spaces that are non-conforming as they use an adjacent property for access with one handicapped space also using the adjacent property. A consolidation plat would be required to consider these parking spaces for this project bringing the total to 49 at this facility if consolidated.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Due to the number of modifications that are necessary, staff cannot support a recommendation for approval. The facility itself is 14,863 sq. ft. which includes all adjacent retail uses. If the entire building is classified as a retail facility, then there would need to be 57 total spaces without knowing the internal configuration of all uses.

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

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSUP20190000312

EXISTING ZONING: HR-G Highway Retail

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 57190

RECEIVED BY: Bryce Johnson

DATE FILED: Aug 12, 2019

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct 1

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

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

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

Between: Rose Nails and Griffins Superstore

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

one Stand alone Building Aprox 3,500 sq Feet. Purpose
of the Building will be a Game Room

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

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

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Chase Reeves TELEPHONE: 276-734-8275
MAILING ADDRESS: 41 Bonnie Lane Collinsville VA 24078
EMAIL ADDRESS: mrcclouds11c@gmail.com
SIGNATURE: [Signature] DATE: Aug/12/19

Parcel ID: 57190

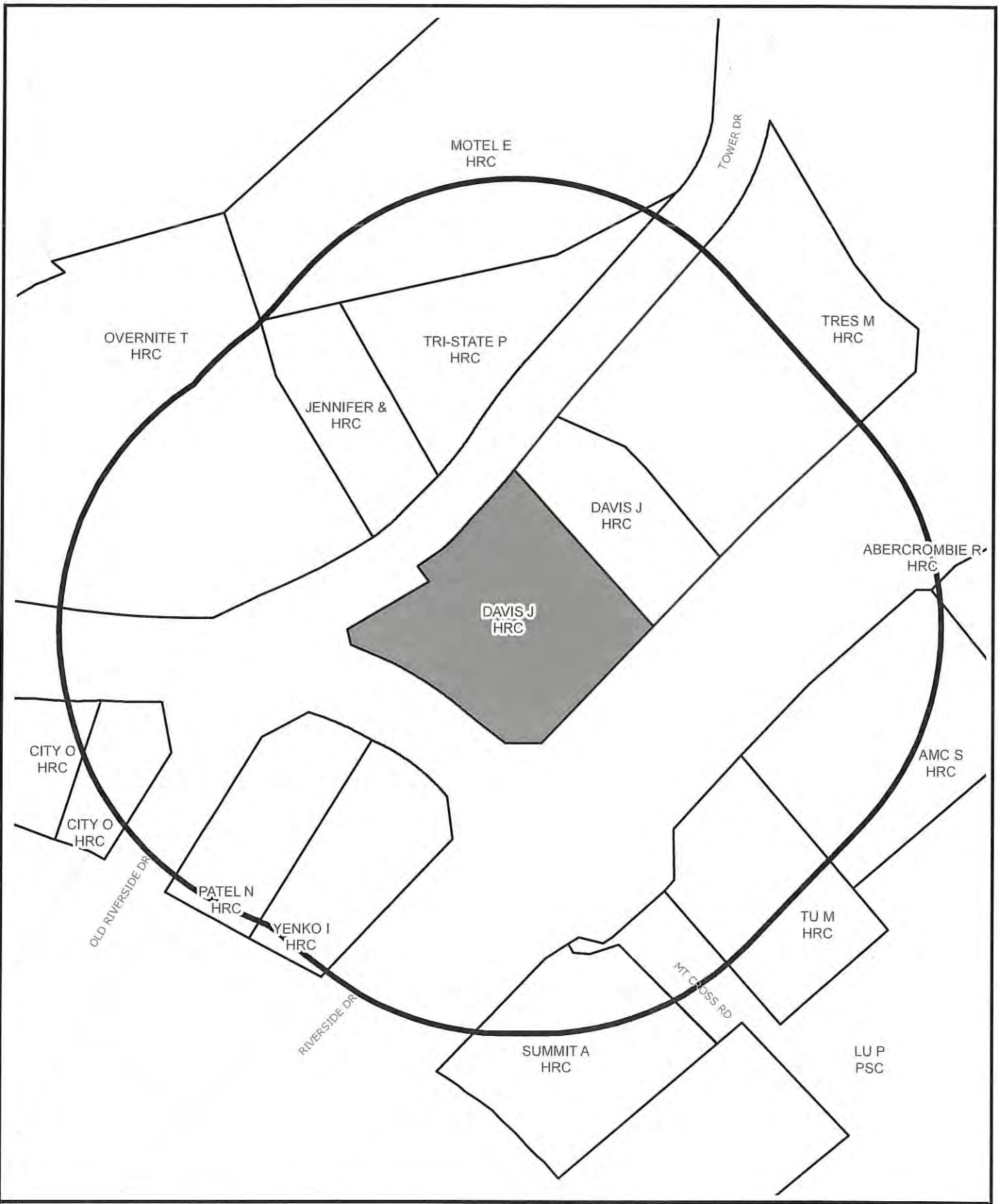


-  Buildings
-  Parcels
- Street Names
- House Numbers



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Date: 8/13/2019



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/13/2019

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SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 2846 Riverside Dr.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Commercial retail, financial services, and personal services

PROPOSED USE OF PROPERTY: Existing businesses plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Jerry Davis

NAME OF APPLICANT (S): Chase Reeves

PROPERTY BORDERED BY: Commercial on all sides

ACREAGE: 0.9 acres (3,920.4 sq. ft.)

CHARACTER OF VICINITY: Commercial

INGRESS AND EGRESS: Tower Dr., Mt. Cross Rd., and Riverside Dr.

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/13/2019

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Gillie, Kenny

From: Clark, Christopher W.
Sent: Friday, October 04, 2019 8:38 AM
To: Gillie, Kenny
Subject: 2846 Riverside Drive

Good afternoon,

Here is the list of violations for 2846 Riverside Drive (Gaming / Vape place) Fire Dept. still has to submit theirs.

Building

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

Plumbing

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

Mechanical

1. Provide ventilation outside air for the use of the building

Electrical

If any electrical work is to be performed, please follow the following:

1. Submit an electrical drawing showing the work to be done, the wiring method to be used, and electrical data for any equipment to be installed.
2. Once the electrical drawing is reviewed and approved by the inspections office, a licensed electrical contractor can submit an application for an electrical permit.

Chris Clark
Building Inspector
clarkcw@danvilleva.gov
434-799-5260 ext. 2492

MEMORANDUM

DATE: September 9, 2019

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS.

REQUEST:

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

RESPONSES:

Nineteen (19) notices were sent to property owners within three hundred (300) feet of the property. Two (2) property owners returned statements. One (1) property owners are not opposed to the request (Guill Investment Properties LLC). One (1) property owners are opposed to the request (Roe Enterprises LLC).

COMMENTS:

"This is not the type of business we need in this already troubled area. We also have a bus stop for elementary kids here on Maplewood." – Roe Enterprises LLC (stated opposed).



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

City Planning Commission

City Planning Commission
Meeting of September 9, 2019

Subject:

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

Background:

Abdul Nasir, the applicant, is requesting a Special Use Permit for commercial recreation at 1371 Piney Forest Road. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use. These gaming activities include an opportunity to obtain money.

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

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

This item was tabled at the Planning Commission meeting on September 9, 2019 to allow facilities to obtain Certificates of Occupancy, and to address the additional parking concerns. This facility does have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items.

This facility has 7 conforming marked parking spaces with one handicapped accessible space. There is sufficient space to mark parking, but since none is striped except for those listed, staff cannot determine a calculation. A design professional should generate a parking plan.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for an updated Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 1,800 sq. ft. This area has a convenience store, and self-service automobile wash. .

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000317, staff recommends the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

5. Tabling of Special Use Permit application PLSUP20190000317 by Planning Commission.

Attachments:

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

**DEPARTMENT OF COMMUNITY DEVELOPMENT
AND ENGINEERING**

CITY OF DANVILLE, VIRGINIA

CERTIFICATE OF USE AND OCCUPANCY

Pursuant to Section 117 of the Virginia Uniform Statewide Building Code, the application of W. Henry Hardy, Inc. whose structure is located at 1371 Piney Forest Rd. Danville, Virginia, is hereby certified to be in compliance with the Virginia Uniform Statewide Building Code, Section 34 of the Code of the City of Danville, Virginia, and/or other applicable codes.

This structure is in Use Group M

This structure has a Fire Grade of:
(Table 1402, Building Code) Class M
Hours 3

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

The occupancy loads on floors:
(Section 806, Building Code) a. First floor 31
b. Second floor -
c. Others -

CODE							INSPECTOR	DATE	REMARKS
BUILDING	PLUMBING	ELECTRIC	HEALTH	FIRE	ZONING	MECHAN.			
✓							Charles Norton	1-13-87	
	✓						Ludviks	1-14-87	
		✓					W. H. Hardy	1-13-87	
			✓				W. H. Hardy	10-30-86	
				✓			W. E. Eubank	11-10-86	
					✓		Charles Norton	1-13-87	
									N.A.

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Commercial recreation

CASE NUMBER: PLSUP20190000317

EXISTING ZONING: PT. HR-C, High Rel

PROPOSED ZONING: No change

TAX MAP NUMBER: PID 5143 S

RECEIVED BY: Ryce Johnson

DATE FILED: Aug. 12

PLANNING COMMISSION DATE: Sept. 9

CITY COUNCIL DATE: Oct. 1

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

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

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

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

Between: Master Bage + Tool and Arby's

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

Special Permit Use for Gaming Machines
4 machines

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

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

MAILING ADDRESS: 1371 Piney Forest Rd Danville Va 24540

SIGNATURE:  DATE: 8/1/19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

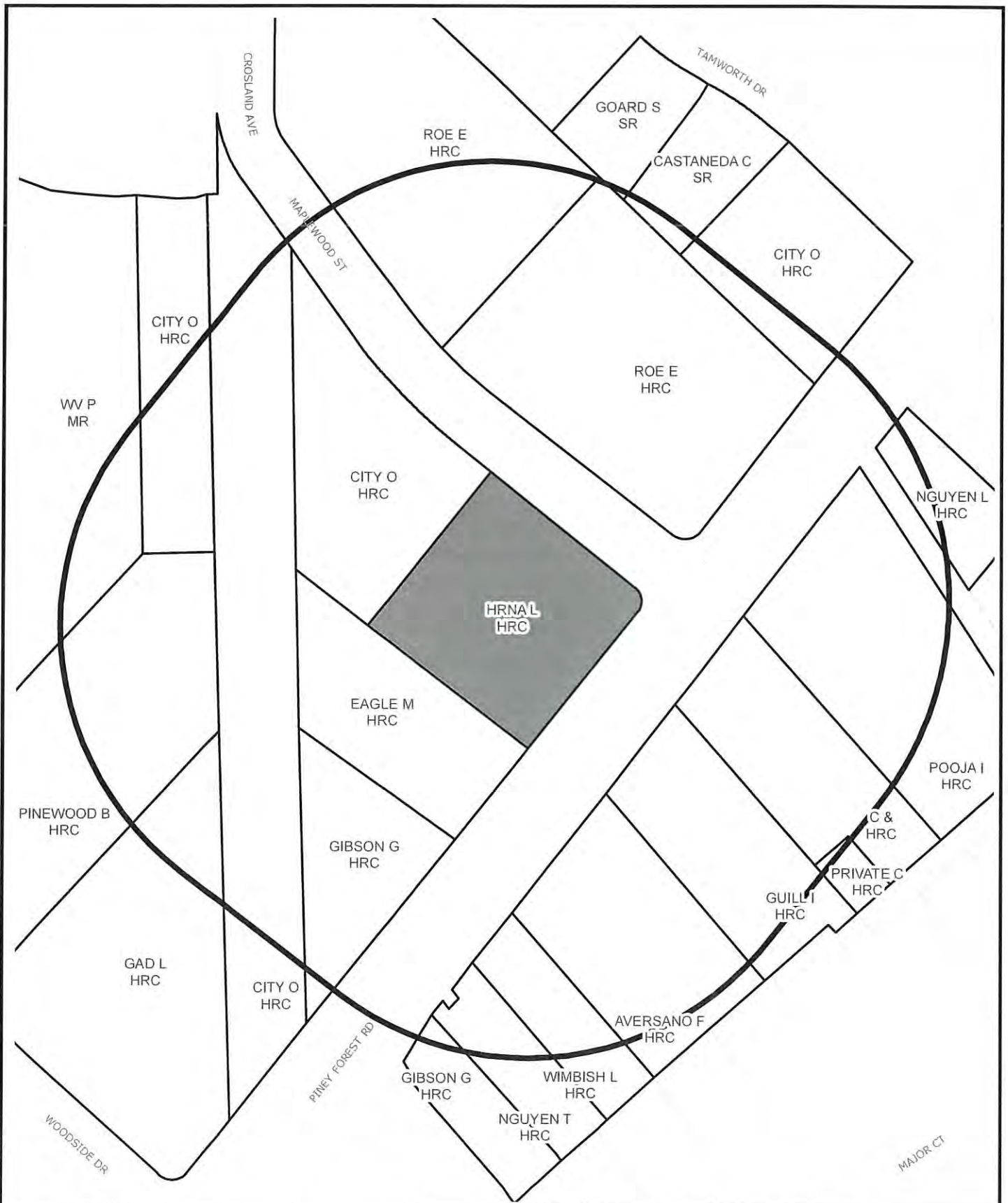
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/14/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 1371 Piney Forest Rd.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Existing uses, plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): HRNA LLC

NAME OF APPLICANT (S): Abdul Nasir

PROPERTY BORDERED BY: Commercial on all sides

ACREAGE: 0.87 acres (

CHARACTER OF VICINITY: Commercial

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

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/14/2019

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 October 7, 2019

Subject:

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

Background:

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

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

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

This facility has 11 conforming marked parking spaces with one handicapped accessible space on site both upper and lower. There are six spaces that are non-conforming as they use an adjacent property for access. A consolidation plat would be required to consider these parking spaces for this project bringing the total to 17 at this facility, and 16 additional on the adjacent property if consolidated.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for a Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,400 sq. ft. This area is the upper portion of the building and is used as a convenience store. This required 13 spaces for the store.

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

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Indoor commercial recreation
Virginia compliant skill games

CASE NUMBER: _____ EXISTING ZONING: _____

PROPOSED ZONING: _____ TAX MAP NUMBER: _____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

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

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

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

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

I wish to have 13 machines

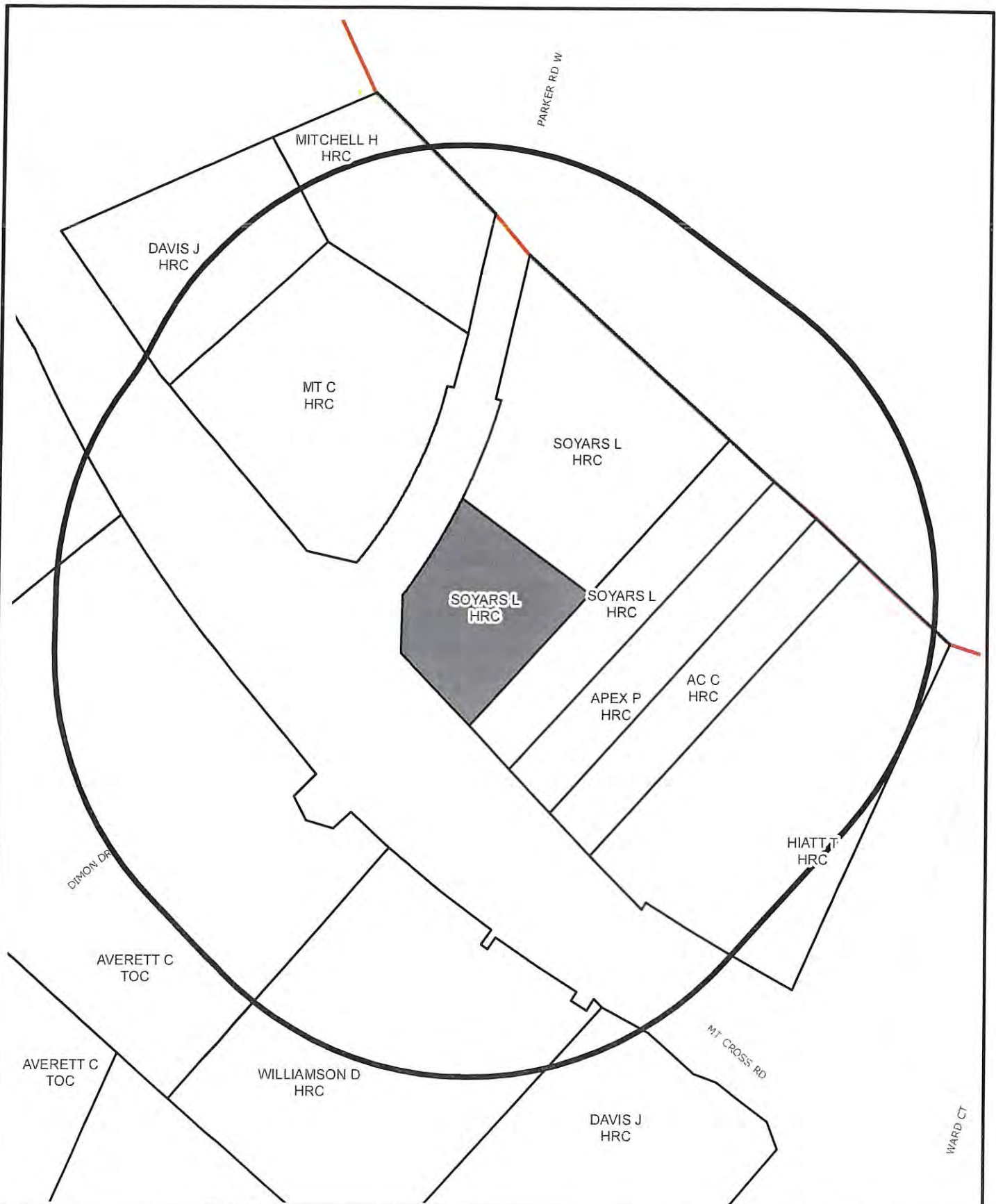
PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: LARRY J. SOYARS TELEPHONE: 434-250-7600
MAILING ADDRESS: 105 Hemlock DR. Danville, VA 24540
SIGNATURE: Larry J. Soyars DATE: 8-13-19
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Urvashi Patel TELEPHONE: 434 421 4477
MAILING ADDRESS: 688 Mountcross Rd Danville VA 24540
EMAIL ADDRESS: Urvashi.patel177@yahoo.com
SIGNATURE: [Signature] DATE: 8.15.19



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/8/2019

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SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on October 7, 2019

LOCATION OF PROPERTY: 688 Mt. Cross Rd. (Upstairs)

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store and auto services

PROPOSED USE OF PROPERTY: Convenience store, auto services, and indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Larry Soyars

NAME OF APPLICANT (S): Uwash Patel

PROPERTY BORDERED BY: Residential to the north and east; commercial to the south; education and open space to the west

ACREAGE: 0.47 acres (20,473 sq. ft.)

CHARACTER OF VICINITY: Transition between commercial and residential

INGRESS AND EGRESS: Mt. Cross Rd.

TRAFFIC VOLUME: Moderate



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/8/2019

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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Mohammad Nawaz Khan, the applicant, is requesting a Special Use Permit for commercial recreation at 730 Piney Forest Rd. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store. These gaming activities include an opportunity to obtain money.

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

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

This facility has 6 conforming marked parking spaces with one being a handicapped accessible space on site.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for a Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,107 sq. ft. This required 11 spaces for the store.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP201900000303, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and

2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions.

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Commercial recreation

CASE NUMBER: PC501-20190000 ~~327~~

EXISTING ZONING: HR-C, High Way Retail

PROPOSED ZONING: NO change

TAX MAP NUMBER: Pin 77859

RECEIVED BY: Bryce Johnson

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

PLANNING COMMISSION DATE: Sept. 9 Oct. 7

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

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

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

24540

Property Location: N S E W Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

SKILL RECREATION MACHINES

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

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

MAILING ADDRESS: _____

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

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

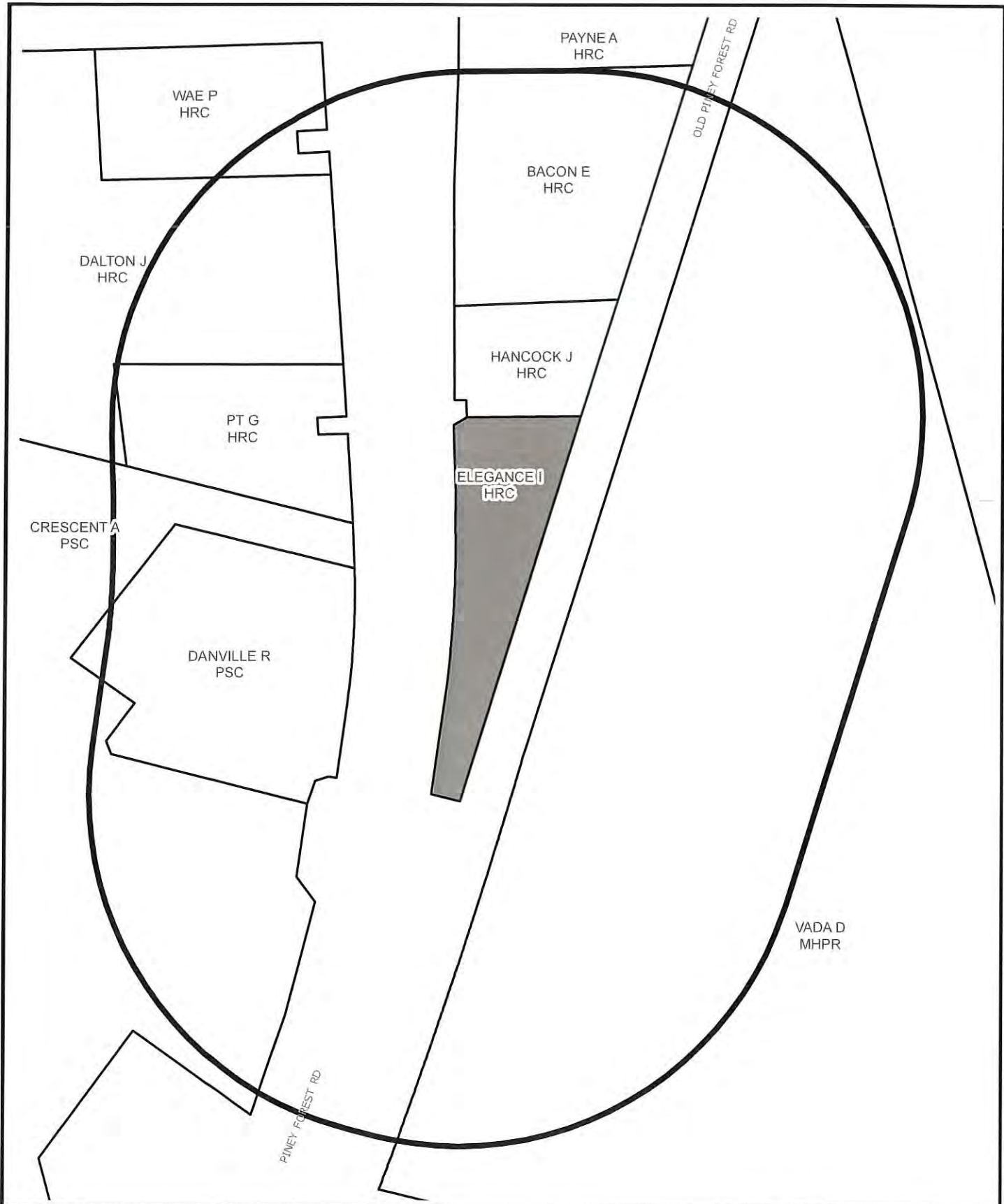
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: MOHAMMAD NAWAZ KHAN TELEPHONE: 434-429-1235

MAILING ADDRESS: 730 PINEY FOREST ROAD DANVILLE VA 24540

EMAIL ADDRESS: nawazkhattak@msn.com

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



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/21/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 730 Piney Forest Rd.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit to allow commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Existing uses, plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Elegance Investment LLC

NAME OF APPLICANT (S): Mohammad Nawaz Khan

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

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

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

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

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/21/2019

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 October 7, 2019

Subject:

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

Background:

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

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

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

This facility has 15 conforming marked parking spaces with one being a handicapped accessible space on site.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for a Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 3,960 sq. ft. This required 23 spaces for the entirety of the building.

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

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and

2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions.

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Commercial recreation

CASE NUMBER: PLSUP20190000302

EXISTING ZONING: HR-S, Highway Retail

PROPOSED ZONING: no change

TAX MAP NUMBER: _____

RECEIVED BY: Bryce Johnson

DATE FILED: Aug 1, 2019 → incomplete until

PLANNING COMMISSION DATE: Sept 9 Oct 7

CITY COUNCIL DATE: Oct 1 NOV 7 Aug 14

INFORMATION TO BE PROVIDED BY THE APPLICANT

(PLEASE TYPE OR PRINT)

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

Gross Area/Net Area: _____ Property Address: 545 MEMORIAL DRIVE DANVILLE

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

Between: Poplar and Ridge

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

SKILL RECREATION MACHINES.

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

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

MAILING ADDRESS: 233 Mowbray Arch Danville VA 24541

X SIGNATURE: Carlton H Cox DATE: Aug 14 2019

/ SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: CCox42@Comcast.net

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: MUBASHAR CHOUDHURY TELEPHONE: 434-222-2081

MAILING ADDRESS: 545- MEMORIAL DR. E. Z STOP #2. DANVILLE

EMAIL ADDRESS: NUMILAHORE@YAHOO.COM

SIGNATURE: [Signature] DATE: _____

SPECIAL USE PERMIT REQUEST
DATA SHEET

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

LOCATION OF PROPERTY: 545 Memorial Dr.

PRESENT ZONE: HR-C, Highway Retail Commercial

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Existing use plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Carlton H. Cox

NAME OF APPLICANT (S): Mubashar Choudhrey

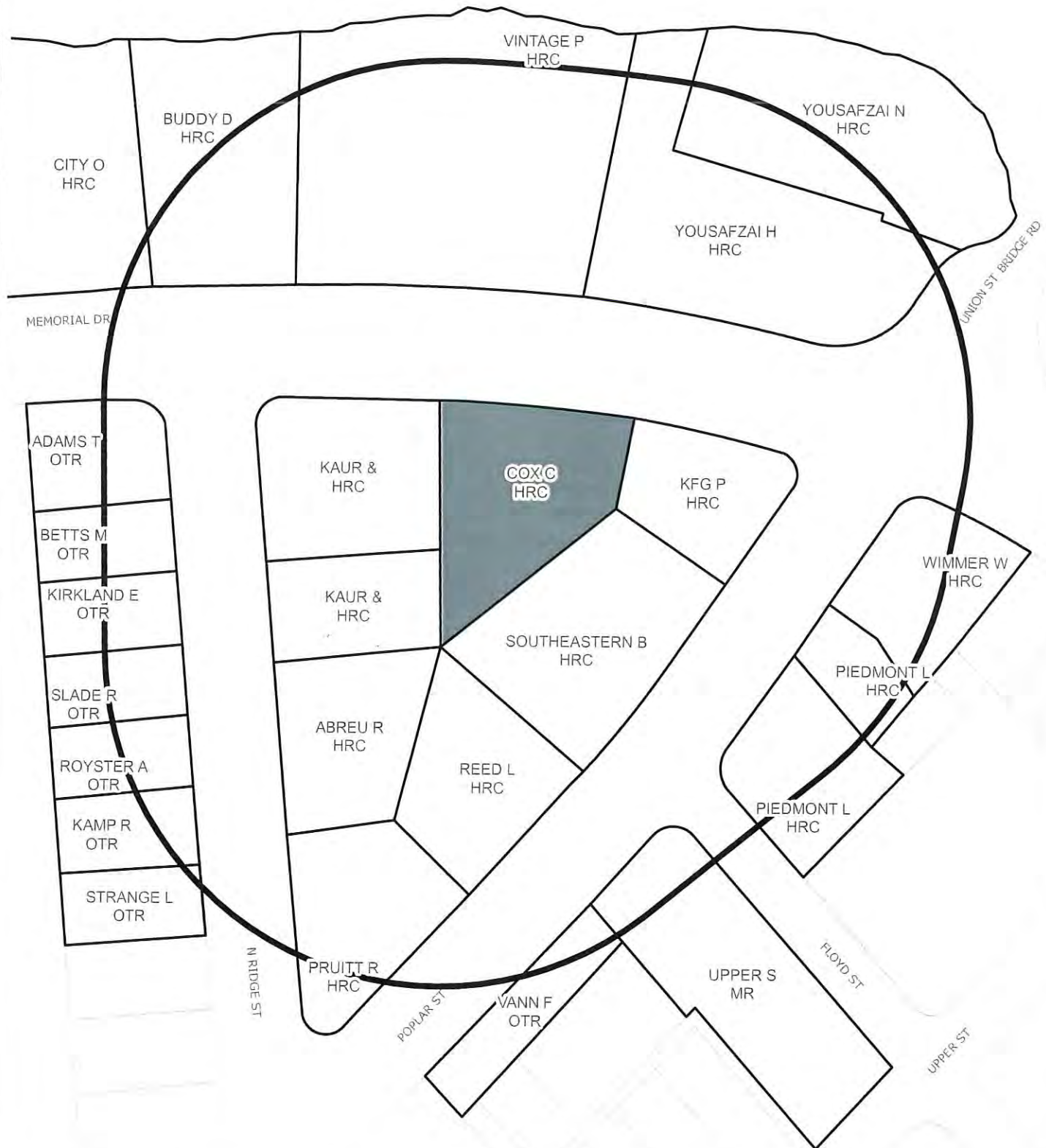
PROPERTY BORDERED BY: Commercial to the north, east, and west; residential to the west and south.

ACREAGE: 0.53 acres (23,086.8 sq. ft.)

CHARACTER OF VICINITY: Border between commercial and residential areas

INGRESS AND EGRESS: Memorial Dr.

TRAFFIC VOLUME: Moderate



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
9/25/2019

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2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
9/25/2019

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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

Special Use Permit application PLSUP20190000373, filed by Queen of Virginia Skill & Entertainment, LLC on behalf of PFJ Southeast LLC Store #256, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 110 Riverpoint Drive, otherwise known as Grid 3713, Block 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Background:

Queen of Virginia Skill & Entertainment, LLC on behalf of PFJ Southeast LLC Store #256, is requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 110 Riverpoint Drive. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store, fast food restaurant and truck stop. These gaming activities include an opportunity to obtain money.

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

This facility does have a Certificate of Occupancy. After meetings with both the Inspections Division of Community Development, as well as the City of Danville Fire Department, it has been determined that facilities with these machines should be listed as a B-Business Group. This requires public restrooms, handicapped accessible routes and parking spaces, exit lights, and fire extinguishers, as well as other life safety items. This facility has an A-2 Assembly/Merchant Certificate of Occupancy. This Certificate provides for more life safety requirements than the B Business Group, thus re-inspection is not needed.

This facility has 29 conforming marked parking spaces with three being handicapped accessible spaces on site. There are also 22 truck parking/loading spaces on the west of the property.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. The facility itself is 6,130 sq. ft. This required 39 parking spaces for the entirety of the building.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000373, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than two (2) gaming machines on site
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and
4. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
5. The required parking shall be provided on-site with no off-site substitutions
6. The number of machines shall be limited to two.

Staff recommends postponing the application to allow time for the applicant to address the necessary parking requirements. This may require the elimination of truck parking, or reconfiguration of parking on site to comply.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000373 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000373 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000373 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000373 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000373 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING
USE: SUP for Commercial Rec

CASE NUMBER: 2019 - 373 EXISTING ZONING: HR-C
PROPOSED ZONING: HR-C TAX MAP NUMBER: 3713-006-00001
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 4.05 acres Property Address: 110 Riverpoint Drive, Danville
176,100 sq. ft. Virginia 24540
Property Location: N S E W Side of: South Boston Road (Route 58/360)
Between: Riverpoint Drive and South Boston Road (Route 58/360)
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.

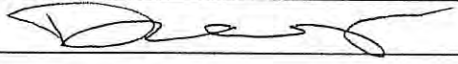
Please provide a brief description of the proposed development:

Please see the attached letter.

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

1. NAME: PFJ Southeast LLC Store #256 TELEPHONE: (865) 588-7488

MAILING ADDRESS: P.O. Box 54710, Lexington, Kentucky 40555

SIGNATURE:  DATE: 9-5-19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: Kristin.Seabrook@pilottravelcenters.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Queen of Virginia Skill
& Entertainment, LLC TELEPHONE: (404) 392-3017

MAILING ADDRESS: 5612 Eastport Boulevard, Richmond, VA 23231

EMAIL ADDRESS: Alan.joseph@paceomatic.com

SIGNATURE:  DATE: 9/6/2019

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE: 3pm on October 7, 2019

LOCATION OF PROPERTY: 110 River Point Dr.

PRESENT ZONE: HR-C, Highway Retail Commercial

ACTION REQUESTED: Request a Special Use Permit to allow commercial indoor recreation for gaming machines

PRESENT USE OF PROPERTY: Convenience store

PROPOSED USE OF PROPERTY: Existing use, plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): PFJ Southeast LLC Store#256

NAME OF APPLICANT (S): Queen of Virginia Skills & Entertainment Games, and
PFJ Southeast LLC Store#256

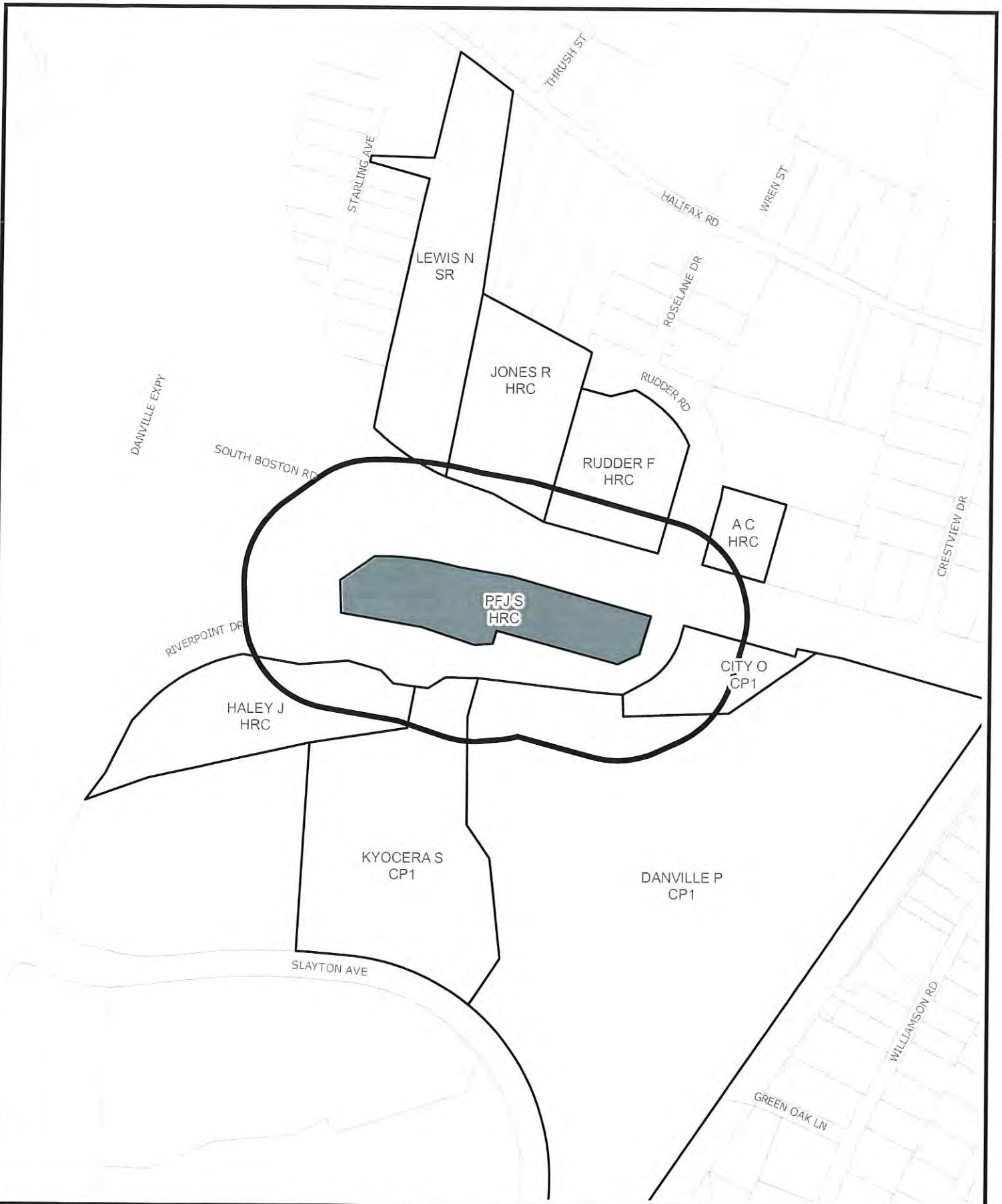
PROPERTY BORDERED BY: Commercial and highway to the north and east;
Vacant land and highway to the east;
Vacant land and industrial to the south;
Highway interchange to the west

ACREAGE: 4.04 acres (175,982.4 sq. ft.)

CHARACTER OF VICINITY: Commercial and industrial

INGRESS AND EGRESS: Riverpoint Dr.

TRAFFIC VOLUME: Low, but high on South Boston Rd. to the immediate north



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
9/25/2019

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



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
9/25/2019

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

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

Pursuant to Article 1 of the Uniform Statewide Building Code, the Application of PILOT CORPORATION whose structure is located at 110 RIVERPOINT DR Danville Virginia, is hereby certified to be in compliance with the Uniform Statewide Building code, 02003 Edition.

This structure is in Use Group A-2 ASSEMBLY/MERCANT for occupancy as PILOT TRAVEL CENTER

This structure has a Construction classification of type 2B

STORE : PILOT TRAVEL CENTER

The occupancy loads shall be as follows:
rooms, >SALES AREA - 70 PERSONS
spaces >RESTARUANT AREA - 28 PERSONS
or floors>KITCHEN AREA - 5 PERSONS

Building total 102 persons.

CODE	PERMIT	INSPECTOR	DATE	REMARKS
BUILDING	B070023	DAC	5/08/2007	
PLUMBING	P070025	JML	5/07/2007	
ELECTRICAL	E070022	JBT	5/08/2007	
MECHANICAL	M070022	REP	5/07/2007	
FIRE	B070226	SJI	5/09/2007	

Conditions and/or Modifications:

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

DATE ISSUED: 5/10/2007

DATE: MAY 10, 2007


BUILDING OFFICIAL



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

City Planning Commission

City Planning Commission

Meeting of October 7, 2019

Subject:

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

Background:

Ghulam Hassan, the applicant, is requesting a Special Use Permit for commercial recreation at 3401 Westover Drive. The applicant proposes to provide indoor gaming activities in addition to the existing on-site use of a convenience store. These gaming activities include an opportunity to obtain money.

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

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

This facility has 20 conforming marked parking spaces with one being a handicapped accessible space on site.

Recommendation:

Staff listed a number of concerns at the September meeting, and still has these same concerns. Since the Inspections Division nor Fire Department has not reviewed this facility for a Certificate of Occupancy staff cannot support a recommendation for approval. The facility itself is 2,650 sq. ft. of a retail strip center. The entire center is 6,848 sq. ft and includes this facility, offices, additional retail space and an automobile repair facility. The required spaces for the entirety of the building would be 39.

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000362, staff recommends the following conditions:

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

Staff recommends postponing the application to allow time for the applicant to address the necessary change of use Inspection items and additional issues to be addressed.

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

City Planning Commission Options:

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

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

SUP for Commercial Indoor Rec

CASE NUMBER: _____

EXISTING ZONING: N-C

PROPOSED ZONING: N-C

TAX MAP NUMBER: 9818-005-000023

RECEIVED BY: _____

DATE FILED: _____

PLANNING COMMISSION DATE: _____

CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 6,348 ft² Property Address: 3401 Westover Dr.

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

Between: Fox Hollow Dr. and Reech Ave.

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

Electronic Gaming Machines

(2)

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

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

MAILING ADDRESS: P.O. Box 10567

SIGNATURE: Paula F Richardson DATE: 8-26-19

SIGNATURE: Kimberly J. Miller DATE: 8-26-19

EMAIL ADDRESS: 4richardson@comcast.net

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Ghulam Hassan TELEPHONE: 336-552-6934

MAILING ADDRESS: 3401 Westover DR. Danville VA 24541

EMAIL ADDRESS: Ghulam Hassan 136@heartmail.com

SIGNATURE: Ghulam Hassan DATE: 9/4/19

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES: Planning Commission at 3pm on October 7, 2019

LOCATION OF PROPERTY: 3401 Westover Dr.

PRESENT ZONE: N-C, Neighborhood Commercial

PROPOSED ZONE: No change

ACTION REQUESTED: Special Use Permit for commercial recreation

PRESENT USE OF PROPERTY: Convenience Store

PROPOSED USE OF PROPERTY: Existing uses, plus indoor gaming

FUTURE LAND USE DESIGNATION: Regional Commercial

PROPERTY OWNER (S): Keister & Paula Richardson

NAME OF APPLICANT (S): Ghulam Hassan

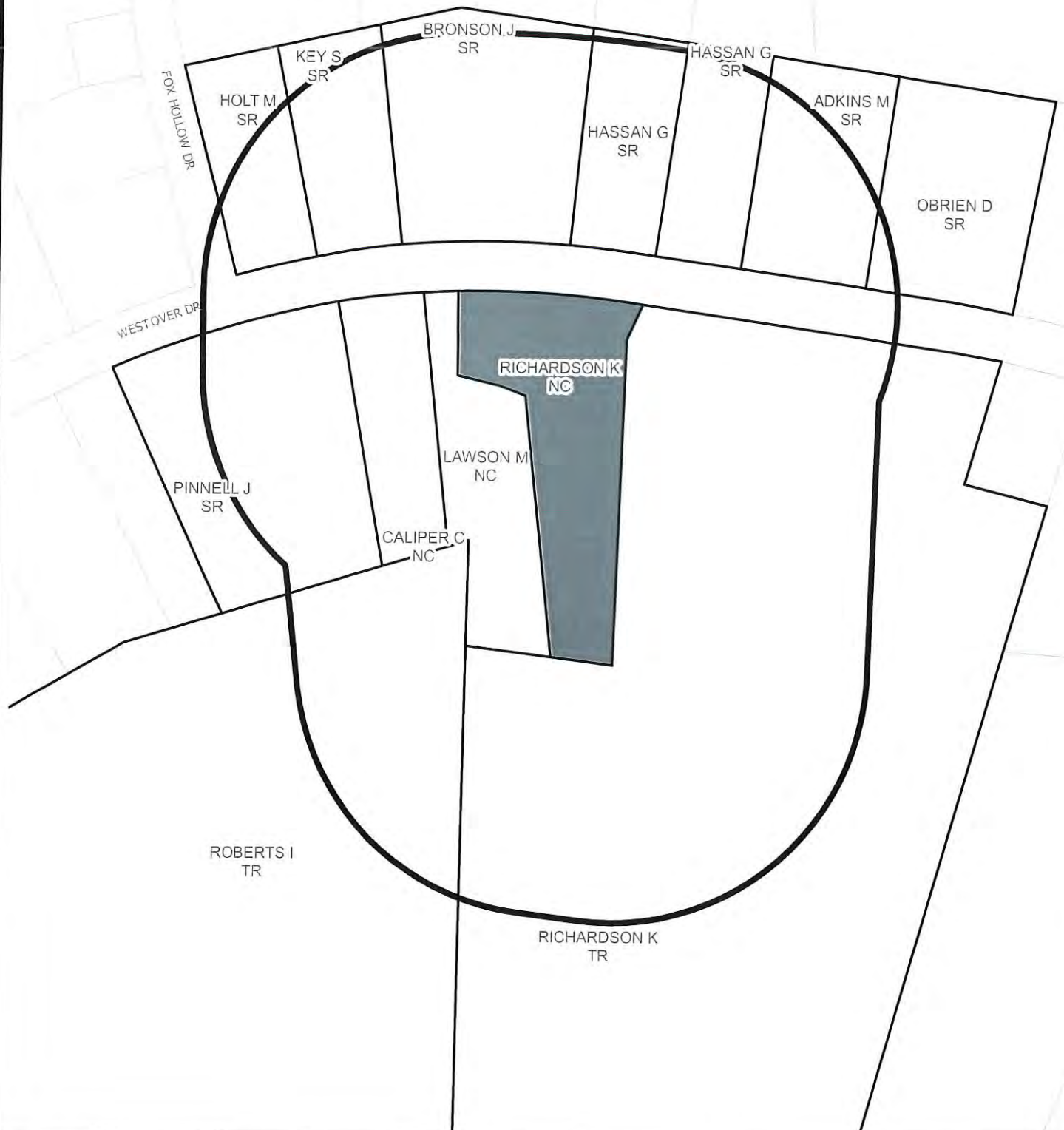
PROPERTY BORDERED BY: Some commercial to the immediate west; residential on all remaining sides

ACREAGE: 1.195 acres

CHARACTER OF VICINITY: Residential

INGRESS AND EGRESS: Westover Dr.

TRAFFIC VOLUME: Moderate on Westover Dr.



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
9/24/2019

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2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
9/24/2019

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