



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

## ***City Planning Commission***

AUGUST 12, 2019  
3:00 P.M.  
CITY COUNCIL CHAMBERS

### **AGENDA**

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEM FOR PUBLIC HEARING
  - 1) *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs, The purpose of the amendment is to address directory signs in the PSC-O District.*
  - 2) *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District". The purpose of the amendment is to address permitted uses within the CB-C, and TW-C Districts.*
  - 3) *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.*
  - 4) *Rezoning application PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.*

- 5) *Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.*
- 6) *Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to expand an existing building to provide additional storage for a tire retail store.*

IV. APPROVAL OF MINUTES FROM JULY 8 AND AUGUST 5

V. OTHER BUSINESS

VI. ADJOURNMENT





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## ***City Planning Commission***

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

**Subject:**

*Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs. The purpose of the amendment is to address directory signs in the PSC-O District.*

**Background:**

Coleman Marketplace LLC, the applicant, is requesting to amend the sign regulations for the PSC-O, Planned Shopping Center Overlay District. The applicant wishes to install directory signs in the current PSC-O District.

The PSC-O District applies only to the Coleman Marketplace Shopping Center (see attached map). The Overlay District regulations allow additional flexibility not typically associated with other properties located in the PS-C, Planned Shopping Center Commercial District. This includes slightly different sign standards than the PS-C District. However, these regulations are the same with regards to wall and directory signs. The applicant has worked with staff to draft an amendment to allow additional directory signs in the Overlay District.

The differences between the existing and proposed directory signage is depicted below:

*Table 1: Permitted and proposed directory sign regulations*

| Status                        | Max Number                                                                                                                       | Max Size                                                                                   | Max Height                                                         |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Currently Permitted           | 1 per building                                                                                                                   | 30 sq. ft. (for one store or multiple stores with less than 60,000 sq. ft. leasable space) | 16 ft. (for property with less than 60,000 sq. ft. leasable space) |
|                               |                                                                                                                                  | 45 sq. ft. (multiple stores with more than 60,000 sq. ft. leasable space)                  | 24 ft. (for District with more than 60,000 sq. ft. leasable space) |
| Proposed for Overlay District | 1 per street entrance +<br>1 per parking lot (non-contiguous with other parking or street entrances) +<br>2 wall directory signs | 30 sq. ft. (for District with less than 60,000 sq. ft. leasable space)                     | 16 ft. (for property with less than 60,000 sq. ft. leasable space) |
|                               |                                                                                                                                  | 45 sq. ft. (for District with less than 120,000 sq. ft. leasable space)                    | 24 ft. (for District with more than 60,000 sq. ft. leasable space) |
|                               |                                                                                                                                  | 60 sq. ft. (for District more than 120,000 sq. ft. leasable space)                         | 24 ft. (for District with more than 60,000 sq. ft. leasable space) |

#### **Recommendation:**

The Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.U entitled "PSC-O Planned Shopping Center Overlay District", Section M entitled "Sign Regulations" by adding Item 10 for directory signs. The amendment will read as follows:



## ARTICLE 3.U: - PSC-O PLANNED SHOPPING CENTER OVERLAY DISTRICT

### M. – Sign Regulations

1. Directory signs shall be permitted to list commercial uses in the District, according to the following size and placement limitations:
  - a. One (1) directory sign per street entrance shall be permitted, plus an additional one (1) directory sign per parking lot which is non-contiguous with other parking or street entrances.
  - b. The total sign area shall not exceed thirty (30) sq. ft. for a District with less than 60,000 gross leasable sq. ft., forty-five (45) sq. ft. for a District with less than 120,000 gross leasable sq. ft., and sixty (60) sq. ft. for a District with 120,000 or more gross leasable sq. ft.
  - c. The sign height shall not exceed sixteen (16) ft. for a District with a single business, sixteen (16) ft. for a District with less than 60,000 gross leasable space, or twenty-four (24) ft. for a District with 60,000 or more gross leasable space.
  - d. No sign shall be within five (5) ft. of the right-of-way or travelway.
  - e. Two (2) additional directory signs may be permitted as additional wall signage, but shall count separately from permitted wall signage and freestanding directory signage; total sign area for any directory sign shall be 2 sq. ft. per 1 linear ft. of primary building frontage for the building on which the sign is located.

### City Planning Commission Options:

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

### Attachments:

- A. Application
- B. Zoning Map for PSC-O District
- C. Existing Land Use Map (2015 Aerial) for PSC-O District

CODE CHANGE AMENDMENT

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

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

CASE NUMBER:

DATE FILED: June 27, 2019

RECEIVED FROM:

Bryce Johnson

SECTION AFFECTED:

Article 3.0, Section M → Sign Regulations for PSC-0 District

PLANNING COMMISSION DATE/ACTION:

Aug. 12, 2019

CITY COUNCIL DATE/ACTION:

Sept. 3, 2019

**INFORMATION TO BE PROVIDED BY THE APPLICANT**

Zoning Code Section:

Note by staff:

see  
attached email

Purpose for proposed amendment:

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

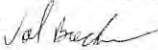
1. NAME (PLEASE PRINT OR TYPE): Coleman Marketplace LLC

ADDRESS: 28 Lorimer Street.  
Brooklyn, NY 11206



EMAIL: idy@madisonprop.com

TELEPHONE: 212-596-8200

SIGNATURE: 

2. NAME (PLEASE PRINT OR TYPE): \_\_\_\_\_

ADDRESS:

TELEPHONE:

SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): Joel Brecher

ADDRESS: 28 Lorimer St., Brooklyn, NY 11206

EMAIL: ariel@madisonprop.com

TELEPHONE: 212-596-8200

SIGNATURE: 

## Johnson, Bryce W.

---

**From:** Ariel Levy <ariel@madisonprop.com>  
**Sent:** Thursday, June 27, 2019 12:11 PM  
**To:** Johnson, Bryce W.  
**Cc:** Sam Rapaport; Gillie, Kenny; Joel Brecher; Ariel Levy  
**Subject:** RE: Zoning Amendment for Additional Signage  
**Attachments:** PC Code Change Amendment Application.pdf

**CAUTION:** This email originated outside the City of Danville's email system.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bryce,

Attached, please find a signed application by the owner. We are fine with the amendment you are proposing and are ready to move forward. Please let me know if there is anything else you need from us. We understand the next Planning Commission meeting is scheduled for Aug 6<sup>th</sup> and we hope to hear some good news on the 7<sup>th</sup>. Thanks again for all your help with this matter. This will be a great help to us, to Coleman Marketplace and to all our tenants.

Thank you,



**Ariel Levy** Director of Leasing & Management  
NYS Lic. RE Broker

3611 14th Ave. Suite 420 Brooklyn, NY 11218

T: 212.596.8200 Ext. 218 | F: 212.596.8201 | C: 917.886.3737

E: [ariel@madisonprop.com](mailto:ariel@madisonprop.com) | W: [www.madisonprop.com](http://www.madisonprop.com)

**From:** Johnson, Bryce W. <johnsbw@danvilleva.gov>  
**Sent:** Tuesday, June 18, 2019 11:15 AM  
**To:** Ariel Levy <ariel@madisonprop.com>  
**Cc:** Sam Rapaport <sam@madisonprop.com>; Gillie, Kenny <GilliKC@danvilleva.gov>  
**Subject:** Zoning Amendment for Additional Signage

Arial,

Thank you for the phone discussion today. As discussed, Planning Staff are willing to work with you to address your advertising requests.

As discussed, a workable Zoning Code Amendment would apply to the PSC-O, Planned Shopping Center Overlay District. The regulations are based on the sign regulations for the PS-C, Planned Shopping Center District (not overlay). However, we added the following:

- Instead of a single directory sign, the overlay district may have one (1) directory sign per entrance (including one per parking lot). This addresses the number of requested freestanding directory signs.
- Up to 60 sq. ft. of total directory signage if the entire district has at least 120,000 gross leasable space. You easily meet this criteria, thus are permitted your requested 49.25 sq. ft. of freestanding directory signage. The 60 sq.



ft. was chosen as a progression from the lower signage areas (30 sq. ft., 45 sq. ft.) permitted for smaller developments.

- Allowing two (2) directory signs on the building as wall signs, based on the current calculation of 2 sq. ft. per linear ft. of primary wall frontage. Again, your directory signs meet this criteria. The sign area does not count against other wall signs (don't want to encourage bickering over which tenant loses wall sign area) or the freestanding signs (permitted wall sign area is usually larger than freestanding signs).

Please see the attached Code Amendment (underlined text is the new text being proposed). The chosen phrasing is to be consistent with other regulations, and still prevent too much uncontrolled signage. An application for a Zoning Code Amendment is also included. Unless you submit today, the next deadline is July 15, which is for the August 6 Planning Commission meeting.

Please let me know if you have any questions, concerns, or other ideas.

Hope you are having a great start to summer,

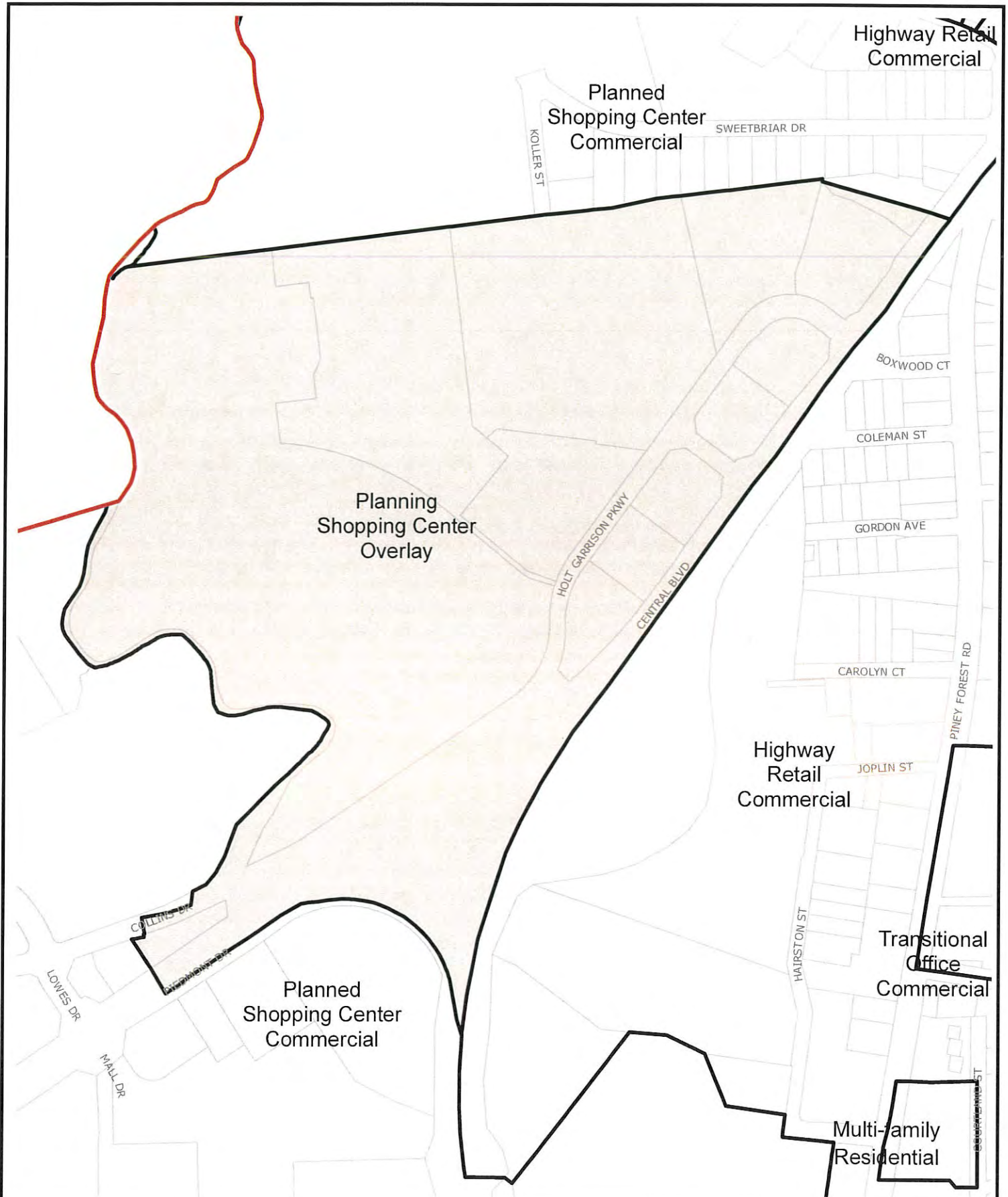
Bryce Johnson,  
AICP Candidate  
Senior Planner  
City of Danville, Virginia  
(434) 799-5260, ext. 2503  
[johnsbw@danvilleva.gov](mailto:johnsbw@danvilleva.gov)

**M. - Sign Regulations.**

In general, the signage for this Overlay District will be in accordance with a conceptual sign plan for this project.

1. Sign area computations: The sign area shall be calculated as the entire area within a single continuous perimeter, and a single plane, composed of a square, circle, rectangle or other geometric figure that enclose the extreme limits of the sign's lettering, including figures and graphics. This calculation would not include the background materials and/or architectural features of the sign band or sign area.
2. Frame and bracing elements: Any supporting frame and bracing members of a sign shall not be included in the sign area calculations provided that (a) there are four or less such members per sign, (b) any member does not exceed sixteen (16) inches in diameter or square, (c) the member has no advertising value, and (d) the member does not form an integral part of the sign display, as determined by the Director of Planning/Zoning Administrator.
3. Computations of sign height: The dimensions, height of the sign and set-back from the nearest curb shall be as shown in the attached Conceptual Sign Plan.
4. Temporary Real Estate Signs are allowed at each road frontage and shall be a maximum of 96 sf. per face of a "V" or double-faced sign.
5. The District permits two multi-tenant pylon Signs on the property and one off-site multi-tenant sign. Sign to be constructed in accordance with the attached Signage Site Plan. The district allows these signs to have a maximum sign area of 400 sf. and architectural area of 500 sf. The maximum height shall be 30 feet.
6. Individual outparcels are permitted one ground sign per outparcel, constructed in accordance with the Signage Site Plan (8'-0" maximum height, with a sign panel/area of 50 sf. and architectural are of 90 sf.).
7. Building signage is permitted in accordance with the Typical Tenant Signage Exhibit.
8. Directional signs are limited to ten (10) sf. or 2 sf. per blade and a maximum sign height of 7'-6" (pole height of 8'-4"). Directional sign locations to be in accordance with the attached Signage Site Plan.
9. Freestanding signs for buildings with two or more tenants and more than 60,000 gross leasable square feet shall have a maximum height of forty (40) feet and shall not be located with ten (10) feet of any public street right-of-way.
10. Directory signs shall be permitted to list commercial uses in the District, according to the following size and placement limitations:
  - a. One (1) directory sign per street entrance shall be permitted, plus an additional one (1) directory sign per parking lot which is non-contiguous with other parking or street entrances.
  - b. The total sign area shall not exceed thirty (30) sq. ft. for a District with less than 60,000 gross leasable sq. ft., forty-five (45) sq. ft. for a District with less than 120,000 gross leasable sq. ft., and sixty (60) sq. ft. for a District with 120,000 or more gross leasable sq. ft.
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## PSC-O, Planned Shopping Center Overlay District - Zoning



Prepared by:  
Planning Division  
7/2/2019

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.





## PSC-O, Planned Shopping Center Overlay District - 2019 Aerial



Prepared by:  
Planning Division  
7/2/2019

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.





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## ***City Planning Commission***

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

**Subject:**

*Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District". The purpose of the amendment is to address permitted uses within the CB-C, and TW-C Districts.*

**Background:**

At the July 8, 2019 Planning Commission meeting, staff suggested that it may be appropriate to consider allowing certain mixed-use developments to be by right within the downtown zoning districts. In response, the Planning Commission requested to formally consider amending the permitted uses within both the CB-C, Central Business Commercial and TW-C, Tobacco Warehouse Commercial Districts. Planning Commission discussed this topic during a work session on August 5, 2019.

Over the past several years, the City has received and approved numerous requests for mixed-use developments in the River District. There have yet to be any known negative impacts from the mixed use developments, even though they each required a Special Use Permit without related conditions. The only conditions for the permits have been to address density and potential impacts from unrequired parking. However, these can be addressed separately. Additionally, the current Ordinance does not permit home occupations within the mixed-use housing.

The *Danville: 2030 Comprehensive Plan* contains neighborhood revitalization objectives specifically related to housing. The related objectives encourage housing policies which promote homeownership among low- and moderate-income households, new housing in and around the River District, adaptive reuse of existing buildings, and high-quality infill housing ("filling in" empty land within developed areas of the city). Zoning information related to housing is attached for reference.

**Recommendation:**

The Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to various sections and subsections of Article 3.K entitled "CB-C, Central Business District" and Article 3.L entitled "TW-C, Tobacco Warehouse District" to address permitted housing in these districts. The proposed draft amendment is attached. It includes allowing mixed-use housing, and home occupations in all downtown housing by right.

**City Planning Commission Options:**

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

**Attachments:**

- A. Draft Amendment
- B. Types of Residential Uses
- C. Downtown Uses



**ARTICLE 3.K: - CB-C, CENTRAL BUSINESS DISTRICT (Central Business Commercial District).**

B. - Permitted Uses.

*9. Home occupations (in detached residential dwellings).*

**ARTICLE 3.L: - TW-C, TOBACCO WAREHOUSE DISTRICT (Tobacco Warehouse Commercial District).**

B. - Permitted Uses.

43. Home occupations.

44. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.

45. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.

C. - Uses Permitted by Special Use Permit.

~~5. Home occupations (in detached residential dwellings).~~ Reserved.

~~6. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.~~ Reserved.

~~9. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.~~ Reserved.

## Chapter 41 – ZONING ORDINANCE

### ARTICLE 15. – DEFINITIONS

#### B. – Definitions.

*Accessory apartment dwelling unit.* A residential apartment which is incidental and subordinate to a single family detached residence for the purpose of accommodating not more than two (2) occupants and as further defined in the Ordinance.

*Attached residential buildings.* A row of two (2) or more dwelling units, separated from one another by continuous vertical wall(s) without opening from basement floor to roof, with each unit located on a separate lot of record. Townhouses are included in this category.

*Caretaker's residence.* A dwelling unit on a non-residential premises, occupied by the person (including their immediate family) who oversees the nonresidential operation 24-hours a day.

*Dwelling.* A building or portion thereof, designed or used exclusively for residential occupancy. The term "dwelling" shall not be construed to mean a boat, trailer, mobile home, motor home, manufactured home, motel, rooming house, hospital or other accommodation used for transient occupancy.

***Dwelling, manufactured home.*** A single family residential structure subject to federal regulation (the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. 5401 et seq.) with all of the following characteristics: (a) built on a permanent chassis; (b) designed to be transported in one or more sections after factory fabrication on detachable wheels or on a flat bed or other trailer; (c) consisting of eight (8) body feet or more in width and forty (40) body feet or more in length in the traveling mode or cover three hundred and twenty (320) or more square feet when erected on site; (d) designed for long-term human occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; (e) ready for occupancy upon the arrival at the intended site except for minor and incidental unpacking and assembly operations; (f) may be placed on either an impermanent or permanent concrete foundation with appropriate connection to utilities, and the like; and (g) designed for removal to and installation or erection on other sites. A manufactured home may include one (1) or more units, separately towable, which when joined together shall have the characteristics as described above. For the purpose of this ordinance, a manufactured home shall not be deemed a Single family detached dwelling.

*Dwelling, mobile home.* See Dwelling, manufactured home.



*Dwelling, modular unit.* A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure that will be a finished building placed in a fixed location on a permanent foundation (ie. conventional basement or crawl space foundation) incorporating a system of supports, including piers. The term is intended to apply to major assemblies, and does not include prefabricated panels, trusses, plumbing trees and other prefabricated sub-elements incorporated into a structure at the site. For the purpose of this ordinance, a modular unit shall be deemed a Single family dwelling and shall not be deemed a Manufactured home.

*Dwelling, multiple family.* A dwelling unit within a residential building containing three (3) or more separate dwelling units located on a single lot or parcel of ground. A multiple family dwelling, commonly known as an apartment building, generally has a common outside entrance(s) for all the dwelling units, and the units are generally designed to occupy a single floor one above another. For the purpose of this ordinance, a multiple family dwelling shall not be construed to mean a Single family attached dwelling as defined herein.

***Dwelling, single family.*** A residential building containing only one (1) Dwelling Unit and not occupied by more than one (1) family.

*Dwelling, single family attached.* A group of two (2) or more single family dwelling units which are generally joined to one another by a common party wall, a common floor/ceiling and/or connecting permanent structures such as breezeways, carports, garages or screening fences or walls, whether or not such a group is located on a single parcel of ground or on adjoining individual lots. Each unit on a lot shall have its own outside entrance(s); architectural facades or treatment of materials shall be varied from one unit to another; and no more than two (2) abutting units in a row shall have the same rear and front setbacks, with a minimum setback offset being two and one half (2 1/2) feet unless otherwise approved by the Director of Planning/Zoning Administrator. For the purpose of this ordinance, dwellings such as a semidetached, garden court dwelling, patio house, zero lot line dwelling, City house, duplex and two-family dwelling shall be deemed a single family attached dwelling.

*Dwelling, single family detached.* A single family dwelling unit which is entirely surrounded by open space or yards on the same lot. Such dwelling unit may include rental space for occupancy by not more than two (2) persons unrelated to the resident family, provided that such rental space does not include separate kitchen facilities or a separate entrance for the exclusive use of the renters.

*Dwelling, townhouse.* An attached residence located on an individually platted lot, in which each dwelling unit shares a common wall (including without limitation the wall of an attached garage or porch) with at least one (1) other dwelling unit, and in which each dwelling unit has living space on the ground floor and a separate, ground floor entrance.

*Dwelling unit.* One (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used or intended for use as a complete, independent living facility for one (1) family, and which include permanent provisions for living, sleeping, eating, cooking and sanitation.

## **Chapter 41 – ZONING ORDINANCE**

### **ARTICLE 3.K: - CB-C, CENTRAL BUSINESS DISTRICT (Central Business Commercial District).**

#### **A. - Purpose and Intent.**

The CB-C, Central Business District is established to promote harmonious new development, redevelopment and rehabilitation of uses in and around the established downtown commercial areas of Danville. The regulations of the CB-C are intended to promulgate the goals of the Comprehensive Plan for thoughtful revitalization and historic preservation while encouraging a balanced mix of uses in Danville's central business area.

Urban design priorities within the CB-C District are to be placed on: (1) encouraging continued use and revitalization of single family residences within the district, (2) providing opportunities for selected businesses consistent with downtown market objectives, (3) reinforcing pedestrian circulation patterns, (4) minimizing vehicular/pedestrian access conflicts among downtown land uses, (5) enhancing the character of the downtown streetscape, (6) maintaining strong continuity with the City's historic architectural precedents, and (7) providing flexibility in the application of harmonious geometric standards and related zoning regulations for site development.

No off-street parking is required for downtown business uses within the CB-C District which do not exceed 20,000 square feet in gross floor area or a floor area ratio (FAR) of 3.0. Centralized and coordinated public parking within the central business district is encouraged to serve local business and tourism uses, while off-street parking is recommended on institutional, residential properties and large commercial properties. High density residential development and mixed-used development is encourage to establish residences convenient to places of shopping and work. Outdoor storage is tightly governed to promote an attractive and stable urban environment.

Minimum site improvements for uses within the CB-C District shall include adequate sidewalk improvements, coordination with City streetscape and infrastructure improvements, public water and sewer service, storm drainage, attractive signage, and landscaping and urban design features.

#### **B. - Permitted Uses.**

Permitted uses shall be those in the following categories which do not exceed 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0:

1. Banks and financial institutions (without drive-thru facilities).
2. Bed and breakfast, inn, or tourist home (as defined).
3. Business service and office supply establishments.
4. Call center.
5. Churches and places of worship.
6. Day-care facilities (adult or child).
7. Data storage and data processing center.
8. Health club, spa and fitness center.



9. Home occupations (in detached residential dwellings).
10. Hospitals and health care facilities with inpatient services.
11. Hotels and motels.
12. Microbrewery or micro-winery.
13. Movie theaters.
14. Museum and art gallery.
15. Offices (general and professional).
16. Patio dining.
17. Parking garages and parking lots (private or public, as a principal use).
18. Personal service establishments.
19. Public uses.
20. Radio and television station (exclusive of towers and antennae).
21. Repair service establishments, provided that any given repair service does not employ more than ten (10) persons on the premises during a single shift and that all repair services are performed indoors. No outdoor use, storage or display is permitted.
22. Residential dwellings, as an ancillary use in structures with commercial uses on the first floor, and subject to Additional Regulations pertaining to this district.
23. Restaurants.
24. Retail sales establishments (exclusive of automobile dealerships and sales establishments, lumber and millwork retail sales and storage yards, and other uses which require outdoor storage of retail goods).
25. Single family, duplex and two-family residential dwellings, as a principal use, subject to the OT-R District regulations.
26. Studios for artist, designer, writer, photographer, sculptor or musician.
27. Temporary retail uses.
28. Bicycle shop.
29. Distillery.

C. - Uses Permitted by Special Use Permit.

The conversion of any residential structure for a non-residential use as the principal use of the building shall be subject to special use permit approval, even if the converted use in question is one of the permitted uses listed above.

1. Any by-right use for which the establishment's storage or display is conducted outside of an enclosed building.
2. Any individual use otherwise permitted hereinabove as a by-right use in the CB-C District, but which exceeds 20,000 square feet in lot coverage or a floor area ratio (FAR) of 3.0, or any of the following uses:
3. Any use incorporating drive-thru facilities.
4. Bus and railroad terminals.
5. Commercial recreation establishments (limited to indoor uses).
6. Convenience stores (with or without gasoline services).
7. Farmers' markets.
8. Fast food restaurant.
9. Laundromats/Dry cleaners.

10. Multifamily and attached residential dwellings, as a principal use, subject the residential density regulations of the CB-C District and, otherwise, to MF-R and A-R District regulations.
11. Private clubs and lodges.
12. Private post office and delivery services.
13. Public utilities.
14. Repair service establishments, for any given repair service which employs more than ten (10) persons on the premises in a single shift and that all repair services are performed indoors.
15. Schools, colleges and universities (public and private).
16. Seasonal retail uses.
17. Uses permitted by right or by special use permit with lot frontage on the Dan River.
18. Visitor centers and public restroom facilities.
19. Waiver of maximum floor area ratio.
20. Waiver of minimum yard requirements.
21. Waiver of maximum density for elderly housing.
22. Kennels, commercial.
23. Pet clinics.
24. Veterinary clinics.
25. Homeless shelter.
26. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance standards with screened outdoor storage permitted, limited to 50% of the area of building coverage (excepting those uses which are specifically prohibited by this article or which require a special use permit.)
27. Funeral home.
28. Accessory building or accessory use without a primary building being located on the parcel.
29. Car washes.



**ARTICLE 3.L: - TW-C, TOBACCO WAREHOUSE DISTRICT (Tobacco Warehouse Commercial District).****A. - Purpose and Intent.**

The TW-C, Tobacco Warehouse District is established to promote revitalization, redevelopment and adaptive reuse of existing uses and harmonious new development in the City's historic tobacco warehouse business area. The regulations of the TW-C are intended to promulgate the goals of the Comprehensive Plan for historic preservation of old buildings and architectural compatibility of new structures while encouraging a creative mix of uses in this important section of Danville.

Urban design priorities within the TW-C District are to be placed on: (1) encouraging continued use and revitalization of existing warehouses, (2) providing opportunities for selected businesses consistent with the Plan's objectives for the tobacco warehouse district, (3) reinforcing pedestrian improvements within the district, (4) enhancing the character of the district's streetscape, (5) maintaining strong continuity with the district's historic architectural precedents, and (6) providing broad flexibility in the application of zoning regulations for site development and redevelopment.

No off-street parking is required for individual non-residential uses within the TW-C District which do not exceed 20,000 square feet in gross floor area or a floor area ratio (FAR) of 3.0. Off-street parking is recommended for tourism, institutional, residential properties and large employment generating properties. Outdoor storage is tightly governed to promote an attractive and stable urban environment. Minimum site improvements for uses within the TW-C District shall include adequate sidewalk improvements, coordination with City streetscape and infrastructure improvements, public water and sewer service, storm drainage, attractive signage, and landscaping and urban design features.

**B. - Permitted Uses.**

1. Banks and financial institutions (without drive-thru facilities).
2. Bed and breakfast, inn, or tourist home.
3. Business service and office supply establishments (with no outdoor storage or display).
4. Call center.
5. Churches and places of worship.
6. Commercial recreation establishments (indoor and outdoor uses).
7. Convenience stores (with or without gasoline services).
8. Data storage and data processing center.
9. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance and with no outdoor storage (excepting those uses which are specifically prohibited by this article or which require a special use permit).
10. Establishments for scientific research (except biological and chemical), development and training.

11. Farmers markets and temporary stands for sale of produce and seasonal merchandise.
12. Fast food restaurants (without drive-thru facility).
13. Gasoline sales establishments (with no repair services and no outdoor vehicle storage).
14. Hospitals and health care facilities with inpatient services.
15. Hotels and motels.
16. Health club, spa and fitness center.
17. Light warehousing establishments (with screened outdoor storage permitted, limited to 50% of the area of building coverage).
18. Light wholesale trade and sales establishments (with screened outdoor storage permitted and limited to 50% of the area of building coverage).
19. Microbrewery or micro-winery.
20. Mini-storage warehouse, with no exterior storage.
21. Museum and art gallery.
22. Movie theaters.
23. Multifamily and attached residential dwellings, as a principal use, subject to the residential density regulations of the TW-C District and, otherwise, to MF-R and A-R District regulations.
24. Offices (general and professional).
25. Patio dining.
26. Parking garages and parking lots (private or public, as a principal use).
27. Personal service establishments.
28. Private post offices and delivery service establishments.
29. Public uses.
30. Public utilities and facilities.
31. Radio and television station (exclusive of towers and antennae).
32. Residential structure conversions for any non-residential use (as the principal use of the building).
33. Restaurants.
34. Retail sales establishments (exclusive of (a) automobile dealerships and sales establishments, (b) lumber and millwork retail sales and storage yards, and (c) retail uses which require outdoor storage or display).
35. Studios for artist, designer, writer, photographer, sculptor or musician.
36. School, college and university (public or private).
37. Temporary retail uses.
38. Veterinary hospitals (with no outdoor kennel facilities).
39. Visitor centers and public restroom facilities.
40. Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).
41. Bicycle shop.
42. Distillery.

C. - Uses Permitted by Special Use Permit.

1. Any use permitted by-right or special use permit for which the establishment's storage or display is conducted outside of an enclosed building.
2. Any use incorporating drive-thru facilities.



3. Artisan/craftsman manufacturing employing not more than 5 people.
4. Establishments for production, processing, fabrication, assembly, manufacturing, compounding, cleaning, servicing, storage, testing, repair and distribution of materials, goods or products which conform to federal, state and local environmental performance standards, with screened outdoor storage permitted, limited to 50% of the area of building coverage (excepting those uses which are specifically prohibited by this article or which require a special use permit).
5. Home occupations (in detached residential dwellings).
6. Live/work units, provided that the area devoted to production and retail use(s) within the unit accounts for no more than 15% of the total floor area under roof.
7. Microbrewery.
8. Private clubs and lodges.
9. Residential dwellings, as an ancillary use in structures with non-residential uses on the first floor, and subject to Additional Regulations pertaining to this district.
10. Seasonal retail uses.
11. Uses permitted by right or by special use permit with lot frontage on the Dan River.
12. Waiver of maximum floor area ratio.
13. Waiver of maximum density.
14. Accessory building or accessory use without a primary building being located on the parcel.



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

## ***City Planning Commission***

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

**Subject:**

*Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more various sections and subsections of Article 3.D entitled "NT-R, Neo-Traditional Residential District". The purpose of the amendment is to address permitted uses within the NT-R District.*

*and*

*Rezoning application PLRZ20190000274, filed by Danville Redevelopment and Housing Authority requesting to rezone from OT-R Old Town Residential to NT-R Neo-Traditional Residential District Parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.*

*and*

*Special Use Permit application PLSUP20190000276, filed by Danville Redevelopment and Housing Authority requesting a Special Use Permit for Manufactured Home Dwellings in accordance with Chapter 41, Article 3.D, Section C, Item 18 the Code of the City of Danville, Virginia 1986 as amended at parcels on Franklin St., Beauregard St., and Lee St., otherwise known as Grid 2718, Block 019, Parcels 000001 through 000005, 000007, 000015 and 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing a planned residential development involving manufactured housing.*

**Background:**

The Danville Redevelopment and Housing Authority (DRHA) is proposing to implement a manufactured housing pilot project. This project involves eight (8) total vacant parcels on Franklin St., Beauregard St., and Lee St. This project is intended to test the viability of manufactured housing to provide affordable housing when constructed to modern standards and converted to real property. Planning Commission discussed this request at a work session on August 5.



A similar request was considered at the Planning Commission's June 2019 meeting for twenty-one (21) vacant parcels on Shelton St., Cabell St., and Monument St. After the request received public opposition and was tabled, DRHA withdrew that original request. DRHA has now submitted a new request to implement the demonstration project on separately selected parcels. Only two of the new parcels are located in the Monument-Berryman Redevelopment Area.

To develop the project, DRHA has submitted three (3) separate zoning requests. The requests are as follows:

- 1) Code Amendment to allow for manufactured housing in the NT-R, Neo-Traditional District (presented separately).
- 2) Rezone eight (8) parcels from OT-R, Old Town Residential District to NT-R, Neo-Traditional Residential District.
- 3) Special Use Permit to permit manufactured housing on the rezoned parcels.

In considering these requests, the Planning Commission should consider the following factors:

**1) Danville 2030 Comprehensive Plan:**

The *Comprehensive Plan* designates the selected parcels as mixed-use, and categorizes the NT-R District as an appropriate Zoning District. The *Plan* also encourages new housing to be located near the River District.

The *Monument-Berryman Redevelopment Plan* (an amendment to the *Comprehensive Plan*) provides more specificity for "mixed-use" within the Monument-Berryman Redevelopment Area. In this case, the affected parcels within the Redevelopment Area are specifically recommended for single-family housing. The *Redevelopment Plan* suggests that nearby mixed-use property to the north primarily consist of commercial uses, which would then support nearby residential uses.

**2) Surrounding Land:**

To the north and west, most nearby land is located in the OT-R District, and is part of the Monument-Berryman area. Although zoned for residential use, the vast majority of the immediately surrounding properties are now vacant or contain unused structures.

The River District is located to the east and north of these properties, including dense mixed-use, residential, and commercial properties. On July 2, 2019, City Council approved a rezoning of two of these nearby properties from OT-R to TW-C, Tobacco Warehouse Commercial District.

Thirty-four (34) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.



**Recommendation (Code Amendment):**

Planning staff recommend the City Planning Commission recommend approval of an amendment of the Zoning Ordinance to Article 3.D entitled "NT-R, Neo-Traditional Residential District", Section C entitled "Uses Permitted with Special Use Permit", by adding Item 18 for "Residential manufactured home dwellings". Staff also recommend amending Section E entitled "Lot Area and Size Requirements", Item 1 to lower the minimum district size to one-and-a-half (1.5) acres. The amendment will read as follows:

*Article 3.D: - NT-R, NEO-TRADITIONAL RESIDENTIAL DISTRICT*

*C. – Uses Permitted with Special Use Permit.*

*18. Residential manufactured home dwellings*

*E. – Lot Area and Size Requirements.*

*1. Minimum district size: ~~Five (5)~~ One-and-a-half (1.5) acres*

**City Planning Commission Options (Code Amendment):**

1. Recommend approval of the requested code amendment
2. Recommend approval of the requested code amendment with modifications by City Planning Commission
3. Recommend denial of the requested code amendment
4. Table the requested code amendment

**Recommendation (Rezoning):**

The Planning staff recommends the Planning Commission recommend approval of Rezoning application PLRZ20190000274 to rezone the selected eight (8) parcels from the OT-R, Old Town Residential to NT-R, Neo-Traditional Residential District.

If approved, the rezoning would permit a planned residential development on the selected parcels on the edge of the Monument-Berryman Redevelopment Area. Any new housing would be within walking distance of the River District.

**City Planning Commission Options (Rezoning):**

1. Recommend approval of Rezoning application PLRZ20190000274 as submitted.
2. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by staff.
3. Recommend approval of Rezoning application PLRZ20190000274 subject to conditions by the Planning Commission.
4. Recommend denial of Rezoning application PLRZ20190000274 as submitted.
5. Tabling of Rezoning application PLRZ20190000274 by Planning Commission.



### **Recommendation (Special Use Permit):**

The Planning staff recommends the City Planning Commission recommend approval of Special Use Permit application PLSUP20190000276, subject to the following conditions:

1. The manufactured homes shall be converted into real property, according to Virginia Code 46.2-653.1. This conversion shall occur with each home within one (1) year of its individual installation; and
2. Upon conversion, each home shall be defined as single-family residential dwellings, for zoning purposes.

The Special Use Permit would allow DRHA to implement a manufactured housing demonstration project at this location. The Special Use Permit is required to allow for manufactured homes to temporarily be at this location. The conditions require the homes to be converted into single-family residential homes, which are otherwise permitted within this district. If implemented, the project would provide quality affordable housing for low- and moderate-income homeowners.

### **City Planning Commission Options (Special Use Permit):**

6. Recommend approval of Special Use Permit application PLSUP20190000276 as submitted.
7. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by staff.
8. Recommend approval of Special Use Permit application PLSUP20190000276 subject to conditions by the Planning Commission.
9. Recommend denial of Special Use Permit application PLSUP20190000276 as submitted.
10. Tabling of Special Use Permit application PLSUP20190000276 by Planning Commission.

### **Attachments:**

- A. Application
- B. Property Ownership/Zoning Map
- C. Data Sheet
- D. Future Land Use Map
- E. Monument-Berryman Development Area Map
- F. Monument-Berryman Development Land Use Map
- G. Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

REZONING APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the rezoning as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER: PLR 220180000274  
PLSUP 2019 0000276 EXISTING ZONING: OT-R, Old Town Res  
PROPOSED ZONING: NT-R, Neo-Traditional Res TAX MAP NUMBER: See attached  
RECEIVED BY: Dyke Johnson DATE FILED: July 11, 2019  
PLANNING COMMISSION DATE: Aug 12, 2019 CITY COUNCIL DATE: Sept. 3

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). Map and parcel number list attached

Gross Area/Net Area: \_\_\_\_\_ Property Address: \_\_\_\_\_

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

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

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

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

1. NAME: DANVILLE REDEVELOPMENT & HOUSING AUTHORITY TELEPHONE: 434-799-8380

MAILING ADDRESS: P. O. BOX 1476, DANVILLE, VA 24543-1476

SIGNATURE: Gary M. Wasson DATE: July 11, 2019

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

EMAIL ADDRESS: gwasson@drhava.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: \_\_\_\_\_



## **EXPLANATION OF REQUEST:**

### **1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:**

Please provide ten (10) sets, blue or black line copies, of a final 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:

### **2. ALTERATION OF ZONING BOUNDARIES:**

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

### **3. RESIDENTIAL REZONING:**

Please provide a brief description of the request:

It is requested that the properties identified on the list provided and on the attached map be allowed to place manufactured homes that will then follow Virginia code 46.2-653.1 regarding conversion to real property.

LIST OF PARCEL NUMBERS INCLUDED IN  
REZONING APPLICATION

FRANKLIN STREET :

22803

26462

BEAUREGARD STREET:

24669

23663

23666

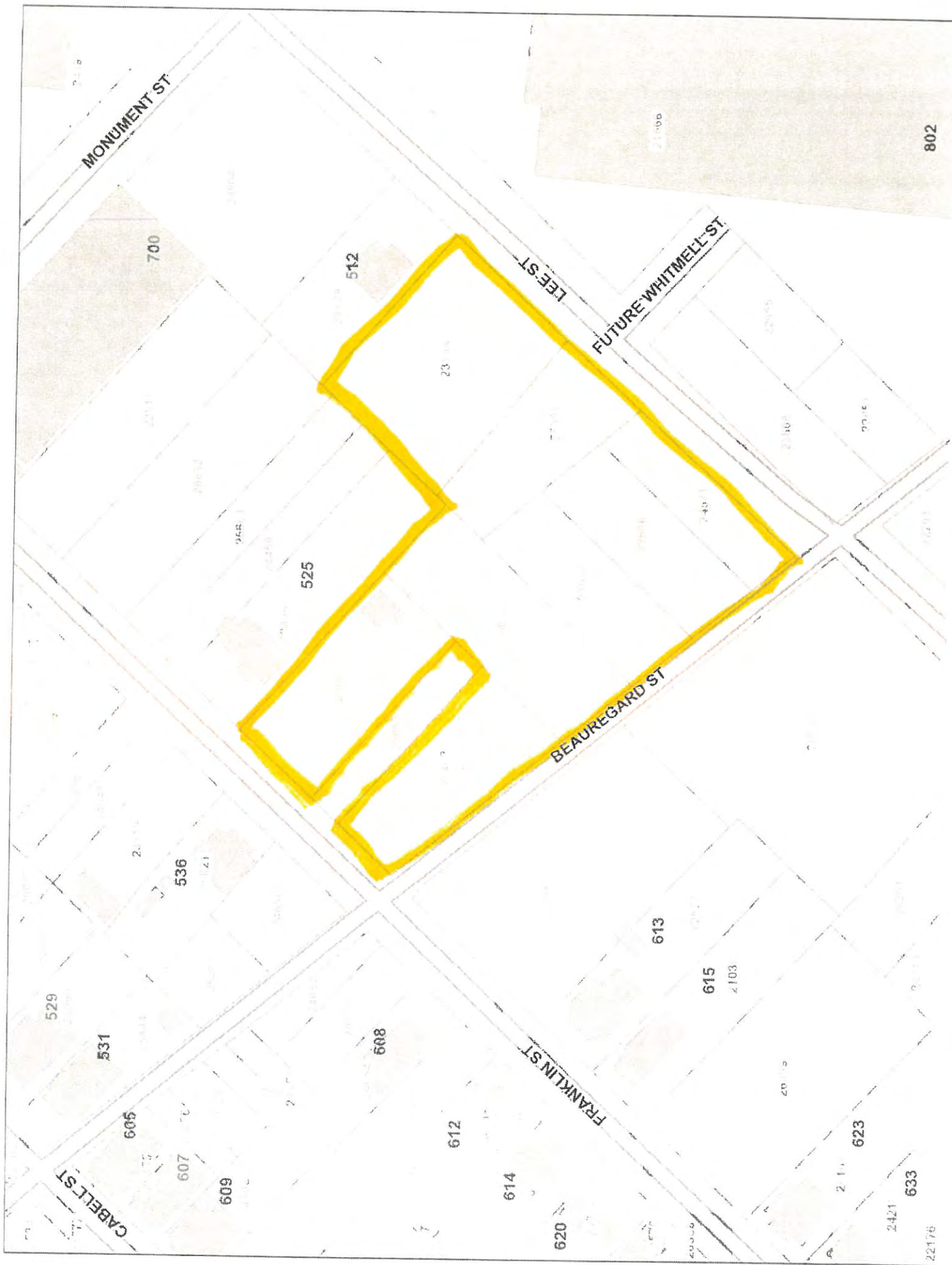
LEE STREET:

24571

26301

23154





## CHOICEHome<sup>SM</sup> High-Quality HUD-Code Home

CHOICEHome<sup>SM</sup> – the next generation of factory-built housing – needs smart, flexible financing options. At Freddie Mac, we're doing just that. We're offering a full range of loan products, including single close construction conversion, Home Possible<sup>®</sup>, HomeOne<sup>SM</sup> and HFA Advantage<sup>®</sup>.

Plus, a CHOICEHome can be appraised using all site-built comparables where no CHOICEHome comparables are available!

### Required CHOICEHome Features

All the quality and features borrowers want, but at a lower cost.



**ROOF PITCH**  
Minimum 5/12 roof pitch



**GARAGE**  
Attached or detached garage /carport (generally conforming and acceptable in the market area)



**ENERGY EFFICIENCY**  
Built to exceed current HUD energy efficiency requirements for the geographic property. The home must also have:

- Minimum insulation values of 39(ceiling) 11(wall) and 22(floor)
- Energy Star-qualified Low-E windows
- A programmable thermostat



**HOME ATTRIBUTES**  
Multisection home with a minimum of 1,200 square feet gross living area.



**HOME INTERIOR**  
• Drywall throughout (interior walls/ceilings, including closets)



**FOUNDATION**  
Permanent foundation must include the presence of a masonry perimeter or perimeter blocking.

### Freddie Mac flexible financing options

Smart financing options and enhanced loan origination the industry wants and needs.

#### Freddie Mac Home Possible<sup>®</sup> Mortgage

Home Possible helps you put more qualified customers on the path to successful homeownership. It's perfect for first-time homebuyers, millennials and other underserved consumers.

- No minimum contribution from borrower personal funds.
- Gifts from related persons and other sources of funds permitted for down payment and closing costs.
- 97% LTV limit.
- No reserves required, lowering cash needed to close.
- Flexible homebuyer education requirement.

#### Freddie Mac HomeOne<sup>SM</sup> Mortgage

With more flexibility for maximum financing, HomeOne provides expanded opportunity and greater certainty to help lenders bring more borrowers to the closing table.

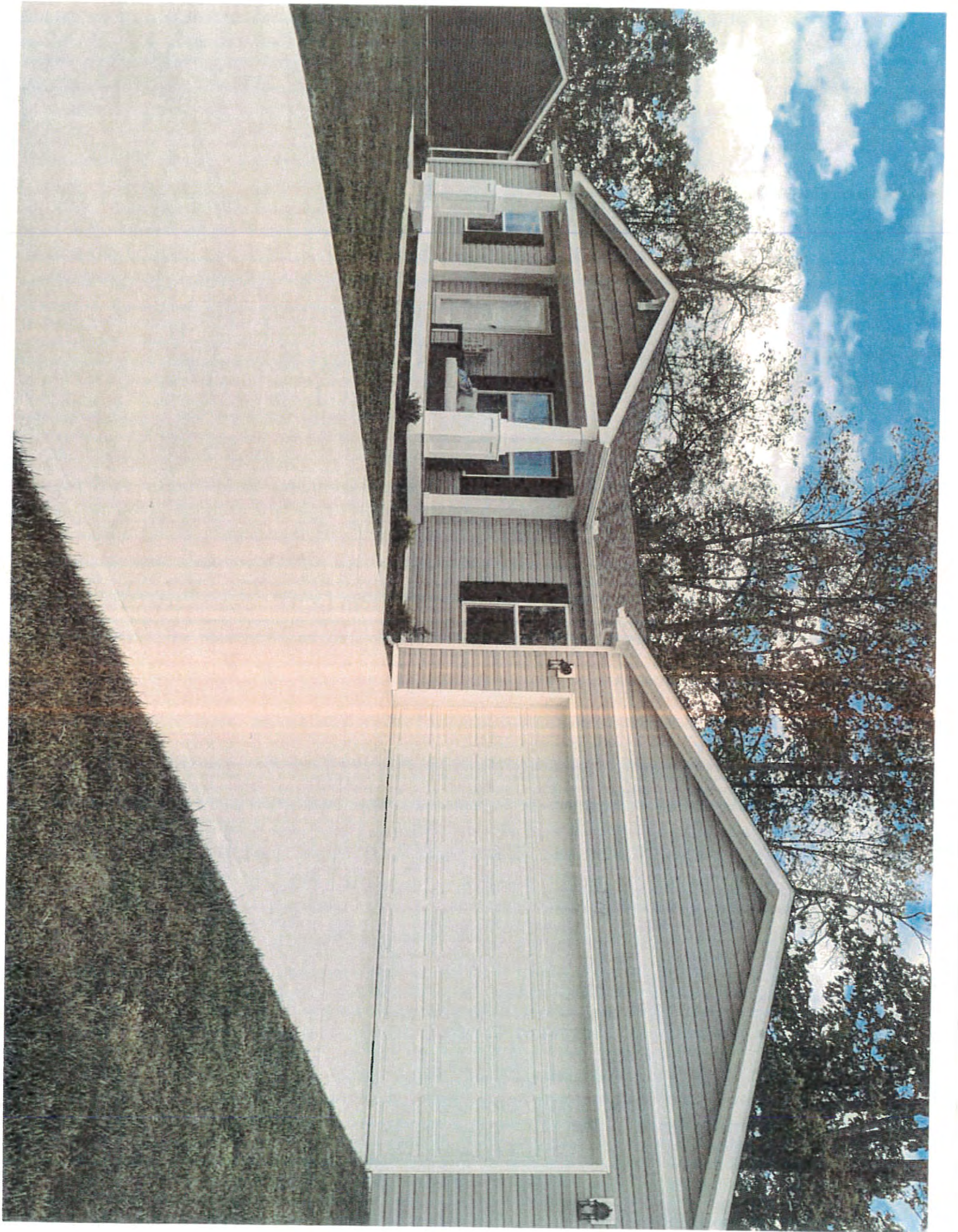
- 3 percent minimum down payment for first-time homebuyers
- More flexibility for financing
- Homebuyer education requirements support informed, responsible and sustainable homeownership

With CHOICEHome, you get all the quality, features and flexible financing options the industry wants and needs.

















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



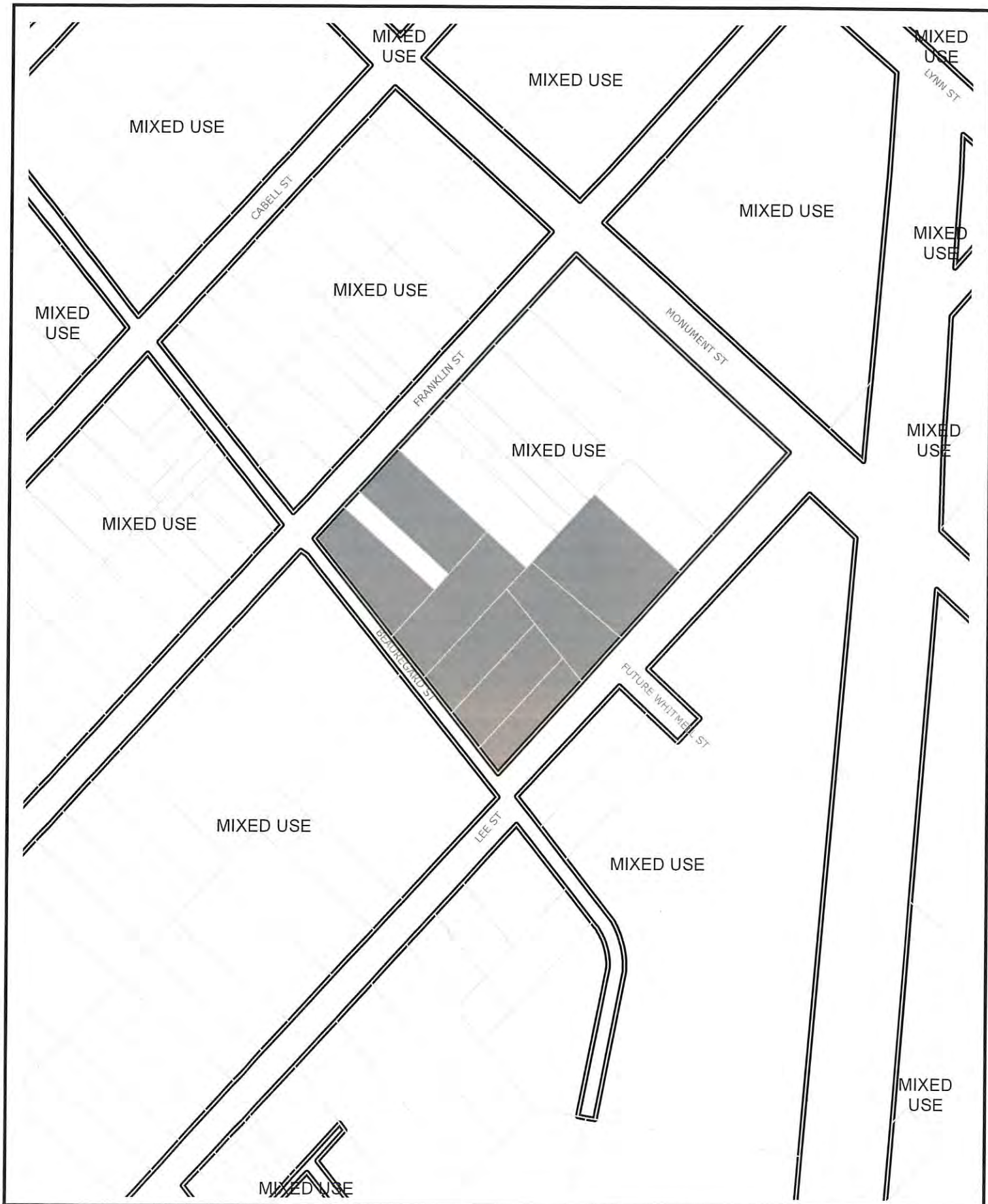
Prepared by:  
Planning Division  
7/15/2019

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.



**REZONING AND SPECIAL USE PERMIT REQUESTS**  
**DATA SHEET**

|                                     |                                                                                                                |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>PUBLIC HEARING DATES:</b>        | Planning Commission at 3pm on August 12, 2019<br>City Council (tentative) at 7pm on September 3, 2019          |
| <b>LOCATION OF PROPERTY:</b>        | 8 properties on Franklin St., Beauregard St., and Lee St.                                                      |
| <b>PRESENT ZONE:</b>                | OT-R, Old Town Residential                                                                                     |
| <b>PROPOSED ZONE:</b>               | NT-R, Neo-Traditional Residential                                                                              |
| <b>ACTION REQUESTED:</b>            | Rezone from OT-R to NT-R, and Special Use Permit for manufactured housing (will be converted to real property) |
| <b>PRESENT USE OF PROPERTY:</b>     | Vacant                                                                                                         |
| <b>PROPOSED USE OF PROPERTY:</b>    | Manufactured housing demonstration project                                                                     |
| <b>FUTURE LAND USE DESIGNATION:</b> | Mixed-use (mix of both residential and commercial)                                                             |
| <b>PROPERTY OWNER (S):</b>          | Danville Regional Housing and Development Authority (DRHA)                                                     |
| <b>NAME OF APPLICANT (S):</b>       | Danville Regional Housing and Development Authority (DRHA)                                                     |
| <b>PROPERTY BORDERED BY:</b>        | Residential on all sides; Mixed-use and public use to the northwest and northeast                              |
| <b>ACREAGE:</b>                     | Total: 1.77 acres (77,101 sq. ft.)<br>Average: 0.22 acres (9,638 sq. ft.)                                      |
| <b>CHARACTER OF VICINITY:</b>       | Residential with some mixed-use                                                                                |
| <b>INGRESS AND EGRESS:</b>          | Franklin St., Beauregard St., and Lee St.                                                                      |
| <b>TRAFFIC VOLUME:</b>              | Low                                                                                                            |



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

Prepared by:  
Planning Division  
7/15/2019

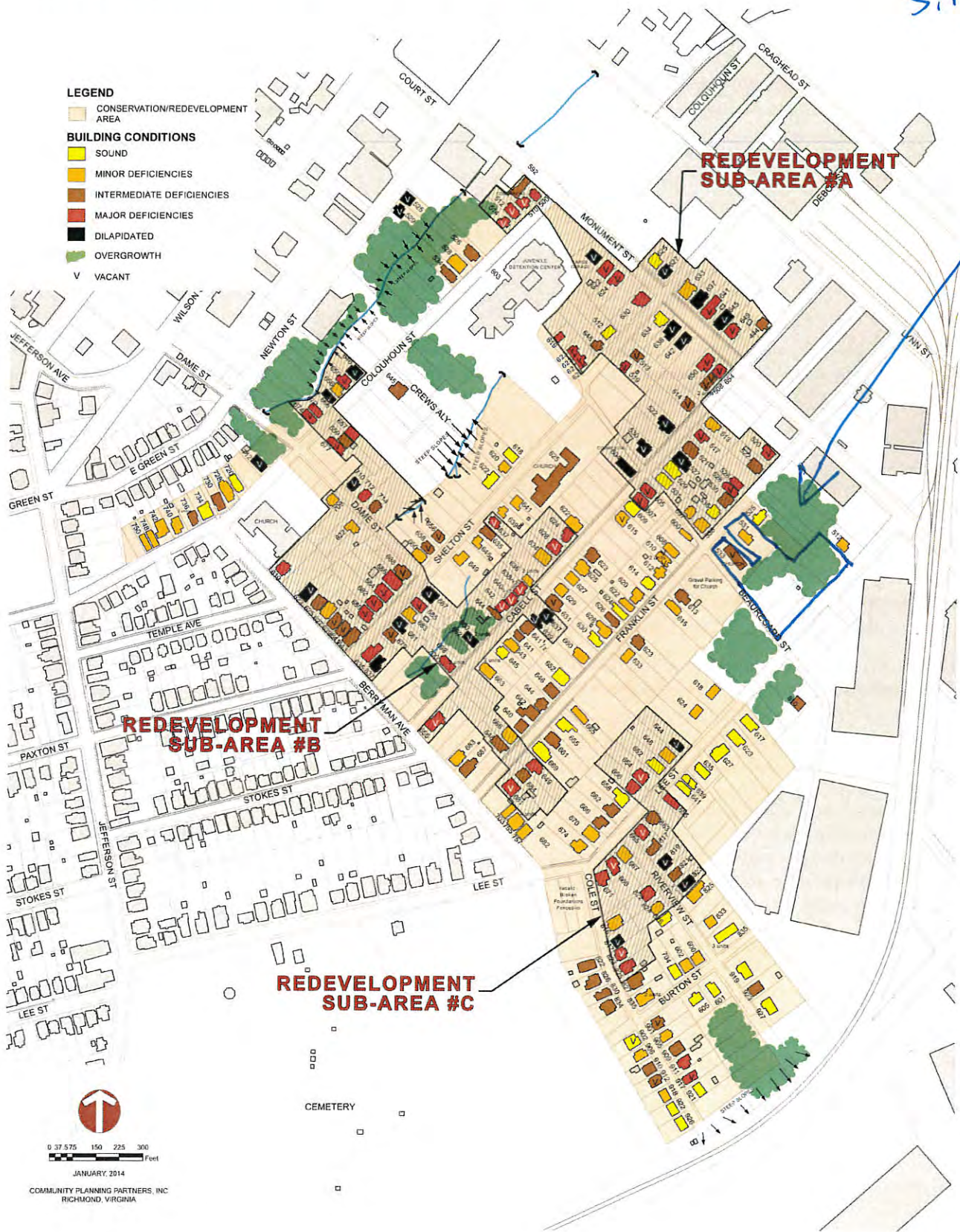
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# CONSERVATION/REDEVELOPMENT AREAS WITH BUILDING/SITE CONDITIONS

MONUMENT-BERRYMAN CONSERVATION AND REDEVELOPMENT AREA  
CITY OF DANVILLE, VIRGINIA

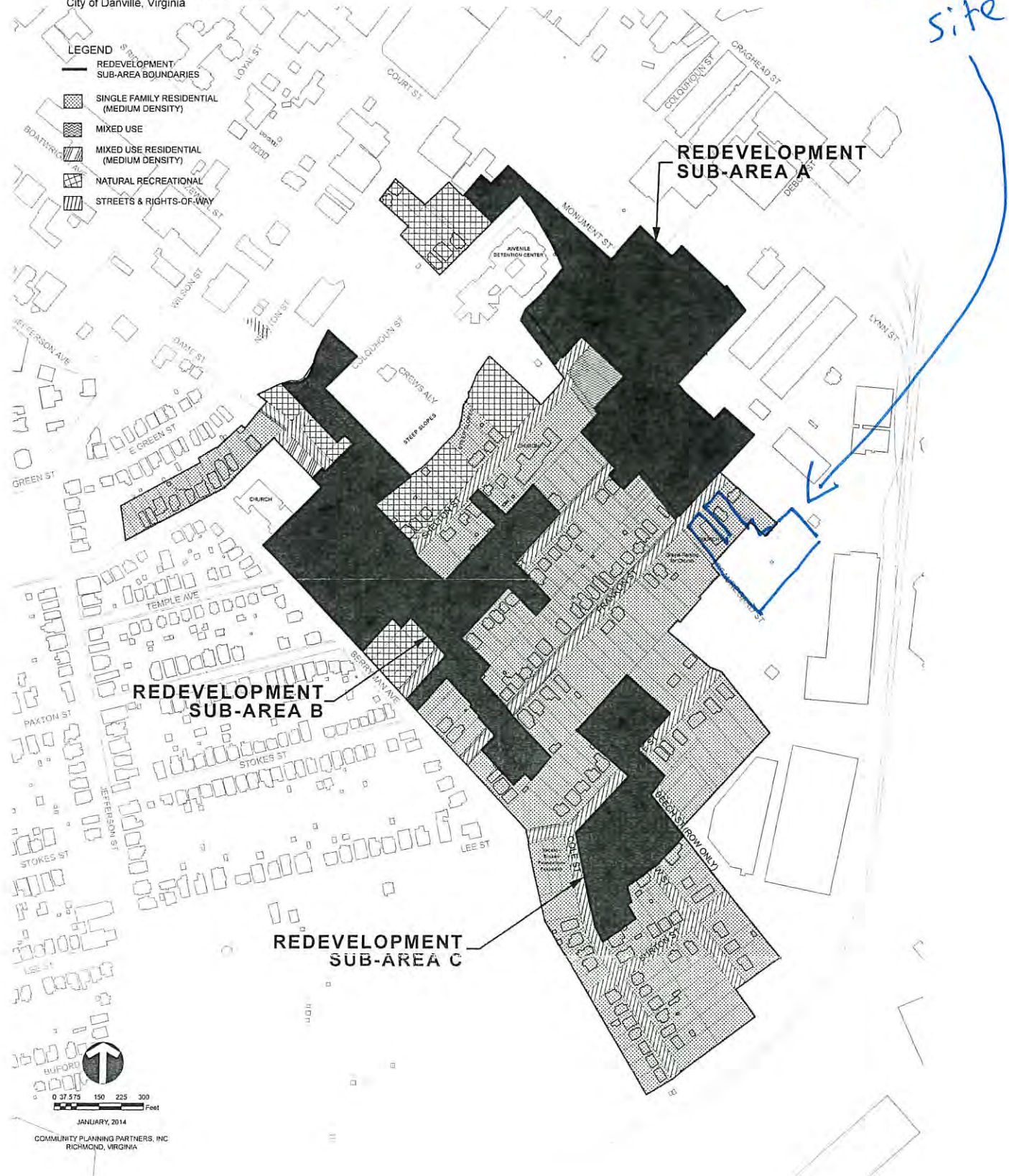
Current  
site





**PROPOSED LAND USE MAP CRP-6**  
**AREAS NOT IN REDEVELOPMENT SUB-AREAS**  
**MONUMENT-BERRYMAN CONSERVATION**  
**AND REDEVELOPMENT AREA**  
 City of Danville, Virginia

*Current site*







## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:  
Planning Division  
7/15/2019

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 August 12, 2019

**Subject:**

*Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to expand an existing building to provide additional storage for a tire retail store.*

**Background:**

Apple Tire Inc., the applicant, is proposing to expand the side and rear of an existing building to provide additional storage space at 2264 N Main St. However, the proposed expansion encroaches into the required yard setbacks. This property is located in the HR-C, Highway Retail Commercial District, in which a Special Use Permit may be used to waive or reduce the required yard setbacks. For this district, these setbacks require a building be at least thirty (30) ft. from the front property line, and twenty (20) ft. from the side and rear property lines.

The building is currently approximately nineteen (19) ft. from the northern side property line, and fifteen (15) ft. from the western rear property line. This is considered legal nonconforming ("grandfathered"). The applicant wishes to expand the building to be approximately eight (8) ft. from the northern and western property lines.

Staff's main concern is maintaining some minimal distance between any structures and the property line. Completely waiving the yard requirement would allow development practically on top of neighboring property. Generally speaking, ten (10) ft. of separation between separate structures is encouraged. The applicant's proposed eight (8) ft. setback helps address this concern.

There is also a concern about loss of parking space. For a retail store this size (approx. 2,561 sq. ft. after expansion) is required to have eleven (11) parking spaces. These spaces are not clearly marked at this time. Space is available for the required parking.

Nineteen (19) notifications were sent to surrounding property owners within 300 feet of the subject property. A full report will be presented to Planning Commission on August 12, 2019.



**Recommendation:**

The Planning staff recommends the City Planning Commission recommend approval Special Use Permit application PLSUP20190000277, filed by Apple Tire Inc. on behalf of Pamela G. Burnett, requesting a Special Use Permit for a waiver of yard requirements in accordance with Chapter 41, Article 3.M, Section C, Item 21 of the Code of the City of Danville, Virginia 1986 as amended at 2264 N Main St., otherwise known as Grid 2810, Block 002, Parcel 000016 of the City of Danville, Virginia Zoning District Map, subject to the following conditions:

1. The required front yard setback shall remain unchanged; and
2. The required side and rear yard setback shall be five (5) ft.; and
3. Either a land survey or similar land record shall be used to ensure that any building additions or development does not encroach on neighboring property; and
4. The yard setback waiver shall only apply to the existing building and additions to that building; and
5. The off-street parking shall be clearly marked to supply sufficient parking for the on-site business.

The Special Use Permit would allow the proposed expansion of the building. The conditions prevent encroachment on neighboring property, and address potential parking concerns.

**City Planning Commission Options:**

1. Recommend approval of Special Use Permit application PLSUP20190000277 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000277 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000277 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000277 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000277 by Planning Commission.

**Attachments:**

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

Waiver of yard requirements

CASE NUMBER: PLSUP20190000177

EXISTING ZONING: HR-C, Highway Retail Commercial

PROPOSED ZONING: NO change

TAX MAP NUMBER: PID: 55432

RECEIVED BY: Bryce Johnson

DATE FILED: July 15, 2019

PLANNING COMMISSION DATE: Aug 12

CITY COUNCIL DATE: Sept. 3

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

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

Gross Area/Net Area: 0.29 ACRE Property Address: 2264 N. MAIN ST.

Property Location: N S E W Side of: NORTH MAIN ST

Between: OLD Dutch Park and NORTH MAIN Amoco Station

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:

Existing building is 1361 SF.  
I AM ASKING for a waiver of yard setback to 8 FT on side and  
REAR to add on a storage building for tires.

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

1. NAME: PAMELA G. BURNETT TELEPHONE: 434-251-3440  
MAILING ADDRESS: 2164 PLEASANT GAP DR. DRY FORK, VA. 24549  
SIGNATURE: Pamela M. Burnett DATE: 7-15-19  
SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
EMAIL ADDRESS: burnett7171@yahoo.com

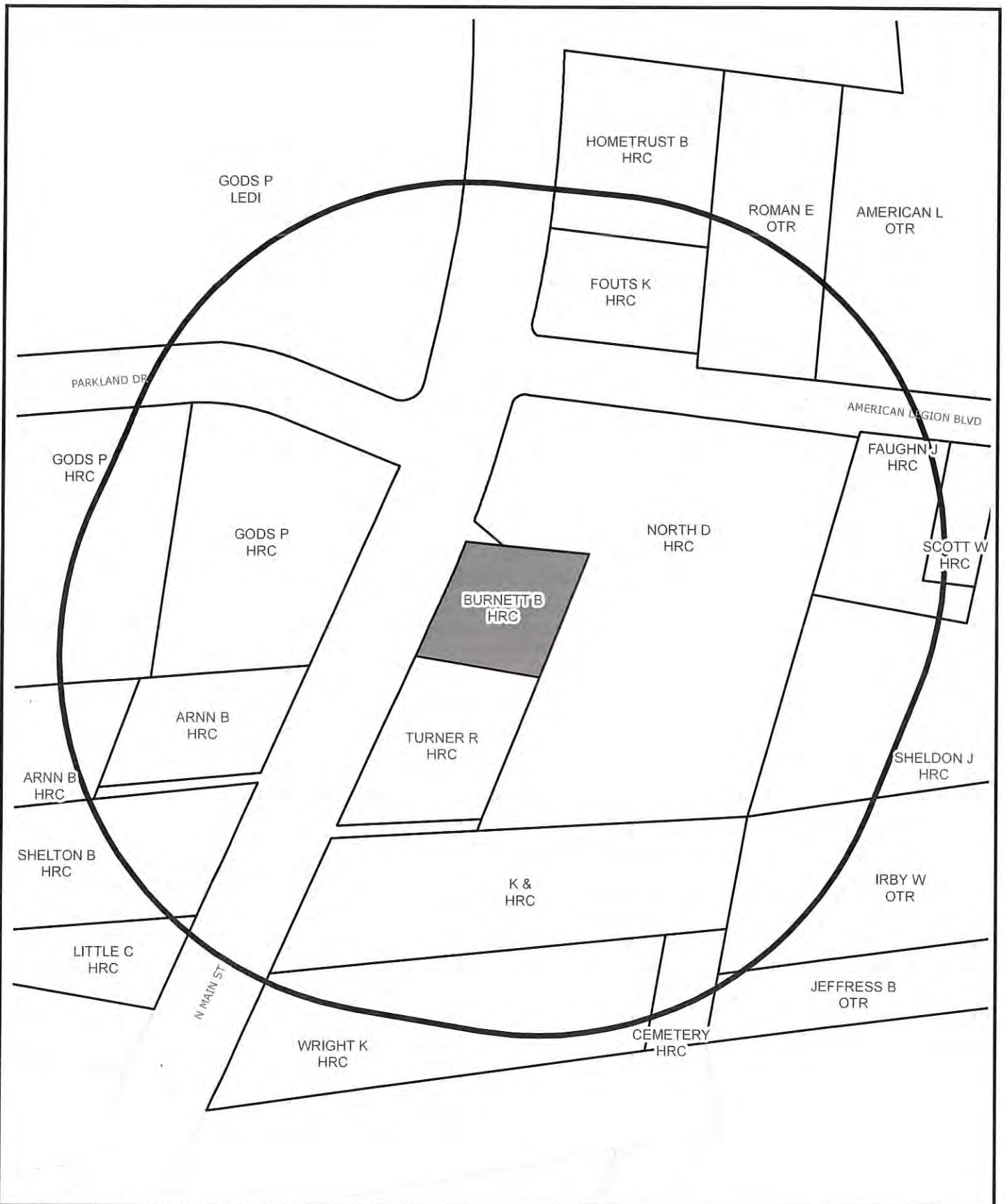
**APPLICANT (PLEASE TYPE OR PRINT):**

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

NAME: Steve Mize TELEPHONE: (434) 575-5200  
MAILING ADDRESS: PO Box 776 South Boston, VA 24592  
EMAIL ADDRESS: smize@teamnurse.com  
SIGNATURE: Steve D. Mize DATE: 7-15-19







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



Prepared by:  
Planning Division  
7/16/2019

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 August 12, 2019  
City Council (tentative) at 7pm on September 3, 2019

**LOCATION OF PROPERTY:** 2264 N Main St.

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

**PROPOSED ZONE:** Unchanged

**ACTION REQUESTED:** Special Use Permit for a waiver of yard requirements

**PRESENT USE OF PROPERTY:** Unused, most recently automobile repair

**PROPOSED USE OF PROPERTY:** Automobile retail (tire sales), including an addition to existing building for storage

**FUTURE LAND USE DESIGNATION:** Regional Commercial

**PROPERTY OWNER (S):** Bobby P Jr. and Pamela G Burnett

**NAME OF APPLICANT (S):** Apple Tire Inc.

**PROPERTY BORDERED BY:** Commercial on all sides; residential to the east

**ACREAGE:** 0.29 acres (12,632 sq. ft.)

**CHARACTER OF VICINITY:** Commercial

**INGRESS AND EGRESS:** N Main St

**TRAFFIC VOLUME:** Medium





## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
7/16/2019

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## PLANNING COMMISSION MINUTES

July 8, 2019

### MEMBERS PRESENT

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

### MEMBERS ABSENT

Mr. Wilson

### STAFF

Ken Gillie  
Bryce Johnson  
Clarke Whitfield  
Lisa Jones

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

### I. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit application PLSUP20190000240, filed by Bridge Street Lofts LLC on behalf of 401 Bridge Street LLC, requesting a Special Use Permit for residential uses in a structure with non-residential use on the first floor, and a waiver of density requirements in accordance with Article 3.L, Section C, Items 9 and 13 of Chapter 41 of the Code of the City of Danville, Virginia 1986, as amended at 401 Bridge St, otherwise known as Grid 2713, Block, 006, Parcel 000001 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to develop fifty-two (52) residential units with first floor commercial space, and a waiver of all density and parking requirements.*

Mr. Searce opened the Public Hearing.

David Zook stated, I own properties at 417 Bridge Street and 110 Newton Street, which is adjacent to 401 Bridge Street. I'm not opposed to this development subject to two things. The first one is that I have an easement through my 417 Bridge street property for fire escape access through that building. We have had discussions with the developer about resolving that issue for both of our benefits. The second I would like to make a point that parking in that area is hard. I would recommend that the City make a specific game plan for how they are going to address the parking problem.

Mr. Petrick stated this is a question more for staff. I didn't realize that parking was an issue down there.

Mr. Johnson stated I know that the City is aware that there is less parking than in the past as downtown has been redeveloped. The City has put out a RP for a consultant to reexamine the parking similar to what was done a couple years ago. One of the benefits as mixed use development is that the parking is staggered during the day with these being residential units people would be home during the evening as opposed to during the day.

Mr. Searce stated I didn't understand what you were saying about the atrium area?



Mr. Zook stated I was granted an easement into that building for a fire escape exit access as well as we divided the court yard in the center that is about 40 feet by 40 feet and we each own 50% of the land. We have mutual access of 100%, so we are in discussion now trying to simplify in a written agreement how that court area will be developed and used by the parties in the surrounding space.

Mr. Dodson stated who owns the lots behind those buildings?

Mr. Zook stated Newton's Landing is a public lot.

Mr. Telley Tucker, Director of Economic Development for the City of Danville, stated I just want to clarify a question that was raised by the last speaker. The Spectrum Group LLC, is a group of investors that redeveloped the Dan River Research building which is now Spectrum Medical. They do have a purchase option on the acreage warehouse. It has been a ten year option; it has to be remained free public parking for a period of time due to some of the grant funding that we received from the State to redevelop that property. Additional, the City does own Newton's Landing which is four hundred parking spaces.

Mr. Searce stated are there any options for later on down the road for additional parking?

Mr. Tucker stated yes, probably about six years ago the City participated in a River District parking plan and it identified relocation for future parking as the need arises. Who would have thought about that and we are excited to have that problem. That shows there is interest in the market and this is a positive thing. There are numerous plans for parking structures and I think that the City would entertain building those as they are needed at this point and time. There is an active RFP out to look at both publicly owned and privately owned parking in the River District and how to make some recommendations on how we manage that to make sure that we use the capacity that we have before we justify spending tax paying dollars on building a structure. We are proactively expecting those proposals to come back in by the end of the month and the consultant will move forward with a parking study as well.

Gary Shifflet, Developer of the Property, stated I don't have a ton to add at this point. I just wanted to introduce myself and I would be happy to answer any questions that you may have.

Mr. Searce closed the Public Hearing.

Mr. Garrison stated that he had a question for staff. Using one building as a fire escape from another building is that allowed with the fire code?

Mr. Gillie stated it can be used according to the building code. You can share buildings and there are multiple buildings that have access between them. As long as there is access easements between them it is possible. No structure itself will have to be modified to allow fire escape per say.

Mr. Shifflet stated while we are working on the plans we don't have approval on the plans yet obviously they are still being drawn. We do have a passage for both of those fire routes to go into a common stairway from our building that will access from his space to our space for safety.

Mr. Garrison stated the fire department will have to sign off on this?

Mr. Gillie stated yes.

Mr. Dodson stated do you have any problems with the two conditions by staff?

Mr. Shifflet stated no.

Mr. Jones stated is there sufficient lightning down there?

Mr. Johnson stated yes.

Mr. Searce closed Public Hearing.

**Mr. Dodson made a motion that we recommend approval of Special Use Permit PLSUP20190000240 as submitted by staff. Mr. Petrick seconded the motion. The motion was approved by a 6-0 vote.**

**Mr. Garrison made a motion that we add to have a work session on August 5, 2019. The motion was approved by unanimous vote.**

2. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia 1986 more specifically Article 3.1 entitled "TO-C, Transitional Office", Section C entitled "Uses Permitted by Special Use Permit" by adding Item 24 for hotels and motels.*
3. *Special Use Permit application PLSUP20190000241, filed by Mid-Atlantic Prospects LLC requesting a Special Use Permit for a hotel in accordance with Article 3.1, Section C, Item 24 of Chapter 41 of the Code of the City of Danville, Virginia 1986, as amended at 990 Main St and 108 Holbrook St, otherwise known as Grid 1720, Block 009, Parcel 000001 and Grid 1716, Block, 014, Parcel 000001. The applicant is seeking to redevelop existing office buildings into a boutique hotel site.*

Mr. Searce opened the Public Hearing.

Present on behalf of this request was Ed Walker, who stated I am a resident of 333 West Main Street and I have spent a couple nights a week here for some time. It has been a great experience all around. I am very excited about investing here and celebrating all that Danville has to offer. I'll try to make this as brief as I can but it requires a little bit of information to give you a sense of what we want to do and why we think it is a good idea. My style with this kind of redevelopment work, you are going to learn something about it. I'm going to tell you a little bit about how we approach it. We are very community oriented redevelopment. It's a little different from most and we do that. We are very interested in the critics of anything that we want to do because very often, almost always the comments and observations and concerns are understandable and very often the folks that are worried have excellent points to make. That being no exception and I don't have a problem with folks just seeing it differently and we will hear from the later. We have provided some opportunities for dialog with them and have had great conversations and I have shared all of my talking points with them. I have not tried to hide the ball in any way. I want to thank them for helping us through this in a more detailed way. Part of what is important to understand is this idea and if I was you all and someone was talking about a hotel on Main Street across



from Sutherlin and that would make me a little edgy, and if you were talking with someone who was a Motel 6 or a Comfort Inn developer and does five of these a year you would have a lot to be nervous about. I'm really the opposite of that and I want to give you a sense of sort of what we are going to do during this short presentation. I want to explain to you a little bit about the work that we have done and also what we would like to do. I want us all to think about it because this is the way that I approach my work about what is best for everybody. I think this is a good basis. The Old West End Neighborhood group is a very important constituency and there are others. Danville is a municipality that is in the midst of important revitalization and its working. I may be some kind of proof of that. I have opportunities and invitations from municipalities all the time to come work and for a lot of reasons some personal and some professional I have chosen to be here. The Old West End is important, this municipality is important and I am a big fan of Averett University and its significance to Danville's revitalization story, and the hospital. You hear the refrain all the time and how communities like Danville all over the United States are redeveloping themselves and the short hand is meds and Eds. They are talking about education institutes and medical institutions and for an interesting side bar. The reason they are so durable and so powerful is there aren't many shareholders that sell the business and it gets moved. Averett and the hospital are important and there are lots of important constituencies to consider.

What I want to do is briefly to give you a sense and I have not appeared on my behalf before you in the past and I just want to give you in a sense the work that we do. What I want to do is show you briefly some of the sort of work that we have done and the kind of quality standards that we are interested in. Mid Century Medical buildings are not everybody's love and it's not a lot of people's idea of awesome architecture but I think it is pretty neat. When I first came to Danville and was working on the Bee, this building really appealed to me in a lot of ways and you will see in a moment some that we have done before. We are going to talk a lot about place making and vibrancy and when we talk about a boutique hotel there is no definition of that just like there is no definition of house and no definition of manufacturing facility. It represents a general idea of what is really important in situations is to look at the particular definition in particular places in context.

There are a lot of characteristics of Charleston, South Carolina and Historic neighborhood as there is anywhere. There are small hotels like this and the same is true in Boston, Pennsylvania and there is a long list. There is no reason not to have a small hotel in a historic neighborhood. Among the other sorts of things to think about when you are thinking about the way that we interpreted what boutique hotel means to us because when we read the definition of projects they mean different things. To mean it's a high level or architectural landscaping design where the property becomes quieter, safer and more beautiful and gently more vital. It's not slamming doors and people raising hell in the parking lot or an extended stay. What we have in mind is the nicest hotel accommodations in terms of finish that there is in the market. Very-high in furniture, fixtures and equipment and individuality of character are extremely important to this concept. It is branded and decorated to celebrate what is best to Danville and The Old West End. In terms of it's past, present and future and I think that all of us are really excited about where we are headed. You have got some attraction starting to happen and do we want to continue that. We want to emphasize the Community's history, arts, culture and economy. We want to inspire confidence and momentum in the Old West End and hopefully stir more neighborhood investment. One of the things that I applaud The Old West End Neighborhood Association most on is what an effective job they have done on finding investors for particular properties; it is real hard to do. What we want to do is come and go to the Carrington Pavilion then go across the street

to Crema and Vine and go on site seeing tours and really be a part of the community because I feel like Danville has a lot to crow about. I would love frankly to change some of the stereotypes that some people that who don't know this community better and what is the nicest way to do that but by showing hospitality. It is plain and simple and I can tell you by someone that came to Danville to court by going down to Ballad and have a great date and have fun and then heading out to the Court Yard Marriott, that is not awesome and we have all of these great things downtown and in The Old West End and the Bee is going to help a little bit but that is really about the River District but we would like to get into position to be more helpful to The Old West End and the hospital.

Boutique hotels are often not part of a national chain and we certainly have zero interest in that and what we have learned is that we have to manage these things in order for them to be managed well so that the guest and be connected to the community. Lastly, interestingly hotels are the least intensely use in terms of total trafficking and noise. Let's take a quick run through this. I have been doing this work for eighteen years and doing it a little differently and this is the part that makes me a little uncomfortable. If you are curious about my repetition or track record there is a fair bit of that on the internet. You can google me as I have received a number of prehistoric nominations and awards. Roanoke made me their citizen of the year a couple of years ago. I'm embarrassed to say that, but I think it is important for you to have a sense of sort of community citizenship that I take very seriously.

The finance part is not the reason to do this, it's just like the way that I like to spend my time. Let's go through this very quickly. This is the Old Patrick Henry Hotel of Roanoke and it is just like the old doctor's building; it had fallen on hard times. There was a hole in the roof of the Patrick Henry of about half the size of this room and it was thought to be irretrievable and we went to work on it and we love a tough case. This was a 25 million dollar project and it was about to be torn down and I showed this to you but it is a good example of what we would like to see in the hotel rooms at the doctors building. This is the diagram of the Patrick Henry Ballroom, which was great, but that thing loses on a good year about 25,000 dollars a year but we continue to run it and we think it is important part of the buildings history. This is the lobby before I bought the building I looked up trip advisor and the last comment that I saw was if you like "The Shinning" you will love the Patrick Henry. It did not look this way before we took it over but it looks that way today.

This is another midcentury hard love medical office building. This is the former Roanoke Health Department and it could not find anybody to love on it at all. It had real interesting history and I teach at Washington and Lee Law School and my students made a terrific contribution to the nominations forum that listed with the National Register of Historic buildings. This is very similar and is important place to know the quick way to think about the doctors building is sort of as it is now as we proposed to do it and then third is just the unknown. The unknown in this situation is really important is because once someone owns the building and controls it and our buildings get into the wrong hands they go nowhere and quickly begin to deteriorate. That is what was going on here for sure. I have never done a project that I'm not proud of and I certainly have no intentions starting at this point in my career.

Let's sort of look at doctor's and again this probably isn't your cup of tea. Here is Chambers Street and historic sort of drop off point and this is very important and sensitive to the neighbors on the other side of Chambers. You can see on any given day because of Midtown and the doctor's offices and there is a fair bit going on but what we would like to do is come away from this because we always want things to be better more beautiful, quieter



and safer. This is really important for the community and municipalities; as a State Holdfr the lodging tax is no joke. I believe it is 7% and it all stays local. What is nice about this is you are earning money for the municipality. Here is the unpleasant truth it's just a real unattractive parcel and it's a sea of asphalt and it could get worse sure. Is it likely to get worse, if we can't do our thing and we have to sell and put it on the market? I'm going to argue that not simply knowing who that purchaser is going to be is risk enough to give our proposal some serious thought. People ask why this was interesting to you. What I have learned in Danville that I really love is that Danville is an unbelievable community it is just awesome and the River District is great and I love this intersection up here and I think that School field is awesome. To me it is like a string of pearls and they are all on the same street and it is amazing to me. I think that Creama and Vine is the neatest and it has added a lot to that neighborhood. This is not great but let me tell you what is great. Midtown Market is amazing and it is one of the coolest spots in the State of Virginia. We are excited about doing whatever we can to be supportive and I like these Mid Century buildings and the idea of being able to take Chambers Street and make it quieter.

One way or another the doctor's building is going to be redeveloped so it's not whether, it's who and what. So the who you obviously want people with a track record and the what is the idea of having more hospitality is creative to the community in all the ways that I have mentioned. We took this, which is not great and it's really bad actually and began to think of it this way. I think it would be great to close off that similar circle entry and quiet Chambers Street for these folks here and put more green spaces and we want to remove some of that parking. It's just too much parking and it is awful. We want to add some trees and there is no sidewalk on the left side and it's really weird. It's just asphalt and Chambers Street should be this real beautiful street. The left side should look like the right side is what I am saying. We could put that lawn in the center just return some of the asphalt to grass just to make it better. We are still happy as can be not only to share parking but I thought it would be fun to put some umbrella's and chairs and you go get your chicken salad or whatever you are in to and grab a spot and sit down and that is basically it. You would then move the entry way to the Holbrook side which is perfect and it makes a lot of sense. There are many folks here that are opposed to it and their opposition is understandable. Reasonable people can disagree and I certainly understand that. All I'm asking you to do is make your evaluation your analysis in terms of who do you think the best person or kinds of people are and what the best ideas and the best for the most people, Old West End Neighborhood, City of Danville etc,.... Thank you for your time and are there any questions before I turn it over.

Mr. Dodson stated and you said that you have already meet with the residents of the area?

Mr. Walker stated yes several times.

Mr. Dodson stated we like when people get together and talk about it. Is there going to be any dining there?

Mr. Walker stated I prefer not to do it because what I prefer, for our hospitality to serve the existing food beverage operators as customers and to support them. The Bee may have a roof top bar. That would be a neat thing but generally speaking what I would love for the doctors building, them to become Creama and Vine customers.

Mr. Bolton stated what other kind of projects in Danville are you involved with?

Mr. Walker stated we have made a long term, multiyear, permanent commitment to be here. For my work it takes a certain amount of scale to do that. We will create a ton of job for five years or so with construction. We have the Bee downtown and we would like to come and do the doctor's building next and if time line matters to you all we would like to be working on it right now. If this is not something that you all are interested in, I think this would probably open March of 2021. We have financing in place and if you give us the green light we are ready to roll.

Mr. Jones stated does your property line go all the way up to Midtown Market?

Mr. Walker stated it has an 8 foot easement and they have an 8 foot easement for access. We can build whatever we want on it but they have to have access on it.

Mr. Jones stated there will be no parking for Midtown on the side next to the cemetery?

Mr. Walker stated that is their's and midtown has a pretty awesome parking lot.

Mr. Steve DelGiorno, stated I live at 840 Main Street and I own and operate Creama and Vine. Mr. DelGiorno stated this is a no brain or from a business stand point that we would support this project. The potential of 40 plus customers that I could have every day certainly excites us and we welcome them with open arms. I wanted to speak about the West End also because I live two blocks away. We have lived and traveled all over the world. I've seen these kind of neighborhoods and I've seen these kind of projects and I've gotten to know Ed in the last year. The quality of work that he does for this project would really enrich The Old West End Neighborhood while serving to increase our property value. The fact that we now have a very unique neighborhood that you could walk to the Museum, Midtown Market, Coffee shop and Churches and a boutique hotel of this quality, it really gives the Old West End something that I don't think the neighborhoods in Virginia really have something this special. Which would make it more attractive for the people that are looking to move here from out of State or even Country. I just wanted to voice that and ask for your support.

Tiffany Franks, President of Averett University, stated I wanted to come and speak and say how that this project could be of great value to Averett. We serve approximately 1,000 traditional students and another 600 online learners and parents and family members that frequent our campus regularly. We have our alumni and if we just take our traditional students, their parents, and families, often they will come multiple throughout the year. They came at the beginning of the academic year, inbetween and at the end. This would be a wonderful opportunity for them. We have well over 1500 prospective students, and families, that visit at least once a year and they are looking at Averett and exploring their college of choice. Being able to have those students and their families this close, for at least to provide them with another option is very beneficial. Our online learners which literally we are now building into our curriculum that a requirement is that they will come to campus at least once during their academic program. That means that people from all across Virginia and even beyond the walls of the Commonwealth will be coming to campus. We need to be able to provide them with very attractive options for housing. On behalf of Averett, and our very talented faculty and staff and this sort of option again would be very attractive and value added. I speak on behalf of all the constituents that we serve feel that Ed's vision on serves to lift the area that surround our campus.

Telly Tucker, Director of Economic Development, stated the Economics Office is supportive of this project for many reasons and many of them have already been stated. I think it's very important for Sovah Health and Averett University given events like Homecoming, open



houses, people who may be visiting loved ones in the hospital, and visiting friends, traveling physicians, nurses and professors that may need a residence for a period of time. Also the fact that it is within walking distance to Averett and the hospital, there is a value in that and it also adds pedestrian activity. This also gives visitors a way to be introduced to Danville in a much different way than they can be today. No disrespect to the Court Yard or Holiday Inn, there is one in every major City in the United States. We think this particular opportunity allows Danville to showcase its history, some of the culture, and some of the unique qualities of the community, leave an impression on that visitor that it makes them want to come back and say I would like to consider investing there and maybe move there. I would like to encourage my family and friends to come visit there. We are asking the Planning Commission to support this as well as the SUP Permit as well.

Frances Baughman, stated I live at 1012 Main Street and I'm also chairman of The Friends of Old West End. Mrs. Baughman stated as many of you already know that Friends of The Old West End, our goal is to bring in new homeowners to the neighborhood. For several years we have worked with you to sell existing properties in the neighborhood and we welcome new and creative uses for existing properties in the neighborhood. We were delighted when Creama and Vine came into the neighborhood because we looked at it as a plus for the neighborhood. We do agree that the doctor's building needs to be put to a good productive use and Ed Walker paints a very compelling picture of what that could look like. However we are not necessary opposed to the development of the doctor's building into a boutique hotel. Our concern is more about the zoning change and how it will impact the whole city, allowing hotels in the TO-C neighborhoods. I think the definition of hotel as it currently stands is very broad. Since this does impact more than just The Old West End, we need to consider this could have far reaching impacts across the city. Not every developer would approach this with the same vision and execution that Mr. Walker intends to. We think that definition is too broad and could lead to unattended consequences. Currently the way the code is written, the proposed change doesn't allow any limit to the number and size that he is allowed in a residential neighborhood or a TO-C neighborhood. It doesn't give any definition as to the type of establishment, it only says that it rents rooms. However, boutique hotels are gaining in popularity. Although there is no definition like he said home, office or whatever Boutique Hotels do have some commonality in they are different from chain hotel but there are some similar characteristic for new boutique hotels. They tend to be small and upscale establishments and they have a unique architectural design and they have character. They do tend recognize the culture and history of the area where they are located. Our proposal is to define what type of hotels would be permitted into your neighborhoods. Boutique hotels we think could be allowed by special permit but I think we need to really clearly define what a boutique hotel is so that we don't end up with something that we don't want next to someone's home. We have put together in just a proposed wording change to the city code that would satisfy or protect the residents at the city in general.

Mr. Scarce stated you did understand that the reason that it is going into TO-C not by right by special use permit. We would look at each project individual that would come before us.

Mrs. Baughman yes but our feeling was that since each developer is different this just doesn't impact The Old West End that we need some guidelines in place.

Paul Liepe stated I live on Main Street in The Old West End. Mr. Liepe stated I'm very close the doctor's building which is primarily a residential area, historical one at that. I visited one of Mr. Walker's properties last weekend and I have to tell you that it is a very pleasant

experience. I was very impressed with the property and I enjoyed my time there. I was impressed with what Mr. Walker has done to preserve the history and the photos of the building and I think he did an excellent job in terms of finish. I agree with Mrs. Baughman that we need to bind Mr. Walker to this commitment to provide us with that kind of facility, therefore I support the motion that there be a definition of boutique hotel and let's have Mr. Walker to be sure to do exactly what he has promised us. I think he is a good guy and I encourage you to approve his proposal with those limitations.

Mr. Stephan Jannach stated I live at 960 Main Street. Mr. Jannach stated I have the biggest frontage with the doctor's office. My property runs from Main all the way back the entire length of Chambers Street. I am a physician here in town and I have owned that property now for 12 years and it was built in 1872. I work for Spectrum Medical so I am well aware of the redevelopment in the downtown area, River District and Historic District because I live in the Historic District. A Boutique Hotel is just a motel it is full of people that come and go and I live in the neighborhood and I have neighbors and that is what I want for my neighborhood. I want to know the people that live next door to me. It was an office building and for a number of years at 6:00 it was quiet and everyone was gone. I'm willing to tolerate that and what it is zoned for. It is not zoned for a hotel and I don't want to see different people coming at all different hours next door to my residence. He showed us two beautiful projects, perhaps I misunderstood what he showed us was apartments. In other words those were not the rooms that are going to be here and there is no guarantee what he says he's going to do. There's a place for a boutique hotel and that is in River District and downtown. My opinion is that it's not beneficial to the neighborhood and I think this belongs somewhere else. I think the zoning should be changed and I don't think there should be a special permit issued for this.

Mr. Walker stated I just want to respond to this gentleman. I will say that I think it's terribly unfortunate in these situations when that tone becomes the tone of the discussion. Honestly that is not how great small cities are made or remade. I want to thank Fran and Paul for the exact opposite which is a very collegial, open minded, conversation dialogue because we all want the same thing. Contrary to his assumption I did make it clear to everybody in The Old West End that I would jump at the chance to meet and I'm sure I don't strike you as the person who is going to ignore the key stakeholder. It's just not the way that I am. I told several folks on The Old West End and sent emails because I want to talk to everyone that has a problem with it. I have made myself available and we met at Creama and Vine and I understand his concerns, they make sense. I don't fault him for being concerned or for his request but I think the tone is really unfortunate and unhealthy. The photographs that you saw, we have a number of apartments and we have a number of hotels and they are functionally the same. They are at the same level the answer to his response.

Mr. Scarce stated terminology of a boutique hotel is that just not in there somewhere. What are your thoughts?

Mr. Johnson stated regarding boutique hotels the word and term boutique is incredibly subjective. We have heard the idea of defining it in terms of zoning and legality; we are not sure that it is necessary. What they offer is the most objective that I have seen.

Mr. Scarce stated Mr. Walker do you want to define it?



Mr. Walker stated it's sort of outside my area of expertise to be honest with you. The point that Fran and Paul makes is a good one and I understand them. I'm not a planner or a policy person.

Mr. Searce stated I know that based on the sketch that you have and the building itself, it's not going to be a Super 8 because it can't be because the way that the building is. You are going to use the existing building.

Mr. Walker stated to be honest, the money that I need to take care of my two teenagers I earned a long time ago. I do this work because literally when my feet hit the floor I'm excited about what we are doing and the transformation that we can create. We are always only trying to go from relative weakness to relative strength. It's my idea of a great way to spend a day. My aspiration is to create an award winning project design.

Mr. Jones stated have you seen her proposal before?

Mr. Walker stated I haven't but I heard her read it.

Mr. Jones stated do you see a big difference in the one that was put up from the staff?

Mr. Walker stated I think it would be easy to misunderstand me as a credible evaluator and I'm not. I understand where Fran and Paul are coming from, particularly as it may or may not affect the rest of the city. I think it probably was built on a case by case basis. There were some stuff in a boutique hotel like the resort level and that stuff is hard to define.

Susan Wilson, stated I live at 918 Main Street, we are just a couple doors down from Mr. Jannach's house. I don't see Mr. Jannach's comments anything other than what is going to be right next door to him. I of course understand that it is a building and the building now has a new owner and it needs to be put to use. The question for us is what is the best use and what my husband was referring to I believe is where we are given a particular piece of property and it's not being used at that time how could we use it. A hotel is not I believe what any of us in the neighborhood envision. We had often heard about apartments and we were considering that we would be okay with that. We believed that is what Mr. Walker talked to the owners at Midtown about. His plan seem to be evolving a little bit and he is a very powerful presenter. The one time that I am aware that the entire community was actually in a position to interact with him was after he told us the very first time about hospitality and did not actually use the word hotel. It's very compelling when you hear it but then when you think about it, gets a little bit different. I believe that I speak for many of the people in The Old West End and we would be happy to work with him, but we really have not had that much exposure to him and I believe he has spoken to a few people. We thought that apartments and yes if there was an apartment building there we might have a couple more cars than for a hotel. However, someone that lives in an apartment will have a couple more cars and yes if there was apartment building there all of us thought we really don't want that down the block from us. Someone that actually lives in an apartment become a resident of the neighborhood and become a neighbor. We welcome different uses but a hotel is not as desirable for those of us that actually make our homes there. Our homes are really not in a neighborhood if it changes the character. We have come together as Friends of The Old West End to see how we might accommodate this new owner who seems to be a very good developer and accommodate his needs with ours. Our way of doing that is to say possibly we could define a little bit more closely of what might be allowed here because if we don't do that we do not have any control of what would come of

that piece of property later. Two beautiful historic homes were taken down many years ago to build the doctor's building. Now because that is there we can't go back to the original homes. If we can define and limit what can go there next that would be very helpful to us and that is our reason for putting forth these limits on the definition of a boutique hotel. If Mr. Walker gets disappointed with our response as neighbors in the community, he has already said more than once he doesn't need this and he doesn't need the income from this. We would like the Planning Staff and the Commissioners to help us to preserve our neighborhood.

Mr. Searce closed the Public Hearing.

Mr. Bolton stated what type of signage is permitted?

Mr. Gillie stated free standing signs are allowed to be 24 sq. ft. for a single occupancy building and two buildings can be 32 sq. ft. and wall mounted signs are per linear ft., and it is a historic building so any signs that will be placed will have to get approval from CAR.

Mr. Searce stated I was reading over from their proposed to see what they like and it seems like it is pretty much the same as what staff has on it.

Mr. Garrison stated do we need to include this a part of the condition?

Mr. Searce stated I think staff has what we needed in that.

Mr. Garrison stated I think we run into problems if we try to define to specific. The special use permit means whoever is going to do anything like this in TO-C has to come to us and bring the project from what I have seen presented the project meets this definition.

Mr. Searce closed the Public Hearing.

**Mr. Bolton made a motion that we recommend approval of the request code amendment as submitted by staff. Mr. Petrick seconded the motion. The motion was approved by a 6-0 vote.**

**Mr. Bolton made a motion that we recommend approval of the Special Use Permit PLSUP20190000241 as submitted by staff. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.**

## **II. Minutes**

**The June 10, 2019 minutes were approved by unanimous vote.**

**With no further business, the meeting adjourned at 4:34 p.m.**

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**APPROVED**





# 990 Main & 108 Holbrook

Placemaking & Vibrancy  
in the Old West End



























Proposed definition of Boutique Hotel:

"A small, resort type destination that provides a unique setting with upscale accommodations. Typically, between 6 to 35 suites that are rented on a daily basis for a short-term period for monetary compensation. Accommodations shall provide, at a minimum, separate sitting and sleeping areas, and may include kitchens or kitchenettes, and laundry facilities. Entrances to all suites shall be from the interior of the building. The building shall not be used as a homeless shelter, transitional living shelter, or for post-release housing. Food shall not be prepared for guests. No more than 15% of the units shall be used for longer-term stays.

In addition, the boutique hotel shall be subject to all current regulations (landscaping, signage, buffers, etc.) contained in the current ordinance for businesses in TO-C zoned areas. Where applicable, the Old West End Design Guidelines, approved by the Planning Commission, shall be followed. This will help reduce the impact on nearby residential dwelling.