



City of Danville

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

City Planning Commission

AUGUST 9, 2021

3:00 P.M.

CITY COUNCIL CHAMBERS - 4th FLOOR MUNICIPAL BUILDING

AGENDA

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEMS FOR PUBLIC HEARING

1. Rezoning Application PLRZ2021-246, filed by D&R Jones, requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential to M-R, Multifamily Residential District. The applicant intends to develop a multifamily housing complex.
2. Rezoning Application PLRZ2021-255, initiated by the City Planning Director, requests to rezone 924 Arnett Boulevard (Parcel ID# 00319) from OTR Old Town Residential to HR-C Highway Retail Commercial. The owner intends to operate commercial uses on the site as it was developed in 1950.
3. Rezoning Application PLRZ2021-259, initiated by the City Planning Director, requests to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OTR Old Town Residential to M-R, Multifamily Residential District. The owner is rehabilitating the historic Old West End multifamily dwellings.
4. Rezoning Application PLRZ2021-260, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 2. Section Y. Short Term rentals to update the City's short-term rental provisions and consolidate the zoning regulations regarding such into this section.

IV. PLANNING DIRECTOR'S REPORT

V. APPROVE MINUTES FROM JULY 12, 2021

VI. ADJOURNMENT



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

City Planning Commission

STAFF REPORT

DATE: August 3, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: **REZONING APPLICATION - 180 AMERICAN LEGION BOULEVARD**

Rezoning Application PLRZ2021-246, filed by D&R Jones, requests to rezone 180 American Legion Boulevard (Parcel ID# 73227) from TR Threshold Residential to M-R, MULTIFAMILY RESIDENTIAL DISTRICT. The applicant intends to develop a multifamily housing complex.

BACKGROUND

This applicant would like to amend the zoning map, so the existing legal non-conforming use legally conforms to the principal uses permitted by the zoning designation.

The Planning Division sent 19 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS

The proposed rezoning's future land use designation in the Comprehensive Plan "Mixed Use". The Comprehensive Plan's Future Land Use Plan places this property in the Franklin Turnpike planning area and designates it in "sub area 7". Sub Area 7 includes 371 acres and is planned or highway retail commercial, multi-family, single-family, and transitional office uses.

CITY DEPARTMENT ANALYSIS

City Department convened a review committee meeting on August 3, 2021.

Sanitary Sewer

City sanitary sewer is not immediately available to the property. The closest sanitary sewer is about 1,100 ft away. The cost to extend the sewer to the site is the developer's responsibility.

Water

City water service includes a 12" line on Franklin Turnpike. Fire suppression is required. The water pressure un

Electricity

Three-phase electricity is available to the property. A single-phase line crosses the property, and the developer is responsible for relocation.

Traffic

We anticipate the primary site ingress/egress will be on Franklin Turnpike. A review of the Franklin Turnpike agreement and a traffic impact study may be required to finalize driveway configurations.

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-246 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation to a future meeting.
2. Recommend approval as submitted.
3. Recommend approval with conditions determined by the Planning Commission.
4. Recommend denial.

ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map

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: PLRZ 2021-246 EXISTING ZONING: TR
PROPOSED ZONING: M R TAX MAP NUMBER: 73227
RECEIVED BY: HPO DATE FILED: 7/13
PLANNING COMMISSION DATE: 8/9/21 CITY COUNCIL DATE: 9/7/21

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: 18.56 Acres Property Address: 180 American Legion Blvd.

Property Location: N (S) E (W) Side of: East Franklin Turnpike

Between: Danville Expressway and North Main St

Proffered Conditions (if any, please attach): _____

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

Richard F. Jones
1. NAME: Danny L. Jones TELEPHONE: 434-250-6821

MAILING ADDRESS: 348 Updike Place Danville VA 24541

SIGNATURE: [Signature] DATE: 7-13-21

SIGNATURE: Richard F. Jones DATE: 7-13-21

EMAIL ADDRESS: drjones2952@gmail.com

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: _____ TELEPHONE: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE: _____ DATE: _____

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:

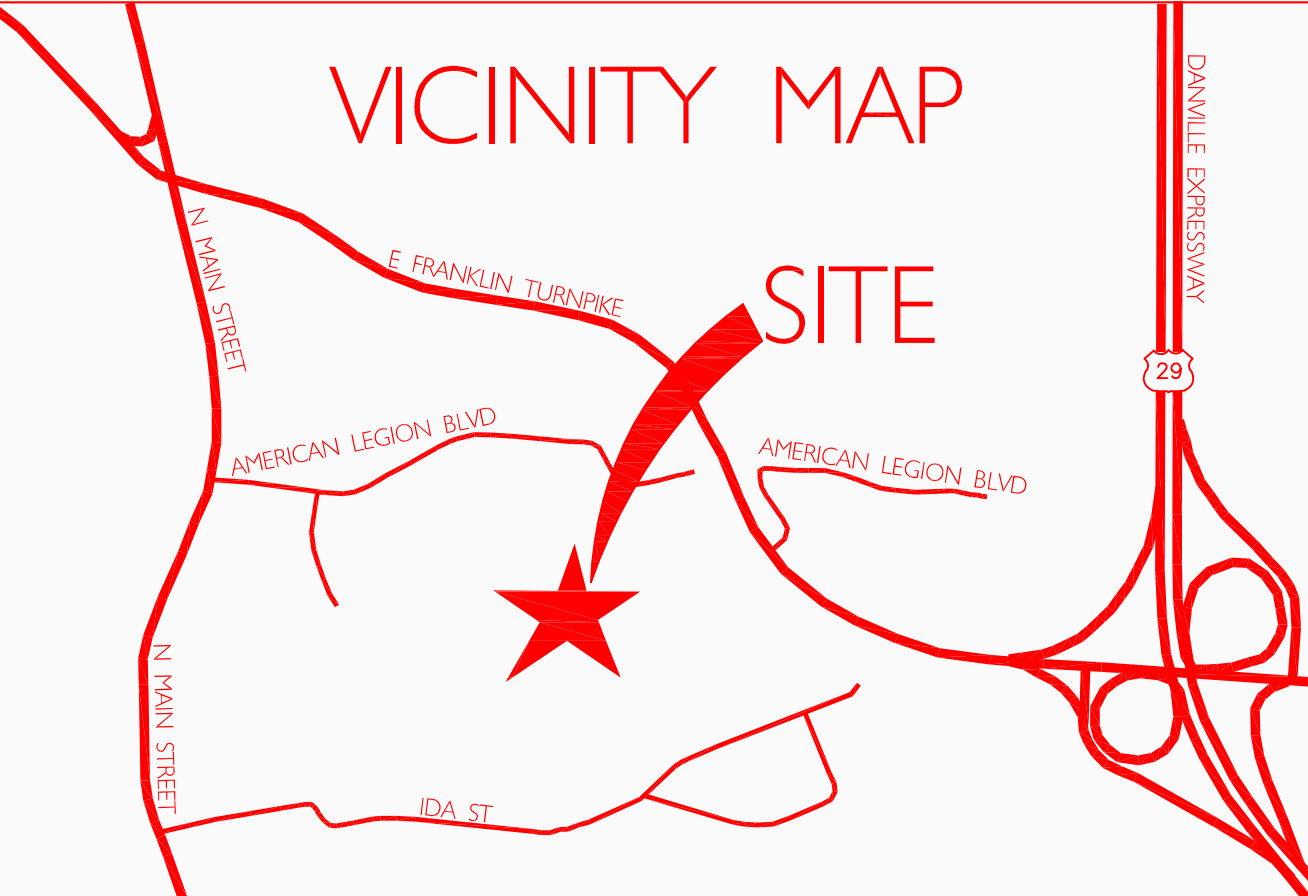
Please provide a brief description of the request:

Apartment complex with an entrance on E. Franklin Tpke



PARCEL ID 73227
18.56 AC +/-
10 BUILDINGS 3 STOREY
240 UNITS
375 SPACES PROVIDED

VICINITY MAP



LE&D
PROFESSIONALS, P.C.
RIVER RUN EXECUTIVE OFFICES
SUITE-B
110 EXCHANGE STREET
DANVILLE, VA. 24541
N.C. LICENSE: # C-2577
V.A. LICENSE: # 0404-001401
PHONE NO. (434) 792-3680
FAX NO. (434) 792-3685
www.landeng.com

MULTI FAMILY DEVELOPMENT D & R JONES, LLC. FRANKLIN TURNPIKE, DANVILLE, VIRGINIA

REZONING EXHIBIT

REVISIONS		DESCRIPTION		DATE	BY

Sheet No. **1** of **1**
Date: JULY 20, 2021
Scale: 1" = 100'
Project No.
\\VA\CNVY-EST21\eng\dwg\american legion blvd.dwg

D & R Jones LLC
348 Updike Place
Danville, VA 24541

July 30, 2021

Mr. Doug Plachcinski
Planning Director and Zoning Administrator
City of Danville
PO Box 3300
Danville, VA 24541

Dear Mr. Plachcinski,

The purpose of this letter is to request a change in zoning for Parcel 73227 from TR Threshold Residential to MR Multifamily Residential for marketing purposes. I was recently approached by developers needing building sites in the Danville area for new apartments. I believe there is a definite need for this within the city.

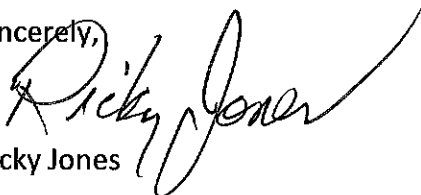
The parcel has an address of 180 American Legion Blvd and access to this property is currently from North Main. I have received permission from the Virginia Department of Highways to construct a curb-cut with a crossover and turning lanes on East Franklin Turnpike between the Danville Expressway and the intersection of Rt 41 and N Main St. This will change the address to E Franklin Turnpike and eliminate any connection to American Legion Blvd. Traffic from this development will not impact that neighborhood.

There will be no real traffic impact on E Franklin Turnpike given its design and access to the bypass. There are existing water and gas lines at the connection location and sewer is available on the same side of the road. There are sufficient utilities in the area for this project.

I am not aware of any area environmental concerns nor any historical significance at this site.

The developing contractor will be responsible for final City approved building and site plans as well as the schedule and phasing of the development. They will determine the complexes amenities during the planning phase.

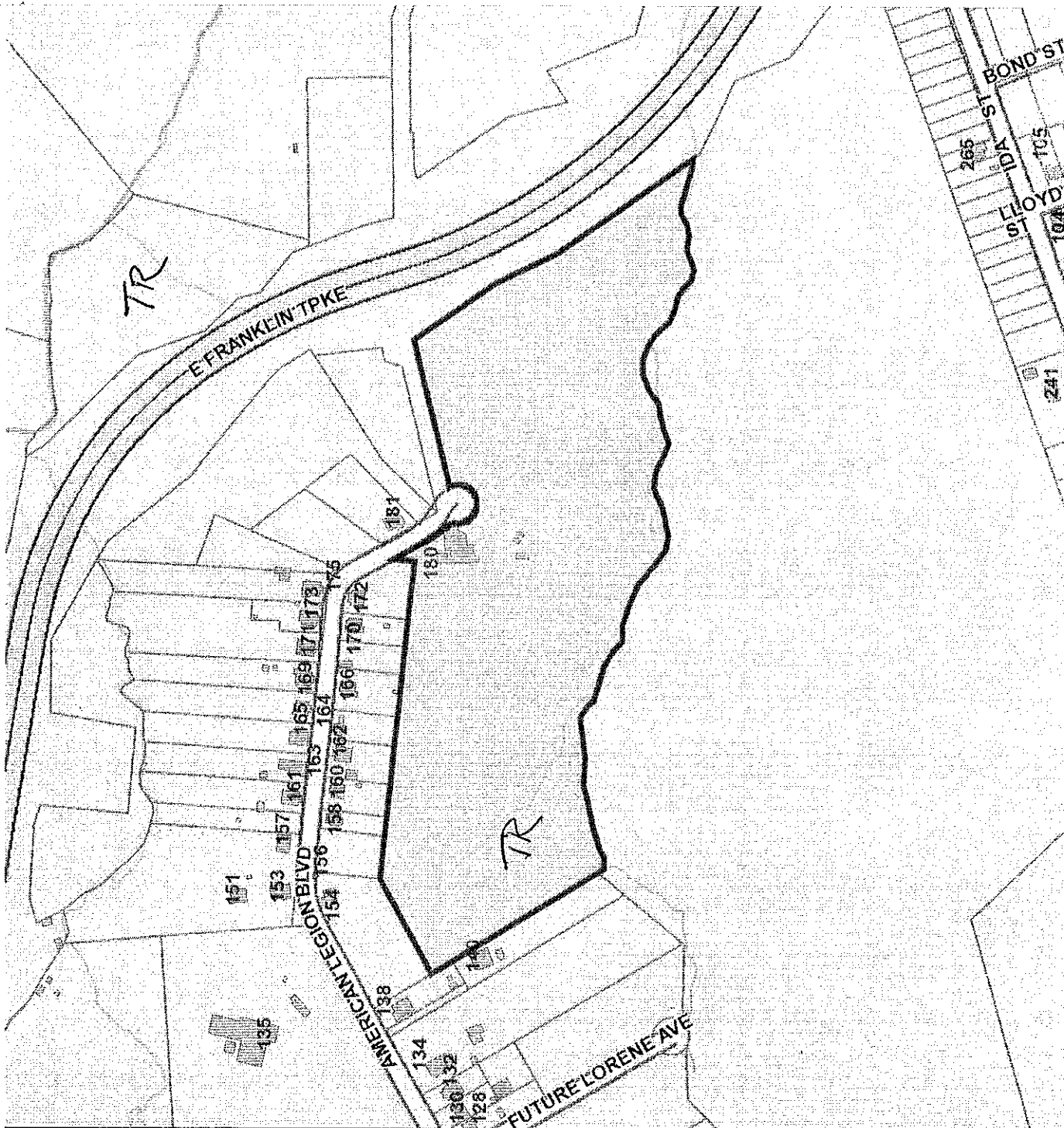
Sincerely,


Ricky Jones

Parcel ID: 73227



-  Buildings
-  Parcels
-  Street Names
-  House Numbers



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Date: 7/14/2020

Parcel ID: 73227
Address: 180 AMERICAN LEGION BLVD
Owner: VIRGINIA BANK AND TRUST COMPANY
 PO BOX 3447
 DANVILLE, VA 24543
Mail-To: VIRGINIA BANK AND TRUST COMPANY
 PO BOX 3447
 DANVILLE, VA 24543



Value Information

Land / Use:	\$13,000
Improvement:	\$2,000
Total:	\$15,000.00

Additional Information

State Code:	1201 Misc Resid Bldg /Barn/Stg	Approx Acres:	18.56
Land Use:	Residential	Legal Description:	APPROX 18.56 AC NOS 76-88 & PT NOS 17 & 18 & 89
Tax Map:	2811-001-000011.000		AMERICAN LEGION BLVD
		Zone:	TR Threshold Residential
Notes: DB 16-610: Deed in Lieu of Foreclosure & 9 lists. WB 03-152: Donald died 5/7/03 & 19 lists. (Map P164D 5 89)			

Building

There is no building information.

Improvements

There are no improvements.

Land

Land Code:	RA11 RA11 1000	Rate:	\$1,000
Acres:	18.56	Adj. Rate:	\$1,000
Sq. Ft.:	808,474	Base Value:	\$18,560
Front:	0	Adj. Amount:	-\$5,560
Effective Front:	0	Value:	\$13,000
Depth:	0		

Transfers

Deed	Page	Sale Price	Sale Date	Previous Owner	Owner
D 16	610	\$281,703	2/23/2016	HARDISON DONALD A ESTATE	VIRGINIA BANK AND TRUST COMPANY
W 03	152	\$0	5/12/2003	HARDISON DONALD A	HARDISON DONALD A ESTATE
D 884	030	\$0	8/13/1992	No Data	No Data

Assessments

Year	Land	Use	Improvements	Total
2020	\$13,000	\$0	\$2,000	\$15,000
2019	\$13,000	\$0	\$2,000	\$15,000
2018	\$13,000	\$0	\$2,000	\$15,000
2017	\$19,500	\$0	\$2,000	\$21,500
2016	\$19,500	\$0	\$2,000	\$21,500
2015	\$19,500	\$0	\$2,000	\$21,500
2014	\$19,500	\$0	\$2,000	\$21,500
2013	\$19,500	\$0	\$2,000	\$21,500
2012	\$19,500	\$0	\$2,000	\$21,500
2011	\$19,500	\$0	\$2,000	\$21,500
2010	\$19,500	\$0	\$2,000	\$21,500
2009	\$19,500	\$0	\$2,000	\$21,500
2008	\$18,700	\$0	\$2,000	\$20,700
2007	\$18,700	\$0	\$2,000	\$20,700
2006	\$18,700	\$0	\$2,000	\$20,700
2005	\$18,700	\$0	\$2,000	\$20,700
2004	\$18,700	\$0	\$2,000	\$20,700
2003	\$18,700	\$0	\$2,000	\$20,700
2002	\$18,700	\$0	\$2,000	\$20,700
2001	\$18,700	\$0	\$2,000	\$20,700
2000	\$18,700	\$0	\$2,000	\$20,700



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
(804) 786-2701
Chairman
(804) 786-2940

1401 East Broad Street
Richmond, Virginia 23219

Fax:

Agenda item # 2-C

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 18, 2011

MOTION

Made By: Mr. Martin Seconded By: Dr. Davis Action: Motion Carried, Unanimously

Title: Limited Access Control Changes - Amended **Franklin Turnpike Extension, Spring Lake Road, City of Danville**

WHEREAS, the Franklin Turnpike Extension, constructed as a part of the Route 265 Danville Bypass, between Route 360 and the existing Route 41 and Route 293 intersection, in the City of Danville, was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB) on September 20, 2001; and,

WHEREAS, in connection with the engineering design, a section of the Franklin Turnpike Extension, State Highway Project 6265-071-V05, RW-201, which is located between the aforesaid locations, was identified by the City of Danville (City) for design refinements to the limited access controls on both the northeast and southwest sides of the Franklin Turnpike Extension, as shown on the plans for said Project, necessary for future economic development of certain lands; and,

WHEREAS, the City, by resolution dated February 7, 2006, authorized and directed the City Manager to request that the previously approved limited access break for Spring Lake Road, being 21.61 feet, more or less, on either side of Station 149+65.18, along the Franklin Turnpike Extension northeast proposed right of way and limited access line, be relocated approximately 550 feet to the south (32.085 feet, more or less, on either side of Station 154+42.08) along said line; and the previously approved limited access break for Spring Lake Road, being 19.14 feet, more or less, on either side of Station 149+77.285, along the Franklin Turnpike Extension southwest proposed right of way and limited access line, be relocated approximately 550 feet south (28.03 feet, more or less, on either side of Station 154+38.034) along the said line, both to

provide future public street entrances for the said lands on the northeast and southwest sides of Franklin Turnpike Extension; and,
Resolution of the Board
Limited Access Control Changes - Amended
Franklin Turnpike Extension, Spring Lake Road
City of Danville
May 18, 2011
Page Two

WHEREAS, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on February 20, 2008, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

WHEREAS, the City, by letter dated July 2, 2010, requested the said previously approved Limited Access Control Changes (LACC) be expanded to allow for full turning movements with turning lanes and median crossover to promote commercial development of the adjacent property; and,

WHEREAS, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on July 14, 2010, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

WHEREAS, VDOT has also determined, as a result of the ongoing negotiations, which commenced following approval of the February 20, 2008 resolution, refinement of the location for these LACC would be appropriate to mitigate potential costs for residual property damages to the lands being acquired as a result of the said project and to better serve the traveling public and surrounding community, and is requesting the CTB approve an amendment to the aforesaid resolutions of February 20, 2008 and July 14, 2010; and,

WHEREAS, the requested amendment is to shift the location of the limited access breaks approved by resolution dated February 20, 2008, on the northeast and southwest proposed right of way and limited access lines of the said Franklin Turnpike Extension from the vicinity of Stations 154+40, approximately 240 feet to the northwest to approximate Station 152+00 with a break in both of the said right of way and limited access lines beginning at Station 151+55 and ending at approximate Station 152+55; and,

WHEREAS, VDOT has determined that an intersection with full turning movements at the said revised location is appropriate from a design, safety and traffic control standpoint; and,

WHEREAS, VDOT has further determined, as a result of such negotiations that certain land acquired by VDOT for said Spring Lake Road access road at the previous break that is now being shifted, as shown on Sheet 9 of the said Project plans, should be conveyed back to its former owner, the Estate of Donald A. Hardison, in exchange for a comparable quantity of land owned by the Estate of Donald A. Hardison, for the purpose of accessing the existing unimproved Spring Lake Road at the new breaks at approximate Station 152+00, and to better

serve the traveling public, upon the dedication of such land by the Estate of A. Hardison to the City of Danville, Virginia; and,
Resolution of the Board
Limited Access Control Changes - Amended
Franklin Turnpike Extension, Spring Lake Road
City of Danville
May 18, 2011
Page Three

WHEREAS, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and,

WHEREAS, the said full turning movements, being the median crossover and required turn lanes shall be constructed by others as development of the adjacent properties occurs, and their need is indicated and justified pursuant to applicable VDOT regulations; and,

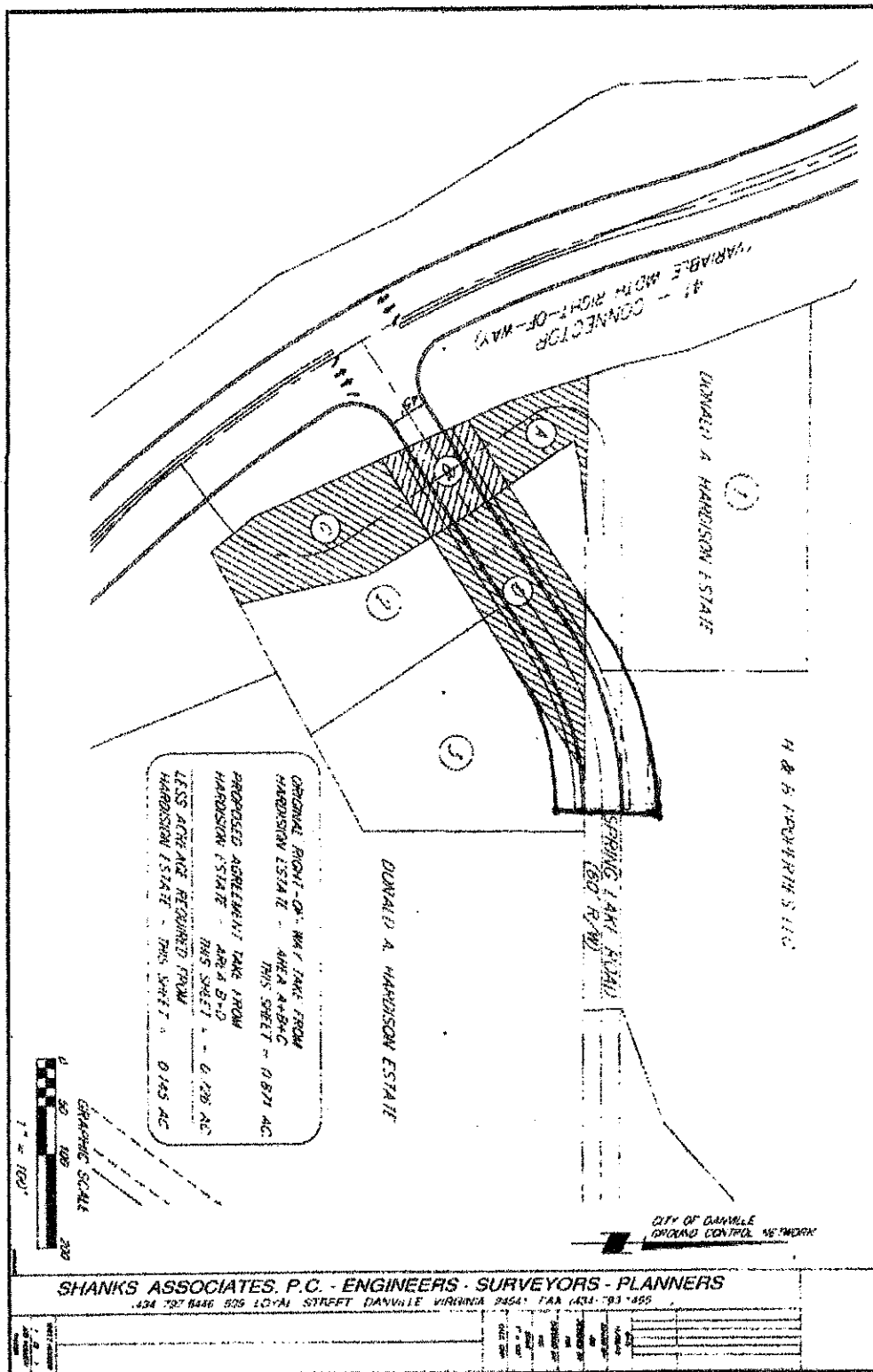
WHEREAS, VDOT has determined there will be no adverse environmental impacts; and,

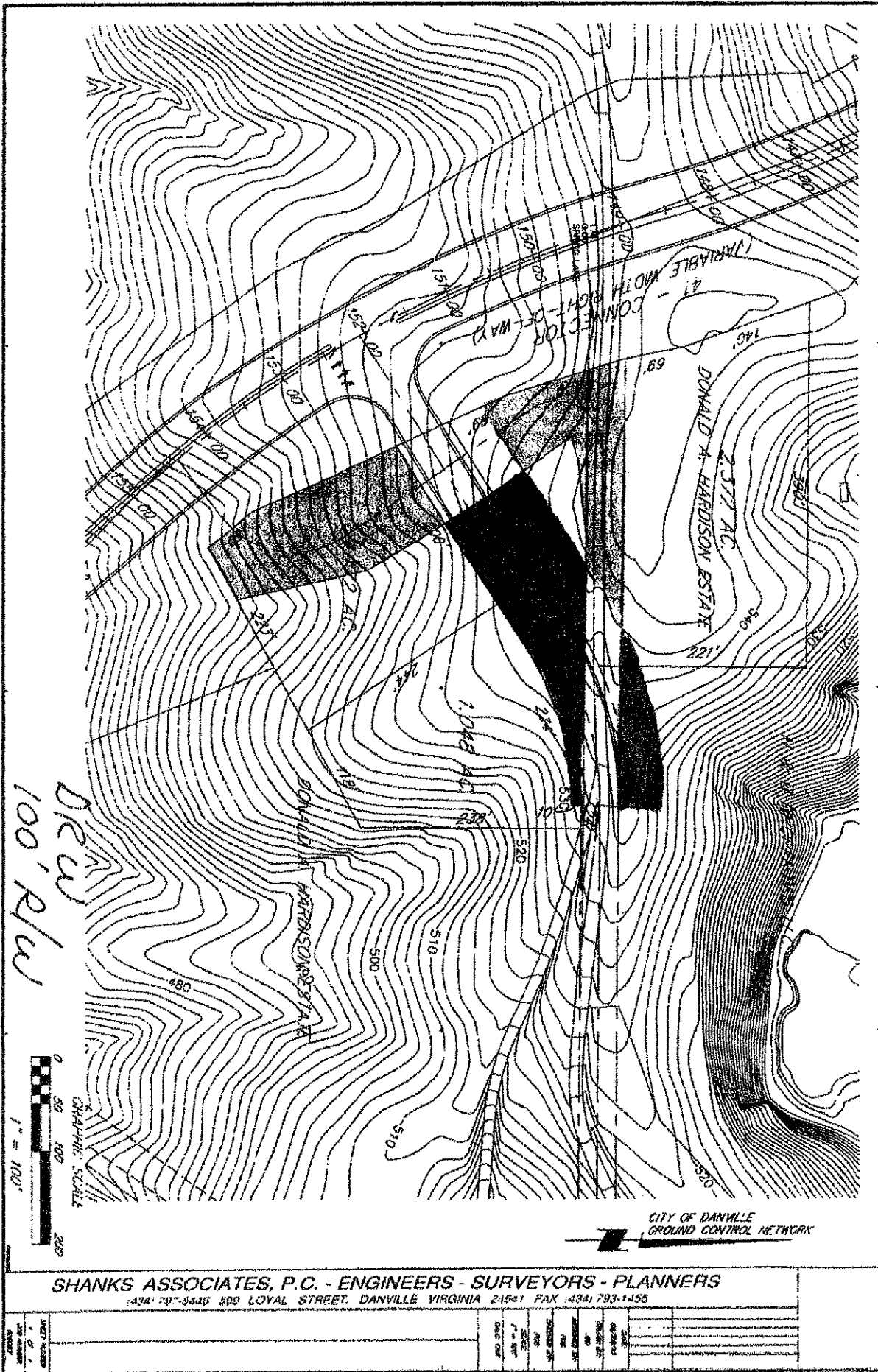
WHEREAS, all other conditions and requirements of the said Resolution previously approved on February 20, 2008, and July 14, 2010, remain unchanged.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby approves the said amendment to the resolutions approved on February 20, 2008, and July 14, 2010, of limited access control changes for public street purposes, being removal of the limitation of right in and right out only turning movements, and that a median crossover and related turn lanes can be constructed, and shifting the location of the said breaks along the said northeast and southwest right of way and limited access lines to beginning at Station 151+55 and ending at approximate Station 152+55 at as set forth, and subject to the above referred to conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution; and,

BE IT FURTHER RESOLVED, that any connecting roadway constructed at the previously approved limited access break locations may remain in place until such time as a new connecting roadway is constructed at the herein approved location. At such time as the said connecting roadway is opened, the limited access breaks approved on February 20, 2008, shall automatically terminate reestablishing the right of way and limited access lines as originally designed and approved by the CTB.

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DATA SHEET PLRZ 2021-246

PUBLIC HEARING DATES:	AUGUST 9, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	WEST SIDE OF FRANKLIN TURNPIKE, SOUTH OF AMERICAN LEGION BOULEVARD
PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
PROPOSED ZONE:	M-R MULTIPLE FAMILY RESIDENTIAL
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	APARTMENT COMPLEX
FUTURE LAND USE DESIGNATION:	MIXED USE
PROPERTY OWNER(S):	D & R JONES LLC
NAME OF APPLICANT(S):	D & R JONES LLC
PROPERTY BORDERED BY:	VACANT TO THE SOUTH AND EAST, MEDIUM DENSITY RESIDENTIAL TO THE NORTH AND WEST
ACREAGE:	18.56 ACRES TOTAL
CHARACTER OF VICINITY:	VACANT
INGRESS AND EGRESS:	PRIMARY- EAST FRANKLIN TURNPIKE, SECONDARY – AMERICAN LEGION BOULEVARD
TRAFFIC VOLUME:	NO RECENT COUNTS

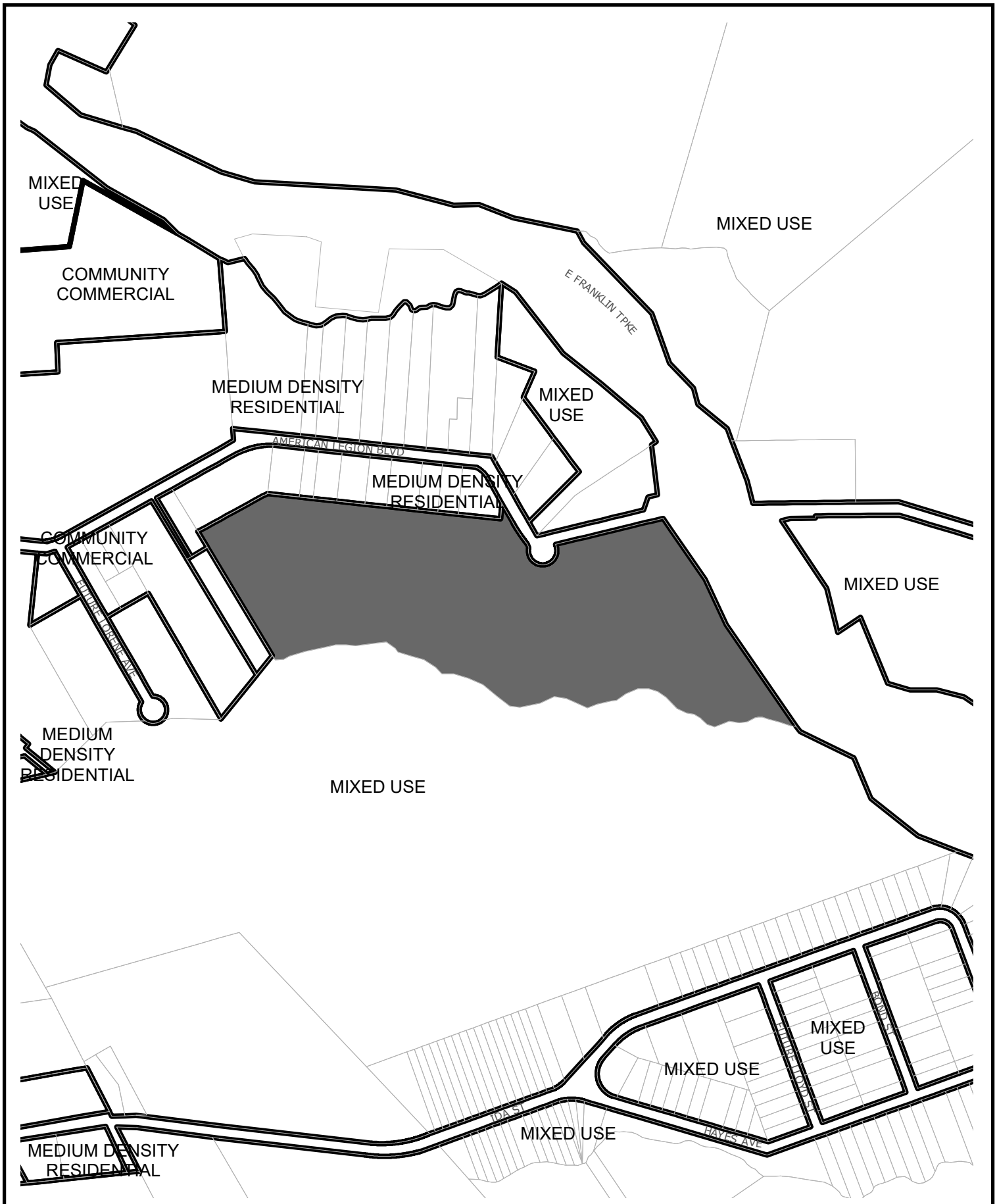


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

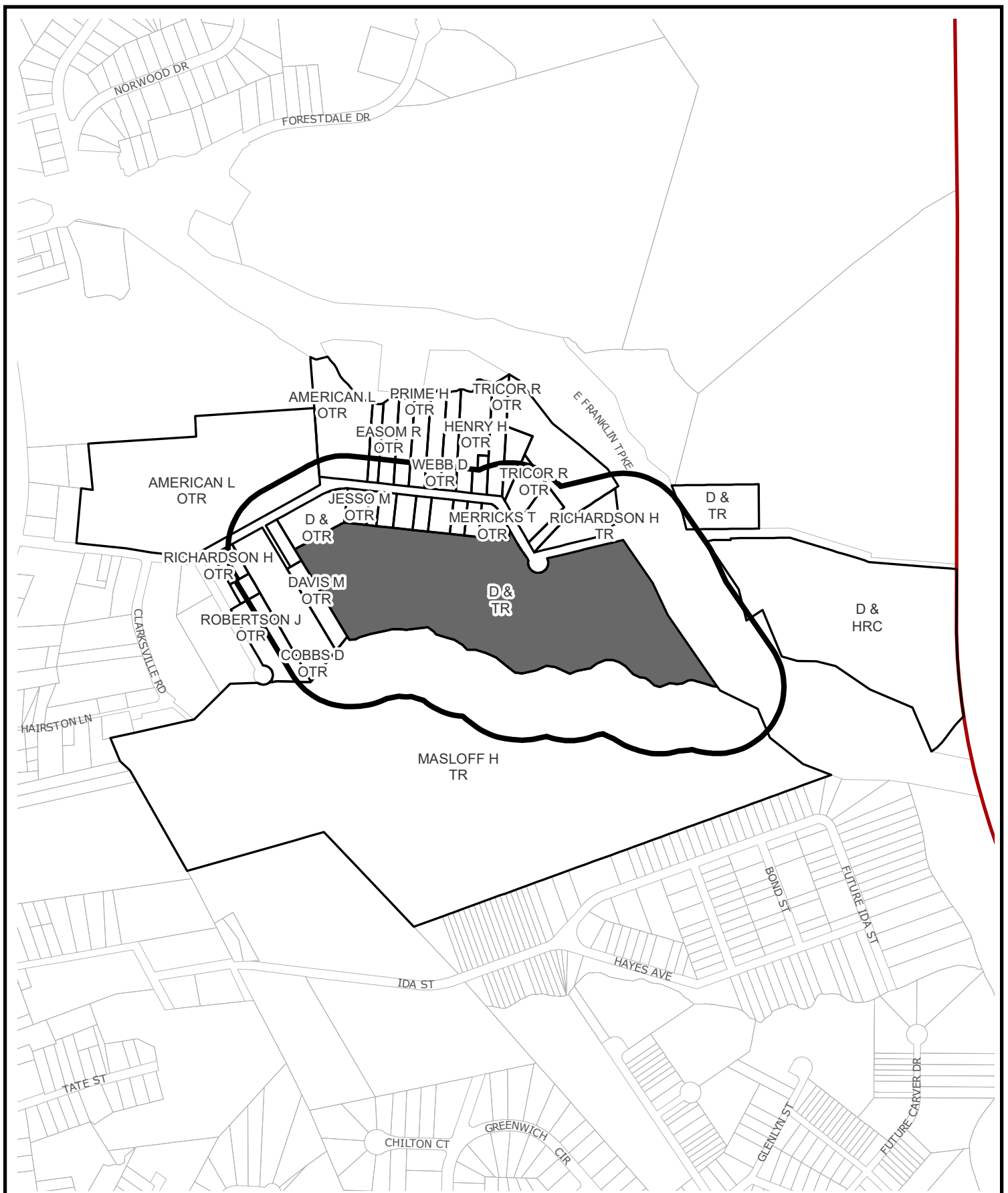
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions,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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/21/2021

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

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427 Patton Street, Suite 208
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Phone: (434) 799-5260

City Planning Commission

STAFF REPORT

DATE: August 3, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: **REZONING APPLICATION - 924 ARNETT BOULEVARD**

Rezoning Application PLRZ2021-255, initiated by the City Planning Director, requests to rezone 924 Arnett Boulevard (Parcel ID# 00319) from OTR Old Town Residential to HR-C Highway Retail Commercial. The owner plans commercial uses on the site as it was developed in 1950.

BACKGROUND

The property owner requested a use change at the property to a more intense use, used car sales. Article 7 of the zoning ordinance regulates non-conforming uses and I determined that the change did not meet the criteria outlined in the ordinance. At some point, the City rezoned this commercially developed property to residential. I initiated the zoning ordinance amendment to allow the property owner and planning commission to determine the appropriate zoning district for the development after a public hearing for neighbor input.

STAFF ANALYSIS

The proposed rezoning's future land use designation in the Comprehensive Plan is "Medium Density Residential". The adjacent land use along Piney Forest Road is planned "regional commercial". The site is adjacent to sub-area 3 in the Piney Forest Road Planning Area. Sub Area 3 includes 20 acres of transitional office and highway retail commercial.

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-255 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation to a future meeting.
2. Recommend approval as submitted.
3. Recommend approval with conditions determined by the Planning Commission.
4. Recommend denial.

ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map

DATA SHEET PLRZ 2021-255

PUBLIC HEARING DATES:	AUGUST 9, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF ARNETT BOULEVARD JUST EAST OF PINEY FOREST ROAD
PRESENT ZONE:	OT-R OLD TOWN RESIDENTIAL
PROPOSED ZONE:	HR-C HIGHWAY RETAIL COMMERCIAL
ACTION REQUESTED:	REZONE PROPERTY
PRESENT USE OF PROPERTY:	VACANT COMMERCIAL - NONCONFORMING
PROPOSED USE OF PROPERTY:	COMMERCIAL
FUTURE LAND USE DESIGNATION:	MEDUIM DENSITY RESIDENTIAL
PROPERTY OWNER(S):	RICHARD AND JANE HOLBROOK
NAME OF APPLICANT(S):	RICHARD AND JANE HOLBROOK
PROPERTY BORDERED BY:	HIGHWAY COMMERCIAL TO THE WEST AND NEIGHBORHOODS TO THE NORTH, EAST, AND SOUTH
ACREAGE:	0.34 ACRES TOTAL
CHARACTER OF VICINITY:	BORDER BETWEEN PINEY FOREST ROAD CORRIDOR AND NEIGHBORHOOD RESIDENTIAL
INGRESS AND EGRESS:	ARNETT BOULEVARD
TRAFFIC VOLUME:	NO RECENT COUNTS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

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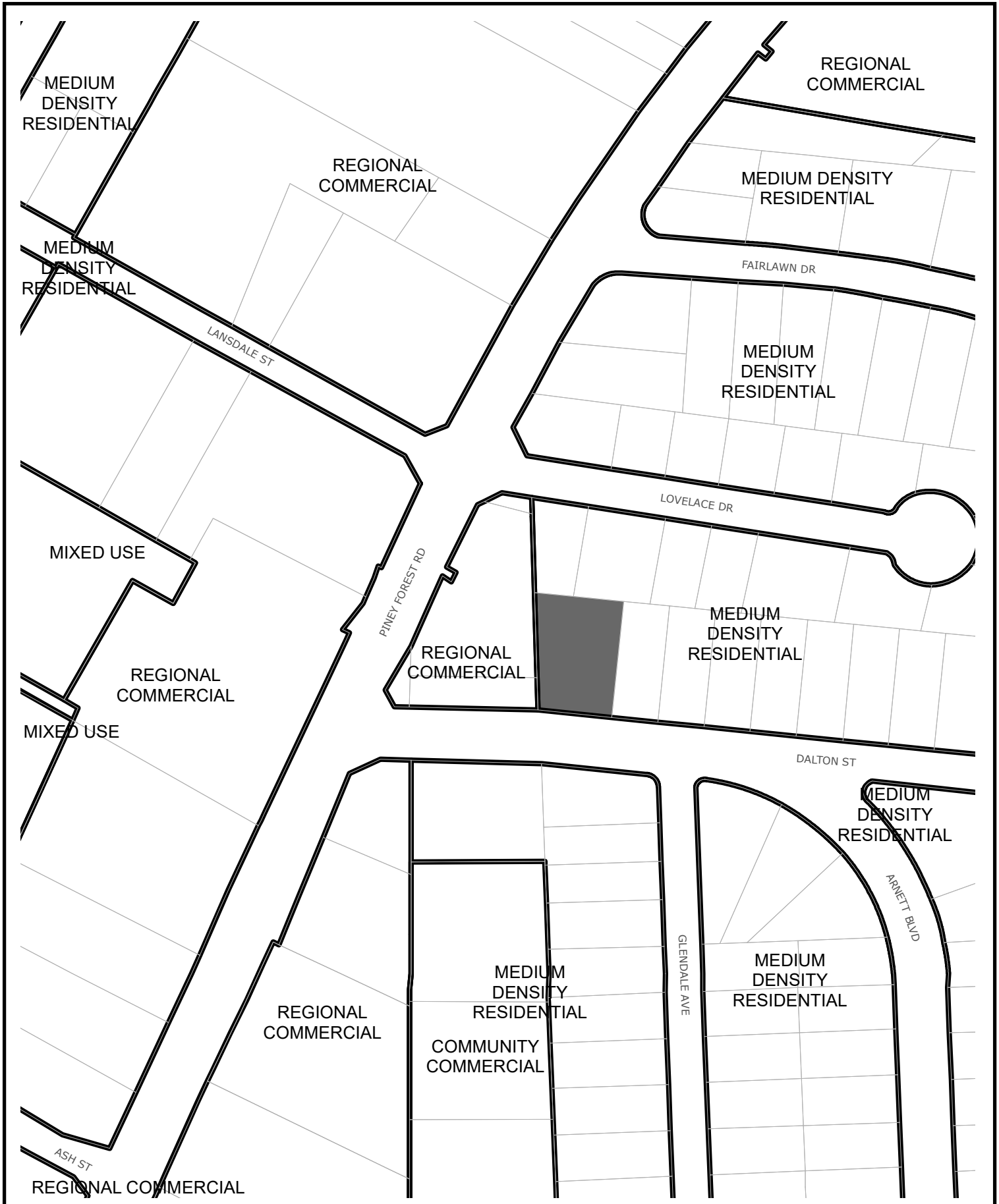


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
7/21/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
7/21/2021

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City Planning Commission

STAFF REPORT

DATE: August 3, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: REZONING APPLICATION - 212 JEFFERSON AVENUE

Rezoning Application PLRZ2021-259, initiated by the City Planning Director, requests to rezone 212 Jefferson Avenue (Parcel ID# 24689) from OTR Old Town Residential to M-R, MULTIFAMILY RESIDENTIAL DISTRICT. The owner is rehabilitating the historic Old West End multifamily dwellings.

BACKGROUND

The property owner contacted the City to because the multifamily dwelling is legal non-conforming in the OTR zoning district. The non-conforming status creates problems for financing and insuring the development. It will make it impossible to convert the building to condominiums.

STAFF ANALYSIS

Rezoning the property will not alter the Commission for Architectural Review's design guidelines for the building and will further Old West End reinvestment.

RECOMMENDATION

The Planning Division recommends that the Planning Commission endorse Rezoning Application PLRZ2021-259 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation to a future meeting.
2. Recommend approval as submitted.
3. Recommend approval with conditions determined by the Planning Commission.
4. Recommend denial.

ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map

DATA SHEET PLRZ 2021-259

PUBLIC HEARING DATES:	AUGUST 9, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	SOUTH SIDE OF JEFFERSON AVE IN BETWEEN PATTON AND LOYAL STREETS
PRESENT ZONE:	T-R THRESHOLD RESIDENTIAL
PROPOSED ZONE:	M-R MULTIPLE FAMILY RESIDENTIAL
ACTION REQUESTED:	REZONE PROPERTY.
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	MULTIFAMILY 6-PLEX
FUTURE LAND USE DESIGNATION:	MEDIUM DENSITY RESIDENTIAL
PROPERTY OWNER(S):	MONTICELLO APTS LLC
NAME OF APPLICANT(S):	MONTICELLO APTS LLC
PROPERTY BORDERED BY:	OLD WEST END SINGLE AND MULTIFAMILY BUILDINGS
ACREAGE:	~0.5 ACRES TOTAL
CHARACTER OF VICINITY:	HISTORIC NEIGHBORHOOD
INGRESS AND EGRESS:	JEFFERSON AVENUE
TRAFFIC VOLUME:	NO RECENT COUNTS

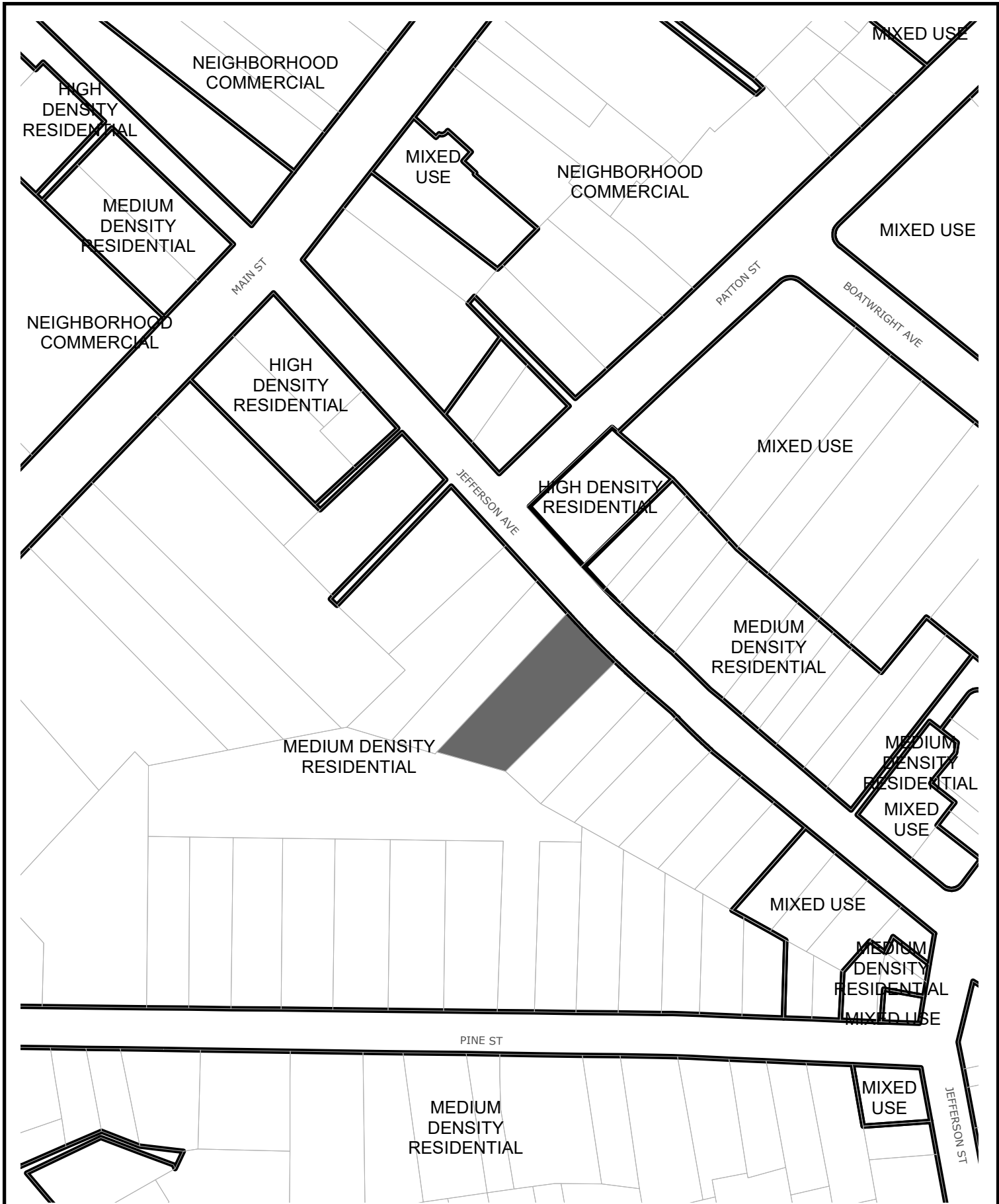


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
8/2/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/2/2021

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/2/2021

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

City Planning Commission

MEMORANDUM

DATE: August 5, 2021
TO: Danville City Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: PLRZ 2021-260 Short-Term Rentals Amendments

Rezoning Application PLRZ2021-260, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 2. Section Y. Short Term rentals to update the City’s short-term rental provisions and consolidate the zoning regulations regarding such into this section.

BACKGROUND AND SUMMARY

The City recently received an influx of short-term rental requests and noticed many non-complaint short-term rentals. Further, there was a police incident at one of the unpermitted short-term rentals. The incident prompted a review of the short-term rental regulations. A summary of the changes are as follows:

- Remove definitions for boardinghouse, homestay, and ‘short-term rental, entire furnished home’. These definitions are unused elsewhere in the ordinance and add to confusion.
- Revise the short-term rental definition to remove regulations.
- Remove the subsection addressing short-term rentals in the home occupation section.
- Remove the requirements for a registration and replace them with the business license clearance process that the Planning Division uses for other zoning use approvals.
- Establish a specific regulation subsection that addresses zoning districts, emergency contact, parking, building code, rental inspection districts, and rental period.

Article 15 Definitions

Short-term rental. Any furnished residential-property that provides sleeping accommodations for monetary compensation for thirty (30) or fewer consecutive days. This definition specifically excludes establishments otherwise licensed as businesses with the City or State like bed and breakfast establishments, hotels, and motels.

Article 2.T. Home Occupations.17. (DELETED)

Article 2.Y. Short Term Rentals

1. Short-term rental approval
 - a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
 - b. A short-term owner/operator must apply for a receive a business license clearance prior to registering with the Commissioner of Revenue
 - c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation".
2. Short-term rental standards
 - a. A short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
 - b. Short term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
 - c. If the owner of a short-term rental does not live within 60 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
 - d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88).
 - e. If a short-term rental is within a City Rental Housing Inspection District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
 - f. The minimum short-term rental contract rental period is 18 hours.
 - g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
 - h. g. Short-term rental parking must be on the associated property or on street immediately adjacent to it, unless the short-term rental is in the CB-C or TW-C zoning districts.

Article 15 Definitions

~~**Boardinghouse.** A single detached dwelling where the property owner, after obtaining a boardinghouse permit and license from the City, must reside on the premises, and where for compensation and by prearrangement for definite periods, lodging and/or meals shall be provided for not more than four (4) persons not of the same family. Operation of a boarding or rooming house shall not be deemed a home occupation. There shall be no more than one (1) boarding or rooming house on each recorded lot.~~

Commented [PD1]: Delete boardinghouse definition

~~**Homestay.** A single family dwelling, occupied by its owner or operator, containing sleeping accommodations as an accessory use to the principal use as a private residence. Such lodging shall have no food prepared for guests by the owner or operator, no more than two (2) room accommodations, no more than five (5) guests at any time, and a thirty (30) consecutive calendar day limit for any guests.~~

Commented [PD2]: Homestay unnecessarily confuses short term rentals.

~~**Short-term rental.** Any furnished residential-style property which that provides sleeping accommodations for monetary compensation for a period no more than thirty (30) or fewer consecutive calendar days. Such lodging shall have no food prepared for guests by the owner or operator, nor shall banquet/event facilities be provided. This definition specifically excludes establishments which are otherwise licensed as businesses with the City or State such as licensed like bed and breakfast establishments, hotels, and motels.~~

Commented [PD3]: Update to move regulations to regulation section and not in definition.

~~**Short term rental, entire furnished home.** A furnished structure designed as a single family dwelling, but used for temporary guest accommodations in exchange for payment. Such lodging shall allow no more than two (2) families or eight (8) guests at any time, whichever is more.~~

Commented [PD4]: No need to distinguish

Article 2.T.Home Occupations.17.

~~17. A short-term rental may be permitted as a home occupation, subject to the following conditions:~~

Commented [PD5]: Unnecessary to explain as a home occupation.

~~a. The applicant for the establishment must submit at least two (2) forms of documentation indicating the location of the permanent residence of the owner or operator.~~

~~b. A responsible party must be identified for emergencies or concerns, including contact information to be reached any time guests are using the property. This information shall be supplied to the Zoning Administrator when the establishment is approved, and provided to all guests using the property.~~

Commented [PD6]: Replaced with a clause in the short-term rental approval process.

~~c. The safety requirements associated with a short term rental (as defined) are observed.~~

Commented [PD7]: Replaced with other standards.

~~d. Only homestays shall be permitted as a short-term rental home occupation.~~

Commented [PD8]: Unnecessary to explain as a home occupation.

Y. ~~Specific Use Standards~~ Short Term Rentals

1. Short-term rental approvals (as defined in Article 15, Section B of this Chapter):

- a. ~~No host shall operate or advertise a residential property for a short-term rental without first registering with the Zoning Administrator or their designee.~~ Short-term rentals must obtain a business license clearance from the Zoning Administrator and a business license from the Commissioner of Revenue prior to operating or advertising the property.
- b. ~~Registration shall include providing information regarding the host or responsible party, property owner, location of the short-term rental, and acknowledgement of the standards of this section.~~ The short-term owner/operator must apply for a receive a business license clearance prior to registering with the Commissioner of Revenue
- c. The ~~short-term rental must host shall~~ register with the Commissioner of Revenue to collect and remit the ~~CityTown's~~ transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation". ~~A business license shall not be required.~~
- d. ~~The registration shall be valid from January 1 (or from whatever date the registration first occurs) through December 31 of the calendar year, and shall be renewed annually for operation and advertising to continue.~~
- e. ~~If operating a homestay, the property shall be the primary residence of the host. This shall be indicated through two (2) forms of documentation.~~
- f. ~~The owner or operator shall permit at least one (1) inspection each year by the Zoning Administrator, or other official(s) designated by the City to ensure compliance with City regulations.~~
- g. ~~On the property, the~~ A short term rental host shall ~~may~~ only provide short-term occupancy services for compensation for guests including lodging, packaged food, and beverages, and other incidental items typically found within a residence. The ~~host~~ short term rental shall ~~must~~ not prepare food or beverages ~~for the guests~~, provide event services, or provide unrelated services for compensation.

h. —

2. Short-term rental standards

- a. Short term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- b. If the owner of a short-term rental does not live within 60 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- c. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88).
- d. If a short-term rental is within a City Rental Housing Inspection Division, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- e. The minimum short-term rental contract rental period is 18 hours.
- a.f. i. ~~There shall be no on-site outdoor signage as accessories to the short-term rental.~~ Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- b.g. j. ~~Short-term rental parking shall be limited to the must be on the associated property or on property containing the short-term rental, or the portion of the street right-of-way immediately adjacent to the property it, unless the short-term rental is in the . This shall not apply to the CB-C, Central Business Commercial District or TW-C zoning districts.~~
- k. Every sleeping room shall have at least two (2) means of ingress/egress, including the primary entrance and windows.
- l. There shall be one (1) conspicuously posted placard or similar notice indicating means of ingress/egress posted in each sleeping room.

Commented [PD9]: The Planning Division does not have the staff to manage use registries.

Commented [PD10]: The Commissioner of Revenue and associated code determines what necessitates a business license

Commented [PD11]: The Planning Division does not have staff to maintain use and inspection registries.

Commented [PD12]: The Planning Division cannot verify documentation.

Commented [PD13]: The Planning Division does not have staff to conduct annual inspections.

-
- m. There shall be one (1) working smoke detector in each sleeping room (for both guests and the operator/owner).
 - n. There shall be one (1) working smoke detector per floor.
 - o. There shall be one (1) working carbon monoxide detector per floor.
 - p. There shall be one (1) working fire extinguisher per floor, accessible for use by guests.
 - q. There shall be a physical booklet or similar notice informing guests of the location of working fire extinguishers, the City requirements for the rental, contact information for the responsible party and Zoning Administrator, and proof of inspection.
 - r. Proof of registration shall be indicated on any advertising of the short-term rental.
 - s. The Zoning Administrator shall have the authority to revoke registration if there are three (3) or more substantiated complaints, zoning or building violations, or illegal activities within a twelve (12) month time period.

Commented [PD14]: These are all standards suitable for a licensing program, not zoning standards.

Commented [PD15]: Zoning cannot be "revoked" unless there is a violation of a permit process written into the code. Short term rental licensing is best under a police power code, not zoning.

PLANNING COMMISSION MINUTES

JULY 12, 2021

MEMBERS PRESENT

Mr. Khan
Mr. Garrison
Mr. Bolton
Mr. Dodson

MEMBERS ABSENT

Mr. Craft
Ms. Evans
Mr. Petrick

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

1. *Text Amendment PLRZ2021-223, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended. Specifically updating, reorganizing, and clarifying Article 8, Parking and Loading Requirements into subsections Purpose; General Parking and Loading Provisions; Off-Street Parking Area Construction and Maintenance; Off-Street Parking Area Layout and Dimensions; Off-Street Loading; Required Parking Spaces Computation; Minimum Parking Spaces; Stacking Lanes; Private Streets, Drive Aisles, and Combined Drive Aisles and Parking Bays; and Electric Vehicle Parking.*

Mr. Garrison opened the Public Hearing.

Mr. Doug Plachcinski, Planning Director, with the City of Danville summarized the Text Amendment PLRZ2021-223.

ARTICLE 8. - PARKING AND LOADING REQUIREMENTS

A. - Purpose.

These regulations establish off-street parking and loading requirements for buildings and uses governed by this Article. These requirements coincide with the intensity of buildings or uses. Parking and loading requirements prevent congestion on public streets by clearly defining and separating parking areas from roadways; remove hazards to pedestrians in parking areas and public streets; facilitate proper storm-water runoff; and make clear the availability and arrangement of spaces to all users.

B. - General Parking and Loading Area Regulations.

1. Whenever a use or an activity requiring off-street parking is created, enlarged or increased in activity or intensity, off-street parking areas must be provided on-site and maintained.
2. Available on-street parking spaces may be counted toward the required number of off-street parking spaces if:
 - a. They are within 300' of the proposed use; and
 - b. They are in the TW-C or CB-C zoning districts.

3. Required off-street parking and loading areas for new uses, additions to existing uses, and accessory uses must be determined by the regulations in effect when the change or modification occurs. Required parking areas must not be changed to any other use unless and until equal facilities are provided and approved.
4. All off-street parking areas are solely for the parking operating vehicles by patrons, occupants, or employees of the associated use.
5. No vehicle, equipment, materials, or supply repair, dismantling, or servicing is allowed in off-street parking areas.
6. All required off-street parking and loading areas must be on the same property as the associated use except where otherwise allowed by this Article, where circumstances prevent such location, or where the public safety or the public convenience would be better served by an alternate location. The Zoning Administrator may authorize alternative and/or cooperative locations of required parking spaces subject to the following:
 - a. An alternative location must be in the same zoning district as the property on which the use is located.
 - b. If a development does not include on-site parking, then handicapped accessible spaces must be furnished as required by the current Virginia Uniform Statewide Building Code.
 - c. A shared parking location that provides parking for two (2) or more uses must be in the same ownership of at least one (1) of the properties and must have combined parking spaces equal to the sum required for the separate uses, unless the normal hours of the uses do not overlap.
 - d. The entrance to an alternative parking location must be within three hundred (300') feet along an accessible pedestrian walking route to the associated use.
 - e. A recorded covenant or agreement, approved as to form and content by the City Attorney, and recorded in the Danville Circuit Court Clerk's Office, must establish right to use an alternative parking location.
 - f. If an alternative parking location become unavailable, an equal number of parking spaces must be provided on either the principal property or an alternative parking location within ninety (90) days from the date on which the alternative parking location ceased.

C.- Off-Street Parking Area Construction and Maintenance

1. For all uses, other than single-family residential, all required off-street parking and loading areas must be constructed of an all-weather, stabilized, dust free surface paving with curb, gutters, and drainage improvements.
2. The Zoning Administrator may approve an alternate parking area surface only for areas used by heavy equipment.
3. For parking areas of six (6) spaces or less, the Zoning Administrator may waive the requirement for paved parking with curb and gutter if the parking surface is constructed with a minimum of six (6") inches of crushed stone with adequate compaction and stormwater drainage.
4. Accessible spaces must be furnished as required by the current Virginia Uniform Statewide Building Code.
5. Parking and loading area lighting must comply with Article 11. Outdoor Lighting and Illumination Regulations.

D. Off-Street Parking Area Layout and Dimensions

1. All parking spaces must prevent vehicles from extending over any property line, right-of-way, or sidewalk.
2. Required off-street parking areas must be consistent with the following standards:
 - a. Ninety-degree pattern: Parking spaces and maneuvering lanes must be provided as follows:

Space Width	Space Length	Maneuvering Lane Width	Two Tiers of Parking + Maneuvering Lane
9.0'	20' feet	24' feet	64' feet
9.5' feet	20' feet	22' feet	62' feet
10' feet	20' feet	20' feet	60' feet

- b. Sixty-degree pattern: 58' feet for two (2) tiers of spaces, and one (1) aisle/maneuvering lane, with minimum aisle width of twelve (12') feet.
 - c. Forty-five-degree pattern: 56' feet with two (2) tiers of parking spaces, and one (1) aisle/maneuvering lane, with minimum aisle width of twelve (12') feet.
 - d. Drive or maneuvering lanes must not be less than 20' feet wide to permit two-way traffic.
3. Required off-street parking areas may be in garages, carports, or enclosed buildings if dimension, layout, and accessibility standards are met.
4. Non-residential use parking areas in any SR-R, T-R, S-R, NT-R, OT-R, A-R, M-R, or MHP-R zoning district must be screened by a visual separation of at least six (6') feet in width between parking and adjoining residential uses by landscaping and/or fencing. No more than 50% of required front yards are may be parking area.

E. – Off-Street Loading

Off-street loading spaces are not required. However, if off-street loading spaces are provided, they must meet the following standards:

1. No loading space may be in a front yard, except for industrial uses.
2. Off-street loading spaces do not count toward off-street parking space requirements.
3. No loading space may be less than 15' feet wide, 25' feet long, and 15' feet tall, provided that the depth accommodates the largest delivery trucks supplying the establishment.
4. No off-street loading space may necessitate maneuvering from a public right-of-way.
5. All off-street loading spaces must be located on the same property as the associated use.
6. All off-street loading space must be provided with a clear route to a public right-of-way.
7. No motor vehicle repair work, with the exception of emergency service, is permitted in any space designated as off-street loading area.
8. All off-street loading areas, including aisles and driveways, must be constructed and maintained with a dustless paved surface, except as otherwise permitted for heavy equipment.

F. - Required Parking Spaces Computation.

1. Net floor area, as defined in Article 15, is the basis for required parking spaces unless otherwise indicated.
2. When the calculation determining the number of required parking spaces results in a fractional space, one (1) space must be provided for that fraction.

3. Mixed use development parking space requirements are the sum of the required spaces computed for different uses.
4. The Zoning Administrator may waive or reduce the number of required parking spaces when the following conditions are met:
 - a. An applicant demonstrates fewer spaces are necessary because the current or proposed use does not need the required spaces or the development provides an alternative parking location;
 - b. The development meets Virginia Uniform Statewide Building Code accessible space requirements;
 - c. The provisions of Article 8 of the Zoning Ordinance apply to alternate parking locations used instead of required on-site parking;
 - d. The absence or reduction of onsite parking spaces will not negatively impact surrounding properties;
 - e. The applicant or property owner complies with any additional conditions applied when the Zoning Administrator waives or reduces required off-street parking spaces.

G. - Parking Space Minimums.

The minimum number of off-street parking spaces is determined by the following schedule:

Use	Minimum Number of Spaces
Residential Uses	
Residential dwellings	One (1) per dwelling unit
Uses accessory to residential uses in addition to required spaces per dwelling unit:	
accessory dwelling	One (1) per dwelling unit
roomers and boarders	One (1) per boarder
tourist homes or bed and breakfast	One (1) for each guest bedroom
Institutional Uses	
Places of worship	One (1) for each five (5) fixed seats; benches have capacity of one (1) person per 30" linear inches of bench
Arenas, auditoriums, and stadiums	One (1) parking space per five (5) spectator seats. One (1) parking space per 20 square feet of additional spectator area provided by the establishment. One (1) parking space per employee.
Art galleries, libraries, museums	Three (3) per 1,000 square feet
Clubs, lodges and other recreational facilities (6830)	One (1) per each five (5) persons of the rated capacity of the building
Schools, public and private, elementary and junior high	Two (2) per three (3) employees
High schools, public and private	Two (2) per three (3) employees plus one (1) per ten (10) students
Colleges	Two (2) per three (3) employees plus one (1) per five (5) students
Child Care Center, Nursery school, or Adult Day Care Center.	One (1) space per employee plus one (1) space per four (4) children or clients
Group homes	Two (2) per home plus one (1) per eight (8) residents plus one (1) per three (3) employees on main shift

Hospitals	One (1) per three (3) patient beds, plus one (1) per resident doctor, plus one (1) per three (3) three other employees
Commercial uses	
Business, banking, professional and similar offices	Two (2) per 1,000 square feet
Medical, dental, veterinary and similar offices	Three (3) per 1,000 square feet
Retail sales and personal services establishments	Three (3) per 1,000 square feet
Commercial and trade schools	One (1) per five (5) students and one (1) per two (2) employees
Hotels and motels	One (1) per guest room plus one (1) for each three (3) employees
Mortuaries and funeral parlors	One (1) space for every four (4) seats in assembly rooms with fixed seats or one (1) space for each 100 square feet of floor area for assembly rooms without fixed seats.
Restaurants, night clubs, taverns, places of assembly (including theaters)	One (1) per each four (4) persons of the rated capacity of the building plus one (1) for each three (3) employees on main shift
Vehicle Sale, Rental, and Ancillary Service Establishment.	One (1) space per 500 square feet of enclosed sales/rental floor area, plus one (1) space per 2500 square feet of open sales/rental display lot area, plus two (2) spaces per service bay, plus one (1) space per employee, but not less than five (5) spaces minimum.
Automobile service stations	Two (2) per three (3) employees on main shift plus two (2) for each service bay
All others	One (1) per each four (4) persons of the building's rated capacity.
Industrial uses	
Manufacturing, warehousing, wholesale and other industrial uses	One (1) per three (3) employees on main shift

H. - Stacking Lane Requirements.

1. Stacking spaces are required for drive-through windows.
2. Stacking spaces must be at least ten (10') feet wide, 18' long, and must not block traffic movements.
3. Stacking lanes and spaces must be separate from other circulation aisles and parking spaces.
4. The following minimum stacking spaces are required:
 - a. Eating and fast-food establishments: Ten (10) stacking spaces, measured from the last drive-through window.
 - b. Car washes: Three (3) stacking spaces per car wash bay.
 - c. Financial institutions: Six (6) stacking spaces for the first drive-through window and three (3) stacking spaces for each additional window.

I. - Private Streets, Drive Aisles, and Combined Drive Aisles and Parking Bays.

1. Private streets in any residential single-family subdivision may be approved by the Planning Commission. Private drive aisles and combined drive aisles/parking bays in townhouse, apartment and non-residential development may be allowed as a part of the site plan approval process.
2. Emergency vehicles must be able to access private streets.

J. Electric Vehicle Parking Requirements

Electric vehicle parking spaces and charging stations required by this section must meet these additional standards:

1. Except for single-family residential uses, wherever the zoning code requires an off-street parking area of 30 spaces or more for any new or increased development, one (1) electric vehicle parking space is required for each 50 required parking spaces.
2. Electric vehicle parking spaces must be equipped with an electric vehicle charging station rated at electric vehicle charging level 2.
3. All electric vehicle parking spaces are reserved exclusively for electric vehicles.
4. Electric vehicle parking spaces must be marked by green painted lines or curbs.
5. Each electric vehicle parking space must have a sign designating the parking space as an electric vehicle parking space, in accordance with the Federal Highway Administration Manual on Uniform Traffic Control Devices {MUTCD}.
6. Electric vehicle charging stations must contain a retraction device, coiled cord, or a fixture to hang cords and connectors above the ground.

Mr. Adam Vaught stated I am here on behalf of Mr. Cochran and I work for him. It was formerly a duplex with two front doors, and it is laid out as a duplex. All the hook-ups are there on the second floor for a kitchen but whoever turned it into a single family tore it out. But all the piping stuff for gas's are still there. There's are a bunch of multi-use next door and I don't think it would negatively impact at all. Formerly it was a duplex and we just want to take it back to that.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion for recommendation Text Amendment PLRZ2021-223 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 4-0 vote.

2. *Rezoning Text Amendment PLRZ2021-224, initiated by the City of Danville Planning Director requests to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended. Specifically updating Article 2, Section P. 11 to provide different regulations for satellite dishes less or greater than 3'.*

Mr. Garrison opened the Public Hearing.

Mr. Doug Plachcinski Planning Director with the City of Danville summarized the Rezoning Text Amendment PLRZ2021-224.

ARTICLE 2.P – ACCESSORY USES AND STRUCTURES

1. Satellite dish antennas, satellite receiving dishes, satellite earth stations, and similar antenna structures are allowed accessory structures in any zoning district under the following conditions:

- a. Satellite dishes greater than three (3') feet in diameter:
 - i. May not be in a front yard;
 - ii. May not be closer than ten (10') feet to any property line;
 - iii. In SR-R, T-R, S-R, NT-R, OT-R, A-R, M-R, or MHP-R zoning districts, may not more than ten (10') feet tall nor exceed district height requirements if attached to a building;
 - iv. In TO-C, N-C, CB-C, TW-C, HR-C, PS-C, LED-I, CP-1, or M-I zoning districts may not be more than 20' feet tall nor exceed district height requirements if attached to a building; and
 - v. Must be black, gray, or white.
- b. Satellite dishes three (3') feet or less in diameter:
 - i. May be in any yard;
 - ii. May not be closer than five (5') feet to any property line;
 - iii. In SR-R, T-R, S-R, NT-R, OT-R, A-R, M-R, or MHP-R zoning districts, may not more than five (5') feet tall nor exceed district height requirements if attached to a building;
 - iv. In TO-C, N-C, CB-C, TW-C, HR-C, PS-C, LED-I, CP-1, or M-I zoning districts may not be more than ten (10') feet tall nor exceed district height requirements if attached to a building; and
 - v. Must be black, gray, or white.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of Rezoning Text Amendment PLRZ2021-224 as submitted. Mr. Kahn seconded the motion. The motion was approved by a 4-0 vote.

II. APPROVE MINUTES FROM JUNE 7, 2021

The June 7, 2021 minutes were approved by unanimous vote.

III. ADJOURNMENT

With no further business, the meeting adjourned at 3:21 p.m.

APPROVED _____