



City of Danville

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

City Planning Commission

MAY 10, 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. Special Use Permit Application PLSUP 2021-125, filed by Shirley Hightower requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID#s 51026). The applicant requests a Special Use Permit for a family day care home.
2. Special Use Permit Application PLSUP 2021-152, filed by the Alexander Company on behalf of 424 Memorial Drive LLC and the Industrial Development Authority of the City of Danville, requests a Special Use Permit for residential and commercial uses permitted by right with lot frontage on the Dan River in accordance with Article 3.L Section C.11. of Danville Zoning Ordinance, at 424 Memorial Drive Street (Parcel ID# 21344 and 21322). The applicant requests a Special Use Permit for a mixed-use development in the TW-C Tobacco Warehouse Commercial Zoning District.
3. Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike, Parcel ID#s 54397 and 53892, from OT-R Old Town Residential to TO-C Transitional Office. The applicant would like to develop a real estate office.
4. Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 4. Section A. Initiation of Zoning Amendments and Changes by adding subsection 4. allowing the City Manager, Planning Director, or their designees to initiate zoning ordinance amendments.

IV. OLD BUSINESS

1. Parking Requirement Amendments.

V. PLANNING DIRECTOR'S REPORT

VI. APPROVE MINUTES FROM APRIL 12, 2021

VII. ADJOURNMENT



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

City Planning Commission

STAFF REPORT

DATE: May 4, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION - 259 GUILFORD STREET

Special Use Permit Application PLSUP 2021-125, filed by Shirley Hightower requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 259 Guilford Street (Parcel ID#s 51026). The applicant requests a Special Use Permit for a family day care home.

BACKGROUND

This project is for a family daycare home at 259 Guilford. A Family day care home is a home occupation permitted by special use permit in which the resident and not more than one additional employee cares for more than five (5) but no more than twelve (12) non-related children for less than a twenty-four (24) hour period.

The Planning Division sent 31 notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The applicant, Shirley Hightower, applied to the Planning Division for a family day care home in the OT-R Zoning District. The application is attached to this report.

The City may allow a family day care home in the OT-R Zoning District. (Chapter 41 Zoning Ordinance, Article 3.E. §C.24.) with a Special Use Permit.

The Comprehensive Plan puts the subject property in the Franklin Turnpike planning area. The future land use designation for the subject parcel is 'Medium Density Residential'. If approved, the Special Use Permit is in harmony with the OT-R Zoning District which is established to provide for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principle objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing..

The neighboring adjacent properties on Guilford are also single family residential. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer, will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.

Danville City Code allows City Council impose any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this project as

proposed and that the Planning Commission endorse Special Use Permit Application PLSUP-2021-125 for City Council approval.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application PLSUP-2021-125 as submitted;
2. Recommend approval of Special Use Permit Application PLSUP-2021-125 with conditions per Staff;
3. Recommend approval of Special Use Permit Application PLSUP-2021-125 with conditions per Planning Commission; or
4. Recommend denial of Special Use Permit Application PLSUP-2021-125.

ATTACHMENTS

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



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____
Date Received: _____ Received By: _____
Parcel ID: _____ Address: _____
Existing Zoning: _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): _____
Applicant: _____
Applicant's Address: _____
Applicant's Phone Number: _____
Applicant's E-mail: _____
Describe Proposed Development: _____

Article 6 Section B. General Standards and Criteria for Special Use Permit Review. Please explain how the Special Use Permit request meets the following review standards and criteria:

1. The proposed use shall be: a. in harmony with the adopted Comprehensive Plan; b. in harmony with the intent and purpose of the zoning district in which the use is proposed to be located; and c. in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development.

-
2. The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities:
-
-

3. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance:

-
4. The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods:
-
-

Applicant Signature

Property Owner Signature
(if not applicant)

Article 6. Section D. Application Requirements for Special Use Permit.

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
 - a. A preliminary site plan in accordance with the Site Plan Regulations.
 - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
 - (2.) The applicable zoning district.
 - (3.) The surrounding properties.
 - (4.) Current and future neighborhood conditions.
 - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
 - (6.) Adequate public facilities.
 - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
 - (1.) The architectural elevations and floor plans of proposed building(s).
 - (2.) Traffic impact analysis.
 - (3.) Fiscal impact analysis.
 - (4.) Parking and site circulation analysis.
 - (5.) Photographs of property and surrounding area.
 - (6.) Environmental impact statement.

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-125

PUBLIC HEARING DATES:	MAY 10, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF GUILFORD STREET, ONE HOUSE EAST OF TIMBERLAKE DRIVE
PRESENT ZONE:	OT-R OLD TOWN RESIDENTIAL
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	THE APPLICANT REQUESTS A SPECIAL USE PERMIT FOR A FAMILY HOME DAY CARE
PRESENT USE OF PROPERTY:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE OF PROPERTY:	SAME
FUTURE LAND USE DESIGNATION:	RESIDENTIAL
PROPERTY OWNER (S):	HIGHTOWER
NAME OF APPLICANT (S):	HIGHTOWER
PROPERTY BORDERED BY:	RESIDENTIAL
ACREAGE:	0.25 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL NEIGHBORHOOD
INGRESS AND EGRESS:	GUILFORD STREET
TRAFFIC VOLUME:	RESIDENTIAL COLLECTOR STREET – NO RECENT COUNTS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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.

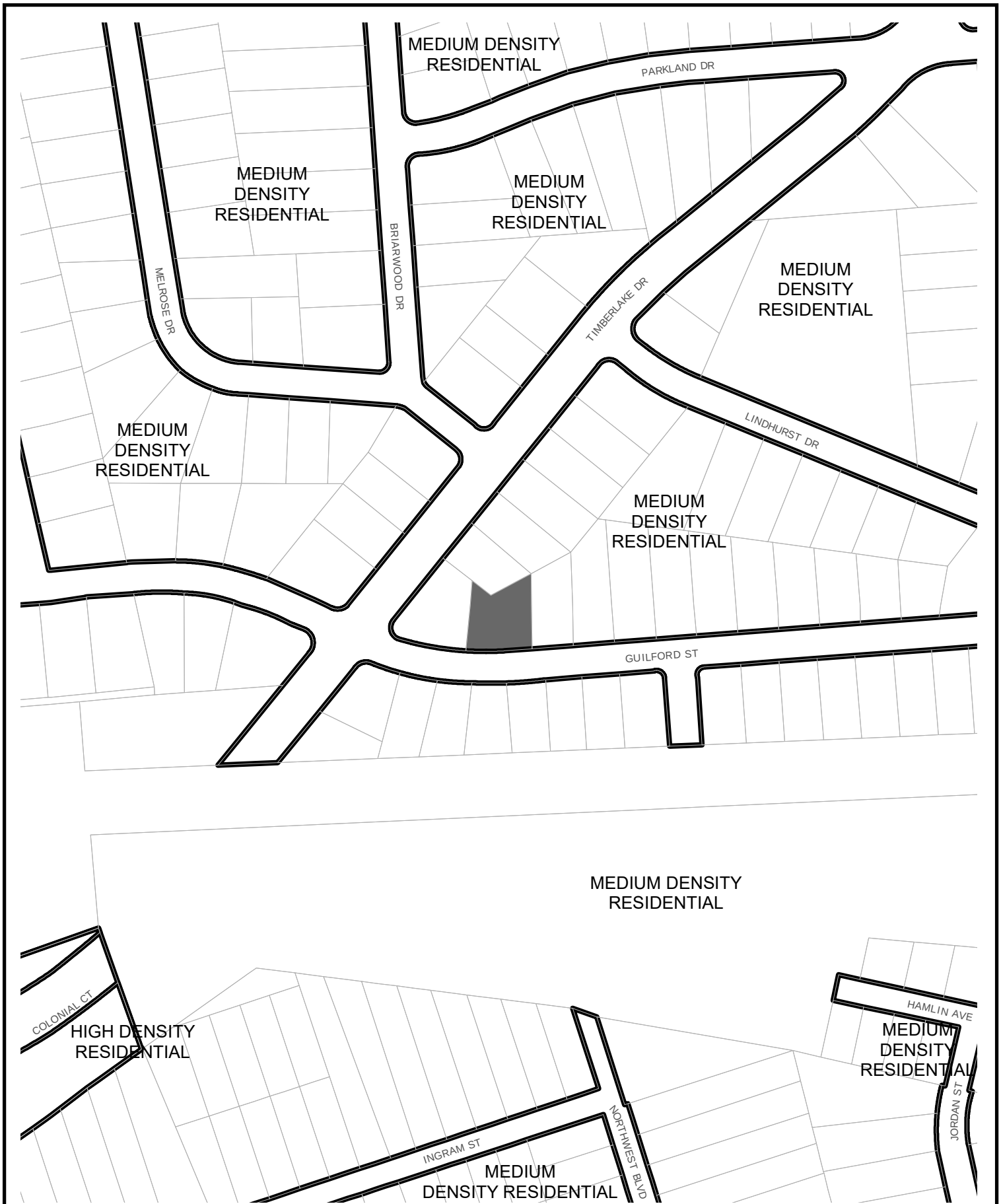


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
4/29/2021

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White Mill – Special Use Permit

Existing Site and Area

Dan River Mill No. 8, commonly known as the White Mill, encompasses approximately 18.75 acres on the south bank of the Dan River, a major tributary of the Roanoke River and historically the source of power used by the mill complex. The 1920 four-story rectangular industrial building of reinforced concrete construction measures 832 feet long and 144 feet wide. The building is a simplified version of Gothic Revival, with segmental arches, off-set block motifs, and peaked details cast into its concrete envelope. The long elevations of the mill, each with twenty-seven banks of windows (many of which have been filled in), are divided into thirds by two projecting 5-story elevator towers on the north elevation as well as two 5-story stair towers on the on the south elevation. The south elevation also has 4-story stair towers on the east and west corners of the building.

The upper floors of the building currently have an identical configuration to that of the first floor. Each floor is a long, open space with high ceilings supported by rows of 20" diameter concrete columns with inverted conical caps spaced 28'-0" apart in both directions and set atop a reinforced concrete floor. These floors do not retain their original wood finish floor as it has all been removed. A parapeted flat roof runs the length of the center of the building with a clerestory above the fourth floor running that entire length.

- See Appendix A for Existing Conditions Photos
- See Appendix B for Site Historical Photos

Exterior Materials and Design

The project will be rehabilitated in accordance with the National Park Service's Historic Preservation Standards. All existing elements have been surveyed and identified on the plans to be either rehabilitated or replaced, including walls, windows, structure, and flooring. The exterior concrete shell will be cleaned, patched, repaired, and replaced as necessary and then repainted to match the original White Mill color.

Windows will be retained or replaced, and the frame components will be painted black. New glazing will be selected to visually match the restored glass.

New entrance locations will be provided for both the residential and commercial components of the building. The entries will include new stairs and ramps with steel railings and canopies.

LED lit signage will be mounted on the canopies. Any additional building-mounted or ground-mounted signage will be submitted as a future amendment following coordination of tenant needs and branding.

Parking lot and walkway lighting will be LED throughout and conform to International Dark-Sky Association Standards. Fixtures will be equipped with cut-offs to shield the light source from excess light pollution and skyward facing light emissions.

Environmental Statement

The existing structure of the White Mill is 100 years old. Having been almost entirely of made from cast-in-place concrete, it is extremely robust and has held up very well. During preliminary site reviews of the existing structure, it appears that nearly all of the building structure can be reused as is and should continue to hold up well into the future once the building has been weather stabilized.

While concrete is of one of the largest sources of CO₂ emissions in the construction industry, it can also be one of the longest lasting materials, when properly detailed and maintained. Reusing the existing structure at the White Mill reduces the carbon footprint of the project by more than 7,500 tons of CO₂.

The existing windows have been surveyed as part of the National Park Services Historic Rehabilitation Application process and it has been determined that 45% of windows will be able to be restored. Windows that are too far deteriorated or were previously removed will be replaced with thermally broken aluminum windows with extrusion profiles that will match the existing building windows. The new windows will utilize insulated glazing and will be 130% more efficient than the existing windows. The proposed window restoration and replacement plan have been preliminarily approved by the State Historic Preservation Office and the National Park Service

New Mechanical, Electrical and Plumbing systems will be specified to exceed building code efficiency requirements.

Proposed Uses

The Lower Level of the building will include 219 interior parking spaces and will be accessed from the partially exposed north elevation with a flood-proofed garage entry system. The parking is a permitted use in the Tobacco Warehouse Commercial District (TWC) Zoning. The west end of the building will contain the entrance lobby, leasing office and amenities spaces for the proposed upper floor residential use.

The First Floor will contain approximately 110,000SF of commercial space. The tenants will be permitted uses that conform to the TWC Zoning.

The Upper Three Floors of the building will initially include 150 apartments, consisting of one-, two- and three-bedroom units. A future phase will include up to 100 additional apartment units. The proposed upper floor residential and related first floor amenity space requires approval of this Special Use Permit in the TWC Zoning.

Economic Impact

The \$62.5 Million initial phase of the building's redevelopment will create approximately \$52 Million of construction activity to Danville and provide approximately 300 construction-related jobs to the region. The future phase and the related sitework will add to those figures.

The residential portion of the project will employ at least 2 full-time on-site personnel and include multiple local vendor contracts. The commercial uses in the property will employ an estimated 100 full and part time personnel.

The 2020 property taxes on the building and site were \$11,293 in 2020. It is estimated that the property taxes (excluding personal property taxes) will increase to over \$50,000 in the first year, incrementally increasing to \$200,000 in 5 years and to \$435,00/yr. at the end of the property tax abatement period.

The project partnership will be donating approximately 6.2 acres of land to the city of Danville for the extension/expansion of the Riverfront Park and providing an easement over approximately 1.12 acres of land fronting the Dan River for the extension of the Riverwalk Trail.



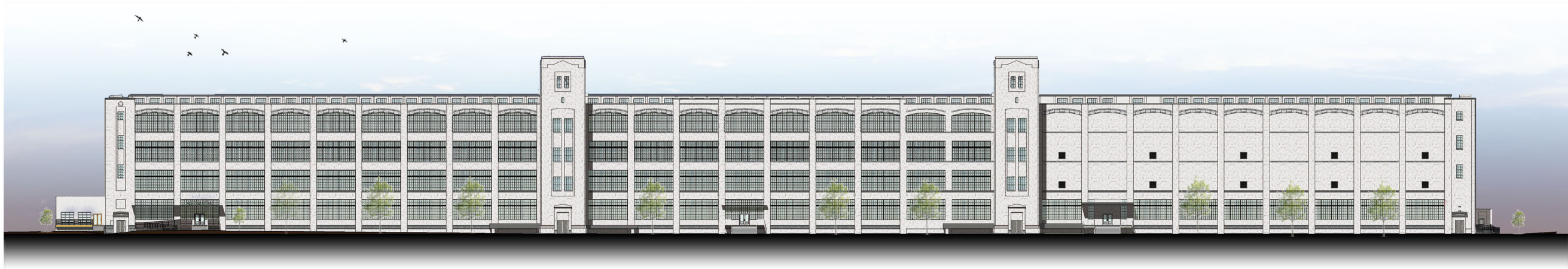
WHITE MILL REDEVELOPMENT PHASE I SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



WHITE MILL REDEVELOPMENT PHASE II SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



WHITE MILL REDEVELOPMENT OVERALL SITE DEVELOPMENT
DANVILLE, VA 24541
SPECIAL USE PERMIT



1 OVERALL SOUTH ELEVATION - PHASE 1
1" = 80'-0"



2 OVERALL NORTH ELEVATION - PHASE 1
1" = 80'-0"



3 EAST ELEVATION - PHASE 1
1" = 80'-0"

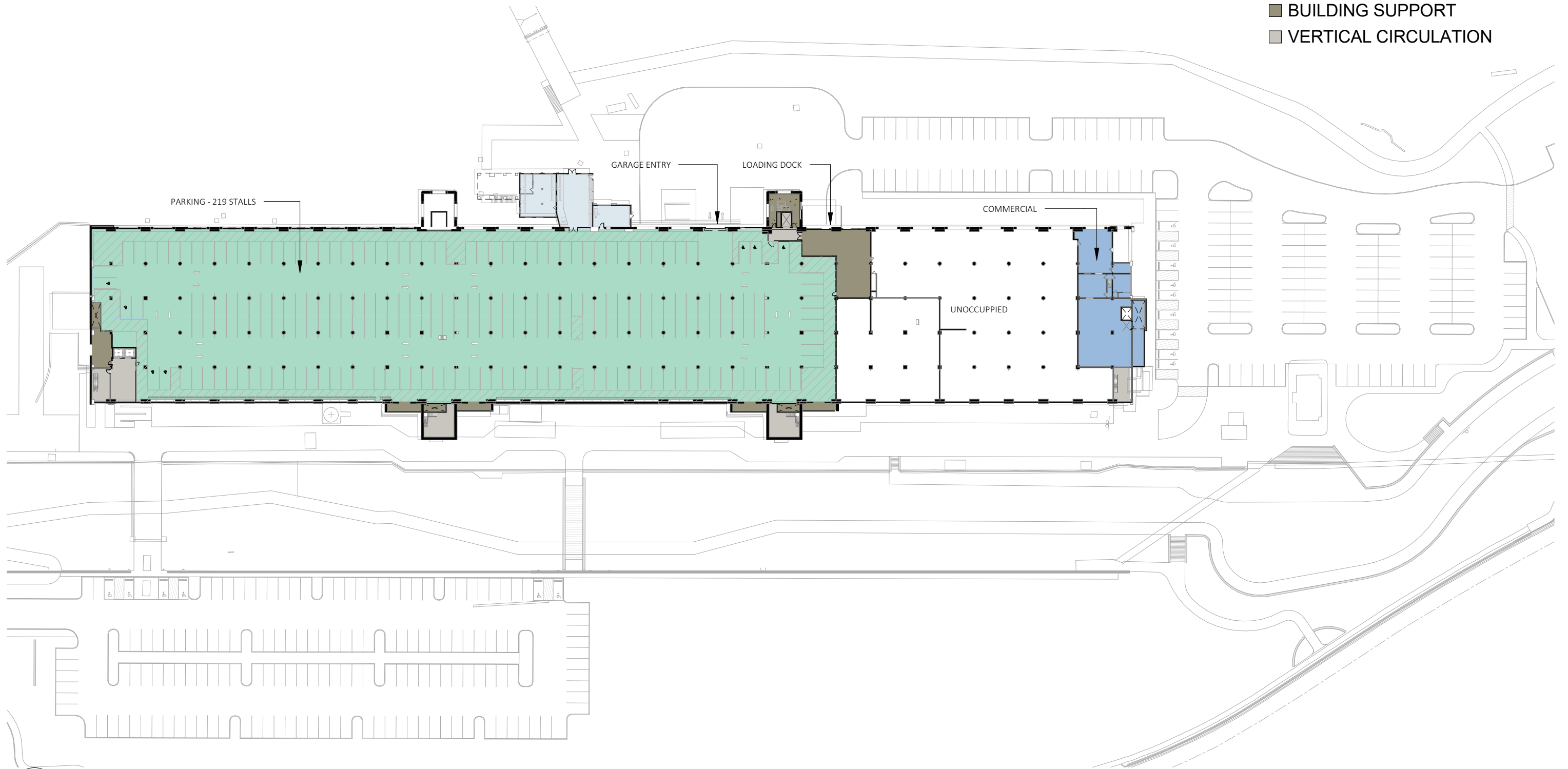


4 WEST ELEVATION - PHASE 1
1" = 80'-0"

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE
DANVILLE, VA 24541
04/07/21

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION



1 LOWER LEVEL PLAN
1" = 80'-0"

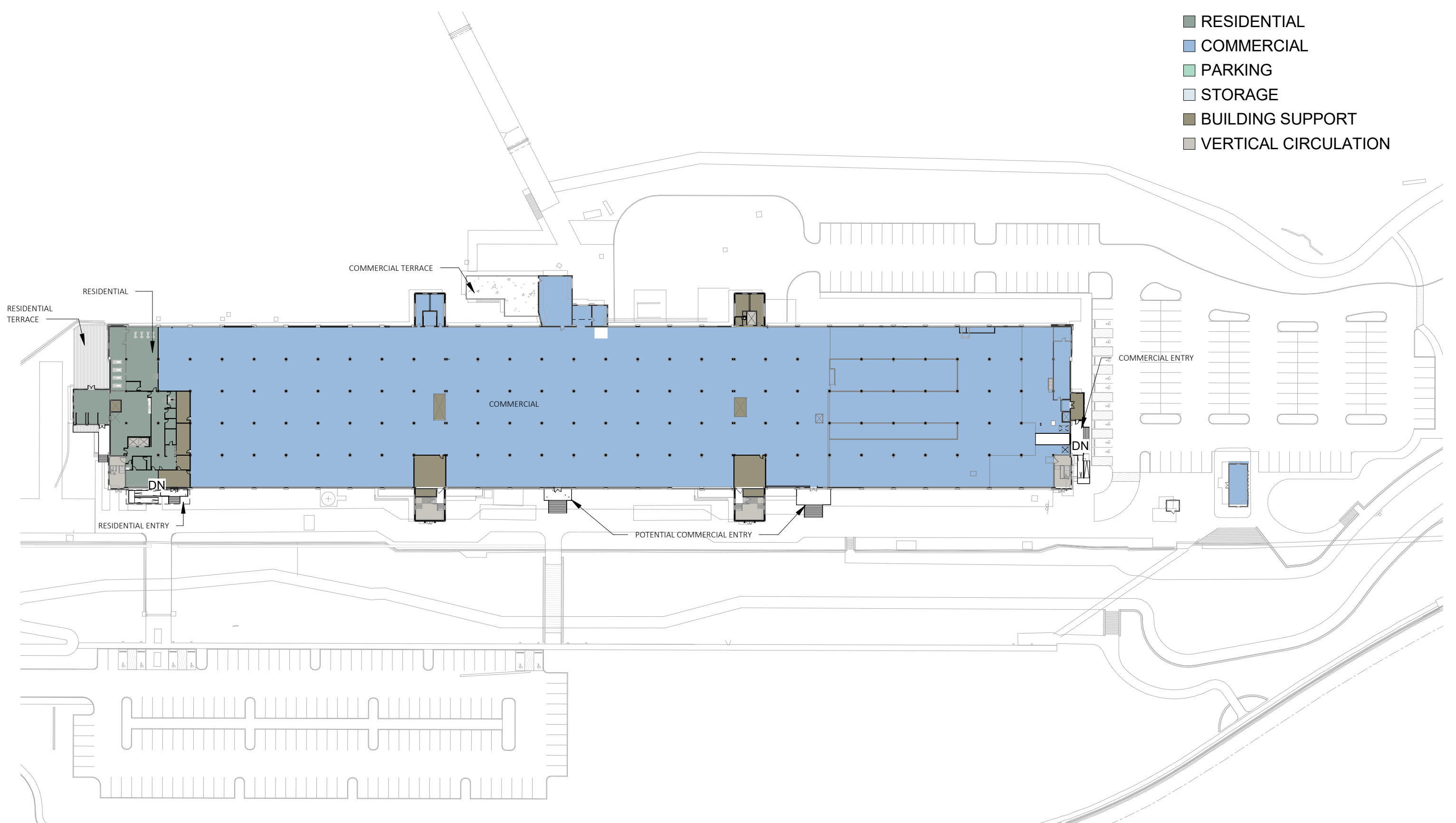
WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

DANVILLE, VA 24541

04/19/2021

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION



1

FIRST FLOOR PLAN

1" = 80'-0"

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

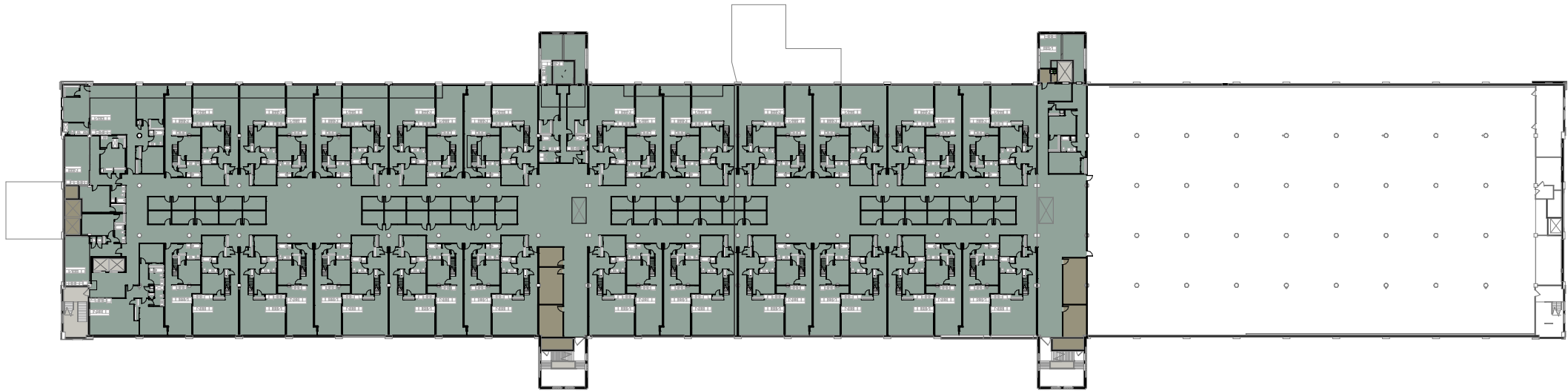
DANVILLE, VA 24541

04/19/2021

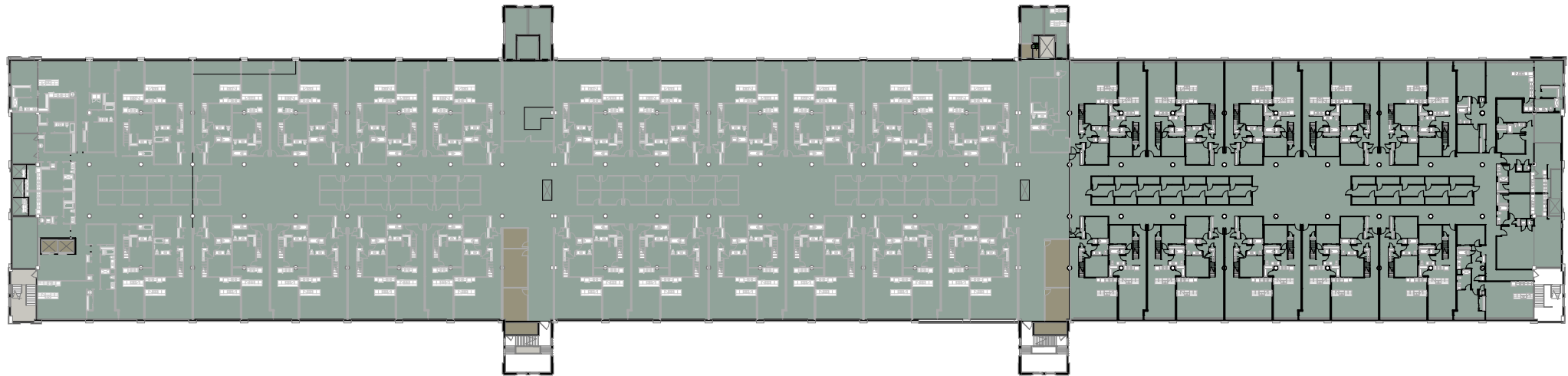
Alexander
Company

SiTE
COLLABORATIVE
analysis + engagement + planning + design

- RESIDENTIAL
- COMMERCIAL
- PARKING
- STORAGE
- BUILDING SUPPORT
- VERTICAL CIRCULATION



1 2ND - 4TH FLOORS PLAN - PHASE 1
1" = 80'-0"



2 2ND - 4TH FLOORS PLAN - PHASE 2
1" = 80'-0"

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE
DANVILLE, VA 24541
04/19/2021



1 Bedroom Loft - (Lower Level)



1 Bedroom Loft – (Upper Level)



1 Bedroom Flat

WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

DANVILLE, VA 24541

03/02/21



3 Bedroom Loft – (Lower Level)



3 Bedroom Loft – (Upper Level)



WHITE MILL REDEVELOPMENT

424 MEMORIAL DRIVE

DANVILLE, VA 24541

03/02/21

Alexander
Company

SiTE
COLLABORATIVE
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WHITE MILL PROJECT TIMELINE

4/18/2021	Draft Preliminary Development Agreement	
5/10/2021	Preliminary Development Agreement	
6/6/2021	Option Extension Deadline	
8/30/2021	Construction Documents for Bidding	
9/1/2021	Circulate Initial Partnership Agreements & Loan Documents	
9/29/2021	Bids Due	
10/6/2021	Draft Construction Contract	
10/19/2021	Closing Date - Construction Commencement	
6/20/2023	Targeted Placed in Service Date	
7/20/2023	Phase 1 Completion	

White Mill

Special Use Permit Submittal

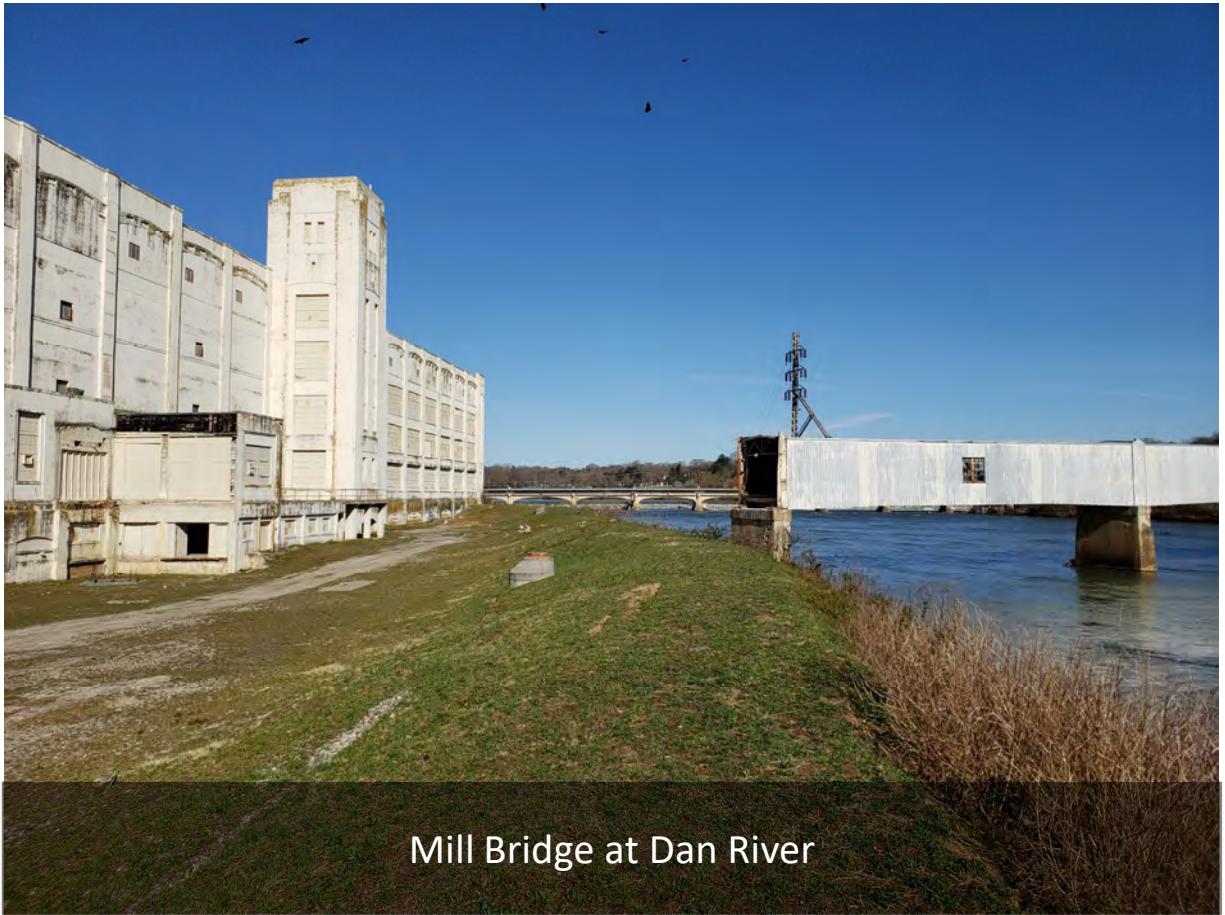
Appendix A – Existing Conditions



Existing North Facade



Existing North Facade



Mill Bridge at Dan River



Existing East Facade



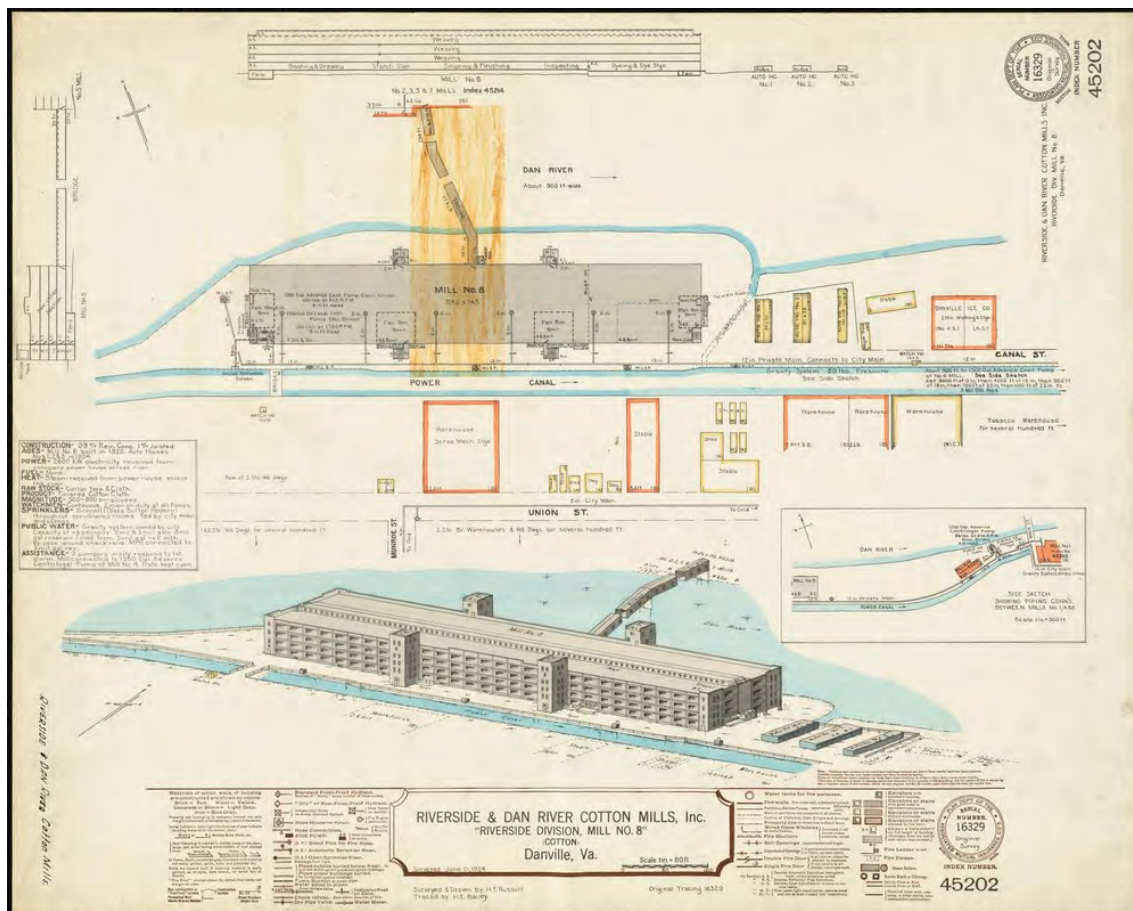


Existing North Facade

White Mill

Special Use Permit Submittal

Appendix B – Site Historical Photos



Original Schematic Sketch



Historic Aerial Photo of South Facade



Historic Photo of North Façade and Bridge



Historic Photo of West Façade and Mill Run

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-152

PUBLIC HEARING DATES:	MAY 10, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	NORTH SIDE OF MEMORIAL DRIVE IN BETWEEN UNION STREET BRIDGE ROAD AND NORTH MAIN STREET
PRESENT ZONE:	TW-C, TOBACCO WAREHOUSE DISTRICT
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	FOR RESIDENTIAL AND COMMERCIAL USES PERMITTED BY RIGHT WITH LOT FRONTAGE ON THE DAN RIVER IN ACCORDANCE WITH ARTICLE 3.L SECTION C.11.
PRESENT USE OF PROPERTY:	VACANT INDUSTRIAL
PROPOSED USE OF PROPERTY:	MIXED-USE DEVELOPMENT
FUTURE LAND USE DESIGNATION:	MIXED USE
PROPERTY OWNER (S):	424 MEMORIAL DRIVE LLC
NAME OF APPLICANT (S):	ALEXANDER COMPANY
PROPERTY BORDERED BY:	DAN RIVER ON THE NORTH, RIVER DISTRICT ON THE SOUTH, FUTURE RIVERFRONT PARK ON THE EAST
ACREAGE:	18.98 ACRES TOTAL
CHARACTER OF VICINITY:	MIXED USE, COMMERCIAL CORRIDOR
INGRESS AND EGRESS:	MEMORIAL DRIVE
TRAFFIC VOLUME:	MEMORIAL DRIVE – 12,000 AADT (2019)



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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

City Planning Commission

STAFF REPORT

DATE: May 5, 2021
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director
RE: **REZONING APPLICATION - 1083 FRANKLIN TURNPIKE**

Rezoning Application PLRZ2021-133, filed by Scott Cheney on behalf of SRE LLC, requests to rezone 1083 Franklin Turnpike, Parcel ID#s 54397 and 53892, from OT-R Old Town Residential to TO-C Transitional Office. The applicant would like to develop a real estate office.

BACKGROUND

The applicant would like to develop a small real estate office in the existing building at 1083 Franklin Turnpike.

The Planning Division sent twenty-four (24) notices to surrounding property owners within 300' feet of the subject property.

STAFF ANALYSIS AND RECOMMENDATION

The proposed rezoning's 2030 future land use designation in the Comprehensive Plan is Medium Density Residential. Land across Franklin Turnpike is future planned as Neighborhood Commercial. The existing zoning of this property and adjacent property implements the current Comprehensive Plan future land use designation.

The Planning Division recommends the Planning Commission recommend denial of rezoning application PLRZ-2021-133 City Council.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend continuation of Rezoning Application PLRZ2021-133 to a future meeting.
2. Recommend approval of Rezoning Application PLRZ2021-133 as submitted.
3. Recommend approval of Rezoning Application PLRZ2021-133 with conditions per Planning Commission.
4. Recommend denial of Rezoning Application PLRZ2021-133.

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: _____ EXISTING ZONING: _____
PROPOSED ZONING: _____ TAX MAP NUMBER: _____
RECEIVED BY: _____ DATE FILED: _____
PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Exact legal description of property (Attach if insufficient space). 75 FT PT NOS 15, 16, & 17 Franklin Turnpike
65 FT PT NO 18, 19, & 20 Franklin Turnpike

Gross Area/Net Area: _____ Property Address: 1083 Franklin Turnpike
& 0 Franklin Turnpike (parcel ID 54397)

Property Location: N S E W Side of: _____

Between: Conway and Annhurst

Proffered Conditions (if any, please attach): _____

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

I. NAME: SRE LLC TELEPHONE: 934-251-6870
MAILING ADDRESS: P.O. Box 3588, Danville, VA 24543
SIGNATURE: Chris Witherspoon DATE: 4-9-21
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

NAME: Scott Chaney TELEPHONE: 434-489-1130
MAILING ADDRESS: 521 Monroe Street, Danville, VA 24541
EMAIL ADDRESS: Scottchaney@piedmontprintingandgraphics.com
SIGNATURE: Scott Chaney DATE: 4-9-21

Rezoning Request for 1083 Franklin Turnpike

The subject property is currently zoned residential, a 3 Bedroom 1 bath brick ranch with an unfinished basement, adjoining a vacant lot. The project would consist of combining the two lots, adding parking to part of the vacant lot and leaving the rest of the lot as green space. The request for re-zoning is from Residential (OTR) to Transitional Office – Commercial. The subject will be used as a Real Estate office, with normal business hours and no late night operation or noise concern. The property has most recently been used as a rental property and the adjoining vacant lot has been roughly cleared for some time, with tree stumps, etc. that will be removed and graded to level green space.

The properties on both sides of the subject property are currently zoned residential (OTR). Mr. Emerson on the right side (1087 Franklin Turnpike) has expressed interest in having his property re-zoned in the future for re-sale purposes. Multi family units are on the right side of his property (1089 Franklin Turnpike). A natural landscape buffer is already in place on the left side of the vacant lot on the subject property, creating privacy.

The subject property will meet landscaping and parking regulations required by the city, as well as handicapped accessibility. Interior renovations must be completed and exterior plans will be completed within 120 days of the transaction closing, currently subject to re-zoning.

Respectfully Submitted,

Scott C. Chaney





11/12/2015

SPECIAL USE PERMIT REQUEST DATA SHEET PLRZ 2021-133

PUBLIC HEARING DATES:	MAY 10, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	WEST SIDE OF FRANKLIN TURNPIKE, SOUTH OF ANNHURST DRIVE
PRESENT ZONE:	OT-R, OLD TOWN RESIDENTIAL DISTRICT (URBAN AREAS SINGLE FAMILY RESIDENTIAL DISTRICT)
PROPOSED ZONE:	TO-C, TRANSITIONAL OFFICE (TRANSITIONAL RESIDENTIAL/OFFICE DISTRICT)
ACTION REQUESTED:	REZONE 1083 FRANKLIN TURNPIKE, PARCEL ID#S 54397 AND 53892, FROM OT-R OLD TOWN RESIDENTIAL TO TO-C TRANSITIONAL OFFICE
PRESENT USE OF PROPERTY:	RESIDENTIAL/VACANT
PROPOSED USE OF PROPERTY:	COMMERCIAL
FUTURE LAND USE DESIGNATION:	MEDIUM DENSITY RESIDENTIAL
PROPERTY OWNER (S):	SRE LLC
NAME OF APPLICANT (S):	SCOTT CHENEY
PROPERTY BORDERED BY:	RESIDENTIAL NEIGHBORHOODS
ACREAGE:	0.27 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL
INGRESS AND EGRESS:	FRANKLIN TURNPIKE
TRAFFIC VOLUME:	FRANKLIN TURNPIKE – 17,000 AADT (2019)

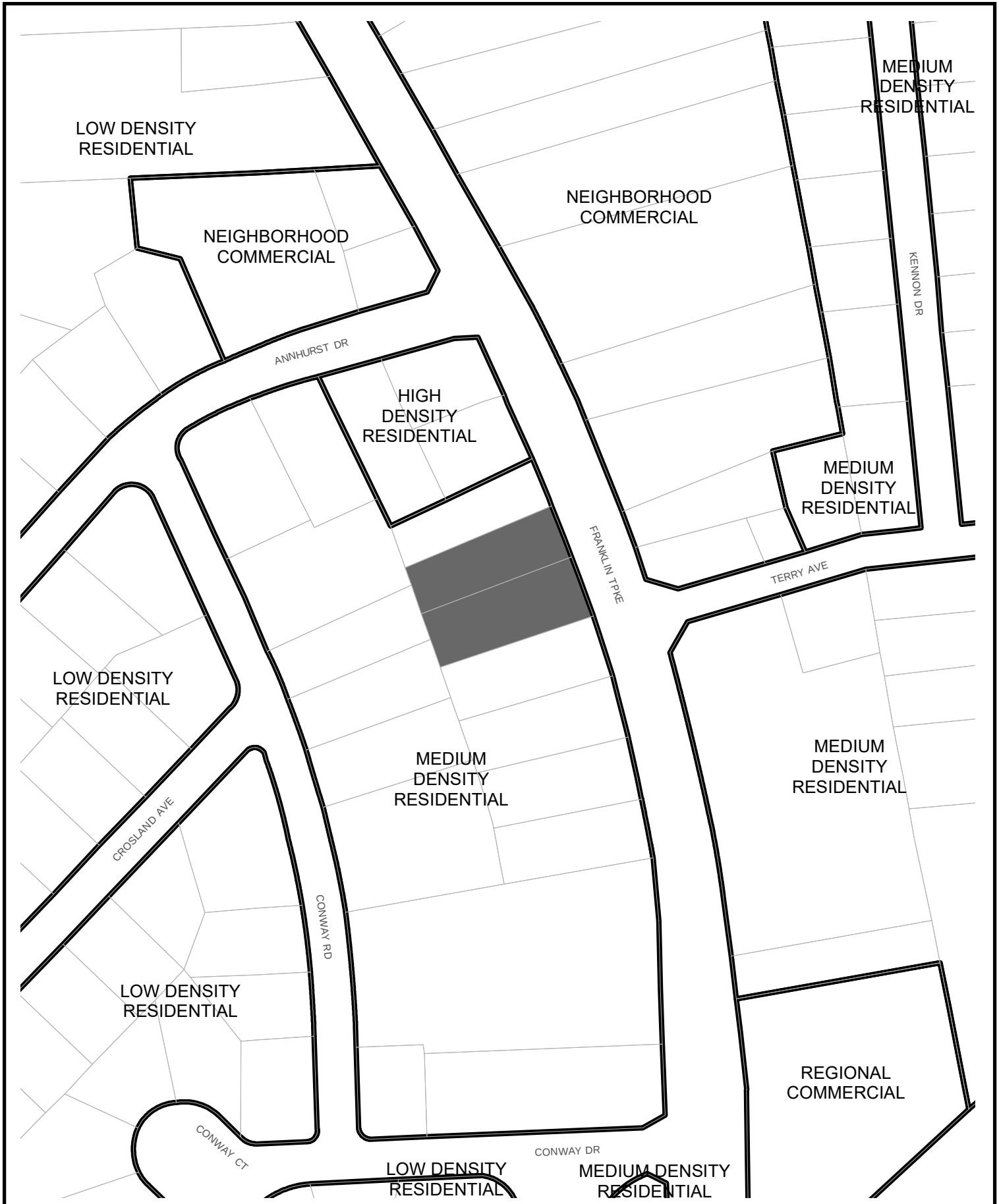


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
4/29/2021

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
4/29/2021

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MEMORANDUM

DATE: May 5, 2021
TO: Danville City Planning Commission
FROM: Doug Plachcinski, Planning Division Director
RE: ZONING ORDINANCE AMENDMENT INITIATION

Request to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. Specifically, to amend Article 4. Section A. Initiation of Zoning Amendments and Changes by adding subsection 4. allowing the City Manager, Planning Director, or their designees to initiate Zoning Ordinance amendments.

Occasionally the City administration, either at the request of the City Manager or the Planning Director + Zoning Administrator, becomes aware of a Zoning Ordinance text or map amendment that we would like to initiate. Typically, these proposals will correct an error/contradiction in the text or address a new situation the Zoning Ordinance does not previously contemplate.

PROPOSED ADOPTION TIMELINE:

- ✓ May 10, 2021 Planning Commission public hearing and text amendment recommendation to City Council.
- ✓ June 1, 2021 City Council public hearing and zoning ordinance text amendment ordinance adoption.

PROPOSED ZONING TEXT CHANGE:

Article 4. ZONING AMENDMENTS

A. - Initiation of Zoning Amendments and Changes.

Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may by ordinance amend, supplement or change (a) the text of the Zoning Ordinance, (b) the zoning district boundaries of the Official Zoning Map or (c) the zoning district classification of property.

Any such amendment may be initiated by:

1. City Council on its own motion;
2. Recommendation by the Planning Commission to the City Council;
3. Petition of the owner(s), contract purchaser with the owner's written consent, or the owner's agent with the owner's written consent, of the property which is the subject of the proposed amendment; or
4. The City Manager or their designee or the Planning Director/Zoning Administrator or their designee.

PLANNING COMMISSION MINUTES

APRIL 12, 2021

MEMBERS PRESENT

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

MEMBERS ABSENT

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

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

ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PLSUP 2021-072, filed by Danville Tree Care LLC on behalf of Philip and Charles Winstead requests a Special Use Permit for a yard requirement waiver in accordance with Article 3.O Section C.25. of the Danville Zoning Ordinance at 1340 Goodyear Boulevard (Parcel ID# 23011). The applicant requests a Special Use Permit for a yard requirement waiver to replace a non-conforming building that a fire completely destroyed in the in the LED-I Light Economic Development – Industrial Zoning District.*

Mr. Garrison opened the Public Hearing.

Mr. Philip Winstead, stated I am representing my brother Charles. Although he says that the fire completely destroyed our building, it left the concrete slab intact that left us with sewer, water and electric stub ready to put a building on. That represents a great big savings in starting a building from out of the ground. We had no insurance to cover that building, which that is obviously on us. We want to try to recoup as much as we can come out of the ground. So, any approval or help in this would certainly be appreciated.

Mr. Dodson stated how long do you think it will take you to rebuild?

Mr. Winstead stated from the time that City Council approves it and we get the people lined up to put the building up, it is only a four day process with a metal building to go right back on the slab. It will be a lot prettier. It is going to be a two-tone building with a red top and I think it will be very attractive for that end of the town. I think that it will be okay.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval for Special Use Permit Application PLSUP 2021-072 as submitted. Mr. Craft seconded the motion. The motion was approved by a 7-0 vote.

2. *Special Use Permit Application PLSUP 2021-110, filed by Garrett Shifflett on behalf of Richmond Cedarworks LLC requests a Special Use Permit for a maximum density waiver in accordance with Article 3.L Section C.13. Of*

Danville Zoning Ordinance, at 411 Craghead Street (Parcel ID# 21479, 21480, 21481, 21482, and 24373). The applicant requests a Special Use Permit for a maximum density waiver in the TW-C Tobacco Warehouse Commercial Zoning District.

Mr. Garrison opened the Public Hearing.

Mr. Ron Ford stated, I am the project manager for AS Spencer's and this will be our 8th project in the River District. If you have any questions I will try to answer to the best of my ability. We don't have any problems with what zoning is asking us to do.

Ms. Evans stated do you think that two charging stations are enough considering the future?

Mr. Ford stated I can't really answer that question. I know we did two per the City's request on the parking stalls at the knitting mill lofts. At the City Park across the street there were two.

Mr. Craft stated how many off street parking spots are you talking? Down Craghead Street there are a lot of restaurants and etcetera. You are talking about a 115 apartments plus the retail part and you only have how many onsite parking spots?

Mr. Ford stated 70 and we are referencing the parking garage and the parking behind 401 Bridge Street, that back area that used to be a junkyard area.

Mr. Craft stated so you will have assigned parking?

Mr. Ford stated not assigned. There is public parking back there in those areas.

Mr. Craft stated people are going to park as close as they can to their building. If you have a family that has 2 cars per a unit, then again you are roughly talking about 230 cars. It is going to be tough on existing businesses.

Mr. Ford stated we taken some consideration, I know the back parking lot on any given day, if you ride in the back parking lot on the rear of the walk trail, there's multiple empty stalls back there.

Mr. Craft stated those people are not going to walk that far, you know that and I know that. They are just like me and you, they're going to park as close as they can to that building.

Ms. Courtney Johnson stated I live in the Burton condo, which is adjacent to that building. I don't have any beef at all. I think it is awesome; the more the merrier and bring it on in the River District. I am a huge fan and I am on the board. I have the same explicit concerns that you mentioned about the parking and how it will impact that local area. I just don't see how you can accommodate. It sounds like 200 cars in that area and no one is going to park down on the river. They don't do it now for the buildings that are on the river side. That is just a concern, but overall I am all for it and it sounds good. I will mention that is going to cause accidents, people coming out onto Craghead from lots. It is already getting pretty crazy down there and as a consumer and as a dweller and someone who is a big fan of all that you have worked on those amazing units all throughout that area, I think, sorry too much information, I think that area could use luxe apartments, the fewer the better. We're packed downtown right now with \$1,000 small units, I mean make it amazing do larger units and more expensive units. That's my thought anyway. Thank you for consideration and as I

mentioned, I'm a fan. I'm all for it but I am concerned about the parking issue for 200 cars and I just don't see it.

Marie Tynan stated I also live in the Burton on Bridge Street and parking is an issue now. I think that the statement that Doug made which is parking is not required should be amended to parking is required of this project. I would also like to know if some of these units will be condominiums, or just apartments.

Mr. Garrison closed the Public Hearing.

Mr. Garrison stated for those of you that are concerned about parking downtown we cannot change the parking requirement for the River District that has been established by City Council. So, if you have concerns about public parking when this comes up in May before City Council, you may appear before them and let them know of your concerns.

Mr. Bolton stated we knew going into this at some point parking was going to be an issue. Basically, what we are saying is that success is going to be an issue. This is just going to be where more people are going to invest and do this. What is the long-term staff's standpoint to solve it?

Mr. Plachcinski stated the City commissioned parking study we got a final draft in the past few months. That study made a series of short-term recommendations, but it also made some long-term recommendations. It talked about how to develop a parking management system throughout the River District. I think that parking management system is going to take on a different look and certainly a different feel for public parking in the River District, than what the city has contended with in the past. Whether it be an increase in enforcement or paid parking. There definitely is as you correctly stated a problem with success. When we had our downtown core between the tobacco warehouse and central business commercial districts, we didn't have parking requirements. We thought wouldn't it be great to have a parking problem, well now suddenly we do have a perception that parking is challenging and really the way to fix that is to have somebody with experience get the city up and running with parking management. We have worked with economic development on getting that document to have that kind of outside expertise and get the city set up to manage parking better. I think that one thing that we haven't talked about a whole lot let's assume for the sake of conversation is one parking space per unit of these 115 units, so we are still 55 parking spaces short. It costs a lot to build those parking spaces so for the 55 units that are going to be using public parking that is a great benefit and we are glad to be able to support the developer by providing that kind of benefit. We do that for multiple developers downtown but there is a public cost to offset their investment and additional parking. That parking management system should help us reconcile that and balance it out. I'm also a downtown resident and I do not park adjacent to my apartment because I park my vehicle in the vehicle charger that is next to the fire station. I walk a couple of blocks and I agree yes it is nice to park close sometimes like when I am unloading groceries but in general I think some people don't like walking on occasion either.

Mr. Bolton stated I think it is good that you are working on it. If you look at the larger cities that have done this people walk 3 or 4 blocks and it is just common. If you can walk to the units and they know they have to walk that far then that works.

Mr. Plachcinski stated one thing that I would like to find out that the 401 Bridge Street building which was immediately fully occupied. I would like to get an understanding of those

new residents what their needs of parking spaces are just to help with our discussions for the other developments like the one before you today.

Ms. Evans stated I have a comment. It doesn't affect this application, but we do need for future development larger apartments or condos downtown. We need more than two bedrooms and two baths. The senior people move out of their homes and they want to move downtown, and one bedroom and one bathroom is not going to do it with some of them that have a lot of stuff.

Mr. Plachcinski stated I think city wide we are facing a housing shortage of every different kind of unit. Whether it is something economical or supportive of those struggling through financial hardship or all the way up to executive level housing, we are at a shortage right now. I Agree we need these units and we need those units and more units, as many as we can because we have no inventory or places for people to go right now.

Mr. Bolton stated that is nationwide problem.

Mr. Plachcinski stated it is and it is very acute here because we are suddenly, where maybe Danville hasn't grown very quickly over the past generation, we are poised to grow very quickly right now.

Mr. Craft stated how long do you think it will take before you do your study as far as the parking?

Mr. Plachcinski stated we have a good understanding of what the parking available is and what the available parking will say for this part of the River District is there is plenty of parking. It may not be the most convenient parking per building but there are several hundred parking spaces that go unused of this sector of the River District. As far as bringing a parking expert into and kind of manage and get us set up with a system and to go through the decision making process on paid parking or how parking will be funded that is probably a longer discussion. I would say several months after we get the expertise on board.

Mr. Craft stated my only concern is the new people that have moved downtown before this explosion of need for housing. They have put their life savings into the businesses and people can't park there, that is my concern.

Mr. Plachcinski stated particularly for business street parking we have a parking enforcement officer now to patrol that area and they are very diligent about handing out tickets. The goal of that is not to restrict parking, but to encourage parking turnover, so you do your business at that business, and you get in your car, and move on. So, you don't consume a parking space for more time than you need to.

Ms. Evans stated I know that Averett has made a comment in the past that they have plenty of parking it's just no one wants to park at the end of the parking lot. I'm the person that parks at the end of the parking lot to walk.

Mr. Garrison reopened the Public Hearing.

Ms. Lori Fuquay stated I also live in the Burton. One of the parking problems in the River District is that when people are parking on the street, they do try to park so they can get out their door and close. They are parking on both sides of the street if you are ever coming out of Newton onto Craghead or Craghead coming onto Newton two cars cannot come onto the

street with two cars parked on either side. There is a lot of illegal parking and we have put signs that say don't park too close to the corners because when you are coming out onto Bridge Street from Newton you can't see around cars. We still have cars that come up and park and we have cars that park in loading zones for days. The traffic issue worries me because I'm surprised there hasn't been an accident, especially Newton, only because that is our parking lot. I know coming out we have big vehicles that park over the lines and you can't see out and like I said even today when I left coming out of Newton onto Craghead and there is a car on either side and there is someone pulling in there is nowhere to go. I actually did a study before on the traffic and the parking that was one thing that I did suggest, and I don't know where you are with that but on street parking is a mess.

Mr. Garrison stated again this is a comment that City Council should hear. When this comes up in May come talk to City Council and they may actually designate the City Manager to look into it. If there is illegal parking, there again that is something that they have control over and could tell the City Manager to do things that we can't do.

Mr. Petrick stated Lori you say that you live at Burton and a lot is provided for the residents at Burton.

Ms. Fuquay stated we have a lot that we actually purchased.

Mr. Petrick stated is it being used?

Ms. Fuquay stated I use the lot more now and I don't know how many people actually use it. Some people like to park on the street. I have been to cities where one block over was nothing for me to walk. I think we are very lucky to have that lot and even the one at Newton Landing and nobody wants to park back there. It's not that far but as you were saying when they are not using it and they want to get on the street then we have a problem because we can't have traffic going through. I know that we have two cars and we rent another spot so both cars are on my lot.

Mr. Petrick stated it is human nature that people want to park as close as they can. My daughter used to rent at the Burton and she never used it. She said why when I can park right in the front but of course that was 5 or 6 years ago.

Ms. Fuquay stated we have Averett beside of us so a lot of times we have owners that would like to leave the spaces on there for their visitors, but they also have a lot across the street from them.

Mr. Petrick stated the last time that I drove by there I looked just out of curiosity because this issue has come up just recently and I noticed that you only had a half dozen in cars and probably had what forty spaces at least.

Ms. Fuquay stated we have like 33. When we used to have events the nice thing when people wanted to park on the street, we always had somewhere to go to get off the street because when you came home there were no spaces on the side.

Mr. Garrison closed the Public Hearing.

Mr. Petrick made a motion to approve Special Use Permit Application PLSUP2021-110 with the conditions per staff. Ms. Evans seconded the motion. The motion was approved by a 7-0 vote.

3. *Request to amend Chapter 41 entitled “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986 as amended. Specifically add a new article 3.V Casino Entertainment (C-E) District establishing zoning district purpose, permitted uses, uses permitted by special use permit, lot size requirements, bulk regulations, parking, exterior lighting, signs, noise, landscape and open space, and additional requirements.*

Mr. Doug Plachcinski, Director of Planning Division read the following:

DRAFT 04-12-2021

ARTICLE 3.V C-E CASINO ENTERTAINMENT DISTRICT

A. Purpose.

1. The Casino Entertainment (C-E) Zoning District establishes standards and conditions for the development and operation of an entertainment and/or casino gaming establishment including accessory uses while promoting the public health, safety, and general welfare insuring development is compatible with existing and anticipated land uses.
2. Because of the special characteristics of a C-E district, in particular casino gaming establishments, development in this district requires flexibility in signage, exterior lighting, and other standards not typically permitted elsewhere in the City.

B. Permitted Uses.

Entertainment establishment and/or casino gaming establishment including accessory uses, buildings, and structures customarily subordinate, incidental, and on the premises of such entertainment and/or casino gaming establishment, such as but not limited to, a hotel and conference center.

C. Uses Permitted by Special Use Permit

1. Waiver of yard requirements.
2. Waiver of district size.
3. Waiver for increase of maximum building height above 250' feet.

D. Lot Size Requirements.

1. The minimum C-E district size is 75 acres.
2. The minimum lot area in a C-E district is 25 acres.

E. Bulk Regulations

1. Maximum building height: 250' feet.
2. Buildings 200' feet or taller must be set back from any non-building structures that are 200' feet or taller by at least 100' feet. Buildings under 200' feet tall must be set back from any non-building structures that are 200' feet or taller by at least 50' feet.
3. Minimum yard requirements:
 - a. Front yard: 60' feet.
 - b. Side yard: 40' feet.
 - c. Rear yard: 40' feet.

F. Parking:

1. Notwithstanding applicable provisions of Article 8, Parking and Loading Requirements, there are no minimum off-street parking space requirements for developments in the C-E zoning district.
2. Off-street parking areas and drives may encroach in to the front yard setback but must not extend into the required ten (10') foot landscape strip.
3. Electric Vehicle Parking

- a. At least ten (10) of the provided parking spaces must have electric vehicle charging stations.
- b. At least 20 of the provided parking spaces must be constructed to accommodate future electric vehicle charging stations.

G. Exterior Lighting

1. Development in the C-E district, in particular casino gaming establishments, has unique needs for exterior lighting that require flexibility and would not typically be permitted in other areas of the City.
2. Exterior lighting must comply with local, state, and federal regulations and must not interfere with any public roadways.
3. Exterior lighting must comply with *Code of Virginia Ch. 12, Title 33.2*.
4. All development in a C-E district must comply with *Chapter 41, Article 11* with the following exceptions:
 - a. Maximum illumination levels are measured at the exterior boundaries of the district and not at any property boundaries within the district.
 - b. Upwardly directed lighting may be used to illuminate buildings, structures, and landscaping in the district.
 - c. Awnings or canopies used for building accents over doors, windows, etc., may be internally illuminated (i.e. from underneath or behind the awning).
 - d. Searchlights operated within the C-E district must comply with the following regulations:
 - i. Searchlights must not be operated so as to constitute a traffic hazard or a nuisance.
 - ii. Searchlights must be so operated so as to avoid directing the beam at any building.
 - iii. Searchlight beams must not be displayed at an angle greater than forty-five (45) degrees from the perpendicular.
 - iv. Searchlights must not operate between 12 am midnight and 5 pm.

H. Signs

1. Each C-E district permits up to four (4) freestanding signs with a maximum sign area of 400 square feet each. An additional area not exceeding 200 square feet may be devoted to architectural elements that serve as support or base for such sign and are not part of the message portion of the sign. The maximum freestanding sign height is 40' feet.
2. Each C-E District may also permit up to four (4) off-site freestanding signs. Off-site freestanding signs are limited in area to seventy-five (75) square feet. An additional area not exceeding one hundred (100) square feet may be devoted to architectural elements that serve as support or base for such sign and are not part of the message portion of the sign. The maximum off-site freestanding sign height is 30' feet.
3. The combined area of wall, projecting, awning, canopy or marquee signs must not exceed fifty (50%) percent of any building façade area. The Zoning Administrator must approve that the signage is of an appropriate scale, incorporated into the building's architectural features, and made of durable materials.
4. Entryway features that may include one monument/wayfinding sign up to 50 square feet are permitted at each driveway. An additional area not exceeding 25 square feet may be devoted to architectural elements that serve as support or base for such sign and are not part of the message portion of the sign. The maximum entryway sign height is eight (8') feet.
5. Electronic message boards may be permitted as a part of on-site freestanding and entryway monument signs.

I. Noise

1. The exterior noise limits for any source of noise in any C-E zone cannot exceed between 70 dBA between 9 am and 12 am midnight, when measured at the property line of a residential zone.

2. The exterior noise limits for any source of noise in any C-E zone must be reduced between 12:00 am midnight and 9 am so that when measured at the property line of a residential zone the noise does not exceed 50 dBA.

J. Landscape and Open Space Regulations

1. A minimum ten (10') foot landscaped buffer must be provided along any property line abutting a street right-of-way. Driveways, utility easements and sidewalks are allowed to encroach into the landscaped buffer.
2. A minimum 25' landscaped buffer must be provided along any property line abutting a residential zoning district.
3. Ten percent (10%) of each development must be open space. Open space does not include building footprints, parking and drive aisles, and any other areas not accessible to the public.
4. If a C-E district is within 300' of a City designated non-motorized trail, then the development must provide a ten (10') foot wide shared-use paved path from the development's buildings to the property line closest to the non-motorized trail.

K. Additional Requirements:

1. All building exteriors must be clad in durable materials. Vinyl siding/cladding is prohibited exterior building material.
2. All dumpsters that are visible from a public road must be fully screened. The screening structure must consist of a masonry unit design enclosure and/or materials to match the adjacent building and a metal gate(s) that screens the view of the dumpster.
3. No driveway may be located within 200' of another driveway.
4. On a corner lot, no curb cut may be closer than 300' feet of the right-of-way extended from the nearest intersecting street.

Mr. Garrison commented before I open the public hearing I want everyone to understand that all we are looking at today is changing the code to allow a (C-E) District it has nothing to do with the specific site. We will not have any comments or questions about the specific site until the rezoning requests has been submitted. We are only talking about the zoning change.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Ms. Evans stated what is the definition of a non-building structure?

Mr. Plachcinski stated any structure that is not a building.

Ms. Evans stated can you give an example?

Mr. Plachcinski stated in this particular case it's the smokestacks. All buildings are structures, but not all structures are buildings. The building must have supportive walls and a sort of covering. In this case the smokestacks are not a building because they are not covered. The goal of this is to specifically keep buildings from crowding smokestacks on site.

Ms. Evans stated and will the general public who are not attending this location be able to see the smokestacks. I think that is the public's concern they want the smokestacks to stay and I don't have a reference for 200 or 250 feet.

Mr. Plachcinski stated I believe the smokestacks are 206 to 208 feet tall.

Mr. Garrison stated what I had heard was 205. I don't know I haven't measured them but I heard 205 feet.

Mr. Plachcinski stated so if we can go take a field trip we can measure. It should be that all buildings basically will be set back 50 feet at least but if they are taller than 200 feet let's say that the hotel tower does exceed 200 feet tall then it would be an additional 50 feet on top of that to provide some space to respect the smoke stacks.

Ms. Evans stated but there is a chance that the general public will not be able to see the smokestacks.

Mr. Plachcinski stated the buildings will not be surrounding the smokestacks. They will be respected and buffered. The space is kind of like an architectural hyphen as you are viewing in the total site.

Mr. Whitfield stated Mr. Chairman I think we have got site specific because we've been talking about a number of places that could be zoned C-E.

Mr. Garrison stated we are on site specific, but she asked a question what is the difference between structures and buildings? In answering that the only answer was on that particular site it would be the smokestacks. That is something that we will address when Caesars brings us a request to rezone the property. They will have to bring with them drawings I'm assuming of the site and what it would look like.

Mr. Plachcinski stated that is correct.

Mr. Bolton stated are there any localities that you are able to discuss with that already had this and kind of fell in line with this or did you come up with this on your own?

Mr. Plachcinski stated I did research and tried to find some other example locations. You know a lot of them use unnecessary complicated plan unit development style processes. My goal with this was to make this fit into our existing process in the Danville Zoning Ordinance. Things like the noise ordinance standards, the search light standards those are all pirated from other zoning codes.

Mr. Bolton stated I don't really understand seventy decibels but if that is normal then I am okay if that is the general rule.

Mr. Plachcinski stated yeah that is the noise level that we worked out with Caesars and they said it would be appropriate.

Ms. Evans stated is it normal not to have minimum off-street parking requirement?

Mr. Plachcinski stated not necessary but given the attention and the detail that Caesars has given, and again this is site specific it could be any developer, we felt that this similarly to the Tobacco Warehouse District and the Central Business District would not be in a situation where they create a parking shortage within their zoning district.

Ms. Evans stated we just talked about a zoning shortage earlier.

Mr. Petrick stated I'm sure that the utmost concern is to have as much available convenient parking as possible.

Mr. Plachcinski stated because where this particular developer is with their site design we weren't sure what that parking was going to look like. They may be able to explain how they develop their parking program because I'm sure there will be thousands of spaces involved. I have heard surface lots and maybe a parking structure.

Mr. Craft stated parking structures I'm sure to accommodate the people.

Mr. Kahn stated they'll have to be.

Mr. Garrison stated and we will get that information when they request to rezone the site.

Mr. Bolton made a motion for recommendation of approval for the tax amendment. Mr. Dodson seconded the motion. The motion was approved by a 7-0 vote.

4. *Request to amend Chapter 41 entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986 as amended. Specifically amend Article 2.P. Accessory Uses and Structures to allow side yard mechanical units in residential zoning districts with appropriate screening and separation distance from neighboring dwelling windows and doors.*

Mr. Plachcinski stated that existing language within the zoning requires mechanical units like generators, HVAC condensers, and that sort of thing to be in the yard behind a principal dwelling unit. If you drive around town you will notice that this rule is not usually followed in a lot of cases. As we have kind of hit the spring rush to install replacement HVAC units and a lot of generators because we do have places in town that lose power more frequently than others. The plain language of the ordinance restricts such mechanical units on those accessory structures to the rear of the building and in a lot of places it's not practical for whatever reason to have those units in the back of the building. As an interim measure if there are existing mechanical units, we've allowed additional mechanical units to not go any closer to the neighbor's property line and that sort of situation. Trying to work with contractors to screen them as they come up and to just have a straightforward rule that everybody can follow. We're proposing to add new subsection under P under Article 2, that reads in all residential zoning districts mechanical appliances may be inside a yard if they are: (a) screened from view from the public right-of-way; (b) at least ten (10') feet from all neighboring dwellings' windows and doors, and (c) no closer than five (5') feet to any property line. Those are all straight forward, easy to meet and opportunities to remove any sort of judgement call or bias but to allow people the flexibility to put these units where they need to go on their property.

Mr. Craft stated are there any noise restrictions?

Mr. Plachcinski stated no but all the new manufactures residential units are going to be low. The distance between adjacent neighbors and doors are intended to help resolve any noise issues.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Petrick stated what was this in response to just a clarification of an existing?

Mr. Plachcinski stated right, so the existing code says that all of these units should be in the rear of the home.

Mr. Petrick stated so this clears up that question that I had earlier.

Mr. Plachcinski stated exactly.

Mr. Craft made a made a motion for recommendation of approval to Amend Chapter 41 entitled "Zoning Ordinance". Mr. Petrick seconded the motion. The motion was approved by a 7-0 vote.

IV. OLD BUSINESS

- 1. Rezoning Application PLRZ 2021-50, filed by Jimmie L New, requests to conditionally rezone 109 Barter Street, Parcel ID #52948, from HR-C Highway Retail Commercial to M-I Industrial Manufacturing. The proposed rezoning allows the current building tenant to perform on-site heavy vehicle repair. Mr. Garrison opened the Public Hearing.*

Mr. Garrison opened the Public Hearing.

Present to speak on behalf of this request was Jimmie New, Owner of PTL Contractors and 109 Barter Street. Mr. New stated I appreciate you revisiting this hearing on this case in order for me to continue my business there. I'm just here to answer any questions that you may have from the last meeting.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to approve Rezoning Application PLRZ2021-50 with the conditions per staff. Mr. Dodson seconded the motion. The motion was approved by a 6-1 vote.

V. APPROVAL OF MINUTES FROM MARCH 8, 2021.

The March 8, 2021 minutes were approved by unanimous vote.

VI. ADJOURNMENT

With no further business, the meeting adjourned at 3:56 p.m.

APPROVED