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

City Planning Commission

FEBRUARY 10, 2020
3:00 P.M.
CITY COUNCIL CHAMBERS

AGENDA

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

2. *Special Use Permit Application PLSUP20190000449, filed by Fullerton Engineering Consultants requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020, otherwise known as Grid 1811, Block 005, Parcel 000012 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to construct a 150' monopole tower for cellular communications.*

3. *Rezoning Application PLRZ2020000024, filed by the Danville Redevelopment and Housing Authority, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, Parcel ID#s 76125, 76124, 76123, 76122, 76121, 76140, 76141, 76142, 76143, 76144 & 76145 on Seeland Road and the future Haraway Lane, otherwise known as Grid 2606, Block 014, Parcel ID's 000013, 000014, 000015, 000016, 000017, 000018, 000019, 000020, 000021, 000022 & 000023 of the City of Danville, Zoning District Map. The applicant is proposing to build multi-family dwellings on the property.*

4. *Rezoning Application PLRZ2020000026, filed by Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, 151 Grant Street, 218, 220, & 224 Garfield Street, otherwise known as Grid 2605, Block*

004, Parcel ID#s 000012, 00003, 00004 & 00005 of the City of Danville, Zoning District Map. The applicant is proposing to build 18 multi-family dwelling units on the site when combined.

5. *Special Use Permit Application PLSUP202000004, filed by Shazad Tahseen on behalf of AANT INC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2980 W. Main St., otherwise known as Grid 0617, Block 007, Parcel 0000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

6. *Special Use Permit Application PLSUP20200000011, filed by Ted Lacks on behalf of Weitz and Lacks Investments, LLC, requesting a Special Use Permit to allow for a duplex in accordance with Article 3.E: Section C., Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 120 Hurt St., otherwise known as Grid 2805, Block 021, Parcel 000001 of the City of Danville Virginia Zoning District Map. The applicant is requesting to use the structure as a two unit dwelling.*

IV. OTHER BUSINESS

V. APPROVAL OF MINUTES FROM JANUARY 13, 2020

VI. ADJOURNMENT

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Special Use Permit application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Background:

Justin Williams & Michelle Adkins, are requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have an indoor gaming facility.

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

Based on information provided to the Inspections Division, the City can limit the occupant load to 63 for the amount of parking spaces that exists. An Assembly Card must be posted for the Fire Marshall's Office as well as the new C of O.

Recommendation:

If the Planning Commission chooses to recommend approval of Special Use Permit application PLSUP20190000386, staff recommends the following conditions:

1. The hours of operation for the machines shall be limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday; and
2. There shall be no more than one (1) gaming machine per three (3) persons permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted and
3. No person under the age of eighteen(18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes; and

4. All entrances/exits to the building are to be lit at night; and
5. In addition to the required parking for the existing business use, the business shall provide on-site parking no less than a combination of one space per three persons based on maximum occupancy (or per square footage calculations assigned in the code, whichever is greater), plus one space per machine and one space per employee on the major shift, and
6. The required parking shall be provided on-site with no off-site substitutions, and
7. The windows to the facility shall be clear to allow for visibility by Law Enforcement for security purposes and,
8. No gaming machine shall allow for more than one player at a time, seated or standing. No multiple player machines shall be permitted.

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

City Planning Commission Options:

1. Recommend approval of Special Use Permit application PLSUP20190000386 as submitted.
2. Recommend approval of Special Use Permit application PLSUP20190000386 subject to conditions by staff.
3. Recommend approval of Special Use Permit application PLSUP20190000386 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit application PLSUP20190000386 as submitted.
5. Tabling of Special Use Permit application PLSUP20190000386 by Planning Commission.

Attachments:

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

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

_____

CASE NUMBER: _____ EXISTING ZONING: _____

PROPOSED ZONING: _____ TAX MAP NUMBER: _____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 32,620/3,687 Property Address: 401 S. Ridge St.

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

Between: Wilson St. and Newton St.

Proffered Conditions (if any, please attach): Suitable for business

_____

EXPLANATION OF REQUEST:

1. **PROPOSED USE FOR THE SPECIAL USE PERMIT:**

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

See typed document (Explanation of Request)
Amusement Parlor

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

1. NAME: Eli Jeffries Ianta Jeffries TELEPHONE: 434-548-6610

MAILING ADDRESS: 240 Oakwood Cir. Danville VA 24541

SIGNATURE: [signature] DATE: 17 Sept. 19

SIGNATURE: Ianta Jeffries DATE: 17 Sept. 19

EMAIL ADDRESS: _____

APPLICANT (PLEASE TYPE OR PRINT):

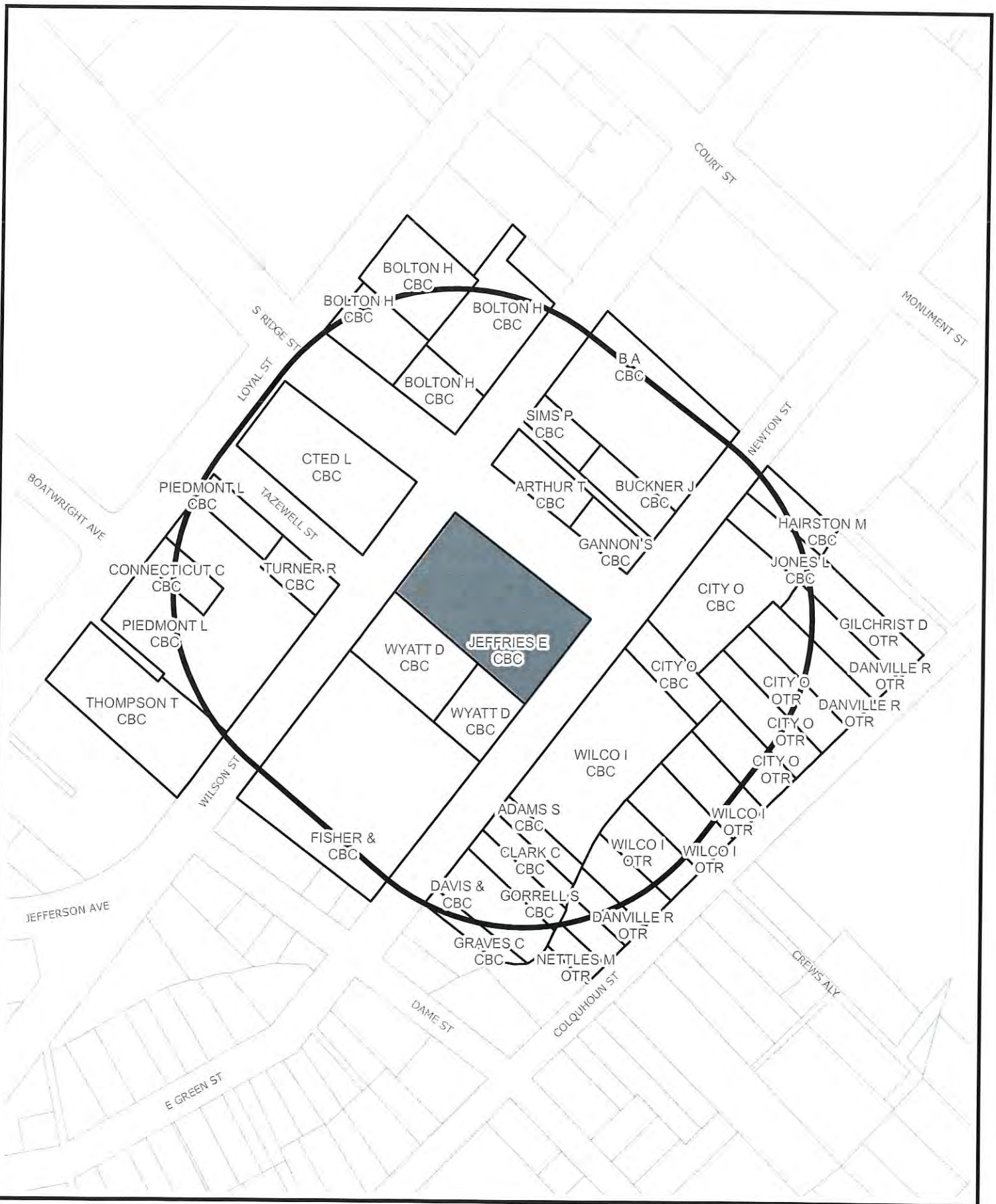
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: Justin Williams / Michelle Adkins TELEPHONE: (800)687-2310 / (434) 709-2604

MAILING ADDRESS: 724 S. Main St #3927 Danville, VA 24541

EMAIL ADDRESS: j.williams@broadstholdings.com

SIGNATURE: [signature] / [signature] DATE: 23 September 2019



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

SPECIAL USE PERMIT REQUEST
DATA SHEET

DATE:	October 28, 2019
LOCATION OF PROPERTY:	421 S. Ridge St
PRESENT ZONE:	CB-C Central Business District
PROPOSED ZONE:	CB-C Central Business District
ACTION REQUESTED:	Request a Special Use Permit for Commercial Recreation Indoor. The applicant is proposing to have indoor gaming.
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	Indoor Gaming facility
PROPERTY OWNER (S):	Eli & Ianta JEfferies
NAME OF APPLICANT (S):	Justin Williams & Michelle Adkins
PROPERTY BORDERED BY:	Commercial to north and south, west, and east.
ACREAGE/SQUARE FOOTAGE:	.75 acres.
CHARACTER OF VICINITY:	Commercial
INGRESS AND EGRESS:	S. Ridge St, Wilson St & Newton St.
TRAFFIC VOLUME:	Moderate
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting of November 12, 2019

2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/28/2019

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

Explanation of Request

1. Proposed use for the Special Use Permit:

   a. Proposed use of the land: size and location of structures with dimensions to lot lines

   "Amusement Parlor" (Danville City Code Chapter 4 - Article II) / 401 S Ridge St Danville VA / 3,687 sqft / stand-alone building with private parking lot. Establishment may consist of 50+ commercial indoor recreational "games" both physical and electronic i.e. "pool tables, billiards, foozball, air hockey, pinball, and video games." **We "request" to operate on a 24hr basis Sunday through Saturday / onsite security guards and CCTV will be apart of day-to-day operations.**

   b. Vehicular circulation system with points of ingress and egress

   See aerial photo on page

   c. Existing on-site buildings, separation dimensions and paved areas

   See aerial photo

   d. Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided

   This stand-alone building is surrounded by its own private parking lot / total of 40+ marked and available parking spaces

   e. Net acreage

   .75 Acres

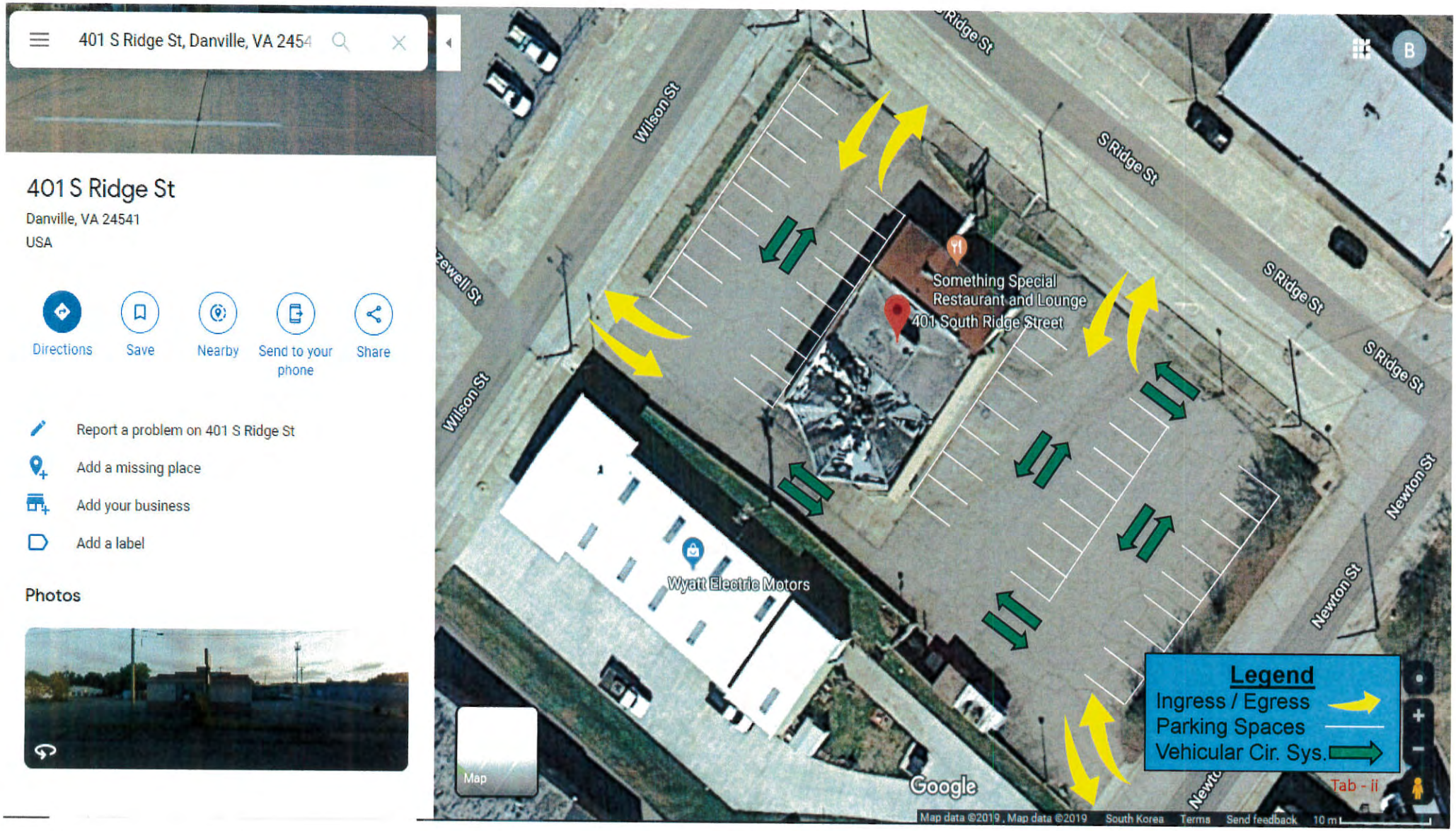
   f. Gross and net square footage of building(s) (proposed and existing)

   Lot size 32,620 sqft / Building size 3,687 sqft

   g. Required landscaping and buffer areas

   Bi-weekly landscaping will be conducted / there are three (small) areas of interest as far as this topic is concerned

Broad St. Holdings LLC / (800)687-2310
j.williams@broadstholdings.com


401 S Ridge St, Danville, VA 24541
401 S Ridge St
Danville, VA 24541
USA
Directions
Save
Nearby
Send to your phone
Share
Report a problem on 401 S Ridge St
Add a missing place
Add your business
Add a label
Photos
Wilson St
S Ridge St
Something Special Restaurant and Lounge
401 South Ridge Street
Wyatt Electric Motors
Newton St
Legend
Ingress / Egress
Parking Spaces
Vehicular Cir. Sys.
Tab - ii
Map
Google
Map data ©2019 , Map data ©2019
South Korea
Terms
Send feedback
10 m

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Special Use Permit Application PLSUP20190000449, filed by Fullerton Engineering Consultants requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020, otherwise known as Grid 1811, Block 005, Parcel 000012 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to construct a 150' monopole tower for cellular communications.

Background:

Fullerton Engineering Consultants is requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020. They are requesting the Special Use Permit so that a 150' monopole commercial communications tower may be constructed.

The applicant has submitted a site plan and numerous test photos. The test photos show numerous locations throughout the City with a superimposed tower at a height of approximately 150' on the parcel. The photos are taken at numerous locations so that visibility of the tower can be determined. The photos are labeled with the locations that they were taken.

Article 2.R. 8 requires that the minimum setback distance must be a minimum of ½ the height of the tower. This setback is necessary so that in the event of a failure, a tower that would break in half would be contained entirely on the parcel in which it is constructed. The applicant has provided an engineer signed letter from the manufacturer of the tower that states their tower will break at 75', which will allow the tower to break at a point that can be contained within the parcel lines of the property. To validate the need and use of this new tower, the applicant has provided a commitment from AT&T.

Thirty-nine (39) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on February 10, 2020.

Staff Analysis and Recommendation:

Staff recommends approval of Special Use Permit Application PLSUP20190000449, filed by Fullerton Engineering Consultants requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020, otherwise known as Grid 1811, Block 005, Parcel 000012 of the City of Danville, Virginia, Zoning District Map subject to the condition that the structure shall be a metal monopole. Staff recommends monopoles due to their similarity to other utility structures used by the City of Danville, and their lower failure rate compared to lattice type towers.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP20190000449 as submitted.
2. Recommend approval of Special Use Permit Application PLSUP20190000449 subject to the condition per staff.
3. Recommend approval of Special Use Permit Application PLSUP20190000449 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit Application PLSUP20190000449 as submitted.

Attachments:
Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)
Year 2020 Land Use Map

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

_____

_____

CASE NUMBER:_____ EXISTING ZONING: _____

PROPOSED ZONING:_____ TAX MAP NUMBER:_____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE:_____ CITY COUNCIL DATE:_____

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

Exact legal description of property (Attach if insufficient space).
See attached Legal Description

Gross Area/Net Area: **14.29 Acres** Property Address: **995 Piney Forest Road**

Property Location: N S E (W) Side of: **Piney Forest Road (BUS 29)**

Between: **Ash Street** and **Beavers Mill Road**

Proffered Conditions (if any, please attach): **None that we're aware of.**

_____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

New Multi-Carrier Wireless Telecommunication Facility on approx. 14 acre wooded parcel

Facility to include 150' monopole tower in a 60' x 60' fenced equipment compound within

a 100' x 100' Lease Area. AT&T Antennas & ground support equipment with diesel back-up generator per plans submitted.

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

1. NAME: **Betty Johnson Milam** TELEPHONE: _____

MAILING ADDRESS: **995 Piney Forest Road Lot 128, Danville, VA 24540**

SIGNATURE: **See Attached Lease** DATE: _____

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: _____

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

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

NAME: **Tony Phillips-Fullerton Engineering on behalf of AT&T / Tillman** TELEPHONE: **847-331-3659**

MAILING ADDRESS: **1100 E. Woodfield Road, Schaumburg, IL 60173**

EMAIL ADDRESS: **tphillips@fullertonengineering.com**

SIGNATURE: _____ DATE: **12/12/19**

FULLERTON
ENGINEERING · DESIGN

December 12, 2019

Mr. Kenneth C. Gillie Jr. CFM
Director of Community Development
Zoning Administrator City of Danville
427 Patton Street
Danville, VA 24541

Re: Tillman Infrastructure's Application for a Special Use Permit to Construct a Multi-Carrier Wireless Telecommunications Facility located at 995 Piney Forest Road, Danville, VA 24541 (Pittsylvania County) pursuant to the Option and Lease Agreement dated May 17, 2019 between Property Owner Betty Johnson Milam (Landlord) and Tillman Infrastructure, LLC (Tenant)

Dear Mr. Gillie,

Enclosed for consideration, please find Tillman Infrastructure's application for a Special Use Permit to construct a Multi-Carrier Wireless Telecommunications Facility located at the above referenced address. In support of the application, please find enclosed the following supporting documentation:

- Special Use Application
- Redacted Lease
- AT&T Letter of Support
- Photo Simulations
- Construction Drawings including Site Plan and Survey
- Capacity for future shared use is addressed in the enclosed Construction Drawings
- Application Fee Check of $360.00

Tillman would like to emphasize that their proposal to construct an additional tower in your jurisdiction is intended for the consideration of any and all wireless providers (carriers, wireless internet providers and E911) interested in improving service to the greater Danville area. We have approached this project as thoughtfully as possible with an emphasis on blending the needs of the local citizenry with the need of our wireless clients. A clear requirement for additional antenna siting options spurred this request from the wireless providers.

Tillman is constructing this tower to allow their clients flexibility, efficiency, and economy in providing upgrading, and improving its service to all consumers. Tillman's client's business arrangement with their current infrastructure provider does not include provisions for our client's future needs. Delays by the current infrastructure provider has adversely affected our client's wireless functionality and impacts both the carrier's customers and public safety users.

The search area request by Tillman's client asked for a site within 1000' of their existing facility. No existing towers or structures that meet their requirements were found within that geographical area. The proposed tower will meet the requirements of Tillman's client.

Additionally, the current rent charged to co-locate upon the existing structure is multiple times the going market rate and is economically challenging to the wireless provider, who in turn must share these additional costs with the end user customers. Our proposal not only allows for better and more comprehensive mobile wireless service to your community, it also allows Tillman's tenants the ability to control and reduce costs which are part of the basis of the costs charged their customers, the wireless users. (See attached AT&T Letter of Support)

Furthermore, this proposed Tillman tower will enhance AT&T's deployment of 5G and other next generation technology across the U.S., including FirstNet, public safety's dedicated, nationwide communications platform. The First Net program, which is a federally funded program for local, state & federal agencies First Responders, is designed to help all E911 agencies communicate and access data quickly to fulfill their duties.

Upon review of the submittal package, please advise if the package is considered complete for a Special Use Permit. If the submittal package is deemed complete, we respectfully request to be placed on the next Planning Commission agenda for January 13, 2020.

We look forward to working with you and staff to help bring state of the art wireless telecommunications to the residents and workforce in your area. Please do not hesitate to contact us if you have questions, concerns, or require additional information.

Sincerely,

Tony Phillips
Zoning & Permitting Manager
Fullerton Engineering for AT&T & Tillman Infrastructure
847-331-3659
tphillips@fullertonengineering.com

Market: Southeast
Cell Site Number: 14721679_10139410 TI-OPP-11882
Cell Site Name: _____
Search Ring Name: _____
Fixed Asset Number: _____

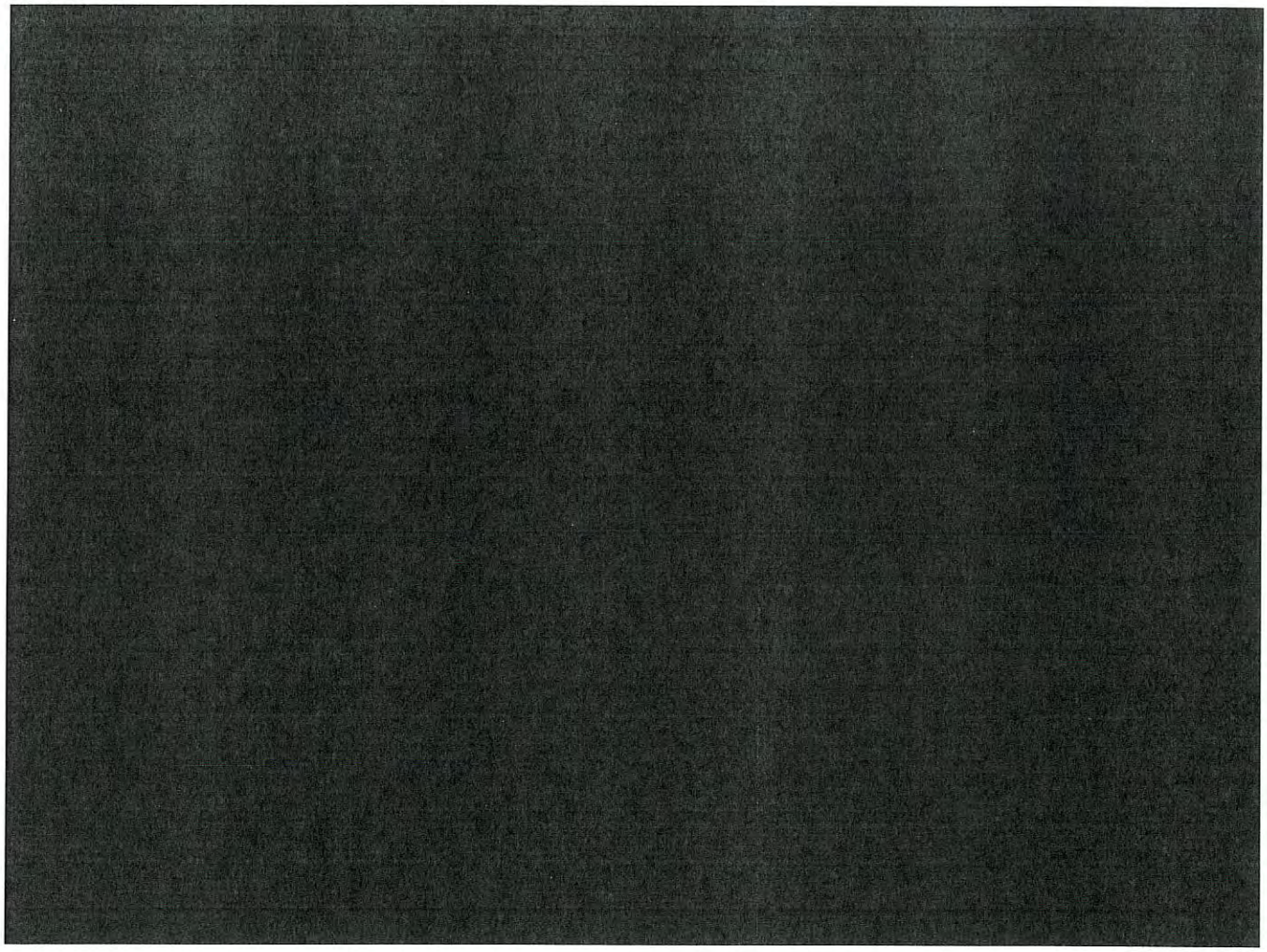
OPTION AND LEASE AGREEMENT

THIS OPTION AND LEASE AGREEMENT ("**Agreement**"), dated as of the latter of the signature dates below (the "**Effective Date**"), is entered into by Betty Johnson Milam, who acquired title as Betty Jean Johnson, an individual landowner, having a mailing address of 995 Piney Forest Road Lot 128, Danville, Virginia 24540 ("**Landlord**") and Tillman Infrastructure LLC, a Delaware limited liability company, having an address at 152West 57th Street, New York, New York 10019 ("**Tenant**").

BACKGROUND

Landlord owns or controls that certain plot, parcel or tract of land, as described on **Exhibit 1,** together with all rights and privileges arising in connection therewith, located at 995 Piney Forest Road Lot 128, in the County of Danville, State of Virginia (collectively, the "**Property**"). Landlord desires to grant to Tenant the right to use a portion of the Property in accordance with this Agreement.

The parties agree as follows:



[redacted]

[redacted]

5. **APPROVALS.**

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for the Permitted Use and Tenant's ability to obtain and maintain all Government Approvals. Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for the Permitted Use and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals.

(b) Tenant has the right to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

[redacted]

IN WITNESS WHEREOF, the parties have caused this Agreement to be effective as of the Effective Date.

"WITNESSES"

Name: Linda W. Moore

Name: Helen M Thomas

"LANDLORD"

BETTY JOHNSON MILAM, WHO ACQUIRED TITLE AS BETTY JEAN JOHNSON,

By: Betty Johnson Milam

Print Name: Betty Johnson Mil.

Its: BJM

Date: 4/19/19

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Virginia)
city) ss:
~~COUNTY~~ OF Danville)

BE IT REMEMBERED, that on this 19 day of April, 2019 before me, the subscriber, a person authorized to take oaths in the State of Virginia, personally appeared Betty Johnson Milam who, being duly sworn on his/her/their oath, deposed and made proof to my satisfaction that he/she/they is/are the person(s) named in the within instrument; and I, having first made known to him/her/them the contents thereof, he/she/they did acknowledge that he/she/they signed, sealed and delivered the same as his/her/their voluntary act and deed for the purposes therein contained.

Notary Public: Bernetha W. Saunders

My Commission Expires: 06/30/2022

Commonwealth of Virginia
Bernetha W Saunders - Notary Public
Commission No. 158497
My Commission Expires 06/30/2022

IN WITNESS WHEREOF, the parties have caused this Agreement to be effective as of the Effective Date.

"WITNESSES"

_____
Name: _____

_____
Name: _____

"TENANT"

TILLMAN INFRASTRUCTURE LLC,
a Delaware limited liability company

By: _____
Name: Chris Valverde-Cruz
Its: Authorized Signatory
Date: 5-17-19

STATE OF ~~NEW YORK~~ New Jersey)
COUNTY OF ~~NEW YORK~~ Bergen) **ss.**

On the 17th day of May in the year of 2019, before me, the undersigned, a Notary Public in and for said state, personally appeared Chris Valverde, Authorized Signatory of Tillman Infrastructure LLC, a Delaware limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the individual or the entity upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Haydee Rodriguez
My Commission Expires: _____
Commission Number: _____

HAYDEE RODRIGUEZ
ID # 2280617
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires November 30, 2022

Exhibit 1

Description of the Premises & Access and Utility Easements:

to the Option and Lease Agreement dated May 17, 2019, by and between Betty Johnson Milam, who acquired title as Betty Jean Johnson, an individual landowner, as Landlord, and Tillman Infrastructure LLC, a Delaware limited liability company, as Tenant.

The Property is legally described as follows:

An interest in land, said interest being over a portion of the following described parent parcel:

All that certain tract of land lying on the west side of a public road running from Crooktown to Now Design (Now known as Alternate U. S. Highway No. 29), and being a part of the old Taylor Townes Estate, and more particularly described as follows:

Tract No. B, as shown on map showing curvey of property for W. B. Johnson, made May 08, 1947 by H.S. Foirce, and duly of record in the Clerk's Office of the Circuit Court of Pittsylvania County, Virginia in Deed Book 281 at Page 534 containing sixteen acres, and being a part of the property conveyed to W. B. Johnson by Nellie W. Muse, widow, by her deed dated May 16, 1946, and of record in the aforesaid Clerk's Office in Deed Book 275 at Page 510, to which map and deed reference is here made.

AND BEING the same property conveyed to Lillian G. Johnson from W. B. Johnson by Deed dated August 20, 1949 and recorded September 23, 1949 in Deed Book 304, Page 562; AND FURTHER CONVEYED to Willie Bud Johnson from Lillian Canady Johnson by Last Will and Testament dated November 15, 1972 and recorded August 23, 1977 in Will Book 27, Page 647 (Instrument No. WF 27 647); AND FURTHER CONVEYED to Betty Jean Johnson from Willie Bud Johnson by Last Will and Testament dated May 24, 1990 and recorded June 07, 2000 in Instrument No. WF 00-152.

Tax Parcel No. 73020

AT&T Mobility Services LLC
Tower Strategy
308 S Akard Street
Dallas, TX 75202

October 1, 2019

City Of Danville
Planning & Zoning Division
427 Patton Street, Room 207
P.O. Box 3300
Danville, VA 24541

Attn: Kenneth C. Gillie, Jr., Director of Planning

RE: Letter of support from AT&T regarding proposed new tower construction by Tillman Infrastructure, LLC at 995 Piney Forest Road, Danville, VA

To whom it may concern,
I manage AT&T's high-rent relocation program, under which AT&T identifies high-cost, economically burdensome site leases that accommodate AT&T's communications equipment. My team selectively relocates AT&T communications equipment onto lower-cost locations, while either improving or maintaining wireless coverage.

AT&T currently leases space on thousands of towers nationwide. Leases typically have a duration of five or ten years, after which we have the option to renew. AT&T maintains a co-location agreement with SBA for the current Tower, in which SBA can and does sharply increase the rent, assesses other one-time costs and poses unacceptable logistical issues whenever AT&T replaces or adds new equipment. If Tillman is permitted to build the requested tower, as we request, AT&T intends to relocate onto it. The current SBA Tower in Danville, VA is economically burdensome for AT&T and would not result in the same cost-effective operation as compared to what AT&T could achieve if it relocated onto the local Tillman Tower.

By sharply reducing its tower costs, AT&T is better positioned to invest in other new towers for improved coverage, and fund critical initiatives, such as FirstNet, for emergency response, 5G support, and other new technologies -- all to the benefit of the community.

AT&T will only consider decommissioning an existing Wireless Facility in favor of moving to an alternate tower in limited circumstances. We bear a significant capital cost whenever we decommission a Wireless Facilities installation. As a result, on behalf of AT&T, we request your support in approving the new tower.
Sincerely,

Tim Brenner
Director, Network Planning – AT&T

TI-OPP-11882
FA#14664618

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TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN

Vicinity Area

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN

View 1-Before [Looking Northeast on Beavers Mill Rd.-Distance from 1500ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN

View 1-After [Looking Northeast on Beavers Mill Rd.-Distance from 1500ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN

View 2-Before [Looking Southeast on Rocky Ln.-Distance from 550ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

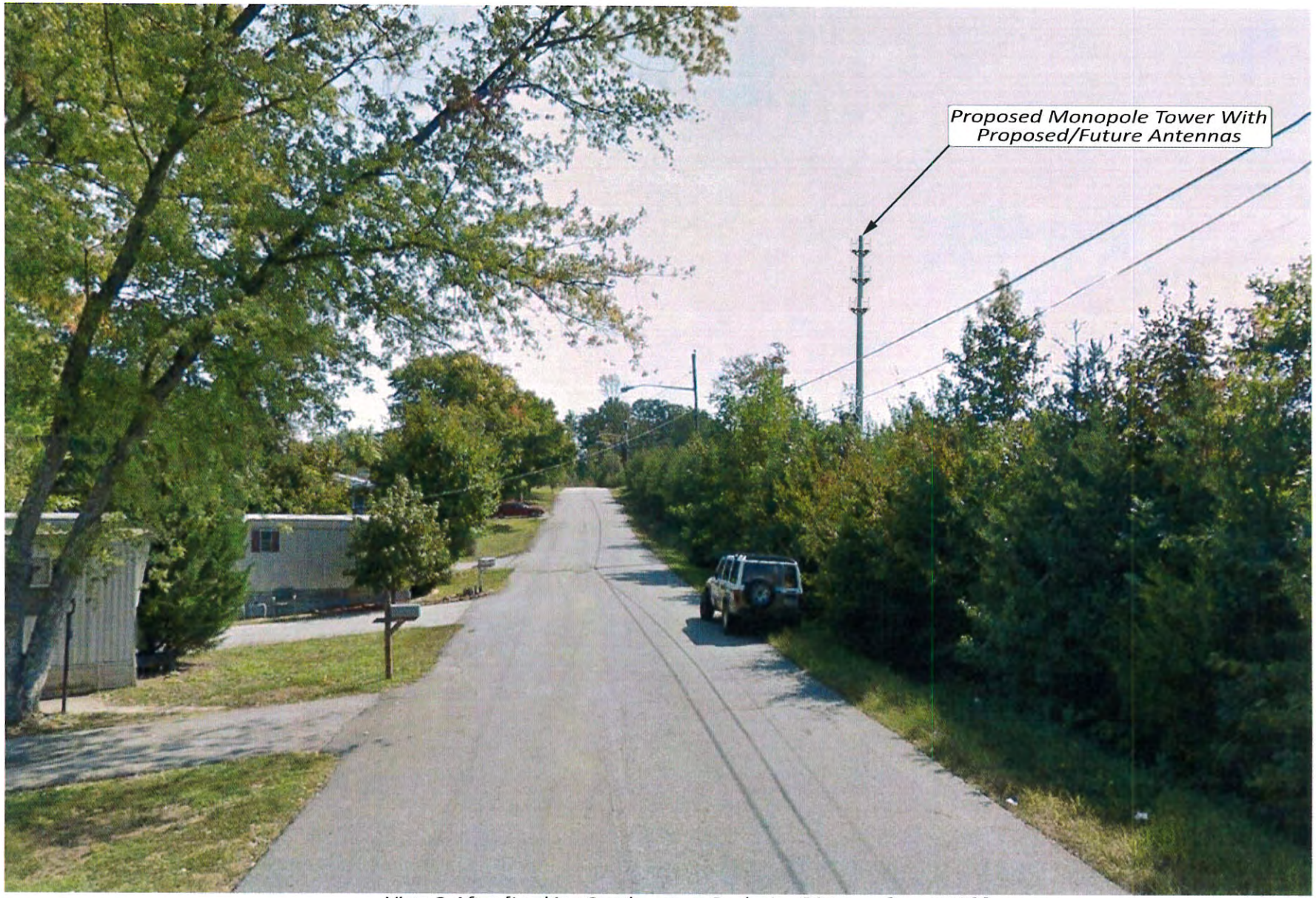
Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN



View 2-After [Looking Southeast on Rocky Ln.-Distance from 550ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

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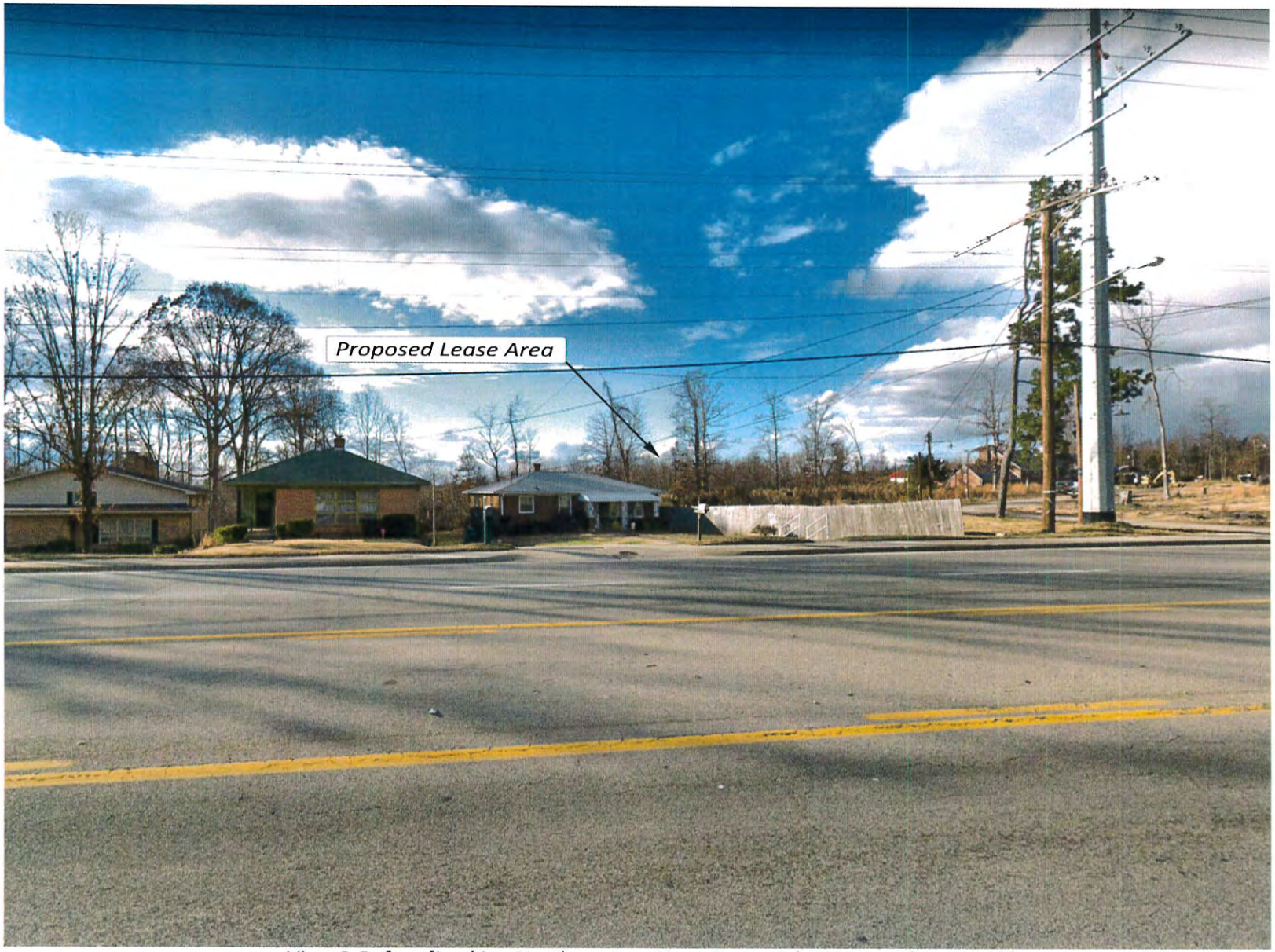
Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN



View 3-Before [Looking Northwest on Piney Foster Rd .-Distance from 800ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

TILLMAN INFRASTRUCTURE

Site Name: TI-OPP-11882

Site Number: TI-OPP-11882

Address: 995 Piney Forest Road Lot 128

Danville, VA 24540

FULLERTON ENGINEERING · DESIGN

View 3-After [Looking Northwest on Piney Foster Rd .-Distance from 800ft]

These depictions are for demonstrative purposes only. They are to be used in addition to the engineering drawings for an accurate representation of the site.

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on January 13, 2020
LOCATION OF PROPERTY:	995 Piney Forest Road
PRESENT ZONE:	HR-C Highway Retail Commercial
PROPOSED ZONE:	No change
ACTION REQUESTED:	Special Use Permit for 150' Cellular Communication Tower
PRESENT USE OF PROPERTY:	Vacant
PROPOSED USE OF PROPERTY:	150' Cellular Communication Tower
FUTURE LAND USE DESIGNATION:	Commercial
PROPERTY OWNER (S):	Betty Johnson
NAME OF APPLICANT (S):	Fullerton Engineering
PROPERTY BORDERED BY:	Multiple Family residential to the west, commercial and residential to the north, south and east.
ACREAGE:	13.75 acres
CHARACTER OF VICINITY:	Mixed Residential and Commercial
INGRESS AND EGRESS:	Rocky Lane/Piney Forest Road
TRAFFIC VOLUME:	Low/High

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
12/20/2019

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2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
12/20/2019

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Rezoning Application PLRZ2020000024, filed by the Danville Redevelopment and Housing Authority, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, Parcel ID#s 76125, 76124, 76123, 76122, 76121, 76140, 76141, 76142, 76143, 76144 & 76145 on Seeland Road and the future Haraway Lane, otherwise known as Grid 2606, Block 014, Parcel ID's 000013, 000014, 000015, 000016, 000017, 000018, 000019, 000020, 000021, 000022 & 000023 of the City of Danville, Zoning District Map. The applicant is proposing to build multi-family dwellings on the property.

Background:

A rezoning application has been filed by the Danville Redevelopment and Housing Authority (DRHA) to build multi-family dwellings on property along Seeland Road and an unopened street lableled as Future Haraway Lane

The project consists of 10 lots that will be consolidated into a parcel of approximately 2.9 acres. The site can be served by City utilities. Water and electric are adjacent to the property. Sanitary Sewer is within approximately 200'. This project is a companion to PRRZ20200000026 located on Grant Street. Both projects are applying for tax credits to help with development. A description of the project development is attached.

The surrounding area is developed with single-family dwellings, the office and headquarters for DRHA and some multi-family dwellings.

Fifty-eight (58) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on February 10, 2020.

Staff Analysis and Recommendation:

Staff recommends approval of Rezoning Application PLRZ2020000024, filed by the Danville Redevelopment and Housing Authority, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, Parcel ID#s 76125, 76124, 76123, 76122, 76121, 76140, 76141, 76142, 76143, 76144 & 76145 on Seeland Road and the future Haraway Lane, otherwise known as Grid 2606, Block 014, Parcel

ID's 000013, 000014, 000015, 000016, 000017, 000018, 000019, 000020, 000021, 000022 & 000023 of the City of Danville, Zoning District Map.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ2020000024 as submitted.
2. Recommend approval of Rezoning Application PLRZ2020000024 subject to conditions by the Planning Commission.
3. Recommend denial of Rezoning Application PLRZ2020000024 as submitted.

Attachments:
Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2019 Aerial)
Year 2020 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). Map and parcel number list attached

Gross Area/Net Area: Approximately 2.9 acres Property Address: Seeland Road

Property Location: N S E W Side of: Corner of the south side of Seeland Road and west side of Harraway Lane

Between:_____ and _____

Proffered Conditions (if any, please attach): _____

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

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

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

   SIGNATURE: Gary M. Wasson DATE: January 17, 2020

   SIGNATURE:_____ DATE: _____

   EMAIL ADDRESS: gwasson@drhava.com

APPLICANT (PLEASE TYPE OR PRINT):
If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME:_____ TELEPHONE:_____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____

SIGNATURE:_____ DATE:_____

EXPLANATION OF REQUEST:

1. NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT:

Please provide ten (10) sets, blue or black line copies, of a final site plan with the following information:

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

Please provide a brief description of the proposed development:

_____

_____

2. ALTERATION OF ZONING BOUNDARIES:

Please provide a survey of proposed Zoning boundaries.

Please provide a brief description of the request:

_____

_____

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

It is requested that the properties identified on the enclosed parcels list and on the attached map be approved for

MR - Multi-family residential zoning from the current OTR – Old Town Residential zoning.

76133
76138
76137
76139
20567
24109
76178
76179
76180
105
76134
415
419
423
427
431
435
SEELAND RD
BEAUFORT ST
76140
76141
76142
76143
76144
76145
76185
414
76130
76125
76124
76123
76122
76121
76184
76129
FUTURE HARRAWAY LN
76149
76148
76147
76146
76150
FUTURE ANN BYRD CT
76151
76164
76168
76176
75853
76152
76163
76167
76153
76162
76166
76154
76161
76165

LIST OF PARCEL NUMBERS INCLUDED IN REZONING APPLICATION

SEELAND ROAD:

76121
76122
76123
76124
76125
76140
76141

HARRAWAY LANE:

76142
76143
76144
76145

BIBLE WAY DEVELOPMENT ALTERNATIVES

For discussion on January 17, 2020

Following are several alternatives for a development plan for Bible Way World Wide Church.

There are three sites potentially available for development of LIHTC rental apartments.

1. The property currently occupied by the north end of the old sanctuary building.
2. The assembly of three lots along Garfield Street,
3. The site currently owned by DRHA,

Several development alternatives have been discussed. The original discussion was to develop senior housing on the vacant land between the two buildings on the Bible Way site. The north portion of the old sanctuary building was to be demolished. This proved not to be feasible since it was unlikely that a senior project would not be approved by VHDA and that a family project would not be acceptable. Further, the church officials would prefer not to have a large apartment development as part of the Bible Way site or neighborhood. A survey was conducted among Bible Way members and there was a significant need identified for senior housing in the immediate area of the church.

Based on discussions among the development team, there are several development alternatives.

1. The DRHA site could be developed along with either of the Bible Way sites, as a family development with all of the one-bedroom units (suitable for seniors) being on the Bible Way site(s) and the two- and three-bedroom units on the DRHA site. The DRHA site would have the advantage of accommodating a cost effective traditional architectural design. A design most likely already existing in Hill Studio archives.

2. There are several alternatives for the development of the Bible Way site(s).

    - Townhouse units along Grant Street were suggested by church officials as being a desired alternative. These would be in keeping with the current scale of residential development in the neighborhood. However, being two story, these would not be "senior friendly" and most likely occupied by families.

- Demolish the north end of the old sanctuary building and replace with a two story elevator building with 20 to 24 one-bedroom units. Parking could be adjacent, to the north, or on one, or more, of the Garfield Street lots.

The building pad would be approximately 10,400 square feet and would easily accommodate 10 to 12 units per floor. It is approximately a square pad; however, the potential building geometry would most likely be rectangular and contain about 8,000 square feet per floor. It would be generally in scale with the existing building and appropriate for the neighborhood.

- Demolish the north end of the old sanctuary building and replace with one- and two-bedroom ranch units with attached garages. This site would most likely yield 6 units. An additional 12 units could be placed on three of the Garfield Street lots.

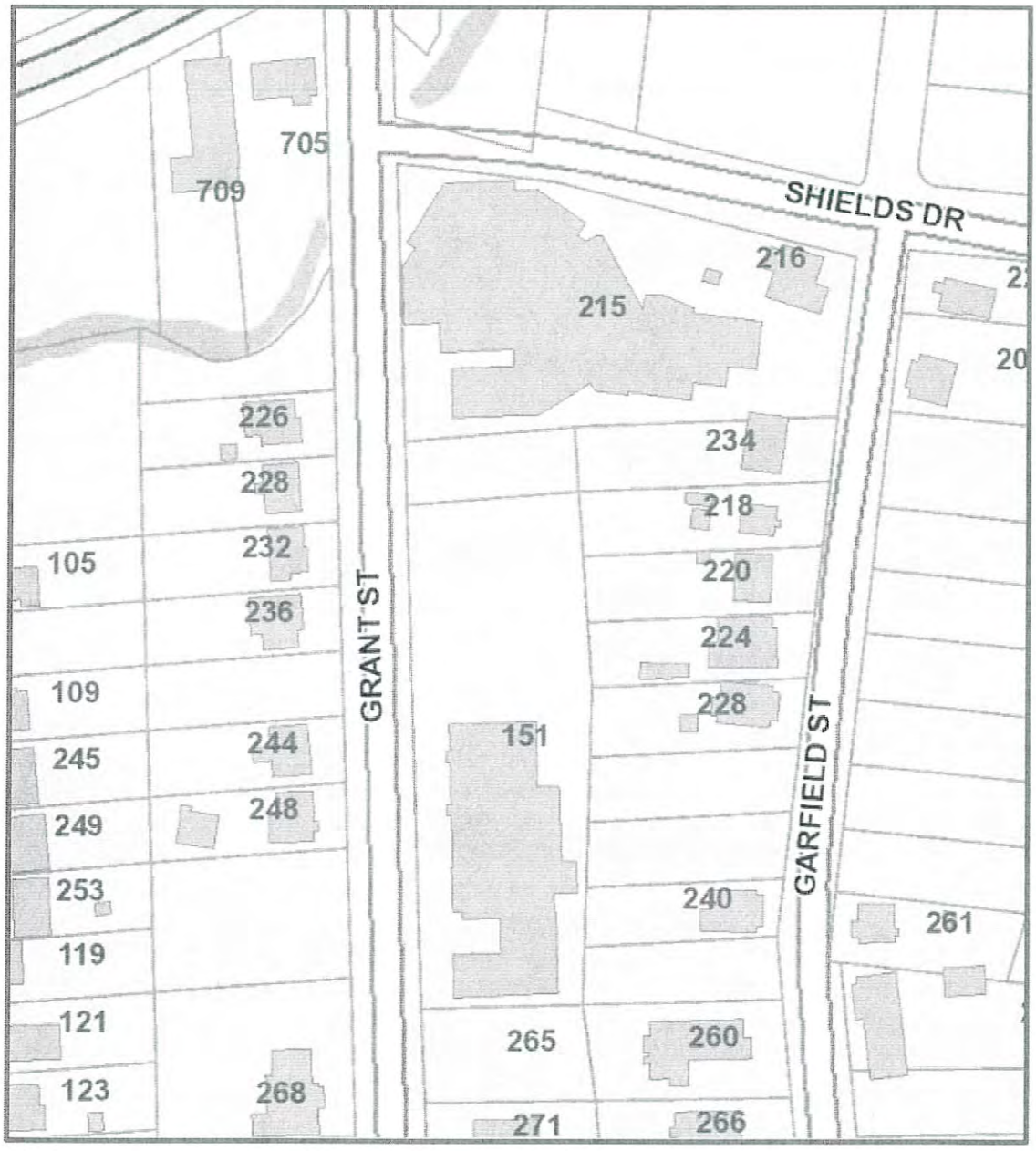
- With the development of the Bible Way site with one-bedroom units, it is most likely that two- and three-bedroom units would need to be developed on the DRHA site in order to apply for tax credits as a family project.

3. All of the development could be on the DRHA site with one-bedroom units being on the ground floor (suitable for seniors). The negative to this is that based on the survey, seniors had a strong desire to be adjacent to the church. Transportation, however, could be provided from the development to the church. An alternative would be to develop the one-bedroom units as single story ranch product and the two- and three-bedroom units in a two story building. We should explore whether the one-bedroom units could be reserved for seniors.

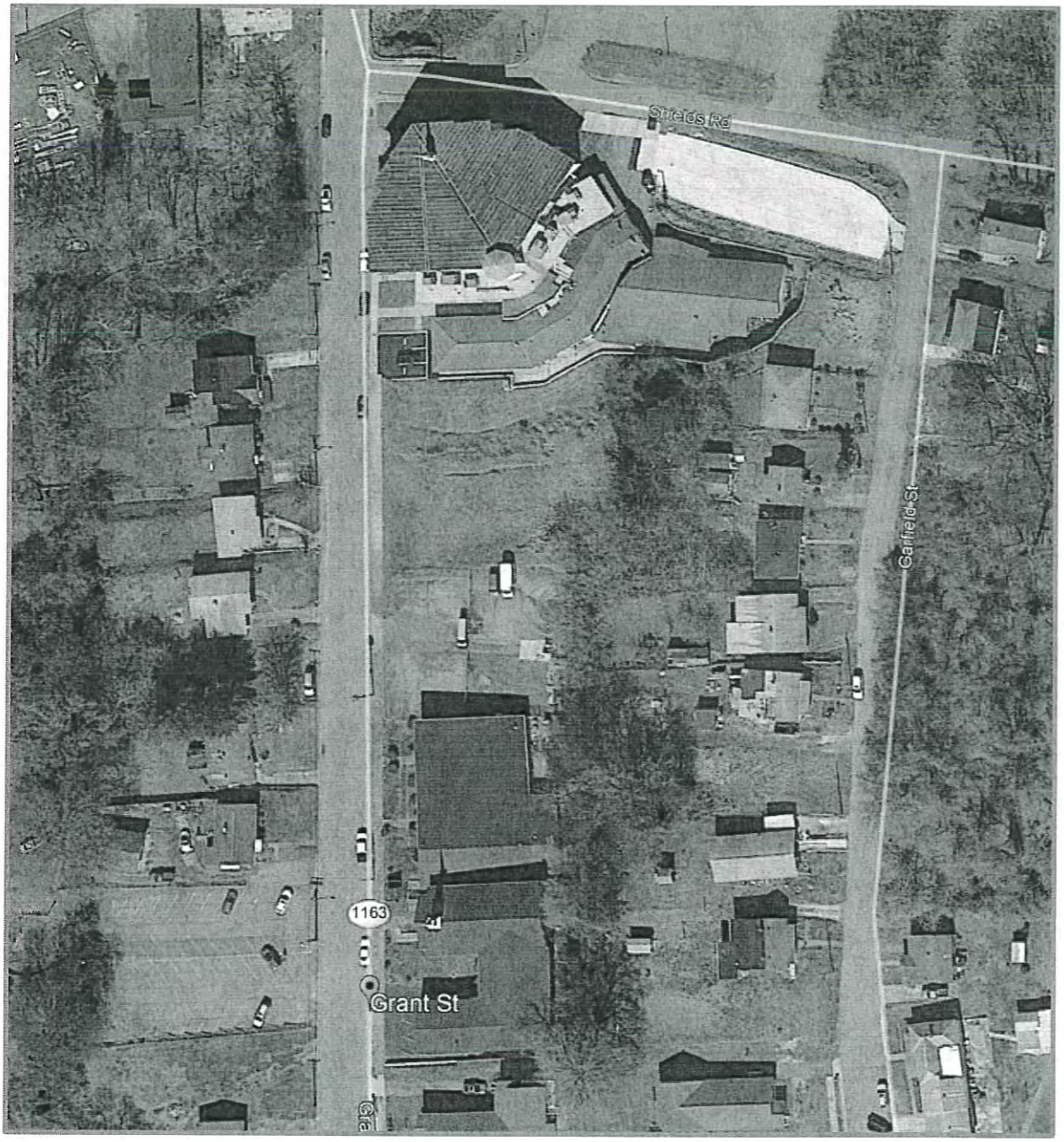
I would recommend a conversation with VHDA regarding a senior LIHTC development. Since they provided funding for a preliminary development plan adjacent to a church, they might have some assumption that the development would be a senior development and have some ideas regarding how this might be accomplished. It is also possible that the development could be a demonstration project in which ALL of the units are handicapped accessible with the latest technology for handicapped living being utilized.

It is critical that whatever direction is decided, that church officials sign off on the plan. This should be accomplished as soon as possible.

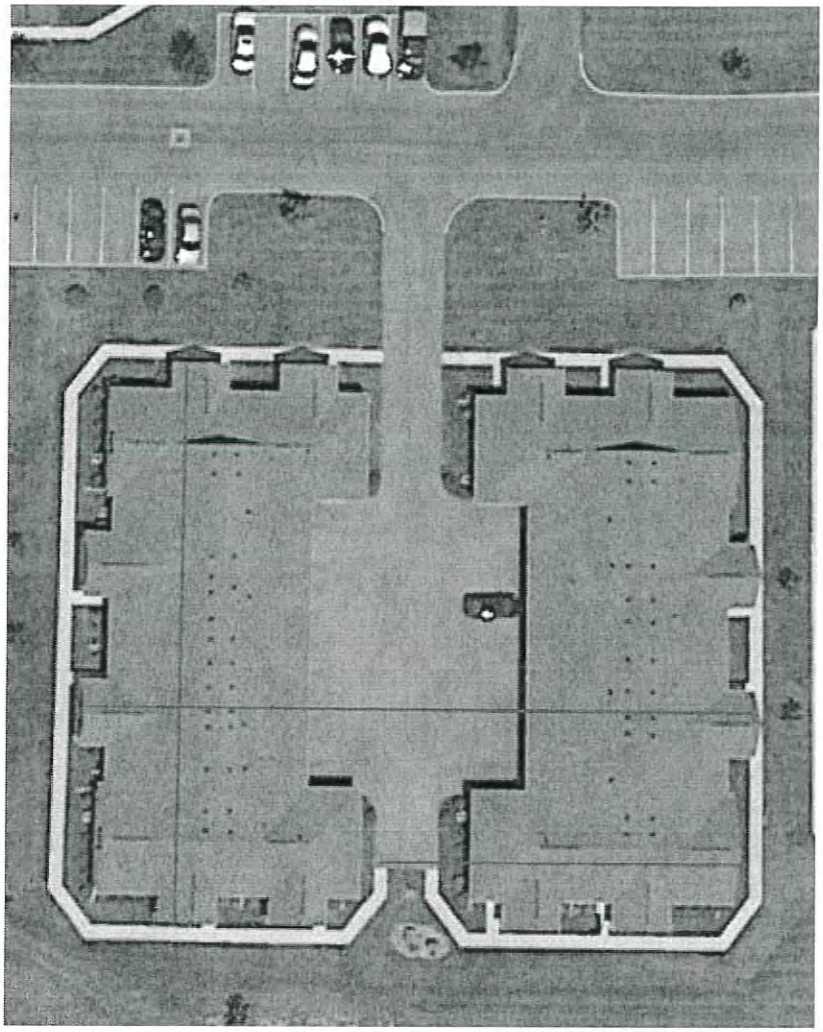
APPENDIX A – Parcel Map



APPENDIX B – Bible Way World Wide Church aerial photo



APPENDIX C – Six-plex detailed dimensions



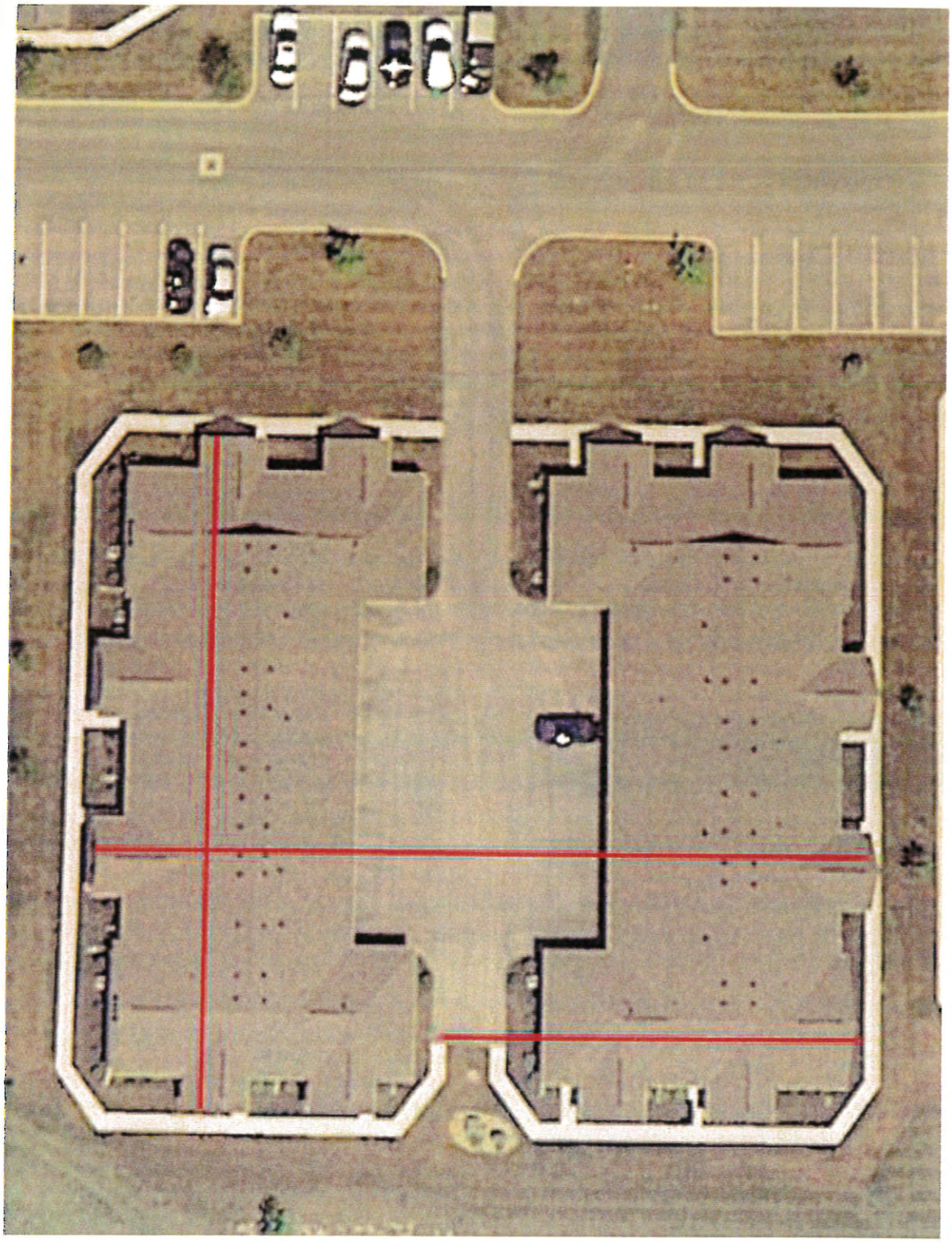
Two six-plex buildings back-to-back with interior parking court. Does not include setbacks or sidewalks. This building contains 2 one-bedroom units, 2 two-bedroom/one bath units and 2 two-bedroom/two bath units. There are 7 attached garages.

A - Width	170'
B - Depth	137'
C - Width for one bulding	92'

The building could be made smaller by converting the two-bedroom/two bath units to one-bedroom units. The result would be approximately 154' by 137'. Converting one of the two-bedroom/one bath units to a one-bedroom would result in a 154' by 131' building. There would be 6 attached garages.(Not all would be direct access.)

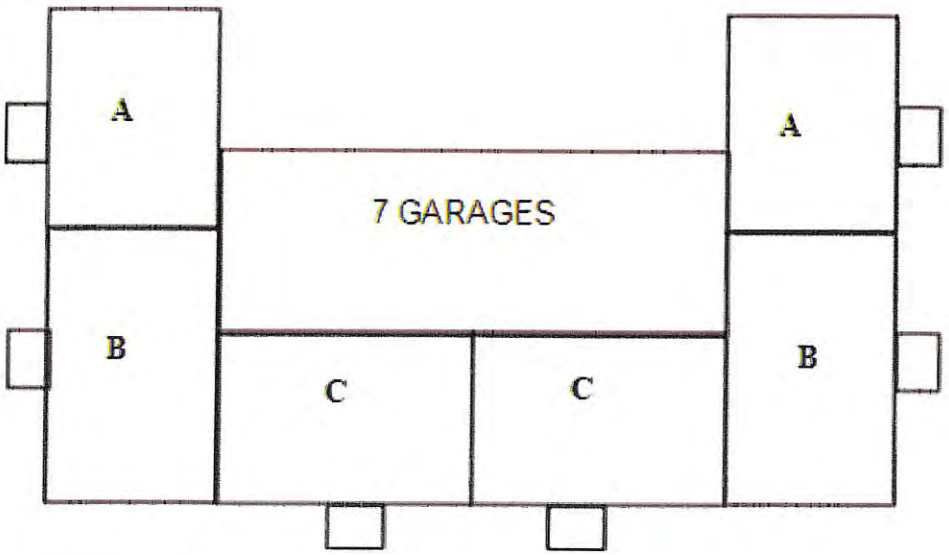
All dimensions are approximte.

Sugar Maple Loop North
NORTHTOWNE
APARTMENTS



AERIAL SHOWING BUILDING PAIRING

ORIGINAL BUILDING



UNIT TYPE A—One Bedroom/One Bat
One Car Garage
672 Square Feet
24' X 25.5'

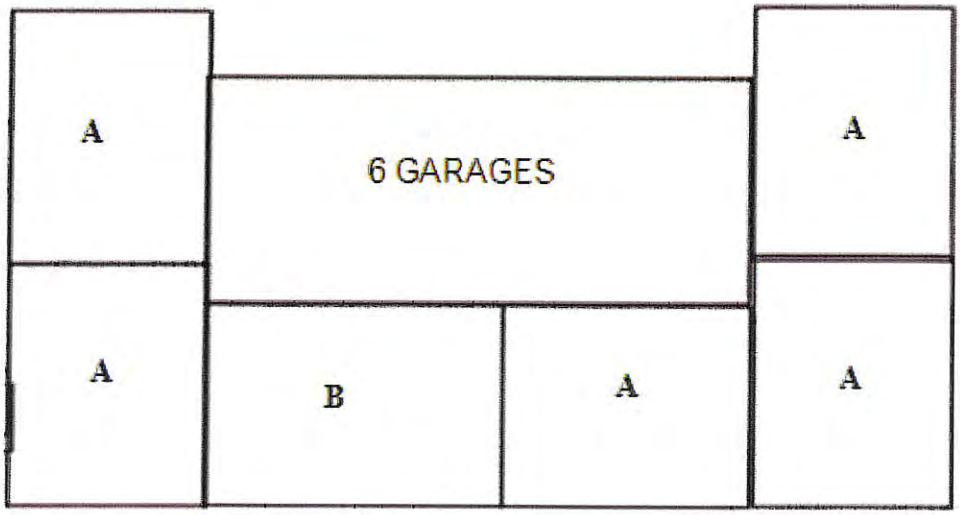
UNIT TYPE B—Two-Bedroom/One Bath
One Car Garage
864 Square Feet
24' X 36'

UNIT TYPE C—Two-Bedroom/Two Bath
One unit with one car garage and one unit with two car garage
912 Square Feet
24' X 38'

BUILDING SIZE: 132' x 68' (Including porches)
BUILDING SIZE PAIRED: 132' X 168' (32' between buildings) (Including porches)

Not all garages are direct access

ADAPTED BUILDING

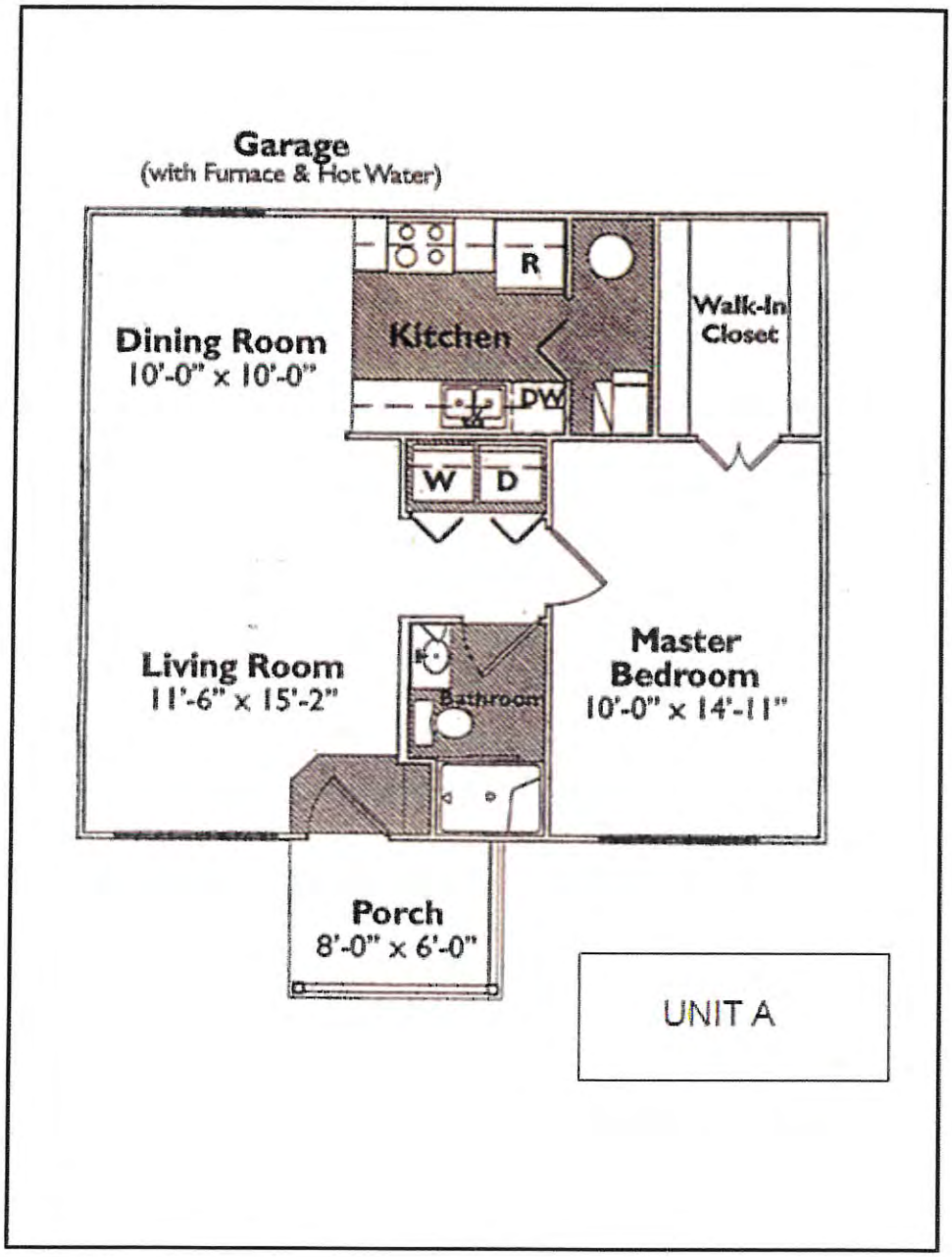


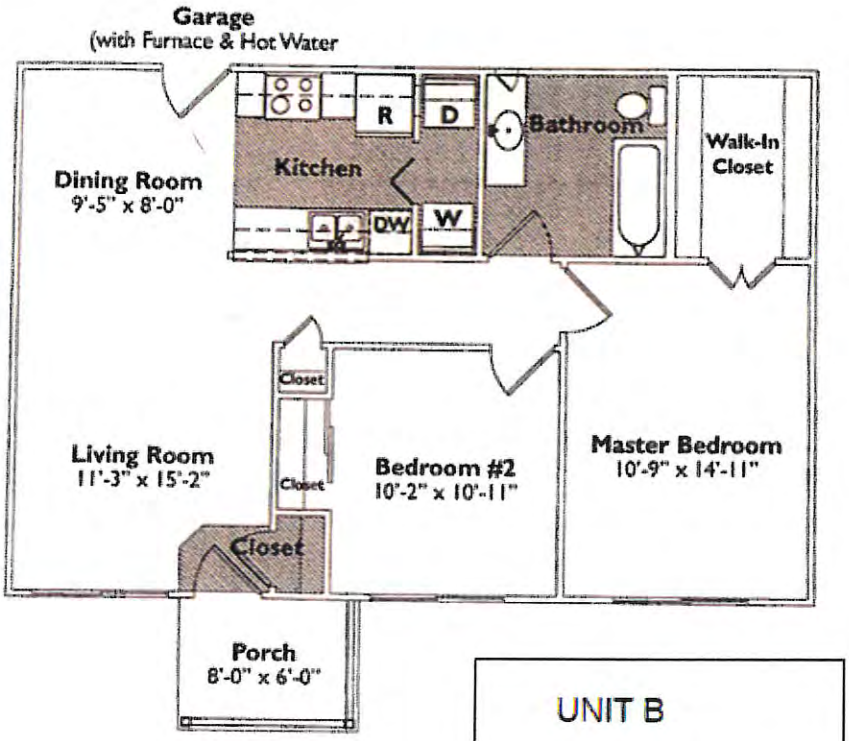
UNIT TYPE A—One Bedroom/One Bat
One Car Garage
672 Square Feet
24' X 25.5'

UNIT TYPE B—Two-Bedroom/One Bath
One Car Garage
864 Square Feet
24' X 36'

BUILDING SIZE: 120.5 X 57' (Including porches (not shown)
BUILDING SIZE PAIRED: 120.5 X 146 (32' between buildings)

Not all garages are direct access


Garage
(with Furnace & Hot Water)
R
Kitchen
DW
Walk-In
Closet
Dining Room
10'-0" x 10'-0"
W
D
Living Room
11'-6" x 15'-2"
Bathroom
Master
Bedroom
10'-0" x 14'-11"
Porch
8'-0" x 6'-0"
UNIT A


Garage
(with Furnace & Hot Water
Dining Room
9'-5" x 8'-0"
Kitchen
R
D
DW
W
Bathroom
Walk-In
Closet
Closet
Living Room
11'-3" x 15'-2"
Closet
Closet
Bedroom #2
10'-2" x 10'-11"
Master Bedroom
10'-9" x 14'-11"
Porch
8'-0" x 6'-0"

UNIT B

REZONING REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on February 10, 2020
LOCATION OF PROPERTY:	Parcel ID#s 76125, 76124, 76123, 76122, 76121, 76140, 76141, 76142, 76143, 76144 & 76145 on Seeland Road and the future Haraway Lane
PRESENT ZONE:	OT-R Old Town Residential District
PROPOSED ZONE:	M-R Multi-family Residential
ACTION REQUESTED:	Rezone to construct multi-family dwellings
PRESENT USE OF PROPERTY:	Vacant land
PROPOSED USE OF PROPERTY:	Multi-family dwellings
FUTURE LAND USE DESIGNATION:	Residential
PROPERTY OWNER (S):	Danville Redevelopment and Housing Authority
NAME OF APPLICANT (S):	Danville Redevelopment and Housing Authority
PROPERTY BORDERED BY:	Residential and vacant land to the north, east, and west, DRHA offices, vacant land and radio tower to the south
ACREAGE:	2.92 acres (approximately)
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Seeland Road
TRAFFIC VOLUME:	Low

2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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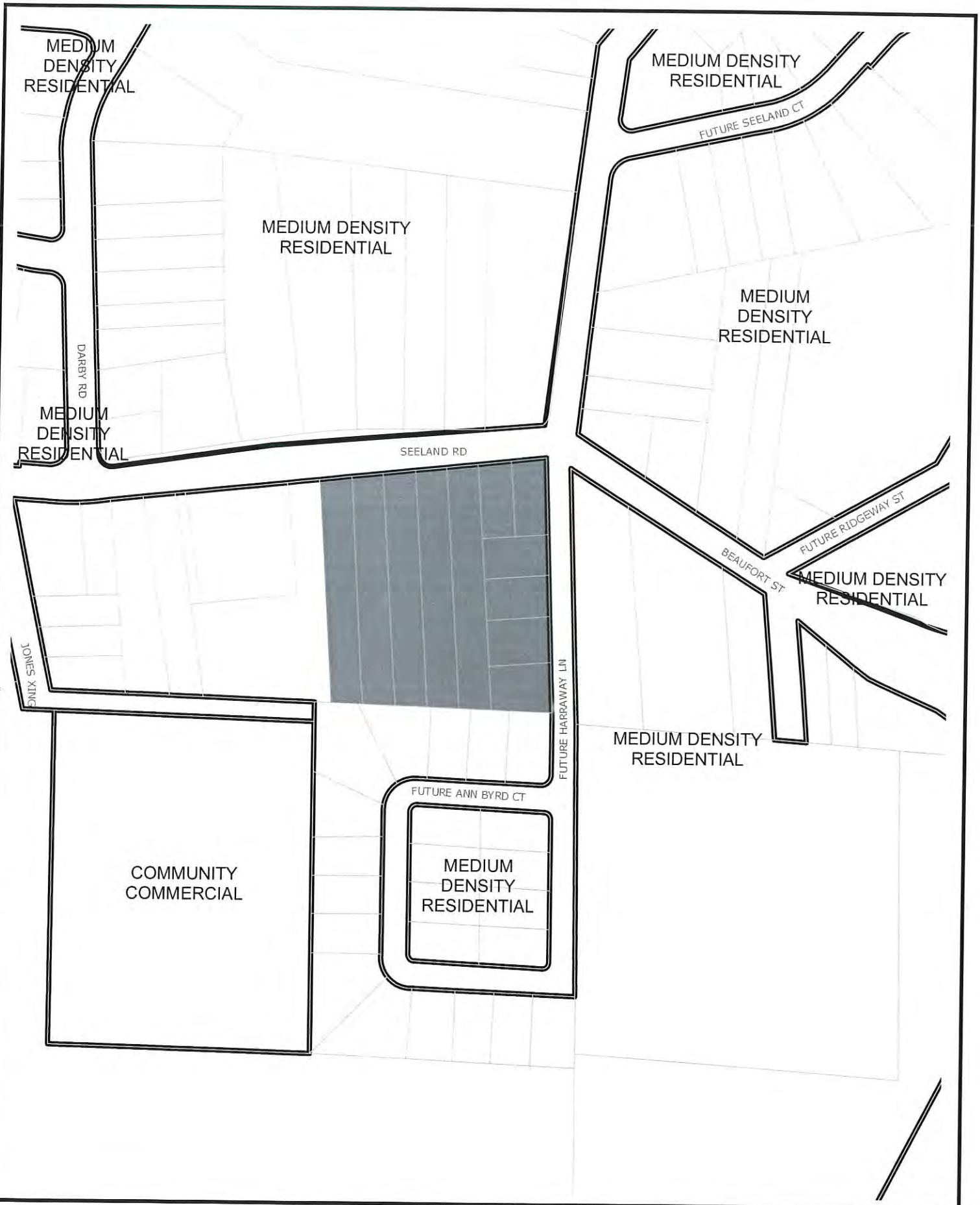

YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Rezoning Application PLRZ2020000026, filed by Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, 151 Grant Street, 218, 220, & 224 Garfield Street, otherwise known as Grid 2605, Block 004, Parcel ID#s 000012, 00003, 00004 & 00005 of the City of Danville, Zoning District Map. The applicant is proposing to build 18 multi-family dwelling units on the site when combined.

Background:

A rezoning application has been filed by Bibleway Church of Danville Trustees & Bilbeway Cathedral Truesttes to build multi-family dwellings at 151 Grant Street, 218, 220, & 224 Garfield Street, otherwise known as Grid 2605, Block 004, Parcel ID#s 000012, 00003, 00004 & 00005 of the City of Danville, Zoning District Map.

The project consists of four lots that make up approximately 1.78 acres. These lots are served by all City utilities. This project is a companion to PRRZ20200000024 located on Seeland Road and future Haraway Lane. Both projects are applying for tax credits to help with development. A description of the project development is attached.

The surrounding area is developed with single-family dwellings, the office and church for Bibleway for DRHA and some multi-family dwellings.

Eighty-three (83) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on February 10, 2020.

Staff Analysis and Recommendation:

Staff recommends approval of Rezoning Application PLRZ2020000026, filed by Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees, requesting to rezone from OT-R Old Town Residential District to M-R Multi-family Residential District, 151 Grant Street, 218, 220, & 224 Garfield Street, otherwise known as Grid 2605, Block 004, Parcel ID#s 000012, 00003, 00004 & 00005 of the City of Danville, Zoning District Map.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLRZ2020000026 as submitted.
2. Recommend approval of Rezoning Application PLRZ2020000026 subject to conditions by the Planning Commission.
3. Recommend denial of Rezoning Application PLRZ2020000026 as submitted.

Attachments:
Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2019 Aerial)
Year 2020 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). (See Attached MAP) 218, 220, 224 Garfield St.

Gross Area/Net Area:_____ Property Address: 151 GRANT Street

Property Location: N S E W Side of:_____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

1. NAME: Bibleway Church of Danville Trustees TELEPHONE:_____

MAILING ADDRESS: 128 Larchmont Way, Danville, VA 24541

SIGNATURE: _____ DATE: _____

SIGNATURE: Lawrence H. Campbell, Sr 1/20/20 DATE: _____

EMAIL ADDRESS: lawrencecampbellsr@yahoo.com

APPLICANT (PLEASE TYPE OR PRINT): SAME AS OWNER
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:

Construction of 18 town homes

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:

Rezoning from OTR to Multifamily

BIBLE WAY DEVELOPMENT ALTERNATIVES

For discussion on January 17, 2020

Following are several alternatives for a development plan for Bible Way World Wide Church.

There are three sites potentially available for development of LIHTC rental apartments.

1. The property currently occupied by the north end of the old sanctuary building.
2. The assembly of three lots along Garfield Street,
3. The site currently owned by DRHA,

Several development alternatives have been discussed. The original discussion was to develop senior housing on the vacant land between the two buildings on the Bible Way site. The north portion of the old sanctuary building was to be demolished. This proved not to be feasible since it was unlikely that a senior project would not be approved by VHDA and that a family project would not be acceptable. Further, the church officials would prefer not to have a large apartment development as part of the Bible Way site or neighborhood. A survey was conducted among Bible Way members and there was a significant need identified for senior housing in the immediate area of the church.

Based on discussions among the development team, there are several development alternatives.

1. The DRHA site could be developed along with either of the Bible Way sites, as a family development with all of the one-bedroom units (suitable for seniors) being on the Bible Way site(s) and the two- and three-bedroom units on the DRHA site. The DRHA site would have the advantage of accommodating a cost effective traditional architectural design. A design most likely already existing in Hill Studio archives.

2. There are several alternatives for the development of the Bible Way site(s).

    - Townhouse units along Grant Street were suggested by church officials as being a desired alternative. These would be in keeping with the current scale of residential development in the neighborhood. However, being two story, these would not be "senior friendly" and most likely occupied by families.

- Demolish the north end of the old sanctuary building and replace with a two story elevator building with 20 to 24 one-bedroom units. Parking could be adjacent, to the north, or on one, or more, of the Garfield Street lots.

The building pad would be approximately 10,400 square feet and would easily accommodate 10 to 12 units per floor. It is approximately a square pad; however, the potential building geometry would most likely be rectangular and contain about 8,000 square feet per floor. It would be generally in scale with the existing building and appropriate for the neighborhood.

- Demolish the north end of the old sanctuary building and replace with one- and two-bedroom ranch units with attached garages. This site would most likely yield 6 units. An additional 12 units could be placed on three of the Garfield Street lots.

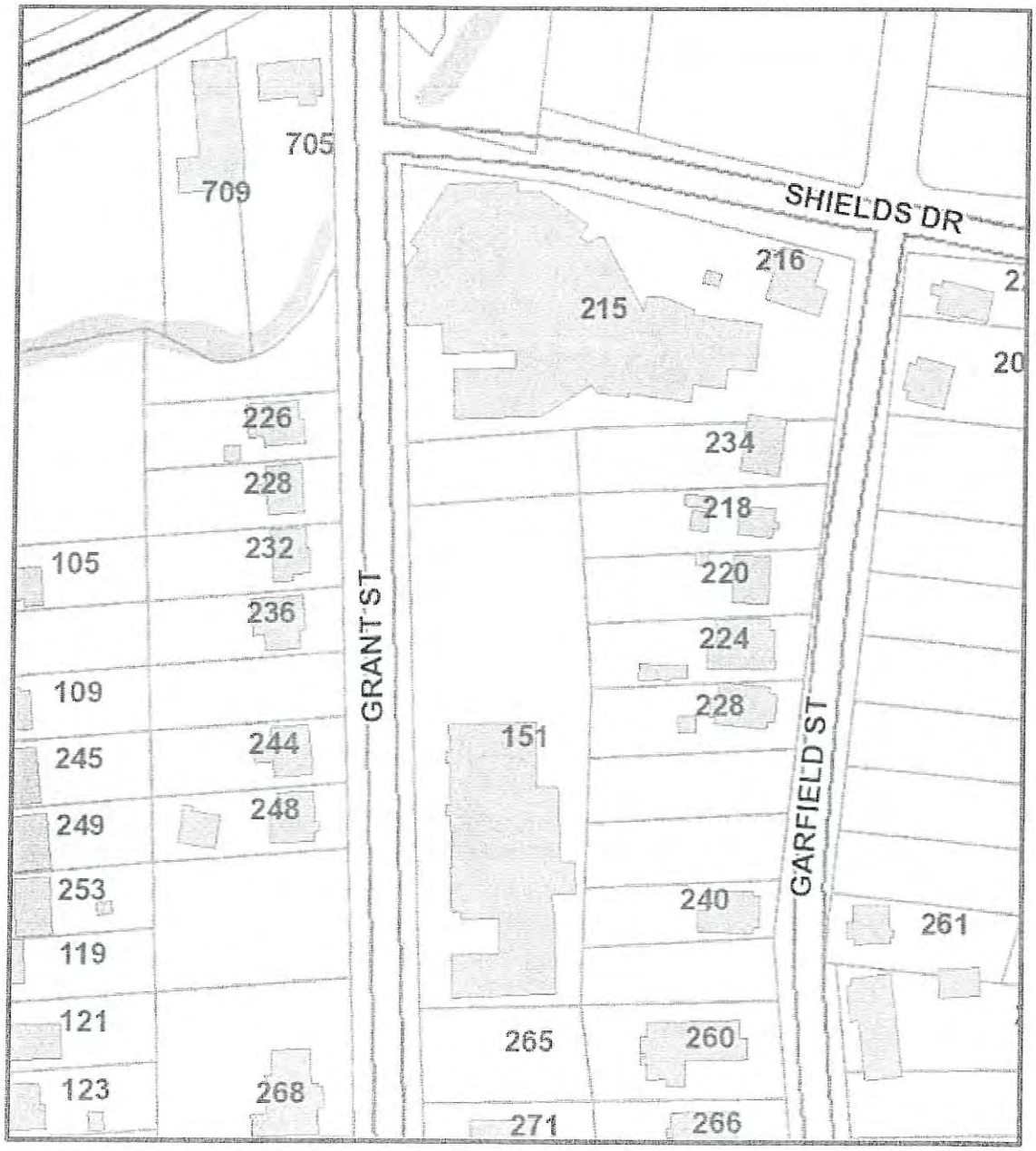
- With the development of the Bible Way site with one-bedroom units, it is most likely that two- and three-bedroom units would need to be developed on the DRHA site in order to apply for tax credits as a family project.

3. All of the development could be on the DRHA site with one-bedroom units being on the ground floor (suitable for seniors). The negative to this is that based on the survey, seniors had a strong desire to be adjacent to the church. Transportation, however, could be provided from the development to the church. An alternative would be to develop the one-bedroom units as single story ranch product and the two- and three-bedroom units in a two story building. We should explore whether the one-bedroom units could be reserved for seniors.

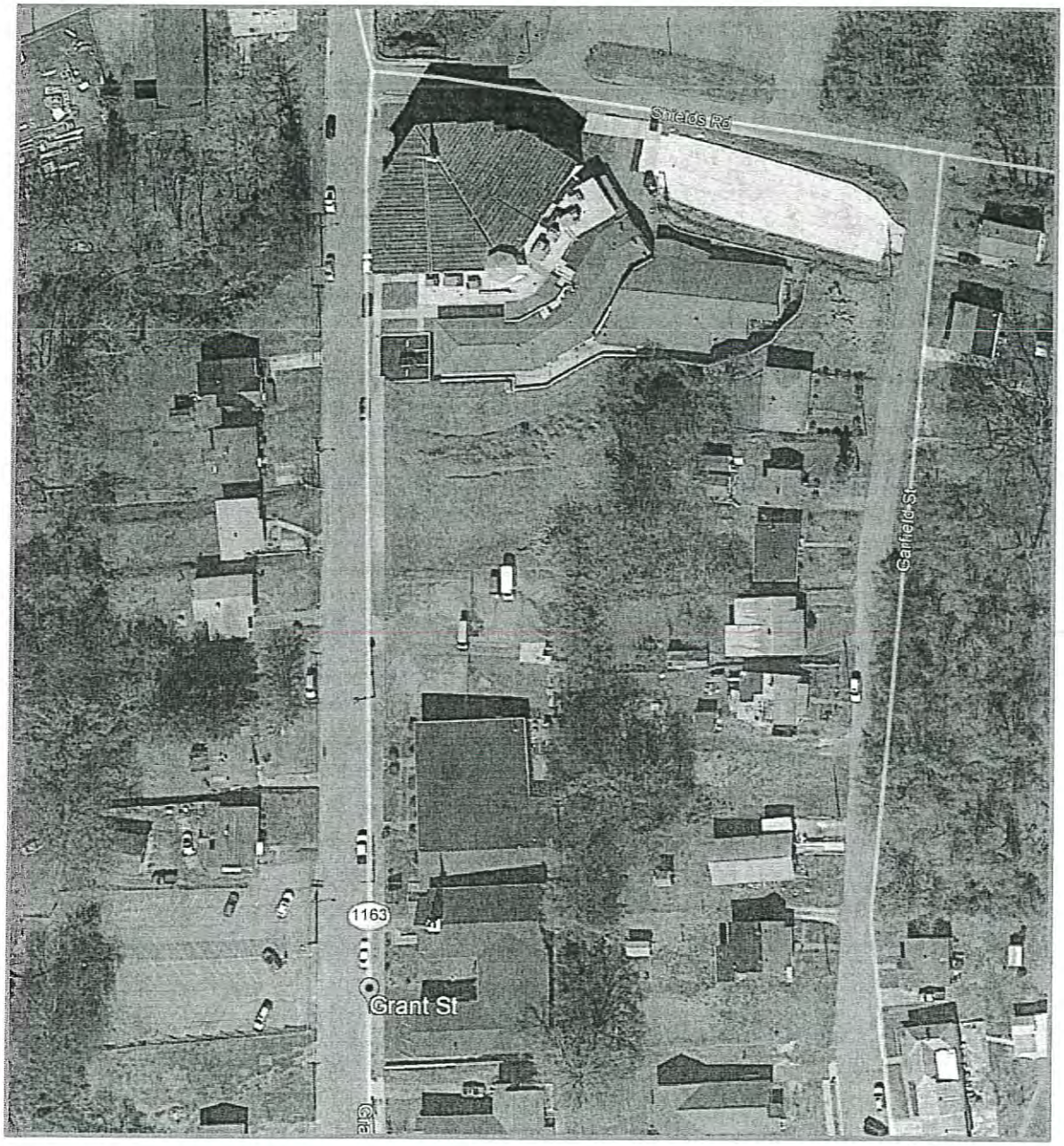
I would recommend a conversation with VHDA regarding a senior LIHTC development. Since they provided funding for a preliminary development plan adjacent to a church, they might have some assumption that the development would be a senior development and have some ideas regarding how this might be accomplished. It is also possible that the development could be a demonstration project in which ALL of the units are handicapped accessible with the latest technology for handicapped living being utilized.

It is critical that whatever direction is decided, that church officials sign off on the plan. This should be accomplished as soon as possible.

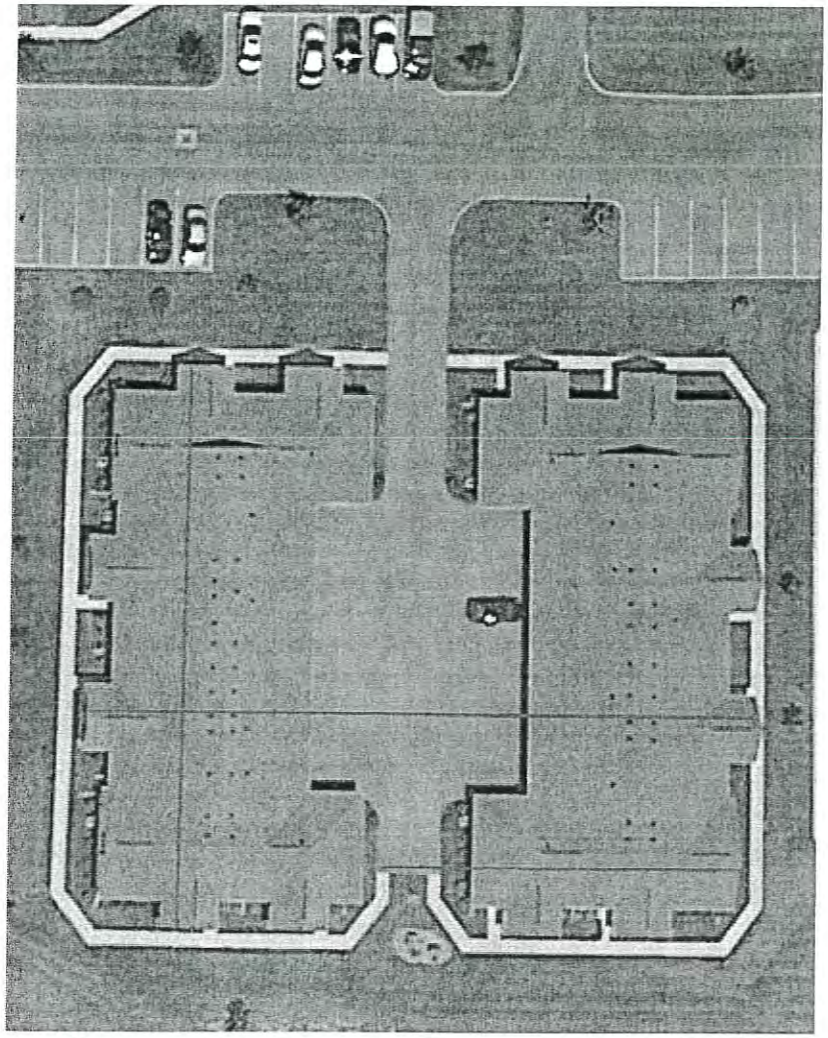
APPENDIX A – Parcel Map



APPENDIX B – Bible Way World Wide Church aerial photo



APPENDIX C – Six-plex detailed dimensions



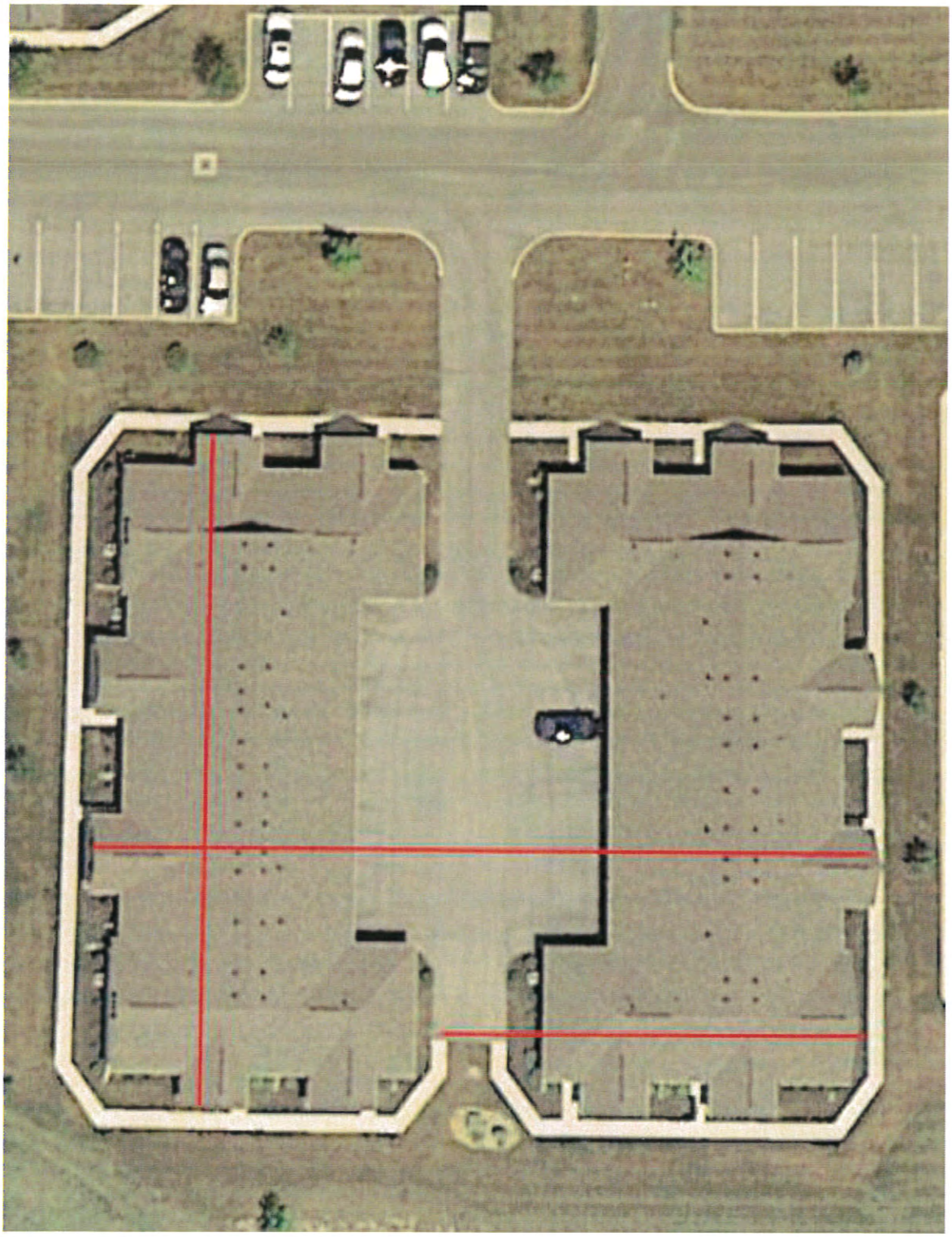
Two six-plex buildings back-to-back with interior parking court. Does not include setbacks or sidewalks. This building contains 2 one-bedroom units, 2 two-bedroom/one bath units and 2 two-bedroom/two bath units. There are 7 attached garages.

A - Width	170'	
B - Depth	137'	
C - Width for one bulding		92'

The building could be made smaller by converting the two-bedroom/two bath units to one-bedroom units. The result would be approximately 154' by 137'. Converting one of the two-bedroom/one bath units to a one-bedroom would result in a 154' by 131' building. There would be 6 attached garages.(Not all would be direct access.)

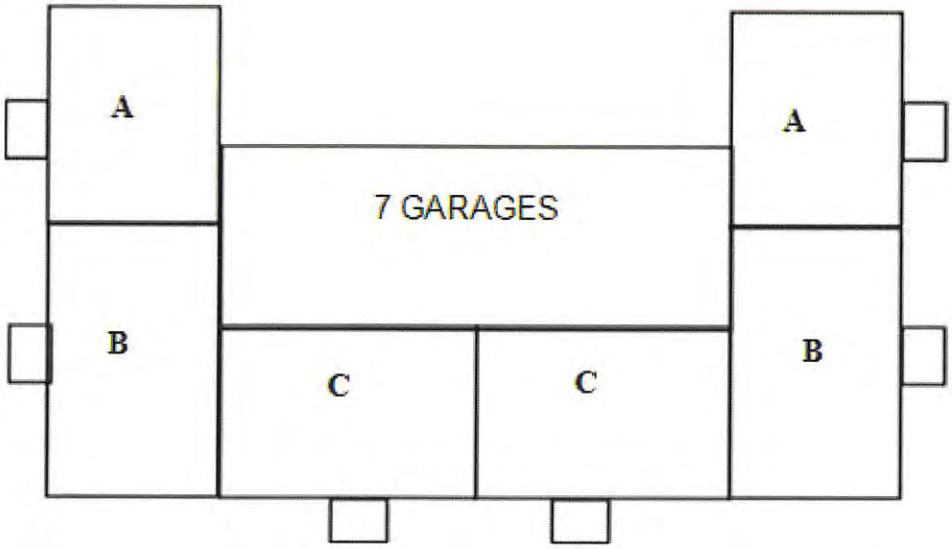
All dimensions are approximte.

Sugar Maple Loop North
NORTHTOWNE
APARTMENTS



AERIAL SHOWING BUILDING PAIRING

ORIGINAL BUILDING



UNIT TYPE A—One Bedroom/One Bat
One Car Garage
672 Square Feet
24' X 25.5'

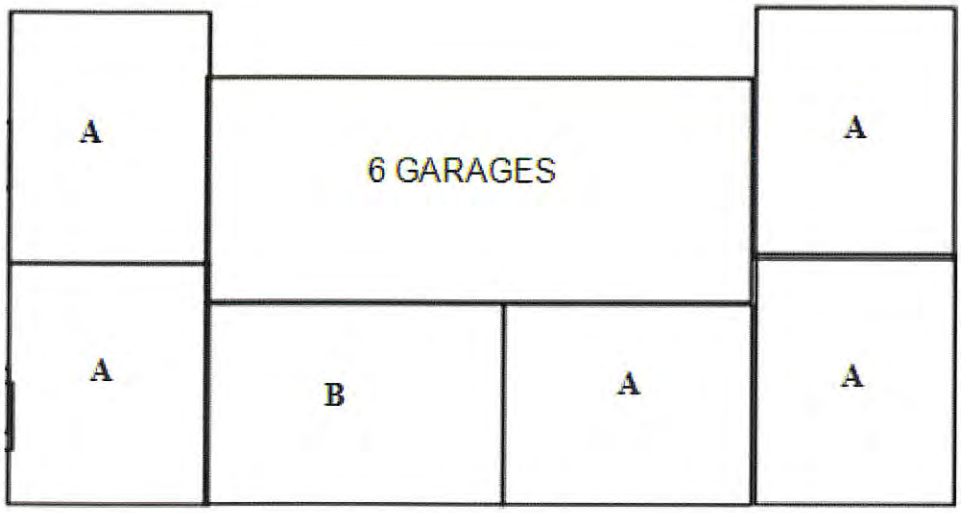
UNIT TYPE B—Two-Bedroom/One Bath
One Car Garage
864 Square Feet
24' X 36'

UNIT TYPE C—Two-Bedroom/Two Bath
One unit with one car garage and one unit with two car garage
912 Square Feet
24' X 38'

BUILDING SIZE: 132' x 68' (Including porches)
BUILDING SIZE PAIRED: 132' X 168' (32' between buildings) (Including porches)

Not all garages are direct access

ADAPTED BUILDING

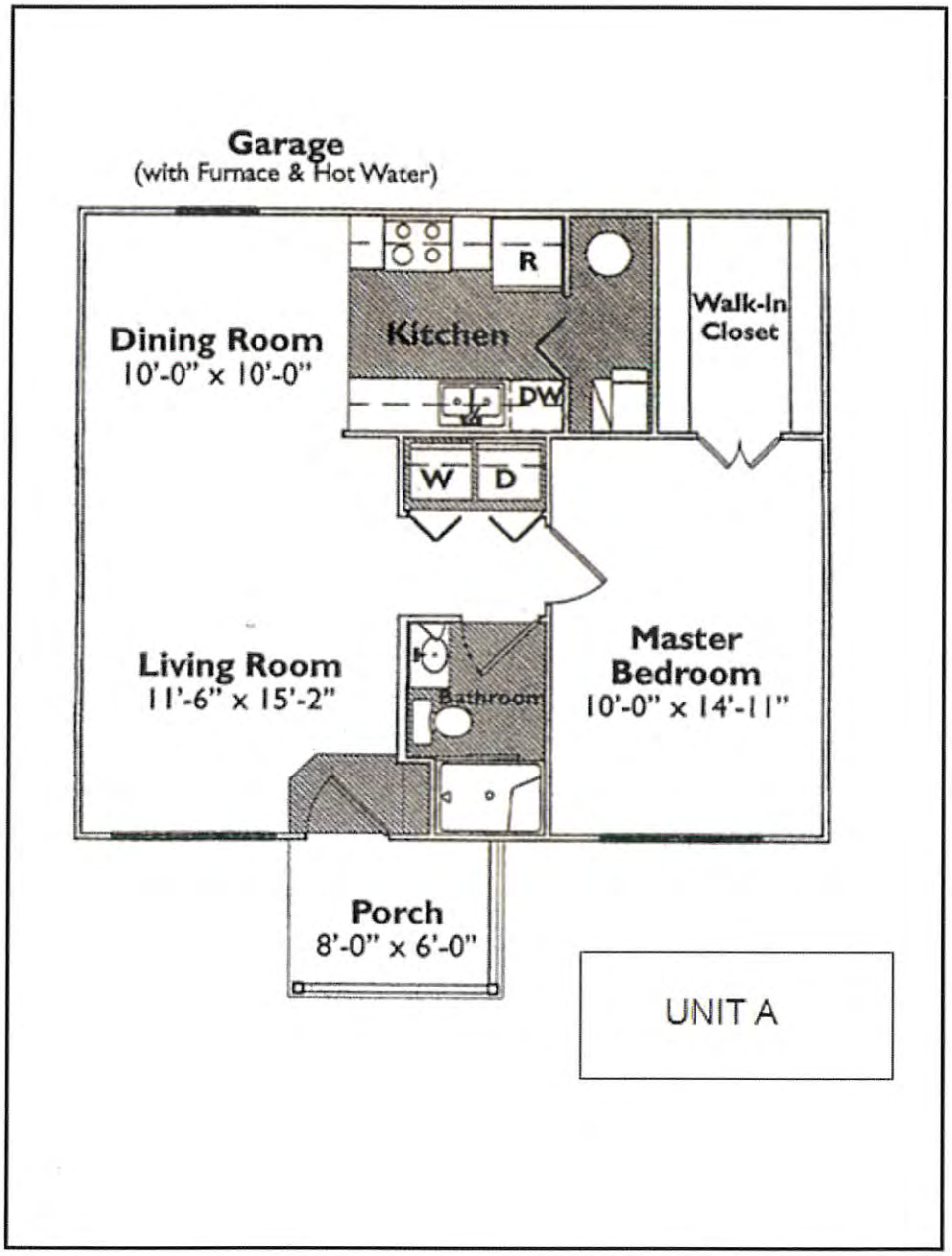


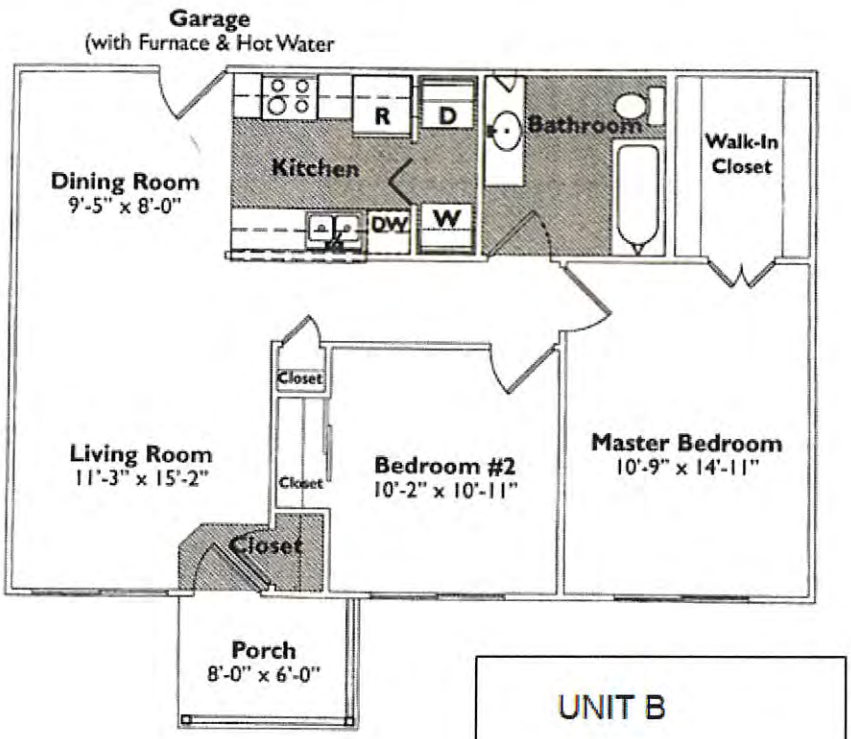
UNIT TYPE A—One Bedroom/One Bat
One Car Garage
672 Square Feet
24' X 25.5'

UNIT TYPE B—Two-Bedroom/One Bath
One Car Garage
864 Square Feet
24' X 36'

BUILDING SIZE: 120.5 X 57' (Including porches (not shown)
BUILDING SIZE PAIRED: 120.5 X 146 (32' between buildings)

Not all garages are direct access

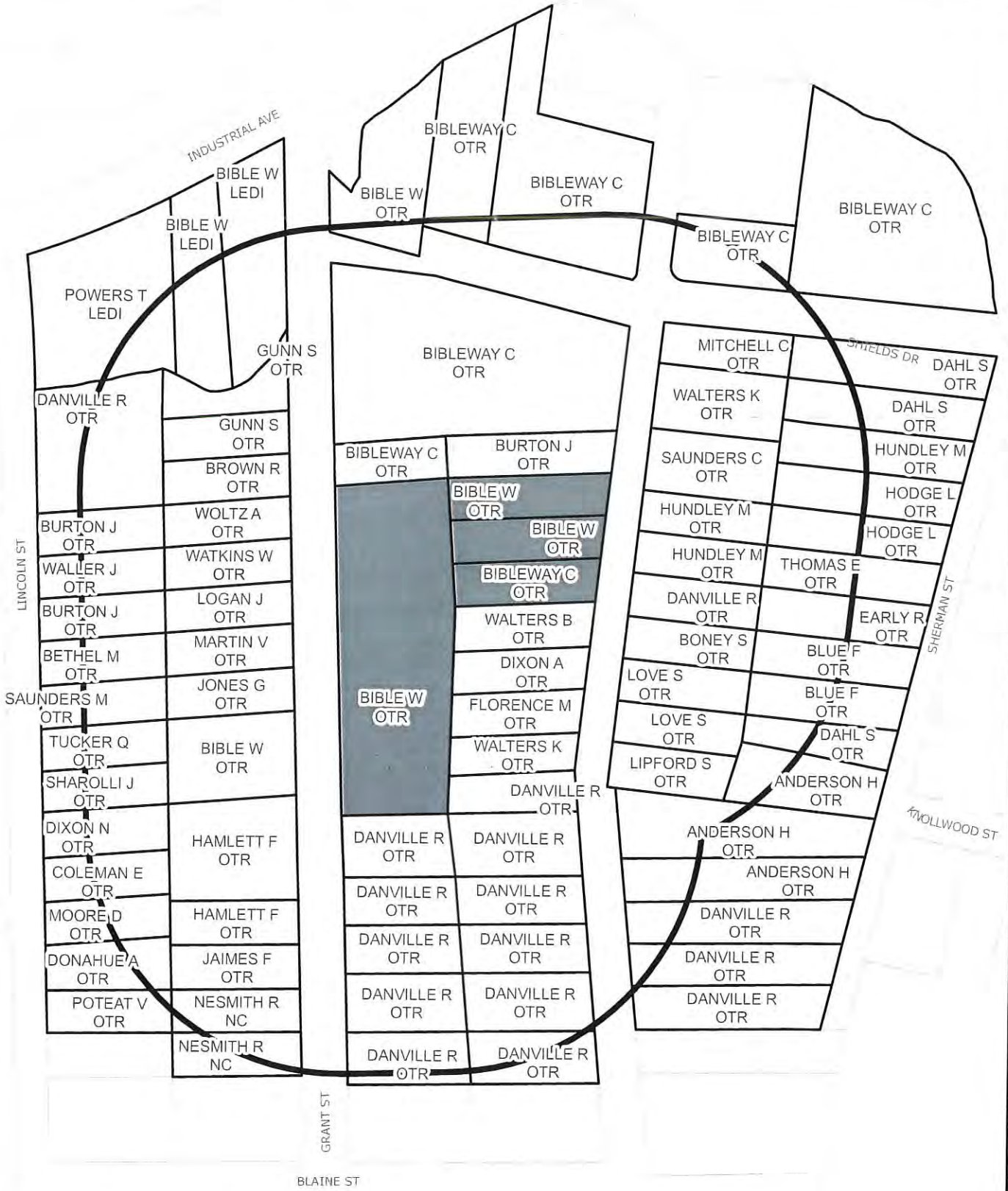

Garage
(with Furnace & Hot Water)
R
Kitchen
DW
Walk-In
Closet
Dining Room
10'-0" x 10'-0"
W
D
Living Room
11'-6" x 15'-2"
Bathroom
Master
Bedroom
10'-0" x 14'-11"
Porch
8'-0" x 6'-0"
UNIT A


Garage
(with Furnace & Hot Water
Dining Room
9'-5" x 8'-0"
R
D
Kitchen
DW
W
Bathroom
Walk-In
Closet
Closet
Living Room
11'-3" x 15'-2"
Closet
Bedroom #2
10'-2" x 10'-11"
Closet
Master Bedroom
10'-9" x 14'-11"
Porch
8'-0" x 6'-0"

UNIT B

REZONING REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on February 10, 2020
LOCATION OF PROPERTY:	151 Grant Street, 218, 220, & 224 Garfield Street
PRESENT ZONE:	OT-R Old Town Residential District
PROPOSED ZONE:	M-R Multi-family Residential
ACTION REQUESTED:	Rezone to construct 18 multi-family dwellings
PRESENT USE OF PROPERTY:	Church facility
PROPOSED USE OF PROPERTY:	18 Multi-family dwellings added to church facility
FUTURE LAND USE DESIGNATION:	Residential
PROPERTY OWNER (S):	Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees
NAME OF APPLICANT (S):	Bibleway Church of Danville Trustees & Bibleway Cathedral Trustees
PROPERTY BORDERED BY:	Residential and church to the north, east, and south; and west
ACREAGE:	1.78 acres (approximately)
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Lincoln and Grant Streets.
TRAFFIC VOLUME:	Low



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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

2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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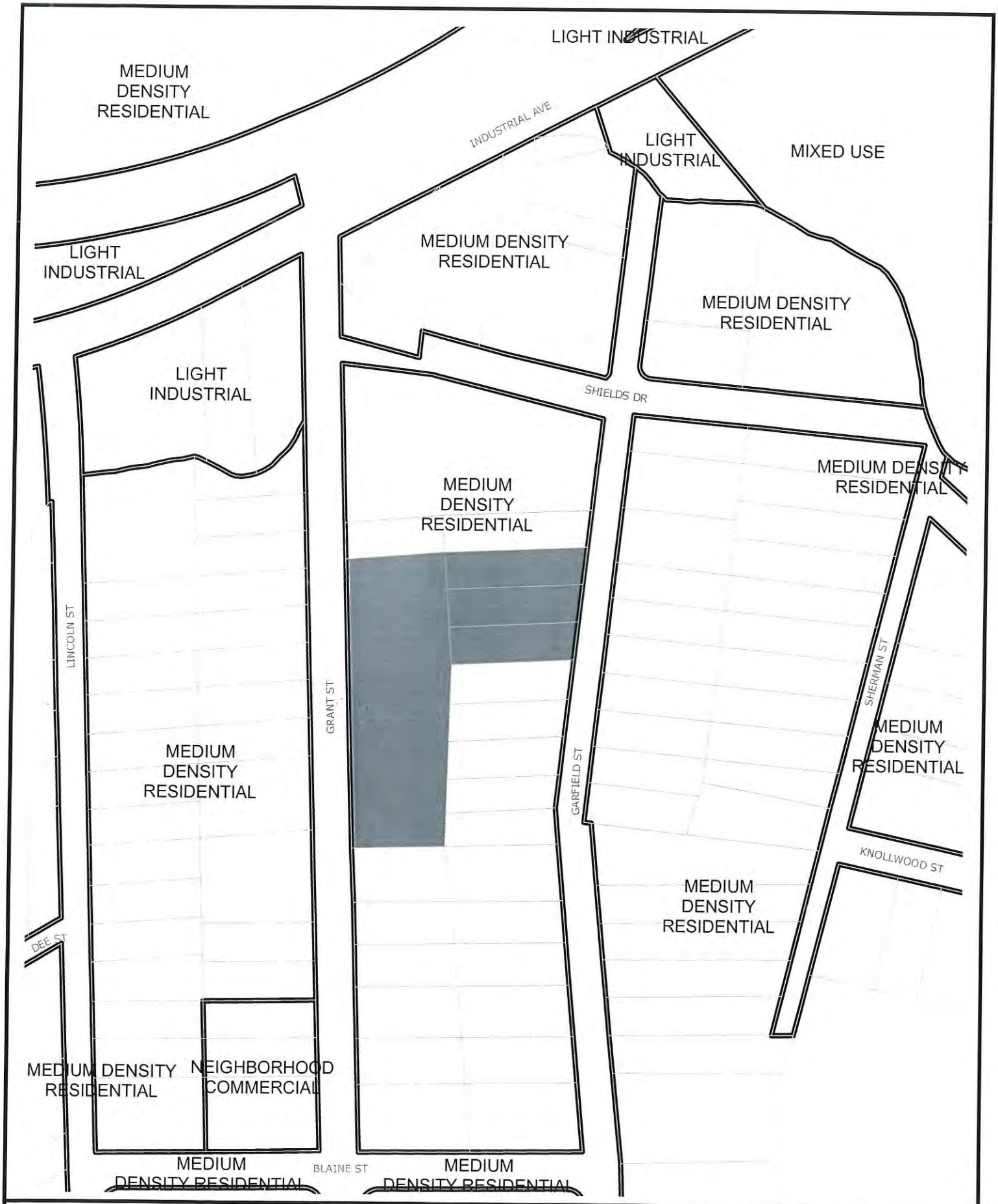

YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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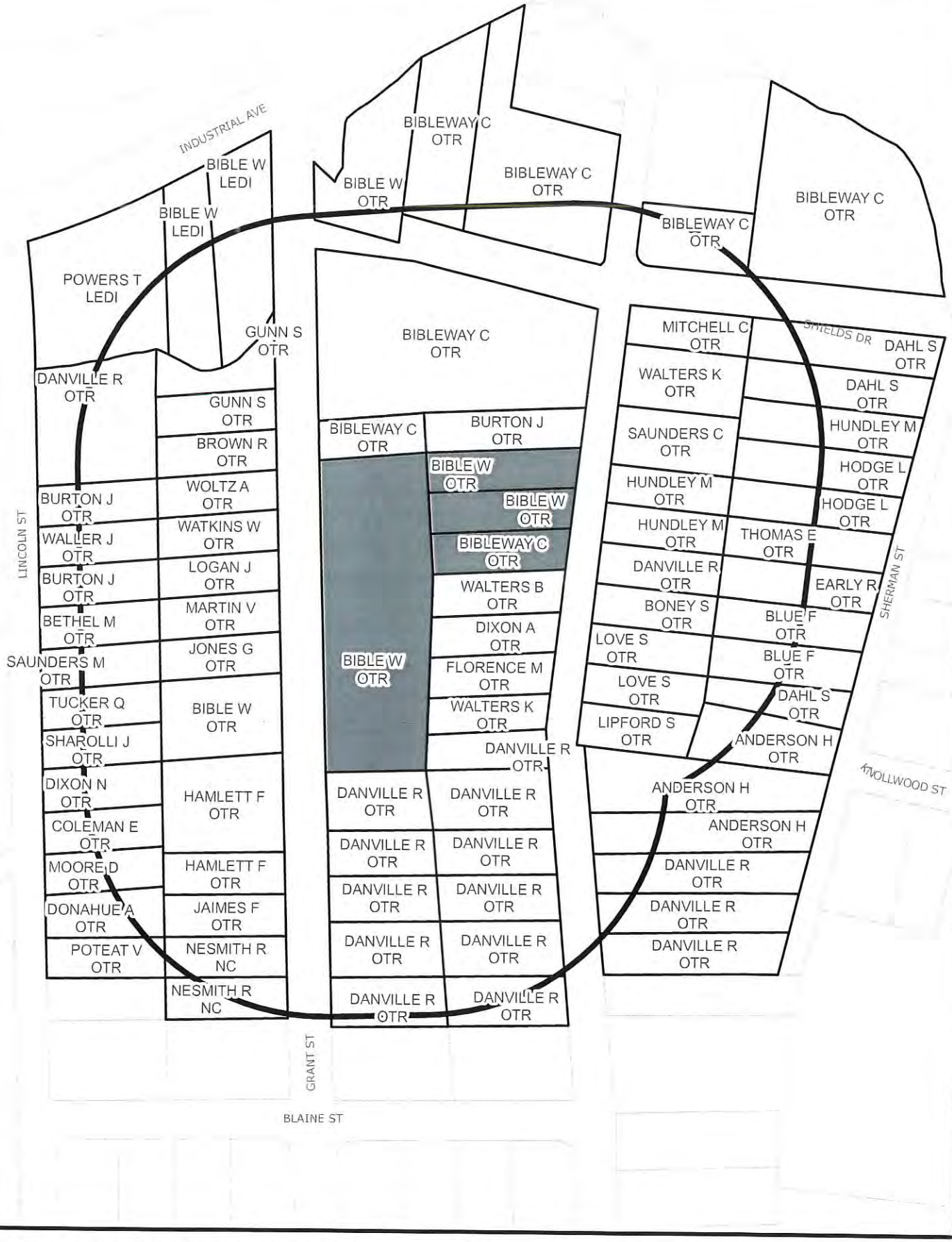

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Special Use Permit Application PLSUP202000004, filed by Shazad Tahseen on behalf of AANT INC, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 2980 W. Main St., otherwise known as Grid 0617, Block 007, Parcel 0000015 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.

Background:

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

Twenty-one notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A full report will be presented at the City Planning Commission meeting on February 10, 2020.

Staff Analysis and Recommendation:

Due to actions currently ongoing in the Virginia General Assembly, staff recommends that this item be continued to the March meeting.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP202000004 as submitted.
2. Recommend approval of Special Use Permit Application PLSUP202000004 subject to the condition per staff.
3. Recommend approval of Special Use Permit Application PLSUP202000004 subject to conditions by the Planning Commission.
4. Recommend denial of Special Use Permit Application PLSUP202000004 as submitted.

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: SKILLS GAMES

CASE NUMBER: _____ EXISTING ZONING: _____

PROPOSED ZONING: _____ TAX MAP NUMBER: _____

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 500 Sq Feet Property Address: 2980 W. Main St Danville, VA 24541

Property Location: N S E W Side of: WEST

Between: Old Mayfield Rd and WITHERS Rd

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

_____

_____

_____

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

1. NAME: SHAZAD TAHSEEN TELEPHONE: 434 713 8559

MAILING ADDRESS: 2980 WEST MAIN ST DANVILLE VA 24541

SIGNATURE: _____ DATE: 12-22-19

SIGNATURE: _____ DATE: _____

EMAIL ADDRESS: Shazad233@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: _____

Attachments:
Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)
Year 2020 Land Use Map

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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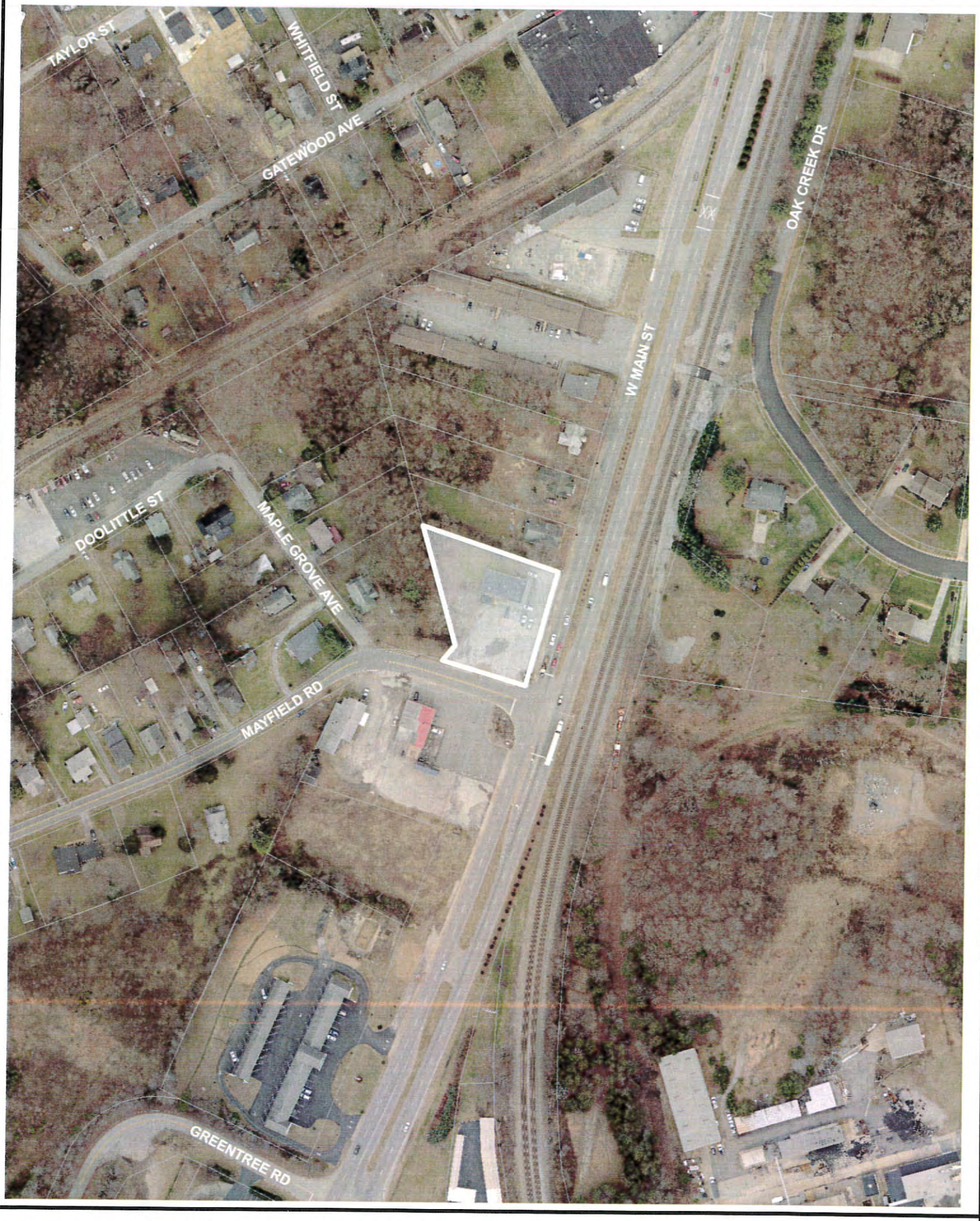
SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on February 10, 2020
LOCATION OF PROPERTY:	2980 W. Main St
PRESENT ZONE:	HR-C Highway Retail Commercial District
PROPOSED ZONE:	No change
ACTION REQUESTED:	Special Use Permit for commercial indoor recreation
PRESENT USE OF PROPERTY:	Convenience store
PROPOSED USE OF PROPERTY:	Convenience store with gaming machines
FUTURE LAND USE DESIGNATION:	Commercial
PROPERTY OWNER (S):	AANT Inc.
NAME OF APPLICANT (S):	Shazad Tahseen
PROPERTY BORDERED BY:	Residential and industrial to the east, commercial and industrial to the south, residential and industrial to the west, commercial and mixed residential to the north
ACREAGE:	.81 acres
CHARACTER OF VICINITY:	Mixed
INGRESS AND EGRESS:	W. Main St. & Mayfield Road
TRAFFIC VOLUME:	High and Moderate



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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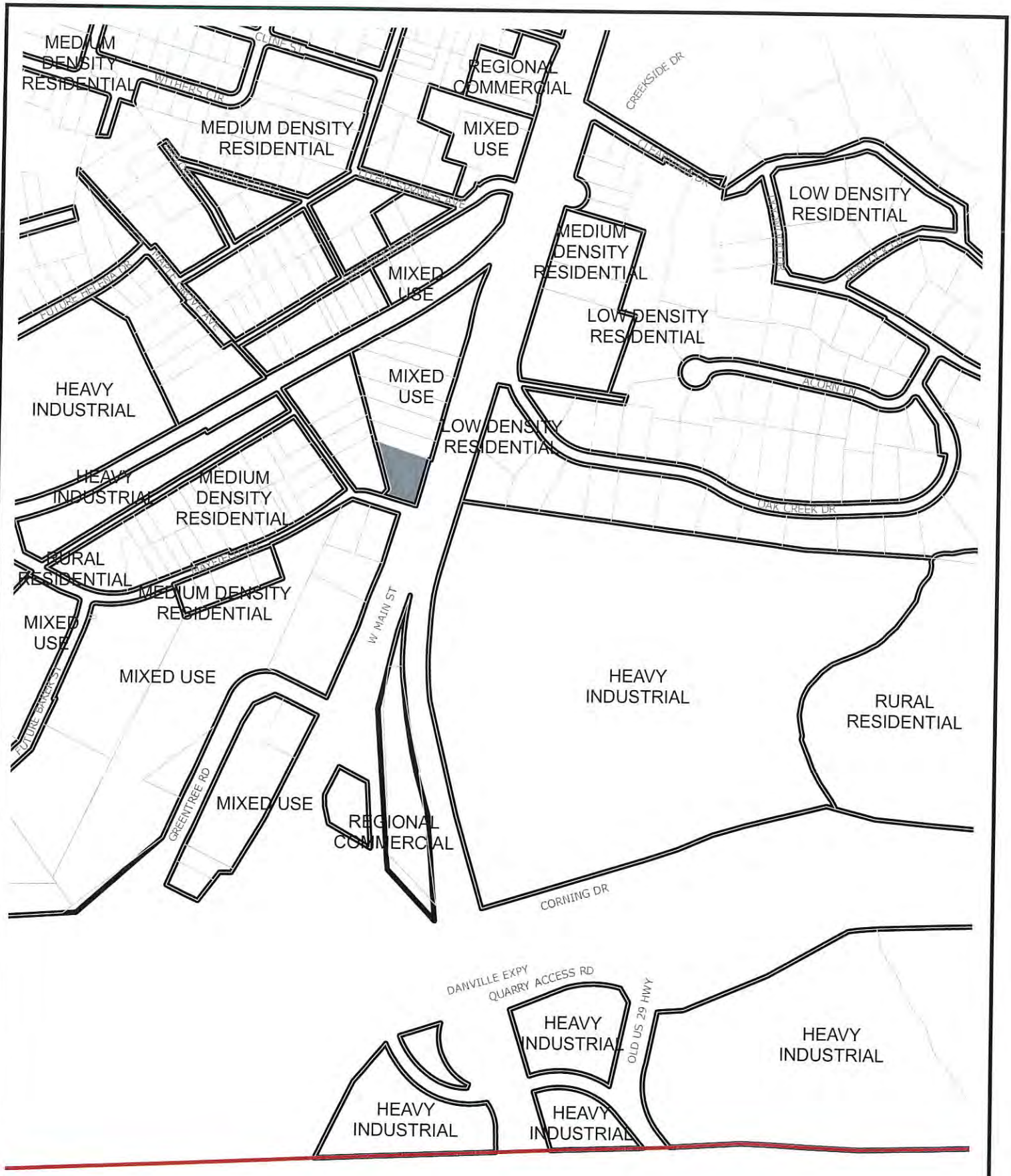

YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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

City Planning Commission

City Planning Commission
Meeting of February 10, 2020

Subject:

Special Use Permit Application PLSUP20200000011, filed by Ted Lacks on behalf of Weitz and Lacks Investments, LLC, requesting a Special Use Permit to allow for a duplex in accordance with Article 3.E: Section C., Item 2 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 120 Hurt St., otherwise known as Grid 2805, Block 021, Parcel 000001 of the City of Danville Virginia Zoning District Map. The applicant is requesting to use the structure as a two unit dwelling.

Background:

The subject parcel is zoned OT-R, Old Town Residential. The house sits upon a .21 acre parcel and has been operating as a single family residence for an indeterminate number of years. However, the residence has operated as a duplex in the past. The structure was at one time divided into two separate units with separate entrances, heating units, and kitchens for the upstairs and downstairs. Minimal work would be required to convert the structure back into a duplex.

The structure's previous use as a duplex is no longer allowed by right since it has been operating as a single family dwelling for a period of longer than two years.

Forty (40) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. A complete report will be presented at the Planning Commission meeting of February 10, 2020.

Staff Analysis and Recommendation:

The character of the neighborhood is predominantly comprised of single family dwellings; however there are mixed dwelling units in the area, as well as a church. Because the subject parcel has operated as a duplex in the past, staff believes it will continue to be in keeping with the character of the neighborhood and will not adversely affect the neighborhood.

Staff recommends approval of Special Use Permit Application PLSUP20200000011, with the following condition:

- Appropriate permits must be obtained prior to any building renovations necessary to convert the structure from a single family dwelling into a duplex.

City Planning Commission Alternatives:

1. Recommend approval of Special Use Permit Application PLSUP20200000011 as submitted.
2. Recommend approval of Special Use Permit Application PLSUP20200000011 with conditions per Staff.
3. Recommend approval of Special Use Permit Application PLSUP20200000011 with conditions per Planning Commission.
4. Recommend denial of Special Use Permit Application PLSUP20200000011.

Attachments:
Application
Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2012 Aerial)
Year 2020 Land Use Map

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

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

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

USE: Split home at 120 Hurt from Single Family to Duplex - Separate Utilities

CASE NUMBER: _____ EXISTING ZONING: Residential

PROPOSED ZONING: _____ TAX MAP NUMBER: 55462

RECEIVED BY: _____ DATE FILED: _____

PLANNING COMMISSION DATE: _____ CITY COUNCIL DATE: _____

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

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

Gross Area/Net Area: 92 FT NO B1 SEC 4 HURT ST Property Address: 120 Hurt Street

Property Location: (N) S E W Side of: Hurt Street

Between: Skyline Avenue and Franklin Turnpike

Proffered Conditions (if any, please attach): _____

_____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

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

Please provide a brief description of the proposed development:

PLEASE SEE ATTACHED SITE PLAN

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

1. NAME: Weitz and Lacks Investments LLC TELEPHONE: 256-710-6614

MAILING ADDRESS: PO Box 7284 Hampton VA 236666

SIGNATURE: [signature] DATE: 1/7/20

SIGNATURE: Ronald Todd Lacks DATE: 1/7/20

EMAIL ADDRESS: TKFLORESVT@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: Ted K. Lacks TELEPHONE: 434 568 7183

MAILING ADDRESS: PO Box 7284 HAMPTON VA 236666

EMAIL ADDRESS: TKFLORESVT@GMAIL.COM

SIGNATURE: [signature] DATE: 1-9-2020

Site Plan for 120 Hurt Street

120 Hurt Street is the location of a 2718 Square Foot 2 Story Home built in 1924. The home is located on Tax Map # 55462. The adjacent lot, Tax Map # 55463 is a vacant lot owned by the same company, Weitz & Lacks Investments, LLC. The two Tax Maps are treated by the owners at this time as one property for the purposes of rental and maintenance, giving the property a combined lot size of .34 Acres or 150 Feet by 100 Feet per the Danville City Tax Maps.

The home is situated approximately center of the combined tax maps with 29 Feet from the front of the structure to the street, 25 Feet from the rear of the structure to the rear property line which abuts Tax Map # 55895 & 55896, 60 Feet from the structure to the SW property line which abuts Tax Map # 50850 and 50 Feet from the structure to the NE property line which abuts Tax Map # 50858 & 52001.

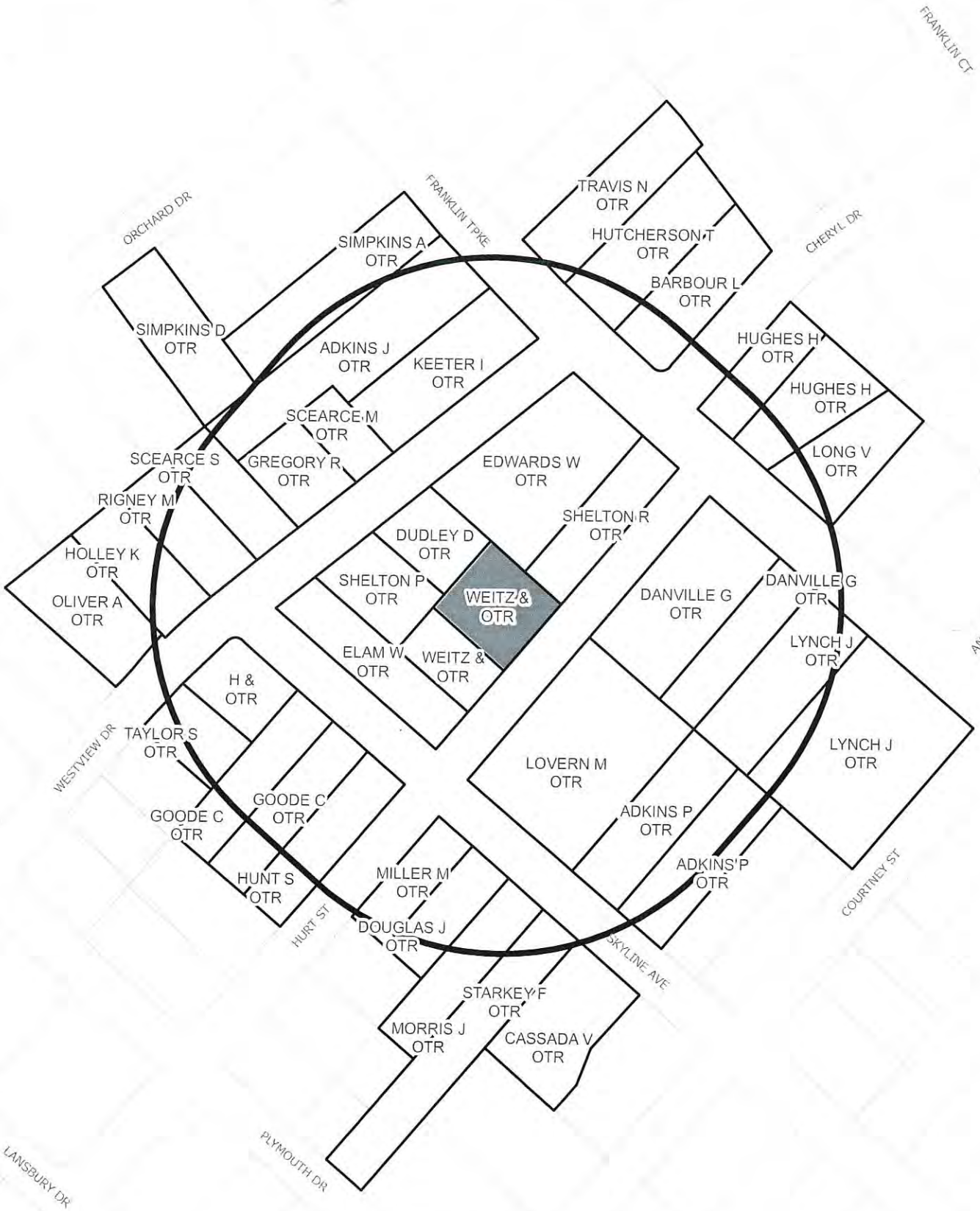
Our proposed site plan is to split the single family dwelling into a duplex. Unit A to the Left Side of the home would be a 1 Bedroom 1 Bath 1 Story Rental Unit on the lower level. Unit B to the Right Side of the home would be a 2 Story Rental Unit 2 Bedroom 2 Bath with a Loft Rental Unit. No change to the existing footprint of the home is planned.

The curb the right side of the home has an opening for a drive way to accommodate off street parking of a minimum of 4 Vehicles. The space for off street parking measures 40 Feet Long by 10 Feet Wide. The lot provides for ample space to increase the parking area if necessary. There is also space for on street parking at a minimum approximately 5 vehicles directly in front of the home.

The home is 2718 Square Feet. The proposed Unit A would be approximately 736 Square Feet and Unit B would be approximately 1982 Square Feet.

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on February 10, 2020
LOCATION OF PROPERTY:	120 Hurt St
PRESENT ZONE:	OT-R Old Town Residential District
PROPOSED ZONE:	No change
ACTION REQUESTED:	Special Use Permit for a two unit dwelling
PRESENT USE OF PROPERTY:	Dwelling
PROPOSED USE OF PROPERTY:	Two family dwelling
FUTURE LAND USE DESIGNATION:	Residential
PROPERTY OWNER (S):	Weltz and Lacks Investements, LLC
NAME OF APPLICANT (S):	Ted Lacks
PROPERTY BORDERED BY:	Residential to the north, east, and south; and west
ACREAGE:	.21 acres
CHARACTER OF VICINITY:	Residential
INGRESS AND EGRESS:	Hurt Street.
TRAFFIC VOLUME:	Low



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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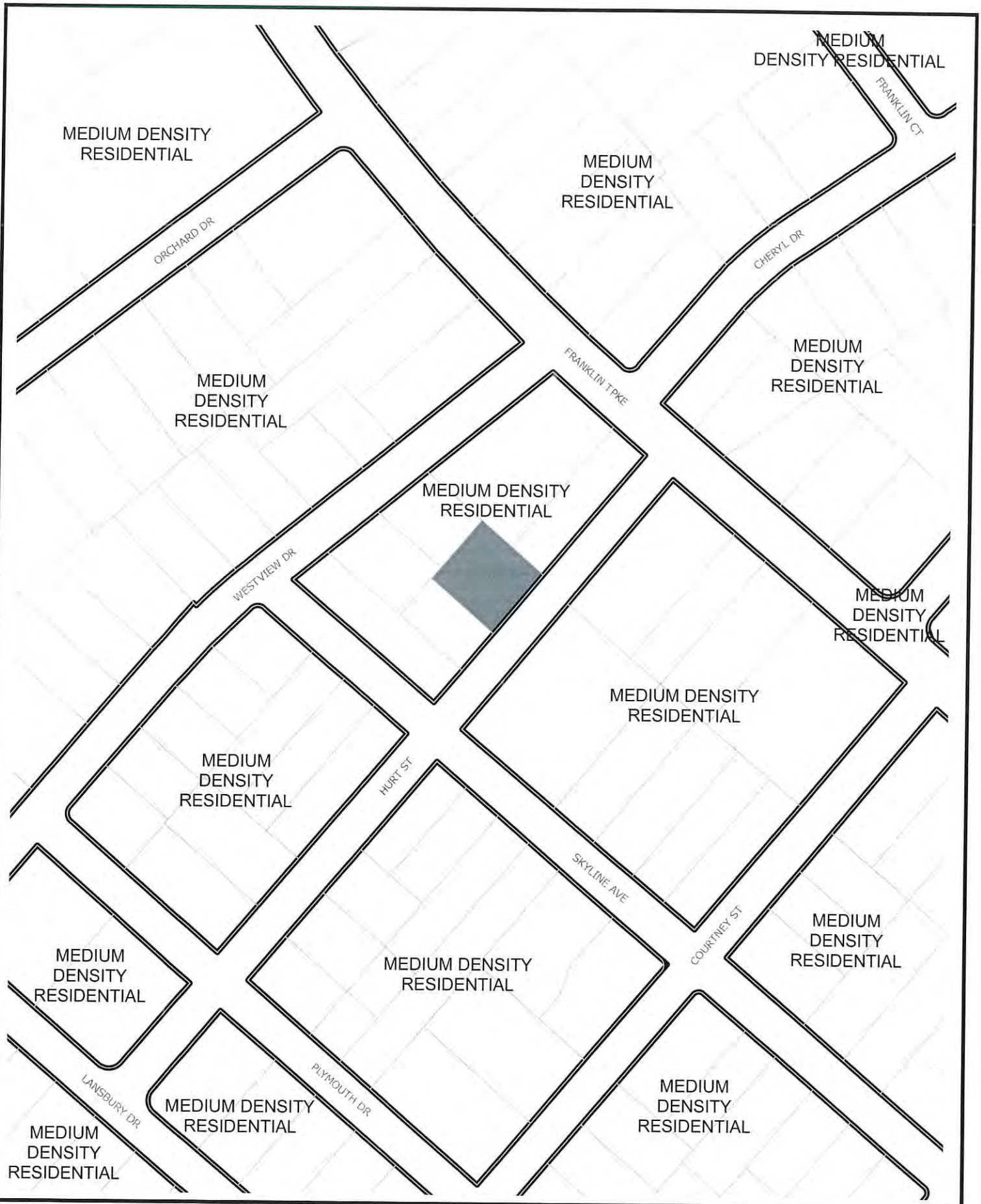

YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
1/22/2020

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PLANNING COMMISSION MINUTES

January 13, 2020

MEMBERS PRESENT	MEMBERS ABSENT	STAFF
Mr. Wilson		Lisa Jones
Mr. Garrison		Ken Gillie
Mr. Bolton		Alan Spencer
Mr. Petrick		
Mr. Dodson		
Mr. Craft		
Mrs. Evans		

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

The meeting was turned over to Mr. Spencer for the election of officers.

I. ELECTION OF OFFICERS

Mr. Spencer called for nominations for Chairman.

Mr. Wilson nominated Mr. Garrison as Chairman. The nomination was approved by a 6-0 vote.

Mr. Spencer called for nominations for Vice Chairman.

Mr. Wilson nominated Mr. Petrick as Vice Chairman. The nomination was approved by a 6-0 vote.

Mr. Spencer called for nominations for Secretary.

Mr. Wilson nominated Mr. Bolton for Secretary. The nomination was approved by a 6-0 vote.

II. ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PLSUP2019000030, filed by Uwashi Patel on behalf of Larry Soyers, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.M, Section C, Item 4 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 688 Mt Cross Rd, otherwise known as Grid 0708, Block 001, Parcel 000012 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Garrison opened the Public Hearing.

Ms. Uwashi Patel spoke on behalf of Larry Soyers. Ms. Patel stated we are not able to do anything on the property since now. I don't know what else we can do and we still have a parking situation.

Mr. Garrison closed the public hearing.

Mrs. Evans stated why can it not be done?

Mr. Gillie stated the owner of the property is not interested in consolidating the properties together.

Mr. Bolton made a motion deny Special Use Permit Application PLSUP20190000330 as submitted. Mrs. Evans seconded the motion. The motion was denied by a 6-0-1 vote. (Mr. Craft Abstained)

2. *Special Use Permit Application PLSUP20190000386, filed by Justin Williams & Michelle Adkins, requesting a Special Use Permit for commercial recreation (indoor) in accordance with Article 3.K, Section C, Item 5 of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 401 S. Ridge St., otherwise known as Grid 2713, Block 021, Parcel 000008 of the City of Danville, Virginia Zoning District Map. The applicant is proposing to have indoor gaming.*

Mr. Garrison opened the Public Hearing.

Ms. Stephanie Mendez stated I would like to read a letter on behalf of Justin Williams. (Please see attached letter.)

Mr. Garrison closed the Public Hearing.

Mr. Wilson stated are you all planning on making any changes to the external to that facility?

Ms. Mendez stated yes the inside and outside. We plan on making it nicer and changing the sign as well.

Mr. Wilson stated for those items will it have to go to River District for approval?

Mr. Gillie stated yes sir. River District just deals with exterior appearance they don't regulate anything that goes on in the inside structure.

Mr. Wilson stated does it have to come back to us for anything?

Ms. Mendez stated we are just making the building more presentable.

Mr. Bolton stated she brought up multiple player not being permitted which like she said could be air hockey or foosball. Why would that be in there?

Mr. Gillie stated from staff's perspective some of these machine could have up to nine players. If we say one parking space per machine, you could potentially have nine people

Mr. Scearce, members of the Planning Commission, Staff, fellow citizens of Danville in attendance and those watching abroad… Good afternoon!

As the Chief Financial Officer, Stephanie Mendez, of my company, Broad St. Holdings, reads this letter I would be remised if I didn't recant the holiday season that just passed and address the fact that presumably it was filled with joy and laughter.

Now……. hopefully the robust meeting that was needed in order to define "Commercial Indoor Recreation" has been held so we may move forward with this process due to the fact that it is nearing the 90-day mark since the initial application was submitted and the numerous messages I've received on social media inquiring as to when the Grand Opening will be are not answered.

I acknowledge the fact that "Commercial Indoor Recreation" is that of a "Gray Area" when it comes to gaming and many individuals aren't obliged to having this type of business in their communities due to tax reasons. Therefore, I've recently made contact with the Danville Public Schools Superintendent, Mr. Stanley Jones, as to how some of the revenue that is generated from the location in question may be used to aid the youth of our city.

As I watched the last Planning Commission meeting that took place in December, I could not help but to notice the questions that were posed by the Planning Commission to "Staff." For the sake of time, I will not get into details, but I will get straight to my point on this topic. "Staff" makes recommendations which are suggestions or proposals based off of an educational analysis or sometimes personal opinions or bias. I'm not well versed on the policy and procedural setup in which you "The Planning Commission" have to abide by, but to me that word "Recommendation" that is in front of you (which was typed up by "Staff") can be taken into consideration or discarded.

In closing, I would like to reiterate a point I brought up at the first meeting as it relates to multiplayer games (keeping in mind the previously stated subject of recommendation). What is an "Amusement Parlor" or Commercial Indoor Recreation facility without the opportunity to indulge in multiplayer games? Have you ever visited a Dave-n-Busters, or other Arcade style venue that didn't offer multiplayer games? Pool Tables, Foozball, Air Hockey, video games or similar games using balls, disks, etc… are currently defined and approved per Article II Section 4-11 of the City Code of Ordinances as far as my research tells me. In previous meetings, "Staff" stood by its "Recommendation" to not allow multiplayer games but to my knowledge you can either adhere to this suggestion or come up with your own suggestion moving forward to the City Council. If multiple people are permitted in the city of Danville Virginia to throw weapons at a target, I don't see why more than one person wouldn't be allowed to play billiards or a video game at one time, and I would ask that you consider allowing at least three multiplayer games because this inherently limits the scope of my business. Ladies and gentlemen thank you for your time and consideration in this matter and I wish you all continued success in your future endeavors. May God Bless you and May God Bless the City of Danville, Virginia.

Signed – Justin A. O. Williams

playing that one machine it could affect nine different cars there. We also have concerns since these games provide a chance to win money. If I'm very good and you're not, is there an issue with me winning and you not, or you feeling that I'm beating you and taking you money. We don't want to have the opportunity to create ill will for patrons that are inside the facility. We recommended no multi playing games for a safety concern as well as for parking.

Mr. Wilson stated has the 24 hours been redrawn?

Ms. Mendez stated we said that we would go by his recommendation for whatever hours are comfortable for the City.

Mr. Bolton stated so you are okay with all of the conditions?

Ms. Mendez stated yes sir.

Mr. Petrick stated I think the same thing will happen to this case that has happened to the rest.

Mr. Garrison stated it may or may not. They have sent six cases back to us and once we define it and we have to hear those cases again. Then they have tabled six cases which they have to bring back once they get a definition from us.

Ms. Mendez stated so what I'm understanding they are still waiting for you guys to define it anyway correct?

Mr. Garrison stated yes.

Ms. Mendez stated I have no other choice but to postpone it.

Mr. Wilson made a motion to postpone this special use permit PLSUP20190000386. Mr. Jones seconded the motion. The motion was approved by a 7-0 vote.

3. *Special Use Permit Application PLSUP20190000449, filed by Fullerton Engineering Consultants requesting a Special Use Permit to allow a communication tower in accordance with Article 2, Section 6a of the Code of the City of Danville, Virginia, 1986, as amended on parcel ID# 73020, otherwise known as Grid 1811, Block 005, Parcel 000012 of the City of Danville, Virginia, Zoning District Map. The applicant is proposing to construct a 150' monopole tower for cellular communications*

Mr. Garrison stated that Item 3 has been postpone by request of the applicant.

4. *Special Use Permit Application PLSUP20190000450, filed by Shanks Associates on behalf of Danville Mall, LLC, requesting a Special Use Permit for a waiver to yard requirements per Article 3.N, Section C, Item 21, of the Zoning Ordinance of the Code of City of Danville, Virginia 1986, as amended at 350 Mall Dr., otherwise known as Grid 1709, Block 001, Parcel 0000021 of the City of Danville, Virginia Zoning District Map. The applicant is requesting a waiver to the minimum setback requirements to construct a dumpster enclosure.*

Mr. Garrison opened the Public Hearing.

Fred Shanks spoke on this request file by Shanks Associates on behalf of Danville Mall, LLC. Mr. Shanks stated we are in the process of developing some out parcels of the outer ring road of the mall. Danville Mall has recently developed a three building out parcel nearby which includes Fire House Subs and a couple of other stores. This particular application piece of property is right at the intersection of Piedmont Mall and Piedmont Blvd. it is directly across from Lowe's Drive. I hope that you will see that it is an acceptable request.

Mr. Bolton stated are you okay with the conditions that he set?

Mr. Shanks stated yes.

Mr. Garrison closed the Public Hearing.

Mr. Dodson made a motion to approve Special Use Permit PLSUP20190000450 subject to conditions listed by Staff. Mrs. Evans seconded the motion. The motion was approved by a 7-0 vote.

III. ITEM NOT FOR PUBLIC HEARING

Request to review a Final Major Subdivision plat for the dedication of right-of-way for Preston Place to create a cul-de-sac.

Mr. Bolton made a motion to adopt a resolution to grant approval of a Final Major Subdivision Plat for abandonment and acceptance of right-of-way for the creation of a new cul-de-sac for Preston Place, subject to the allowance for minor changes for typographical errors and errors of omission. Mr. Craft seconded the motion. The motion was approved by a 7-0 vote.

IV. OTHER BUSINESS

Schedule a work session covering Gaming, Signs and Parking.

V. MINUTES

The December 9, 2019 minutes were approved by unanimous vote.

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

_____

APPROVED