



City of Danville

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

City Planning Commission

FEBRUARY 7, 2022

3:00 P.M.

CITY COUNCIL CHAMBERS – 4th FLOOR MUNICIPAL BUILDING

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. NEW BUSINESS
 1. Planning Commission Bylaws
- IV. PUBLIC HEARING ITEMS
 1. Special Use Permit Application PZ22-15, filed by Landmark Development on behalf of the Danville Redevelopment and Housing Authority, requests a Special Use Permit for Planned Unit Development according to Article 17 of the Danville Zoning Ordinance on Seeland Road (Parcel ID#s 76121, 76122, 76123, 76124, 76125, 76140, 76141, 76142, 76143, 76144, 76145, 76146, 76147, 76148, 76149, 76150, 76151, 76152, 76153, 76154, 76155, 76156, 76157, 76158, 76159, 76160, 76161, 76162, 76163, 76164, 76165, 76166, 76167, and 76168). The applicant proposes a multifamily housing development targeted towards low- and moderate-income seniors aged 55+.
 2. Special Use Permit Application PZ22-16, filed by Brad Skidmore and Bill Powell on behalf of RCCM Properties LLC, requests a Special Use Permit for a commercial recreation facility according to Article 3.M.C.4. of the Danville Zoning Ordinance at 4764 Riverside Drive (Parcel ID#78406). The applicant proposes a “skill game arcade”.
 3. Rezoning PZ22-17, filed by Tune and Toler Inc., to rezone TBD Blair Loop Road (Parcel ID # 72489) from N-C Neighborhood Commercial to M-R Multifamily Residential.
 4. Special Use Permit Application PZ22-18, filed by Tune and Toler Inc., requests a Special Use Permit to waive minimum district size according to Article 3.G.C.22. of the Danville Zoning Ordinance at TBD Blair Loop Road (Parcel ID # 72489). The applicant proposes a six (6) unit townhome building.
- V. COMPREHENSIVE PLAN UPDATE / PLANNING DIRECTOR’S REPORT
- VI. CORRESPONDENCE
- VII. APPROVAL OF MINUTES FROM JANUARY 10, 2022
- VIII. ADJOURNMENT



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

City Planning Commission

MEMORANDUM

DATE: February 3, 2002
TO: Danville City Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: BYLAWS

Virginia State Code (§ 15.2-2221. Duties of commissions. "1. Exercise general supervision of, and make regulations for, the administration of its affairs; 2. Prescribe rules pertaining to its investigations and hearings") and the City of Danville Zoning Ordinance (Chapter 41, Article 14, Section F.2. Other Duties of the Planning Commission "Adoption of its own bylaws and procedures consistent with this ordinance and other ordinances of the City and the laws of the Commonwealth of Virginia.") require the Planning Commission adopt bylaws.

I prepared the following draft bylaws modeled after another Virginia community, incorporated Danville City Code provisions, and reviewed with the Assistant City Attorney.

PLANNING COMMISSION
Bylaws DRAFT JANUARY 2022

1.0 OBJECTIVES

The Danville City Planning Commission adopted the following bylaws to implement its powers and duties in accordance with the Virginia and Danville City Codes, as amended.

This Commission's official title is the "Danville City Planning Commission".

2.0 OFFICERS

- A. Election of Officers. Planning Commission officers consist of a Chair, Vice-Chair, and Secretary. Officers must be elected at the first regular meeting of each calendar year according to the following steps:

1. The City Attorney requests nominations from the membership.
2. Any Commissioner, after being recognized by the City Attorney, may nominate one or more Commissioner, and discuss their qualifications.
3. The City Attorney will close the nominating process when all nominations have been made and call for the vote.
4. The City Attorney must call a vote for each nominee in the order nominated and tally the respective votes.
5. Each Commissioner may cast one (1) vote for any nominee.
6. A majority of those voting is required to elect the officer.
7. A candidate receiving a majority vote is declared elected.
8. A newly elected Chair will take office immediately and serve for a year or until a successor takes office.
9. Vacancies in offices are filled immediately by regular election procedures.

- B. Duties

The duties of any officer outside of meeting participation may be assigned to the City of Danville Community Development Department.

1. Chair.
 - f. Preside at all meetings of the Planning Commission.
 - g. Appoint committees.
 - h. Rule on all procedural questions with the advice of the parliamentarian as necessary. Procedural rulings may be reversed by a vote of at least a two-thirds majority of the members present.
 - i. Carry out other duties as assigned by the Planning Commission.
2. Vice-Chair
 - f. Act in absence or inability of the Chair to act.
 - g. Have the powers to function in the same capacity as the Chair when the Chair is absent or unable to act.
3. Secretary
 - f. Supervise the preparation and storage of Planning Commission minutes in the Community Development Department.
 - g. Notify all members of all meetings.
 - h. Keep a file of official Planning Commission records and reports.

- i. Certify Planning Commission maps, records, and reports.
- j. Provide notice of all meetings in accordance with the Virginia Freedom of Information Act requirements and publicize Planning Commission public hearing notices in accordance with Virginia Code and City Ordinances.
- k. Attend to Planning Commission correspondence.

3.0 PARLIAMENTARIAN

The City Attorney, or their designee, is the parliamentarian at all Planning Commission meetings.

4.0 COMMITTEES

The Chair may appoint committees for purposes and terms as necessary.

5.0 CORRESPONDENCE

- A. The Chair must sign all official papers and plans involving the authority of the Planning Commission.
- B. Written comments from citizens are encouraged, particularly those about applications pending before the Planning Commission. The Planning Division will distribute a correspondence summary to the Planning Commission for pending applications prior to a public hearing.

6.0 PLANNING COMMISSION MEETINGS

A. Meeting Time, Location, Cancelations

- 1. Regular meetings of the Planning Commission are held on the first Monday after the first Tuesday of each month at 3:00 p.m. in the City Council Chambers, 4th Floor, of the Danville Municipal Building, 427 Patton Street, Danville, Virginia 24541.
- 2. The Planning Commission Chair or two (2) members upon written request to the Secretary may call work sessions or special meetings. Notice of such meeting times and locations must be given to each member and to those requesting notice of meetings under the Virginia Freedom of Information Act at least five (5) days before.
- 3. All meetings, hearings, records, and accounts are open to the public; provided, however, that the Planning Commission may adjourn into a closed session under the Virginia Freedom of Information Act.
- 4. The Planning Division Director may cancel a scheduled meeting of the Planning Commission if there are no business items.
- 5. The Planning Division Director may cancel a scheduled meeting of the Planning Commission due to inclement weather or other unforeseen circumstances.

B. Parliamentary Procedure and Meeting Minutes

- 1. All Planning Commission meetings are governed by Robert's Rules of Order, except as modified by these bylaws.
- 2. If the Chair and Vice-Chair are both absent from a meeting, the Planning Commission will follow Robert's Rules of Order for electing a Chair pro-tem.
- 3. Minutes of all meetings, except any executive sessions, are kept by the Secretary and are a part of the public record.
- 4. A record of the voting, including each individual Commissioner's vote, will be indicated in the minutes.

C. Quorum and Voting

- 1. A majority of the Planning Commission membership constitutes a quorum. The Planning Commission must have a quorum to meet and conduct business.
- 2. The names of Commissioners making and supporting motions will be recorded.
- 3. Business item voting will be by roll call; all other items are by voice vote.

4. A record of the voting, including each individual commissioner's vote on any matter shall be kept as a part of the minutes.
5. When the Planning Commission holds a public hearing, voting may take place on the day of the public hearing or at a subsequent meeting no later than 60 days after the public hearing is closed.

D. Agenda

1. Planning Commission meeting agendas are set by the Planning Division Director. In addition to other matters, only those public hearings properly advertised by law will be on the agenda.
2. All matters for which public hearings have been held and for which no vote has been taken must be placed on the agenda for action at the next regular meeting.
3. The order of business for a meeting shall be as follows, unless modified by the Chair or Planning Division Director to facilitate Planning Commission business:

- I. Welcome and Call to Order
- II. Roll Call
- III. Public Hearings
- IV. Unfinished Business
- V. New Business
- VI. Planning Director's Report
- VII. Correspondence
- VIII. Approval of Minutes
- IX. Adjournment.

E. Public Hearings

1. In addition to those public hearings required by law the Planning Commission may hold public hearings on any items it determines are in the public interest.
2. Public hearings must be advertised according to Virginia and Danville City Code requirements.
3. The order of public hearings shall be as follows:
 - a. Staff will present their report and recommendation to the Planning Commission.
 - b. An applicant or their representative will present their application within a ten (10) minute time limit.
 - c. The Chair will open the public hearing.
 - d. The Chair will request public comment from anyone in attendance. Each speaker must state their name and address. There is a three (3) minute limit for each individual speaker. There is a five (5) minute limit for each speaker representing a group. The Planning Commission, by unanimous consent, may extend a speaker's time.
 - e. The applicant or their representative may respond to the public comments within a five (5) minute time limit.
 - f. The Chairman must close the public hearing unless the Planning Commission votes to continue the public hearing at a subsequent meeting.
 - g. Planning Commission minutes must include the names of all people that speak at public hearings and a summary of their comments.
4. There will be a ten (10) minute recess after every two (2) hours.

7.0 AMENDMENTS

1. These bylaws may be amended by a majority vote of the entire Planning Commission membership.
2. These bylaws may be suspended with a majority vote of the entire Planning Commission membership except provisions superseded by Virginia or City of Danville Code.



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

City Planning Commission

STAFF REPORT

DATE: February 3, 2022
TO: Planning Commission
FROM: Doug Plachcinski, AICP Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION PUD – TBD SEELAND ROAD

Special Use Permit Application PZ22-15, filed by Landmark Development on behalf of the Danville Redevelopment and Housing Authority, requests a Special Use Permit for Planned Unit Development according to Article 17 of the Danville Zoning Ordinance on Seeland Road (Parcel ID#s 76121, 76122, 76123, 76124, 76125, 76140, 76141, 76142, 76143, 76144, 76145, 76146, 76147, 76148, 76149, 76150, 76151, 76152, 76153, 76154, 76155, 76156, 76157, 76158, 76159, 76160, 76161, 76162, 76163, 76164, 76165, 76166, 76167, and 76168).

BACKGROUND

The applicant proposes a multifamily housing development targeted towards low- and moderate-income seniors aged 55+.

STAFF ANALYSIS AND RECOMMENDATION

The City may allow a Planned Unit Development in any zoning district with a Special Use Permit.

The Comprehensive Plan puts the subject property in the “River District” planning area. The future land use designation for the subject parcel is ‘Medium Density Residential’. If approved, the Special Use Permit is in harmony and will provide for multifamily family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville.

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

Danville City Code allows City Council to apply any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this application as proposed and that the Planning Commission endorse Special Use Permit Application PZ22-15 for City Council approval with the following conditions:

1. The permitted uses at the development are residential;
2. 50% of the building exterior will be masonry;
3. That the developer executes and records a development agreement with the City that acknowledges these conditions.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application as submitted;
2. Recommend approval of Special Use Permit Application with conditions per Planning Commission; or
3. Recommend denial of Special Use Permit Application.

ATTACHMENTS

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



**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 400 block of sealand road (see attached parcel list)

Applicant: Landmark Asset Services, Inc.

Applicant's Address: 406 E 4th. Street, Winston Salem, NC, 27104

Applicant's Phone Number: (336) 714-8910

Applicant's E-mail: devadmin@landmarkdevelopment.biz

Describe Proposed Development: The proposed development is the new construction of 52

multifamily units targeted towards low and moderate income seniors aged 55+ per 26 USC 42

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

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

The proposed development helps meet Danville's affordable housing goals as outlined in the comprehensive plan by taking a vacant infill property and creating modern, energy efficient, and accessible units "for seniors and persons with disabilities," a key priority in the plan. The property has been designed in a way to minimize sight lines in an effort to be in harmony with the neighboring properties while also providing the density necessary to meet the communities needs.

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

The property will have access to public water, sewer, and trash service. The property will be fully sprinkled and have a fire alarm system. A storm water pond will be constructed to code to manage the development's storm water. An existing bus route, so that the elderly residents will have access to public transportation in additon to on call and ADA transportation options provided by the City of Danville.

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

As of the date of this application, there are no known ecological, scenic, or historically important factors impacting this property. Care will be taken to protect the existing trees on the border of the site, as long as they are healthy.

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

The property is only two stories, and due to the topography of the site and the landscaping plan, the proposed development sit down on the land, in an effort to not overpower the surrounding homes.

Samuel J Sari 01/21/2022
Applicant Signature date

Larissa Deedrich 01/21/2022
Property Owner Signature date
(if not applicant)

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

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

SEELAND VALLEY APARTMENTS

DANVILLE, VA



SITE INFORMATION:

SITE: 8.27 +/- ACRES
DENSITY: 6.29 UNITS/ACRES
BUILDINGS: (1) 2-STORY SENIOR APARTMENT BUILDING
SPRINKLERS: 13R
PARKING SPACES: 52 SPACES REQUIRED @ 1.0 SPACES / UNIT
52 SPACES PROVIDED
(ALL PARKING SPACES 9'-0" x 18'-0")

UNIT INFORMATION:

UNIT MIX	UNIT
1-BR (A1 UNITS)	= 34
2-BR (B1 UNITS)	= 18
TOTAL	= 52 UNITS

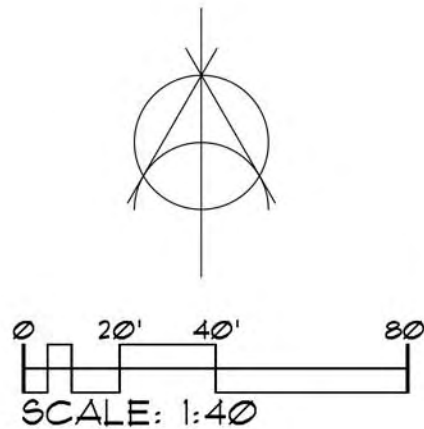
ACCESSIBLE UNITS "(a)" OR "(as)": TOTAL OF (3) UNITS
(1) 1-BR UNIT WITH TUB
(1) 1-BR UNIT WITH ROLL-IN SHOWER
(1) 2-BR UNITS WITH ROLL-IN SHOWER

NOTES:

- NO RETAINING WALLS ANTICIPATED

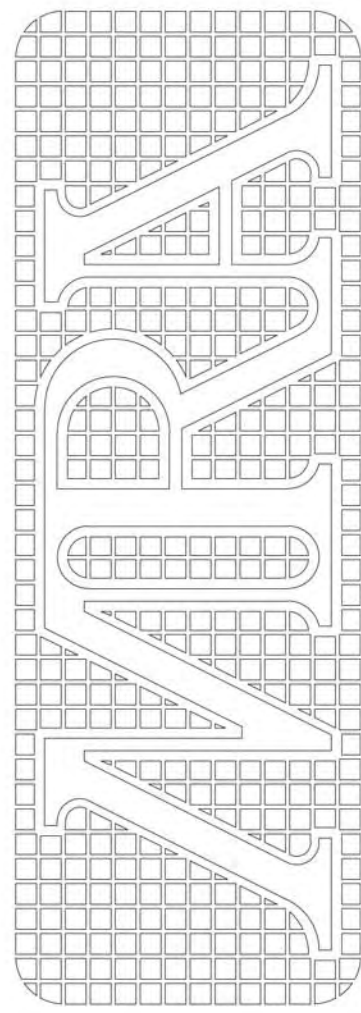
SITE AMENITIES:

- A MULTI-PURPOSE ROOM - (MINIMUM 750 SQ. FT.)
- B OFFICE SPACE
- C RESIDENT COMPUTER CENTER - (MIN. 2 COMPUTERS)
- D EXERCISE ROOM - (W/ NEW EQUIPMENT)
- E MAINTENANCE ROOM & LAUNDRY FACILITIES
- F COVERED PICNIC AREA W/ TABLES AND GRILL
- G PLANTING GARDENS



MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800

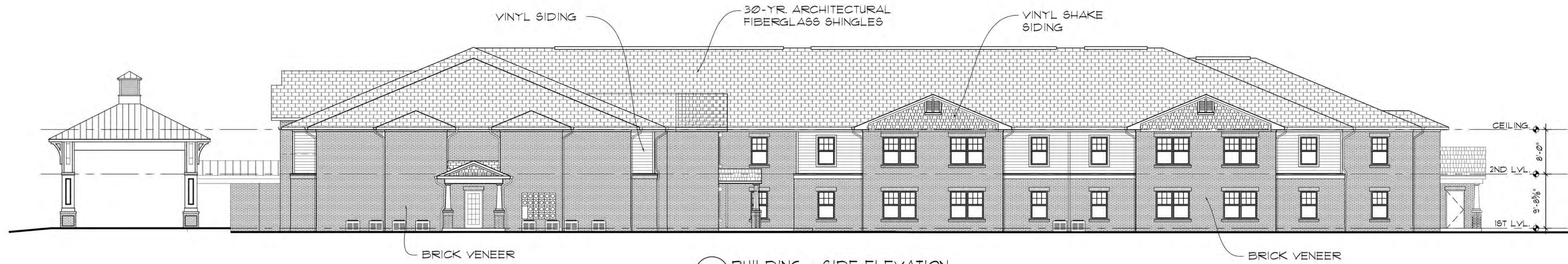
SEELAND VALLEY APARTMENTS
DANVILLE, VIRGINIA



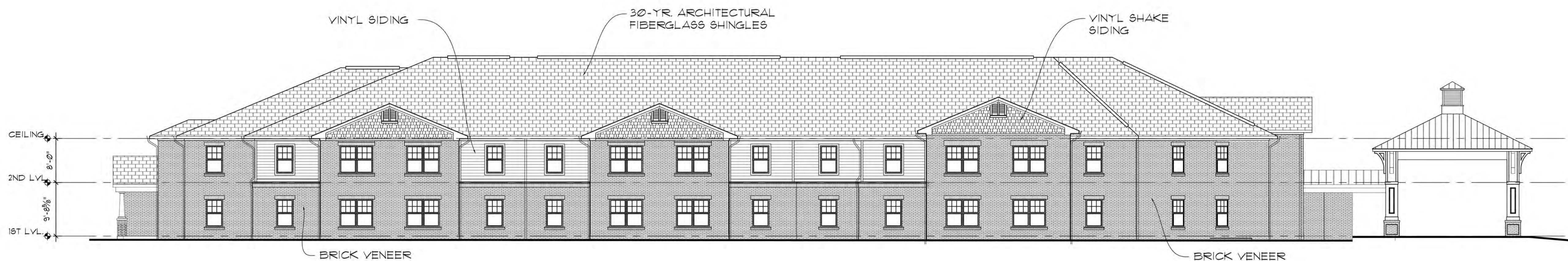
CSP.1

REVISIONS	PROJECT	DATE	DRAWN BY / CHECKED BY
	2021-09-34	1-19-2022	MRL

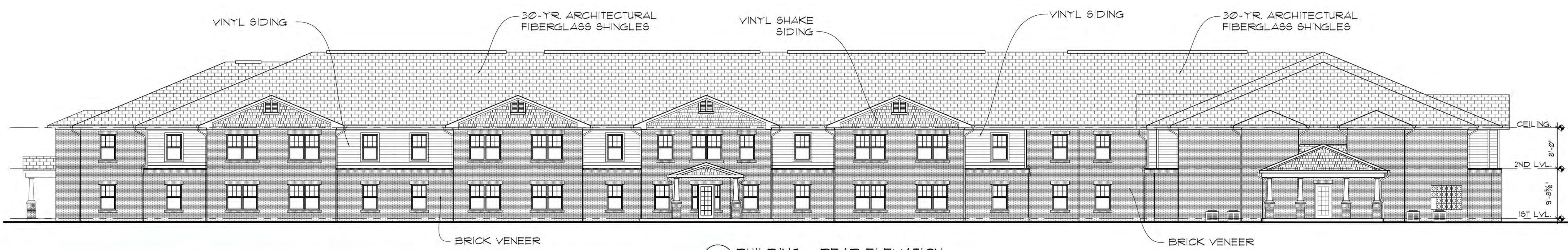
ARCHITECTURAL SITE PLAN



4 BUILDING - SIDE ELEVATION
3/32" = 1'-0"



3 BUILDING - SEELAND ROAD ELEVATION
3/32" = 1'-0"



2 BUILDING - REAR ELEVATION
3/32" = 1'-0"



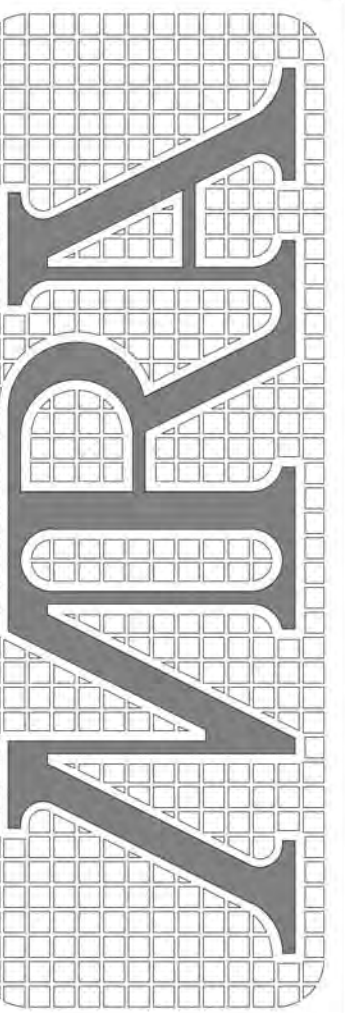
1 BUILDING - FRONT ELEVATION (PARKING LOT)
3/32" = 1'-0"

0 4' 8' 16'
SCALE: 1/8" = 1'-0"

MARTIN RILEY ASSOCIATES - ARCHITECTS, P.C.
215 CHURCH STREET SUITE 200 DECATUR GEORGIA 30030-3329 404-373-2800

SEELAND VALLEY APARTMENTS
DANVILLE, VIRGINIA

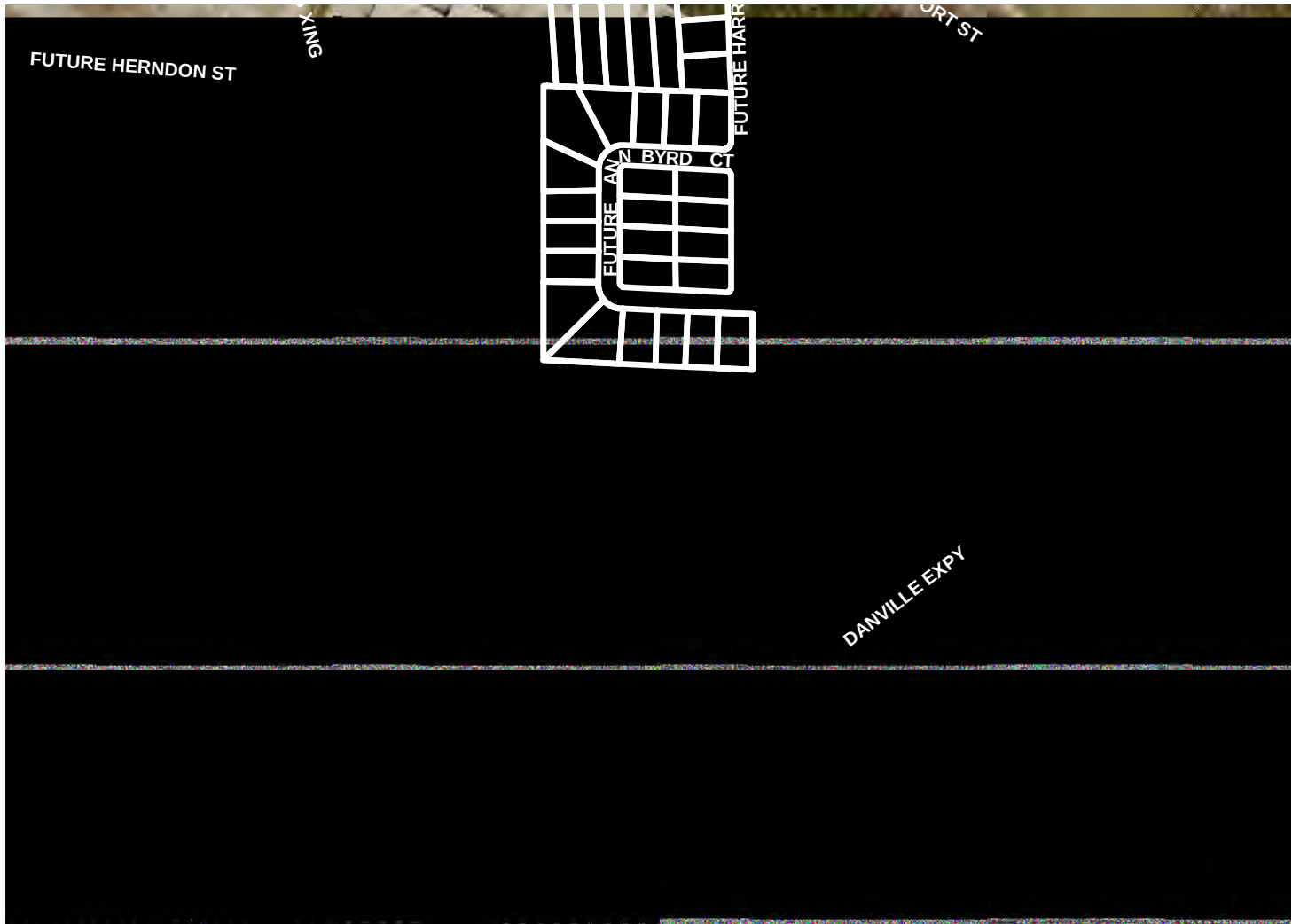
BUILDING - ELEVATIONS



A3.1

REZONING REQUEST DATA SHEET PZ22-15

PUBLIC HEARING DATES:	FEBRUARY 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	TBD SEELAND ROAD
PRESENT ZONE:	M-R MULTIFAMILY RESIDENTIAL OT-R OLD TOWN RESIDENTIAL
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	PUD SPECIAL LAND USE
PRESENT USE OF PROPERTY:	VACANT
PROPOSED USE OF PROPERTY:	MULTIFAMILY RESIDENTIAL
FUTURE LAND USE DESIGNATION:	RESIDENTIAL
PROPERTY OWNER (S):	DANVILLE HOUSING AND REDEVELOPMENT AUTHORITY
NAME OF APPLICANT (S):	LANDMARK DEVELOPMENT
PROPERTY BORDERED BY:	RESIDENTIAL AND VACANT, DHRA OFFICES
ACREAGE:	APPROXIMATELY 7.6 ACRES TOTAL
CHARACTER OF VICINITY:	RESIDENTIAL NEIGHBORHOOD
INGRESS AND EGRESS:	SEELAND ROAD
TRAFFIC VOLUME:	NEIGHBORHOOD CITY STREET, NO COUNTS

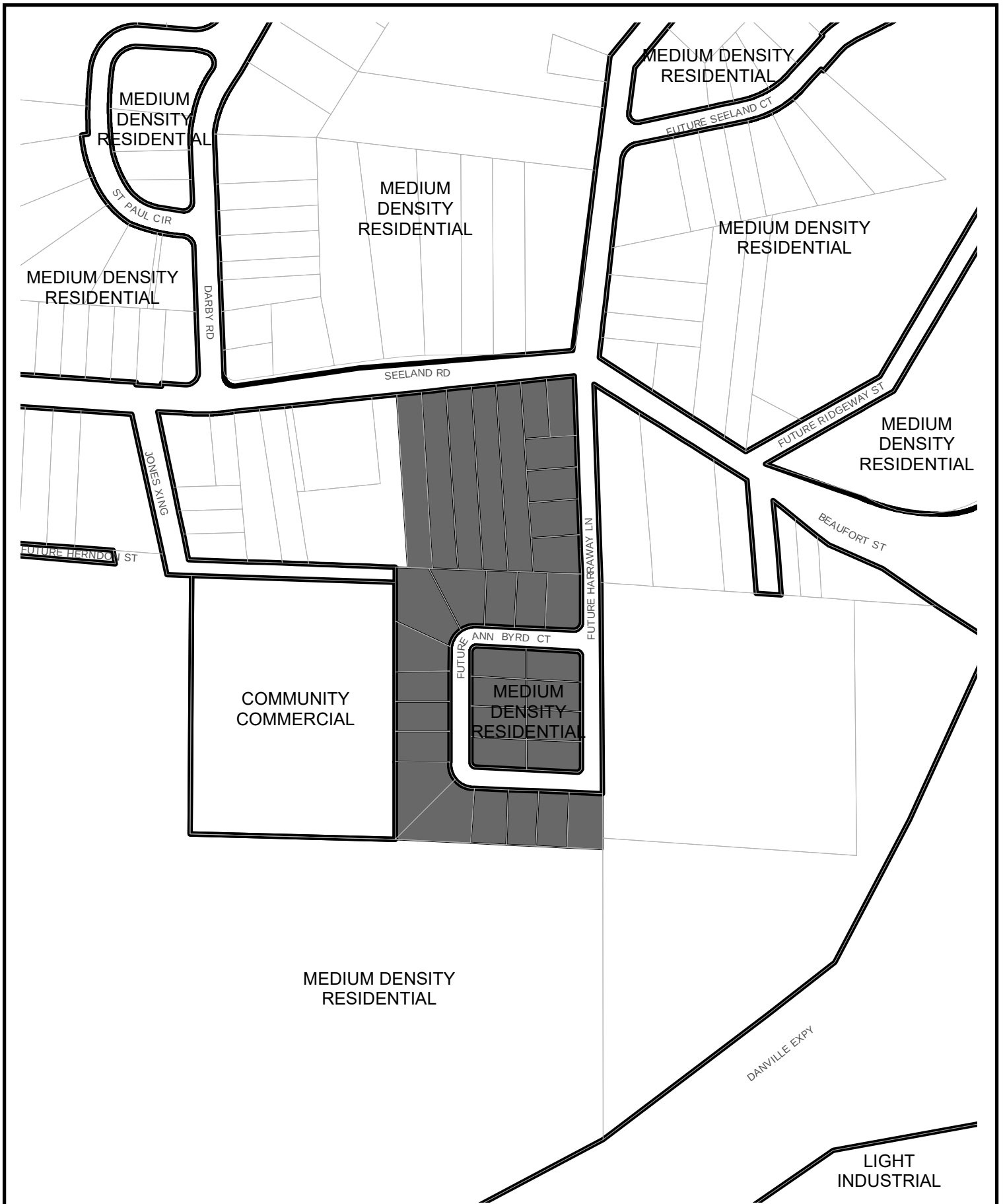


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/24/2022

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
1/24/2022

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

SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



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

City Planning Commission

STAFF REPORT

DATE: February 3, 2022
TO: Planning Commission
FROM: Doug Plachcinski, AICP Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION PUD – 4764 RIVERSIDE DRIVE

Special Use Permit Application PZ22-16, filed by Brad Skidmore and Bill Powell on behalf of RCCM Properties LLC, requests a Special Use Permit for a commercial recreation facility according to Article 3.M.C.4. of the Danville Zoning Ordinance at 4764 Riverside Drive (Parcel ID#78406).

BACKGROUND

The applicant proposes a “skill game arcade”.

STAFF ANALYSIS AND RECOMMENDATION

The City may allow a commercial recreation facility in the HR-C zoning district with a Special Use Permit.

If approved, the Special Use Permit is in harmony with HR-C District that established to provide suitable locations in Danville's heavily traveled collector streets and arterial highways for those commercial and business uses which are oriented to the automobile.

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

Danville City Code allows City Council to apply any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this application as proposed and that the Planning Commission endorse Special Use Permit Application PZ22-16 for City Council approval with the following conditions:

1. The hours of operation for the machines is 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.
2. There shall be no more than one (1) gaming machine per three (3) people 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.
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.
4. All entrances/exits to the building must be lighted at night.

5. The required parking must be provided on-site.
6. The windows to the building must be unobstructed to allow for visibility and law enforcement purposes.
7. No alcohol may be consumed on the premises.
8. No gaming machine may allow for more than one player at a time, seated or standing.
9. No multiple player machines are permitted.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application as submitted;
2. Recommend approval of Special Use Permit Application with conditions per Planning Commission; or
3. Recommend denial of Special Use Permit Application.

ATTACHMENTS

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



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 4764 Riverside Drive (Parcel ID# 78406)
Applicant: Brad Skidmore and Bill Powell
Applicant's Address: 7 Country Club Drive, Danville, VA 24541
Applicant's Phone Number: (843) 222-7543
Applicant's E-mail: bradskidmore@gmail.com; billpowell50@gmail.com
Describe Proposed Development: Repurpose of existing car dealership to
"Skill Game Arcade".

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

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

The property is currently zoned HRC and the proposed use is allowed
under HRC zoning with a special use permit. All surrounding properties are zoned HRC.

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

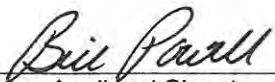
See attached site plan for more detail. The existing facility meets all requirements for streets, drainage,
fire protection, and public water and sewer. Entrance is served by an existing access road.

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

The proposed use is not planning to alter any feature determined to be of significant ecological, scenic, or historic importance.

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

The proposed use will work with the city's planning department to adhere and meet the city's standards for HRC zoning and public use.


Applicant Signature

1-10-22
date


Property Owner Signature
(if not applicant)

1-10-22
date

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

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

January 10, 2022

City of Danville
Community Development
Planning Division

Planning Commission
Special Use Permit Application
Planning Division Provided Information

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

River City Games is opening a River City Skill Games Arcade.

- There will be 50-60 machines equating to 1 machine per 2 customers for a total of 120 +/- customers. An associated parking calculation can be found on the attached preliminary site plan.
- The hours of operation will be 9 a.m. until 12 a.m. midnight, 7 days a week.
- There will be 10 employees, including a licensed and bonded security guard on the premises during hours of operation.
- Total square footage is 3,840 +/- (gross sales floor area is 3,000 +/- square feet, office/bathrooms 840 +/- square feet).
- All surrounding properties are zoned HRC.



**SPECIAL EXCEPTION PERMIT
PRELIMINARY SITE PLAN**

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

REVISIONS		
NO.	DATE	DESCRIPTION BY

REZONING REQUEST DATA SHEET PZ22-16

PUBLIC HEARING DATES:	FEBBRUARY 7, 2021 PLANNING COMMISSION AT 3PM
LOCATION OF PROPERTY:	4764 RIVERSIDE DRIVE
PRESENT ZONE:	HR-C HIGHWAY RETAIL COMMERCIAL
PROPOSED ZONE:	NO CHANGE
ACTION REQUESTED:	SPECIAL USE PERMIT FOR A COMMERCIAL RECREATION FACILITY
PRESENT USE OF PROPERTY:	VACANT FORMER CAR DEALERSHIP
PROPOSED USE OF PROPERTY:	SKILL GAME ARCADE
FUTURE LAND USE DESIGNATION:	REGIONAL COMMERCIAL
PROPERTY OWNER (S):	RCCM PROPERTIES LLC
NAME OF APPLICANT (S):	BRAD SKIDMORE AND BILL POWELL
PROPERTY BORDERED BY:	HIGHWAY COMMERCIAL USES
ACREAGE:	APPROXIMATELY 1.25 ACRES TOTAL
CHARACTER OF VICINITY:	MAIN EAST-WEST BUSINESS ARTERIAL
INGRESS AND EGRESS:	RIVERSIDE DRIVE
TRAFFIC VOLUME:	ARTERIAL, AADT 13000 (2019 COUNT)

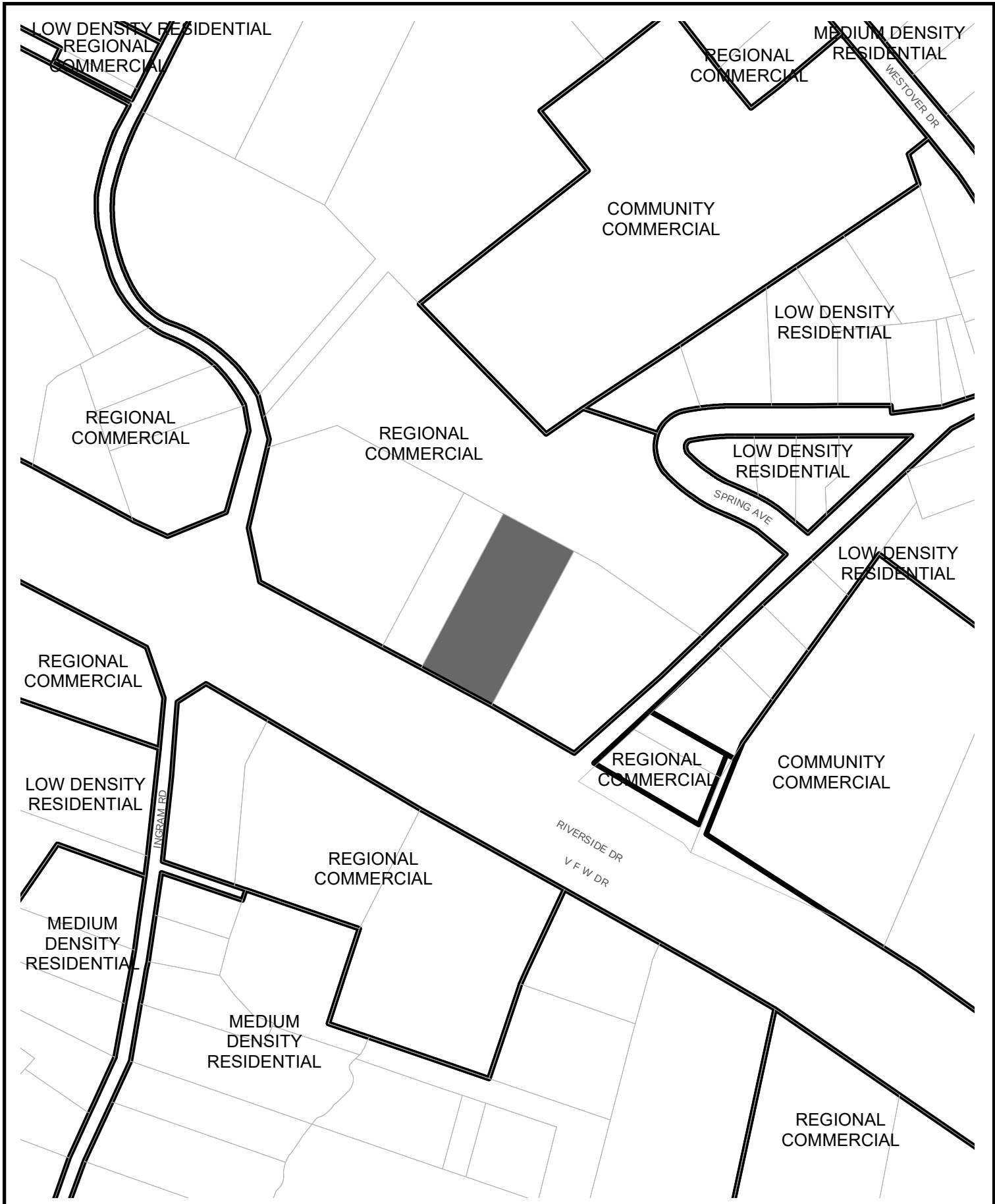


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/24/2022

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
1/24/2022

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



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/24/2022

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



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

City Planning Commission

STAFF REPORT

DATE: February 3, 2022
TO: Planning Commission
FROM: Doug Plachcinski, Planning Division Director
RE: REZONING APPLICATION – TBD BLAIR LOOP ROAD

Rezoning PZ22-17, filed by Tune and Toler Inc., to rezone TBD Blair Loop Road (Parcel ID # 72489) from N-C Neighborhood Commercial to M-R Multifamily Residential.

BACKGROUND

The applicant would like to develop a six (6) unit townhouse building.

STAFF ANALYSIS AND RECOMMENDATION

The proposed rezoning's 2030 future land use designation in the Comprehensive Plan is Neighborhood Commercial. Although land immediately adjacent is planned as low-density residential, the proposed rezoning is no more intense than potential neighborhood commercial uses and properties within a few hundred feet are planned regional commercial and high-density residential.

The Planning Division recommends the Planning Commission recommend approval of rezoning application PZ22-17 to City Council.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

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

ATTACHMENTS

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

CITY OF DANVILLE

REZONING APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the rezoning as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

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

INFORMATION TO BE PROVIDED BY THE APPLICANT

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

Gross Area/Net Area: 0.952 AC Property Address: LOTS 11-17 WESTOVEN DRIVE

Property Location: (N) S E W Side of: WESTOVEN DRIVE PARCEL ID 72498

Between: BAIR LOOP ROAD and WOODAWN DRIVE

Proffered Conditions (if any, please attach): _____

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

1. NAME: TUNE & TOLAR, INC TELEPHONE: 434.836.5100
MAILING ADDRESS: 10432 HIGHWAY 29 NORTH BAINS, VA 24527
SIGNATURE: [Signature] TERRY FRANCISCO DATE: 1/18/22
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: terryfran70@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: SAME 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:

REZONING FROM NC - NEIGHBORHOOD COMMERCIAL TO MR MULTI-FAMILY
RESIDENTIAL WITH A SPECIAL USE PERMIT REQUEST TO WAIVE
MINIMUM DISTRICT SIZE FOR ZONING CHANGE

CALLIA
INST. No. 225
D.B. 227, PG. 225

N 38°44'17" E—240.87' (TOTAL)
180.87'
D.B. 409.
D.B. 227, PG. 225 (LOTS 11-17)

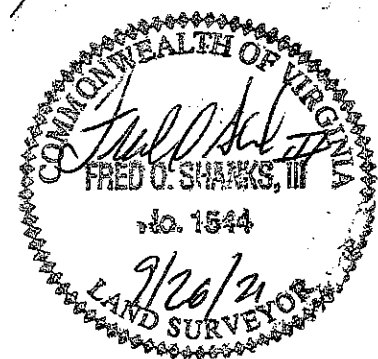
0.952 ACRE
PIN 72498
TUNE & TOLER INC
INST. No. 237 (PLAT-PITTS CO.)
PG. 225 (PLAT-PITTS CO.)

15" CEDAR
GEAR SHAFT
172.98'
36°09'34" E
12" GUM
6.4' OFF LINE
ORIGINAL LOT LINE
PREVIOUSLY VACATED

OLD PIPE(F) 60.00'

WESTOVER DRIVE
(56' R/W)

BLAIR LOOP ROAD
(50' R/W)

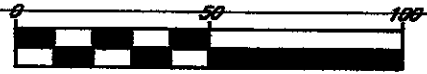


PHYSICAL IMPROVEMENT SURVEY
FOR
TUNE & TOLER INC
OF
LOT SITUATED AT THE
NORTHEAST CORNER OF
NORTHERN PORTION OF BLAIR
LOOP ROAD AND WESTOVER DRIVE
ALSO KNOWN AS
PROPERTY IDENTIFICATION NUMBER
72498
DANVILLE, VIRGINIA

LEGEND

- PROPERTY CORNER FOUND AS NOTED
- 5/8" IRON ROD SET
- △ CALCULATED POINT

GRAPHIC SCALE



1" = 50'

NOTES:

1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.
2. THE SUBJECT PROPERTY IS NOT WITHIN A F.E.M.A. DEFINED FLOOD HAZARD ZONE AS OF 09-29-2010 F.E.M.A. STUDIES. THE PROPERTY IS WITHIN ZONE 'X' AS SHOWN ON F.E.M.A. COMMUNITY PANEL No. 51143C0629E

(321011\dwg\321011.dwg-05-10-21)

SHANKS ASSOCIATES, P.C.
ENGINEERS - SURVEYORS - PLANNERS
509 LOYAL STREET
DANVILLE, VIRGINIA 24541
(434) 797-5446; EMAIL: fshanks@gamewood.net

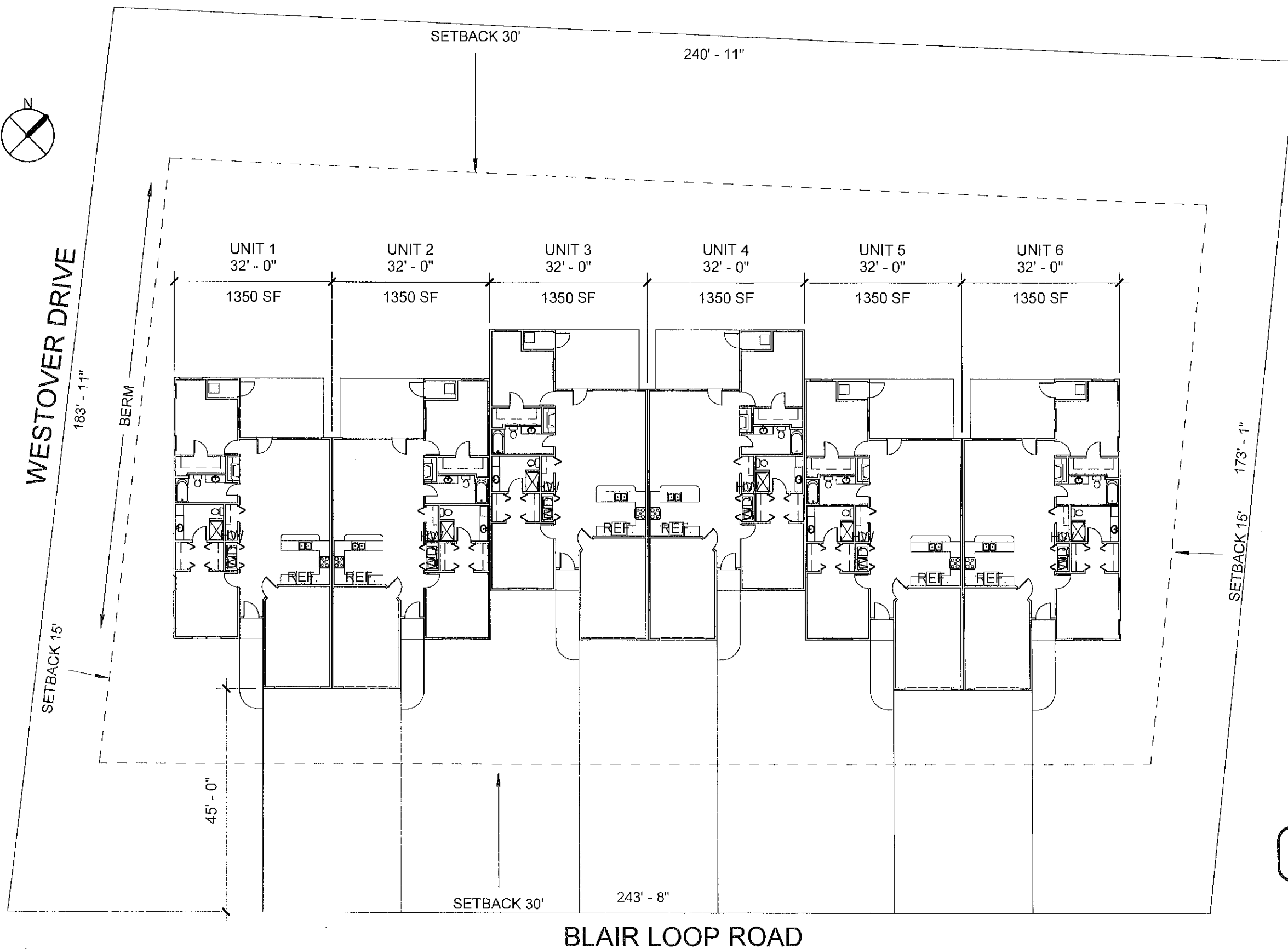
DATE: 09/26/21	SCALE: 1"=40'
CALC: F.O.S.	DRAWN BY: MELTON
CREW: F.O.S.	F.B.:
CALC. CHK:	PLAT CHK:
JOB NO.: 321011	











Cell-434.441.0459
Terry Fran 70@gmail.com

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

SOLEX
ARCHITECTURE

SOLEX ARCHITECTURE
641 MAIN STREET
DANVILLE, VA 24541
Phone 434.688.0767 PHONE
Fax 434.791.3281 FAX

Date: 11/02/21

Scale:
3/64" = 1'-0"

Project No.:
20210042

Project:

BLAIR LOOP SIXPLEX

Subject:

PRELIMINARY SITE PLAN

SKETCH NUMBER

A-100

REZONING REQUEST DATA SHEET PZ22-17

PUBLIC HEARING DATES: FEBRUARY 7, 2021
PLANNING COMMISSION AT 3PM

LOCATION OF PROPERTY: TBD BLAIR LOOP ROAD

PRESENT ZONE: N-C NEIGHBORHOOD COMMERCIAL

PROPOSED ZONE: M-R MULTIFAMILY RESIDENTIAL

ACTION REQUESTED: REZONING AND SPECIAL LAND USE TO WAIVE MINIMUM
DISTRICT SIZE

PRESENT USE OF PROPERTY: VACANT

PROPOSED USE OF PROPERTY: MULTIFAMILY RESIDENTIAL

FUTURE LAND USE DESIGNATION: RESIDENTIAL

PROPERTY OWNER (S): TUNE AND TOLER

NAME OF APPLICANT (S): TUNE AND TOLER

PROPERTY BORDERED BY: RESIDENTIAL

ACREAGE: APPROXIMATELY 1.0 ACRES TOTAL

CHARACTER OF VICINITY: RESIDENTIAL NEIGHBORHOOD

INGRESS AND EGRESS: WESTOVER DRIVE

TRAFFIC VOLUME: ARTERIAL, AADT 8100 (2019 COUNT)

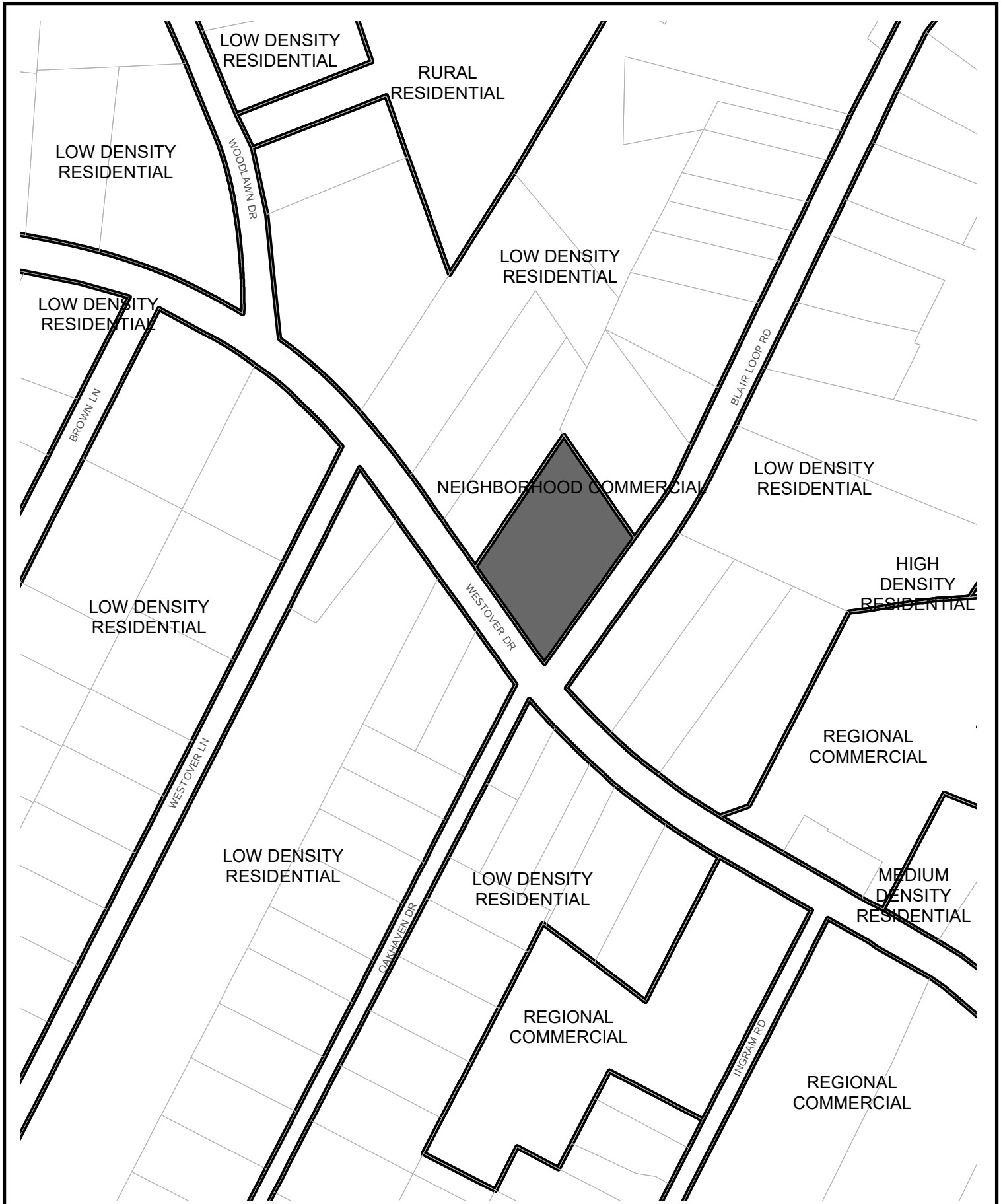


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/31/2022

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.

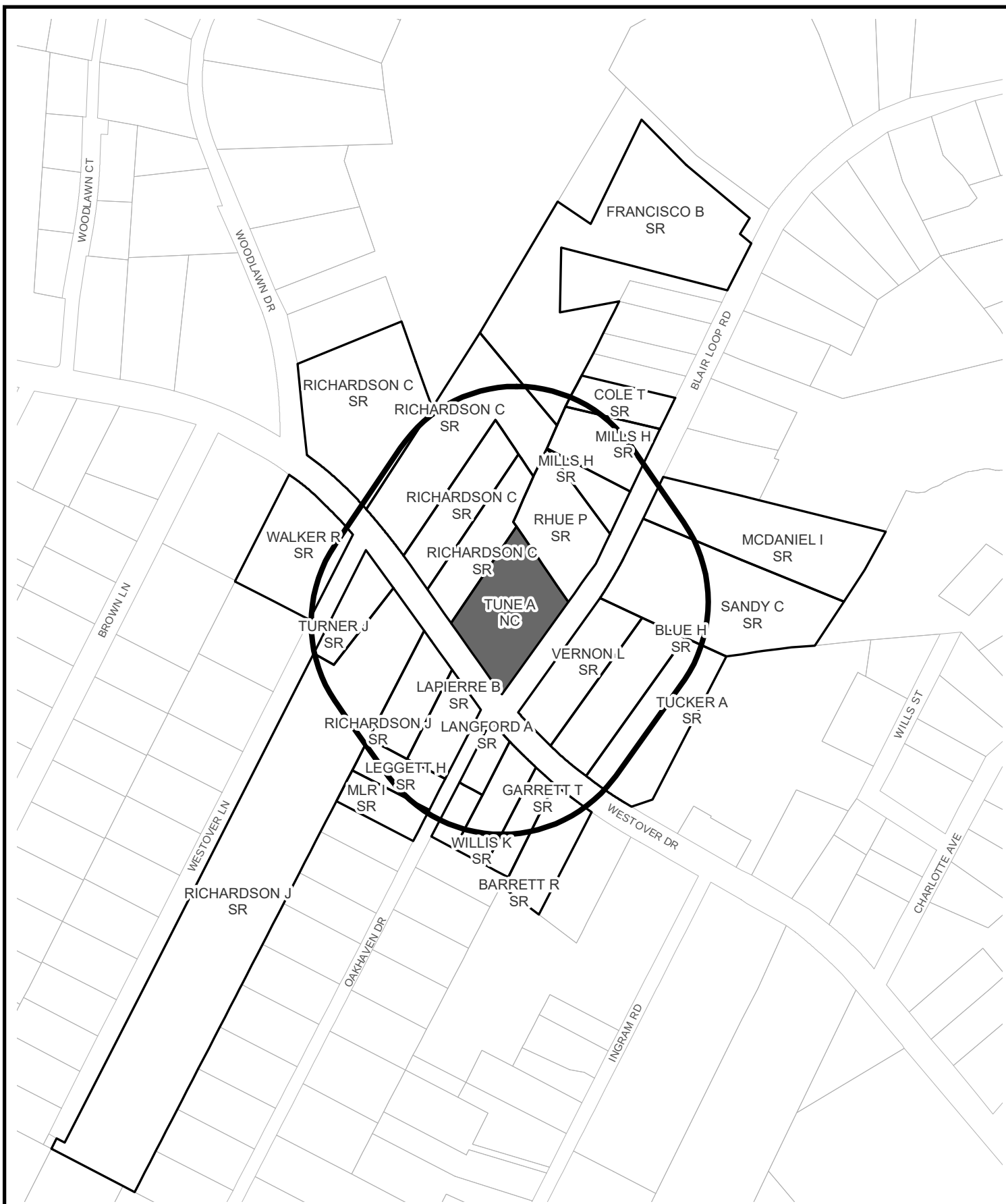


YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
1/31/2022

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



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
1/31/2022

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



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

City Planning Commission

STAFF REPORT

DATE: February 3, 2022
TO: Planning Commission
FROM: Doug Plachcinski, AICP Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION PUD – TBD BLAIR LOOP ROAD

Special Use Permit Application PZ22-18, filed by Tune and Toler Inc., requests a Special Use Permit to waive minimum district size according to Article 3.G.C.22. of the Danville Zoning Ordinance at TBD Blair Loop Road (Parcel ID # 72489). The applicant proposes a six (6) unit townhome building.

BACKGROUND

The applicant would like to develop a six (6) unit townhouse building.

STAFF ANALYSIS AND RECOMMENDATION

The City may waive the minimum zoning district size in the M-R zoning district with a Special Use Permit.

The Comprehensive Plan puts the subject property in the “Westover” planning area. The future land use designation for the subject parcel is ‘Neighborhood Commercial’. If approved, the Special Use Permit is in harmony and will provide for multifamily family residences which are compatible with the M-R zoning district's goal of multifamily housing on undeveloped tracts and infill locations.

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

Danville City Code allows City Council to apply any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this application as proposed and that the Planning Commission endorse Special Use Permit Application PZ22-18 for City Council.

CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application as submitted;
2. Recommend approval of Special Use Permit Application with conditions per Planning Commission; or
3. Recommend denial of Special Use Permit Application.

ATTACHMENTS

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



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): LOTS 11-17 WESTOVAN DRIVE Parcel ID 72498
Applicant: TUNE + TOWEN, INC. C/O TERRY FRANCISCO
Applicant's Address: 10432 HIGHWAY 29 NORTH BLAINS VA 24527
Applicant's Phone Number: 434 836 5100 / 434 441 0459 cell
Applicant's E-mail: terryfran 70@gmail.com
Describe Proposed Development: CONSTRUCTION OF SIXPLEX CONSISTING OF (6) RESIDENTIAL HIGH END PATIO HOMES

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

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

DESIGN OF SIXPLEX IS BASED DIRECTLY ON PROPERTIES NEAR (LESS THAN 1 MILE) FROM THIS PROPERTY

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

BUILDING LOT SIZE IS FAVORABLE FOR EASY ACCESS TO ALL SERVICES MENTIONED ABOVE

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

NO, PROPERTY HAS NO EXISTING STRUCTURES
WHATSOEVER AND WILL NOT AFFECT ANY ADJACENT STRUCTURES

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

YES, DESIGN OF THIS PROPERTY WILL ENHANCE ALL
ADJACENT PROPERTIES AND BETTER SERVE THE SURROUNDING
COMMUNITY VERSUS PREVIOUS USE

 1/18/22
Applicant Signature date
Tunc & Tolan, INC (PRESIDENT)

SHANE
Property Owner Signature date
(if not applicant)

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

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

PLANNING COMMISSION MINUTES

January 10, 2022

MEMBERS PRESENT

Mr. Bolton
Mr. Dodson
Ms. Evans
Mr. Garrison
Mr. Kahn

MEMBERS ABSENT

Mr. Craft
Mr. Petrick

STAFF

Lisa Jones
Doug Plachcinski
Clark Whitfield

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

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

I. ELECTION OF OFFICERS

Mr. Whitfield called for nominations for Chairman.

Mr. Bolton nominated Mr. Garrison as Chairman. The nomination was approved by a 5-0 vote.

Mr. Whitfield called for nominations for Vice Chairman.

Ms. Evans nominated Mr. Petrick as Vice Chairman. The nomination was approved by a 5-0 vote.

Mr. Whitfield called for nominations for Secretary.

Ms. Evans nominated Mr. Bolton for Secretary. The nomination was approved by a 5-0 vote.

II. ITEMS FOR PUBLIC HEARING

- 1. Rezoning Application PLRZ 2020-155 (PLVAR2020-110), remanded from the Board of Zoning Appeals on a case filed by Mark and Karen Davis, requesting to rezone from HR-C Highway Retail Commercial District to S-R Suburban Residential District at 734 Mt. Cross Road (Parcel #72873.) The applicant requested a variance to allow for a deck constructed without permits onto a legal non-conforming residential use to remain in a HR-C Highway Retail Commercial District. The BZA remanded this case to the Planning Commission.*

Mr. Garrison opened the Public Hearing.

Mr. Doug Plachcinski, Planning Division Director & Zoning Administrator with the City of Danville, stated the staff reports for both outstanding items that have been on our agenda for quite some time. I will ad lib a little bit towards the end, which I'll coordinate with Lisa later to make sure it's in the minutes effectively.

Mr. Plachcinski read the staff report and stated that we do recommend that the Planning Commission recommends denial to City Council because rezoning only this property would amount to spot zoning and then assuming City Council agrees with the Planning Commission's recommendation, the case would go back to the BZA.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Garrison stated commissioners do you have any questions for staff?

Mr. Bolton stated have they made any comments, since they're not here, to you that might be helpful, or no?

Mr. Plachcinski stated no sir, they communicated that they would likely not be able to make this meeting again and asked for further postponement and I've explained that we've postponed this for far too long. They could either withdraw and remove the deck or we could proceed with the recommendation to City Council as I have explained.

Mr. Garrison stated Mr. Attorney we are within the legal boundaries of going ahead and hearing this case today, am I correct?

Mr. Clarke Whitfield stated as long as they have received notice, yes sir.

Mr. Bolton made a motion to deny this Rezoning Application PLRZ2020-155. Mr. Dodson seconded the motion. The motion was denied by a 5-0 vote.

Mr. Whitfield stated Mr. Chairman, I might add that since, you all are not the final determination, you were just a recommendation to City Council, they'd still be able to go forward.

2. *Rezoning Application PLRZ2020-029, filed by Gerald Kelly on behalf of TriCor Properties LLC, requesting to rezone from N-C Neighborhood Commercial District to "Conditional" HR-C Highway Retail Commercial District, 1113 Franklin Turnpike and two (2) adjacent parcels (Parcel #s 70167, 70166, & 70046). The applicant proposes mini-storage warehouses on the property.*

Mr. Garrison opened the Public Hearing.

Mr. Garrison stated I know the last time that you were here, you had asked us to delay this until you could meet with the surrounding neighborhood. So, you might catch us up to date, please.

Mr. Gerald Kelly, appeared on behalf of TriCor Properties LLC, and stated yes sir. I had an opportunity to talk to several and we also were going to get you some more information about what it would look like, the perimeters, and all of that. We sort of had a little change in our plan because of the look of our building there and the property. We too don't want to mess up the building or the beautiful view that's there. So, we are looking at doing the mini storages inside of a building. I talked to some about that, and they were happy about that. You know, if, it looked good, everybody was fine. The concerns that they had were cheapening the property, you know, looking out at many storage buildings and so. We've got some information that hasn't come in yet, but we had to have this meeting because we too have been putting it off a long time because of Covid or whatever. It's a drive thru mini storage, temperature controlled. It would be one building and you would just drive through it and so it wouldn't be like fenced in with outside light and all of that. I didn't get the meeting together with everybody at one time like we had discussed leaving but I feel like if they were here, most were more in favor of doing something that looked better in that area, which we would agree to do for sure. I'm not sure when this project would begin as far as construction. I know, we have to go to the second approval, and then get the engineers, and all of that. We just like to keep the ball rolling, if we can.

Mr. Garrison stated any questions from staff?

Mr. Bolton stated there is a buffer there naturally. There's an old train trestle and then there's woods from backyards on Vicar Road. Do you have any plans of additional buffers like cypress trees, or fence, or anything in mind?

Mr. Kelly stated well, we don't have anything specific, but we would accommodate anything we needed to do to make people happy and make y'all happy. I think if we put a big building there, some of them are nice-looking buildings, and I'm not sure, you know, if we would let them come in from the right side and drive through the building this way and come out of the left. There would be nothing behind it and we would be off that buffer a good way.

Mr. Bolton stated a natural buffer should work.

Mr. Kelly stated it's a good bit of woods right there, except when the leaves fall off you can see right through them. We would surely make it look very appealing and professional.

Mr. Garrison stated the old rail bed, I think it is 80 feet wide and while it goes behind the people on Vicar and your property, one of the people that lives on Vicar owns that rail bed. Which surprised me. I did look it up today and on the GIS map system. So, that person still would be on a boundary with you. Mr. Plachcinski, you could probably answer this better than me. There would have to be screening, because of that property line, am I correct? There's an offset, I know.

Mr. Plachcinski stated that is correct. There's a landscape buffer requirement.

Mr. Garrison stated which you are going to have to meet those requirements anyway before you can build.

Mr. Kelly stated more than happy to. Whether it be trees or fencing. We probably want to do landscaping trees and stuff to make it look better than fencing, but whatever we would be required to do, we would.

Ms. Evans stated what are your hours of operation?

Mr. Kelly stated well, I'm not sure right now, but we would try to accommodate what our customers would want there. We would like to have it 24/7, if it's just a code to drive in the building and give people access to it, but if it was an issue that disturbed us in business there or anything, we could limit those hours.

Ms. Evans stated therefore you would still have lighting outside the building for people to drive thru.

Mr. Kelly stated if we open it at night yes, ma'am. I would think it would be a much different type of lighting than the mini storage, just the buildings because you'd have to light up the whole parking lot. There would be no parking lot behind the buildings. You know, you would just come in, drive inside the building. So, most of the lighting would be inside, not that there wouldn't be an outside parking light, but there's already one in our paved parking lot there for the business and that light is on. So, hopefully we can get away with just a parking lot light like that, would be my thinking.

Mr. Bolton stated if you did need additional, would something like down lighting be considered or be the preference?

Mr. Kelly stated one thing for sure is we would do everything we're told and want to keep the neighbors happy and surely want that to stay as good looking as it is now, and you know we don't want to trash up the area. Whatever is required on that we would do.

Mr. Kahn stated well, to tell you, I'm one of the neighbors. I live two blocks away from there in that area. I went to look at the area over there. You plan some type of building, you say I'm pretty sure you can't describe the building right now but in the future, can you show us something that it will be more visible so we can look at it, and say, yes, well, this is going to be because they, right now, that's a full highway going on 41 over there and I see the land right across there and it will run adjacent to my property around there. So, my direct question to you is do you have building plan? Some kind of thing that we can visually see where it's going to be. You say that it will be drive in?

Mr. Kelly stated I don't have it with me right now but yeah, they are online. I could print something. The outside color and everything would just be, you know, whatever we chose on that. We try to match the building we've got out front in color and keep it uniform and without the engineers drawing it up, I'd assume we would just drive into the second spot. You know, where you come into that parking lot there? We'd have an extra lane to the right and it would just drive back to the building. So, you would go down, make a left into the building, and come in the other end and we'd have a

circular driveway around our property there. I would say the building would be metal, you know, but painted in such a way maybe rocked up halfway, not sure exactly. We surely would want it to be nice and model the building that you got there, which is our real estate office.

Mr. Khan stated I'm pretty sure you'll make it nice and neat.

Mr. Kelly stated we will, or we wouldn't build it.

Mr. Garrison closed the Public Hearing.

Ms. Evans made a motion to recommend approval of Rezoning Application PLRZ2020-029 as submitted. Mr. Khan seconded the motion. The motion was approved by a 4-0-1 vote. (Mr. Bolton abstained).

3. Special Use Permit Application PLSUP 2021-389, filed by Benjamin F. Moomaw III on behalf of the Berean Bible Church, requests a Special Use Permit Planned Unit Development in accordance with Article 17 of the Danville Zoning Ordinance at 305 West Main Street (Parcel ID#26335). The proposed Planned Unit Development will convert the existing church into a five (5) dwelling-unit building.

Mr. Dodson made a motion to postpone Special Use Permit Application PLSUP2021-389 until next month. Mr. Khan seconded the motion. The motion was approved by a 5-0 vote.

After much discussion the application filed by Benjamin F. Moomaw III on behalf of the Berean Bible church was withdrawn.

4. Zoning Ordinance Text Amendment PZ21-00007 filed by Dharma Pharmaceuticals LLC c/o Gentry Locke, Jon Puvak to add cannabis dispensing facility to permitted uses in the HR-C Highway Retail Commercial zoning district, Chapter 41, Article 3.M.B.

Mr. Garrison opened the Public Hearing.

Mr. Jon Puvak stated, I'm an attorney representing Dharma and Green Thumb, as Mr. Plachcinski mentioned, this is really a continuation request from what the Planning Commission saw in July. You know, really the question is, why? Right? Why are we coming to you now and it's a function of just again looking further? What we're talking about is cannabis dispensing facility. It's defined by Virginia Code, Mr. Plachcinski just mentioned that's been amended, slight tweak there to expand from cannabis oil to cannabis products. It's something that happened this past year since the Planning Commission last saw this request. So, we think it should be consistent with reading the code but really what we're trying to do is reflect that highway, the more we've looked at this, highway retail commercial really makes more sense than neighborhood commercial. You have more retail facilities. You have closer streets and highways and other modes of transportation. Other independent pharmacies are zoned highway, retail and commercial. If it was okay in neighborhood commercial, we feel like it's even better in highway retail commercial because there's fewer adjacencies to any residential issues, abundant parking, drive-thru facilities, all type of things that we would expect to see for this type of facility.

I have with me Shannon Berry and Rebecca Brown of DHARMA Pharmaceuticals and Green Thumb. I just want Shannon to kind of run through a few of the things about what the facility will look like and give you a little bit of lay of the land because really, we're the only folks that are impacted by this type of use. This is a precise request that only Dharma as a license holder can take advantage of at this point. So, I will turn it over to Shannon and let her roll through some of these slides.

Ms. Shannon Berry stated, I'm a founder of Dharma Pharmaceuticals I'm a fellow Virginian. I'm a huge proponent of the cannabis program. There are basically five licenses that were awarded.

(Mr. Puvak and Ms. Berry reviewed the following slides).

Zoning Ordinance Text Amendment

PZ21-00007

Dharma Pharmaceuticals, LLC and
Green Thumb Industries

City of Danville Planning Commission

Monday, January 10, 2022

“Cannabis Dispensing Facility” – added to the City’s Zoning Ordinance in July 2021. This term is also defined by Virginia Code as follows:

a facility that (i) has obtained a permit from the Board pursuant to § 54.1-3442.6; (ii) is owned, at least in part, by a pharmaceutical processor; and (iii) dispenses cannabis products produced by a pharmaceutical processor to a registered patient, his registered agent, or, if such patient is a minor or an incapacitated adult as defined in § 18.2-369, such patient's parent or legal guardian.

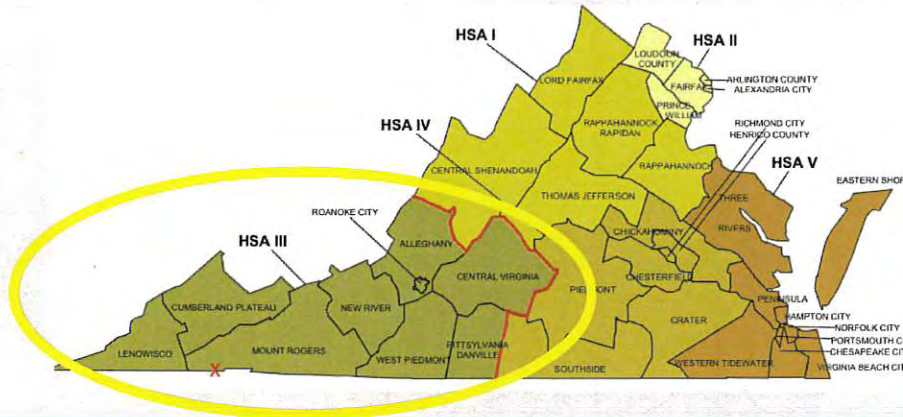
- Cannabis Dispensing Facility currently a permitted use in the N-C, Neighborhood Commercial Zoning District.
- **This request is to add** a Cannabis Dispensing Facility as a permitted use in the HR-C, Highway Commercial Zoning District.

Why the HR-C Zoning District?

- HR-C zoned properties are located nearby primary streets and highways and other modes of transportation.
- HR-C zoned properties are generally closely located to other retail and commercial development.
- Other Independent Pharmacies are zoned HR-C.
- Dispensing facility is expected to serve the region, including residents of the City and surrounding communities.
- Consistent with the Comprehensive Plan/Future Land Use Plan

History of the Virginia Medical Cannabis Program

- In September 2018, the Virginia Board of Pharmacy approved the applications for five companies to open Pharmaceutical Processors across the Commonwealth. Pharmaceutical processors are limited to dispensing to only registered patients.
- Dharma Pharmaceuticals, LLC (“Dharma”) was awarded the license for Health Service Area (HSA III). The license allows for a total of 6 dispensaries throughout the HSA.
- The Virginia Medical Cannabis Program is regulated by the Virginia Board of Pharmacy



- **October 14th 2020**, Dharma became the first dispensary in the state to legally dispense medical cannabis to registered patients.
- **July 1st, 2021** Dharma partners with Green Thumb Industries and operates under the dispensary name “RISE”.
- **RISE Locations:**
 1. RISE Abingdon - OPEN
 2. RISE Salem - OPEN
 3. RISE Lynchburg – Coming Soon
 4. RISE Christiansburg – Coming Soon
 - With delivery zones extending to Charlottesville, RISE is the trusted dispensary for so many Virginians.
- RISE Abingdon and RISE Salem currently serve approximately **400 patients** who travel from (or receive delivery to) the greater Danville region.
- We have had many patients that have significantly **reduced opioid usage** by using our medical products.

How does someone become a registered patient?

Getting Your Medical Card in VIRGINIA



1 Visit a Registered Practitioner

Obtain a valid written certification from a Board of Pharmacy-registered practitioner for medical cannabis. Register at this address:
<https://www.dhp.virginia.gov/pharmacy/PharmaceuticalProcessing/Patients.htm>

QUALIFYING CONDITIONS →

2 Register as a patient

Register with the Commonwealth of Virginia by applying for registration as a patient to possess medical cannabis products. Register at this address:
www.license.dhp.virginia.gov/apply/PersonSearchResults.aspx

3 Visit a RISE Dispensary in Virginia

Please bring your valid VA photo ID, certification from the registered practitioner, and your patient registration.

Qualifying conditions in VA are determined by the patient's physician and may include:

- Amyotrophic lateral sclerosis
- Anxiety disorders
- Autism
- Cancer & cancer remission therapy
- Crohn's disease
- Dyskinetic and spastic movement disorders
- Epilepsy
- Glaucoma
- HIV/AIDS
- Huntington's disease
- Inflammatory bowel disease
- Intractable seizures
- Multiple sclerosis
- Neurodegenerative diseases
- Neuropathies
- Opioid use disorder
- Parkinson's disease
- Post-traumatic stress disorder
- Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain
- Sickle cell anemia
- Terminal illness
- Tourette syndrome
- Any chronic or debilitating condition that might be helped by the use of cannabis

Completed through the **Virginia Board of Pharmacy** and providers who are approved to issue recommendations.



Danville Community Impact



Enhancing the Community with Upscale Exteriors



Salem, VA



Lake in the Hills, IL



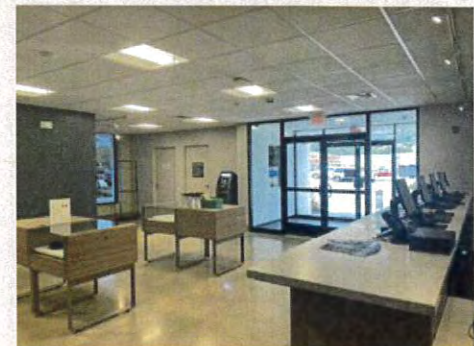
RISE Warminster, PA



Niles, IL



Making patients comfortable and helping them feel informed is the foundation of every store experience.



Employment and Operations

- **Hiring approximately 15-20 full-time employees with benefits**
- **Training:** All Rise pharmacists and dispensary staff complete training courses involving HIPAA & safe medical practices as well as company specific training.
- **Expected Hours of Operation:**
 - 9AM – 6PM Monday - Thursday
 - 9AM – 7PM Friday
 - 9AM – 4PM Saturday
 - Closed Sunday



Security

All employees must undergo a criminal background check.

Rise Virginia Dispensaries have on-site security personnel as well as 24/7 surveillance.

No one is permitted to enter the facility dispensing area unless they are a registered patient or agent with an active medical card and each patient is allowed to have one guest accompany them.



Patient Testimonials





Patient Testimonials:

"As a Gulf War veteran, I appreciate the fact that there is now an alternative to the usual medication prescribed to treat anxiety, insomnia, etc. The fact that RISE offers a plant based, natural medicine without the side effects of other pharmaceuticals, appeals to me greatly."



Patient Testimonials:

"I was a police officer years ago and saw some horrific things and suffered for years with bad dreams and PTSD. For over 25 years now I have never gotten a peaceful night's sleep and doctors have given me pill after pill and the only thing they ever did was give me bad side effects. I had given up completely. When medical cannabis became legal, I heard from other individuals with PTSD who were already in legal states that it benefited them tremendously. I decided to give it a try.

The first night (and every night since!!) I slept the entire night and didn't awake till 8:30 am!! I haven't done that in 25 years!! No pain no bad dreams!! I am at a loss for words. I never imagined it would have such a dramatic effect on me and my life! I had also sustained injuries over the years and a year ago had a complete knee replacement and cannabis has helped in that area as well. Thank you all at Dharma/RISE for helping me and others that need relief"



Patient Testimonials:

"Dharma Pharmaceuticals is an amazing place. Even before they opened, they reached out to the public to help educate them about the process involved: from applying for a medical license through purchase and use.

At my first visit to RISE, I was greeted warmly by staff and instructed regarding their Covid protocol. This increased my feelings of safety. I then consulted with a staff pharmacist. She helped me figure out the medicines and amounts that I would want for the given time period needed.

Everyone at RISE is so nice, helpful and thorough. From the heads of the organization to the front desk personnel to the checkout, all were professional and helpful. I felt that the customer service was beyond excellent.

In getting home, I can now attest to the fact that the quality of the products is indeed top notch!

Thank you Dharma/RISE for being a dependable, safe and wonderful place for Virginians to get education and products to support their health."

Conclusion

Permitting Dharma/GTI to locate its pharmaceutical processor dispensary in a property zoned Highway Retail Commercial will allow Rise Danville to accessibly, safely, and efficiently serve regional medical cannabis patients while minimizing any impact on neighboring businesses.

- Additional Questions?



Thank You!

Ms. Evans stated what are the hours on Fridays?

Ms. Berry stated we are opened from 9 to 7. We are already delivering to the Danville area from our Salem dispensary. So, patients who can't get out of bed, and have health conditions, or concerns about Covid, we deliver directly to their homes.

Ms. Evans stated Saturday is 9 to 7 or Friday is 9 to 7?

Ms. Berry stated Saturday is 9 to 4, currently. The Board of Pharmacy requires us to be open 35 hours. At least the bare minimum of 35 hours per week. All employees must go through a criminal background check. Our facilities have major security 24/7, so, there's never an issue there and no one's permitted to enter the facility unless they're a registered patient or caregiver. Our youngest patient is about three months old. So, obviously, their mother comes with them to get the medicine.

Ms. Evans stated do you have a location?

Ms. Berry stated we had not nailed down a location, we've got several that we've considered but nothing that we've, you know, physically looked at. We have to go through due diligence periods and things like that because we, you know, do have shareholders. It's a larger process just to say, oh, here's where we're going. There's a large amount of due diligence, feasibility studies, traffic studies, and etcetera that have to go into a decision for a property.

Mr. Bolton stated you're most likely be building as opposed as to finding an existing building or you just don't know?

Ms. Berry stated it's up in the air. I mean, there are some existing properties that could potentially work but also new buildings are not outside of the question. The main thing is getting the zoning appropriate so then we can move forward.

Mr. Bolton stated recommendation from staff he asked that we move it out of the neighborhood commercial. Are you okay with that?

Ms. Berry stated yes. I think the highway commercial allows it to be a little further away from residential areas and I think that was a concern previously. We are just trying to accommodate your request. We operate like a traditional pharmacy, CVS, Walgreens, etc.

Mr. Puvak stated we have looked at it and there's maybe 150 acres in the entire city that's zoned neighborhood commercial. We found one initially that we thought might work. Now, we looked at highway retail commercial. They're just almost 1500 acres that are highway retail commercials. So, just more opportunity there but again, we can only have one.

Mr. Garrison stated Mr. Plachcinski we are looking at this to change this from neighborhood to HR-C.

Mr. Plachcinski stated correct. The memo is at the very end of the packet, it would become a permitted use under the HR-C zoning district, and we would remove it from the NC zoning district.

Mr. Garrison stated we put it in the NC zoning district?

Mr. Plachcinski stated yes.

Mr. Garrison stated okay. Now that we have more and better information, we're looking at changing it and making it a permitted use?

Mr. Plachcinski stated right, in the HRC zoning district.

Mr. Garrison stated any other questions?

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of Zoning Ordinance Text Amendment PZ21-00007 to allow medical cannabis dispensaries in the HR-C, Commercial Zoning District and withdraw it from the NC Zoning District and that we conform our language to the proper definition by the state of medical cannabis. Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.

III. COMPREHENSIVE PLAN UPDATE/DIRECTOR'S REPORT

Mr. Plachcinski stated I won't go through and read the entire three-page memo, but I wanted to show the Planning Commission that we're moving forward on scoping out what we're going to try to accomplish over this next year with public involvement. We're looking at the branding of Planet Danville because it's exciting and a little futuristic and all encompassing. Then the memo further explains the five phases of the process between defining it, dreaming it, deciding it, and doing it and we want to make sure there's a strong doing it component at the end. We'll have different engagement activities centered around existing community events throughout the year. The data acquisition is going well. We're getting everything together already from the city's GIS resources and the Western Piedmont Regional Planning Commission. Right now, that is going well. We are sitting down again this week with other stakeholders to figure out some of the details of who will be helping us with our outreach in terms of just getting more people involved and more community members involved. We'll be meeting on Thursday with the city's housing consultant. Obviously, as we all talk about housing is extremely scarce in our community right now in all forms whether you're staying for a night or whether you're ever. So, that should be a great discussion on Thursday with that. I just wanted to give you guys an update. We will be providing an update to the city managers office also every week just so they can keep the city council informed of what's going on.

Mr. Garrison stated are there any cases next month other than the one that we postponed today?

Mr. Plachcinski stated yes, I know of at least one other one because skill games are coming back. Sure, everybody's favorite memory from 2020. Also, we had some issues with the definition of how we screen dumpster enclosures and it's kind of vague in the ordinance. So, I just want to go through and clarify that. So, that's just a little bit of housekeeping I'd like to include next month.

Mr. Garrison stated I am going to ask you to put one other thing on our agenda for next month and that is a discussion of whether or not we should have time limits on speakers.

Mr. Plachcinski stated you know that's a great point and I'd be willing to in lieu of or maybe in addition to if I don't give myself a hole too deep here to get a packet for but maybe even propose some draft bylaws.

Mr. Garrison stated that would be fine.

Mr. Plachcinski stated okay. I'll work with Ryan and Clarke on getting that.

Mr. Garrison stated I've always been a proponent for allowing people to speak, to get as much information to us as possible, but I think that we are reaching a point where we're seeing too many people come saying the same things. So, maybe it's time that we considered time limits, just something for you to think about for next month.

Mr. Plachcinski stated certainly.

Mr. Khan stated especially overbearing today. It was repetition continuously and I mean, all of them do the same thing.

Ms. Evans stated I agree, but they are passionate.

Mr. Khan stated I understand.

Mr. Garrison stated I understand. That's why I want to have a discussion about it at our next meeting. It's getting kind of late now.

Mr. Evans stated my first meeting went to 6 o'clock.

Mr. Garrison stated what? We've been here to 7 with skilled games.

Mr. Plachcinski stated, if there's a way we can authorize this, if we get more than the one request that I've heard of this coming, if we could talk about maybe scheduling a special meeting just to handle those and figuring out a date where we can get a quorum of the commissioners together and start earlier than three if that would be okay?

Mr. Garrison stated Mr. Attorney is that legal?

Mr. Whitfield stated oh yeah, I mean, if you all agree to it and it is advertised four days prior to the meeting, then you can call a special meeting and as long as it's properly advertised which we will help with and the clerk will help with, not a problem.

Mr. Plachcinski stated okay, great. We are aware that there are very many locations that are happening without zoning approval and right now, the state of Virginia is handcuffed with any sort of anything with them.

Mr. Garrison stated you were not here for the last time that we had these come before us, but I believe we had a total of thirty-seven.

Mr. Plachcinski stated yeah, I've heard.

Ms. Evans stated games?

Mr. Garrison stated skilled games. I don't believe you were with us for that year.

Ms. Evans stated I was on the board of zoning appeals.

Mr. Garrison stated we had 37 total, I think.

Mr. Plachcinski stated so, I think what Anne is saying is we should remand as many of those skill game cases over to BZA.

Ms. Evans stated absolutely not, you already got one going back to BZA from today.

Mr. Plachcinski stated thank you very much for today.

IV. MINUTES

The December 13, 2021 minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 4:42 p.m.

APPROVED