



City of Danville

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

City Planning Commission

JANUARY 10, 2022

3:00 P.M.

CITY COUNCIL CHAMBERS – 4th FLOOR MUNICIPAL BUILDING

AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ELECTION OF OFFICERS
- IV. 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.
 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.
 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.
 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.
- V. COMPREHENSIVE PLAN UPDATE / DIRECTOR’S REPORT
- VI. APPROVAL OF MINUTES FROM DECEMBER 13, 2021
- VII. ADJOURNMENT



City of Danville

427 Patton Street, Suite 208
Danville VA, 24541
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City Planning Commission

**City Planning
Commission Meeting of
January 10, 2022**

Subject: *Rezoning Application Request PLRZ20200000155 (PLVAR20200000110), 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 734 Mt. Cross Road, otherwise known as Grid 0708, Block 002, Parcel 000005, of the City of Danville, Virginia, Zoning Map. The applicant requested a variance to allow for a deck constructed without permits onto a legal non-conforming use to remain on a residential property in area zoned HR-C Highway Retail Commercial District. The Board of Zoning Appeals remanded this case to the Planning Commission to review for a possible Zoning Change.*

Background:

The property at 734 Mt. Cross Road is located within an HR-C Highway Retail Commercial District. The City's long-range plans for this area are for commercial development to the City/County Line.

The property is developed with a legal non-conforming single family home. As its legal non-conforming, no expansion is permitted. The applicant was notified in January of 2020 of a violation of the Uniform Statewide Building Code for the construction of a deck onto the structure without obtaining permits or the required zoning clearance. Had an attempt been made to obtain permits, the City could have notified the owners that this construction would not be permitted and explained options for attempting to rezone the property.

A request for a variance went to the Board of Zoning Appeals at their meeting of July 16, 2020. The Board heard the case and remanded it to the Planning Commission to determine if a rezoning of the property was a potential solution to change from legal non-conforming to conforming.

Ten (10) 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 August 10, 2020.

Staff Analysis and Recommendation:

This entire area is zoned HR-C Highway Retail Commercial District. This request could amount to spot zoning. At the Board of Zoning Appeals meeting, the applicant expressed a willingness to discuss rezoning with adjacent legal non-conforming properties to attempt to join this application to bring their properties into conformance.

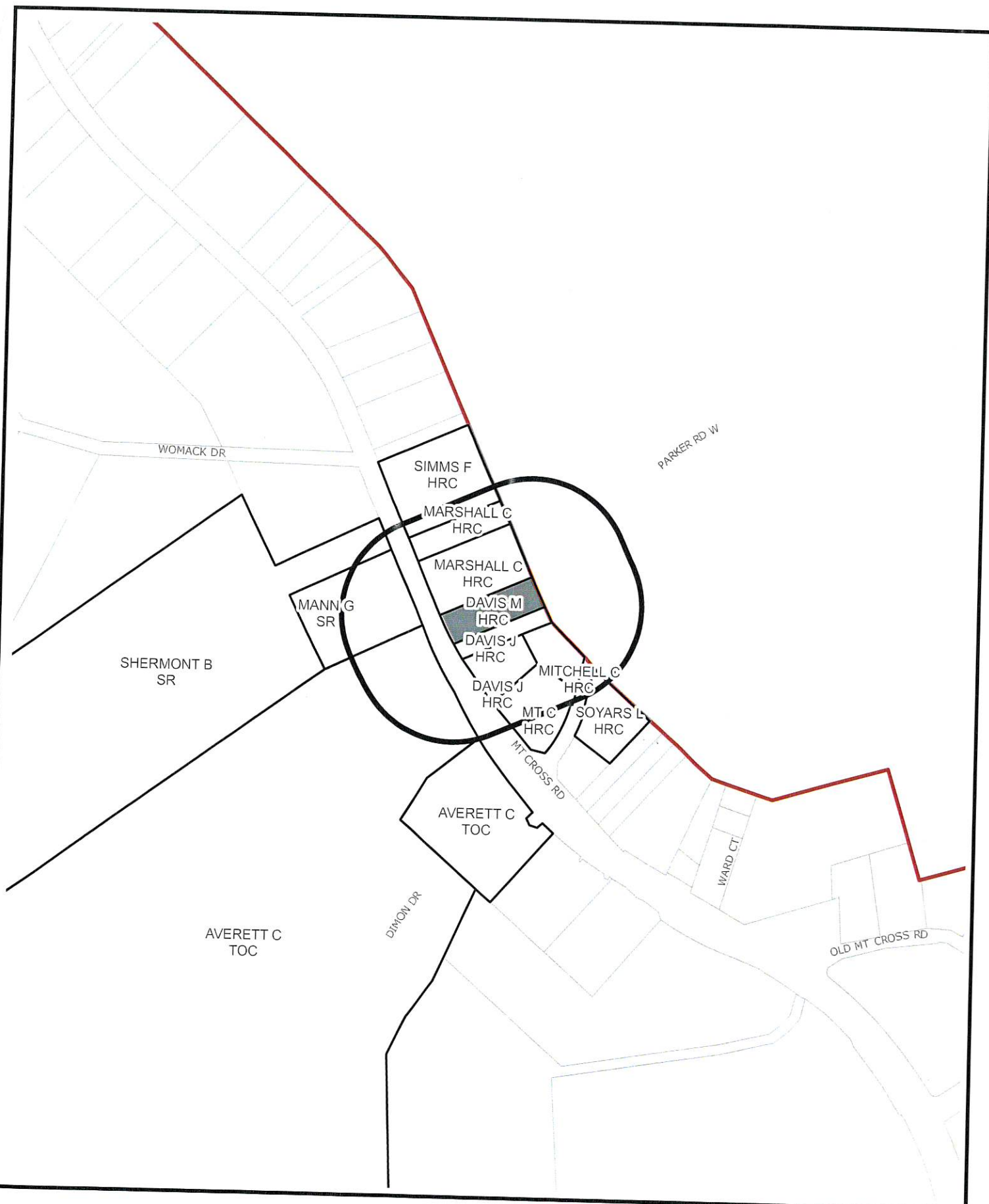
Due to time constraints and COVID issues, the applicant has not had that opportunity. Staff would recommend that this item be continued until the September meeting to afford the applicant sufficient time to contact adjacent property owners to see if they wish to co-join this application.

City Planning Commission Alternatives:

1. Recommend continuation of Rezoning Application Request PLRZ20200000155 (PLVAR20200000110) to a future meeting.
2. Recommend approval of Rezoning Application Request PLRZ20200000155 (PLVAR20200000110) as submitted.
3. Recommend approval of Rezoning Application Request PLRZ20200000155 (PLVAR20200000110) with conditions per Planning Commission.
4. Recommend denial of Rezoning Application Request PLRZ20200000155 (PLVAR20200000110).

Attachments:

Property Ownership/Zoning Map
Data Sheet
Existing Land Use Map (2019 Aerial)



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/26/2020

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REZONING REQUEST
DATA SHEET

DATE:	AUGUST 10, 2020
LOCATION OF PROPERTY:	734 Mt. Cross Road (Parcel ID 72873)
PRESENT ZONE:	HR-C Highway Retail Commercial District
ACTION REQUESTED:	The applicant is requesting a variance to allow for a deck constructed without permits onto a legal non-conforming use to remain on a residential property in area zoned HR-C Highway Retail Commercial District.
PRESENT USE OF PROPERTY:	Single-family residence
PROPOSED USE OF PROPERTY:	Same
PROPERTY OWNER (S):	Mark and Karen Davis
NAME OF APPLICANT (S):	same
PROPERTY BORDERED BY:	Single-family residential and commercial uses to the north and south, vacant land and single family residential to the east, and Averett University and a church to the west.
ACREAGE/SQUARE FOOTAGE:	.69 acres
CHARACTER OF VICINITY:	Mixed commercial and residential
INGRESS AND EGRESS:	Mt. Cross Rd
TRAFFIC VOLUME:	High
NEIGHBORHOOD REACTION:	To be reported at the Planning Commission meeting on August 10, 2020.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/26/2020

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City of Danville

427 Patton Street, Suite 208

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Phone: (434) 799-5260

City Planning Commission

City Planning Commission

Meeting of January 10, 2022

Subject:

Rezoning Application PLRZ2020000029, filed by the 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 adjacent parcels (Parcel ID#s 70167, 70166, & 70046), otherwise known as Grid 1916, Block 011, Parcel ID's 000039, 000040 &, 000041 of the City of Danville, Zoning District Map. The applicant is proposing to build mini-storage warehouses on the property.

Background:

A rezoning application has been filed by the 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 adjacent parcels (Parcel ID#s 70167, 70166, & 70046).

The site is served by all City utilities. The applicant is requesting to rezone to allow for the addition of mini-storage warehouses. Currently that use is not permitted in the N-C District. The applicant has requested to change the Zoning to "Conditional" HR-C to allow for this use. The applicant has proffered out all uses that differ between the HR-C and N-C district, except for ministorage warehouses. Thus the only use not currently permitted would be the addition of mini-warehouses.

The surrounding area is developed with a mixture of single-family dwellings, church automobile service station, hair salon, and offices. The site is located on a 5 lane commercial roadway.

Thirty-five (35) 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 March 9, 2020.

Staff Analysis and Recommendation:

Staff recommends approval of Rezoning Application PLRZ2020000029, filed by the 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 adjacent parcels (Parcel ID#s 70167, 70166, &

70046), otherwise known as Grid 1916, Block 011, Parcel ID's 000039, 000040 &, 000041 of the City of Danville, Zoning District Map. The applicant is proposing to build mini-storage warehouses on the property.

City Planning Commission Alternatives:

1. Recommend approval of Rezoning Application PLSUP202000029 as submitted.
2. Recommend approval of Rezoning Application PLSUP202000029 subject to conditions by the Planning Commission.
3. Recommend denial of Rezoning Application PLSUP202000029 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).

Gross Area/Net Area: 3 Acres Property Address: 1113 Franklin Turn Pike

Property Location: N SE W Side of: Franklin Turnpike

Between: Aanhurst Dr and Vicar Pl

Proffered Conditions (if any, please attach): N/A

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

1. NAME: Tricar TELEPHONE: (434) 770-2276
MAILING ADDRESS: 1000 Mountain Valley Rd, Axton VA 24054
SIGNATURE: Gerald W Kelly DATE: 1-28-20
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: geraldw.kelly@hotmail.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: Gerald W Kelly Owner Manager TELEPHONE: (434) 251-5796
MAILING ADDRESS: 137 Dakota Dr Danville, VA 24540
EMAIL ADDRESS: geraldw.kelly@hotmail.com
SIGNATURE: Gerald W Kelly DATE: 1-28-20

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:

Request of rezoning for Mini Storage Buildings at
1113 Franklin Turnpike.

3. RESIDENTIAL REZONING:

Please provide a brief description of the request:

10. In addition to landscaping and screening requirements, there shall be a minimum landscaped buffer strip of 10 feet in depth along all N-C District property frontage. This buffer area may include the yard setbacks described in subsection E. Bulk Regulations of this district. No parking is permitted within the buffer strip.
11. Where a lot is contiguous to property located in a residential district, fencing may be required in addition to landscape buffers in such cases deemed necessary by the Planning Commission with fence material and heights subject to final plan approval.
12. Gasoline pump islands, canopies and structural elements shall be governed by the same regulations as applied to a principal structure.
13. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the City. All recorded plats for lots containing shrink/swell soils shall bear the following note: "This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure."
14. All retail-sales-related business services, storage, and display shall be conducted within the principal structure which is to [be] completely enclosed.

(Ord. No. 2004-02.04, Art. 3.J, § H, 2-17-04; Ord. No. 2011-10.05, 10-18-11)

ARTICLE 3.M: - HR-C, HIGHWAY RETAIL COMMERCIAL (Highway Retail Commercial District)

A. - Purpose and Intent.

The HR-C District is 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 and which require regional access characteristics independent of the marketplace attributable to adjoining neighborhoods or pedestrian trade. The application of the HR-C District should be to those areas of the City where individual uses can be grouped into planned concentrations which limit the "strip" development effect on newly developing areas as well as on redevelopment areas where retail and business uses currently exist. In addition, the Corridor Overlay District may impact the regulation of uses in this district.

Adequate transportation and site planning of uses within the HR-C District should have the goal of minimizing conflicts with through-traffic movements along the entrance City's corridors and major arterial streets. The HR-C District is not intended to be applied to shopping centers. Given the implications of traffic, pedestrian access, landscaping, and inter-parcel connections, large-scale individual retailers in excess of 60,000 per establishment (typically referred to as "big boxes" or "superstores") shall require a special use permit.

Minimum site improvements for uses within the HR-C District shall include adequate on-site parking, public water and sewer service, public street frontage and safe access, pedestrian improvements, storm drainage, stormwater management facilities, and outdoor lighting for parking areas.

(Ord. No. 2004-02.04, Art. 3.M, § A, 2-17-04)

B. - Permitted Uses.

An individual use or structure intended for a single use with 60,000 square feet gross floor area or less, incorporating the following uses:

1. ~~Automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles).~~
2. ~~Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).~~
3. Banks and financial institutions.
4. Business services and office supply establishments.
5. Car washes.
6. Churches and places of worship.
7. Convenience stores (with or without gasoline sales).
8. ~~Fast food restaurants.~~
9. ~~Funeral homes.~~
10. ~~Gasoline sales establishments.~~
11. Health club, spa or fitness center.
12. Hospitals and health care facilities with inpatient services.
13. ~~Hotels and motels.~~
14. ~~Laundromats/dry cleaners.~~
15. Light intensity wholesale trade establishments (with no outdoor sales or display of products).
16. Medical offices and outpatient care facilities.
17. Mini-storage warehouses, with no exterior storage.
18. ~~Movie theaters.~~
19. Offices (general and professional).
20. Parking lots (private and public with off-street parking as the principal use).
21. Personal service establishments.
22. Private post office and delivery service.
23. Public uses.
24. ~~Repair service establishments (exclusive of automobile and light vehicle service and repair, with no outdoor storage).~~
25. ~~Restaurants.~~ Restaurant
26. Retail sales and leasing establishments, with screened outdoor sales or display of products limited to no greater than 15% of the net developable lot area. (See Additional Regulations.)
27. Schools, colleges and universities (public and private).

28. Seasonal retail uses.
29. Temporary retail sales.
30. Exterminator.
31. Bicycle shop.
32. Adult day support services.
33. Child therapeutic day support services.

(Ord. No. 2004-02.04, Art. 3.M, § B, 2-17-04; Ord. No. 2005-04.04, 4-5-05; Ord. No. 2009-12.08, 12-15-09; Ord. No. 2013-06.01, 6-4-13; Ord. No. 2014-08.09, 8-19-14)

C. - Uses Permitted by Special Use Permit.

An individual use otherwise permitted hereinabove by-right in the HR-C District, but having greater than 60,000 square feet gross floor area, or any of the following uses:

1. Auction establishments.
2. Bed and breakfast, inn or tourist home (as defined).
3. ~~Bus stations.~~
4. Commercial recreation facilities (indoor and outdoor).
5. Conference centers.
6. Day care centers (adult and child).
7. Kennels, commercial.
8. Light warehousing uses related to an adjunct retail use permitted either by-right or special permit, provided that warehousing space does not exceed 50% of the gross floor area.
9. ~~Drive-in movie theaters.~~
10. Parking garages and structures.
11. Pet clinics.
12. Plant nurseries.
13. Public utilities.
14. ~~Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. All assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.~~
15. Schools, colleges and universities (public or private).
16. Taxidermists.
17. ~~Uses with lot frontage on the Dan River.~~
18. ~~Vehicle sale, rental and ancillary service establishments, including mobile homes.~~
19. Veterinary clinics.
20. Waiver for increase in building heights to over 50 feet.

21. Waiver of yard requirements, subject to the prohibition of parking in front yards.
22. Caretaker's residence.
23. Homeless shelter.
24. ~~Microbrewery or micro winery.~~
25. Wholesale sales.
26. ~~Indoor shooting facilities.~~
27. ~~Distillery.~~
28. Urban agriculture.

(Ord. No. 2004-02.04, Art. 3.M, § C, 2-17-04; Ord. No. 2008-07.04, Art. 3.M, § C, 7-15-08; Ord. No. 2009-11.07, 11-5-09; Ord. No. 2012-09.09, 9-18-12; Ord. No. 2015-01.04, 1-20-15; Ord. No. 2016-04.03, 4-5-16; Ord. No. 2017-08.01, 8-3-17; Ord. No. 2018-09.08, 9-4-18)

D. - Lot Size Requirements.

1. Minimum district size: Not regulated, provided that districts should be located, sized and spaced to limit potential "strip" development impacts.
2. Minimum lot areas:
 - (1) Interior lot: 13,500 square feet.
 - (2) Corner lot: 15,000 square feet.
3. Minimum lot width:
 - (1) Interior lot: 90 feet.
 - (2) Corner lot: 150 feet.
4. No HR-C District lot shall be designed or employed for use in which an area more than 25% of the prescribed minimum lot area is comprised of either of the following physical land units: (a) wetlands or (b) water features.

(Ord. No. 2004-02.04, Art. 3.M, § D, 2-17-04)

E. - Bulk Regulations.

1. Maximum building height: 50 feet.
2. Minimum yard requirements:
 - a. Front yard: 30 feet, provided that a 20 foot setback is required for the outdoor display of items within the front yard. For a corner lot, the front yard shall be 20 feet if access is not provided onto a non-arterial or collector street.
 - b. Side yard: 20 feet, provided, where side yard abuts a residential district, the side yard shall be 30 feet.
 - c. Rear yard: 20 feet, provided, where rear yard abuts a residential district, the rear yard shall be 30 feet.
 - d. In addition to the above regulations, buffer yard provisions shall apply in accordance with landscape and screening regulations.

REZONING REQUEST
DATA SHEET

PUBLIC HEARING DATES:	Planning Commission at 3pm on March 9, 2020
LOCATION OF PROPERTY:	1113 Franklin Turnpike and two adjacent parcels (#70167 & 70046)
PRESENT ZONE:	N-C Neighborhood Commercial
PROPOSED ZONE:	"Conditional" HR-C Highway Retail Commercial
ACTION REQUESTED:	Rezone to construct mini-warehouses
PRESENT USE OF PROPERTY:	Vacant Single Family Dwelling
PROPOSED USE OF PROPERTY:	Mini storage warehouses
FUTURE LAND USE DESIGNATION:	Residential
PROPERTY OWNER (S):	TriCor Properties
NAME OF APPLICANT (S):	Gerald Kelly on behalf of TriCor Properties
PROPERTY BORDERED BY:	Mixed commercial and residential to the north, east, south and west
ACREAGE:	2.97 acres (approximately)
CHARACTER OF VICINITY:	Mixed commercial and residential
INGRESS AND EGRESS:	Franklin Turnpike.
TRAFFIC VOLUME:	High

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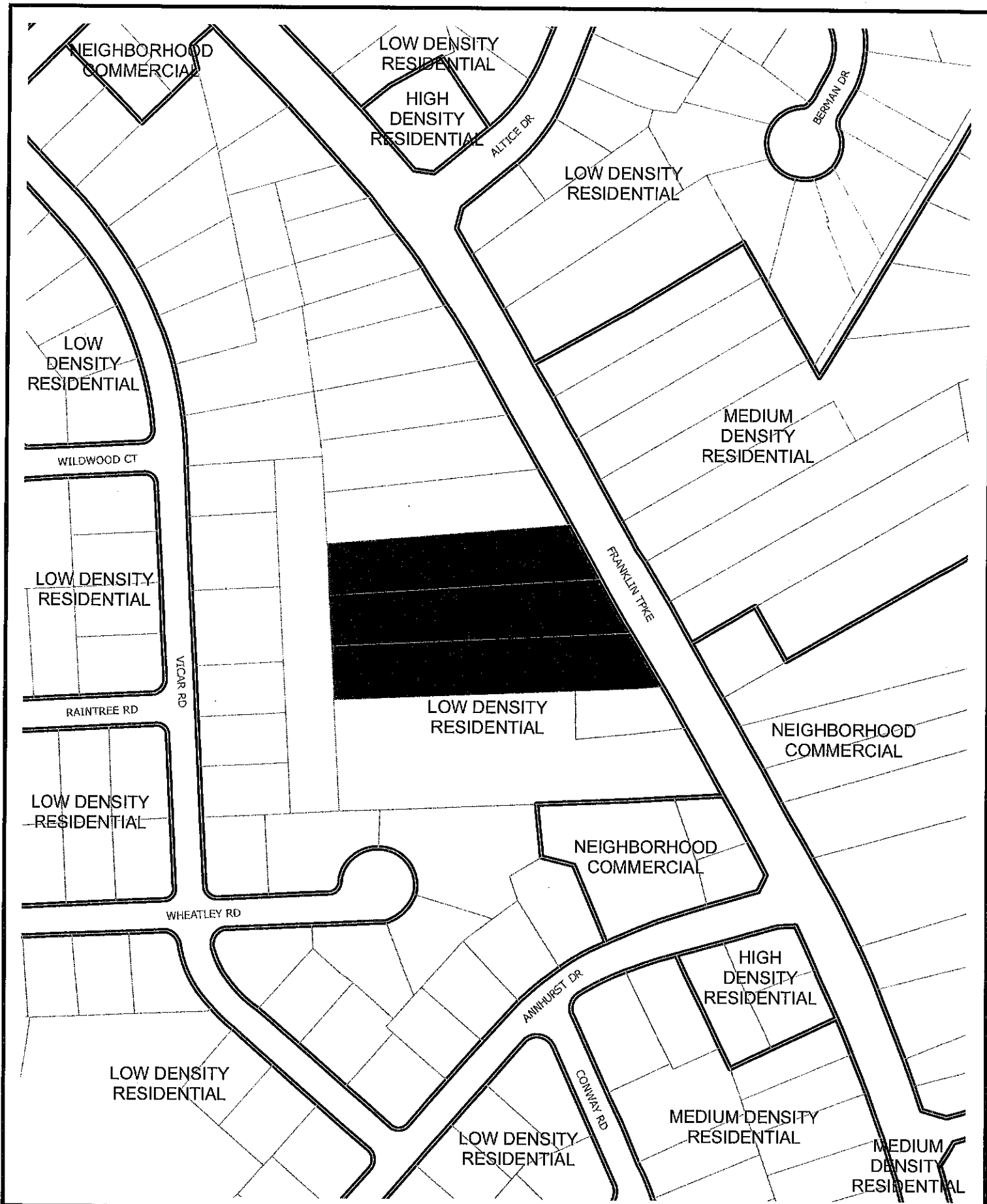


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
2/19/2020

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
2/19/2020

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

City Planning Commission

STAFF REPORT

DATE: December 10, 2021
TO: Planning Commission
FROM: Doug Plachcinski, AICP Planning Division Director + Zoning Administrator
RE: SPECIAL USE PERMIT APPLICATION PUD – 305 WEST MAIN STREET

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) unit dwelling building.

BACKGROUND

This project will convert the Berean Baptist Church into a five (5) unit multi-family dwelling.

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 "West Main: planning area. The future land use designation for the subject parcel is 'Medium Density Residential'. If approved, the Special Use Permit is in harmony with the OT-R Zoning District which is established to provide for 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 principal objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character, and architectural massing.

The neighboring adjacent properties on West Main 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 PLSUP 2021-389 for City Council approval with the following conditions:

1. That the development has no more than five dwelling (5) units;
2. That the development provides at least one (1) off-street parking space per unit by leasing them on a property within 300';
3. That the allowed uses at the development are residential;

4. No accessory buildings are allowed for this development, and
5. 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



City of Danville
Community Development
Planning Division

**PLANNING COMMISSION
SPECIAL USE PERMIT APPLICATION**

PLANNING DIVISION PROVIDED INFORMATION

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

APPLICANT PROVIDED INFORMATION

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

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

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

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

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

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

Applicant Signature

Property Owner Signature
(if not applicant)

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

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

General Design / Development Plan

Renovation of Berean Baptist Church Building at 305 West Main Street and Conversion to Apartments

1. Introduction

The congregation of Berean Baptist Church has decided to sell its 80-year-old building. Originally built by the Lutheran congregation in Danville, it is a part of the city's history that should be preserved and enjoyed by many. We propose to do this with an interior-only renovation and conversion to five apartments, three for short-term rental and two for long-term rental.

2. Economic Value to the City

This proposed special use will provide three unique short-term rental units in close proximity to Averett University, the hospital and the casino.

It will also provide two long-term rentals at a time when additional residential dwelling units are needed.

3. Street Layout

The building sits on a small lot that is not much bigger than the building itself. Because of this, there is nothing that will be changed about the layout of the property.

4. Apartment Design and Use

The exhibit below is a schematic showing the planned design for five apartments, three on the main level of the church and two on the lower level. Two of the main-level apartments will have two bedrooms and one will have a single bedroom. The lower-level apartments will each have two bedrooms.

5. Non-residential Design and Use

There are no non-residential uses or changes proposed for the property.

6. Zoning District/Density

The OT-R zoning district allows for special use permits for such uses as bed and breakfast and duplexes. This proposed use, while not specified in the code, is similar.

The proposed design is for five dwelling units on a 0.11-acre lot. This is obviously greater than the 5 units per acre residential building density in OT-R. We request an exception to the density requirement, given the limited size of the development. It obviously can never be any larger than five units.

7. Parking

Parking will be accommodated by a combination of on-street parking and the rental of parking spaces at Ascension Lutheran Church just across the street.

In the two blocks on West Main on either side of the property, all of the 18 homes have off-street parking, so this proposed use should not cause parking density issues for residents in the immediate area.

8. Environmental/Architectural Considerations

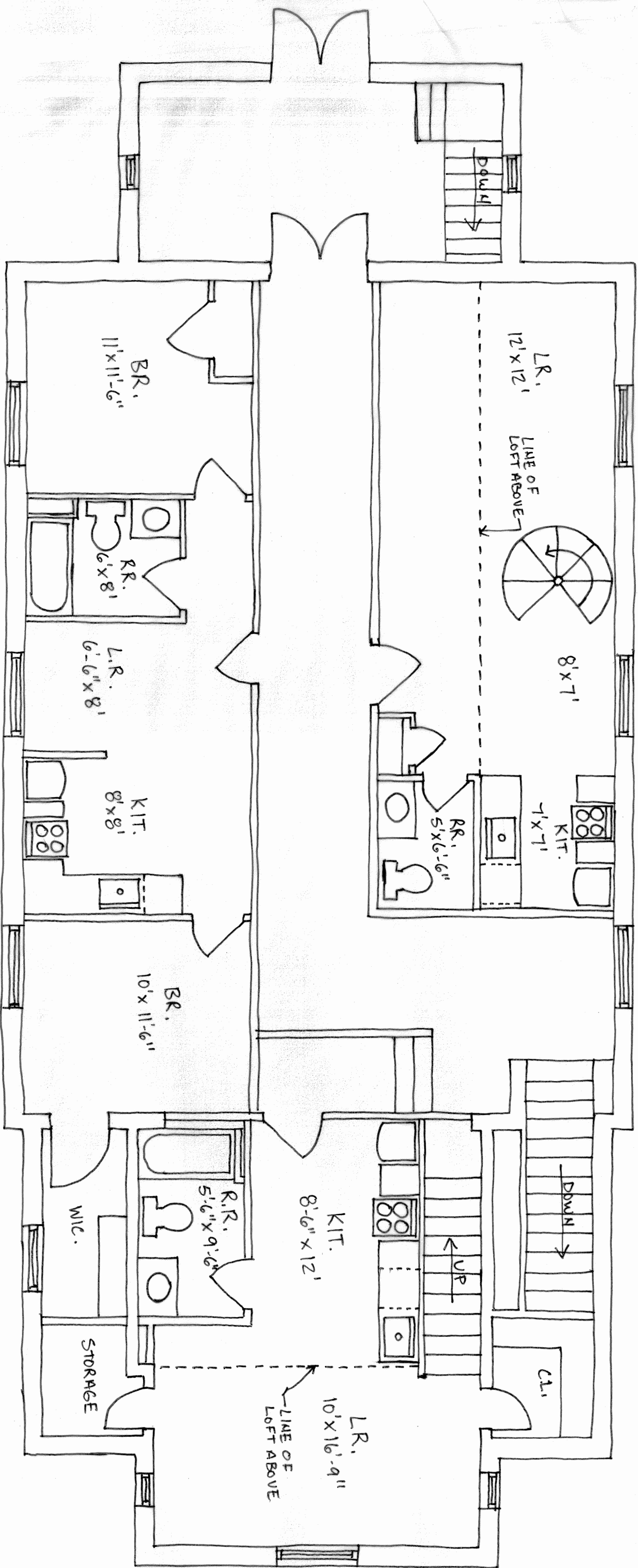
The stained-glass windows will be repaired where necessary and covered with tempered-glass storm windows to protect and preserve them.

9. Regulations

With the exception of the density requirement, the project will be executed in accordance with all design, zoning, improvement and construction standards in force at the time.

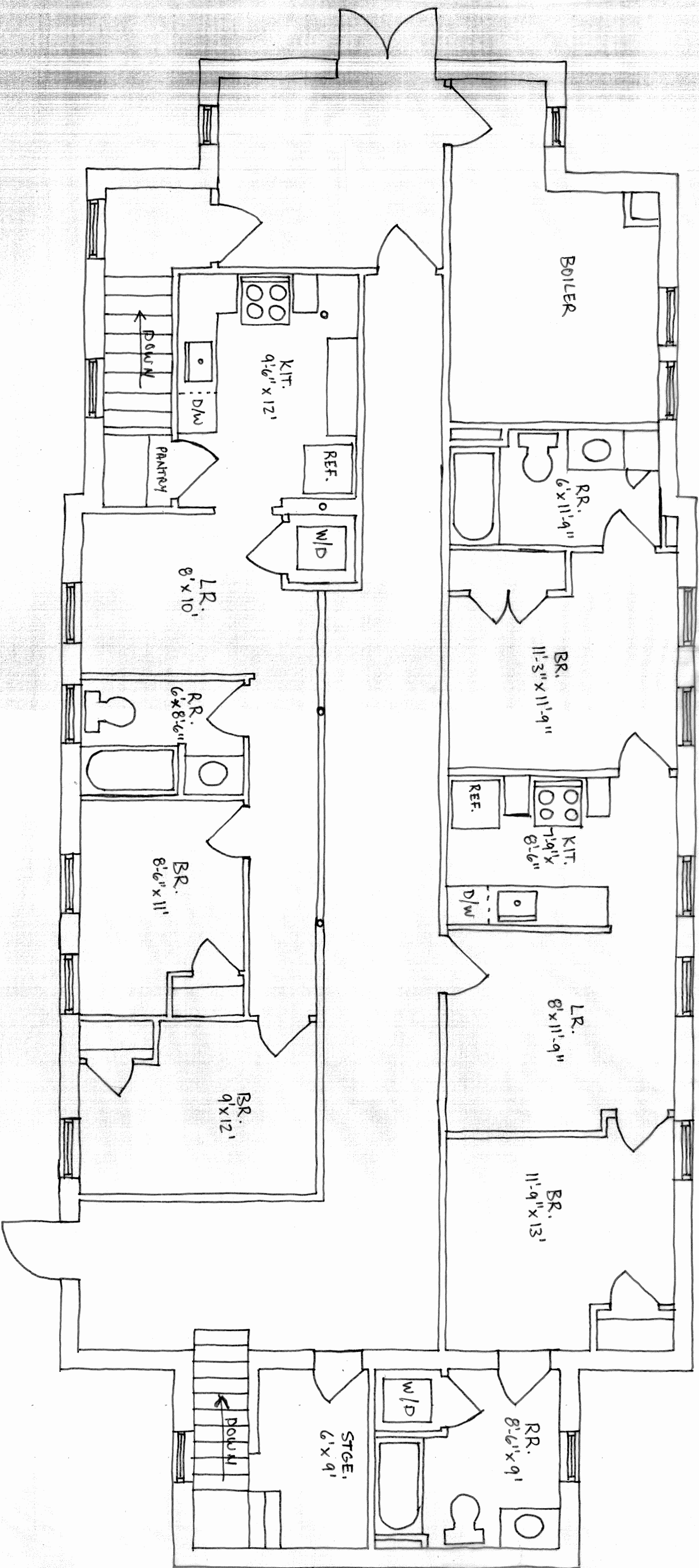
10. Timeframe

The project will commence in Q1 2022.



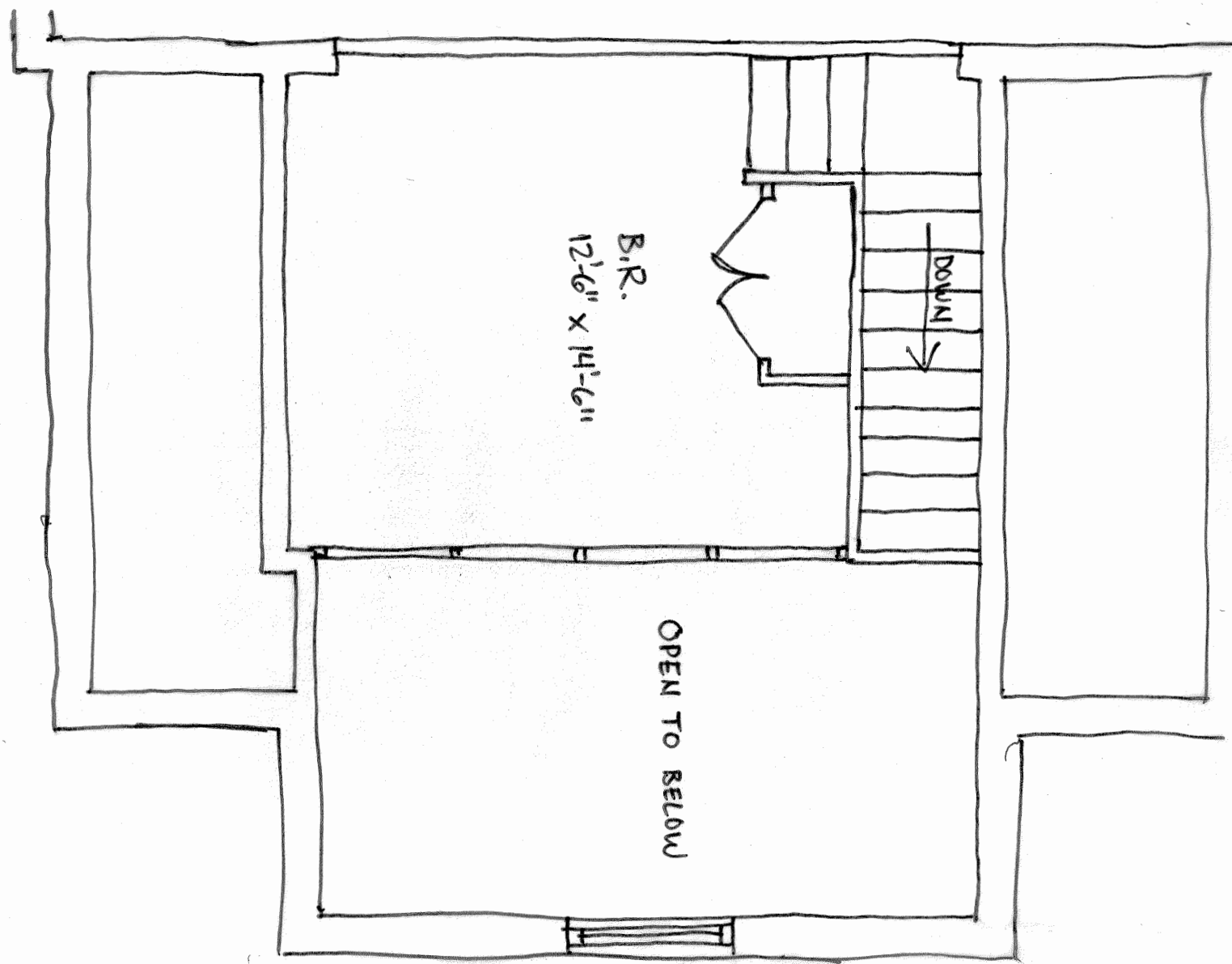
1 FIRST FLOOR PLAN

Scale: 1/4" = 1'-0"



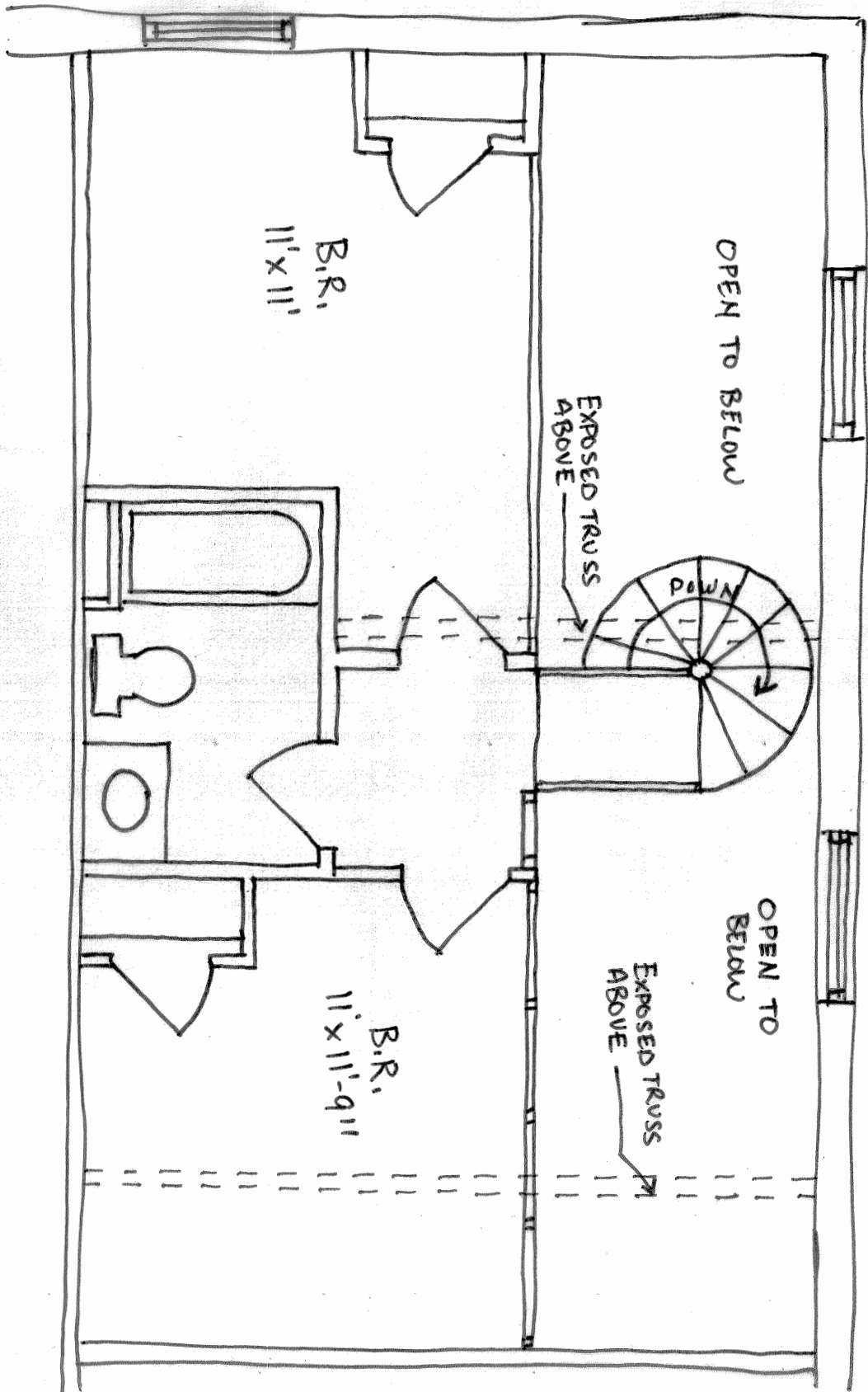
2 LOWER LEVEL PLAN

Scale: 1/4" = 1'-0"



3 LOFT PLAN (1) BEDROOM APARTMENT

Scale: 1/4" = 1'-0"



4 LOFT PLAN (2) BEDROOM APARTMENT

Scale: 1/4" = 1'-0"



SOLEX ARCHITECTURE, INC.
641 MAIN STREET
DANVILLE, VIRGINIA 24541
434.688.0767 PHONE
434.791.3281 FAX

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

BEN MOOMAW
**BEREAN CHURCH
APARTMENTS**

305 WEST MAIN STREET, DANVILLE, VA 24541

PRELIMINARY DESIGN

SHEET INFORMATION		
NO.	DESCRIPTION	DATE

PROJECT NO.	20210043
DRAWN BY	MTA
CHECKED BY	JLB
DATE	2021.12.03
SCALE	1/4" = 1'-0"

SHEET NAME
PROPOSED PLAN

SHEET NUMBER

A-101

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-389

PUBLIC HEARING DATES: DECEMBER 13, 2021
PLANNING COMMISSION AT 3PM

LOCATION OF PROPERTY: 305 WEST MAIN STREET

PRESENT ZONE: OT-R OLD TOWN RESIDENTIAL

PROPOSED ZONE: NO CHANGE

ACTION REQUESTED: SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT
THAT CONVERTS A FORMER CHURCH BUILDING TO FOUR
APARTMENTS

PRESENT USE OF PROPERTY: CHURCH

PROPOSED USE OF PROPERTY: MULTIFAMILY RESIDENTIAL

FUTURE LAND USE DESIGNATION: RESIDENTIAL

PROPERTY OWNER (S): BEREAN BIBLE CHURCH

NAME OF APPLICANT (S): BENJAMIN F. MOOMAW III

PROPERTY BORDERED BY: RESIDENTIAL

ACREAGE: 0.12 ACRES TOTAL

CHARACTER OF VICINITY: RESIDENTIAL NEIGHBORHOOD

INGRESS AND EGRESS: WEST MAIN STREET

TRAFFIC VOLUME: MINOR ARTERIAL – 7200 AADT (2019)

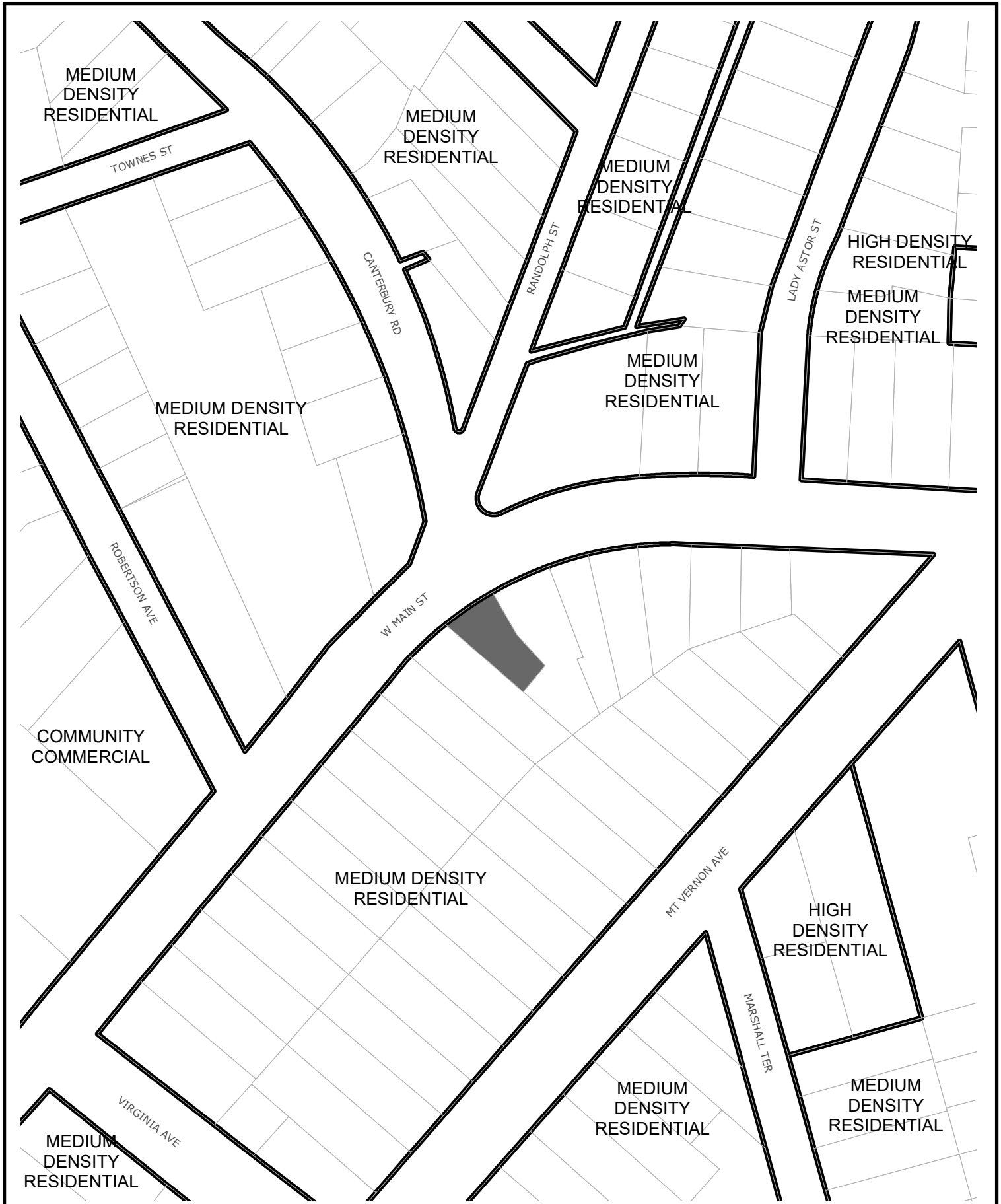


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
11/23/2021

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



YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
11/23/2021

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



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
11/23/2021

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

CODE CHANGE AMENDMENT



The City Council, with the advice of the City Planning Commission, is authorized by the Municipal Code to change the Zoning Code as long as this action is justified by the PUBLIC NECESSITY, GENERAL WELFARE, OR GOOD ZONING PRACTICE.

P.O. Box 3300 Danville, VA 24543
Fax 434-797-8919

434-799-5260
www.danville-va.gov

PROCEDURE

1. **The Applicant** obtains a copy of the Zoning Code Section, which they wish to have amended.
2. **The Applicant** files this application with the Department of Community Development accompanied by a \$360 application fee.
3. **The Department** checks the application and material for accuracy and completeness.
4. **The Department** sends the application through the Development Review Process for comments from other City Departments.
5. **The Department** sets the case for a public hearing before the City Planning Commission and publishes legal notice of the public hearing in the local newspaper.
6. **The Department**, prior to the public hearing, analyzes the Code Change Amendment application and prepares a written report with a recommendation for the City Planning Commission. The report is made available to the applicant prior to the hearing date.
7. **The City Planning Commission** holds a public hearing at which the applicant and those interested in the requested Code Change Amendment should attend. Those attending may present testimony and evidence for and against the proposed Code Change Amendment. The City Planning Commission reviews the request and decides on a recommendation to the City Council based on compliance with the Comprehensive Plan, staff reports, and the results of the public hearing.
8. **The Department** sets the case for a public hearing before the City Council and publishes legal notices of the public hearing in the local newspaper.
9. **The City Manager** prepares and submits a written recommendation to the City Council.
10. **The City Council** holds a public hearing at which the applicant and those interested in the requested Code Change Amendment should attend. Those attending may present testimony and evidence for and against the proposed Code Change Amendment. The City Council makes its decision based on the City Planning Commission and City Managers recommendations, compliance with the Comprehensive Plan, and the results of the public hearing.

If the City Council approves the Code Change Amendment, it is adopted by Ordinance and unless otherwise noted, is effective immediately.

Every action, by an affected party, contesting a decision of the City Council to adopt, or failing to adopt a proposed Code Change Amendment, shall be filed with the Danville Circuit Court within sixty (60) days of the date of Council's decision.

CITY OF DANVILLE

CODE CHANGE AMENDMENT

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL

Application is hereby made for the Code Change Amendment as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

CASE NUMBER:

DATE FILED:

RECEIVED FROM:

SECTION AFFECTED:

PLANNING COMMISSION DATE/ACTION:

CITY COUNCIL DATE/ACTION: _____

INFORMATION TO BE PROVIDED BY THE APPLICANT

Zoning Code Section: Article 3.M.B.

Purpose for proposed amendment: The proposed change to the zoning ordinance will allow as permitted use a Cannabis Dispensing Facility as that term is defined by the Zoning Ordinance and Virginia Code the HR-C, Highway Retail Commercial Zoning District. See attached justification statement.

PRESENT OWNERSHIP OF ALL, PROPERTIES INCLUDED IN APPLICATION:

1. NAME (PLEASE PRINT OR TYPE): N/A

ADDRESS:

EMAIL:

TELEPHONE:

SIGNATURE:

2. NAME (PLEASE PRINT OR TYPE): N/A

ADDRESS:

TELEPHONE:

SIGNATURE:

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

NAME (PLEASE PRINT OR TYPE): Dharma Pharmaceuticals, LLC c/o Gentry Locke, Jon Puvak, Esq.

ADDRESS: 10 Franklin Road, Suite 900, Roanoke, Virginia 24011

EMAIL: puvak@gentrylocke.com

TELEPHONE: 540-983-9399

SIGNATURE: 



GENTRY LOCKE
Attorneys

Jonathan D. Puvak

puvak@gentrylocke.com

P: (540) 983-9399

F: (540) 983-9400

December 17, 2021

VIA E-MAIL AND FIRST CLASS MAIL

Doug Plachcinski
Director of Planning
City of Danville
427 Patton Street, Room 207
Danville, Virginia 24541

Re: Zoning Ordinance/Code Change Amendment
Application Justification
Applicant: Dharma Pharmaceuticals

Dear Mr. Plachcinski:

On behalf of Dharma Pharmaceuticals, LLC (the "Applicant") please accept this justification letter in support of a zoning ordinance/code change amendment application. The Applicant requests that a "Cannabis dispensing facility" as defined by the Zoning Ordinance and Virginia Code be included as a permitted use in the HR-C, Highway Retail Commercial zoning district.

As you are aware, the City Council amended the N-C Neighborhood Commercial Zoning District uses in July 2021 to include a Cannabis dispensing facility as a permitted use. At that time, the Zoning Ordinance was also amended to define a Cannabis dispensing facility as follows:

A facility that (i) has obtained a permit from the Virginia Board of Pharmacy; (ii) is owned, at least in part, by a pharmaceutical processor; and (iii) dispenses cannabis oil produced by a pharmaceutical processor to a registered patient, his registered agent, or, if such patient is a minor or an incapacitated adult, such patient's parent or legal guardian.

The Applicant is the holder of the Pharmaceutical Processor permit for Health Service Area III ("HSA III") from the Virginia Board of Pharmacy. The Applicant is one of only four companies that are currently permitted in Virginia to grow and distribute cannabis for medical use. The

10 Franklin Road SE, Suite 900 Roanoke, VA 24011 • PO Box 40013 Roanoke, VA 24022-0013
Toll Free: 866.983.0866

December 17, 2021

Page 2

Applicant's license territory, HSA III, spans a large area from central Virginia to southwest Virginia at the Tennessee border. Virginia law permits the Applicant, as a pharmaceutical processor, to establish up to six dispensing facilities within HSA III to serve patients located across the entire region. As a result, the Applicant is the only provider that can establish dispensing facilities in HSA III, which includes the City. The Applicant currently operates dispensing facilities in Abingdon, Virginia and Salem, Virginia and is planning to open four additional locations. The Applicant has identified the City as an ideal location for a dispensing facility that is accessible to patients located in the southeastern portion of HSA III as well as patients who live in the City. Having dispensing facilities spread across the Applicant's license territory allows better access to the communities that are served and reduces the distance that patients must travel to obtain cannabis for medical use.

In July 2021, the Applicant partnered with Green Thumb Industries to expand its capabilities. Green Thumb is a national retailer of cannabis and has experience operating over 65 dispensing facilities in 12 states. I have enclosed additional background materials explaining the capabilities of the Applicant and Green Thumb.

Although this application is not related to any specific property in the City, the Applicant believes that a HR-C zoned property would be most suitable for a Cannabis dispensing facility because these properties tend to be accessible to people traveling on main roadways and have sufficient parking to accommodate patients traveling a far distance. Further, there are limitations under Virginia law about where dispensing facilities may be located, and each location must be at least 1,000 feet away from any school or daycare center. These restrictions limit the number of suitable locations in the City.

As noted above, under current Virginia law, only 6 total dispensing facilities can be established by the Applicant in its license territory. Similar to the code change approved by the City Council in July 2021, the Applicant believes that the purpose and intent of the HR-C District is consistent with a Cannabis Dispensing Facility. Based on their current operations in other states, a Cannabis dispensing facility operates like a limited retail pharmacy with typical business hours of 10 am to 7 pm Monday to Saturday. A Cannabis dispensing facility will be less intense and expected to have fewer daily visits than other permitted uses in the HR-C district, including but not limited to: convenience stores, fast-food restaurants, and other personal service establishments.

December 17, 2021

Page 3

In accordance with the City's requirements, I have enclosed the required application form and will provide the application fee payment as directed by the City. We look forward to bringing this request before the Planning Commission and the City Council. Please do not hesitate to contact me if you have any questions.

Very Truly Yours,

GENTRY LOCKE

/s/ Jonathan D. Puvak

Jonathan D. Puvak

Enclosures

cc: Ms. Rebecca Brown, Dharma Pharmaceuticals, LLC and Green Thumb Industries
Ms. Kelley Boswell, Dharma Pharmaceuticals, LLC and Green Thumb Industries

A National Seed-to-Sale Company

We currently operate:

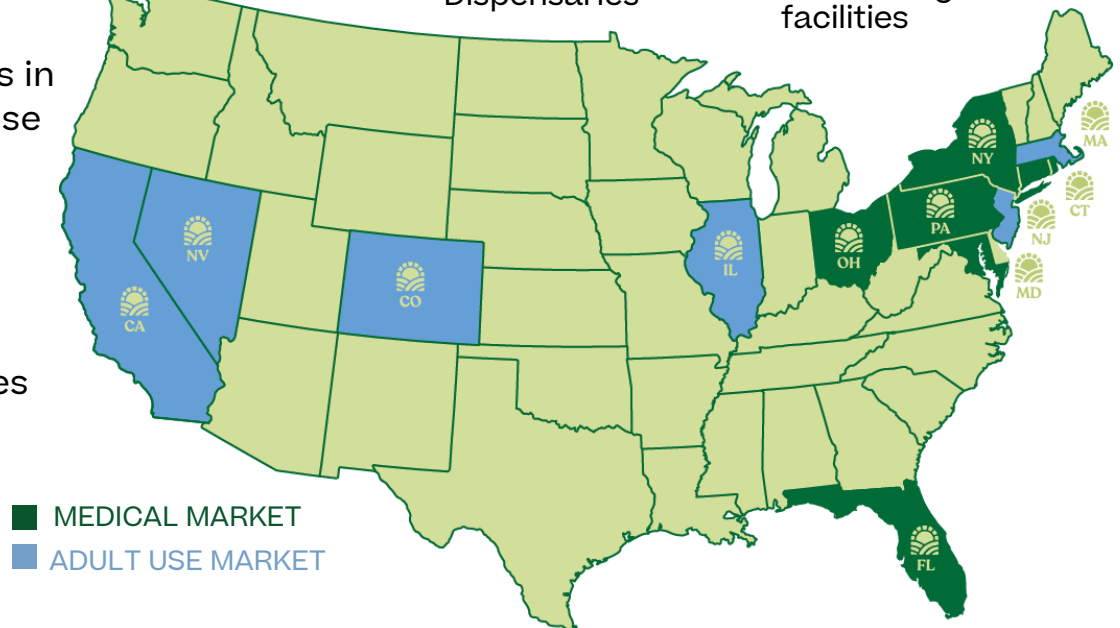
Green Thumb at a glance

56
Dispensaries

14
Manufacturing facilities

Green Thumb operates in 12 medical and adult-use markets across the country.

We currently run 56 dispensaries and 14 manufacturing facilities as a trusted brand presence for 45% of Americans.



OUR MISSION:

Promote well-being through the power of cannabis.

A place where people come first



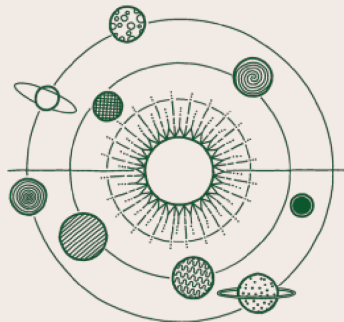
2014

Founded
Chicago, IL

2K+

Team members
Nationwide

A family of trusted cannabis brands



6

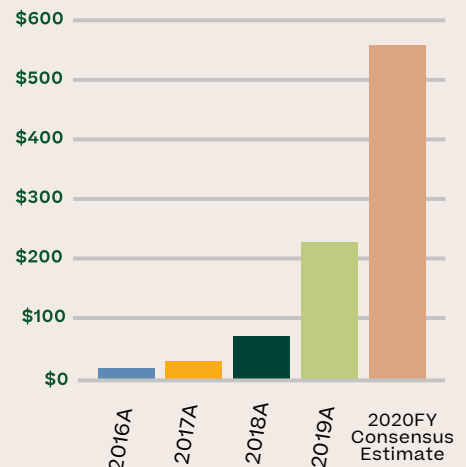
Consumer
Product Brands

12

Distributed
to 12 States

Revenue Growth

Green Thumb Annual
Net Revenue (\$M)



Government Affairs Document

[Click here to view Green Thumb's April 2021 Investor Presentation](#)





Green Thumb VA DANVILLE

August 2021



Our Mission & Values

To promote well-being through the power of cannabis.



We're
humble

We let our work speak
for itself and don't
boast about it.



We're
hardworking

We put our heads
down and get the job
done.



We're
grateful

We believe working in
our industry is a
privilege and an act of
service.



We're
transparent

We value honest and
open communication
and share information
about laws, products
and customers
whenever possible.



We have
integrity

We stand by our word
and prove that through
our actions.



Green Thumb

At a Glance

A place where people come first

Our real power is in our people and our shared commitment to giving back to the communities that we serve.



2014

Founded Chicago, IL

3000+

Team members Nationwide

A family of cannabis brands

Because well-being is personal, we make brands and products to fit different preferences and lifestyles.



6

Consumer Product Brands

14

Distributed to 12 States

A national cannabis retailer

Our retail stores prioritize educational and explorative experiences, shepherded by our People Care Specialists.



65

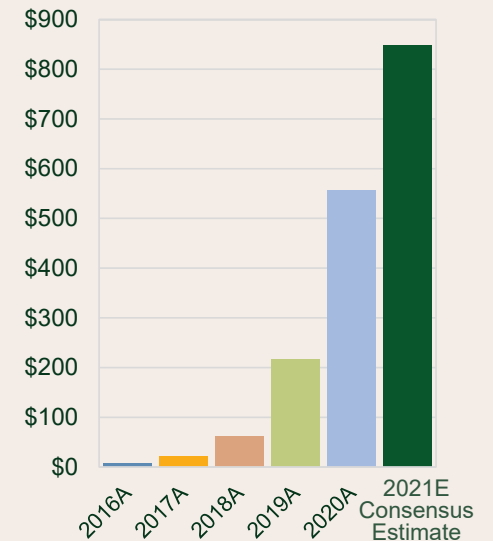
Open Stores as of 9/14/2021

98

Retail Licenses

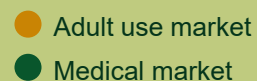
Revenue Growth

Green Thumb Annual Net Revenue (\$M)¹



(1) 2021E = Bloomberg Consensus Estimates as of March 18, 2021 **3**

WITH GROWTH OPPORTUNITIES AS MARKETS CONVERT FROM MEDICAL TO ADULT USE



Cannabis generated **more tax revenue than alcohol** in February 2021



Green Thumb Growing For Good

MISSION: PROMOTE WELL-BEING THROUGH THE POWER OF CANNABIS



At Green Thumb, we believe in the plant's potential to improve health, happiness, and comfort. We do this by investing our resources and time to power a profound shift in well-being.

Through Our Corporate Social Responsibility program "Growing for Good" we will be part of the solution to improve the lives of individuals and communities that have been negatively impacted by the war on drugs.

We are committed to doing this by harnessing the power of our brands, retail experience and diverse team members to raise awareness, address social equity challenges, and provide sustainable solutions to help build safer, stronger and more equitable communities. 



Green Thumb Growing For Good

MISSION: PROMOTE WELL-BEING THROUGH THE POWER OF CANNABIS



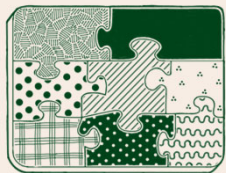
Corporate Social Justice

Use our influential force to bring restorative justice to the cannabis industry while maintaining a relationship between our company and communities in which we work and live.



Community Engagement

Support community revitalization initiatives designed to promote economic development and create healthier and safer environments in neighborhoods disproportionately harmed by the failed War on Drugs.



Diversity & Inclusion

Lead by example through active support and inclusion for Green Thumb's diverse workforce and stakeholder community.



Environmental Stewardship

Identify and invest in new opportunities to make an eco-friendly impact through environmentally smart growing, manufacturing and packaging.

Green Thumb | Virginia Overview

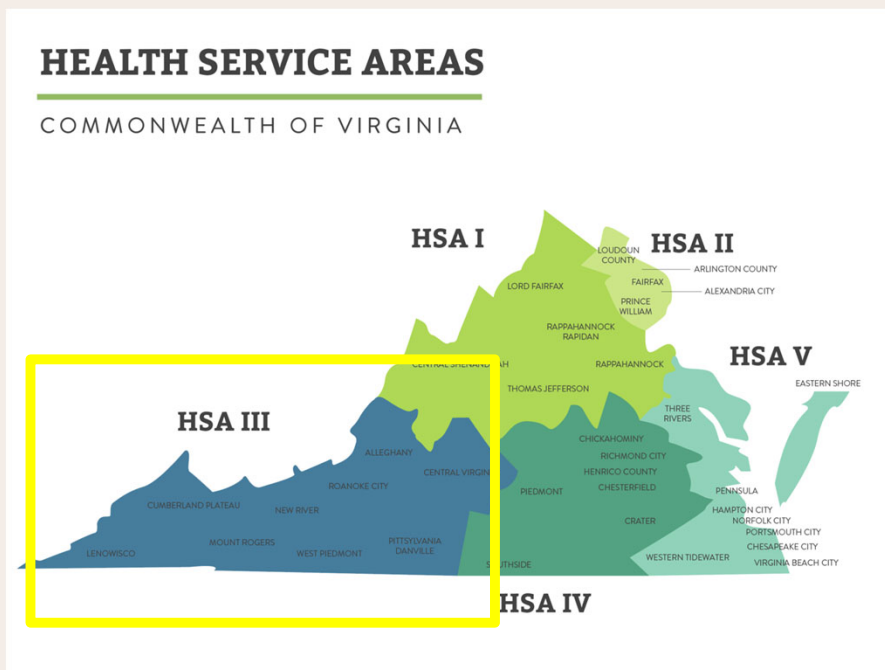
- Green Thumb Industries acquired Dharma Pharmaceuticals LLC (“Dharma”) in July 2021.
- License is for Health Service Area (HSA) III.

Current Locations

- Dharma Pharmaceuticals Cannabis Dispensary - Abingdon, VA
- RISE dispensary – Salem, VA

Future

- Plan to open 3 additional dispensaries.



Enhancing the Community with Upscale Exteriors



RISE
Warminster, PA

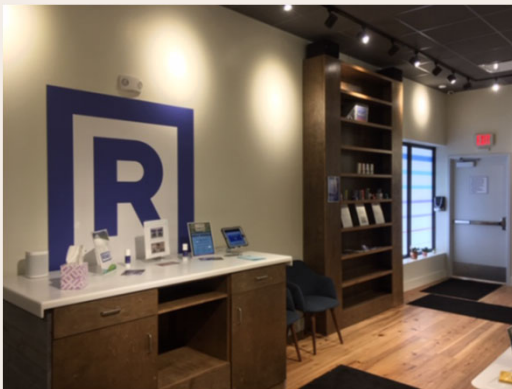


Salem, VA
(Open Now!)



Niles, IL⁸

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



Community-First Dispensary Experience



Proactive Security & Access Controls

CONTROLLED ACCESS & SURVEILLANCE

- Fully recorded, secure ID validation of all visitors and contractors
- Limited access to appropriate personnel
- Integrated software monitors and records location of personnel and registered guests throughout duration of stay
- 24/7 CAMERA SURVEILLANCE



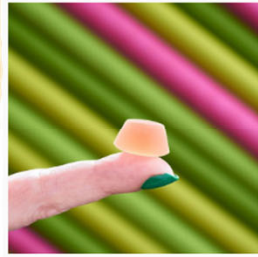
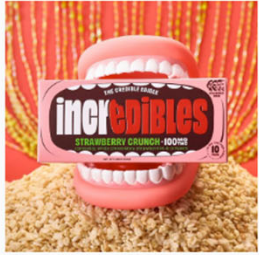
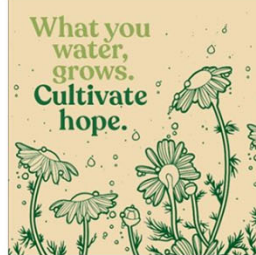
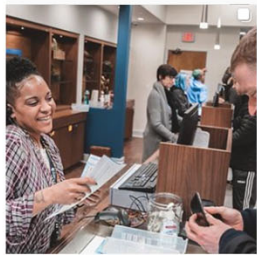
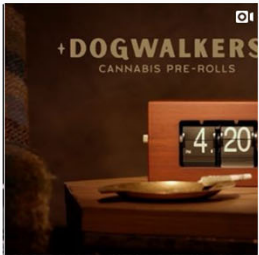
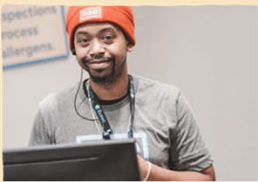
PRODUCT SAFETY + ANTI-DIVERSION

- All products packaged in childproof containers
- Barcoded and labeled with comprehensive content, testing and safety warnings for traceability and inventory management
- Seed-to-sale traceability from cultivation through manufacturing to patient
- Weekly and Monthly Inventory Audit



PUBLIC CONSIDERATIONS

- Stand-alone building with deep setback
- Absolutely zero on-site consumption
- All employees and registered visitors must be aged 21+





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

City Planning Commission

MEMORANDUM

DATE: December 30, 2021
TO: Danville City Manager's Office
Danville City Planning Commission
FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator
RE: COMPREHENSIVE PLAN STATUS

As we enter the New Year, I wanted to share the progress of developing the community engagement process for the Danville Comprehensive Plan. Our consultant team was busy over the past several months interviewing key stakeholders and learning about our City. This pre-planning effort is intentionally designed so the forward-facing community planning messaging and engagement efforts reflect Danville and resonate with constituents, but also evoke excitement and optimism for the future.

At its very best, a well-designed high-quality planning process will:

- Carry the voices of the community in a way where people can see how their ideas are used to generate a new community vision;
- Empower residents, business owners, philanthropic and non-profit entities, city employees, and others to become the change they wish to see; and
- Encourage action and implementation in a way that leverages the community's resources most efficiently and effectively.

The "Plant" Danville community engagement process will be a 12-month community conversation about our backyards, our neighborhoods, our city, and Danville's place within the region. The total project planning period may extend up to 18 months to allow for final adoption and a strategic implementation program. Key components in the process' design include:

- The overall approach is iterative in nature – with each step building on the one before it so that the community can see their input, how it was used, make sure it is correctly understood, and then how the information will be used and built on in the next phase.
- Four city-wide meetings at key points in the process so that all areas of the city can learn from one another.
- In each project phase, pre-programmed community events will be used to meet people where they are at; in addition to providing for online/virtual input opportunities and special project-related events.
- Engagement methods will be used to accommodate differences in learning and communication styles (verbal, drawing, writing).

The community engagement process is proposed in five phases. A diverse array of tools and methods that seek active participation and involvement throughout Danville will be used during specific periods. Pending confirmation from project partners, some proposed tools include a fixed storefront location, a mobile planning van, a large vinyl billboard to allow for social distancing and engagement activities, and the creation of a “meeting in a box” game that can be used by groups for team building and those who might not attend a master plan meeting.

The planning process will be built upon a foundation of small group conversations. Traditionally disenfranchised communities will be specifically invited to ensure that from the very beginning their voice is heard and that they feel welcome to engage in the planning process. The information collected during Phase 1 (described below) will then evolve into a community-wide meeting to share initial thoughts and begin to create a vision for the future.

PHASE 1: DEFINE IT!

Identify and build on community assets from the past; particularly trailblazers and innovators

Phase Duration: January – April 2022

Community engagement process kicks off with small conversations with members of the community that are often the least engaged such as seniors, youth, bus riders, and the homeless. Local community members and influencers garnered for their active role in the community will have the training to guide individuals in thoughtful discussions through the process. Facilitators in this phase will guide discussions on acknowledging the history, highlighting innovators and trailblazers in the community that serves as inspiration for future success. People will also share what they see to be strengths, weaknesses, opportunities, and threats to the community as they identify how they define their “home” and neighborhood centers.

Key community events that we might wish to leverage include:

Collidescope, February 16

PHASE 2: DREAM IT!

Envision bold solutions to current issues

Phase Duration: Mid-April – July 2022

Community Event #1: Mid-April 2022

This phase begins with the first community event that will bring all the neighborhoods of Danville together to see the culmination of their shared reflections and perspectives on defining community. Within this phase, the community will share their quality of life today, list existing issues and successes to inform the vision and values of the community. During this period, a storefront Homepage will open for individuals to learn and connect with small groups to meet throughout the engagement process. Also, to increase the number of opportunities for engagement, a mobile engagement vehicle will visit different sites and events where the community gathers and connects.

Key community events that we might wish to leverage include:

Music at the Market, Children’s Festival, Public School Summer vacation, Otterbots season begins

PHASE 3: DESIGN IT!

Establish a vision, goals, and desired outcomes and what those look like on Danville’s landscape

Phase Duration: August – October 2022

Community Event #2: Late July 2022

With the beginning of a new school year, this period for community engagement will turn the community’s mindset towards drawing on the successes of other communities to inform aspirations for the community’s future. This opportunity will test the community vision and values while also generating a list of tasks to

achieve alignment and develop metrics for success. Maps and plans for the future vision will be refined and evaluated.

Key dates within the community to intersect with for engagement:

National Night Out, Blue Ridge Music Festival, River District Festival, Market Monster Mash, School Starts, Fall Break

PHASE 4: DECIDE IT!

Empower the community and assign “owners” for big ideas

Phase Duration: November 2022 – January 2023

Community Event #3: Late October 2022

During this phase, the focus will elevate people to think about the interconnectedness of the community, its values, and priorities. Individuals will provide input on how personal action and accountability can effect change and propel action in building the community. Individuals will analyze the local map and prioritize areas for future investment while brainstorming options for implementation. Community stakeholders and city departments will be identified as potential “owners” to assume responsibility of key aspects of implementation. Up to four “special studies” will occur to develop an understanding of what policy, program, or practice steps might be necessary to advance specific key concepts or projects for early implementation.

Key community events that we might wish to leverage include:

Danville Christmas Parade and The Light Show

PHASE 5: DO IT!

Formulate an action plan to achieve the community’s aspirations

Phase Duration: February – June 2023

Community Event #4: Celebrate the Future: Mid-May 2023

During this final phase of the master plan process, the planning team will synthesize the findings, analyze studies, and document the 20-year master plan. To propel execution, a 5-year plan implementation strategy for the stakeholders, foundations, champions, and the community to use as a guide to start implementing the vision. The process will end with the final community event to present the final master plan, thanking all for informing the master plan while also celebrating the work accomplished as a community.



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City Planning Commission

MEMORANDUM

DATE: January 5, 2022

TO: Danville City Planning Commission

FROM: Doug Plachcinski, AICP, Planning Division Director + Zoning Administrator

RE: PZ21-07 MEDICAL CANNABIS DISPENSING FACILITIES

This past year, the City amended the zoning ordinance to allow medical cannabis in the N-C zoning district. The potential medical cannabis provider would like the City to instead allow medical cannabis dispensaries in the HR-C commercial zoning district as a permitted use.

If the Planning Commission recommends this code change, I recommend also including removing cannabis dispensing facilities from the N-C zoning district (Chapter 41, Article 3.J.B.16)

PLANNING COMMISSION MINUTES

DECEMBER 13, 2021

MEMBERS PRESENT

Mr. Bolton
Mr. Craft
Mr. Dodson
Ms. Evans
Mr. Garrison
Mr. Petrick

MEMBERS ABSENT

Mr. Khan

STAFF

Ken Gillie
Lisa Jones
Clarke Whitfield

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

Mr. Garrison stated there are three cases here for us today and officially there were four cases scheduled for today. The case dealing with Stewart Street has been withdrawn from our agenda today and it maybe presented at a future date. If anyone is here today to talk about Stewart Street, we will not have it on our agenda today and you will be notified again if that should come up.

ITEMS FOR PUBLIC HEARING

1. *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 four (4) unit dwelling building.*

Mr. Gillie stated I believe it is supposed to be four dwelling units not five.

Mr. Garrison stated it says four here, but I think within the body of what was presented there are five. There are three on the main floor and two in the basement.

Mr. Gillie stated the application says convert church building to four apartments. Two for short-term rental and two for long-term rental.

Mr. Garrison stated the plan shows three upstairs and two down.

Mr. Gillie stated then at this point I would have to say I can't say that it is five. It has been advertised as four, but staff report says five, I think there is some confusion, I believe. We will have to go with four or we will have to hold this item for an additional month.

Mr. Petrick stated the plans are looking like five.

Mr. Benjamin F. Moomaw appeared on behalf of the Berean Bible Church and stated we would like to do five.

Mr. Whitfield stated have him come up to the microphone so people can hear him.

Mr. Garrison stated I haven't opened the Public Hearing yet. I am just trying to determine whether it is four or five. He is saying five and the plan say five and it was advertised as four so Mr. Attorney what do we do?

Mr. Whitfield stated since it has been advertised as four and it is a more intense use of it, I think you will either have to deny it or hold it over for a month and readvertise it as five.

Mr. Garrison stated should we ask him whether he wants to hold it over?

Mr. Whitfield stated I think that is fine and I don't have a problem with that.

Mr. Moomaw stated I would like to ask to hold it over until next month.

Mr. Whitfield stated you will have to come up to the microphone.

Mr. Garrison stated you can come up to the microphone. Now we haven't opened the Public Hearing but since there is a discrepancy on the plans and what was advertised, legally it would be four because that is what was advertised and then when this came out, I noticed that it had five and you are intending for it to be five?

Mr. Moomaw III, stated I am intending for it to be five. After I had put my application in and working with Solex Architecture, we determined that five would be a better number. I am willing to wait a month and refile what I need to.

Mr. Bolton made a motion to postpone to a indefinite time for Rezoning Application PLSUP2021-389. Mr. Craft seconded the motion. The motion was approved by an 6-0 vote.

Mr. Garrison stated this item has been withdrawn from this meeting and is being held over for an indefinite time until such time.

Mr. Whitfield stated for clarification it could be next month. It's just so there's is no issue regarding timelines or nobody's crunch time wise.

Mr. Garrison stated there will not be any discussion on this item today. We will not have any public discussion for item 1 today.

Mr. Craft stated will the homeowners get the adequate notification for the surrounding residences to whether they approve or opposed this item?

Mr. Gillie stated we will send out a new letter notifying them of the correction and making sure that the add for the newspaper suggests five units as opposed to four units. That will be plenty of time for us.

- 2. Rezoning Application PLRZ2021-399, filed by Iulian and Corrie Bobe, requests to rezone 125 Jefferson Avenue (Parcel ID# 23123) from N-C Neighborhood Commercial to M-R, Multifamily Residential District. The applicant will renovate and restore the building to its previous triplex dwelling configuration.*

Mr. Garrison opened the Public Hearing.

Mr. Iulian Bobe appeared on behalf of this application, and stated, we purchased the property at 125 Jefferson Avenue and the property at 131 on the corner as you may see there. The property at 125 Jefferson to my knowledge used to be a residential three triplex.

Then it was purchased by an entity called Troika LLC, which was operated by the Episcopal Church. They applied for a zoning commercial in order to operate the Episcopal School. The school closed and we purchased the property. So, we are requesting to revert the zoning back to residential. I believe the main reason they had requested the zoning to be commercial is because they wanted to operate the school.

Ms. Evans stated where do you anticipate the residents of these three apartments parking?

Mr. Bobe stated we have a combination of on street and behind 131 we have a couple of parking spots.

Mr. Bolton stated is that an alleyway that comes in from the corner back of those properties? It shows as an open something. Is that a road?

Mr. Bobe stated no.

Mr. Bolton stated a close road?

Mr. Bobe stated we have combined between the two properties and we have about a quarter of an acre. It's not an alleyway.

Mr. Bolton stated I just wanted to be sure that little access from the side from Patton Street was something that you could use for parking and it is not a proposed street or an alleyway. Does anybody know?

Mr. Gillie stated according to our maps it is an alley.

Mr. Bolton stated could he use it for parking?

Mr. Gillie stated it's not wide enough to be used for parking. I mean, it's just an access to allow access to the rear of the property. It was probably an old coal delivery shoot or something else back there but no, it's not wide enough itself to be used for parking.

Mr. Bolton stated are you saying there is parking behind there?

Mr. Bobe stated yeah, it can fit a couple of cars there.

Mr. Bolton stated two cars?

Mr. Bobe stated probably four.

Mr. Bolton stated parking along that street is not by permit, it's just public parking. So, it's plenty there on the street, I think.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of Rezoning Application PLRZ 2021-399 as submitted. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.

3. *Special Use Permit Application PLSUP 2021-422, filed by Keith Walden on behalf of CWC Holdings LLC, requests a Special Use Permit for a Planned Unit Development in accordance with Article 17 of the Danville Zoning Ordinance including Parcel ID#s 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 22924, 24974, 21173, 20425, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 21117, 24359, 25088, 20424, 25087, 20418, 25086, 25089, 25090. The proposed Planned Unit Development will include multiple-family dwellings and an apartment building.*

Item 3 was withdrawn from the agenda until a later date.

4. *Zoning Ordinance amendment PLCA2021-415, initiated by the City Planning Commission, proposes amending the code so that corner lots have a front yard and a street-side yard instead of two (2) front yards. This amendment also addresses each regulation that relies on the new street-side yard definition.*

Mr. Gillie stated Zoning Ordinance PLCA 2021-415 not 245 as shown in the staff report itself. Do you want me to go on reading the staff report?

Mr. Garrison stated not unless it's legally required to read it all in and I don't believe it is.

Mr. Gillie stated it has not been.

Mr. Garrison stated basically, what we were trying to do is to eliminate people having to go before the BZA because they had a corner lot and they had what was considered two front yards and this will allow. I think this will alleviate all the items that have gone before the BZA in the last several months, which BZA passed. It just cleans up the code a little bit for developing a side yard for a street side yard.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of Zoning Ordinance amendment PLCA2021-415. Mr. Craft seconded the motion. The motion was approved by a 6-0 vote.

IV. APPROVE MINUTES FROM NOVEMBER 8, 2021

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

V. PLANNING DIRECTOR'S REPORT

Mr. Gillie stated it is good to see everyone. It's been quite a while since I've been here and it's nice to be back. I'm glad things are still running smoothly. The city council report from last time followed your recommendations and Doug is in Chicago with the group Middle Border Forward looking at some things hopefully that we will be able to incorporate here in the city. So, that's why I'm covering for today, but he will be back by the end of the week. So, if you have any questions or anything else, feel free to contact either him or I. That's all. Thank you.

VI. APPROVE MINUTES FROM NOVEMBER 8, 2021 WORK SESSION

The November 8, 2021 work session minutes were approved by unanimous vote.

VII. ADJOURNMENT

With no further business, the meeting adjourned at 3:14 p.m.

APPROVED _____