



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

July 10, 2023

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. ITEMS NOT FOR PUBLIC HEARING

1. PLAN Danville Presentation

IV. NEW BUSINESS

1. Special Use Permit Application PZ23-00182 filed by Sollertis Enterprises, LLC, requesting a Special Use Permit at 252 Lipton Lane (Parcel 56147) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
2. Special Use Permit Application PZ23-00188 filed by Ardecy Holdings, LLC, requesting a Special Use Permit at 219 Withers Road (Parcel 51361) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
3. Special Use Permit Application PZ23-00189 filed by DM Woodstock Enterprises, LLC, requesting a Special Use Permit at 54 Glen Oak Drive (Parcel 55396) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
4. Special Use Permit Application PZ23-00195 filed by Fortuitous Investments, LLC, requesting a Special Use Permit at 21 Ashlawn Drive (Parcel 53030) to allow short term

rental, as principal use in accordance with Article 3.E. Section C Item 29.

5. Special Use Permit Application PZ23-00196 filed by Edric M. San Miguel, requesting a Special Use Permit at 162 College Avenue (Parcel 21264) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
6. Special Use Permit Application PZ23-00198 filed by Fortiline, Inc., requesting a Special Use Permit at 4780 Riverside Drive (Parcel 72287) to allow wholesale sales in accordance with Article 3.M. Section C Item 25.
7. Special Use Permit Application PZ23-00200 filed by Bonita Chestnut, requesting a Special Use Permit at 81 Ashlawn Drive (Parcel 50056) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
8. Special Use Permit Application PZ23-00201 filed by Felix Hamelett, requesting a Special Use Permit at 145 Benefield Street (Parcel 00398) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
9. Special Use Permit Application PZ23-00202 filed by Southern Virginia Legal, PLLC on behalf of CWC Holdings LLC, Stewart Street Holdings, LLC, Big Time Rentals, LLC, and Elizabeth and Keith Walden, requests a Special Use Permit for a Planned Unit Development on Stewart and Aiken Streets in accordance with Article 17 of the Danville Zoning Ordinance to include Parcel ID#s 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089.

V. PLANNING DIRECTOR'S REPORT

VI. APPROVAL OF MINUTES

1. Minutes from June 12, 2023 meeting

VII. ADJOURNMENT



STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM:
RE: PLAN Danville Presentation

ATTACHMENTS

None



STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00182 filed by Sollertis Enterprises, LLC, requesting a Special Use Permit at 252 Lipton Lane (Parcel 56147) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

252 Lipton Lane is zoned OT-R, Old Town Residential. The applicant, Sollertis Enterprises, LLC, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1971 and has functioned as a single family dwelling since that time. There is on-street parking available on Lipton Lane and the property has a private driveway.

252 Lipton Lane was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in June. The applicant has identified a property manager that lives approximately five minutes from the subject property.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00182 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 252 Lipton Lane (Parcel ID #56147).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 252 Lipton Lane_AERIALS
4. 252 Lipton Lane LANDUSE
5. 252 Lipton Lane_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 DIVISION PROVIDED INFORMATION

Application #: P223-00182 PC Meeting Date: July 10, 2023
Date Received: May 24, 2023 Received By: Lisa Jones
Parcel ID: 56147 Address: 232 Lipton Lane
Existing Zoning OTR Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 252 Lipton Lane Danville, VA 24540

Applicant: Quincy A Poteat d/b/a Sollertis Enterprises LLC

Applicant's Address: 7801 McCarron Way Charlotte, NC 28215

Applicant's Phone Number: (704) 619-7890 / (434) 429-6242 Rep

Applicant's E-mail: gapoteat@gmail.com

Describe Proposed Request: Request to use property as
an "Air B and B" (Airbnb)

"dianne - poteat@msn.com"

 D/b/a Sollertis Ent.

Applicant Signature

date

5.19.2023

Dianne Poteat, Sollertis Rep.

Property Owner Signature
(if not applicant)

date

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

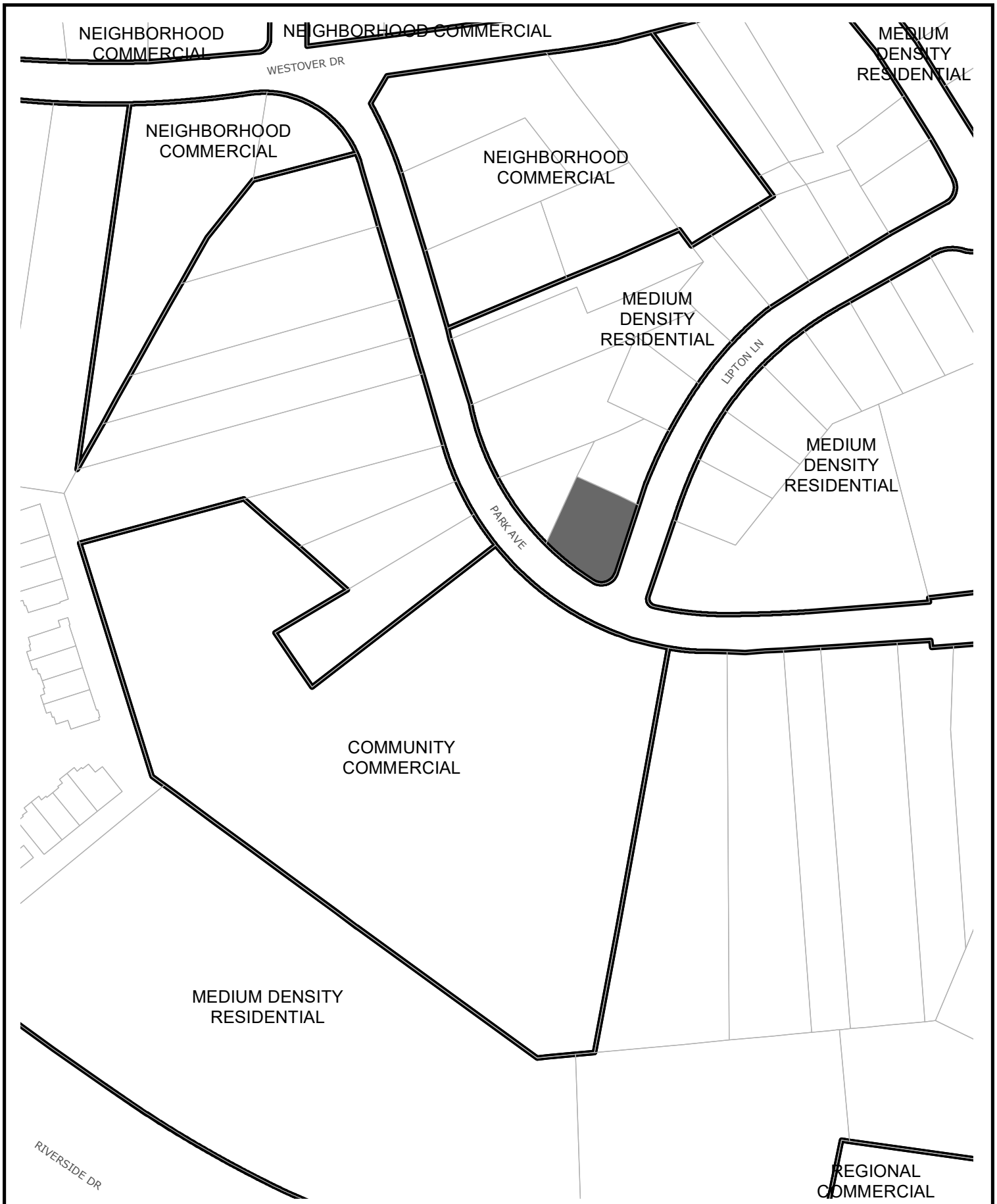
- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

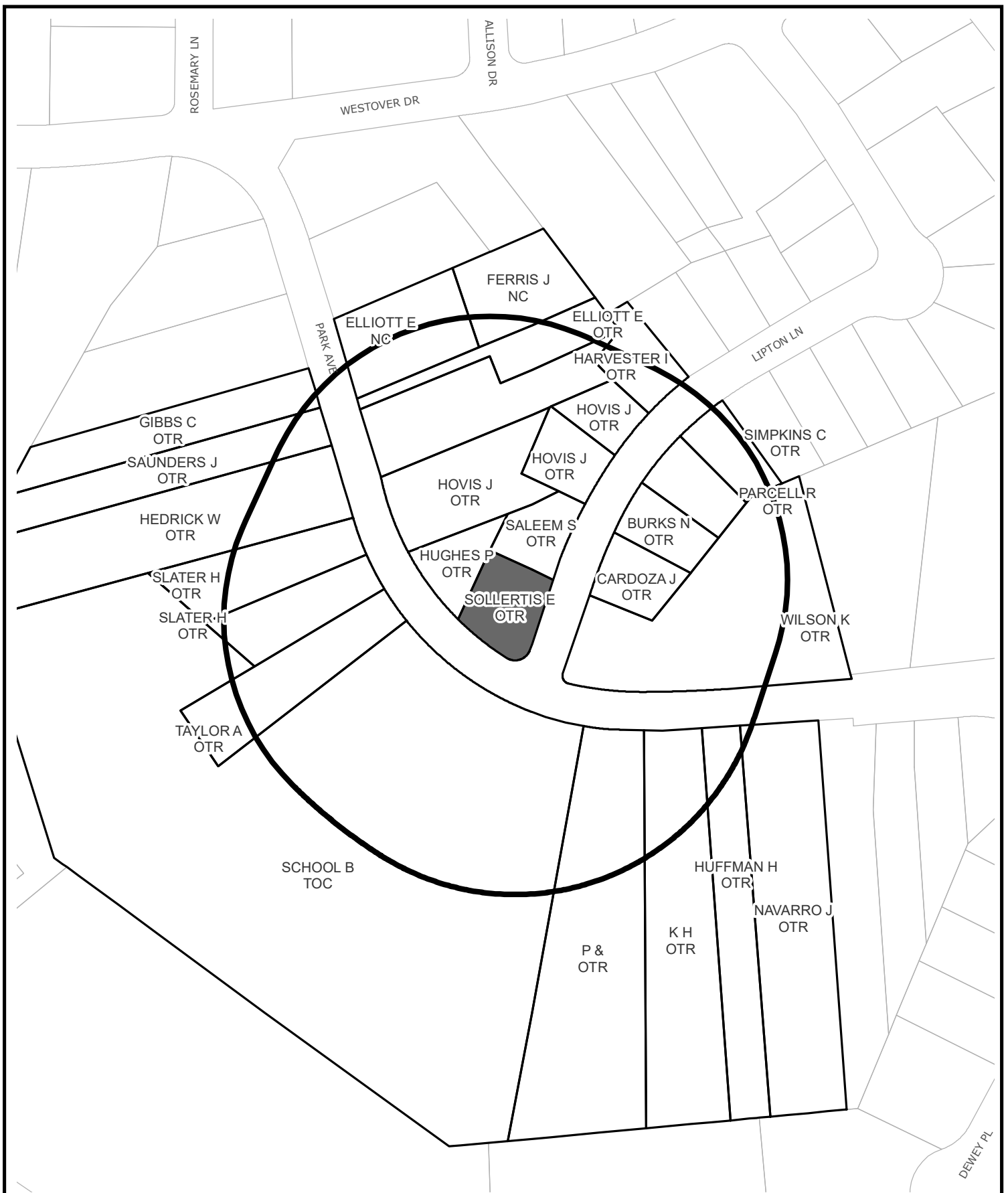
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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00188 filed by Ardecy Holdings, LLC, requesting a Special Use Permit at 219 Withers Road (Parcel 51361) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

219 Withers Road is zoned OT-R, Old Town Residential. The applicant, Sollertis Enterprises, LLC, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1925 and has functioned as a single family dwelling since that time. There is on-street parking available on Withers Road. There is no driveway located on this property.

To date, an inspection for a Certificate of Occupancy has not been completed at the subject property. A June 15, 2023 email requesting information regarding parking, property management and inspections received no response.

RECOMMENDATION

The Planning Division recommends that the Planning Commission table PZ23-00188 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 219 Withers Lane (Parcel ID #51361) until more information can be provided.

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 219 Withers Rd_AERIALS
4. 219 Withers Rd_LANDUSE
5. 219 Withers Rd_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 DIVISION PROVIDED INFORMATION

Application #: P223-00188 PC Meeting Date: July 10, 2023
Date Received: 05-31-2023 Received By: RB
Parcel ID: 51361 Address: 219 Withers Rd.
Existing Zoning DTR Future Land Use: Short-term rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 219 Withers Rd. Danville, VA 24541

Applicant: Ycedra Bell / Ardery Holdings LLC

Applicant's Address: 3643 Ashley Court Kunkletown, PA 18058

Applicant's Phone Number: 570-982-9292

Applicant's E-mail: Ladyvirtue01@hotmail.com

Describe Proposed Request: Permission to operate a short term rental

Ycedra Bell 5/31/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
 Planning Division
 6/12/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00189 filed by DM Woodstock Enterprises, LLC, requesting a Special Use Permit at 54 Glen Oak Drive (Parcel 55396) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

54 Glen Oak Drive is zoned OT-R, Old Town Residential. The applicant, DM Woodstock Enterprises, LLC, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1950 and has functioned as a single family dwelling since that time. There is on-street parking available on Glen Oak Drive and the property has a private driveway.

54 Glen Oak Drive was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in June. The property owners live within the City of Danville.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00189 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 54 Glen Oak Drive (Parcel ID #55396).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 54 Glen Oak Dr_AERIALS
4. 54 Glen Oak Dr_LANDUSE
5. 54 Glen Oak Dr_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 DIVISION PROVIDED INFORMATION

Application #: P223-00189 PC Meeting Date: July 10, 2023
Date Received: 6-1-23 Received By: Renee Burton
Parcel ID: 55396 Address: 54 Glen Oak Drive
Existing Zoning: OTR Future Land Use: Short term Rental

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 54 Glen Oak Dr Danville, VA 24541

Applicant: Misty & Derek Adams / DM Woodstock Enterprise, LLC

Applicant's Address: 117 Woodstock Way Danville, VA 24541

Applicant's Phone Number: 434-251-8291

Applicant's E-mail: dmwoodstockenterprisellc@gmail.com

Describe Proposed Request: Special Use Permit for Short-Term Rental

Misty Adams 05/31/2023

Derek Adams 05/31/2023

Applicant Signature

date

Property Owner Signature
(if not applicant)

date

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
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- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
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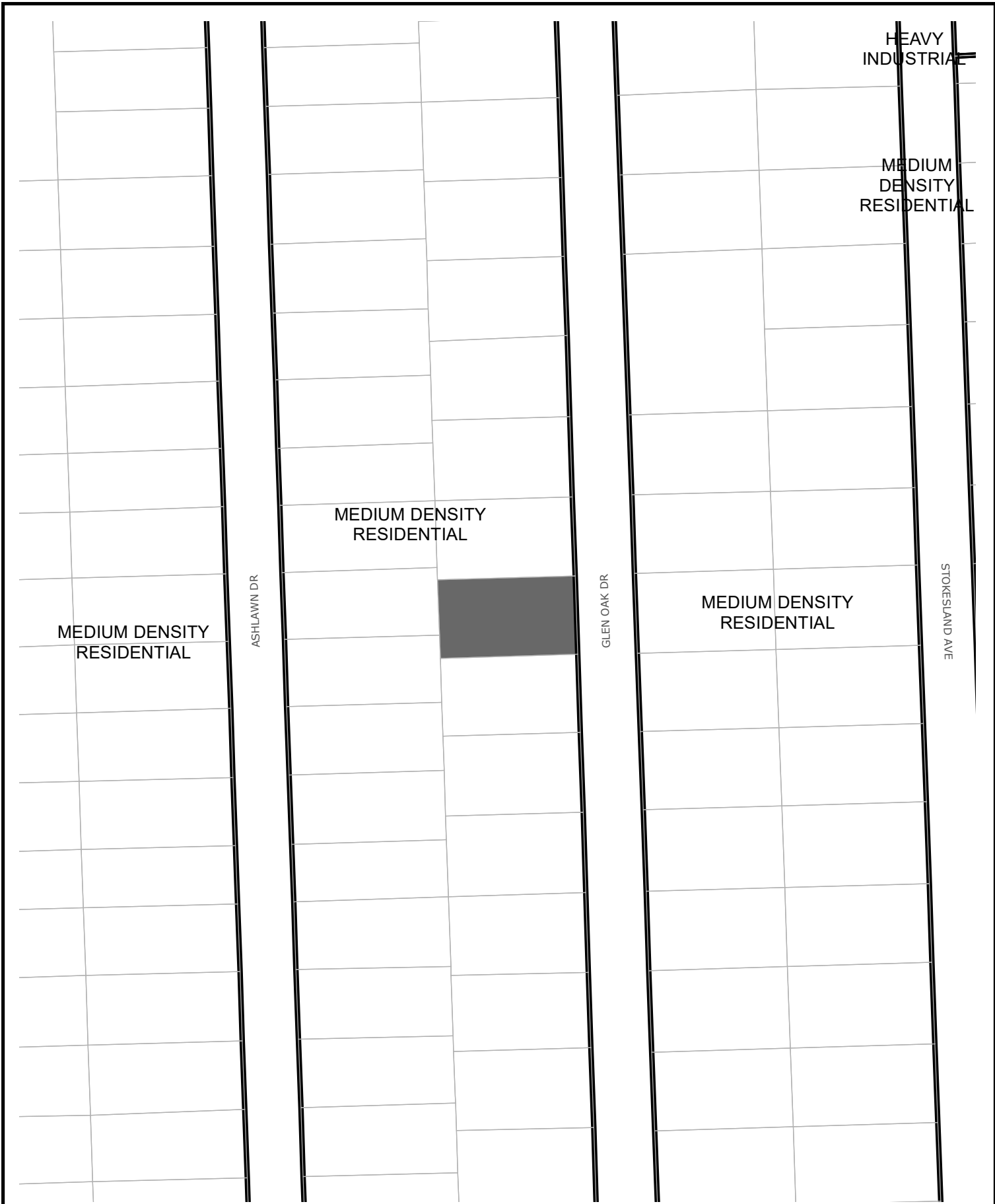


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



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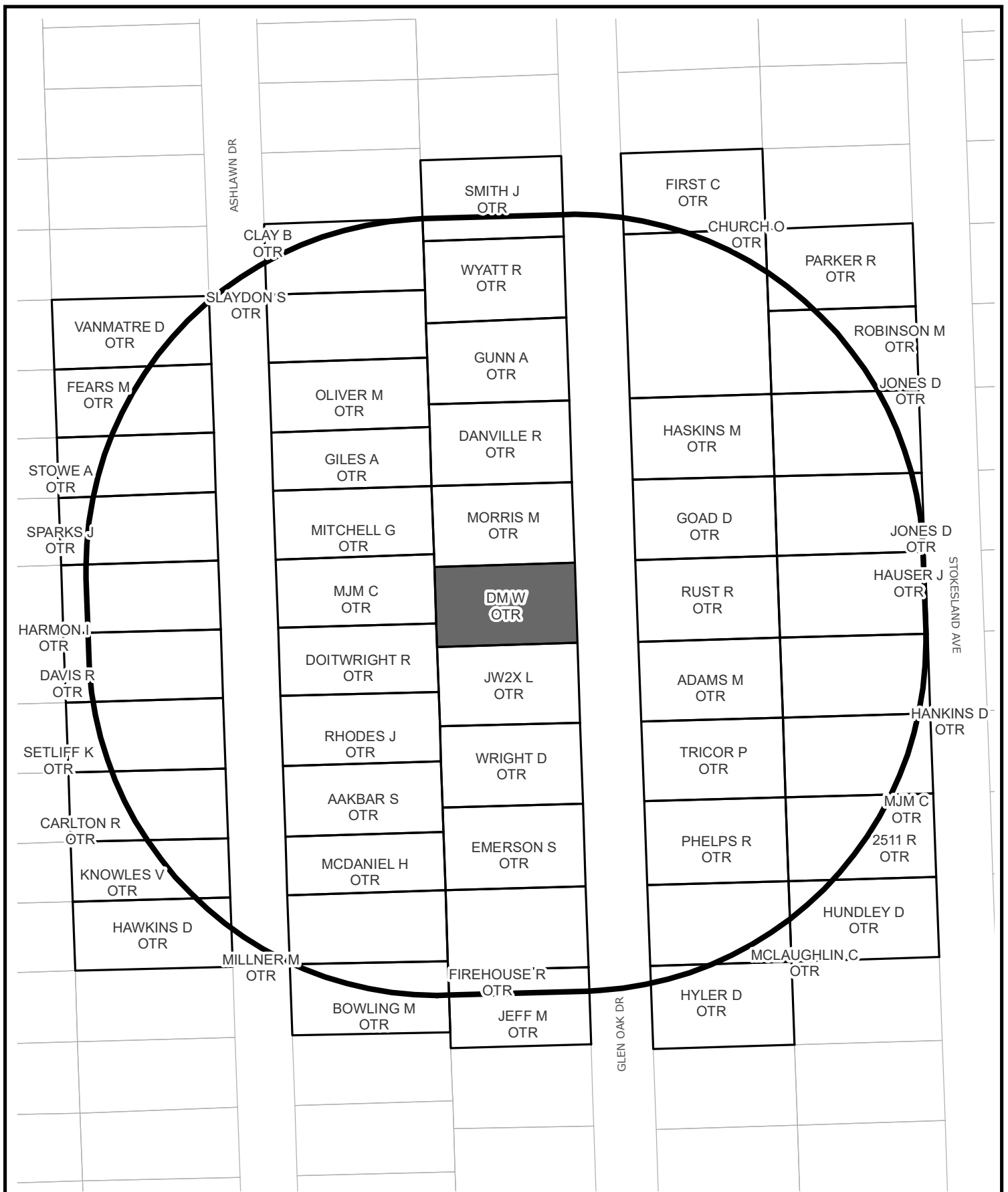
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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

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6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00195 filed by Fortuitous Investments, LLC, requesting a Special Use Permit at 21 Ashlawn Drive (Parcel 53030) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

21 Ashlawn Drive is zoned OT-R, Old Town Residential. The applicant, Fortuitous Investments, LLC, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1950 and has functioned as a single family dwelling since that time. There is on-street parking available on Ashlawn Drive and the property has a private driveway.

21 Ashlawn Drive was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in June. The subject property is located within a Rental Inspection District and has received a Certificate of Compliance from the program. The applicant has provided contact information for a property manager that lives within 50 miles of the subject property.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00195 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 21 Ashlawn Drive (Parcel ID #53030).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 21 Ashlawn Dr_AERIALS
4. 21 Ashlawn Dr_LANDUSE
5. 21 Ashlawn Dr_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 - 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 DIVISION PROVIDED INFORMATION

Application #: P223-00195 PC Meeting Date: July 10, 2023
Date Received: 6-8-23 Received By: Lisa Jones
Parcel ID: 53030 Address: 21 Ashlawn Drive
Existing Zoning OTR Future Land Use: Air B&B

21 Ashlawn, Danville

Applicant: Fortuitous Investments - Jennifer Durham

Applicant's Address: 440 Monticello Ave Ste 1802 #114219

Applicant's Phone Number: 682.218.9591 Norfolk VA 23510

Applicant's E-mail: Frtts.investments@gmail.com

Describe Proposed Request: We request to run an air

bnb at 21 Ashlawn. Our guests would
be patrons of the casino.


Applicant Signature

6.7.23
date

Property Owner Signature
(if not applicant)

date

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.

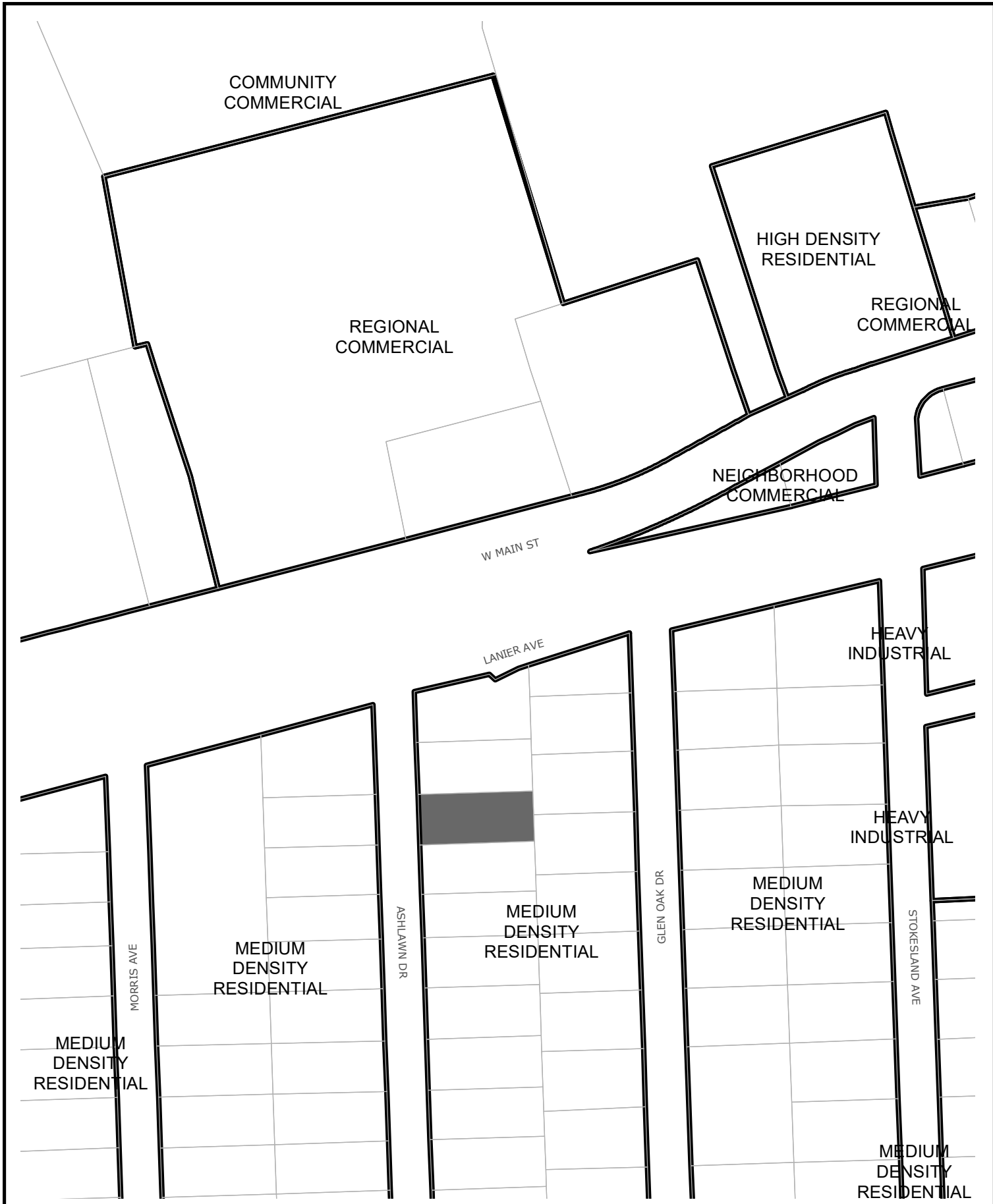


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

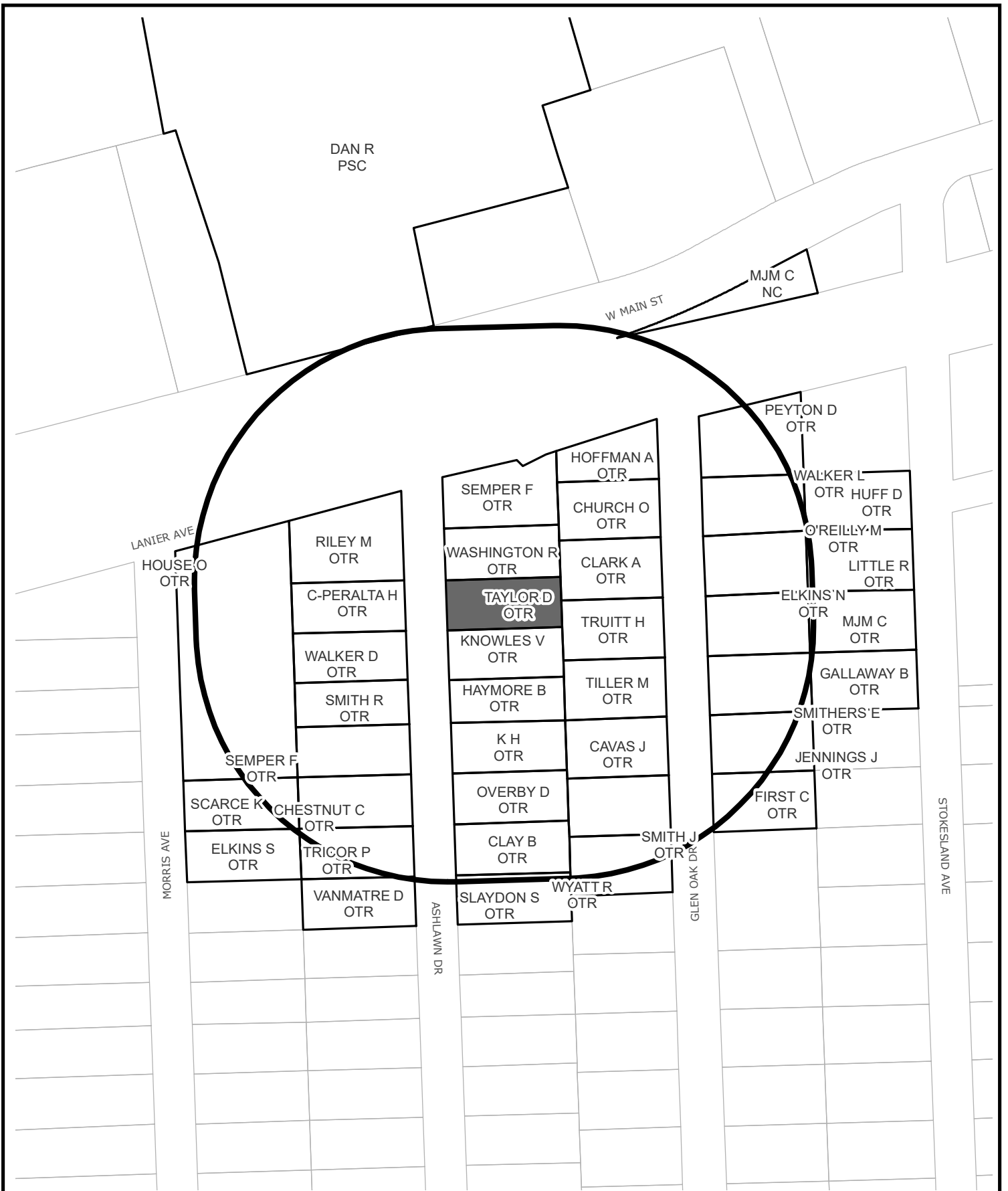
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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00196 filed by Edric M. San Miguel, requesting a Special Use Permit at 162 College Avenue (Parcel 21264) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

162 College Avenue is zoned OT-R, Old Town Residential. The applicant, Fortuitous Investments, LLC, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1912 and has functioned as a single family dwelling since that time. There is on-street parking available on College Avenue and the property has a private driveway.

162 College Avenue was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in June. The applicant resides at the location and will operate more than 50% of the structure as a short-term rental.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00196 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 162 College Avenue (Parcel ID #21264).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 162 COLLEGE AVE_AERIALS
4. 162 COLLEGE AVE_LANDUSE
5. 162 COLLEGE AVE_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 DIVISION PROVIDED INFORMATION

Application #: P223-00196 PC Meeting Date: July 10, 2023
Date Received: June 8, 2023 Received By: Lisa Jones
Parcel ID: 21264 Address: 162 College Avenue
Existing Zoning DTR Future Land Use: Air B & B

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 162 College Ave. Danville, VA 24541

Applicant: Edric M. San Miguel

Applicant's Address: 162 College Ave. Danville, VA 24541

Applicant's Phone Number: 571-375-4311

Applicant's E-mail: edric.sanmiguel@gmail.com

Describe Proposed Request: I am requesting that my primary residence listed above be allowed

to be used as a short term rental. There are currently (4) designated bedrooms in this home, one of which

I will occupy. The remaining three bedrooms will be made available to potential guests. I have successfully

passed and fulfilled all the inspection requirements with Seth Hawker from the inspections department.

EA. San Miguel 6/5/23
Applicant Signature date

Property Owner Signature date
(if not applicant)

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.

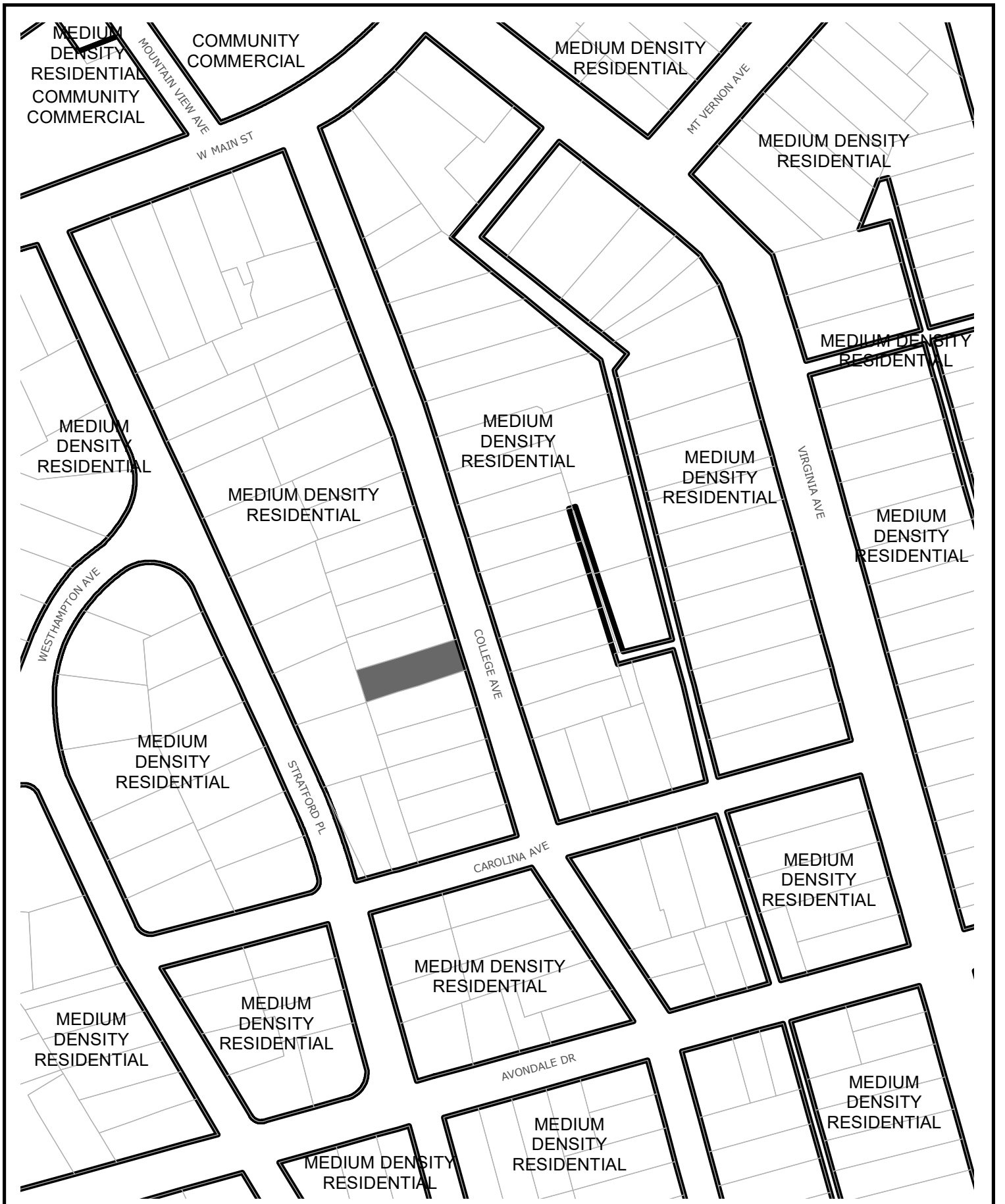


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
6/9/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/9/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/9/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00198 filed by Fortiline, Inc., requesting a Special Use Permit at 4780 Riverside Drive (Parcel 72287) to allow wholesale sales in accordance with Article 3.M. Section C Item 25.

SUMMARY

4780 Riverside Drive is zoned HR-C, Highway Retail Commercial. The HR-C zoning classification permits the operation of a wholesale sales establishment with a Special Use Permit in accordance with Article 3.M. Section C Item 25. Fortiline, Inc. is requesting a Special Use Permit to operate a wholesale pipe supply business at this location.

4780 Riverside Drive was formerly a car lot and has been vacant for many years. The lot area is 2.7 acres with a structure of approximately 15,050 finished square feet. The surrounding landuse is identified as Regional Commercial. The property is adequately served by public utilities and has existing curb cuts and a parking area adequate for this operation.

Operations will require outdoor storage. Staff recommends that all outdoor storage be prohibited in the yard between the building and Riverside Drive. Outdoor storage must be within an enclosure and screened from public view. In addition, landscaping is required along the Ingram Road side of the enclosure.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00198 for a Special Use Permit in accordance with Article 3.M. Section C Item 25 to allow wholesale sales at 4780 Riverside Drive (Parcel ID #72287) with the condition that (i) all outdoor storage is prohibited in the yard between the structure and Riverside Drive, (ii) all outdoor storage must be within an enclosure and screened from public view with fencing, (iii) any fencing and outdoor storage along Ingram Road must have a minimum 20' setback from Ingram Road, and (iv) landscaping is required along the west (Ingram Road) fence line.

ATTACHMENTS

1. Application
2. 4780 Riverside Dr_AERIALS

3. 4780 Riverside Dr_LANDUSE
4. 4780 Riverside Dr_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 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#): 4870 Riverside Drive, Danville, VA 24541

Applicant: Fortiline, Inc.

Applicant's Address: 15850 Dallas Parkway, STE 200, Dallas, TX 75248

Applicant's Phone Number: 407-790-8160

Applicant's E-mail: realestate@reece.com

Describe Proposed Request:

Fortiline, Inc. is seeking to lease space at the Property location for operation of a wholesale plumbing supply business as permitted as of right in the HRC zoning district subject to obtaining a special use permit.

Fortiline 's use is similar to adjacent wholesale supply uses located on the street. Fortiline will have outside storage in the rear of the property which is not used for customers.

Fortiline is submitting BZA variance request for the City of Danville to approve Fortiline's proposed exterior fence plan and access gates

Site Plan	A site plan is attached as Exhibit A and a larger, PDF file is being submitted as an independent document
Proposed Use	Fortiline, Inc. is seeking to lease space at the Property location for operation of a wholesale plumbing supply business as permitted as of right in the HRC zoning district subject to obtaining a special use permit.
Hours of Operation	Monday through Friday – 7 AM to 5 PM
Number of Employees	8-10 total employees
Number of Daily Customers	5-10 daily customers. The majority of Fortiline's business is with municipalities, governmental agencies and commercial contractors which are serviced by delivery by Fortiline.
Compatibility with Comprehensive Plan	Fortiline's planned operation of a wholesale waterworks, pipe and building supply business at the location is consistent with the Comprehensive plan of the City. Fortiline is a first class operator in the wholesale waterworks industry and provides the necessary pipes, hydrants and waterworks equipment used for the continued growth and expansion of the City of Danville. Fortiline's business is consistent with goals of the Comprehensive plan to build the economic base beyond manufacturing, redevelop a building that has been vacant since 2009 and to provide the infrastructure used to enhance the public safety of the City of Danville.

Compatibility with applicable zoning district	The property is zoned HRC Highway Retail Commercial. Fortiline's planned operation of a wholesale waterworks, pipe and building supply business at the location is permitted as of right after compliance with the City of Danville special use permit requirements.
Compatibility with surrounding properties	Fortiline's planned operation is consistent with the surrounding property which operate automobile dealerships and repair facilities to the left and discount store and a plumbing supply store to the right. Fortiline's operations are very similar to the adjacent properties.
Compatibility with current and future neighborhood conditions	Fortiline's planned location is consistent with the planned neighborhood conditions. In the event the neighborhood seeks to be redeveloped, Fortiline will provide the underground pipes, hydrants and waterworks materials used to redevelop the area.
Compatibility with pedestrian and vehicular traffic patterns, onsite and offsite	Fortiline's planned operation will have approximately 8-10 employees on any given day and typically less than 10 customers a day. Fortiline's operations should not have any impact on current pedestrian or vehicular traffic.
Compatibility with adequate public facilities	Fortiline's planned operation will not have any material impact on public facilities available in the area. Fortiline's operations will have approximately 8-10 employees on any given day and typically less than 10 customers a day. Fortiline does not engage in any processing or manufacturing and will use this location as a wholesale sales distribution branch. There should be no impact on existing public facilities.

FORTILINE, INC.

RCCM PROPERTIES, LLC

Keith L Young

06 / 12 / 2023

Applicant Signature

date

By: Keith Young, its Regional Vice President

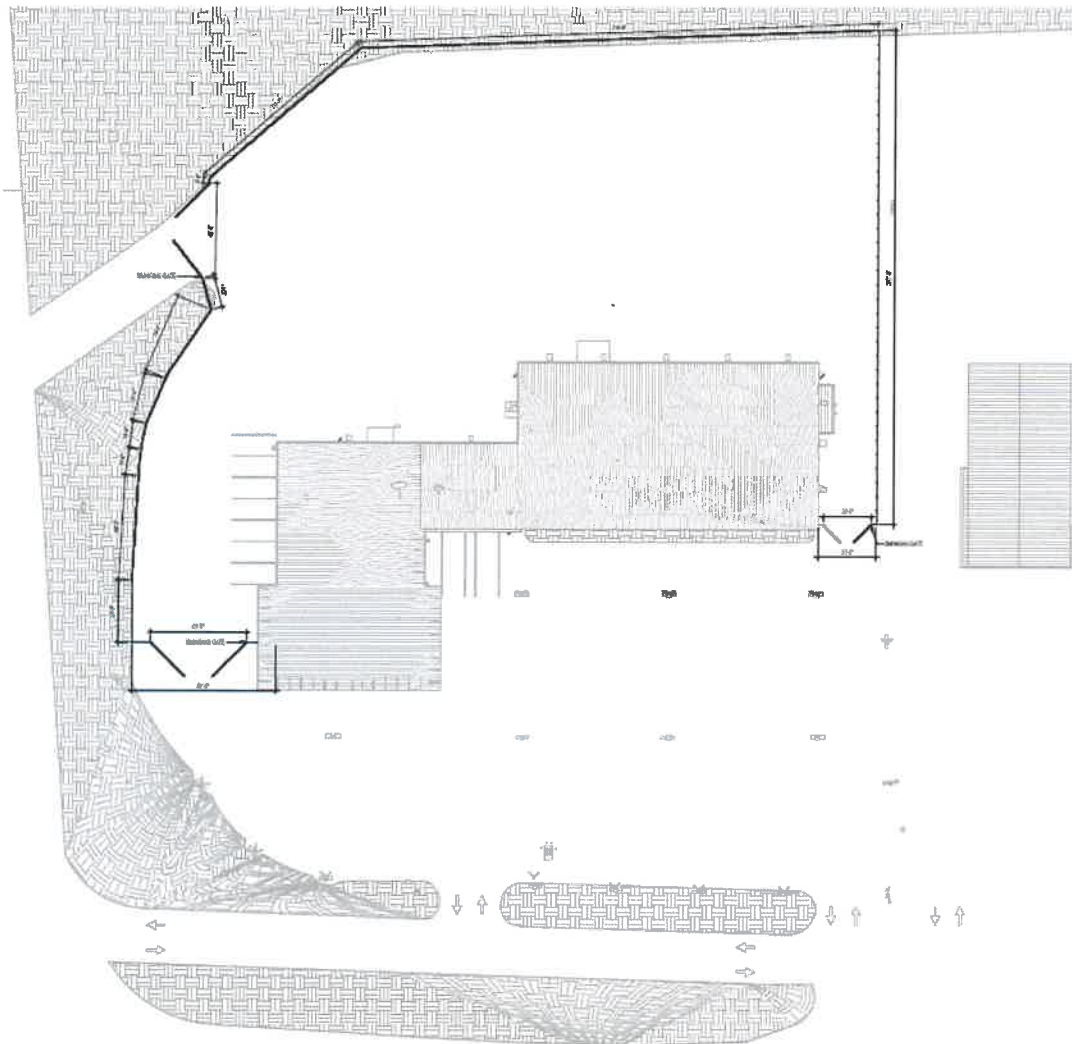
DMH

6/12/23

Property Owner Signature
(if not applicant)

date

EXHIBIT A



Title	Reece - Danville VA - Special Use Permit - Fortiline Signed
File name	2023-06-07 - PC S...For Execution.pdf
Document ID	6324f6471b0004c338699b0b827b738b75c873c2
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History



SENT

06 / 12 / 2023
15:46:58 UTC

Sent for signature to Keith Young
(keith.young@fortiline.com) from ryan@rivchun.com
IP: 69.135.71.194



VIEWED

06 / 12 / 2023
15:52:51 UTC

Viewed by Keith Young (keith.young@fortiline.com)
IP: 161.123.231.246



SIGNED

06 / 12 / 2023
15:54:18 UTC

Signed by Keith Young (keith.young@fortiline.com)
IP: 166.205.147.108



COMPLETED

06 / 12 / 2023
15:54:18 UTC

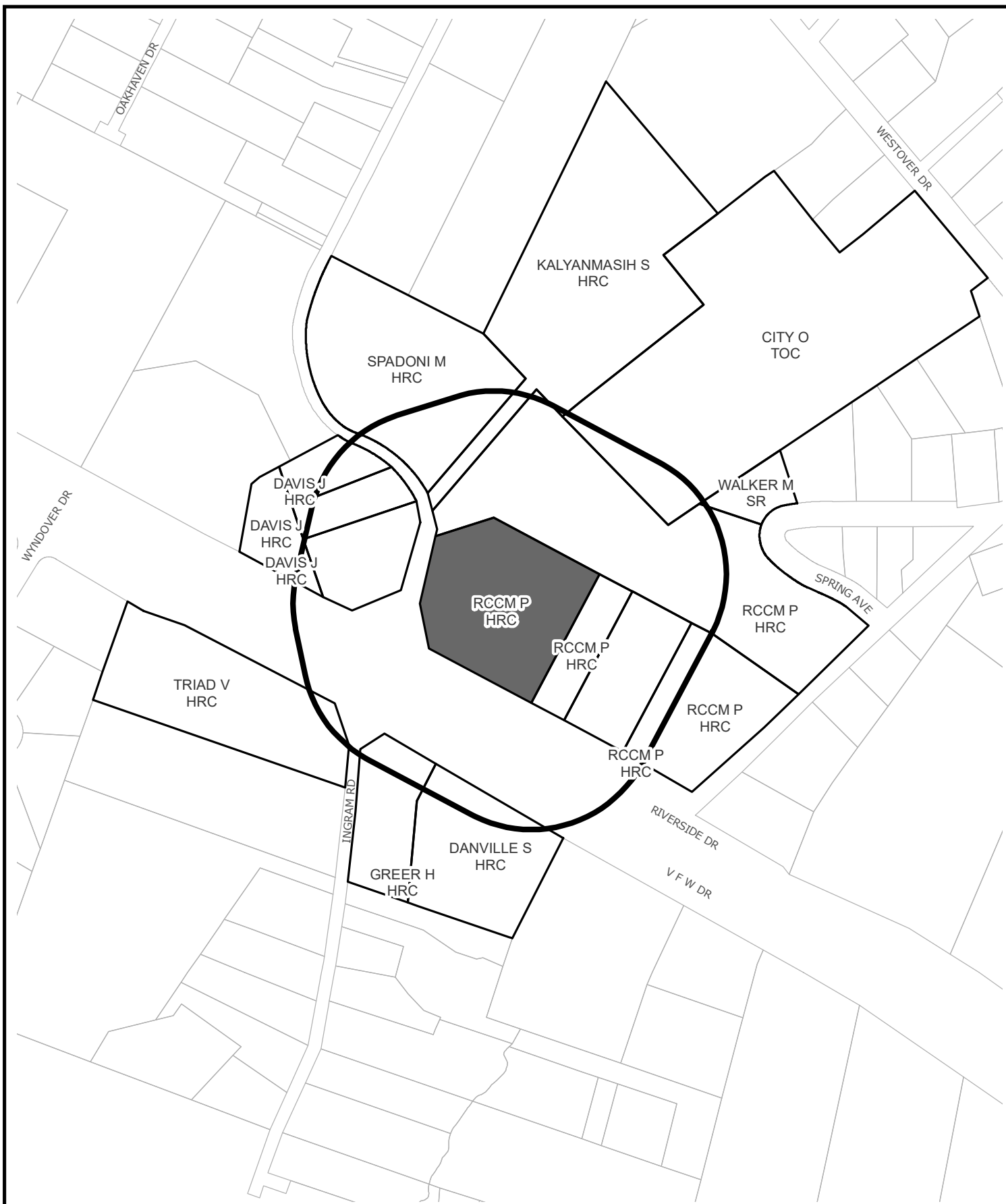
The document has been completed.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

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Planning Division
6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00200 filed by Bonita Chestnut, requesting a Special Use Permit at 81 Ashlawn Drive (Parcel 50056) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

81 Ashlawn Drive is zoned OT-R, Old Town Residential. The applicant, Bonita Chestnut, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1950 and has functioned as a single family dwelling since that time. There is on-street parking available on Ashlawn Drive and the property has a private driveway.

The property owner is currently adding a bedroom to 81 Ashlawn Drive. After final inspections for the addition, a Certificate of Occupancy inspection can be completed. The property owner(s) live within the City of Danville.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00200 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 81 Ashlawn Drive (Parcel ID #50056).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 81 Ashlawn Dr_AERIALS
4. 81 Ashlawn Dr_LANDUSE
5. 81 Ashlawn Dr_OWNERS

CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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:
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 - (3.) The surrounding properties.
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 - (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 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#):

81 Ashburn DR

Applicant:

Darla Chestnut

Applicant's Address:

623 Vicar Rd Danville VA 24540

Applicant's Phone Number:

434.548-3008

Bhc

Applicant's E-mail: blessed_bhc@yahoo.com

Describe Proposed Request:

Proposal for Airbnb

Applicant Signature

date Property Owner Signature
(if not applicant)

date

Bmcb Christy 6-12-23

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.

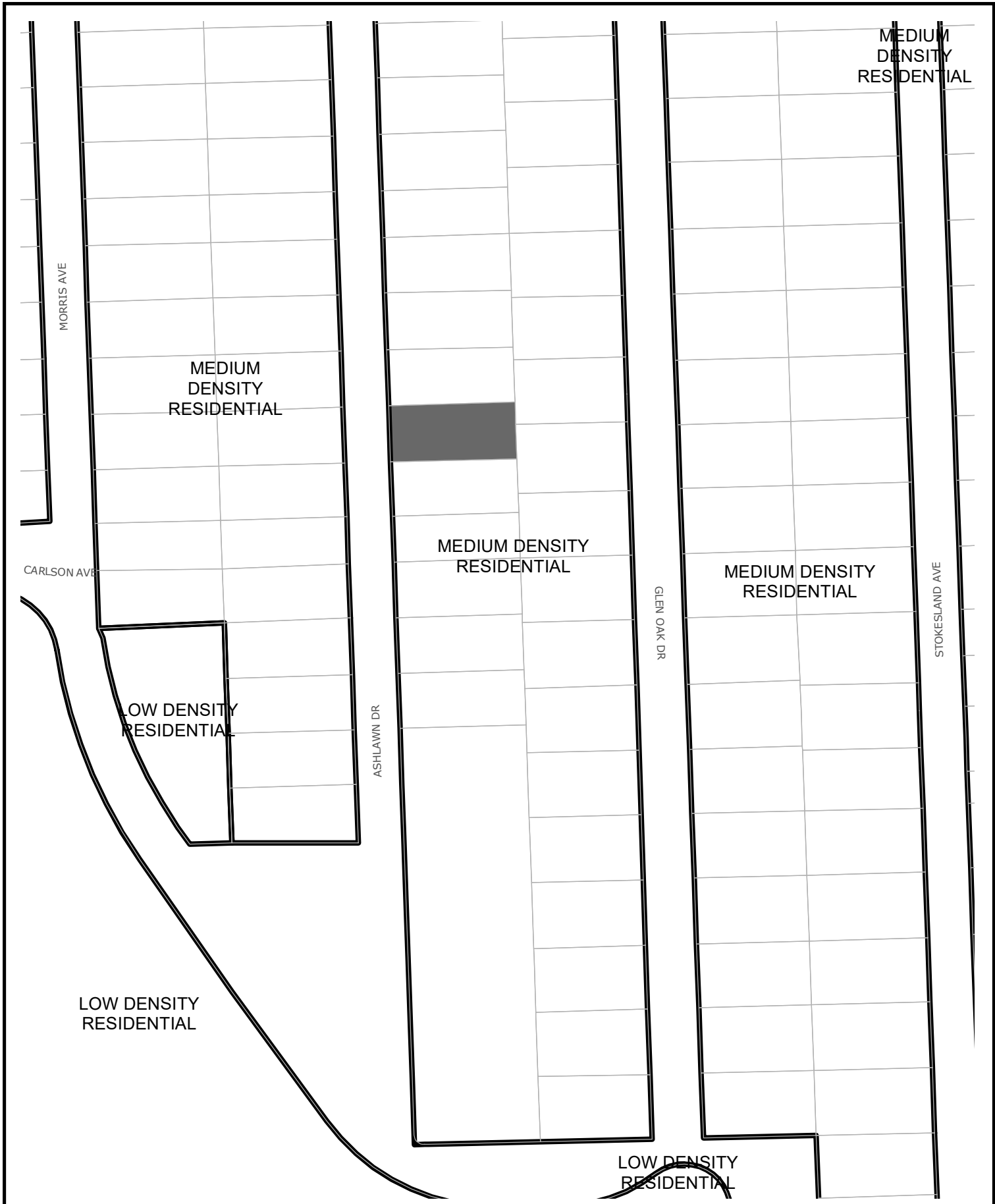


2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

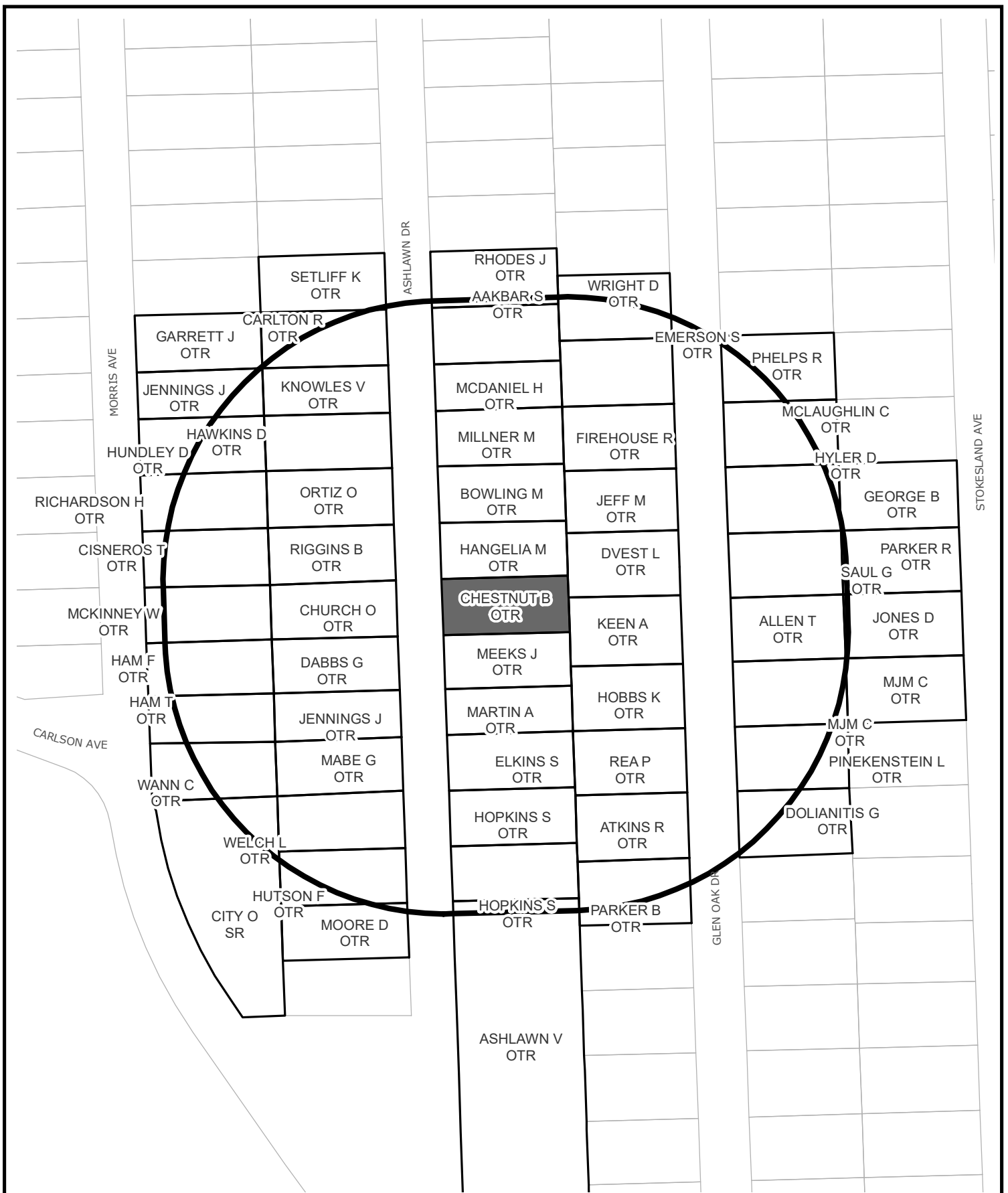
Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, 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
6/12/2023

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
6/12/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00201 filed by Felix Hamelett, requesting a Special Use Permit at 145 Benefield Street (Parcel 00398) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

145 Benefield Street is zoned OT-R, Old Town Residential. The applicant, Felix Hamelett, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.E. Section C Item 29.

The subject property was built in 1922 and has functioned as a single family dwelling since that time. There is on-street parking available on Ashlawn Drive and the property has a private driveway.

145 Benefield Street was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in June. The applicant lives out of town, but has identified two (2) individuals that live within 50 miles of the subject property that will assist with management of the rental and are available in case of emergency.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00201 for a Special Use Permit in accordance with Article 3.E. Section C Item 29 to operate a Short Term Rental as a principal use at 145 Benefield Street (Parcel ID #00398).

ATTACHMENTS

1. Application
2. Short Term Rental Regulations
3. 145 Benefield St_AERIALS
4. 145 Benefield St_LANDUSE
5. 145 Benefield St_OWNERS



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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 DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____

Date Received: 06-12-2023 Received By: RB

Parcel ID: _____ Address: _____

Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 145 Benefield Street

Applicant: Felix D. Hamelett

Applicant's Address: 4904 7TH Street NE Washington DC 20017

Applicant's Phone Number: 202-841-0444

Applicant's E-mail: dhamelette@gmail.com

Describe Proposed Request: Short Term Rental

Felix Hamelett 6/12/23

Applicant Signature

date

Property Owner Signature
(if not applicant)

date

Y. - Short-Term Rentals.

1. Short-term rental approval.

- a. Short-term rentals must obtain a business license clearance from the Zoning Administrator and register with the Commissioner of Revenue prior to operating or advertising the property for short-term rental.
- b. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- c. The short-term rental must register with the Commissioner of Revenue to collect and remit the City's transient lodging tax and other applicable fees as specified in Chapter 37 entitled "Taxation."

2. Short-term rental standards.

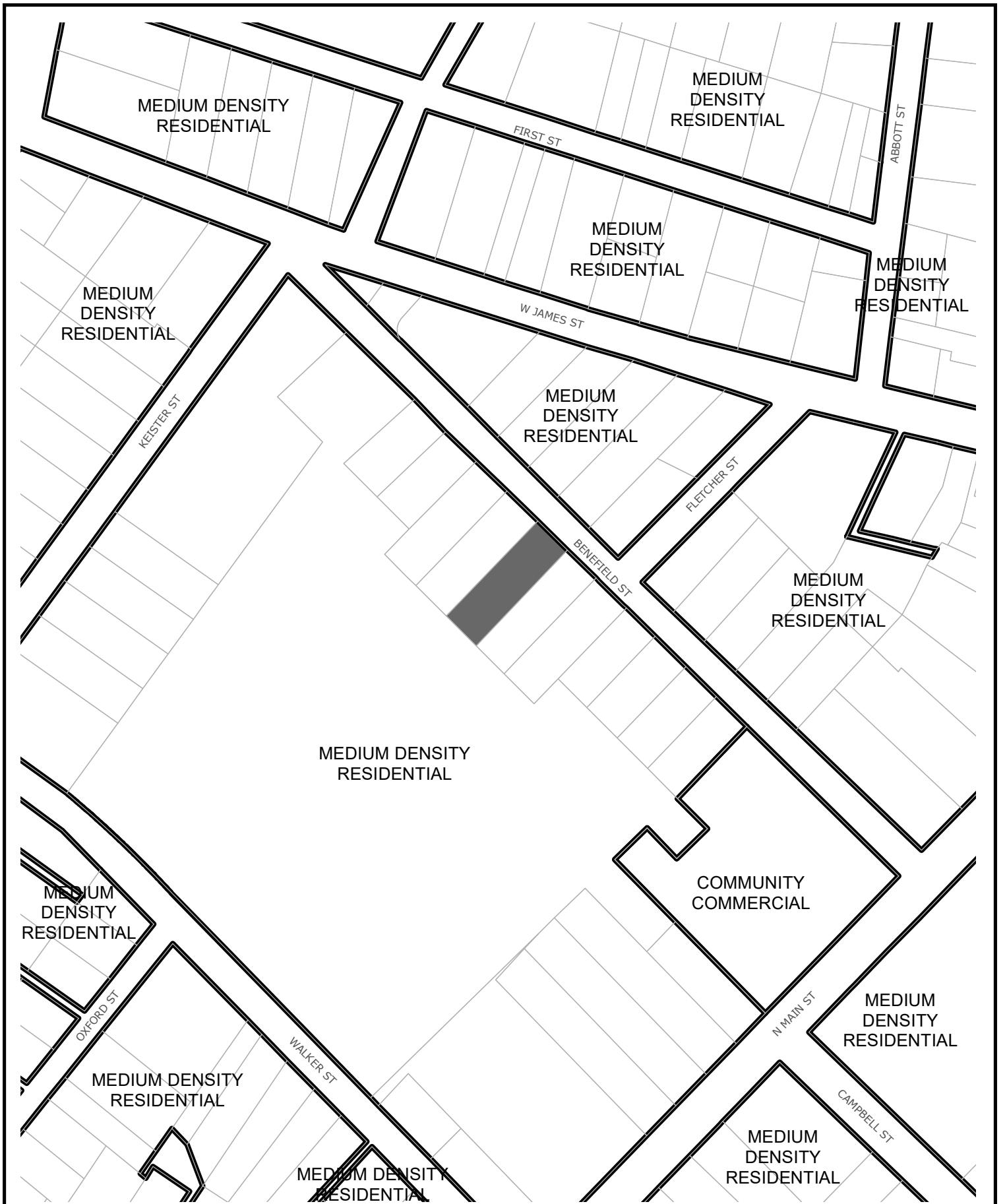
- a short-term rental may only provide short-term occupancy services for compensation for guests including lodging, packaged food and beverages, and other incidental items typically found within a residence. The short-term rental must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- b. Short-term rentals are permissible accessory uses to permitted dwellings in the SR-R, T-R, S-R, NT-R, OT-R, A-R, MHP-R, TO-C, CB-C, and TW-C zoning districts.
- c. If the owner of a short-term rental does not live within 50 miles of the City, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance.
- d. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88). Including a Certificate of Occupancy for each unit
- e. If a short-term rental is within a City Rental Housing Inspection Division District, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).
- f. The minimum short-term rental contract rental period is 18 hours.
- g. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- h. Short-term rental parking must be on the associated property or on street immediately adjacent to it unless the short-term rental is in the CB-C or TW-C zoning districts.
- i. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- j. Units must have an emergency exit plan posted inside the door to each sleeping room showing the exit pathway from the sleeping room to the nearest exit from the dwelling.
- k. Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

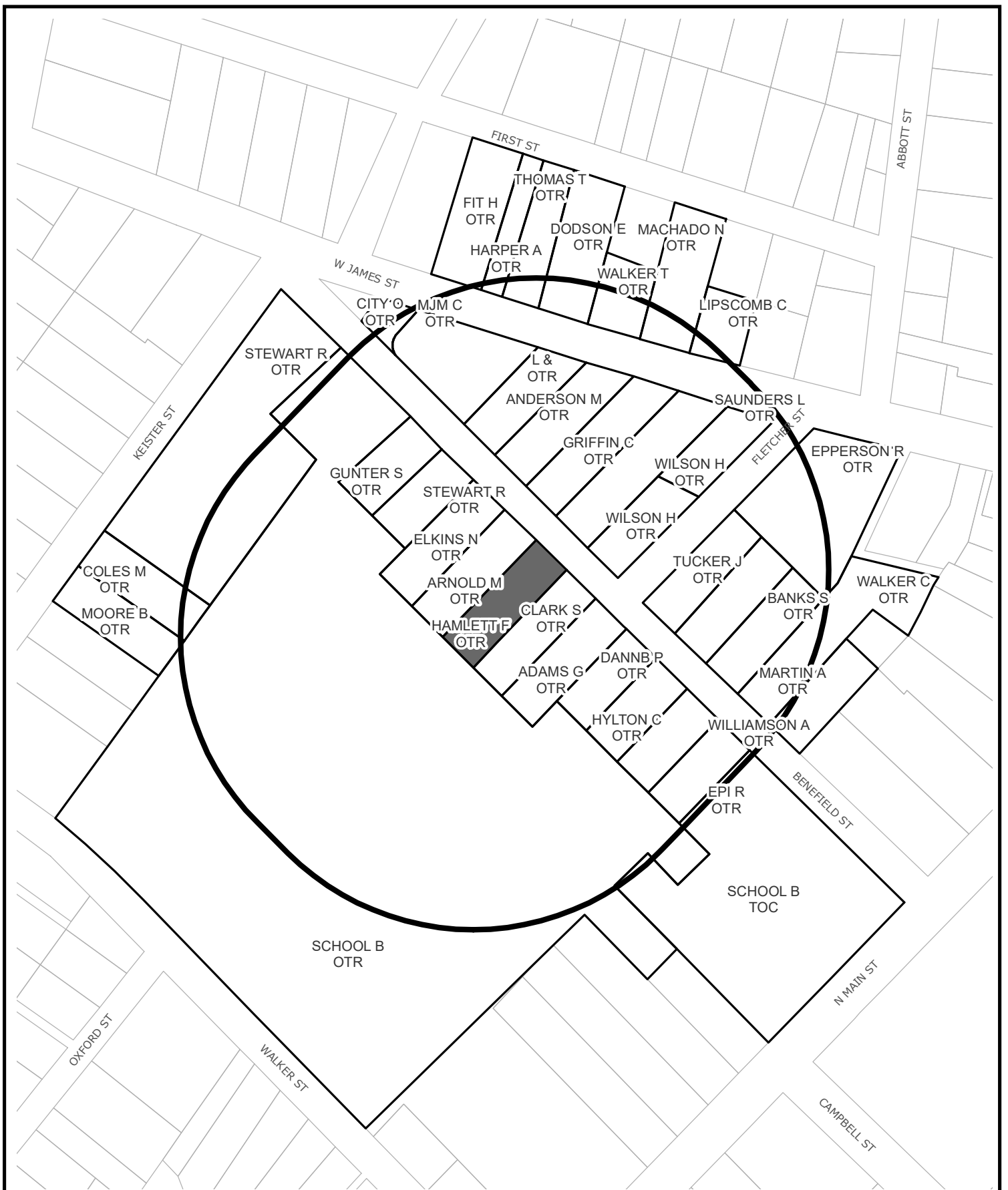
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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/12/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
6/12/2023

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STAFF REPORT

DATE: July 10, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit Application PZ23-00202 filed by Southern Virginia Legal, PLLC on behalf of CWC Holdings LLC, Stewart Street Holdings, LLC, Big Time Rentals, LLC, and Elizabeth and Keith Walden, requests a Special Use Permit for a Planned Unit Development on Stewart and Aiken Streets in accordance with Article 17 of the Danville Zoning Ordinance to include Parcel ID#s 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089.

SUMMARY

In April 2022, City Council approved a Planned Unit Development (PUD) for the development of Stewart Street as applied for by CWC and Elizabeth and Keith Walden. The PUD was approved with the following conditions:

1. The permitted uses at the development are residential;
2. 35% of the buildings' exterior will be masonry;
3. The buildings will not have vinyl siding on exterior vertical fascia;
4. The development will have sidewalk connectivity to West Main Street;
5. The developer will complete a Traffic Impact Analysis in consultation with the City and implement the recommendations;
6. The development will not exceed 25 dwelling units per acre;
7. The development must meet all ingress and egress requirements of the building and fire codes;
8. The development includes amenities for residents including a clubhouse and swimming pool;
9. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance; and
10. That the developer executes and records a development agreement with the City that acknowledges these conditions

Since April 2022, the applicant(s) have acquired additional parcels that will allow for the expansion of the project. The expansion will include thirty-three (33) additional units, sixty-two (62) additional parking spaces and access from both West Main and Watson Street. Watson Street access is for residents and Emergency Services only. The developable area has increased from 6.59 acres to 9.0 acres. The applicant is requesting to amend the existing PUD to include additional parcels. Staff does not recommend an amendment to the conditions for this additional acreage. However, a new development agreement will be required to reflect the proposed changes.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00202 for a Special Use Permit for Planned Unit Development on Stewart and Aiken Streets in accordance with Article 17 to include Parcel ID#s 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089.

ATTACHMENTS

1. Application
2. Supporting documents
3. Stewart_AERIALS
4. Stewart LANDUSE
5. Stewart OWNERS



June 12, 2023

Via Hand Delivery and Electronic Mail

Ms. Renee Burton
Director of Planning
City of Danville
427 Patton Street
Danville, Virginia 24541

Re: Special Use Permit Application submitted by CWC Holdings LLC, Big Time Rentals LLC, Stewart Street Holdings LLC, and Elizabeth and Keith Walden

Dear Ms. Burton:

On behalf of CWC Holdings LLC (“CWC”), Stewart Street Holdings LLC (“Stewart Street Holdings”), Big Time Rentals LLC, and Elizabeth and Keith Walden (collectively, the “Walden Family”), I am pleased to submit this Special Use Permit Application for the following parcels located on Stewart and Aiken Streets (the “Parcels”): 20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069, 25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561, 22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331, 24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103, 22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418, 25086, 25090, and 25089 (the “Application”).¹

Specifically, and as set forth below, the Application seeks to amend and expand its proposal to redevelop Stewart Street that was previously considered by the Planning Commission and subsequently approved by City Council (in the form of a special use permit for a planned unit development).

Enclosed for your review and reference are a completed Application Form, marked as Exhibit A, which this letter is intended to supplement, along with a check in the amount of

¹ Please note that Parcel ID Number 21700 is owned by Wendy M. Noble, who has agreed to sell her property to Stewart Street Holdings; a copy of the purchase contract for this transaction can be made available to the City upon request. The Walden Family has attempted to obtain Ms. Noble’s signature on the enclosed two-page Special Use Permit Application from the City’s website (the “Application Form”) but has thus far been unable to speak with Ms. Noble. The Application Form will be updated with Ms. Noble’s signature as soon as it is obtained.

\$360.00, representing the City’s fee associated with this Application. Additional exhibits are identified below.

Description of Previously Approved Development

In April 2022, City Council approved a comprehensive proposal from CWC and Elizabeth and Keith Walden for a planned unit development to redevelop the bulk of Stewart Street and create an attractive, high-end apartment community that would return this corridor to productive use (the “2022 Proposal”).

Specifically, the 2022 Proposal envisioned 162 units, each ranging between one and three bedrooms, across six separate three-story structures. As proposed, this community would feature a clubhouse and pool for residents as well as convenient access to W. Main Street for pedestrians and vehicles. The 2022 Proposal enjoyed strong, vocal support from Averett University, SOVAH – Danville, the Institute for Advanced Learning and Research, and Townes Funeral Home among other local employers and neighboring property owners.

Following last spring’s approval, CWC – with input from City staff – commissioned a traffic study as required by City Council (the “Traffic Study”). The recommendations of the Traffic Study – which, importantly, did not call for installation of a traffic signal at the intersection of Stewart and W. Main Streets – were accepted by City staff.

Updates to 2022 Proposal

Over the intervening year, two key events have occurred: (1) the City received the results of its comprehensive housing study, showing a clear need for additional housing units across all income levels, and (2) the Walden Family has been fortunate to acquire all but one of the remaining parcels on Stewart Street along with the parcels that front neighboring Aiken Street.

By virtue of these acquisitions, the Walden Family has the opportunity to build further on the vision set forth in the 2022 Proposal, which has the added benefit of allowing for greater progress toward meeting the demonstrated demand for housing in our community.

As shown on the site plan marked as Exhibit B (the “2023 Proposal”), the expanded project includes a number of key changes:

- Increase in the total acreage of the development from 6.59 acres to 9.0 acres (i.e., +36.6%);
- Addition of 33 more apartment units, which are now dispersed across eleven buildings rather than six;
- Increase in total parking spaces from 231 (1.4 spaces/unit) to 293 (1.5 spaces/unit), with nearly 2 spaces added for each new unit; and
- Access to the development for residents from both W. Main **and** Watson Streets, with access to the latter being controlled via gate.

Even with this expanded vision, the 2023 Proposal still (1) retains open space of 34% of the total acreage of the project, more than double that required by City Code, and (2) decreases from 24.6 units per acre to 21.7 units per acre the density of the development. (In the event the Walden Family is able to obtain the final Stewart Street parcel not currently under their control (i.e., PIN 22093), this density will decrease further.) This reduction in density, combined with the addition of gated access to and from Watson Street, represents a good-faith effort by the Walden Family to hear and act upon prior feedback from neighboring property owners with respect to the 2022 Proposal.

Other key details of the project mirror (or build upon) the 2022 Proposal. As shown on Exhibit B, the development will feature convenient, safe access to both W. Main and Watson Streets and feature a comprehensive landscaping plan that emphasizes an appropriate buffer between it and its neighbors. This landscaping plan and the investment in underground stormwater infrastructure reflect a true commitment by the Walden Family not to interfere with neighboring property owners but also to mitigate long-standing concerns, such as poor drainage along the southwest side of the development.

In addition, to the same end, the proposed development will include controlled lighting that ensures resident safety but does not extend past the development's property lines. To the extent that your team, the Planning Commission, or neighboring property owners identify additional mitigating measures, the Walden Family is committed to considering them in good faith.

The sample elevations included herein as Exhibit C also reflect additional commitment to improving upon earlier designs so that the heavily brick aesthetic of the surrounding area is appropriately reflected in the anticipated buildings. These elevations satisfy the requirements associated with approval of the 2022 Proposal for building exteriors that are at least 35% masonry and do not have vinyl siding on exterior vertical fascia.

Finally, the Walden Family intends to bring the Parcels under unified ownership should this Application meet with the approval of the Planning Commission and City Council. They have engaged Reimagine Ventures LLC, led by Rory Dowling and Mark Hermann, to assist with project management, including the construction phase, and intend to have the completed project managed by an experienced local vendor once operational.

Additional Compatibility Considerations

The updated development outlined in this Application remains in harmony with the City of Danville's 2030 Comprehensive Plan, (1) constituting sustainable, in-fill housing that can meet the current and growing demand demonstrated by the Housing Study and, in doing so, (2) supporting the continued economic development of the region.

The aims of the Application are also in harmony with the current intent and purpose of this zoning district, as it represents the return of residential development to this corridor and takes advantage of a rare opportunity to realize density in an established portion of the City.

Finally, the updated development remains consistent with the residential character of adjacent properties, surrounding neighborhoods, and existing and proposed development, and – as described below – it is intended to enhance the value and enjoyment of adjacent properties. Moreover, the Application reflects two material changes – an increase in parking and the addition of a second access point – that demonstrate a genuine desire to incorporate feedback from fellow residents.

Residents of the proposed development will have ready access to W. Main **and** Watson Streets, both for vehicular and pedestrian uses. Fire and other first responders will also enjoy easy ingress and egress from each direction. The Parcels presently have connections to public water and sewer facilities, which will be maintained, if not enhanced, by the proposed development. Furthermore, the drainage concerns that have historically existed along the southwest side of the subject area will be significantly mitigated by the underground stormwater infrastructure that will be created.

Application Requirements for Special Use Permit

Our intention has been to address above each of the requirements identified as a requirement for consideration of this Application. To the extent that any item has been overlooked, we will gladly and promptly supplement this letter.

* * *

Thank you in advance for your consideration of this Application. Should you or your staff have any questions, do not hesitate to let me know. We look forward to discussing updates to the proposed development with the Planning Commission in July.

Sincerely,



Steven P. Gould

Enclosures

- c: CWC Holdings LLC (w/encls.) [via electronic mail]
- Elizabeth and Keith Walden (w/encls.) [via electronic mail]
- Stewart Street Holdings LLC (w/encls.) [via electronic mail]
- Big Time Rentals LLC (w/encls.) [via electronic mail]



CITY PLANNING COMMISSION

SPECIAL USE PERMIT APPLICATION

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 of \$360.
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.
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 - c. A written statement of proposed project compatibility with the following:
 - (1.) The Comprehensive Plan.
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 - 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 DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: _____ Address: _____

Existing Zoning _____ Future Land Use: _____

EXHIBIT

tabbles

A

APPLICANT PROVIDED INFORMATION

20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069,
25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561,
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22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418,
25086, 25090, and 25089

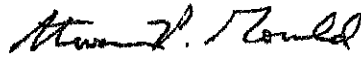
Property Location (address/ID#):
Applicant: CWC Holdings LLC, Big Time Rentals LLC, Stewart Street Holdings LLC, and Elizabeth and Keith Walden

Applicant's Address: 733 River Park Drive, Danville, VA 24540

Applicant's Phone Number: 434.792.2017

Applicant's E-mail: keith@riversiderooftruss.net

Describe Proposed Request: Please see accompanying correspondence.

 06/12/2023
Applicant Signature date
Counsel for Applicants

Property Owner Signature date
(if not applicant)

APPLICANT PROVIDED INFORMATION

20596, 20597, 25672, 22841, 24958, 25085, 25226, 22099, 25069,
25070, 25074, 20420, 20421, 20422, 25542, 25073, 23886, 23561,
22924, 24974, 21173, 20425, 20651, 21700, 22332, 24715, 22331,
24714, 25213, 25072, 24045, 23985, 24984, 25098, 22104, 22103,
22513, 24649, 24358, 24359, 21117, 25088, 20424, 25087, 20418,

Property Location (address/ID#): 25086, 25090, and 25089

Applicant: CWC Holdings LLC, Big Time Rentals LLC, Stewart Street Holdings LLC, and Elizabeth
and Keith Walden

Applicant's Address: 733 River Park Drive, Danville, VA 24540

Applicant's Phone Number: 434.792.2017

Applicant's E-mail: ~~keith~~@riversideroofttruss.net Keith.Walden@riversideroofttruss.net

Describe Proposed Request: Please see accompanying correspondence.

CKW

Applicant Signature

6/15/23

date

Wendy McFall Noble 6/14/2023

Property Owner Signature
(if not applicant)

date

OPEN SPACE REQUIREMENT = 25%
 OPEN SPACE RATIO PROPOSED: 9.02 ACRES
 TOTAL SPACE PROPOSED: 3.10 ACRES
 OPEN SPACE PROPOSED: 3.10 ACRES
 BUILT UPON SPACE PROPOSED: 5.92 ACRES
 OPEN SPACE RATIO PROPOSED: 3.10 / 9.02 = 34%

MAXIMUM DENSITY: 25 UNITS PER ACRE
PROPOSED DENSITY: 195 UNITS/9 ACRES =
21.67 UNITS PER ACRE

[illegible]

GRAPHIC SCALE
0 30 60
(IN FEET)
1 inch = 60 ft.
EXHIBIT

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STEWART STREET DEVELOPMENT
KEITH WALDEN
STEWART STREET DANVILLE, VA

MASTER PLAN



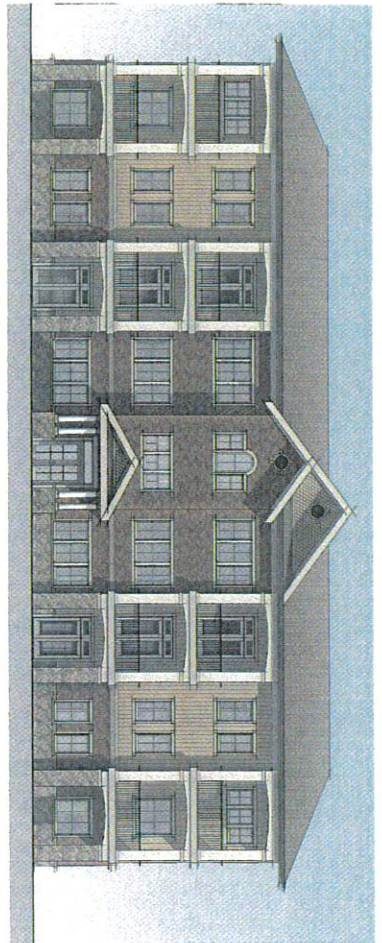
PROFESSIONALS, P.C.

ROGER HUN, EXECUTIVE OFFICER
 SUIITED
 110 EXCHANGE STREET
 DARTMOUTH, VA 24541

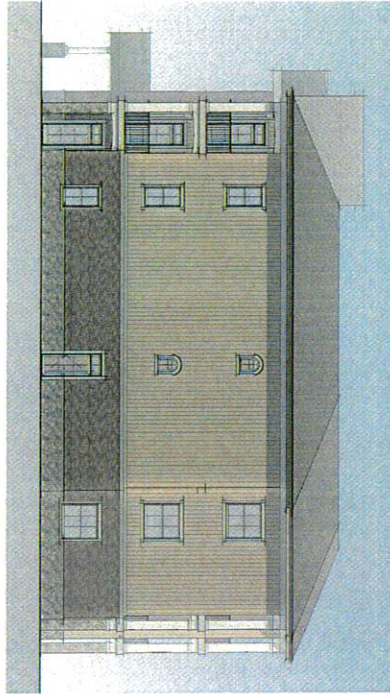
N.C. LICENSE # C-25177
 VA. LICENSE # 0404-001401

P-CONE NO. 1410 792-2680
 FAX NO. (346) 792-3683

www.landeng.com



FRONT ELEVATION



SIDE ELEVATION



PERSPECTIVE VIEW

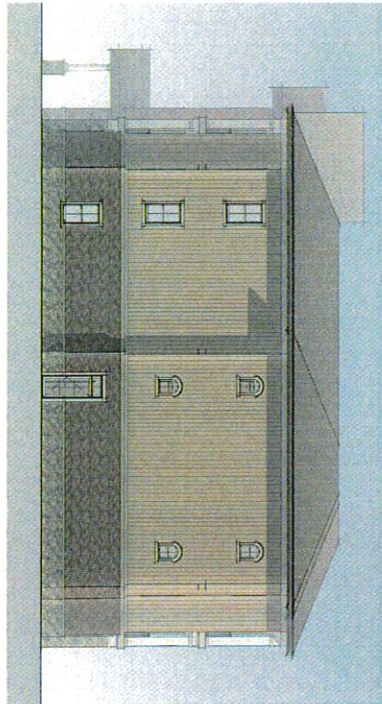
BUILDING A ELEVATIONS
05.04.2023

STEWART STREET DEVELOPMENT
NEW APARTMENT COMPLEX
DANVILLE, VA





FRONT ELEVATION



SIDE ELEVATION

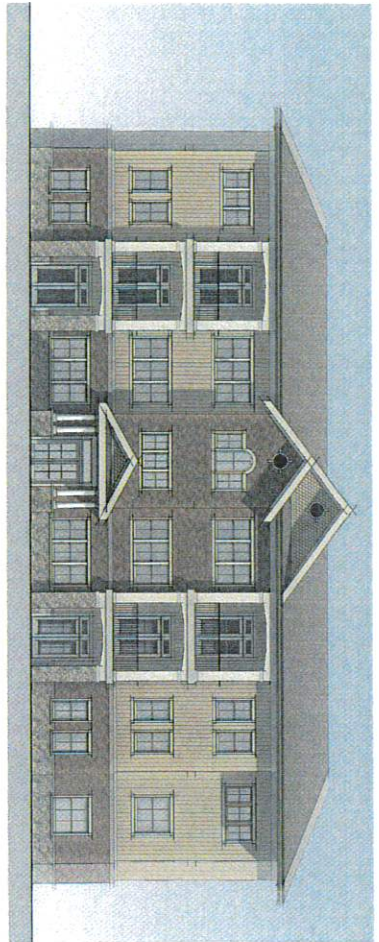


PERSPECTIVE VIEW

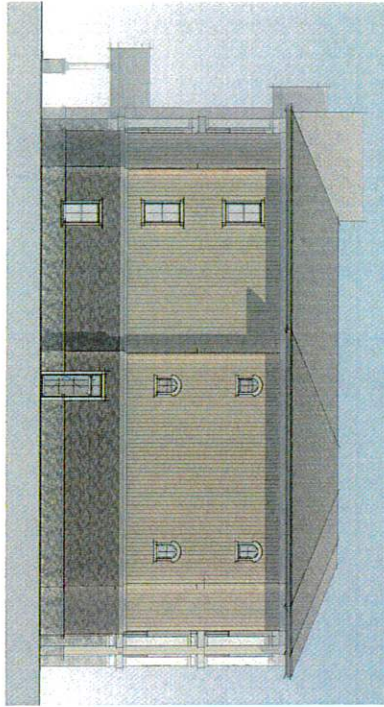
BUILDING B ELEVATIONS
05.04.2023

STEWART STREET DEVELOPMENT
NEW APARTMENT COMPLEX
DANVILLE, VA

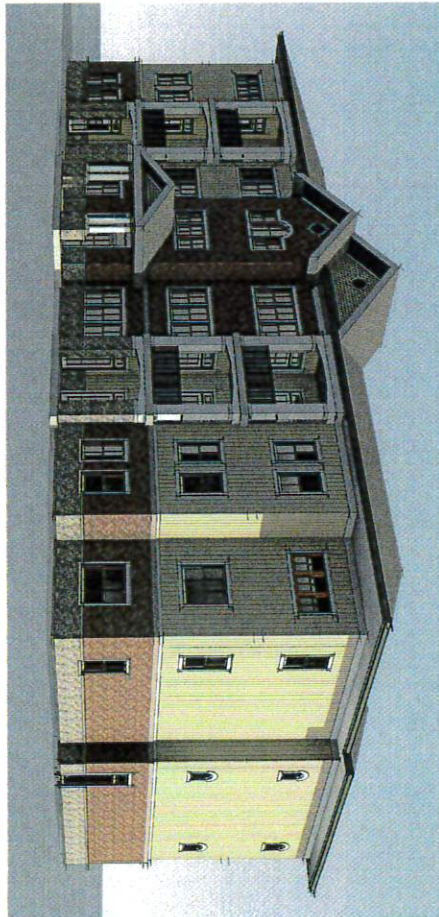




FRONT ELEVATION



SIDE ELEVATION

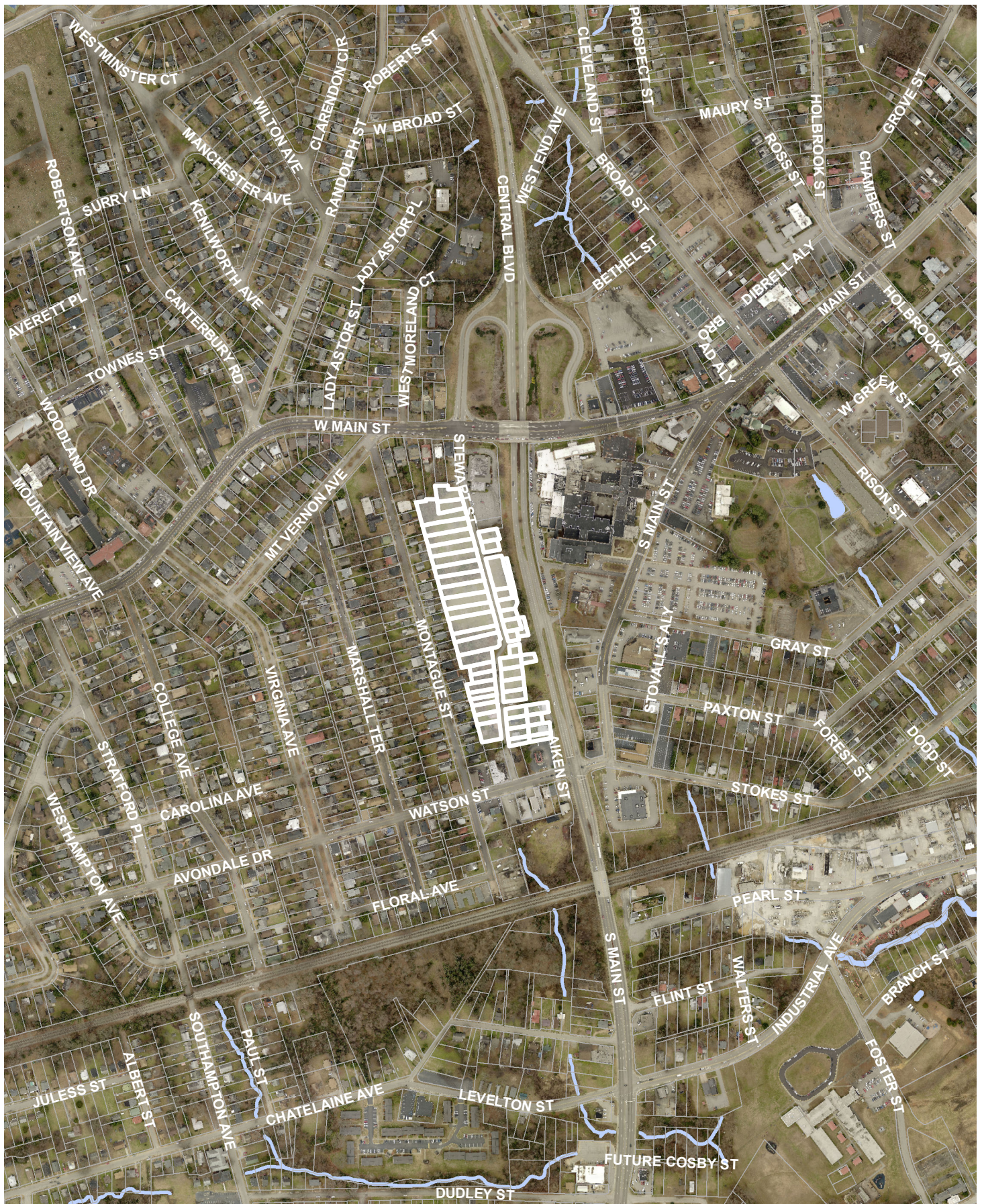


PERSPECTIVE VIEW

BUILDING C ELEVATIONS
05/04/2023

STEWART STREET DEVELOPMENT
NEW APARTMENT COMPLEX
DANVILLE, VA

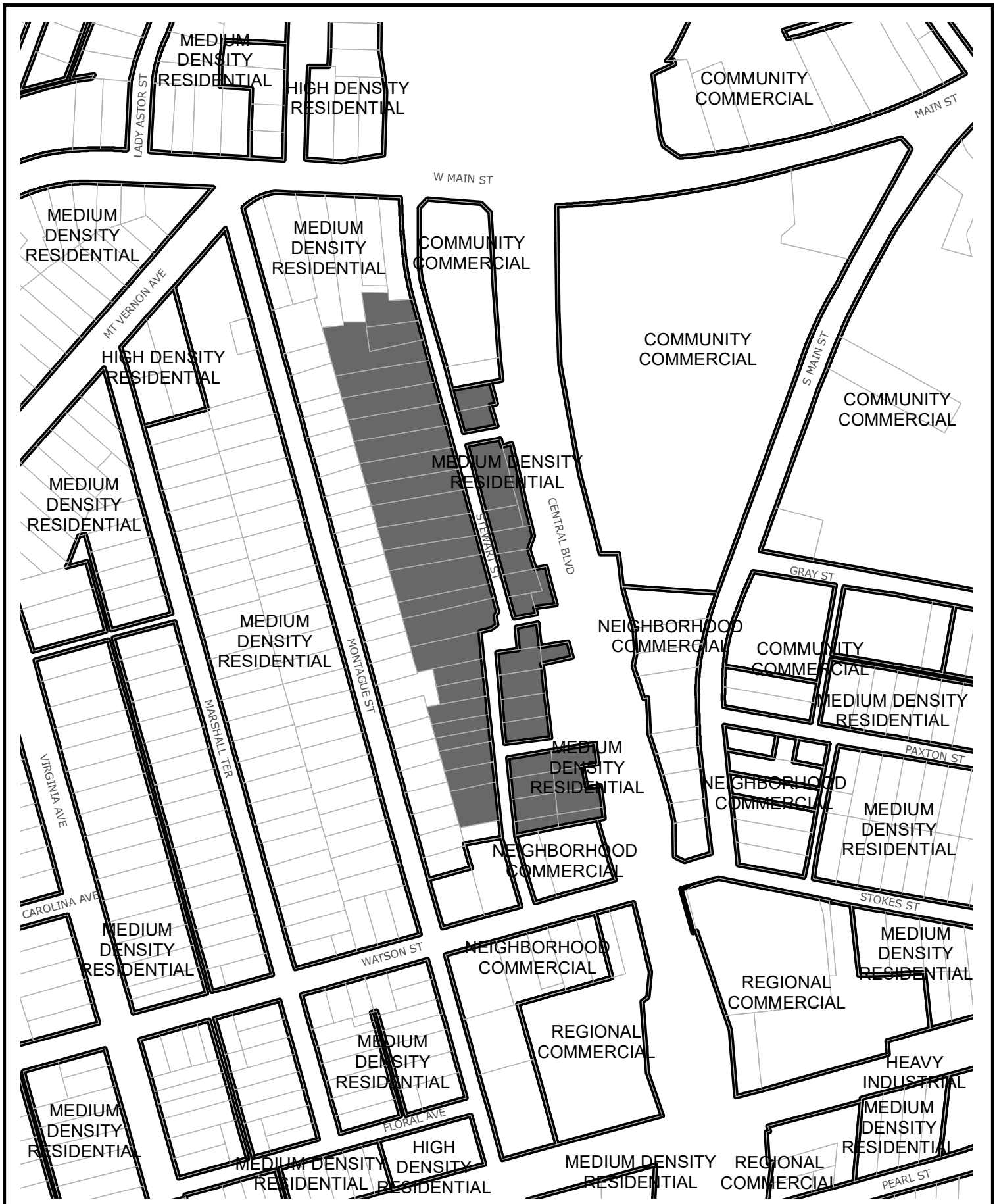




2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/13/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
6/13/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



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PLANNING COMMISSION MINUTES

JUNE 12, 2023

MEMBERS PRESENT

Mr. Petrick
Mr. Dodson
Ms. Evans
Mr. Kahn
Mr. Jones

MEMBERS ABSENT

Mr. Bolton

STAFF

Cynthia Lester
Renee Burton
Clarke Whitfield

I. ITEMS FOR PUBLIC HEARING

1. **Special Use Permit Application PZ23-00118 filed by Katie Newcomb requesting a Special Use Permit at 162 Howeland Circle (Parcel 23539) to allow short term rental, as a principal use in accordance with Article 3.E. Section C Item 29.**

Mr. Petrick opened the Public Hearing.

Mr. Lovell stated. I am the property owner, just wanted to come in today and give you a brief history on the property, I bought the house about two years ago and it was in bad condition. They couldn't get it sold. It was a for sale by owner. I'm an independent contractor, coach tennis in the area, really didn't have a lot of money. So worked out that the owner who had been in the community a long time with a family that was well known, did a really nice thing. Gave me a good deal on the house. I've been working on it, it's been a big task, we've completely renovated inside all cosmetic things for the most part, it has been a project that my mother and I have been able to work on for the last couple years it has really been an awesome family thing to do together. My mother really helped me quite a bit teaching me how to fix properties, she has done this her whole life. Once we finished, I was planning to start a family, but things didn't work out that way. It's a large home to live in as an individual. I was trying to figure out what to do with the property after investing so much in it. Debating whether long term rental or short-term, and what's best for the neighborhood. I felt like I've had great experiences with Airbnb. When I travel, I try to seek out five-star properties, I like it because it gives me a really good opportunity to get to know the surrounding communities and you get reviewed, if you're a good person and you take care of the property. Like the checks and balances system it gives you an opportunity to really keep the property clean. I think it will be a better option than a long-term rental, I feel a lot of long-term rentals in the town can get run down pretty quickly. We have had interest in renting the property short term. A lot of the tenant have been families that have come into town for funerals, graduations or VIR, minimum stay three nights. Making sure you're not getting people that are just coming in for a night, causing a ruckus going to the casino, and leaving the property in a bad shape or disturbing the neighbors. We try to put the minimum stay to try and keep that family atmosphere going. Sometime families have a hard time with hotels, they can't stay together and interact together. I just want to do something for the community overall. I would be glad to answer any questions.

Ms. Evans stated. What's going to be your short term?

Mr. Lovell stated. No less than two nights.

Ms. Evans stated. No more than how many nights.

Mr. Lovell stated. I don't know, haven't thought about that don't know how long. I don't know if somebody wants to rent it for a month and they had good reviews, I guess I would rent it for a month, I don't plan on renting it for a year or anything like that through Airbnb.

Ms. Evans stated. Do you plan on living at the property.

Mr. Lovell stated. No, I moved from the property, but I'm over there quite a bit, maintain the property. I will not be living in the property; I will be renting it out.

Mr. Petrick stated. Are you within 50 miles of the property?

Mr. Lovell stated. Yes, I live on Piney Forest.

Mr. Petrick stated. That's one of the requirements. I have a question for staff isn't this part of the ordinance for short term rentals. Is there a maximum amount of time?

Ms. Burton stated. Yes, a short-term rental is defined as greater than 18 hours. Less than 30 days.

Mr. Lovell stated. That's the plan mainly less than a week, more than two or three days, four or five days stay.

Ms. Evans stated. Where do you plan all these people parking?

Mr. Lovell stated. Driveway and right in front of the house or street parking.

Ms. Evans stated. Two cars in front of the house, no way three.

Mr. Lovell stated. Two in driveway two in front of the house. It's a three-bedroom house, I don't expect having large groups of people there.

Ms. Evans stated. You talk to your neighbor about it.

Mr. Lovell stated. Yes, John on one side of me he's a reporter for the newspaper, and Will a friend of mine on the other side, Will hasn't said anything negative. I told them both what I was planning to do and neither has anything negative to say, which I don't know if they tell me to my face anyway.

Ms. Newcomb, I will be the host for the property. Also, a co-host Heather. I just want to touch on a few questions that you have for Mr. Lovell, as far as having someone in the vicinity, I have two employees that live here in Danville that are always open to help me as well as a full-time maintenance man, they are my 24-hour contact in the event anything happens. It has not been in my experience any issue with any of my Airbnb guests. And as far as long-term stays started off with the short-term zoning, so is it capped at 30 days?

Ms. Burton stated. It is.

Ms. Newcomb stated. We would do anything that the city would want us to keep at. I have other rentals that I've rented for three months at a time people here for work. I also had other booked for a week at time then extended every week. I have a few questions about that. The things that this Airbnb will offer to the city, you're looking at 400 plus dollars a month in occupancy taxes. We have systems

in place where we vet tenants to where we have people who are not throwing parties, David is also at the property quite a bit. I have had a few of my short-term guests turn into long term rental guest. Where they were here for a week looking for some place to live. And I was able to help them place them in long-term places especially casino workers have had someone come here to work at a newspaper, Averett students in town with their parents trying to find suitable housing where the parents feel comfortable. It's been a great way for me to connect with the people and form a better relationship as a property manager.

Mr. Jones stated. It's a large house so you probably accommodating large number of guests.

Ms. Newcomb stated. Six, 2 person per bedroom.

Mr. Jones stated. Is there a backup plan to accommodate the extra cars that may come with guests.

Ms. Newcomb stated. We haven't had an issue so far. Generally, it's when we've had even groups of six it's been parents with children. I think that's the appeal mostly is for families when it comes to Airbnb simply because if you have small children in your hotel room you don't have the option to fix food for them you have to go out for every meal. Whereas an Airbnb offers you a home away from home with all the amenities maybe more than you might have in your own home. I'm not having any issues. I would be happy to address it if it was an issue.

Audience member stated. Is this going to be a commercial property?

Mr. Petrick state. Its going to be a short-term rental, like an Airbnb, Are your familiar with Airbnb.

Audience member stated. Yes, but would that make it commercial.

Mr. Petrick stated. Residential, Short-term rental like an apartment.

Audience member stated. Residential area.

Mr. Petrick stated. Short term rentals, Airbnb are allowed in residential area.

Audience member stated. You're making it commercial, if they are making money off it, if you do it for them, why can't you do it for me and my other neighbor, I have a 16-room house, I can do the same thing.

Mr. Petrick stated. Yes, you can. Certain requirements you must meet but yes you can.

Audience member stated. I'm a firm believer and a property owner. I am one myself to be able to do anything they want with their property without being coded to death by the city. I'm sitting on the fence on this because honestly it could go the other way. I'd like to keep the neighborhood like it is and not go commercial. It's a nice sleepy neighborhood where people can walk the dogs, ride their bike on the sidewalk, jog and you know your neighbors. Is this a AirBnB?

Mr. Petrick stated. Yes, short term rental.

Audience member stated. But what else could that accommodate, a halfway house for somebody with Virginia Mental Health Institute letting people out in the public sometime, you couldn't accommodate those people.

Mr. Petrick stated. No

Audience member stated. We have one right across the street from where I live now. We have traffic day and night, there was two lifesaving crew over there and hour before I came to this meeting. I would just like to keep the neighborhood as a neighborhood rather than people coming in all time, day, and night. My understanding of an Airbnb is everything is done over the internet. People come in at night, slamming doors, little house are ten feet apart it will be disturbing somebody right under your bedroom window, opening trunk taking out luggage. So how do you going to police it, how you're going to keep track of what's going on.

Audience member stated. The word short term bothers me.

Mr. Petrick stated. It's a common use in most municipalities these days. I'm not sure how many short-term rentals we have citywide.

Ms. Burton stated. We do not have a total count at this time, we are working on that right now. We do have several that operate throughout the city. I don't know exactly how many in total. But we could probably get a number from the commissioner of the revenue's office they handle a count of how many are operating in the city legally, they are required to have a business license. That is how we keep track of them.

Audience member stated. We are all aware a casino coming in. If it ever gets built.

Mr. Petrick stated. Excuse me, let's not confuse issues here. We not talking about casinos, we are talking about short term rental.

Audience member stated. What I'm saying is it's going to bring people in that will be using the Airbnb.

Mr. Petrick state. Right, short term rentals.

Audience member stated. Here an example, if you had some Ladies of the Night that wanted to operate out of a place, wouldn't that be an ideal place to do it and Airbnb.

Mr. Petrick stated. If that happens, I suggest you call the police department and complain. There is no way we can sit here today and discuss everything that could happen.

Audience member stated. Well, there's a lot of things that could happen and you are aware of most of them I don't have to name them all. I would like to see him do a good job, do good business and everything goes fine. I have no problem with it. I like to see people use their property however they want to.

Mr. Petrick stated. I understand any issue you have call Community Development; you can call and discuss with them, and you have the police department and enforcement that's what I would suggest, we can not sit here all day and talk about what may or may not happen. Okay.

Audience member stated. I hear part of what you're saying. Thanks for letting me speak.

Mr. Petrick closed the Public Hearing

Ms. Evans made a motion to approve Special Use Application PZ23-00118 as submitted.

Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.

2. Special Use Permit Application PZ23-00164 filed by Charles Walker requesting a Special Use Permit at 122 Benefield Street (Parcel 01417) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Mr. Walker stated. I would like to speak on behalf of the permit. First of all, I am senior pastor for Danville. In this area for 25 years, my wife and I own the newly open bakery Ma's Cakes. And because of that this property that we have, we've had interest from a lot of our customers coming in, like traveling Nurses and some executive people wanting to have a space after having a long term. We moved individual out of this property, it was refurbished. The aesthetic of the building is completely changed. We felt like it would be beneficial for the neighborhood. Seeing that we're trying to upbuild the north side of Danville. I think it would be beneficial to the city. We don't plan on renting to locals, not discriminating. We are trying to bring people that need overnight stay. We have already had an inspection, and a certificate of occupancy, it is a three room so that means it can house six people at a time, we currently have someone in the property that is very pleased with it. And doing well. Just like to appeal to you all to see if the short-term role would be something that you think would be helpful in the city seeing that we have the need for housing.

Ms. Evan stated. Already operating as a short-term rental.

Mr. Walker stated. Not short term, somebody there over 30 days, I've already spoken with the, I don't know his name but when I got the license, it had to be over 30 days. The person that's in it now is over 30 days.

Ms. Evans stated. So, they leaving?

Mr. Walker stated. They will be leaving when their time frame is up. They rented it for about three months.

Ms. Evans stated. So, you plan to start short-term rental when they move out.

Mr. Walker stated. Yes.

Ms. Evans stated. And what would be the minimum night stay.

Mr. Walker we will book through Airbnb 2 to 3 days basically, most of the travel are like 3 to 4 days possibly 5. As far as parking we have adequate space and we thought it would be beneficial to the city because of the transit tax that they would receive.

Ms. Evan stated. You're going to manage it.

Mr. Walker stated. My property manager is here David Tyler.

Mr. Kahn stated. Are you a pastor of a church?

Mr. Walter stated. Yes, True Holiness Church.

Mr. Kahn stated. And how far is it from this property.

Mr. Walker stated. I would say approximately 10 –12 miles on the south side.

Mr. Kahn stated. The reason I asked is because you say you have a property manager how far is he away from the property, what I am saying if no one is on the property then something can go wrong very easily.

Mr. Totten stated. I am a real estate agent and broker here in Virginia and North Carolina. I will be helping Mr. Walker manage the property at 122 Benefield Street. I am a resident of Danville, Virginia, I live probably 10 minutes from the property.

Mr. Walker stated. We are approximately right around the same distance; we have had one situation and within I would say 10 to 15 minutes he was able to be there to see what the client needed.

Mr. Petrick closed the Public Hearing

Ms. Evans made a motion to approve Special Use Application PZ23-00164 as submitted. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

Mr. Petrick opened the Public Hearing.

3. Special Use Permit Application PZ23-00173 filed by Kelly Riddle on behalf of Nicholas R. Preston requesting a Special Use Permit at 491 West Main Street (Parcel 22549) to allow a duplex in accordance with Article 3.E. Section C Item 1

Ms. Riddle stated. Mr. Preston could not be here today. I am here to speak on his behalf. The current property that he purchased in 2020 was represented to him as a active duplex at that time. Both properties top and bottom are separately metered. They are addressed as well with the Postal Service here in Danville. I know we had one gentleman already step up earlier that was opposed to his property and it being a duplex. I'm the property manager for Nicholas Preston. I currently manage the property on the bottom at 491 West Main Street. We have a single individual that's actually a city teacher. If any of you are in property management or investment properties, there are from time-to-time long term rentals with tenants that do not behave or do as they are supposed to do. The top unit was rented out. We were only renting the bottom unit separate owner or partner with Nicholas. So, I do not have any information about the young men that were on that top floor. But after that notice was served Mr. Preston did give them a 30-day notice to vacate, which they have and it's now currently vacant. We now manage the top as well, there is an application process. They are vetted, background check as well as credit, civil criminal history and they do have to be approved before they are one of our tenants. I'm not sure what was done with the previous tenants or not, but it will be done going forward.

Mr. Petrick stated. Are you licensed?

Ms. Riddle stated. Yes, I'm a licensed real estate agent with Hauser Realty Group and the property manager for Hauser Property Management Services. Forgive me for my attire with the rain and we're moving, I didn't know I would be coming in last minute.

Mr. Roger stated. I reside at 499 West Main. With the noise complaints the young lady just spoke about, I've been involved with Airbnb, stayed in different place around the country and know get a bunch of young people staying in them you know what happens.

Petrick stated. This is a special use permit for a duplex. This is not short term.

Mr. Rogers stated. This is long term rental again knowing that it going to be a process for background check it will definitely help. Because it is around the area with the speed that goes on there. The parking is a huge issue bring lots of people in with lots of vehicles. Makes it unbearable at times, getting woke up three or four in the morning with people playing football in the middle of the West Main, bouncing the ball off people's vehicle. Which the law has been contacted. I guess I just wanted to speak my piece on that to make you aware of some of the things that have gone on there. And I was one of them that did oppose the situation.

Ms. Evans stated. You feel comfortable with her stating the new tenants will be vetted.

Mr. Rogers state. I would sure hope so it one of those things that may fall through the cracks. My biggest issue is that little kids being around the neighborhood and with the speed and number of vehicles in the area. My granddaughter is there at our house a few days a week, and I know other families around the neighborhood that have little kids and the speed is unbearable around there. The big thing is waking you up at three or four in the morning. Parking is a huge issue. We have people parking down past our house when they would have parties there. So, you must deal with that. Thank you for your time.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. I don't have a question; I have a concern to staff when this property was sold. I had an idea it was being rented as a duplex, I contacted Staff Department at that time nothing was done, contacted staff years later nothing was done. So, my concern is that this fell through the cracks that it was allowed to operate as a duplex for three years. I have no problem with the photographer having a studio below as it was before I have not problem with that concept. But with another duplex on West Main, I do have a problem.

Mr. Jones made a motion to approve Code Amendment PZ23-00173 as submitted.

Mr. Kahn seconded the motion. The motion was approved by a 4-1 vote. Ms. Evans opposed.

Mr. Petrick opened the Public Hearing.

4. Special Use Permit Application PZ23-00169 filed by Allen Stone requesting a Special Use Permit at 1224 West Main Street (Parcel 56046) to allow a mixed-use development with residential use on the upper level(s) and commercial use on the street level in accordance with Article 3.X. Section C Item 2.

Mr. Stone stated. I'm here to answer any questions you may have.

Ms. Evans stated. How many apartments you plan to have.

Mr. Stone stated. Four maximum five.

Ms. Evans stated. One bedroom, two bedrooms.

Mr. Stone stated. Two Bedrooms each.

Mr. Petrick stated. I'm just curious, you are doing a complete renovation of this building.

Mr. Stone stated. Well, the downstairs as is. Tenants are happy fully occupied. They seem to be happy where they are, so no need to upset that. The upstairs yes. We just want to make the area better investing back to the schools and the community. I know we have some issues with housing I think it will help with that. A little bit of improvement.

Ms Evans stated. Where will the entrance be.

Mr. Stone stated Back deck, it has to be redone, but it will be from the back. There's an option for coming out in the street, but more than likely be at the back.

Ms. Evans stated. That's where the resident will park.

Mr. Stone stated. Yes, plenty of parking.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated. Is there enough parking back there to accommodate that number of apartments?

Ms. Burton stated. I will have to verify; I believe 10 or 12 back there.

Mr. Petrick stated. I have been to the property not recent, but I'm assuming it still the same way so yes there is ample parking back there.

**Mr. Dodson made a motion to approve Special Use Permit PZ23-00169 as submitted.
Ms. Evans seconded the motion. The motion was approved by a 5-0 vote.**

Mr. Petrick opened the Public Hearing.

5. Code Amendment Request PZ23-00181 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically amend Article 2 Section P Item 8, to amend the height and size of a flagpole.

Mr. Dodson stated. The flag and light poles are already up grandfathered in or how does that work.

Ms. Burton stated. Yes, in existence or grandfathered in or illegal non-conforming environment. That would not change.

Ms. Evans stated. Legal non-conforming windstorm come along and blow one over what we been done.

Ms. Burton stated. No, once removed anything new will happen under the current regulations.

Mr. Petrick closed the Public Hearing

**Ms. Evans made a motion to approve Code Amendment Request PZ23-00181 as submitted.
Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.**

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The May 8, 2023, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 3:45 p.m.

APPROVED