

PLANNING COMMISSION MINUTES

JULY 10, 2023

MEMBERS PRESENT

Mr. Petrick

Mr. Dodson

Mr. Bolton

Ms. Evans

Mr. Petrick

MEMBERS ABSENT

Mr. Khan

STAFF

Renee Burton

Cynthia Lester

Clarke Whitfield

I. ITEMS FOR PUBLIC HEARING

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.*

Mr. Petrick opened the Public Hearing.

Presentation by Masuri Valentine Plan Danville

Mr. Poteat stated. I wanted an Airbnb for short term use because of the location to the proximity to the casino. Great location for visitors coming in town, nice area, and quick ride to the casino.

Ms. Evans stated. Have you completed the renovation inside.

Mr. Poteat stated. Yes, I have.

Ms. Evans stated. What about the outside landscaping.

Mr. Poteat stated. I was waiting to go through this process to see how it turned out depends on what and how I'm going to finish it up. I do have other items to do in the yard to get it completed.

Ms. Evans stated. Front and back.

Mr. Poteat stated. Front it has a lot of trees and roots where trees were cut down. It going to be a retaining wall built where the steps are, and the yard is going to get seeded and taken care of.

Mr. Bolton stated. How many bedrooms.

Mr. Poteat stated Three bedrooms two and a half bathrooms.

Mr. Bolton stated. Double or single driveway.

Mr. Poteat stated. Single but it holds two cars.

Mr. Bolton stated. Off street parking.

Mr. Poteat stated. Yes

Mr. Davis closed the public hearing.

Mr. Bolton stated. Staff how many letters were sent out.

Ms. Burton stated. 27 letters were sent out, we received 9 responses, 4 unopposed and 5 oppose.

Mr. Bolton made a motion to approve Special Use Application PZ23-00182 as submitted. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

Mr. Petrick opened the Public Hearing.

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.*

Mr. Dixon stated. I'm representing Holdings LLC with very short notice, I don't have all the information that you are asking for, I do know that they plan to rent to professional Health Care travelers and families on short term. Some indications there is adequate parking there is a driveway. The house is under renovation it is being remodeled. I see where they said they responded to the email, I'm not privy to that conversation and part of the conversation also I noticed in the packet it says six people opposed, but three responses are from the same person, does that still count as three separate oppositions or it just one.

Ms. Burton stated. Each individual parcel counts as a person.

Mr. Dixon stated. Just wondering for our information if that three opposition or did this one person post three times.

Mr. Petrick stated. This individual has three properties.

Ms. Burton stated. Right, we did the visual property itself and notified each.

Mr. Dodson stated. Is there a driveway.

Mr. Dixon stated. Yes, must be improved, the people that are remodeling the house is using that driveway to park.

Mr. Bolton stated. Is the driveway paved?

Ms. Evans stated. Grass right.

Mr. Dixon stated. Grass and gravel.

Ms. Evans stated. Is there a fire hydrant in front of the house.

Mr. Dixon stated. I can't provide you with the information at this moment.

Mr. Petrick closed the Public Hearing

Mr. Bolton stated. Renee as a general rule we like to have the Certificate of Occupancy before we vote on things. The only thing he answered some questions that we like to have on record before we vote.

Ms. Burton stated. The certificate of Occupancy cannot be obtained until after they've received approval for a special use permit. However, we do encourage them to go ahead and move forward with their inspections. So, they will have the information to check whether the home was properly taken care of and up to code prior to your vote.

Ms. Evans stated. It has not been inspected.

Ms. Burton stated. Correct.

Ms. Evans stated. You don't have any information on who will manage the property.

Ms. Burton stated. Correct.

Mr. Bolton made a motion to table Special Use Application PZ23-00188 as submitted.

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

Mr. Petrick opened the Public Hearing

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.*

Ms. Adams state. We acquired a rental house back in December and we've tried to decide what to do with it for the last few months and then when the temporary casino opened, we saw a significant amount of traffic and visitors so we thought that the best use for the property would be for a short-term rental.

Mr. Bolton stated. How many bedrooms?

Ms. Adams stated. Two bedrooms.

Mr. Bolton stated. You do have a driveway.

Ms. Adams stated. Yes

Ms. Evans stated. You plan on renting the entire house to a family versus this bedroom and this bedroom.

Ms. Adams stated. Correct the whole house.

Mr. Petrick closed the Public Hearing

Mr. Bolton stated. Two bedrooms are there limits to how many people can stay there or not.

Ms. Burton stated. It is it's listed on their Certificate of Occupancy once it's received.

Mr. Petrick stated. This would be individual not occupants by rooms for the whole house.

Ms. Burton stated. Correct.

Ms. Evans stated. Has the property been inspected?

Ms. Burton stated. Yes, it's been approved for four persons.

Mr. Bolton stated. Two per bedroom in general.

Mr. Dodson made a motion to approve Special Use Application PZ23-00189 as submitted. Mr. Bolton seconded the motion. The motion was approved by a 5-0 vote.

Mr. Petrick opened the Public Hearing.

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.*

Ms. Durham stated. We plan to short term rental in the casino five-minute walk. That's' ideal but also, we have some friends that are traveling nurses in the area, so we would be using them as well

toe try and get some long term and short-term rentals. We are renovating the entire inside it's a two bedroom and it would be complete rental for the entire house not bedroom by bedroom, our occupancy is four.

Mr. Bolton stated. Is there a driveway?

Ms. Durham stated. Yes, two cars can fit in the driveway and one can park on the street.

Ms. Evans stated. How long are the guest here.

Ms. Durham stated. The people we know are here about three weeks to six weeks depending on their state and what they are doing, we are still working to figure that out, but it would be like a month or so.

Ms. Evans stated. It can't be for more than thirty days.

Ms. Durham stated. Okay three weeks. I didn't know that part.

Ms. Burton stated. Short term its more than eighteen hours less than thirty days.

Ms. Durham stated. Okay, that wouldn't be a problem.

Ms. Evans stated. Who would be managing the property.

Ms. Durham stated. It would be me; I live in Martinsville on the West side; I could be there is thirty minutes. Fifty miles is the recommended distance, I am like 20 miles away.

Mr. Petrick closed the Public Hearing

Ms. Evans stated. My last question is fifty miles you don't think that's too far.

Ms. Burton stated. The last permit two to three months ago was changed from 60 to 50 miles. Commissioner would like that to be reduced.

Mr. Bolton made a motion to approve Code Amendment PZ23-00195 as submitted.

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

Mr. Petrick open the Public Hearing.

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.*

Mr. San Miguel stated. I recently moved to Danville and purchased this property as my primary residence working at the casino as one of the managers there. I have a four-bedroom house that is too big for just myself. So, I wanted to take the opportunity to rent out the other bedrooms that I have and help me pay my mortgage. I did review the responses from the neighbors and in the few minutes that I got here I did notice it was 10 that were opposed.

Ms. Burton stated. The common packet only 10 of them actually wrote in comments the other 10 simply said they opposed.

Mr. San Miguel stated. Okay fair enough. In reading the comments, I understand I have tremendous respect for the neighborly community, it's a beautiful neighborhood. I did try out, listing my property and see what kind of demographics and price point I need to be able to attract the right guests. I found that most have been weekend rentals. I've had maybe three, and they were more family oriented. So, I'm kind of geared towards people who are looking more for vacation or visiting families from North Carolina and the universities. I am an experienced real estate investor, I have other short-term rentals, long term and mid term rental all in the state of Virginia. I will say that I do vet the guests. I have cameras in accordance with the rules of the short-term rental platforms set so that we can make sure no rules are being broken. I'm also willing to work with my neighbors to reach a compromise.

Mr. Dodson stated. What's the occupancy?

Mr. San Miguel state. Four bedrooms, when it was listed for sale, it listed as five bedroom I decided to turn the fifth into a den or family room. One bedroom is occupied by me, three bedrooms are available for guests with a maximum occupancy of six.

Mr. Petrick stated. You occupy the main floor?

Mr. San Miguel stated. Yes sir.

Mr. Petrick stated. The living quarters will be entirely separate. The rental space will be on the second floor.

Mr. San Miguel stated. I occupied the bedroom and the shared space, or I guess the living area, the kitchen spaces are going to be designated as common areas share with the owner. Now in some jurisdiction, I've had this happen in Virginia. In other jurisdictions, this type of stays considered a homestay, I did a little research and before the short-term rental definition was revised by this council. There wasn't a section there for homestay, I guess with the latest revision, that no longer the case. And there's different criteria.

Mr. Dodson stated. On the street, I know there's a problem with parking because the houses are so close together. How many vehicles can get in the driveway.

Mr. San Miguel stated. There one via the driveway and one directly in front. And whenever I have guests, I park further down where there's more space. I prioritize having the guest take the driveway.

Mr. Bolton stated. You mentioned it. Mostly you're thankful for the families.

Mr. San Miguel stated. Yes Sir.

Mr. Bolton stated. How many cars would that family bring when they come.

Mr. San Miguel stated. One or two. So far, the family all had kids.

Mr. Bolton stated. You mention that you are going to do this as long as you live there. What are your plans once you move. Will you rent all for bedroom or sell the home.

Mr. San Miguel stated. Really, I would look at what and how we performed as a short-term rental and how the obviously the neighborhood's receiving it. I definitely want to work with the neighborhood. So, if I had to leave, I would be open to put it as a long-term rental instead. I would say that short term rental does incentivize the owners to maintain their properties both inside and out, because that what attracts the right quests. And as far as upkeep and maintain the building. My house gets cleaned on a weekly basis, which is something I'm not use to.

Mr. Bolton stated. Just to clarify I'm not getting a clear answer on all this. Will you continue to rent these bedrooms individually.

Mr. San Miguel stated. No Sir.

Mr. Bolton stated. All your rentals will be one family unit.

Mr. San Miguel stated. Yes, there's only one reservation at a time, with a maximum of six peoples.

Ms. Tate stated. I am very hesitant about approval of this request, simply because the street name College Avenue is extremely narrow. I mean, just to traverse that street, you have to really give way to the cars coming towards you. I don't understand how having more people park there will be advantageous to the neighborhood and I underscore neighborhood because I'm definitely in favor of residential aspect of this request. Thank you.

Mr. Scism stated. I'm here with my wife Nancy, we have lived on College Avenue for 31 plus years. When I move there, I seen a couple familiar faces there. I know six couples; they were living there when I move there. And are still living there now. Two families that were living there has recently moved. And when we talk about neighborhood, we throw it out there like it's a planning thing. It's where we live. This is where people have their homes that they worked on and maintain. I am not opposed to everybody making money, but this is where we live. The second thing I'd like to point out is that we recently had several young couples with young children. And when we talk about parking on the narrow street, the street is exactly 13 feet wide, when cars are parked on both sides. I had an incident several years ago, I had a ruptured ulcer in my stomach. And when the emergency crew came, of course the firefighter was the first responder, they came in one way and the EMT came in the other way, one of them had to back out. If you can imagine backing a fire truck out of a street because there's no place to turn around. Parking is very competitive on holidays, and weekdays there are no spaces. The other thing we have very narrow driveways. I have some photo to handout of my house and my next-door neighbor, which is 20 feet apart, and the other side on the lower side it's even less than that, he has one space he cannot get to the rear of his property because it's blocked off. I've had a good neighbor, we've been able to work together, where we open the door, we make sure we don't open it on somebody else's car. And if we both arrive at the same time, we are courteous enough to wait till the other car gets out because you cannot open both doors in the driveway. We made understanding talking to the Planning Commission on short term which states must obtain a business license clearance from the zoning administration and register with a commissioner of revenue prior to operating or advertising the property, does that sound right? Here's what concerns me that house was taken over on May 4, by May 15. We have people moving in and out of there. We have several reviews from back in May and early June. Just during the month of July, we had three different sets of people in and out of there. The principal objective for this neighborhood was to maintain enforce and enhance the sense of the neighborhood and the best example of this City's historical downtown residential area. If anyone thinks putting these things next door to you is a good ideal. I hate to think you had to go out every day and face a new set of people going in a driveway down the back. I just hate it. This is not the neighborhood for that I strongly recommend do not approve this. It will do nothing but drag this neighborhood down. It will be of no

benefit at all to this neighborhood. This will enrich one person and the rest of us will suffer as long as we are there.

Ms. Evans stated. The property already being rent.

Mr. Scism stated. Yes, probably being rented since May 15.

Ms. Evans stated. Without a license?

Mr. Scism stated. I don't know if he has one or not.

To say these are going to be families coming here on vacation I think is little bit tongue and cheek because there's several elephants in the room when it comes to this casino. Most of these things we've heard today have to deal with the casino and its customers. And if we deny. I'm begging you please don't do this to my neighborhood.

Mr. Bolton stated. Who own the house before.

Mr. Scism stated. Mr. Jim Crop, he lived there 25 years plus, we had a good neighbor relationship, we dealt with each other. He runs Nice Burgers restaurant on Main Street.

Mr. Bolton stated. How many cars did he have.

Mr. Scism stated. Two, it worked out all of us in the area work with each other. But if it gets competitive, I'm ready.

Ms. Turbiville stated. I live at 157 Southern College. I live right across the street from the property in question. And as Mr. Scism mentioned, parking is a major issue on that street. I think you could ask any of the trash truck drivers how much they like traveling down the street and trying to go between the cars to pick up trash, It is very narrow. It concerns me about where people will park, there is a fire hydrant on that property. They said there are only two parking spaces there. It really hard if you drive down there in the middle of the day. It looks like there's plenty of parking because people are at work, if you come thru after work hours, there is very few parking places. Most people if their kids are living there, they have to find other place on the street or around the corner to park and that's one of the major issues we have as Mr. Scism said it's a neighborhood, we've been living there almost 33 years and my husband grew up on that street. It's a big concern to us about the amount of traffic that might be and even if it just families coming in. I don't want to deny families an opportunity to have a nice vacation, this street is not very conducive to a lot of traffic. So, I would ask that you not approve this application. And again, I am concerned about the property already being rented. It is listed on Airbnb. I have it on my phone. Beautiful pictures, it's a beautiful home, but it has been rented has reviews on Airbnb. Thanks for your time.

Ms. Scism stated. The two papers that blown with the pictures, the one was a copy from Airbnb showing the room, the review from their study on Memorial Day weekend. And the other picture, he said he had four bedrooms when he purchased the house it was listed with real estate as five bedrooms. So, it's actually that potential for five rather than four. He also says he has a lock on his room. That's his personal space who controls to say unlock the door. When a permit is granted are there regulations. Follow up regulations to see what going on. When special use permits are issued is there any follow up afterward. Are they just on their own to operate as they choose?

Ms. Burton stated. Yes, once there is a special use permit issue, they must also obtain a business license. They will be monitored by the Commissioner of Revenue's office as well as the zoning office.

Ms. Scism stated. It's already in violation because he's been doing rentals. It's documented online. I just assumed maybe it was visitors, but it apparently not the case because it been irregular traffic.

And last week in 10 days it was three different guest parties whatever you choose to call them.

Ms. Evans stated. Where are they are parking.

Ms. Scism stated. That particular time they came in single cars, it was one extra car in front don't know if was one of their or not. I'm saying you have four bedrooms. They are not all coming in one car not likely. That's all I have to say. Thank you.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. Is it anyway he could be regulated, when a family stays, he would say that only two cars can come could he put the condition on it.

Ms. Burton stated. I believe the condition can be placed on the special use permit however I believe that will be extremely difficult to monitor.

Mr. Petrick stated. Mr. San Miguel, I want to give you a chance to give a rebuttal on the comments. Also, you're advertising in violation of not adding increments you realize that.

Mr. San Miguel stated. That's what I alluded to earlier when I said that I was trying to see the demographics would attract because otherwise I wouldn't go this far it, I didn't believe it was worth it. I do see as I'm in the resident, I have better control and able to regulate who goes where, if I'm allowed to expand my driveway, I'm more than willing to make that investment. I have respect for the community, and I do want to work with everyone. As far as the road there is nothing that I can control. I would say with myself in the property, and the cameras that I have I do have a better chance of regulating that. Airbnb and Verbo and other platforms allow me to put very specific rules. If at any time I see that there are violations, they can be evicted on the spot. Another feature on all short-term rentals is you can only get guest that have good ratings. Obviously, I live in the place, so I have to be careful with whom I allow. I have my personal belongings there. It has to be someone that I can trust. The few visitors that I had was mainly families, they were quiet and easy to work with. There was a comment made about a fifth bedroom, there is a pool table right where that fifth bedroom is. There is not chance I could put a bed or anything in there. And as for my bedroom I wouldn't allow anyone to sleep in there.

Ms. Evans stated. Even if you were on vacation.

Mr. San Miguel state. That's the purpose of having the lock on the door. There is where all my personal belongings are, I have important stuff there. So, the risk is big to me as the neighbors. I understand the concern. I need to look out for myself and others as well.

Mr. Jones stated. For clarity you said when you have guest you prioritize parking.

Mr. San Miguel State. That's true.

Mr. Jones stated. So, you have your car in the driveway.

Mr. San Miguel stated. No, no I prioritize the quests they park in the driveway, and I park further down or wherever there's a spot available outside of College Avenue.

Mr. Jones stated. How many cars can get in the driveway.

Mr. San Miguel stated. Just one in the driveway and one directly in front. My camera if for some reason I'm not there can see where they are parking whether they are parking close to the hydrant.

Mr. Bolton stated. Would you be open making sure the guest only has two vehicles.

Mr. San Miguel stated. Yes, absolutely. That is definitely something I can enforce.

Ms. Evans stated. You mentioned possibly enhancing the driveway. How would you propose to do that.

Mr. San Miguel stated. I would have to look into what sort of rules and guidelines are required whether expanded the driveway with asphalt or concrete. I would need to look at the DOD and all those requirements. I'm a general contractor by trade so I do understand that the process we have to go through. I'm willing to make that sacrifice and put in the extra investment.

Mr. Petrick stated This is the first application we met from an individual who was actually going to be residing in the property.

**Mr. Dodson made a motion to approve Special Use Permit PZ23-00196 as submitted.
Mr. Jones seconded the motion. The motion was approved by a 3-2 vote.**

Mr. Petrick opened the Public Hearing

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.*

Mr. Petrick closed the Public Hearing

Ms. Evans stated I have a problem discussing something if the applicant is not here.

Mr. Petrick stated. Do you have a particular question?

Ms. Evans stated. What is he going to do with the store front?

Ms. Burton stated I haven't received any communication while they are not present.

**Ms. Evans made a motion to table Code Amendment Request PZ23-00198 as submitted.
Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.**

Mr. Petrick opened the Public Hearing

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.*

Ms. Chestnut stated. I did apply for this special permit at 81 Ashlawn and it currently under renovation and with the occupancy permit I could not get it with having the permit already open, after speaking with Carlos, he told me I had to wait till they finish the renovation. I will be managing the property; I live about an eight-minute drive to the property. I will use a platform that will vet all guest.

Mr. Bolton stated. What platform you will be using.

Ms. Chestnut stated. Airbnb.

Mr. Petrick closed the Public Hearing

Ms. Evans stated. Have we approved short term rentals in the pass where final inspection is not completed.

Ms. Burton stated. No, I don't believe we have but she is looking into an addition to the property that why she has not completed that final step, yet she will be required to see final sections and pass those prior to receiving our certificate of occupancy that will be monitored.

Mr. Bolton stated. On the edition

Ms. Burton stated. Yes

Mr. Dodson made a motion to approve Code Amendment Request PZ23-00200 as submitted. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

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*

Mr. Petrick opened the Public Hearing

Mr. Hamelett stated. Waiting to see when it is approved.

Mr. Dodson stated. Who do you have to take of the property since you live out of town.

Mr. Hamelett stated. I have a relative (aunt) she lives within fifty miles.

Mr. Dodson stated. How close sir.

Mr. Hamelett stated. She lives about maybe less than 30 minutes away.

Ms. Evans stated. Is there on street parking?

Mr. Hamelett stated Yes, it outside the property is a fire hydrant, but I have a property driveway but other than that there is street parking.

Mr. Bolton stated. How many bedrooms?

Mr. Hamelett stated Two.

Ms. Evans stated. Parking on the street.

Mr. Hamelett stated. There is not a lot of traffic on the street, you very seldom see cars parked on that side of the street.

Mr. Bolton stated. There's not a parking sign.

Mr. Hamelett stated. No

Mr. Bolton stated. People could park there.

Mr. Hamelett stated. Yes.

Mr. Petrick closed the Public Hearing

**Mr. Bolton made a motion to approve Code Amendment Request PZ23-00201 as submitted.
Mr. Dodson seconded the motion. The motion was approved by a 4-1 vote.**

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.

Mr. Petrick opened the Public Hearing

Mr. Gould stated. I with Civil Legal on behalf of the applicants, it been our pleasure to continue to work with the Walton family and their associated entitles over the last year as they continue working to return Stewart Street to productive use. Ms. Burton said this afternoon before us you request an amendment to the special use permit for the planned unit development that was granted last year, and I believe you will find that the changes we're going to walk you through as exciting as we do. Last year City council approved a proposal that included 162 market unit rates on Stuart Street ranging from one to three bedrooms all having high end finishes. That would be 231 parking spaces, 6.599 total acres for the property, resident access was going to be limited to West Main Street only. Here is a site map of the project as it was approved last year. On the left you see the original site

plan, notice that the development stopped about two thirds of the way down Stewart Street, there was no access for residents from Watson and its access would be limited to emergency vehicles, Stewart Street would dead end at the end of that development.

The amendment that we seek today is a result of the applicants gaining control of all the remainder of Stewart Street plus as Ms. Burton mentioned the parcel on a constrained to the east. The addition of these parcels allows the original concept to evolve. And we would submit it addresses the primary concerns that neighbors voice last year when we were before you. And without this amendment. The existing plan remains good on the books and retains its approval from City Council. Our view is that this amendment, it represents a win win for everyone involved. It's a win for the developer, and also for the city in terms of adding more housing, also it addresses the concern that neighbors had mentioned last year.

On the next slide, you will see in orange the additional parcels that the applicants added since last year. The either are owned by the applicants or in one case under contract. This leaves the final parcel on Stewart Street, the one that's on blue that not under their control, it is not essential to proceeding with this new version of the project, hope to acquire it but it's not essential. The next slide is an updated design and site plan, the project now extends all the way from West Maine down to Watson, there is no dead end or cul-de-sac as the prior version had, the project is more spread out. It's not 6.59 acres and spread across 9 acres. Additional buildings have been added. So instead, those 162 units being confined to 6 buildings, the 195 will be across 11, that retains the club and the pool house that was required from the original plan. And while it not on this version of the plan, the same investment and commitment to landscaping and having and appropriate privacy buffer with the surrounding neighbors still exists. The next slide shows similarity to the one before a side by side with the full updated list of parcels on the left. You can see to the right what the concept looks like.

I want to share a few key numbers which relates to this amendment by adding these extra parcels, there's an increase of 33 units that's a 20% increase in the number of housing units, increase of 62 parking spaces, it goes from 1.4 spaces to 1.5. that's 40% more than required by City code. There was a concern last year from neighbors that even though the original proposal exceeded that. With the update plan, more units and more parking spaces have been added. There's an addition of nearly 2 ½ acres. Even as the number of units increase, the density of the project decreased. That was something the neighbors signaled a concern last year. The update proposal includes a second access point for residents from Watson Street is going to be gated so access to and from the community would be controlled but if again, you have a second access point, so traffic do not have to go out West Main Street or come in from West Main. The advocates plan to invest in stormwater infrastructure under the ground, which would eliminate the need for an above ground school and water retention pond. Their concept for the building has continued to be refined it will reflect the heavy brick aesthetic of the surrounding communities even more than it had previously. We are pleased that this project continues to receive a tremendous amount of support. We have the neighbors on the northeast and northwest corner on West Main. And the southeast and southwest corners on Watson, that are supportive of this. They recognize the importance of both returning Stewart Street to its productive use, also understand what this mean to the continued economic growth in the immediate area. I think the potential for this to spur some additional investment along the upper end of Watson Street toward the hospital is very real.

I Happy to take questions you have. We're excited to present this update plan for you.

Mr. Dodson stated. Is the traffic study disabling. don't need traffic lights.

Mr. Gould stated. Yes sir, traffic study was completed and accepted by the city it did not call for a traffic light at the Stewart and West Main intersection.

Ms. Evans stated. The home planning will be all bad as you exit and with that one holdout this is required.

Mr. Gould stated. That's correct, and what hinge there is whether or not that property is added to the development. And it's where the gate would be. If the property is acquired. The gate would be closer

to Watson if it's not acquired, it would be closer to West Main. So that if that if that parcel not added then there would be free float of traffic, but the gate would be as far down so no obstruction there. Ms. Evans stated. So, there is no home on that property.

Mr. Gould stated. Correct.

Mr. Petrick stated. Do you have a completion date for this project.

Mr. Gould stated. I believe they're looking at the second quarter of 2025. Ready to move quickly though, once hopefully City Council approves next month.

Mr. Dumont stated. I live at 249 West Main Street, six houses away from Stewart Street. I strongly supported the Walden's when they tore down the dilapidated building. I support them when they proposed 24 duplexes, and when they upscaled into 72 units, but when they went to 162, I along with all the immediate neighbors rejected the proposal. All the comparable streets, Virginia, College, Montague they have around 100 units per street. I want you to know, I hear about that density per acre. I want to talk about density per street as the number of units per street. And they are proposing 100, 192 that's almost double what all the streets in the surrounding areas. And if you take the street density and apply it to Danville. It will be 600,000 population This is no longer a street this street is now got to be larger than a lot of towns in the US. The support that come for this project are people that aren't in the immediate area.

I do realize and that's why I supported the Waldens from the beginning, yes, Danville needs housing. But everyone when it went to 162, that was in favor of this project. They were not proposing this project in their neighborhood, they were not proposing it on their property. And here we residents that are immediately affected, are being jeopardized here. I now realized that city code is 1.5 cars, now that equates to 287 cars, that's really not enough. The number of cars per unit is going to end up really becoming 2 cars per unit. I mean, that's the way Danville thinks. So that's 100 spaces, not enough. Us that live right there on West Main Street, between Montague and Stewart, that means our 2-car parking per house is going to get consumed. That means those residents and their guests are going to park in front of our houses. I am asking for is a special permit parking for our houses between Montague and Stewart Street, and the comparable house across the street. I think this is really reasonable, when we were at Cream and Vines, the whole Walden group was totally supportive of this. Keith calls me today to say we're totally supportive Louis. But we've gone down to the city, we ran into some kind of roadblocks. Not sure what the roadblocks was. But in our opinion, if we're going to have to be their victims, having all this extra parking. And now we have to go look for parking. I mean, that's not reasonable. And I think it's extremely reasonable which Steven and the Waldens, and even their site manager, they all thought this was a very reasonable proposal that we talked about agreement bind. I would like this special permit parking within the block, to be part of the approval process.

Mr. Petrick stated. I think permitted parking is a policing issue. They have to canvass the area has to be approved by neighbors before anything can be done. I don't think this will be considered here.

Ms. Burton stated. This is due to a program Atlas in the past. And the exact dates, I think it says that they had a parking permit situation and then dissolved through Thursday night City Council meeting, it was brought up again. I think we should look at that. And so, we are in communication about that. I don't know what results may come from that. There was talk about that on West Main Street. So, if you'd like that conversation extended towards your area, I will certainly bring that up.

Mr. Dumont stated. Please. Thank you very much. Any questions?

Mr. Dodson stated. Your main concern is parking.

Mr. Dumont. Stated. This density, I have a different interpretation of density as opposed to the Walden group they are quoting density per acres, they went from 6 acres to nine acres. I'm staying street density, it the number of units per street, and this street will be twice the number of units than

any other street in the comparable area. That doesn't fit the community. When it was 24 duplexes 72 but now 162 has been approved. So, I can't be up here questioning that right now. But 192 that does equate back now to parking in front of our houses now. That's the biggest problem we're going to have to be confronted with every day.

Mr. Boltom stated. Question I asked about the density? Did it go up?

Mr. Gould stated. It's gone down.

Mr. Bolton stated. I have a hard time understanding why there will be a need for street parking on West Main.

Mr. Gould stated. Certainly, or view is that there is sufficient parking before the amended plan includes even more parking so that it's almost two parking spots per new unit added that's included in the updated plan. So, with the proximity both to the hospital, and to Averett. Our contention throughout has been that you're going to have a larger than normal percentage of residents along the street who are walking to work. We know from communications with representatives from the hospital that they can always have pressure to find accommodation for their folks, particularly as the resident program continues to grow and thrive. Having an option, high quality option, high quality modern options like this, that is a three- or four-minute walk from the hospital that is going to be an asset. If you look at the perspective of what the city code requires, we're clearing the hurdle by 40% before 50%.now.

Mr. Dodson stated. Do you know if there is going to be a charging station for electric vehicles?

Mr. Gould stated. I believe Ms. Evans had asked that question before, I don't know that anything in particular has been decided, but certainly something to be considered going forward. I think also it's a situation where we're seeing the market demand that and to a degree going forward. That had not been the case in the past. So, I think it's probably factoring into any conversation about a project this size.

Mr. Benefield stated. I live at 137 Montague Street, upper end. I have concerns about drainage. They mentioned that it was going to be included. I have a lot of runoffs without any property there, been flooded with 12 inches of water in my crawlspace, back when Michael came through. I'm really concern about that and the buffer. There are large trees that I had come down on my fence in the past few years. I'm asking is there going to be a fence on the backside of the development toward Montague. Is there going to be adequate drainage, maintenance of the trees perhaps pruning of the big trees that are threatening to come down in the next stall?

Mr. Petrick stated. Drainage and buffering, as far as landscaping is that an issue with public works.

Ms. Burton stated. Construction will be requirements for stormwater management zoning requirements.

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Mr. Petrick stated. As far as fencing.

Mr. Gould stated. Yes, there will fencing around the property. And in terms of specific trees can't speak to that. But certainly, the applicants will have every reason to protect their investment and make sure that any problem are addressed before they become bigger issues. And I think that we spoke to last year with the initial approval was that even without taking into consideration the stormwater infrastructure, whether above ground or below ground, the improvement in the amount of investment in this acreage would help prevent much of the runoffs that is uncontrollable right now. We will expect for the combination of the care of the land also the infrastructure that's put in place to address many of the concerns that the neighbors have had in the past.

Mr. Petrick opened the Public Hearing

Mr. Bolton stated. Just for clarification, you say a new development agreement will be required on the changes.

Ms. Burton stated. It isn't a requirement they will require the conditions. So, you will need to state that it will be with 10 list of conditions that are stack.

Mr. Bolton made a motion to approve Code Amendment Request PZ23-00202 with conditions. Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

The June 12, 2023, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 4:58 p.m.

APPROVED