



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

September 11, 2023

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. NEW BUSINESS

1. Special Use Permit application PZ23-00254 filed by MADS Holbrook, LLC requesting a Special Use Permit at 503 Holbrook Avenue (Parcel 21964) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
2. Special Use Permit application PZ23-00280 filed by Charles Motley to convert single family detached dwelling to duplex at 305 Girard Street (Parcel 02281) in accordance with Article 3.E Section C.
3. Special Use Permit application PZ23-00270 filed by Preferred Management Group on behalf of Rebekah and Jonathan Rogerson requesting a Special Use Permit at 121 Howeland Circle (Parcel 23422) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
4. Special Use Permit application PZ23-00269 filed by Martha Evans Ray requesting a Special Use Permit at 113 Clarendon Circle (Parcel 25586) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
5. Rezoning application PZ23-00274 filed by Jeremiah Clark to rezone 2 Winstead Drive

(Parcel 51165) from HR-C Highway Retail Commercial to OT-R Old Town Residential.

6. Special Use Permit application PZ 23-00273 filed by Jeremiah Clark requesting a Special Use Permit at 2 Winstead Drive (Parcel 51165) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
7. Rezoning application PZ23-00276 filed by Jeremiah Clark to rezone 2520 West Main Street (Parcel 54430) from HR-C Highway Retail Commercial to OT-R Old Town Residential.
8. Special Use Permit application PZ23-00275 filed by Jeremiah Clark, requesting a Special Use Permit at 2520 West Main Street (Parcel 54430) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.
9. Special Use Permit application PZ23-00291 filed by Seth Francis on behalf of SOVAH Health, requesting a special use permit at 142 South Main Street (Parcel 26338) to allow waiver of minimum yard requirements in accordance with Article 3.I Section C Item 19.
10. Rezoning application PZ23-00292 filed by PDJ Development, LLC to rezone Parcel 75912 from LED-I Industrial District to M-R Multifamily Residential District.
11. Rezoning application PZ23-00294 filed by PDJ Development, LLC to rezone Parcel 78257 from LED-I Industrial District to M-R Multifamily Residential District.
12. Code Amendment Request PZ23-00295 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 2 to create Section Y titled "Short-term Rentals".

IV. APPROVAL OF MINUTES

1. Approval of August 7, 2023 Minutes

V. ADJOURNMENT

VI. PLANNING DIRECTOR'S REPORT



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00254 filed by MADS Holbrook, LLC requesting a Special Use Permit at 503 Holbrook Avenue (Parcel 21964) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

503 Holbrook Avenue is zoned OT-R, Old Town Residential and located within the Old West End Historic District. The applicant, MADS Holbrook, 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 1900 and is a single family dwelling. There is on-street parking and the property has a private driveway.

503 Holbrook 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 has identified a property manager who lives within 50 miles of the property.

During the August 24, 2023 meeting of the Commission of Architectural Review, the Commission voted 3 -0 - 1 to recommend approval of the Special Use Permit for the operation of a Short Term Rental at 503 Holbrook Avenue.

Fifty-one (51) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Twelve (14) responses were received, eight (10) were unopposed and four (4) were opposed. The Commission of Architectural Review has reviewed the application, and recommends approval.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00254 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 503 Holbrook Avenue (Parcel 21964).

ATTACHMENTS

1. Special Use Permit Application - 503 Holbrook Avenue
2. Signature Page
3. 503 Holbrook_AERIALS
4. 503 Holbrook Ave_OWNERS
5. 503 Holbrook Ave_LANDUSE
6. CAR Recommendation
7. VDHR Data
8. NEIGHBOR STATEMENT- 503 Holbrook Ave



Application deadline: Aug 14th

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#): 503 Holbrook Ave, Danville, VA 24541

Applicant: MADS Holbrook, LLC

Applicant's Address: 325 NW 14th Ave, Camas, WA 98607

Applicant's Phone Number: 360-771-7851

Applicant's E-mail: steve@rydergroupnw.com

Describe Proposed Request: To use the property as a permanent short term rental



Applicant Signature

date

Property Owner Signature
(if not applicant)

date

Special Use Permit Application for 503 Holbrook Ave, Danville, VA 24541

PROPOSED USE:

The proposed use for the property located at 503 Holbrook Ave, Danville, VA 24541 is be short term rental. The property will be available for guest used 24 hours per day, 7 days a week and 365 days per year.

The house will sleep up to 10 people.

C.1

The Comprehensive Plan states as a goals

- 1) "Historic and Cultural Resources – Promote historic and cultural resources by preventing deterioration, promoting rehabilitation and reuse, and promoting heritage tourism in the City"

The property will help achieve that goal. The house has been renovated keeping most of the original details of the home. The floors, stairs, windows, doors and wall placement are still from the original construction of the house. Some newer technology was used for safety and comfort. The electrical, plumbing, HVAC, cabinets have been updated to provide an all-round better and safer stay for short term renters.

The exterior has been repaired and brought to original look using similar materials and painting to match previous colors.

We have tried to keep this in the feel of a 1907 home and in doing so we have kept a valuable asset for the city from being replaced and losing the historical feel of this part of the city. The home is lined with historical pictures of Danville and the surrounding areas to promote the heritage tourism of the Danville.

- 2) "Sustainable Growth & Land Use - Embrace the principles of "sustainable growth" and adoption of the Future Land Use Plan, to promote a balanced mix of residential, commercial, and industrial uses which will accommodate the needs of existing businesses and residents and encourage well-planned development/redevelopment opportunities for new businesses and residents while at the same time protect the historic, architectural, cultural, and natural environment of Danville."

This property adds to sustainable growth. It is new business that will protect the historic, architectural, cultural environment of Danville by offering families a place to visit and explore Danville while preserving the architecture of the property.

- 3) "Economic Development – Support and promote the City's existing economic base while actively recruiting other economic development opportunities in the areas of basic industry; advanced manufacturing; technology; sustainable/green energy, automotive, and aerospace research, development, and production; and tourism in order to strengthen and expand the economy."

This property will support the existing economic base by bringing new families into Danville, spending money on restaurants, exploring the sites of Danville and adding tourists that will boost the economy of the existing businesses.

C.2 The applicable zoning district

The property is zoned single family residence and will continue to meet that zoning requirement.

C.3 The Surrounding Properties

The surrounding properties are residential single family homes. Some are owner occupied, some are vacant and some are rental properties. This property is a single family home and will continue as such which will enhance the surrounding properties by showing the beauty of the existing architecture and promote the historical beauty of Danville.

C.4 Current and Future neighborhood conditions

The current neighborhood conditions are mixed. Several of the houses in the area are vacant (some are unlivable), some are in good condition and some homes are livable but are in need of repair. The work that we have done on the property will hopefully inspire others to upgrade and repair their houses. If our property is an example of what the future conditions can be then this area could be more beautiful than it has been in a very long time.

C.5 Pedestrian and Vehicular traffic patterns

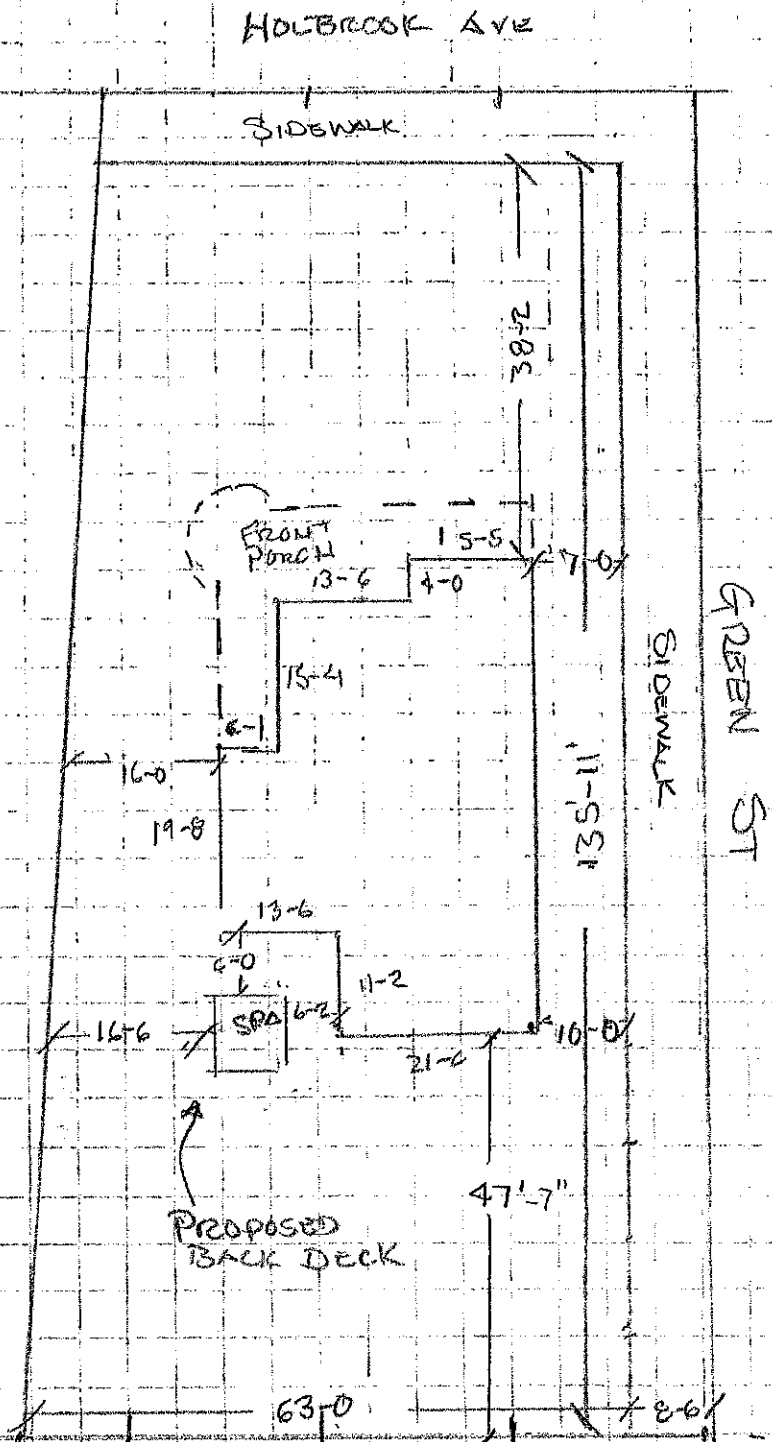
The property will be used by one family of guests at one time. The vehicular traffic will be similar as to what it is now (2 to 3 vehicles). Pedestrian traffic will be minimal as most people will be traveling by vehicle to see the sites of Danville and the surrounding area (as the neighborhood gets rehabilitated and more sites to visit in the local area the pedestrian traffic may increase slightly)

C.6 Adequate public facilities

As of now there are limited public facilities in the local area of this property. The 4 that are in walking distance are Thomas Doyle park, Midtown Market, Crema and Vine restaurant and The Danville Museum of Fine Arts and History. This property will support these public facilities extremely well, additional facilities in the walking distance would be a welcome addition to this neighborhood.

SITE PLAN

503 HOLBROOK AVE
DENVILLE, VA
SCALE 1"=20'



APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 503 HOLBROOK AVE DANVILLE, VA 24543

Applicant: MADS HOLBROOK, LLC

Applicant's Address: ~~503 HOLB~~ 325 NW 14TH AVE, CAMAS WA 98607

Applicant's Phone Number: 360-771-7851

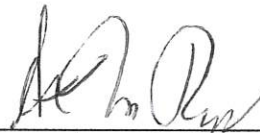
Applicant's E-mail: STEVE@RYDERGROUPNW.COM

Describe Proposed Request: SHORT TERM RENTAL



Applicant Signature

8/16/2023
date



Property Owner Signature
(if not applicant)

8/16/2023
date



Angela J. Ryder 8/16/23



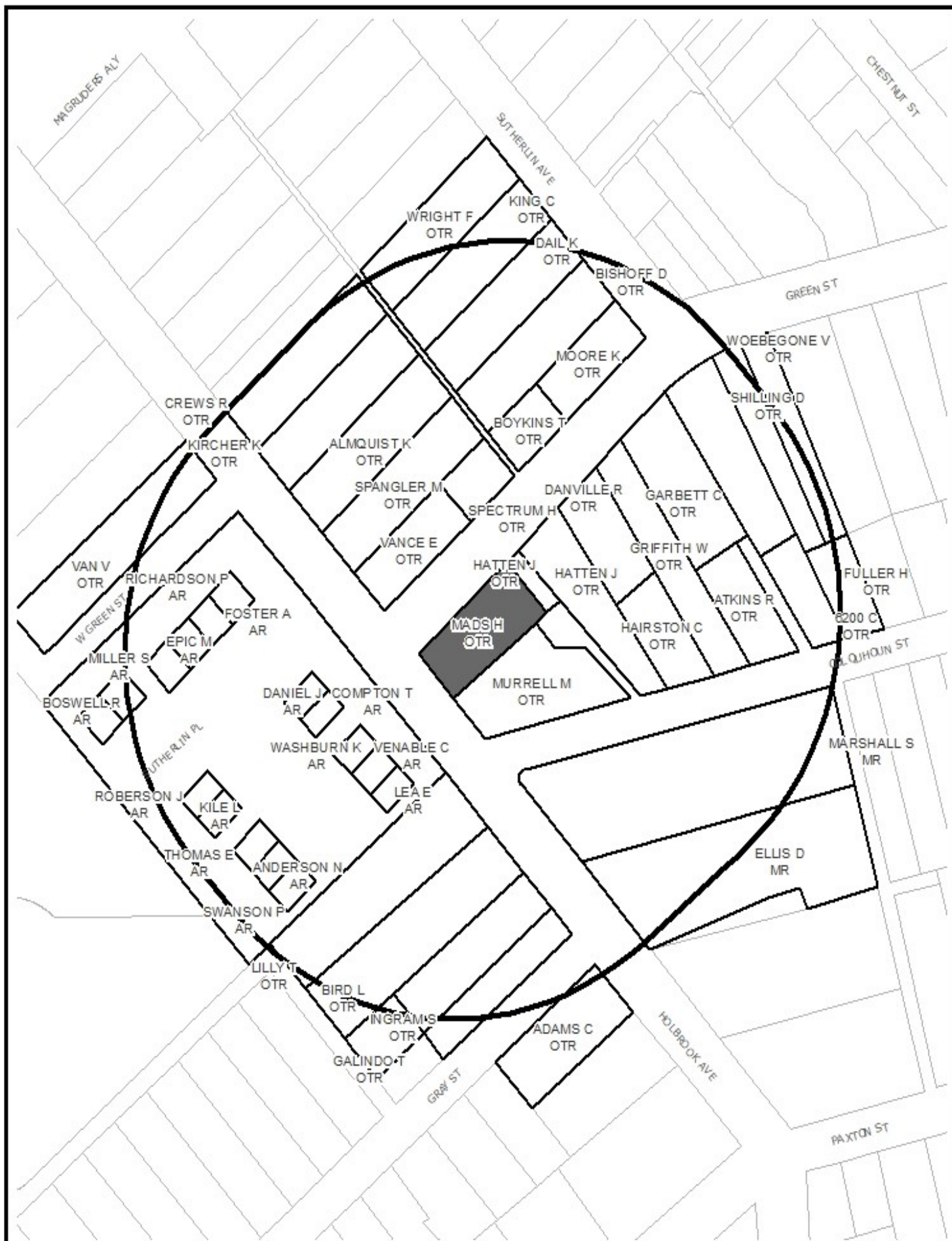
Angela J. Ryder 8/16/23



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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

FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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

Commission of Architectural Review

MEMORANDUM

DATE: AUGUST 24, 2023
TO: CITY PLANNING COMMISSION
FROM: COMMISSION OF ARCHITECTURAL REVIEW
RE: SPECIAL USE PERMIT APPLICATION PZ23-00254
REQUEST:

Special Use Permit application PZ23-00254 filed by MADS Holbrook, LLC requesting a Special Use Permit at 503 Holbrook Avenue (Parcel 21964) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

RECOMMENDATION:

The Commission of Architectural Review, at their August 24, 2023, meeting, voted 3-0-1 to recommend approval of Special Use Permit Request PZ22-00254 as submitted.

Mr. Robert Weir, Chair

Department of Historic Resources **Reconnaissance Level Survey**

Danville

DHR Id#: 108-0056-0079

Resource Identification

Property Name(s): House, 503 Holbrook Avenue
 {Function/Location}
 Property Date: ca 1900
 Address(s): 503 Holbrook Avenue {Current}
 County/Independent City: Danville
 City:
 State, Zip: Virginia
 USGS Quad Name: DANVILLE
 Surrounding area: City

National Register Eligibility Status

Property is Historic (50 years or older)

Property has not been evaluated

This Property is associated with the Danville Historic District [district]

Resource Description

Ownership Status: Private

Primary Resource Exterior Component Description:

<u>Component</u>	<u>Comp Type/Form</u>	<u>Material</u>	<u>Material Treatment</u>
Foundation	Foundation - Raised	Brick	
Structural System	Structural System - Frame	Wood	Structural System - Weatherboard
Windows	Windows - Sash, double-hung	Wood	Windows - 1/1
Porch	Porch - 1-story	Wood	Porch - Columns on Piers
Roof	Roof - Hipped	Metal	Roof - Standing Seam
Chimneys	Chimneys - Interior	Brick	

Site Description: Located within the Danville Historic District (Old West End neighborhood), this building lies at the southern corner of Holbrook Avenue and Green Street. The building is situated close to the brick public sidewalk, which has a granite curb. The yard is held above the sidewalk by a stone retaining wall. Holbrook Avenue is primarily a residential street with houses from the late nineteenth and early twentieth century, many of which are large-scale Queen Anne and Colonial Revival-style dwellings.

WUZIT Count:

<u>No.</u>	<u>Wuzit Types</u>	<u>Historic?</u>
1	Single Dwelling	Contributing

NR Resource Count:

<u>#</u>	<u>NR Resource Type</u>	<u>Contributing Status</u>
1	Building	Contributing

Contributing: 1.00 Total: 1.00

Individual Resource Information

WUZIT: Single Dwelling

Est. Date of Construction: 1900 ca {Site Visit}

Accessed? No Not accessible

Primary Resource? Yes

Number of Stories: 2.0

Architectural Style: Colonial Revival

Condition: Good-Excellent

Interior Plan Type:

Threats to Resource: None Known

Description: This Colonial Revival-style house has the hip-roof with front-gable projection form that is typical in the district. Gabled projections are also found on the sides of the building. The house is sheathed in weatherboard siding and has shingled gable ends. Windows are one-over-one sash and there is a Palladian attic window in the front gable. A gabled attic dormer adds complexity to the roof. The full-width porch is supported by slender Tuscan columns on rock-faced concrete block piers. The porch terminates in a gazebo. A gable marks the porch entry. The window near the front door is stained glass.

Cemetery Information

Bridge Information

**Department of Historic Resources
Reconnaissance Level Survey**

Danville

DHR Id#: 108-0056-0079

Historic Context(s): Architecture/Community Planning

Historic Time Period(s): P- Reconstruction and Growth (1865 to 1914)

Significance Statement: This house is typical of many of the Colonial Revival houses within the district, especially in the Sutherlin and Holbrook Avenues area. The house is contributing to the Danville Historic District. The district is eligible for listing under Criteria A and C for its significance in the growth and development of the City of Danville and for the outstanding architecture within the district.

Bibliographic Documentation

Ownership Information

Graphic Media Documentation

<i>Medium</i>	<i>Depository ID #</i>	<i>Photo Depository</i>	<i>Date</i>	<i>File Name</i>
35MM Black & White	22385	DHR	2005/08/99	Frame 29-31-front

National Register Eligibility Information

Cultural Resource Management (CRM) Events

CRM Event # 1,
Cultural Resource Management Event: Reconnaissance: Cost-Share
Date: 2005/10/99
Organization or Person: Sherry Wyatt
CRM Event Notes or Comments:

MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Special Use Permit application PZ23-00254 filed by MADS Holbrook, LLC requesting a Special Use Permit at 503 Holbrook Avenue (Parcel 21964) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.*

RESPONSES:

Fifty-one (51) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Twelve (14) responses were received, eight (10) were unopposed and four (4) were opposed.

COMMENTS:

Parking is a big issue in this neighborhood; short-term rentals will make it worse. Our effort has been to encourage single-family dwellings in this neighborhood. Short-term will work to reverse that effort.

But I am concerned about parking issues. There is very limited parking areas on Holbrook and Green Street already and the houses are very close together. Also since we all live in such close proximity to each other, I'm concerned about strangers in our neighborhood that we know nothing about.

I am hoping that parking will not be a problem for us in the condominium area at Sutherland Place.

Our only concerns are who will be there to monitor the house and once the SUP has been granted we assume it is in perpetuity. We suggest having an annual or a renewal of some sort. Thank you.



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00280 filed by Charles Motley to convert single family detached dwelling to duplex at 305 Girard Street (Parcel 02281) in accordance with Article 3.E Section C.

SUMMARY

305 Girard Street is zoned OT-R, Old Town Residential. The applicant, Charles Motley, has requested to convert this single family dwelling into a duplex according to Article 3.E. Section C Item 2.

The subject property was built in 1906 and is a single family dwelling. It was acquired by the applicant in 2007. There are no other listed multifamily homes on Girard Street and much of the parking is on-street.

Fifty-five (55) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Five (5) responses were received, four (4) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00280 for a Special Use Permit in accordance with Article 3.E. Section C Item 2 to convert the single family dwelling to a duplex.

ATTACHMENTS

1. Application (24)
2. 305 Girard St
3. 305 Girard St_AERIALS
4. 305 Girard St_OWNERS
5. 305 Girard St_LANDUSE
6. NEIGHBOR STATEMENT- 305 Girard St (1)



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 #: PZ23-00280 PC Meeting Date: Sept. 11
Date Received: 8/7 Received By: Williams
Parcel ID: 02281 Address: 305 Girard St
Existing Zoning: OT-R Future Land Use: duplex

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 305 Girard St (N. Danville)

Applicant: Charles B. Motley

Applicant's Address: 1805 Swann Ave - Belle Isle, Florida 32809

Applicant's Phone Number: 407 851-2289 (landline)

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

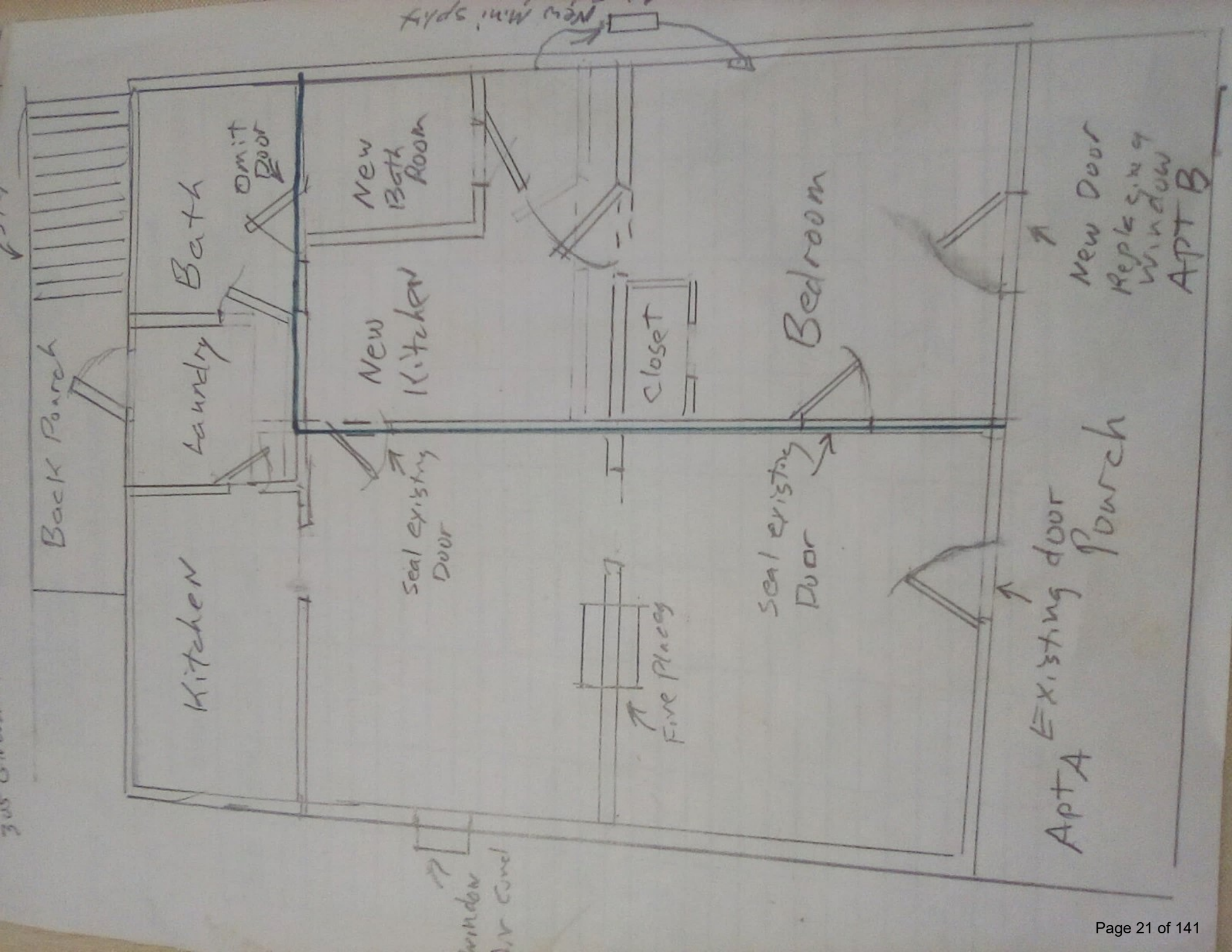
Describe Proposed Request: Replace metal roof (install)

Convert single family residence into a duplex.

Community Services leases this to house special needs community (1 person). This is Danville's greatest shortage needs. They would like this duplex so they can house another person. (and expressed they would maintain it)

Charles B. Motley
Applicant Signature date

Charles B. Motley
Property Owner Signature date
(if not applicant)





2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Special Use Permit application PZ23-00280 filed by Charles Motley to convert single family detached dwelling to duplex at 305 Girard Street (Parcel 02281) in accordance with Article 3.E Section C.*

RESPONSES:

Fifty-five (55) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Five (5) responses were received, four (4) were unopposed and one (1) was opposed.

COMMENTS:

This conversion to a duplex is acceptable. Thank you.



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00270 filed by Preferred Management Group on behalf of Rebekah and Jonathan Rogerson requesting a Special Use Permit at 121 Howeland Circle (Parcel 23422) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

121 Howeland Circle is zoned OT-R, Old Town Residential. The applicants, Preferred Management Group on behalf of Rebekah and Jonathan Rogerson, have 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 1928 and is listed as a four (4) bedroom, two (2) bath single family dwelling. It was acquired by the current owners in 2018. The property has a private driveway with space for multiple vehicles and there is on-street parking available.

A certificate of occupancy inspection has not been scheduled as the property is currently occupied by a rental tenant. The applicant, who will be acting as local agent, is a property management company based in Danville.

Forty-four (44) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Nine (9) responses were received, six (6) were unopposed and three (3) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00270 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 121 Howeland Circle (Parcel ID #23422).

ATTACHMENTS

1. signature page - RR Signed
2. signature page
3. 121 Howeland Cir_AERIALS (1)
4. 121 Howeland Cir_OWNERS
5. 121 Howeland Cir_LANDUSE
6. NEIGHBOR STATEMENT- 121 Howeland Cir

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): _____

Applicant: _____

Applicant's Address: _____

Applicant's Phone Number: _____

Applicant's E-mail: _____

Describe Proposed Request: _____

Applicant Signature date

Rebekah Rogerson

Property Owner Signature
(if not applicant)

8/7/2023

date

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): _____

Applicant: _____

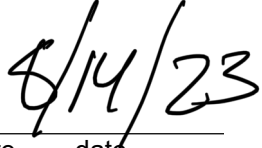
Applicant's Address: _____

Applicant's Phone Number: _____

Applicant's E-mail: _____

Describe Proposed Request: _____

Applicant Signature date

Property Owner Signature date
(if not applicant)



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

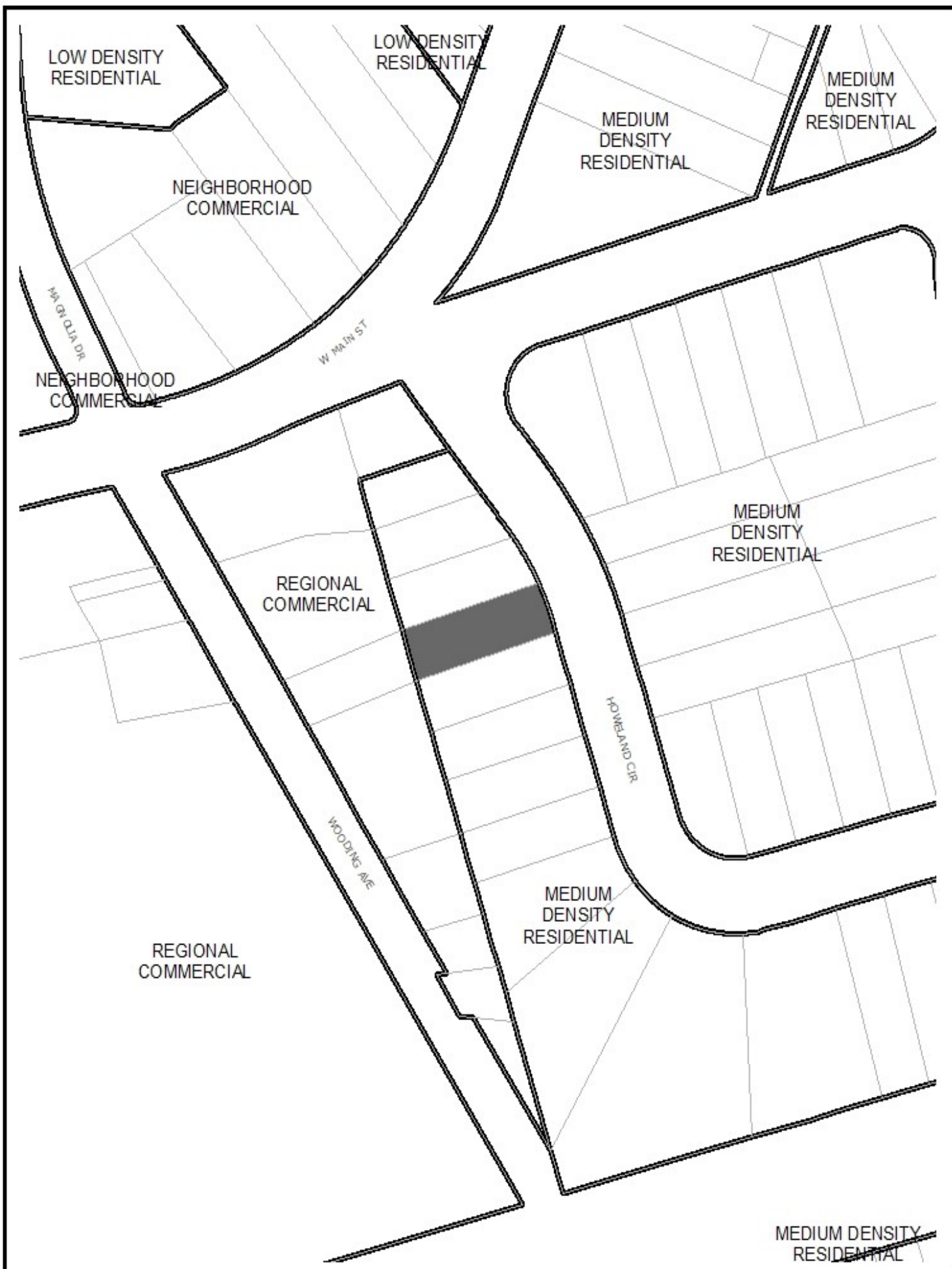
Prepared by:
Planning Division
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FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Special Use Permit application PZ23-00270 filed by Preferred Management Group on behalf of Rebekah and Jonathan Rogerson requesting a Special Use Permit at 121 Howeland Circle (Parcel 23422) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.*

RESPONSES:

Forty-four (44) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Nine (9) responses were received, six (6) were unopposed and three (3) were opposed.

COMMENTS:

Parking could be a problem.

Parking is very limited and one was already approved on the circle and has impeded parking. Another would be ridiculous!

Parking is already a problem- we do not need additional cars.



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00269 filed by Martha Evans Ray requesting a Special Use Permit at 113 Clarendon Circle (Parcel 25586) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

113 Clarendon Circle is zoned OT-R, Old Town Residential. The applicant, Martha Evans Ray, have 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 1951 and is a single family dwelling. It was acquired by the applicant in 2019. The property has a shared driveway. On street parking is available.

An inspection for certificate of occupancy has been completed and passed. The applicant lives nearby in the same neighborhood. The property has been reported to zoning as already having an active listing on a popular short-term rental website.

Fifty-seven (57) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Seventeen (17) responses were received, twelve (12) were unopposed and five (5) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00269 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 113 Clarendon Circle (Parcel ID #25586).

ATTACHMENTS

1. Special Use Permit - 113 Clarendon Circle
2. 113 Clarendon Cir_AERIALS
3. 113 Clarendon Cir_OWNERS
4. 113 Clarendon Cir_LANDUSE



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 #: PZ 23-00269 PC Meeting Date: 9/11/23
Date Received: 8/3/23 Received By: LISA JONES
Parcel ID: 25586 Address: 113 clarendon circle
Existing Zoning OTR Future Land Use: Air BNB

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 113 Clarendon Cir.
Applicant: Martha Evans Ray
Applicant's Address: 131 Canterbury Rd.
Applicant's Phone Number: 434-489-3233 (C) 434-791-3280 (H)
Applicant's E-mail: martharay22@yahoo.com

Describe Proposed Request:

Airbnb when not being used personally
by family during holidays and for
visits

Martha E Ray 7/25/23
Applicant Signature date

Property Owner Signature date
(if not applicant)

Application for Special-Use Permit

113 Clarendon Cir.

This property is zoned O-T R and in keeping with the Comprehensive Plan I intend to continue to use it as a personal residence for my visiting family and friends and even at times for myself as was the case recently when our power was out for over 24 hours due to a bad storm. I am not interested in any long-term rentals because of that personal use. It has been in my family for 30+ years as my parents lived there until their passing.

When not in use by me personally, I would like to further make use of it as an Airbnb during the vacant times and thus my application for this special use permit. I would be offering 2 bedrooms for a total of 4 occupants at any given time. Additionally, I live just a couple of blocks away and keep a close watch on it.

There are now many regular rental properties on this street and in the surrounding neighborhoods. I feel that many times regular renters do not keep the property up, but we always keep the grass mowed and constantly enhance the landscaping and front porch pots as if we lived there full-time. I also continue to feed the birds there as well just like my parents did. I take pride in all of that, and I further feel that outside appearances are as important as inside.

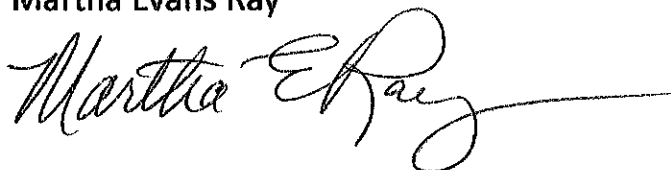
By using this part time as an Airbnb, I feel that it would only enhance the offerings of the City of Danville for people traveling for work and play. It just gives them another option for a pleasant and memorable stay in our city. It is also well located for traveling doctors and nurses as it is near the hospital and near Averett and the downtown area.

The property has off-street parking as well as plenty of on street parking as it is next to a corner lot that uses the other side for its front entrance and parking. There is plenty of parking and it would not affect any of the neighbors.

Basically, nothing would change as far as the city is concerned other than receiving the occupancy tax benefit that Airbnb collects.

Thank you for your consideration.

Martha Evans Ray

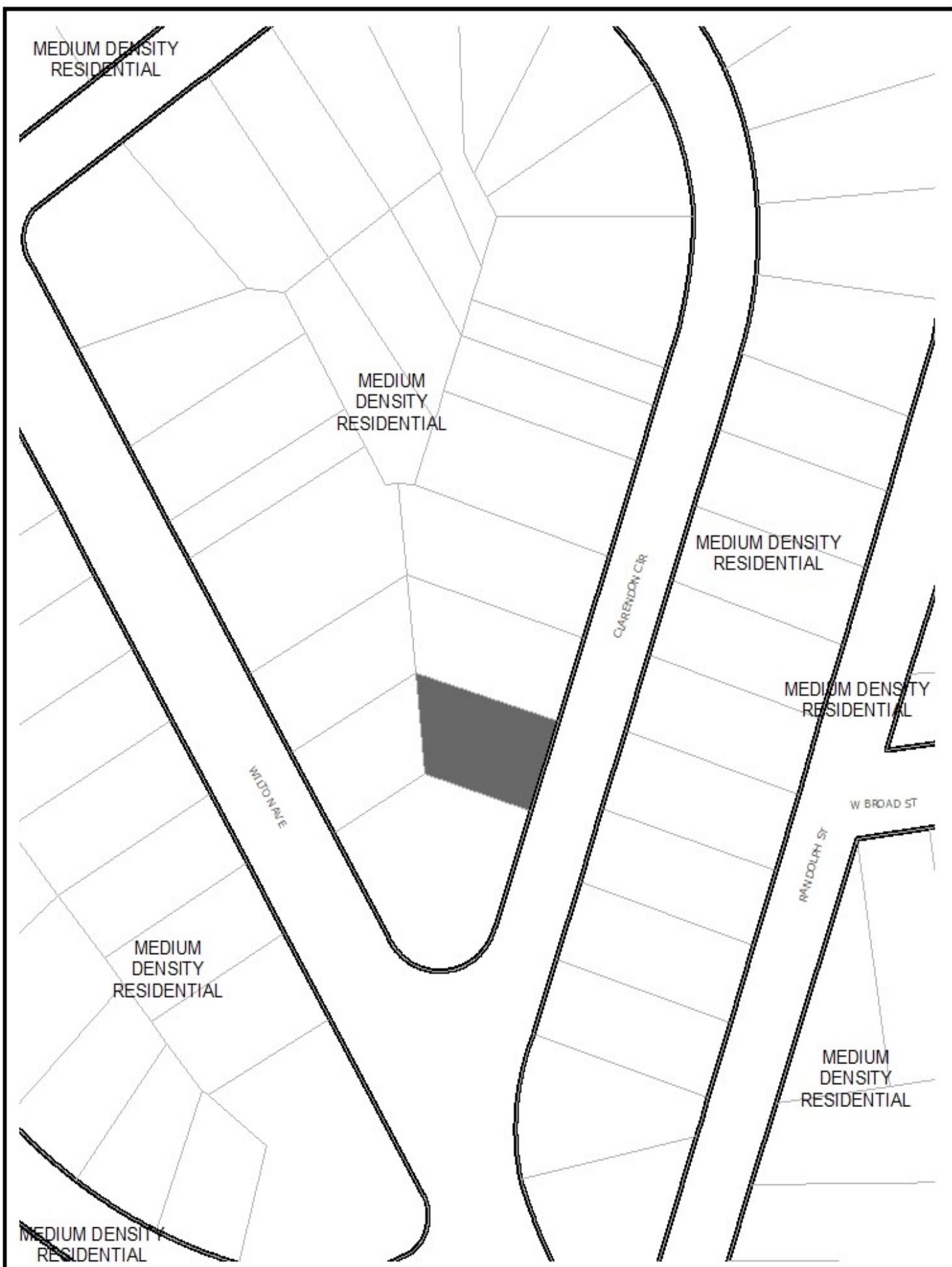
A handwritten signature in black ink, reading "Martha Evans Ray". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ23-00274 filed by Jeremiah Clark to rezone 2 Winstead Drive (Parcel 51165) from HR-C Highway Retail Commercial to OT-R Old Town Residential.

SUMMARY

The subject property, 2 Winstead Drive, is currently zoned HR-C, Highway Retail Commercial. The applicant purchased the property in June with the intent of using the property as a Short-Term Rental. The HR-C zoning classification does not allow Short-Term Rentals. Therefore, the applicant has submitted applications to rezone the subject property from HR-C, Highway Retail Commercial to OT-R Old Town Residential and to be granted a Special Use Permit for Short Term Rental.

It is a residential structure built in 1952 that was acquired by the applicant in June of this year. There are no records that indicate this property has been used commercially in the past. It is likely that the property was zoned HR-C during the City-Wide rezoning in 2004 for its potential consolidation with 2520 West Main Street.

Twenty-six (26) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) response was received, one (1) was unopposed and two (2) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve Rezoning Application PZ23-00274 for City Council approval.

ATTACHMENTS

1. Application (25)
2. 2 Winstead Dr_AERIALS
3. 2 Winstead Dr_OWNERS
4. 2 Winstead Dr_LANDUSE

5. NEIGHBOR STATEMENT- 2 Winstead rezoning



CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. 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.
 - c. 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.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ23-00274 PC Meeting Date: 9/11
Date Received: 8/3/23 Received By: Williams
Parcel ID: 51165 Zoning District: _____
Existing Zoning: HR-C Proposed Zoning: OT-R

APPLICANT PROVIDED INFORMATION

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

Property Address: 2 Winstead Drive Gross Area/Net Area: .07

Property Location: N ☐ S ☐ E ☒ W ☐ Side of: hirstad

Between: W. Main St and Murphy Circle

Proffered Conditions (if any, please attach): _____

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

Name: Jeremiah Clark Telephone: 434-250-0622

Mailing Address: 218 Hayes Avenue Danville VA 24540

Email Address: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

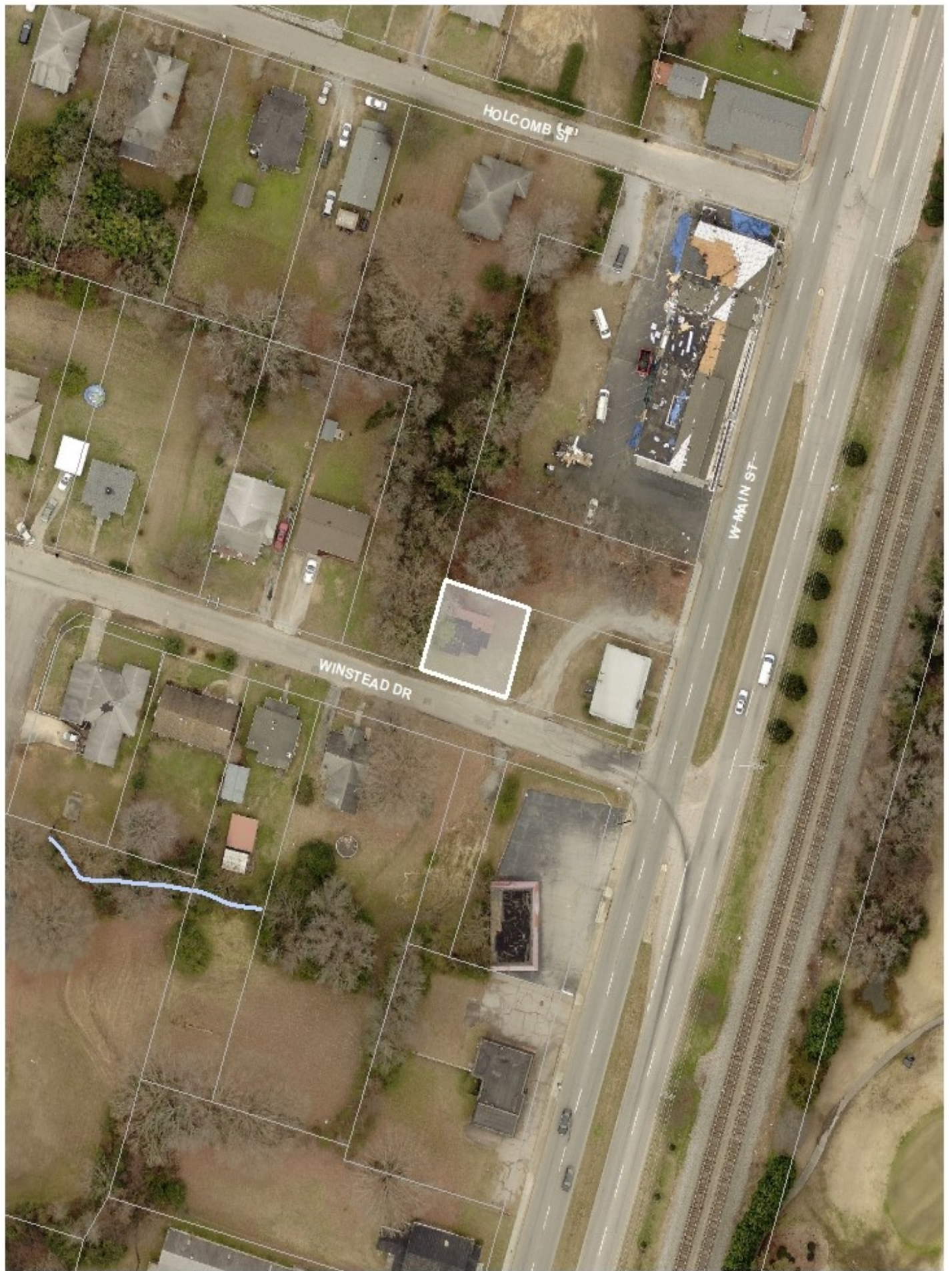
Name: _____ Telephone: _____

Mailing Address: _____

Email Address: _____

Jeremiah Clark 8-3-23
Applicant Signature date

Property Owner Signature date
(if not applicant)



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Rezoning application PZ23-00274 filed by Jeremiah Clark to rezone 2 Winstead Drive (Parcel 51165) from HR-C Highway Retail Commercial to OT-R Old Town Residential.*

RESPONSES:

Twenty-six (26) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) response was received, one (1) was unopposed and two (2) were opposed.

COMMENTS:



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ 23-00273 filed by Jeremiah Clark requesting a Special Use Permit at 2 Winstead Drive (Parcel 51165) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

The subject property, 2 Winstead Drive, is a residential structure built in 1952. The applicant purchased the property in June with the intent of using the property as a Short-Term Rental. The property owner lives within fifty (50) miles of the subject property.

The subject property is currently under renovation by the applicant. A Certificate of Occupancy cannot be issued until all work is complete. The property has a gravel/grass driveway for use.

Twenty-six (26) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received, one (1) was unopposed and two (2) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00273 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 2 Winstead Drive (Parcel ID #51165).

ATTACHMENTS

1. Application
2. 2 Winstead Dr_AERIALS
3. 2 Winstead Dr_OWNERS
4. 2 Winstead Dr_LANDUSE
5. NEIGHBOR STATEMENT- 2 Winstead SUP



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 #: PZ23-60273 PC Meeting Date: 9/11
Date Received: 8/3/23 Received By: Williams
Parcel ID: 51165 Address: 2 Winstead
Existing Zoning HR-C Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 2 Winslead Drive

Applicant: Jeremiah Clark

Applicant's Address: 218 Hayes Ave Danville VA 24540

Applicant's Phone Number: 434-250-0622

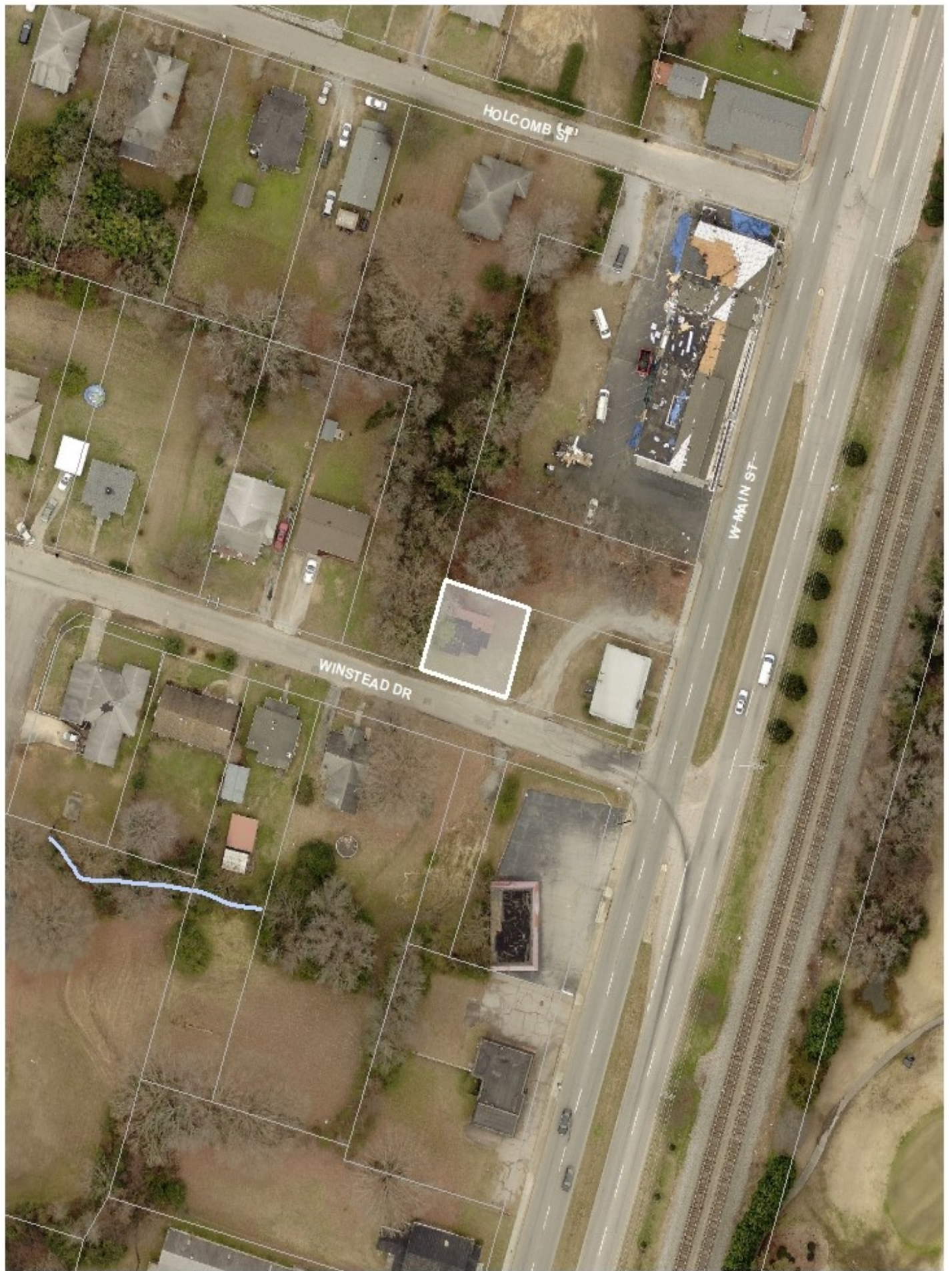
Applicant's E-mail:

Describe Proposed Request: operate a single Air BnB.

Renovate existing home into 2 bedroom, living
room, kitchen and one bathroom.

Jeremiah Clark 8-3-23
Applicant Signature date

Property Owner Signature date
(if not applicant)



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Rezoning application PZ23-00274 filed by Jeremiah Clark to rezone 2 Winstead Drive (Parcel 51165) from HR-C Highway Retail Commercial to OT-R Old Town Residential.*

RESPONSES:

Twenty-six (26) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) responses were received, one (1) was unopposed and two (2) were opposed.

COMMENTS:

Can't rent a family with children too close to highway.



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ23-00276 filed by Jeremiah Clark to rezone 2520 West Main Street (Parcel 54430) from HR-C Highway Retail Commercial to OT-R Old Town Residential.

SUMMARY

The subject property, 2520 West Main Street, is currently zoned HR-C, Highway Retail Commercial. It is a commercial building built in 1950 that was acquired by the applicant in June of this year with the intent of operating a short-term rental, principal use. The HR-C zoning classification does not allow residential uses. Therefore, the applicant has requested to rezone from HR-C, Highway Retail Commercial to OT-R Old Town Residential.

The subject property is located within the West Main Street Commercial Corridor. There are limited residential areas along the corridor and no OT-R zoning adjacent. This may be deemed illegal spot zoning. Illegal spot zoning can be classified as a rezoning that is solely to serve the benefit of the property owner(s) and not the greater good of the community.

However, if the rezoning request by the applicant at 2 Winstead Drive is approved, the rezoning of 2520 West Main Street would be an extension of the OT-R zoning classification, not an isolated classification.

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission deny Rezoning Application PZ23-00276 for City Council approval. 2520 West Main Street is located along the West Main Street Commercial corridor and a residential zoning classification at this location is incompatible with adjacent uses and the surrounding area.

ATTACHMENTS

1. Application

2. 2520 W Main St_AERIALS
3. 2520 W Main St_OWNERS
4. 2520 W Main St_LANDUSE
5. NEIGHBOR STATEMENT- 2520 W Main rezoning



CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. 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.
 - c. 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.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: PZ23-00270 PC Meeting Date: 9/11
Date Received: 8/3/23 Received By: Williams
Parcel ID: 54430 Zoning District: _____
Existing Zoning: HR-C Proposed Zoning: OT-R

APPLICANT PROVIDED INFORMATION

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

Property Address: 2520 W. main st Gross Area/Net Area: .1303

Property Location: N ☒ S ☐ E ☐ W ☒ Side of: W main St

Between: Edel Dyer & husband and Holcomb

Proffered Conditions (if any, please attach): _____

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

Name: Jeremiah Clark Telephone: (434) 250-0622

Mailing Address: 218 Hayes ave Danville, VA 24540

Email Address: _____

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: _____ Telephone: _____

Mailing Address: _____

Email Address: _____

<u>Jeremiah Clark</u>	<u>8-3-23</u>	_____	_____
Applicant Signature	date	Property Owner Signature (if not applicant)	date



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Rezoning application PZ23-00276 filed by Jeremiah Clark to rezone 2520 West Main Street (Parcel 54430) from HR-C Highway Retail Commercial to OT-R Old Town Residential.*

RESPONSES:

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, and one (1) was opposed.

COMMENTS:



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00275 filed by Jeremiah Clark, requesting a Special Use Permit at 2520 West Main Street (Parcel 54430) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

SUMMARY

The subject property, 2520 West Main Street, is currently zoned HR-C, Highway Retail Commercial. It is a commercial building built in 1950 that was acquired by the applicant in June of this year with the intent of operating a short-term rental, principal use. The HR-C zoning classification does not allow residential uses. Therefore, the applicant has requested to rezone from HR-C, Highway Retail Commercial to OT-R Old Town Residential. The applicant has also requested a Special Use Permit to operate a Short-Term rental in accordance with Article 3.E. Section C Item 29.

The last use of record at 2520 West Main Street was the commercial operation of a tattoo parlor. There is no record of residential use. The applicant must remodel and update the structure to receive a Certificate of Occupancy for residential use. Permits have not been issued to complete this work, because of the commercial zoning classification.

2520 West Main Street has a grass/gravel drive that passes from West Main Street to Winstead Drive. This area could be utilized for parking if enlarged and improved.

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission deny PZ23-00222 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 2520 West Main Street (Parcel ID #54430).

The Planning Staff has recommended denial of the applicant's request to rezone 2520 West Main Street from HR-C, Highway Retail Commercial to OT-R, Old Town Residential. If the Planning Commission recommends approval of the rezoning request, then the Special Use

Permit request for a Short-Term rental may be considered at the subject location. If the Planning Commission chooses to recommend denial of the rezoning request, the Planning Commission must also recommend denial of the Special Use Permit. A Special Use Permit for a Short-Term Rental cannot be issued within a HR-C zoning classification.

ATTACHMENTS

1. Application
2. 2520 W Main St_AERIALS (1)
3. 2520 W Main St_OWNERS (1)
4. 2520 W Main St_LANDUSE (1)
5. NEIGHBOR STATEMENT- 2520 W Main SUP



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 #: P223-00275 PC Meeting Date: 9/11
Date Received: 8/3/23 Received By: Williams
Parcel ID: 54430 Address: 2500 W Main
Existing Zoning HR-C Future Land Use: _____

APPLICANT PROVIDED INFORMATION

2520 W. Main Street

Property Location (address/ID#): ~~218 Hayes Ave Danville VA 24540~~

Applicant: Jeremiah Clark

Applicant's Address: 218 Hayes Ave Danville VA 24540

Applicant's Phone Number: 434-250-0622

Applicant's E-mail: _____

Describe Proposed Request: Convert commercial facility into
residential Air BNB. Convert to 2 units
Each will have 2 bedrooms, one bath and a
Kitchen with external deck on each unit

Jeremiah Clark 8-3-23

Applicant Signature

date

Property Owner Signature
(if not applicant)

date



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/10/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/10/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Special Use Permit application PZ23-00275 filed by Jeremiah Clark, requesting a Special Use Permit at 2520 West Main Street (Parcel 54430) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.*

RESPONSES:

Twenty-two (22) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. One (1) response was received, and one (1) was opposed.

COMMENTS:

Can't rent to a family with kids too close to road. No parking space.



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00291 filed by Seth Francis on behalf of SOVAH Health, requesting a special use permit at 142 South Main Street (Parcel 26338) to allow waiver of minimum yard requirements in accordance with Article 3.I Section C Item 19.

SUMMARY

SOVAH Health has requested a building permit to construct an addition to an existing health care facility located at 142 South Main Street. The addition will be located on South Main Street on the north side of the existing Emergency Room. The addition will extend into the required fifteen (15) foot side yard, creating an approximate five (5) foot side yard setback. The reduction of the side yard setback requires a Special Use Permit.

Article 3.I Section C Item 19 allows a Special Use Permit to waive the minimum side yard setback in the TO-C, Transitional Office Commercial Zoning Classification. The encroachment is adjacent to the parking lot of Mount Vernon United Methodist Church, set back from the street not to create a visual obstruction.

Fifty-three (53) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) response was received, and three (3) were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00291 for a Special Use Permit in accordance with Article 3.I Section C Item 19 to allow a waiver of the minimum yard requirements to create a side yard setback of five (5) feet for the proposed addition submitted.

ATTACHMENTS

1. 142 S Main Application
2. SITE-LAYOUT-PLAN
3. 142 S Main St_AERIALS
4. 142 S Main St_OWNERS

5. 142 S Main St_ LANDUSE
6. NEIGHBOR STATEMENT- 142 S Main



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 #: PZ23-00291 PC Meeting Date: Sept. 11
Date Received: 8/14 Received By: Williss
Parcel ID: 26338 Address: 142 S. Main
Existing Zoning: TO-C Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 142 S. Main St., Danville, VA 24541 / Parcel 26338

Applicant: Crunk Engineering LLC.

Applicant's Address: 9051 Executive Park Dr, Suite 200, Knoxville, TN 37923

Applicant's Phone Number: 8653430510

Applicant's E-mail: seth@crunkeng.com

Describe Proposed Request: Requesting special use approval for north side setback.

Building addition encroaches within setback.



Applicant Signature

8/14/2023

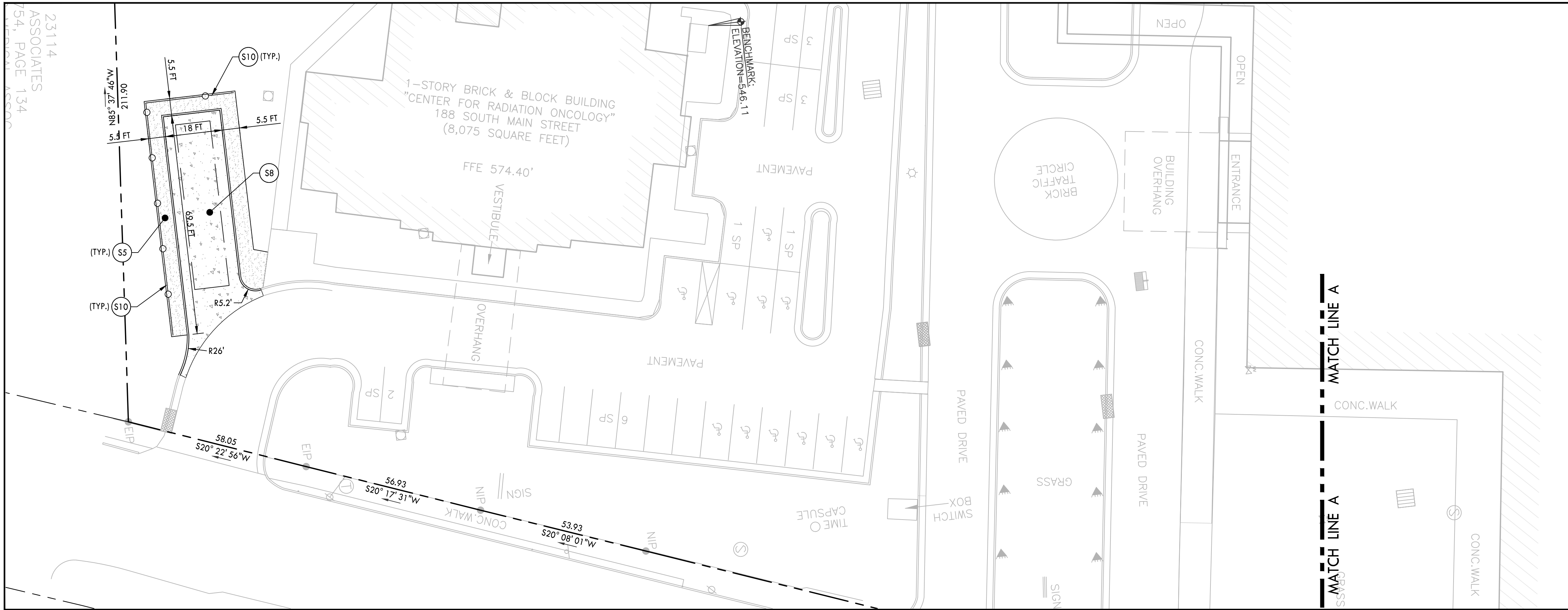
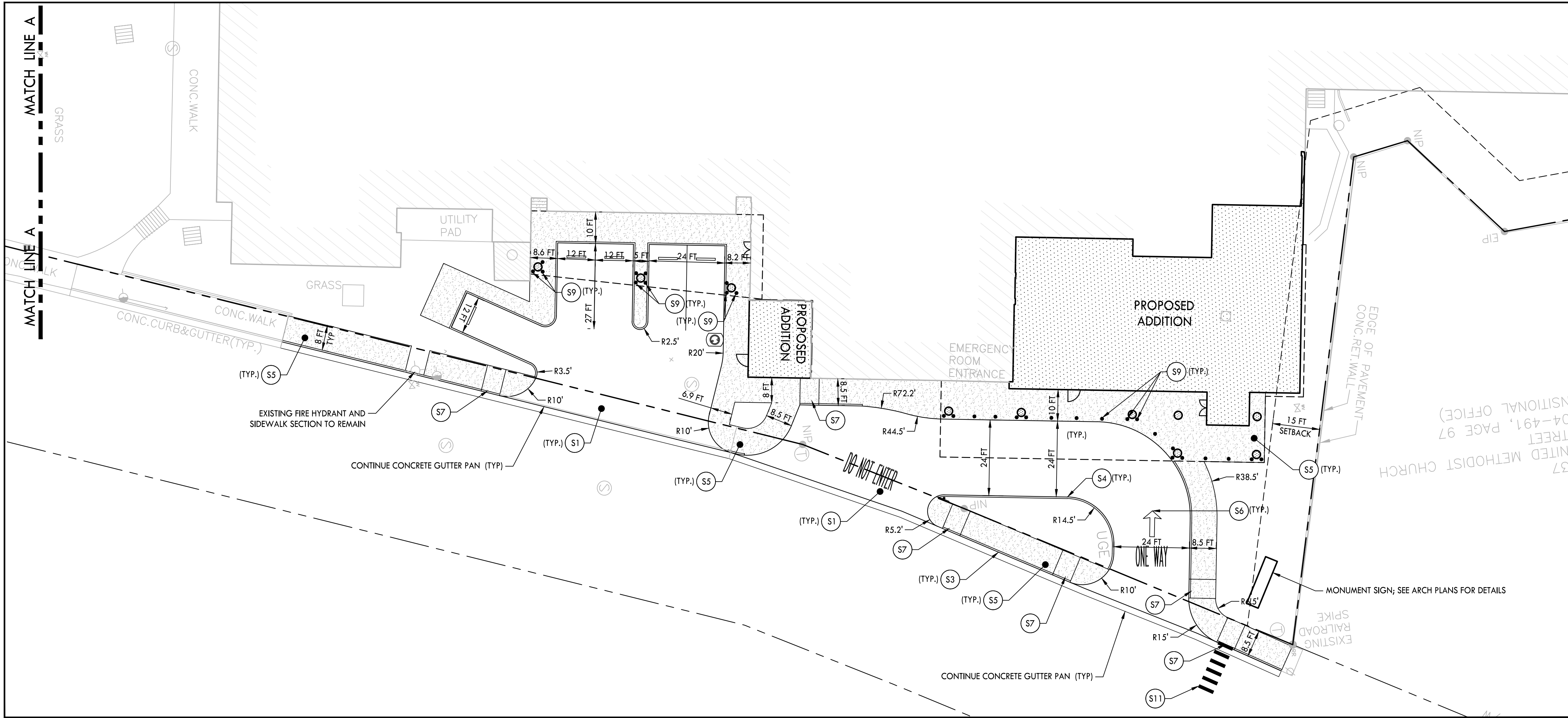
date



Property Owner Signature
(if not applicant)

8/14/23

date

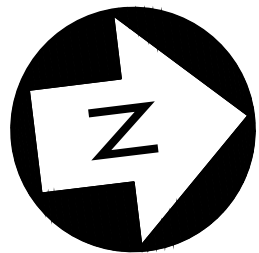
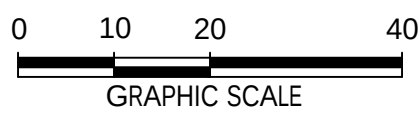


LAYOUT PLAN KEYNOTES		
CODE	DESCRIPTION	DETAIL LOCATION
(S1)	ASPHALT PAVEMENT HEAVY DUTY	C8.0 - 1
(S2)	CONCRETE PAVEMENT	C8.0 - 1
(S3)	CURB AND GUTTER	C8.0 - 5
(S4)	POST CURB	C8.0 - 2
(S5)	CONCRETE SIDEWALK	C8.0 - 3
(S6)	DIRECTIONAL ARROW	C8.0 - 6
(S7)	ACCESSIBLE RAMP - TYPE A	C8.0 - 4
(S8)	MOBILE MRI PAD	C8.0 - 8
(S9)	STEEL BOLLARD	C8.0 - 9
(S10)	PEDESTRIAN GUARDRAIL	C8.0 - 12
(S11)	PEDESTRIAN CROSSWALK	C8.0 - 11

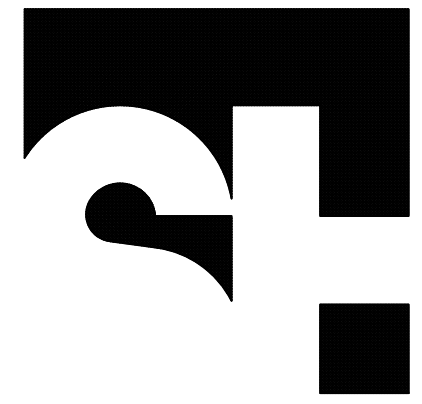
NOTES:
1. REFER TO SHEET C2.0 FOR NOTES.

PROPOSED LAYOUT LEGEND

- PROPOSED BUILDING
- HEAVY DUTY ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- PROPERTY LINE
- EDGE OF NEW PAVEMENT

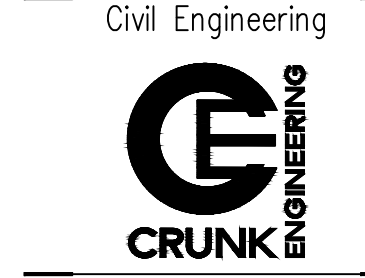


ARCHITECTURE



STENGEL-HILL

613 West Main Street
Louisville, Kentucky 40202
502.893.1875
502.893.1876 fax



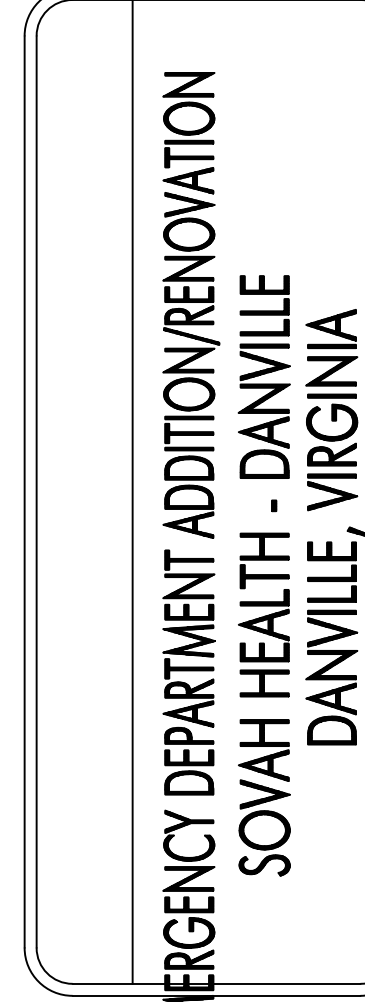
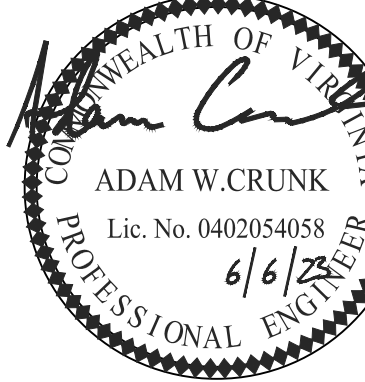
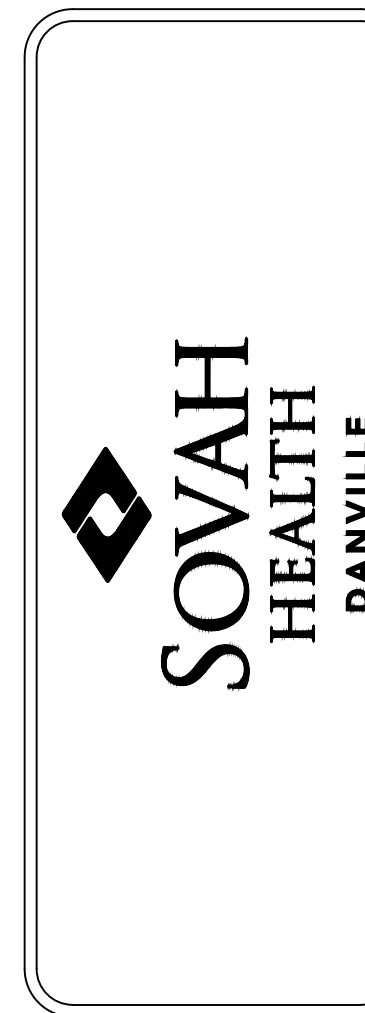
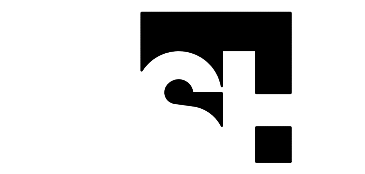
Structural Engineering



MECHANICAL/ELECTRICAL ENGINEERING



Interior Design



14 MARCH 2023
14 APRIL 2023

03 MARCH 2023
SHA.DRM1903

C5.0
SITE LAYOUT PLAN

CONSTRUCTION DRAWINGS



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

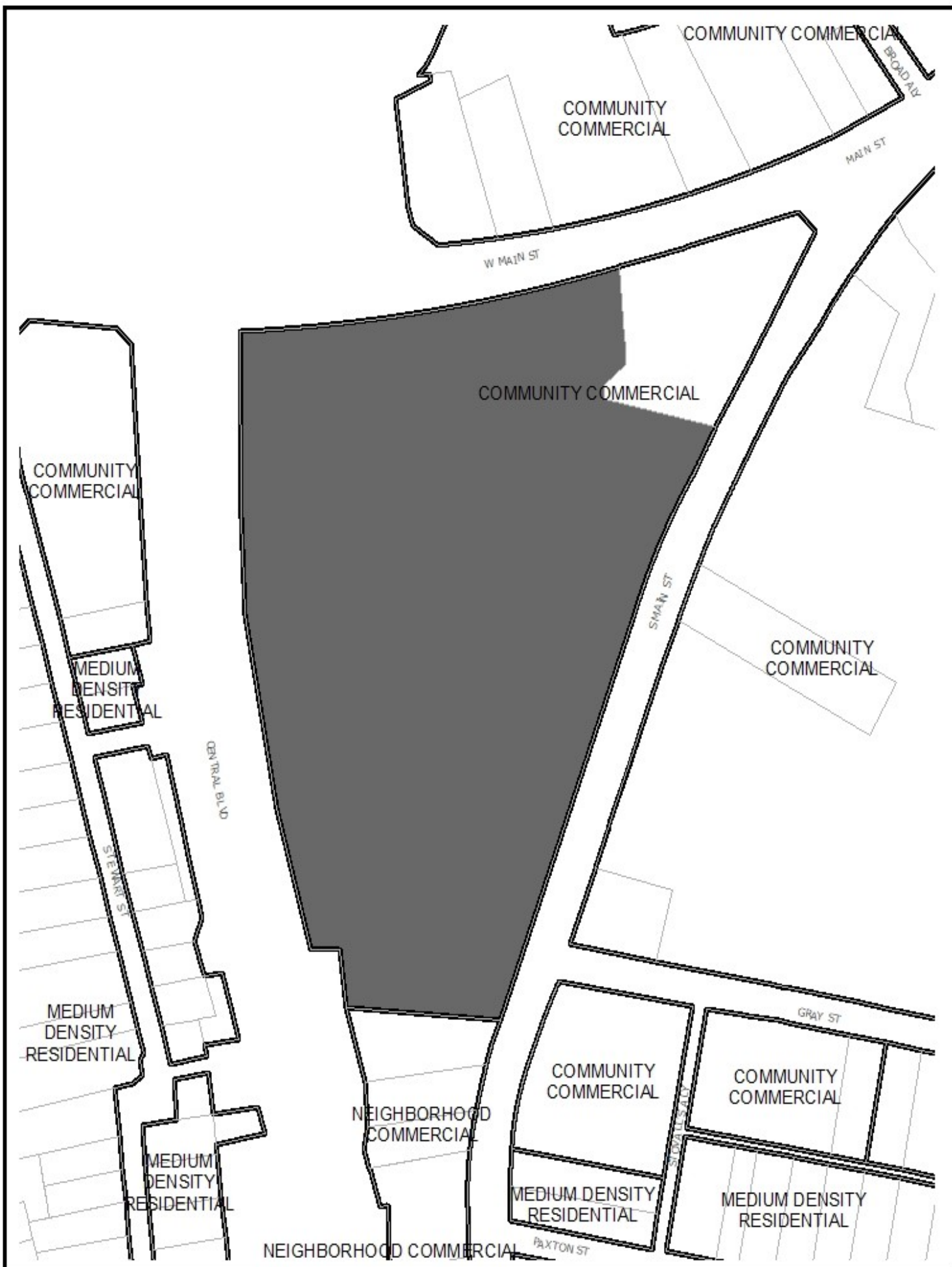
Prepared by:
Planning Division
8/15/2023

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FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/15/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/15/2023

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MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Special Use Permit application PZ23-00291 filed by Seth Francis on behalf of SOVAH Health, requesting a special use permit at 142 South Main Street (Parcel 26338) to allow waiver of minimum yard requirements in accordance with Article 3.1 Section C Item 19.*

RESPONSES:

Fifty-three (53) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Three (3) response was received, and three (3) were unopposed.

COMMENTS:



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ23-00292 filed by PDJ Development, LLC to rezone Parcel 75912 from LED-I Industrial District to M-R Multifamily Residential District.

SUMMARY

The applicant, PDJ Development, LLC, is requesting to rezone approximately eighty (80) acres of a one hundred (100) acre parcel known as Parcel ID #75912. The vacant parcel is currently zoned LED-I, Light Economic Development Industrial. The applicant is requesting a rezoning to construct a multi-unit housing complex with amenities such as a community pool, pet park area, outdoor seating area and recreation amenities.

The first phase of the proposed development includes a private road to serve Parcel A and Parcel B as labeled in the application. Parcel A will be developed commercially and Parcel B will be developed as a multi-family community. Phase 1 of the multi-family development is nine (9) three (3) story/thirty-six (36) unit Garden Style Buildings, totalling 324 units.

A Traffic Impact Analysis was completed for this project. The study determined that improvements were necessary beyond the construction of Phase 1. Additional units beyond the 324 units proposed in Phase 1 would require the construction of additional traffic measures.

The surrounding properties are zoned LED-I, Light Economic Development Industrial. There are no M-R, Multi-family Residential zoning classifications adjacent. This may be deemed illegal spot zoning. Illegal spot zoning can be classified as a rezoning that is solely to serve the benefit of the property owner(s) and not the greater good of the community. Staff believes the proposed zoning change is a benefit to the greater good of the community. With an existing housing deficit, the proposed units can reduce that gap for our City.

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Six (6) responses were received, five (5) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00292 to

rezone approximately eighty (80) acres of Parcel ID 75912 from LED-I, Light Economic Development Industrial District to M-R, Multifamily Residential District to construct multi-family dwellings.

ATTACHMENTS

1. Application (30)
2. Supporting Docs
3. TIA Summary and Conclusion
4. Proposed parcels
5. Site Plan
6. 1730 S Main St_AERIALS
7. 1730 S Main St_OWNERS
8. 1730 S Main St_LANDUSE
9. NEIGHBOR STATEMENT- Parcels 75912 and 78257



CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. 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.
 - c. 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.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: **Portion of 75912, 78257** Zoning District: _____

Existing Zoning: **LED-I** Proposed Zoning: **M-R**

APPLICANT PROVIDED INFORMATION

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

Property Address: **1750 S. Main Street** Gross Area/Net Area: **+/- 127.8 acres**
0 Danville Expressway

Property Location: N ☐ S ☒ E ☐ W ☐ Side of: Danville Expressway
Between: NC State Border and US 29/Danville Expressway
Proffered Conditions (if any, please attach): n/a

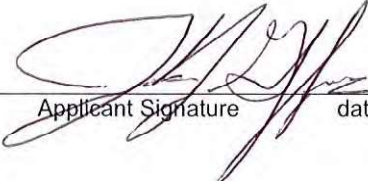
PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

Name: JEB Realty, LLC Telephone: 434.489.9900
Mailing Address: 201 Eastwood Drive Danville, VA 24540
Email Address: jbarker@jebint.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: PDJ Development, LLC Telephone: 434.483.2050
Mailing Address: 108 State Street, Suite 300 Greensboro NC 27408
Email Address: Patrick.daly@dalyhotelmanagement.com


Applicant Signature date 8/10/23


Property Owner Signature (if not applicant) date 10-August-2023

Rezoning Narrative:
South Main Street Mixed Use Community

Developer/Applicant/Contract Purchaser:

PDJ Development, LLC c/o Patrick Daly
108 State Street, Suite 300
Greensboro, NC 27408

Agent:

Balzer & Associates, Inc. c/o Ben Crew
1208 Corporate Circle
Roanoke, VA 24018

Introduction:

On behalf of the developer (PDJ Development, LLC – “PDJ”), we are requesting a rezoning of multiple City of Danville Tax Parcels for the development of a mixed use community along South Main Street (Route 86) and the Danville Expressway (Route 29) in the southern portion of the City of Danville. This development will be mixed use with multi-family apartments being constructed as Phase 1 with future multifamily and commercial phases of the overall development. The rezoning request allows for the development of the parcels as appropriate higher density multifamily residential uses which is a priority of the City of Danville to meet increasing demand and respond to housing shortages and project growth within the community.

Parcels being requested to be rezoned:

1. Rezoning of a portion of Existing Parcel ID: 75912 (+/- 80.8 acres)
 - a. Existing Zoning: LED-I – Light Economic Development District
 - b. Proposed Zoning: M-R – Multi-Family Residential District
2. Rezoning of Existing Parcel ID: 78257 (+/- 47 acres)
 - a. Existing Zoning: LED-I – Light Economic Development District
 - b. Proposed Zoning: M-R – Multi-Family Residential District

Project Exhibits for Reference contained within the application package:

Exhibit A: Overall Zoning Exhibit

Exhibit B: Phase 1 Zoning Exhibit

Exhibit C: Exterior Building Rendering Exhibit

PDJ is excited to share its vision and investment in the City of Danville with this new community. The parcels will be developed as a mixed-use community with future commercial located along South Main Street and Multi-family residential located to the west further into the property. This layering of uses and zoning districts allows for appropriate transition to adjacent parcels and surrounding rights of ways. The intent of the project is to further reinforce and support the City of Danville Housing Strategy to provide much needed housing within City limits to support the continued community growth.

Community Design:

Exhibit A and Exhibit B outline the proposed improvements are part of the greater mixed-use community. The community will be accessed by a private drive from South Main Street. This private drive will access both the future Parcel A Commercial area and Parcel B Multifamily area.

The proposed project includes the following community highlights:

(9) 3-Story/ 36 Unit Garden Style Multi-Family Buildings – 324 total units in Phase 1 (*See Exhibit B*)

Community Clubhouse with outdoor amenities including Pool, Outdoor Seating Area, Pet Park Area, Recreational Activities, etc.

Architecture:

The 3-Story Garden Style Multifamily buildings will be three stories tall as shown on Exhibit C. The buildings have been located and designed with an architectural quality to provide a positive and inviting community. The design hierarchy will provide an appropriate transition between the future commercial property along South Main Street and the existing residential property to the west. The architectural design of the proposed buildings as shown to provide appropriate building patterns, materials, and styles to ensure an attractive development for Danville.

Comprehensive Plan Conformance:

This project is consistent with many of the guiding goals outlined in the City of Danville's 2030 Comprehensive Plan. Some of the most impactful goals incorporated into this project include appropriate land use to accommodate new business and new residents, provide a high quality gateway project into the City, promote opportunities for a wide range of housing types, and promote the economic development base for the community. The proposed project creates a positive transitional use between the existing residential neighborhood to the west, existing industrial park to the east, and commercial development along South Main Street. While the future land use map indicates this property as a Light Industrial Use, based on current needs and demand for quality housing, it has been discussed that this is an appropriate use.

Adjacent Property and Neighborhood Context:

The property is bordered to the north by the limited access highway of Route 29/58 (Danville Expressway), to the south by the North Carolina state line, to the east by the public right of way of Route 86 (South Main Street), and west by vacant property that is currently zoned Threshold Residential District (TR).

Transportation: Vehicular & Pedestrian

With a development of this scale, transportation considerations and study are critically important, and we have provided a traffic impact analysis (TIA) as part of this rezoning request. Details of this specific study have been contained with the package with improvement recommendations including turn lane/taper improvements as part of Phase 1 and Phase 2 future improvements. The provided TIA outlines potential/future commercial parcels along with Phase 2 multifamily build out on the subject parcels. The overall development has frontage on South Main Street where the improvements would be required which will be a full access location for the project.

Both the City of Danville and Virginia Department of Transportation have reviewed the TIA due to different parties owning/maintaining adjacent public roadways.

Pedestrian accommodations will be provided within the community for pedestrian connectivity. This project has been designed to accommodate streetside sidewalks, generous landscape planting strips, and street trees for a complete community.

Utilities:

The proposed development is not located within a FEMA defined floodplain. Public Sanitary Sewer is located on-site and Public Waterlines are located in the adjacent right of ways and are anticipated to be extended into the project from these locations.

Summary & Justification:

We are requesting approval of this rezoning as this project will allow for vacant and undeveloped parcels to be improved into a mixed use community complementing the surrounding area with appropriate future commercial development along South Main Street. The focus as part of the current request is providing quality housing options for residents of the City of Danville to support its emphasis as a great place to live and world class community.

EXHIBIT C



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 1



C1



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 2



C2



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 3



C3

Proffered Condition:

South Main Street Mixed Use Community

The applicant hereby proffers the following conditions as they pertain to
Official Tax Parcel ID's: 75912, 78257

1. As outlined in the Traffic Impact Analysis (TIA) prepared by Davenport dated 8/8/2023, specific public right of way traffic improvements will be required to be installed after the certificate of occupancy has been issued for 324 residential units as indicated on Exhibit B of the Phase 1 Zoning Exhibit prepared by Balzer and Associates, Inc. dated 8/14/2023. These improvements will be installed per requirements outlined in the TIA subject to approval by the City of Danville and/or Virginia Department of Transportation.

LEGAL DESCRIPTION

**AREA TO BE REZONED: DANVILLE PARCEL IDs 75912 AND 78257
BEING A PORTION OF THE PROPERTY CONVEYED TO JEB REALTY LLC
IN INSTRUMENTS 08-3739 AND 12-1079**

PORTION OF PARCEL ID 75912

(NOTE: THIS DESCRIPTION IS COMPILED FROM DEEDS AND PLATS OF RECORD WITHOUT BENEFIT OF A TITLE REPORT.)

**BEGINNING AT A POINT ON THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET), SAID POINT BEING
THE COMMON CORNER OF PARCEL 75912 AND PARCEL 75900,**

**THENCE DEPARTING THE WEST LINE OF U.S. ROUTE 86, WITH THE COMMON LINE BETWEEN PARCEL
75912 AND PARCEL 75900 THE FOLLOWING COURSES AND DISTANCES:**

N87°55'33"W 176.86 FEET TO A POINT;
THENCE N42°56'10"W 65.28 FEET TO A POINT;
THENCE N87°56'10"W 727.31 FEET TO A POINT;

THENCE WITH A NEW LINE THROUGH PARCEL 75912 THE FOLLOWING COURSES AND DISTANCES:

S53°56'22"W 463.65 FEET TO A POINT;
THENCE S01°37'49"W 493.43 FEET TO A POINT ON THE LINE OF PARCEL 75912,
ALSO BEING ON THE VIRGINIA-NORTH CAROLINA LINE.

**THENCE CONTINUING WITH THE LINE OF PARCEL 75912, ALSO BEING THE VIRGINIA-NORTH CAROLINA
LINE, N89°23'58"W 1838.98 FEET TO A POINT IN THE CENTERLINE OF PUMPKIN CREEK.**

**THENCE DEPARTING THE VIRGINIA-NORTH CAROLINA LINE, IN A NORTHERLY DIRECTION WITH THE
CENTERLINE OF PUMPKIN CREEK AS IT MEANDERS, TO THE INTERSECTION OF THE CENTERLINE OF
PUMPKIN CREEK AND THE SOUTH LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS). THE
FOLLOWING COURSES AND DISTANCES ARE MATHEMATICAL TIE-LINES ONLY:**

N15°45'20"W 170.22 FEET TO A POINT;
THENCE N00°24'22"E 70.64 FEET TO A POINT;
THENCE N31°16'44"W 160.60 FEET TO A POINT;
THENCE N04°27'26"W 83.53 FEET TO A POINT;
THENCE N72°02'12"E 101.67 FEET TO A POINT;
THENCE N35°54'08"E 42.04 FEET TO A POINT;
THENCE N12°42'12"W 153.96 FEET TO A POINT;
THENCE N23°05'29"W 61.16 FEET TO A POINT;
THENCE N25°56'54"E 62.15 FEET TO A POINT;
THENCE N28°50'13"W 39.43 FEET TO A POINT;
THENCE N02°18'36"W 87.31 FEET TO A POINT;
THENCE S87°17'35"E 60.97 FEET TO A POINT;

THENCE N55°46'49"E 46.18 FEET TO A POINT;
THENCE N04°12'49"E 187.28 FEET TO A POINT;
THENCE N17°50'59"E 76.56 FEET TO A POINT;
THENCE N02°11'12"E 41.77 FEET TO A POINT, SAID POINT BEING AT THE INTERSECTION
OF THE CENTERLINE OF PUMPKIN CREEK AND THE SOUTH LINE OF
THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS).

THENCE WITH THE SOUTH LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS) THE FOLLOWING
COURSES AND DISTANCES:

N83°29'33"E 149.21 FEET TO A POINT;
THENCE N76°38'37"E 801.82 FEET TO A POINT;
THENCE N82°30'50"E 900.93 FEET TO A POINT;
THENCE N78°59'24"E 325.10 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,342.39 FEET, A LENGTH OF 595.58 FEET,
AND A CHORD BEARING AND DISTANCE OF S86°21'38"E 590.71 FEET TO A POINT;

THENCE WITH A NEW LINE THROUGH PARCEL 75912 THE FOLLOWING COURSES AND DISTANCES:

S01°51'52"W 771.06 FEET TO A POINT;
THENCE S87°56'34"E 125.02 FEET TO A POINT;
THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 295.00 FEET, A LENGTH OF 141.78 FEET,
AND A CHORD BEARING AND DISTANCE OF S74°10'26"E 140.42 FEET TO A POINT;
THENCE ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 168.00 FEET, A LENGTH OF 81.32
FEET, AND A CHORD BEARING AND DISTANCE OF S74°16'21"E 80.53 FEET TO A POINT;
THENCE S88°08'24"E 55.41 FEET TO A POINT
ON THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET);

THENCE ALONG THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET) S05°52'46"E 69.62 FEET TO A
POINT, BEING THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 80.8 ACRES OR 3,521,355 SQUARE FEET,
LYING AND BEING IN THE CITY OF DANVILLE, VIRGINIA.

PARCEL ID 78257

(NOTE: THIS DESCRIPTION IS COMPILED FROM DEEDS OF RECORD WITHOUT BENEFIT OF A TITLE REPORT OR FIELD SURVEY.)

BEGINNING AT A POINT ON THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS), A LIMITED ACCESS HIGHWAY, WITH THE INTERSECTION OF THE CENTERLINE OF PUMPKIN CREEK;

THENCE IN A SOUTHERLY DIRECTION ALONG THE CENTERLINE OF PUMPKIN CREEK AS IT MEANDERS, BEING THE COMMON LINE BETWEEN PARCEL 78257 AND PARCEL 75912, TO THE INTERSECTION OF SAID CENTERLINE WITH THE VIRGINIA-NORTH CAROLINA LINE,

THENCE WITH THE VIRGINIA-NORTH CAROLINA LINE THE FOLLOWING COURSES AND DISTANCES OF RECORD:

N89°15'W 985 FEET TO A POINT; (DEED BEARING IS WRITTEN AS S89°15'N)

THENCE N87°01'W 735.2 FEET TO A POINT;

THENCE DEPARTING THE VIRGINIA-NORTH CAROLINA LINE WITH THE COMMON LINE BETWEEN PARCEL 78257 AND PARCEL 75475, N23°23'W 843 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS);

THENCE WITH THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS), AS IT MEANDERS, A CHORD DISTANCE OF 2,250 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINS 47 ACRES, MORE OR LESS, PER DEED RECORDED IN INSTRUMENT 12-1079.



10.0 Summary and Conclusion

The proposed South Main Mixed Used-Site Development is located on the southwest quadrant of the VA 86 (South Main Street) at US 58 (Danville Expressway) interchange in Danville, VA. The site will include a combination of residential and commercial uses, including apartments, mini storage, a convenience store, and a fast-food restaurant with drive-thru. The site plan shows one existing (1) full access to the site on VA Route 86 (South Main Street), which is located approximately 850 feet south of the US 58 Eastbound Ramps. For analysis purposes, Phase 1 was analyzed for year 2026 and Full Build was analyzed for year 2032.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of the new development traffic.

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with VDOT and City of Danville. Phase 1 of this development has a trip generation potential of 123 trips in the AM peak hour and 160 trips in the PM peak hour. Full build will have an adjusted total trip generation potential of 657 trips in the AM peak hour and 608 trips in the PM peak hour.

Conclusion

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic and has provided recommendations to accommodate future traffic. The recommended improvements for the development under Phase 1 and Full Build conditions are summarized in Table 10.1 and are shown in Figures 9 and 14, respectively. With the recommended improvements in place, the traffic impacts of the proposed development can be accommodated.

SITE & ZONING SUMMARY:

DEVELOPER: BLU LADDER
 DEVELOPER ADDRESS: 108 STATE STREET
 SUITE 302
 GREENSBORO, NC 27408
 SITE ADDRESS: 1750 S MAIN ST
 DANVILLE, VA
 TAX MAP NUMBER: 1. 75912
 2. 78257
 EXISTING LOT SIZE: 1. 100.1 AC
 2. 47.3 AC
 EXISTING ZONING: LED-I
 LIGHT ECONOMIC
 DEVELOPMENT DISTRICT
 PROPOSED LOTS & ZONING:
 1. PARCEL A - ± 7.00 AC - LED-I
 PARCEL B - ± 80.8 AC - M-R
 PARCEL D - ± 11.4 AC - LED-I
 2. PARCEL C - ± 47.0 AC - M-R

EXISTING ZONING REQUIREMENTS (LED-I):

MINIMUM DISTRICT SIZE: 10 AC
 MINIMUM LOT AREA: 40,000 SF
 MINIMUM FRONTAGE: 120'
 SETBACKS:
 FRONT: 50' FROM PL WITH EXTERIOR
 BOUNDARY OF INDUSTRIAL PARK
 PROPERTY
 SIDE: 50' INTERIOR AND STREET SIDE YARDS
 30' FROM PROPERTY LINE INTERIOR TO
 INDUSTRIAL PARK
 REAR: 50'
 NOTE: SIDE & REAR YARD REQUIREMENTS MAY
 BE WAIVED WHERE PROPERTY ADJUTS A
 LOT WITHIN THE INDUSTRIAL PARK
 MINIMUM FLOOR AREA RATIO: 0.50
 MAXIMUM BUILDING HEIGHT: 60'
 MAXIMUM LOT COVERAGE: NONE

PROPOSED ZONING REQUIREMENTS (M-R):

ZONING: M-R: MULTIFAMILY RESIDENTIAL
 DISTRICT
 MINIMUM DISTRICT SIZE: 5 AC
 MINIMUM LOT AREA: NONE
 MINIMUM LOT AREA
 ATTACHED DWELLINGS:
 1600 SF - INTERIOR LOT
 2400 SF - CORNER LOT
 MINIMUM FRONTAGE: NONE
 SETBACKS:
 FRONT: 30' - FACING PUBLIC
 RIGHT-OF-WAY
 10' - FACING PRIVATE DRIVE
 AND/OR PARKING BAY
 SIDE: 20' - STREET SIDE YARD
 10' - INTERIOR SIDE YARD
 REAR: 30'
 MAXIMUM BUILDING HEIGHT:
 60' - PRIMARY
 24' - ACCESSORY
 MAXIMUM LOT COVERAGE: 25%

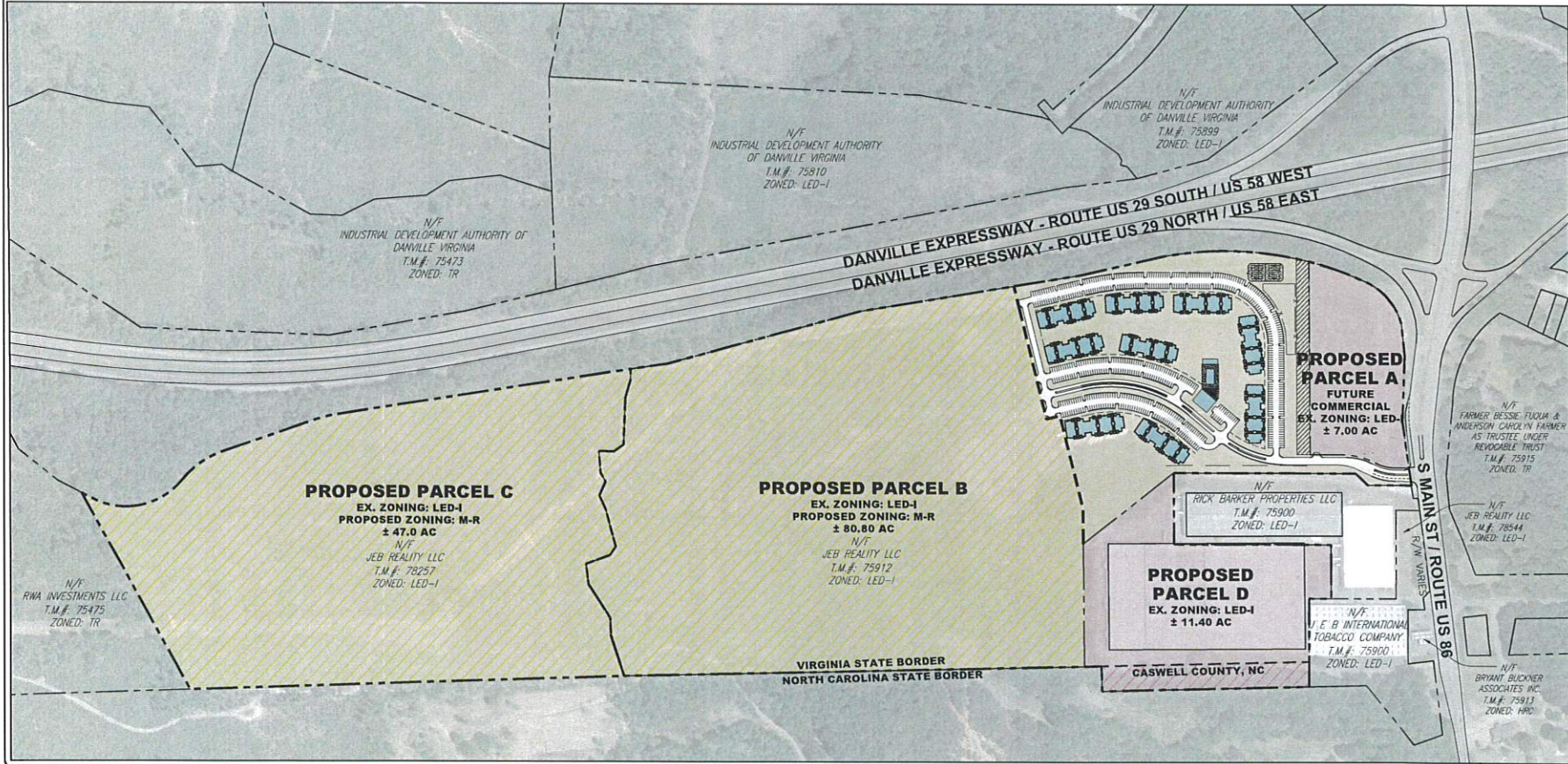
SHADING LEGEND:

- LED-I PARCEL A
FUTURE COMMERCIAL
- M-R PARCEL B
PROPOSED MULTIFAMILY PHASE I
- M-R PARCEL B & C
PROPOSED MULTIFAMILY PHASE II
- LED-I PARCEL D
VIRGINIA
- LED-I PARCEL D
NORTH CAROLINA

CONCEPT PLAN NOTE:

1. THIS PLAN IS FOR CONCEPTUAL PLANNING PURPOSES
 AND HAS BEEN PREPARED USING COMPILED INFORMATION.
 A CURRENT FIELD SURVEY HAS NOT BEEN PERFORMED
 TO VERIFY ALL EXISTING CONDITIONS ON-SITE.
2. AERIAL IMAGERY SOURCED FROM DANVILLE PUBLIC GIS
 IMAGE, DATED JUNE 2019

200 0 200 400 600
 1" = 200'



BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS
 Roanoke / Richmond
 New River Valley
 Shenandoah Valley
 www.balzer.cc
 1208 Corporate Circle
 Roanoke, VA 24018
 540.772.9590

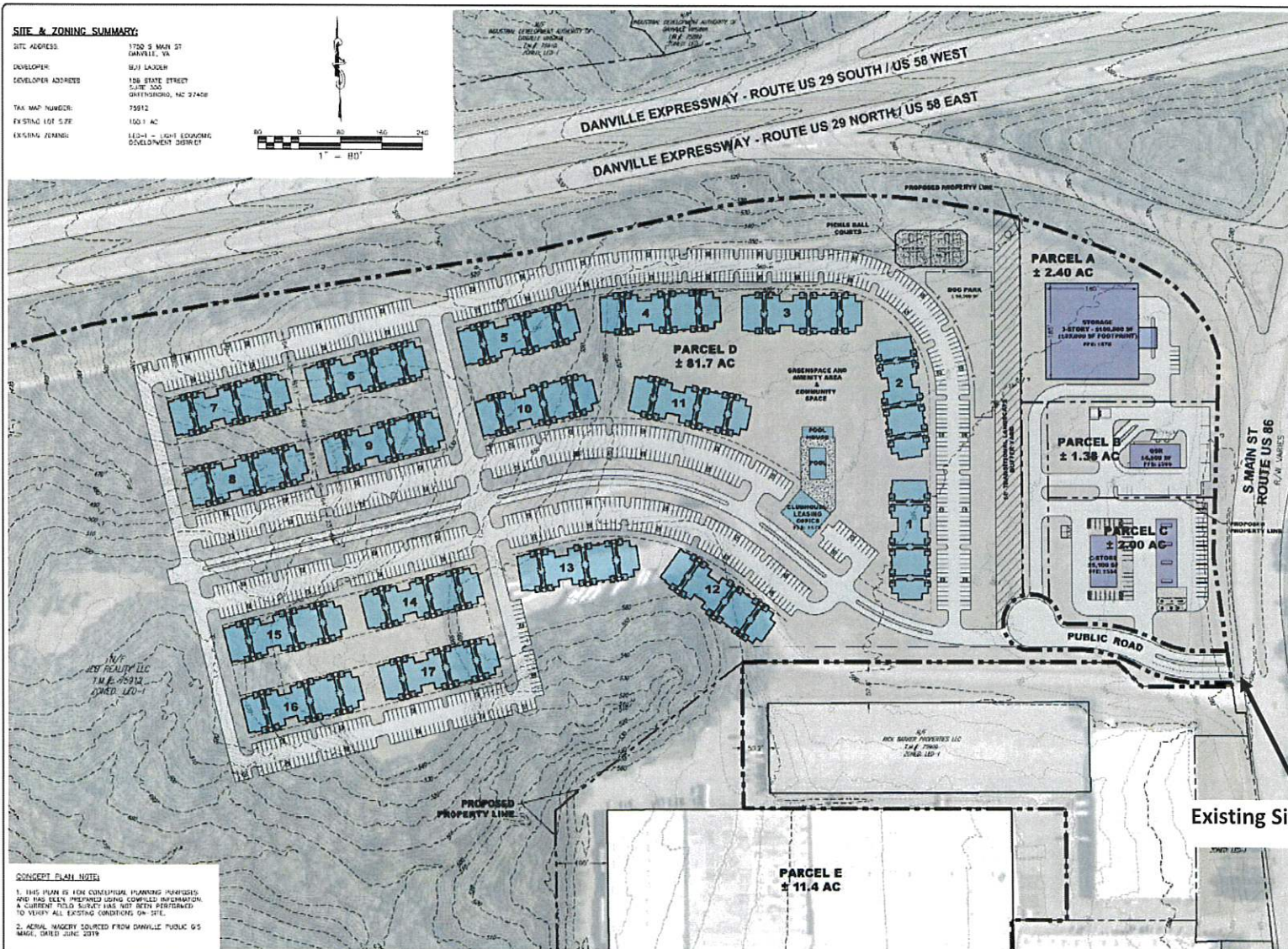
PRELIMINARY

BLU LADDER
 CONSTRUCTION

SOUTH MAIN MIXED USE CONCEPT
 OVERALL ZONING EXHIBIT
 DATE: 8/14/2023
 SCALE: 1" = 200'

DRAWN BY: HEC
 DESIGNED BY: KAM
 CHECKED BY: BIC
 DATE: 8/14/2023
 SCALE: 1" = 200'

EX-A
 PROJECT NO: 24020001.00



BALZER & ASSOCIATES
PLANNERS / ARCHITECTS
ENGINEERS / SURVEYORS
1015 COLUMBIA CIRCLE
HARRISBURG, PA 17101
717.651.1000
WWW.BALZER.COM

PRELIMINARY

BLU LADDER
CONSTRUCTION

SOUTH MAIN MIXED USE DEVELOPMENT
CONCEPT SITE PLAN

DATE: 10/1/2019
TIME: 10:00 AM
BY: [Signature]
CHECKED: [Signature]
SCALE: 1" = 80'

Figure 1 – Site Plan



2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/16/2023

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.



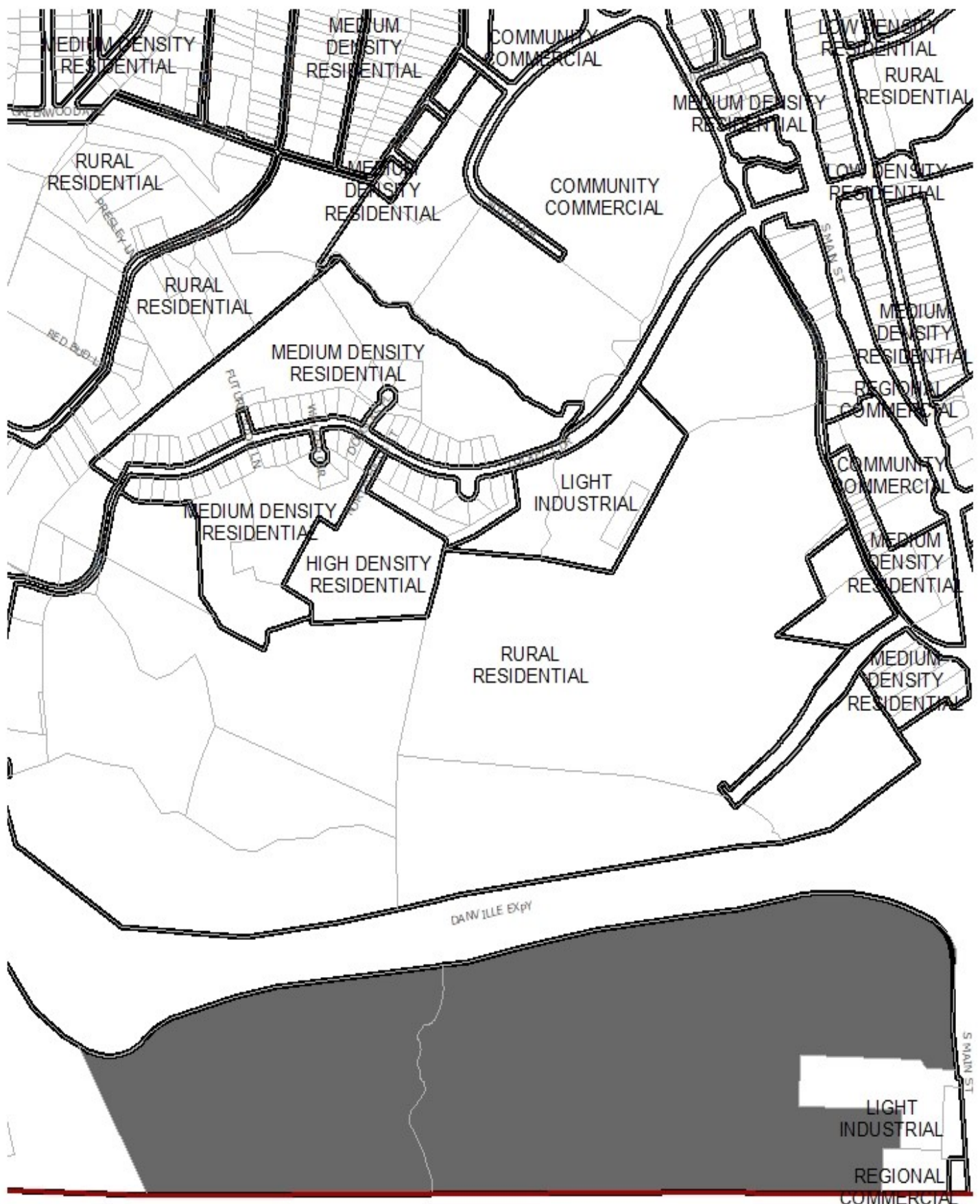
SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
8/16/2023

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
8/16/2023

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.

MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Rezoning application PZ23-00292 filed by PDJ Development, LLC to rezone Parcel 75912 from LED-I Industrial District to M-R Multifamily Residential District.*

RESPONSES:

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Six (6) responses were received, five (5) were unopposed and one (1) was opposed.

COMMENTS:



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning application PZ23-00294 filed by PDJ Development, LLC to rezone Parcel 78257 from LED-I Industrial District to M-R Multifamily Residential District.

SUMMARY

The applicant, PDJ Development, LLC, is requesting to rezone Parcel ID #78257. The vacant parcel is currently zoned LED-I, Light Economic Development Industrial. The applicant is requesting a rezoning to M-R, Multi-family Residential to construct a multi-unit housing complex.

The first phase of the proposed development includes a private road to serve Parcel A and Parcel B as labeled in the application. Parcel A will be developed commercially and Parcel B will be developed as a multi-family community. Phase 1 of the multi-family development is nine (9) three (3) story/thirty-six (36) unit Garden Style Buildings, totalling 324 units. Parcel ID #78257 will be developed during future phases.

A Traffic Impact Analysis was completed for this project. The study determined that improvements were necessary beyond the construction of Phase 1. Additional units beyond the 324 units proposed in Phase 1 would require the construction of additional traffic measures. Traffic improvements would be necessary before construction on Parcel ID #78251.

The surrounding properties are zoned LED-I, Light Economic Development Industrial. There are no M-R, Multi-family Residential zoning classifications adjacent. This may be deemed illegal spot zoning. Illegal spot zoning can be classified as a rezoning that is solely to serve the benefit of the property owner(s) and not the greater good of the community. Staff believes the proposed zoning change is a benefit to the greater good of the community. With an existing housing deficit, the proposed units can reduce that gap for our City. Also, if approved, the proposed M-R zoning of Parcel ID #75912 and Parcel ID #785257 would create an M-R district.

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of

the subject property. Six (6) responses were received, five (5) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00294 to rezone Parcel ID 78257 from LED-I, Light Economic Development Industrial District to M-R, Multifamily Residential District to construct multi-family dwellings.

ATTACHMENTS

1. Application
2. Supporting Docs
3. TIA
4. Proposed parcels
5. Site Plan
6. S Main St_AERIALS
7. S Main St_OWNERS
8. S Main St_LANDUSE
9. NEIGHBOR STATEMENT- Parcels 75912 and 78257



CITY PLANNING COMMISSION

REZONING APPLICATION

1. An application for rezoning shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. The application shall include the following information:
 - a. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
 - b. 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.
 - c. 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.
 7. A preliminary site plan in accordance with the Site Plan Regulations.

PLANNING DIVISION PROVIDED INFORMATION

Application #: _____ PC Meeting Date: _____

Date Received: _____ Received By: _____

Parcel ID: **Portion of 75912, 78257** Zoning District: _____

Existing Zoning: **LED-I** Proposed Zoning: **M-R**

APPLICANT PROVIDED INFORMATION

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

Property Address: **1750 S. Main Street** Gross Area/Net Area: **+/- 127.8 acres**
0 Danville Expressway

Property Location: N ☐ S ☒ E ☐ W ☐ Side of: Danville Expressway
Between: NC State Border and US 29/Danville Expressway
Proffered Conditions (if any, please attach): n/a

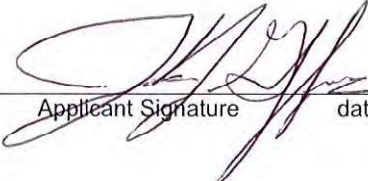
PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

Name: JEB Realty, LLC Telephone: 434.489.9900
Mailing Address: 201 Eastwood Drive Danville, VA 24540
Email Address: jbarker@jebint.com

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: PDJ Development, LLC Telephone: 434.483.2050
Mailing Address: 108 State Street, Suite 300 Greensboro NC 27408
Email Address: Patrick.daly@dalyhotelmanagement.com


Applicant Signature date 8/10/23


Property Owner Signature (if not applicant) date 10-August-2023

Rezoning Narrative:
South Main Street Mixed Use Community

Developer/Applicant/Contract Purchaser:

PDJ Development, LLC c/o Patrick Daly
108 State Street, Suite 300
Greensboro, NC 27408

Agent:

Balzer & Associates, Inc. c/o Ben Crew
1208 Corporate Circle
Roanoke, VA 24018

Introduction:

On behalf of the developer (PDJ Development, LLC – “PDJ”), we are requesting a rezoning of multiple City of Danville Tax Parcels for the development of a mixed use community along South Main Street (Route 86) and the Danville Expressway (Route 29) in the southern portion of the City of Danville. This development will be mixed use with multi-family apartments being constructed as Phase 1 with future multifamily and commercial phases of the overall development. The rezoning request allows for the development of the parcels as appropriate higher density multifamily residential uses which is a priority of the City of Danville to meet increasing demand and respond to housing shortages and project growth within the community.

Parcels being requested to be rezoned:

1. Rezoning of a portion of Existing Parcel ID: 75912 (+/- 80.8 acres)
 - a. Existing Zoning: LED-I – Light Economic Development District
 - b. Proposed Zoning: M-R – Multi-Family Residential District
2. Rezoning of Existing Parcel ID: 78257 (+/- 47 acres)
 - a. Existing Zoning: LED-I – Light Economic Development District
 - b. Proposed Zoning: M-R – Multi-Family Residential District

Project Exhibits for Reference contained within the application package:

Exhibit A: Overall Zoning Exhibit

Exhibit B: Phase 1 Zoning Exhibit

Exhibit C: Exterior Building Rendering Exhibit

PDJ is excited to share its vision and investment in the City of Danville with this new community. The parcels will be developed as a mixed-use community with future commercial located along South Main Street and Multi-family residential located to the west further into the property. This layering of uses and zoning districts allows for appropriate transition to adjacent parcels and surrounding rights of ways. The intent of the project is to further reinforce and support the City of Danville Housing Strategy to provide much needed housing within City limits to support the continued community growth.

Community Design:

Exhibit A and Exhibit B outline the proposed improvements are part of the greater mixed-use community. The community will be accessed by a private drive from South Main Street. This private drive will access both the future Parcel A Commercial area and Parcel B Multifamily area.

The proposed project includes the following community highlights:

(9) 3-Story/ 36 Unit Garden Style Multi-Family Buildings – 324 total units in Phase 1 (*See Exhibit B*)

Community Clubhouse with outdoor amenities including Pool, Outdoor Seating Area, Pet Park Area, Recreational Activities, etc.

Architecture:

The 3-Story Garden Style Multifamily buildings will be three stories tall as shown on Exhibit C. The buildings have been located and designed with an architectural quality to provide a positive and inviting community. The design hierarchy will provide an appropriate transition between the future commercial property along South Main Street and the existing residential property to the west. The architectural design of the proposed buildings as shown to provide appropriate building patterns, materials, and styles to ensure an attractive development for Danville.

Comprehensive Plan Conformance:

This project is consistent with many of the guiding goals outlined in the City of Danville's 2030 Comprehensive Plan. Some of the most impactful goals incorporated into this project include appropriate land use to accommodate new business and new residents, provide a high quality gateway project into the City, promote opportunities for a wide range of housing types, and promote the economic development base for the community. The proposed project creates a positive transitional use between the existing residential neighborhood to the west, existing industrial park to the east, and commercial development along South Main Street. While the future land use map indicates this property as a Light Industrial Use, based on current needs and demand for quality housing, it has been discussed that this is an appropriate use.

Adjacent Property and Neighborhood Context:

The property is bordered to the north by the limited access highway of Route 29/58 (Danville Expressway), to the south by the North Carolina state line, to the east by the public right of way of Route 86 (South Main Street), and west by vacant property that is currently zoned Threshold Residential District (TR).

Transportation: Vehicular & Pedestrian

With a development of this scale, transportation considerations and study are critically important, and we have provided a traffic impact analysis (TIA) as part of this rezoning request. Details of this specific study have been contained with the package with improvement recommendations including turn lane/taper improvements as part of Phase 1 and Phase 2 future improvements. The provided TIA outlines potential/future commercial parcels along with Phase 2 multifamily build out on the subject parcels. The overall development has frontage on South Main Street where the improvements would be required which will be a full access location for the project.

Both the City of Danville and Virginia Department of Transportation have reviewed the TIA due to different parties owning/maintaining adjacent public roadways.

Pedestrian accommodations will be provided within the community for pedestrian connectivity. This project has been designed to accommodate streetside sidewalks, generous landscape planting strips, and street trees for a complete community.

Utilities:

The proposed development is not located within a FEMA defined floodplain. Public Sanitary Sewer is located on-site and Public Waterlines are located in the adjacent right of ways and are anticipated to be extended into the project from these locations.

Summary & Justification:

We are requesting approval of this rezoning as this project will allow for vacant and undeveloped parcels to be improved into a mixed use community complementing the surrounding area with appropriate future commercial development along South Main Street. The focus as part of the current request is providing quality housing options for residents of the City of Danville to support its emphasis as a great place to live and world class community.

EXHIBIT C



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 1



C1



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 2



C2



Blu Ladder Apartments: Conceptual Renderings

Danville, VA August 9, 2023

Conceptual View 3



C3

Proffered Condition:

South Main Street Mixed Use Community

The applicant hereby proffers the following conditions as they pertain to
Official Tax Parcel ID's: 75912, 78257

1. As outlined in the Traffic Impact Analysis (TIA) prepared by Davenport dated 8/8/2023, specific public right of way traffic improvements will be required to be installed after the certificate of occupancy has been issued for 324 residential units as indicated on Exhibit B of the Phase 1 Zoning Exhibit prepared by Balzer and Associates, Inc. dated 8/14/2023. These improvements will be installed per requirements outlined in the TIA subject to approval by the City of Danville and/or Virginia Department of Transportation.

LEGAL DESCRIPTION

**AREA TO BE REZONED: DANVILLE PARCEL IDS 75912 AND 78257
BEING A PORTION OF THE PROPERTY CONVEYED TO JEB REALTY LLC
IN INSTRUMENTS 08-3739 AND 12-1079**

PORTION OF PARCEL ID 75912

(NOTE: THIS DESCRIPTION IS COMPILED FROM DEEDS AND PLATS OF RECORD WITHOUT BENEFIT OF A TITLE REPORT.)

**BEGINNING AT A POINT ON THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET), SAID POINT BEING
THE COMMON CORNER OF PARCEL 75912 AND PARCEL 75900,**

**THENCE DEPARTING THE WEST LINE OF U.S. ROUTE 86, WITH THE COMMON LINE BETWEEN PARCEL
75912 AND PARCEL 75900 THE FOLLOWING COURSES AND DISTANCES:**

N87°55'33"W 176.86 FEET TO A POINT;
THENCE N42°56'10"W 65.28 FEET TO A POINT;
THENCE N87°56'10"W 727.31 FEET TO A POINT;

THENCE WITH A NEW LINE THROUGH PARCEL 75912 THE FOLLOWING COURSES AND DISTANCES:

S53°56'22"W 463.65 FEET TO A POINT;
THENCE S01°37'49"W 493.43 FEET TO A POINT ON THE LINE OF PARCEL 75912,
ALSO BEING ON THE VIRGINIA-NORTH CAROLINA LINE.

**THENCE CONTINUING WITH THE LINE OF PARCEL 75912, ALSO BEING THE VIRGINIA-NORTH CAROLINA
LINE, N89°23'58"W 1838.98 FEET TO A POINT IN THE CENTERLINE OF PUMPKIN CREEK.**

**THENCE DEPARTING THE VIRGINIA-NORTH CAROLINA LINE, IN A NORTHERLY DIRECTION WITH THE
CENTERLINE OF PUMPKIN CREEK AS IT MEANDERS, TO THE INTERSECTION OF THE CENTERLINE OF
PUMPKIN CREEK AND THE SOUTH LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS). THE
FOLLOWING COURSES AND DISTANCES ARE MATHEMATICAL TIE-LINES ONLY:**

N15°45'20"W 170.22 FEET TO A POINT;
THENCE N00°24'22"E 70.64 FEET TO A POINT;
THENCE N31°16'44"W 160.60 FEET TO A POINT;
THENCE N04°27'26"W 83.53 FEET TO A POINT;
THENCE N72°02'12"E 101.67 FEET TO A POINT;
THENCE N35°54'08"E 42.04 FEET TO A POINT;
THENCE N12°42'12"W 153.96 FEET TO A POINT;
THENCE N23°05'29"W 61.16 FEET TO A POINT;
THENCE N25°56'54"E 62.15 FEET TO A POINT;
THENCE N28°50'13"W 39.43 FEET TO A POINT;
THENCE N02°18'36"W 87.31 FEET TO A POINT;
THENCE S87°17'35"E 60.97 FEET TO A POINT;

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THENCE WITH THE SOUTH LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS) THE FOLLOWING
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N83°29'33"E 149.21 FEET TO A POINT;
THENCE N76°38'37"E 801.82 FEET TO A POINT;
THENCE N82°30'50"E 900.93 FEET TO A POINT;
THENCE N78°59'24"E 325.10 FEET TO A POINT;
THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,342.39 FEET, A LENGTH OF 595.58 FEET,
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THENCE WITH A NEW LINE THROUGH PARCEL 75912 THE FOLLOWING COURSES AND DISTANCES:

S01°51'52"W 771.06 FEET TO A POINT;
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THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 295.00 FEET, A LENGTH OF 141.78 FEET,
AND A CHORD BEARING AND DISTANCE OF S74°10'26"E 140.42 FEET TO A POINT;
THENCE ALONG A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 168.00 FEET, A LENGTH OF 81.32
FEET, AND A CHORD BEARING AND DISTANCE OF S74°16'21"E 80.53 FEET TO A POINT;
THENCE S88°08'24"E 55.41 FEET TO A POINT
ON THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET);

THENCE ALONG THE WEST LINE OF U.S. ROUTE 86 (SOUTH MAIN STREET) S05°52'46"E 69.62 FEET TO A
POINT, BEING THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 80.8 ACRES OR 3,521,355 SQUARE FEET,
LYING AND BEING IN THE CITY OF DANVILLE, VIRGINIA.

PARCEL ID 78257

(NOTE: THIS DESCRIPTION IS COMPILED FROM DEEDS OF RECORD WITHOUT BENEFIT OF A TITLE REPORT OR FIELD SURVEY.)

BEGINNING AT A POINT ON THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS), A LIMITED ACCESS HIGHWAY, WITH THE INTERSECTION OF THE CENTERLINE OF PUMPKIN CREEK;

THENCE IN A SOUTHERLY DIRECTION ALONG THE CENTERLINE OF PUMPKIN CREEK AS IT MEANDERS, BEING THE COMMON LINE BETWEEN PARCEL 78257 AND PARCEL 75912, TO THE INTERSECTION OF SAID CENTERLINE WITH THE VIRGINIA-NORTH CAROLINA LINE,

THENCE WITH THE VIRGINIA-NORTH CAROLINA LINE THE FOLLOWING COURSES AND DISTANCES OF RECORD:

N89°15'W 985 FEET TO A POINT; (DEED BEARING IS WRITTEN AS S89°15'N)

THENCE N87°01'W 735.2 FEET TO A POINT;

THENCE DEPARTING THE VIRGINIA-NORTH CAROLINA LINE WITH THE COMMON LINE BETWEEN PARCEL 78257 AND PARCEL 75475, N23°23'W 843 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS);

THENCE WITH THE SOUTHERN LINE OF THE DANVILLE EXPRESSWAY (ROUTE 29 BY-PASS), AS IT MEANDERS, A CHORD DISTANCE OF 2,250 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

CONTAINS 47 ACRES, MORE OR LESS, PER DEED RECORDED IN INSTRUMENT 12-1079.



10.0 Summary and Conclusion

The proposed South Main Mixed Used-Site Development is located on the southwest quadrant of the VA 86 (South Main Street) at US 58 (Danville Expressway) interchange in Danville, VA. The site will include a combination of residential and commercial uses, including apartments, mini storage, a convenience store, and a fast-food restaurant with drive-thru. The site plan shows one existing (1) full access to the site on VA Route 86 (South Main Street), which is located approximately 850 feet south of the US 58 Eastbound Ramps. For analysis purposes, Phase 1 was analyzed for year 2026 and Full Build was analyzed for year 2032.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of the new development traffic.

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with VDOT and City of Danville. Phase 1 of this development has a trip generation potential of 123 trips in the AM peak hour and 160 trips in the PM peak hour. Full build will have an adjusted total trip generation potential of 657 trips in the AM peak hour and 608 trips in the PM peak hour.

Conclusion

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic and has provided recommendations to accommodate future traffic. The recommended improvements for the development under Phase 1 and Full Build conditions are summarized in Table 10.1 and are shown in Figures 9 and 14, respectively. With the recommended improvements in place, the traffic impacts of the proposed development can be accommodated.

SITE & ZONING SUMMARY:

DEVELOPER: BLU LADDER
 DEVELOPER ADDRESS: 108 STATE STREET
 SUITE 302
 GREENSBORO, NC 27408
 SITE ADDRESS: 1750 S. MAIN ST
 DANVILLE, VA
 TAX MAP NUMBER: 1. 75912
 2. 78257
 EXISTING LOT SIZE: 1. 100.1 AC
 2. 47.3 AC
 EXISTING ZONING: LED-I
 LIGHT ECONOMIC
 DEVELOPMENT DISTRICT
 PROPOSED LOTS & ZONING: 1. PARCEL A - ± 7.00 AC - LED-I
 PARCEL B - ± 80.8 AC - M-R
 PARCEL D - ± 11.4 AC - LED-I
 2. PARCEL C - ± 47.0 AC - M-R

EXISTING ZONING REQUIREMENTS (LED-I):

MINIMUM DISTRICT SIZE: 10 AC
 MINIMUM LOT AREA: 40,000 SF
 MINIMUM FRONTAGE: 120'
 SETBACKS:
 FRONT: 50' FROM PL. WITH EXTERIOR
 BOUNDARY OF INDUSTRIAL PARK
 PROPERTY
 SIDE: 50' INTERIOR AND STREET SIDE YARDS
 30' FROM PROPERTY LINE INTERIOR TO
 INDUSTRIAL PARK
 REAR: 50'
 NOTE: SIDE & REAR YARD REQUIREMENTS MAY
 BE WAIVED WHERE PROPERTY ADJUTS A
 LOT WITHIN THE INDUSTRIAL PARK
 MINIMUM FLOOR AREA RATIO: 0.50
 MAXIMUM BUILDING HEIGHT: 60'
 MAXIMUM LOT COVERAGE: NONE

PROPOSED ZONING REQUIREMENTS (M-R):

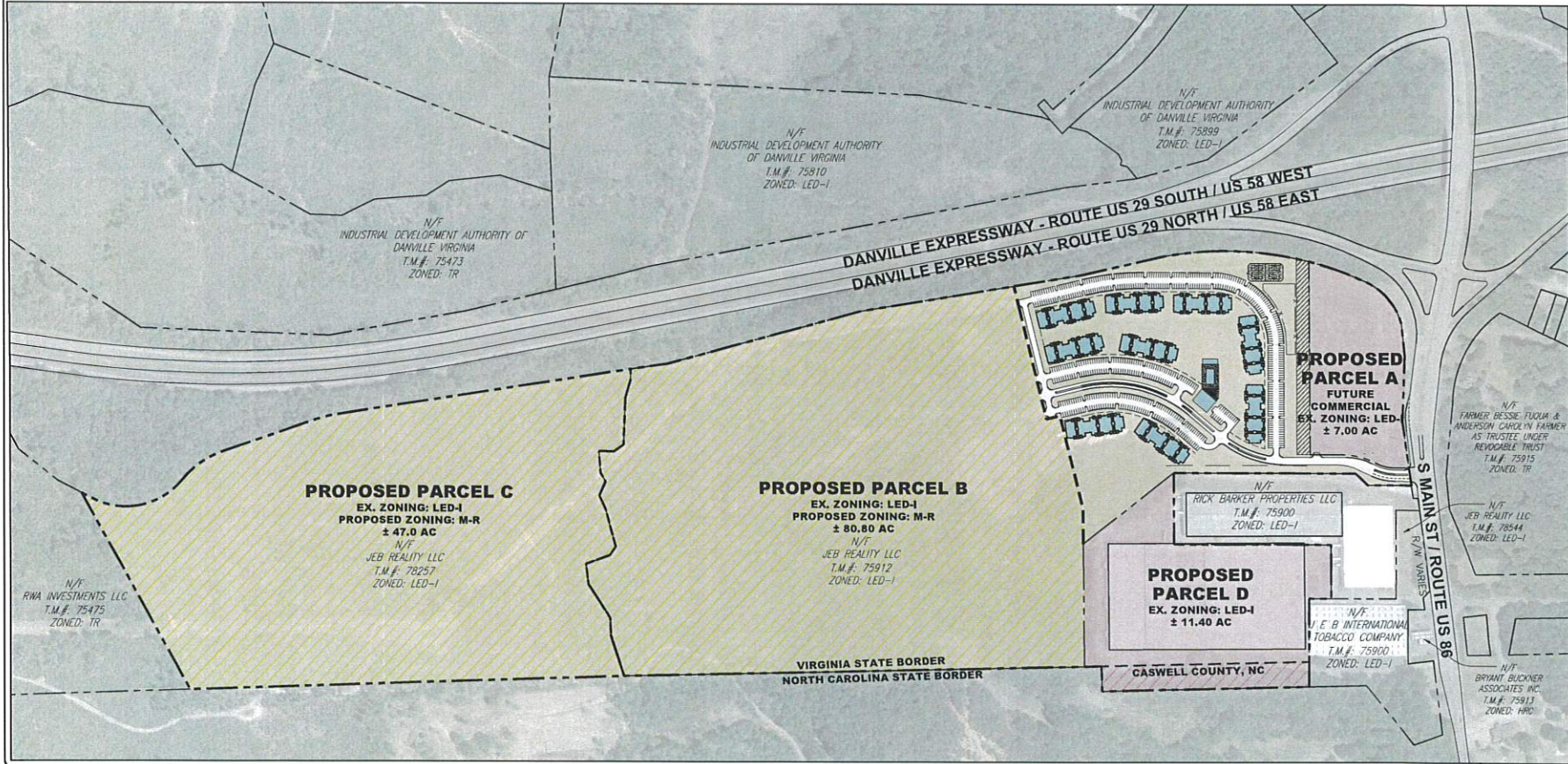
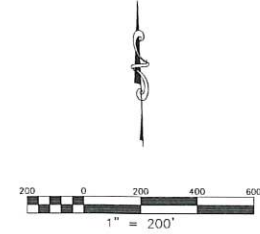
ZONING: M-R: MULTIFAMILY RESIDENTIAL
 DISTRICT
 MINIMUM DISTRICT SIZE: 5 AC
 MINIMUM LOT AREA: NONE
 MINIMUM LOT AREA
 ATTACHED DWELLINGS:
 1600 SF - INTERIOR LOT
 2400 SF - CORNER LOT
 MINIMUM FRONTAGE: NONE
 SETBACKS:
 FRONT: 30' - FACING PUBLIC
 RIGHT-OF-WAY
 10' - FACING PRIVATE DRIVE
 AND/OR PARKING BAY
 SIDE: 20' - STREET SIDE YARD
 10' - INTERIOR SIDE YARD
 REAR: 30'
 MAXIMUM BUILDING HEIGHT: 60' - PRIMARY
 24' - ACCESSORY
 MAXIMUM LOT COVERAGE: 25%

SHADING LEGEND:

LED-I PARCEL A
 FUTURE COMMERCIAL
 M-R PARCEL B
 PROPOSED MULTIFAMILY PHASE I
 M-R PARCEL B & C
 PROPOSED MULTIFAMILY PHASE II
 LED-I PARCEL D
 VIRGINIA
 LED-I PARCEL D
 NORTH CAROLINA

CONCEPT PLAN NOTE:

1. THIS PLAN IS FOR CONCEPTUAL PLANNING PURPOSES
 AND HAS BEEN PREPARED USING COMPILED INFORMATION.
 A CURRENT FIELD SURVEY HAS NOT BEEN PERFORMED
 TO VERIFY ALL EXISTING CONDITIONS ON-SITE.
 2. AERIAL IMAGERY SOURCED FROM DANVILLE PUBLIC GIS
 IMAGE, DATED JUNE 2019



BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS
 Roanoke / Richmond
 New River Valley
 Shenandoah Valley
 www.balzer.cc
 1208 Corporate Circle
 Roanoke, VA 24018
 540.772.9590

PRELIMINARY

BLU LADDER
 CONSTRUCTION

SOUTH MAIN MIXED USE CONCEPT
 OVERALL ZONING EXHIBIT
 DATE: 8/14/2023
 SCALE: 1" = 200'

DRAWN BY: HEC
 DESIGNED BY: KAM
 CHECKED BY: BIC
 DATE: 8/14/2023
 SCALE: 1" = 200'

EX-A
 PROJECT NO: 24020001.00





2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
8/16/2023

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.

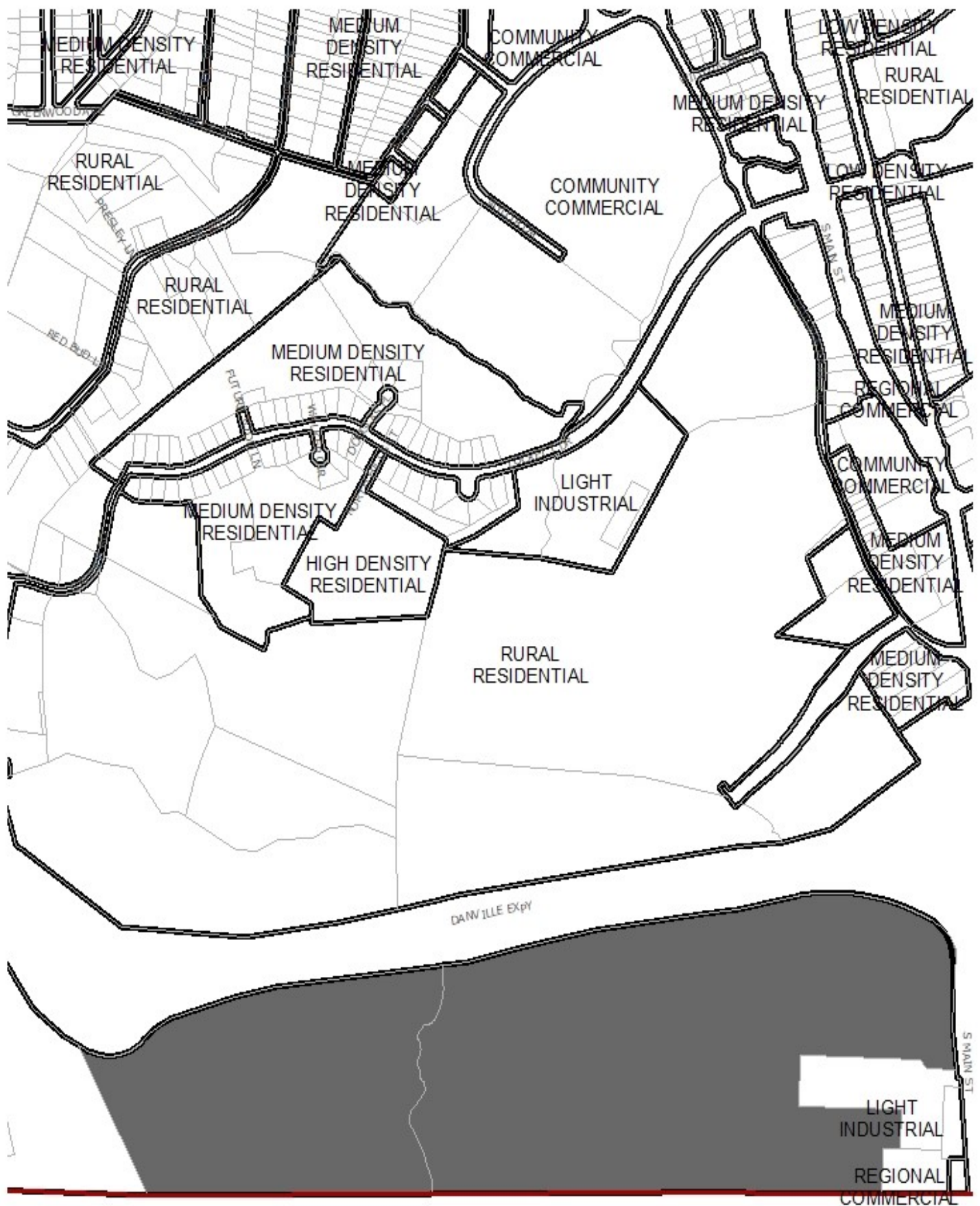


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
8/16/2023

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
8/16/2023

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.

MEMORANDUM

DATE: SEPTEMBER 11 , 2023

TO: PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: RESPONSE FROM NEIGHBORING PROPERTY OWNERS

REQUEST: *Rezoning application PZ23-00292 filed by PDJ Development, LLC to rezone Parcel 75912 from LED-I Industrial District to M-R Multifamily Residential District.*

RESPONSES:

Eight (8) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Six (6) responses were received, five (5) were unopposed and one (1) was opposed.

COMMENTS:



STAFF REPORT

DATE: September 11, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Code Amendment Request PZ23-00295 to amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 2 to create Section Y titled "Short-term Rentals".

SUMMARY

Across the country, short-term rentals have become an issue due to the prevalent use of online rental platforms which allow residential properties to be used for temporary lodging. This has allowed travelers to opt to stay in residential properties, similar to hotels and motels, while traveling. As a result, temporary lodging now falls into one of four zoning categories: (1) Short Term rental, (2) Bed and Breakfast, (3) Hotel/Motel, and (4) Boarding House.

These visitors could include families on vacation, parents visiting children in college, people on business trips or a potential employee in town for a job interview. A thirty (30) day limit is often used to describe the difference between a short-term rental and a regular residential rental, which may include a period as short as a month. For zoning purposes, the specific time limit is not as important as the fact that a short-term rental is categorized differently than an ordinary residential rental. The use and its impact is different than an ordinary residential rental.

The following issues should be considered when discussing short-term rentals:

1. Presence of a Host: Like most localities, Danville currently requires a host be located within 50 miles for residential short-term rentals. Most localities still require an on-site host. When a host is not present, the short-term rental is likely in violation of local zoning regulations, is located in a specific zoning district, or is limited to a specific number of guest visits each year.
2. Enforcement: Regulations regarding short-term rentals can be difficult to enforce. This specifically applies to limitations on the number of guests, and the frequency of visits.
3. Registration: Virginia law permits localities to require an annual registration of short-term rentals. This registration may require a fee in order to maintain and enforce the registry. However, registration excludes short-term rentals which are otherwise licensed

as a business, such as hotels.

4. Effect on Housing and the Neighborhood: Research and case studies indicate that short-term rentals can reduce the availability of quality affordable housing. Short-term rentals can also result in residential areas which are primarily for tourist housing, rather than housing for local residents. Our most recent Housing Study indicates that there is a deficit of 606 single family homes available for purchase in the City of Danville. Conversion of single family homes from home ownership or rentals to Short Term Rentals increases this deficit, making it harder to provide quality housing for purchase and long term rental.
5. Relation to the Comprehensive Plan: The Danville: 2030 Comprehensive Plan contains goals which recommend the City support housing rehabilitation, specifically in distressed and historic neighborhoods. The Plan also suggests the continued use and reuse of existing buildings.
6. Parking: Parking could pose an issue in neighborhoods that rely on on-street parking for existing residents. Residents have expressed concern over the potential lack of parking with the influx of new short-term rentals.

To address the issues that Short Term Rentals bring to the City, Staff recommends that we amend Article 2 Section Y of the Zoning Code. Recommended amendments are noted in Exhibit A. Planning Commission may also look at limiting the areas that STRs are allowed and how the approval process is carried out.

Options reviewed by Staff and to be considered by Planning Commission

1. Approve Exhibit A as submitted which includes, but is not limited to, creation of a STR registration with annual renewal, removes STR as an accessory use, requires off-street parking and reduces the distance between STR and property manager. *Exhibit A reflects the addition of a Short Term Rental registry and additional concerns that have been expressed.*
2. Approve Exhibit A in part as determined by the Planning Commission. *Planning Commission may remove items from Exhibit A and pass the Amendment in part.*
3. *Remove the SUP requirement (allowed by right) for STR operation in T-R, S-R, OT-R, A-R, CB-C and TW-C. Administrative approval would still be necessary for registration. Planning Commission may choose to remove the Special Use Permit requirement from the operation procedures of a Short-Term Rental. If this option is chosen, Staff would be responsible for determining compliance based on the regulations set forth in Article 2 Section Y.*
4. *Prohibit STR operations in the City of Danville. Planning Commission may chose to prohibit operations of Short-Term Rentals beyond those that are currently operating legally. Any Short-Term Rental operating illegally must cease and those in the process of obtaining approval would be allowed to move forward with the process.*
5. Prohibit STR operation in all districts except CB-C and TW-C. Short-Term Rental operations are allowed by right in the CB-C and TW-C districts and by Special Use Permit in other residential zoning classifications. *Planning Commission may choose to remove the opportunity for Special Use Permits for Short Term Rentals and only allow their operation in CB-C and TW-C by right. If this option is chosen, all STRs in operation illegally must cease with no means of compliance.*
6. Place a limit on the number of STRs allowed in the City of Danville. *Planning Commission may choose to limit the number of Short-Term Rentals that may operate within the City of Danville. This limit may be based on an acceptable number for the*

Commission, a percentage of residential structures in the City or some other factor determined acceptable by the Commission. Ex. There are approximately 15,450 parcels in the City of Danville with the State Use Code "Single Family Residential -1 dwelling" . One percent (1%) could result in a limitation of 150 Short Term Rentals.

7. *The Planning Commission may limit the number of STRs on a street. Planning Commission may choose to limit the number of Short-Term Rentals that may operate on any given street. This limit may be determined by a percentage of residential structures on the street, a percentage of all structures on the street or some other factor determined acceptable by the Commission.*
8. *The Planning Commission may limit Short Term Rentals to existing rental districts. The City of Danville has five (5) Rental Inspection Districts. Rental properties located within the Rental Inspection District are subject to inspections similar to those presented for Short Term Rentals.*

RECOMMENDATION

The Planning Staff recommends that the City of Danville Planning Commission recommend the Code Amendment presented in Exhibit A as submitted. The Planning Staff also recommends that the City of Danville Planning Commission review items 2-8 to determine if they would like to take further action in regards to the physical locations of Short-Term Rentals.

ATTACHMENTS

1. CAR Recommendation
2. Exhibit A



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

Commission of Architectural Review

MEMORANDUM

DATE: AUGUST 28, 2023
TO: CITY PLANNING COMMISSION
FROM: COMMISSION OF ARCHITECTURAL REVIEW
RE: SPECIAL USE PERMIT APPLICATIONS FOR SHORT-TERM RENTALS
REQUEST:

Special Use Permit applications requesting a Special Use Permit at 503 to allow short-term rental as principal use in accordance with Article 3.A Section C Item 25, Article 3.B Section C Item 25, Article 3.C Section C Item 29, Article 3.D Section C Item 18, Article 3.E Section C Item 29, Article 3.F Section C Item 22, and Article 3.G Section C Item 26.

RECOMMENDATION:

The Commission of Architectural Review recommends that approval of special use permits for short-term rental be conditional on yearly renewals of the special use permits.

Mr. Robert Weir, Chair

Exhibit A

Article 2 General Regulations

Y-Short Term Rentals

1. Short-Term Rental approval

- a. No host shall operate or advertise a residential property for a short-term rental without first registering with the Zoning Administrator or their designee.
- b. Short-term rentals must comply with applicable provisions of the Virginia Uniform Statewide Building Code (Danville City Code sections 9-81 through 9-88).
- c. A short-term owner/operator must apply for and receive a business license clearance prior to registering with the Commissioner of Revenue.
- d. 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."
- e. If a short-term rental is within a City Rental Housing Inspection Division, then the property must register as a rental property and maintain a certificate of compliance (City Code sections 9-204 through 9-207).

2. Short-Term Rental Standards

- a. The minimum contract rental period for guests shall be eighteen (18) hours. The maximum contract rental period shall be no more than 30 days
- b. With the exception of CB-C and TW-C, no more than one (1) Short-Term Rental per parcel without a Special Use Permit.
- c. If the owner of a short-term rental does not live within 30 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. If the party responsible changes, no rentals shall occur until the City of Danville is notified and acknowledges receipt of such a change.
- d. 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 management or host must not prepare food or beverages, provide event services, or provide unrelated services for compensation.
- e. Short-term rental parking must be on the associated property. Parking must be provided at a rate of one space per two (2) bedrooms. This shall not apply to Short-term rental s located in the CB-C, Central Business Commercial or TW-C Tobacco Warehouse Commercial zoning districts,
- f. Short-term rentals are allowed the same signage as their associated dwellings under Article 10.
- g. Units must have a working multi-purpose fire extinguisher, interconnected smoke detectors and carbon monoxide detectors (when required for a fireplace or gas service).
- h. 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.
- i. 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 at the subject location.

3. Short-Term Rental Registration

- a. Annual registration is required at a price set by City Council or their designee.
- b. Registration shall include providing information regarding the host or responsible party, property owner, location of the short-term rental, and acknowledgement of the standards of this Section.
- c. The registration shall be valid from January 1st (*or* from whatever date the registration first occurs) through December 31st of the calendar year. Registration shall be renewed annually for operation.
- d. Registration is non-transferable. If the party responsible changes, no rentals shall occur until the City of Danville is notified and a new registration is issued.
- e. The owner or operator shall permit a minimum of one (1) inspection each year by the Zoning Administrator, or other official(s) designated by the City to ensure compliance with City regulations. Additional inspections shall be at the discretion of the City.
- f. Proof of registration shall be indicated on any advertising of the short-term rental
- g. Proof of short-term homeshare insurance policy or endorsement must be provided
- h. The Zoning Administrator shall have the authority to revoke registration if there are three (3) or more substantiated complaints, zoning or building violations. or illegal activities within a twelve (12) month time period

PLANNING COMMISSION MINUTES

AUGUST 7, 2023

MEMBERS PRESENT

Mr. Petrick
Mr. Ranson
Ms. Evans
Mr. Bolton
Mr. Jones

MEMBERS ABSENT

Mr. Dodson
Mr. Kahn

STAFF

Shanika Williams
Renee Burton
Allen Spencer
Bonnie Case

I. ITEMS FOR PUBLIC HEARING

1. **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 opened the Public Hearing.

Mr. Woodard stated. I own the property at the RCCM properties. I want to make public records I did response back to those parcels of land that joins that. So, there must be something going on with the mail because I did respond back to those applications. We have a lot of problem with the postal service half my mail ends up on Piney Forest Road.

Mr. Petrick stated. The issue is there was not representative here.

Ms. Burton stated. Right, Yes

Mr. Woodard stated. We didn't receive notice about that either. Yes, Fortiline products Keith is here to talk about them, they will be a good addition now they're already working in Danville. They rented the building out on 58 East in the industrial park, this is an office. Keith can tell you they are selling a lot of material and product in Danville every month, as they get here and set up, they are going to be a great asset and a good business partner. They will come in and renovate the building, do some painting, fixing up and it is going really make it nice and the other piece of parcel property are granted I think it will be really good addition and we need this service in Danville, now for all the contractors I deal with VDOT, the use a lot of this piping, they will have a big business to supply the needs of the industrial contractors in the area.

Mr. Keith stated. We definitely would have been here if we actually received the notice, it may have been sent out, but we never received it. We are a big company, we would have been here feels bad because it was a lot of income for that month, we have another branch in Greenville, I think we sold two and a half million dollars' that would have come out of Danville, that we had to ship out to Greensboro branch. I really hate that for you guys. We are really excited about being here. The place has been vacant for over 10 years, we going to come in paint the whole place, we already been approved for the fence, everything will be stored neat and tight behind the fence. We are owned by Reese a 6 ½ billion-dollar company. They are very concerned about their brand name just as you guys would be about Danville. I know we are planning to put about half million dollars into this piece of property. We believe with our product we provide City Public Help, we sell to the city, and any new construction and replacement we sell. I think you all have a supply house. We are very similar to Ferguson, but we will present ourselves a little bit differently. We are looking forward to coming here and being an asset to your town. Any questions about our company or business.

Ms. Evans stated. Is this a permanent decision? Or you just being here for the Casino and then be gone upon completion.

Mr. Keith stated. No. we signed a 10-year lease with option for 10 more after that. We usually don't like to leave we want to be a pillar of the community. We have seven other branches in Virginia, I've been there 10 plus years for every single location, a couple we just opened in Newport News. We like to be in the location a long time.

Ms. Evans stated. The office space on 58 East that you're renting, will you move that to this location?

Mr. Keith stated. No, we are just renting that for the time being to set up training as soon as we get approval on September 5th we will start remodeling inside that building, I was told it takes about six weeks to finish remodeling up to our standard, during that six weeks, we will paint outside the building, put up new signs, get the fence started with the panels and get material put in. The people that we have been training we will move them into the new location at that time.

Ms. Evans stated. What will be located in the formal show room?

Mr. Keith stated. That will be our offices. We will go over plans in the back room, there is a coffee bar, we put in a mirror, about Danville type bus mode, pictures and things that Danville is known for.

Mr. Bolton stated. You reviewed the conditions staff recommended, everything ok in those conditions?

Mr. Keith stated. Yes, we understand they didn't want the barbed wire on top, no big deal we have cameras, so it's something good plus all our stuff will be behind the fence and it's very heavy. So not a lot of people would run around carrying fire hydrants.

Mr. Bolton stated. Most package or distribution center or anything like that.

Mr. Keith stated. Most of our stuff we deliver to the job site. We do have meetings there. We have other divisions; we also have a fusible HDPE division.

Mr. Petrick closed the Public Hearing

Ms. Bolton made a motion to approve Special Use Application PZ23-00198 with conditions applied by staff.

Ms. Evans 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 a principal use in accordance with Article 3.E. Section C *Item 29*.

Ms. Burton stated. Applicant requested to table item till further notice.

Ms. Evans made a motion to approve Special Use Application PZ23-00223 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 PZ23-00220 filed by Gibson Investing, LLC requesting a special use permit at 212 Wood Avenue (parcel 51316) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Mr. Petrick opened the Public Hearing.

Ms. Gibson stated. It's a one-bedroom house for two people max. and has off street parking for up to three vehicles. We own houses on both sides of the street and across the street. We rent the homes out long term and they are ok with having this short-term rental, we fixed up really nice.

Ms. Evans stated. You have a very narrow driveway especially at the top. Do you plan or doing some improvement to that driveway? Its like gravel and grass.

Ms. Gibson stated. I have a large SUV and it get up just fine.

Ms. Evans stated. Are you planning on making some improvement to that driveway or is it going to remain as is grass and gravel.

Ms. Gibson stated. We had extra gravel put on it so it should be ready to go.

Ms. Evans stated. Recently?

Ms. Gibson stated. Yeah, we've done a lot of work recently in the last few months.

Ms. Evans stated. I was by there last week and it didn't look like there was extra gravel from my viewpoint.

Ms. Gibson stated. No not since last week. But it really should only be one or two cars it only a one bedroom.

Mr. Bolton stated. One bedroom?

Ms. Gibson stated. One bedroom, one bath, kitchen, living room and has a washer and dryer setup. So, there's a whole laundry area, and outdoor patio area, firepit and privacy fence.

Ms. Evans stated. And you anticipate that you could park on the street, especially in that curve?

Ms. Gibson stated. We do all the time. We've own it since 2016 and its just fine.

Mr. Jones stated. You say you own home on the side and across the street.

Ms. Gibson stated. Yes, we have 23 homes on the street.

Ms. Evans stated. They are all long-term rentals?

Ms. Gibson stated. This will be the first short term rental we are going to try something different.

Mr. Bolton stated. Do you anticipate having some others at some point of time?

Ms. Gibson stated. If all goes well, we will try another one. We also have put a lot of money investing in fixing up the house so this could really improve the look and dynamic of the street.

Mr. Petrick closed the Public Hearing.

Ms. Evans stated, I do have concerns with the narrowness of that street, especially the curb on street parking. You have people parked on the street. But when you have cars going this way and cars going this way coming around that curb either way. To me its dangerous.

Ms. Burton stated. It is narrow. We were out there. I think you will probably have to move over to let someone pass but that is fairly common in the city of Danville. But yes, you will have to allow someone to pass by.

Mr. Bolton stated. I have a conflict of interest. Should I still make a motion?

Mr. Spencer stated. I wouldn't

Ms. Evans made a motion to approve Code Amendment PZ23-00220 as submitted.

Mr. Johns seconded the motion. The motion was approved by a 4-1 vote. Mr. Bolton abstain.

Mr. Petrick opened the Public Hearing.

4. Special Use Permit Application PZ23-00223 filed by International Security Investments Corp and Hampton Wilkins, requesting a Special Use Permit at 110 Park Avenue (Parcel 54191) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Mr. Stone stated. I am one of the owners of 110 Park Avenue. I have been a citizen of Danville for more than 40 years. I am here to answer any questions or concerns anyone may have. We will do a great job to make the short-term rental very competitive and beautiful.

Ms. Evans stated. You have a property manager within 50 miles can you be more specific?

Mr. Stone stated. Yes, that's me. I live right around the corner from the property. And for the record International Security Investments is here in Danville only it's been operating here since 1989.

Ms. Evans stated. So, you will be available.

Mr. Stone stated. Yes

Ms. Evans stated. Look like its currently being rented.

Mr. Stone stated. Yes it is, and it's due for some renovations in the next two to three months. It is due to be replumbed it has all the original plumbing and cast-iron pipes; we thought it was a good time with all the events and activity here in Danville. And with the plumbing that needs to be reworked this will be and excellent time to try Airbnb.

Ms. Evans stated. How many bedrooms?

Mr. Stone stated. 3.

Ms. Evans stated. Living room, kitchen, 2 full baths

Mr. Stone stated. There's a little shed in the back of the house, it will not be a part of the Airbnb.

Mr. Petrick closed the Public Hearing.

Ms. Evans made a motion to approve Special Use Permit PZ23-00223 as submitted.

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

Mr. Petrick opened the Public Hearing.

5. Special Use Permit Application PZ23-00222 filed by International Security Investments Corp, requesting a Special Use Permit at 822 West Main Street (Parcel 60436) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Mr. Stone stated. I'm half owner of the property. I currently live there. I'm in the process of moving to 553 Elizabeth Street extension, probably two and a half three miles from this property. It's a gorgeous house three bedroom, two baths that needs renovating, and we are beginning the process of fixing up the outside. I'm in the process of moving out. It is an excellent location for and Airbnb. The chain link fence in the front and back will be coming down. We are in the very early stages, but a lot of work will be done before we apply for the certificate of occupancy, but it will be gorgeous.

Mr. Bolton stated. This doesn't necessarily impact your property, but do you know what's going to happen to the reservoir behind you?

Mr. Stone stated. I'm not a good one to speak on behalf of the city, my understanding, which only means so much is that it will be used utilities department. I think it is some kind of water reservoir for the utility department. It is a beautiful feature back there. I hope it stays. I don't know if it matters or not, but there's a huge fence around that property. Probably constructed by the city or the IDM, to keep people safe, can't just anybody access that water feature back there.

Ms. Evans stated. You are renting the whole house not just bedrooms?

Mr. Stone stated. At the moment the whole house. Highly unlikely it will be by bedrooms. It still up in the air because we're in early phase.

Ms. Evans stated. Would that affect the application?

Ms. Burton stated. Yes, renting by bedroom would be considered a boarding house and that's a different application.

Mr. Stone stated. How about I change my answer, it will not be by bedrooms.

Mr. Petrick closed the Public Hearing.

Mr. Bolton made a motion to approve Code Amendment Request PZ23-00222 as submitted. Ms. Evans seconded the motion. The motion was approved by a 5-0 vote.

6. Special Use Permit Application PZ23-00207 filed by Natalie James on behalf of Signature Investments Group LLC, requesting a Special Use Permit at 49 Augusta Avenue (Parcel 54941) to allow short term rental, as principal use in accordance with Article 3.E. Section C. Item 29.

Mr. Petrick opened the Public Hearing.

Ms. Katie stated. I'm here on the behalf of Natalie James unfortunately had a death in the family. I will be the property manager as well as the host. She purchased the property in June in hopes of being a short-term rental, super nice house a lot of work so far on the property. They have investment properties throughout North Carolina, but this is their first purchase in Danville and first short-term rental.

Ms. Evans stated. Do you live within 50 miles?

Ms. Katie stated. I do.

Ms. Evans stated. You will rent to one family at a time.

Ms. Katie stated. Yes, the whole house rental.

Mr. Petrick closed the Public Hearing

Ms. Evans made a motion to approve Code Amendment Request PZ23-00207 as submitted. Mr. Jones seconded the motion. The motion was approved by a 5-0 vote.

7. Special Use Permit Application PZ23-00225 filed by Allen Stone and Kristina Stone on behalf of 2511 REC LLC, requesting a Special Use Permit at 66 Stokesland Avenue (Parcel 51055) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Mr. Petrick opened the Public Hearing.

Ms. Stone stated. I'm here representing 2511 REC. I'm the owner and manager of the property. I'm here to answer any questions and comments or concerns anyone have.

Ms. Evans stated. You live in Ashburn?

Ms. Stone stated. No, I live here in the Schoolfield area.

Ms. Evans stated. Is that within 50 miles?

Ms. Stone stated. Yes, definitely I can walk to it.

Ms. Evans stated. Have you completed the minor repairs that were discovered?

Ms. Stone stated. Yes, we renovated the home and fixed the deck. We had the inspector come by. He said everything was good. Fire extinguishers, fire alarms.

Mr. Petrick closed the Public Hearing

Ms. Evans made a motion to approve Code Amendment Request PZ23-00225 as submitted. Mr. Bolton seconded the motion. The motion was approved by a 5-0 vote.

Mr. Petrick opened the Public Hearing.

8. Special Use Permit Application PZ23-00226 filed by Allen Stone and Kristina Stone on behalf of 2511 REC LLC, requesting a Special Use Permit at 69 Schoolfield Drive (parcel 50384) to allow short term rental, as principal use in accordance with Article 3.E. Section C Item 29.

Ms. Stone stated. Any questions, comments, or concerns. Once again, I live in the area. The repairs, we are in the process of renovating, the minor repairs will be fixed within the next two to three weeks.

Ms. Evans stated. There's a shared driveway?

Ms. Stone stated. Yes. As the repairs continue, we will surely mark the parking area more properly. So that it is very clear our and we won't be taking up the shared driveway.

Mr. Bolton stated. Most driveways you come in and they fan out. Is that how that one is?

Ms. Stone stated. No, that's why I didn't think it was shared because the house next door seems to have its own driveway and the house on the other side is not even touching the driveway, which is why I was a little confused on that. Its just gravel crap coming up into our backyard.

Mr. Bolton stated. Two cars could be side to side.

Ms. Stone stated. I believe so, small cars probably.

Ms. Evans stated. You are renting the entire house?

Ms. Stone stated. Yes.

Ms. Evans stated. One opposition that's a requires factor in is quiet time.

Ms. Stone stated. Yes, we are going to stipulate in the contract the national agreement that quiet hours are after dusk, so we'll make it earlier than 10. I live right there so if there's an issue, I'll probably be able to hear it too.

Mr. Petrick opened the Public Hearing.

Mr. Bolton made a motion to approve Code Amendment Request PZ23-00226 as submitted.

Ms. Evans seconded the motion. The motion was approved by a 5-0 vote.

9. Code Amendment Request PZ23-00046 to amend Chapter 41 entitled "Zoning Ordinance" pf the City of Danville, 1986 as amended. Specifically, amend Article 10 to create Section U titled "Billboards".

Mr. Petrick opened the Public Hearing.

Ms. Evans stated. Is there plenty of staff to take on this responsibility?

Ms. Burton stated. We are currently looking at the staff within this chamber.

Mr. Petrick stated. So, the answer is no.

Ms. Burton stated. We are staffed with three; Bonnie is here instead of Lisa. So, we want to find different we are a staff of three.

Mr. Bolton stated. You recalled when it was initiated in the first place going back to the original back in March. Did someone request digital or some violations or you had to do something.

Ms. Burton stated. We received a request from a citizen to do the research to look into it. To determine the research that was discussed. And then we were asked from staff point of view to research further.

Mr. Bolton stated. If We favor, I think about the three, that seem to be the staff standpoint of view. Am I wrong? To be done soon. Gives you time maybe hire more staff.

Ms. Burton stated. Looking at code change after a comprehensive plan update, we could continue to research completed code change for this. And then it will change again, with a new set of zoning codes come 2025.

Mr. Bolton stated. You could do it in sections.

Ms. Burton stated. You could but everything that we do ultimately would be wiped. And for new zoning code update 2025 likely. Nothing can carry over if it's written in solid and things are working. It certainly can carry over. But yes, so you will have two changes, ultimately.

Mr. Petrick stated. This is not something time is of the essence we not in a rush to do, this is something we talked about.

Ms. Burton stated. Right.

Mr. Petrick opened the Public Hearing.

Mr. Petrick closed the Public Hearing.

Mr. Bolton stated. If a current billboard is being use right now then the person stops, if no one takes that advertisement over how long would the lose even being grandfathered.

Ms. Burton stated. It's 120 days from their VDOT permit. So, if they found that it is blank. VDOT would send them a notice they have 120 days to either replace the message on the billboard or remove the structure.

Mr. Bolton stated. And any three of these will change that. 120 days is set.

Ms. Burton stated. Right, that's state.

Ms. Evans stated. Why does removing the prohibition of billboards shift the responsibility in the program VDOT to the city.

Ms. Burton stated. Currently, there's the prohibition is a city code. States handles the permitting process. They handle the permitting process because we cannot have city staff, because we have a prohibition on the actual billboards themselves. If we decide to allow billboards within the city of Danville, then the shift does switch to us all the majority of these, there are still some on major highways that would be handled by VDOT, but the vast majority would be under a city code. It would be our responsibility for permitting regulations and maintenance.

Ms. Evans stated. I thought that was part of the beauty of Danville there weren't so many billboards.

Mr. Bolton stated. Do you remember the group that initiated this did they want more billboards or less.

Ms. Burton stated. The conversation was to allow digital billboards, upgrade billboards and how we could accommodate that within the city of Danville.

Mr. Bolton stated. What about the one at the mall is that a digital billboard.

Ms. Burton stated. It is a digital sign but not a digital billboard, because they are allowed that within their particular location.

Ms. Evans stated. Are digital billboards, larger or smaller or the same size as the billboards that we currently have.

Ms. Burton stated. That would be up to the code amendment changes that we make.

Mr. Ranson stated. Does the prohibition on billboards have to be removed before you can approve the digital.

Ms. Burton stated. That's correct, because it didn't really change in the platform from its current would ultimately to a digital platform would increase the value of that particular structure greater than 50%. And because of that increase in value, it triggers the non-conformance in the state standards, which mean now it has become an appliance which snowballs.

Mr. Ranson stated. Several more want to move on to allow digital signage to do that.

Ms. Burton stated. Right, you would have to lift the prohibition of a city code in order to allow digital signage. Yes

Mr. Jones stated. So, the window is given to put a message on the board. The message is something we're going to restrict the advertisement to rent the board or does it have to be rented out by an outside entity with message on the board.

Ms. Burton stated. I believe that it can be a message stating that it is available. It can not be blank. I will verify that with VDOT, I believe you can advertise that message.

Mr. Jones stated. Outside entity would be considered a message.

Ms. Burton stated. Right.

Ms. Evans stated. these digital billboards be multiple advertising, different companies.

Ms. Burton stated. Yes.

Ms. Evans stated. Yes, just flashing and rotation.

Ms. Burton stated Correct that's pretty common on the digital side.

Mr. Bolton stated. Guess what I'm trying to grasp. Staff perspective I don't understand seems like it would be a lot of work.

Ms. Burton stated. It will take considerable work to continue to research this and determine the code changes and what is best for the city of Danville, I think at this point it is rather the work is complete now. And we continue this process work forward toward that goal, or if we hold off and wait and address that during the city-wide rezoning.

Ms. Evans stated. Wouldn't that coincide with next year's budget planning?

Ms. Burton stated. If we continue to research it this year and come up with a plan, and yes, we will have to put it into the budget this winter with a new adoption fee schedule beginning July 1, 2024. If not, I will hold off until the zoning code change which begins winter 2024, looking at probably adoption mid-2025. Somewhere around that time, I don't know how long that might take, so then you would be looking at a new fee schedule for 2025.

Mr. Petrick stated. Probably in the last quarter.

Ms. Burton stated. Right.

Mr. Bolton stated. You could if time permitted keep doing research but with the idea that may be ahead but then that we're looking at the comprehensive plan being completed that has real meaning to what we're talking about reservation, you feel like it should be one or the other.

Ms. Burton stated. No, we can certainly do that if it the pleasure of the planning commission, it was a recommendation to research it, it was brought before planning commission, if that is your decision, we will continue to research with the anticipation of adoption. After the comprehensive plan.

Mr. Jones stated. Would there be some type of time restraint going back to number 3 in the science degrees available, it could go for two years or just more available across all avenues shouldn't have to wait it out.

Ms. Burton stated. The blank message or 120 days is currently regulated by VDOT, and they will continue to do so until we make a code change. I can't speak exactly on their protocols, except what I have read here.

Mr. Ranson stated. We may decide that this is just not appropriate.

Ms. Burton stated. So, if you want us to continue to research, we will do so if you say we have no interest in lifting the prohibition, then that will be the decision as well we will stop research now that's up to you.

Mr. Petrick stated. That could be the decision after the research also.

Ms. Burton stated. Yes.

Mr. Bolton stated. With the added pressure number 2 when you could number 3-time frame.

Mr. Bolton made a motion to continue research with the ideal of implementing something after the adoption of the Comprehensive Plan in last quarter of 2025 of Code Amendment Request PZ23-00046.

Ms. Evans seconded the motion. The motion was approved by a 5-0 vote.

V. PLANNING DIRECTOR'S REPORT

Ms. Burton stated we have 11 cases filed for next month. Short term rentals. We are in the process of implementing our new software to help us maintain a database for short term rentals, we just received a link today for training on that. So, we are working towards that goal of hopefully creating a database at least so we can understand where they are, who's operating them our numbers we have that are in compliance with numbers we have that or that are not, we do not have that kind of raw data yet. We're working towards that. So even more next month certainly.

VI. MINUTES

The July 10, 2023, minutes were approved by unanimous vote.

With no further business, the meeting adjourned at 4:15 p.m.

APPROVED