



PLANNING COMMISSION REGULAR MEETING AGENDA

CITY COUNCIL CHAMBERS

November 13, 2023

3:00 PM

I. WELCOME AND CALL TO ORDER

II. ROLL CALL

III. OLD BUSINESS

1. 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.

IV. NEW BUSINESS

1. Special Use Permit application PZ223-00298 filed by Preferred Management Group requesting a Special Use Permit at 444 Downing Drive (Parcel 56240) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.
2. Special Use Permit application PZ223-00348 filed by Deidre Carter requesting a Special Use Permit at 350 Hermitage Drive (Parcel 51905) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.
3. Special Use Permit application PZ223-00351 filed by Preferred Management Group requesting a Special Use Permit at 212 A&B, 214 A&B, and 216 A&B Jefferson Avenue (Parcel 24689) to allow short-term rental as principal use in accordance with Article 3.G Section C Item 26.

4. Special Use Permit application PZ23-00355 filed by Mahesh Srinivasaiah requesting a Special Use Permit at 820 Green St (Parcel 22409) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
5. Special Use Permit application PZ223-00364 filed by DM Woodstock requesting a Special Use Permit at 232 Avalon Drive (Parcel 71105) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.
6. Special Use Permit application PZ23-00371 filed by Preferred Management Group requesting a Special Use Permit at 129 Stokesland Avenue (Parcel 56898) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
7. Special Use Permit application PZ23-00374 filed by Wasi Bin Saleem requesting a Special Use Permit at 242 Lipton Lane (Parcel 56149) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
8. Special Use Permit application PZ23-00375 filed by Kelly Real Estate requesting a Special Use Permit to convert single family detached dwelling to duplex at 411 West Main Street (Parcel 24051) in accordance with Article 3.E Section C Item 2.
9. Special Use Permit application PZ23-00376 filed by Jeramy Nichols requesting a Special Use Permit at 823 Industrial Avenue (Parcel 24094) to allow a retail sales establishment in accordance with Article 3.O Section C Item 15.
10. Special Use Permit application PZ23-00377 filed by Jarrod Motley requesting a Special Use Permit to allow short-term rental as principal use at 249 Parkland Drive (Parcel 56844) in accordance with Article 3.E Section C Item 29.
11. Special Use Permit application PZ23-00378 filed by Elaine Ratcliffe requesting a Special Use Permit at 431 West Main Street (Parcel 21990) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
12. Special Use Permit application PZ23-00379 filed by Elaine Ratcliffe requesting a Special Use Permit at 316 Starmont Drive (Parcel 00850) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.
13. Special Use Permit application PZ23-00380 filed by Tony & Anissa Howerton requesting a Special Use Permit at 1540 Claiborne Street (Parcel 02912) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.
14. Rezoning Application PZ23-00389 filed by Averett University requesting a rezoning at 419 West Main Street (Parcel 22383) to rezone from OT-R Old Town Residential to TO-C Transitional Office.
15. Special Use Permit application PZ23-00388 filed by CCKW, LLC requesting a special use permit to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at the following parcels located on Monument, Shelton, Cabell, and Franklin Streets: 23320, 23677, 23662, 23661, 20860, 21603, 22885, 20074, 20881, 24445, 22244, 22727, 23040, 21602, 24048, 20749, 21228, 22594, 25347, 24577, 24549, 20071, 20076, 20856, 20862, 21471, 20488, 25184, 21957, 21561, 20637, 24941, 23319, and 22082.
16. Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City

of Danville, More Specifically, to Amend Article 15 Section B, entitled "Definitions".

17. Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, More Specifically, to Amend Article 3.X Section H, to Amend the Definition for "Herbal Wellness Shop".
18. Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville. More specifically, to Amend Article 2 Section Y entitled "Short-term rentals".
19. Review final draft of the City of Danville Preservation Plan.

V. APPROVAL OF MINUTES

VI. PLANNING DIRECTOR'S REPORT

VII. ADJOURNMENT



STAFF REPORT

DATE: November 13, 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 have been received, four (4) were unopposed and one (1) was opposed.

This item was tabled at the August 7, 2023 and the September 11, 2023 Planning Commission due to the lack of attendance by the applicant. On October 17, 2023 an email was received from the applicant (attached). Mr. Motley expressed that he was unwilling to attend the Planning Commission meeting for his request and that a formal contract with "Community Services" does not exist at this time.

RECOMMENDATION

Operation of a duplex at 305 Girard Street is compatible with the neighborhood and the Comprehensive Plan. However, the Planning Division has concerns about the operation and management of the duplex based on the unwilling participation of the applicant in the review process. The Planning Division recommends that the Planning Commission review all the information provided while considering 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 at 305 Girard Street.

ATTACHMENTS

1. Application
2. 305 Girard St
3. 305 Girard St_AERIALS
4. 305 Girard St_OWNERS
5. 305 Girard St_LANDUSE
6. Owner statement



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

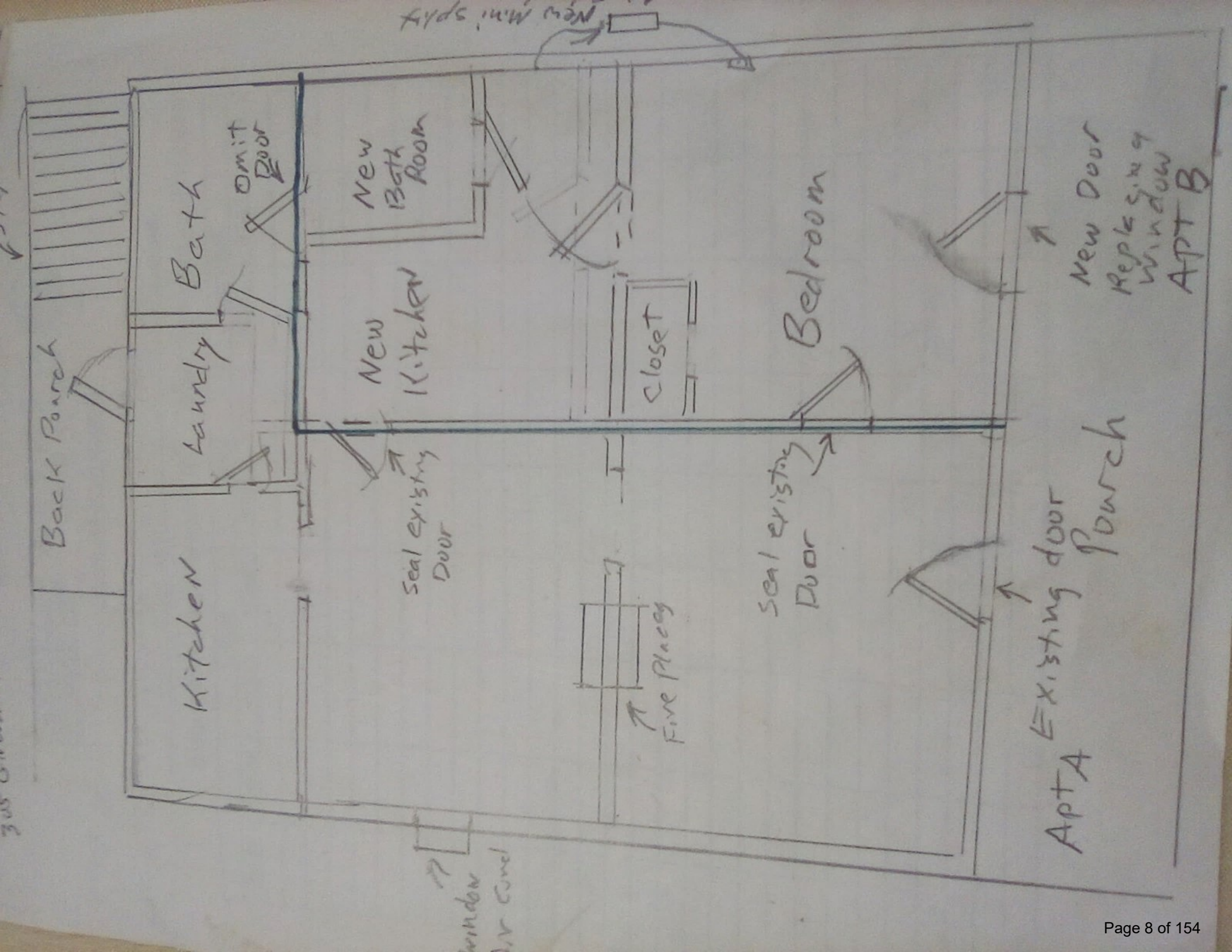
Describe Proposed Request: Replace metal roof (install)

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

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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Williams, Shanika S.

From: Burton, Renee
Sent: Wednesday, October 18, 2023 8:23 AM
To: Williams, Shanika S.
Subject: FW: Girard St. duplex proposal

FYI

From: Lester, Cynthia M. <lestecm@danvilleva.gov>
Sent: Wednesday, October 18, 2023 8:15 AM
To: Burton, Renee <burtotr@danvilleva.gov>
Subject: FW: Girard St. duplex proposal

From: Charles Motley <charlesmotley@gmail.com>
Sent: Tuesday, October 17, 2023 9:50 PM
To: Lester, Cynthia M. <lestecm@danvilleva.gov>
Subject: Girard St. duplex proposal

CAUTION: This email originated outside the City of Danville's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Cynthia,

I understand that my proposal was tabled for the 2nd time, because no one was there to represent me. I contacted my sister the night before. She is not familiar with the details.

Being from Danville, I wanted to help the City during the housing sale slump. I purchased two houses, despite there being a better investment upside in Orlando. At the time, there was a desperate need for low income housing in Danville.

As I explained earlier, the Girard Street house is under contract with the Community Services to provide a single person with a place to stay. A couple of years ago I consulted with Community Services about making a duplex, so they could provide 2 people with a home. They did not have a formal meeting nor a hearing but said, "Yes", they surely could use places for their backlog.

We also discussed how we would arrange for the tenant living there while we did the conversion. I did not ask them to attend the Commission's meeting thinking my request was sufficient. Plus with their large staff, I do not remember the name of the employee, and more so, I suspect that attending the meeting would be outside their duties, and possible conflict of interest.

I only paid \$16,000 for the Girard Street house. At age 86, I plan to give it to my son one day. With respect, it is not worth my trip to Danville just to get the Commission's approval, then another trip for the Building Dept's approval a month later, and perhaps a 3rd, 4th trip there later for more meetings.

I will go there with approvals and oversee the project, but not to attend meetings. I have submitted plans to all, which I thought you needed, so I could not add much more if I attended. My sister lives in Danville and is not involved in my housing projects. She does not know the details.

I am retired from Orange County. FL Development Engineering. As large and as busy as Orlando's development is, a permit can be issued in a fraction of the time!

The concept of providing a needed facility within the neighborhood is a "win-win" idea for everyone involved.

I do expect the Building Dept to require things like firewalls, etc, but likely add more to that list. With the red tape , I am becoming less interested in helping the community, especially working on it in mid-winter once approvals are received. So, at the November meeting, which I cannot attend, do not table this issue, either "approve" or "reject". Thank you.

Charles Motley



STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ223-00298 filed by Preferred Management Group requesting a Special Use Permit at 444 Downing Drive (Parcel 56240) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

SUMMARY

444 Downing Drive is zoned SR Suburban Residential. The applicant, Preferred Management Group, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.C Section C Item 29.

The subject property was built in 1959 and is a single family dwelling. There is off-street parking. There has not yet been a Certificate of Occupancy inspection. The applicant will be acting as property manager for the property.

Twenty-eight (28) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, thirteen (13) responses were received, all thirteen (13) were opposed.

RECOMMENDATION

Although the property is in compliance with Article 2 Section Y, due to overwhelming neighborhood opposition, the Planning Division recommends that the Planning Commission carefully review PZ23-00298 for a Special Use Permit prior to making a recommendation to City Council.

ATTACHMENTS

1. Signature Page
2. 444 Downing Dr_AERIALS
3. 444 Downing Dr_OWNERS
4. 444 Downing Dr_LANDUSE

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 444 Downing Drive

Applicant: _____

Applicant's Address: _____

Applicant's Phone Number: _____

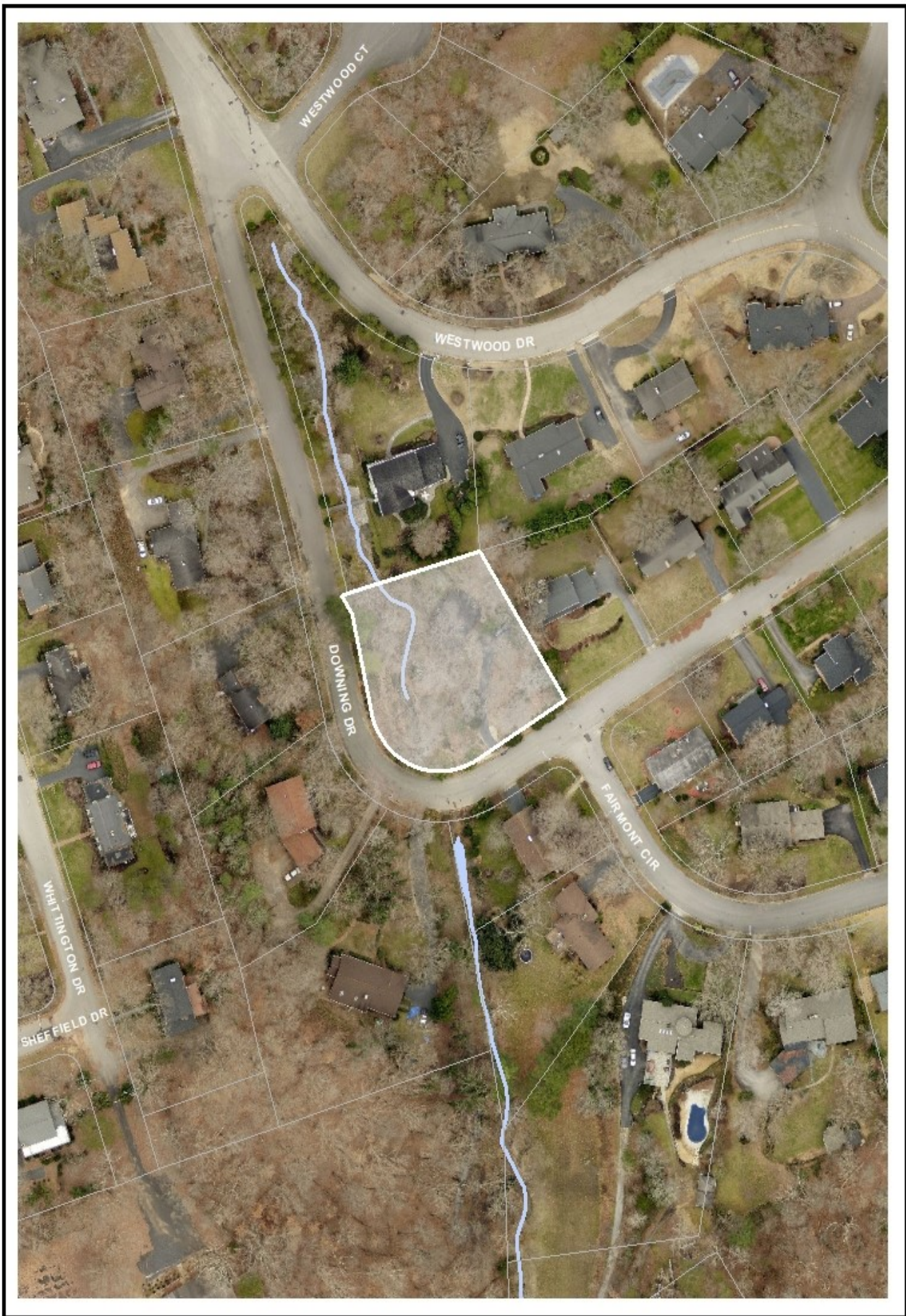
Applicant's E-mail: _____

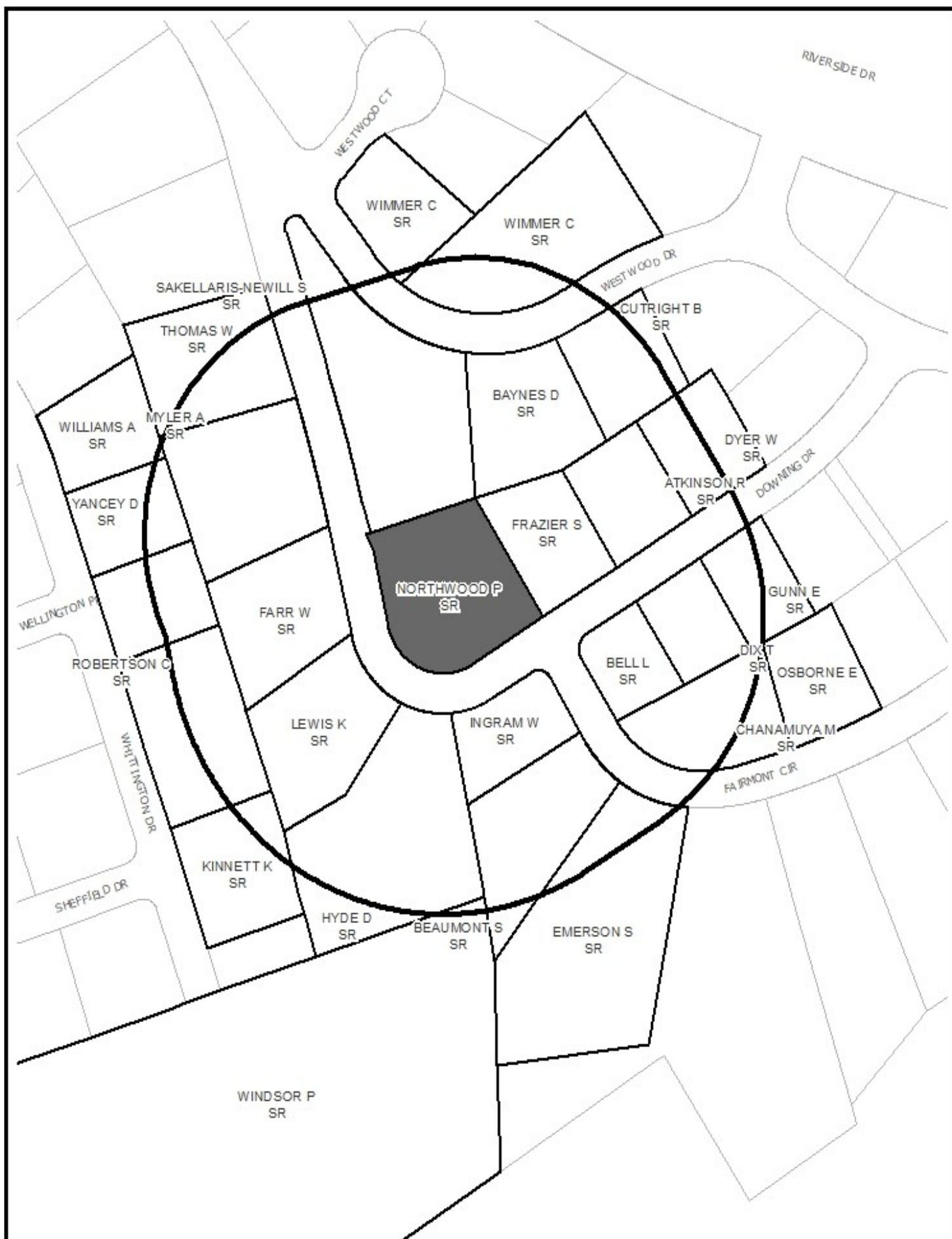
Describe Proposed Request: _____

Applicant Signature date

DocuSigned by:  8/17/2023

Property Owner Signature date
(if not applicant)



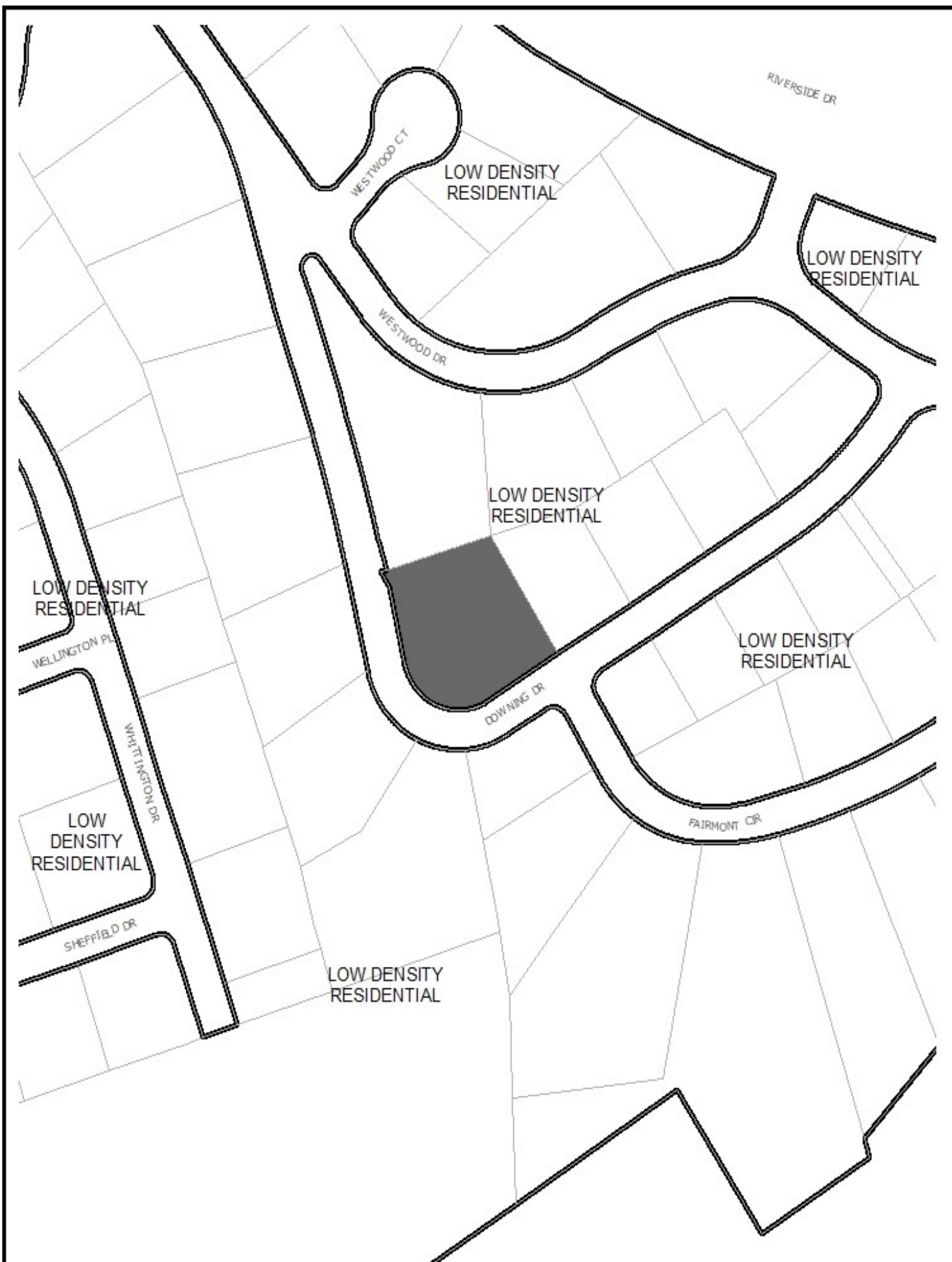


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/18/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ223-00348 filed by Deidre Carter requesting a Special Use Permit at 350 Hermitage Drive (Parcel 51905) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

SUMMARY

350 Hermitage Drive is zoned SR Suburban Residential. The applicant, Deidre Carter, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.C. Section C Item 29.

The subject property was built in 1964 and is a single family dwelling. There is a private driveway on the property that will fit at least two (2) vehicles. On street parking is also available.

350 Hermitage Drive was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division to allow a total occupancy of four (4) persons. The applicant has identified a property manager who lives in Martinsville, Virginia.

Twenty-seven (27) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, four (4) responses have been received, two (2) were unopposed and two (2) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00348 for a Special Use Permit in accordance with Article 3.C Section C Item 29 to operate a Short Term Rental as a principal use at 350 Hermitage Drive (Parcel 51905).

ATTACHMENTS

1. Application
2. 350 Hermitage Dr_AERIALS
3. 350 Hermitage Dr_OWNERS
4. 350 Hermitage Dr_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 23-00348 PC Meeting Date: Nov. 13

Date Received: _____ Received By: _____

Parcel ID: _____ Address: 3500 Hermitage Dr

Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 350 Hermitage Drive, Danville, VA 24541

Applicant: Deidre Carter

Applicant's Address: 350 Hermitage Drive, Danville, VA 24541

Applicant's Phone Number: (276) 734-2793

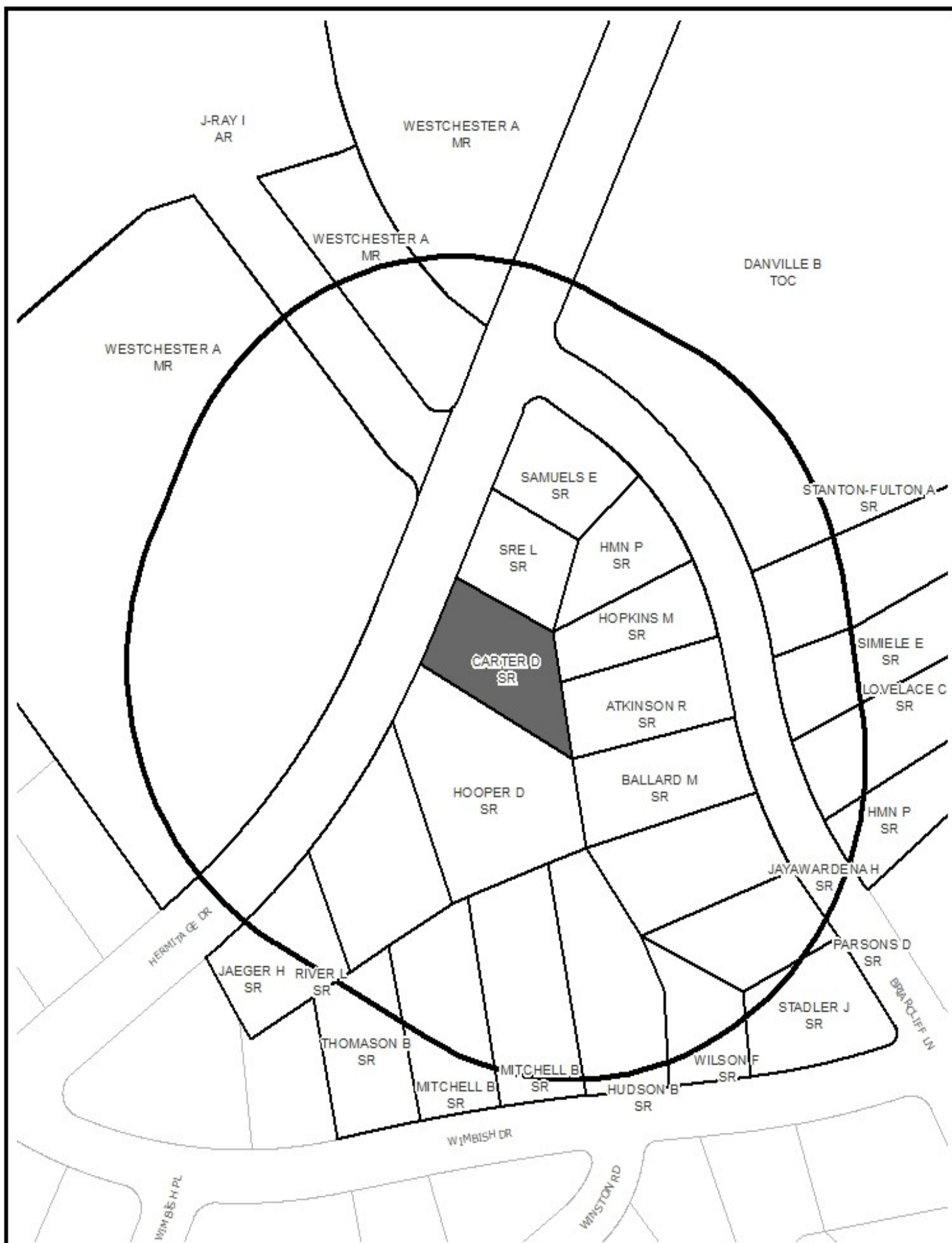
Applicant's E-mail: deidreccarter@gmail.com

Describe Proposed Request: This home will be used for short term rentals.

Deidre Carter 9/19/2023
Applicant Signature date

Property Owner Signature date
(if not applicant)





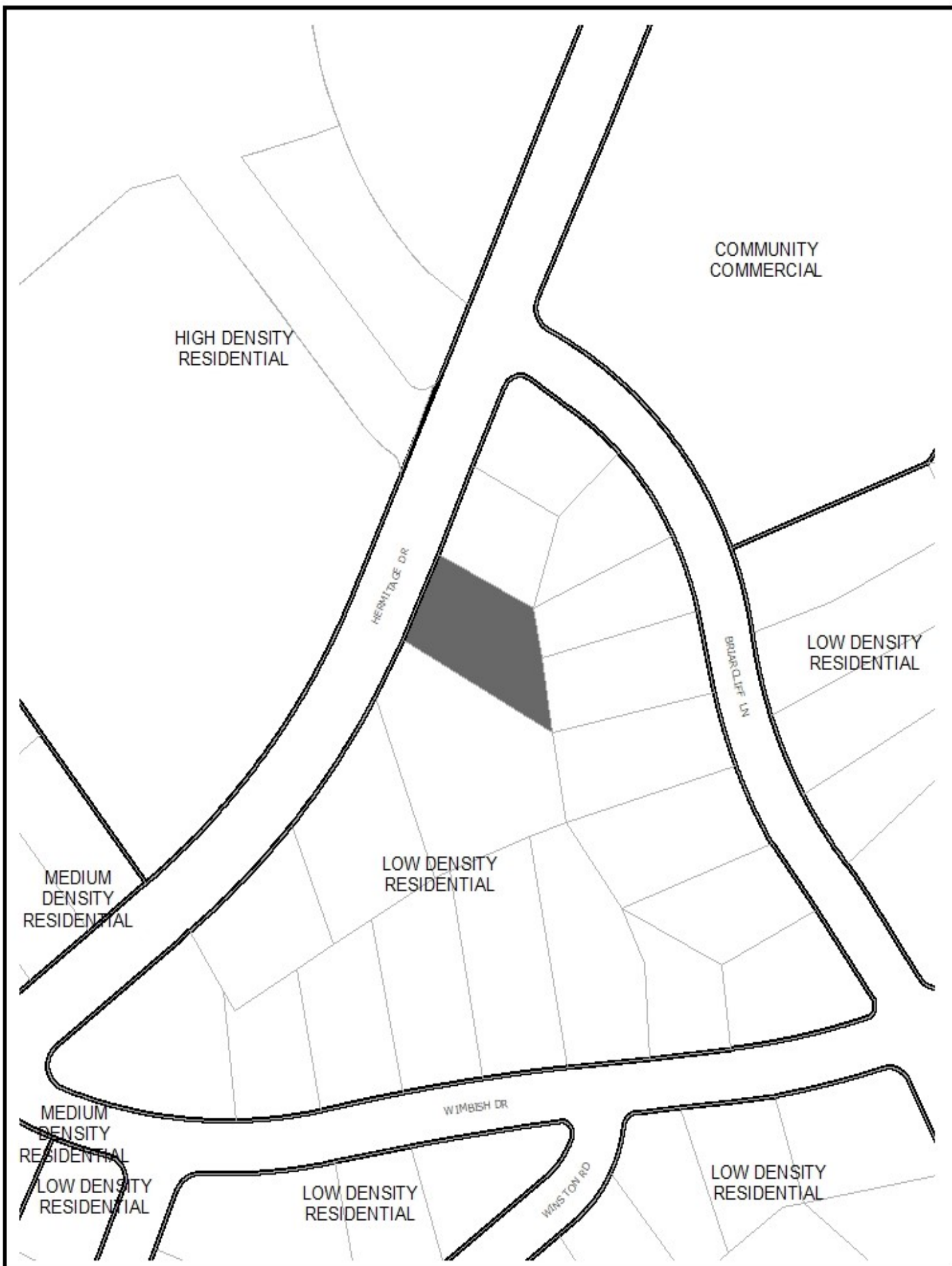
SURROUNDING PROPERTY OWNERS AND ZONING WITHIN

FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ223-00351 filed by Preferred Management Group requesting a Special Use Permit at 212 A&B, 214 A&B, and 216 A&B Jefferson Avenue (Parcel 24689) to allow short-term rental as principal use in accordance with Article 3.G Section C Item 26.

SUMMARY

212 A&B, 214 A&B, and 216 A&B Jefferson Avenue are zoned M-R Multi-family Residential and located within the Old West End Historic District. The applicant, Preferred Management Group has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.G Section C Item 26.

The subject property is a six-unit apartment building. The application is for a Special Use Permit to allow all six (6) units as short-term rentals. There is no off-street parking associated with the property. A Certificate of Occupancy was issued in December, 2021 for all six (6) units. The applicant, Preferred Management Group, will act as property manager.

During the October 26, 2023 meeting of the Commission of Architectural Review, the Commission voted to recommend denial of the Special Use Permit for the operation of Short-Term Rental due to concerns about parking. The lack of off-street parking for the existing apartments is legal nonconforming. Staff recommends that the Planning Commission consider the Commission of Architectural Review's concerns while reviewing this request.

Fifty-three (53) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, four (4) responses were received, all four (4) were unopposed.

RECOMMENDATION

Although the property is in compliance with Article 2 Section Y, due to the concerns of the Commission of Architectural Review, the Planning Division recommends that the Planning Commission consider approval of "Conditional" Special Use Permit PZ23-00351 in accordance with Article 3.G Section C Item 26 to operate a Short Term Rental as a principal use at 212 A&B, 214 A&B, and 216 A&B Jefferson Avenue (Parcel 24689). Staff recommends

that the Planning Commission consider recommending approval with the condition that off-street parking be provided at a rate of one space per two (2) bedrooms.

ATTACHMENTS

1. Signature Page
2. 212 Jefferson Ave_AERIALS
3. 212 Jefferson Ave_OWNERS
4. 212 Jefferson Ave_LANDUSE

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 212-216 Jefferson Ave

Applicant: _____

Applicant's Address: _____

Applicant's Phone Number: _____

Applicant's E-mail: _____

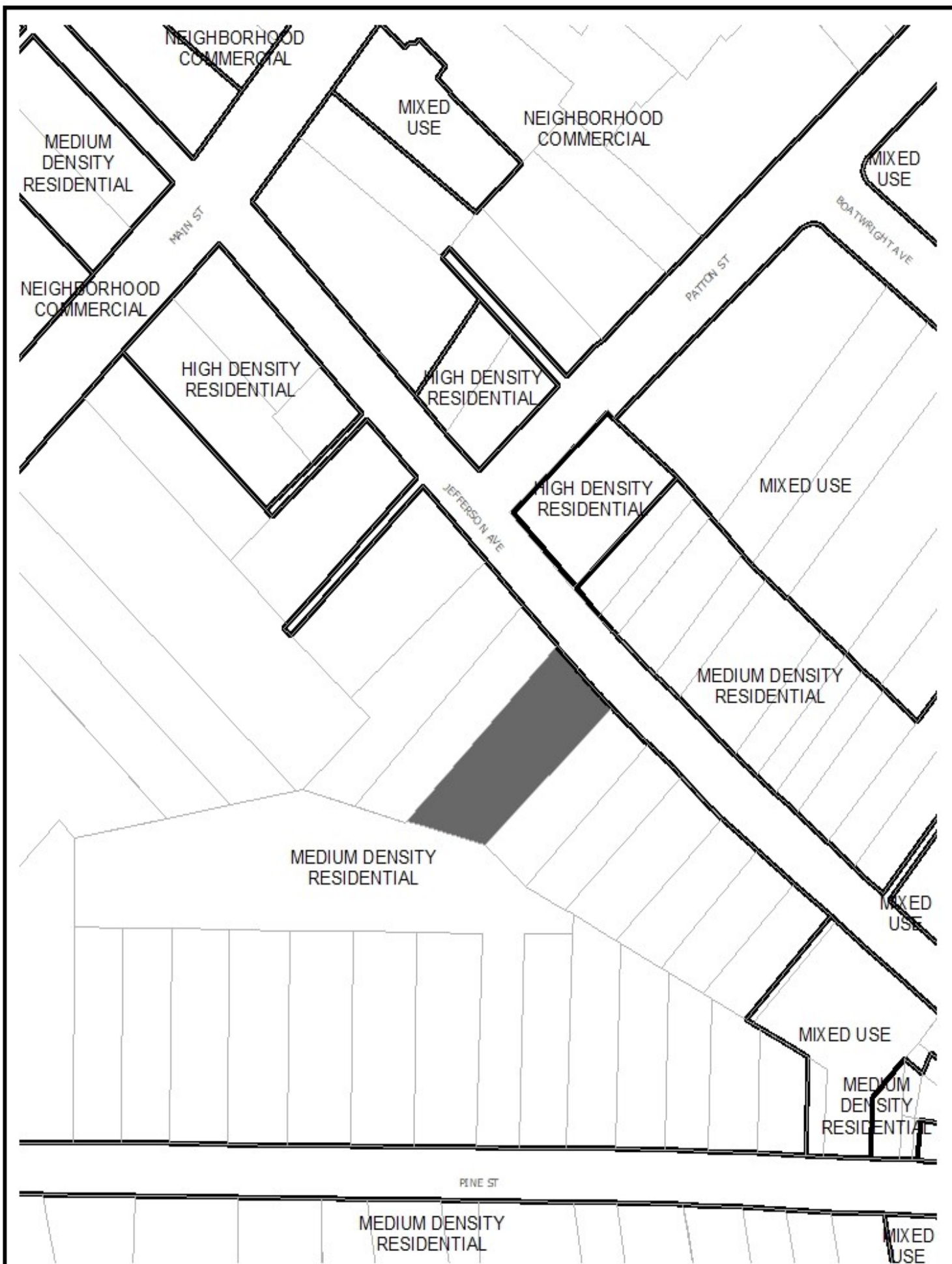
Describe Proposed Request: _____

Applicant Signature date

 9/25/25

Property Owner Signature date
(if not applicant)





YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00355 filed by Mahesh Srinivasaiah requesting a Special Use Permit at 820 Green St (Parcel 22409) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

820 Green Street is zoned OT-R, Old Town Residential and located within the Old West End Historic District. The applicant, Mahesh Srinivasaiah, 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 is a single family dwelling. There is on-street parking and the property has a private unimproved driveway.

820 Green Street was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in October for a maximum occupancy of eight (8) persons. The applicant has identified a property manager who resides in Danville.

During the October 26, 2023 meeting of the Commission of Architectural Review, the Commission voted not to make a recommendation.

Fifty-one (51) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, four (4) responses were received, two (2) were unopposed and two (2) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00355 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 820 Green Street (Parcel 22409).

ATTACHMENTS

1. Application
2. 820 Green St_AERIALS

3. 820 Green St_OWNERS
4. 820 Green St_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 #: P223-00355 PC Meeting Date: Nov. 13
Date Received: 9/27 Received By: Williss
Parcel ID: 22409 Address: 850 Green St
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 820 GREEN ST. DANVILLE

Applicant: MAHESH SRINIVASAIAH

Applicant's Address: 2257 HOLTWOOD WY APEX, NC 27523

Applicant's Phone Number: 9196490283

Applicant's E-mail: mahi-bly@hotmail.com

Describe Proposed Request: USE FOR SHORT TERM
RENTAL

Mahesh
Applicant Signature

9/27/23
date

Property Owner Signature
(if not applicant) date

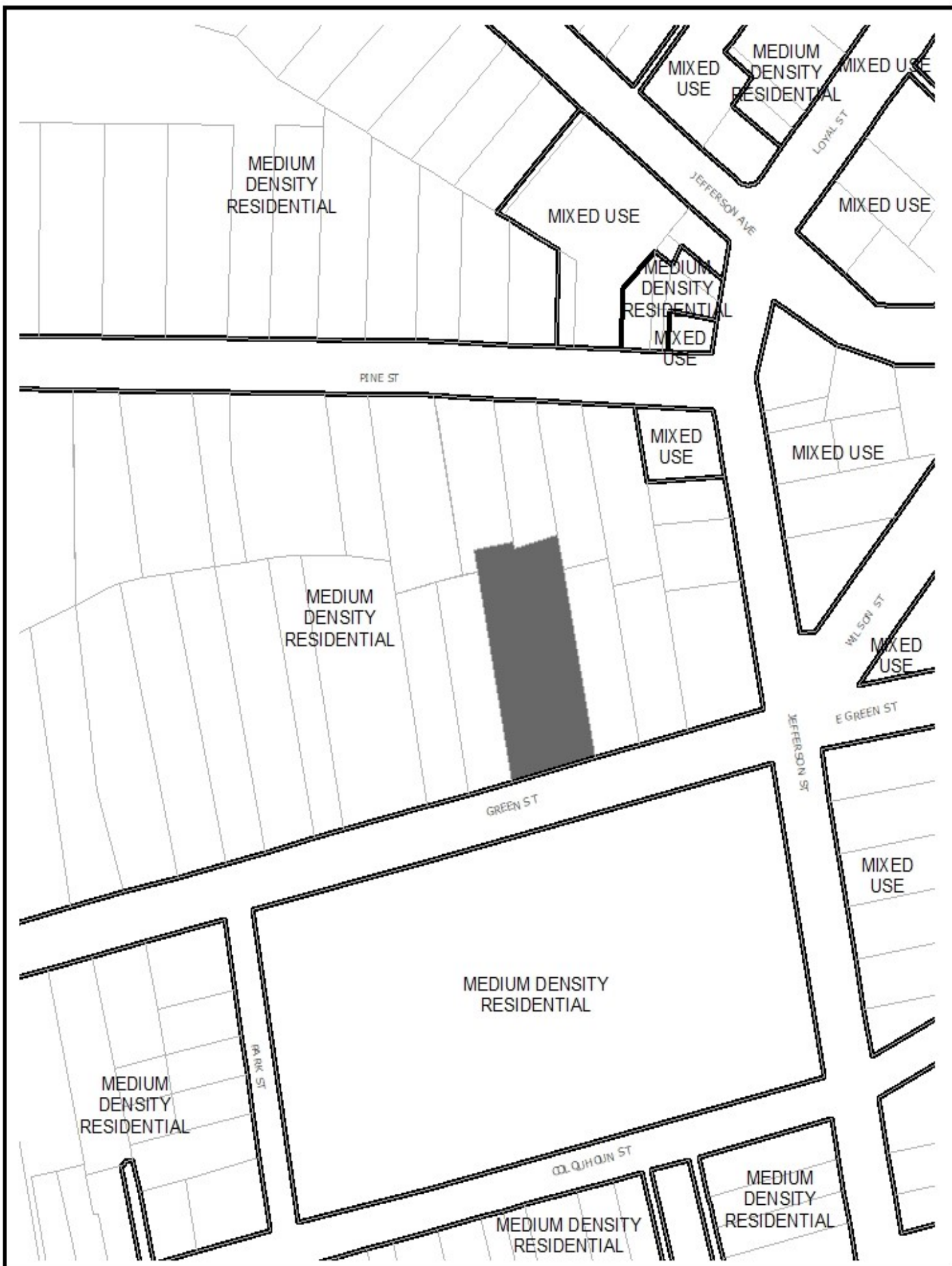




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ223-00364 filed by DM Woodstock requesting a Special Use Permit at 232 Avalon Drive (Parcel 71105) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

SUMMARY

232 Avalon Drive is zoned SR Suburban Residential. The applicant, DM Woodstock, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.C. Section C Item 29.

The subject property was built in 1948 and is a single family dwelling. There is a private gravel driveway, two-car garage and an open carport on the property. The applicant will act as property manager and reside in Danville. A Certificate of Occupancy inspection has been completed for 232 Avalon Drive.

Sixteen (16) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, five (5) responses were received, four (4) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00364 for a Special Use Permit in accordance with Article 3.C Section C Item 29 to operate a Short Term Rental as a principal use at 232 Avalon Drive (Parcel 71105).

ATTACHMENTS

1. Application
2. 232 Avalon Dr_AERIALS
3. 232 Avalon Dr_OWNERS
4. 232 Avalon Dr_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 23-00364 PC Meeting Date: Nov. 13
Date Received: Oct. 4 Received By: Williss
Parcel ID: 71105 Address: 232 Avalon Dr
Existing Zoning S-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 232 Avalon Dr Danville, VA 24541

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

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

Applicant's Phone Number: 434-251-8291

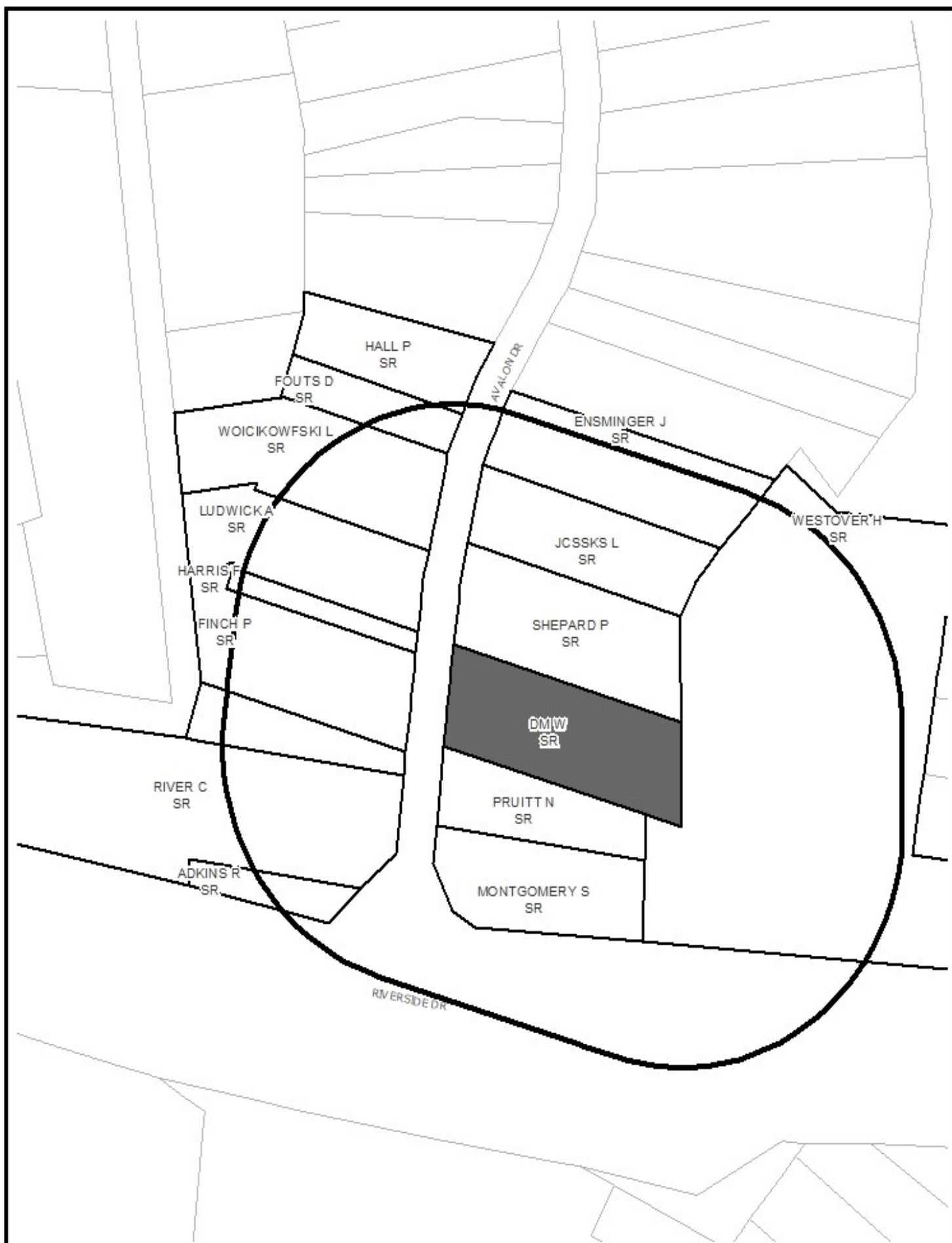
Applicant's E-mail: Dmwoodstockenterprisellc@gmail.com

Describe Proposed Request: Special Use Permit for STR at 232 Avalon Dr

Misty Adams 10-4-23
Applicant Signature date

Property Owner Signature date
(if not applicant)



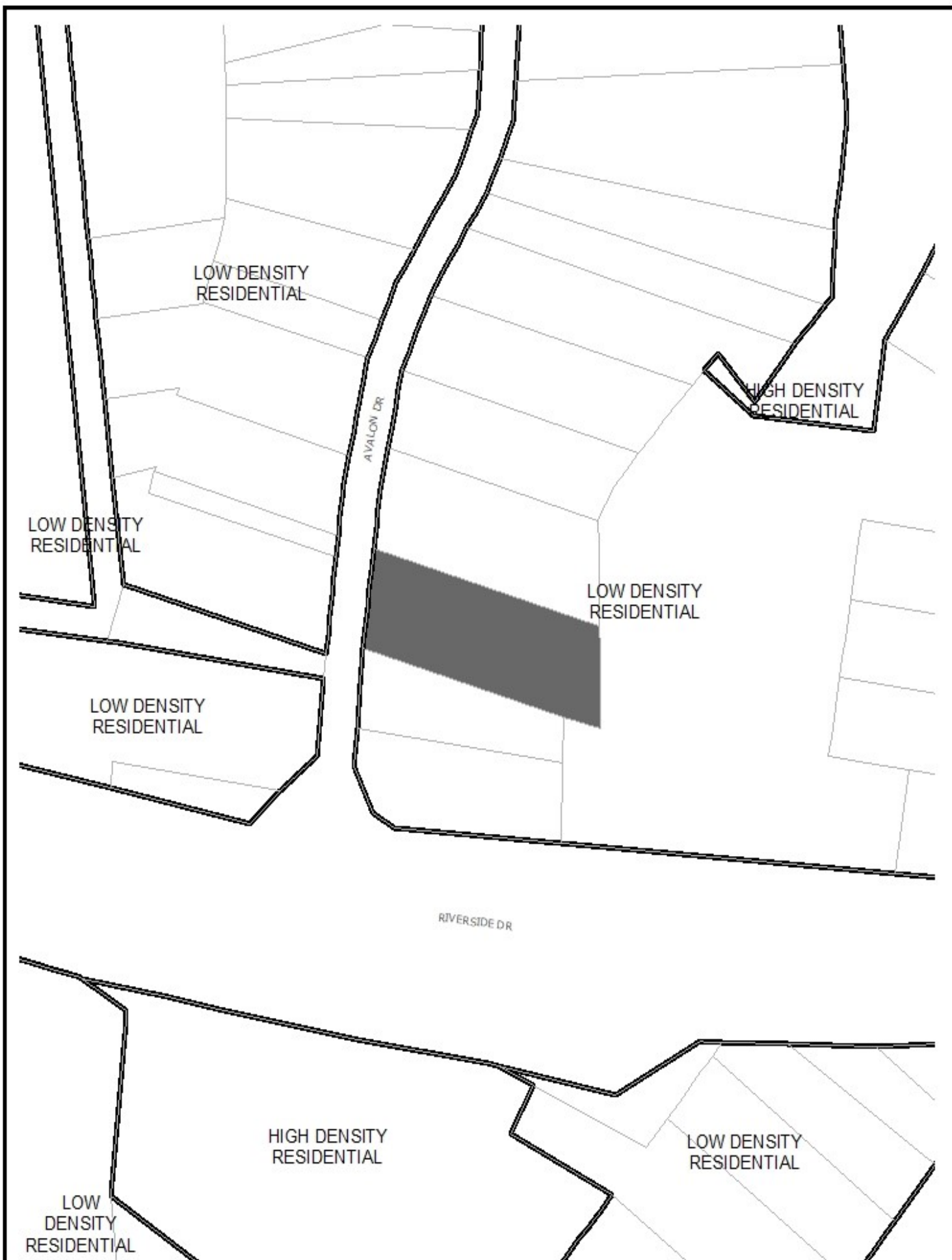


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00371 filed by Preferred Management Group requesting a Special Use Permit at 129 Stokesland Avenue (Parcel 56898) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

129 Stokesland Avenue is zoned OT-R Old Town Residential. The applicant, Preferred Management Group, 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 1920 and is a single family dwelling. There is a private driveway for one vehicle on the property as well as on-street parking. The applicant, a property management company based in Danville, will act as property manager. A Certificate of Occupancy Inspection has been completed for 129 Stokesland Avenue.

Twenty-six (26) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, three (3) responses were received, all were unopposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00371 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 129 Stokesland Avenue (Parcel 56898).

ATTACHMENTS

1. Application
2. 129 Stokesland Ave_AERIALS
3. 129 Stokesland Ave_OWNERS
4. 129 Stokesland Ave_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 #: P223-00371 PC Meeting Date: Nov. 13
Date Received: Oct 5 Received By: Willis
Parcel ID: 56898 Address: 129 Stokesland Ave
Existing Zoning OT-R Future Land Use: —

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 129 Stokesland Ave, Danville, VA 24541

Applicant: Polly W. Taylor

Applicant's Address: 257 Hans Hill Dr., Madison Heights, VA 24572

Applicant's Phone Number: 434-444-4377

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

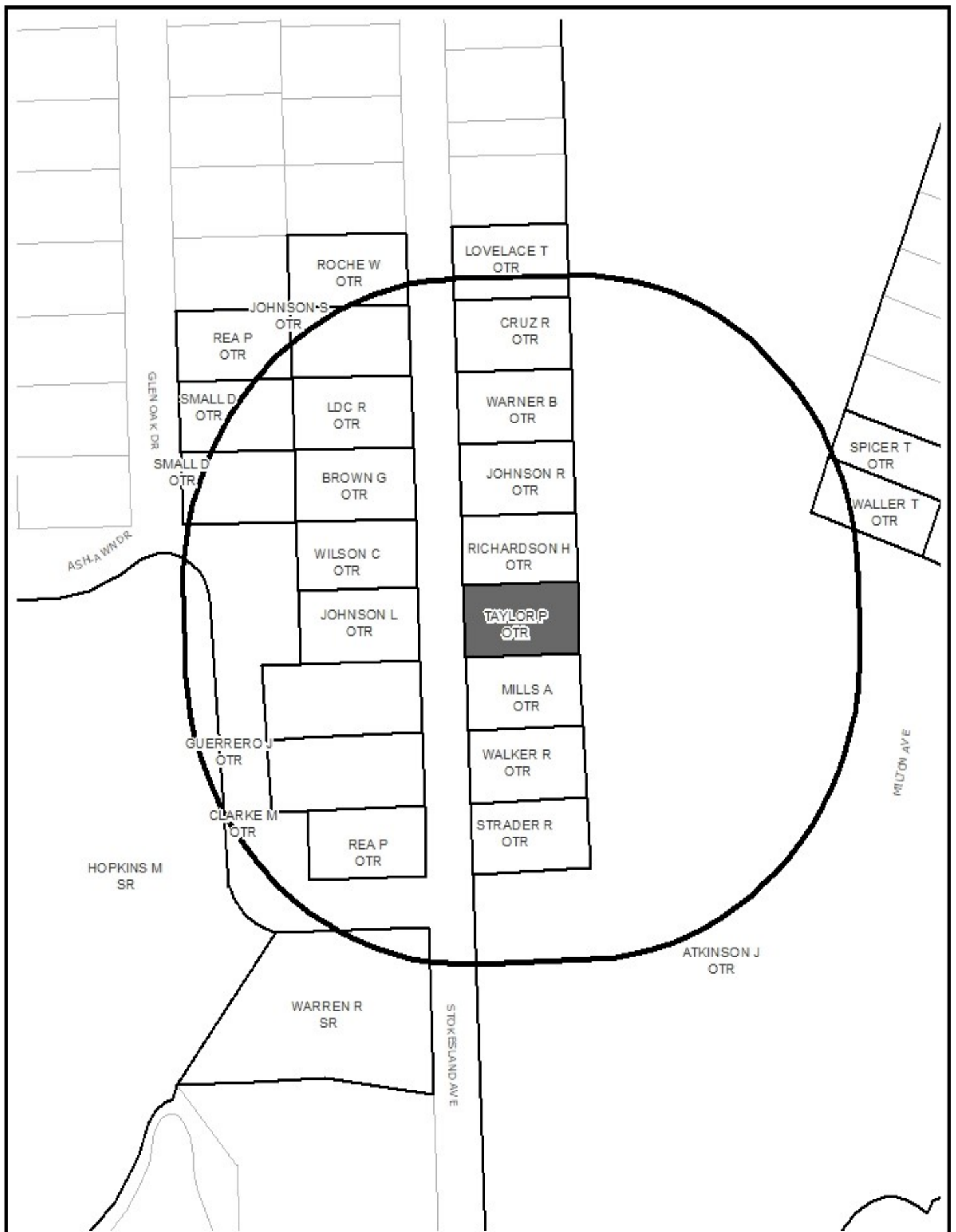
Describe Proposed Request: Want to operate the house as a Short Term Rental.

Applicant Signature date

Polly W. Taylor 10/5/2023

Property Owner Signature date
(if not applicant)



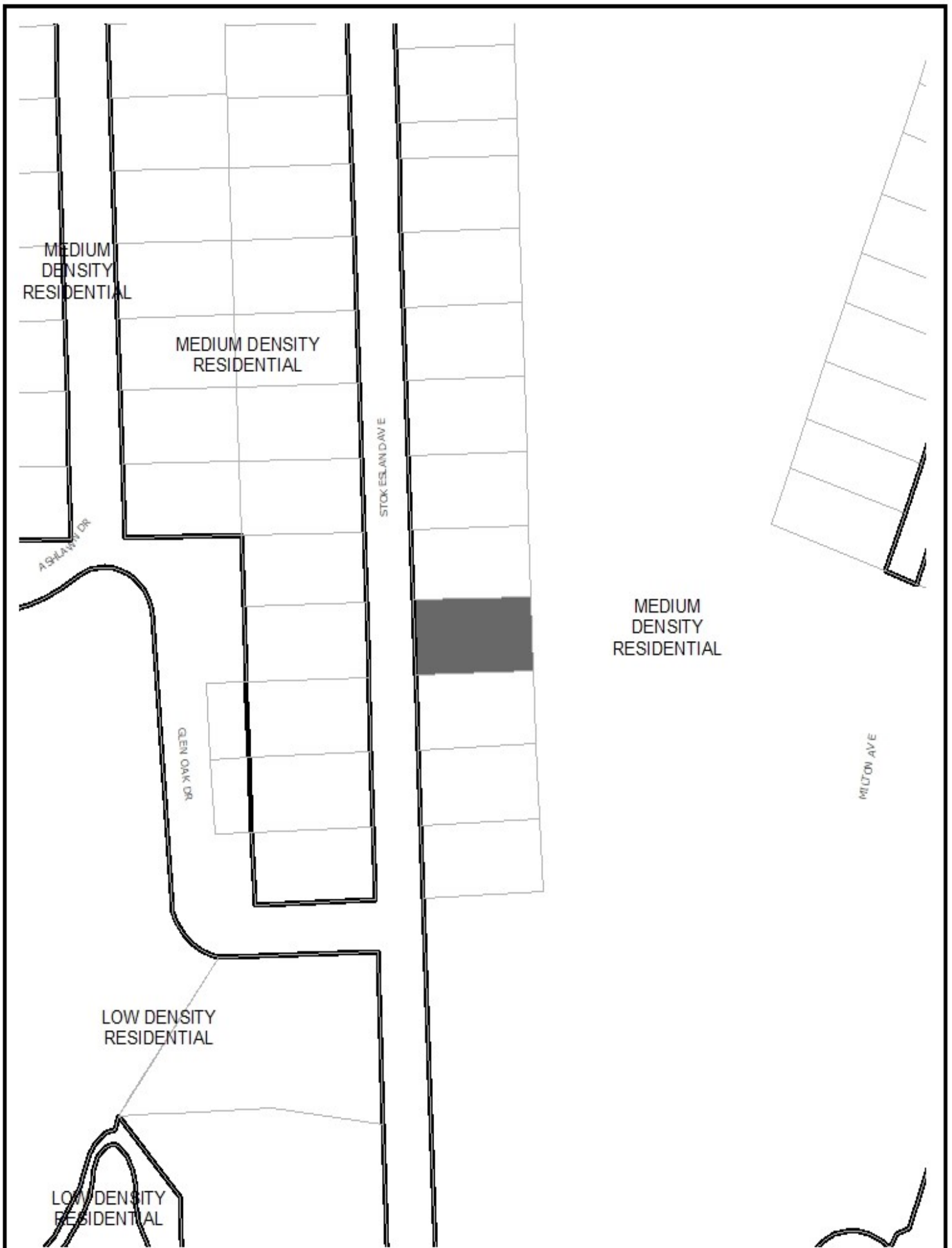


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00374 filed by Wasi Bin Saleem requesting a Special Use Permit at 242 Lipton Lane (Parcel 56149) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

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

The subject property was built in 1971 and is a single family dwelling. There is a private driveway for approximately two (2) vehicles on the property as well as on-street parking. The applicant lives nearby in Cascade, VA. There has not yet been a Certificate of Occupancy inspection.

Thirty-two (32) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, four (4) responses were received, three (3) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00374 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 242 Lipton Lane (Parcel 56149).

ATTACHMENTS

1. Application
2. 242 Lipton Ln_AERIALS
3. 242 Lipton Ln_OWNERS
4. 242 Lipton Ln_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 #: PZ03-00374 PC Meeting Date: Nov. 13
Date Received: 10/11 Received By: Willis
Parcel ID: 56149 Address: 242 Lipton Ln
Existing Zoning DT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 242 LIPTON LANE, DANVILLE, VA, 24541

Applicant: SHEZA SALEEM & WASI BIN SALEEM

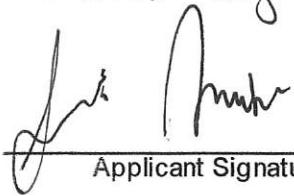
Applicant's Address: 242 LIPTON LANE, DANVILLE, VA, 24541

Applicant's Phone Number: 984-365-4989

Applicant's E-mail: OFFICIALWASIB@GMAIL.COM

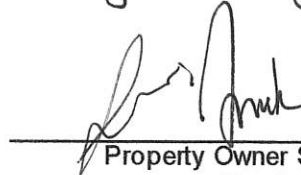
Describe Proposed Request: I am formally requesting your permission for Short-term rental of my property, 242 Lipton Lane, Danville, VA 24541. I am committed to ensuring the property is well-maintained and does not disrupt the harmony of the neighborhood. I am prepared to follow all regulations. I kindly request that the City Planning Commission consider my application for renting out my property for Short-term

Thankyou!



Applicant Signature

11/10/2023
date



Property Owner Signature
(if not applicant)

11/10/2023
date

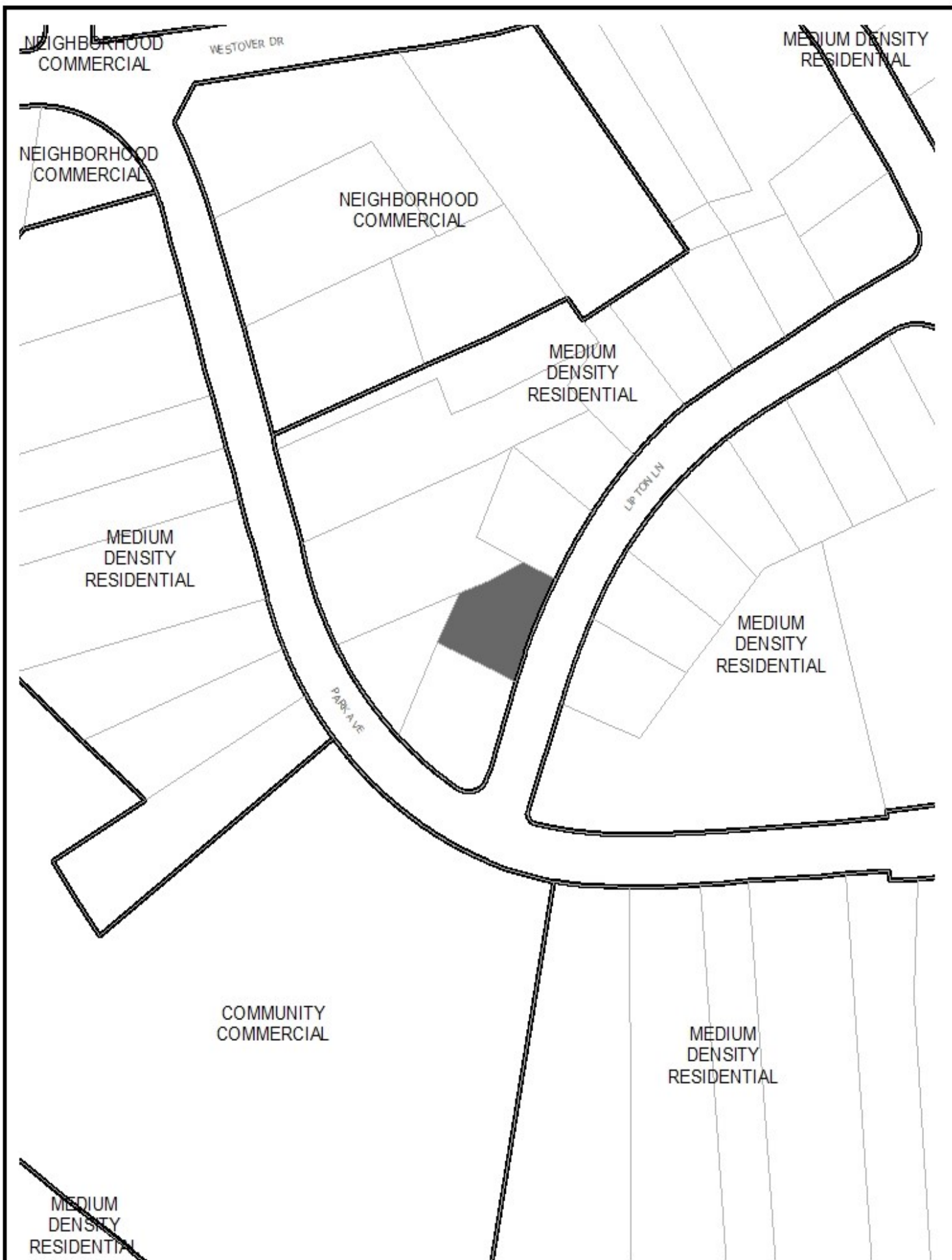




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00375 filed by Kelly Real Estate requesting a Special Use Permit to convert single family detached dwelling to duplex at 411 West Main Street (Parcel 24051) in accordance with Article 3.E Section C Item 2.

SUMMARY

The subject property, 411 West Main Street, is zoned OT-R, Old Town Residential. The applicant, Gerald Kelly, is requesting a Special Use Permit to convert the single family dwelling to a duplex. Conversion to a duplex will allow up to six (6) unrelated persons within the structure; three (3) unrelated persons within each unit. A single family dwelling is defined as no more than three (3) unrelated persons in a single family unit.

The subject property is currently rented to students of Averett University. On October 2, 2023, a zoning violation letter was issued to the property owner and applicant. The letter noted that the current occupancy of the structure was beyond the maximum three (3) unrelated persons allowed. In order to increase the allowable occupancy and abate the zoning violation, Mr. Kelly has decided to apply for a Special Use Permit to convert the single family dwelling to a duplex dwelling.

411 West Main Street is located on the corner of College Avenue and West Main Street. There is a large paved parking area in the rear of the structure with a private driveway and garage structure. On street parking is also available in this area.

Conversion to a duplex would require additional construction to meet the Building Code. Permits for construction cannot be issued until a Special Use Permit has been approved.

Thirty-seven (37) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, eight (8) responses were received, three (3) were unopposed and five (5) were opposed.

RECOMMENDATION

The structure at 411 West Main Street is approximately 4,130 finished square feet, creating two (2) units of approximately 2,000sf. The size of the unit is adequate and off-street parking

is available. The Planning Staff would recommend that the Planning Commission approve PZ23-00375 to allow a duplex at 411 West Main Street with the condition that the property maintains a minimum of three (3) off-street parking stalls. Requiring off-street parking may help mitigate the parking burden on the adjacent property owners.

ATTACHMENTS

1. Application
2. 411 W Main St_AERIALS
3. 411 W Main St_OWNERS
4. 411 W Main St_LANDUSE
5. Zoning Violation Letter



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 #: PZ23-00375 PC Meeting Date: 11-13-2023
Date Received: 10-11-2023 Received By: RB
Parcel ID: 24051 Address: 411 W Main St
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 411 West Main St

Applicant: Kelly Real Estate

Applicant's Address: 1113 Franklin Turnpike

Applicant's Phone Number: (434) 251-5796

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

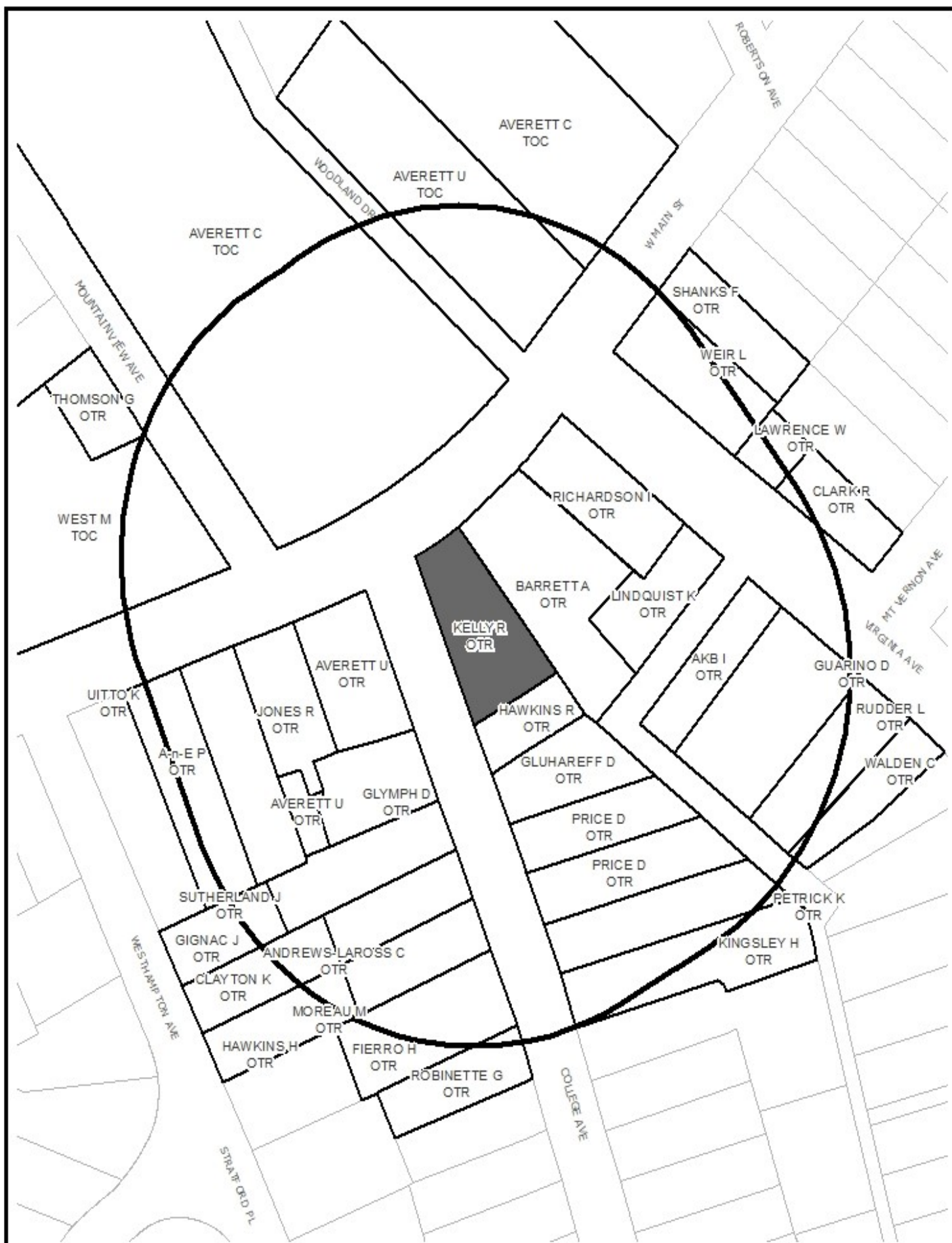
Describe Proposed Request: I would like to change the zoning
back to a Duplex, from its current zoning OTR.

Thank You

Gerald W Kelly 10-11-23
Applicant Signature date

Gerald W Kelly 10-11-23
Property Owner Signature date
(if not applicant)

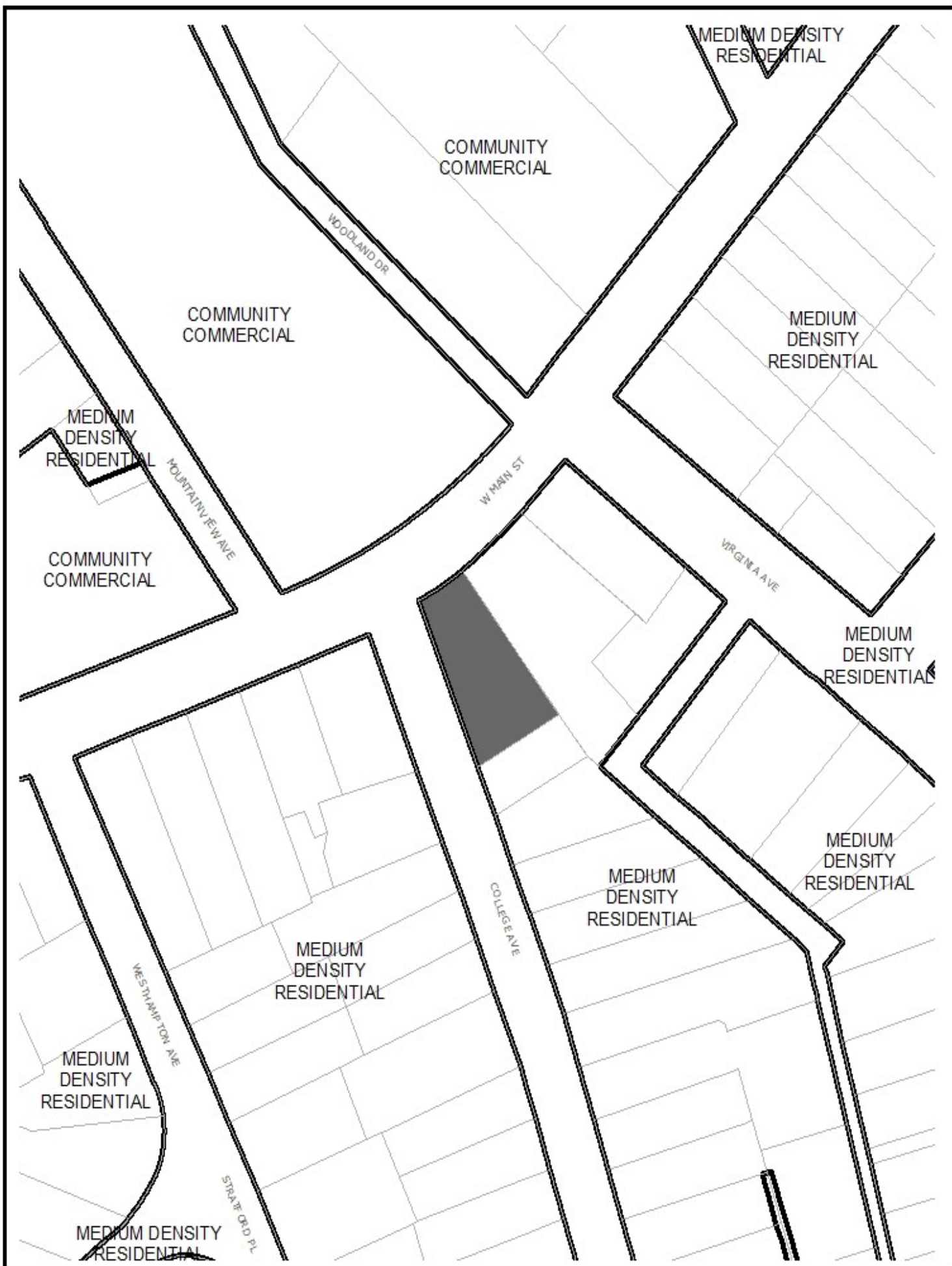




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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City of Danville
Community Development
Planning Division

October 2, 2023

KELLY REAL ESTATE LLC
1113 FRANKLIN TPKE
DANVILLE, VA 24540

RE: Zoning Violation at 411 WEST MAIN STREET

Dear Property Owners:

The purpose of this letter is to inform you of a violation of the Zoning Code at 411 West Main Street. 411 West Main Street is zoned OT-R, Old Town Residential, a single-family zoning classification. It has come to the attention of our department that 411 West Main Street is currently occupied beyond the allowed occupancy of a single-family dwelling. A single-family dwelling may only be occupied by one family. A family is defined as:

1. One (1) person or two (2) or more persons related by blood, adoption, marriage or guardianship living together as a single housekeeping unit with no more than two (2) boarders; or
2. A group of not more than three (3) unrelated persons living together as a single housekeeping unit;

To comply with the Zoning Code the occupancy of 411 West Main Street must be reduced to meet the definition of a family; no more than three (3) unrelated persons.

Please contact our office at (434) 799-5260 within (10) ten days to discuss correction of this violation.

Sincerely,

Renee Burton
Division Director of Planning
Zoning Administrator
434-799-5260 Ext. 2502

Cc: Averett University, Student Services



STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00376 filed by Jeramy Nichols requesting a Special Use Permit at 823 Industrial Avenue (Parcel 24094) to allow a retail sales establishment in accordance with Article 3.O Section C Item 15.

SUMMARY

823 Industrial Avenue is zoned LED-I, Light Economic Development Industrial and is currently operating as a storage warehouse and an industrial workshop within a portion of the 42,439 square foot structure. The property owner and applicant, Jeramy Nichols, has requested a Special Use Permit in accordance with Article 3.O Section C Item 15 to allow uses permitted by right and by special use permit in the HR-C, Highway Retail Commercial District.

Mr. Nichols has a potential tenant for a portion of 823 Industrial Avenue that has proposed to operate an establishment that will customize and sell golf carts. This use is not allowed by right within the LED-I zoning classification. However, a Special Use Permit may be approved to allow uses permitted within the HR-C zoning district. Operation of an automobile and light vehicle dealership and retail sales establishment is allowed within the HR-C zoning district.

Therefore, the applicant has requested a Special Use Permit to allow *Automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles)* as allowed within the HR-C zoning classification and in accordance with Article 3.M Section B Item 1 to be a permitted use at 823 Industrial Avenue in accordance with Article 3.O Section C Item 15.

Parking will be required at a rate of one (1) space per 500 square feet of enclosed sales/rental floor area, plus one (1) space per 2500 square feet of open sales/rental display lot area, plus two (2) spaces per service bay, plus one (1) space per employee, but not less than five (5) spaces minimum and in accordance with Article 8 of the Zoning Code.

Fifty (50) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, seven (7) responses were received, all were unopposed.

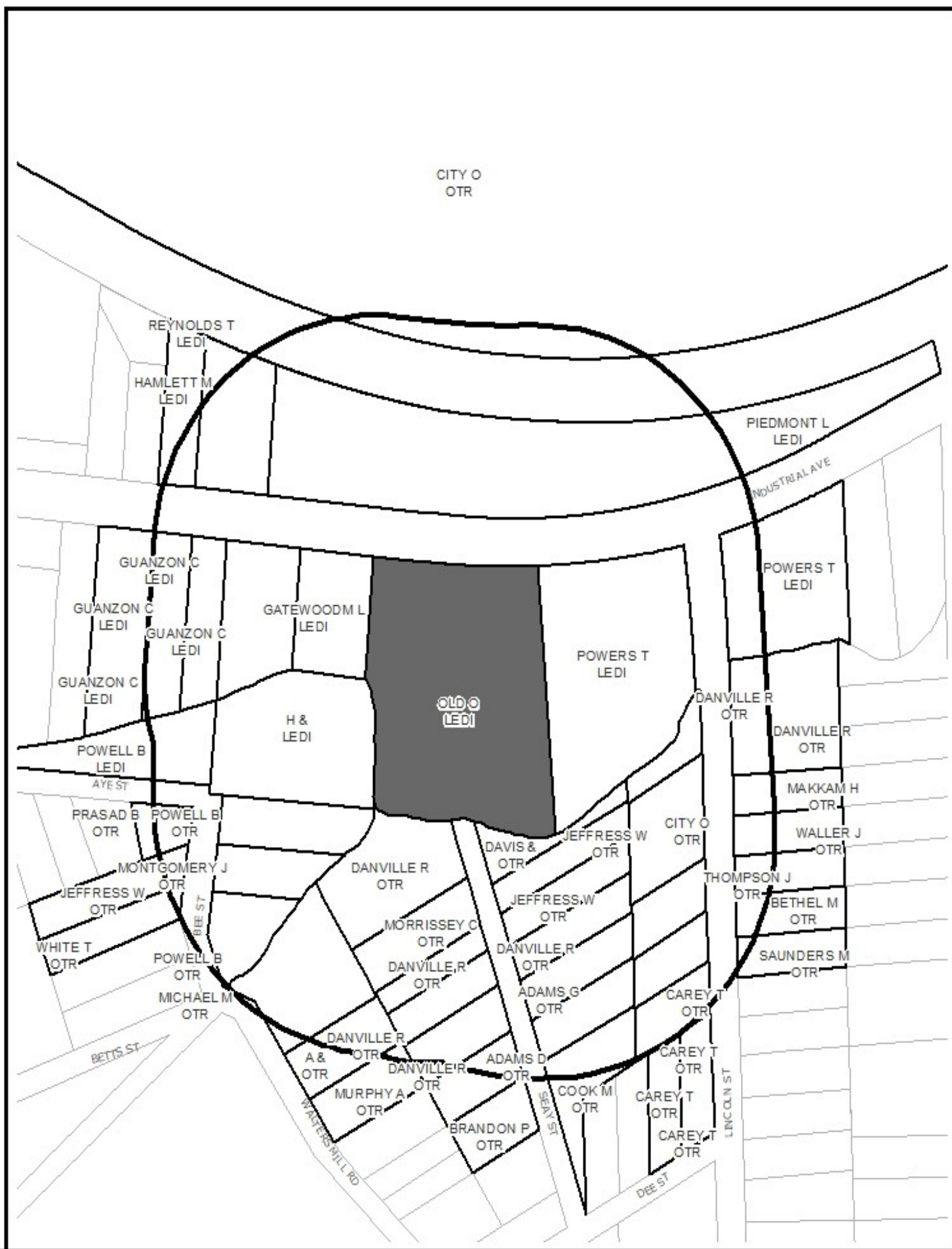
RECOMMENDATION

The Planning Staff recommends that the Planning Commission approve PZ23-00376 to allow automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use, with completely enclosed service facilities and screened outdoor storage of repair vehicles) in accordance with Article 3.O Section C Item 15.

ATTACHMENTS

1. 823 Industrial Ave_AERIALS
2. 823 Industrial Ave_OWNERS
3. 823 Industrial Ave_LANDUSE

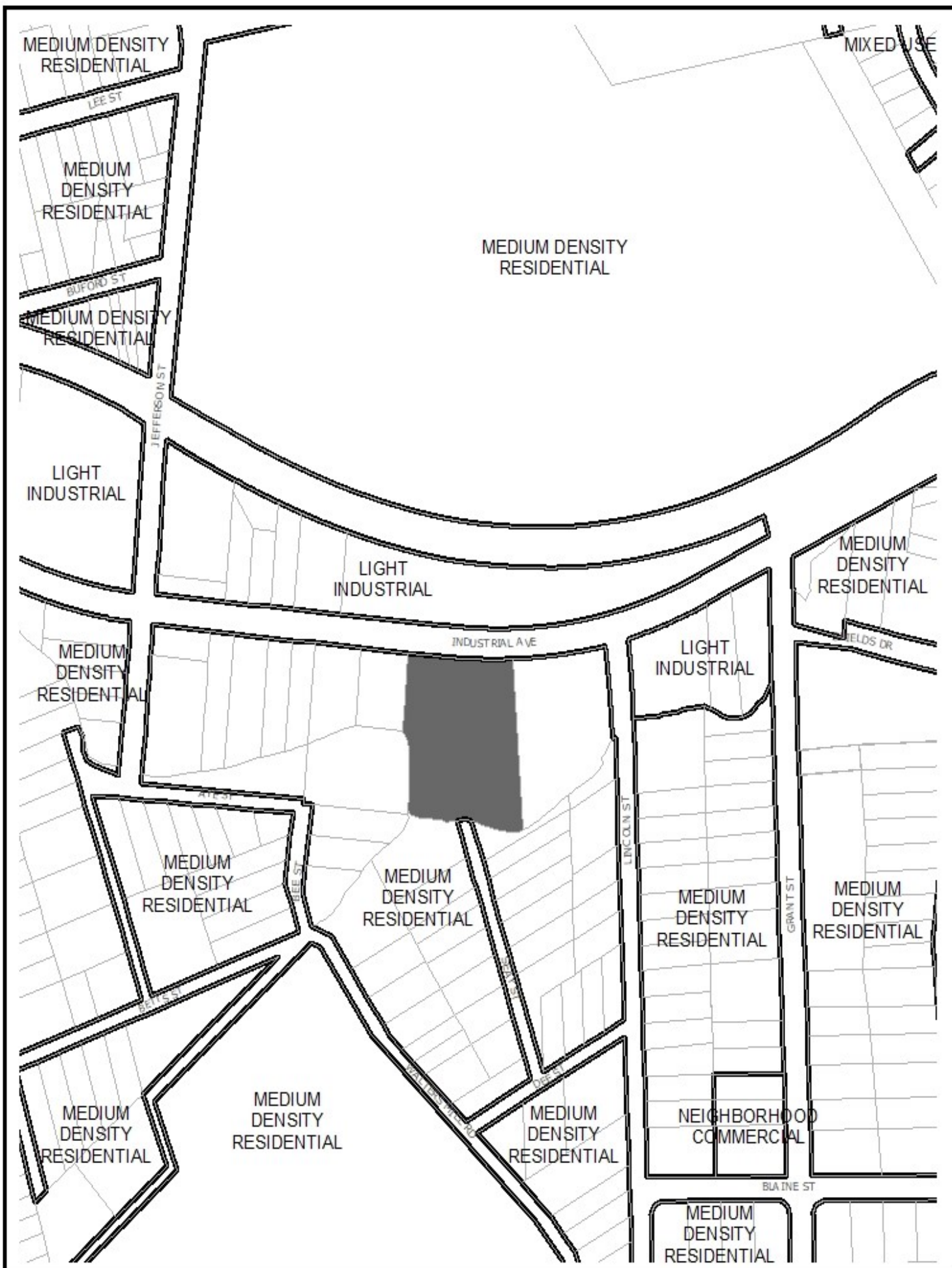




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/19/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00377 filed by Jarrod Motley requesting a Special Use Permit to allow short-term rental as principal use at 249 Parkland Drive (Parcel 56844) in accordance with Article 3.E Section C Item 29

SUMMARY

249 Parkland Drive is zoned OT-R Old Town Residential. The applicant, Jarrod Motley, 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 1955 and is a single family dwelling. There is a private driveway on the property that will fit three (3) vehicles in tandem as well as on-street parking.

249 Parkland Drive was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in October with a maximum occupancy of four (4) persons.

Forty-seven (47) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, nine (9) responses were received, five (5) were unopposed and four (4) were opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00377 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 249 Parkland Drive (Parcel 56844).

ATTACHMENTS

1. Special Use Permit 249 Parkland Drive
2. 249 Parkland Dr_AERIALS
3. 249 Parkland Dr_OWNERS
4. 249 Parkland Dr_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 #: P223-00377 PC Meeting Date: Nov 13, 2023
Date Received: 10-13-23 Received By: Lisa Jones
Parcel ID: 56844 Address: _____
Existing Zoning OTR Future Land Use: Air BnB

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 249 Packland Dr.

Applicant: Jarrold Motley

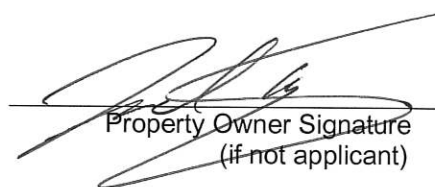
Applicant's Address: 249 Packland Dr.

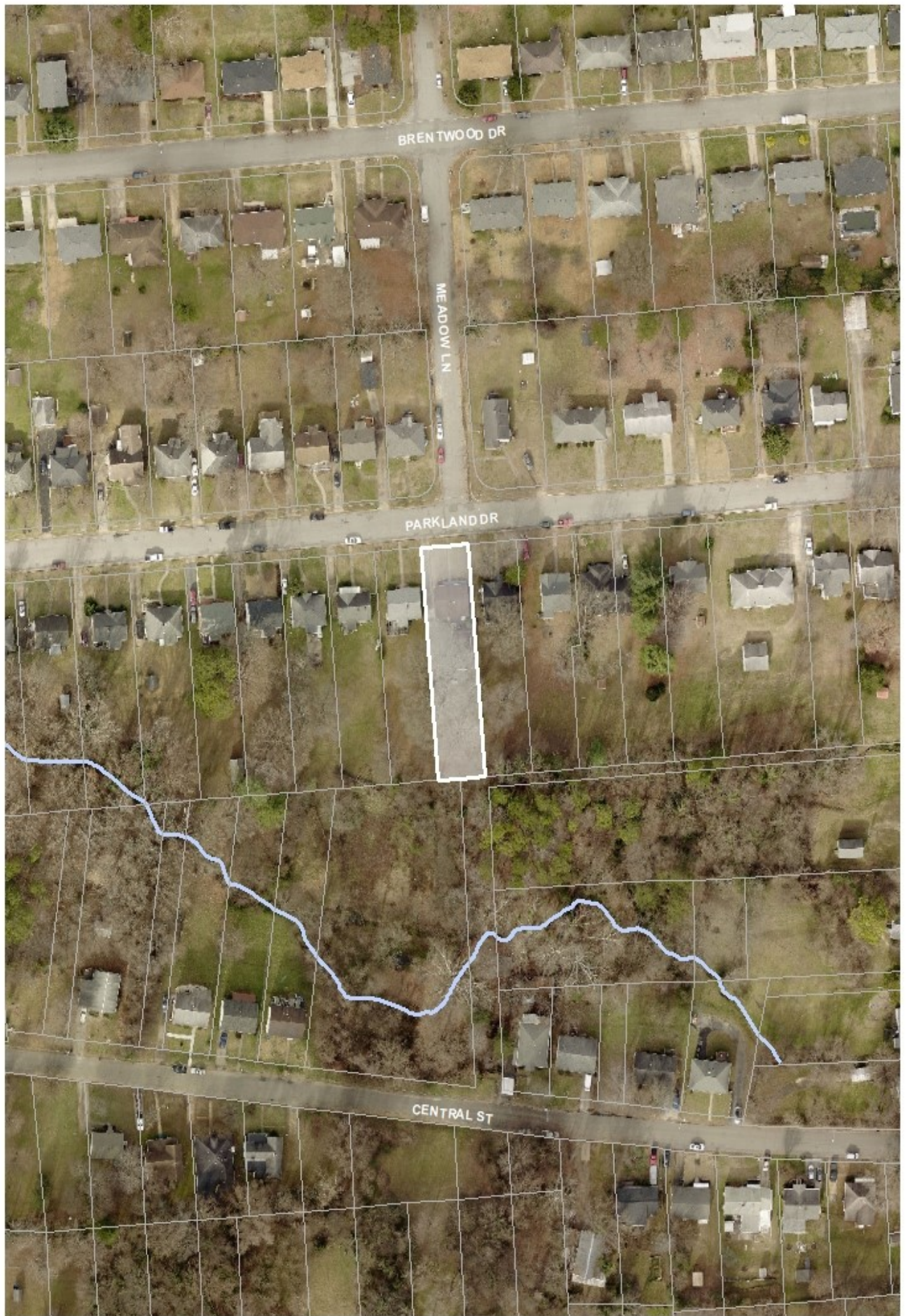
Applicant's Phone Number: 434-228-6992

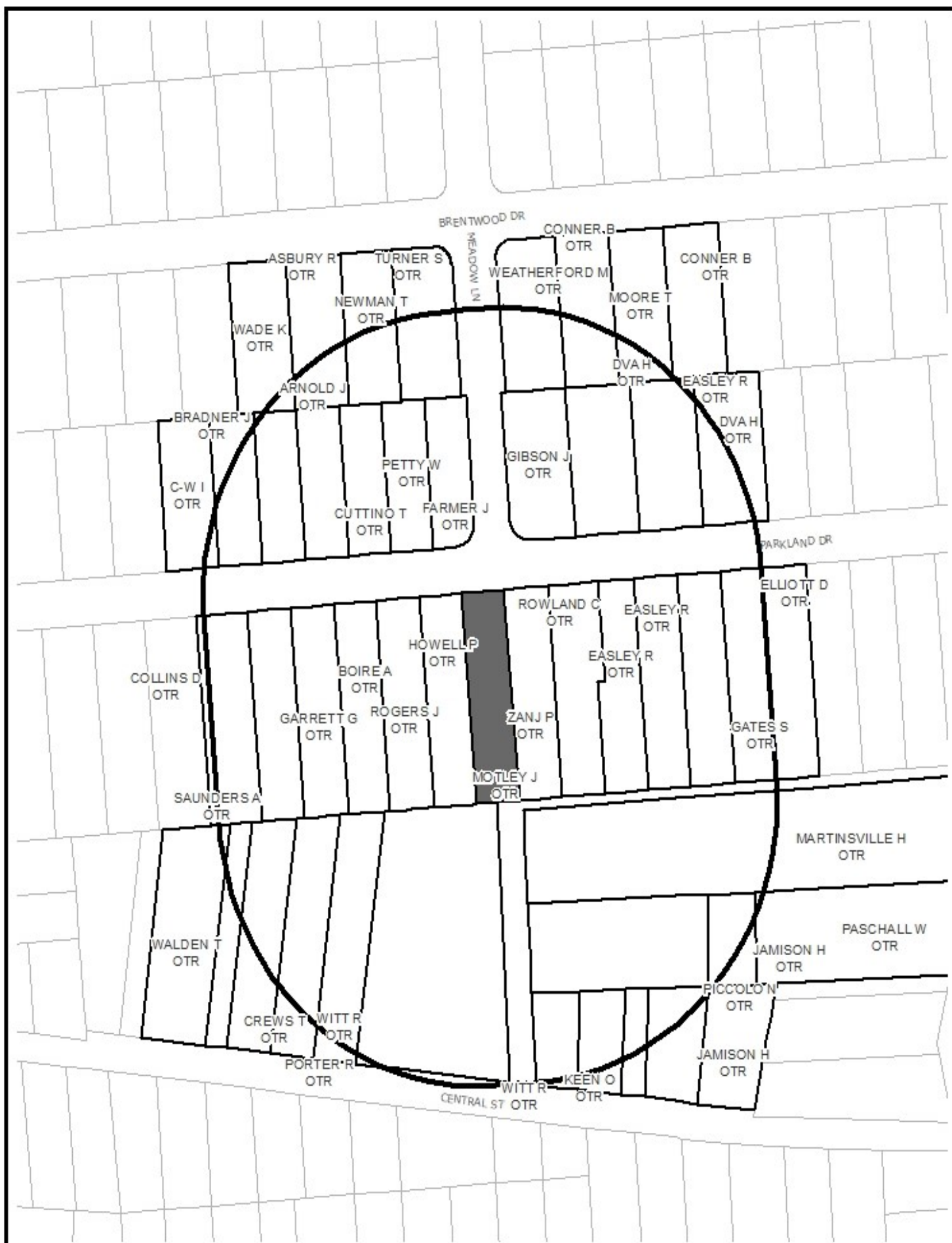
Applicant's E-mail: jarrod-motley@zanjproperties.com

Describe Proposed Request: Air BNB for 3 bedroom 1 bath house
with off the street parking and a partially finished basement.


Applicant Signature 10-13-23
date


Property Owner Signature 10-13-23
(if not applicant) date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00378 filed by Elaine Ratcliffe requesting a Special Use Permit at 431 West Main Street (Parcel 21990) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

431 West Main Street is zoned OT-R Old Town Residential. The applicant, Elaine Ratcliffe, 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 1910 and is a single family dwelling. There is a private driveway that extends to the rear of the property that would fit 4-5 vehicles as well as on-street parking. A Certificate of Occupancy inspection has not been completed.

The applicant will be acting as property manager and resides in Danville.

Forty-seven (47) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Seven (7) responses were received, six (6) were unopposed and one (1) was opposed.

The property owner was recently found in violation of the zoning ordinance by operating a short-term rental without a special use permit or City of Danville business license. The online advertisement for this address lists a short-term rental of a main level unit within the structure. This property is zoned single family residential and has not been approved for more than one unit.

RECOMMENDATION

The Planning Division recommends that the Planning Commission postpone PZ23-00378 to allow time to gather more information about the current situation at 431 West Main Street. If there are additional units at this location, an additional SUP may be necessary.

ATTACHMENTS

1. Application

2. 431 W Main St_AERIALS
3. 431 W Main St_OWNERS
4. 431 W Main St_LANDUSE



- business paperwork

City of Danville
Community Development
Planning Division

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 #: P223-00378 PC Meeting Date: Nov 13
Date Received: 10/13 Received By: Williss
Parcel ID: 21990 Address: 431 W Main St
Existing Zoning OT-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 431 W. Main Street

Applicant: Elaine Ratcliffe

Applicant's Address: 302 Sheffield Drive, Danville, VA

Applicant's Phone Number: 336-309-3856

Applicant's E-mail: aaronelaine@bellsouth.net

Describe Proposed Request: To use as Airbnb. off-street parking is available in my personal driveway for 4 to 5 vehicles. There is a Certificate of Occupancy on file for up to 6 guests.

Elaine Ratcliffe 10/13/2023
Applicant Signature date

Property Owner Signature
(if not applicant) date





SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00379 filed by Elaine Ratcliffe requesting a Special Use Permit at 316 Starmont Drive (Parcel 00850) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

SUMMARY

316 Starmont Drive is zoned S-R Suburban Residential. The applicant, Elaine Ratcliffe, has requested a Special Use Permit to operate a Short Term Rental as a principal use in accordance with Article 3.C Section C Item 29.

The subject property was built in 1965 and is a single family dwelling. There is a private driveway on the property that will fit approximately three (3) vehicles as well as on-street parking.

316 Starmont Drive was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in October for a maximum occupancy of four (4) persons. The applicant will be acting as property manager and resides in Danville.

Forty-seven (47) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. Nine (9) responses were received, three (3) were unopposed and six (6) were opposed.

The property owner was recently found in violation of the zoning ordinance by operating a short-term rental without a special use permit or City of Danville business license.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00379 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 316 Starmont Drive (Parcel 00850).

ATTACHMENTS

1. Application
2. 316 Starmont Dr_AERIALS

3. 316 Starmont Dr_OWNERS
4. 316 Starmont_LANDUSE



- COO
scheduled 10/16

City of Danville
Community Development
Planning Division

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 #: PZ23-00379 PC Meeting Date: Nov 13
Date Received: 10/13 Received By: Williss
Parcel ID: 00850 Address: 316 Starmont Dr
Existing Zoning S-R Future Land Use: _____

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 316 Starmont Drive

Applicant: Elaine Ratcliffe

Applicant's Address: 302 Sheffield Drive

Applicant's Phone Number: 336-309-3856

Applicant's E-mail: aaronelaine@bellsouth.net

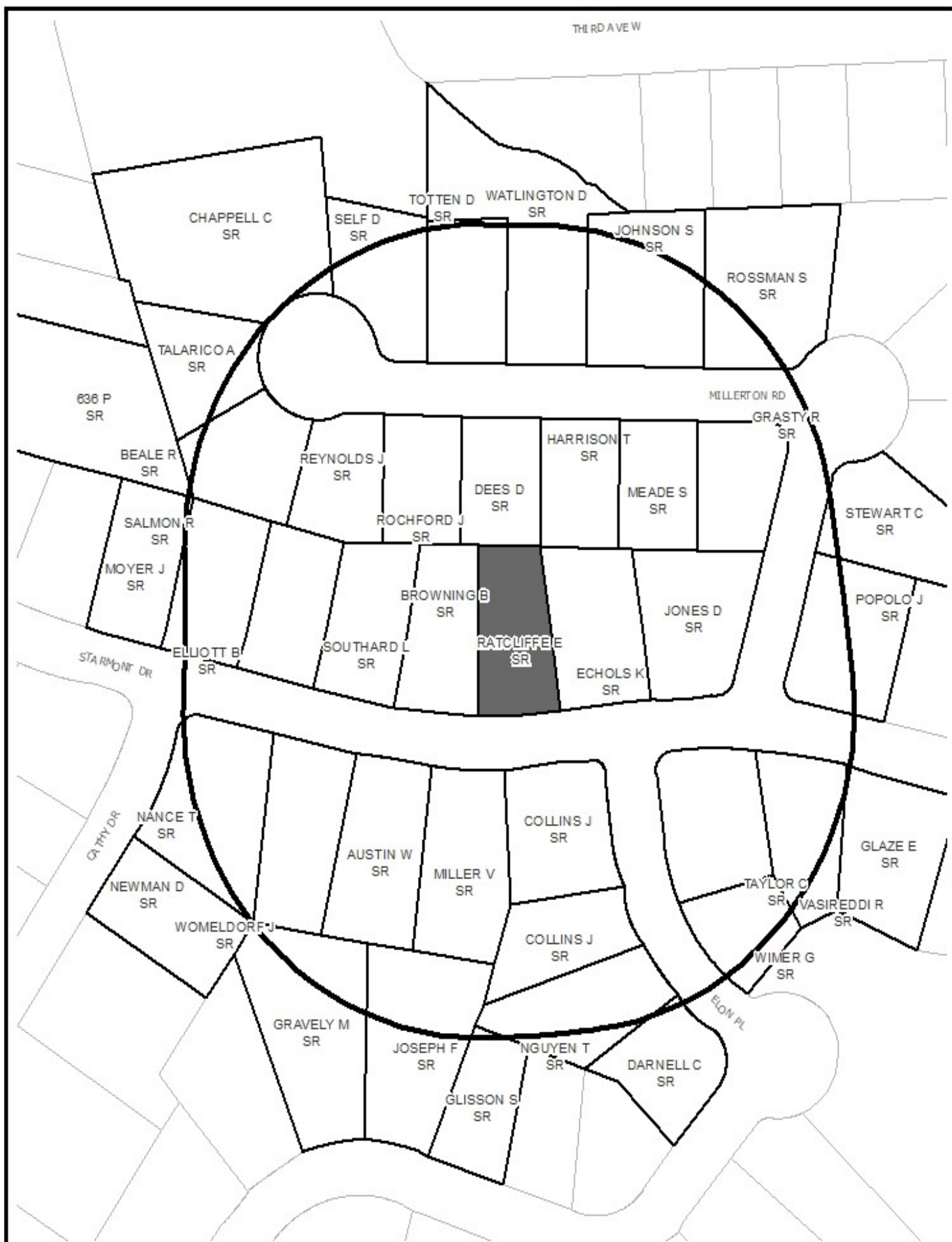
Describe Proposed Request: Primary use for Airbnb.

Off-street parking is available for 2-3
vehicles, and additional on-street parking
for 2 vehicles, which is in front of the
house.

Elaine Ratcliffe 10/13/2023
Applicant Signature date

Property Owner Signature
(if not applicant) date

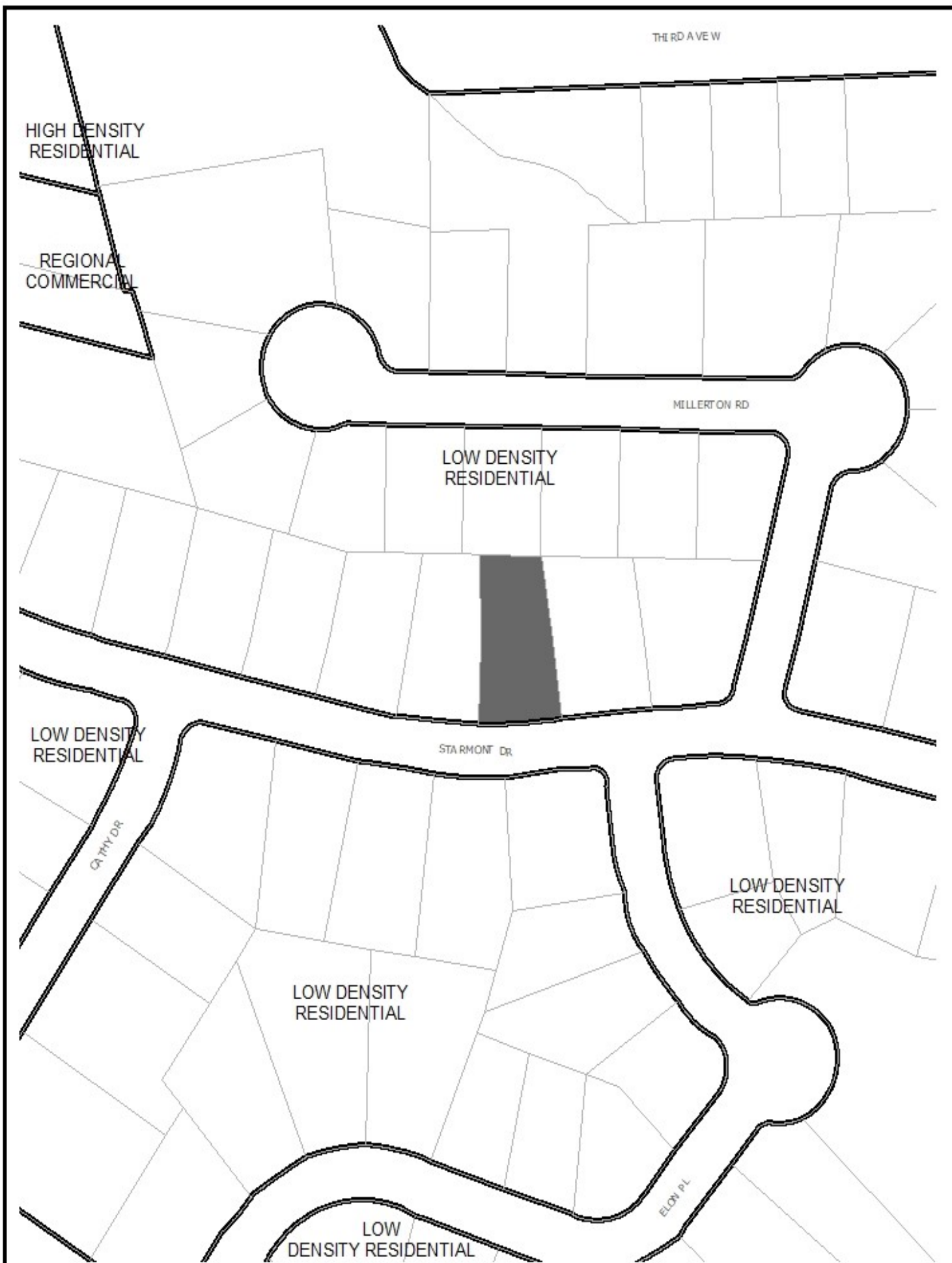




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00380 filed by Tony & Anissa Howerton requesting a Special Use Permit at 1540 Claiborne Street (Parcel 02912) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.

SUMMARY

1540 Claiborne Street is zoned OT-R Old Town Residential. The applicants, Tony & Anissa Howerton, 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 1956 and is a single family dwelling. There is a private driveway for one vehicle on the property as well as on-street parking.

1540 Claiborne Street was declared in compliance to receive a Certificate of Occupancy for a Short Term Rental by the Building Inspections Division in October with a maximum occupancy of four (4) persons . The applicant will be acting as property manager and resides next door at 1544 Claiborne Street.

There is an active lien against their primary residence at 1544 Claiborne Street placed by the City for rehabilitation work completed by the City of Danville. This lien is from 2019 and should be satisfied prior to the issuance of a zoning clearance and business license for the operation of a short-term rental.

Fifty-two (52) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, five (5) responses were received, four (4) were unopposed and one (1) was opposed.

RECOMMENDATION

The Planning Division recommends that the Planning Commission approve PZ23-00380 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 1540 Claiborne Street (Parcel 02912).

ATTACHMENTS

1. Application
2. 1540 Claiborne St_AERIALS
3. 1540 Claiborne St_OWNERS
4. 1540 Claiborne St_LANDUSE



-COO
scheduled
10/26

City of Danville
Community Development
Planning Division

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 #: 7223-60380 PC Meeting Date: Nov. 13
Date Received: 10/13 Received By: williss
Parcel ID: 02912 Address: 1540 Claiborne St
Existing Zoning OT-R Future Land Use: —

APPLICANT PROVIDED INFORMATION

Property Location (address/ID#): 1540 Claiborne St.

Applicant: Tony and Anissa Howerton

Applicant's Address: 1544 Claiborne St.

Applicant's Phone Number: (Tony) 434-709-7441; (Anissa) 434-709-7167

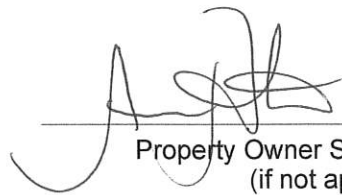
Applicant's E-mail: tonyhowerton70@gmail.com or alhowerton70@gmail.com

Describe Proposed Request: We are requesting approval for an Airbnb

Contact Person: Anissa Howerton, 434-709-7167

Parking: The property is a single dwelling home with a private driveway

 10-13-2023
Applicant Signature date

 10/13/2023
Property Owner Signature date
(if not applicant)

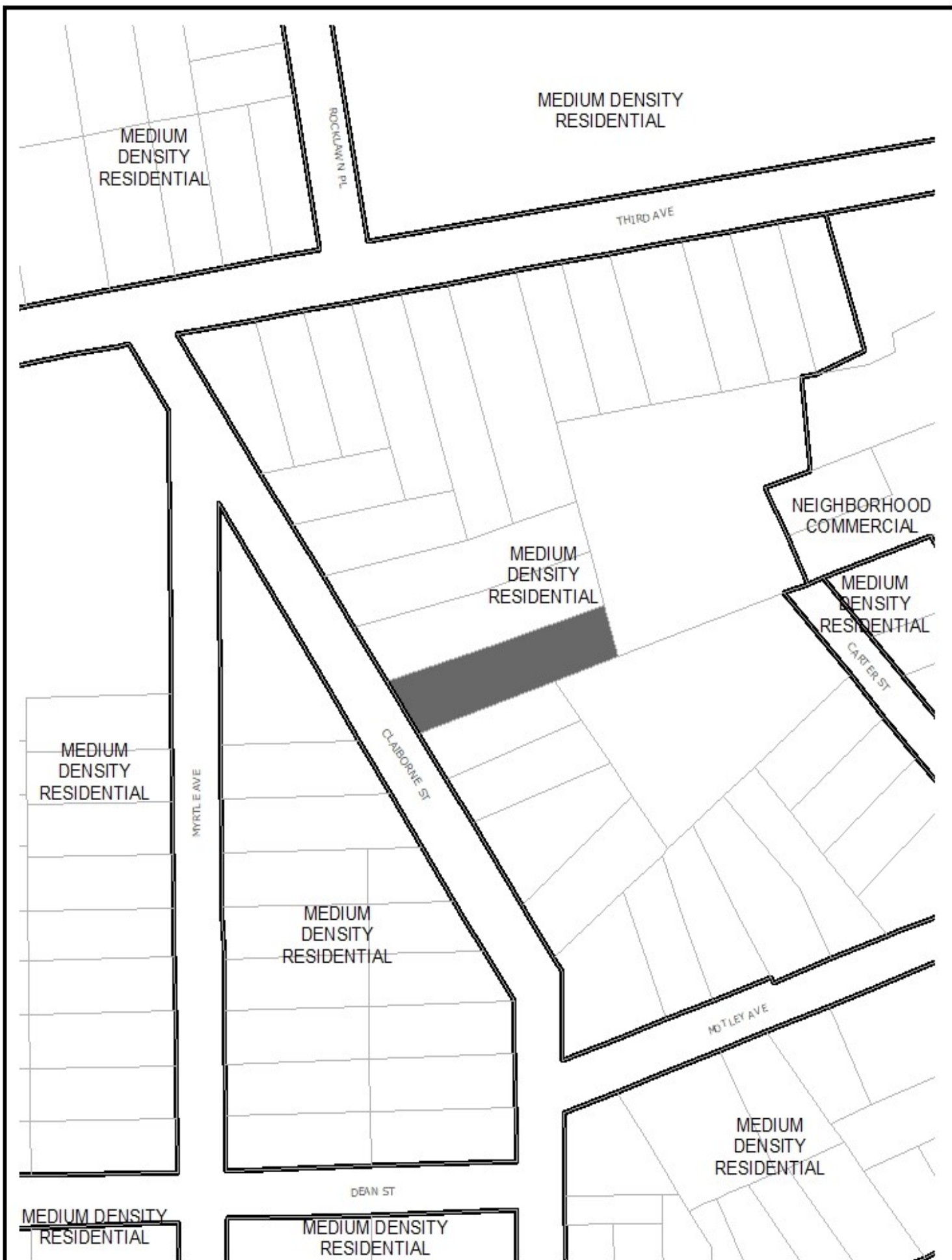




SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/23/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Rezoning Application PZ23-00389 filed by Averett University requesting a rezoning at 419 West Main Street (Parcel 22383) to rezone from OT-R Old Town Residential to TO-C Transitional Office.

SUMMARY

419 West Main Street is zoned OT-R, Old Town Residential, a single-family zoning classification. The applicant, Averett University, has requested to rezone the property to TO-C, Transitional Office Commercial, to allow for office use at the subject location.

Last year, Averett University relocated the Office of the University President to 419 West Main Street. The relocation was completed without prior approval from the City. The subject property is not zoned properly for office use and therefore rezoning the property is required for Averett University to maintain this office operation at 419 Main Street.

419 West Main Street is located directly across from the campus of Averett University and is adjacent to many historic, single family homes. Many uses allowed within the TO-C District could be disruptive to the character of the neighborhood and quality of life for the residents in the area. Averett University has agreed to proffer specific uses that would not be allowed at this location. The proffer list is attached as Exhibit A. Adding this proffer list amends the request for rezoning from TO-C, Transitional Office Commercial to TO-CC "Conditional", Transitional Office Commercial.

Thirty-four (34) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, four (4) responses were received, three (3) were unopposed and one (1) was opposed.

RECOMMENDATION

While Staff can be supportive of office use in this location due to its proximity to Averett University, connection to services and location on a street with high traffic volume, Staff does not agree that every use allowed within the TO-C district by right or Special Use Permit is appropriate for this location. Therefore, Staff recommends that the Planning Commission recommend approval of a rezoning to "Conditional" TO-CC with the exclusions submitted in

Exhibit A.

ATTACHMENTS

1. application
2. Letter
3. Exhibit A
4. 419 W Main St_AERIALS
5. 419 W Main St_OWNERS
6. 419 W Main St_LANDUSE



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 #: PZ23-00389 PC Meeting Date: Nov. 13
Date Received: _____ Received By: _____
Parcel ID: _____ Zoning District: _____
Existing Zoning: _____ Proposed Zoning: _____

APPLICANT PROVIDED INFORMATION

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

Property Address: _____ Gross Area/Net Area: _____

Property Location: N ☐ S ☐ E ☐ W ☐ Side of: _____

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

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

Name: Averett University Telephone: 434-791-5650

Mailing Address: 420 West Main Street, Danville VA 24541

Email Address: daungst@averett.edu

APPLICANT (PLEASE TYPE OR PRINT):

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

Name: Donald B. Aungst Telephone: 434-791-5651

Mailing Address: same as above

Email Address: _____



Applicant Signature

10/13/2023

date

Property Owner Signature
(if not applicant)

date



October 12, 2023

Renee Burton
Division Director of Planning
Zoning Administrator
City of Danville
PO Box 3300
Danville, VA 24543

Dear Renee,

The purpose of this letter is to respectfully request that our property located at 419 West Main Street be rezoned consistent with the rest of Averett University's campus. The \$360 application fee is enclosed with this letter.

The property is being used as the President's Office. The hours of operation are generally 8:30 a.m. to 4:30 p.m., Monday through Friday, although the President is frequently in the office at other times. Three employees, including the President have offices in the property.

Please let me know if you have any questions regarding this application.

Thank you for your consideration.

Sincerely,

Don

Article 3.I: TO-C, Transitional Office Commercial

B. - Permitted Uses.

1. Accessory use, to include tool sheds, detached garages and carports, children's playhouses, doghouses and accessory off-street parking and loading spaces.
2. ~~Banks and financial institutions (without drive-thru facilities.)~~
3. Bed and breakfast, inn, or tourist home (as defined).
4. ~~Catering service.~~
5. ~~Cemeteries.~~
6. Churches and places of worship.
7. Offices (general and professional).
8. Day care facilities (adult and child).
9. ~~Funeral home.~~
10. Home occupations.
11. ~~Hospital, nursing home, and medical care facility, inclusive of inpatient activities.~~
12. ~~Nursing home.~~
13. ~~Personal service establishments.~~
14. ~~Pharmacy.~~
15. Schools, colleges and universities (public or private).
16. Single family residential dwelling, provided that (a) the residential dwelling is existing as a conforming use as of the date of adoption of this ordinance, (b) said residential dwelling shall conform in all respects to the OT-R District and (c) there shall be no more than one single-family dwelling per lot.
17. Studio for an artist, designer, writer, photographer, sculptor or musician.
18. Child therapeutic day support services.
19. ~~Short-term rental, as principal use.~~

(Ord. No. 2004-02.04, Art. 3.I, § B, 2-17-04; Ord. No. 2014-08.09, 8-19-14; Ord. No. [2019-07.05](#), 7-2-19; Ord. No. [2023-04.06](#), 4-4-23)

C. - Uses Permitted by Special Use Permit.

1. ~~Accessory apartments, within a residential dwelling and limited to one rental apartment.~~
2. ~~Any use incorporating a drive-thru facility (including banks, financial institutions and fast food restaurants).~~
3. ~~Antique shops.~~
4. ~~Community facilities and uses.~~
5. ~~Congregate care facility.~~
6. ~~Cupolas, spires and steeples (for public and semi-public uses).~~
7. ~~Fast food restaurant.~~
8. ~~Golf course, but not including a par 3 course, miniature golf course or driving range.~~
9. ~~Group home.~~
10. ~~Offices with retail sales, limited to interior display and sales of high technology, scientific, electronic, health care, medical or biomedical equipment of a type not customarily retailed to the general public, provided that there shall be no exterior or storefront displays.~~
11. ~~Parking lots (private or public, off-street as a principal use).~~
12. ~~Private clubs and lodges.~~
13. ~~Public uses and utilities.~~
14. ~~Residential apartments, as an ancillary use within a commercial structure and limited to four (4) rental apartment units per structure.~~
15. ~~Restaurant.~~
16. ~~Waiver of lot size requirements.~~
17. ~~Waiver of maximum floor area ratio of 0.25.~~
18. ~~Waiver of maximum building height regulations.~~
19. ~~Waiver of minimum yard requirements.~~
20. ~~Homeless shelter.~~

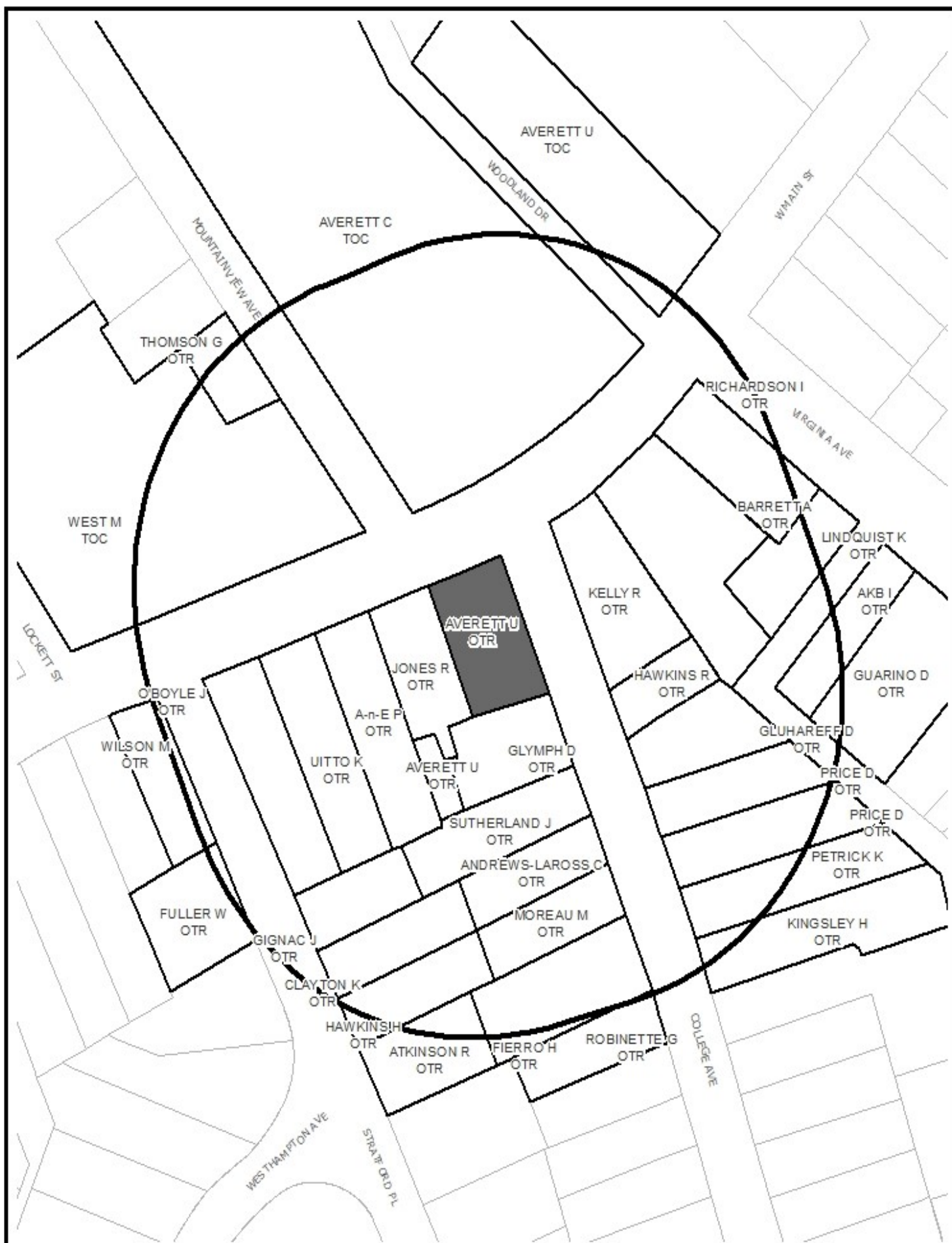
- 21. ~~Transitional living shelter.~~
- 22. ~~Post-release housing.~~
- 23. ~~Museum.~~
- 24. ~~Hotel/motel.~~
- 25. ~~Waiver to maximum sign area.~~



11/02/2023

Date



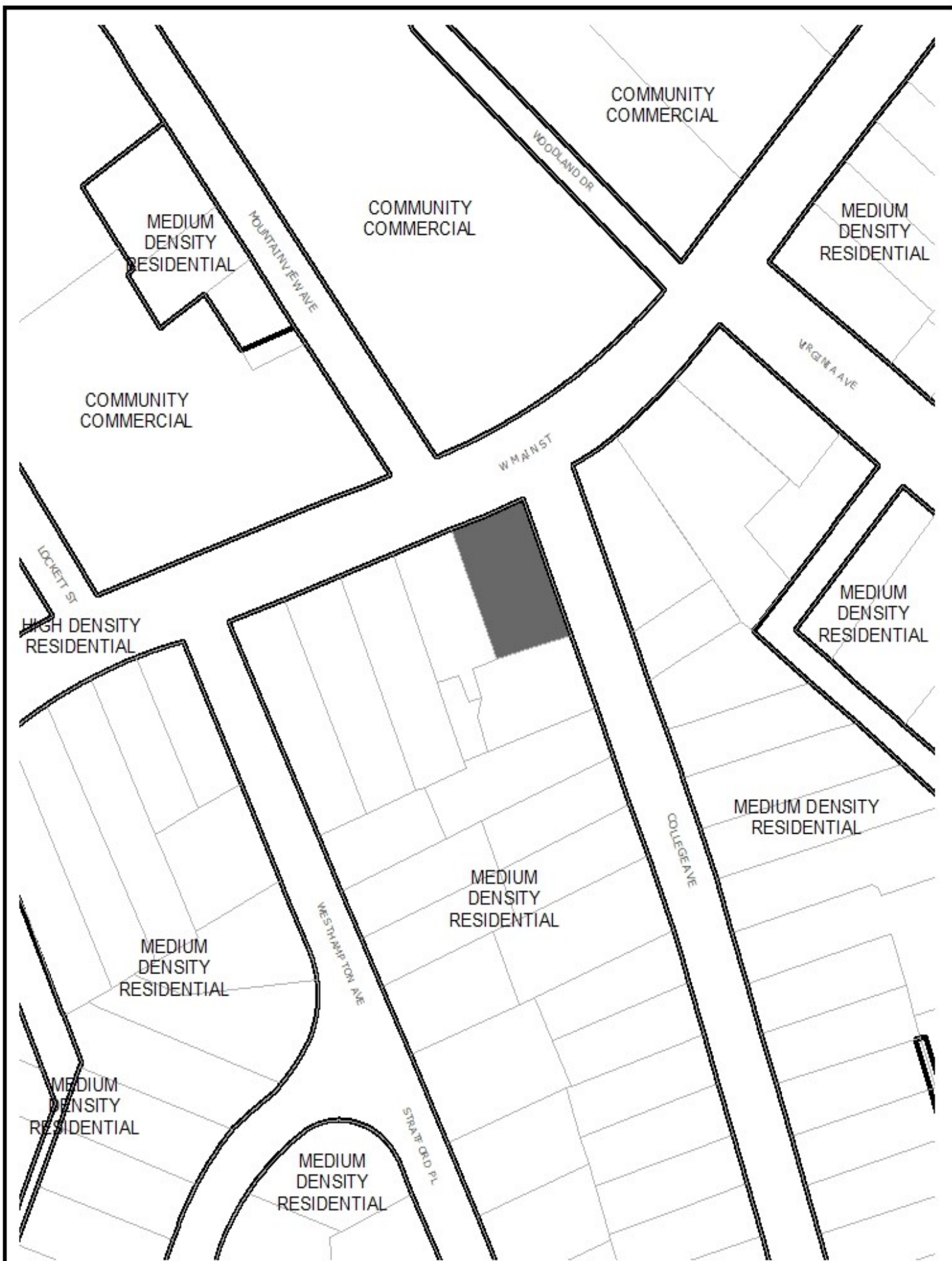


SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:
Planning Division
10/23/2023

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
10/23/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Special Use Permit application PZ23-00388 filed by CCKW, LLC requesting a special use permit to allow attached residential dwellings in accordance with Article 3.E Section C Item 1 at the following parcels located on Monument, Shelton, Cabell, and Franklin Streets: 23320, 23677, 23662, 23661, 20860, 21603, 22885, 20074, 20881, 24445, 22244, 22727, 23040, 21602, 24048, 20749, 21228, 22594, 25347, 24577, 24549, 20071, 20076, 20856, 20862, 21471, 20488, 25184, 21957, 21561, 20637, 24941, 23319, and 22082.

SUMMARY

The proposed Planned Unit Development (PUD) consolidates parcels and creates a residential housing development on Monument, Shelton Cabell and Franklin Streets. The entire development will consist of thirty (30) single-family attached unit dwellings and sixty (60) apartments divided into three (3) apartment buildings.

This application is the result of years of work conducted by the City's Blight Eradication Program. The program targeted areas of blight. Parcels were acquired so that the blight could be eradicated and the area stabilized for new development. The majority of the subject parcels were acquired by Danville Redevelopment Housing Authority for this program. The Monument-Berryman Master Plan details the program, its processes and redevelopment potential.

Last year, an RFP was released to the public for a request for redevelopment proposals for the area. The development plan proposed by CCKW LLC was chosen from this process. Their plan most embodied the goals of the Monument Berryman Plan.

Development of the mixed housing style development requires a PUD. Recommending conditions of the PUD are listed below:

1. The permitted uses at the development are residential;
2. The developer will complete a Traffic Impact Analysis in consultation with the City of Danville and implement the recommendations;

3. The buildings may not have vinyl siding on exterior vertical fascia;
4. A minimum of 45% of the building exteriors will be masonry;
5. The height of each building may not exceed 60 feet;
6. Parking shall not be placed in the front yard of townhome development;
7. No more than eight (8) and no fewer than three (3) single-family attached units (townhouses) shall be included in any one physically contiguous grouping;
8. Townhouse grouping shall be designed to minimize "Flat-faced", row-house architectural facades. Architectural projections, off-sets, window bays, canopies, porches, mixed materials and colors and other design elements of a unified architectural theme shall be provided to achieve this result;
9. Architectural treatment of attached dwellings shall vary so that no more than two abutting units are substantially the same and so that no more than four units in any group are substantially the same;
10. Apartment building construction must mimic the exterior design submitted by the applicant labeled "Allure";
11. The development will maintain landscape buffers compliant with Article 16 of the zoning ordinance and or the development agreement, whichever is greater; and
12. That the developer executes and records a development agreement with the City that acknowledges these conditions.

One hundred thirty-nine (139) notices were sent to surrounding property owners within three hundred (300) feet of the subject property. At the time of this report, eight (8) responses were received, five (5) were unopposed and three (3) were opposed.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of application PZ23-00388 for a PUD developed in accordance with Exhibit A and with conditions proposed by Staff.

ATTACHMENTS

1. Application
2. Development
3. Letter
4. Allure Apartment Image
5. Monument Berryman_AERIALS
6. Monument Berryman_OWNERS
7. Monument Berryman_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 #: P223-00388 PC Meeting Date: Nov. 13
Date Received: 10/16 Received By: RB
Parcel ID: _____ Address: Monument/Berryman
Existing Zoning _____ Future Land Use: _____

APPLICANT PROVIDED INFORMATION

PINs: 23320, 23677, 23662, 23661, 20860, 21603, 22885, 20074, 20881, 24445, 22244, 22727, 23040, and 21602 (multi-family); 24048, 20749, 21228, 22594, 25347, 24577, 24549, 20071, 20076, 20856, 20862, 21471, 20488, 25184, 21957, 21561, 20637, 24941, 23319, 22082 (townhomes)

Property Location (address/ID#): _____

Applicant: CCKW LLC

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

Applicant's Phone Number: 434.793.0217 (Clif Walden); 434.942.9863 (Kevin Shotwell)

Applicant's E-mail: clif.walden@riversiderooftruss.net; kevshotwe@aol.com

Describe Proposed Request: Please see attached letter.

CKW Oct 16, 2023
CKW (Oct 16, 2023 05:59 EDT)

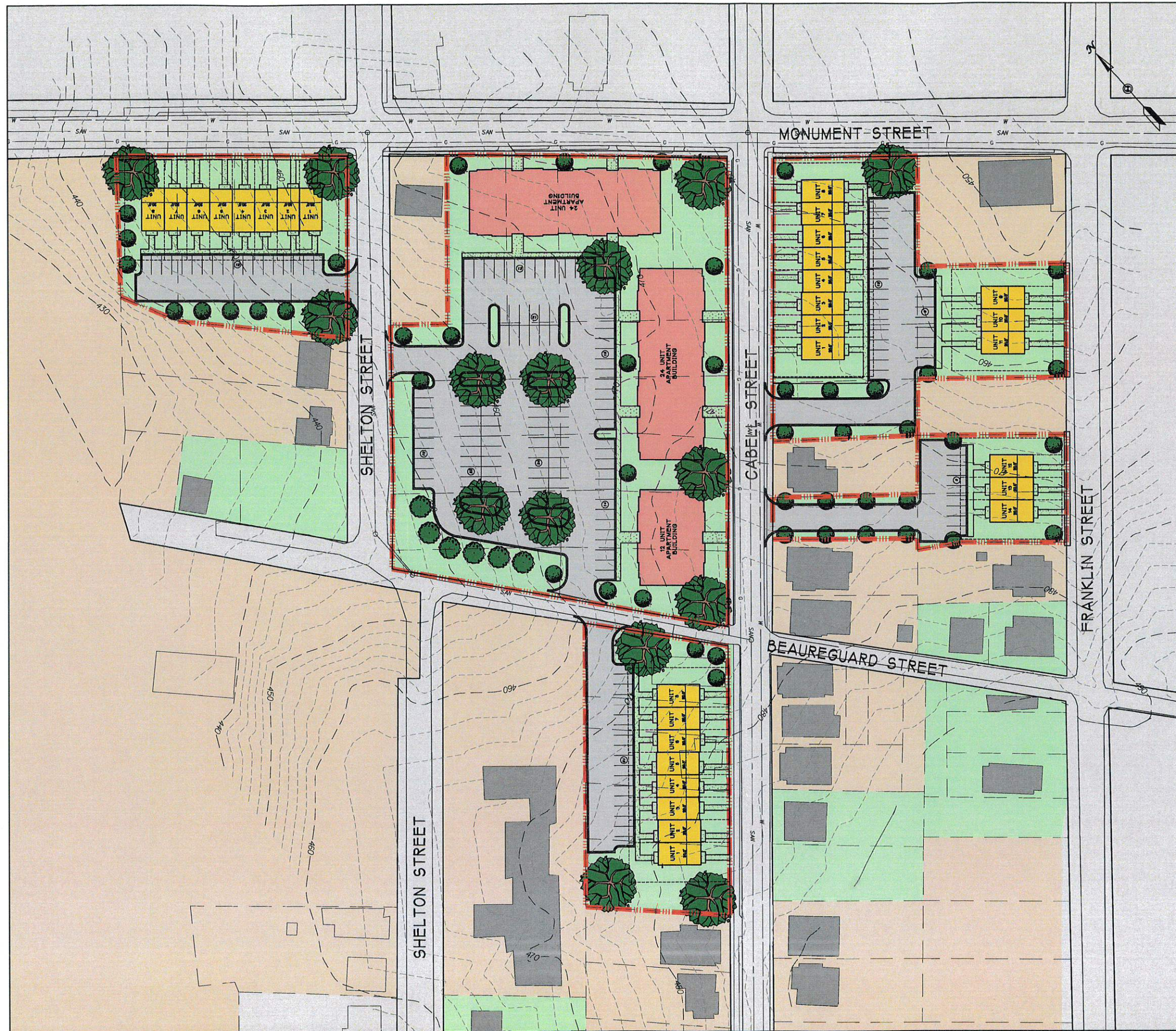
Applicant Signature date
Clifton K Walden, Jr., Co-Manager of CCKW
LLC

CKW Oct 16, 2023
CKW (Oct 16, 2023 05:59 EDT)

Property Owner Signature date
Clifton K Walden, Jr., Co-Manager of Big Time
Rentals, LLC

Larissa Deedrich Oct 16, 2023

Property Owner Signature date
Larissa Deedrich, Executive Director of the
Danville Redevelopment and Housing Authority



- LOTS AVAILABLE FOR MONUMENT-BERRYMAN REDEVELOPMENT
- LOTS NOT AVAILABLE FOR MONUMENT-BERRYMAN REDEVELOPMENT
- PROPOSED MULTI-FAMILY UNITS (APARTMENTS)
- PROPOSED SINGLE-FAMILY ATTACHED UNITS (TOWNHOUSE)
- EXISTING BUILDING
- PROPOSED DEVELOPMENT LIMITS

DEVELOPMENT SUMMARY:
 APARTMENTS: 60 UNITS
 TOWNHOMES: 30 UNITS

IF THIS DRAWING IS A REDUCTION
 GRAPHIC SCALE MUST BE USED



**Monument - Berryman
 Redevelopment Area**
 MULTIFAMILY DEVELOPMENT
 DANVILLE, VIRGINIA

PROJECT:
 DESIGNED BY:
 REVIEWED BY:
 PROJECT No.
 SCALE:
 GRAPHIC

ORIG. SUBMITTAL DATE:
 1-10-23
 REV. SUBMITTAL DATE:
 DRAWING NUMBER:
 C-1
 SHEET NUMBER:
 1 OF 1



October 16, 2023

Via Hand Delivery and Electronic Mail

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

Re: Special Use Permit Application submitted by CCKW LLC

Dear Ms. Burton:

On behalf of CCKW LLC ("CCKW"), I am pleased to submit this Special Use Permit Application for the following parcels located on Monument, Shelton, Cabell, and Franklin Streets (the "Parcels"): 23320, 23677, 23662, 23661, 20860, 21603, 22885, 20074, 20881, 24445, 22244, 22727, 23040, and 21602 (multi-family); and 24048, 20749, 21228, 22594, 25347, 24577, 24549, 20071, 20076, 20856, 20862, 21471, 20488, 25184, 21957, 21561, 20637, 24941, 23319, and 22082 (townhomes) (the "Application").

Please note that the Parcels are owned by either Big Time Rentals, LLC or the Danville Redevelopment and Housing Authority ("DRHA"), both of which have consented to this request by CCKW, as shown on the enclosed two-page Special Use Permit Application from the City's website (the "Application Form").

Enclosed for your review and reference are a completed Application Form, marked as Exhibit A, which this Letter is intended to supplement, along with a check in the amount of \$360.00, representing the City's fee associated with this Application. An additional exhibit is identified below.

Description of Proposed Development

CCKW proposes to redevelop the Parcels to create a high-quality development consisting of a combination of apartments and townhomes that is accessible to, and affordable for, a diverse cross-section of residents. In doing so, CCKW expects this project to build upon the existing sense of community in the immediate area while also returning the Parcels to productive use. Doing so also represents an important step toward meeting the region's demonstrated, growing need for available, quality housing.

Specifically, the proposed development – located on Monument, Shelton, Cabell, and Franklin Streets – envisions thirty (30) single-family attached unit townhomes and sixty (60) apartments for rent across three multi-family buildings.

The proposed townhomes would be offered for sale, priced between \$250,000.00 and \$299,999.99, with CCKW intending to manage and rent any townhomes (for which it has experience in other markets) should any not immediately sell. The bulk of the apartments will be offered at market rate, and CCKW has committed to the City to set aside twenty percent (20%) of these units for individuals or families earning between fifty percent (50%) and eighty percent (80%) of area median income. CCKW recognizes the benefit to the larger community that is provided through housing that blends opportunities for different income levels.

The enclosed preliminary site plan (the “Site Plan”), marked as Exhibit B, demonstrates the thoughtful approach that this proposed development represents. At present, the Parcels are all zoned Old Town Residential. To achieve the creative reuse of the Parcels that is envisioned by the proposed development, CCKW specifically requests that the project be considered a planned unit development pursuant to the City’s ordinance for such projects.

Compatibility Considerations

The proposed development is in harmony with the City of Danville’s 2030 Comprehensive Plan, (1) promoting opportunities for a greater variety of housing types in the City within an established neighborhood and, in doing so, (2) supporting the continued economic development of the region.

The aims of the Application are also in harmony with the current intent and purpose of this zoning district, as CCKW’s proposal represents the return of residential development to currently vacant parcels and takes advantage of an opportunity to realize additional density in an established portion of the City.

Finally, the proposed development is consistent with the residential character of adjacent properties, surrounding neighborhoods, and existing and proposed development, both in terms of aesthetics and scale. Residents of the proposed development will have ready access to the surrounding area, both for vehicular and pedestrian uses. The Parcels presently have connections to public water and sewer facilities, which will be maintained, if not enhanced, by the proposed development.

Application Requirements for Special Use Permit

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

* * *

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven P. Gould".

Steven P. Gould

SPG/mlk
Enclosures

c: CCKW LLC (w/encls.) [via electronic mail]
Susan McCulloch (w/encls.) [via electronic mail]

Project Samples: Townhomes and Apartments

Cornerstone Townhomes Lynchburg, VA



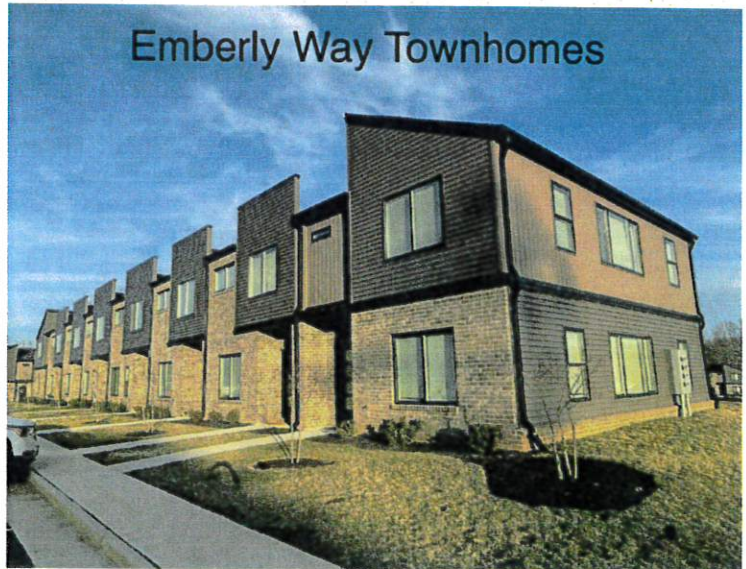
The Allure Apartments (Rendering)



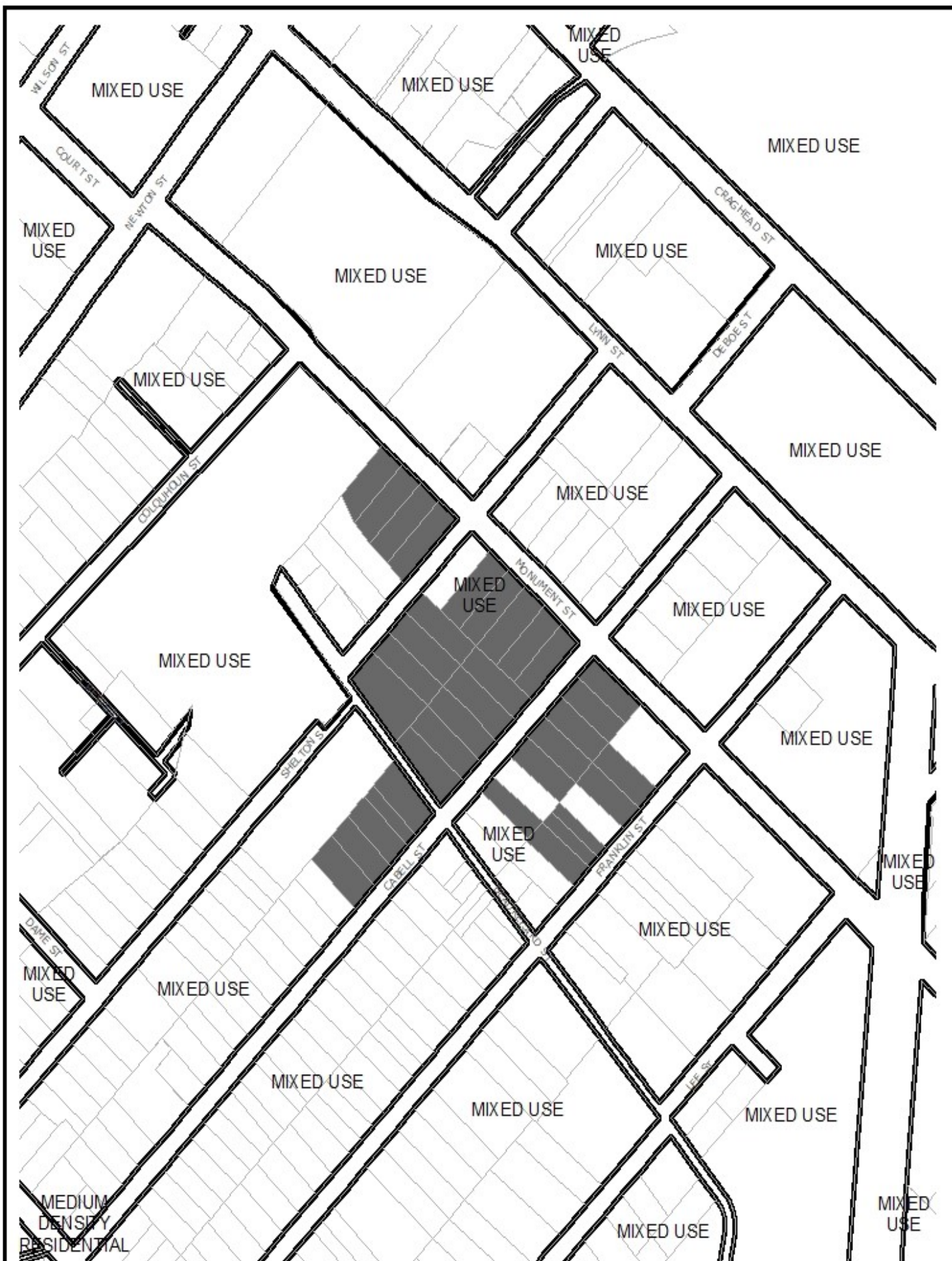
The Allure Townhomes



Emberly Way Townhomes







YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:
Planning Division
10/24/2023

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STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, More Specifically, to Amend Article 15 Section B, entitled "Definitions".

SUMMARY

All off-street parking spaces must be on an improved, paved surface. Required off-street parking spaces must be accessible by a permitted curb cut and may be on driveways or in garages, carports or enclosed buildings, provided such places meet dimension, layout and accessibility standards required by this Code.

Required off-street parking spaces shall be a minimum of nine (9) feet in width and eighteen (18) feet in length.

All off-street parking spaces shall be well-maintained and must be located on the same property as the associated use.

During the October 4, 2023 Planning Commission work session, it was requested that staff modify the definition of off-street parking to address the maintenance of parking areas. Off street parking is currently defined as:

Off-street parking space. A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

Article 8 "Parking and Loading Requirements" of the Zoning Code Section C "Off street Parking Area Construction and Maintenance"

1. *For all uses, other than single-family residential, required off-street parking and loading areas must be constructed of an all-weather, stabilized, dust free surface paving with curb, gutters, and drainage improvements.*

Staff recommends that the two are combined to read:

Off-street parking space. A temporary storage area for a motor vehicle that is directly

accessible to an access aisle, and that is not located on a dedicated street right-of-way.

Required off-street parking must be constructed of an all-weather, dust-free surface paving, unless otherwise exempt.

RECOMMENDATION

Staff recommends that the Planning Commission amend the definition of Off-street parking space to read: *A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and that is not located on a dedicated street right-of-way. Required off-street parking must be constructed of an all-weather, dust-free surface paving, unless otherwise exempt.*

ATTACHMENTS

None



STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, More Specifically, to Amend Article 3.X Section H, to Amend the Definition for "Herbal Wellness Shop" and "Vape Shop".

SUMMARY

The Virginia Board of Pharmacy and the Virginia Cannabis Control Authority are charged with the regulation of Herbal Wellness Shops and Vape Shops (as defined by the City of Danville Zoning Code). Our current definition of both operations only identifies the Virginia Board of Pharmacy as the regulatory agency. This Code amendment will add the Virginia Cannabis Control Authority to the definition of Herbal Wellness Shops and Vape Shops to recognize their regulatory authority.

The definitions shall read:

Herbal wellness shop. Any retail or service establishment that is not licensed by the Virginia Board of Pharmacy or the **Virginia Cannabis Control Authority** that devotes a majority (51%) of its floor area to the sale and display of products containing mitragyna speciosa (kratom), synthetic cannabis, cannabidiol (CBD), tetrahydrocannabinol (THC) including but not limited to Delta-8 THC and Delta-9 THC, other byproducts of derivatives of cannabis, or any combination thereof; or any establishment that permits members of the general public to consume such products on site.

Vape Shop. Any retail or service establishment that is not licensed by the Virginia Board of Pharmacy or the **Virginia Cannabis Control Authority** that devotes a majority (51%) of its floor area to the sale and display of electronic cigarettes; or any establishment that permits members of the general public to vape with such products on site.

RECOMMENDATION

The Planning Staff recommends that the Planning Commission recommend approval of a Code Amendment to update the definitions of Herbal Wellness Shop and Vape Shop to recognize the regulatory authority of the Virginia Cannabis Control Authority.

ATTACHMENTS

None



STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Consideration of a Request to Amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville. More specifically, to Amend Article 2 Section Y entitled "Short-term rentals".

SUMMARY

Staff was asked by the Planning Commission to review alternatives to limit the location and number of Short Term Rentals (STRs) in the City of Danville. Alternatives were presented to and discussed by the Planning Commission during its October 4, 2023 Work Session. The Planning Commission voted to publicly consider a cap on the number of STRs in the City of Danville and maintain the current Special Use Permit process and recommended permit requirement.

The option determined most viable by the Planning Commission was to limit the number of STRs to 150. This number was determined by the number of parcels in the City of Danville with the State Use Code "Single Family Residential-1 dwelling"; 15,450. One percent (1%) of this total is 154 or approximately 150 units.

There is concern that the increase in STRs in the City of Danville is converting much needed single family housing to short-term rental use. According to our housing study, we are experiencing a deficit of single family homes. The conversion could be detrimental to our overall housing inventory. Therefore, the number of existing single family residential parcels was determined to be the best number to use in this formula.

It is believed that we currently have 109 STRs operating within the City of Danville. As of the time of this report, thirty (30) of those were operating in compliance with City Code. Violation notices to a portion of those operating without proper approval. A number of these businesses have submitted requests for the December Planning Commission agenda.

RECOMMENDATION

Planning Staff recommends that the Planning Commission review the requested information. If the Planning Commission is in agreement with the information, a motion to recommend that City Council limit the number of Short Term Rentals allowed to operate in the City of Danville

to 150 should be presented.

ATTACHMENTS

None



STAFF REPORT

DATE: November 13, 2023
TO: Planning Commission
FROM: Renee Burton, Division Director of Planning
RE: Review final draft of the City of Danville Preservation Plan.

SUMMARY

The City of Danville Preservation Plan was the result of a partnership grant with the Virginia Department of Historic Resources (VDHR) and the City of Danville. The grant was awarded through VDHR's Certified Local Government Program (CLG). This CLG grant program awards matching grant funds to preservation projects throughout the Commonwealth that quality.

The City of Danville Preservation Plan was completed by PaleoWest. PaleoWest held a series of meetings with a local steering committee, the general public and the Commission of Architectural Review. The Preservation Plan presented today is a result of these meetings and a public survey.

Preservation Plan can be found at the link below:

<https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:19b7ccb5-0f9a-4bb3-a7ed-c68dd9ea99b8>

RECOMMENDATION

The Planning Staff recommends that the Planning Commission recommends adoption of the City of Danville Preservation Plan as submitted.

ATTACHMENTS

None

**PLANNING COMMISSION MINUTES
WORK SESSION
OCTOBER 4, 2023**

MEMBERS PRESENT

**Mr. Bolton
Mr. Ranson
Ms. Evans
Mr. Dodson**

MEMBERS ABSENT

**Mr. Petrick
Mr. Jones
Mr. Kahn**

STAFF

**Cynthia Lester
Renee Burton
Shanika Williams
Clark Whitfield
Lisa Jones**

Mr. Bolton opened just for discussion, we will try to keep it informal feedback, back and forth good discussion.

First discussion of short term.

Ms. Burton stated. We will hit the highlights. So, what do you have are a few options that were in last month's agenda packet, talking about opportunities if you want to restrict, or in any other way change the guidelines for short-term rentals. We have multiple options listed and I can go through them briefly, we just came up with six if there's something else that you want to discuss, we can add to that as options. And in the end, if there are any of these that you would like to have staff do further research on, what you would like to see on the November agenda for vote. That's our goal today is to determine if we want to bring anything else to the Planning Commission meeting in November.

The first rule we have is to remove the special use permit requirement from all short-term rental operations. That means they would be allowed by right. Wherever they want to go, they would just go.

Ms. Evans stated. No.

Mr. Dodson stated. Probably.

Mr. Ranson stated. No.

Ms. Burton stated. So, we can go ahead and mark that one off, eliminations okay.

Mr. Bolton stated. The consensus is that most of us are not in favor of short-term rentals being by right in any of these zoning OTR, TR, SR, are basically they would not do anything, would like to see some limitation and special use permits at least. That's a pretty foregone conclusion I would say.

Ms. Burton stated. That's fine, that eliminates and that's what we're doing.

Number 2: To prohibit the short-term rental operations completely within the city of Danville, meaning that only those that are legally operating right now would be allowed to continue we would not allow any more past this point or past current applications. Legally operating meaning they have their zoning clearances, and business licenses in order to operate. Not everyone has a special use permit because it depends on the timing of when they began their operations. Just because they've always been operating doesn't mean you're operating legally; you would have to have that zoning clearance and business license at minimum.

Mr. Bolton stated I would say that's a little extreme as well. I knew we had a number of legal now 120/130.

Ms. Burton stated. We have about 25 that are legal.

Mr. Bolton stated. That's all.

Ms. Burton stated. We have 108 it varies on weekends from 100 to 108 that are operating we believe. We have numerous ones out there that we need to get into compliance.

Mr. Bolton stated. Okay, I know in one of the notes you had mentioned max is this one of the six on max. For me and I will add some other stuff that seems a little extreme stopping them completely this year.

Ms. Evan stated. I don't agree with stopping them completely. Once operating legally that include two on Randolph, that I know never came before us. I know there are two on Randolph. I understand someone is operating one out of a basement, and I can get you that address.

Ms. Burton stated. I don't remember the two on Randolph and definitely not one in the basement. I know of three that we have that are a portion of property, the rest of them are whole entire house rentals. I'm only aware of three that are partials. And that is the one we had on College Avenue recently, Charles Haynesworth has one, and Rick Fain. I don't remember his address right off the top of my head. Those are the only three I know that are legally operating.

Mr. Bolton stated. What's the process you are undergoing? To find out the ones that are operating illegal and getting them into compliance what's the process.

Ms. Burton stated. We have a new software called Granicus, and ultimately what it does is the data mining for us, it searches the web determine how many advertisements are out there for short-term rentals and compiles it for us so that we can access into one big database.

Mr. Bolton stated. You feel comfortable that at some point, you will get most of these in compliance.

Ms. Burton stated. That's the goal. We have just offered to create a new position for a short-term rental technician. It's been advertised for about a week and a half, maybe two weeks now. So we are going to give it a heck of a shot.

Mr. Bolton stated. That good base on all that.

Mr. Dodson stated. Did the city say they just not going to do it.

Mr. Bolton stated. I would not be in favor of that.

Mr. Ranson stated. This is the question I have I was okay. I was reading a story about New York City. And they had a terrible problem with this and what they did was, they said I think returning to one of these Airbnb is originally, would say that the owner had to live there and if they wanted to rent out a room or two, they could do that. I think we need these Airbnb they fit a little niche outstayed and Airbnb's, I think it really cool but if we limit ones where people lived, just rent out a room or two, then that wouldn't take houses out of the available rental that's found on this list.

Mr. Bolton stated. That does bring up something mentioned one time about the workaround that we had one, but worked around it because if as long as they were 50% of the house, they could rent out a bedroom, bathroom & kitchen.

Ms. Burton stated, in general they are called homestays, its kind of a general definition. It is hard to regulate the percentage of homes that's being rented out. It does require that it be your principal, or primary dwelling and then you rent a portion out. one other thing that does create a little complication in our situation in the city, is that one big issue that we have is parking. So, if we create homestays, which certainly, if that's something you want to look at further, we can, but then you have your family living there, that will be two or three cars, and you are renting a portion of your house as well as another two or three cars. So ultimately, we're creating additional, we have six cars, but one house that is a primary and a homestay versus renting a principal dwelling the entire house to just three cars. So, you're almost doubling your cars and the parking situation that we have.

Mr. Bolton stated. And doubling your trouble.

Ms. Burton stated. Possibly, parking is one of our biggest complaints. So that's why we looked at it that way. That homestay might not be the best option. If you guys feel differently, certainly we will continue to research.

Mr. Ranson stated. You could still require off street parking.

Ms. Burton stated. Yes, we could do that.

Mr. Ranson stated. That could really limit who would be able to do it.

Ms. Evans stated. I think you need to have to define off street parking because some of these that we're seeing, it's a piece of a driveway that's covered in grass and broken asphalt or broken concrete, or it's not a full driveway it angles, to me a driveway has to be an approved driveway.

Ms. Burton stated. We can define within this work session was something we were going to discuss we as well can define that task and create we believe would be a definition and then present it to you in November. If that's something you would desire, because the regulations if they get the code amendments that you as planning commission, recommended for approval is approved by city council tomorrow night. That does require all street parking for the operation of a short-term rental. But it does not define what off street parking looks like for short-term rental. We can do that be it paved, two spots, whatever it may be, we can define that.

Ms. Evans stated. What about going with what you said homestay? I'm against property managers being 50 miles away. They can't manage a property from Chapel Hill which is coming up Tuesday. I'm sorry they need to be here in town.

Ms. Burton stated. The new regulations will restrict it to 30 miles.

Mr. Ranson stated. Parking in Philadelphia is a lot.

Ms. Burton stated. More of a challenge than we have.

Mr. Bolton stated. The consensus on number 2 is we all want to eliminate it.

Ms. Evans stated. Correct.

Ms. Burton stated. Do you want to discuss the driveways, we can create multiple definition for the driveways, discuss them and vote on them in November.

Mr. Bolton stated. Why don't you do that, just initial feedback, I'm not so hung up on the pavement, well maintain gravel. What I don't want is somebody saying I am going to put a little strip in my front yard in front of my porch and call it a driveway. Saying pavement would eliminate that but restrict that as opposed to curb cut grave driveway. Definitely need to define that they can't park in the front yard.

Ms. Burton stated. With a minimum size.

Mr. Bolton stated. On the side.

Ms. Burton stated. We can certainly say that it's a minimum of 20 feet wide and 40 feet depth or whatever the average.

Mr. Bolton stated. Unless it a circular driveway of course that you get in the sharp edge.

Ms. Burton stated. The minimum space for a parking space in a parking lot is 9x18. Designated area with curb cut minimum size 9x18 and then we will figure out somethings to maintain.

Mr. Bolton stated. You just can't put gravels down.

Ms. Evans stated. It must be done professionally and well maintained. Create a driveway or something like you just grab some gravel and throw them.

Mr. Bolton stated. I'm saying a house that has a curb cut and they always used grass and a little concrete I'm okay with that.

Ms. Evans stated. I'm okay with that.

Mr. Bolton stated. I think we said pave you might eliminate that.

Mr. Ranson stated. We also have pavement where the grass grows up between there and provides a solid, I don't know if any of those are in Danville.

Ms. Burton stated. We do in the Old West End I think two that have done that.

Mr. Bolton stated. We will have a chance once you come up with a definition in our regular meeting to discuss your definition, we might add or takeaway.

Ms. Burton stated. This is to prohibit the short-term rentals and all districts except CBC and TWC, which is ultimately your River District, you do have some lingering CBC designation in the Old West End, and that commercial area TWC does go out slightly to the Monument Berryman area a little bit. So would only allow short-term rental in those area. So, it would not completely eliminate them, it would just restrict them ultimately to that River District area.

Mr. Bolton stated. The other option is by right and vote and special permit and rest.

Ms. Burton stated. Correct.

Mr. Bolton stated two options right.

Ms. Burton stated. You have an option of either prohibiting them everywhere. And this is just options, and only allowing them downtown. And then another option of allowing them by right downtown, and then a special use permit everywhere else.

Ms. Evans stated. Can't you do a special use permit everywhere?

Ms. Burton stated. You can.

Ms. Evans stated. They could be in the districts that it's currently allowed. But also, the CBC, TWC has a special use permit. Why are you making that by right.

Ms. Burton stated. The thought behind that is the CBC and TWC that already allows for hotels by right. And that by some definitions, the short-term rentals mimic that of a hotel and its operations. So we will ultimately just be mimicking that.

Ms. Evans stated. My concern is we have a housing shortage already. And there's so many people that are moving into town and can't find permanent housing. And part of it is due to all the Airbnb just thinking down there if you're still in restrictive permanent housing.

Ms. Burton stated. Yes, it is currently allowed by right those two districts already. So, we can just leave it that way. These are just options. You also have the option of determining if you want to keep that anywhere else, if you only wanted to those areas like the Vantage Flats. He has nine there. He was allowed to do that by right. Didn't have to come up with a special use permit. Do we want to continue that?

Mr. Ranson stated. What areas you said this was?

Ms. Burton stated. It is the River District, ultimately, it's CBC, which is our downtown zoning classification and TWC. So that would be downtown tobacco warehouse and there are a couple of commercial properties in the old west end that are zoned CBC.

Mr. Bolton stated. About right, they still have to provide you with adequate parking.

Ms. Burton stated. Right.

Mr. Bolton stated. So, they still have to clear with you just not us.

Ms. Burton stated. Correct.

Mr. Bolton stated. With the special use permits.

Ms. Burton stated Correct that is how it is set up right now and we will continue that unless there is something that is wanted. Do you guys want to change that?

Mr. Ranson stated. Once it already been granted, they wouldn't change. If we change these parking requirements, will they change.

Ms. Burton stated. It's going to be extremely difficult for them to meet the parking requirements to provide off street parking in a short-term rental in the CBC and TWC. The River District does not have a great deal, everyone knows the number of spaces is getting slimmer and slimmer.

Mr. Ranson stated. Don't most those markers have parking attached.

Ms. Burton stated. They are not required to provide parking. So, the new regulation, if approved by city council tomorrow, any new short-term rentals coming online would have to provide parking. So, we're going to have to figure out how that works. Probably helped me with a CBC that supersede the regulations on the short-term rentals, so they would not have to provide parking.

Mr. Whitfield stated. Supersede.

Ms. Burton stated. Because they would be asking for that operation. We going to ponder that.

Mr. Bolton stated. My thought with parking is probably they have to come to you; you could eliminate it so quick and wouldn't have to bother us. I'm leaning toward that, because if we put in special use, especially if they've already gotten denied.

Ms. Burton stated. Yes, we would handle that administratively.

Mr. Bolton stated. I do want to keep it in all other area.

Ms. Evans stated. My thoughts are if you can control it by the parking. But my concern is, and please don't take this the wrong way. There are some things that the department is recommending us to approve. I don't agree with. Wondering if we don't need the opportunity to say yay or nay.

Ms. Burton stated. I think from our viewpoint, when we do our recommendations, we have to strictly look at black and white.

Ms. Evans stated. I get that.

Ms. Burton stated. So, you guys have more flexibility than we do. And the City Council has additional flexibility than you do. So that's how it kind of tiers.

Ms. Evans stated. But that's what I'm talking about you are looking at black and white and we're looking at gray.

Ms. Burton stated. I understand that. That up to you.

Mr. Bolton stated. Like you say you are getting a new software, we have to be getting a lot of these, if we can eliminate some, downtown is a fear. I like the hotel analogy.

Mr. Dodson stated. That makes sense to me.

Ms. Burton stated. To keep those by right.

Ms. Bolton stated. Yes, the downtown by right, they could examine it and decide if there was enough parking that they could say it's okay. They come in the River District downtown only, they have the right to say yes or no if you have enough parking, then they could do it and not have to come to us because they can eliminate a lot because of the parking.

If there were no parking requirements, it would come a negative in other words, when they get reviews, they are going to say we couldn't find any place to park which is a horrible situation. We are talking about apartment someone live there and have one or two cars, we not going to increase the requirement for parking overall. So, if that was the case, I don't know why we have to have parking requirements.

Ms. Burton stated. And it maybe we're going to research that more downtown.

Mr. Ranson stated. Like your review process, you decide you don't have enough. I don't think we're going to be having a negative impact on parking.

Mr. Bolton stated. And of course, we have three absent. So maybe take what we are saying, put it down. Sounds like it would be okay with leaving it by right, and then special use in the ones that will allow you to use special use.

Ms. Burton stated. We will do additional research on the parking situation. I will bring that to you and may just be able to send you an email letting you know, and then we will determine what to talk to you in November.

Mr. Bolton stated. No decision will be made.

Ms. Burton stated. No, this is just conversation, and we'll figure out what happens and what will become on November agenda.

Mr. Ranson stated. I think that would be the best area.

Mr. Bolton stated. This might encourage us to go down there.

Mr. Ranson stated. At least when you there is places you can walk to you won't need a car.

Ms. Burton stated. That's true.

Ms. Burton stated. Four, five and six, I'm going to try and lump together, these are opportunities to kind of limit the number, it wouldn't be a let's not do it at all, I wouldn't do it everywhere. One of the opportunities is that you could limit the acceptable number. Based on whatever factor you see fit. Maybe you only want to see so many on a particular street, or so many in a particular neighborhood, or I have given the example of percentage. So, if you were to vote within the city of Danville, there are approximately 50,540 parcels that are single family residential 1% of that is 150. So that would be 150, Short term rentals would be your maximum number within the City of Danville. And those are numbers that we just kind of put together, you could come up with any combination, if you wanted to go ahead and put a cap on how many overall in the city or allow, like I said you want to eliminate the number, a cap on the number on the street, or some other factor that you determine. Or we also have the thought of it could be restricted only to rental inspection districts. Now if you restrict them only to rental inspection districts that is contradictory to allow them by right in CBC and TWC. So that may not be a path that you would want to choose based on that conversation. These are just brainstorm ideas of things that we've seen in other communities.

Ms. Evans stated. I think that needs to be a combo thing number four and five because we're getting ready to look at the 3rd on Howeland Circle, I think that's a lot on one street. I don't know what's the

percentage you would limit to the city. There seems to be a lot in the Schoolfield Area, a lot on West Main area.

Mr. Dodson stated. Is this percentage in line with what other cities might be doing would be lower than the other places? The 1%.

Ms. Burton stated. We just come up with a number.

Mr. Bolton stated. Do other cities, do it?

Ms. Burton stated. There are cities that do limit the number overall there are cities that say only be in certain districts, mostly tourism, your really touristy area, Virginia Beach, Newport News, they have certain Williamsburg to have specific area, and then you can't be anywhere else. We don't have that kind of geographical pool. If you are coming to Danville, it's for a variety of things and it's spread throughout the city. So, I don't know that we have the same situation.

Mr. Bolton stated. One thing about limiting area and streets, I think Schoolfield that area is totally changed for the better, conditions of the properties and things like that. Looking back and we were just getting started we said we were limited to a street and that area would have a transformation that it has now. That why I like the restriction. Can we go head and get rid of six.

Ms. Burton stated. Absolutely.

Ms. Evans stated. What are the rental districts?

Ms. Burton stated. There are five districts within the city, one in Almagro community. One on Paxton, one in the Old West End, one North Main and Schoolfield.

Ms. Evans stated. So how that work my next-door neighbor rents.

Ms. Burton stated. If they're not within that district, then they're allowed to do that, in general if they within a rental inspection district, and they have additional inspections and controls that are required.

Ms. Evans stated. I personally think that people that rent in any district need to have it inspected and some additional controls.

Ms. Burton stated. We can't do this all over the city, we have to designate specific areas based on criteria given to us by the state. That's why we just add two one in Almagro and one on Paxton three months ago, maybe four months at this point. Those are new. I think you will probably see more added.

Ms. Evans stated. I heard many complains about rental properties.

Ms. Burton stated. Long-term.

Ms. Evans stated. Yes, the number of people staying there, the number of cars there that just another battle.

Ms. Burton stated. Right.

Ms. Bolton stated. I think at least keep on a yearly inspection. But I know it can't be done. Let get to the percentage, overall percentage on a particular street.

Ms. Burton stated. Right, this one is difficult. One it's going to be difficult for enforcement. That doesn't mean we're not willing to do that. It's just difficult to say, and how do you figure that number would be the complication? So, saying you only want three on the street. Which saying Howeland Circle.

Ms. Evans stated. I'm not saying I want three on a street I'm saying three on a street is too many.

Ms. Burton stated. Right, I'm just saying as an example: if you put three on Howeland Circle, that's very different than putting three on Westover, because of the stretch is trying to nail it down to one number.

Mr. Bolton stated. Like for example, if some one came to us on Holland Circle and it was already three, we could determine at that point that we are not going to add another, we will have flexibility on each case.

Ms. Burton stated. Yes, you can do that now. If you feel that one additional short-term rental going to have adverse effect on the character of the neighborhood, community feel, and you are certainly within your rights to say we recommend denying it based on that.

Mr. Bolton stated. We can do that now.

Ms. Burton stated. Absolutely.

Mr. Dodson stated. I like the 150 for a city this size that's plenty.

Ms. Evans stated. How many do we have now, 110 operating legally.

Ms. Burton stated. Legally 25, based on what we believe in advertisements, this additional 80 or so that are illegal. So, we're running anywhere between 100 and 108. As we can tell the weekend rental opportunities.

Ms. Evans stated. The ones coming to us next Tuesday are those that you've caught, or addition to the ones that are new.

Ms. Burton stated. Those are all new, and we have applications for November and those are all new as well. We have not started the big enforcement that we intend to bring everyone into compliance because we're waiting on all these code amendments to sort after city council Thursday night, they pass the code amendments there, then we're going to start the big push for enforcement and to bring everyone into compliance, because we're also have a requirement for permits that are necessary in January.

Mr. Haynesworth stated. As an Airbnb operator who rented an apartment in my house since 1984, that lost zoning, because we spent nearly a year fixing up our house. And for whatever reason the zoning change on my house but didn't change on the house next door. That is the multifamily, I have a problem. And this may have something to do with maybe the reason Airbnb is looked at differently as long-term rentals as applying things differently to long term rentals that aren't enforced. So, I'm aware of Clarendon Circle because Martha Ray is a friend and I actually told here that Airbnb, you might want to look at that. I wouldn't try to dodge or not follow the rules. I went out proactively looking for information. So, I think when you speak of illegal operators, it's not necessarily people are trying to dodge the rules. It's difficult to navigate the city. Jimmy Gilley calls it transient occupancy. I had this conversation with this planning director where the planning department calls it short-term rental, Jimmy

called short-term rental when you're going to rent a backhoe. As a citizen trying to navigate the city regulations, to get your IT department to go behind the website and put in key words and short-term rentals. Airbnb, VRBO, bed and breakfast or whatever, then when you go to that first search the first page and has search appear and that's what I did in Airbnb, nothing come up. And I type n transient occupancy, I get to Mr. Commissioner Revenue, and it's confusing on their forms. I think fairly imposing, you have a rental zone that has rental property that's being imposed three year \$100, registration and annual inspection.

Mr. Bolton stated. We have an agenda. Number four is public input, and we will get back to you. I would take restriction alternate, 150 is a lot, even if I would like to see it higher, we already have right to left. We already have the president come to us and say you've passed 200 now you have that right.

Ms. Burton stated. You do have that right; it doesn't have to be codified for you to say enough is enough. If you determine that you won't make it into the code to say 200 is the cap then we will bring you no more, there would be no more applications.

Mr. Bolton stated. When you find out a whole different area might be good for that neighborhood, and we are stuck. What do you think about limits they say was 150.

Mr. Ranson stated. I really leaning toward number three, and negate 4,5,6. I want to say something to the person that joined us (Mr. Haynesworth). The city is making every effort to crack down on those that are illegally operating, and they will be notified, and they will do what they have to do.

Ms. Burton stated. That's correct.

Mr. Dodson stated. I think that's plenty. And I like it because you got a percentage it not just a random number you based on something.

Mr. Bolton stated. What would it take to raise it.

Ms. Burton stated. If we put 150 in the code and say, that's it no more. We will bring no more applications to you, if we see that we are still getting, or we think the market is exploding, and then we can handle more, and you want to open it back up. It would just be another code amendment something that we're going through now. And we would change it.

Mr. Ranson stated. I really like the option, we're working with you, it seems a little strange that we would really be reviewing all of these applications.

Ms. Burton stated. There are a lot, we've seen a large influx.

Mr. Ranson stated. Like a building code, a building permit process, I don't mind doing the work just seems redundant.

Mr. Bolton stated. If it doesn't come before us, should it still have to be approved by City Council.

Ms. Burton stated. If they were allowed by right, they would not have to come before you nor City Council. They would still be required to have a permit if the code amendment is passed this Thursday night. And that would just strictly be an Administrative Approval that we say has been met and they are issued a permit.

Mr. Bolton stated. I think that it needs to be reviewed because it might be something we catch.

Ms. Evans stated. We catch the gray area.

Ms. Burton stated. Even if you do determine that you want to cap it at a certain number, you still have the opportunity as you do now to say that's too many in a specific neighborhood. If you don't restrict anything by streets or neighborhood, you can create what would be a short-term rental neighborhood, there are people that own 20-25 houses on one particular street, or they own multiple full areas of property that they could transform into short-term rentals and that would still be at your discretion and Planning Commission to say, you have five that's enough or whatever the number is, even if you have not reached that cap of 150 or whatever you determine.

Ms. Evans stated. Where are the short-term rentals? Are they over here near the casino, are they on the north side of town?

Ms. Burton stated. They are everywhere. Of course, it's denser in the densely populated center but they area along North Main, Westover, I have 3 over in Fruit town, several down near the North Carolina border it's a big scatterplot.

Ms. Evans stated. I go back to my concern is we're taking away from long-term housing. And like the one on Howland Circle coming up that will be two side by side if we vote to approve that using a assuming city council votes to approve someone from last month just to get that much, either you limit by street or percentage I'm afraid we going to have an influx of Airbnb, then when the casino a lot of people are doing this to ride the casino. Having the casino built with the hotel rooms and people want to come and stay there and where all the people with these Airbnb not being used.

Mr. Bolton states. They can always go back to the long-term rentals; they just approved the huge residential last month and another big project somewhere. So, the long-term, I think we would have seen it, it may be just coming out of favor economic side of an effort in the long term.

Ms. Evans stated. Can they do that?

Ms. Burton stated. Right, the one thing you guys could look at as well, you could state that Airbnb may not be adjacent to one another. One locality Virginia Beach says you can't have more than one neighbor, that is Airbnb. So, you may have two that are adjacent to one another both Airbnb, but then you couldn't have one on this side. So, you couldn't have a long string of Airbnb, would have at least one gap in between. But you could certainly be creative and state that there may not be two adjacent. If you so, choose.

Ms. Evans stated. We can do that. But will we do that? Will we sit there and take the time and a meeting. And do that.

Ms. Burton stated. If you have one that is adjacent, and we're aware of it, we will let you know. Typically. We can look at that more closely and make sure that's stated in the staff report and established work to the best of our ability.

Ms. Evans stated. That one doesn't have a private driveway.

Ms. Burton stated. The one coming up.

Ms. Evans stated. What about the one coming up in Virginia what they doing? One apartment as an Airbnb.

Ms. Burton stated. That's right, just one side.

Ms. Evans Stated. How many of those do we have?

Ms. Burton stated. That's the only one I know, there is one other on Pine Street. The code changes states that you could have no more than one per lot. This would be the new change without a special use permit. So, they would need additional permission to have more than one on one particular lot. The duplex would need to state that we already have one. Now we would like to have two. This would also cover if you were an apartment complex, and you wanted to do the entire complex and short-term rentals, you would need a special requirement for that.

Ms. Evans stated. So, if you did it for that one and they have to meet the requirements to have a driveway, which that driveway is in bad shape. Then when they come along with the second one, where does the driveway fit in.

Ms. Burton stated. The code amendment states you would need space, one space for two bedrooms. If the one unit is two bedrooms and then you're going to add additional bedrooms then it would need a separate drive. So they would have to determine either to enlarge the existing driveway to accommodate that or create a separate driveway. You would still have to have one driveway per two bedrooms.

Mr. Bolton stated. Getting back to the 1%.

Mr. Dodson stated. Like I said I like the 150.

Mr. Bolton stated. What about the limit on the street?

Ms. Evans stated. I will go with the 1%, but I don't want to see two Airbnb adjacent to each other.

Ms. Burton stated. Okay. That certainly can be something that you guys determined and your vote. Or if you want us to research that and put it as an option at the board vote and public hearing, we can do that as well.

Mr. Ranson stated. That's fine, I think we can get on board the 1%.

Ms. Burton stated. Is that something you want to put in the code. Or do you want to continue to just have it at your discretion.

Ms. Evans stated. When you prepare the packet, say that this is already adjacent to another Airbnb, if we know that in advance.

Ms. Burton stated. Okay, as we gain more data, we'll be able to get better control on that, we just got the software online. We are trying to figure out the software and processes, we are certainly do our best. Once we get a dedicated person to do this, that's going to make things a lot easier.

Mr. Ranson stated. Parking requirements I assume will be in that automatic.

Ms. Burton stated. We can amend the existing staff report that you have now and republish it. It will be available to the public. And that what will be read off on Tuesday.

We discussed this; some localities actually state we will have no more than 5 cases per agenda. And that's a random number. You guys have we have 10 coming up in October, we have 6 already for next month.

Ms. Evans stated. Are you talking about limiting the short-term rentals or limiting the agenda period.

Ms. Burton stated. Limiting the agenda period.

Ms. Evans stated. Two.

Ms. Burton stated. Whatever number that you see fit, if you don't want to hear more than five cases each meeting. That's what you would do. If you want to continue to just let the chips fall where they may, and you have random numbers that's ok to. The situation that you can run into if you limit it to five, and that's a random number, and you get eight applications you're going to have 2 meetings each month because we have to hear them within 60 to 90 days and act on them. So we can limit them but you will potentially open yourself up to 2 meeting a month so either we just handled a number cases we have in 1 meeting, or we look at doing a cap and then agenda and then possibly having 2 meetings each month.

Ms. Evans stated. I think that puts a burden on us to plan especially with everything going on in our lives, trying to plan a vacation. I think 2 meetings a month. And I think it's important to be there. I'm not for twice a month.

Ms. Burton stated. Okay

Mr. Bolton stated. We have gone through these fairly quick.

Ms. Evans stated. With limiting the amount of time, you talk help.

Ms. Burton stated. That is fine with staff we were open; it was brought to us as an option. So, we presented as well. Like I said if you do that, and you do open up yourself and potential having to do two because we are required by state statute act within a certain timeline.

Mr. Ranson stated. We had 11 agenda items, I think last meeting and we got through those pretty well, I don't know if 11 is average, above average or below average.

Ms. Burton stated. It's our new average.

Ms. Evans stated. My first meeting I was here to after 6 pm.

Mr. Ranson stated. That would be bad.

Ms. Burton stated. That's fine we will keep it status quo. As we move forward, we do have a couple of ways that we come up with comp plan. As this starts, we're going to start into the writing phase of it during our drafting phases. You will see more of that added to the agenda. I would anticipate after the zoning code changes that will probably be an entire zoning code change. That may eliminate some of your numbers, as well we get into the new code changes and get updated. Just want to let you know kind of what the future holds. For the next couple of years, you'll see some of those numbers fluctuate. Ms. Burton stated. This is open forum, if there's something that you've been thinking about that you didn't want mention, this is the space now.

Mr. Ranson stated. The last meeting are there any requirements for affordable housing in any of these things like the huge apartment complex that we talked about in the last meeting. Are they required to have any affordable housing.

Ms. Burton stated. They are not required, now there are specific funding opportunities that they can take advantage of if they decide that they want to do a portion of and that is affordable housing, but it is not a requirement.

Mr. Ranson stated. So, the city doesn't have any requirements for affordable housing.

Ms. Burton stated. We do not.

Mr. Ranson stated. So, we're making everybody Airbnb rentals and building apartment that aren't for people that can afford them. A lot of time I read about jurisdictions that were acquired a certain number.

Ms. Burton stated. There is what's called inclusionary zoning, which would require a specific amount of affordable housing, mixed use things of that nature, it may be something that's looked at in the zoning code change it is not something that we're trying to take on right now. We will not be taking on that extreme of a change until after the comp plan is completed. Which should be adopted in June or July.

Mr. Ranson stated. I think that's important.

Mr. Bolton stated. Just to summarize we did after all consensus was that CBC and TWC could operate without a special use permit. And of course, you would monitor the parking.

Ms. Burton stated. Clarifying the CBC and TWC, the CBC is your central business commercial and TWC is tobacco warehouse commercial. They are your downtown and tobacco warehouse district, ultimately the River District.

Mr. Ranson stated. The city should look into how they refer these things, so we have consistence and we are calling the same everywhere, it wouldn't be confusing, if you enter different thing it would take you to the same place.

Ms. Burton stated. We are looking at doing that. We have received that suggestion. So yes, it's on the list.

Mr. Ranson stated. Can you summarize what was said about parking.

Ms. Burton stated. What I have is we are looking at the parking and the code amendment that goes before city council states that you need to have one space per two bedrooms. So, we will define the actual space that is required as an improved area with a minimum size 9x18 to be a designated area, well maintained with curb cut, those are my bullets.

Mr. Bolton stated. That was another discussion that would come up with a definition of a driveway. And whether it be paved or not or gravel, well maintained. One thing we didn't want to see is someone dump a load of gravel in front of the house and call that a driveway. Also, the management we changed it to 30 miles.

Ms. Evans stated. How does that work because Tuesday we have someone coming and it 50 miles.

Ms. Burton stated. Code amendment to change the miles to 30 is to be reviewed by City Council on Thursday.

Ms. Evans stated. So, if City Council approve it on Thursday, then that person is out, they will have to find another property manager.

Mr. Whitfield stated. Yeah, council code section is going to affect as soon as you make that sign.

Ms. Evans stated. So, it will be signed that night.

Mr. Whitfield stated. Typically, he would.

Ms. Burton stated. We need to make sure the applicant is aware of that, will probably send out some kind of notice. Then they will need to come up with whatever it is they want to meet those criteria.

Mr. Bolton stated. Then 1% of parcels to get 150.

Ms. Evans stated. When you defined that 1%. You said 1% of 15,000. What was 15,000?

Ms. Burton stated. Residential, that's not residentially zoned, that's residential use. Approximately it was 15,450. There's a state use code attached to every parcel within the city of Danville, that is ultimately how it's taxed. The state use code is used for taxing purpose. We use that particular code to determine the single-family use properties and did 1% from that roughly because it's 15,450.

Ms. Evans stated. For argument's sake the one on Virginia, that's an apartment and he wants to do one half short-term rental, does that come in that 1%.

Ms. Burton stated. No, because he is not single family. So, it would not. That particular address was not part of the 15,450 because it was not single family use it was used as a duplex. But that is the number that we use as a base to determine the 1% to get that 150 number.

Ms. Evans stated. Tommy, do you want 1% of single-family or 1% of residents.

Ms. Burton stated. It doesn't restrict that you can do a short-term rental in any other zoning classification. As long as it by zoning code, you can still do it at CBC or TWC. But it does limit the number that would be taken out of commission for long-term and for purchase. From being turned into short-term rentals.

Mr. Bolton stated. The rental district we eliminated that.

Ms. Burton stated. We will have a staff report for the driveway and then the 1% limitation. We want to find those numbers a little tighter to make sure that we give you a good explanation on how we go to that point.

Ms. Evans stated. Did we say last time you had to have a driveway, but we just didn't say anything about the improvements.

Ms. Burton stated. That's right, we did not define what the driveway would look like.

Ms. Evans stated. We did say you had to have a driveway.

Ms. Burton stated. That you had to have off street parking.

Ms. Evans stated. So how the one on Howland Circle come to us if it doesn't have off street parking.

Ms. Burton stated. Because that isn't approved till Thursday night by City Council.

Ms. Evans stated. Gotcha.

Mr. Haynesworth stated. His personal experience with operating short-term rentals, and also offered advice on the website. He also wanted to know when the zoning approval and grandfather were put into place.

Ms. Burton stated. If you are actually operating a short-term rental, you have always been required to have a zoning clearance and business license. Regardless of the April date, you are required to have a zoning clearance in a business license. Any short-term rental that is operating now without that is an illegal operation. Regardless of the need for this special use permit or the new permitting process, it is still deemed non complaint.

Ms. Evans stated. Taking away from long-term housing if you increase the number of Airbnb, and people that can't find housing because Airbnb ease, there's no housing.

Mr. Ranson stated. Everyone of those non owner occupied that we approved takes a rental house off the market. It's like a zero-sum game. Now the thing is, if when VIR opened up, there was a spate of hotels constructed in Danville. If there's a market for hotel rooms, people build hotels here. I don't think those are your main argument, you're not going to make it to me, you will make it to the City Council.

PLANNING COMMISSION MINUTES

OCTOBER 10, 2023

MEMBERS PRESENT

Mr. Bolton
Mr. Dodson
Ms. Evans
Mr. Kahn
Mr. Jones

MEMBERS ABSENT

Mr. Petrick
Mr. Ranson

STAFF

Cynthia Lester
Renee Burton
Ryan Dodson
Shanika Williams

I. ITEMS FOR PUBLIC HEARING

Mr. Bolton opened the Public Hearing

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

Mr. Bolton opened the Public Hearing

Ms. Davis stated. I'm the sister, Mr. Motley lives in Florida, I told him I would report the finding.

Mr. Bolton stated. Do you know anything about this, that might explain it a little bit and maybe the commissioners might have a few questions.

Ms. Davis stated. I really don't know very much. All I know is he owns this property on Girard and community service board is renting as a tenant there, and they are looking for more places for their tenants to rent and he wants to turn it into not a duplex but two apartments. He is not going to expand the building he's going to come up and put the wall between the two. The current renter will not be removed she can stay there during the renovations.

Mr. Jones stated. Does the current renter have full access to the building now.

Ms. Davis stated. Yes.

Mr. Jones stated. She's aware that part of it will be taken from her.

Ms. Davis stated. That I don't know.

Mr. Kahn stated. Do you know how many more renters.

Ms. Davis stated. There is one renter now.

Mr. Kahn stated. But in the future.

Ms. Davis stated. Community Services would put one more in the second unit.

Mr. Dodson stated. Do you think the owner will come back before us at all we tabled this before because the person didn't show up.

Ms. Davis stated. Table, I don't understand the question.

Mr. Dodson stated. Is the actual owner going to come before us anytime, because we've looked at it last month and he didn't show.

Ms. Davis stated. I don't know what happened last month. He just asked me if I could come today. And I can tell you, that's all I know. He will come up and renovate two apartments out of the one.

Mr. Dodson stated. We usually have the applicant come before us and explain everything in person.

Ms. Davis stated. Oh, that's kind of difficult for him right now.

Mr. Bolton stated. Renee, have you spoken with the applicant? I noticed you recommended approval.

Ms. Burton stated. I have not personally, Shanika has.

Ms. Williams stated. Yeah, he's in Florida, he said that he didn't have the ability to come to the meeting. Because he is letting Community Services lease out the building. And I did let him know that they were also welcome to come and speak. And that's the last we spoke.

Mr. Kahn stated. No one from Community Services is here.

Ms. Williams stated. To my knowledge no.

Mr. Bolton closed the Public Hearing

Mr. Dodson stated. So, we table it again.

Mr. Bolton stated. That's what I'm getting. Unless somebody from community service would come to answer questions.

Ms. Evans made a motion to table Special Use Application PZ23-00280 as submitted.

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

Mr. Bolton opened the Public Hearing

- 2. Special Use Permit application PZ23-00210 filed by Late Bloomers LLC requesting a Special Use Permit at 115 Howeland Circle (Parcel 21172) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.*

Mr. Bolton opened the Public Hearing

Mr. Neville stated. I'm the property manager for 115 Howeland Circle managing the property. My wife and I are the business owner of Late Bloomers LLC. And according to what Ms. Burton just read that is what we are requesting a short-term permit to operate an Airbnb we have done a lot of work to this home; it has required a full gut job. We have put new plumbing, new electric and new HVAC. In fact, the contractor is finishing up the HVAC this week. It has a new roof, we have put a lot of work into this home, and I think it would be a tremendous asset to the neighborhood, when we first acquired this property, you couldn't see none of it there was large trees in front and back. We are in the process of requesting a sign to be placed in the front no parking permit. As she indicated we do have two spaces in the front of the home that we can have people park. I contacted traffic control, and they are supposed to be getting back with me to let me know whether or not a sign can be placed. Several homes on that location have those signs parking by permit only. And that's what we were inquiring about also.

Mr. Dodson stated. How many occupants you think you will have.

Mr. Neville stated. Four it has four bedrooms.

Mr. Dodson stated. So, it will just be four people maximum?

Mr. Neville stated. Four bedrooms could probably hold up to about 10 people.

Ms. Evans stated. You expect 10 people to arrive in 2 cars.

Mr. Neville stated. No, absolutely not, when we get to that point, we will make it clear on where they can and can not park as far as how many people can occupy a home at one time because parking is an issue. I know that and I don't want this to be a strain on the neighbors, when people parking in places they're not suppose to. Although the home does have four bedrooms and they can house up to 10 people. I'm looking into putting a driveway inside the front yard because the homes on that side of the street have driveways. I'm in the process of talking to a contractor to get a driveway for off street parking.

Ms. Evans stated. That will take the whole front yard.

Mr. Neville stated. Not necessarily I don't think so.

Ms. Evans stated. How do you propose to give them parking permits if permit parking only signs are approved.

Mr. Neville stated. It will be in the instructions when they rent the property. I think that's something that should be clear for the people that will be occupying the home during that time. I live only 6 miles from the property, so I have no problem coming and checking it each time someone comes in and rent the property.

Mr. Jones stated. The problem is you're suggesting putting in the yard adjacent to your property.

Mr. Neville stated. No, that part that if you look at the picture, the brick house to the right has the horseshoe driveway. I want to do a parallel driveway to go straight up so it won't take away from the integrity of the yard and you are correct. It could possibly take up the entire yard, but I only want to utilize the right side of the property to put the driveway there.

Ms. Evans stated. Right side you are facing.

Mr. Neville stated. Yes, you're standing in front of the home the driveway would go to the right near that fence.

Ms. Evans stated. Are you aware the house next door has been approved for an Airbnb?

Mr. Neville stated. Yes.

Ms. Evans stated. And another one around the corner.

Mr. Neville stated. Yes.

Mr. Dodson stated. Renee, how many houses are Airbnb on the street.

Ms. Burton stated. That are operating in compliance? There is one on the this street.

Mr. Jones stated. As for the four-bedroom home, with this proposing 10 people, as we know the parking is already limited. Upon approval of this would the applicant be open to maybe decreasing the amount the house holds instead of four bedrooms, even though there are four bedrooms, if that's something we could ask.

Ms. Burton stated. Yes, you could ask them but also place that in conditioned on your special use permit. Generally speaking, the occupancy of your certificate of occupancy, generally speaking is two per bedroom. So, if you're like around 8 maximum.

Mr. Neville stated. The fourth bedroom was going to be used for office because we know people do work remotely a lot now. That was more or less going to be a conversion room.

Mr. Jones stated. I know there's reluctance. It's a possibility of 10 or even 8 people and parking being a problem. We can see what could be problematic with Airbnb next door.

Ms. Evans stated. You realize that you can only rent up to 30 days.

Mr. Neville stated. Yes, 18 hours to 30 days. No long term.

Ms. Evans stated. Question for staff, is the city still putting up permit only parking signs?

Ms. Burton stated. It is not an active program. There has been a conversation about that particular program, but it is not currently an active program.

Ms. Evans stated. Therefore, anyone can park in front of that house, to the people working across the street can take parking spaces from someone who wanted to rent that house. Correct?

Ms. Burton stated. Yes, it is a public space anyone can park there.

Mr. Jones stated. With Airbnb is there some type of condition, they can have a two-car max as a general rule or is that not possible.

Ms. Burton stated. Yes, it's extremely hard to enforce, conducting that kind of investigation to ensure, but it is possible to place that as a condition on a special use permit if you so choose. And like I said before, you could place the occupancy number on that as well. And that can be monitored by their listing.

Mr. Neville stated. Yes, I did speak to someone in traffic control about someone just parking at random and they say that program no longer in favor but there is a program that they have and let me know what type of signs can be placed. So, there can be some signage there I just don't know at this time, but they could be placed in front of the property.

Mr. Dodson stated. Do you have a problem with putting a condition in that you must have off street driveway to get this done.

Mr. Neville stated. No, not at all we were going to do that anyway.

Mr. Dodson stated. That will be for two cars.

Mr. Neville stated. Two cars on the street and two cars in the driveway, yes that fine.

Mr. Kahn stated. You can't control the street parking in front of the house. You talk about eight people minimum four bedroom. I'm looking at the house, it looks very small.

Mr. Neville stated. I will be able to control it once we get the signs there, then they will know that they can not park in front of the home.

Mr. Kahn stated. But you don't know what the signage will say.

Mr. Neville stated. I only live six miles away. I understand what you are saying but we don't have that much now of people parking in front of the houses.

Mr. Bolton closed the Public Hearing

Mr. Jones stated. Trying to make sure the verbiage is correct, the conditions we can place them to two cars and reduction to three bedrooms, he said it was a possible office, decreasing it down to six.

Ms. Burton stated. Yes, those are conditions that can be placed on Special Use Permit.

Mr. Jones made a motion to approve Special Use Permit PZ23-00210 with special condition being in place as such two cars limited, off street parking will be put in and three bedrooms for this house instead of four bedrooms with a maximum of six people.

Mr. Dodson seconded the motion. The motion was approved by a 3-2 vote.

3. *Special Use Permit application PZ23-00271 filed by Preferred Management Group on behalf of 2 JD LLC requesting a Special Use Permit at 151 Virginia Avenue (Parcel 20470) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29*

Mr. Bolton opened the Public Hearing.

Ms. Newcomb stated. I'm with Preferred Management Group. I realized that there are going to be many people here today in opposition to this application for the special use permit. I would like to share with them how we manage our Airbnb, reassuring them it wouldn't be a detriment to the neighborhood. I've host over 700 stays with the city myself between my own personal Airbnb as well as the ones that I host. And I have never experienced what most people would assume is typical, the nightmares destroying the properties, parties, and the noise complaints. That has not been my experience. None of the things I have here are what I consider to be a detriment to the neighborhood. In fact, they're probably some of the most well-maintained properties on the streets that they are on. A typical Airbnb owner takes a lot of pride in what the property looks like because that's a reflection on them. I understand that there were some comments about housing shortage but not passing this today will not mean that this is a long-term rental, odds are the owner will turn this into a mid-term rental where it is 30 days plus there is a market for that. As a property management company, I have people requesting those from time to time as well. I would never put down long-term rental because that's also a business idea. I have experience with properties I own myself, tenants that are detrimental to the property as well as their neighbors. We don't host guests that have less than a five-star rating. In the event that they have no reviews within Airbnb platform. My client invested well over \$50,000 into this house to make it a livable dwelling. From the guest that I've hosted through Airbnb, I've turned a few into long term rentals. I realize I can only speak to how I manage my properties. But it is not done lightly, it's my own, I have thousands of dollars invested in this myself and I will never want the neighborhood to be at odds with one of my properties. This property is a two-bedroom, one bath house, it will have a maximum occupancy of four people.

Ms. Evans stated. The staff report says it's 151 Virginia Ave unit, which one is that?

Ms. Newcomb stated. It's the downstairs unit.

Ms. Evans stated. Not the side where you go up the steps.

Ms. Newcomb stated. No that has a long-term tenant currently.

Ms. Evans stated. Is the owner of the property planning to make improvements to the driveway.

Ms. Newcomb stated. It has not been discussed. I think spraying to kill most of what's growing in there wouldn't hurt but he wouldn't be opposed to it. I can suggest it. He owns multiple properties throughout Danville and rehabilitates all of them.

Ms. Evans stated. The driveway is the concern. You also mention that this isn't turned into short-term rental that he would get into a mid-term rental as far as Furnished Finder is it registered with the city.

Ms. Newcomb stated. I don't currently have anything on furnished finders. It does not appeal to me and what I do typically, if we go mid-term rental, I'll do whatever I need to do to make sure it corrects with the city.

Ms. Evans stated. May sure the city is collecting their taxes.

Ms. Newcomb stated. Sure yes.

Mr. Jones stated. Does the pre-existing tenant have a vehicle?

Ms. Newcomb stated. Yes, she does but the driveway is not included in her lease.

Ms. Evans stated. So, how many street parking spaces are there since she parks on the street.

Ms. Newcomb stated. There are two in front of the property and there's a two-car driveway.

Ms. Evans stated. So where does the tenant park?

Ms. Newcomb stated. On the street in front of the house

Ms. Evans stated. So that leaves one plus the two in the driveway that needs improving.

Ms. Newcomb stated. Yes.

Ms. Neal stated. My husband Randolph and I live at 150 Virginia Avenue, which is directly across the street from 151 Virginia Avenue. We strongly oppose the use of 151 as an Airbnb. There's a well-documented shortage of long-term houses in Danville due to construction and workforce issues related to the pandemic. Higher interest rates have also resulted in more people not being able to afford to buy a home, but it must be said, approving short-term is only worsen the problem by taking a house out of the long-term rental market making it harder for families to find nice homes to rent. Hotels and motels are designed to accommodate short term visitors. If we need more hotels in the city, they should build them as one hotel could accommodate all the visitors 100 Airbnb's separate can handle. We feel that neighborhoods should be used for residents and houses should be used for residents. That is why we have continued to live here. And why we want the houses on our street as well as throughout the city to be lived in and not merely used as places for people to come and go. They need of the local residents are more important than the wants of the visitors.

Ms. Moore stated. I was born and raised in Danville on Virginia Avenue. My husband and I chose 23 years ago to return to Virginia Avenue to raise our family and we have lived with many wonderful neighbors for all those years. I am opposed to short-term rentals on our street. I do think there is a place for an Airbnb but not in neighborhoods. I have watched my neighborhood change over the years, we have dealt with Averett University students speeding up and down our street, party and taking our parking spaces. We have a number of long-term rentals on our street, and some of them are very good. And some of them are not good. And we are not opposing to that. I asked the commission to take strong consideration for our neighborhoods. There is a place for an Airbnb but not in neighborhoods.

Mr. Holland stated. I live on Virginia Ave, and I took a look at the Municipal Code that y'all are supposed to be following. And I know that you're evolving. It says the principal objective of the OTR district is to maintain reinforce and enhance the neighborhood, which exists in some of the best example of the city's historic downtown residential areas. A neighborhood specially the best neighborhoods are not to be used for experimenting with a new Airbnb model for this city. We already heard about the parking concerns. You all need to solve how you're going to do this Airbnb thing, before you come into the nicer neighborhoods. There's just not enough parking, we don't need transient folks coming through. So, we would ask that you as the Municipal Code speaks on that, you protect the feel of our neighborhood and don't allow this.

Ms. Newcomb stated. I would love to partake in anything that would make the community better, in no way wanting to be a detriment to this neighborhood, and I do understand the reservations.

Mr. Bolton closed the Public Hearing.

Ms. Evans made a motion to deny Special Use Permit Application PZ23-00271 as submitted. Mr. Dodson seconded the motion. The motion was approved by a 5-0 vote.

4. *Special Use Permit application PZ23-00312 filed by Misty and Derek Adams on behalf of DM Woodstock Enterprise, LLC requesting a Special Use Permit at 1244 Westover Drive (Parcel 50398) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.*

Mr. Bolton opened the Public Hearing.

Ms. Adams stated. I am applying for the special use permit for an Airbnb. Correction, Renee you probably didn't get updated, but our certification of occupancy took place on Friday. And he gave me feedback that was good to go.

Ms. Evans stated. You have a letter here that states the house is under contract to be sold.

Ms. Adams stated. Yes, So I have a co-applicant which Renee has that as well. With David and Kristen Riley. They are going to operate a short- term rental. They are the co-applicants. They will be here next month for the next hearing. I'm here on their behalf.

Ms. Evans stated. They will be here for the City Council meeting.

Ms. Adams stated. Correct and they will own the property by that time.

Ms. Evans stated. They live in town.

Ms. Adams stated. They live in Mebane North Carolina, and they have assigned Renee Powell who lives her in Danville as their property manager.

Ms. Evans stated. The driveway is gravel.

Ms. Adams stated. Yes, you could probably fit four trucks on the driveway.

Ms. Evans stated. They plan to improve the driveway.

Ms. Adams stated. It brand new gravel, it's a circular gravel driveway. And I don't believe there is street parking. I'm not sure if you can park on that side of the street, but you can fit four full size trucks in the driveway.

Ms. Evans stated. How many bedrooms?

Ms. Adams stated. Three bedrooms, six occupants.

Mr. Bolton closed the Public Hearing

Mr. Dodson made a motion to approve Special Use Permit Application PZ23-00312 as submitted.

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

5. *Special Use Permit application PZ23-00327 filed by Anthony C. Martin requesting a Special Use Permit at 85 Ashlawn Drive (Parcel 53437) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.* Mr. Petrick opened the

Mr. Bolton opened the Public Hearing.

Mr. Martin stated. I'm requesting a short-term rental for an Airbnb. My fiancé and I have put a lot of work into this home we renovated it, and it looks really nice.

Ms. Evans stated. Who will be the property manager:

Mr. Martin stated. I will be the property manager; I live about five miles away on Ross Street.

Ms. Evans stated. Have you done what needs to be done.

Mr. Martin stated. Probably 97% done, I have to get some rails coming up the steps and it will be done.

Mr. Dodson stated. Going back to the Certification of Occupancy.

Mr. Martin stated. Three bedrooms, and one bathroom with no more than five or six people.

Ms. Hughes stated. The Certificate of Occupancy was done today.

Mr. Bolton closed the Public Hearing.

Mr. Dodson stated. Does this change your recommendation.

Ms. Burton stated. He meets the criteria set forth by the zoning code.

Mr. Dodson made a motion to approve Special Use Permit Application PZ23-00327 as submitted.

Mr. Jones seconded the motion. The motion was approved by a 4-1 vote.

- 6. Special Use Permit application PZ23-00314 filed by David Gold and Juli Reeves requesting a Special Use Permit at 118 Mt Vernon Avenue (Parcel 23302) to allow short-term rental as principal use in accordance with Article 3.E Section C Item 29.*

Mr. Bolton opened the Public Hearing.

Mr. Gold stated. Myself and my wife are the owners of the property, just to update we did get our inspection done today. I have listened to some of the concerns we do have a driveway with tons of parking. We have made it a priority. We had an open house on Saturday. I personally went and knocked on every door saying here we are, here's what we are doing.

Ms. Gold stated. We are a family business; the home was a family home for many years before we did. We built it around the idea of having families in there. So, we have children's area for play. We are trying to attract the same kind of people with the same energy that we put into it as being a family.

Mr. Dodson stated. Will you be the property manager, even though you're 50 miles away.

Ms. Gold stated. Yes, we would be, and we have someone local who if there were to be any problems. He can be there in five to seven minutes.

Mr. Dodson stated. You have someone in Danville.

Ms. Gold stated. Yes.

Ms. Evans stated. You plan on renting the entire house.

Ms. Gold. Stated. Yes.

Ms. Clifton stated. My husband and I own the house next to the property, we lived there for 18 years. You guys did a beautiful job to the house. I really think it's too much to have somebody in and out of that house. Its bad enough across the street there's renters on Marshall Terrace, it's horrible. Parking is an issue. It needs to stay the neighborhood it has always been.

Mr. Jones stated. How many bedrooms are there?

Mr. Gold stated. Three bedrooms, there could be a fourth bedroom there as well. One of them has bunk beds for the kids.

Mr. Gold stated. I just want to tell you that we are going to have good people in there. We are going to be very selective about the people that are in there. But because that's our value structure, and because we do care about the neighbors in the neighborhood. I understand how the neighbors and community feel. And that we honor that home and the community and will be good stewards of the neighborhood and the home.

Mr. Haynesworth stated. I not speaking for or against it. Average Airbnb rental period, occupancy is only 49% at the highest. I think the parking problem should be reduced by 50%. Because people aren't going to be there as much as a rental property. I have a property next to me on West Main Street. It's been rented for 35 years long term, no structure, no requirements, no off-street parking, no inspection, and for 15 years I've had bad tenants.

Mr. Bolton closed the Public Hearing

Mr. Dodson stated. Are there other Airbnb on Mt. Vernon Avenue?

Ms. Burton stated. No, not that I am aware of.

Mr. Bolton stated. Just for point of clarity are we still operating under the old code where 50 miles even though he said he has a local.

Ms. Burton stated. Correct.

Ms. Evans stated. I have a question don't know if it is staff or him now that everyone has spoken. Who takes out the trash on trash day and puts back the trash can. Is that something we can ask them when you prepare the application?

Ms. Burton stated. It's typically the responsibility of the property manager. Now the property manager can certainly make that responsibility of the renter or they can come and take care of that themselves.

Mr. Jones made a motion to approve Special Use Permit Application PZ23-00314.

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

7. Special Use Permit application PZ23-00316 filed by Tamara Belotti requesting a Special Use Permit at 440 Mimosa Street (Parcel 56067) to allow short-term rental as principal use in accordance with Article 3.C Section C Item 29.

Mr. Bolton opened the Public Hearing.

Ms. Belotti stated. We have owned the business 18 years we provide long-term boarding for military deployed families and transition government officials. It could be six months to a year. They often come stateside to visit their pets they're here a couple days a week. We plan to market the property in line with our already existing business, also be marketed as a dog friendly property. Dog owners that are looking for a dog experience because we do have a lot of great businesses that offers outdoor seating there just so much for dogs to do. I have special insurance to cover all liability. The house was completely rundown literally falling apart, bought it and gutted it, this property is new and all with the intention of providing that experience for dog owners coming into the area.

Mr. Dodson stated. Do you have fencing for the dogs on about two acres and outdoor cams.

Ms. Belotti stated. Yes.

Mr. Jones stated. You say that to market it according to the preexisting business that you own. Where they can stay up to six months.

Ms. Belotti stated. No, the stay is typically three nights, with maximum probably two weeks. The maximum occupancy is three bedrooms, we turn one bedroom into a den/office, we don't have the desire to go over four.

Mr. Dodson stated. I am a cat person; will my cat Hoppy be welcome.

Ms. Belotti stated. Probably not here but over at our other place.

Mr. Bolton closed the Public Hearing

Mr. Dodson made a motion to approve Special Use Permit Application PZ23-00316 as submitted.

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

- 8. Code Amendment Request PZ23-00339 filed by James Osborne on behalf of Extreme Recovery of Danville amend Chapter 41 entitled "Zoning Ordinance" of the City of Danville, 1986 as amended. Specifically, amend Article 3. M. C. to create Item 31. Automobile salvage or other salvage yards*

Mr. Bolton opened the Public Hearing.

Mr. Osborne stated. I am the owner of Extreme Recovery; I do tow and recovery. I do big rigs for Danville city. I do repossession and one or two police calls a week, storing cars for a short period of time.

Mr. Newman stated. I'm oppose to this for two reasons, it not a good place. The City of Danville is spending a lot of money to make the entrance ways to the city to look attractive. And you are coming into town and see a salvage yard sitting up there that detracts from what it could look like. Don't think it's the place to put a salvage yard on Riverside Drive, the land up there is worth more in some other use than that. It has been a car lot up until this point when it was purchase about four months ago. I think if he wants to have a savage yard, have it somewhere else where it's zoned for that and don't need a special permit to do it.

Mr. Osborne stated. It is a tow yard; it will not be a junk yard we do wrecks for the city and repossession. Look on the map its probably 50 to 100 cars on the lot when I bought the property and it did look like a junk yard, but it's a lot cleaner now, I have a fence around it so it will be enclosed. It will not be a salvage yard.

Mr. Bolton stated. How many cars you anticipate there at any given time?

Mr. Osborne stated. Maybe 20 to 30 cars.

Mr. Bolton stated. And how many was there when you purchased it.

Mr. Osborne stated. Probably 50 to 70 cars it looked like a junk yard before, we are getting them out. It has a chain link fence all around the whole property, I going to put the skirt up in front where you can't see it.

Mr. Bolton stated. And you will not be selling auto parts.

Mr. Osborne state. No parts. It will be a little car lot there with maybe three cars for sale. Will not be a junk yard.

Mr. Bolton closed the Public Hearing

Mr. Dodson stated. May I ask Mr. Newman a question, after what Mr. Osborne said it not going to be a salvage yard does the change your opinion?

Mr. Newman stated. That's what the zoning says it going to be, that's what they are asking for.

Ms. Burton stated. That is the classification we have for tow yard, it all fits under the same classification.

Mr. Dodson stated. Even if he says it not one it could become one in the future if we approve that.

Ms. Burton stated. Code amendment could be it would specifically state the automobile salvage yard. Yes. When you move forward the rezoning and then you approve the special use permit. You can put conditions on that special use permit to limit the operations to only tow yard, not being able to sell salvage parts. But on this particular rezoning it would be titled as such.

Mr. Newman stated. I don't see why if he is not going to make it a salvage yard why do we need to make a special use permit for him.

Ms. Burton stated. The operation does meet the definition of automobile salvage. Well, it does allow tow lots and other things such of selling parts, damaged vehicles, things of that nature. But of course that's not what he's requesting like I said the code amendment which is allowed to be put in to the HRC zoning classification as a use allowed by special use permit and then if you decide that you want to approve the special use permit for this particular operation, you may place additional conditions on it that he is not allowed to sell salvage parts etc. whatever the commission desire.

Mr. Dodson stated. So, we could make that condition when we recommend it.

Ms. Burton stated. In a special use permit. Yes. Not in a code amendment.

Ms. Evans stated. The way it was operating before as a used car lot he cannot do a towing business at that location without adding salvage.

Ms. Burton stated. Correct. With the salvage or with the tow lot there is additional conditions for screening, maintaining security, he has taking care of to this point and that is part of being able to be part of the towing program with the city.

Mr. Dodson stated. If we approve it with condition and then we can put conditions not sure how this is going to work.

Ms. Burton stated. The first thing that's in front of you right now is a code amendment, that is specifically allowing this particular use of automobile, salvage, or other salvage yard within the HRC zoning classification as a special use permit. Just allowing someone to then come forward and request a special use permit for that particular operation. Then there is a second application requesting that special use permit. You may place conditions upon that special use permit, whatever the desire may be of the commission, if it is that he cannot sell salvage parts, that he has certain times of operation, things of that nature.

Ms. Evans stated. If he decided to sell down the road, someone else come in and do it as an auto salvage. Would that person need a special use permit as well?

Ms. Burton stated. The special use permits stay with the property itself. Now if there were conditions placed on that special use permit, they also remain.

Mr. Whitfield stated. So, someone would have to come back to the planning commission to remove those or change those.

Ms. Evans made a motion to approve Code Amendment Request PZ23-00339 to add item 30 automobile salvage or other salvage yards.

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

9. *Special Use Permit application PZ23-00340 filed by James Osborne on behalf of Extreme Recovery of Danville requesting a Special Use Permit at 4711 Riverside Drive (Parcel 51529) to allow automobile salvage in accordance with Article 3.M Section C Item 30.*

Mr. Bolton opened the Public Hearing.

Mr. Osborne stated. Extreme Recovery, any questions.

Ms. Evans stated. You have screened the fence.

Mr. Osborne stated. It's a chain fence six foot all around with barbwire, I'm going to put the skirt in front so you won't be able to see nothing, the way it is on the road you really can't see nothing.

Ms. Evans stated. Consider screening with plants or trees.

Ms. Osborne stated. They have that plastic strip it goes to the chain link fence, it screens the whole fence. The whole lot is fenced in.

Mr. Bolton closed the Public Hearing

Mr. Dodson stated. We want to say no salvage and no resale of parts.

Mr. Whitfield stated. You talk about screening in you might want to put in screening the front.

Ms. Evans stated. I would like some plants.

Mr. Dodson made a motion to approve Special Use Permit Application PZ23-00340 with condition it will not be as a salvage yard, will not sell auto parts, will have a screened in fence. Mr. Kahn seconded the motion. The motion was approved by a 5-0 vote.

V. PLANNING DIRECTOR'S REPORT

VI. MINUTES

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

With no further business, the meeting adjourned at 4:47 p.m.

APPROVED