



DANVILLE CITY COUNCIL REGULAR MEETING AGENDA

MUNICIPAL BUILDING

December 5, 2023

7:00 PM

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:**

James B. Buckner
L.G. "Larry" Campbell, Jr.
Bryant Hood
Barry P. Mayo

Dr. Gary P. Miller, Vice Mayor
Sherman M. Saunders
J. Lee Vogler, Jr.,
Madison J. Whittle

STAFF:

Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens, who have signed up to speak, to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address, and shall have three uninterrupted minutes. A representative of a group may have up to five uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - VICE MAYOR GARY P. MILLER

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS AND SPECIAL RECOGNITION

- A. Presentation: Certificate of Recognition - Big Brothers Big Sisters
Presented to: Patricia Daniel, Big Brothers Big Sisters

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine, have previously been discussed by City Council and/or introduced for First Reading. There will be no separate discussion on these items and they will be enacted by one motion. If discussion is desired by a Council Member or a citizen, the item(s) will be removed from the consent process and considered separately.

PUBLIC HEARING

- A. Consideration of Approval of Minutes from Regular Council Meeting held on November 9, 2023.
Council Letter Number CL - 1074.
Consideration of Approval of Minutes from Regular Council Meeting held on November 9, 2023.
- B. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for USDA Grant Funds for Food Services at W. W. Moore, Jr. Detention Home.
Council Letter Number CL - 954.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Federal Grant in the Amount of Approximately \$54,118 to Aid the Food Service Operations at W. W. Moore, Jr. Detention Home and Appropriating Same.
Final Adoption
- C. Consideration of Amending the Fiscal Year 2024 Budget Appropriation for Virginia Juvenile Community Crime Control Act Funding.
Council Letter Number CL - 955.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance for a Grant from the Department of Juvenile Justice in the Amount Of \$86,999 and a Local Share of \$39,830, for a Total Appropriation of \$126,829, to Provide for the Electronic Monitoring and Outreach Detention Programs, Online Intervention Programs, and Pro-Social Skills Programs for the City of Danville at the W. W. Moore Jr. Detention Home and Appropriating Same.
Final Adoption
- D. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues to Fund Various Expenditures.
Council Letter Number CL - 989.
An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance by Increasing Revenues from Interest Income, Sales Taxes, and Meals Taxes to Fund Various Expenditures, an Appropriation in the Amount of \$3,000,000 and Appropriating the Same.
Final Adoption

NEW BUSINESS

- A. Consideration of a Special Use Permit Application, filed by Deidre Carter, Requesting a Special Use Permit at 350 Hermitage Drive to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1045.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00348, filed by Deidre Carter, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 51905 (350 Hermitage Drive) in Accordance with Article 3.C., Section C, Item 29.
- B. Consideration of a Special Use Permit Application 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.
Council Letter Number CL - 1049.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23-00351, filed by Preferred Management Group, Requesting a Special Use Permit to Allow a Short-Term Rental as Principal Use at Parcel ID 24689 (212 A&B, 214 A&B and 216 A&B Jefferson Avenue) in Accordance with Article 3.G., Section C, Item 26.
- C. Consideration of a Special Use Permit Application filed by Mahesh Srinivasaiah Requesting a Special Use Permit at 820 Green Street to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1050.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00355, filed by Mahesh Srinivasaiah, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 22409 (820 Green Street) in Accordance with Article 3.E., Section C, Item 29.
- D. Consideration of a Special Use Permit Application filed by DM Woodstock Requesting a Special Use Permit at 232 Avalon Drive to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1051.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00364, filed by DM Woodstock, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 71105 (232 Avalon Drive) in Accordance with Article 3.C., Section C, Item 29.
- E. Consideration of a Special Use Permit Application filed by Polly Taylor Requesting a Special Use Permit at 129 Stokesland Avenue to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1052.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00371, filed by Preferred Polly W. Taylor, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 56898 (129 Stokesland Avenue) in Accordance with Article 3.E., Section C, Item 29.

- F. Consideration of a Special Use Permit Application filed by Wasi Bin Saleem Requesting a Special Use Permit at 242 Lipton Lane to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1053.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23-00374, filed by Wasi Bin Saleem, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 56149 (242 Lipton Lane) in Accordance with Article 3.E., Section C, Item 29.
- G. Consideration of a Special Use Permit Application filed by Jarrod Motley Requesting a Special Use Permit to Allow Short-Term Rental as Principal Use at 249 Parkland Drive.
Council Letter Number CL - 1056.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00377, filed by Jarrod Motley, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 56844 (249 Parkland Drive) in Accordance with
- H. Consideration of a Remanding Special Use Permit application filed by Elaine Ratcliffe Requesting a Special Use Permit at 316 Starmont Drive (Parcel 00850) to Allow Short-Term Rental as Principal Use back to the Planning Commission.
Council Letter Number CL - 1057.
1. Public Hearing
 2. Consideration of a Remanding Special Use Permit application filed by Elaine Ratcliffe Requesting a Special Use Permit at 316 Starmont Drive (Parcel 00850) to Allow Short-Term Rental as Principal Use.
- I. Consideration of a Special Use Permit Application filed by Tony & Anissa Howerton Requesting a Special Use Permit at 1540 Claiborne Street to Allow Short-Term Rental as Principal Use.
Council Letter Number CL - 1058.
1. Public Hearing
 2. An Ordinance Granting Special Use Permit Application PZ23- 00380, filed by Tony and Anissa Howerton, Requesting a Special Use Permit to Operate a Short-Term Rental at Parcel ID 02911 (1540 Claiborne Street) in Accordance with Article 3.E., Section C, Item 29.
- J. Consideration of a Denying a Special Use Permit Application filed by Charles Motley to Convert a Single Family Detached Dwelling to a Duplex at 305 Girard Street.
Council Letter Number CL - 1044.
1. Public Hearing
 2. A Resolution Denying Special Use Permit Application PZ23- 00280, filed by Charles Motley, Requesting a Special Use Permit in Accordance with Article 3.E., Section C, Item 1 to Convert a Single Family Dwelling to a Duplex at Parcel ID 02281 (305 Girard Street).
- K. Consideration of a Special Use Permit Application filed by Kelly Real Estate Requesting a Special Use Permit to Convert a Single Family Detached Dwelling to a Duplex at 411 West Main Street.

Council Letter Number CL - 1054.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ23- 00375, filed by Kelly Real Estate, Requesting a Special Use Permit to Convert a Single-Family Dwelling to a Duplex at Parcel ID 24051 (411 West Main Street) in Accordance with Article 3.E., Section C, Item 2.

- L. Consideration of a Special Use Permit Application filed by Jeramy Nichols on behalf of Old Oak Properties, LLC, Requesting a Special Use Permit at 823 Industrial Avenue.

Council Letter Number CL - 1055.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ23- 00376, filed by Jeramy Nichols on Behalf of Old Oak Properties, LLC , Requesting a Special Use Permit to Allow a Use Permitted by Right or Special Use Permit in the HR-C District (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) at Parcel ID 24094 (823 Industrial Avenue) in Accordance with Article 3.O., Section C, Item 15.

- M. Consideration of Rezoning Application filed by Averett University Requesting Rezoning at 419 West Main Street to Rezone from OT-R Old Town Residential to TO-C Transitional Office.

Council Letter Number CL - 1059.

1. Public Hearing
2. An Ordinance Rezoning from OT-R, Old Town Residential to "Conditional" TO-C, Transitional Office Commercial Parcel ID 22383 (419 West Main Street).

- N. Consideration of a Special Use Permit Application filed by CCKW, LLC Requesting a Special Use Permit to Allow Attached Residential Dwellings on Parcels located on Monument, Shelton, Cabell, and Franklin Streets.

Council Letter Number CL - 1060.

1. Public Hearing
2. An Ordinance Granting Special Use Permit Application PZ23- 00388, filed by CCKW, LLC Requesting a Special Use Permit for a Planned Unit Development on Monument, Shelton, Cabell and Franklin Streets in Accordance with Article 17., Entitled "Planned Unit Developments" of Chapter 41., Entitled "Zoning Ordinance" of the Code of the City of Danville, Virginia to Include Parcel ID#s 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.

- O. Consideration of a Code Amendment Request to Amend Chapter 41 Entitled "Zoning Ordinance" of the City of Danville, Virginia Regarding Short-Term Rentals.

Council Letter Number CL - 964.

1. Public Hearing
2. An Ordinance Amending Chapter 41 Entitled, "Zoning Ordinance" of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 2, Section Y, Entitled "Short Term Rentals".

- P. 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".
Council Letter Number CL - 1061.
1. Public Hearing
 2. An Ordinance Amending Chapter 41 Entitled, “Zoning Ordinance” of the Code of the City of Danville, Virginia 1986, As Amended, More Specifically, to Amend Article 15, Entitled “Definitions”, Section B, Entitled “Definitions”.
- Q. 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" to Limit the Number of Short Term Rentals.
Council Letter Number CL - 1063.
1. Public Hearing
 2. An Ordinance Amending Chapter 41 Entitled, “Zoning Ordinance” of the Code of the City of Danville, Virginia, 1986, As Amended, More Specifically, to Amend Article 2., Section Y., Item 3.
- R. 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".
Council Letter Number CL - 1062.
1. Public Hearing
 2. An Ordinance Amending Chapter 41 Entitled, “Zoning Ordinance” of the Code of the City of Danville, Virginia 1986, As Amended, More Specifically, to Amend Article 3.X Entitled “West Main Street Corridor Overlay”, Section H., Entitled “Prohibited Uses”.
- S. Review of the Final Draft of the City of Danville Preservation Plan.
Council Letter Number CL - 1064.
- A Resolution Approving Preservation Danville 2023, a Preservation Plan for the City of Danville, Dated August 2023.
- T. Consideration of Approval to release Three Blanket Easements on Parcels in Pittsylvania County for a prospective Dominion Energy Solar Farm.
Council Letter Number CL - 970.
- A Resolution Authorizing the Abandonment of Three City Blanket Easements Across Property in Pittsylvania County.
- U. Consideration of a Resolution Approving and Authorizing a Real Estate Purchase Agreement for Approximately 44.335 Acres of Land Located on Stinson Drive.
Council Letter Number CL - 1072.
- A Resolution Approving and Authorizing a Real Estate Purchase Agreement for Approximately 44.335 Acres of Land Located on Stinson Drive by and Between the Industrial Development Authority of Danville, Virginia and the City of Danville Virginia.
- V. Consideration of Amending the Fiscal Year 2024 Budget Appropriation Ordinance for the 2022 Assistance to Fire Fighters Grant in the amount of \$83,740 with local funding of \$8,374.
Council Letter Number CL - 967.
- An Ordinance Amending the Fiscal Year 2024 Budget Appropriation Ordinance to Provide for a Grant from the Department of Homeland Security in the Amount of \$83,740.22 and a Local

Share in the Amount of \$8,374.03 for an Air Compressor/Cascade/Fill Station for a Total Appropriation in the Amount of \$92,114.25 and Appropriating Same.

First Reading

COMMUNICATIONS FROM VISITORS

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COMMUNICATIONS

A. City Manager

B. Deputy City Manager

C. City Attorney

D. City Clerk

E. Roll Call

ADJOURNMENT